

NOVEMBER 2, 2009

7:00 PM

PUBLIC COMMENTS -The City of Albertville welcomes and encourages public input on issues listed on the agenda or of general community interest. Advertised public hearings are scheduled as such so that the public is afforded an opportunity to speak. Citizens wishing to address the Mayor and Council regarding specific agenda items, other than public hearings should indicate so and will be afforded an opportunity during the discussion of said item, Council willing and time permitting. Citizens wishing to speak on matters not listed on the agenda (or items on the agenda that did not include an opportunity to speak) are always afforded the opportunity to do so under the heading “Citizens Addressing the Council”, usually scheduled at the beginning and end of the agenda. Presentations are limited to five (5) minutes. In any case, citizens are asked to complete a ‘**Request to Speak Card**’.

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER – ROLL CALL

3. RECOGNITIONS – PRESENTATIONS – INTRODUCTIONS

4. MINUTES

A. Approve October 19, 2009 regular City Council minutes

5. CITIZENS OPEN FORUM – (time reserved 5 minutes)

6. AMENDMENTS TO AGENDA

7. PUBLIC HEARING

A. Approve **Resolution No. 2009-037** entitled a Resolution Reallocating Special Assessments to Lots 1-4, Block 1, Albertville Marketplace (Special assessments of Lots 1, 2, 3 and 4, Block 1, Albertville Marketplace, in the total amount of \$21,998.34)

B. Approve **Resolution No. 2009-038** entitled a Resolution Adopting Assessment for Sanitary Sewer and Municipal Water Charges (Special assessment of Lot 2, Block 1, Albertville Marketplace for \$61,050 in SAC and WAC charges)

C. Approve **Resolution No. 2009-039** entitled a Resolution Adopting Assessment for Sanitary Sewer and Municipal Water Charges (Special assessment of Lots 1, 2 and 3, Block 1, Niemeyer Trailer Sales, for \$224,797 in trunk charges and local sewer and water utility expenses)

8. * CONSENT AGENDA

All items with an asterisk (*) are considered to be routine in nature by the City staff and will be enacted by one motion. There will be no separate discussion of these items unless a Council member, staff, or citizen so requests. In such event, the item will be removed from the Consent Agenda; a separate discussion will take place during the General Order

of Business and considered in its normal sequence on the agenda that will require a separate motion.

Items:

- 9.E.1. Finance – Semi-monthly Payment of Claims (bills)
- 9.E.2. Finance – Resolution Certifying Outstanding Balances
- 9.E.5. Finance – Resolution Reallocating Assessment TL
- 9.F.1. City Clerk – Heidi’s Brew Off-Sale Liquor License
- 9.G.1. City Council – Set November 10, 2009 Special meeting

9. DEPARTMENT BUSINESS

A. Fire Department

B. Public Works Department

C. Utilities Department (WWTP)

D. Building Department

- 1). Accept the Building Official’s Report dated October 15, 2009

E. Finance Department

- 1). ● Authorize the Monday, November 2, 2009 Payment of Claims (bills) for check numbers **027619** to **027653**
- 2). ● Approve **Resolution No. 2009-040** entitled a Resolution Certifying the 2009 List of Uncollected Utility Bills and Outstanding Invoices to Wright County for Collection with Real Estate Taxes
- 3). Approve **Resolution No. 2009-034** entitled a Resolution Setting Water Utility Rates, increasing the rate for the water utility as follows effective January 1, 2010: Monthly Rates
 - 0-3,333 Gallons \$4.13
 - 3,334-6,667 gal. \$.78 per 1,000 over 3,333
 - 6,668-11,667 gal. \$.83 per 1,000 over 6,667
 - Over 11,668 gal. \$.89 per 1,000 over 11,668Approve **Resolution No. 2009-035** entitled a Resolution Setting Sewer Utility Rates, increasing the rate for the sewer utility as follows effective January 1, 2010: Monthly Rates
 - 0-5,000 Gallons \$17.87
 - Over 5,000 gal. \$.36 per 1,000
- 4). Approve **Resolution No 2009-041** entitled a Resolution Reallocating the Assessment for Downtown Railroad Land Exchange parcel 101-013-001091
- 5). ● Approve **Resolution No 2009-042** entitled a Resolution Reallocating the Assessment for SAC and WAC charges to Lot 5, Block 1, Shoppes of Towne Lakes II parcel 101-116-001050

F. City Clerk

- 1). **■** Approve the New Application for a 2009-2010 Off-Sale Intoxicating Liquor License for the term beginning November 1, 2009 to April 15, 2010 to ALL G, LLC for Heidi's Brew Wine & Spirits contingent upon passing the Wright County Sheriff Background Check and approval from the Minnesota Department of Alcohol and Gambling

G. City Council

- 1). **■** Set Tuesday, November 10, 2009 at 7:00 p.m. as a Special City Council meeting for the purpose of reviewing and approving the Guardian Angels Concept Plan
- 2). Oral Update on the Joint Powers Water Board meeting

H. Planning and Zoning

- 1). Adopt **Resolution No. 2009-043** entitled a Resolution requiring the installation of a fence along the property line of the 152 Club and Geez Sports Bar and Grill
- 2). Zoning Ordinance Amendment(S) – “54th Street NE Redevelopment Standards”
 - a. Adopt **Ordinance No. 2009-017 (Amendment #1)** entitled an Ordinance amending the following Sections: 3250.6 (Lot Requirements and Setbacks); 3300.6 (Lot Requirements and Setbacks); 3400.5 (Lot Requirements and Setbacks); 3500.5 (Lot Requirements and Setbacks); 3600.5 (Lot Requirements and Setbacks); 3700.5 (Lot Requirements and Setbacks); 3800.5 (Lot Requirements and Setbacks); 3900.5 (Lot Requirements and Setbacks); and 4000.5 (Lot Requirements and Setbacks) of the Albertville Zoning Ordinance (Appendix A) of the 2005 Albertville Municipal Code relating to reducing the required front yard setbacks in the residential zoning districts;
 - b. Adopt **Ordinance No. 2009-018 (Amendment #2)** entitled an Ordinance amending Section 1100.5 (Yards) of the Albertville Zoning Ordinance (Appendix A) of the 2005 Albertville Municipal City Code, relating to allowed yard encroachments;
 - c. Adopt **Ordinance No. 2009-019 (Amendment #3)** entitled an Ordinance amending Section 1000.23 (Two-Family, Townhouse, Quadraminium, Multiple-Family Uses) of the Albertville Zoning Ordinance (Appendix A) of the 2005 Albertville Municipal City Code, relating to remodeling, renovating, and improving existing structures
- 3). Adopt **Ordinance No. 2009-020** entitled an Ordinance Amending Chapter 1800 (Land Filling Operations) and Section 1900 (Land Excavation/Grading) of the Albertville Municipal City Code, Relating to Land Filling and Excavation/Grading Regulations (continued from October 5, 2009)

- 4). Adopt **Ordinance No. 2009-024** entitled an Ordinance amending Section 10-7-6 (Advertising Devices) of the Sign Regulations (Chapter 7) of the 2005 Albertville Municipal City Code, relating to prohibiting advertising devices on roofs
- 5). Adopt the **Comprehensive Plan Amendments** (Exhibits I-1 through I-5) to the 1996-1997 Albertville Comprehensive Plan, relating to the Northwest Land Use Study

I. Engineering

- 1). Accept the City Engineer's Project Status Report dated October 29, 2009

J. Legal

- 1). Approve Addendum to Standard General Conditions of the Construction Contract and Petition to Complete Water Line Installation, Towne Lakes 6th Addition

K. Administration

- 1). Accept the City Administrator's Written Report dated October 29, 2009

10. CITIZENS OPEN FORUM - (continued if necessary)

11. ANNOUNCEMENTS and or UPCOMING MEETINGS

November 2009

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|-----------|------------------|---|
| 5 | 7:00 p.m. | Planning and Zoning Commission meeting |
| 9 | 6:00 p.m. | STMA Ice Arena Board meeting |
| 10 | 7:00 p.m. | Special City Council meeting |
| 11 | all day | Veterans' Day observed – City offices closed |
| 16 | 7:00 p.m. | City Council meeting |
| 23 | 6:00 p.m. | Joint Powers Water Board meeting |
| 26 | all day | Thanksgiving Day observed – City offices closed |
| 30 | tentative | Jt. City of Albertville; City of St. Michael and STMA School Board meeting (location to be determined) |

December 2009

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|-----------|------------------|---|
| 7 | 6:30 p.m. | Truth-in-Taxation Hearing |
| 7 | 7:00 p.m. | City Council meeting |
| 8 | 7:00 p.m. | Planning and Zoning Commission meeting |
| 14 | 6:00 p.m. | STMA Ice Arena Board meeting |
| 21 | 6:30 p.m. | Truth-in-Taxation Hearing (if necessary) |
| 21 | 7:00 p.m. | City Council meeting |
| 23 | 1:30 p.m. | Christmas Day observed – City offices closing early |
| 24 | all day | Christmas Day observed – City offices closed |
| 26 | 6:00 p.m. | Joint Powers Water Board meeting |
| 26 | 7:00 p.m. | Committee of the Whole Workshop (tentative) |
| 31 | 1:30 p.m. | New Year's Day observed – City offices closing early |

- 12. MOTION TO CLOSE THE REGULAR CITY COUNCIL MEETING TO GO INTO A CLOSED SESSION** (allow 5 minutes to clear Council Chamber)
- 13. CLOSED SESSION**
 - A. Discuss the CSAH 19 Assessment-City of Albertville vs. Psyk – update City Council on Court Ruling**
- 14. MOTION TO RECONVENE THE REGULAR CITY COUNCIL MEETING**
- 15. MOTION IF NECESSARY TO TAKE ACTION ON CLOSED SESSION DISCUSSION**
- 16. ADJOURNMENT**