

**NOTICE OF ALBANY
CITY COUNCIL MEETING**

There will be a regular meeting of the city council in and for the city of Albany, Stearns County, Minnesota at 6:30 o'clock in the evening on Wednesday, November 20, 2024, in the council room at 400 Railroad Avenue for the said City.

AGENDA

1. Convene meeting.
2. Pledge of Allegiance
3. Audit Bills
4. Act on the regular council meeting minutes held on November 6th and November 14th Special meeting.
5. Open Forum/Public comment (3 to 5 minutes max.)
6. Public hearing related to Ordinances 77 and 30 to proposed special assessment of unpaid utility fees, city charges (weed and grass).
7. Public hearing to proposed special assessment related to city charges related to installation of utilities, street and other municipal improvements (sold forfeited property).
8. Councilor John Harlander, update Council on Planning Commission meeting held on November 19th
 - Amendment of Zoning Ordinance 80
 - Request to purchase vacant undeveloped City owned lot north of 411 1st Street
9. Public Hearing to consider adapting Ordinance 69, a regulatory ordinance governing cannabis and lower potency hep edibles retailers and to consider amendment to Appendix A, fee schedule related to ordinance 69.
10. Jeremy Mathiasen, City Engineer – present the following:
 - Project updates
11. Councilor John. R. Harlander
 - Present Splashpad bids for November 4th. And comments from November 14th council work session related to splashpad
 - North Park improvements update.
12. Reports of Boards and Department Heads
 - Police Chief Matt Gannon
 - Joseph Mergen, Public Works Supervisor
 - Councilor Bruce Winter, Albany Golf Board Liaison, present the following
 - AGC checkbook register
 - Albany Golf Course Management Agreement with the City of Albany
 - Gary Winkels, Clerk/Adm. - present the following:
 - Resolution 2024-19 Designating polling place location for 2025 elections.
 - MN Lawful Gambling LG220 application submitted by Albany Area Gymnastics Association for an exempt permit to conduct a raffle, (Resolution 2024-20) to be held on February 21, 2025.
 - MN Lawful Gambling LG220 application submitted by Albany Area Gymnastics Association for an exempt permit to conduct a raffle, (Resolution 2024-21) to be held on November 6, 2025.
 - Update on insurance eligible applicable items lost in fire.
 - December 4th public hearing for the proposed 2025 budget.
 - Recommend moving January 1st, 2025, Council meeting to January 2nd due to the holiday.
13. Mayor Tom Kasner
 - Annual Performance Review – Gary Winkels, Clerk/ Adm
14. Mayor Tom Kasner - announce the next regular council meeting date (Wednesday, December 4th) and adjourn.

Gary Winkels
Administrator/Clerk

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, November 6, 2024, in the Council Room at 400 Railroad Avenue for the said City.

Other members present were councilors John R Harlander, Keith Heitzman, Bruce Winter and Al Amdahl. Others present were Police Chief, Matt Gannon, Susan Dege, City Attorney, with the firm Jovanovich, Dege and Athmann, PA, Jeremy Mathiasen, city engineer with the firm Stantec Inc. MN, Joe Mergen, Public Works Supervisor, Tim Hennagir, Staff Writer, the Star Post, Gary Winkels, City Administrator, Berleen Hollenkamp, Taryn Hollenkamp, Andy Schultz, Bryan Schiffler, Friends of North Park, Dalton Herzog, Albany Jaycees, Kris Schiffler, the following Albany High School students: Larissa Gill, Paisley Ellingson, and Michaela Buersken

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 Keith Heitzman, and seconded by Bruce Winter to approve/authorize payroll (4340-4455), electronic payments transfers, and the payment of the following bills: Check Numbers 73828-73867. 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 October 16th, and hearing none declared them approved.

Open forum/public comments: None.

Mayor Tom Kasner noted the public hearing related to Ordinances 77 and 30, proposed special assessment for unpaid utility fees, city charges (weed and grass), and city charges related to installation of utilities, street and other municipal improvements (sold forfeited property) has been rescheduled to November 20th due to publication error.

Ms. Dege appeared before the council to present information regarding draft amendment to Zoning Ordinance 80, Ordinance 69, and Appendix A (fee schedule) relating to Cannabis and Lower Potency Hemp Edible Retailers. Ms. Dege noted proposed ordinances were drafted with recommendation from the MN Office of Cannabis Management (OCM), and is similar to Stearns County's proposed ordinances. Ms. Dege noted the city must allow a minimum of one (1) cannabis retail license. Ms. Dege noted the OCM will review "preliminary license approval" for retail business licenses of applicants who qualify under Minn. Stat. §342.17.10. Mr. Winkels noted a Planning Commission public hearing related to Zoning Ordinance 80 is scheduled for November 19th at 6:30 PM, and a public hearing related to Ordinance 69 and Appendix A is scheduled for November 20th at 6:30 PM.

Mr. Mathiasen presented the council Pay Application No. 2 for the 2024 Roadway Surface Mill and Overlay Improvements to Knife River Corporation in the amount of \$59,262.32. Mr. Mathiasen noted pay application No 2 is the final payment with the total cost of the improvement being \$863,513.84. Mr. Mathiasen noted the project ran slightly higher than budget due to roads in the Highlands being too flat and extra storm drains needing to be rebuilt. After due discussion a motion was made by John R. Harlander and seconded by Bruce Winter to approve Pay Application No. 2 in the amount of \$59,262.32. All voted for the motion, and it carried.

Mr. Mathiasen noted the Lead and Copper Rule inventory mandated by the Environmental Protection Agency (EPA) has been completed. Mr. Mathiasen noted a notice has been published

in the Star Post, on the city’s website, and certain residents receive individual letters informing them of the findings. Mr. Mathiasen noted over the next ten years grant funding will be available to cities to help residents replace lead or galvanized water service lines.

Mr. Mathiasen also noted the city utility plans for the 2025 CR 157 improvements have been submitted to the County’s engineer for final review and inclusion in their plan set. Mr. Mathiasen noted no bid date has been set.

Councilor John R. Harlander questioned if the council should consider performing preliminary engineering and planning for future improvement projects west of 9th Street. Mr. Mathiasen noted some of the preliminary work has already been approved, and he would give a progress report at the November 20th meeting.

Councilor John R. Harlander presented the council with the following bids from the splashpad bid opening held on November 4:

Package #1 Splashpad equipment		
Rain Deck	\$	179,084.00
Package #2 Plumbing Including Installation		
MP Recreation	\$	599,831.00 includes equipment and install Water Odyssey equipment
Global Specialty Contractors	\$	686,000.00 includes equipment and install add \$7,700 for 6" concrete Waterplay equipment
American Industrial Services	\$	43,000.00 install
Package #3 Electrical Including power splashpad & controllers		
Liberty Electric	\$	7,650.00
Package #4 Concrete 4"		
Worms Lumber and Ready Mix	\$	43,832.50
Aggressive Masonry	\$	43,400.00
Package #4 Concrete 6"		
Worms Lumber and Ready Mix	\$	51,578.99
Aggressive Masonry	\$	48,900.00
Package #5 Landscaping		
Lorens Tree and Lawn	\$	31,570.00

Mr. Harlander noted that using low bids and a 15% contingency fund, The Friends of North Park will need approximately \$320,000 to construct the splashpad. Mr. Schiffler noted since bid opening Rain Deck, a splashpad manufacturer informed him he could purchase the 5000-gallon holding tank directly from NTO Tanks, a tank manufacturer, in Minnesota for \$12,299.00 resulting in a savings of approximately \$12,000. Mr. Schiffler noted if the tank is purchased from the manufacturer the lead time is approximately 3 weeks, however; if the tank is ordered from the splashpad company the lead time is approximately 6 weeks due to shipping. Mr. Harlander noted there were several splashpad installers that did not bid on the improvement due to concerns related to construction. Mr. Harlander noted the biggest concern was related to a recirculating system vs versus a flow through system. Mr. Schiffler noted should the city choose to proceed with a flow through system, a 4" water line would be needed versus a 2" for a recirculating system. Mr. Harlander noted he would like to have a council work session with The Friends of North Park and engineers from Stantec on November 14th to ensure successful construction and consider approving the bids at the November 20th council meeting. Mr. Schiffler noted he would like to order the tank as soon as possible so installation could take place this fall. After due discussion, a motion was made by John R. Harlander and seconded by Bruce Winter to continue with a recirculating system, purchase the 5000-gallon holding tank from NTO Tanks (monies to come from the splashpad fund), and to hold a council work session with The Friends of North Park on November 14th. All voted for the motion, and it carried.

Councilor Keith Heitzman, Utility Commissioner, informed the council Dakota Supply Group (DSG), the supplier of the city’s Kampstrup water meters, is running a promotion to upgrade the reading software. Mr. Heitzman noted the cost of the upgrade to be \$19,255, includes one

collector system installed on the water tower, and the annual support and hosting would increase \$2000 per year. Mr. Heitzman noted currently the Public Works employees drive by each water meter connection and read the meter with a table; however, with the upgrade this would allow the meters to be read from city hall. Mr. Mergen noted it takes Public Works approximately four hours to read water meters every two months. Mr. Mergen noted currently, leak and usage alarms are only reported when the meters are read, but with the upgrade leak and usage alarms would be reported daily. Mr. Heitzman noted when the city upgraded water meters in 2020 it was recommended to have two collector systems, one on the water tower and one near the high school. Councilor Bruce Winter noted he is concerned if only one collector system is installed not all readings will be collected. Councilor John R. Harlander noted he likes the idea of receiving leak alarms daily. Mr. Winkels informed the council at the October 16th meeting they requested he question why only one collector is needed when in 2020 two collectors were needed. Mr. Winkels noted with technology changes, one collector can read 98% of the hourly reads, and if a meter is having a difficult time connecting with the one collector an external antenna can be added to the meter. Mr. Heitzman noted the promotion was extended until December 31st. After due discussion, it was the consensus of the council to reach out to other cities to investigate how well the system works.

Mr. Mergen informed the council the city's Water Treatment Plant (WTP) is currently enrolled in Stearns Electric Interruptible Generator Program, and noted the program is designed to start the generator at the WTP during peak electrical demand. Mr. Mergen noted if the city reenrolls in the program the city saves approximately \$13,000 in electrical cost per year. After due discussion, a motion was made by Al Amdahl and seconded by Keith Heitzman to renew the Interruptible Generator Program contract with Stearns Electric. All voted for the motion, and it carried.

Mr. Winkels noted at the October 16th council meeting the council discussed the city charging Main Street businesses for snow removal of less than 1.5". Mr. Winkels noted he reviewed minutes from past years and no amendment to Ordinance 41.01 Subd 1 was approved. Mr. Winkels noted if the council chooses to charge for snow falls of less than 1.5" an amendment to the ordinance would be required. After due discussion, Mayor Tom Kasner, with the consensus of the council, decided to leave the ordinance as written.

The council took notice of a contract for services between Premier Pyrotechnics and the city of Albany, the buyer, and the Albany Chamber of Commerce, the sponsor, for 2025 Heritage Day community celebration to be held on August 2, 2025. After due discussion, a motion was made by Mayor Al Amdahl and seconded by John R. Harlander to approve the one-year contract for service. All voted for the motion, and it carried. Mr. Winkels noted the cost of the fireworks is \$5,000; whereby the Albany Jaycees and Albany Lions reimburse the city for the fireworks.

Mr. Winkels informed the council the results of the Municipal Election held on November 5th may only be officially approved by the Council on or before November 15th, but due to the election regulations related to absentee and early voting, Stearns County will only have the final results available on November 7th. Mr. Winkels presented to the Council the unofficial municipal election results: Mayor, Tom Kasner, 808, Harold Desautel, 601, write-in 5, Councilors, Charlene Ohmann, 746, John R. Harlander, 642, Keith Heitzman, 515, Berleen Hollenkamp, 450, write-in 11, Councilor, Special Election, Bruce Winter, 1096, write-in 22. Mr. Winkels noted the election judges did a great job on election day and noted a Special Council meeting is scheduled for 5PM, Thursday, November 14th, for the purpose of ratifying the Municipal Election results.

Mayor Tom Kasner announced the next regular council meeting for 6:30 PM or as soon as thereafter on Wednesday, November 20th, and adjourned the meeting at 7:53 PM.

Gary Winkels
City Administrator

Unofficial

Pursuant to due call and notice thereof a SPECIAL meeting of the Municipal Canvassing Board in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Tom Kasner at 5:00 o'clock in the evening on Thursday, November 14, 2024, in the Council Room at 400 Railroad Avenue for the said City.

Other members present were councilors John R Harlander, Keith Heitzman, Bruce Winter and Al Amdahl. Others present were Gary Winkels, City Administrator, Charlene Ohmann, Councilor elect, Jeremy Mathiasen, city engineer with the firm Stantec Inc., Jeff Ehleringer, engineer with the firm Stantec Inc.

The council recited the Pledge of Allegiance.

Gary Winkels, Clerk/Adm., informed the board the Municipal Election was held on Tuesday, November 5th with a large voter turnout. Mr. Winkels noted that Rita Stenlund, the Head Election Judge, and the other election judges, did a wonderful job on election day. Mr. Winkels noted all the election judges attended several training sessions held by the Stearns County Auditor prior to the election. Mr. Winkels present to the board the following:

Polls opened: 7AM to 8PM
1696 registered voters at 7AM
142 registered on Election Day
237 voted early or absentee
5 federal office only absentee ballots
1313 individuals voted at city hall
1555 total votes cast or 85%

<u>Mayor (one 2-year term):</u>	<u>Votes</u>
Tom Kasner	808
Harold Desautel	601
Write-in	5

<u>Councilor (two 4-year term):</u>	<u>Votes</u>
Charlene Ohmann	746
John Harlander	642
Keith Heitzman	515
Berleen Hollenkamp	450
Write-in	11

After due discussion, a motion was made by Al Amdahl and seconded by Bruce Winter to ratify the said Election results including the approval of Tom Kasner for the office of Mayor, Charlene Ohmann, John Harlander, and Bruce Winter of the offices of Council. All voted for the motion, and it carried.

Mayor Tom Kasner adjourned the Board meeting at 5:05 PM.

Gary Winkels
Clerk/Adm

**Abstract of Votes Cast
In the Precincts of the City of Albany
State of Minnesota
at the State General Election
Held Tuesday, November 5, 2024
as compiled from the official returns.**

Summary of Totals
City of Albany
Tuesday, November 5, 2024 State General Election

Number of persons registered as of 7 a.m.	1696
Number of persons registered on Election Day	142
Number of accepted regular, military, and overseas absentee ballots and mail ballots	237
Number of federal office only absentee ballots	5
Number of presidential absentee ballots	0
Total number of persons voting	1555

Summary of Totals
City of Albany
Tuesday, November 5, 2024 State General Election

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

Mayor (Albany)

NP Tom Kasner 808	NP Harold Desautel 601	WI WRITE-IN 5
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Council Member (Albany) (Elect 2)

NP John Harlander 642	NP Charlene Ohmann 746	NP Keith Heitzman 515	NP Berleen Hollenkamp 450	WI WRITE-IN 11
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Special Election for Council Member (Albany)

NP Bruce Winter 1096	WI WRITE-IN 22
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Detail of Election Results
City of Albany
Tuesday, November 5, 2024 State General Election

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
73 0005 : ALBANY	1696	142	1555
City of Albany Total:	1696	142	1555

Detail of Election Results
 City of Albany
 Tuesday, November 5, 2024 State General Election

Office Title: Mayor (Albany)

Precinct	NP Tom Kasner	NP Harold Desaullel	WI WRITE-IN
73 0005 : ALBANY	808	601	5
Total:	808	601	5

Office Title: Council Member (Albany) (Elect 2)

Precinct	NP John Harlander	NP Charlene Ohmann	NP Keith Heitzman	NP Berleen Hollenkamp	WI WRITE-IN
73 0005 : ALBANY	642	746	515	450	11
Total:	642	746	515	450	11

Office Title: Special Election for Council Member (Albany)


Precinct	NP Bruce Winter	WI WRITE-IN
73 0005 : ALBANY	1096	22
Total:	1096	22

We, the legally constituted county canvassing board, certify that we have herein specified the names of the persons receiving votes and the number of votes received by each office voted on, and have specified the number of votes for and against each question voted on, at the State General Election held on Tuesday, November 5, 2024


As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the City of Albany Clerk. Witness our official signature at City Hall in Stearns County this 14th day of Nov 2024.



Member of canvassing board



Member of canvassing board



Member of canvassing board

John R. Harlander

Member of canvassing board



Member of canvassing board

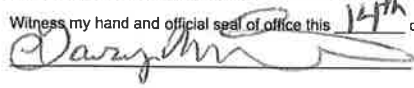
Member of canvassing board

Member of canvassing board

State of Minnesota
City of Albany

I, Gary Winkels, Clerk of the City of Albany do hereby certify the within and foregoing 5 pages to be a full and correct copy of the original abstract and return of the votes cast in the City of Albany State General Election held on Tuesday, November 5, 2024.

Witness my hand and official seal of office this 14th day of Nov, 2024.



RESCHEDULED PUBLIC HEARING DUE TO PUBLICATION ERROR

**NOTICE OF PUBLIC HEARING
ON PROPOSED ASSESSMENT FOR
UNPAID CITY WATER USAGE AND CITY CHARGES**

NOTICE IS HEREBY GIVEN that the Albany City Council will hold a public hearing at 6:30 PM or as soon as thereafter on Wednesday, November 20, 2024, in the Council Room at 400 Railroad Avenue, Albany, MN to consider and possibly adopt the proposed assessment set forth below for unpaid city water usage and city charges incurred in relation to Ordinance 77 and 30. Adoption by the City Council of the proposed assessment may occur at the hearing. The proposed assessment is as follows:

<u>Property:</u>	<u>Amount:</u>
230 10 th Street	\$3,835.95
1201 Highview Drive	\$14,853.28
1202 Highview Drive	\$17,340.21
1004 Shamrock Lane	\$3,452.02
1004 Shamrock Lane	\$485

Written or oral objections will be considered at the hearing. The unpaid amounts include a \$75 administrative fee as per Resolution 2022-37.

Such assessment is proposed to be payable in one (1) installment. You may pay the entire assessment on such property to the City of Albany on or before November 29, 2024. If not paid by this date, the amount will be certified to the Stearns County Auditor-Treasurer for collection as a special assessment in the year 2025. You may at any time thereafter pay to the Stearns County Auditor-Treasurer the entire amount of the assessment.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Sections 429.081 by serving notice of the appeal upon the Mayor or City Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or City Administrator.

No such appeal as to the amount of an assessment as to a specific parcel of land may be made unless the owner has either filed a signed written objection to the assessment with the City Administrator prior to hearing or has presented the written objection to the presiding officer at the hearing.

Gary Winkels,
City Administrator

Published in the Star Post this 6th day of November 2024.

RESCHUDUED PUBLIC HEARING DUE TO PUBLICATION ERROR

NOTICE OF PUBLIC HEARING
ON PROPOSED ASSESSMENT FOR
WHISPERING OAKS AT TWO RIVER
(Forfeited property sold assessment)

NOTICE IS HEREBY GIVEN that the Albany City Council will hold a public hearing at **6:30 PM or as soon as possible on Wednesday, November 20, 2024**, in the Council Room at 400 Railroad Avenue, Albany, MN to consider and possibly adopt the proposed assessment for single-family residential lot, forfeited property that has been sold, within the Whispering Oaks at Two River for costs related to the installation of utilities, streets, and other municipal improvements. Adoption by the City Council of the proposed assessment may occur at the hearing.

The proposed assessment for the benefitted property is as follows:

<u>Property Address</u>	<u>Delinquent Amount</u>	<u>Remaining Amount</u>	<u>Total</u>
101 Schwinghammer Dr.	\$8,770.80	\$9,820.64	\$18,591.44

Written or oral objections will be considered at the hearing, but the Council may consider any objections to the amount of the proposed individual assessment at an adjourned meeting upon such further notice to the affected property owner as it deems advisable.

Such assessment is proposed to be payable in one (1) installment. You may pay the entire assessment (total) on such property to the City of Albany on or before November 29, 2024. You may at any time thereafter pay to the Stearns County Auditor-Treasurer the entire amount of the assessment. The remaining **delinquent amount** shall be payable **in full** with general taxes for the year 2025. **The remaining balance** shall be payable in equal annual installments including principal and interest extending over a period of seven (7) years, with interest at the rate of 4.0% per annum, in the amount annually required to pay the principal over such period at such rate, the first of said installments to be payable with general taxes for the year 2025, collectible with such taxes during the year 2025.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Sections 429.081 by serving notice of the appeal upon the Mayor or City Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the District Court within 10 days after service upon the Mayor or City Administrator.

No such appeal as to the amount of an assessment as to a specific parcel of land may be made unless the owner has either filed a signed written objection to the assessment with the City Administrator prior to hearing or has presented the written objection to the presiding officer at the hearing.

Gary Winkels
City Administrator

Published in the Star Post this 6th day of November 2024.

**CITY OF ALBANY
PUBLIC HEARING TO CONSIDER ADOPTING ORDINANCE 69
A REGULATORY ORDINANCE GOVERNING
CANNABIS AND LOWER POTENCY HEMP EDIBLES RETAILERS AND TO
CONSIDER AMMENDMENT TO APPENDIX A FEE SCHEDULE RELATED
TO ORDINANCE 69**

There will be a public hearing of the City Council in and for the City of Albany, Stearns County, MN at 6:30 o'clock in the evening or as soon as possible thereafter on Wednesday, November 20, 2024, in the Council Chambers at 400 Railroad Avenue for the said City.

The purpose of the public hearing is to consider adopting a regulatory ordinance governing cannabis and lower potency hemp edibles retailers.

Anyone wishing to comment will be heard at the public hearing and written comments may be forwarded to the office of the City Clerk/Administrator before the time of the public hearing. Copies of said Plan are available at City Hall for public review.

Published in the Star Post on November 6, 2024.

Gary Winkels
Clerk/Adm.

ORDINANCE 69
CANNABIS AND LOWER POTENCY HEMP EDIBLES RETAILERS

The City Council for the City of Albany HEREBY ORDAINS:

1. That the Albany City Code be amended by the addition of Ordinance 69 entitled “CANNABIS AND LOWER POTENCY HEMP EDIBLES RETAILERS” and shall read as follows:

“Section 69.01: ADMINISTRATION FINDINGS AND PURPOSE. The City of Albany makes the following legislative findings: The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes the City of Albany to protect the public health, safety, welfare of its residents by regulating cannabis businesses within the legal boundaries of the City of Albany. The City Council finds and concludes that the proposed provisions are appropriate and lawful land use regulations, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

Section 69.02: AUTHORITY & JURISDICTION. The City of Albany has the authority to adopt this ordinance pursuant to: a) Minn. Stat. §342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses; AND b) Minn. Stat. §342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.

Section 69.03: SEVERABILITY. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 69.04: ENFORCEMENT. The City Administrator or their designee is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

Section 69.05: DEFINITIONS. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. §342.01 and the rules promulgated pursuant to that act, shall have the same meanings in this ordinance.

“Cannabis Cultivation” A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale

to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.

“Cannabis Retail Business” A retail location and the retail location(s) of a mezzobusiness with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and/excluding lower-potency hemp edible retailers.

“Cannabis Retailer” Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

“Daycare” A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

“Lower-potency Hemp Edible” As defined under Minn. Stat. §342.01 subd. 50.

“Lower-potency hemp edible retailer” is any person, partnership, firm corporation or association, foreign or domestic, selling lower-potency hemp edibles to a consumer and not for the purpose of resale in any form

“Office of Cannabis Management” Minnesota Office of Cannabis Management, referred to as “OCM” in this ordinance.

“Place of Public Accommodation” A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

“Preliminary License Approval” OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. §342.17. 10.

“Residential Treatment Facility” As defined under Minn. Stat. §245.462 subd. 23.

“Retail Registration” An approved registration issued by the City of Albany to a state licensed cannabis retail business or a lower-potency hemp edible retailer.

“School” A public school as defined under Minn. Stat. §120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. §120A.24.

“State License” An approved license issued by the State of Minnesota’s Office of Cannabis Management to a cannabis retail business or lower-potency hemp edible retailer. For the purpose of this Chapter, “State-licensed retail business” shall refer to either or both cannabis retail business and lower potency-hemp edible retailers.

Section 69.06: REGISTRATION REQUIRED. No individual or entity may operate a state-licensed cannabis retail business or lower potency hemp retail business within the City of Albany without first registering with the City. Any state-licensed retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of for each violation as established by the City Council in Appendix A.

Section 69.07. COMPLIANCE CHECKS PRIOR TO RETAIL REGISTRATION. Prior to issuance of a retail business registration, the City of Albany shall conduct a preliminary compliance check to ensure compliance with local ordinances. Pursuant to Minn. Stat. §342, within 30 days of receiving a copy of a state license application from OCM, the City Administrator shall certify on a form provided by OCM whether a retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

Section 69.08. REGISTRATION & APPLICATION PROCEDURE.

Subd. 1. Fees. The City may not charge an application fee. A registration fee, as established in by the City Council in Appendix A, shall be charged to applicants depending on the type of retail business license applied for. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee. Any renewal retail registration fee imposed by the City shall be charged at the time of the second renewal and each subsequent renewal thereafter. A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee of the adult-use cannabis retail business.

Subd. 2. Application Submittal. The City shall issue a retail registration to a state-licensed retail business that adheres to the requirements of Minn. Stat. §342.01, et seq.

A) An applicant for a retail registration shall fill out an application form, as provided by the City. Said form shall include, but is not limited to:

1. Full name of the property owner and applicant;
2. Address, email address, and telephone number of the applicant;
3. The address and parcel ID for the property which the retail registration is sought;
4. Certification that the applicant complies with the requirements of City ordinances.

B) The applicant shall include with the form:

1. The registration fee as required in Section 69.08, Subd. 1.
2. A copy of a valid state license or written notice of OCM license preapproval;

- C) Once an application is considered complete, the City Administrator shall inform the applicant as such, process the registration fees, and forward the application to the City Council for approval or denial.
- D) The registration fee shall be non-refundable once processed.

Subd. 3. Application Approval.

- A) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered §cannabis retail businesses permitted under Section 69.10.
- B) A state-licensed cannabis retail business or lower-potency hemp edible retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- C) A state-licensed cannabis retail business or lower-potency hemp edible retail business application that meets the requirements of this ordinance shall be approved.

Subd. 4. Annual Compliance Checks. The Police Department shall complete a minimum of one compliance check per calendar year of every State licensed business to assess if the business meets age verification requirements, as required under Minn. Stat. §342.22 Subd. 4(b) and Minn. Stat. §342.24. The Police Department shall conduct a minimum of one unannounced age verification compliance check at least once per calendar year. Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government. Any failures under this section must be reported to the Office of Cannabis Management.

Subd. 5. Location Change. A state-licensed retail business shall be required to submit a new application for registration under Section 69.08 if it seeks to move to a new location still within the legal boundaries of the City of Albany.

Subd. 6. Renewal of Registration. The City shall renew an annual registration of a state-licensed retail business at the same time OCM renews the retail business' license. A state-licensed retail business shall apply to renew registration on a form established by the City. A retail registration issued under this ordinance shall not be transferred.

Subd. 7. Renewal Fees. The City may charge a renewal fee for the registration starting at the second renewal, as established by the City Council in Appendix A.

Subd. 8. Renewal Application. The application for renewal of a retail registration shall include, but is not limited to, items required under Subd. 2(A) of this Section. The applicant or the property owner must be current on property taxes, city utilities and any other fees owed to the City at the time of renewal.

Section 69.09. SUSPENSION OF REGISTRATION

Subd.1 When Suspension is Warranted. The City may suspend a retail business's registration if it violates the ordinance of the City or poses an immediate threat to the health or safety of the public. The City shall immediately notify the retail business in writing the grounds for the suspension.

Subd. 2. Notification to OCM. The City shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the City and business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

Subd. 3. Length of Suspension. The City can wait for a determination from the OCM before reinstating a registration. The suspension of a retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended. The City may reinstate a registration if it determines that the violations have been resolved. The City shall reinstate a registration if OCM determines that the violation(s) have been resolved.

Subd. 4. Civil Penalties. Subject to Minn. Stat. §342.22, Subd. 5(e) the City may impose a civil penalty, as established by the City Council in Appendix A, for registration violations, not to exceed \$2,000.

Section 69.10 LIMITING OF REGISTRATIONS. The City of Albany establishes that the maximum number of registrations for cannabis retailers including microbusinesses and mezzobusinesses with retail endorsement within the City of Albany is one (1).

Section 69.11. REQUIREMENTS FOR CANNABIS BUSINESSES.

Subd.1 Minimum Buffer Requirements. The City prohibits the operation of a cannabis business within 1,000 feet of a school. The City prohibits the operation of a cannabis business within 500 feet of a day care, a residential treatment facility, an attraction within a public park that is regularly used by minors, including a playground or athletic field. Pursuant to Minn. Stat. §462.367 subd. 14, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

Subd. 2. Hours of Operation. Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 10 a.m. and 9 p.m.

Subd. 3. Advertising. Cannabis businesses and lower-potency hemp edible retail businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by the City's sign ordinances.

Section 69.12. TEMPORARY CANNABIS EVENTS. A permit is required to be issued and approved by the City Council prior to holding a Temporary Cannabis Event.

Subd. 1. Application Submittal & Review. An applicant for a Temporary Cannabis Event shall fill out an application form, as provided by the City Administrator.

- A) The applicant shall provide, at a minimum, the following information:
 - i. The property where the event is proposed;
 - ii. The full name of the property owner and applicant;
 - iii. Address, email address, and telephone number of the applicant;
 - iii the application fee as established in the City's fee schedule;
 - iv. a copy of the OCM cannabis event license application, submitted pursuant to Minn. Stat. §342.39 subd. 2.
- B) The application shall be signed by the applicant as well as the property owner.
- C) The application shall be reviewed by the City Administrator or other designee for review. If the submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies. Once an application is considered complete, the application fee will be processed.
- D) The application shall then be reviewed by the Police Chief and the Fire Chief before it is forwarded to the City Council for approval or denial.
- E) The application fee shall be non-refundable once processed.

Subd. 2. Event Standards. The application for a license for a Temporary Cannabis Event shall meet the following standards:

- A) Events shall only be held between the hours of (insert start time) and (insert stop time).
- B) The applicant shall abide by any security requirements recommended by the Police Chief.
- C) The applicant shall follow health and safety requirements recommended by the Fire Chief.
- D) No on-site consumption shall be allowed.

- E) The applicant shall provide a certificate of general liability insurance covering the event.

Section 69.13 SALE OF LOWER-POTENCY HEMP EDIBLES.

Subd. 1. A lower-potency hemp edible retailer may only sell lower-potency hemp edibles to individuals who are at least 21 years of age.

Subd. 2. A lower-potency hemp edible retailer may sell lower-potency hemp edibles that:

- A) are obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer; and
- B) meet all applicable packaging and labeling requirements under State law.

Subd. 3. Sale of other products. A lower-potency hemp edible retailer may sell other products or items for which the lower-potency hemp edible retailer has a license or authorization or that do not require a license or authorization.

Subd. 4. Display and storage of lower-potency hemp edibles. A lower-potency hemp edible retailer shall ensure that all lower-potency hemp edibles, other than lower-potency hemp edibles that are intended to be consumed as a beverage, are displayed behind a checkout counter where the public is not permitted or in a locked case. All lower-potency hemp edibles that are not displayed must be stored in a secure area.

This Ordinance was approved by the majority of the City Council of Albany on this ____ day of _____, 2024.

Tom Kasner, Mayor

Gary Winkels, Clerk/Administrator

(S E A L)

This amendment was published in the *Star Post* on _____, 2024.

**CITY OF ALBANY
AMENDMENT TO APPENDIX A
FEE SCHEDULE**

The City Council for the City of Albany, HEREBY ORDAINS that Appendix A shall be amended by the addition of the following:

Cannabis and Lower-Potency Hemp		
69.08.1	Cannabis Initial Retail Registration Fee + First Renewal Fee	\$1500
69.08.7	Cannabis Renewal Registration Fee	\$1000
69.08.1	Lower-Potency Hemp Initial Retail Registration Fee + First Renewal Fee	\$500
69.08.7	Lower-Potency Hemp Renewal Fee	\$250
Civil Penalties for Registration Violations		
69.09.4	1 st Violation	\$500
	2 nd Violation within 12-month period	\$1000
	3 rd or more Violation within 12-month period	\$2000
69.12.1	Temporary Cannabis Event Registration Fee	\$375

This Ordinance Amendment shall be effective upon publication.

This Ordinance was approved by the majority of the City Council of Albany on the ____ day of _____, 2024.

Tom Kasner, Mayor

Gary Winkels, City Administrator

(S E A L)

This amendment was published in the *Star Post* _____, 2024

**CITY OF ALBANY, MN
ZONING MAP**

2023-10-23

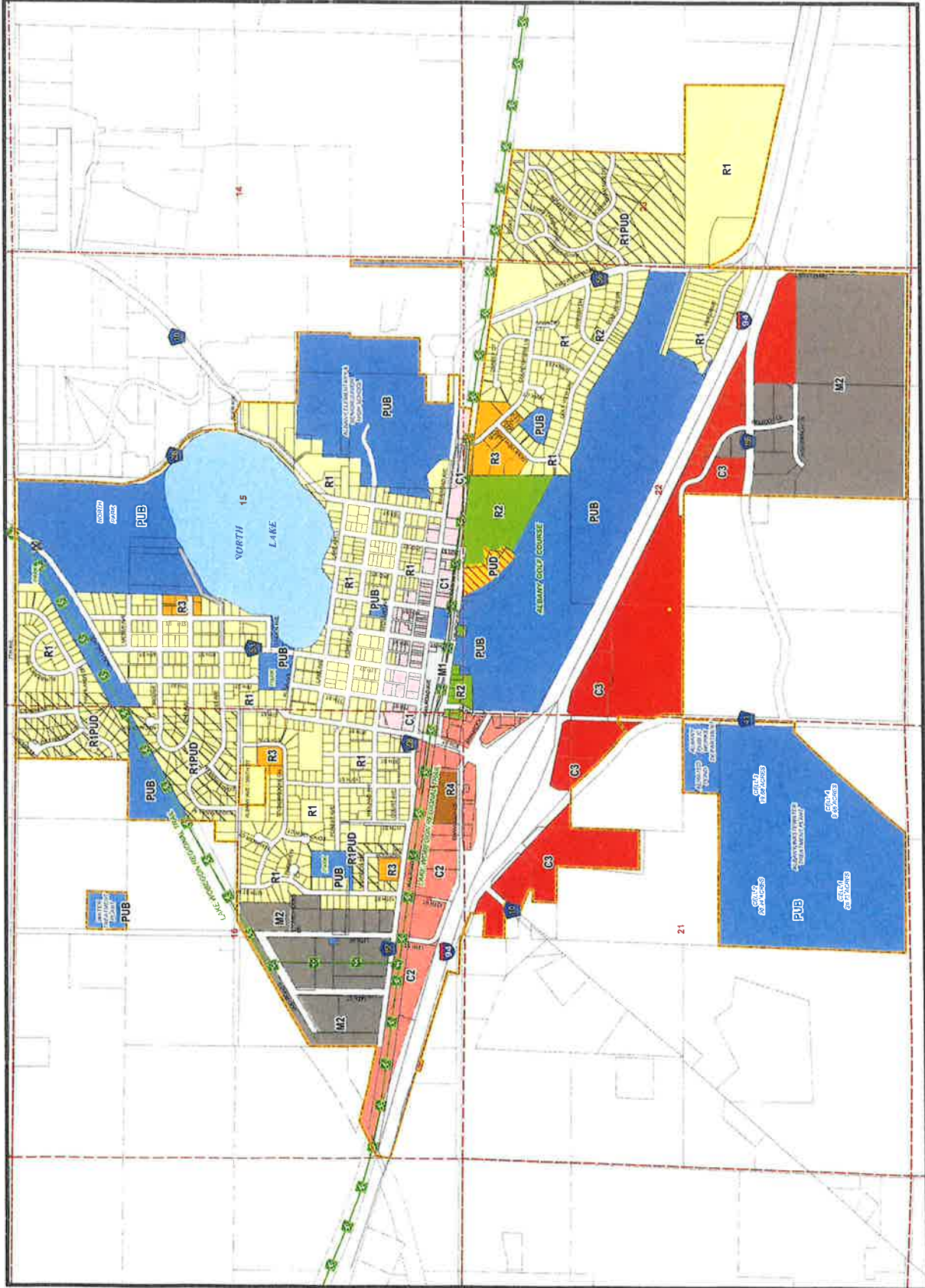
Zoning Designations

- C1 - Core Commercial
- C2 - Highway Commercial
- C3 - Highway (B4 Commercial
- M1 - Industrial
- M2 - Industrial Commercial
- PUB - Public Use District
- R1 - Single Family PUD
- R2 - Single and Two Family
- R3 - Single and Multiple
- R4 - Mobile Home Park Etc.



Legend

- City Boundary
- Parcels - Albany Twp
- Right of Way
- Vacated ROW
- Section
- Water
- Lake Webegon Regional Trail



**CITY OF ALBANY
AMENDMENT TO ORDINANCE NO. 80 ZONING**

The City Council for the City of Albany, HEREBY ORDAINS that Ordinance 80 Zoning shall be amended as follows:

1. That Section 80.19 Subd. 1 (a) (permitted uses within the C-1 District) shall be amended to read as follows:

“a) Retail uses conducted entirely within a building including the retail sale of lower-potency hemp edibles but not cannabis retailers.”

2. That Section 80.20 Subd. 2 (c) (conditional uses within the C-2 District) shall be amended to read as follows:

“c) Wholesale, Warehouse and storage, other than a cannabis business as defined in Minn. Stat. §342.01, Subd. 14, as the same may be amended from time to time.”

3. That Section 80.20 Subd. 2 (conditional uses within the C-2 District) shall be amended by the addition of subparagraph (d) which shall read as follows:

“d) Licensed or endorsed and registered Cannabis Retailer as defined in Chapter 69 of this Code.”

4. That Section 80.23 Subd. 3 (conditional uses within the M-2 District) shall be amended by the addition of subparagraphs (e) and (f) which shall read as follows:

“e) Cannabis businesses licensed or endorsed for cultivation, cannabis manufacture, cannabis wholesale, transportation or delivery.

f) Businesses licensed or endorsed for low-potency hemp edible manufacture.”

This Ordinance Amendment shall be effective upon publication.

This Ordinance was approved by the majority of the City Council of Albany on this ___th day of _____, 2024.

Tom Kasner, Mayor

Gary Winkels, Clerk/Administrator

(S E A L)

This amendment was published in the *Star Post* on _____, 2024



Overview



Legend

- Parcels
- Additions**
 - A
 - M
 - T
- Sections
 - Quarter-Quarter
 - Sections
- + Active Rail Line
- Unincorporated Cities
- Minor Civil Divisions - Township
- Water Access
- Airport
- Cemetery
- Parks
- Lakes PWI
- Streams and Rivers
- Major Roads**
 - Interstate Hwy
 - US Hwy
 - State Hwy
 - County Hwy
 - Roads

Parcel ID	40.25447.0000	Alternate ID	n/a	Owner Address	CITY OF ALBANY
Sec/Twp/Rng	15-125-31	Class	958 - 5E MUNICIPAL-PUBLIC SERVICE-OTHER		ALBANY, MN 56307
Property Address		Acreage	n/a		
District	(4005) 4005 ALBANY CITY 745				
Brief Tax Description	LOT 001 BLK 001 TOWNSITE OF ALBANY				
	SECTION 15 TOWNSHIP 125 RANGE 031				
	<i>(Note: Not to be used on legal documents)</i>				

This map is made available on an "as is" basis, without express or implied warranty of any sort including, specifically, any implied warranties of fitness for a particular purpose, warranties of merchantability or warranties relating to the accuracy or completeness of the database(s).

Date created: 11/15/2024
 Last Data Uploaded: 11/15/2024 2:18:41 PM

Summary

Parcel ID 40.25447.0000
 Property Address N/A
 Sec/Twp/Rng 15/125/031
 Brief Tax Description Lot 001 Block 001 of TOWNSITE OF ALBANY
 (Note: Not to be used on legal documents)
 Area N/A
 Use Code 5E-Exempt Properties
 Tax Authority Group 4005 ALBANY CITY 745

Owners

Primary Owner City Of Albany PO Box 370 Albany MN 56307-0370
Alternate Taxpayer
Fee Owner

Land

Seq	Code	CER	Dim 1	Dim 2	Dim 3	Units	UT
1	COMMERCIAL SQ FOOT	0	0	0	0	4,500.000	SF
Total						4,500.000	

Valuation

	Payable 2024 Values	Payable 2023 Values	Payable 2022 Values
EMV Improvement	\$0	\$0	\$0
EMV Land	\$1,100	\$1,100	\$1,100
EMV Machine	\$0	\$0	\$0
EMV (Estimated Market Value) Total	\$1,100	\$1,100	\$1,100
Green Acres Value	\$0	\$0	\$0

Note: Green Acres Value includes Rural Preserve Value

Taxation

	2024 Payable	2023 Payable	2022 Payable	2021 Payable
Estimated Market Value	\$1,100	\$1,100	\$1,100	\$1,100
Taxable Market Value	\$0	\$0	\$0	\$0
Net Tax Amount	\$0.00	\$0.00	\$0.00	\$0.00
+ Special Assessments	\$0.00	\$0.00	\$0.00	\$0.00
= Total Taxes Due	\$0.00	\$0.00	\$0.00	\$0.00
+ Penalty	\$0.00	\$0.00	\$0.00	\$0.00
+ Interest	\$0.00	\$0.00	\$0.00	\$0.00
+ Fees	\$0.00	\$0.00	\$0.00	\$0.00
- Amount Paid	\$0.00	\$0.00	\$0.00	\$0.00
= Outstanding Balance	\$0.00	\$0.00	\$0.00	\$0.00

TriMin LandShark



Documents

Transfer Books

[Transfer Books \(19015791.pdf\)](#)

No data available for the following modules: Saint Cloud Parcel Information, Saint Cloud Land Information, Saint Cloud Buildings Information, Buildings, Extra Features, Sales, Transfer Book History, Delinquent Taxes, Taxes Paid, Special Assessments, Sketches, Photos.

View Privacy Policy | GDPR Privacy Notice
 Last Data Update: 11/15/2023 1:30:15 PM



To:	Gary Winkels, City Staff & Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	November 15, 2024

Reference: Engineering Update for the 11/20/24 Council Meeting

North Park Improvements

We enjoyed discussing the splash pad project at the meeting this week. Please feel free to send me any follow up questions you might have.

2025 CR 157 Improvements

City utility plans have been submitted to the County's engineer for final review and inclusion in their plan set.

Future Capital Improvement Reconstruction Projects

This work was mentioned at the last council meeting and may be discussed at Wednesday's meeting. To date, we have completed all the field preliminary survey work for the remaining improvement areas discussed. Preliminary utility layout has been completed as well. The next step in the process is to finalize and present the feasibility report, but we will want to have a discussion on potential project timing before taking this step.

If you have any questions on any of the ongoing projects or anything else, please feel free to call or email me at any time.

Jeremy Mathiasen

320.266.5232

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1		Bid opening 2024-11-04												
2		Contractor				Bid amount								
3														
4														
5		Package #1 Splashpad equipment												
6		Rain Deck				\$		179,084.00						
7		Makr Group (Waterplay)						Equipment bid with Global Specialty						
8		MP Recreation (Water Odyssey)						Equipment bid with install						
9														
10														
11														
12														
13		Package #2 Plumbing including installation												
14		Custom Builders				no bid to many concerns								
15		Tradesmen Construction				no bid								
16		MP Recreation				\$		599,831.00						
17		Austin Plumbing				no bid								
18		Voss Plumbing				no bid								
19		Global Specialty Contractors				\$		686,000.00						
20		American Industrial Services				\$		43,000.00						
21								install						
22		Package #3 Electrical including power splashpad & controllers												
23														
24		Liberty Electric				\$		7,650.00						
25														
26														
27		Package #4 Concrete 4"												
28														
29		Worms Lumber and Ready Mix				\$		43,832.50						
30		Aggressive Masonry				\$		43,400.00						
31		Duininck				no bid								
32														
33														
34		Package #4 Concrete 6"												
35														
36		Worms Lubner and Ready Mix				\$		51,578.99						
37		Aggressive Masonry				\$		48,900.00						
38		Duininck				no bid								
39														
40		Package #5 Landscaping												
41														
42		Lorens Tree and Lawn				\$		31,570.00						
43														
44														
45														
46	Council to review at November 5th council meeting													

ALBANY GOLF COURSE MANAGEMENT AGREEMENT

THIS AGREEMENT is made and entered into this __ day of _____, 2024, by and between the City of Albany, a Minnesota public body corporate and politic (the “City”) and the Albany Golf Club, Inc., a Minnesota non-profit corporation (the “Club”).

RECITALS:

a. The City of Albany, Stearns County, Minnesota, a municipal corporation duly organized under the laws of the State of Minnesota, is the owner of certain real and personal property located at 500 Church Avenue in the City of Albany, known as the Albany Golf Club (collectively the “Property”), and

b. The Property has been operated as a public golf course, under management of the Albany Golf Club, Inc., a non-profit corporation, under authority granted by Minn, Stat. 471.16, et seq. The Albany Golf Club, Inc. has no shareholders with an ownership interest in the Corporation, and

c. The City of Albany and Albany Golf Club, Inc., desire to continue the cooperative and mutually beneficial operation of the Albany Golf Course.

NOW, THEREFORE IN CONSIDERATION OF THE ABOVE RECITALS AND THE MUTUAL PROMISES CONTAINED HEREIN, THE UNDERSIGNED PARTIES, BY THEIR DULY AUTHORIZED REPRESENTATIVES, AGREE AS FOLLOWS:

- 1) The Albany Golf Club, Inc. has only the following assets: driving range balls, baskets, motorized ball retrievers, and pro shop inventory. The City of Albany owns all other assets used in conjunction with the operation of the Albany Golf Club.
- 2) Pursuant to Minn. Stat. §471.15, the City desires to delegate to the Club, in accordance with the terms as set forth below, the management and operation of the Albany Golf Club.

- 3) The term of this Agreement begins the 1st day of October, 2024, and shall continue for a term of five years. This Agreement is terminable by either party at the end of three years without penalty and is terminable by the City at any time for any uncured default on the part of the Club.
- 4) To the extent that any term or provision of this management agreement is deemed to jeopardize the tax exempt status of the financing of the construction of the Albany Golf Clubhouse, said provision is void and unenforceable so as to preserve said tax exempt status.
- 5) The City retains all right, title and interest in the real and personal property located at the Albany Golf Course, including cash, accounts receivable and tangible and intangible assets, including any replacements thereof.
- 6) The Club shall not pledge or otherwise encumber any of the real or personal property which is owned by the City and used in connection with operation of the Albany Golf Club, except with the knowledge and prior written consent of the Albany City Council.
- 7) It is intended that the Club be granted the right and discretion to operate the day-to-day activities of the Albany Golf Club, subject to the terms of this Agreement, and subject to the right of the City to access to all records and financial information relating to the Club's management and operation of the golf course. The Club agrees to operate the Albany Golf Club in such a manner as to make the Albany Golf Club serviceable and attractive to patrons and the public generally. The Club shall at all times provide sufficient labor, supervision, supplies and inventories and shall exercise such business practices as to ensure the proper and efficient operation of the course. The Club shall not take any action that will do harm to the City's reputation or good standing within the community. The City of Albany has no control or authority over the business and operating decisions made by the Club.
- 8) It is intended that the City allow the Club to use revenues generated from operation of the Albany Golf Club, and any monies and other assets raised through its own efforts for the purpose of conducting the business of the Albany Golf Club, and making capital purchases and improvements at the sole discretion of the Club. It is also understood that the Club from time to time may make requests of the City to lend indebtedness to the Club to make capital purchases and capital improvements as needed to properly operate the Club in accordance with this agreement upon such terms as the parties may agree and in consideration of the fact that the Club is an asset to the City.
- 9) The Club is an independent contractor with respect to the operation of the Albany Golf Course and the Club agrees to indemnify and hold the City (including its councilmembers and employees) harmless from any and all claims arising from the operation, management and/or use of the Albany Golf Club. The Club shall not hold itself out to be the City of Albany, nor any subsidiary of the City. The Club shall not engage in any discriminatory practice with respect to the products, services or privileges offered to or enjoyed by the general public which are prohibited by Chapter 363 of the Minnesota Statutes or other applicable Federal, state or local law, regulation or ordinance.

- 10) It is understood and agreed that the Club shall procure employees and/or independent contractors as necessary in the management and operation of the golf course and that all such hiring and/or independent contracting shall be done solely and exclusively by the Club, and that said persons are neither employees nor contractors with the City. The Club shall be solely responsible for the recruitment, training, employment, review and compensation of adequate personnel to meet the staffing needs for the operation of the golf course. The Club is responsible for its own payroll. All income generated from sale of food, beverages and merchandise at the Albany Golf Club shall be reinvested in purchasing supplies and inventory, paying wages, taxes and expenses of operating the golf course. The Club shall accept full and exclusive liability for all applicable social security, unemployment, workers' compensation, or other employment taxes or contributions of insurance, and all employee benefits, and shall comply with all federal and state laws and regulations relating to the employment generally, minimum wages, social security, unemployment insurance, and workers' compensation.
- 11) The Club shall not discriminate against any employees or applicants for employment in violation of Chapter 363 of the Minnesota Statutes, or any other applicable federal, state or local law, regulation or ordinance. The Club shall be an equal opportunity employer and shall comply with all applicable provisions of federal and state law regarding equal employment.
- 12) The Club shall take measures to ensure that all employees conduct themselves professionally and courteously in their relations with the public.
- 13) The Club shall not employ illegal workers at the golf course or otherwise violate provisions of the Federal Immigration Reform and Control Act of 1986, or any amendments thereto or successor legislation thereof.
- 14) The Club shall defend and indemnify the City from and against any and all claims against the City arising out of the Club's hiring practices or employment of employees at the golf course.
- 15) Except as noted above, all personal property and fixtures, together with any replacements thereof, utilized in the operation of the golf course shall be and remain the property of the City. The Club shall maintain and repair such personal property and fixtures and shall maintain the golf course premises in clean, safe and attractive condition. Only capital purchases and capital improvements causing indebtedness to the Club shall be subject to the approval of the City, at its sole discretion.
- 16) As part of its management and operation of the Golf Course, the Club shall purchase and maintain, out of current revenues, suitable policies of insurance covering the physical assets of the course for their full insurable value as well as general public liability, liquor liability insurance, errors and omissions coverage for the directors and officers of the Club, automobile liability policy covering bodily injury, property damage liability for all owned, rented or hired vehicles used in connection with the operation of the course, workers' compensation coverage and employer's liability coverage, and shall name the City as an insured and/or loss payee under said policies, except the workers' compensation policy. The

City may, from time to time, reasonably adjust the coverages and policies to be furnished by the Club hereunder, to comply with applicable laws and regulations of the State of Minnesota or in a manner consistent with the coverages and policies which are typically provided by similarly situated facilities.

- 17) From time to time as deemed necessary by the City, but in any event at least once per year, the Club shall submit a budget and accounting of income and expenses in connection with the golf course operation including a budget for such capital improvements as may be supported by the net revenues of the golf course operation. The City shall maintain all accounts relating to golf course operations and all income and expenses shall be received and disbursed through said accounts under full supervision and control of the City. As compensation for the management services rendered hereunder, the Club shall be entitled to reimburse itself from the golf course revenues for all expenses incurred hereunder in the management and staffing of the golf course.
- 18) Any failure by the Club to operate the golf course in accordance with the terms and obligations set forth in this Agreement shall constitute a Default. The City shall give the Club written notice specifying the particulars of such Default. If the Club fails or refuses to remedy the Default to the satisfaction of the City within thirty (30) days after such notice, the City may terminate this Agreement. If a Default by the Club creates a serious threat to public safety or the golf course facilities, the City shall have the right to terminate this agreement immediately and undertake to cure such Default. If the City exercises its right to cure such Default, the Club shall be required to reimburse the City for its reasonable costs and expenses incurred in connection with such cure.
- 19) This Agreement shall be interpreted in accordance with the laws of the State of Minnesota. If any one or more of the provisions of this Agreement, or any application thereof, shall be found to be invalid, illegal, or otherwise unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be effected or impaired thereby.
- 20) Any modifications of this Agreement shall be in writing signed by the parties.

Approved by the City Council this _____ day of _____, 2024.

Tom Kasner, Mayor

Gary Winkels, Clerk/Adm.

President, Albany Golf Club Board of Directors

Aaron Kleinschmidt, Manager – Albany Golf Club



P. O. Box 370
Albany, Minnesota 56307

**CITY OF ALBANY
RESOLUTION 2024-19**

**A RESOLUTION DESIGNATING POLLING PLACES FOR ELECTIONS
CONDUCTED IN THE CITY OF ALBANY IN 2025**

WHEREAS, Minnesota Statute §204B.16 requires the City of Albany, by ordinance or resolution, to designate polling places for the upcoming year; and

WHEREAS, changes to the polling place locations may be made before the next election if one or more of the authorized polling places becomes unavailable for use; and

WHEREAS, changes to the polling place location may be made in case of an emergency when it is necessary to ensure a safe and secure location for voting; and

NOW, THEREFORE BE IT RESOLVED, that the council of the City of Albany hereby designates the following polling place for all state, federal, and municipal elections conducted in the city of Albany in 2025:

Albany City Hall
400 Railroad Avenue
Albany, MN 56307

Adopted by the City Council of the City of Albany on this 20th day of November 2024.

Tom Kasner, Mayor

Gary Winkels, City Administrator

(S E A L)

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: <u>ALBANY AREA GYMNASTICS ASSOCIATION</u>	Previous Gambling Permit Number: <u>X-94770-22-003</u>
Minnesota Tax ID Number, if any: <u>6129951</u>	Federal Employer ID Number (FEIN), if any: <u>83-1986278</u>
Mailing Address: <u>PO BOX 302</u>	
City: <u>ALBANY</u>	State: <u>MN</u> Zip: <u>56307</u> County: <u>STEARNS</u>
Name of Chief Executive Officer (CEO): <u>SHELLEY I JOHNSON</u>	
CEO Daytime Phone: <u>320-266-0452</u>	CEO Email: <u>ALBANYAREAGYMNASTICS@YAHOO.COM</u> (permit will be emailed to this email address unless otherwise indicated below)
Email permit to (if other than the CEO): _____	

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

- Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- A current calendar year Certificate of Good Standing**
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): ALBANY AREA GYMNASTICS ASSOCIATION

Physical Address (do not use P.O. box): 441 HUSKIE DRIVE

Check one:

City: ALBANY Zip: 56307 County: STEARNS

Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): FEBRUARY 21, 2025

Check each type of gambling activity that your organization will conduct:

- Bingo Paddlewheels Pull-Tabs Tipboards Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print City Name: _____

Signature of City Personnel:

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print County Name: _____

Signature of County Personnel:

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: _____ Date: _____
(Signature must be CEO's signature; designee may not sign)

Print Name: SHELLEY I JOHNSON

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

**RESOLUTION 2024-20
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMP PERMIT APPLICATION**

WHEREAS: the Albany Area Gymnastics Association has filed a Minnesota Lawful Gambling LG220 application for Exempt Permit to conduct a raffle at the Albany Area Gymnastics Association, 441 Huskie Drive, on February 21, 2025, and

WHEREAS: the City Council, of the City of Albany, County of Stearns, State of Minnesota, has reviewed the said application; and

WHEREAS: the City Council finds that appropriate circumstances exist; and

NOW, THEREFORE, BE IT RESOLVED: BY THE CITY COUNCIL OF ALBANY, COUNTY OF STEARNS, STATE OF MINNESOTA, does hereby waive the 30-day waiting period and approves the LG220 application for Exempt Permit Application at the Albany Area Gymnastics Association 441 Huskie Drive, Albany MN for the Albany Area Gymnastics Association to be held on February 21, 2025.

Adopted by the Albany City Council this 20th day of November 2024.

Tom Kasner, Mayor

Gary Winkels, Clerk/Adm

(SEAL)

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee. (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.
 Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: ALBANY AREA GYMNASTICS ASSOCIATION Previous Gambling Permit Number: X-94770-22-003

Minnesota Tax ID Number, if any: 6129951 Federal Employer ID Number (FEIN), if any: 83-1986278

Mailing Address: PO BOX 302

City: ALBANY State: MN Zip: 56307 County: STEARNS

Name of Chief Executive Officer (CEO): SHELLEY I JOHNSON

CEO Daytime Phone: 320-266-0452 CEO Email: ALBANYAREAGYMNASTICS@YAHOO.COM
 (permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division
 60 Empire Drive, Suite 100
 St. Paul, MN 55103
 Secretary of State website, phone numbers:
www.sos.state.mn.us
 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): ALBANY AREA GYMNASTICS ASSOCIATION

Physical Address (do not use P.O. box): 441 HUSKIE DRIVE

Check one:

City: ALBANY Zip: 56307 County: STEARNS

Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): NOVEMBER 6, 2025

Check each type of gambling activity that your organization will conduct:

Bingo Paddlewheels Pull-Tabs Tipboards Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).

The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

**The city or county must sign before
submitting application to the
Gambling Control Board.**

**COUNTY APPROVAL
for a gambling premises
located in a township**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.

The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: _____ Date: _____
(Signature must be CEO's signature; designee may not sign)

Print Name: SHELLEY I JOHNSON

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

_____ a copy of your proof of nonprofit status; and
_____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

**RESOLUTION 2024-21
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMP PERMIT APPLICATION**

WHEREAS: the Albany Area Gymnastics Association has filed a Minnesota Lawful Gambling LG220 application for Exempt Permit to conduct a raffle at the Albany Area Gymnastics Association, 441 Huskie Drive, on November 6, 2025, and

WHEREAS: the City Council, of the City of Albany, County of Stearns, State of Minnesota, has reviewed the said application; and

WHEREAS: the City Council finds that appropriate circumstances exist; and

NOW, THEREFORE, BE IT RESOLVED: BY THE CITY COUNCIL OF ALBANY, COUNTY OF STEARNS, STATE OF MINNESOTA, does hereby waive the 30-day waiting period and approves the LG220 application for Exempt Permit Application at the Albany Area Gymnastics Association 441 Huskie Drive, Albany MN for the Albany Area Gymnastics Association to be held on November 6, 2025.

Adopted by the Albany City Council this 20th day of November 2024.

Tom Kasner, Mayor

Gary Winkels, Clerk/Adm

(SEAL)

**Notice of Public Hearing
Proposed Property taxes
City of Albany**

The Albany City Council will hold a public hearing at 6:30PM or as soon as thereafter on Wednesday, December 4, 2024, at the Albany City Hall, 400 Railroad Avenue, Albany, MN 56307 to consider approving the 2025 budget and the amount of property taxes it is proposing to collect to pay for the costs of services the City will provide in 2025.

<u>2024 Levy</u>	<u>Proposed Levy</u>	
\$1,542,701	\$1,650,412	6.98% increase

Albany City residents are invited to attend the public hearing of the city council to express their opinions on the budget and on the proposed amount of 2025 property taxes.

Gary Winkels
Clerk/Adm.

Published in the Star Post this 20th and 27th day of November 2024.