

**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, May 2, 2018, 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 April 18th
5. Act on Board of Review/Equalization minutes of the meeting held on April 19th
6. Open Forum/Public comment (3 to 5 minutes max.)
7. Kris Schiffler, Shady's Hometown Tavern and Events Center – present application for Large Gathering Permit for an outdoor music event to be held July 20th.
8. Jeremy Mathiasen, City Engineer
 - project updates
9. Joe Mergen, Public Works Supervisor
10. Reports of Boards, Commissions, and Department Heads
11. Tom Schneider, Clerk/Adm.
12. Mayor's announcements and letters
13. Announce next meeting date and adjourn

Tom Schneider
Clerk/Adm.



320-845-4244
320-845-2346 Fax
P. O. Box 370
Albany, Minnesota 56307

EMERGENCY MANAGEMENT SERVICES

LARGE GATHERING (outside) APPLICATION

“Large Gathering” means any public gathering of 150 or more persons at any location at any single time for the purpose of musical, racing, political, promotional or social entertainment or other similar type of activity, but shall not apply to:

- Any permanent place of worship, stadium, athletic field, arena, auditorium, or coliseum
- Gatherings or activities permitted or licensed by other State laws or regulations
- Family celebratory gathering taking place entirely upon the premises of a family member

Applications must be received at least 30 days in advance of the event

Application received: 4-27-18

Name of Event: Johnny Holms Event Date: 7-20-18

Applicant Name: Shady's Hometown Tavern Phone: 320-845-2787
Cell: 320-980-4176

Address: 455 Railroad Ave MN 56307
(City) (State) (Zip code)

Property Owner's Name: Kels Schiller Phone: 320-980-4176
Cell: _____

Address: Box 672 Albany MN 56307
(City) (State) (Zip code)

1. Describe all the activities anticipated to be a part of the event:

Band will play amazing music, outdoor
Beer & liquor.

2. Total number of days/hours the event will last: 4-5

3. Maximum number of participants expected: 1500

4. Maximum number of tickets that will be sold: 1500

5. **A Certificate of Insurance is required and must be attached.**

6. List plans for providing fencing or barriers at the location of the event:

Stow Fencing will be around entire parking lot.

7. List plans for noise control: Bands will face the back of bar.

8. List plans for providing adequate toilet facilities:

Porta Pots
(number) (type) (means of disposal)

9. List plans for parking and traffic control: Street Parking

10. List plan for security at the event: Security at Gates + Albany PD

11. Will gambling activities or alcoholic beverages be permitted at this event? Yes

12. Person(s) in charge: Kris Sch. Apler Phone No. 320-980-4176
Cell: _____

Phone No. _____
Cell: _____

13. If public street is used for the event, who will be cleaning the street and/or boulevard?

Kris Schiessler

I certify that the statements contained herein are true and correct to the best of my knowledge.

KRIS SCHIEFLER
(Printed name)

[Signature]
(Signature)

(Printed name)

(Signature)

Do not write below this line

This application has been reviewed by:

Albany Fire Dept: _____ Date: _____

Albany Police Dept: _____ Date: _____

City Clerk/Adm.: _____ Date: _____

Emergency Management Director: _____ Date: _____

Public Works Supervisor: _____ Date: _____

Minnesota Department of Health
School and Teaching Certification
A LICENSE IN THIS CATEGORY BY THE STATE OF MINNESOTA IS VALID FOR ALL
SCHOOLS SUBJECT TO THE ANNUAL RENEWAL AT \$400
OPTIONAL SCHOOL CLOSING LICENSE 00000010-000000 IN \$425

Shady's Bar
Shady's
311 Main St
New Munich
MN 56358
EXPIRES 08/31/2018
C. Schiffler
Administrative Services Director



STEARNS COUNTY
Environmental Services Department
Administration Center • 701 Courthouse Square, Ste 102 • St. Cloud, MN 56301
120425-3415 • Fax 120425-4444 • 1-800-451-9972

1-4 Employees Food & Beverage & Catering

License #: NFRY-AJJP05

Issue Date: January 01, 2018
Expiration Date: December 31, 2018

SHADY'S BAR & GRILL

311 MAIN ST
NEW MUNICH, MN 56358

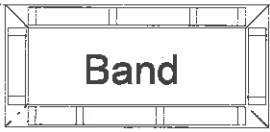
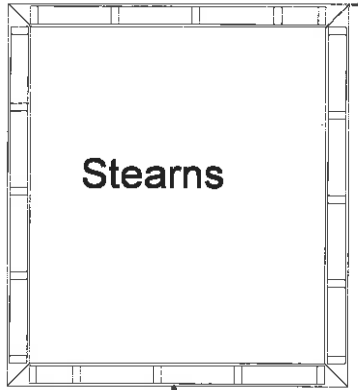
of Employees: 3

KRIS SCHIFFLER

Kris Schiffler
Mark Schiffler

This license is subject to suspension and revocation for violations of local, state and federal laws and regulations. THIS LICENSE IS NOT TRANSFERABLE AND MUST BE POSTED IN A CONSPICUOUS PLACE AT THE LICENSEE'S PLACE OF BUSINESS.

↑N



← Fence

- ALLEY -

Bob Pauly

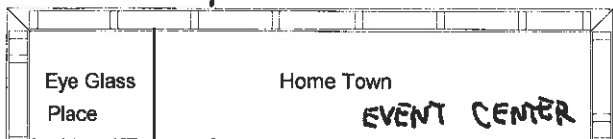
STORAGE BLDG

← Fence

- ALLEY -

- ALLEY -

← Fence



Home Town

ALBANY RESTAURANT

To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	April 27, 2018

Reference: Engineering Update for the 5/2/18 Council Meeting

2018 1st Street Improvements

Xcel Energy will be on site this coming week to start some of their utility relocation work. A preconstruction meeting has been scheduled for Tuesday, May 15th with the Contractor. We will have a more detailed schedule to share after the meeting.

North Lake Storm Water Improvements

Tree clearing and grubbing has begun on the north pond site. If conditions allow, Bardson plans to start excavating the north pond this coming Monday.

1st Street / Railroad Avenue Intersection Improvements

Funding requests to the County and MnDOT have been submitted. MnDOT currently has the project money programed for 2020. Stearns County's funding, if approved would be available in 2023 for reimbursement to the City.

Miscellaneous

We will be assisting Tom with the proposed CentraCare platting and development plans over the next couple of weeks.

Feel free to let me know if you have any specific questions before the meeting.

Jeremy.mathiasen@stantec.com 320.529.4366

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 Daron Gersch at 7:00 o'clock in the evening on Wednesday, April 18, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Tom Kasner, Al Amdahl, John R. Harlander, and Keith Heitzman. None were absent.

Also present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer, with Stantec, Inc., Ozzie Carbajal, Albany Police Chief, Mike Kosik, Editor, Albany Enterprise, Gary Winkels, Fire Chief, Andrew Gravidahl, Patrol Officer, and Joseph Mergen, Public Works Supervisor.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68136 to 68168 and 16932 to 16945. All voted for the motion and it carried.

Mayor Daron Gersch called for any corrections or additions to the minutes of the regular meeting of the Council held on April 4th and hearing none declared them approved.

Open forum/public comment: none

Lieutenant Bob Dickhaus of the Stearns County Sheriff's Department appeared before the Council to introduce himself to the Council and announce his candidacy for Stearns County Sheriff. Mr. Dickhaus informed the Council that he began his employment at the Sheriff's Department in 1993 as a Correctional Officer in the Stearns County Jail, promoted to Senior Patrol Deputy in 1995, Patrol Sergeant, Detective, Detective-Deputy Medical Examiner and in 2012 promoted to Lieutenant. Mr. Dickhaus noted that he served on many other administrative functions and appointments in the department over the years, which has given him valuable experience in supervision, budgeting, leadership, training, etc. Mayor Daron Gersch thanked Mr. Dickhaus for attending the meeting and providing information to the Council about his law enforcement experience.

Mayor Daron Gersch called the hearing into session for an alleged violation of Ordinance 60, Liquor; whereby an individual under the age of 21 was allowed to purchase liquor on April 6th at the Albany Bowl, 1450 Railroad Avenue during the annual liquor compliance check conducted by the Albany Police Department. Mr. Schneider informed the Council that Steve Bates, the owner of the business, was mailed a notice of the meeting and invited to attend the hearing to provide testimony on his behalf of the alleged violation of the incident. Mr. Carbajal noted his department conducted an annual compliance check on April 6th with an individual who was less than 21 years of age at each licensed liquor establishment in the City and the Albany Bowl failed; whereby the individual was served liquor which is a violation of the said Ordinance. Mr. Schneider noted that this is the second violation of the Albany Bowl within a three-year period and the ordinance requires at least three consecutive days suspension in addition to any criminal or civil penalties. Mr. Carbajal noted that Mr. Bates was given a citation for the violation. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to suspend the liquor license at the Albany Bowl on May 3rd, May 4th, and May 5th pursuant to the said Ordinance. All voted for the motion and it carried.

Jason Bergmann, Executive Director Mother of Mercy Foundation, Albany, MN, appeared before the Council to present a Fireworks Permit application for Rock the Prairie, a music event to be held on September 8th at the Albany Amphitheater at 21470 Co. Road 54. Mr. Bergmann noted that licensed firework operators hired by HairBall, the final band or headliner, will discharge pyrotechnics during their performance. Mr. Winkels informed the Council that he contacted other Fire Chiefs about safety concerns or precautions that should be considered with the use of pyrotechnics and has no objection to the application. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John R. Harlander to approve the said application. All voted for the motion and it carried.

Mr. Bergmann also recommended that the Council approve an amendment to the Large Gathering Permit application for Rock the Prairie music event to allow overnight primitive camping for authorized vehicles only and a self-contained fire pit. Mr. Bergmann noted no running water or electrical hookups will be available at the camp sites, but porta pots (toilets), security lights, dumpsters and security staff will be provided throughout the evening to allow everyone to have a safe and memorial experience at the event. Mr. Bergmann noted that self-contained metal fire pits will be provided to each camp site and strict rules will be adhered to by all campers. Mr. Carbajal noted that he met with Mr. Bergmann to discuss security at the event and will meet again sometime in August to finalize plans. Mr. Winkels informed the Council that he had no objections to the metal fire pits proposed for the camping area. After due discussion, a motion was made by Tom Kasner and seconded by John R. Harlander to approve the amendment to the Large Gathering Permit application for Rock the Prairie to allow overnight primitive camping and a fire pit provided by the Mother of Mercy foundation. All voted for the motion and it carried.

Mr. Mathiasen informed the Council that the contractor for the 2018 North Lake Storm Water Improvements may begin work to remove trees and other vegetation within the construction area on Monday.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the Council the said Club's checkbook register for review and consideration. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve of the check register as presented (38662-38730). Voting for the motion was Mayor Daron Gersch, Councilors Keith Heitzman, Al Amdahl, and John R. Harlander, and none voted against. Councilor Tom Kasner abstained and the motion carried.

Mr. Schneider presented to the Council a proposed Professional Services Agreement between the Stearns County Human Services Board and City of Albany for the purpose to purchase and install Rapid Flash Beacon Crosswalk LED Warning Systems at three (3) intersections relating to the bicycle and pedestrian master plan as part of the Statewide Health Improvement Partnership (SHIP). Mr. Schneider noted that the County has agreed to reimburse the City for the said crosswalk systems in an amount up to \$9,764. Mr. Schneider noted that the cost for the three crosswalk signals is \$32,000+/-; whereby adequate funds have been donated to the City to move forward with the purchase. After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to authorize Mayor Daron Gersch to execute the said Agreement on behalf of the City. All voted for the motion and it carried.

The Council took notice of a proposed amendment to Ordinance 52.12, Motorized Golf Carts. Mr. Schneider noted that the proposed amendment replaces language that required individuals to obtain a permit from Stearns County and an electric golf cart was added to the said Ordinance. After due discussion, a motion was made by Mayor Daron Gersch who introduced the following ordinance amendment:

**AMENDMENT TO ORDINANCE SECTION 52.12
MOTORIZED GOLF CARTS**

The City Council for the City of Albany, HEREBY ORDAINS that Section 52.12 of Ordinance 52 regarding use of motorized golf carts is hereby amended as follows:

1. Section 52.12, Subd. 2, the definition of "motorized golf cart" is hereby amended to read as follows:

"Motorized Golf Cart: Any passenger conveyance, being driven with three or four low pressure tires, that is limited to engine displacement of less than 800 cubic centimeters and total dry weight less than 800 pounds. Motorized Golf Cart shall also include an electrically powered motor vehicle that has four wheels and has a speed attainable in one mile of at least 20 miles per hour, but not more than 25 miles per hour, on a paved level service, also known as a "neighborhood electric vehicle"."

2. Section 52.12, Subd. 4 (b) is hereby amended to read as follows:

“b) A permit for the use of such motorized golf carts has been obtained from the City of Albany, as provided in Subd. 5.”

3. Section 52.12, Subd. 5 first paragraph is hereby amended to read as follows:

“Subd. 5: Permit Required. It shall be unlawful for any person to operate a motorized golf cart on streets under the jurisdiction of the City of Albany except when the vehicle is traveling on a designated street and is prominently displaying a valid permit obtained from the City of Albany.”

4. Section 52.12, Subd. 6 (d) is hereby amended to read as follows:

“d) On a public sidewalk or trail provided for pedestrian travel.”

5. This Amendment shall be effective upon publication.

This Amendment was approved by the majority of the City Council of Albany on the 18th day of April, 2018.

Daron Gersch, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

The motion for the foregoing ordinance amendment was seconded by Al Amdahl and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Tom Kasner, John R. Harlander, Keith Heitzman, and Al Amdahl, and none voted against the same whereupon the said amendment was declared duly passed and adopted.

Mr. Schneider informed the Council that Stearns County agreed to reduce the price of Lot 20, Block 1, in the Whispering Oaks at Two River subdivision, a forfeited vacant lot, from \$12,500 to \$6,000 which will be available to the public at the County auction in June 2018. Mr. Schneider noted that the vacant lot was forfeited to the State of Minnesota in the year 2015 and the unpaid special assessment remained on the lot in the amount of \$23,761. Mr. Schneider recommended that the Council reduce the unpaid special assessment to \$18,591, a reduction of \$5,170, the same amount and payment terms that the Council had approved for similar priced vacant lots owned by the State of Minnesota in February, 2016 in the same residential subdivision. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to reduce the special assessment for the said Lot from \$23,761 to \$18,591.44. All voted for the motion and it carried.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, May 2, 2018 and adjourned the meeting at 8:25 PM.

Tom Schneider, Clerk/Adm.

Pursuant to due call and notice thereof a regular meeting of the Board of Appeal and Equalization in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Daron Gersch at 5:40 o'clock in the evening on Wednesday, April 18, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other members present were: John R. Harlander, and Keith Heitzman. Councilor Tom Kasner arrived at 5:45 PM and Councilor Al Amdahl at 5:50 PM.

Jeff Johnson, Director, Stearns County Assessor's Office, and Deb Haus, Stearns County Appraiser, were present for the meeting to provide information to the Board for those property owners objecting to their 2018 assessment for property taxes payable in 2019.

Diane Wolf, 230 3rd Street, (40.25527.0000), appeared before the Board requesting that the 2018 estimated market value of \$131,200 be lowered to similar properties with square footage and lot sizes in her neighborhood. Ms. Wolf noted that there are homes in her neighborhood that have larger lots and garages with less market value. Ms. Haus noted that the land value is \$19,700 and building value \$111,500 or a total of \$131,200. Ms. Haus also provided the Board the total square foot and price per square foot of several homes in the neighborhood. After due discussion, a motion was made by Mayor Daron Gersch and seconded by John R. Harlander to reduce the 2018 estimated market value from \$131,200 to \$123,500, a reduction of \$7,700 to the building value. All voted for the motion and it carried.

Rod Gerads, 117 Schwinghammer Drive, (40.25655.0057) appeared before the Board requesting that the 2018 estimated market value of \$37,500, not including \$2,500 for lot improvements, be lowered to what the foreclosed vacant lots are selling for in the Whispering Oaks at Two River subdivision which is \$25,000. Mr. Gerads informed the Board he purchased the lot in April 2017 for \$18,500 from Mark Rodenwald who had the lot for sale for many years. Mr. Harlander noted that any foreclosed vacant lot in this subdivision should have a market value for what the lot was purchased for from Stearns County which includes special assessments. Ms. Haus questioned if Mr. Rodenwald was a motivated seller. Mr. Gerads noted that there is a similar lot in the same subdivision that has a market value of \$26,800 and questioned why his lot would have a higher value. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to reduce the 2018 estimated market value of the land from \$37,500 to \$28,800. All voted for the motion and it carried. Mr. Johnson noted that the total 2018 estimated market value for the land will be \$28,800 and \$2,500 lot improvements or a total of \$31,300.

William Scepaniak, Jr., 500 1st Street (40.25009.0010) informed the Board that his estimated market value on his property increased seventeen (17%) percent over the last two years; whereby no improvements have been done to the property. Mr. Scepaniak questioned if other properties in the City received the same percent increase because there are very few sales in Albany over \$300,000. Mr. Johnson informed the Board that the 2018 estimated market value is \$440,200 compared to \$396,700 in 2017. Mr. Johnson noted that there were increases as high as twenty (20%) percent in the County. No action was taken by the Council.

Donovan Stoneouse, 804 Macalester Court, (40.25640.0064), appeared before the Board requesting that the 2018 estimated market value of \$32,500 for his lot be reduced to \$14,000 what he paid for the vacant lot. Mr. Stoneouse noted that a local contractor constructed a small patio home on the lot. Ms. Haus noted the total 2018 estimated market value if \$143,500 and the patio home is 1,012 square feet. Mr. Harlander noted that the seller originally purchased the lot from a local bank for \$7,000+/- and the seller actually doubled his money which should be considered a qualified sale; whereas the assessor's lot value is too high. After due discussion, a motion was made by John R. Harlander and seconded by Tom Kasner to reduce the 2018 estimated market value for the land from \$32,500 to \$20,000 or the total building and land estimated market value reduced from \$143,500 to \$131,000. All voted for the motion and it carried.

Councilor John R. Harlander stepped down from the Board.

Mr. Harlander appeared before the Board on behalf of his son Adam Harlander (40.25655.0038), 108 Whispering Oaks Lane, to inform the Board that the 2018 estimated market value of the lot at \$35,000 is too high when similar lots owned by the State of Minnesota in this subdivision were sold at a public auction for \$25,000. Ms. Haus noted that the Board reduced the value of the lot last year from \$41,000 to \$35,000. Mr. Harlander informed the Board that the sale of these lots was not distressed and were a qualified sale and objected to the proposed value of \$35,000. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Al Amdahl to reduce the estimated value of the lot from \$35,000 to \$30,000. All voted for the motion and it carried.

Mr. Harlander also appeared before the Board to question why his property at 740 1st Street would have seen a 14.6% increase from last year when no improvements were made to the residence. Mr. Harlander noted that there are no municipal utilities and the structure needs exterior maintenance. Mr. Harlander questioned why properties in Albany with higher values than the majority of homes would have seen large percent increases knowing there are such few sales. Ms. Haus noted that properties in Albany are also reviewed with others in Stearns County. Mr. Harlander informed the Board that he is not appealing the value of his house.

Mr. Harlander rejoined the Board.

After due discussion, a motion was made by Tom Kasner and seconded by Al Amdahl to adjourn the meeting at 6:55PM.

Tom Schneider
Clerk/Adm.