

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, March 1, 2023, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were councilors Keith Heitzman, John R. Harlander, Adam Rushmeyer, and Al Amdahl. None were absent for the meeting.

Other's present were Tom Schneider, Clerk/Adm., Joseph Mergen, Supervisor, Public Works Department, Jeremy Mathiasen, the city Engineer with the firm Stantec, Inc., St. Cloud, MN, Ben Nordmann, Carl Zwach, Robert Havard, Don Williamson, Owner, and Jeff Bertram, Administrative Sales Manager, with the firm of West Central Sanitation, Willmar, MN.

The council recited the Pledge of Allegiance.

The council took notice of approval of payment of bills. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve/authorize payroll (3581-3598), electronic payments, transfers, and the payment of the following bills: Check Numbers 72509 to 72534. 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 February 15th and hearing none declared them approved.

Open forum/public comments: none

Pursuant to due notice, Mayor Tom Kasner called the public hearing into session at 6:31 o'clock in the evening on a request by Thomas and Catherine Flint, 1185 Deerberry Circle, Albany, MN, to vacate the drainage and utility easement as dedicated in The Highlands Three plat, according to the recorded plat thereof, Stearns County, Minnesota, bounded as follows:

EASEMENT VACATION DESCRIPTION

A 5.00-foot drainage and utility easement over, under and across the southeasterly 5.00 feet of Lot 1, Block 2, THE HIGHLANDS THREE, according to the recorded plat thereof Stearns County, Minnesota, as measured perpendicular to, contiguous and parallel with the southeasterly line of said Lot 1 and the northwesterly 5.00 feet of Lot 2, said Block 2, as measured perpendicular to, contiguous and parallel with the northwesterly line of said Lot 2, less and except the northeasterly 10.00 feet of said Lots 1 and 2, as measured perpendicular to, contiguous and parallel with the northeasterly lines of said Lots 1 and 2 and the westerly 5.00 feet of said Lots 1 and 2 being as measured perpendicular to, contiguous and parallel with the westerly line of said Lots 1 and 2.

Mr. Schneider noted a public notice was published in the Star Post on February 15th and February 22nd and no written comments were received. Mr. Schneider informed the Council the utility companies were given notice and no utilities are located within the proposed described easement to be vacated. Mr. Schneider also noted the purpose of the request is to construct a detached garage. Mayor Tom Kasner closed the public hearing at 6:32 PM. After due discussion, a motion was made by Adam Rushmeyer and seconded by John R. Harlander to approve the following: 1) vacate the public drainage and utility easement as per the aforesaid legal description, 2) authorize Mayor Tom Kasner to execute a Notice of Completion of the said vacation, and 3) approve certificate of compliance to combine both aforesaid lots into one lot. All voted for the motion and it carried.

The Council took notice of a resolution to declare the cost to be assessed, ordering preparation of proposed assessments, and calling for a public hearing for the 2023 Capital Improvements Project. Mr. Mathiasen noted each property owner will be mailed a notice listing the total amount proposed to be assessed to their property. Mr. Mathiasen noted the assessments would begin for each benefited property in

the year 2024, payable over a 15-year period. After due discussion, a motion was made by Al Amdahl who introduced the following resolution and moved its adoption:

RESOLUTION 2023-10
DECLARING COST TO BE ASSESSED; ORDERING PREPARATION OF
PROPOSED ASSESSMENT; AND CALLING FOR PUBLIC HEARING ON ASSESSMENTS
2023 Capital Improvement Project
(Public Hearing: 6:30 PM or as soon as thereafter, Wednesday, April 5th, at City Hall)

The motion for the foregoing resolution was seconded by Adam Rushmeyer and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Adam Rushmeyer, John R. Harlander, Keith Heitzman, and Al Amdahl, and none voted against the same whereupon the said resolution was 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.

The council took notice of a Professional Services Agreement between Stantec Consulting Services, Inc., and the city of Albany for engineering services related to the 2023 Capital Improvement Project. Mr. Mathiasen informed the council the terms and conditions are consistent with previous engineering service agreements approved for reconstruction improvements. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander 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.

Mayor Tom Kasner, Albany Area Fire Board liaison, informed the council the board held a meeting on February 28th to discuss the operations reimbursement schedule of the fire department for the year 2022 and the boards contribution to the 2023 Capital Equipment Fund. Mayor Tom Kasner noted the net cost to the participating jurisdictions (Albany City, Townships of Albany/Farming/Krain) was \$133,498. Mayor Tom Kasner informed the council the city of Albany’s reimbursement for 2022 department operations and 2023 Capital Equipment Fund was \$92,493. Mayor Tom Kasner also informed the council the annual firemen’s spring dance will be held on April 1st at Shady’s Hometown Tavern and Events Center.

Mr. Schneider presented to the council information related to the proposed funding sources for the 2023 Capital Improvements project. Mr. Schneider noted the General Obligation Revolving Fund Bonds, Series 2023A will be issued in the amount of \$3,220,000 for a 15-year term which will be funded by a combination of tax levy and special assessments to be collected in the years 2024-2038. After due discussion and upon the recommendation of Jason Murray, the city’s financial consultant, a motion was made by Mayor Tom Kasner who introduced the following resolution and moved its adoption:

RESOLUTON NO. 2023-09
PROVIDING FOR THE COMPETITIVE NEGOTIATED
SALE OF \$3,220,000 PERMANENT IMPROVEMENT
REVOLVING FUND BONDS, SERIES 2023A

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 Adam Rushmeyer, Al Amdahl, John R. Harlander, and Keith Heitzman, and none voted against the same; whereupon the said resolution was declared duly passed and adopted. The full text of the said resolution is on file at the office of the city Clerk/Adm. available for public inspection during regular business hours.

Mr. Schneider informed the council the city attorney prepared a draft refuse agreement with refuse hauler “A” which was approved at the February 15th council meeting. Mr. Schneider noted the agreement outlines several terms and conditions required of the hauler for residential refuse, recycling, and yard waste services. Mr. Schneider questioned if the city would prefer recycling to be picked up every other week vs. weekly which is a savings and less wear and tear on residential streets/alleys. Mr. Schneider also noted the

city should consider rates based on volume and not age as per Mn Statute 115A.93 and Stearns County license for solid waste haulers and Ordinance 431, Section 7.5.1. Mr. Williamson appeared before the council to inform the council the regulatory precedence set is to create incentives for waste reduction and his company provides lower pricing for lower volume services, including a lower-level refuse collection option of a 35-gallon cart every other week, a \$2.00/month reduction. Mr. Williamson noted this option may be utilized by seniors or any other household producing lower volumes of refuse. Mr. Williamson also noted his company can provide a lower cost option of every other week recycling utilizing a larger 95-gallon cart for a reduction of \$2.65 over weekly recycling with a 65-gallon cart, the combination of the lower service frequencies could save a household \$4.65/month. Mr. Williamson noted the city must select a city-wide option for recycling service either weekly or every other week. After due discussion and careful consideration, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize Mayor Tom Kasner to execute a Refuse Agreement with West Central Sanitation for a period of three (3) years with the option for two one-year extensions to include every other week recycling services, remove senior discount pricing, and add language authorizing the city to certify to the county auditor any unpaid refuse bills from properties on behalf of the refuse contractor to be collected as a special assessment. All voted for the motion and it carried.

Mr. Schneider informed the council he executed a memorandum of objective and scope of audit services of the city's financial statements with Schlenner Wenner & Company, St. Cloud, MN, the city's auditor. Mr. Schneider noted it outlines the responsibilities of the city auditor and city of Albany which has been done in the past. Mr. Schneider noted the estimate cost for the auditing services for the year 2022 is \$19,500 and \$20,085 for the year 2023.

Mr. Schneider also informed the council former full-time Patrol Office Derek Stommes agreed to work part-time and recommended the council approve Mr. Stommes as a part-time Patrol Officer in the Albany Police Department. After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to hire Derek Stommes as a part-time Patrol Officer. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock or as soon as thereafter on Wednesday, March 15, 2023, and adjourned the meeting at 7:15 PM.

Tom Schneider
Clerk/Adm.