



ALBERTVILLE CITY COUNCIL
February 16, 2010 (Tuesday)
MINUTES

ALBERTVILLE CITY HALL

7:00 PM

PLEDGE OF ALLEGIANCE – CALL TO ORDER

Mayor Klecker called the Tuesday, February 16, 2010 regular City Council meeting to order at 7:00 p.m., in which Klecker announced that the Pledge of Allegiance was going to be said.

ROLL CALL

PRESENT: Mayor Ron Klecker, Council members Larry Sorensen, Tom Fay, Dan Wagner, and John Vetsch

OTHERS PRESENT: Finance Director Tina Lannes, City Clerk Bridget Miller, City Engineer Adam Nafstad, Assistant City Planner Carrie Furhman, Assistant City Attorney Sarah Schwarzhoff, and Superintendent John Middendorf

ABSENT: City Administrator Larry Kruse, City Planner Al Brixius, and City Attorney Mike Couri

RECOGNITIONS – PRESENTATIONS – INTRODUCTIONS – no comments

CITIZEN FORUM

Deputy Rob Mossman informed the Council that Wright County is preparing for Region 12 Police K9 Trials. The K9 Trials will be held Sunday, July 18 through Tuesday, July 20. Wright County is looking for a large space to hold the trials to create approximately 75 (30' x 30') squares. Mossman explained that for the K9 Trials, they need tall grass in order to hide the crime scene objects or evidence for the dogs to sniff out and locate. Wright County would appreciate if Albertville staff could assist by mowing or marking off the 75 squares. Mossman suggested if the Albertville staff were to mow the 75 areas about a week before the event that would allow the unmowed grass to grow a little longer. In addition to the Region 12 Police K9 Trials, Mossman requested the use of Central-City Park for agility practice on Sunday, July 18th.

Council was in favor and were honored that Wright County was considering Albertville as the host City to hold the Region 12 K9 Trials. Finance Director Lannes was directed to pass the information onto Supervisor Guimont to identify a number of city properties that would accommodate the event.

AMENDMENTS TO THE AGENDA

Tuesday, February 16, 2010 Agenda was amended as follows:

Assistant City Attorney added: Legal – Acquisition to offer to purchase land from Lamar Sign

MOTION BY Council member Wagner, seconded by Council member Sorensen to approve the Tuesday, February 16, 2010 regular Albertville City Council agenda as amended: adding 8.J.2. Legal – Draft a Land Purchase Agreement for Land from Lamar Sign. Motion carried unanimously.

MINUTES

February 1, 2010 regular City Council minutes

MOTION BY Council member Fay, seconded by Mayor Klecker to approve the Monday, February 1, 2010 regular City Council minutes as presented, which will be printed and signed; then the signed copy will be scanned and the electronic scanned version will be kept on file in the office of the City Clerk that will serve as the official copy. Motion carried unanimously.

February 3, 2010 special City Council minutes

MOTION BY Council member Sorensen, seconded by Council member Wagner to approve the Wednesday, February 3, 2010 special City Council minutes as presented, which will be printed and signed; then the signed copy will be scanned and the electronic scanned version will be kept on file in the office of the City Clerk that will serve as the official copy. Council member Vetsch abstained from voting. Motion carried.

CONSENT AGENDA

☛ 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 or citizen so requests. In such event, the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

There are two (2) items listed on the Consent Agenda that are: 8.E.1. Finance - Authorize the Tuesday, February 16, 2010 Payment of Claims (bills) for check numbers **028018** to **028065** as presented except the bills specifically pulled, which are passed by separate motion; 8.F.1. City Clerk - Change the date of the 2010 Local Board of Appeal and Equalization meeting to **Monday, May 3, 2010** to be held at the **Albertville City Hall** that will begin at **5:30 p.m.** to allow the Wright County Assessor's sufficient time to prepare the Property Tax Information.

MOTION BY Council member Sorensen, seconded by Council member Wagner to approve the February 16, 2010 Consent Agenda as presented, which includes 8.E.1. Finance - Authorize the Tuesday, February 16, 2010 Payment of Claims (bills) for check numbers **028018** to **028065** as presented except the bills specifically pulled, which are passed by separate motion; 8.F.1. City Clerk - Change the date of the 2010 Local Board of Appeal and Equalization meeting to **Monday, May 3, 2010** to be held at the **Albertville City Hall** that will begin at **5:30 p.m.** to allow the Wright County Assessor's sufficient time to prepare the Property Tax Information. Motion carried unanimously.

DEPARTMENT BUSINESS

UTILITIES DEPARTMENT

Accept the Utilities Superintendent's Report dated February 8, 2010

Mayor Klecker asked if any of the Council members had questions or concerns regarding the Utilities Superintendent's report.

Council member Wagner expressed a concern with Pump No. 2 that was noted in the report, in which he wanted additional background information on the pump.

Superintendent Middendorf commented that Pump No. 2 is approximately 30-years old. To the best of Middendorf's knowledge Pump No. 2 was installed in the 1970's. It is becoming more and more difficult to find parts to repair the pump. Over the past couple of years Middendorf has been budgeting for a permanent generator for Pump No. 2. The Pump is rather isolated from the other pumps making it somewhat out of the way to haul one of the portable generators. Middendorf was asking for Council's approval to use a portion of the funds to upgrade the Pump and Control Panel.

Wagner continued by wanting confirmation that Middendorf was going to prepare a presentation for a future meeting to purchase a control panel and pump. Middendorf reported that he has begun compiling some of the information for a proposal for Council to review and final approval prior to purchasing the equipment for an upgrade to Pump No. 2.

FINANCE DEPARTMENT

● *Authorize the Tuesday, February 16, 2010 Payment of Claims (bills) for check numbers **028018** to **028065** as presented except the bills specifically pulled, which are passed by separate motion*

MOTION BY Council member Sorensen, seconded by Council member Wagner authorizing the Tuesday, February 16, 2010 Payment of Claims (bills) for check numbers **028018** to **028065**. The checks will be signed by the authorized personnel and scanned with supporting documents; the electronically scanned version will be kept on file in the office of the Finance Director that will serve as the City's official record. Motion carried unanimously.

Accept staff's recommendation to purchase Virtualized Servers and related upgrade software from Business Ware Solutions in an amount not to exceed \$35,000 with fund from the Capital Reserve Fund

Mayor Klecker began by acknowledging Council's request made at the February 1, 2010 Council meeting, which was to obtain additional quotes for the Virtualized Server.

Finance Director Lannes shared with the Council that the City of Albertville purchased a new server in 2004 that was equipped to run the current conditions at the time, which was the previous City Hall located at 5975 Main Avenue NE. As part of the construction of the new City Hall, staff included the cost to purchase a new virtualized server and upgraded desktop software as part of the project. City staff acknowledged that eventually the old systems capacity would exceed its capacity.

Lannes reiterated the Key Issues:

- Current server is at 80% storage capacity with the processing memory maximized causing errors, we will run out of storage and operations would be compromised
- Current server is 6 years old; they have a projected life of 5-7 years.
- Current server did not have the specifications to handle the additional demand that has been created with the new building, and adding other buildings.
- Staff planned for the replacement and upgrade.
- Not only is the current system lacking memory, reliability, but staff is experiencing significant slowdown in accessing the main server.
- About \$12,000 of this purchase is hardware, with the remaining amount being software related.
- Electronic scanning of documents system along with computerized phones, and building controls requires the proposed hardware and software upgrade.

Lannes went over the financial concerns reporting that replacement and upgrade of the server was planned for when the new City Hall was built. Staff has received three quotes and the

estimated cost for the capital purchase is \$35,000. The funds would come from capital outlay, of which \$50,000 was reserved for this purchase.

Below are the quotes that were obtained by staff for the replacement and upgrade of the server.

Server Quote Summary

Vendor	Hardware	Software	Misc	Total
BusinessWare solutions	\$11,668.02	\$16,589.00	\$5,994.00	\$34,251.02
Secure IT Net	\$12,546.00	\$16,907.00	\$5,000.00	\$34,453.00
Coordinated Business Paumen Computer Services	\$17,404.27	\$16,748.00	\$11,200.00	\$45,352.27
Ricoh - USA		Stated not capable to do project		
		Stated not capable to do project		

Council was okay with staff proceeding with the purchase of a Virtualized Server and related software upgrades with a cost not to exceed \$35,000 and make it clear exactly what all the server does; such as run the City Hall that includes the heating and air conditioning, provides point-to-point to other city owned buildings and to the STMA Ice Arena.

MOTION BY Council member Sorensen, seconded by Council member Wagner to accept staff's recommendation to purchase Virtualized Servers and related upgrade software from Business Ware Solutions in an amount not to exceed \$35,000 with fund from the Capital Reserve Fund. Acknowledging that the Virtualized Server services not only the computers at City Hall, but runs the heating and air conditioning within City Hall; runs the Council Dias equipment; runs the TV/Audio Cart in the Multi-Purpose Room; the server runs the security system at City Hall; the server runs the IP Phone System and Internet for City Hall and with the Point-to-Point connection to the Fire Hall, Public Works Facility, Wastewater Treatment Plant; STMA Ice Arena; it provides them with the IP Phone System, Internet and file share. Motion carried unanimously.

CITY CLERK

☛ *Change the date of the 2010 Local Board of Appeal and Equalization meeting to **Monday, May 3, 2010** to be held at the **Albertville City Hall** that will begin at **5:30 p.m.** to allow the Wright County Assessor's sufficient time to prepare the Property Tax Information*

MOTION BY Council member Sorensen, seconded by Council member Wagner to change the date of the 2010 Local Board of Appeal and Equalization meeting to **Monday, May 3, 2010** to be held at the **Albertville City Hall** that will begin at **5:30 p.m.** to allow the Wright County Assessor's sufficient time to prepare the Property Tax Information. Motion carried unanimously.

Approve the New Application for a 2010-2011 On-Sale Intoxicating Liquor License, Sunday Liquor License, and a 2:00 am Closing Liquor License to TC Generations LLC for Major's Sports Café contingent upon a Bureau of Criminal Apprehensive Background Check, Wright County Sheriff Department Background Check, and approval from the Minnesota State Alcohol and Gambling Department, at which time the City Clerk will issue the licenses

Mayor Klecker noted the next item on the agenda, which is an application for a 2010-2011 Liquor License for the new owners of the Major's establishment.

City Clerk Miller confirmed that the new owners have submitted their application for a new/transfer of the Major's Sports Café. Miller noted that two of the applicants were present, in which she invited them to introduce themselves to the Council.

Katie Williams introduced herself to the Council and said Justin Long is another one of the owners. Williams reported that Robert Carlson was the third individual on the application, but was unable to attend the meeting. Both Williams and Long are the main individuals that handle the day-to-day operations of the restaurant; Carlson could be considered a silent partner. Ms. Williams informed the Council that they are aware of the previous reputation of Majors and are hoping to change that by turning it back to a family friendly place to eat.

Mayor Klecker welcomed Ms. Williams and Mr. Long to Albertville and wished them the best of luck in their business endeavor. Klecker brought to their attention the fact that Wright County performs 'stings' once or twice a year. Klecker noted that the first violation fine is \$500; then \$1,000 for the second within a two-year period. Basically, Klecker encouraged them to train the staff to check customers ID before serving them alcohol.

As an outcome of the Mayor's comment Ms. Williams and Mr. Long agreed with Mayor Klecker by stating they will be encouraging the staff at Major's to be aware of the Under Age Liquor consumption.

Council member Vetsch inquired about the facility and whether they are considering constructing a permanent stage. Williams confirmed that they are working with Mr. Sutherland in properly constructing a permanent stage within the facility. Currently, when there is a DJ or other performing a portable stage is put together that takes some time to assemble. William's believes that having a permanent stage with eliminate the amount of time to set up and take down.

MOTION BY Council member Sorensen, seconded by Council member Fay to approve the New Application for a 2010-2011 On-Sale Intoxicating Liquor License, Sunday Liquor License, and a 2:00 am Closing Liquor License to TC Generations LLC for Major's Sports Café contingent upon a Bureau of Criminal Apprehensive Background Check, Wright County Sheriff Department Background Check, and approval from the Minnesota State Alcohol and Gambling Department, at which time the City Clerk will issue the licenses. Motion carried unanimously.

ENGINEERING

STMA Middle School West Traffic Concerns (discussion)

City Engineer Nafstad began by noting the traffic along 50th Street NE has been brought to the Administrator's attention a couple of times prior to this. With the construction of the new STMA High School and turning the prior facility into a Middle School has caused additional traffic congestion along 50th Street NE. The drop-off area for parents has changed to the side door entrance versus the front door entrance with the intention of opening up the front area for the buses. The parking lot that was previously used by licensed High School students has become vacant; therefore, allowing space for drivers to have the ability to turn around within the area. This appears to work within the development, yet the problem comes when entering or exiting the property. Whether you want to make a right and or left turn to access the site. The same happens as a person tries to exit the site.

Council member Sorensen shared the fact that traffic is backed up from approximately Main Avenue NE to the entrance of the school. There is a similar congestion from the other direction, which backs up traffic flow along 50th Street NE.

Council member Vetsch acknowledged the traffic congestion along 50th Street NE, but was not sure if it was the City's place to resolve. Vetsch wanted to know if the School District staff were aware of the traffic backup by the school.

Nafstad reported that he has contacted Superintendent Ziegler and the Principal of the STMA Middle School West regarding the traffic. As of Tuesday, he has not heard back from either Ziegler or the Principal. Nafstad will contact the Assistant Principal, which Council member Sorensen suggested. Nafstad will keep in touch with the School and update the Council on the outcomes of the discussion.

CSAH 37 and I-94 Intersection Traffic Signal (discussion)

City Engineer Nafstad distributed a memo regarding the I-94 and CSAH 37/60th Street NE traffic concerns/complaints. Nafstad reiterated the fact that Council members along with City staff are aware of the incoming inquires regarding the traffic backups and delays at the traffic signals on I-94 and CSAH 37/60th Street NE.

Nafstad reported that MnDOT was informed of the traffic concerns on January 13, 2009. Wright County has heard of the concern in previous years. Motorists traveling along CSAH 37 wait a fair amount of time as one individual may want to turn left onto the I-94 West entrance ramp. MnDOT agreed to look at the operation of the existing signal to determine if changes could be made in the timing or operation that would help alleviate delays to the CSAH 37 traffic. In pervious years, MnDOT made changes to the traffic signal timing in response to long queues on the exit ramp that could cause traffic to backup onto the freeway. It is generally viewed that

delays to motorists on CSAH 37 less problematic, in light of safety concerns in comparison to vehicles backing onto the higher speed freeway.

Nafstad reminded the Council that the three entities consisting of MnDOT, Wright County, and Albertville are currently developing a project to construct ramps to CSAH 19/LaBeaux Avenue NE from the southeast on I-94. The freeway ramps to I-94 from CSAH 19 exist to the northwest only. When the new ramps from I-94 to CSAH 19 are open to traffic that are currently anticipated for late 2011, a substantial reduction in volume on the existing ramp at CSAH 37 will occur. This will substantially reduce the traffic congestion that is currently being experienced on CSAH 37 traffic traveling east and or west across I-94.

Nafstad concluded by commenting that Albertville acknowledged the difficulty currently being experienced by traffic and will continue to inform MnDOT and Wright County of ongoing issues, concerns, and complaints.

LEGAL

Approve the agreement entitled the Agreement Between the City of Albertville and the STMA Arena Joint Powers Board regarding Management of the STMA Arena

Assistant City Attorney Schwarzhoff noted that it was discussed at the Monday, January 11, 2010 STMA Arena Board recommended that the City of Albertville assume management of the STMA Ice Arena. The ownership of the land, building, and equipment will continue to be owned by the STMA Arena Board and accounted for via an Agency Fund within the City of Albertville's accounting.

Time is of the essence, as the best time to make this transition is December 31, 2009 when accounting can be transferred eliminating the need to have the STMA Arena Board perform duplicative 2010 accounting and reporting to local, state, and federal agencies. In the interim, Albertville would be paying all regular budgeted 2010 payables and payroll. If for whatever reason this management change does not come to fruition, the City would financially be made whole.

The personnel cost to manage the arena operation will be allocated and assigned to the Arena's agency account as per a predetermined formula or plan that is both fair and equitable to the STMA Arena and City of Albertville.

The STMA Ice Arena Manager has similar benefits as City Employees and should not be a problem providing a smooth transition.

Ultimately, the STMA Arena Board will continue to own the facility and will continue to have joint fiscal responsibility for any liabilities incurred by the arena operation. An Agreement will

be developed to establish this management relationship between the City of Albertville and the STMA Arena Board.

It is proposed that after this management change takes place, the STMA Arena Board will meet quarterly or as needed to provide broad governance, planning, and investment for maintenance, operation, and expansion of the arena operation. All non-daily operating decisions like rental rates, expansions, or remodeling will be made by and through the STMA Arena Board.

KEY ISSUES: Additional work load will be taken on by the City of Albertville. Current conditions may allow Albertville to absorb some or all of these job tasks, but this added workload may in the future require additional staffing levels. Whether these duties can be absorbed or if added staff is necessary, will not change the cost allocation to the arena.

The added staff time and cost will be charged to the arena Agency Fund in a fair and equitable manner.

Staff does not necessarily believe there will be a cost savings to the arena for this management change and it may in some cases cost more; however, better management and reporting to the STMA Arena Board should be a major outcome. Major benefits include:

- 1) Professional administration managing the operation providing guidance to the Board.
- 2) Ability for the arena to integrate with Albertville's computer systems via a wireless connection to conduct regular business and to insure secure off-site backup of data.
- 3) Ability for Arena customers to pay for ice time during regular City Hall hours.
- 4) Ability for Arena customers to use credit cards to pay for rentals.
- 5) Ability to maintain regular financial reports and fiscal controls.
- 6) Improved personnel policies and procedures, by having arena employees guided under the City's personnel policy.
- 7) Ability to electronically scan and store all minutes, financial information and other documentation in a secure format and to have an off-site disaster recovery plan.
- 8) Ability to remove some duplication such as having a separate financial audit.
- 9) Ability to provide a number of things such as direct deposit of payroll without a charge.
- 10) Provide some depth to management of the arena in the event that the Arena Manager is absent from business for periods of times for vacation, sick leave or leave of absence.
- 11) Professional management of investments
- 12) Provides for added depth of resources such as a mechanic to look at minor zamboni issues or to lend a helping hand on various situations rather than contract with outside sources.

The only concern Council had with the approval of the agreement was whether or not the other two entities have seen the agreement; and, whether or not St. Michael and the STMA School District has approved it. Staff noted that the agreement has been presented to the two entities for review and approval.

MOTION BY Council member Wagner, seconded by Council member Sorensen to approve the agreement entitled the Agreement Between the City of Albertville and the STMA Arena Joint Powers Board regarding Management of the STMA Arena contingent upon the City of St. Michael's approval and the STMA Arena Board's approval. Motion carried unanimously.

Approve the appraisal of William Waytas and review appraisal of Mike Bettendorf and authorize City Attorney Mike Couri and Acquisition Consultant Dan Wilson to make an offer to purchase land from Lamar Sign Company for storm water ponding for the Albertville I-94 Westbound Collector Distributor Road Project in the amount of \$385,000 upon authorization by the State for the City to use Federal funds for the purchase. It is the City's intent to use Federal Funds for a major portion of the purchase price and to follow the Federal guidelines for land acquisition. The Mayor and City Clerk are authorized to sign the offer or Purchase Agreement on behalf of the City of Albertville

Assistant City Attorney Schwarzhoff handed out a Request for Council Action, which noted that City Engineer Nafstad has completed preliminary design or layout of storm water ponds for the Westbound I-94 Collector Distributor Road Project on the Lamar Sign Company property located north of the Interstate and abutting Hunter's Lake on 63rd Avenue. Pursuant to the Federal process, staff has sent the Lamar Sign Company a letter notifying them of our interest in purchasing the property. It is staff's recommendation to acquire this property less the two existing billboard on it. According to Dan Wilson, of Wilson Services, the procedure to acquire the land is for the City to make Lamar Sign Company an offer for the appraised value of the property. Following 30 days after the offer the City may have to start the eminent domain process and in the mean time continue negotiations.

Staff has completed a significant amount of due diligence work having received an appraisal from William Waytas, of Nagell Appraisal and Consulting, Inc and has had Mike Bettendorf of BRKW Appraisal review the appraisal pursuant to Federal requirements. Further, Kelvin Howieson of Mn/DOT District 3 Office has reviewed and approved the City making an offer to purchase the property using Federal Funds.

KEY ISSUES:

- Storm water ponding is a requirement of the project.
- Acquisition of the parcel will be required prior to advertising the project for bids.

MOTION BY Council member Fay, seconded by Mayor Klecker to approve the appraisal of William Waytas and review appraisal of Mike Bettendorf and authorize City Attorney Mike Couri and Acquisition Consultant Dan Wilson to make an offer to purchase land from Lamar Sign Company for storm water ponding for the Albertville I-94 Westbound Collector Distributor Road Project in the amount of \$385,000 upon authorization by the State for the City to use Federal funds for the purchase. It is the City's intent to use Federal Funds for a major portion of the purchase price and to follow the Federal guidelines for land acquisition. The Mayor and City

Clerk are authorized to sign the offer or Purchase Agreement on behalf of the City of Albertville.
Council member Vetsch opposed. Motion carried.

ANNOUNCEMENTS and or UPCOMING MEETINGS

February 2010

- 22 4:00 p.m. Joint Powers Water Board meeting**
- 25 7:00 p.m. Otsego City Council Joint meeting here**

March 2010

- 1 7:00 p.m. City Council meeting**
- 8 6:00 p.m. STMA Ice Arena Board meeting**
- 9 7:00 p.m. Planning and Zoning Commission meeting**
- 14 2:00 a.m. Daylight Savings Begins (Sunday)**
- 15 7:00 p.m. City Council meeting TUESDAY**
- 22 6:00 p.m. Joint Powers Water Board meeting**
- 29 6:00 p.m. Albertville-St. Michael City Council and STMA School Board
Joint meeting (tentatively set to be held at the STMA School Board
Room)**

April 2010

- 5 7:00 p.m. City Council meeting**
- 12 6:00 p.m. STMA Ice Arena Board meeting**
- 13 7:00 p.m. Planning and Zoning Commission meeting**
- 19 7:00 p.m. City Council meeting**
- 26 6:00 p.m. Joint Powers Water Board meeting**

ADJOURNMENT

MOTION BY Council member Sorensen, seconded by Council member Fay to adjourn the Tuesday, February 16, 2010 regular City Council meeting at 8:20 p.m. Motion carried unanimously.

Bridget Miller, City Clerk (recording secretary)