



ALBERTVILLE CITY COUNCIL

REGULAR MEETING MINUTES

September 3, 2024 – 7 pm
Council Chambers
Albertville City Hall

1. Call to Order

Mayor Hendrickson called the meeting to order at 7 pm.

2. Pledge of Allegiance – Roll Call

Present: Mayor Hendrickson, Councilmembers Cocking, Hayden, Olson and Zagorski.

Staff Present: City Administrator Nafstad, City Planner Brixius, Fire Chief Bullen, City Attorney Couri, Finance Director Lannes, and City Clerk Luedke.

3. Recognitions – Presentations – Introductions – None

4. Public Forum

Ms. Marie Vetsch, 11557 56th Street NE, Albertville, reported she was concerned about the continuous flooding and drainage issues within her and neighboring yards. She said she was worried about her neighbor's grandchild because the water was not draining so the neighbor could not let him out in the yard. Ms. Vetsch also relayed she has been paying for a lawn service that has not been able to mow her backyard due to the flooding. She answered questions from the Council.

Mrs. Kathy Berg, 11577 56th Street NE, Albertville, reported she was the neighbor with the grandchild, and said she could not let him go out into the yard to play due to the standing water.

City Administrator Nafstad reported the area has had past flooding issues because of the lack of storm sewer and catch basins. He added the drainage system in the area predates the modern drainage utility system the City has since implemented. He reported the City can fix the issue by grading and adding storm sewer to move the water out of the area, but it would require drainage and utility easements, and the work would have to contend with backyard items like sheds and fences. He said he would evaluate the situation to see what could be done.

The Council thanked both residents for attending the City Council meeting.

5. Amendments to the Agenda

City Clerk Luedke requested to amend Consent Agenda item 6C. to change the date listed from Monday, August 19, 2024, to Tuesday, September 3, 2024.

MOTION made by Councilmember Olson, seconded by Councilmember Zagorski to approve the September 3, 2024, agenda as amended. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

6. Consent Agenda

All items under the Consent Agenda are considered to be routine by the City staff and will be enacted by one motion. In the event an item is pulled, it will be discussed in the order listed on the Consent Agenda following the approval of the remaining Consent items. Items pulled will be approved by a separate motion.

- A. Approve the August 5, 2024, regular City Council Meeting minutes as presented.
- B. Approve the August 19, 2024, Budget Workshop Meeting minutes as presented.
- C. Authorize the Tuesday, September 3, 2024, payment of claims as presented, except bills specifically pulled which are passed by separate motion. The claims listing has been provided to City Council as a separate document and is available for public view at City Hall upon request.
- D. Approve Payment Estimate No. 1 to Omann Contract in the amount of \$108,144.32 for the 2024 Street Improvement project.

MOTION made by Councilmember Cocking, seconded by Councilmember Hayden to approve the September 3, 2024, consent agenda as amended. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

7. Public Hearing – None

8. Wright County Sheriff’s Office – Updates, reports, etc.

City Administrator Nafstad said the City has received multiple neighbor complaints regarding a motorcycle racing on Kalland Ave NE.

The Wright County Sheriff’s deputy said he would review the issue and notify his partners about the complaint.

9. Department Business

A. City Council

1. Committee Updates (*STMA Ice Arena, Planning, JPWB, Parks, Fire Board, FYCC, etc.*)

Councilmember Zagorski provided an update from the Joint Power Water Board meeting which included a discussion on next year’s budget and the replacement of some panels on the water tower.

Councilmember Olson provided an update from the FYCC meeting which included approval of the fiscal year budget which was slightly reduced due to staffing changes. He also provided an update from the Parks Committee meeting which included a discussion on the new playground concept.

B. Building – None

C. City Clerk

1. Set Special Council Meeting to Canvass 2024 General Results

City Clerk Luedke presented the staff report regarding setting a special meeting to canvass the November 5 General elections results. She said City staff recommended setting the meeting for November 12, 2024, at 5:45 pm.

MOTION made by Councilmember Cocking, seconded by Councilmember Hayden to set the Canvassing Board meeting to certify the results of the November 5, 2024, General Election for 5:45

pm on Tuesday, November 12, 2024, in the Albertville Council Chambers. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

D. Finance

1. 2025 Preliminary Budget and Property Tax Levy

Finance Director Lannes presented the staff report and reported that the proposed tax levy increase was set at 5.4%. She said once the preliminary budget was approved, the final budget can be lowered but it could not be increased. She answered questions from the Council regarding the proposed budget.

There was Council discussion regarding the proposed 2025 tax levy amount and the consensus was to move forward with the proposed 5.4% levy increase.

MOTION made by Councilmember Olson, seconded by Councilmember Cocking to adopt **Resolution No. 2024-25** adopting the 2024 Preliminary Tax Levy collectable in 2025. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

MOTION made by Councilmember Cocking, seconded by Councilmember Zagorski to adopt **Resolution No. 2024-26** adopting the 2025 Preliminary Budget. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

E. Fire – None

F. Planning and Zoning

1. Conditional Use Permit for Detached Accessory Building at 11760 57th Street

City Planner Brixius presented the staff report which included background information on the application from Larry Frase for an oversized accessory building. He reported that the City Code allows for one attached garage and one detached building administratively if it was 150 sq. ft. or less. He added if the proposed building was larger, a conditional use permit would be required. He listed the conditions of approval and said the Planning Commission discussed the item and recommended approval of the application.

MOTION made by Councilmember Zagorski, seconded by Councilmember Olson to adopt **Resolution No. 2024-27** approving a request for a conditional use permit for a 194 sq. ft. detached accessory building at 11780 57th Street within the City of Albertville. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

2. Albertville Plaza – Gravity Dance Studio Applications

City Planner Brixius presented the staff report which included the background information on the applications and said the Planning Commission held a public hearing, discussed the applications and recommended approval with the conditions outlined in the Resolution. He said Gravity Dance has requested approval for a commercial building for dance studio with a tenant bay. Brixius said the site was zoned to allow for a dance studio and added the business owner would be required to be a member of the Business Association to manage and maintain the private shared streets. He answered questions from Council.

City Administrator Nafstad said he spoke to Ryland Rosenlund, the project manager, regarding the proof of parking requirement and noted future stalls would need to be constructed in a drainage and utility easement. Rosenlund stated he would confer with his client, but did not believe the future

parking would be needed. Planner Brixius reported he was comfortable with deleting the condition of the parking proof requirement from the conditions.

City Attorney Couri answered questions from Council regarding the status of the Business Owners Association agreement for the management and maintenance of the private streets.

There was Council discussion regarding proposed development, the Business Agreement for the private roads and the parking requirements. The Council's consensus was to amend the Resolution by deleting the required proof condition.

MOTION made by Councilmember Hayden, seconded by Councilmember Zagorski to adopt **Resolution No. 2024-28** approving requests for Gravity Dance Studio PUD Development Site and Building Plans for Lot 2, Block 1, Albertville Plaza 2nd Addition to allow for the construction a 9,544 sq. ft. Commercial Building containing a 7,000 sq. ft. Dance Studio and 2,544 sq. ft. Commercial Tenant Bay within the City of Albertville as amended. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

3. Shoppes at Prairie Run 2 – Si Senior Restaurant Applications

City Planner Brixius presented the staff report which included background information on the application for a restaurant with an outdoor dining patio and a tenant bay and said the Planning Commission held a public hearing, discussed the application and recommended approval with the conditions outlined in the Resolution. He answered questions from the Council and said the business owner would enter into a shared access connection agreement with the adjoining property.

There was Council discussion regarding the proposed restaurant, possible uses for the tenant bay, the parking access, and the outdoor patio.

MOTION made by Councilmember Cocking, seconded by Councilmember Hayden to adopt **Resolution No. 2024-29** approving requests for an amendment to the Shoppes of Prairie Run 2 Site and Building Plans for Lot 1, Block 1 Shoppes At Prairie Run 2 to allow the Si Senior Commercial Building and for the construction of a 7,227 Sq. Ft. Commercial Building containing a 4,832 sq. ft. Restaurant and 2,395 sq. ft. Commercial Tenant Bay at 5292 Kyler Avenue NE within the City of Albertville. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

G. Public Works/Engineering

1. Linwood Park Sports Court Quotes

City Administrator Nafstad reported that the City had sent out quotes for the Park improvements. He said he had a proposed budget of \$73,000 for the complete project. He reported the Public Works Department would perform a number of the projects including the removal of the existing fence but added the other project quotes he would bring back for Council approval.

H. Legal

1. Special Assessment of Cleanup Cost to Maeyaert Property

City Attorney Couri presented the staff report and background information on the Maeyaert property and past issues with the property. He said the assessment costs occurred during the most recent cleanup and reported the assessment amount before the Council tonight was set at \$10,480 but an additional bill of \$8,400 has been received so the Resolution should be amended from \$10,480 to \$18,880. He answered questions from Council regarding the on-going nuisance issues.

MOTION made by Councilmember Zagorski, seconded by Councilmember Hayden to adopt **Resolution No. 2024-30** calling for hearing on proposed assessment related to nuisance and zoning violations on property located at 10479 61st Street NE in Albertville, MN as amended. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

City Attorney Couri provided an update on the Potter's property. He reported at the last meeting following the closed session, that the Council approved a settlement agreement. He stated before the meeting, he had reached out to Mr. Potter to see if he and his wife would sign the agreement if it was approved and Mr. Potter said yes. Mr. Couri continued that once the agreement was approved, the Potter's did not sign the agreement but in turn had their Attorney notify him stating the Potter's had retained him and the Attorney would like to discuss the settlement. City Attorney Couri said this was the second time a settlement agreement was approved by the Council and the Potter's did not sign it therefore next time he would not bring an agreement before the Council unless the Potter's signed it first.

City Administrator Nafstad provided additional information on the property and answered questions from Council.

I. Administration

1. City Administrator's Update

Administrator Nafstad presented the City Administrator's Update which included an update on the O'Donnell property in which the City has entered into a purchase agreement and were working toward an October closing.

10. Announcements and/or Upcoming Meetings

September 9	STMA Arena Board, 6 pm
September 10	Planning Commission, 7 pm
September 16	City Council, 7 pm
September 23	Joint Powers Water Board, 6 pm Parks Committee, 7 pm

11. Adjournment

MOTION made by Councilmember Cocking, second by Councilmember Zagorski to adjourn the meeting at 8:18 pm. Ayes: Cocking, Hayden, Hendrickson, Olson and Zagorski. Nays: None. The motion carried.

Respectfully submitted,



Kristine A. Luedke, City Clerk