

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, April 17, 2024, in the Council Room at 400 Railroad Avenue for the said City.

Other members present were councilors John R Harlander, Al Amdahl, and Keith Heitzman. Councilor Adam Rushmeyer was absent. Others present were Police Chief Ozzie Carbajal, Sergeant Matt Gannon, Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, city engineer with the firm Stantec Inc. MN, St. Cloud, Tim Hennagir, Staff Writer, the Star Post, Chris Kotzer, Albany Golf Club Inc. Board of Director member, Gary Winkels, City Administrator, and the following residents: Berleen Hollenkamp, and Bruce Winter.

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 Al Amdahl, and seconded by Keith Heitzman to approve/authorize payroll (4180-4197), electronic payments, transfers, and the payment of the following bills: Check Numbers 73421-73446. All voted for the motion, and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the Board of Appeal and Equalization meeting held on April 3rd. Mayor Tom Kasner, hearing no corrections or additions, declared them approved.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the council held on April 3rd. Mayor Tom Kasner, hearing no corrections or additions, declared them approved.

Open forum/public comments: Bruce Winter 720 6th St. questioned if temporary delineators should be installed on the east side of 6th street, between Linden Avenue and Soo Line Avenue to act as a safe walkway for pedestrians. Mr. Harlander noted the temporary delineators could be removed in October, but the council should consider a way of installing a sidewalk in this area in the future. Mayor Tom Kasner, with the consensus of the council, directed Mr. Mergen to install the temporary delineators on the east side of 6th street between Linden Avenue and Soo Line Avenue and be removed in October. Mayor Kasner also directed Mr. Mergen to get quotes on installing a sidewalk in the said area. Mayor Tom Kasner also noted a letter be mailed to the residents prior to installation.

Sergeant Matt Gannon informed the council the police department received a quote of \$272,498.94 from Axon Enterprise using Sourcewell (a cooperative purchasing program) to replace the departments tasers, body and squad car cameras. Mr. Gannon noted the contract would be a ten (10) year contract. Mr. Gannon noted the following items would be included in the contract:

- 1) New Taser year 1 and year 5.
- 2) Taser cartridges for training and duty.
- 3) 2-day taser instructor course.
- 4) New body cameras year 1 and year 5.
- 5) New squad car cameras year 1 and year 5.
- 6) Unlimited storage for body and squad car camera footage.
- 7) Auto transcription.
- 8) Warranty on all provided products for the term of the contract.

9) 4% annual inflation protection.

Mr. Gannon noted the cost of the contract is \$18,400 +/- year 1 to \$32,800 +/- year 10. Mr. Gannon noted currently the department is paying Axon \$19,500 +/- per year without a contract and owns the equipment. Mr. Gannon noted the department's current tasers were refurbished 7-10 years ago. After due discussion and consensus of the council Mayor Tom Kasner directed Mr. Gannon to have the city attorney look at the terms of the contract and report the findings at the May 1st council meeting.

Mr. Kotzer appeared before the council to discuss the Albany golf course clubhouse improvements. Mr. Kotzer presented to the council Pay Application #4 to Arnzen Construction, Inc. in the amount of \$839,883.90. Mr. Winkels noted Arnzen Construction was notified the payment will be held until IC-134 forms and Lien waivers from all contractors are received. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve Pay Application #4. Voting for the motion were Mayor Tom Kasner, Councilors, Al Amdahl, and Keith Heitzman. Councilor John R. Harlander abstained, and the motion carried.

Mr. Kotzer noted the club house renovations are near completion. Mr. Kotzer also noted the furniture should be arriving within the week.

Mr. Kotzer requested a \$170,000 loan from the city to pay for the remainder of the renovations. Mr. Kotzer noted the majority of the loan would be used for kitchen upgrades. Mr. Winkels presented the council with a ten (10) year, two (2) percent amortization schedule. Mr. Winkels noted total finance charge would be \$16,761.40. After due discussion a motion was made by John R. Harlander and seconded by Al Amdahl to approve the \$170,000 ten (10) year two (2) percent loan. All voted for the motion and the motion carried.

Mr. Mathiasen updated the council on the 2023 Forest Avenue Capital Improvement Project. Mr. Mathiasen noted final work will resume soon.

Mr. Mathiasen updated the council on the 2024 Roadway Surface Mill and Overlay Improvements. Mr. Mathiasen noted contracts are approved and signed. Mr. Mathiasen noted Knife River, the general contractor, is planning a pre-construction meeting in late April and tentatively planning to start in May.

Mr. Mathiasen updated the council on the 2025 Railroad Avenue / CR 157 Improvement project. Mr. Mathiasen noted the County Engineer is planning to have the construction plans 95% completed and will have additional information to present at a future meeting. Mr. Mathiasen presented the council with a scope of services and fees for engineering services totaling \$53,760.00. After due discussion a motion was made by Mayor, Tom Kasner, seconded by Keith Heitzman to approve the scope of work and fee for engineering. All voted for the motion, and the motion carried.

Mr. Mathiasen updated the council on the Water Treatment Plant sand filter rehabilitation. Mr. Mathiasen noted the sand media has been ordered and coordination of quotes with contractors is continuing.

Mr. Mergen informed the council the 2020 Kubota tractor that is used for snow removal and lawn mowing is having engine problems. Mr. Mergen noted the cost to repair the engine is

\$6,000 +/- . After due discussion and with the consensus of the council Mayor Tom Kasner directed Mr. Mergen to get a quote on replacing the tractor.

Councilor John R. Harlander, Planning Commission Liaison informed the council the Planning Commission held a meeting on April 9th on a request by Matthew and Kendra Imdieke to request a text amendment to Ordinance 80.06, Subd.4. Mr. Harlander noted the amendment is to allow an “automatic” pool cover in lieu of a fence for an in-ground pool. Mr. Harlander noted all covers must be certified and comply with the ASTM F 1346.91 requirements. Mr. Harlander noted this amendment is for “in ground” pools only. After due discussion and upon recommendation of the Planning Commission, a motion was made by John R. Harlander, and seconded by Keith Heitzman to approve the text amendment to Ordinance 80.06, Subd.4. All voted for the motion and the motion carried. A full copy of the amendment can be viewed at City Hall during regular business hours.

Mr. Harlander noted in following 2023 building permit recap:

Total Project Value: \$27,367,329 (\$18m+/- Albany School Early Learning Center)

Permit fees paid:	\$127,196.
Plan Check fee:	\$44,314.
State Sur-charge:	\$11,144 (.0005 x valuation or \$1.00)
Total fees collected:	\$182,654.

City’s Share (25%) of permit fees paid:	\$31,799.
Inspectron share (75%) of permit fees paid:	\$95,397.
Inspectron (100%) plan check paid:	\$ 44,314.
Inspectron adm. State filing fee:	\$125.
Total paid to Inspectron:	\$139,836

Building Permits issued:	409 (large hailstorm in May)
Re-roof/siding:	315+/-
Industrial/commercial:	7
New Home:	2
Misc. Mech/Plumb/remodel, etc.:	85

Councilor Al Amdahl, Park Board Liaison read a letter of resignation from Park Board member Dalton Herzog. Mr. Amdahl noted Mr. Herzog resigned due to purchasing a house out of the city. After due discussion a motion was made by Al Amdahl and seconded by John R. Harlander to accept Mr. Herzog’s resignation. All voted for the motion and the motion carried. Mayor Tom Kasner, with the consensus of the council, directed Mr. Winkels to publish and post a notice seeking applicants for the open Park Board position.

Mayor Tom Kasner noted earlier in the day Mr. Mergen, Mr. Mathiasen, Mr. Winkels and Bryan Schiffler walked through the wooded area at the north end of North Park. Mayor Tom Kasner noted the wooded area is very overgrown and there is a large number of dead trees. Mayor Tom Kasner noted Mr. Schiffler will be clearing the overgrowth and dead trees before a BMX track is designed.

Mayor Tom Kasner questioned if any council members had concerns with Mr. Schiffler exploring the idea of installing a water future in the holding pond near the Jaycees shelter to keep the water clear. Mayor Tom Kasner, hearing no concerns, noted he would talk to Mr. Schiffler.

Mr. Winkels informed the council he attended the April Albany Golf Club board meeting for Councilor Adam Rushmeyer, Albany Golf Club Liaison. Mr. Winkels presented to the council the Albany Golf Club's checkbook register. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve electronic payments, transfers, and the payment of the following checks 40661-40675. Mr. Winkels noted the financials appear to have \$55,000 +/- increase for 2024 membership dues and noted the increase was due to not accepting yearly memberships until January 1, 2024.

Mayor Tom Kasner read a letter of resignation dated April 4th from Councilor Adam Rushmeyer. After due discussion a motion was made by Mayor Tom Kasner and seconded by John R. Harlander to accept Mr. Rushmeyer's resignation effective immediately. All voted for the motion and the motion carried.

Mr. Winkels informed the council, with more than two years left in Mr. Rushmeyer's term, the council could appoint an individual to serve until December 31, 2024, at which time the elected individual of November general election would get sworn in, or the council could elect to have a special election. After due discussion a motion was made by John R. Harlander and seconded by Al Amdahl to appoint an individual to service in Mr. Rushmeyer's position until December 31, 2024. All voted for the motion and the motion carried. Mr. Winkels noted the elected individual who files for Mr. Rushmeyer's position during the November general election will serve until December 31, 2026.

Mayor Tom Kasner informed the council he spoke to with Bruce Winter who has filed for the position of city councilor in the past. Mayor Tom Kasner noted Mr. Winter informed him he would be interested in the appointment. After due discussion a motion by John R. Harlander and seconded by Keith Heitzman to appoint Bruce Winter to serve in Mr. Rushmeyer's position as a council member until December 31, 2024. All voted for the motion and the motion carried.

Mr. Winkels informed the council in the since February 21 staff has had 20+/- hours into preparing and fulfilling thirteen (13) public data requests from Mason Schirmer. Mr. Winkels noted the request include but not limited to, inspections and/or copies of the following:

- 1) All recent City Clerk applications, interview notes, 2024.
- 2) Budget for administration.
- 3) Date City Council appointed hiring committee to oversee Clerk/Treasurer position.
- 4) Affidavit of Publication of most recent Administrative Assistant.
- 5) How to force a recall election of the City Council?
- 6) All job applications for most recent Administrative Assistant.
- 7) Audio, video of September 20, 2023, council meeting.
- 8) Hire dates, starting salaries/wages, date, and salary of any increase(s)
- 9) Copies of City Administrator job applications (original wanted inspection, now wants copies, individual notes he doesn't feel safe going to city hall.)
- 10) Deadline of first posting for City Administrator applications, date, time and format each application was received.
- 11) Copy of City's Record Retention Policy.
- 12) All security/video recordings of City Hall administration area from July 27, 2023, 8AM through July 28, 2023, 4PM.
- 13) Tom Schneider's salary/wage for each of the past five (5) years, when did Mr. Schneider start with the City of Albany, when did Mr. Schneider first let anyone know, he was considering retirement (formally or informally), did Mr. Schneider have a bond/insurance while serving as City Administrator.

Mr. Winkels, noted staff, has been in contact with the city attorney to fulfill the request submitted by Mr. Schirmer. Mr. Winkels noted as of April 10th the attorney bills regarding the data request have total \$850+/-.

Mr. Winkels noted the city has several certificates of deposit (CD's) that will be maturing on April 25th. Mr. Winkels noted he is planning on renewing the CD's.

Mr. Winkels noted the cannabis moratorium deadline is approaching. Mr. Winkels noted he and Sergeant Matt Gannon will be meeting with the city attorney to discuss the city's next steps.

Mayor Tom Kasner announced the next regular council meeting for 6:30 PM or as soon as thereafter on Wednesday, May 1st, and adjourned the meeting at 7:10 PM.

Gary Winkels
City Administrator

Unofficial