

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, June 15, 2022, in the Council Room at 400 Railroad Avenue for the said City.

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

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer with Stantec, Inc., St. Cloud, MN, Police Chief Ozzie Carbajal, Derek Stommes, Patrol Officer, Jason Murray, David Drown Associates, and Herman Lensing, Staff Writer, the Star Post. Members from the public were Joseph Peternell and Dan Sorenson.

The council recited the Pledge of Allegiance.

The council took notice of approval of payment of bills. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to approve/authorize payroll, electronic payments, transfers, and the payment of the following bills: Check Numbers 71851 to 71911. 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 June 1st and hearing none declared them approved.

Open forum/public comments: none

Mark Luostari, certified Building Official with the firm of Inspectron, Inc., Rosemount, MN, appeared before the council to inform the council their company purchased Mid-MN Code Enforcement, the city's past building code enforcement company. Mr. Luostari presented a proposed contract for services and schedule of fees, a slight increase. Mr. Luostari noted his company will provide building code inspections, review of building plans and code compliance for commercial, industrial, public, and residential properties. Mr. Luostari noted their company provides building code services to several cities along the I94 corridor and will have very similar or if not identical fee schedules and applications. Mr. Schneider informed the council action to approve the contract for services and fee schedule will be presented to the council at the next meeting being an ordinance amendment document needs to be drafted by the city attorney and summary of action published in the Star Post. Mayor Tom Kasner thanked Mr. Luostari for attending the meeting and directed Mr. Schneider to discuss the proposed changes in fees and related documents with the city attorney.

Sheri Thill, owner of Rookies Sports Bar, 481 Railroad Avenue, appeared before the council to request permission to temporarily block off 5<sup>th</sup> Street adjacent to their building north of Railroad Avenue to the rear alley to conduct their annual Bean Bag Tournament to be held on Heritage Day, Saturday, August 6<sup>th</sup>. Ms. Thill noted the area will be properly fenced and alcohol will be served in their outside bar. Mr. Schneider noted proper insurance is provided for the event and had no objections. After due discussion, a motion was made by Adam Rushmeyer and seconded by Keith Heitzman to approve the aforesaid request. All voted for the motion and it carried.

Pursuant to due notice, at 6:45 PM, Mayor Tom Kasner called the public hearing into session to consider granting Shamrock Lane Rentals, LLC, 1321 Shamrock Lane, a property tax abatement to assist with the construction of a 20,000+/- sq. ft. commercial office building. Mr. Murray noted the tax abatement to be collected by the city shall not exceed a period of fifteen years commencing with taxes payable 2024 and the maximum cumulative amount of the abatement shall not exceed \$250,000 over that fifteen-year period as outlined in the Tax Abatement Plan. Mr. Peternell appeared before the council to inform the council the project will create jobs, improve a vacant lot with potential for additional development, add tax base, retain jobs, and create new jobs. Mayor Tom Kasner informed the council the Economic Development Authority (EDA) held on a meeting on June 6<sup>th</sup> and are in support of the project and request for tax abatement. Mayor Tom Kasner closed the public hearing at 6:50 PM. After due

discussion and upon the recommendation of the EDA, a motion was made by Mayor Tom Kasner who introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2022-25  
AUTHORIZING A TAX ABATEMENT ON PROPERTY WITHIN THE CITY OF ALBANY  
FOR THE PURPOSE OF ASSISTING SHAMROCK LANE RENTAL LLC**

The motion for the foregoing resolution was seconded by John R. Harlander and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors John R. Harlander, Adam Rushmeyer, Keith Heitzman, and Al Amdahl, 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.

Pursuant to due notice, at 6:52 PM, Mayor Tom Kasner called the public hearing into session to consider a business subsidy for Shamrock Lane Rentals, LLC, to assist with the construction of 20,000+/- sq. ft. commercial office building at 1321 Shamrock Lane. Mr. Murray appeared before the council to summarize the terms for the development agreement between the city and Shamrock Lane Rentals, LLC. Mr. Murray noted items that are included, but not limit to, job creation/reporting, construction of a 20,000 sq.ft. building, total business subsidy not to exceed \$250,000, 15-year period or less whatever comes first, etc. Mayor Tom Kasner closed the public hearing at 6:55 PM. After due discussion and upon the recommendation of the EDA, a motion was made by Adam Rushmeyer who introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2022-26  
RESOLUTION APPROVING BUSINESS SUBSIDY  
TO SHAMROCK LANE RENTALS, LLC**

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 Tom Kasner, Councilors John R. Harlander, Adam Rushmeyer, Keith Heitzman, and Al Amdahl, 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 appeared before the council to present a resolution to authorize the city to enter into an agreement with the Minnesota Department of Transportation (MnDOT) for the purpose of MnDOT reimbursing the city for wear and tear of city streets used as the detour route while the 1<sup>st</sup> Street (TH238) and Railroad Avenue intersection improvements are being constructed. After due discussion, a motion was made by Al Amdahl who introduced the following resolution and moved its adoption:

**RESOLUTION 2022-27  
ENTERING INTO AGREEMENT NO. 1050922 WITH MnDOT  
FOR ADMINISTRATION OF THE TH238 DETOUR**

The motion for the foregoing resolution was seconded by Adam Rushmeyer and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors John R. Harlander, Adam Rushmeyer, Keith Heitzman, and Al Amdahl, 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.

Councilor Keith Heitzman, Albany Golf Club Liaison, presented to the council the Albany Golf Club's checkbook register. After due discussion, a motion was made by Keith Heitzman and seconded by John R. Harlander to approve electronic payments, transfers, and the payment of the following: checks 40162-40200. Voting for the motion were Councilors Keith Heitzman, John R. Harlander, and Adam

Rushmeyer, and none voted against. Mayor Tom Kasner abstained and the motion carried. Mr. Heitzman informed the council of the following projects: advertising billboard near number two green adjacent to I94 is being refaced with new advertising, landscaping by front entrance of clubhouse is nearly completed, trees damaged by May 12<sup>th</sup> storms removed, clubhouse to be painted, and marketing company continues to prepare advertising materials to solicit golfers to the course and Toptracer range.

Dan Sorenson, 820 Midland Avenue, appeared before the council to question if the drain tile on Midland Avenue west of the 8<sup>th</sup> Street was televised to confirm there are no additional blockages. Mr. Sorenson also questioned why the city's insurance adjustor hasn't reached out to him after a conversation a week ago regarding damages to his basement due to the collapsed tile by a May 12<sup>th</sup> rain event. Mr. Mergen informed the council he was under the impression the contractor who repaired the drain tile was going to televise the tile. Mr. Mathiasen noted the collapsed tile was repaired by a contractor on May 19<sup>th</sup>, but to his knowledge it was not televised for any additional issues. Mr. Schneider informed the council the city's insurance adjuster has been assigned to several claims throughout the state due to the May 12<sup>th</sup> storm and will complete his investigation as soon as possible. Mayor Tom Kasner directed Mr. Mathiasen to proceed to televise the drain tile and directed Mr. Schneider to contact the city's insurance adjuster for an update on his investigation of the claim.

Mr. Schneider presented to the council the following individuals to service as election judges for the Mn State Primary (August 9<sup>th</sup>) and the General Election (November 8<sup>th</sup>): Rita Stenlund, Head Election Judge, Mary Kay Grabmeier, Steven Mader, Christopher Ramseyer, Anne Smith-Bleichner, Sharon Timp, Debbie Sabrowsky, Pam Rypkema, Frank Haynes, Tom Schneider, Lucy Thomas, and Carol Tembruell. After due discussion, a motion was made by John R. Harlander and seconded by Al Amdahl to appoint the aforementioned individuals as election judges at an hourly wage of \$12.00 and the head election judge \$14.00/hour. All voted for the motion and it carried.

The Council took notice of an application for a Large Gathering Permit received by the Chamber of Commerce for Heritage Day, the annual community celebration, to be held on Saturday, August 6<sup>th</sup>. Mr. Schneider noted the event is sponsored by the Albany Chamber of Commerce and will consist of activities, such as but not limited to, a beer garden, live music, foods, parade, fireworks, children's games, etc. Mr. Schneider also noted the Minnesota Department of Transportation approved the special permit application submitted by the Chamber to conduct the parade on Railroad Avenue (TH238). After due discussion, a motion was made by Tom Kasner and seconded by Keith Heitzman to approve the Large Gathering Permit application including the parade route to temporarily close Railroad Avenue, 6<sup>th</sup> Street, and Forest Avenue for the activities. All voted for the motion and it carried. Mayor Tom Kasner informed the council the fireworks application to display fireworks for the event will be discussed at the next council meeting.

The Council took notice of a MN Lawful Gambling LG220 Exempt Permit application submitted by Holy Family School, 160 2<sup>nd</sup> Street South, to conduct a raffle and an application and permit for a 1 day to 4 day Temporary On-sale Liquor License on October 8<sup>th</sup> at the said address. After due discussion, a motion was made by Adam Rushmeyer who introduced the following resolution and moved its adoption including the Temporary On-sale Liquor License:

**RESOLUTION 2022-28  
APPROVING MINNESOTA  
LAWFUL GAMBLING EXEMPT PERMIT APPLICATION**

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

The council also took notice of a request by the Albany Fire Department to construct seven or eight new off-street parking spaces on the south side of the fire hall. Mr. Schneider noted the proposed off-street parking spaces had been proposed by the fire department building committee in the original construction plans when the fire hall was constructed in 1992, but just not constructed at that time for some reason or another. Mr. Schneider noted approximately four on-street parking spaces would be eliminated on Midland Avenue. Mr. Schneider also noted the fire department would pay for the expenses to construct the new off-street parking area. Mr. Harlander noted there is limited on-street parking in the downtown business area and existing businesses near the fire hall may oppose losing on-street parking. Mr. Heitzman noted several vehicles from the residential neighborhood park on the street adjacent to the fire hall which prevents firemen responding to calls to park next to the fire hall. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve the request by the Albany Fire department to construct approximately seven or eight off-street parking spaces on the south side of the fire hall. Mr. Harlander questioned if anyone from the city or the fire department contacted nearby businesses to determine if they had any comments on the proposal to lose four on-street parking spaces. Mr. Schneider informed the council to his knowledge nobody spoke to the area businesses. Mayor Tom Kasner recommended that contact be made to the area businesses and questioned if Mr. Heitzman and Mr. Amdahl would rescind their motion. Mr. Heitzman and Mr. Amdahl noted they would rescind their motion. Mayor Tom Kasner informed the council the discussion will continue at the next council meeting.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock in the evening on Wednesday, July 6, 2022, and adjourned the meeting at 7:35 PM.

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Tom Schneider  
Clerk/Adm.