

**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, September 5, 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 August 15th
5. Open Forum/Public comment (3 to 5 minutes max.)
6. Public Hearing to consider input on amending the requirement for the removal of snow and/or ice of less than 1 ½” on a public sidewalk within the “Designated Area”, and enforcement options related thereto.
7. Jeremy Mathiasen, City Engineer - project updates
8. Reports of Boards, Commissions, and Department Head
 - Joseph Mergen, Public Works Supervisor – present proposed Wastewater Permit for Kraft-Heinz
 - Ozzie Carbajal, Police Chief – present Criminal prosecution Contract 2019 and 2020
 - Tom Schneider, Clerk/Adm.- present the following:
 - petition to vacate South Soo Road west of 13th Street
 - proposed 2019 Budget
 - request by Richard and Sharon Gaebel, 107 Whispering Oaks Drive, for approval of an Administrative Subdivision of a lot in Whispering Oaks at Two River.
9. Mayor’s announcements and letters
10. Announce next meeting date and adjourn

Tom Schneider
Clerk/Adm.

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Tom Kasner at 6:30 o'clock in the evening on Wednesday, August 15, 2018, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Jack Evens, John R. Harlander, and Keith Heitzman. Councilor Al Amdahl was absent.

Also present were: Tom Schneider, Clerk/Adm., Jeremy Mathiasen, City Engineer, with Stantec, Inc., Joe Mergen, Public Works Supervisor, and Ozzie Carbajal, Police Chief.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68425 to 68463. All voted for the motion and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the Council held on August 1st and hearing none declared them approved.

Open forum/public comments: none.

Pursuant to due notice, at 6:33 PM, Mayor Tom Kasner called the public hearing into session to consider and possibly adopt the proposed assessment for unpaid water usage incurred in relation to Ordinance 30 for property at 140 2nd Street. No members from the public were present for the meeting. Mr. Schneider informed the Council that a property notice was published in the Albany Enterprise on July 25th and the property owner was given a mailed notice of the public hearing. Mayor Tom Kasner closed the public hearing at 6:35 PM. After due discussion, a motion was made by John R. Harlander and seconded by Jack Evens to authorize the City Clerk/Administrator to certify to the Stearns County Auditor-Treasurer the unpaid utility bill at 140 2nd Street in the amount of \$18.15 to be collected in the year 2019. All voted for the motion and it carried.

Mr. Mathiasen appeared before the Council to update the Council on the construction progress for the 2018 1st Street Reconstruction Improvements. Mr. Mathiasen noted that the sidewalks and driveway aprons should be poured this week; whereby shouldering, mailboxes reinstalled, and boulevard restoration completed the following week. Mr. Mathiasen noted that the final bituminous wear course to be completed prior to school beginning weather permitting.

Greg Ramler, G & S Ramler Holdings, LLC, Albany, MN, was present for the meeting.

Councilor Jack Evens informed the Council that there was a Planning Commission meeting held on August 9th on a request by G and S Ramler Holdings, LLC, 601 Railroad Avenue, Albany, MN for a Conditional Use Permit (Section 80.21, Exterior Material Requirements) to consider an exterior building design alternative in a C1-Core Commercial District. Mr. Evens noted that the proposal is to install Hardy Plank on the west side of the 2-story building covering up the existing yellow brick made of limestone that is of poor condition, discolored, and deteriorated. Mr. Ramler appeared before the Council to inform the Council that the improvements will also include the addition of insulation to the west wall, five new windows, three new garage doors, and Hardy Plank installed on the rear garage. Mr. Schneider noted that the Planning Commission did not feel that the proposed Hardy Plank siding conflicts with the historical front façade and would enhance the appearance of the building. After due discussion, and upon the recommendation from the Planning Commission, a motion was made by Jack Evens and seconded by John R. Harlander that the request by G and S Ramler Holdings, LLC, for a Conditional Use Permit (Section 80.21, Exterior Material Requirements) to consider an exterior building design alternative at 601 Railroad Avenue in a C1-Core Commercial District be approved as follows:

- Install on west wall of building Hardy Plank exterior siding and trim to match as close as possible the red brick and grey granite corner features on the south side of the building.
- The proposed Hardy Plank exterior material does not conflict with the historical features on the front façade and would enhance the appearance of the building.
- Add four new window openings to the 1st floor.
- Add one new window opening to the 2nd floor.
- Hardy Plank exterior siding to cover painted plywood in window openings on east side of building (2nd floor).
- Install three new garage doors.
- Hardy Plank exterior siding on garage attached to rear of building.
- New roof.

All voted for the motion and it carried.

Mayor Tom Kasner, Chairman of the Albany Economic Development Authority (EDA) informed the Council that the EDA held a meeting on August 9th to review a Commercial Rehabilitation Program application for exterior building improvements to the commercial building at 601 Railroad Avenue owned by G & S Ramler Holdings, LLC, Albany, MN. Mayor Tom Kasner noted that five new windows will be installed, exterior Hardy Plank installed on west wall, three new garage doors, a new roof and insulation added to west wall to improve building efficiency at an estimated cost of \$72,275+/- . After due discussion and upon the recommendation from the EDA, a motion was made by Keith Heitzman and seconded by Jack Evens to approve the aforesaid application for the proposed exterior improvements at 601 Railroad Avenue with the maximum EDA contribution to be \$10,000.00. All voted for the motion and it carried.

Mayor Tom Kasner, Chairman of the Albany Economic Development Authority (EDA) informed the Council that the EDA held a meeting on August 9th on a request by Shanberly Acres, LLC dba BB Wheels, 420 Huskie Drive, to increase the Tax Increment Finance (TIF) subsidy from \$60,000 to \$70,000 for the duration of the TIF Economic Development District. Mr. Kasner noted that the building footprint was enlarged (6,800+/-) and the original market value estimate when the project is complete was far lower than current bids received and recent building comparable which would increase the amount of TIF collected. Mr. Schneider also noted that the request has been discussed with Jason Murray, the City's TIF Consultant, who had no objection to increase the amount of TIF assistance up to \$70,000. After due discussion and upon the recommendation from the EDA, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the request by Shanberly Acres, LLC dba BB Wheels, 420 Huskie Drive, to amend the proposed Development Agreement to include TIF assistance up to \$70,000. All voted for the motion and it carried.

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 Jack Evens to approve of the check register as presented (38864-38955). Voting for the motion was Councilors Keith Heitzman, Al Amdahl, Jack Evens, and John R. Harlander, and none voted against. Mayor Tom Kasner abstained and the motion carried.

Mr. Schneider informed the Council that no bids were received for the overhead pedestrian crosswalk signal device (1998) which was being advertised as surplus property. Mr. Schneider noted that a public notice was published in the Albany Enterprise on August 1st. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Mergen to deliver the said signal device to Albany Recycling for scrap or sell to anyone from the public who would pay the same scrap value.

The Council took notice of an application for an Optional Liquor 2AM License renewal from Shady's Hometown Tavern & Events Center, 451 Railroad Avenue. Mr. Schneider noted that the license period is for one-year which begins September 1, 2018. After due discussion, a motion was made by Jack Evens and seconded by John R. Harlander to approve the said license renewal. All voted for the motion and it carried.

Mr. Schneider presented to the Council a proposed LED lighting bid submitted by JT Electric, Albany, to replace the fixtures, lamps, and disposal for the City Administration Building, 400 Railroad Avenue, in an amount after the rebate from Xcel Energy of \$9,743. Mr. Schneider noted that the building was constructed in 1998 and the annual energy savings is estimated to be \$1,517. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to approve the said bid. All voted for the motion and it carried.

Mr. Schneider informed the Council that the State Primary Election held at City Hall on Tuesday, August 8th resulted in the following: two-hundred fifty-seven (257) votes were cast, 1,531 individuals were registered to vote at 7:00 AM, and twenty-five (25) new registrants on Election Day. Mr. Schneider noted that Stearns County is canvassing the election results on Friday, August 17th and will mail the City an official abstract that includes both polling place and absentee voting results.

Mr. Schneider also informed the Council the Statewide Health Improvement Partnership (SHIP) may provide a grant to the City in the amount of \$10,000 to go towards the purchase of a Rapid Flash Beacon Crosswalk LED Warning System, a pedestrian safety crosswalk device, for the intersection at Forest Avenue and 1st Street, the west driveway entrance for Albany Area School. Mr. Schneider noted the estimated cost is \$13,000+/-; whereby the school district would approve a cost share arrangement with the City for the additional expenses exceeding the grant. Mayor Tom Kasner, with the consensus of the Council, directed Mr. Schneider to verify grant approval with SHIP and if successful, proceed to coordinate the purchase and installation of a Rapid Flash Beacon Crosswalk LED Warning System at the aforesaid intersection and approve a cost share arrangement with the school. All voted for the motion and it carried.

Mayor Tom Kasner announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, September 5, 2018 and adjourned the meeting at 7:08 PM.

Tom Schneider, Clerk/Adm.

**NOTICE
ORDINANCE 41, SUBD. 1, SUBP. C
SNOW AND ICE
CITY OF ALBANY, MINNESOTA**

There will be a public hearing of the City Council in and for the City of Albany, Stearns County, MN at 6:30 o'clock in the evening or as soon as possible thereafter on Wednesday, September 5, 2018, in the Council Chambers at 400 Railroad Avenue for the said City.

The purpose of the public hearing is to consider input on amending the requirement for the removal of snow and/or ice of less than 1 ½" on a public sidewalk within the "Designated Area", and enforcement options related thereto.

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 this 22nd day of August, 2018.

"Designated Area"



215'

538'

466'

606'

599'

594'

595'

294'

1,110'

695'

Total Sidewalk length = 5,707 LF
North side = 3,907 LF
South side = 1,800 LF

— Need LF estimate

Google

To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	August 30, 2018

Reference: Engineering Update for the 9/5/18 Council Meeting

2018 1st Street Improvements

Final turf restoration is underway along the project. MnDOT is hydroseeding the boulevards and installing sod behind the sidewalk, matching into the existing turf. MnDOT does sod behind the sidewalk so that they know they have a rooted, healthy project after 30 days and they can turn it over to the residents. They've had issues with weed growth when they've seeded and had found themselves going back multiple times to re-seed and touch up. There was a little concern from residents about this approach, but hopefully the majority will be appreciative of the instant green turf and will find it easier to take care of.

The final wear course paving may start as early as tomorrow, 8/31/18, and will likely continue into the first part of next week. We've discuss the work schedule with the School to minimize confusion for the school busses and students. Once the paving is completed, the Contractor will work on striping and signage before pulling the road detour. With favorable weather, the roadway should be opening towards the end of next week.

North Lake Storm Water Improvements

Working on finalizing project signage. Final closeout is expected towards the end of September.

1st Street Intersection Improvements

The final roundabout design is going well. We will be submitting our geometric layout to MnDOT next week for them to review the proposed geometry, alignments, profiles, etc.

2019 Capital Improvements

We are working on the finishing touches to the 2019 feasibility study and will be reviewing the details with staff in the coming week or two. Clarifying proposed street widths, sidewalk improvements and storm water drainage are main points of concern at this time.

5th Street Improvements

The three concrete driveways were removed the week of August 13th and it was found that they were constructed in accordance with the construction documents. The contractor dug down to the draintile lines behind the curb and determined that they we in working condition. Breth Construction poured the new driveways, cut joints the following day, and the residents were instructed to stay off the new concrete for one week. The work is now completed.

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

Jeremy.mathiasen@stantec.com 320.529.4366

WASTEWATER DISCHARGE PERMIT

CITY OF ALBANY STEARNS COUNTY, MINNESOTA

A. Permit Number: 2019-01

1. **Date: January 1st, 2019**
2. **Company Name: Kraft Heinz**
3. **Mailing Address: P. O. Box 300, Albany, MN, 56307**
4. **Contact Person: Brian Strong, Plant Manager**
5. **Telephone Number: (320) 845-7912**

This permit has been issued by the City Council for the City of Albany, Stearns County, Minnesota, 56307, for the above referenced facility and it supersedes any temporary or previous permit which may exist. This discharge of wastewater into the Albany Wastewater Treatment Facility is hereby allowed.

B. The Permittee shall not discharge any wastewater:

- a. **having a temperature higher than 150 degrees F (65.5 degrees C);**
- b. **having an instantaneous pH less than 5.2 or more than 12.8.**
- c. **containing visible oil or grease of animal or vegetable origin which interferes with the wastewater treatment process;**
- d. **containing more than 100 mg/l of oil or grease of mineral or petroleum origin;**
- e. **Containing in excess of 0.02 mg/l total identifiable chlorinated hydrocarbons which cannot be removed by the City's wastewater treatment process.**
- f. **The Permittee shall submit to the City of Albany, on an annual basis, monitoring results for the aforementioned items a through e. Upon request, permittee shall also be responsible for providing pH and flow data to confirm compliance with this section.**

C. Disposal of Unacceptable Waste. Waste not permitted to be discharged into the community sewer must be transported to a state approved disposal site.

D. Samples collected for monitoring the parameters set forth below shall be composite samples taken from discharge lines from the facility. Composite samples shall be weekly samples made up of individual samples of number and volume that are combined to create a single sample that represents the average discharge for the week. Weekly composite samples shall be monitored for:

- a. **Biochemical Oxygen Demand (BOD)**
- b. **Total Suspended Solids (TSS)**
- c. **Total phosphorus**

Four (4) times per year, the permittee shall split a sample and deliver a split sample to the City for separate analysis.

E. Discharge Limits and penalties. Kraft's discharge to the City of Albany collection and treatment system shall be subject to the following effluent limitations:

Table 1: Kraft Discharge Limits		
Parameter	Maximum for weekly average	Maximum for monthly average
Flow, gal./day	200,000	140,000
BOD, lb./day	3,750	3,000
TSS, lb./day	2,000	1,600
Phosphorus, lb./day	90	65

The City of Albany shall regard as a violation of this permit any measured wastewater flow or loading that exceeds either the weekly or monthly limits established in Table 1 of this permit.

- F. The Permittee shall allow the authorized City Personnel to enter upon the Permittee's premises to inspect the monitoring point.**
- G. This Permit may be modified, revoked and reissued, or terminated in accordance with the City of Albany Sewer Use and Service Charge Ordinance. This Permit is nontransferable to any person except after a 30 day notice and written approval from the City of Albany, which approval shall not be unreasonably withheld.**
- H. In addition, the permittee shall not discharge wastes into the Albany Wastewater Treatment Facility which cause:**
- a. A fire or explosion.**
 - b. An obstruction of flow or injury to the treatment works.**
 - c. Danger to life or safety of personnel.**
 - d. A strong offensive odor or prevention of the effective maintenance or operation of the treatment works.**
 - e. Air pollution by the release of toxic or malodorous gas-producing substances.**
 - f. Interference with the wastewater treatment process.**
 - g. The City's effluent or any other product of the treatment process, residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.**
 - h. A detrimental environmental impact or a nuisance in the Waters of the State or a condition unacceptable to any public agency having regulatory jurisdiction over the City of Albany.**

- i. **Discoloration or any other condition in the quality of the City's treatment works effluent such that receiving water quality requirements established by law cannot be met.**
 - j. **Directly or indirectly a violation of the City's NPDES permit.**
 - k. **Overloading or excessive costs in the City collection or treatment system.**
- I. The Permittee does hereby agree to the conditions of the said Permit and the Sewer Use and Service Charge Ordinance of the City of Albany, Stearns County, Minnesota.**

This permit expires on December 31, 2021.

Company: Kraft Heinz

Signature: _____

Name and Official Title: Brian Strong, Plant Manager

City of Albany:

Tom Kasner, Mayor

Tom Schneider, Clerk/Adm.



JANELLE P. KENDALL

Stearns County Attorney

August 20, 2018

City of Albany
Attn: Mr. Tom Schneider, City Administrator
400 Railroad Avenue
PO Box 370
Albany, MN 56307

Re: Criminal Prosecution Contract for 2019 and 2020

Dear Mr. Schneider:

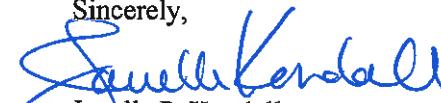
The Stearns County Attorney's Office prosecutes misdemeanor and petty misdemeanor violations of Minnesota's state statutes for the City of Albany pursuant to contract. Based on our experiences over the years, this has been a mutually efficient and cost-effective way to provide professional prosecution services to your city. Since our current contract ends December 31, 2018, I am writing to present you with a proposal to extend this contract beyond that date.

My office will continue your representation in these matters for the flat rate of \$11,750 for the calendar year starting on January 1, 2019 and \$13,500 for the calendar year starting January 1, 2020. This amount is based on a review of the historical number of prosecution files (3 year average of 33 contested files), the population of your city, size of the police department, personnel and administrative costs to our office, and comparison to other contracts for cities of comparable size in Stearns County that we prosecute.

Our services under the contract will continue to include victim and witness assistance, civil asset forfeiture, appellate representation on these cases, law enforcement training, and 24/7 availability for law enforcement questions. I am confident that this contract rate is fair and reasonable to both the city and to the county under the circumstances.

Despite the lack of major changes, please re-familiarize yourself with the contract. If you have any questions or concerns, please do not hesitate to contact me or Chief Deputy County Attorney Michael Lieberg at the number below.

Sincerely,



Janelle P. Kendall
Stearns County Attorney

JPK/MJL/
Enclosure

cc: Ozzie Carbajal, Chief of Police

AGREEMENT FOR PROSECUTION SERVICES

THIS AGREEMENT is made and entered into by and between the COUNTY OF STEARNS and the STEARNS COUNTY ATTORNEY, hereinafter referred to collectively as the "County," and the CITY OF ALBANY, MINNESOTA, hereinafter referred to as the "Municipality;"

WHEREAS, the Municipality desires to engage the services of the County to prosecute petty misdemeanor, misdemeanor and gross misdemeanor criminal and traffic offenses, including criminal and traffic state law violations and criminal and traffic probation violations that arise under state law which occur within the jurisdiction of the Municipality;

WHEREAS, Minn. Stat. § 484.87, subd. 3, allows for a Municipality to enter into an Agreement with the County Board and the County Attorney for the County to provide such prosecution services for criminal offenses that occur within the Municipality. Said "Prosecution Services" include the following: (1) prosecuting petty misdemeanor, misdemeanor and gross misdemeanor criminal and traffic offenses arising under state law and criminal and traffic probation violations that occur within the jurisdiction of the Municipality; (2) giving advice and guidance on prosecution matters, procedures and policies to Municipal law enforcement relating to criminal prosecutions; (3) providing P.O.S.T. accredited law enforcement training for the Municipality law enforcement officers when such training is being provided or sponsored by the County; (4) providing victim assistance and/or services as mandated by Minn. Stat. § 611A; (5) completing criminal appeals before the Minnesota Court of Appeals and the Minnesota Supreme Court on matters arising under state law which occur within the jurisdiction of the Municipality; and, (6) providing administrative advice and assistance and legal services in district court and Minnesota's courts of appeal related to civil administrative and judicial forfeitures originated by the Municipality's law enforcement agency;

WHEREAS, logistically, functionally and financially such an Agreement is mutually beneficial to both the County and Municipality.

NOW, THEREFORE, in consideration of the mutual covenants and understandings contained herein, the County and Municipality enter into the following Agreement:

1. **TERM AND COST OF THE AGREEMENT**

- A) The County will provide the Municipality with the prosecution services above-referenced for cases that occur within the jurisdiction of the Municipality beginning January 1, 2019. This Agreement will continue for the calendar years 2019 and 2020. Any Agreement for prosecution services for future years will be finalized by November 1 of the year before such service is to commence. If such an Agreement is not reached, this Agreement will expire on January 1 of the following year.
 - i) Beginning January 1, 2019, the Municipality will pay \$11,750 (eleven thousand seven hundred fifty dollars) to the County, said money to be used to fulfill this Agreement, including the payment of salary, benefits, and other costs incurred by the County in performance of its obligations

district or federal appellate court. Likewise, the County will not provide representation or advice or otherwise participate in any administrative citation process, regardless of statutory authorization for such programs.

6. **RELEASE AND INDEMNIFICATION**

The Parties further acknowledge and agree that the County will not indemnify in any way or defend civil claims for damages or any other cause(s) of action alleging wrongdoing by the County on behalf of the Municipality, whether in federal or state court, if any, arising in relation to any criminal prosecution or administrative or judicial forfeiture action undertaken by the County on behalf of Municipality. The Municipality remains solely responsible for defense of such claims, including but not limited to civil litigation expenses, settlement costs, and court ordered awards.

IN WITNESS WHEREOF, the Municipality, by motion duly adopted by its governing body, caused this Agreement to be signed by its Mayor and attested by its Clerk; and the County of Stearns, by the County Board of Commissioners, has caused this Agreement to be signed by the Chair Person and Clerk of said Board, and by the Stearns County Attorney, effective on the date and for the duration as above-referenced.

Dated: _____

CITY OF ALBANY

By: _____
Tom Kasner, Mayor

Attest: _____
Tom Schneider
City Administrator/Clerk

Dated: _____

COUNTY OF STEARNS

By: _____
Jeffrey H. Mergen, Chair
Stearns County Board

By: _____
Randy Schreifels
County Auditor/Treasurer

Dated: 8-20-18

STEARNS COUNTY ATTORNEY

By: Janelle Kendall
Janelle P. Kendall
County Attorney

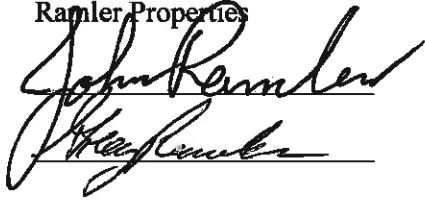

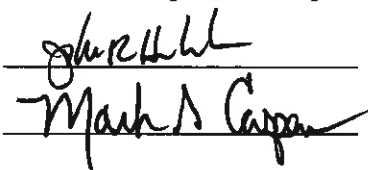
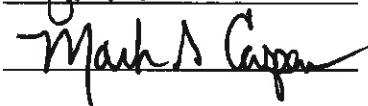


320-845-4244
320-845-2346 Fax
P. O. Box 370
Albany, Minnesota 56307

PETITION FOR VACATION OF ONE-HUNDRED (100') FEET SOUTH SOO ROAD
NORTH OF LOTS 1 AND 2, BLOCK 2
IN THE ALBANY INDUSTRIES PLAT
IN THE CITY OF ALBANY

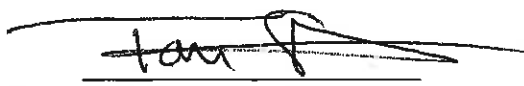
To the City Council of the City of Albany, Minnesota:

The undersigned, a majority of owners of property as set forth opposite their respective names, abutting South Soo Road, respectfully petition the City Council to vacate 100' South Soo Road north of Lots 1 and 2, Block 2 in the Albany Industries Plat as depicted in the attached Exhibit "A".

<u>Names</u>	<u>Legal Description</u>
Ramler Properties  	Lot 2, Block 2
The Woodshop Partnership  	Lot 1, Block 2

The petitioner agrees to pay for all out of pocket costs incurred by the City of Albany.

Received this 29th day of August, 2018.


Tom Schneider, Clerk/Adm.

NOTICE OF PUBLIC HEARING
SOUTH SOO ROAD VACATION
CITY OF ALBANY
ALBANY, MINNESOTA

Notice is hereby given that a public hearing will be held before the City Council of the City of Albany, Stearns County, Minnesota, at 6:30 o'clock in the evening on **Wednesday, September 19, 2018** in the Council room at 400 Railroad Avenue to hear all persons present upon a petition of property owners for the vacation of South Soo Road that lies north of Lots 1 and 2, Block 2, Albany Industries Plat.

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 September 5th and September 12, 2018.

RON ENGELMEYER
LAND SURVEYOR
MILWAUKEE, WISCONSIN
TEL. 810-8870

ALBANY INDUSTRIES



SCALE: 1 inch = 100 feet
Dimensions are obtained on
Chicago City, Wisconsin
Chicago not measured from

Tract A and Tract B
need to be attached to
the adjacent properties

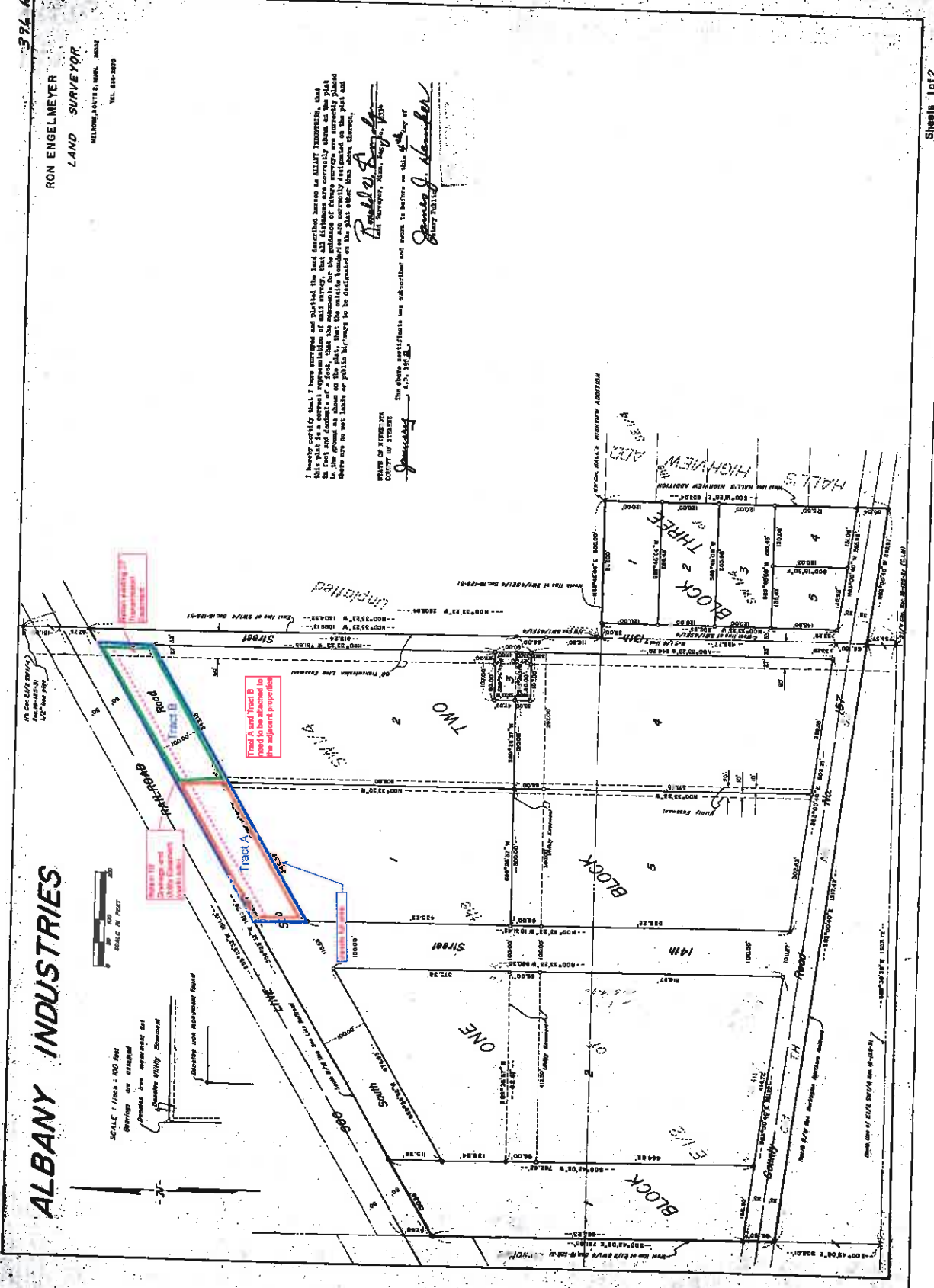
I hereby certify that I have surveyed and divided the land described herein as ALBANY INDUSTRIES, that I have made a correct representation of said survey, that all distances are correctly shown on this plat, that the bearings and angles are correctly shown on this plat, that the outlines of the lots are correctly shown on this plat, and that the same are in accordance with the plan and that there are no wet lands or public highways to be designated on the plat other than those shown.

Ronald J. Engelmeier
Ronald J. Engelmeier
Land Surveyor, Wisconsin
Date: 4/15/58

STATE OF WISCONSIN
COUNTY OF MILWAUKEE
I, *James J. Humber*
Secretary

The above certificate was subscribed and sworn to before me this 4th day of

James J. Humber
County Clerk



**CITY OF ALBANY
2019 BUDGET - DRAFT SEPT.**

Estimated Income	2017	2018	2019	Change
Misc. Income all Dept.'s	\$1,019,775	\$1,027,736	\$1,041,442	\$13,706
Property Tax	\$434,392	\$471,232	\$552,696	\$81,464
Total Income	\$1,454,167	\$1,498,968	\$1,594,138	\$95,170

Department Expenses	2017	2017	2018	2019	Change
Administration	\$258,150	\$248,710	\$260,600	\$276,100	\$15,500
Council	\$15,000	\$13,974	\$16,000	\$16,000	\$0
Elections	\$0	\$438	\$7,400	\$2,500	(\$4,900)
Police	\$429,844	\$486,870	\$451,550	\$467,950	\$16,400
Fire	\$215,273	\$243,281	\$223,968	\$230,788	\$6,820
Streets	\$375,150	\$339,578	\$380,350	\$439,050	\$58,700
Park	\$100,650	\$95,790	\$102,700	\$104,950	\$2,250
Library	\$16,800	\$14,871	\$16,900	\$17,300	\$400
Misc.	\$43,300	\$27,957	\$39,500	\$39,500	\$0
Total Expenses	\$1,454,167	\$1,471,469	\$1,498,968	\$1,594,138	\$95,170

6%

Debt Service Levy

PIR Bonds	\$260,000	\$270,000	\$270,000	\$0
Total Debt Service	\$260,000	\$270,000	\$270,000	\$0

Tax Abatement Levy

Albany Fleet	\$8,500	\$8,500	\$0	-\$8,500
Wells Concrete	\$70,000	\$70,000	\$70,000	\$0
Total Tax Abatement	\$78,500	\$78,500	\$70,000	-\$8,500

Total Levy	\$772,892	\$819,732	\$892,696	\$72,964
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% Levy Increase 2019: 8.90%

2018 TCR: 41.65%

Proposed initial 2019 City Tax Capacity, NO CHANGE: 41.66%

9/5/2018



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

CERTIFICATE OF COMPLIANCE

The undersigned, being the duly qualified and acting City Clerk/Administrator of the City of Albany, Minnesota, does hereby certify that at a meeting of the Albany City Council held on September 5, 2018, such Council did review and approve an application submitted by Richard and Sharon Gaebel, 107 Whispering Oaks Drive, Albany, MN 56307, for an administrative subdivision of certain real property located in the City of Albany, with such subdivided property described in Exhibit A.

The undersigned further certifies that the City of Albany, through its Council, determined that the administrative subdivision is in compliance with all relevant state statutes, ordinances and subdivision regulations of the City of Albany, Minnesota.

Dated this 5th day of September, 2018.

Tom Kasner, Mayor

Tom Schneider, Clerk/Adm.

(SEAL)

EXHIBIT A

Proposed Legal Descriptions.

TRACT "A"

That part of Lot 15, Block 1, Whispering Oaks at Two River, according to the recorded plat thereof, Stearns County, Minnesota, lying northerly of the following described line:

Commencing at the northwesterly corner of said Lot 15; thence South 00' 01' 37" East, plat bearing along the west line of said Lot 15, a distance of 70.50 feet to the beginning of the line to be described; thence South 77' 03' 48" East, a distance of 156.56 feet to the intersection with the east line of said Lot 15 and said line there terminating.

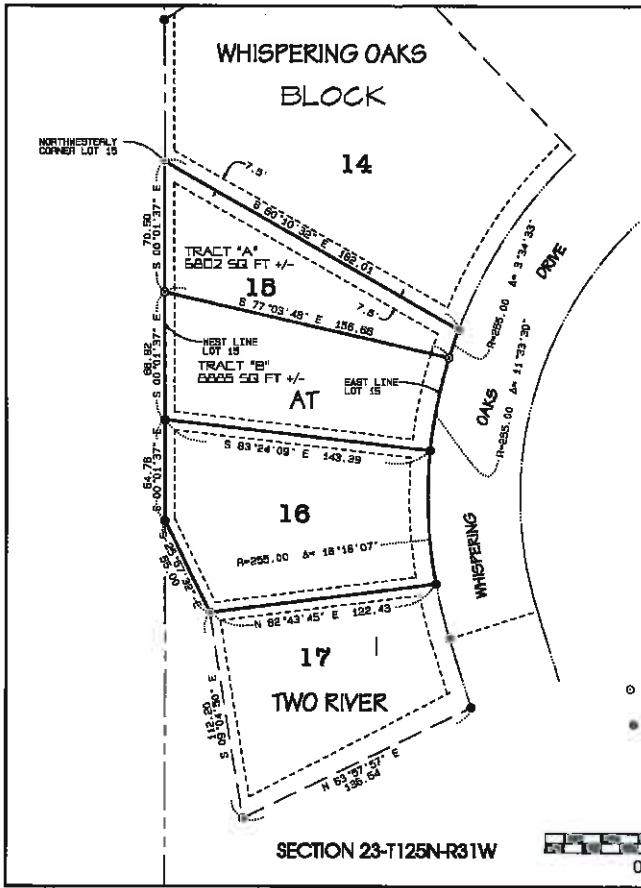
The tract contains 5,802 Sq.Ft. more or less and is subject to easements, reservations, or restrictions of record, if any.

TRACT "B"

That part of Lot 15, Block 1, Whispering Oaks at Two River, according to the recorded plat thereof, Stearns County, Minnesota, lying southerly of the following described line:

Commencing at the northwesterly corner of said Lot 15; then South 00' 01' 37" East, plat bearing along the west line of said Lot 15, a distance of 70.50 feet to the beginning of the line to be described; thence South 77' 03' 48" East, a distance of 156.56 feet to the intersection with the east line of said Lot 15 and said line there terminating.

The tract contains 8,885 Sq.Ft. more or less and is subject to easements, reservations, or restrictions of record, if any.



Proposed Land Descriptions:

TRACT "A"

That part of Lot 15, Block 1, WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota, lying northerly of the following described line:

Commencing at the northwesterly corner of said Lot 15; thence South 00°01'37" East, plat bearing along the west line of said Lot 15, a distance of 70.50 feet to the beginning of the line to be described; thence South 77°05'48" East, a distance of 156.66 feet to the intersection with the east line of said Lot 15 and said line there terminating.

The tract contains 6802 SQ. FT. more or less and is subject to easements, reservations or restrictions of record, if any.

TRACT "B"

That part of Lot 15, Block 1, WHISPERING OAKS AT TWO RIVER, according to the recorded plat thereof, Stearns County, Minnesota, lying southerly of the following described line:

Commencing at the northwesterly corner of said Lot 15; thence South 00°01'37" East, plat bearing along the west line of said Lot 15, a distance of 70.50 feet to the beginning of the line to be described; thence South 77°05'48" East, a distance of 156.66 feet to the intersection with the east line of said Lot 15 and said line there terminating.

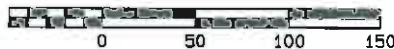
The tract contains 6885 SQ. FT. more or less and is subject to easements, reservations or restrictions of record, if any.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

4/13/2018 *David A. Engelmeier*
 DATE David A. Engelmeier, Land Surveyor
 Minnesota Registration No. 54838

- DENOTES IRON PIPE PLACED THIS SURVEY CAPPED LS NO. 54838
- DENOTES IRON PIPE FOUND THIS SURVEY

GRAPHIC SCALE 1"=50'



SECTION 23-T125N-R31W

Engelmeier Land Services LLC	
PREPARED FOR: RICH GAEBEL CONSTRUCTION ✓	
Certificate of Survey	
cc: GAEBEL-18.PRO	Job No: 01-18
Date: 04/13/2018	P-1-702 FB: 173-74
41701 COUNTY RD. 187 PO BOX 124, MELROSE, MN 56362 PHONE: (320) 238-7288 or (320) 836-2291 FAX: (320) 836-2454 email: engelmeier@aol.com www.engelmeierlandsurveying.com	

**CHANGE ORDER NO. 3
LEVEL 2**

Page 1 of 2

CONTRACTOR: Ryan Contracting Company		FEDERAL PROJECT NO. STPF 7318(073)	STATE PROJECT NO. 7323-11 (TH 238=238)
ADDRESS: 26480 France Avenue Elko, Mn 55020		LOCATION OF WORK In Stearns County on TH238 from 50' N of Railroad Ave to 850' N of Lake Ave in the City of Albany.	
This Contract uses MnDOT Standard Specifications for Construction 2016 Edition			

This Contract is between the State of Minnesota, acting through its Commissioner of Transportation, and Contractor as follows:

Issue:

The City of Albany, with concurrence of the Engineer, has determined additional work will be required in order to accomplish the proposed city's underground utility work on Railroad Alley.

The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 Extra Work.

Resolution and Authorization:


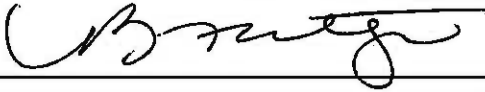
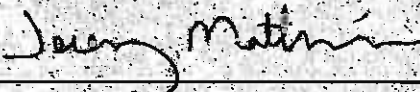

1. The Contractor shall furnish, install and/or perform all additional work as shown on revised sheets C1 - C7 of the 7323-11 contract plan set.
2. Payment for this work will be at Contract Unit Prices, as shown in the estimate of cost.
3. This document does not change Contract Time

ESTIMATE OF COST

ITEM NO.	ITEM	UNIT		UNIT PRICE	Quantity	AMOUNT	Project/Cat
2104.505	Remove Bituminous Pavement	SY	*	\$3.00	189.00	\$567.00	115625/0002
2211.503	Aggregate Base (CV) Class 6	CY	*	\$25.00	64.00	\$1,600.00	115625/0002
2360.501	Type SP 9.5 Wearing Course Mixture (3,C)	TON	*	\$71.16	18.00	\$1,280.88	115625/0002
2360.502	Type SP 12.5 NON Wearing Course Mixture (3,C)	TON	*	\$65.51	24.00	\$1,572.24	115625/0002
				Total		\$5,020.12	115625/0002

**CHANGE ORDER NO. 3
LEVEL 2**

* Contract Unit Price

	Signature	Date
Project Engineer		7/27/18
Contractor		8/16/18
Assistant District Engineer (DSAE)		
Commissioner of Transportation Pursuant to Delegation		
Commissioner of Administration Pursuant to Delegation		
Consultant Contract Administration (Recommendation for approval)		8/27/18
Local Agency (if funded wholly or in part by Local Agency funds)		8/29/18

- * Required for Change Order Level 2 that exceed \$25,000.00
- ** Required if work funded wholly or in part by a Local Agency
- *** Recommendation for Approval

ATTACHMENTS: By signing this agreement, the Contractor acknowledges receipt of the specified attachments (if applicable.)

- Plans (Specify plan sheets attached)
- Specifications (Specify Specifications attached)
- Other _____

Original to Project File
 Copy to Contractor, Construction and Innovative Contracting (submit with Final);
 Copy to Local Agency and MN/DOT Municipal Agreement Unit if funded wholly or in part by Local Agency Funds