

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 6:30 o'clock in the evening on Wednesday, June 6, 2018, in the Council Room at 400 Railroad Avenue for the said City.

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

Also present were: Jeremy Mathiasen, City Engineer, with Stantec, Inc., Ozzie Carbajal, Albany Police Chief, Mike Kosik, Editor, Albany Enterprise, Joseph Mergen, Public Works Supervisor, Gerron Lommel, Albany Boy Scouts, Joyce Thull, Hillcrest Restaurant and Stubby's Tavern, Kris Schiffler, Shady's Hometown Tavern and Events Center, Steve Bates, Albany Bowl, Dennis Mareck, Albany Legion Club, Sheri Thill/Chad Schmidt, Rookies Sports Bar, Marcia Hallermann, Marcia's All Aboard Bar and Grill, Stacy Hoffarth, Teals Market and Lenore Lemke, CentraCare.

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 68232 to 68285 and 16972 to 17003. 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 May 16th and hearing none declared them approved.

Open forum/public comment: none.

Jon Stueve, 328 Golf View Drive, appeared before the Council to recommend that the Council consider parking restrictions on Countryside Lane adjacent to the Countryside Townhomes, 355-379 Countryside Lane. Mr. Stueve noted that the street is narrow and if vehicles associated with the townhomes park on both sides of the street for long periods of time, it causes a dangerous situation for pedestrians and motorists. Mr. Stueve recommended that the City limit parking to one side of the street to improve visibility for motorists and improve safety. Mayor Daron Gersch noted that the police can enforce overnight parking on a street that is limited to 48 hours. Mayor Daron Gersch also directed Mr. Schneider to contact the owners of the Countryside Townhomes and encourage them to direct their tenants to use the driveway for off-street parking and if issues continue, the City may consider restricting parking to one side of the street. Mr. Schneider informed the Council that he will contact the owners about the on-street parking concerns of the City.

Mr. Schneider presented to the Council the liquor license renewal applications for the license period between July 1, 2018 and June 30, 2019. After due discussion, a motion was made by Mayor Daron Gersch and seconded by Al Amdahl to approve the following liquor license renewals:

On-Sale Liquor license: Rookies Sports Bar, Shady's Hometown Tavern and Event Center, Albany Bowl, Hillcrest Family Restaurant and Stubby's Tavern, Marcia's All Aboard Bar and Grill.

Off-Sale Liquor License: Teal's Liquor, Rookies Sports Bar, Hillcrest Family Restaurant and Stubby's Tavern, Albany Bowl, and Shady's Hometown Tavern and Event Center.

2AM Liquor License: Marcia's All Aboard Bar and Grill.

Club On-sale Liquor License: Albany American Legion Club and Albany Golf Club. Councilor Tom Kasner abstained from the vote.

Cigarette License: Teal's Liquor, Teal's Market, Albany Golf Club, Don's I-94, Marcia's All Aboard Bar and Grill, Albany Tesoro, Holiday Store, and Shady's Hometown Tavern and Events Center.

Voting for the motion were Mayor Daron Gersch, Al Amdahl and Keith Heitzman and none voted against. Councilor Tom Kasner abstained from voting related only to the Albany Golf Club license renewals. Marcia's All Aboard Bar and Grill license renewals are contingent upon payment of delinquent property taxes and additional information due with the applications.

Ms. Thill, owner of Rookies Sports Bar, appeared before the Council and questioned if the Council had any objections if a two-piece band would be permitted to perform during special events throughout the year on their new patio. Mayor Daron Gersch informed Ms. Thill that as long as all the conditions are met with Ordinance 60 regarding outdoor patios there should be no concerns.

The Council also took notice of a request by the Albany American Legion Club for a one-day 3.2% Malt (Beer) Liquor License to sell on-sale beer for the annual Car Show to be held on Friday, August 3rd at the Albany Chrysler Center, 34650 225th Avenue. After due discussion, a motion was made by Al Amdahl and seconded by Keith Heitzman to approve the said License. All voted for the motion and it carried.

Councilor Tom Kasner, Economic Development Authority (EDA) Liaison, informed the Council that the EDA held a meeting on May 23rd on a request by Shanberly Acres, LLC dba BB Wheels, a national distributor of wheels, tires, and vehicle accessories for Tax Increment Financing (TIF) assistance to construct a 6,100+/- sq.ft. warehouse and distribution building in the Albany Business and Industrial Park. Mr. Kasner noted that the City will provide tax increment financing assistance on a "pay-as-you-go" basis; whereas the developer will pay all upfront costs, with the City reimbursing a portion of the increment for those documented eligible project costs. After due discussion and upon the recommendation from the EDA, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the following:

- The preliminary development agreement terms outlined in a May 3rd letter from Mr. Murray between the City and Shanberly Acres, LLC.
- Establishment of TIF District No. 16 within Municipal Development District No. 1.
- Modification of TIF District No. 13.
- Pay-as-you-go TIF assistance equal to 90% of increment generated by the project up to \$60,000, over the nine (9) year district life for documented eligible expenses.
- Pro-rata TIF fee reimbursement to Shanberly Acres, LLC, for future TIF projects within TIF District No. 16.

All voted for the motion and it carried.

Councilor Tom Kasner, Economic Development Authority (EDA) Liaison, informed the Council that the EDA held a meeting on May 23rd on a request by Albany Clinic Properties, LLC., dba CentraCare for Tax Increment Financing (TIF) assistance to construct a new 18,000 +/- sq.ft. medical clinic at 30 Railroad Avenue, formerly MasterMark Plastics. Mr. Kasner noted that a new TIF Redevelopment District No. 15 (26 years) would be established to assist in the redevelopment of this property for a new medical clinic. Mr. Kasner also noted the City would provide "pay-as-you-go" TIF assistance to reimburse the developer for documented eligible expenses. After due discussion and upon the recommendation by the EDA, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the following:

- The preliminary development agreement terms outlined in an April 26th letter from Mr. Murray between the City and Albany Clinic Property, LLC.
- Pay-as-you-go TIF assistance equal to 90% of increment generated by the project for a ten (10) years or \$700,000 whichever occurs sooner for documented eligible expenses.
- Establishment of TIF District No. 15 within Municipal Development District No. 1.

Voting for the motion were Councilors Al Amdahl, Tom Kasner, and Keith Heitzman and none voted against. Mayor Daron Gersch abstained and the motion carried.

Councilor Keith Heitzman, informed the Council that he attended the Planning Commission meeting held on May 31st on a request by Albany Clinic Properties, LLC dba CentraCare, 30 Railroad Avenue, for the following: 1) Preliminary and Final Plat named Railroad Avenue Redevelopment, 2) Rezone the property from Industrial (M1) to Core Commercial (C1), and 3) Amend the Comprehensive Plan Land Use Map from Industrial to Commercial. Mr. Heitzman noted that zoning regulations related to signage, landscaping, parking, and downcast lighting will meet the zoning requirements. Mr. Heitzman noted that the developer will meet all the City Engineer comments related to his review of the civil drawings, plat, grading and drainage plan at the time the building permit application is submitted. Mr. Heitzman also noted that the Planning Commission approved a resolution modifying development district number one, the adoption of a modified development program, the establishment of a TIF District No. 15, and adoption of a TIF Plan. After due discussion and upon the recommendation by the Planning Commission, a motion was made by Keith Heitzman and seconded by Tom Kasner to approve the following:

- The redevelopment of this site will remove a substandard vacant building and replace with a new medical clinic adding employment, job retention, and tax base.
- The removal of the vacant industrial building and truck traffic will improve the character of the neighborhood.
- Water and sewer services will be provided to the new building.
- No Park fee or water/sewer trunk charges will be required.
- No water hookup fee will be charged being the former building had municipal services.
- Payment of Sewer Hookup fee.
- Preliminary and Final Plat named Railroad Avenue Redevelopment contingent upon MnDOT and Stearns County approval.
- Rezone the property from Industrial (M1) to Core Commercial (C1)
- Amend the Comprehensive Plan Land Use Map from Industrial to Commercial.
- City Engineer comments shall be met. Additional review and comments may be necessary if changes are made to the original documents submitted by the City's Building Inspector, Fire Chief, and Public Works Supervisor.
- Landscaping, signage, lighting, and parking meet zoning ordinance requirements.

Voting for the motion were Councilors Al Amdahl, Tom Kasner, and Keith Heitzman and none voted against. Mayor Daron Gersch abstained and the motion carried.

Mr. Mathiasen presented to the Council pay application number one for the 2018 North Lake Storm Water Improvements. Mr. Mathiasen noted that the contractor is near completion of final landscaping, seeding, and plants for the rain gardens. After due discussion and upon the recommendation from the City Engineer, a motion was made by Mayor Daron Gersch and seconded by Al Amdahl to approve payment number one to Craig Bardson Excavating, Inc., Albany, MN, in the amount of \$80,099.30 for the said Improvements. All voted for the motion and it carried.

Mr. Mathiasen informed the Council the City reviewed a proposed Capital Improvement Plan (CIP) in February for future street and utility reconstruction projects to replace an aging infrastructure with the first project beginning in 2019. Mr. Mathiasen noted that most of the projects are within the original town site neighborhoods directly north of Railroad Avenue and in almost all cases, the utilities are the original pipes that have been in place for 50+ years. Mr. Mathiasen noted that the improvement in 2019 would consist of reconstruction of 7th Street from Railroad Avenue to Aliva Avenue, 8th Street from Railroad Avenue to Midland Avenue, Midland Avenue from 8th Street to 6th Street, and one block of Forest Avenue and Lake Avenue east of 7th Street; whereas the City would levy an assessment to the benefitted properties pursuant to MN Statutes Chapter 429. Mr. Mergen noted that the storm sewer and other utilities are in need of immediate repair and recommended that the City authorize the engineer to prepare a feasibility study for the said Improvement. Mr. Mathiasen also noted that the estimated cost of the said Study would be in the range of \$7,500 to \$8,500. After due discussion, a motion was made by Tom Kasner who introduced the following Resolution and moved its adoption:

**RESOLUTION 2018-011
CALLING FOR A PRELIMINARYENGINEERING REPORT
2019 Capital Improvements (7th Street and connecting roadways)**

The motion for the foregoing Resolution 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 Al Amdahl, Tom Kasner, and Keith Heitzman, and none voted against the same whereupon the said resolution was declared duly passed and adopted. The full text of the said resolution is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Mathiasen informed the Council that the City received funding confirmation from both MnDOT (2020) and Stearns County (2023) for the proposed roundabout improvement at Railroad Avenue and 1st Street. Mr. Mathiasen noted that the next step is for the City to authorize his firm to prepare plans and specifications for the improvement to ensure enough time for the State Aid process. After due discussion, a motion was made by Mayor Daron Gersch who introduced the following Resolution and moved its adoption:

**RESOLUTION 2018-12
DIRECTING PREPARATION OF
FINAL PLANS AND SPECIFICATIONS
1st Street Intersection Improvements**

The motion for the foregoing Resolution was seconded by Keith Heitzman and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Daron Gersch, Councilors Al Amdahl, Tom Kasner, and Keith Heitzman, and none voted against the same whereupon the said resolution was declared duly passed and adopted. The full text of the said resolution is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Mergen presented to the Council a proposed twenty-foot (20') wide electric easement between Northern States Power Company dba XCEL Energy and the City of Albany. Mr. Mergen noted that existing electric poles, wires, and guys are in place along the driveway at the City's brush site on Quaker Road and the XCEL's equipment will now be within an easement to allow XCEL legal access during routine maintenance and/or repairs. After due discussion, a motion was made by Al Amdahl and seconded by Tom Kasner to authorize Mayor Daron Gersch to execute the said Easement on behalf of the City. All voted for the motion and it carried.

Mr. Mergen presented to the Council a list of unpaid or delinquent water bills and recommended that the water be discontinued or shut off if not paid pursuant to Ordinance 30. Mayor Daron Gersch recommended the request be removed from future agenda's being the City has the authority to certify the uncollected amount as a special assessment to Stearns County and at that time the list of property owners can be presented to the Council. Mr. Kasner noted that several properties remain on the list every billing period and would be in favor of removing the request. Mayor Daron Gersch thanked Mr. Mergen for his efforts in collecting the unpaid water bills.

Mr. Mergen informed the Council that the City received from the Minnesota Pollution Control Agency (MPCA) the City's Wastewater Treatment Plant National Pollutant Discharge Elimination System (NPDES) Permit 30-day pre-public notice (May 25th and ends June 25th). Mr. Mergen also noted that upon the completion of the notice, the said permit will be placed on public notice for 60-days.

The Council took notice of a request by the Albany Chamber of Commerce to consider the approval of a MnDOT Parade Permit and Large Gathering permit application for Heritage Day, Saturday, August 4th. Mr. Schneider noted that Railroad Avenue is designated as State HWY #238 and MnDOT requires an application if the roadway is to be closed for an event. After due discussion, a motion was made by Tom Kasner and seconded by Al Amdahl to authorize Mayor Daron Gersch to execute the said application on behalf of the City and approve the Large Gathering Permit. All voted for the motion and it carried.

Mayor Daron Gersch announced to the Council that effective July 1st he will resign his duties as Mayor having moved to a new residence outside the City limits. Mayor Daron Gersch noted that it has been an honor and privilege to serve the City as a former Council member and Mayor during his 9 ½ year tenure. Mayor Daron Gersch forwarded to Mr. Schneider his letter of resignation. **After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to accept Mayor Daron Gersch's resignation effective June 30th. All voted for the motion and it carried. Approved addition to minutes June 20th.**

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, June 20, 2018 and adjourned the meeting at 7:20 PM.

Tom Schneider, Clerk/Adm.