

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, May 16, 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: Diane Jesh, Adm. Assistant, Jeremy Mathiasen, City Engineer, with Stantec, Inc., Ozzie Carbajal, Albany Police Chief, Mike Kosik, Editor, Albany Enterprise, Jason Murray, David Drown Associates, and Joseph Mergen, Public Works Supervisor. Residents present were: Alisa Schmidt, Kris Schiffler, Herb Binsfeld, Chad Schmidt, Sheri Thill, Melissa Lommel, Jerron Lommel, and Matt Imdieke.

The Council recited the Pledge of Allegiance.

After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to authorize electronic payments, transfers, and the payment of the following bills: Check Numbers 68199 to 68231 and 16959 to 16971. 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 2nd and hearing none declared them approved.

Open forum/public comment: none.

Jason Murray, David Drown Associates, presented to the Council Resolution 2018-09 calling a public hearing on the establishment of Tax Increment Financing District No. 15 within Municipal Development District No. 1, and the adoption of a Tax Increment Financing Plan relating thereto. After due discussion, a motion was made by Tom Kasner, and seconded by John R. Harlander, to set a public hearing for 6:30 o'clock, or as soon thereafter, on Thursday, July 5, 2018, at Albany City Hall. Voting for the motion were Councilors Tom Kasner, John R. Harlander, Al Amdahl, and Keith Heitzman and none voted against. Mayor Daron Gersch abstained and the motion carried.

Jason Murray, David Drown Associates, presented to the Council Resolution 2018-10 calling a public hearing on the establishment of Tax Increment Financing District No. 16 within Municipal Development District No. 1, the adoption of a Tax Increment Financing Plan relating thereto the modification of Tax Increment Financing District 13 and the adoption of the modified Tax Increment Financing Plan relating thereto. After due discussion, a motion was made by Al Amdahl, and seconded by Keith Heitzman, to set a public hearing for 6:30 o'clock, or as soon thereafter, on Thursday, July 5, 2018, at Albany City Hall. All voted for the motion and it carried.

Kris Schiffler, owner of Shady's Hometown Tavern and Events Center, 451 and 461 Railroad Ave, appeared before the Council to present an application for a Large Gathering Permit for an outdoor music event to be held July 20, 2018. Mayor Daron Gersch questioned how many people are anticipated to attend. Mr. Schiffler noted that he anticipates approximately 1,000 to 1,500 people. Mayor Daron Gersch questioned whether there will be enough porta potties available to attendees. Mr. Schiffler noted that he would rent as many as suggested from the company that will provide the porta potties. Mr. Schiffler noted that he will contact Robert Pauly, 141 4th Street, to discuss the position of a fence near his property. Mr. Binsfeld asked how late the band would be playing and where attendees would be parking? Mr. Schiffler noted that the band would not be performing past 12:00 midnight and that people would be parking in the same locations as they do for Heritage Day. Mr. Schiffler noted that he spoke to the Albany Police Department regarding policing for the event. After due discussion, a motion was made by Tom Kasner, and seconded by John R. Harlander, to approve the Large Gathering Permit. All voted for the motion and it carried.

Pursuant to due notice, Mayor Daron Gersch called the public hearing into session at 6:40 o'clock in the evening to vacate that part of a 5.00 foot drainage and utility easement over, under and across the southerly 5.00 feet of Lot 1, Block 1, as shown on the plat of STONEBROOKE THREE, according to the recorded plat thereof, Stearns County, Minnesota, as measured perpendicular to, contiguous and parallel with the southerly line of said Lot 1 and northerly 5.00 feet of Lot 2, said Block 1, as measured perpendicular to, contiguous and parallel with the northerly line of said Lot 2, less and except easterly 10.00 feet of said Lots 1 and 2, as measured perpendicular to, contiguous and parallel with the easterly line of said Lots 1 and 2 and the westerly 5.00 feet of said Lots 1 and 2, as measured perpendicular to, contiguous and parallel with the westerly line of said Lots 1 and 2, as requested by Alisa Schmidt. A public notice was published in the Albany Enterprise on May 2nd and May 9th, 2018. No written comments were received. Mayor Daron Gersch closed the public hearing at 6:42 PM. After due discussion, a motion was made by John R. Harlander, and seconded by Mayor Daron Gersch. to vacate the public drainage and utility easement as aforesaid legal description. All voted for the motion and it carried.

Mr. Mathiasen appeared before the Council to inform the Council that he recently met with representatives from the Minnesota Department of Transportation (MnDOT) to get an update for the 1st Street (TH #238) Improvements. Mr. Mathiasen noted that Ryan Contracting is the General Contractor and will begin construction on June 4th, but the street will not be closed for traffic until June 11th. Mr. Mathiasen noted that MnDOT will conduct an open house on Thursday, May 24th from 5 PM to 6:30 PM at City Hall for interested individuals to get questions answered, learn details about the work, street closures and detour.

Mr. Mathiasen noted that the North Lake Storm Water Improvements project is nearing completion and planting should be done before the end of the month.

Mr. Mergen informed the Council the Public Works has started spring discharge at the wastewater ponds and filling potholes.

Mr. Carbajal recommended to the Council approval of the Critical Response Policy for the Police Department. After due discussion, a motion was made by John R. Harlander, and seconded by, Tom Kasner, to approve the Critical Response Policy for the Police Department. All voted for the motion and it carried.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the Council the monthly meeting report and the election results from the annual stockholders meeting of the said Club. Those elected to the Board of Directors were Tom Blattner, Darrin Holthaus, and Julie Glenz. After due discussion, a motion was made by Mayor Daron Gersch, and seconded by Al Amdahl, to ratify the election results. All voted for the motion and it carried.

Mr. Heitzman noted that e-tabs can now be purchased at the AGC benefitting the Albany Lion's Club. Councilor Kasner noted that the AGC's website was compromised and held for ransom. Mr. Kasner informed the Council that the website address has been changed and they are working at updating it.

Councilor Al Amdahl, Planning Commission Liaison, informed the Council that the Planning Commission held a public hearing on May 14th to consider a request by Andvik Properties, LLC. to "move-within" the City a single-family dwelling from 751 Railroad Avenue (40.25154.0000), property owned by Teal's, to 540 9th Street, a vacant lot. The property under consideration is a vacant lot (66' x 190+/-) owned by the State of Minnesota. The property is zoned R1, Low Density Residential. Mr. Andvik submitted to the Council a bill of sale for the vacant lot. After due discussion and upon the recommendation by the Planning Commission, a motion was made by Al Amdahl and seconded Tom Kasner to approve the request by Andvik Properties, LLC, 322 Montrose Rd., St. Cloud, MN, 56301, to move within the City a single-family house as per the following conditions with an amendment to include item 13:

1. The structure is to be placed on a foundation approved by the Building Inspector.

2. Water and Sewer hookup charges (\$2,924) are to be paid at the time a building permit application is completed.
3. Owner shall install concrete or bituminous driveway.
4. Install grass seed or sod lawn within one-year of building permit approval.
5. All building setback requirements shall be met on the lot.
6. The character of the house is very similar and newer (1941) than the existing homes (1888/1926) in the neighborhood.
7. Albany Police Department is to be contacted to assist in the move of the house.
8. All utility companies are to be contacted before, during, and after the building move.
9. Anderson Building Movers, Paynesville, MN, is a licensed mover and been in business for years.
10. Proof of ownership must be submitted.
11. Building shall be in compliance with State Building Code.
12. Proposed use: Rental property
13. The building is to be used as a single-family dwelling.

All voted for the motion and it carried.

Councilor Al Amdahl informed the Council that the Planning Commission held a public hearing on May 14th to consider a request by Matt Imdieke, 360 Co. Rd. 54, to move-in to the City as per Ordinance 67, a 10' x 16' (160 sq. ft.) detached shed in rear yard. The property under consideration is zoned R1, Low Density Residential, as are all surrounding properties. The detached shed has been already moved to the property and does meet setback requirements. The exterior siding on the shed is plywood and roof is shingled. After due discuss and upon the recommendation of the Planning Commission, a motion was made by Al Amdahl and seconded by John R. Harlander to approve the request by Matt Imdieke, 360 Co. Rd. 54, to move-in to the City a 10' x 16' (160 sq. ft.) detached shed in rear yard be approved as per the following conditions:

1. Reside the exterior material to the same or similar residential siding on the home.
2. The shed shall not to be placed within the easement for the water and sewer main.
3. The shed shall be anchored down (ground screws) in each corner as per Building Code.
4. The shed shall meet the State Building Code requirements.
5. Exterior siding to be installed within 60-days.

All voted for the motion and it carried.

Mayor Daron Gersch presented to the Council a list of election judges to be appointed for the 2018 Primary and General Election. After due discussion, a motion was made by Mayor Daron Gersch, and seconded by Al Amdahl, to appoint the following individuals as election judges for the said Elections: Rita Stenlund, Head Election Judge (\$11.50/hour), and Pam Rypkema, Rod Gerads, Lucy Thomas, Christopher Ramseyer, Tom Schneider Mary Kay Grabmeier, Carol Tembruell, and Diane Westgard (\$10.50/hour). All voted for the motion and it carried.

Councilor John R. Harlander informed the Council that the Albany Police Department has been dispatched by the Stearns County Sheriff's department to respond to non-emergency calls to the City of Avon. After due discussion, a motion was made by John R. Harlander, and seconded by Keith Heitzman to direct Chief Ozzie Carbajal not to attend to non-emergency calls from other cities. All voted for the motion and it carried.

Mayor Daron Gersch noted that there will be a public hearing before the Stearns County Planning Commission on Thursday, May 17th regarding a request by Stearns Solar I LLC, San Francisco CA on behalf of Joan M. Bredeck Revocable Trust, Albany Township, to amend conditional use permit P-008609

to allow overhead power lines between the solar garden and Co. Rd. 10. No action was taken by the Council.

Mayor Daron Gersch announced the next regular Council meeting for 6:30 o'clock in the evening on Wednesday, June 6, 2018 and adjourned the meeting at 7:06 PM.

Diane Jesh, Adm. Assistant