

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, February 19, 2014, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Laurie Dingmann, Tom Kasner and John Greer. Councilor John R. Harlander was absent.

Also present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer, Stantec, Inc., Ozzie Carbajal, Police Chief, Mike Kosik, Staff Writer, Albany Enterprise, Greg and Helen Adamietz, resident property owners. No other members from the public were present for the meeting.

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 64124 to 64125, 64271 to 64301 and 15141 to 15168. 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 February 5th and hearing none declared them approved.

David Drown, the City's Financial Consultant with the firm of David Drown Associates, Inc., appeared before the Council to present proposed Resolution 2014-02 that would authorize the 2007A Bonds to be refunded even though they are not callable until February 1, 2015. Mr. Drown informed the Council that the 2007A Bonds originally funded the 6th Street, 2nd Avenue and 3rd Avenue Improvements. Mr. Drown noted that the interest rates on the 2007A Bonds have an average interest rate of 4.38% and the proposed refunding 2014A Bonds would have an interest rate near 2% reducing payments by about \$6,000 annually or a savings of nearly \$47,000 after all expenses. Mr. Drown also noted that the resolution will authorize the Mayor and City Administrator to sign a purchase agreement for the negotiated sale of the refunding bonds with Northland Securities provided the gross savings totals not less than \$40,000. After due discussion, a motion was made by John Greer who introduced the following resolution and moved its adoption:

RESOLUTION 2014-02
APPROVING THE ISSUANCE OF UP TO \$835,000 OF
GO PERMANENT IMPROVEMENT REVOLVING FUND CROSSEVER
REFUNDING BONDS IF SAVINGS TARGETS ARE MET

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

Jeff Johnson, Appraiser, and Marcus Yager, Appraiser, for the Stearns County Assessor's Office, appeared before the Council to present information pertaining to the 2014 Annual Assessor's Report and taxes payable for the year 2015. Mr. Yager appeared before the Council to introduce himself and past experience in appraising properties. Mr. Johnson presented a short summary of information regarding the City's annual property assessment and taxes payable for 2014 and an overview of the results achieved through the mass appraisal program administered by his office for both the City and Stearns County. Mr. Johnson noted that the legal assessment level is considered to be 100% of market value, but an acceptable assessment is achieved when the overall sales ratio that measures the relationship between sale prices and the assessor's estimated market values is between 90% and 105%. Mr. Johnson noted that the City's Board of Review/equalization meeting will be held at 5:30 PM, on Wednesday, May 7th at City Hall and notices to be mailed by Stearns County to property owners in the month of April. Mr. Johnson noted that an informational meeting will be held from 4:00 pm to 6:00 pm on Wednesday, April 30th at City Hall before

the Board of Review meeting to allow property owners an opportunity to review and discuss their property details privately.

Joe Mergen, Public Works Supervisor, informed the Council that due to the record low temperatures over the past several weeks, the frost at greater than normal depths has caused approximately thirteen (13) water services to freeze. Mr. Mergen noted that currently there is a four- inch (4”) water main on Church Avenue frozen between 5th Street and 7th Street which required a temporary water main to be installed in the rear yard of the properties affecting five (5) homes. Mr. Mergen noted that those properties with a very shallow water service and/or low water usage have the potential of their water pipe freezing and if there is a chance of freezing, property owners should run their water from one faucet at a pencil thickness. Mr. Schneider noted that cities across Minnesota are experiencing the same problems. Mr. Schneider noted that cities are instructing their residents to run water at a pencil thickness if they feel their water service has the potential to freeze, but he has not contacted any nearby cities to determine if the additional water usage will or will not be charged to the customer. Mr. Schneider informed the Council pursuant to Ordinance 30, the property served owns the water service beginning with the tap on the water main to the water meter in the building and that thawing a water service is at the expense of the property owner and to prevent refreezing, the owner may allow water to flow from their tap, but the additional gallons used will be billed at normal utility rates. Mr. Greer noted that a notice should be published in next week’s Albany Enterprise and any other public notices alerting property owners of the potential water service freeze up because many may not be aware of the seriousness of the issue. Mayor Daron Gersch, with the consensus of the Council, will prepare a public notice alert with the assistance of City Staff.

Ozzie Carbajal, Police Chief, appeared before the Council to inform the Council that an individual requested approval of an internship (200 hours) with the Police Department. Mr. Carbajal noted that the internship program is offered by North Dakota State University and that there would be very minimal expense to administer the internship which would begin in May. Mr. Carbajal noted that the individual would job shadow the Patrol Officers during their assigned shift and recommended that the internship be approved. After due discussion, a motion was made by John Greer and seconded by Mayor Daron Gersch to approve the internship with the Police Department. All voted for the motion and it carried.

Mr. Carbajal presented to the Council the 2013 Police Department Activities Report which included information on the number of calls per day, hours of calls, complaints report, training activities, etc. Mr. Carbajal noted that the full report will be posted on the City’s website for the public to view.

Mr. Carbajal also presented to the Council an amendment to the City’s Personnel Policy. Mr. Carbajal noted that for holiday pay, Patrol Officers will not be paid for the number of hours in their customary work day being their work schedule is much different than the other regular hourly full-time employees. After due discussion, a motion was made by John Greer who introduced the following amendment and moved its adoption:

**AMENDMENT TO “PERSONNEL POLICY”
CITY OF ALBANY**

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

1. That Section 11, Subd. B is hereby amended to read as follows:

Subd. B: Employees not working on an authorized holiday will be paid for eight (8) hours regular wages. (Police Patrol Officers will not be paid for the number of hours in their customary work day).

This Amendment was approved by the majority of the City Council of Albany on this 19th day of February, 2014.

Daron Gersch, Mayor

Tom Schneider, Clerk/Adm.

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

Mayor Daron Gersch, Albany Golf Club Liaison, presented to the Council the said Club's checkbook register for review and consideration. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John Greer to authorize the payment of the following bills: Check Numbers 36026 to 36228. Voting for the motion were Mayor Daron Gersch, Councilors Laurie Dingmann, and John Greer and none voted against. Councilor Tom Kasner abstained and the motion carried.

Mr. Schneider presented to the Council a petition from Mark Stangler, Trustee, and Gary Stangler, Trustee, on behalf of the Ambrose and Angeline Stangler Trust, 640 8th Street, to vacate a drainage and utility easement in the Sand's Northwest Addition. Mr. Schneider informed the Council that the house was constructed in 1966 over a platted easement, but the easement had never been vacated by the property owner at the time of construction. Mr. Schneider noted that over the years the home was sold several times, but no title company had ever brought this to the attention of the sellers. Mr. Schneider also noted that a public hearing notice will be published in the local newspaper and provided by U.S. Mail to utility companies. After due discussion, a motion was made by Tom Kasner and seconded by John Greer to set a public hearing at 6:30 PM or as soon thereafter on Wednesday, March 5th, at City Hall to consider the request to vacate a drainage and utility easement in the Sand's Northwest Addition. All voted for the motion and it carried.

Mr. Schneider also presented to the Council a summary of the Albany Economic Development Authority (EDA) checking account. Mr. Schneider informed the Council that all three loans have been paid in full and recommended that \$82,325 be transferred from the City's General Fund to the EDA checking account. Mr. Schneider noted that the EDA will revise the 1999 Revolving Loan Fund Policy and Criteria at their next meeting. After due discussion, a motion was made by John Greer and seconded by Mayor Daron Gersch to authorize the aforesaid transfer. 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, March 5, 2014 and adjourned the meeting at 8:00 PM.

Tom Schneider, Clerk/Adm.