



ALBERTVILLE CITY COUNCIL
January 3, 2011
MINUTES

ALBERTVILLE CITY HALL

7:00 PM

CALL TO ORDER – PLEDGE OF ALLEGIANCE

The first meeting of the year was called to order followed by the pledge of allegiance.

RECOGNITIONS – PRESENTATIONS – INTRODUCTIONS

City Administrator Kruse informed the Council and members present that City Clerk Miller will ask each newly elected official to step down to be sworn into office.

City Clerk Miller called Mark Meehan to the front of the podium and asked him to repeat after her. Meehan proceeded by taking the Oath of Office.

Meehan returned to his position with the other Council members while Jillian Schommer made her way to the front of the podium to be sworn into office. Schommer was asked to repeat the words as Miller spoke them; Schommer completed taking the Oath of Office.

Dan Wagner was the last Council member to appear in front of the podium; Wagner read off the words from the Oath of Office that now begins his second term in office.

Following Mr. Wagner's Oath of Office, members present in the audience applauded welcoming the new members.

ROLL CALL

PRESENT: Mayor Mark Meehan, Council members Jillian Schommer, Dan Wagner, John Vetsch, and Larry Sorensen

STAFF MEMBERS PRESENT: City Administrator Larry Kruse, City Engineer Adam Nafstad, City Clerk Bridget Miller, City Planner Alan Brixius, City Attorney Mike Couri, and Finance Director Tina Lannes

ABSENT: none

CITIZENS FORUM

Mayor Meehan asked if there was anyone present that wanted to speak before the Council on an item that is not scheduled for discussion. No one in the audience approached the podium.

AMENDMENTS TO THE AGENDA

Mayor Meehan asked if there were any amendments to the agenda. After a few moments of silence, Meehan asked for a motion to approve the agenda as presented.

CMs Sorensen/Wagner **motioned** to approve the Monday, January 3, 2011 agenda as presented. Motion carried unanimously.

DEPARTMENT BUSINESS

CITY COUNCIL

*Approve **Resolution No. 2011-001** Appointing Various Members and Adjusting Council meeting when conflicting with Legal Holidays – Mayor Meehan*

Mayor Meehan asked the Council if there were any questions or concerns with the appointments. There was no discussion on amending the appointments and adjusting council meeting dates.

CMs Vetsch/Schommer **motioned** to approve Resolution No. 2011-001 entitled Resolution Appointing Various Members and Adjusting City Council meetings when conflicting with Legal Holidays. Motion carried unanimously.

Oral Update on the Joint Powers Water Board meeting

City Administrator Kruse gave a general update on the Joint Powers Water Board with the continuing update of Well No. 9 being up and being tested.

Set Date for City Council Goal Setting Workshop (tentative date recommended is Tue., Jan. 18, 2011 following the regular Council meeting)

Mayor Meehan noted it is recommended to set Tuesday, January 18, 2011 following the regular City Council meeting for a Goal Setting Workshop. Meehan asked the Council to make a

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motion setting Tuesday, January 18, 2011 beginning after the regular meeting as an initial Goal Setting Workshop.

Council member Vetsch voiced a concern regarding the potential of a long or late evening with the workshop to follow the regular City Council meeting. Vetsch recommended looking at another evening and or date to hold the workshop.

City Administrator Kruse felt the agenda for the meeting should be light; therefore, the meeting should be short. If the Council wants to set another date that is the Council's decision. Kruse noted that the workshop would be a baseline meeting where the Council would brainstorm by putting a list of goals together they want to accomplish. At the end of the workshop the Council would set another date to review each goal/topic and discuss how to achieve the goal.

CMs Wagner/Sorensen **motioned** to set Tuesday, January 18, 2011 beginning after the adjournment of the regular City Council meeting for a Goal Setting Workshop Session to basically get the framework completed. Motion carried unanimously.

BUILDING DEPARTMENT

Building Official's November 2010 Report

Mayor Meehan had one question that dealt with the amount of Revenue, which Finance Director Lannes reported \$30,000 as of September 30, 2010. City Council accepted the Building Official's report.

FINANCE DEPARTMENT

Authorize the Monday, January 3, 2011 Payment of Claims (bills)

Mayor Meehan asked if the Council had questions regarding any of the checks listed on the payment of claims.

CMs Sorensen/Schommer **motioned** to authorize the Monday, January 3, 2011 Payment of Claims (bills) for check numbers **029254** to **029289** in the amount of \$180,681.19 and \$50,529.25 as presented, that will be 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.

*Approve **Resolution No. 2011-002** setting the 2011 Corporate Signers*

Finance Director Lannes informed the Council that audit practices require the City Council appoints Corporate Authorized signers for the City of Albertville. Staff prepared a Resolution that updates the designated individuals that are the Corporate Authorized signers for the year 2011.

CMs Wagner/Sorensen **motioned** to approve Resolution No. 2011-002 entitled a Resolution setting the 2011 Corporate Authorized Signers. Motion carried unanimously.

CITY CLERK

Approve the Monday, December 20, 2010 regular City Council minutes

Council member Sorensen wanted the minutes amended to note that Council member Wagner was absent from the December 20, 2010 meeting. Sorensen wanted the section of the minutes to reflect that the Ordinance relating to the Electric Franchise Agreement was passed at the previous meeting with the amounts set at \$2.50/\$5.00/\$10.00; however, the agreement and amounts required approval from the two electric companies.

CMs Sorensen/Schommer **motioned** to approve the Monday, December 20, 2010 regular Council minutes as amended correcting the absence of Wagner and that the Electric Franchise Agreement passed at the December 6, 2010 meeting contingent upon approval from the electric companies; the signed copy will be scanned and retained as the official City record. Motion carried unanimously.

PLANNING

None

ENGINEERING

None

LEGAL

*Approve **Ordinance No. 2010-011** amending the Liquor License fees and other definitions of allowances continued from December 20, 2010 meeting*

City Attorney Couri explained the reason for amending the liquor license fees, which was to coordinate them with the State Statute 340A Liquor regulations where the state has set the maximum limit on the Sunday Liquor License of \$200.

Couri reported on the second change to the liquor ordinance dealing with the 3.2% Temporary Malt Liquor License, where the City has set the limit of six (6) licenses per year for each non-profit organization. In 2010, the Albertville Lions began hosting a Farmers Market on Thursday afternoons. In conjunction with the Farmers Market the Lions wanted to offer the sale of 3.2% Malt Liquor once a month. With the previous applications for Friendly City Days the Lions would not be allowed any additional licenses for the year.

Couri stated that this ordinance amendment was continued to allow Council member Vetsch the opportunity to discuss with the Albertville Lions the number of liquor licenses they were allowed to pull with the Dram Shop Insurance.

Council member Sorensen reminded the members that Mayor Klecker had a concern with the selling of 3.2% Malt Liquor at the Farmers Market because there is the potential of children present or possibly having access to the beer. Sorensen felt amending the ordinance would be okay because the Council would still have the control on approving or denying the temporary liquor licenses. If the residents begin to complain, the Council would justify the reason for denying a temp liquor license.

CMs Vetsch/Sorensen **motioned** to approve Ordinance No. 2010-011 entitled an Ordinance Modifying the 2005 Albertville Municipal City Code Title 4; Chapter 1; Section 6 – License Fees and Title 4; Chapter 1; Section 4 – Temporary 3.2 Percent Malt Liquor On-Sale Licenses. Motion carried unanimously.

*Approve **Ordinance No. 2010-013** amending the Wright-Hennepin Electric Franchise Agreement, **Ordinance No. 2010-014** amending the Xcel Energy Electric Franchise Agreement, **Ordinance No. 2010-015** setting the Wright-Hennepin Electric Franchise Fee, and **Ordinance No. 2010-016** setting the Xcel Electric Franchise Fee that are continued from the December 20, 2010 meeting*

City Attorney Couri reviewed the history of the implementation of the two ordinances for each company that would amend the Electric Franchise Agreement(s) and to Set the Electric Franchise Fees. At the September meeting, City Administrator Kruse stated the goal discussed by the prior Council was to generate adequate revenue to pay for street lighting costs and utility related projects such as burying electric wiring systems. Couri reiterated that the uses of electric franchise revenue is not limited to utility uses and can be used for any general fund purpose. Couri noted the recently negotiated Electric Franchise Agreements require the franchise fee to be a flat fee for various classes based on a percent of gross electric revenue.

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At the September 2010 meeting the following motion was made: *CMs Sorensen/Fay **motioned** to give Notice to Wright Hennepin Electric Coop and Xcel Energy seeking a 3.5% per month electric franchise fee on all classes of electric accounts, with a maximum of \$10 per month on all light commercial and industrial accounts and a \$20 per month fee on all large commercial and industrial in Connection with the Provision of Electric Utilities Franchise Agreements in the City of Albertville. Motion carried unanimously.*

At the December 6, 2010 meeting, staff prepared and presented the Ordinances setting the fees using the 3.5% per month calculation with the estimated property value, which Council member Vetsch and Mayor Klecker felt were too high and wanted to set a cap on the rate. The fees were adjusted as such: Residential \$2.50; Sm C & I – Non-Dem \$5.00; Sm C & I – Demand \$10.00; Large C & I \$50.00; Public Street Lighting \$2.00; Muni Pumping N/D n/a; Muni Pumping Dem n/a. Couri reported these amounts have not been reviewed by either of the electric companies; however, staff wants to make sure the amounts are correct.

Mayor Meehan made the comment that it would have been appreciated if these ordinances dealing with the electric franchise would have been approved in 2010.

CMs Sorensen/Wagner **motioned** to approve Ordinance No. 2010-013 entitled an Ordinance Granting to Wright-Hennepin Cooperative Electric Association, a Minnesota Corporation, its Successors and Assigns, Permission to Construct, Operate, Repair and Maintain in the City of Albertville, Minnesota, an Electric Distribution System and Transmission Lines, Including Necessary Poles, Lines, Fixtures and Appurtenances, for the Furnishing of Electric Energy to the City, its Inhabitants, and Others, and to Use the Public Ways and Public Grounds of the City for Such Purposes; and, Ordinance No. 2010-015 entitled an Ordinance Setting the Electric Franchise fee to be Paid by Wright- Hennepin Cooperative Electric Association in Connection with the Provision of Electric Service in the City of Albertville. Council members Sorensen, Wagner, and Schommer voted aye. Mayor Meehan and Council member Vetsch voted nay. Motion carried.

CMs Sorensen/Wagner **motioned** to approve Ordinance No. 2010-014 ordinance Amending Ordinance No. 2009-015 titled an Ordinance Granting to Northern States Power Company, a Minnesota Corporation, d/b/a Xcel Energy its Successors and Assigns, Permission to Construct, Operate, Repair and Maintain in the City of Albertville, Minnesota, an Electric Distribution System and Transmission Lines, Including Necessary Poles, Lines, Fixtures and Appurtenances, for the Furnishing of Electric Energy to the City, its Inhabitants, and Others, and to use the Public Ways and Public Grounds of the City for such Purposes; and, Ordinance No. 2010-016 entitled an Ordinance Setting the Electric Franchise fee to be Paid by Xcel Energy in Connection with the Provision of Electric Service in the City of Albertville. Council members Sorensen, Wagner, and Schommer voted aye. Mayor Meehan and Council member Vetsch voted nay. Motion carried.

ADMINISTRATION

ANNOUNCEMENTS and or UPCOMING MEETINGS

Staff noted to include the Goal Workshop session that was set for Tuesday, January 18, 2011 and to change the location of the January 31, 2011 joint meeting, which will be held at the St. Michael City Hall.

January 2011

- 10 6:00 p.m. STMA Ice Arena Board meeting**
- 11 7:00 p.m. Planning and Zoning Commission meeting**
- 17 all day Martin Luther King, Jr. Day observed – City offices closed**
- 18 7:00 p.m. City Council meeting – TUESDAY**
- 18 ----- Following Council Meeting – Albertville Economic Development Authority (EDA) Organizational meeting**
- 24 6:00 p.m. Joint Powers Water Board meeting**
- 31 6:00 p.m. Joint meeting with the cities of Albertville and St. Michael and the STMA School Board (School Board Room)**

January-11						
Su	M	Tu	W	Th	F	Sa
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2	cc 3 Ice	4	5	6	7	8
9	10 Ice	PZ 11	12	13	14	15
16	H 17	cc 18	19	20	21	22
23	JP 24 W	25	26	27	28	29
30	31					

February-11						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	cc 7	8	9	10	11	12
13	Ice 14	PZ 15	16	17	18	19
20	H 21	cc 22	23	24	25	26
27	JP 28					

February 2011

- 7 7:00 p.m. City Council meeting**
- 14 6:00 p.m. STMA Ice Arena Board meeting**
- 15 7:00 p.m. Planning and Zoning Commission meeting**
- 21 all day Presidents Day observed – City offices closed**
- 22 7:00 p.m. City Council meeting - TUESDAY**
- 28 6:00 p.m. Joint Powers Water Board meeting**

ADJOURN

CMs Vetsch/Schommer **motioned** to adjourn the Monday, January 3, 2011 regular City Council meeting at 7:50 p.m. Motion carried unanimously.

Bridget Miller, City Clerk (recording secretary)