

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 Adam Rushmeyer at 6:30 o'clock in the evening on Thursday, September 15, 2016 in the Council Room at 400 Railroad Avenue for the said City.

Other Planning Commission members present for the meeting were: Joseph Wedel, Will Seiler, and Keith Heitzman. Todd Horton was absent. Councilor John Greer, Planning Commission Liaison, was present for the meeting. Others present for the meeting: Jason Selix, local resident.

Chairman Adam Rushmeyer called for any additions or corrections to the minutes of June 29<sup>th</sup> and hearing none declared them approved.

Matt Imdieke, 300 Estate Drive, Avon, MN, was present for the meeting.

Mr. Imdieke appeared before the Commission to inform the Commission that he entered into a purchase agreement to purchase the undeveloped fourteen (14) lots in Oak Meadows Court as recorded in Stearns County as the Whispering Oaks at Two River subdivision. Mr. Imdieke presented to the Commission a concept plan for the construction of a new residential home on one lot; whereby if acceptable, the fourteen lots will be re-platted as one lot. Mr. Imdieke noted that he has no intention of developing the site for two lots. Mr. Imdieke also noted that he contacted Stearns County Environmental Services to confirm the location of existing wetlands and those that have been mitigated. Mr. Mathiasen informed the Commission that the public road, water main, sewer main, utility services, and storm sewer have not been constructed in Oak Meadows Court, but an 8" water main and sewer main was installed beneath the pedestrian walkway from Schwinghammer Drive to the undeveloped cul-de-sac on Oak Meadows Court. Mr. Mathiasen noted that if only one lot is considered, stagnant potable water may become an issue being the utility only serves one home connected to a dead end 8" water main, but if there is more than average water use in the dwelling, a lawn sprinkler system, and the City flushing the water main on their regular maintenance schedule it may not become an issue. Mr. Greer questioned how the City will address the bituminous walkway if the northern portion lies in the Whispering Oaks subdivision and the southern portion will be located in a new plat. Mr. Imdieke informed the Commission that a gate can be easily installed on the walkway between the two plats and his intention is to use the walk way for personal use. Mr. Schneider presented to the Commission the following comments on his review of the request:

1. Existing drainage and utility easements and road right-of-way need to be vacated. Petitioner to pay cost to vacate. City Administrator to prepare petition, public notice in Albany Enterprise, notice to utility companies, etc.
2. City to retain utility easement for existing water main and sewer main. The private driveway to include an easement to provide proper access to existing utilities.
3. An agreement should be recorded that would state no future minor subdivision is permitted that would add a second single-family residential lot. This would prevent significant administrative changes to plat, services, and easements for utilities. Petitioner to pay expenses for attorney to draft agreement.
4. Owner to research if new plat can be excluded from Declaration of Covenants which regulates Whispering Oaks at Two River subdivision.
5. Water and sewer services will be provided to lot at time of home construction.
6. I have no objection regarding the request. Final build out of City utilities and street costs exceed the cost of what a lot might sell for in today's housing market and looking forward for many years.
7. Flushing of hydrant by City to be done in same manner as yearly maintenance schedule of water mains/hydrants.
8. Delinquent City fees (\$32,668.50), special assessments and property taxes to be paid at time of closing.
9. Other fees per Development application.

After due discussion, a motion was made by Joe Wedel and seconded by Will Seiler to recommend to the Council that the proposed concept plan be approved which include the aforementioned comments listed by Mr. Schneider. Chairman Adam Rushmeyer informed Mr. Imdieke that the City Engineer and/or Council may have additional comments related to the request. All voted for the motion and it carried.

Mr. Greer informed the Commission that the Stearns County Soil and Water Conservation District's 2016 Clean Water Fund Competitive Grant application was denied by the Minnesota Board of Water and Soil Resources (BWSR) in December 2015, but recently was told by Stearns County representatives that adjustments were made to 2016 funding whereby the project identified in North Park is eligible for \$130,580. Mr. Greer noted that City staff, representatives from the Minnesota Department of Transportation (MnDOT), and Soil Water Conservation District held a meeting in North Park to discuss storm water issues facing North Park and North Lake knowing that State HWY #238 will be reconstructed in 2017 which is adjacent to North Park. Mr. Greer noted that the following stormwater improvements in North Park (east) were discussed: 1) potential basin/water storage and pretreatment site north of the softball field, 2) wetland restoration opportunity south of the softball field. Mr. Greer noted that if funds remain, a second potential basin/water storage site has been identified in North Park (west). Mr. Greer noted the City's minimum match for the project is \$32,645, a twenty-five (25%) percent match. Mr. Greer also noted that the City is seeking request for proposals from Stantec, Inc., and Houston Engineering, Inc. for engineering services for the aforementioned improvement projects.

Mr. Greer also informed the Commission that he, the City Administrator, the school superintendent, and a consultant for Safe Routes to School Program, recently met to discuss an idea of expanding the width of the pedestrian walk/bike path on 1<sup>st</sup> Street (State HWY #238) around North Lake in conjunction with the proposed State Highway #238 Improvements in 2018. Mr. Greer noted that it would be a joint effort between the City and School District. Mr. Greer noted that the program helps kids walk and bicycle to school more often through sidewalks and/or walk/bike path improvements, education, and promotional activities. Mr. Greer noted that there is a new statute regarding safe routes to schools that says in order to be eligible for funds the City will be required to adopt subdivision regulations that require safe routes to schools infrastructure (sidewalks) in any new developments authorized after June 1, 2016. Mr. Greer noted that the current walk/bike path is only three (3) feet in width and the proposal by the Minnesota Department of Transportation (MnDOT) in 2017 is to widen the shoulder of the road around North Lake to five (5) feet. Mr. Greer noted that the City and School District will recommend to MnDOT that the width for a walk/bike path be ten (10) feet and if acceptable, that section of roadway will be removed from the 2017 mill and overlay improvements. Chairman Adam Rushmeyer, with the consensus of the Commission, directed Mr. Greer to inform the Council that the City proceed to partner with the School District to prepare a Safe Routes to School Program and submit an application to MnDOT seeking funding to widen the walk/bike path around North Lake to ten (10) feet. Mr. Schneider noted that there is limited right-of-way that possess other challenges that may prevent the walk/bike path from being a ten (10) foot width.

Chairman Adam Rushmeyer adjourned the meeting at 7:15 PM.

Tom Schneider  
Clerk/Adm.