

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Daron Gersch at 6:30 o'clock in the evening on Wednesday, December 4, 2013, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Laurie Dingmann, Tom Kasner, John Greer and John R. Harlander. None were absent.

Also present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer, Stantec, Inc., Ozzie Carbajal, Police Chief, and Mike Kosik, Staff Writer, Albany Enterprise. The following Albany High School students were present: Bailey Jensen and Danny Bates.

After due discussion, a motion was made by Tom Kasner and seconded by John Greer to authorize the payment of the following bills: Check Numbers 63911 to 63945 and 15044 to 15055. All voted for the motion and it carried. The complete check register is on file at the office of the City Clerk/Adm. for public inspection during regular office hours. Mayor Daron Gersch called for any corrections or additions to the minutes of the regular Council meeting held on November 20th and hearing none declared them approved.

Pursuant to due notice, at 6:35 PM Daron Gersch called the public hearing into session to consider approving the 2014 Budget and the amount of property taxes it is proposing to collect to pay for the costs of services the City will provide in 2014. Mr. Schneider presented to the Council and public the proposed employee benefits, wages, operation expenses, revenues, capital equipment plan, and proposed 2014 City tax capacity rate. Mr. Schneider noted that the 2013 levy was \$676,289 and the proposed 2014 levy is \$675,853, a decrease of \$436. Mayor Daron Gersch closed the public hearing at 6:50 PM. Mr. Schneider informed the Council that final action to approve the 2014 Budget will be held at 6:30 PM or as soon as thereafter at the Council meeting to be held on Wednesday, December 18th at the City Hall. Mr. Greer noted that the City's proposed 2014 Tax Capacity Rate is 45.301, a decrease from 2013.

Mr. Mathiasen appeared before the Council to update the Council on the 2013 Railroad Avenue (State HWY #238) Improvements. Mr. Mathiasen informed the Council that he will be meeting with the general contractor to review additional work items in preparation of the next pay application. Mr. Mathiasen questioned if the three ornamental street lights in the City parking lot were too bright. Mayor Daron Gersch, with the consensus of the Council, informed Mr. Mathiasen that they are fine. Mr. Mathiasen noted that efforts should be made by property owners along Railroad Avenue to reduce and minimize salt applications on the new sidewalks during the winter season to protect the integrity of the newly poured concrete. Mr. Mergen noted that MnDOT plow operators will reduce their salt application on the Railroad Avenue (TH#238) during the winter season to protect the integrity of the newly poured concrete. Mr. Schneider informed the Council that a letter was mailed out to the property owners along Railroad Avenue between 1st Street and 9th Street informing them that excessive use of de-icing salts may lead to scaling and other damage to the concrete surface and it is recommended that other substitutes such as sand to supplement or replace the use of de-icing salts. Councilor Tom Kasner noted that the use of rock salts for ice removal should be avoided because they can cause the most damage to the concrete surface.

Mr. Mergen recommended to the Council that an unpaid water bill at 530 9th Street be certified to the Stearns County Auditor to be collected as a special assessment in the tax year 2014. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to direct the City Clerk/Administrator to certify to the Stearns County Auditor the unpaid water bill at 530 9th Street in the amount of \$282.53. All voted for the motion and it carried.

Councilor Laurie Dingmann, Park Department Liaison, informed the Council that the position of Warming House Attendant, a part-time seasonal job, is being advertised in the Albany Enterprise. Ms. Dingmann presented to the Council a proposed Job Description for the position and recommended approval. Mr. Mergen noted that the weather has been cold and ice is present on North Lake, but not safe for skating. After due discussion, a motion was made by Laurie Dingmann and seconded by John Greer

to approve the Warming House Attendant Job Description and an hourly rate of \$9.00 per hour. All voted for the motion and it carried.

Mr. Schneider informed the Council that the proposed ordinance amendment (Municipal Water System) will clarify inconsistencies between the Albany Schedule of Fees and Charges (Appendix A) and the text in the ordinance. Mr. Schneider noted that the City has charged new construction a water meter fee by action of the Council, but for some reason or another, the ordinance and Appendix A was not consistent. After due discussion, a motion was made by John Greer who introduced the following ordinance amendment and moved its adoption:

**AMENDMENT TO ORDINANCE 30
MUNICIPAL WATER SYSTEM**

The City Council for the City of Albany, HEREBY ORDAINS as follows:

1. That Section 30.12, Subd. 4 of the Albany City Code is hereby amended to read as follows:

“Subd. 4: Water Meter Policy. Every qualified dwelling or location shall be equipped with a water meter. The customer must purchase the water meter from the City of Albany, at a cost determined by the Council and set forth in Appendix A. All meters shall read in gallons.”

2. That Section 30.12, Subd. 6 of the Albany City Code is hereby amended to read as follows:

Subd. 6: Maintenance, Repair and Replacement. The Water Department will repair and/or replace all water meters if failure occurs within 120 days from the date of purchase. The Water Department will maintain, repair and replace all 5/8" water meters rendered unserviceable through normal use. When replacement, repair or adjustment of any water meter is rendered necessary by any act of neglect or carelessness, the expense incurred by the City of Albany will be charged to the owner of the premises. Leaking or stopped 5/8" water meters will be repaired or replaced by the City of Albany at no cost to the customer.

This amendment shall become effective upon adoption and publication.

This Ordinance was approved by the majority of the City Council of Albany on this 4th day of December, 2013.

Daron Gersch, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

The motion for the foregoing ordinance amendment was seconded by John R. Harlander and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Tom Kasner, John R. Harlander, John Greer, and Laurie Dingmann, and none voted against the same whereupon the said ordinance amendment was declared duly passed and adopted.

Mr. Schneider also presented proposed 2014 Albany Schedule of Fees and Charges, “Appendix A” beginning January 1, 2014. Mr. Schneider noted that the fee schedule is reviewed annually and adjustments made accordingly. Mr. Schneider having reviewed the fee schedule with the Police Chief and Public Works Supervisor recommended that the 2013 fee schedule be revoked and replaced with the 2014 fee schedule effective January 1, 2014. After due discussion, a motion was made by John Greer who introduced the following Ordinances and moved its adoption:

**ORDINANCE 2013-01
APPENDIX “A”**

ALBANY SCHEDULE OF FEES AND CHARGES

IT IS HEREBY ORDAINED, that Appendix "A", Albany Schedule of Fees and Charges 2013, is hereby revoked, and that Appendix "A", Albany Schedule of Fees and Charges 2014, attached hereto and incorporated herein as Exhibit A is hereby enacted in its place.

This Ordinance shall become effective on January 1, 2014, following adoption and publication.

This Ordinance was approved by the majority of the City Council of Albany on this 4th day of December, 2013.

Daron Gersch, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

The motion for the foregoing ordinance amendment was seconded by Tom Kasner and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Tom Kasner, John R. Harlander, John Greer, and Laurie Dingmann, and none voted against the same whereupon the said ordinance amendment was declared duly passed and adopted. Mr. Schneider noted that the fee schedule is available for public inspection during the regular office hours of the City Clerk/Administrator.

Councilor Tom Kasner questioned if the Public Works Department inspects homes and businesses for illegal sump pump or roof drain connections during the winter season. Mr. Kasner noted that treating unwanted "clean" water is very expensive and sump pumps and roof drains should be disconnected from the City's sanitary sewer system. Mr. Mergen informed the Council that survey of homes and businesses have been done in the spring of each year when he witnesses excessive wastewater being pumped at the main lift station.

Mr. Schneider presented to the Council a proposed 2014 City Personnel Policy. Mr. Schneider noted that there have been some minor additions to the policy as per the City Attorney. After due discussion, a motion was made by John Greer and seconded by Tom Kasner to approve the 2014 City Personnel Policy. All voted for the motion and it carried.

The Council took notice of a proposed Personal Equipment Use Agreement. Mr. Schneider noted that there are occasions where an employee volunteers the use of personal equipment in the performance of the employee's job duties and the agreement outlines terms and conditions of the use. Mr. Schneider noted that the same agreement will be presented to the Albany Fire Department. After due discussion, a motion was made by John Greer and seconded by Tom Kasner to approve the Personal Equipment Use Agreement. All voted for the motion and it carried.

Mr. Schneider informed the Council that the Council approved a Fire and Emergency Mutual Aid Agreement in August; whereby there has been one change to the agreement under the section Charges to the Requesting Party (48 hours has been decreased to eight (8) hours). Mr. Schneider noted that if the assistance provided continues for more than eight (8) hours, the responding party will submit to the requesting party an itemized bill for the actual costs of assistance provided after the initial eight (8) hour period. After due discussion and upon the recommendation by the Albany Fire Department, a motion was made by John Greer and seconded by Mayor Daron Gersch to approve the aforesaid change to the Agreement. All voted for the motion and it carried.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, December 18, 2013 and adjourned the meeting at 7:50 PM.

Tom Schneider, Clerk/Adm.