

NOTICE OF ALBANY CITY COUNCIL MEETING

There will be a 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, July 6, 2016, 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 June 15th
5. Open Forum/Public comment
6. Tom Schneider, Clerk/Adm. - Update Whispering Oaks at Two River Lot sales
7. Public Hearing – Tom Schneider, Clerk/Adm.
-proposed assessment for unpaid water usage at 210 Midland Avenue, recommendation to certify to Stearns County Auditor to be collected as a special assessment in the year 2017.
8. Ryan Schmidt, Schlenner Wenner, Co., the City Auditor firm – present the 2015 Comprehensive Audited Financial Statements of the government activities, the business-type activities, and each major fund of the City of Albany
9. Jeremy Mathiasen, City Engineer – Project Updates
-2015 Capital Improvement Project – Consideration of Change Order No. 3 for Kuechle Underground
-2015 Capital Improvement Project - Approval of Final Payment Voucher No. 3 for Loren's Tree & Lawn Service (Project restoration work)
-2016 Capital Improvement Project – Project Update and Approval of Payment Voucher No. 2 for Larson Excavating Contractors Inc
10. Joe Mergen, Public Works Supervisor
11. Laurie Dingmann, Park Board and Community Education Liaison
12. John R. Harlander, Street Department and Albany Township Liaison
13. Tom Kasner, Fire Department, EDA Board, and Equipment
14. Ozzie Carbajal, Police Chief
15. John Greer, Police Department – 1) recommendation by Planning Commission for variance request home addition submitted by Joe Nett, 151 2nd Street, and 2) amendment to Ordinance 80, opting out of the requirements of MN Statute 462.3592, which defines and regulates Temporary Family Health Care Dwellings.
16. Daron Gersch, Utility Department and Albany Golf Club (AGC) – present check register Albany Golf Club
17. Tom Schneider, Clerk/Adm.
 - 1) Heritage Day, August 6th – Fireworks Event Permit display Albany Golf Club
 - 2) Church of Seven Dolors – Large Gathering Permit application and 3.2% Malt Liquor (Beer) License for annual Church Bazaar, August 7th
 - 3) Recommendation increase hourly pay for Election Judges for Primary and General Elections
 - 4) Present amendment to Ordinance 41, collection of charges for removal and replacement of sidewalk.
18. Mayor's announcements and letters
19. Announce next meeting date and adjourn

Tom Schneider
Clerk/Adm.

Whispering Oaks -- Delinquent and Remaining Assessment Balance.

Thursday, June 2nd Public Auction, 7 lots sold!



# of Lots	PIN	Legal	County Price	Remaining Delinquent**	Remaining Balance***	Assessment	Effective Total Price
1	40.25655.0001	LOT 2, BLK 1	\$ 10,000	\$ 5,170.80	\$ 9,820.64	\$ 14,991.44	\$ 24,991.44
2	40.25655.0003	LOT 4, BLK 1	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
3	40.25655.0005	LOT 6, BLK 1	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
4	40.25655.0006	LOT 7, BLK 1	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
5	40.25655.0011	LOT 12, BLK 1	\$ 9,000	\$ 6,070.80	\$ 9,820.64	\$ 15,891.44	\$ 24,891.44
6	40.25655.0015	LOT 16, BLK 1	\$ 6,000	\$ 8,770.80	\$ 9,820.64	\$ 18,591.44	\$ 24,591.44
7	40.25655.0016	LOT 17, BLK 1	\$ 6,000	\$ 8,770.80	\$ 9,820.64	\$ 18,591.44	\$ 24,591.44
8	40.25655.0017	LOT 18, BLK 1	\$ 6,000	\$ 8,770.80	\$ 9,820.64	\$ 18,591.44	\$ 24,591.44
9	40.25655.0018	LOT 19, BLK 1	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
10	40.25655.0021	LOT 22, BLK 1	\$ 6,000	\$ 8,770.80	\$ 9,820.64	\$ 18,591.44	\$ 24,591.44
11	40.25655.0027	LOT 2, BLK 3	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
12	40.25655.0028	LOT 3, BLK 3	\$ 7,500	\$ 7,420.80	\$ 9,820.64	\$ 17,241.44	\$ 24,741.44
13	40.25655.0031	LOT 6, BLK 3	\$ 9,000	\$ 6,070.80	\$ 9,820.64	\$ 15,891.44	\$ 24,891.44
14	40.25655.0032	LOT 7, BLK 3	\$ 8,500	\$ 6,520.80	\$ 9,820.64	\$ 16,341.44	\$ 24,841.44
15	40.25655.0033	LOT 8, BLK 3	\$ 7,500	\$ 7,420.80	\$ 9,820.64	\$ 17,241.44	\$ 24,741.44
16	40.25655.0034	LOT 9, BLK 3	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
17	40.25655.0035	LOT 10, BLK 3	\$ 6,000	\$ 8,770.80	\$ 9,820.64	\$ 18,591.44	\$ 24,591.44
18	40.25655.0036	LOT 11, BLK 3	\$ 7,500	\$ 7,420.80	\$ 9,820.64	\$ 17,241.44	\$ 24,741.44
19	40.25655.0044	LOT 3, BLK 4	\$ 6,500	\$ 8,320.80	\$ 9,820.64	\$ 18,141.44	\$ 24,641.44
20	40.25655.0052	LOT 6, BLK 5	\$ 8,000	\$ 6,970.80	\$ 9,820.64	\$ 16,791.44	\$ 24,791.44
21	40.25655.0053	LOT 7, BLK 5	\$ 8,000	\$ 6,970.80	\$ 9,820.64	\$ 16,791.44	\$ 24,791.44
22	40.25655.0054	LOT 8, BLK 5	\$ 8,500	\$ 6,520.80	\$ 9,820.64	\$ 16,341.44	\$ 24,841.44
23	40.25655.0056	LOT 10, BLK 5	\$ 7,000	\$ 7,870.80	\$ 9,820.64	\$ 17,691.44	\$ 24,691.44
24	40.25655.0059	LOT 13, BLK 5	\$ 11,000	\$ 4,270.80	\$ 9,820.64	\$ 14,091.44	\$ 25,091.44
25	40.25655.0082	LOT 8, BLK 7	\$ 9,000	\$ 6,070.80	\$ 9,820.64	\$ 15,891.44	\$ 24,891.44
26	40.25655.0083	LOT 9, BLK 7	\$ 9,500	\$ 5,620.80	\$ 9,820.64	\$ 15,441.44	\$ 24,941.44
27	40.25655.0084	LOT 10, BLK 7	\$ 7,500	\$ 7,420.80	\$ 9,820.64	\$ 17,241.44	\$ 24,741.44
			\$ 206,000.00	\$ 197,211.60	\$ 265,157.28	\$ 462,368.88	\$ 668,368.88

**this amount to be certified for collection in full year following sale

***option-this amount to be certified over 7 years at 4%

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

NOTICE IS HEREBY GIVEN that the Albany City Council will hold a public hearing on July 6, 2016 at 6:30 PM or as soon as possible in the Council Room at 400 Railroad Avenue, Albany, MN to consider and possibly adopt the proposed assessment for unpaid water usage incurred in relation to Ordinance 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>
210 Midland Avenue, Albany, MN	\$91.66

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

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 15, 2016. If not paid by this date, the amount will be certified to the Stearns County Auditor-Treasurer for payment in 2017. 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.


Tom Schneider, City Administrator

Published in the Albany Enterprise this 22nd day of June, 2016.

Agenda

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- Audit Results
 - Financial Highlights
 - Area City Comparison
 - Reports on Internal Control and Compliance
 - Report to Members of Governance
 - Additional Comments and Recommended Transfers and Fund Closings

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City of Albany, MN

An Independently Owned Member
McGLADREY ALLIANCE



Presentation of Audited Financial Statements For Management Use Only

December 31, 2015



Audit Results

Auditor's Report on Financial Statements (Financial Statements Pg. 2-4)

- Audit performed in accordance with *Generally Accepted Auditing Standards* and *Government Auditing Standards*
- Unmodified Opinion
- Change in Accounting Principle for the adoption of GASB 68

Financial Highlights

**SCHLENNER
WENNER & Co.**
CERTIFIED PUBLIC ACCOUNTANTS
& BUSINESS CONSULTANTS

WATER AND SEWER 2011-2015 AUDIT REPORT

Revenues	WATER					SEWER				
	2015	2014	2013	2012	2011	2015	2014	2013	2012	2011
Charges for Service	\$ 580,022	\$ 566,386	\$ 574,201	\$ 552,444	\$ 507,958	\$ 427,584	\$ 380,602	\$ 404,914	\$ 351,298	\$ 308,610
Expenses										
Personal Services	79,282	76,695	61,184	64,941	58,733	73,546	67,171	57,380	62,252	55,137
Materials, Supplies, etc.	49,581	35,367	49,108	26,755	16,970	140,044	178,183	109,719	84,004	162,883
Other services & Charges	94,068	106,032	70,946	75,648	74,693	72,554	77,937	82,035	75,181	103,700
Depreciation	233,315	235,600	235,239	234,768	234,231	135,948	135,598	134,670	133,408	126,470
Total Operating Expenses:	456,246	453,694	416,477	402,112	384,627	422,092	458,889	383,804	354,845	448,190
Net Operating Income:	\$ 123,776	\$ 112,692	\$ 157,724	\$ 150,332	\$ 123,331	\$ 5,492	\$ (78,287)	\$ 21,110	\$ (3,547)	\$ (139,580)
Non-Operating Revenue & (Expenses)										
Special Assessments	\$ -	\$ 19,224	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Investment Income	6,727	9,447	10,942	13,319	14,139	10,152	11,684	13,253	16,137	18,077
Interest Income on Note Receivable	-	-	-	-	-	2,472	21,666	24,202	26,651	26,130
Interest Expense	(57,268)	(62,018)	(66,684)	(71,293)	(75,774)	(20,692)	(23,226)	(25,659)	(28,018)	(30,277)
Other Revenue	4,974	2,979	3,368	4,921	3,788	1,627	1,849	1,632	1,348	1,316
Reimbursement & Hook up fees	23,144	10,432	7,123	-	1,762	19,300	9,357	5,289	575	2,924
Total non-operating Revenue (Expenses)	(22,423)	(19,936)	(45,251)	(52,993)	(56,085)	12,859	21,330	18,717	16,693	18,170
Income before operating transfer	101,353	92,756	112,473	97,339	67,246	18,351	(56,957)	39,827	13,146	(121,410)
Net Operating Transfers	170,527	(498,104)	(5,000)	(52,600)	(7,800)	(10,000)	(10,000)	(5,000)	(52,600)	(7,600)
Net Income (LOSS):	\$ 271,880	\$ (405,348)	\$ 107,473	\$ 44,739	\$ 59,646	\$ 8,351	\$ (66,957)	\$ 34,827	\$ (39,454)	\$ (129,010)
Payment on principal debt	\$ (282,000)	\$ (277,000)	\$ (273,000)	\$ (268,000)	\$ (264,000)	\$ (73,000)	\$ (70,000)	\$ (68,000)	\$ (65,000)	\$ (63,000)
Advance to Other Fund	-	(250,000)	-	-	-	-	(250,000)	-	-	-
Purchase of Equipment	(17,674)	(157,502)	(26,490)	(17,875)	(2,716)	(346,804)	(44,480)	(1,303)	(10,831)	(109,521)
Depreciation	233,315	235,600	235,239	234,768	234,231	135,948	135,598	134,670	133,408	126,470
*Changes in accrual balances	40,827	(35,618)	(6,351)	3,488	4,046	111,757	70,790	63,222	76,266	85,626
Net increase (decrease) in cash	\$ 246,348	\$ (889,868)	\$ 36,871	\$ (2,880)	\$ 31,207	\$ (163,748)	\$ (225,049)	\$ 163,416	\$ 94,389	\$ (89,435)

*change in balance sheet items

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Financial Highlights

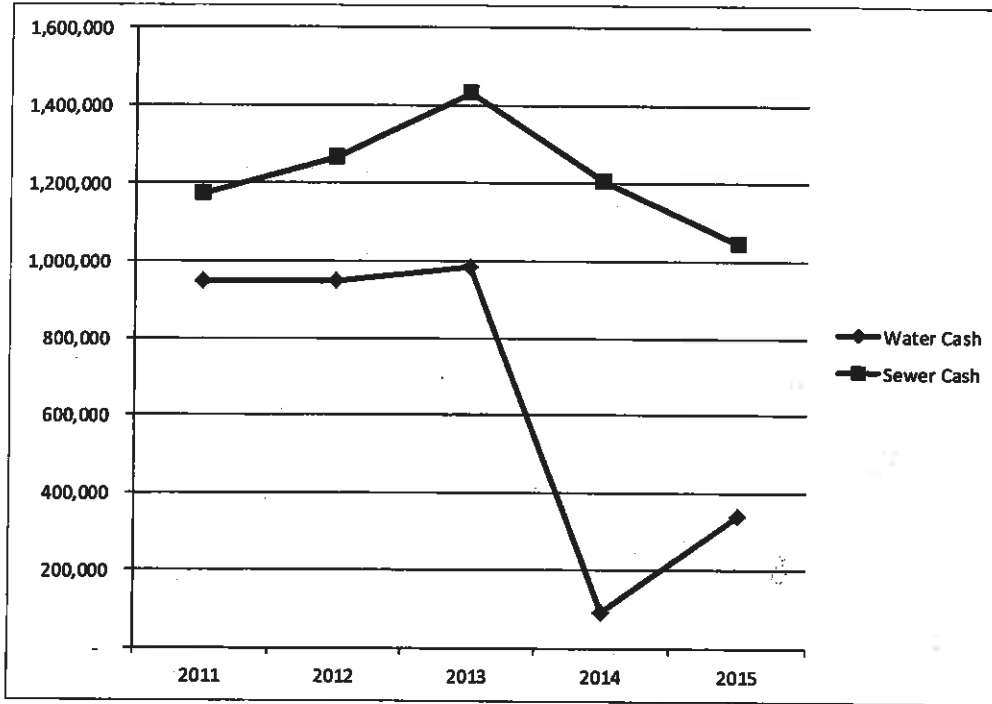
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	Water Fund		Sewer Fund	
	2015	2014	2015	2014
CASH FLOWS - OPERATING ACTIVITIES				
Cash Received from Customers	\$ 605,615	\$ 577,197	\$ 444,526	\$ 386,491
Cash Paid to Suppliers	(120,585)	(158,765)	(192,264)	(254,432)
Cash Paid to Employees	(73,352)	(75,894)	(70,764)	(66,689)
Subtotal - Operating	411,678	342,538	181,498	65,370
CASH FLOWS - NONCAPITAL FINANCING ACTIVITIES				
Transfers to Other Funds	170,527	(498,104)	(10,000)	(10,000)
CASH FLOWS - CAPITAL AND RELATED FINANCING ACTIVITIES				
Purchases of Capital Assets	(17,674)	(157,502)	(346,804)	(44,480)
Interest Paid on Capital Debt	(58,563)	(63,286)	(21,620)	(24,117)
Payment of Capital Debt	(282,000)	(277,000)	(73,000)	(70,000)
Advances to Other Funds	-	(250,000)	-	(250,000)
Special Assessments	15,653	4,039	-	468
Subtotal - Capital and Related Financing	(342,584)	(743,749)	(441,424)	(388,129)
CASH FLOW - INVESTING ACTIVITIES				
Investment Income	6,727	9,447	10,152	11,684
Interest Income on Note Receivable	-	-	2,472	21,666
Collection on Note Receivable	-	-	93,554	74,360
Subtotal - Investing	6,727	9,447	106,178	107,710
Net Change in Cash and Cash Equivalents	246,348	(889,868)	(163,748)	(225,049)
Cash and Cash Equivalents-Beginning of Year	93,622	983,490	1,206,477	1,431,526
Cash and Cash Equivalents-End of Year	\$ 339,970	\$ 93,622	\$ 1,042,729	\$ 1,206,477

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Financial Highlights

Water & Sewer Cash



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Financial Highlights

Golf Course Trend Analysis

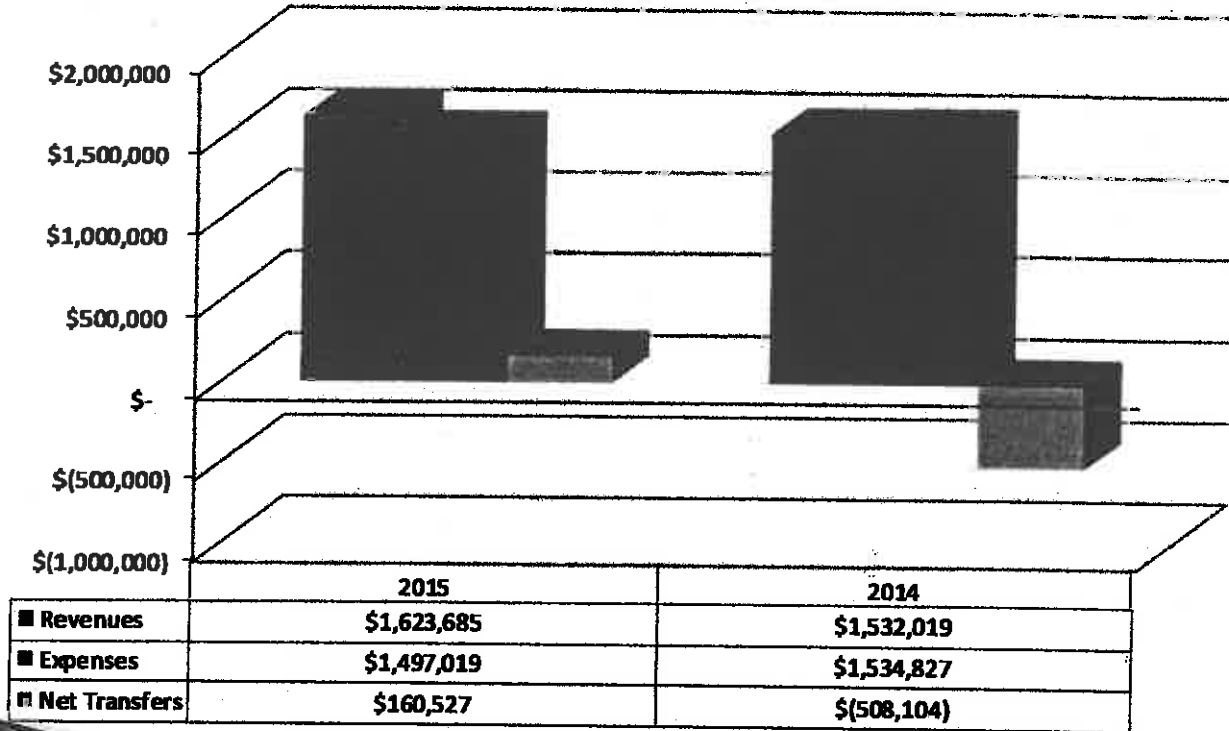
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	2015	2014	2013	2012	2011
Sales - Green Fees	99,852	96,268	101,897	109,278	84,617
Sales - Memberships	153,492	155,691	152,475	145,749	169,980
Sales - Rentals & Storage	88,922	85,679	84,426	86,100	73,449
Total Sales	342,266	337,638	338,798	341,127	328,046
Sales - Bar	140,153	126,740	113,724	125,836	100,158
Gross Profit - Bar	92,619	91,881	80,191	87,566	68,180
Gross Profit % - Bar	66.08%	72.50%	70.51%	69.59%	68.07%
Sales - Miscellaneous	36,782	32,014	34,195	36,966	29,785
Gross Profit - Miscellaneous	16,061	9,226	9,733	8,457	9,485
Gross Profit % - Miscellaneous	43.67%	28.82%	28.46%	22.88%	31.84%
Total Sales	519,201	496,392	486,717	503,929	457,989
Gross Profit	446,783	435,897	424,899	435,164	404,623
Gross Profit %	86.05%	87.81%	87.30%	86.35%	88.35%
# of members	279	260	273	306	311
# Change	19	(13)	(33)	(5)	
% Change	7%	-5%	-11%	-2%	
Total Operating Expenses	467,828	476,169	497,772	500,236	474,316
Net Operating Income (Loss)	(21,045)	(40,272)	(72,873)	(65,072)	(69,693)
Overall Change in Net Position:	6,962	(38,607)	(34,825)	(21,804)	40,306
Cash Generated from					
Operating Activities	49,159	40,197	29,974	17,066	16,675
Total Change in Cash Balance	17,597	17,757	(32,654)	22,985	(20,145)

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Financial Highlights

Proprietary Fund (Water, Sewer, Golf) Revenues and Expenses

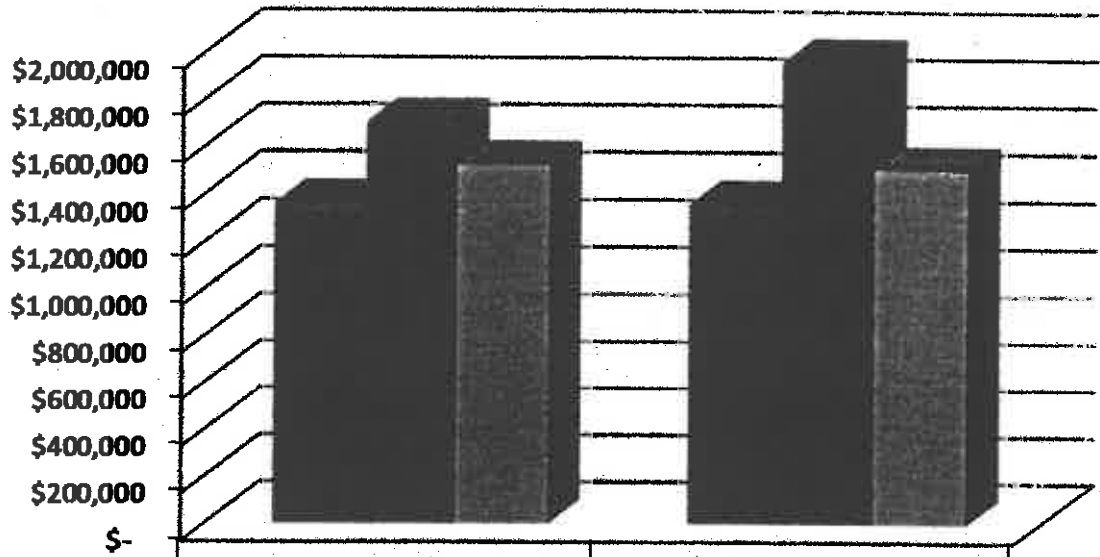


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Financial Highlights

General Fund Budget vs Actual

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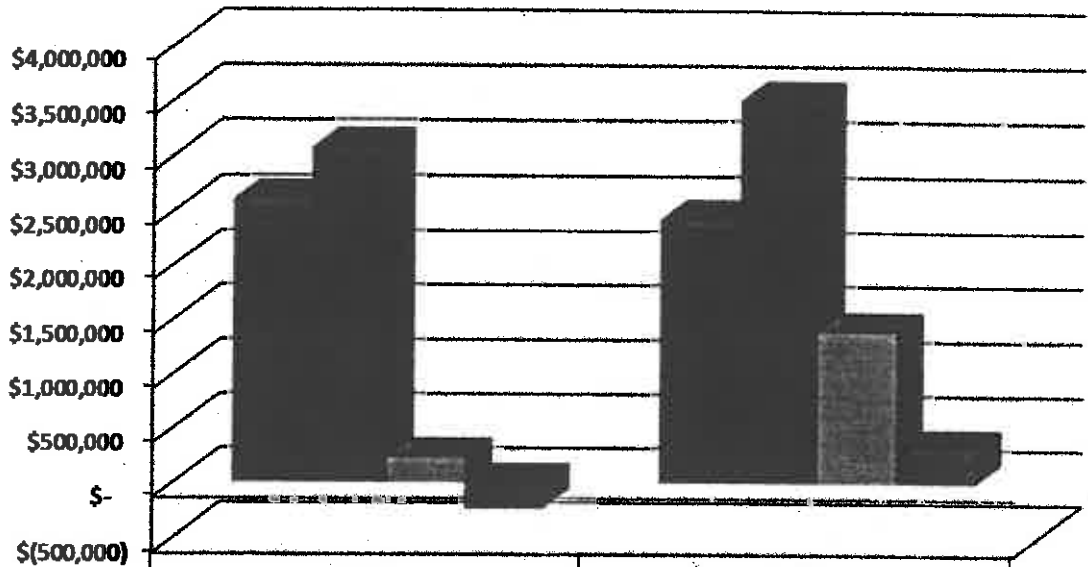
	Revenues	Expenditures
■ Budgeted	\$1,357,975	\$1,357,975
■ Actual	\$1,700,373	\$1,961,583
■ Actual, Excluding Transfers	\$1,521,569	\$1,505,021

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Financial Highlights

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Governmental Fund Revenues and Expenditures

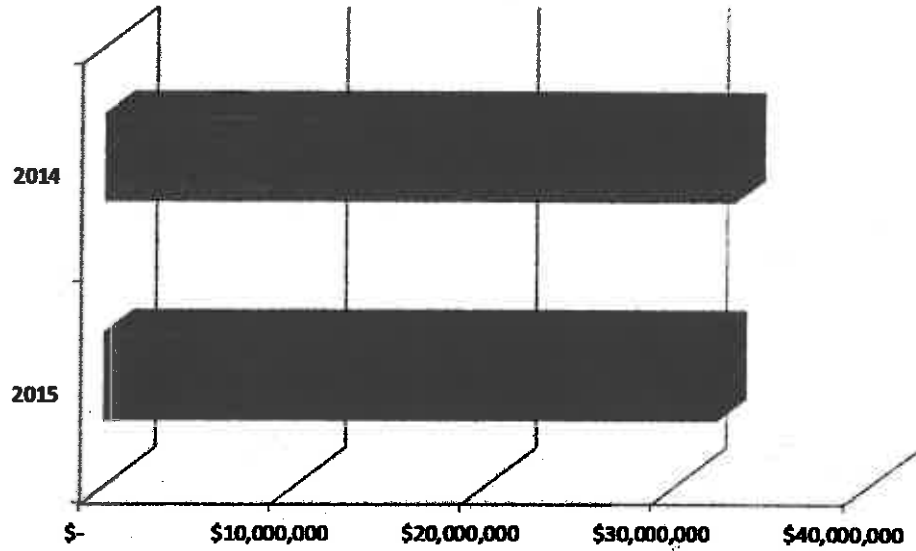


	2015	2014
■ Revenues	\$2,604,671	\$2,428,646
■ Expenditures	\$3,068,925	\$3,503,978
■ Other Sources/Uses	\$230,277	\$1,395,719
■ Change in Fund Balance	\$(233,977)	\$320,387

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Financial Highlights

Total Government-Wide Assets

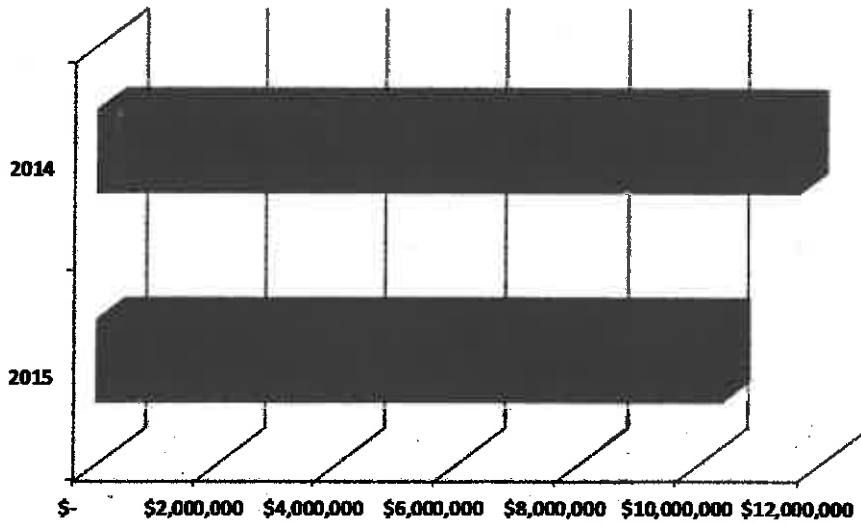


	2015	2014
■ Current Assets	\$8,126,103	\$8,620,396
■ Capital/Noncurrent	\$24,097,629	\$24,534,116

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Financial Highlights

Total Government-Wide Liabilities

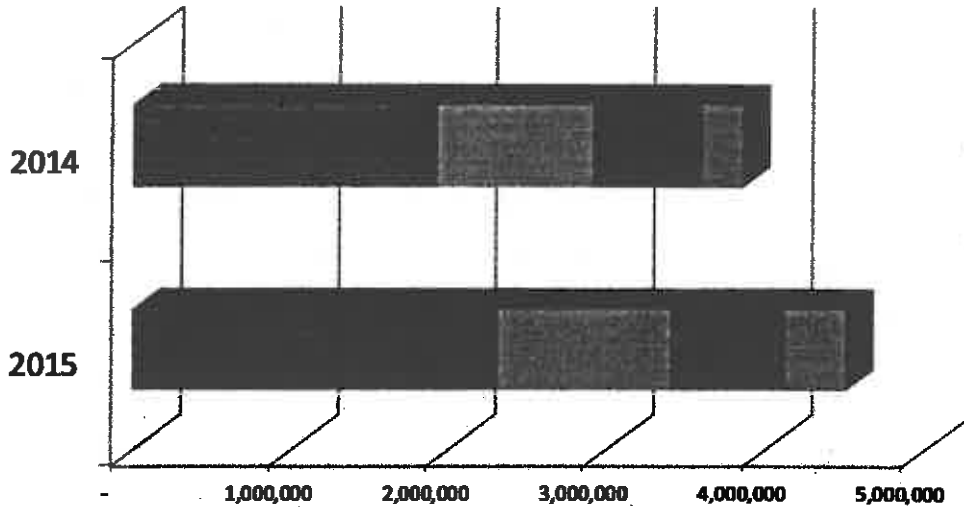


	2015	2014
■ Current Liabilities	\$312,793	\$487,955
■ Debt/Noncurrent	\$10,079,056	\$11,183,660

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Financial Highlights

Total Government-Wide Revenues

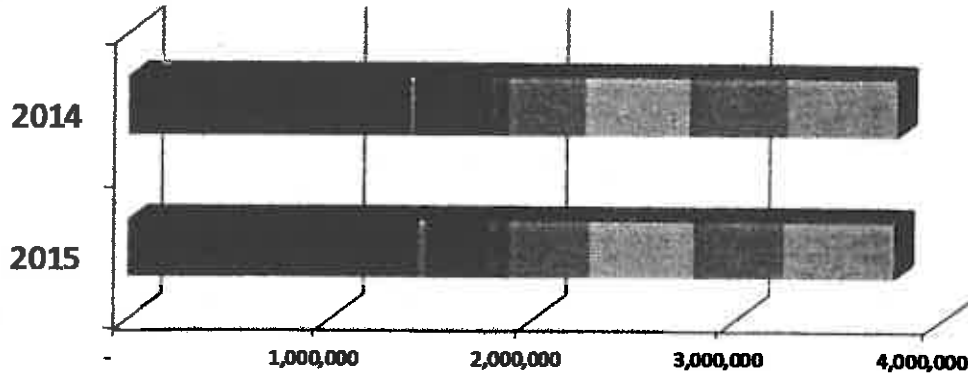


	2015	2014
■ Charges for Services	1,770,783	1,639,953
■ Grants & Contributions	557,641	296,514
■ Taxes	1,080,164	984,698
■ Intergovernmental	732,397	689,660
■ Miscellaneous	378,369	252,161

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Financial Highlights

Total Government-Wide Expenses



	2015	2014
■ General Government	684,598	671,424
■ Public Safety	754,566	724,717
■ Building Inspector	40,683	23,360
■ Public Works	305,517	372,934
■ Parks and Recreation	90,716	84,180
■ Library	16,234	15,113
■ Debt Service	390,585	367,388
■ Water	513,514	515,712
■ Sewer	442,784	482,115
■ Golf Course	540,721	537,000

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Financial Highlights

Key Financial Statement Footnotes

- Notes Receivable
 - Future cash inflows (Pg. 35)

- Long Term Debt
 - Footnote contains great information that could be useful for long-term financial forecasting (Pg. 38-40)



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Financial Highlights

New Accounting Standard - GASB 68

- ▶ Record City's pro-rata share of the unfunded projected liability of PERA statewide pension plan

	<u>Governmental Activities</u>	<u>Business-Type Activities</u>
NET PENSION LIABILITY (PERA)	<u>\$ 446,469</u>	<u>\$ 91,729</u>
NET PENSION ASSET (Fire Relief Association)	<u>\$ 170,570</u>	<u>\$ -</u>
DEFERRED OUTFLOWS OF RESOURCES - Pensions	<u>\$ 111,432</u>	<u>\$ 12,868</u>
DEFERRED INFLOWS OF RESOURCES - Pensions	<u>\$ 96,331</u>	<u>\$ 9,815</u>



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Area City Comparison

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Below are comparative numbers for 2014 as compiled from the Minnesota State Auditor's Office. Such information is available at www.auditor.state.mn.us.

	2014 Albany	2013 Albany	Avon	Old Street	Lyonville	Emerson	St. Joseph	Frankford	Verona
Population	2,633	2,621	1,444	4,081	2,443	668	6,805	713	3,659
Taxable Tax Capacity	\$ 1,587,271	\$ 1,792,301	\$ 991,706	\$ 2,598,411	\$ 1,394,621	\$ 499,159	\$ 3,233,970	\$ 286,691	\$ 1,858,271
Net Tax Levy	\$ 692,759	\$ 676,289	\$ 745,000	\$ 1,149,737	\$ 581,354	\$ 365,500	\$ 1,704,320	\$ 258,663	\$ 1,301,000
Total Revenue	\$ 2,466,261	\$ 2,822,686	\$ 1,954,796	\$ 3,560,509	\$ 2,537,877	\$ 705,861	\$ 4,882,031	\$ 785,606	\$ 3,221,314
Total Current Expenditures	\$ 1,367,418	\$ 1,434,687	\$ 1,408,599	\$ 2,738,040	\$ 1,670,163	\$ 457,497	\$ 3,020,588	\$ 403,190	\$ 1,844,771
Total Capital Outlay	883,116	1,063,364	30,225	1,409,798	1,267,196	100,759	1,836,967	119,484	298,663
Total Debt Service	1,253,444	1,498,230	475,142	1,956,170	597,555	428,610	1,600,870	90,788	463,594
Total Expenditures	\$ 3,503,978	\$ 3,996,281	\$ 1,913,966	\$ 6,104,008	\$ 3,534,914	\$ 986,866	\$ 6,458,425	\$ 613,462	\$ 2,607,028
As Per Capita									
Taxable Tax Capacity	\$ 603	\$ 684	\$ 687	\$ 637	\$ 571	\$ 747	\$ 475	\$ 402	\$ 508
Net Tax Levy	\$ 263	\$ 258	\$ 516	\$ 282	\$ 238	\$ 547	\$ 250	\$ 363	\$ 356
Total Revenue	\$ 937	\$ 1,077	\$ 1,354	\$ 872	\$ 1,039	\$ 1,057	\$ 717	\$ 1,102	\$ 880
Total Current Expenditures	\$ 519	\$ 547	\$ 975	\$ 671	\$ 684	\$ 685	\$ 444	\$ 565	\$ 504
Total Capital Outlay	335	406	21	345	519	151	270	168	82
Total Debt Service	476	572	329	479	245	642	235	127	127
Total Expenditures	\$ 1,331	\$ 1,525	\$ 1,325	\$ 1,496	\$ 1,447	\$ 1,477	\$ 949	\$ 860	\$ 712

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Reports on internal control and compliance

Auditors' Report on Internal Controls and Compliance (Financial Statements Pg. 64-65)

- Internal control findings:
 - Material weaknesses – Limited Segregation of Duties
 - Material weaknesses – Material Audit Adjustment
 - Material weaknesses – Prior Period Adjustment
- Compliance–no findings noted

Compliance with MN Statutes (Financial Statements Pg. 68)

- The following areas were tested: deposits & investments, conflicts of interest, public indebtedness, claims & disbursements, contracting & bidding, miscellaneous provisions, and tax increment financing
- The City has complied with the material terms and conditions of applicable legal provisions tested except as noted below:
 - The City failed to solicit competing bids or quotes for the fairway improvements project completed at the Municipal Golf Course.

Report to Members of Governance

Required Communications:

- Preferred accounting practices are being used by management
- New accounting policy adopted – GASB 68
- No significant or unusual transactions noted
- No alternative accounting treatments discussed with management
- No significant estimates in the financial statements
- There were no audit adjustments posted other than typical adjustments from cash to accrual or modified accrual basis



Working with People, Not Just Numbers

Report to the Members of Governance

Required Communications (continued):

- Uncorrected misstatements relate to a minor error in cash and the correction of a receivable balance adjusted through current year revenues.
- No disagreements with management
- No consultations with other accountants
- No significant issues discussed with management
- No significant difficulties encountered during the audit

Additional Comments


- I. State report has been completed and submitted to the OSA timely.
- II. Yearly publication has been completed and submitted to Tom for approval the paper timely.



Working with People, Not Just Numbers

Recommended Transfers and Fund Closings

- Vacation account for employee terminations is 73% funded at 12/31/15, therefore no transfer recommended
- Transfer from General Checking to Prepaid Special Savings of \$18,645.71 for 2015 collections
- Transfer to TIF Savings from General Checking for 2015 net change will be forwarded to Tom upon completion of the TIF reports in July
- Transfer from General Checking to EDA Savings is not recommended due to an immaterial pooled checking balance at 12/31/15



Working with People, Not Just Numbers

Recommended Transfers and Fund Closings

- ▶ Typically, yearly recommendations are made to transfer funds from General Checking to Water and Sewer savings for future replacement. Such recommended transfers are \$235,000 and \$135,000 respectively. These amounts are based on current year depreciation amounts. No such transfers were made in 2012–2014 due to the burden on the City to pre-fund construction on RR Avenue. The City may want to consider additional transfers as cash flows allow to cover those years.

Recommended Transfers and Fund Closings

RECOMMENDED FUND CLOSINGS IN 2015

2014 Capital Improvement Church St
5th to 8th Project Fund #446

Should be closed effective 12/31/15 due to the completion of the project in 2015.

1999A Bond Fund, #387


Should be closed effective 12/31/15, due to payoff in prior year.

2007A Bond Fund, #303

Should be closed effective 12/31/15, due to payoff in 2015.

2010B Bond Fund, #307

Should be closed effective 12/31/15, due to payoff in 2015.



Working with People, Not Just Numbers

To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	June 29, 2016

Reference: Engineering Update for the 7/6/16 Council Meeting

2015 Capital Improvements

Final project paving is scheduled for the week of July 11th. We'll be paving the connection patch on 7th Street and the golf course cart paths that were removed. The Contractor is also working on completing their final punch list items.

At the last council meeting we discussed the Golf Course's concerns about the lower parking lot being damaged by the construction project. The Contractor supplied us with a cost per square foot to remove the existing bituminous and repave the south half of the lot where the cracking was noticed. The cost for this work would be approximately \$19,620. Change Order No. 3 has been prepared for your use if you would like to proceed with this work.

At the 7/6 council meeting we are also recommending the final payment to Loren's Tree & Lawn Service for the restoration work on this project. Loren has completed the original seeding requirements and has been back to the site multiple times to over seed, fertilize and spray for weeds. We are comfortable that if any follow up work is needed that Loren will be there to take care of it. The final payment amount to Loren's Tree & Lawn Service is \$3,365.04.

5th Street Roadway and Utility Improvements

At the end of this week all of the underground utility work should be completed on the project. The Contractor has started re-building the roadway, starting on the south end of the project and working north. The current road work includes sub-cutting 18"- 24" of material from the roadway, installing geotextile fabric for separation, the 4" drain tile along the edges of the roadway, and the granular borrow sand section. This work is approximately 40-50% complete and will be followed up by the installation of aggregate base and concrete curb and gutter.

A project completion map, updated construction schedule and project budget sheet are included for your review.

Payment Application #2 for Larson Excavating Contractors has been prepared and will be on the Council agenda for your review and approval. The payment application generally includes payment for sanitary sewer, water main, storm sewer and residential service installation.

1st Street (TH 238) Utility Improvements

This project remains on hold as we wait for additional information from MnDOT. No new information to report at this time.

Design with community in mind



Owner: City of Albany	Date	July 6, 2016
Contractor: Kuechle Underground, Inc		

CONSTRUCTION CHANGE ORDER NO. 3

2015 Albany Capital Improvements

Stantec Project No.: 193802902

Description of Work

Change Order No 3 is intended to address the south portion of the Golf Club's lower parking lot area where the Contractor accessed the site, and stored materials during the project. The Contractor has agreed to add the removal and re-paving of the existing bituminous parking lot to the original project at a cost of \$2.63 per square foot. The change order includes parking lot striping but does not include aggregate base or subgrade excavation / grading.

No.	Item	Unit	Contract Quantity	Unit Price	Total Amount
CHANGE ORDER NO. 3					
	Parking Lot Restoration	SF	7,300	\$2.63	\$19,199.00
	4" Parking Lot Striping, Yellow, Paint	LF	420	\$1.00	\$420.00
	TOTAL CHANGE ORDER NO. 2:				\$19,619.00

Original Contract Amount	\$274,117.75
Previous Change Orders (C.O. No 1-2)	\$37,352.00
This Change Order	\$19,619.00
Revised Contract Amount (including this change order)	<u>\$331,088.75</u>

CHANGE IN CONTRACT TIMES

Original Contract Times:
 Substantial Completion (days or date): October 30, 2015
 Ready for final Payment (days or date): June 30, 2016

Increase of this Change Order:
 Substantial Completion (days or date): No Change
 Ready for final Payment (days or date): **September 15, 2016**

Contract Time with all approved Change Orders:
 Substantial Completion (days or date): November 13, 2015
 Ready for final Payment (days or date): **September 15, 2016**

Recommended for Approval by:
STANTEC

Jeremy B. Mathias

Date: 6/30/2016

Approved by Contractor:
Kuechle Underground, Inc

Approved by Owner:
CITY OF ALBANY

Date

Date

cc: Owner
 Contractor
 Stantec

Memo



Tom Schneider &
City Council members

From: Jeremy Mathiasen

File: 2015 Capital Improvements
Restoration work

Date: June 29, 2016

Reference: Final Payment Voucher No. 3 for Loren's Tree & lawn Service.

For your consideration at your 7/6/16 council meeting is Payment Voucher No. 3 for the restoration portion of the 2015 Capital Improvements.

This is the final payment to the Contractor and covers the final stabilization work done on the golf course and releases the project retainage. Loren's team has completed all of the seeding and restoration included in their contract plus the additional restoration work on the golf course where the new drain tile was installed. Their work has also included over seeding of certain areas, fertilizing, and weed control. The amount due as a result of Payment Voucher No. 3 is **\$3,365.04**.

At this time we are recommending approval of Payment Voucher No. 3 for Loren's Tree & Lawn Service. Should you have any questions about the work completed to date feel free to contact me.

STANTEC CONSULTING SERVICES INC.

A handwritten signature in black ink that reads "Jeremy B. Mathiasen".

Jeremy Mathiasen
Senior Project Manager
Office: 320.529.4366

One Team. Infinite Solutions.

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**FINAL PAYMENT
CONTRACT VOUCHER NO. 3
2015 CAPITAL IMPROVEMENTS - SITE RESTORATION**

TO: Loren's Tree & Lawn Service
35694 County Road 10
Albany, MN 56307

OWNER: City of Albany, MN
400 Railroad Avenue
Albany, MN 56307

Contract for: 2015 Capital Improvements - Site Restoration
Contract Approval Date: September 16, 2015

Completion Dates:
Substantial: November 13, 2015
Final: June 30, 2016

For Period Ending: April 30, 2016

ORIGINAL CONTRACT AMOUNT	\$ 27,089.00	TOTAL AMOUNT TO DATE:	\$ 48,905.19
NET CHANGE ORDERS (thru No.)		LESS AMOUNT RETAINED (0%)	\$ -
NET SUPPLEMENTAL AGREEMENTS (thru No.)	\$ -	AMOUNT DUE TO DATE:	\$ 48,905.19
NET WORK ORDERS (thru No.)	\$ 12,219.00	LESS PREVIOUS PAYMENTS:	\$ 45,540.15
CURRENT CONTRACT AMOUNT	\$ 39,308.00	NET AMOUNT DUE:	\$ 3,365.04

Owner's Approval:

I hereby approve payment of this voucher.

Dated: _____

Signature: _____
City of Albany

Engineer's Recommendation:

This Partial Payment Voucher meets the requirements of the Contract Documents and payment of the above NET AMOUNT DUE is recommended.

Dated: 6/30/2016

Signature: Jeremy B. Mathias
Stanec Consulting

CERTIFICATE FOR PARTIAL PAYMENTS

Contractor's Certification:

This is to certify that, to the best of my knowledge, information and belief, the quantities and values of work performed as stated herein is a fair approximate estimate of the work performed and the materials furnished for the period covered by this voucher.

Dated: _____

Signature: _____
Loren's Tree & Lawn Service

**2015 Capital Improvements - Site Restoration
FINAL PAYMENT
CONTRACT VOUCHER NO. 3
2015 CAPITAL IMPROVEMENTS - SITE RESTORATION**

Line No.	Item	Unit	Unit Price	Contract		Work Included on this Voucher		Work Complete - to Date	
				Quantity	Amount	Current Quantity	Current Amount	Quantity to Date	Amount to Date
2015 Capital Improvements									
ALTERNATE No. 1									
63	SELECT TOPSOIL BORROW (LV)	CY	\$ 22.50	450.00	\$ 10,125.00		\$ -	384.00	\$ 8,640.00
64	SEEDING, INCL. SEED AND FERTILIZER	SY	1.50	6,776.00	\$ 10,164.00		-	8,032.00	12,048.00
65	HYDRAULIC SOIL STABILIZER TYPE 5	SY	1.00	6,800.00	\$ 6,800.00	968.19	968.19	15,998.19	15,998.19
TOTAL ORIGINAL CONTRACT					\$ 27,089.00				
2016 EXTRA WORK (LANGE'S EXCAVATING)									
66	REMOVAL OF EXCESS MATERIAL	CY	15.63	252.00	\$ 3,937.50		-	252.00	3,937.50
67	GEOTEXTILE FABRIC, TYPE 5	SY	1.50	333.00	\$ 499.50		-	333.00	499.50
68	RECYCLED CONCRETE BASE	CY	19.00	228.00	\$ 4,332.00		-	228.00	4,332.00
69	COMMON EXCAVATION	HR	115.00	30.00	\$ 3,450.00		-	30.00	3,450.00
TOTAL EXTRA WORK					\$ 12,219.00				
TOTALS					\$ 39,308.00		\$ 968.19		\$ 48,905.19

Memo



Tom Schneider &
City Council members

From: Jeremy Mathiasen

File: 2016 Capital Improvements

Date: June 29, 2016

Reference: Payment Voucher No. 2 for Larson Excavating Contractors Inc.

For your consideration at your 7/6/16 council meeting is Payment Voucher No. 2 for the 2016 Capital Improvements.

Payment Voucher No. 2 has been prepared for your review and generally includes the sanitary sewer and water main installation north of 3rd Street, the storm sewer south of 3rd Street, the residential sewer and water services, and the start of the subgrade preparation along 5th Street. The amount due as a result of **Payment Voucher No. 2 is \$296,019.60.**

At this time we are recommending approval of Payment Voucher No. 2 for Larson Excavating Contractors Inc. Should you have any questions about the work completed to date feel free to contact me.

STANTEC CONSULTING SERVICES INC.

Jeremy B. Mathiasen

Jeremy Mathiasen
Senior Project Manager
Office: 320.529.4366

One Team. Infinite Solutions.

mj v:\1938\active\193803392\communications\correspondence\council_jbm^payment voucher #2.docx



Owner: City of Albany, P. O. Box 370, Albany, MN 56307-0370	Date: June 28, 2016
For Period: 5/22/2016 thru 6/25/2016	Request No: 2
Contractor: Larson Excavating Contractors, Inc., 41354 Co. Rd. 9, Holdingford, MN 56340	

CONTRACTOR'S REQUEST FOR PAYMENT
2016 STREET AND UTILITY IMPROVEMENTS
STANTEC PROJECT NO. 193803392

SUMMARY

1	Original Contract Amount		\$	<u>1,136,817.61</u>
2	Change Order - Addition	\$	<u>45,894.84</u>	
3	Change Order - Deduction	\$	<u>0.00</u>	
4	Revised Contract Amount		\$	<u>1,182,712.45</u>
5	Value Completed to Date		\$	<u>567,016.78</u>
6	Material on Hand		\$	<u>0.00</u>
7	Amount Earned		\$	<u>567,016.78</u>
8	Less Retainage 5%		\$	<u>28,350.84</u>
9	Subtotal		\$	<u>538,665.94</u>
10	Less Amount Paid Previously		\$	<u>242,646.34</u>
11	Liquidated damages -		\$	<u> </u>
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>2</u>		\$	<u><u>296,019.60</u></u>

Recommended for Approval by:
STANTEC

Approved by Contractor:
LARSON EXCAVATING CONTRACTORS, INC.

Approved by Owner:
CITY OF ALBANY

Jeremy B. Mathias

Specified Contract Completion Date:

Date: 6/29/16

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
BASE BID:							
1	CLEAR AND GRUB	TREE	4	200.00	4	12	\$2,400.00
2	ABANDON PIPE SEWER (SANITARY)	LIN FT	340	1.00			\$0.00
3	REMOVE WATER MAIN	LIN FT	3184	0.01	1592	3184	\$31.84
4	REMOVE HYDRANT ASSEMBLY	EACH	2	10.00	1	2	\$20.00
5	REMOVE GATE VALVE & BOX	EACH	6	10.00	5	6	\$60.00
6	REMOVE MANHOLE (SANITARY)	EACH	8	100.00	3	8	\$800.00
7	REMOVE CURB AND GUTTER	LIN FT	7235	0.01	3618	7236	\$72.36
8	REMOVE CONCRETE WALK	SQ YD	60.6	0.01		61	\$0.61
9	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	1399.6	0.01	700	1400	\$14.00
10	RECLAIM BITUMINOUS ROADWAY PAVEMENT	SQ YD	14141	1.02		14141	\$14,423.82
11	REMOVE BITUMINOUS PAVEMENT	SQ YD	282	2.00	110	141	\$282.00
12	SAWING BITUMINOUS PAVEMENT	LIN FT	240	3.00			\$0.00
13	TRAFFIC CONTROL	LUMP SUM	1	7245.00	0.2	0.7	\$5,071.50
14	SALVAGE MAIL BOX SUPPORT	EACH	20	25.00		21	\$525.00
15	SALVAGE & REINSTALL CONCRETE DRIVEWAY PAVEMENT	SQ FT	200	10.00			\$0.00
16	INSTALL MAIL BOX SUPPORT	EACH	20	25.00			\$0.00
17	POND EXCAVATION (P)	CU YD	8440	7.00		7906	\$55,342.00
18	COMMON EXCAVATION (P)	CU YD	10354	5.00	2369	2369	\$11,845.00
19	SUBGRADE EXCAVATION (EV)	CU YD	750	8.00	592	592	\$4,736.00
20	SELECT GRANULAR BORROW (LV)	CU YD	8721	5.00	2369	2369	\$11,845.00
21	SALVAGED AGGREGATE (CV)	CU YD	1000	5.00			\$0.00
22	GEOTEXTILE FABRIC TYPE V	SQ YD	19014	0.50	3553	3553	\$1,776.50
23	AGGREGATE BASE (LV) CLASS 5 (ROADWAY)	CU YD	5677	14.07			\$0.00
24	AGGREGATE BASE (LV) CLASS 5 (DRIVEWAY)	CU YD	240	14.07			\$0.00
25	TYPE SP 9.5 WEARING COURSE MIXTURE (2,C)	TON	1505	60.42			\$0.00
26	TYPE SP 12.5 NON WEARING COURSE MIXTURE (2,C)	TON	2006	55.47			\$0.00
27	5" CONCRETE WALK	SQ FT	60	9.09			\$0.00
28	TRUNCATED DOMES	SQ FT	12	50.50			\$0.00
29	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	7185	11.60			\$0.00
30	7" CONCRETE VALLEY GUTTER & APRONS	SQ YD	93	72.72			\$0.00
31	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	1540	44.42			\$0.00
32	12" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	115	24.89	103	115	\$2,862.35
33	15" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	265	26.35	207	273	\$7,193.55
34	18" RC PIPE SEWER DESIGN 3006 CLASS V	LIN FT	502	28.41	295	295	\$8,380.95
35	21" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	480	31.10	408	408	\$12,688.80
36	24" RC PIPE SEWER DESIGN 3006 CLASS III	LIN FT	131	32.83	8	8	\$262.64
37	15" RC PIPE APRON	EACH	1	657.23		1	\$657.23
38	21" RC PIPE APRON	EACH	1	968.01	1	1	\$968.01
39	24" RC PIPE APRON	EACH	1	1232.45			\$0.00
40	CONSTRUCT DRAINAGE STRUCTURE DESIGN F-	EACH	5	1505.96	5	5	\$7,529.80
41	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-402C	EACH	9	2412.65	10	10	\$24,126.50
42	CONSTRUCT DRAINAGE STRUCTURE DESIGN 54-402C	EACH	1	3244.77	1	1	\$3,244.77
43	SEDIMENTATION CONTROL STRUCTURE	EACH	1	4313.43		1	\$4,313.43
44	CONNECT TO EXISTING STORM SEWER	EACH	2	1000.00	2	2	\$2,000.00
45	RANDOM RIPRAP CLASS III	TON	60	60.00		15	\$900.00
46	GEOTEXTILE FILTER TYPE IV	SQ YD	20	1.00		10	\$10.00
47	4" PERF PE PIPE DRAIN	LIN FT	7015	3.60	1640	1640	\$5,904.00
48	4" DRAIN TILE RISER W/ COVER	EACH	36	167.81	3	3	\$503.43
49	8" PVC SANITARY SEWER PIPE, SDR 35, 8-13' DEEP	LIN FT	2456	33.73	1002	2526	\$85,201.98
50	8" PVC SANITARY SEWER PIPE, SDR 35, 13-18' DEEP	LIN FT	225	38.73		225	\$8,714.25
51	CONSTRUCT SANITARY MANHOLE	EACH	8	2631.43	3	8	\$21,051.44
52	SANITARY MANHOLE OVERDEPTH	LIN FT	17.8	79.48	2.9	17.59	\$1,398.05
53	CONSTRUCT 8" OUTSIDE DROP	EACH	1	2069.70		1	\$2,069.70
54	8" EXCESS DROP CONNECTION DEPTH	LIN FT	7.3	243.56		7.3	\$1,777.99
55	4" PVC SANITARY SERVICE PIPE	LIN FT	1258	12.33	1135	1135	\$13,994.55
56	8"X4" PVC WYE	EACH	37	234.70	19	38	\$8,918.60
57	CONNECT TO EXISTING SANITARY SEWER SERVICE	EACH	37	119.50	35	36	\$4,302.00
58	CONNECT TO EXISTING SANITARY SEWER	EACH	4	581.24	1	4	\$2,324.96
59	SANITARY SEWER BY-PASS PUMPING	LUMP SUM	1	12500.00	0.34	1	\$12,500.00
60	TELEWISE SANITARY SEWER	LIN FT	2681	1.44			\$0.00
61	6" PVC WATERMAIN	LIN FT	52	25.70	45	83	\$2,133.10
62	8" PVC WATERMAIN	LIN FT	3542	25.27	2104	3281	\$82,910.87
63	6" GATE VALVE AND BOX	EACH	5	1307.94	3	6	\$7,847.64
64	8" GATE VALVE AND BOX	EACH	12	1781.30	7	10	\$17,813.00
65	5" HYDRANT	EACH	5	3928.11	3	6	\$23,568.66
66	FITTINGS	POUND	1188	6.41	761	1216	\$7,794.56
67	8" WATER MAIN OFFSET	EACH	1	2500.00	1	1	\$2,500.00
68	1" CORPORATION STOP	EACH	37	169.15	37	37	\$6,258.55
69	1" CURB STOP & BOX	EACH	37	275.31	37	37	\$10,186.47
70	1" TYPE K COPPER PIPE	LIN FT	1235	14.12	1326	1326	\$18,723.12
71	CONNECT TO EXISTING WATER MAIN	EACH	8	716.64	5	6	\$4,299.84
72	CONNECT TO EXISTING WATER SERVICE	EACH	33	113.99	37	37	\$4,217.63
73	3" POLYSTYRENE INSULATION	SQ YD	32	40.33	23.7	48.58	\$1,959.23

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
74	SILT FENCE, TYPE MACHINE SLICED	LIN FT	1381	2.00		1741	\$3,482.00
75	FILTER LOG TYPE WOOD FIBER BIOROLL	LIN FT	120	2.00			\$0.00
76	TURF STABILIZATION MA1	SQ YD	15	81.60			\$0.00
77	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	4	400.00		3	\$1,200.00
78	FLOTATION SILT CURTAIN	EACH	255	10.00		250	\$2,500.00
79	STORM DRAIN INLET PROTECTION	EACH	20	25.00		4	\$100.00
80	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	20	75.00	22.5	26.5	\$1,987.50
	TOTAL BASE BID:						<u>\$552,526.78</u>
CHANGE ORDER NO. 1							
1	SELECT TOPSOIL BORROW (LV)	CU YD	2000	10.00	629	629	\$6,290.00
2	HYDRAULIC SOIL STABILIZER TYPE 5, INCL. SEED (RESIDENTIAL TURF) & FERTILIZER	SQ YD	11400	1.22			\$0.00
3	SEED & FERTILIZER (WET)	SQ YD	2140	1.28			\$0.00
4	SEED & FERTILIZER (GENERAL ROADSIDE)	SQ YD	2400	1.22	3280	3280	\$4,001.60
5	EROSION CONTROL BLANKET, CAT. 3	SQ YD	2400	1.28	3280	3280	\$4,198.40
6	HYDRAULIC SOIL STABILIZER TYPE 5 (TEMP STABILIZATION)	POUND	5324	0.61			\$0.00
	TOTAL CHANGE ORDER NO. 1						<u>\$14,490.00</u>
	TOTAL BASE BID						\$552,526.78
	TOTAL CHANGE ORDER NO. 1						\$14,490.00
	TOTAL WORK COMPLETED TO DATE						<u>\$567,016.78</u>

PROJECT PAYMENT STATUS

OWNER CITY OF ALBANY
STANTEC PROJECT NO. 193803392
CONTRACTOR LARSON EXCAVATING CONTRACTORS, INC.

CHANGE ORDERS

No.	Date	Description	Amount
1	4/19/2016	CHANGE ORDER TO INCLUDE RESTORATION WORK FOR THE BOULEVARDS AND AROUND THE POND.	\$45,894.84
Total Change Orders			\$45,894.84

PAYMENT SUMMARY

No.	From	To	Payment	Retainage	Completed
1	04/25/2016	05/21/2016	242,646.34	12,770.86	255,417.20
2	05/22/2016	06/25/2016	296,019.60	28,350.84	567,016.78

Material on Hand

Total Payment to Date		\$538,665.94	Original Contract	\$1,136,817.61
Retainage Pay No. 2		28,350.84	Change Orders	\$45,894.84
Total Amount Earned		\$567,016.78	Revised Contract	\$1,182,712.45

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 Monday, June 29, 2016 in the Council Room at 400 Railroad Avenue for the said City.

Other Planning Commission members present for the meeting were: Joseph Wedel, Todd Horton, and Keith Heitzman. Will Seiler was absent. Councilor John Greer, Planning Commission Liaison, was present for the meeting. Others present for the meeting: Susan Kadlec, City Attorney, Tom Studer, Alice Wiechmann, Elisabeth Studer, local residents.

Chairman Adam Rushmeyer called for any additions or corrections to the minutes of May 2nd and hearing none declared them approved.

Joseph Nett/Bonnie Cassady, 151 2nd Street, was present for the meeting.

Pursuant to due notice, at 6:32 PM, Chairman Adam Rushmeyer called a public hearing into session on a request by Joseph Nett/Bonnie Cassady, 151 2nd Street for a variance to relax the rear yard requirement of twenty (20) feet to allow for the construction of a house addition to a single-family residential home. A proper notice was published in the Albany Enterprise on June 15th and no written comments were received. Ms. Cassady appeared before the Board to inform the Board that the purpose of their request is to construct a safe room within the house so it can be accessed during severe weather and an addition to increase livable space similar to what other neighbors have done through the variance process. Ms. Cassady noted that the patio home is less than 1,200 square feet. Mr. Studer questioned whose responsibility is it to maintain the stormwater catch basin adjacent to the Nett property which serves the purpose of removing surface water during rainfall events from several rear yards in the neighborhood. Mr. Studer noted that the addition will increase the impervious surface on the property and if the stormwater catch basin is not functioning properly several properties including the Nett property may have a water issue with surface flooding. Mr. Studer also noted that at no point should any construction equipment damage adjoining properties and recommended that some type of fencing be installed during construction. Mr. Schneider informed the Board that the Public Works Department will inspect the stormwater catch basin to make sure that it is functioning properly and identify the direction of flow. Mr. Schneider also noted that in the past three variances to relax the rear yard requirement had been approved by the City for additions to patio homes in the neighborhood, but the Nett/Cassady request is greater than the others. Mr. Greer questioned what the parameters are relating to the issue of a variance. Mr. Schneider provided language from the City's Zoning Ordinance 80 in relation to the issuance of a variance. Mr. Greer questioned if the height of the proposed addition alters the essential character of the neighborhood. Mr. Nett informed the Board that the addition is not two-story and not any higher than other homes nearby. Ms. Cassady noted that the upstairs is important to them and the addition will increase the value of their home which will reduce the likelihood of the home becoming transient in nature in the future. Chairman Adam Rushmeyer closed the public hearing at 7:05 PM. After due discussion, a motion was made by Joseph Wedel and seconded by Keith Heitzman to recommend to the Council that the variance to relax the rear yard requirement of twenty (20) feet to allow for the construction of a house addition to a single-family residential home be approved as per the following findings:

1. The variance request is consistent with the comprehensive plan in that it encourages new construction and increased property tax base.
2. The variance will not be detrimental to the public welfare.
3. The variance will allow homeowner to construct a "safe room" and additional storage eliminating the need for a small detached shed on property.
4. The variance is not sought solely for reasons of increased financial gain.
5. Variance to relax the rear yard setback of twenty (20) feet to eleven (11) feet.
6. Public Works Department inspects condition of stormwater catch basin and removes any sediment or other debris from storm sewer pipe if necessary.
7. Silt fence be placed on Nett property to eliminate construction activity from damaging neighbor's property.
8. All construction activity to remain on Nett property.

All voted for the motion and it carried.

The Board took notice of several corrections and additions to the City's Sign Ordinance 80.11, prepared by the City Attorney. Mr. Schneider informed the Board that he invited Ms. Kadlec to the meeting to explain the reasoning to amend the sign ordinance. Ms. Kadlec appeared before the Board to inform the Board that in June 2015, the U.S. Supreme Court issued a ruling in *Reed v. Town of Gilbert*, striking down the town's sign ordinance. Ms. Kadlec noted following:

The Court held that the town's sign ordinance violated the First Amendment because it regulated signs based on their content; whereby the ordinance exempted three types of signs—ideological signs, political signs, and temporary directional signs, with different ordinance rules as to size, location, and duration for each. The Court explained that the ordinance employed content-based restrictions because which rules apply depends entirely on the sign's communicative content. The majority opinion emphasized that courts must consider whether a law is content-neutral on its face before turning to its purpose, holding that any content based restrictions demand strict scrutiny. To survive strict scrutiny, the government must prove the regulations were narrowly tailored to achieve compelling governmental interests, a test that is rarely satisfied. Like the Gilbert ordinance, the City of Albany's ordinance provides different rules for different types of signs, based upon the particular message. For example, there are special provisions for real estate signs, and temporary signs advertising non-profit or charitable community events. These distinctions would not survive examination by the Court.

Ms. Kadlec recommended that the sign ordinance be revised to remove such distinctions. Ms. Kadlec also noted that content neutral provisions, such as sign size, location, height, and illumination are all acceptable regulations. Mr. Schneider noted that he will visit with other nearby cities to determine what changes they may consider to their sign ordinances. Mr. Schneider informed the Board that information will be provided to the Board at a future meeting.

The Board took notice of a proposed amendment to Ordinance 80 opting-out of the requirements of MN Statutes, Section 462.3593. Ms. Kadlec noted that Governor Mark Dayton signed into law a bill creating a new process for landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling. Ms. Kadlec noted that the new law sets forth a short term care alternative for a mentally or physically impaired person by allowing them to stay in a temporary dwelling on a relative's or caregiver's property. Mr. Kadlec noted that cities do have the option to opt-out of the new legislation, but if no action is taken on or before September 1, 2016, cities will have to follow and implement the new temporary family health care dwelling law. Mr. Schneider informed the Board that a public hearing is required if the City chooses to opt-out of the said Statute. Mr. Horton questioned how long a city would have to allow a temporary family health care dwelling on a property. Ms. Kadlec noted that the dwellings may be permitted for a period of six (6) months with a one-time six (6) month renewal option and only one dwelling per lot and only one dweller who resides within the temporary dwelling. Mr. Greer noted that he would recommend the City opt-out of the new legislation. After due discussion, a motion was made by Joseph Wedel and seconded by Todd Horton to recommend to the Council to schedule a public hearing and approve an amendment to Ordinance 80 opting-out of the requirements of MN Statutes, Section 462.3593. All voted for the motion and it carried.

Chairman Adam Rushmeyer adjourned the meeting at 7:50 PM.

Tom Schneider
Clerk/Adm.

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 **Wednesday, June 29, 2016**, in the Council room at 400 Railroad Avenue for the said City for the following:

- The public hearing will be held on a request by Joseph Nett, 151 2nd Street for a variance to relax the rear yard requirement of twenty (20) feet to allow for the construction of a house addition to a single family residential home.

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 Albany Enterprise on this 15th day of June, 2016.

**CITY OF ALBANY
DEVELOPMENT APPLICATION**

Date of Complete Application (office use only) 5-26-16

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 checked="" type="checkbox"/> Variance (\$300) <u>X pd</u> | |

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.

40.25042.0118

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

1. Lot 10, Block 1 of ALLIANT ESTATES
Legal Description
2. 151 and
Street Address of Property Involved
3. Joseph L Nett / Bonnie Cassidy 320-845-2217
Fee Owner of Property (This name will be used on legal documents) Telephone No.
4. P.O. Box 725, Albany, MN
Address of Fee Owner Fax No.
5. Joseph L Nett / Bonnie Cassidy P.O. Box 725 320-845-2217
Applicant Name Address Telephone No.
6. Lumber One
Name of Architect/Engineer Telephone No.
7. _____
Address of Architect/Engineer Fax No.

8. ALHIGH Estates Lot 10

Name of Plat – (if applicable)

No. of Lots

9. State proposed use and a description of project proposed or variance requested. See handouts for additional information.

see attached

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:

Joe Nett
Bonnie Casady

Joe Nett – .151 2nd St N. , Albany, MN

VARIANCE REQUEST

This home is a patio home with less than 1200 square feet of living space. When purchased, the intent was to add additional living space as neighbors have done through variances.

Due to the severity of various storms, focus shifted to repair. However, these storms demonstrated the necessity for accessibility to an area that meets the requirements be considered a “safe room”. Our home was built in 1998 when there was not a focus on weather safety and housing.

We are requesting a variance to provide enough square footage to incorporate a “safe room” within the house that can be accessed in severe weather. This space is not intended to be a “living space”. The space surrounding it would be living area and storage.

The storage component of the addition would eliminate our need to erect a prefabbed moveable unattached shed.

Other patio homes have obtained variances to build “sunrooms” or additions on this block/ ALHIGH ESTATES.

This home addition will add to the property values of the homes in the neighborhood.

The structure of the house will blend in with the numerous surrounding homes that are 1 ½ stories high.

The improvements/addition to our home will reflect Albany’s goal for well-maintained and landscaped homes within the designated residential zones.

The house is on a street that is very visible to the public due to the post office location. The maintenance of the residential properties reflects the values of this community.

At the time of resale, this property will encourage and attract permanent residents who will have an incentive to maintain its appearance. This home was in foreclosure at the time of purchase and was an eye sore due to neglect of basic maintenance and had an on going history of short-term occupants.

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.

Joseph J. Matta / Bonnie Casady
Signature of Applicant

5-26-16
Date

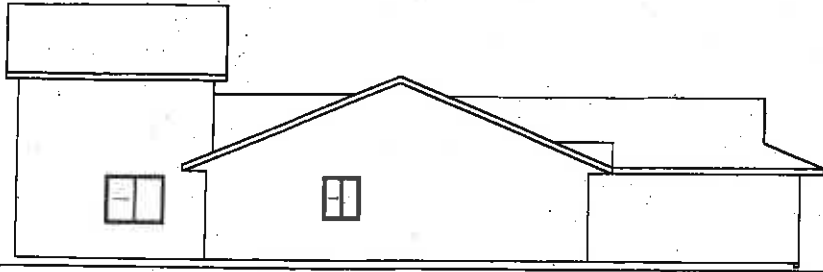
Bonnie Casady
Signature of Property Owner

5-26-16
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.

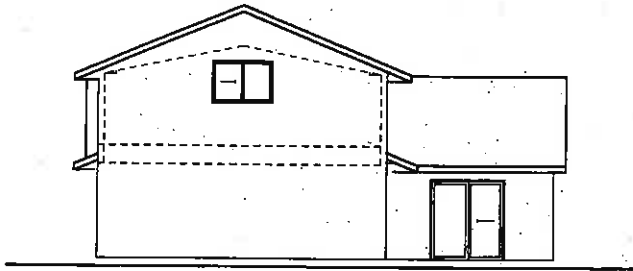
Refunds of application fee will be one-half of the fee and any remaining escrow if the application is withdrawn prior to publication of the public hearing notice. After publication, no refunds will be given. Escrow accounts will be refunded after the Certificate of Occupancy is issued for the project. 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.



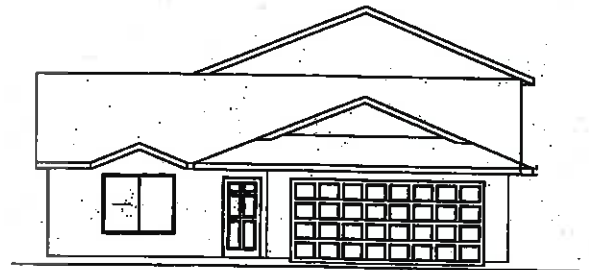
LEFT SIDE ELEVATION



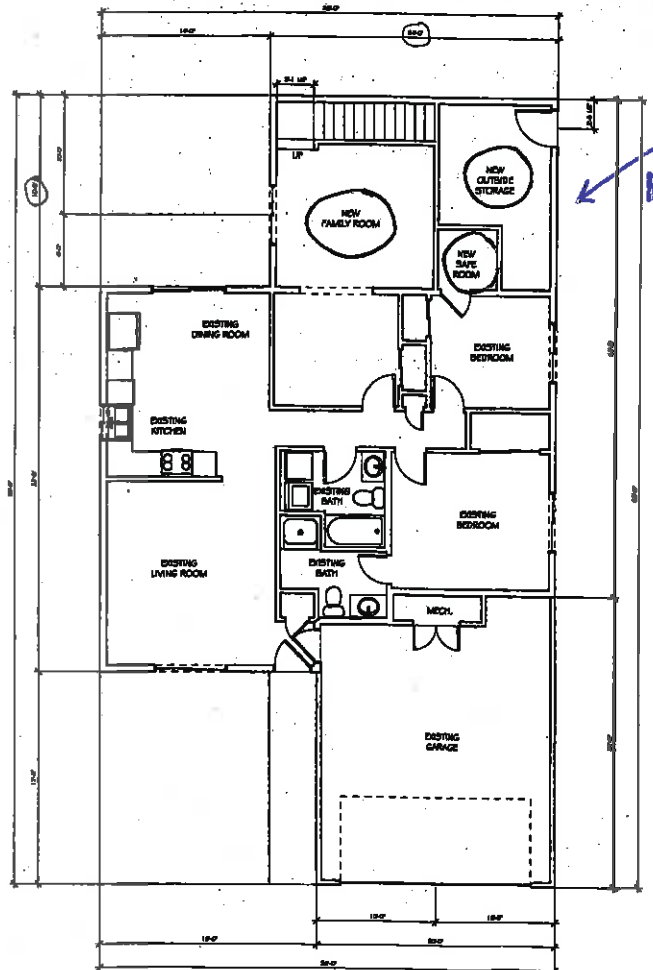
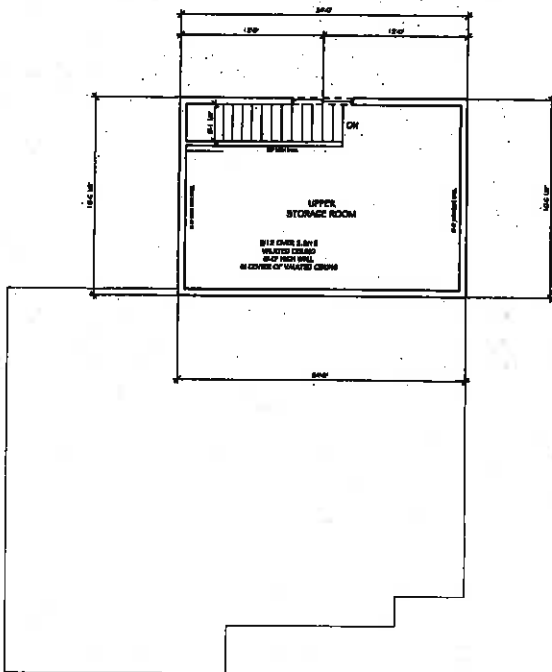
RIGHT SIDE ELEVATION



REAR ELEVATION



FRONT ELEVATION



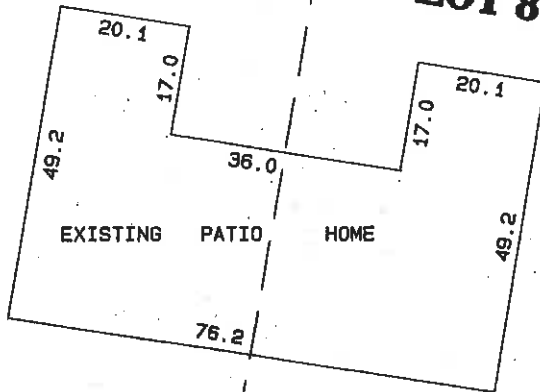
MIDLAND AVENUE

S80°13'50"E

ALHIGH

LOT 8

LOT 9



EXISTING HOUSE
DENOTES UTILITY EASEMENT
N80°15'59"W 99.03

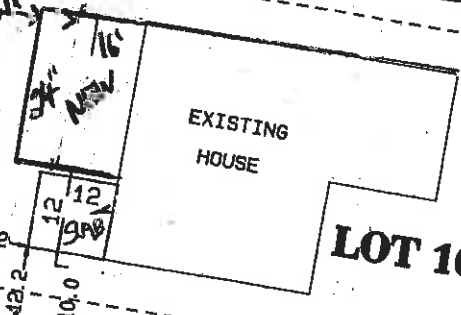
LOT 7

BLOCK 1

EXISTING HOUSE

LOT 10

S09°23'50"W 62.03



ESTATES

S80°18'08"E 99.03

EXISTING HOUSE

LOT 11

LOT 5

LOT 6

99.02

62.03

61.97

**CITY OF ALBANY
AMENDMENT TO ORDINANCE 80 ZONING
OPTING-OUT OF THE REQUIREMENTS OF
MINNESOTA STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

THE CITY COUNCIL OF THE CITY OF ALBANY, ORDAINS as follows:

1. That Ordinance 80 Zoning is hereby amended by the addition of Section 80.19A. which shall read follows:

“80.19A OPT-OUT OF MINNESOTA STATUTES, SECTION 462.3593:

Subd. 1: Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Albany opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.”

2. This Ordinance shall be effective immediately upon its passage and publication.

This Amendment was approved by the majority of the City Council of Albany on this 3rd day of August, 2016.

Daron Gersch, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

This amendment was published in the *Albany Enterprise* on July 13, 2016

**CITY OF ALBANY
AMENDMENT TO ORDINANCE 41
STREETS AND SIDEWALKS**

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

1. That Section 41.01, Subd. 3, is hereby amended to read as follows:

“Subd. 3. Repair.

a) The City has determined that sidewalks that do not allow for safe pedestrian travel constitute a public health and safety hazard. The City is authorized to abate health and safety hazards from private property pursuant to Minn. Stat. § 429.101, Subd. 1(a)(3). The City shall from time to time repair the public sidewalks as City resources permit. The cost of such repairs shall be paid 50% by the abutting property owner and 50% by the City. As soon as the work has been completed and the cost determined, the City Administrator shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Administrator.

b) From time to time the City Administrator shall list the total unpaid charges against each separate lot or parcel to which they are attributable under this Subdivision. The Council may then spread the charges against property benefited as a special assessment under Minnesota Statutes, section 429.101 or certify unpaid charges to the county auditor for collection with the following year along with current taxes as otherwise provided for by state law. When unpaid charges are certified to the auditor for collection with taxes, the Council may use the notice, hearing and appeal provisions provided by Minnesota Statutes, chapter 429. In any appeal of unpaid charges certified to the auditor for collection with taxes, the sole issue to be determined by the court is the reasonableness of the charges. Any special assessment shall be payable in a single installment, or by up to ten equal annual installments as the council may determine.”

This Amendment was approved by the majority of the City Council of Albany on this _____ day of _____, 2016.

Daron Gersch, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

This amendment was published in the *Albany Enterprise* on _____, 2016