

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 Acting Mayor John Greer at 6:30 o'clock in the evening on Wednesday, April 17, 2013, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Laurie Dingmann, and Tom Kasner. Councilor John R. Harlander arrived for the meeting at 6:35 pm. Mayor Daron Gersch was absent for the meeting.

Also present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Stan Hanson, City Engineer, Stantec, Inc., Jeremy Mathiasen, Engineer, Stantec, Inc., Mike Kosik, Staff Writer, Albany Enterprise, Jason Falconer, Albany Police Chief, and Joe Peternell, business owner.

After due discussion, a motion was made by Tom Kasner and seconded by Laurie Dingmann to authorize the payment of the following bills: Check Numbers 63275 to 63308 and 14797 to 14809. 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.

Acting Mayor John Greer called for any corrections or additions to the minutes of the regular meeting held on April 3rd and hearing none declared them approved.

Councilor John R. Harlander arrived for the meeting at 6:35 pm.

Mr. Schneider presented to the Council a comparative market analysis prepared by Kurt Schneider, a Realtor with Executive Realty of St. Cloud, MN, for the City lot at 1030 6th Street formerly known as Municipal Well Number 2. Mr. Schneider informed the Council that it's recommended by the realtor that the City lot be listed at \$34,900 with an expected sales price from \$27,000 to \$31,000. Mr. Peternell noted that he would only offer \$20,000. After due discussion, Acting Mayor John Greer, with the consensus of the Council, informed Mr. Peternell that the City lot at 1030 6th Street will be listed for sale at \$34,900.

Mr. Mathiasen appeared before the Council to present change order number two for the 2013 Railroad Avenue (TH #238) Improvements (Electrical Services). Mr. Mathiasen noted that the purpose of the change order is to remove the existing cross arm and cross walk signage that hangs above Railroad Avenue near City Hall and then be reinstalled once that section of Railroad Avenue is completed. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to approve change order number two and quote from JT Electric Service, Albany, MN in the amount of \$2,530. All voted for the motion and it carried.

Mr. Mathiasen also presented to the Council two bids received for material testing services for the 2013 Railroad Avenue (TH #238) Improvements. Mr. Mathiasen recommended that the low bid received from Independent Testing Technologies, Inc., Waite Park, MN in the amount of \$29,520 be approved. After due discussion, a motion was made by Tom Kasner and seconded by Laurie Dingmann to approve the low bid received from Independent Testing Technologies, Inc., Waite Park, MN. All voted for the motion and it carried.

Mr. Hanson also informed the Council that he had a discussion with Terry Oehrlein, owner of JT Electric Service of Albany, MN to bury a new electric service and installation of a new 100 amp panel for Albany Oil Company, 110 Railroad Avenue. Mr. Hanson noted that other overhead wires had been removed for other properties along Railroad Avenue but, for some reason or another, this service had been missed. After due discussion, a motion was made by John R. Harlander and seconded by Laurie Dingmann to approve the removal of the overhead electric service, install a new 100 amp panel and to bury the new electric service to Albany Oil Company at an approximate cost of \$3,400. All voted for the motion and it carried.

Bob Deters, owner of Navigator Financial Group, Albany, MN, and Tom Sanquist, owner of Top Choice Home Solutions, Inc., Albany, MN, were present for the meeting.

Acting Mayor John Greer, Planning Commission Liaison, informed the Council that the Planning Commission held a meeting on April 16th to discuss the site plan application for a new professional building (2,500 sq.ft.) for Navigator Financial Group at 571 Railroad Avenue owned by Bob Deters. Mr. Sanquist appeared before the Council to inform the Council that the roofing material will either be a standing seam or exposed fasteners. Mr. Sanquist noted that the exterior siding will be a composite and additional siding accents will be done beneath the windows. Mr. Sanquist also noted that on the eastern block wall for that portion of the wall in view of the public, partial siding may be added. Mr. Hanson informed the Council that he reviewed the site plan and provided comments to the Planning Commission and Council for review. Mr. Hanson noted that the rear parking lot will be bituminous and that the stormwater system, which contains a sediment structure on the lot, will be connected to an existing storm sewer in the rear alley. Mr. Hanson also noted that the business driveway access to the property will be from the rear alley. Mr. Schneider noted that a Parapet wall will be constructed on all sides of the building to conform to the adjacent building roof lines. After due discussion and upon the recommendation from the Planning Commission, a motion was made by John Greer and seconded by John R. Harlander, that the site plan for a new proposed building for Navigator Financial Group at 571 Railroad Avenue be approved contingent upon the following:

- Driveway access on 6th Street denied.
- Standing seam material is required for building entrance roofs.
- No landscaping in the front of the building, but option may be a few concrete planters as an alternative.
- Building signage and exterior lighting was not submitted and will need to be reviewed and found to be in accordance with the City's Ordinance 80.13.
- The City's building official to provide further analysis of the plans submitted and may reveal additional requirements that will need to be addressed prior to issuing a building permit.
- Rear parking lot to be bituminous.
- Parapet wall and composite siding is acceptable.

All voted for the motion and it carried.

Acting Mayor John Greer, Planning Commission Liaison, also informed the Council that the Planning Commission held a meeting on April 16th to review a proposed site plan for the construction a new building named Albany Family Dentistry at 360 Railroad Avenue. Mr. Greer noted that the building will be approximately 5,800 +/- square feet that would include 1,500 square feet for a second business to rent. Mr. Greer also noted that the building's exterior will be Hardie Board and partial stone. Mr. Hanson appeared before the Council to inform the Council that the project is not exceeding the current stormwater runoff and there are grass areas and storm sewer structures on the property to contain sediment. Mr. Hanson also noted that the general slope of the proposed building site and other nearby properties within a seven (7) acre drainage basin north of the Lake Wobegon Trail cause storm water to collect after heavy rain events on Church Avenue, three-hundred (300) feet west of the Mother of Mercy Campus of Care, which causes street flooding eventually discharging in an open ditch on the Albany Golf Club flowing southerly to the South Two River. Mr. Hanson noted that the City may want to consider submitting a stormwater improvement grant to the Stearns County Soil and Water Conservation District for a water quality and sediment reduction project to be constructed in the southwest corner of the City Hall parking lot to control the stormwater runoff from the parking lot. Mr. Hanson also recommended to the Council that the City consider the installation of a curb on the eastern boundary of the City Hall parking lot to control stormwater flowing from the City parking lot to the east. Mr. Hanson noted that the site plan information has been submitted to the Minnesota Department of Transportation (MnDOT) for comment being the new building project is adjacent to MnDOT's right of way (Lake Wobegon Trail). After due discussion and upon the recommendation from the Planning Commission, a motion was made by John Greer and seconded by Tom Kasner, that the building and site plan for a new Albany Family Dentistry at 360 Railroad Avenue be approved contingent upon the following:

- A 4-inch sanitary sewer service is shown serving the building. Typically commercial buildings are serviced with a 6-inch. Railroad Avenue is being reconstructed and the

- developer should notify the City as soon as possible if they want to increase the service to a 6-inch service.
- A lighting plan is required per City Ordinance 80.13.
 - The owner shall install a lawn or landscaping irrigation system on the property.
 - The owner will provide written correspondence from MnDOT showing support for the revised drainage approach.
 - Proposed building materials meet the City Ordinance 80.21. Owner and architect are planning to adjust the “red” color scheme slightly to better fit the surrounding buildings.
 - The City’s building official to provide further analysis of the plans submitted and may reveal additional requirements that will need to be addressed prior to issuing a building permit. The building shall meet the requirements of the American with Disabilities Act (ADA).
 - The owner at the owner’s expense shall provide the City and record the document at the Stearns County Recorder’s Office a ten (10) foot drainage easement along the west property line where the drainage is being routed along the building to the south.

All voted for the motion and it carried.

Mr. Hanson presented to the Council a proposed Capital Improvement Plan for the years 2014 through 2020. Mr. Hanson noted that the estimated cost for the street, water, sewer, storm sewer improvements is estimated to be nearly \$4.7 million. Mr. Greer noted that the Planning Commission had also reviewed the proposed improvement plan and had no further recommendations.

Mr. Mergen informed the Council that the estimated costs to upgrade the standby generator at the Water Treatment Plant to meet new emission standards is \$30,000. Mr. Mergen noted that the existing standby generator is estimated to be a 1990 model and the cost for a new standby generator is nearly \$100,000. No action was taken by the Council.

Acting Mayor John Greer informed the Council that the Planning Commission held a meeting on April 16th to discuss a proposed amendment to Ordinance 67, Regulation of Building Move. Mr. Greer noted that the purpose of the amendment is to clarify the language and to remove “conditional use” from the name of the permit because a conditional use permit in the traditional land use planning sense is not required in this situation. Mr. Greer noted that the City can still place conditions on the permit that are particular to time, place, and manner of the house move, as well as conditions that are particular to the property or the house being moved (i.e. screening, berming, siding or exterior improvements). Mr. Schneider noted that a moving permit is required to move a structure out of the City for public safety issues, but no public hearing is required. After due discussion, a motion was made by John Greer who introduced the following ordinance amendment and moved its adoption:

AMENDMENT TO ORDINANCE 67.02
REGULATIONS OF BUILDING MOVES

The motion for the foregoing ordinance amendment 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: Acting Mayor John Greer, Councilors Laurie Dingmann, John R. Harlander, and Tom Kasner, and none voted against the same whereupon the ordinance amendment was declared duly passed and adopted. The full text of the ordinance amendment is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

The Council took notice of a Minnesota Lawful Gambling application (LG230) by the Albany Lions Club to conduct off-site gambling for a raffle to be held on August 3rd (Heritage Day) at 400 Railroad Avenue. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to approve the aforesaid application. All voted for the motion and it carried.

Mr. Schneider presented to the Council a proposed resolution to adopt the Stearns County All-Hazard Mitigation Plan. Mr. Schneider informed the Council that he and the City’s Emergency Management Director participated in the hazard mitigation planning process established under the Disaster

Mitigation Act of 2000 and that jurisdictions, including Stearns County, are eligible to receive Federal Emergency Management Association (FEMA) hazard mitigation assistance grants. After due discussion, a motion was made by John R. Harlander who introduced the following Resolution and moved its adoption:

RESOLUTION 2013-12
OF THE CITY OF ALBANY
ADOPTION OF THE
STEARNS COUNTY ALL-HAZARD MITIGATION PLAN

The motion for the foregoing Resolution was seconded by John Greer and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Acting Mayor John Greer, Councilors Laurie Dingmann, John R. Harlander, and Tom Kasner, 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 letter received from Roger and Jan Voit and family, Albany residents, who informed the Council that they would donate up to \$20,000 to the City to purchase Christmas lights for mainstreet (Railroad Avenue) with the understanding that one additional Christmas light be installed on 5th Street, south of the east/west alley. Acting Mayor John Greer, with the consensus of the Council, graciously accepted the donation and publically thanked Mr. Voit and his family for the gift.

Acting Mayor John Greer announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, May 1, 2013 and adjourned the meeting at 8:20 PM.

Tom Schneider, Clerk/Adm.