

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 Tom Kasner at 6:30 o'clock in the evening on Wednesday, December 5, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Jack Evens, Al Amdahl, John R. Harlander, and Keith Heitzman. None were absent.

Also, others present were: Tom Schneider, Clerk/Adm., Ozzie Carbajal, Police Chief, Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, Adam Rushmeyer, Council-Elect, and Mike Kosik, Editor, Albany Enterprise.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68737 to 68768. All voted for the motion and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the Council held on November 21st and hearing none declared them approved.

Open forum/public comments: none.

David Belford, 441 Railroad Avenue, introduced himself as the new owner of the property formally known as the Albany Restaurant. Mr. Belford informed the Council that his intentions are to open a restaurant named Barbacoa American and Mexican Food. Mr. Belford noted the building will be remodeled and the goal is to open the restaurant in February 2019. Mr. Belford also noted that he is applying for an On-Sale Liquor License, but questioned why he is required to pay a one-year liquor license fee of \$1,900 when his license would expire June 30, 2019. Mr. Evens questioned if the said fee can be pro-rated instead of making a new owner pay the full fee for just the remainder of the year. Mr. Schneider noted that the one-year license period is July 1st to June 30th each year and the Council does have the authority to amend the ordinance for those individuals requesting licenses shorter than the one-year license period. Mr. Harlander noted that the Council may consider charging an On-Sale license fee of \$1,000 if less than six months prior to July 1st and if greater, the applicant would pay \$1,900. Mayor Tom Kasner directed Mr. Schneider to prepare an amendment to Ordinance 60 (Liquor) related to payment of fees at a reduced rate. After due discussion, a motion was made by Jack Evens and seconded by John R. Harlander to approve the On-Sale Liquor License application to JM Stationers, Inc., dba Barbacoa American and Mexican Food, 411 Railroad Avenue, contingent upon the City receiving the appropriate certificate of liquor liability insurance and proof of workers compensation insurance. All voted for the motion and it carried. Mr. Schneider noted that upon receipt of a full application, it will be forward to the Minnesota Department of Public Safety Alcohol and Gambling Enforcement Division for their review and approval.

Pursuant to due notice, at 6:43 PM, Mayor Tom Kasner called the public hearing into session to consider approving the 2019 Budget and the amount of property taxes being proposed to be collected to pay for the costs of services the City will provide in 2019. Mr. Schneider noted that a notice of the public hearing was published in the Albany Enterprise on November 21st and 28th. No members from the public were present for the meeting. Mr. Schneider presented to the Council the proposed employee benefits and wages, revenues, capital equipment plan, and department operations (water, sewer, park, police, street, administration, library, election, fire, street). Mr. Schneider noted that the 2018 levy was \$819,732 and the proposed 2019 levy is \$892,696, an 8.9% increase. Mr. Schneider informed the Council that the overall expenses increased six-percent (6%). Mr. Schneider also noted the total expenditures proposed in 2019 for the departments are \$1,594,138. Mr. Schneider informed the Council that he and the City Engineer will be reviewing the operations of the water and sewer department to determine if the rates should be increased. Mr. Schneider informed the Council that if the proposed 2019 levy is approved, the City's 2019 tax capacity rate will be forty-one percent (41%), no change from the previous year. Mr. Schneider informed the Council that residential property values increased in March by the City Assessor anywhere from 5% to

14%, but if your property value did not increase, there would be no increase for the City property taxes. Mayor Tom Kasner closed the public hearing at 7:00 PM. Mr. Schneider informed the Council that a resolution to approve the 2019 Budget and levy will be presented to the Council at the Council meeting to be held on Wednesday, December 19th at City Hall.

Mr. Mathiasen appeared before the Council to present a resolution supporting the improvement of safe bicycle and pedestrian facilities near the Albany Area Schools, and throughout the community, and supports the funding application for the Transportation Alternatives and Safe Routes to School. Mr. Mathiasen noted that Stearns County and the Albany Area Schools will also include resolutions that support the City’s request for funding in connection with the proposed Forest Avenue Reconstruction Improvements. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following Resolution and moved its adoption:

RESOLUTION 2018-24
APPROVAL OF THE TRANSPORTATION ALTERNATIVE AND
SAFE ROUTES TO SCHOOL FUNDING APPLICATION

The motion for the foregoing Resolution was seconded by Al Amdahl and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Al Amdahl, John R. Harlander, Keith Heitzman, and Jack Evens, and none voted against the same whereupon the said Resolution were declared duly passed and adopted. The full text of the said Resolution is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the Council the Club will conduct final interviews for the position of General Manager next week and hope to fill the position by year-end.

Mr. Mergen informed the Council that another string mop head was found entangled in the pump at the Golf View Drive Lift Station. Mr. Mergen noted that properties in the Country Estates and Blattner’s Golf View Estates subdivisions contribute sanitary sewer waste to this lift station and questioned if someone is intentionally depositing the string mop head in the sanitary sewer to damage the pumps at the lift station. Mr. Schneider noted that the police department is aware of the problem and has been investigating the incidents. Mr. Schneider noted that if the person or persons responsible for this illegal act are found, the penalty is a misdemeanor. Mayor Tom Kasner thanked Mr. Mergen for the update and is very disappointed that someone continues to deposit a string mop head in the sanitary sewer.

The Council took notice of a proposed 2019 Agreement between Tri-County Action Program, Inc. and the City for transportation services. Mr. Schneider informed the Council that the service is available to all residents each week on Tuesdays during the hours of 9:30 a.m. to 1:00 p.m. Mr. Schneider noted that 475+/- residents use the service and the cost to the City is \$800 per year. Mr. Evens informed the Council that he has heard many favorable comments about the program and drivers who have been helpful assisting the elderly getting to and from their residence to area businesses. After due discussion, a motion was made by John R. Harlander and seconded by Jack Evens to authorize Mayor Tom Kasner to execute the said Agreement on behalf of the City. All voted for the motion and it carried.

Mr. Schneider presented proposed 2019 Albany Schedule of Fees and Charges, “Appendix A” beginning January 1, 2019. Mr. Schneider noted that there are no major changes in the fees and recommended approval. After due discussion, a motion was made by Al Amdahl who introduced the following Ordinance and moved its adoption:

ORDINANCE 2018-01
APPENDIX “A”
ALBANY SCHEDULE OF FEES AND CHARGES

IT IS HEREBY ORDAINED, that Appendix “A”, Albany Schedule of Fees and Charges 2018, is hereby revoked, and that Appendix “A”, Albany Schedule of Fees and Charges 2019, attached hereto and incorporated herein as Exhibit A is hereby enacted in its place.

This Ordinance shall become effective on January 1, 2019, following adoption and publication.

This Ordinance was approved by the majority of the City Council of Albany on this 5th day of December, 2018.

Tom Kasner, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

The motion for the foregoing Ordinance was seconded by Jack Evens and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Al Amdahl, John R. Harlander, Jack Evens, and Keith Heitzman, and none voted against the same whereupon the said Ordinance declared duly passed and adopted. The full text of the said Appendix “A”, Albany Schedule of Fees and Charges 2019, is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider presented to the Council an amendment to Ordinance 71, Animals, amending Section 71.11, Subd. 1. Mr. Schneider noted that purpose of the amendment is to require dog licenses to renew on or before January 31st of each year. Mr. Schneider noted the old language required the renewal on or before May 1st of each year. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following ordinance amendment:

**AMENDMENT TO ORDINANCE 71, ANIMALS
Amending Section 71.11, Subd. 1**

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

1. That Section 71.11, Permits Required, Subd. 1, Application and Fee, is hereby amended to read as follows:

“Subd 1, Application and Fee. No Person shall own, keep or harbor any dog or canine animal over the age of six (6) months within the City without first securing a permit from the Albany Police Department for the fee established in Appendix A. Each permit applicant shall pay the permit fee on or before January 31st of each year or the fee will double. All permits shall expire on December 31st of each year. Animal permits shall not be transferrable. This Section shall not apply to any humane society, veterinary clinics or laboratory.”

This amendment shall become effective upon adoption and publication.

This Ordinance was approved by the majority of the City Council of Albany on this 5th day of December, 2018.

Tom Kasner, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

This amendment was published in the *Albany Enterprise* on December 12, 2018.

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 Tom Kasner, Councilors Al Amdahl, John R. Harlander, Jack Evens, and Keith Heitzman, and none voted

against the same whereupon the said Ordinance amendment declared duly passed and adopted. The full text of the ordinance amendment is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The Council also took notice of a proposed one-year Agreement between SafeAssure Consultants, Inc., Willmar, MN, and the City of Albany. Mr. Mergen informed the Council that the safety consultants provide quarterly safety training and loss control practices including OSHA compliance review. Mr. Mergen noted that the annual cost for the consulting services is \$3,661.93 and recommended approval. After due discussion, a motion was made by Jack Evens and seconded by Keith Heitzman to authorize Mayor Tom Kasner to execute the said Agreement on behalf of the City of Albany. All voted for the motion and it carried.

Mr. Schneider informed the Council that a vacancy will exist on the Planning Commission due to Adam Rushmeyer joining the Council on January 1st. Mr. Schneider noted that a notice of the vacancy was published in the Albany Enterprise encouraging interested candidates in the community to apply for the remaining one-year term on the Board. Mr. Schneider noted that Mr. Rushmeyer was elected as a Council member at the November 2018 Municipal Election and will vacate his position on the Board December 31st.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, December 19, 2018 and adjourned the meeting at 7:20 PM.

Tom Schneider, Clerk/Adm.