

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, March 5, 2014, in the Council Room at 400 Railroad Avenue for the said City.

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

Also present were: Tom Schneider, Clerk/Adm., and Mike Kosik, Staff Writer, Albany Enterprise. No members from the public were present for the meeting.

After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to authorize the payment of the following bills: Check Numbers 64126 to 64162. 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 19<sup>th</sup> and hearing none declared them approved.

Pursuant to due notice, Mayor Daron Gersch called the public hearing into session at 6:31 o'clock in the evening to vacate a utility easement located on Lot 2, Block 2 in Sand's Northwest Addition for the purpose of allowing the property owner to sell their home. Mr. Schneider noted that a proper petition was received by the land owner and public notice published in the Albany Enterprise on February 19<sup>th</sup> and 26<sup>th</sup>. No members from the public were present for the meeting. Mr. Schneider informed the Council that when the home was built in the 1966, it was constructed on top of a platted utility easement, but never officially vacated. Mr. Schneider noted that the home has sold more than once over the years, but the utility easement never vacated. Mayor Daron Gersch closed the public hearing at 6:35pm. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to officially vacate the utility easement legally described as follows: Ten (10) foot utility easement over, under, and across the southerly 10 feet of Lot 2, Block 2, Sand's Northwest Addition, according to the recorded plat thereof, Stearns County, Minnesota. All voted for the motion and it carried.

David Drown, the City's Financial Consultant with the firm of David Drown Associates, Inc., appeared before the Council to present proposed Resolution 2014-04 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 annual savings are \$49,000 or \$44,371 in today's value. Mr. Drown 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, Inc. After due discussion, a motion was made by John Greer who introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2014-04**

**RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF \$835,000 GENERAL OBLIGATION PERMANENT IMPROVEMENT REVOLVING FUND REFUNDING BONDS, SERIES 2014A; ESTABLISHING THE TERMS AND CONDITIONS THEREFOR; CREATING AN ESCROW ACCOUNT AND A DEBT SERVICE ACCOUNT THEREFOR; AND AWARDDING THE SALE THEREOF**

The motion for the foregoing Resolution was seconded by Mayor Daron Gersch 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 R. Harlander, 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.

Councilor Laurie Dingmann, Park Board Liaison, informed the Council that two vendors were invited to the March 3<sup>rd</sup> Park Board meeting to present playground designs to be installed in North Park. Ms. Dingmann noted that the designs target children from the ages 5 to 12 and costs range \$75,000 to \$85,000. Ms. Dingmann noted that financing was obtained from annual City Park budgets, and generous donations from the Albany Area Jaycees (\$20,000), and Albany Mutual Telephone Association (\$20,000). Ms. Dingmann also noted that the new playground will replace the playground equipment that's nearly 40 years old located east of the hospital in North Park. Mr. Schneider informed the Council that the Park Board members recommended the design submitted by Flagship Recreation be approved, but with some minor changes to the components proposed; whereby the final cost for the design will be presented before the Council at the next meeting for final approval.

Ms. Dingmann informed the Council that the Warming House on North Lake will close after this weekend due to poor ice and low public usage due to the cold temperatures this winter season.

Councilor Tom Kasner, Albany Area Fire Board liaison, informed the Council that the Board met on February 25<sup>th</sup> to review the 2013 Fire Department operations, 2014 Capital Equipment Plan, and Policy for establishing fees for fire and medical services. Mr. Kasner noted that the department was significantly over budget in 2013 due to increases in structure fires, training refresher certification, workers compensation premium and less revenue income. Mr. Kasner also noted that language was added to the said Policy that would prohibit the Albany Fire Department from charging a resident from Albany, Krain, and Farming Township who resides outside the fire district boundary who requests services from the Albany Fire Department. Mr. Kasner noted that the discussion at the meeting was that property owners in the participating townships pay property taxes for fire protection to more than one fire department and fire district boundaries for each fire department should not be considered as to whether a resident in the township should be charged or not. Mr. Kasner informed the Council that very seldom does a township resident outside the fire district boundary request services of the Albany Fire Department and the Board did not think the amendment would have a substantial impact on revenues collected annually for services. Councilor John Greer questioned if a City resident would be charged by a different fire department if services were requested within Albany, Krain or Farming Township. Mr. Schneider informed the Council that there are several fire departments that provide services to Albany, Krain, and Farming Township and each would need to be contacted about their policy for charging for services. Mr. Greer recommended that the Albany Area Fire Board discuss his question at their next Board meeting in July. After due discussion, a motion was made by John Greer and seconded by Tom Kasner to authorize Mayor Daron Gersch to execute the 2014 Policy for establishing fees for fire and medical services (Albany Fire Department). All voted for the motion and it carried.

Mr. Schneider presented to the Council a proposed amendment to Appendix A, Albany City Code Schedule of Fees and Charges. Mr. Schneider informed the Council that the Albany Area Fire Board recommended that the hourly rates for fire equipment be increased to be consistent with the said Board's Policy for establishing fire and medical service fees. After due discussion, a motion was made by Mayor Daron Gersch who introduced the following resolution and moved its adoption:

RESOLUTION NO. 2014-03  
APPENDIX "A"  
ALBANY SCHEDULE OF FEES AND CHARGES

The motion for the foregoing Resolution 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 Laurie Dingmann, John R. Harlander, 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.

The Council also took notice of a Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division, application and permit for a temporary on-sale liquor license submitted by the Mother of Mercy Foundation, for a Wine and Dine event to be held on May 3rd at the Seven Dolors Parish Center. Mr. Schneider informed the Council that a permit is required being wine will be consumed on the premises. After due discussion, a motion was made by John R. Harlander and seconded by John Greer to approve the said application and permit. 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 19, 2014 and adjourned the meeting at 7:35 PM.

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Tom Schneider, Clerk/Adm.