

**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, October 5, 2022, 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 regular Council minutes of the meeting held on September 21st
5. Open Forum/Public comment (3 to 5 minutes max.)
6. Adam Rushmeyer, Planning Commission Liaison - present the following Planning Commission recommendations from a meeting held on September 29th:
 - RS Tooling, LLC, 499 Huskie Drive, to consider an amendment to Zoning Ordinance 80 from Highway I94 Commercial (C3) to Industrial (M2) and amend the Comprehensive Plan Land Use Map from Commercial to Industrial designation for Lots 4 and 5, Block 3, Albany Business and Industrial Park.
 - Albany Area Schools, 300 3rd Avenue, to consider an amendment to Zoning Ordinance 80 from Single Family Residential (R1) to Public District (PD) and amend the Comprehensive Plan Land Use Map from Residential to Public designation) for Lots 2, 3, 4, 5, 6, and 7, Theisen's Addition of Out Lots, together with the NW ½ of the vacated 50' foot-wide street lying directly adjacent to the SE lot line of said Lots 2 through 7, the former hospital/clinic site
7. Jeremy Mathiasen, City Engineer – present the following:
 - Pay application number 5 for the 2022 Midland Avenue CIP Improvements
 - Project updates
 - Proposed sidewalk cost share (1321 Shamrock Lane)
8. Reports of Boards and Department Heads
 - Joe Mergen, Public Works Supervisor
 - Police Chief Ozzie Carbajal, Police Department
 - Tom Schneider, Clerk/Adm. – recommendation to execute a Promissory Note (5-year term @ 1% interest) between the city and Albany Golf Club, Inc., to finance a new Toro Reelmaster mower
9. Mayor's announcements and letters
10. Mayor to announce next regular Council meeting date (October 19th) and adjourn

Tom Schneider
Clerk/Adm.

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, September 21, 2022, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Keith Heitzman, John R. Harlander, Adam Rushmeyer, and Al Amdahl. None were absent for the meeting.

Other's present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer with Stantec, Inc., St. Cloud, MN, Molly Thompson, CPA, the city Auditor with the firm of Schlenner Wenner, Co., St. Cloud, MN, Police Chief Ozzie Carbajal, and Tim Hennagir, Staff Writer, the Star Post. The following high school students were present for the meeting: Maggie Seiler, Cecilia Hudock, Izaak Hutchinson, Carmen Eiyneck, Sophia Schiffler, Nic Buschman, Mason Bierbaum, Tyson Gerads, Carter Voss, Tayte Lecy, Tanny Reis, and Sam Duff.

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 Adam Rushmeyer to approve/authorize payroll (3381-3394), electronic payments (900036-900041), transfers, and the payment of the following bills: Check Numbers 72122 to 72164. 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 September 7th and hearing none declared them approved.

Open forum/public comments: Sharry Thompson, 131 ½ 2nd Street, appeared before the council to request the council consider assigning a name to the alley where she and her neighbor (130 ½ 3rd St.) reside, a duplex, to resolve issues with the current 911 addresses being confusing to delivery companies, election registration, emergency responders, social media, and general applications of all kinds. Mayor Tom Kasner thanked Ms. Thompson for attending the meeting and directed Mr. Schneider to contact Stearns County to determine how to change the 911 address for both properties.

Molly Thompson, the City Auditor with the firm of Schlenner, Wenner and Company, St. Cloud, MN, appeared before the council to present the final 2021 Comprehensive Financial Audit for all department operations and enterprise funds that include the Albany Golf Club, Inc. Ms. Thompson presented to the council an abbreviated audit report and noted nothing unusual in terms of recorded transactions or accounting policies. Ms. Thompson noted the audit was delayed due to city staff turnover and software conversions in fund accounting and utility systems. Ms. Thompson recommended the council consider adding additional administrative staff to assist with utility billing and other secretarial duties, being the city has grown in population and having combined the administrative assistant positions to include the police department. Ms. Thompson noted the city has enjoyed the ability to rely on long-term employees and monetary savings over the years having limited administrative staff. After due discussion a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the 2021 Comprehensive Financial Audit, authorize recommended transfers and specific funds be closed effective December 31, 2021. All voted for the motion and it carried. The complete audit is on file at the office of the City Clerk/Adm. for public inspection during normal office hours.

Mr. Mathiasen presented to the council an engineering feasibility study for the following proposed capital improvements on Forest Avenue between 1st Street and 6th Street, and to 2nd Street between Midland Avenue and Lake Avenue, and to 3rd St., 4th St., and 5th Streets between Midland Avenue and Forest Avenue including adjacent alleys within this project area. Mr. Mathiasen noted the reconstruction improvements would consist of new roadway, curb/gutter, water main, sewer main, services, and storm sewer at an estimated cost of \$2.8+/- million. Mr. Mathiasen noted the improvement project would include assessments to benefitted properties for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429. After due discussion, a motion was made by Al Amdahl who introduced the following resolution and moved its adoption:

RESOLUTION 2022-33
RECEIVING PRELIMINARY ENGINEERING REPORT AND CALLING
PUBLIC HEARING ON A LOCAL
IMPROVEMENT PROJECT

(Public Hearing: October 19, 2022 @ 6:30 PM)

The motion for the foregoing Resolution was seconded by John R. Harlander and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Adam Rushmeyer, Al Amdahl, Keith Heitzman, and John R. Harlander, 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 public hearing will be scheduled at 6:30 o'clock in the evening or as soon as thereafter on Wednesday, October 19th at City Hall, to consider the aforesaid improvement project.

Mr. Mathiasen presented to the council Payment Voucher No. 3 for the 1st Street (TH238) and 8th Street (TH238) Sidewalk Improvements. Mr. Mathiasen noted the payment voucher includes seeding, signage, and pavement striping work. After due discussion and upon recommendation from the city engineer, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve Payment Voucher No. 3 to Craig Bardson Excavating, Albany, MN, in the amount of \$49,801.50. All voted for the motion and it carried.

Mr. Schneider presented to the council the preliminary 2023 Budget which included the following departments: Administration, Police, Fire, Street Park, Library, Elections, Water, and Sewer. Mr. Schneider informed the council the 2022 property tax levy was increased to 16.92%, an increase of 2.06% from the previous council meeting having added funding to hire a part-time administration office assistant and outsourcing payroll; whereby the additions had little effect to the city tax capacity rate. Mr. Schneider also noted the Economic Development Authority's (EDA) Railroad Avenue Storefront Rehabilitation Improvement Program will be underfunded in 2023 if any applications are received unless the council considers adding funding in the proposed budget. Mr. Harlander recommended an additional \$42,000 be included in the proposed budget for the said program knowing there may be three requests in 2023. Mr. Schneider noted the proposed 2022 levy would be \$1,320,424, a 20.76% levy increase and the estimated city 2023 tax capacity rate would be 45.12% compared to 43.35% in 2022. Mr. Schneider noted the city may reduce the levy amount at the December Truth and Taxation public hearing, but not increase the amount. Mr. Schneider also noted that the preliminary 2022 property tax levy for payable 2023 is due on or before September 30th to the Stearns County Auditor's Office. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to direct the City Clerk/Administrator to forward to the Stearns County Auditor the proposed property tax levy of \$1,320,424 and to set the initial meeting at 6:30 PM, or as soon as thereafter on Wednesday, December 7th, and the final adoption meeting of the said levy at 6:30 PM, or as soon as thereafter, on Wednesday, December 21st at 400 Railroad Avenue, the City Administration Building. All voted for the motion and it carried.

Mr. Schneider informed the council the city will have to consider ordering a 2023 pickup for the Public Works Department having been told the manufacturer is no longer receiving orders to built 2022 models. Mr. Schneider noted the cost of a 2023 pickup is approximately \$58,000, an increase of \$9,000. Mr. Harlander noted a decision can be made at a later date whether to order a new or purchase a used pickup.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the council the Albany Golf Club's checkbook register. After due discussion, a motion was made by Keith Heitzman and seconded by Adam Rushmeyer to approve electronic payments, transfers, and the payment of the following: checks 40264-40313. Voting for the motion were Councilors Keith Heitzman, Al Amdahl, John R. Harlander, and Adam Rushmeyer, and none voted against. Mayor Tom Kasner abstained and the motion carried. Mr. Heitzman informed the council the board interviewed candidates to fill the position of Events Coordinator and will begin landscaping improvements to the west side of the clubhouse or north of number one tee.

Councilor Al Amdahl, Albany Area Schools Community Education Liaison, informed the council programs and participation is going well for the courses offered by community ed. Mr. Amdahl also noted several entertainment acts will begin in October at the Blattner Energy Arts Theatre (BEAT).

The Council took notice of a MN Lawful Gambling LG220 Exempt Permit application (raffle) and an application for a 1 to 4 day Temporary On-sale Liquor License submitted by Holy Family School, 160 2nd Street South, for an event to be held on January 14, 2023. After due discussion, a motion was made by Mayor Tom Kasner who introduced the following resolution and moved its adoption including the Temporary 1-4 day On-sale Liquor License:

RESOLUTION 2022-34
APPROVING MINNESOTA
LAWFUL GAMBLING EXEMPT PERMIT APPLICATION

The motion for the foregoing resolution and Temporary 1-4 day On-sale Liquor License was seconded by Adam Rushmeyer and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors Adam Rushmeyer, John R. Harlander, Keith Heitzman, and Al Amdahl and none voted against the same whereupon the said resolution and said license was declared duly passed and adopted. The full text of the said resolution and license is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock in the evening on Wednesday, October 5, 2022, and adjourned the meeting at 7:55 PM.

Tom Schneider
Clerk/Adm.

unofficial

NOTICE OF PUBLIC HEARING
CITY OF ALBANY
PLANNING COMMISSION

There will be a Planning Commission meeting in and for the City of Albany, Stearns County, Minnesota, at 6:30 o'clock in the evening on **Thursday, September 29, 2022**, in the Council room at 400 Railroad Avenue for the said City for the following:

- 1) The public hearing will be held on a request by RS Tooling, LLC, 499 Huskie Drive, Albany, MN, for the following:
 - a. Rezone Lots 4 and 5, Block 3, Albany Business and Industrial Park, from Highway Commercial (C3) to Industrial (M2).
 - b. Comprehensive Plan amendment to the Land Use Plan from Commercial to Industrial.

- 2) The public hearing will be held on a request by the Albany Area Schools, 300 3rd Avenue, Albany, MN for the following:
 - a. Rezone Lots 2,3,4,5,6, and 7, Theisen's Addition of Out Lots, together with the NW ½ of the vacated 50' foot-wide street lying directly adjacent to the SE lot line of said Lots 2 through 7 from Single Family Residential (R1) to Public District (PD).
 - b. Comprehensive Plan amendment to the Land Use Plan from residential to public designation.

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.

Tom Schneider
Clerk/Adm.

Published in the Star Post on the 14th day of September, 2022.

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**CITY OF ALBANY
DEVELOPMENT APPLICATION**

Date of Complete Application (office use only)

8-3-22

Application Fee Per Submittal:

For explanation of what application fee covers, see page 3 in Development Application

Conditional Use Permit (\$300) _____

Ordinance Amendment (\$300) _____

Zoning Amendment (\$300) _____

Interim Use Permit (\$300) _____

Variance (\$300) _____

Other:

Preliminary and Final Plat (Escrow + \$300 + \$10/lot)

Planned Unit Development/Amendment (Escrow + \$300)

Minor Amendment (Escrow + \$300)

Rezoning (Escrow + \$300)

Comprehensive Plan Amendment (Escrow + \$300)

*If an Ordinance publication is required, the fee will be deducted from your escrow account.

Form to be typed or printed in ink. If space provided is insufficient, use additional sheets, keeping information to the proper item number.

1. Lots 4 + 5 Block 3

Legal Description

2. 499 Huskie Dr.

Street Address of Property Involved

3. RS Tooling LLC

Fee Owner of Property (This name will be used on legal documents)

320-290-2299

Telephone No.

4. 32332-2394 Ave

Address of Fee Owner

Albany NY 12207

Fax No.

5. Rick-Scott Reber 32332-2394 Ave

Applicant Name

Address

Telephone No.

320
290-2299

6. NA

Name of Architect/Engineer

Telephone No.

7. NA

Address of Architect/Engineer

Fax No.

8. Albany Business - Industrial Park 2
Name of Plat - (if applicable) No. of Lots

9. State proposed use and a description of project proposed or other request. Attach handouts for additional information.

MG - vary of products

The undersigned applicant hereby acknowledges:

receipt of a copy of the applicable List of Required Submissions.

that all required documents have been submitted with this application except:

APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTAL DOCUMENTS HAVE BEEN RECEIVED.

Acknowledgment and Signature:

The undersigned applicant hereby represents upon all of the penalties of the law, for the purpose of inducing the City of Albany take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinance of the City of Albany, and the laws of the State of Minnesota, and that the undersigned applicant will pay all fees and charges incurred by the City for the examination and review of this petition.

Scottie
Signature of Applicant

08/03/2022
Date

[Signature]
Signature of Property Owner

08/03/2022
Date

Application Fees and Refunds

Planning application fees cover the following costs: meeting room time, copies, minutes, public hearing, recording documents, and legal notices. The escrow deposit will be utilized for the cost of staff review time, consultants, meetings with applicants, neighborhood meetings, preparation of staff reports, and preparation of legal documents, review and editing of Planning Commission minutes, staff reports and legal documents.

Refunds of application fee will be one-half of the fee and any remaining escrow if the application is withdrawn prior to publication of the public hearing notice. After publication, no refunds will be given. Escrow accounts will be refunded after the Certificate of Occupancy is issued for the project. This would be for the building shell in the case of a multi-tenant retail or industrial project with separate tenant finish permits, all of the units in a residential subdivision or the entire building in the case of a multi-family or single-tenant commercial/industrial development.

ADDENDUM TO DEVELOPMENT APPLICATION
AGREEMENT TO PAY CITY PROFESSIONAL FEES

Rick-Scott Reber (RSTooling LLC)

Applicant Name

499. Huskie Dr.

Address of Property Involved

I/we, the undersigned Applicant, hereby agree that I/we will pay all fees and charges that may be incurred by the City for planning, engineering, legal and any other professional services directly related to and incurred by the City during the examination, review and processing of this Application, and during any necessary enforcement action subsequent to this request. I/we understand that the Applicant fee is only an administrative charge intended to defray costs associated with City Staff services and resources required for the processing of this request. If a determination is made by the City that additional professional services are necessary for the review and processing of this Application, the Zoning Administrator may require the Applicant to enter into a development escrow agreement and deposit funds in escrow with the City. The sum to be deposited will be based upon the anticipated direct costs to the City. The City will also make every reasonable effort possible to keep these charges to a minimum, yet still provide the needed level of professional services. If direct costs for professional services are in excess of funds placed in escrow, then additional escrow funds may be required to be submitted prior to further processing of the request. Otherwise any fees resulting in charges above the escrow funds placed on deposit will be billed and promptly paid by the Applicant prior to the final disposition of the request by the City. If direct costs to the City are less than the sum placed in escrow, then the balance will be refunded to the Applicant upon final disposition of the request by the City.

Scott Reber
Signature of Applicant

08/03/2022
Date

CITY OF ALBANY, MN
FUTURE LAND USE MAP

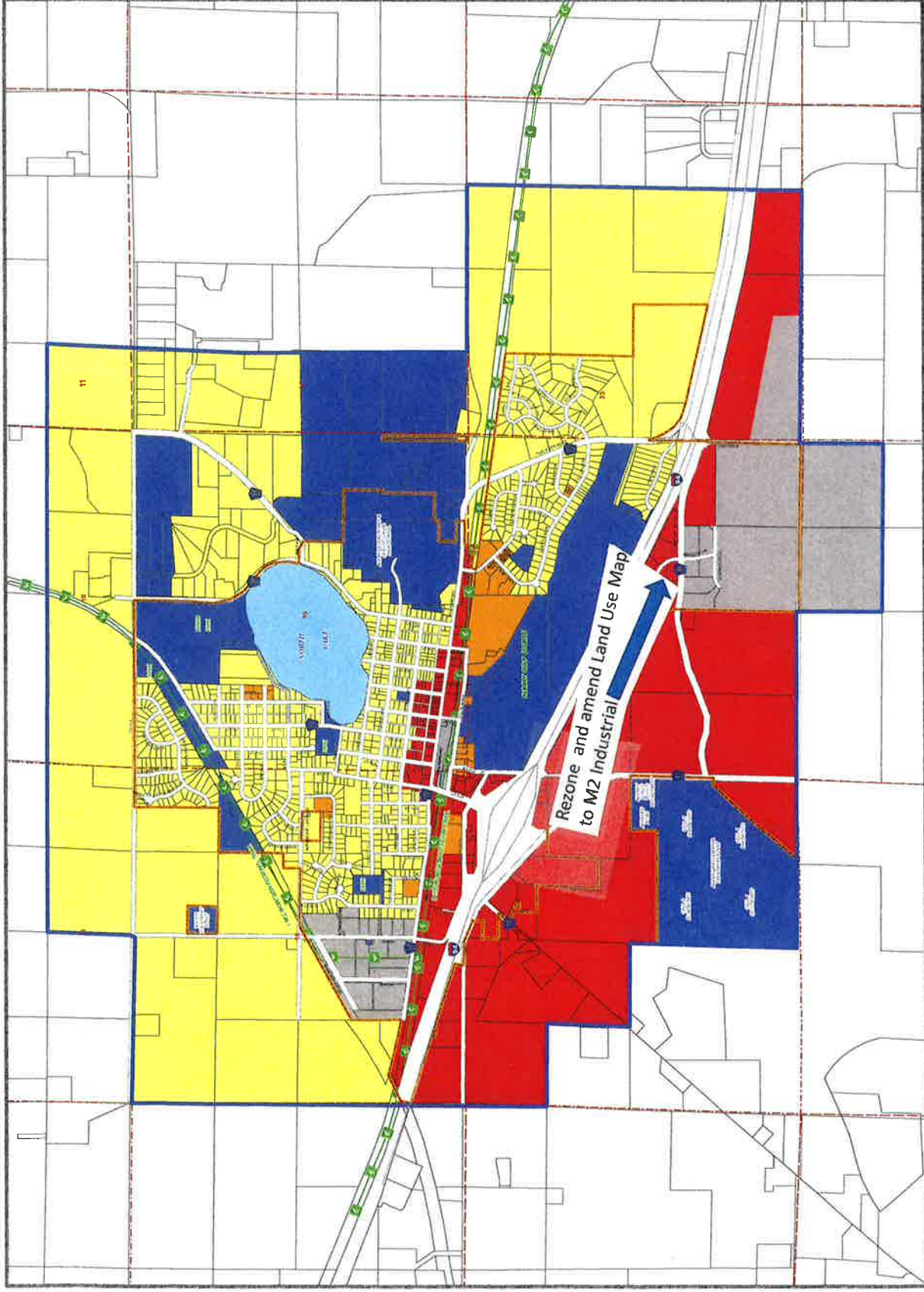
8/3/2022

Future Land Use Designations

- Low Density Residential - Up To 5 Units Per Net Acre
- Medium Density Residential - Up To 16 Units Per Net Acre
- Public / Semi-Public
- Commercial
- Industrial



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



**AMENDMENT TO ORDINANCE 80
ZONING**

The City Council for the City of Albany, HEREBY ORDAINS as follows:

1. The City of Albany Zoning Map is hereby amended to reflect that the following property is rezoned to M-2 Industrial, Commercial and Business District, Section 80.23:

Parcel: 40.25899.0512	499 Huskie Drive
Parcel: 40.25899.0511	461 Huskie Drive

This amendment shall become effective upon adoption and publication.

This Ordinance amendment was approved by the majority of the City Council of Albany on this ____ day of _____, 2022.

Tom Kasner, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

This amendment was published in the *Star Post* on _____, 2022.



320.845.4244
P. O. Box 370
Albany, Minnesota 56307

AMENDMENT TO COMPREHENSIVE PLAN
FUTURE LAND USE

The city council for the City of Albany, HEREBY ORDAINS, that Section 7.3, Future Land Use Plan of the Albany Comprehensive Plan, shall be amended to read as follows:

Amend Figure 9, Land Use Map, for property located at 461 Huskie Drive and 499 Huskie Drive (PID's 40.25899.0511 & 40.25899.0512) from C3-Highway 194 Commercial District to M2-Industrial, Commercial, & Business District to allow for the construction of a new manufacturing facility.

This amendment was approved by the city council this 5th day of October, 2022.

Tom Kasner, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

**CITY OF ALBANY
DEVELOPMENT APPLICATION**

Date of Complete Application (office use only) 9/2/22

Application Fee Per Submittal:
For explanation of what application fee covers, see page 3 in Development Application

- | | |
|---|--|
| <input type="checkbox"/> Conditional Use Permit (\$300) _____ | <input type="checkbox"/> Ordinance Amendment (\$300) _____ |
| <input type="checkbox"/> Zoning Amendment (\$300) _____ | <input type="checkbox"/> Interim Use Permit (\$300) _____ |
| <input type="checkbox"/> Variance (\$300) _____ | |

Other:

- Preliminary and Final Plat (Escrow + \$300 + \$10/lot)
- Planned Unit Development/Amendment (Escrow + \$300)
- Minor Amendment (Escrow + \$300)
- Rezoning (Escrow + \$300)
- Comprehensive Plan Amendment (Escrow + \$300)

Total Fee Due Per City = \$300.00

*If an Ordinance publication is required, the fee will be deducted from your escrow account.

Form to be typed or printed in ink. If space provided is insufficient, use additional sheets, keeping information to the proper item number.

Lots 2, 3, 4, 5, 6, and 7 of Theisen's Addition of Outlots to the Village of Albany, Section 15, Township 125, Range

1. 31, Steams County, Minnesota
Legal Description
2. 300 3rd Avenue
Street Address of Property Involved
3. Independent School District No. 745
Fee Owner of Property (This name will be used on legal documents) Telephone No.
4. 30 Forest Avenue, PO Box 40, Albany, MN 56307
Address of Fee Owner Fax No.
5. Independent School District No. 745; 30 Forest Avenue, PO Box 40, Albany, MN; 320-845-2171
Applicant Name Address Telephone No.
6. To be determined
Name of Architect/Engineer Telephone No.
7. _____
Address of Architect/Engineer Fax No.

8. **Theisen's Addition (7 lots)**

Name of Plat – (if applicable)

No. of Lots

9. State proposed use and a description of project proposed or other request. Attach handouts for additional information.

The Applicant plans to convert the exiting former Albany Hospital building/site into an Early Learning Center to alleviate space restraints at Avon & Albany Elementary schools. Overall general plans include additional classrooms, various breakout and collaborative learning areas, an office, specialist spaces, other necessary support spaces including physical/occupational therapy and speech, a kitchen and serving area and multi-purpose space addition for large motor space for students, staff and the community.

The undersigned applicant hereby acknowledges:

receipt of a copy of the applicable List of Required Submissions.

that all required documents have been submitted with this application except:

APPLICATIONS ARE NOT COMPLETE UNTIL ALL REQUIRED SUBMITTAL DOCUMENTS HAVE BEEN RECEIVED.

Acknowledgment and Signature:

The undersigned applicant hereby represents upon all of the penalties of the law, for the purpose of inducing the City of Albany take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinance of the City of Albany, and the laws of the State of Minnesota, and that the undersigned applicant will pay all fees and charges incurred by the City for the examination and review of this petition.

Aue Clemen
Signature of Applicant *Applicant has property under purchase agreement
9/2/22
Date

N/A
Signature of Property Owner

Date

Application Fees and Refunds

Planning application fees cover the following costs: meeting room time, copies, minutes, public hearing, recording documents, and legal notices. The escrow deposit will be utilized for the cost of staff review time, consultants, meetings with applicants, neighborhood meetings, preparation of staff reports, and preparation of legal documents, review and editing of Planning Commission minutes, staff reports and legal documents.

Refunds of application fee will be one-half of the fee and any remaining escrow if the application is withdrawn prior to publication of the public hearing notice. After publication, no refunds will be given. Escrow accounts will be refunded after the Certificate of Occupancy is issued for the project. This would be for the building shell in the case of a multi-tenant retail or industrial project with separate tenant finish permits, all of the units in a residential subdivision or the entire building in the case of a multi-family or single-tenant commercial/industrial development.

ADDENDUM TO DEVELOPMENT APPLICATION

AGREEMENT TO PAY CITY PROFESSIONAL FEES

Independent School District No. 745

Applicant Name

300 3rd Avenue, Albany, MN

Address of Property Involved

I/we, the undersigned Applicant, hereby agree that I/we will pay all fees and charges that may be incurred by the City for planning, engineering, legal and any other professional services directly related to and incurred by the City during the examination, review and processing of this Application, and during any necessary enforcement action subsequent to this request. I/we understand that the Applicant fee is only an administrative charge intended to defray costs associated with City Staff services and resources required for the processing of this request. If a determination is made by the City that additional professional services are necessary for the review and processing of this Application, the Zoning Administrator may require the Applicant to enter into a development escrow agreement and deposit funds in escrow with the City. The sum to be deposited will be based upon the anticipated direct costs to the City. The City will also make every reasonable effort possible to keep these charges to a minimum, yet still provide the needed level of professional services. If direct costs for professional services are in excess of funds placed in escrow, then additional escrow funds may be required to be submitted prior to further processing of the request. Otherwise any fees resulting in charges above the escrow funds placed on deposit will be billed and promptly paid by the Applicant prior to the final disposition of the request by the City. If direct costs to the City are less than the sum placed in escrow, then the balance will be refunded to the Applicant upon final disposition of the request by the City.

Alice Clement
Signature of Applicant

9/2/22
Date

8/3/2022

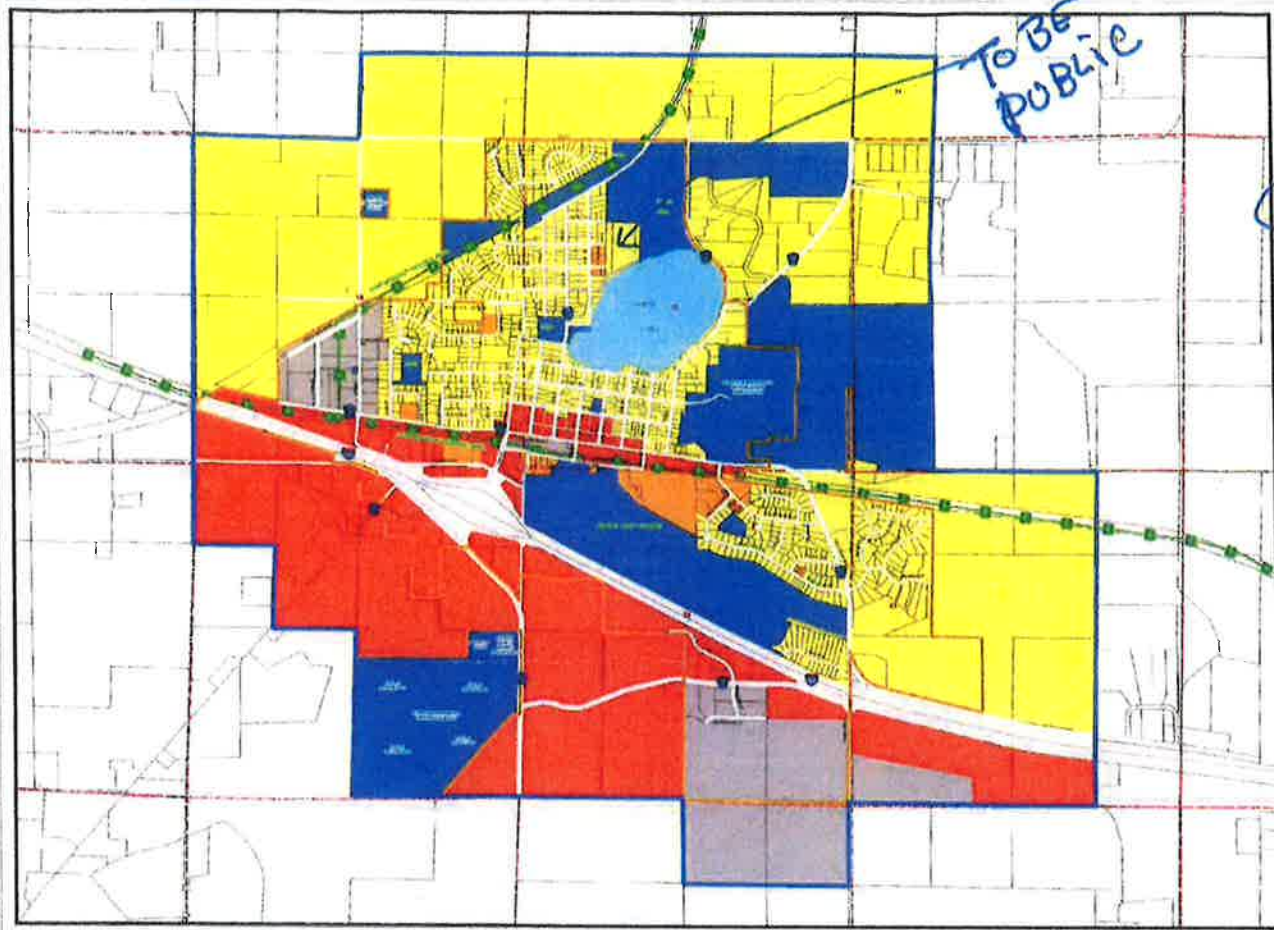
To BE
Public

Future Land Use Designations

- Low Density Residential - Up To 5 Units Per Net Acre
- Medium Density Residential - Up To 10 Units Per Net Acre
- Public / Semi-Public
- Commercial
- Industrial



- Legend**
- City Boundary
 - Parcels - Albany Twp
 - Right of Way
 - Vacated ROW
 - Station
 - Water
 - Lake Wobegon Regional Trail

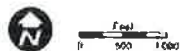


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Rezone to Public

Zoning Designations

- C1 - City Commercial
- C2 - Highway Commercial
- C3 - Highway 194 Commercial
- M1 - Industrial
- M2 - Industrial Commercial
- PUB - Public Use District
- R1 - Single Family
- PUD
- R1PUD - Single Family PUD
- R2 - Single and Two Family
- R3 - Single and Multiple
- R4 - Mobile Home Park Etc

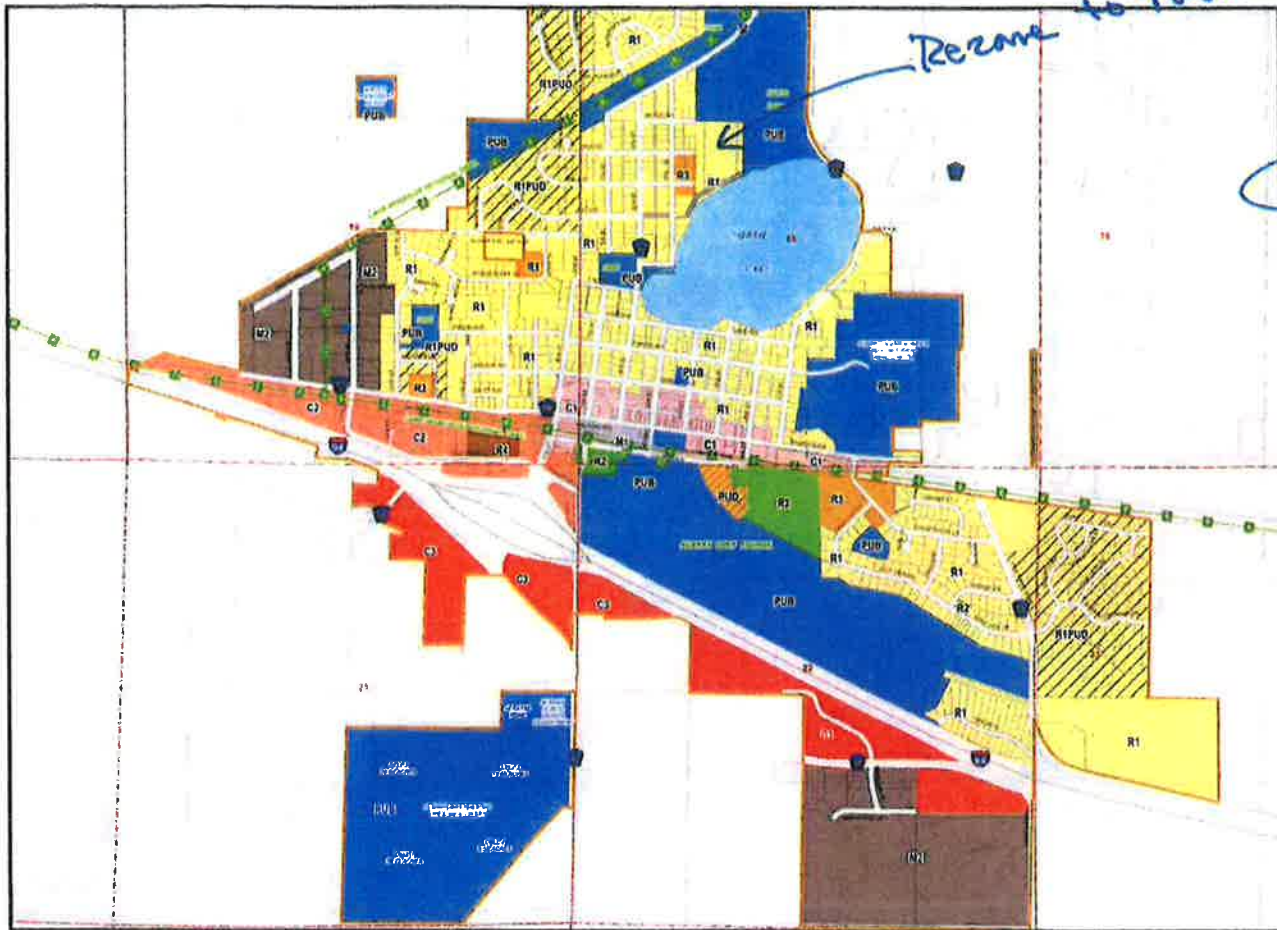


Legend

- City Boundary
- Parcel - Albany Twp
- Right of Way
- Vicinal ROW
- Section
- Water
- Lake Umbagog Regional Trail

ALBANY
MINNESOTA

Stantec



**AMENDMENT TO ORDINANCE 80
ZONING**

The City Council for the City of Albany, HEREBY ORDAINS as follows:

1. The City of Albany Zoning Map is hereby amended to reflect that the following property is rezoned to Public District, Section 80.24:

Parcel: 40.25355.0000 300 3rd Avenue

This amendment shall become effective upon adoption and publication.

This Ordinance amendment was approved by the majority of the City Council of Albany on this ____ day of _____, 2022.

Tom Kasner, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

This amendment was published in the *Star Post* on _____, 2022.



320.845.4244
P. O. Box 370
Albany, Minnesota 56307

AMENDMENT TO COMPREHENSIVE PLAN
FUTURE LAND USE

The city council for the City of Albany, HEREBY ORDAINS, that Section 7.3, Future Land Use Plan of the Albany Comprehensive Plan, shall be amended to read as follows:

Amend Figure 9, Land Use Map, for property located at 300 3rd Avenue, Albany, MN, PID#40.25355.0000) from R1-Low Density Residential District to PD- Public District to allow for Albany Area School District to remodel the former hospital/clinic site into an Early Child Learning Center.

This amendment was approved by the city council this 5th day of October, 2022.

Tom Kasner, Mayor

Tom Schneider, Clerk/Adm.

(S E A L)

Pursuant to due call and notice thereof a meeting of the Planning Commission in and for the City of Albany, Stearns County, Minnesota, was called to order by Chairman Jon Stueve at 6:30 o'clock in the evening on Thursday, September 29, 2022, in the Council Room at 400 Railroad Avenue for the said City.

Other Planning Commission members present for the meeting were: Allison Dudek, Bill Scepaniak and Joseph Wedel. Will Seiler were absent. Councilor Adam Rushmeyer, Liaison, was present for the meeting.

Chairman Jon Stueve called for any additions or corrections to the minutes of August 16th and hearing none declared them approved.

Scott Reber, Rebecca Reber, Rick Reber, and Brenda Reber, RS Tooling, LLC, 499 Huskie Drive, were present for the meeting.

Pursuant to due notice, at 6:31 PM, Chairman Jon Stueve called the public hearing into session on a request by RS Tooling, LLC, 499 Huskie Drive, Albany, MN, for the following: 1) Rezone Lots 4 and 5, Block 3, Albany Business and Industrial Park, from Highway I94 Commercial (C3) to Industrial (M2) and 2) Comprehensive Plan amendment to the land use map from Commercial to Industrial for said lots. Scott Reber appeared before the commission to inform the commission their intention is to relocate their manufacturing business in Albany Township to the industrial park with construction beginning in the spring of 2023. Mr. Schneider noted a proper notice was published in the Star Post on September 14th and no written statements were received. Mr. Schneider also noted the aforementioned lots are contiguous or abut an industrial zoning district which does not create spot zoning and recommended approval. Chairman Jon Stueve closed the public hearing at 6:35 PM. After due discussion, a motion was made by Joseph Wedel and seconded by Bill Scepaniak to recommend to the council the request by RS Tooling, LLC, 499 Huskie Drive, Albany, MN, to rezone Lots 4 and 5, Block 3, Albany Business and Industrial Park, from Highway I94 Commercial (C3) to Industrial (M2) be approved as follows:

1. Lots 4 and 5, Block 3, Albany Business and Industrial Park, 499 Huskie Drive, to be rezoned from Highway I94 Commercial (C3) to Industrial (M2).
2. The lots are contiguous to an industrial zoning district.
3. Increase tax base and employment opportunities.
4. The building exterior lighting shall be downcast and not project onto adjoining properties and signs shall conform to the sign ordinance, Section 80.11.
5. The city council and building official may provide additional comments than those listed above.

All voted for the motion and it carried.

After due discussion, a motion was made by Bill Scepaniak and seconded by Allison Dudek to recommend to the council the request by RS Tooling, LLC, 499 Huskie Drive, Albany, MN, to amend the land use map in the Comprehensive plan to include Lots 4 and 5, Block 3, Albany Business and Industrial Park, as Industrial designation be approved as follows:

1. Amend land use map in the Comprehensive Plan for Lots 4 and 5, Block 3, Albany Business and Industrial Park to Industrial designation for the purpose of constructing a new manufacturing building.
2. The request to amend the land use map is contiguous to the abutting industrial designation.
3. Increase tax base and employment

All voted for the motion and it carried.

Travis Okerlund, Superintendent, Albany Area Schools, and Jamie Thelen, CEO, Sand Companies, Inc., Waite Park, MN, were present for the meeting.

Pursuant to due notice, at 6:36 PM, Chairman Jon Stueve called the public hearing into session on a request by the Albany Area Schools, 300 3rd Avenue, Albany, MN for the following: 1) Rezone Lots 2, 3, 4, 5, 6, and 7, Theisen’s Addition of Out Lots, together with the NW ½ of the vacated 50’ foot-wide street lying directly adjacent to the SE lot line of said Lots 2 through 7, the former hospital/clinic site, from Single Family Residential (R1) to Public District (PD), and 2) Comprehensive Plan amendment to the land use map from Residential to Public designation. Mr. Thelen appeared before the commission to inform the commission the school district owns the property and is preparing construction materials to begin renovation and other miscellaneous improvements. Mr. Okerlund noted the schools’ architect and others will work with the city to submit the appropriate building permit information. Mr. Schneider noted a proper notice was published in the Star Post on September 14th and no written statements were received. Mr. Schneider informed the commission permitted uses allowed in the Public District are largely compatible with the adjacent Single Family Residential (R1) uses which include schools and the site is surrounded on three sides by North Park and North Lake, with an area of residential housing along the western border. Mr. Schneider also noted the existing parking, access, and easements should be sufficient to accommodate the use of the site as an Early Childhood Learning Center and no existing easements will be affected. Chairman Jon Stueve closed the public hearing at 6:40 PM. After due discussion, a motion was made by Allison Dudek and seconded by Bill Scepaniak to recommend to the council the request by Albany Area Schools, 300 3rd Avenue, Albany, MN, to rezone Lots 2, 3, 4, 5, 6, and 7, Theisen’s Addition of Out Lots, together with the NW ½ of the vacated 50’ foot-wide street lying directly adjacent to the SE lot line of said Lots 2 through 7, the former hospital/clinic site, from Single Family Residential (R1) to Public District (PD) be approved as follows:

1. The Early Childhood Learning Center is a permitted use in a Public District, Section 80.24.
2. There are no parking issues.
3. Permitted uses allowed in the Public District are largely compatible with the adjacent Single Family Residential (R1) uses.
4. Exterior lighting shall be downcast and not project onto adjoining properties.
5. Signs shall conform to the sign ordinance, Section 80.11.
6. No easements will be affected by the proposed project improvements.
7. The city council and building official may provide additional comments than those listed above.

All voted for the motion and it carried.

After due discussion, a motion was made by Bill Scepaniak and seconded by Joseph Wedel to recommend to the council the request by Albany Area Schools, 300 3rd Avenue, Albany, MN, to amend the land use map in the Comprehensive Plan to include Lots 2, 3, 4, 5, 6, and 7, Theisen’s Addition of Out Lots, together with the NW ½ of the vacated 50’ foot-wide street lying directly adjacent to the SE lot line of said Lots 2 through 7, as Public designation be approved as follows:

1. Amend land use map in the Comprehensive Plan for said lots for the purpose of renovating the former hospital/clinic site for an Early Childhood Learning Center.
2. The Early Childhood Learning Center is a permitted use in a Public District, Section 80.24.
3. The request to amend the land use map is contiguous to the abutting Public designation.

All voted for the motion and it carried.

Mr. Schneider informed the commission of the following:

- Proposed 2023 Budget includes \$42,000 to fund the Economic Development Authority (EDA) storefront building rehabilitation improvements on Railroad Avenue between 1st Street and 9th Street. Mr. Schneider noted the purpose of the request is to fund three potential storefront improvements in the year 2023.
- Stearns County mailed letters to all property owners in the city determined to be part of the County Ditch 28 Drainage System; whereby Ditch Viewers, hired by Stearns County,

will prepare a report of all property that, in their opinion, is benefited or damaged by Coounty Ditch 28.

- There will be two Planning Commission board openings due to upcoming resignations of Will Seiler due to evening employment conflicts, and Chairman Jon Stueve, who will be moving out of the city limits. A notice of the two vacancies on the board will be published in the Star Post, the city's legal publication.

Chairman Jon Stueve adjourned the meeting at 6:48 PM.

Tom Schneider
Clerk/Adm.

To:	Mr. Tom Schneider Albany City Hall	From:	Jeremy Mathiasen St. Cloud, MN
File:	193805394	Date:	September 30, 2022

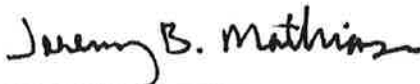
Reference: 2022 Capital Improvements – Payment Application No.5

For your consideration at your October 5th Council meeting is Payment Voucher No.5 for the 2022 Capital Improvement Project.

Payment Voucher No. 5 has been prepared for your review and generally includes storm sewer, street, sidewalk, driveway, and restoration quantities. The amount due, minus the retainage, for **Payment Voucher No. 5 is \$199,730.05**

Stantec is recommending approval of Payment Voucher No. 5 for Breitbach Construction Co. Should you have any questions about the work completed to date, feel free to contact me.

Stantec Consulting Services Inc.



Jeremy Mathiasen PE
Senior Associate

Phone: 320 266 5232
Jeremy.Mathiasen@stantec.com

Attachment: Payment Voucher No.5



Owner: City of Albany, 400 Railroad Ave., Albany, MN 56307	Date: September 30, 2022
For Period: 8/27/2022 to 9/29/2022	Request No: 5
Contractor: Breitbach Construction Co.	

CONTRACTOR'S REQUEST FOR PAYMENT
 2022 ALBANY CAPITAL IMPROVEMENTS
 STANTEC PROJECT NO. 193805394

SUMMARY

1	Original Contract Amount		\$	2,008,700.59
2	Additional Work	\$	4,815.75	
3	Deduction	\$	0.00	
4	Revised Contract Amount		\$	2,013,516.34
5	Value Completed to Date		\$	1,750,400.24
6	Material on Hand		\$	0.00
7	Amount Earned		\$	1,750,400.24
8	Less Retainage 5%		\$	87,520.01
9	Subtotal		\$	1,662,880.23
10	Less Amount Paid Previously		\$	1,463,150.18
11	Liquidated damages -		\$	0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>5</u>		\$	<u>199,730.05</u>

Recommended for Approval by:
STANTEC

Jeremy B. Mathias

Approved by Contractor:
BREITBACH CONSTRUCTION CO.

Approved by Owner:
CITY OF ALBANY

Specified Contract Completion Date:
6/30/2023 (Final)

Date:

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Amount This Request	Quantity to Date	Amount to Date
BASE BID:								
1	MOBILIZATION	LUMP SUM	1	98,512.00		0.00	1.00	98,512.00
2	CLEAR AND GRUB	TREE	28	674.04		0.00	35.00	23,591.40
3	REMOVE SEWER PIPE (STORM)	LIN FT	1404	6.27		0.00	1,532.00	9,605.64
4	REMOVE SEWER PIPE (SANITARY)	LIN FT	1773	0.78		0.00	1,773.00	1,382.94
5	REMOVE WATER MAIN	LIN FT	2332	1.05		0.00	2,332.00	2,448.60
6	REMOVE HYDRANT ASSEMBLY	EACH	4	261.25		0.00	4.00	1,045.00
7	REMOVE GATE VALVE & BOX	EACH	2	109.50		0.00	6.00	657.00
8	REMOVE CATCH BASIN	EACH	11	182.91	6	1,097.46	10.00	1,829.10
9	REMOVE MANHOLE (STORM)	EACH	6	182.83		0.00	11.00	2,011.13
10	REMOVE MANHOLE (SANITARY)	EACH	10	182.90	2	365.80	8.00	1,463.20
11	REMOVE CURB AND GUTTER	LIN FT	5501	1.36		0.00	6,871.00	9,344.56
12	REMOVE BLOCK RETAINING WALL	LIN FT	145	5.75		0.00	0.00	0.00
13	REMOVE STONE GROUTED RETAINING WALL	LIN FT	260	5.75		0.00	260.00	1,495.00
14	REMOVE CONCRETE WALK	SQ YD	2642	3.08		0.00	2,243.00	6,908.44
15	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	689	3.40	72	244.80	1,195.00	4,063.00
16	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	925	2.61	1294	3,377.34	1,609.00	4,199.49
17	RECLAIM BITUMINOUS PAVEMENT	SQ YD	22020.00	0.65		0.00	22,739.00	14,780.35
18	SAWING BITUMINOUS PAVEMENT	LIN FT	5021	3.14	1062	3,334.68	2,833.00	8,895.62
19	SAWING CONCRETE PAVEMENT	LIN FT	779	5.22	21	109.62	432.00	2,255.04
20	ABANDON PIPE SEWER (SANITARY)	LIN FT	410	4.44	100	444.00	100.00	444.00
21	SALVAGE METAL SIDEWALK RAILING	LIN FT	19	20.89		0.00	16.00	334.24
22	SALVAGE SIGN	EACH	12	26.17	2	52.34	7.00	183.19
23	SALVAGE MAIL BOX SUPPORT & BOX	EACH	40	78.38		0.00	27.00	2,116.26
24	INSTALL SIGN	EACH	12	156.75		0.00	0.00	0.00
25	INSTALL CLUSTER MAIL BOX SUPPORT & BOXES	EACH	7	209.00		0.00	0.00	0.00
26	INSTALL METAL SIDEWALK RAILING	LIN FT	13	67.92		0.00	0.00	0.00
27	ADJUST VALVE BOX	EACH	2	251.00		0.00	0.00	0.00
28	ADJUST FRAME & RING CASTING	EACH	2	397.00		0.00	0.00	0.00
29	VALVE BOX ADJUSTMENT RING	EACH	6	94.00		0.00	0.00	0.00
30	MANHOLE ADJUSTMENT RING	EACH	17	256.00		0.00	0.00	0.00
31	COMMON EXCAVATION (P)	CU YD	14285	10.45		0.00	10,140.00	105,963.00
32	SUBGRADE EXCAVATION	CU YD	987	7.73		0.00	475.00	3,671.75
33	SELECT GRANULAR BORROW (CV)	CU YD	6034	10.45		0.00	1,881.00	19,656.45
34	SUBGRADE GRANULAR BORROW (CV)	CU YD	1382	8.36		0.00	484.00	4,046.24
35	SELECT TOPSOIL BORROW - SCREENED (LV)	CU YD	915	19.85	458	9,091.30	458.00	9,091.30
36	PLACE SALVAGED AGGREGATE (CV)	CU YD	1800	3.74	2000	7,480.00	7,600.00	28,424.00
37	GEOTEXTILE FABRIC TYPE V	SQ YD	23705	1.41	725	1,022.25	9,935.00	14,008.35
38	GEOGRID	SQ YD	1300	1.57		0.00	0.00	0.00
39	AGGREGATE BASE (LV) CLASS 5 - DRWYS & WALKS	CU YD	715	16.72	652	10,901.44	862.00	14,412.64
40	AGGREGATE BASE (CV) CLASS 5 - ROADWAYS & ALLEYS	CU YD	4696	22.47		0.00	3,978.00	89,385.66
41	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	1932	85.69		0.00	0.00	0.00
42	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3,C)	TON	2702	84.65	355	30,050.75	3,007.00	254,542.55
43	BITUMINOUS PAVEMENT REPLACEMENT 2"-4"	SQ YD	1500	20.90	1486	31,057.40	1,486.00	31,057.40
44	4" CONCRETE WALK	SQ FT	27057	4.18	12475	52,145.50	25,125.00	105,022.50
45	6" CONCRETE WALK	SQ FT	2053	6.79	1296	8,799.84	4,421.00	30,018.59
46	PEDESTRIAN CURB RAMP	EACH	1575	6.79	450	3,055.50	450.00	3,055.50
47	TRUNCATED DOMES	SQ FT	216	52.25	112	5,852.00	232.00	12,122.00
48	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	6871	14.37	-221	-3,175.77	6,650.00	95,560.50
49	7" CONCRETE VALLEY GUTTER & APRONS	SQ YD	40	83.60		0.00	40.00	3,344.00
50	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	350	56.43		0.00	550.00	31,036.50
51	12" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	967	41.80		0.00	1,268.00	53,002.40
52	15" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	1277	49.64		0.00	635.00	31,521.40
53	CONSTRUCT DRAINAGE STRUCTURE DESIGN H	EACH	3	1,985.67		0.00	3.00	5,957.01
54	CONSTRUCT DRAINAGE STRUCTURE DESIGN 2' X 3'	EACH	11	3,471.45	1	3,471.45	12.00	41,657.40
55	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	EACH	8	3,799.63		0.00	9.00	34,196.67
56	CONSTRUCT DRAINAGE STRUCTURE DESIGN 54-4020	EACH	1	4,593.00		0.00	1.00	4,593.00
57	CONNECT TO EXISTING STORM SEWER	EACH	3	836.00	3	2,508.00	5.00	4,180.00
58	CONNECT INTO EXISTING CATCH BASIN	EACH	2	705.50		0.00	2.00	1,411.00
59	CONNECT DRAIN TILE TO STRUCTURE	EACH	4	209.00		0.00	15.00	3,135.00
60	IMPROVED PIPE FOUNDATION	LIN FT	1100	1.05		0.00	0.00	0.00
61	4" PERF PE PIPE DRAIN W/SOCK	LIN FT	2800	4.70	652	3,064.40	7,718.00	36,274.60
62	DRAINTILE RISER W/ GV COVER	EACH	38	235.13	2	470.26	42.00	9,875.46
63	8" PVC SANITARY SEWER PIPE, SDR 35, 8-13' DEEP	LIN FT	2233	33.13		0.00	2,054.00	68,049.02
64	10" PVC SANITARY SEWER PIPE, SDR 35, 0-8' DEEP	LIN FT	315	38.67		0.00	271.00	10,479.57
65	CONSTRUCT SANITARY MANHOLE	EACH	12	3,816.33	2	7,632.66	12.00	45,795.96

PROJECT PAYMENT STATUS

OWNER CITY OF ALBANY
STANTEC PROJECT NO. 193805394
CONTRACTOR BREITBACH CONSTRUCTION CO.

CHANGE ORDERS

No.	Date	Description	Amount
Total Change Orders			

PAYMENT SUMMARY

No.	From	To	Payment	Retainage	Completed
1	5/2/2022	5/21/2022	141,825.27	7,464.48	149,289.75
2	05/22/2022	06/25/2022	338,566.98	25,283.80	505,676.05
3	06/25/2022	07/22/2022	457,887.87	49,383.16	987,663.28
4	07/23/2022	08/26/2022	524,870.06	77,007.90	1,540,158.08
5	08/27/2022	09/29/2022	199,730.05	87,520.01	1,750,400.24

Material on Hand

Total Payment to Date		\$1,662,880.23	Original Contract	\$2,008,700.59
Retainage Pay No.	5	87,520.01	Additional Work	\$4,815.75
Total Amount Earned		\$1,750,400.24	Revised Contract	\$2,013,516.34

To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	September 30, 2022

Reference: Engineering Update for the 10/5/22 Council Meeting

2022 Capital Improvement Project

The Contractors were able to complete the bulk of the remaining concrete work and were also on site for the remaining base course paving. The wear course paving in the alleys remains and we are expecting that to be completed in the next week or two. The paving contractor will be providing us an updated schedule this coming Monday. The topsoil backfilling and seeding work was completed this week. The project reached substantial completion 9/22/22 when the remainder of Midland Avenue was paved.

Payment voucher No. 5 for Breitbach Construction is included in your packets for your review and consideration.

1st Street/TH 238 Improvements

A punch list is being prepared for the final touch up work on the project. The last light pole is scheduled to arrive and be installed in November.

Golfview Lift Station Improvements

Liberty Electric will be starting the work on the Golfview Lift Station rehab project this coming week and will extend through most of October. Some slight delays in the Generator deliver have pushed it to late October. The rest of the work will proceed.

Forest Avenue Improvements – Feasibility Study

The notices for the public improvement hearing will be mailed out to residents next week and the hearing information will be published in the Star Post.

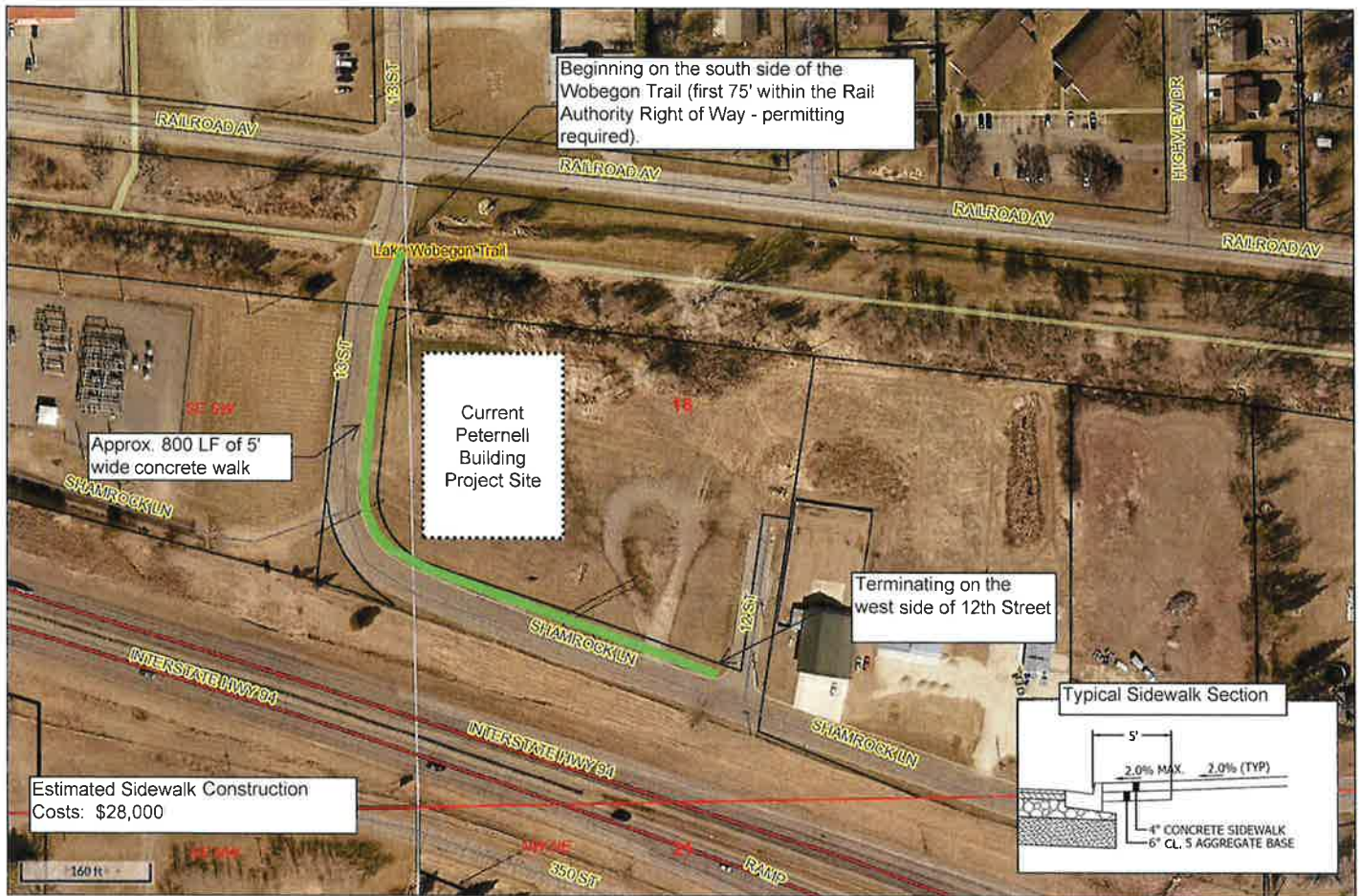
Feel free to contact me at any time with project related questions.

Jeremy.mathiasen@stantec.com 320.266.5232

Sidewalk Improvements - 13th Street/Shamrock Lane

Peternell Building Project

9/30/22



Loan Calculator

Calculate Payment Amount

Date Opened 10/05/2022
 Loan Amount 50,000.00
 Interest Rate 1.00000000%
 Days Per Month Exact
 Days Per Year 365
 Finance Charges
 Minimum 0.00
 Add-On 0.00
 Prepaid 0.00
 Insurance
 Credit Life Gross Rate 0.0000%
 Accident/Health Standard Rate 0.0000%

Payments

Type	Mode	Frequency	Date First	Payments	Payment Amount
Regular	Monthly	1	04/01/2023	7	1,468.06
Regular	Monthly	1	04/01/2024	7	1,468.06
Regular	Monthly	1	04/01/2025	7	1,468.06
Regular	Monthly	1	04/01/2026	7	1,468.06
Regular	Monthly	1	04/01/2027	7	1,468.06

Annual Percentage Rate	0.9994%	Maturity Term	60 Months
Amount Financed	50,000.00	Maturity Date	10/01/2027
Total Finance Charge	1,381.75	Credit Life Premium	0.00
Total of Payments	51,381.75	Accident/Health Premium	0.00
Final Payment Plus Interest	1,467.71		

Seq	Payment Date	Principal	Interest	Balance	Interest Paid	Interest YTD
1	04/01/23	1,224.23	243.83	48,775.77	243.83	243.83
2	05/01/23	1,427.97	40.09	47,347.80	283.92	283.92
3	06/01/23	1,427.85	40.21	45,919.95	324.13	324.13