

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, October 2, 2013, 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, Jack Evens, resident, and the following Albany High School students: Cody Fourre, Dalton Finken, Cassandra Solis, Johnny Beckus, Matthew Stiller, Abby Schultz, Bailey Eiyneck, Natalie Mrozek, Katelyn Groetsch, Megan Bartels, Emily Schindler, Elizabeth Meer, Alyssa Goehring, and Molly Gersch.

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 63713 to 63743 and 14986 to 14997. 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 September 18th and hearing none declared them approved.

Mayor Daron Gersch informed the Council that the Council received a letter from Councilor John R. Harlander requesting a 90-day leave of absence from his duties as a City Councilor due to health issues. After due discussion, a motion was made by Mayor Daron Gersch who introduced the following resolution and moved its adoption:

RESOLUTION 2013-19

WHEREAS, Councilor John R. Harlander was duly elected on November 6, 2012 to the City Council of the City of Albany, Minnesota, and;

WHEREAS, Councilor Harlander has been unable to perform his duties as a Council member since August 7, 2013; and

WHEREAS, the City received a letter from Councilor Harlander informing the City of Albany that he is temporarily unable to serve as a Council member for health reasons and that his absence will meet or exceed 90 days, and;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Albany, Minnesota, that

1. A vacancy exists on the Council pursuant to Minnesota Statutes 412.02, subd. 2b;
2. The City Council will make a temporary appointment to the office of City Councilor as required by law;
3. If at any time prior to December 31, 2016 Councilor Harlander is able to resume his duties and attend City Council meetings, the City Council will by resolution restore Councilor Harlander to his office;
4. If Councilor Harlander is unable to resume his duties as a City Councilor, the temporary appointment will remain in the office of City Councilor until the next municipal election and the individual elected will serve out the remainder of the unexpired term.

Adopted by the City Council this 2nd day of October, 2013.

Daron Gersch, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

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 John Greer, Tom Kasner and Laurie Dingmann, and none voted against the same whereupon the said Resolution was declared duly passed and adopted.

Mr. Schneider recommended that the Council make a temporary appointment to the Council and introduced to the Council Jack Evens, a former Council member, for consideration to fill the temporary vacancy. Mr. Evens appeared before the Council and noted that if appointed he would accept the temporary position as a City Councilor. After due discussion, a motion was made by Tom Kasner and seconded by Laurie Dingmann to appoint Jack Evens as a City Councilor to fill the temporary vacancy. All voted for the motion and it carried.

Mr. Schneider administered the Oath of Office as a City Councilor to Jack Evens.

John Hoefs, Administrator, Mother of Mercy Campus of Care, appeared before the Council to present and discuss the issuance of a proposed refunding bond. Mr. Hoefs noted that the refunding will provide the organization with a lower interest rate, refund the 2008 Bonds, and the lender will be Stearns Bank National Association with an office in St. Cloud. Mayor Daron Gersch informed the Council that the organization is a 501(c) 3 as per the Internal Revenue Code of 1986 which permits the participation by the City to be authorized to issue the bonds. After due discussion, a motion as made by John Greer who introduced the following resolution and moved its adoption:

RESOLUTION NO. 2013-18
RESOLUTION APPROVING THE ISSUANCE AND SALE OF A
HEALTH CARE FACILITIES REVENUE REFUNDING NOTE, SERIES 2013
(MOTHER OF MERCY CAMPUS OF CARE PROJECT), IN THE
PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,018,000 AND
AUTHORIZING THE EXECUTION OF DOCUMENTS RELATING THERETO

The motion for the foregoing Resolution 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 Daron Gersch, Councilors John Greer, Tom Kasner, Jack Evens, and Laurie Dingmann, 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.

Mr. Mathiasen appeared before the Council to discuss a proposed cost estimate for additional ornamental street lighting on 8th Street between Shamrock Lane and Railroad Avenue. Mr. Mathiasen informed the Council that the property owners benefitted by the new lighting were contacted and had no objection for payment of their percentage. Mr. Mathiasen presented to the Council the following proposed cost for four additional lights: City \$31,724 and property owners \$5,080 totaling \$36,804. Mr. Schneider informed the Council that the downtown committee had discussed and supported the concept of new ornamental street lights on 8th Street (State HWY #238), south of the intersection of Railroad Avenue and 8th Street. Mr. Schneider also noted that the ornamental lights would be the same design as erected on Railroad Avenue. After due discussion, a motion was made by Tom Kasner and seconded by John Greer to approve the installation of four ornamental street lights on 8th Street between Shamrock Lane and Railroad Avenue. All voted for the motion and it carried.

Mr. Mathiasen informed the Council that R.L. Larson Excavating, Inc., St. Cloud, MN, the General Contractor, has requested a four week extension to the completion date for the 2013 Railroad Avenue (State HWY #238) Improvements. Mr. Mathiasen noted that even though the contractor ran into a lot of underground obstructions while installing the utilities on 8th Street and Church Avenue; there were times that the contractor did not work or certain tasks took longer than expected. Mr. Mathiasen noted that the project contract stated that Phase Two work will be substantially completed on or before October

19th with a final completion date of October 31st. Mayor Daron Gersch noted that the weather in the next several weeks will determine if the project can be completed. After due discussion, a motion was made by Tom Kasner and seconded by John Greer to approve a revised substantial completion date to be October 30th, a nine day extension (Oct. 21st-26th and Oct. 28th-30th) for Phase Two, with a final completion date of November 11th. All voted for the motion and it carried.

Mr. Mergen presented to the Council a list of property owners that have not paid their utility (water/sewer) bill after receiving notices that their utility bills were past due pursuant to Ordinance 30. Mayor Daron Gersch, with the consensus of the Council, directed Mr. Mergen to make one final contact with the property owners to encourage full and final payment.

Mr. Schneider informed the Council that Kristie Watson, Police Secretary, submitted a Position Review Form stating her job duties and responsibilities have gradually changed since she was hired three years ago such as more complexity, requires skills, decision making, and training sessions. Mr. Schneider noted that he discussed and reviewed the information with Kathleen Murphy, Murphy Management Consultants, and the City's Pay Equity Consultant. Mr. Schneider also noted that Mayor Daron Gersch and Councilor Laurie Dingmann, appointed Labor Commissioners, reviewed and discussed the request. After due discussion and upon the recommendation by the City Administrator and Labor Commissioners, a motion was made by Mayor Daron Gersch and seconded by Laurie Dingmann to approve a revised Police Secretary Job Description, Job Evaluation Point Grouping (141 points), and adjusting the position to Group IV, Step 2 or \$15.92/hour effective January 1, 2014. All voted for the motion and it carried.

Mr. Schneider informed the Council that there will be a Special Election to fill the vacancy in Stearns Commissioner District 5. Mr. Schneider noted that a Special Primary Election will be held on Tuesday, November 19th and the Special Election will be held on Tuesday, January 28, 2014. Mr. Schneider also noted that the Council is required by Minnesota Statute to appoint election judges. After due discussion, a motion was made by John Greer and seconded by Jack Evens to appoint the following individuals as election judges for the said Election: Rita Stenlund, Lucy Thomas, Tom Schneider, Diane Westgard, Pam Rypkema, and Mary Kay Grabmeier. 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, October 16, 2013 and adjourned the meeting at 7:25 PM.

Tom Schneider, Clerk/Adm.