



**ALBERTVILLE CITY COUNCIL**  
**February 22, 2011**  
**MINUTES**

**ALBERTVILLE CITY HALL**

**7:00 PM**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:00 p.m. followed by the pledge of allegiance.

**ROLL CALL**

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

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

**ABSENT:** Council member Jillian Schommer

**RECOGNITIONS – PRESENTATIONS – INTRODUCTIONS**

**STMA YOUTH BASEBALL UPDATE AND PRESENTATION OF A DONATION (RESOLUTION NO. 2011-004)**

Steve Hinkemeyer with the STMA Youth Baseball stated that the STMA Youth Baseball Association appreciates the City in maintaining the ballfields. The teams are thankful that the City has the ability to prepare the fields with the raking of the infield and chalking the baseline. Having the City prepare the ballfields gives the youth more time to practice and prepare for the games. Mr. Hinkemeyer presented a donation of \$1,500 on behalf of the STMA Youth Baseball Association to be applied towards the installation of a fence between the Oakside Park and the Casey's General Store property line. This will keep the balls from rolling out of the park and the youth from going into the commercial area to retrieve them. Should there be funds left over, to apply it towards the general maintenance of the parks or for future batting cages or something else deemed necessary by the Parks Committee.

Council member Sorensen wanted to thank the STMA Youth Baseball Association for their donation to the City and to the Family Youth Community Connections (FYCC). The City appreciates when organizations are able to help make or keep the Albertville parks safe for everyone.

CMs Sorensen/Vetsch **motioned** to approve Resolution No. 2011-03 entitled a Resolution Acknowledging a Donation of \$1,500.00 from the STMA Youth Baseball Organization to be applied towards the purchase of materials for a baseline fence to be installed at the Oakside Park. Motion carried.

### **CITIZEN FORUM**

Robert Schwiesow of 5234 Kali Court NE began with an overview of the wetland buffer signage issue. Schwiesow stated that he moved to Albertville in April 2010, which he came to the City Hall within the first couple of months to discuss obtaining a fence permit and dog licenses. Schwiesow reported to staff that there was a wetland buffer sign that was down in his backyard, which he put in his garage.

Schwiesow noticed there was a City Council meeting on September 7, which the City would be discussing Wetland Buffer Signs and Mr. Schwiesow, stated that he attended the meeting and reported to the Council that he had a sign down and it was stored in his garage.

Schwiesow stated he received a phone call from an employee who told him to put the wetland buffer signs in the backyard where he found them. Schwiesow felt confident that staff would be inspecting the property in the next couple of days, so he followed the direction of the employee and placed the buffer sign face down in the backyard. On October 16, 2010 Schwiesow's dog received a cut on his front leg from the wetland buffer sign.

Schwiesow concluded by stating in December 2010 City employees were in the backyard marking where the wetland buffer sign is to be located. But because the ground was frozen, it was difficult for staff to properly complete the installation. Schwiesow asked if the Council would consider reimbursing him for the veterinary bills he incurred from the cut his dog received from the sign.

City Administrator Kruse stated that the claim was turned over to the City's insurance and they investigated the claim. After the insurance adjuster talked to everyone involved, he determined the City was not negligent in any way and denied the claim. Mr. Schwiesow approached City Administrator Kruse for relief and Kruse reported he reviewed it with the City Attorney and again it appeared the City was not responsible for the dog's injury. Kruse stated staff was not prepared for this to be discussed at this meeting as he had asked Mr. Schwiesow to submit a letter with a request appealing the denial and then it was to be placed on the agenda with a staff recommendation and supporting information. Staff stated they did not have the information at the meeting and that there are two sides to the story, of which the Council is now only hearing one side.

Council member Wagner stated that if Mr. Schwiesow thought there was any danger of having the sign out there, why did he put it there. Wagner said, if that was the case, he would not have done it.

Mayor Meehan asked the Council to table this until the next meeting when staff can present the information. Councilmember Vetch objected and said we should not jerk this man around and just pay the claim. Mayor Meehan asked if anyone wanted to make a motion whether to reimburse Schwiesow for the vet bills or table the issue for additional information. The following was made:

CMs Vetsch/Sorensen **motioned** to approve reimbursing the \$599.09 veterinary bills incurred by Robert Schwiesow arising from a laceration his dog 'Gus' received to his right front paw from a City wetland buffer demarcation sign on Saturday, October 16, 2010; and upon City Attorney Couri drafting a 'Release of Claims' that is contingent upon Schwiesow agrees to release, hold harmless, and indemnify the City from any claims that may be brought against the City related to the dog injury. Motion carried unanimously.

### **AMENDMENTS TO THE AGENDA**

Mayor Meehan asked if there were any amendments to the agenda. City Clerk added 'Set the Date for the Next Workshop' under City Clerk.

CMs Wagner/Sorensen **motioned** to approve the Tuesday, February 22, 2011 agenda as amended adding the following items under City Clerk 6.G.3. Set Date for Next Workshop. Motion carried.

### **DEPARTMENT BUSINESS**

#### **CITY COUNCIL**

#### *Oral Update on the STMA Ice Arena meeting*

Council member Wagner reported that the Board is aware of the desire for a second sheet of ice. The difficult part is funding it during these difficult economic times. Council member Wagner said the last STMA Board meeting was good in that everyone there agreed that Architect Paul Youngquist's \$3,300,000 estimate for a Phase I project and a \$4,900,000 full vision is accurate. Youngquist dispelled the false belief that the project could be built for \$2,300,000. Other projects that were compared did not include soil corrections, handicapped accessibility and other required components.

Council member Wagner and Sorensen stated the Board decided not to go forward spending any money for a conceptual site plan or survey until the Board gets a better grasp on how the project could be funded. Board member Scherber stated none of the three (3) entities at this point are entertaining the thought of raising the taxes for a second sheet of ice. The Board is looking

towards the STMA Youth Hockey to being raising funds to leverage the project. Wagner said, an expanded arena will most likely have to include a dedicated line item in future budgets.

*Oral Update on the Planning and Zoning Commission meeting*

Council member Wagner shared that the Planning and Zoning Commission reviewed an application submitted by Particle Control to rezone the property to allow for two (2) silos to be constructed within the site. The Planning Commission recommended approval to the rezone and construct the silos that will be brought before the Council at the first meeting in March.

**FINANCE DEPARTMENT**

*Authorize the Tuesday, February 22, 2011 Payment of Claims (bills)*

Council member Vetsch inquired about check number 029477 made payable to Xcel Energy that identifies \$5,614.00 is for Street Lights for the period of 01/03 - 02/02/11. Vetsch stated that if he calculates it out \$5,600.00 times twelve (12) comes out less than \$83,000.00 that is being budgeted for 2011.

Staff reported Xcel Energy services only part of Albertville and that Wright-Hennepin Coop serves the area north of the freeway. City Administrator Kruse volunteered to provide Council member Vetsch with the account detail supporting the budget line item.

CMs Sorensen/Wagner **motioned** to authorize the Tuesday, February 22, 2011 Payment of Claims (bills) for check numbers **029433** to **029478** in the total amount of \$96,297.00 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. 2011-005** entitled a Resolution Approving the Issuance of General Obligation Utility Revenue Bonds, Series 2011A authorize sale of the 2011A; and, **Resolution No. 2011-006** entitled a Resolution approving the issuance of General Obligation Improvement Refunding Bonds; Series 2011B*

City Administrator Kruse noted that Paul Donna with Northland Securities is here to discuss and present the approval of the GO Bonds.

Mr. Donna began with the comment that the resolutions before the Council will authorize the City to proceed with the sale of the 2011A and 2011B Series General Obligation Bonds. There will be additional resolutions prepared for Council approval once bids are received. Mr. Donna stated that staff was asking the Council to refinance an existing bond which will save the City \$47,500 over the remaining term of the bond. Further, staff was requesting the Council approve the sale of a bond to finance the CSAH 37 West Improvement project involving Niemeyer,

Miller and Christensen. Staff said it was more cost effective to issue the two bonds at one time rather than separate issues.

Council member Vetsch raised the question why the City is looking at doing this now. When the Council was going through the budget process last summer, Vetsch wanted to review some of the bonds. Staff reported it could not be done yet here we are looking at the bonds and evaluating the finances. Council member Vetsch inquired about Special Assessment process for the Niemeyer Project.

City Administrator Kruse and Financial Advisor Donna explained that during the budget process these bonds were not callable and the action tonight would not affect the 2011 general fund levy discussed at that time.

City Administrator Kruse went over the history very briefly noting that the City extended sewer and water utilities on West CSAH 37 to the Christiansen, Niemeyer, and Miller properties. To assist the developer, the City provided interim financing for the project through its Sewer Access Fund (SAC), with the long term goal to issue a GO Bond as the method of long term financing. The West CSAH 37 financing is a relatively small issue and the City has been looking for an opportunity to package this financing with another bond issuance to reduce costs. The refinancing of the 2003A General Improvement Bonds provides the City with that opportunity.

Kruse noted that one of the key issues is the SAC fund has been used in the past to cash flow major construction project. The fund has adequate money; however, projects such as the Northwest Commercial Park and the Prairie Run Project have not been able to pay back the SAC fund in a timely manner. There are pending Wastewater Treatment Plant upgrades to meet the 0.06 Phosphorus limit, the City needs to make sure the SAC fund is healthy. Issuance of the proposed bonds provides the long term financing needed for the West CSAH 37 Project independent of the SAC fund.

Couri stated if the city would have completed the Niemeyer Project by assessing the cost, the City would have followed the requirements for Special Assessments under Section 429. The assessment costs would have been applied towards the property and could be viewed as a lien on the properties. The current revenue bond does not result in a lien on the property.

Council members requested additional time to review the Northland Securities Report whether to approve the Resolutions necessary to proceed with the refinancing of the 2003A General Improvement Bonds and merging the West CSAH 37 Sewer/Water Improvement Project into one new set of GO Bonds. The following motions were made to table the adoption of the resolutions.

M Meehan/CM Sorensen motioned to **table Resolution No. 2011-005** entitled a Resolution Approving the Issuance of General Obligation Utility Revenue Bonds, Series 2011A authorize sale of the 2011A.

M Meehan/CM Sorensen motioned to **table Resolution No. 2011-006** entitled a Resolution approving the issuance of General Obligation Improvement Refunding Bonds; Series 2011B

**CITY CLERK**

*Approve the Monday, February 7, 2011 regular City Council minutes*

CMs Wagner/Sorensen **motioned** to approve the Monday, February 7, 2011 regular Council minutes as amended changing it from Council member Wagner to Council member Sorensen who asked about check no. 029417 of the minutes, the signed copy will be scanned and retained as the official City record. Motion carried unanimously.

*Approve the Monday, February 7, 2011 City Council workshop notes*

CMs Wagner/Sorensen **motioned** to approve the Monday, February 7, 2011 Council workshop notes as amended noting that Council member Sorensen wanted to look into the pros and cons of hiring a Fire Chief, the signed copy will be scanned and retained as the official City record. Motion carried unanimously.

*Accept and approve the three (3) Gambling Permits to the St. Albert Catholic United Financial Council 147 for events to be held at the St. Albert Parish Center on Saturday, March 19, 2011 (raffle, paddlewheel), Saturday, June 11, 2011 (Bingo), and Sunday, November 20, 2011 (Bingo)*

City Clerk Miller reported that the St. Albert Church submits gambling permits every year for various activities within the Parish Center. The types of gambling range from Bingo to Paddlewheels or raffles. The City has never heard any complaints from the public regarding these gambling permits.

CM Sorensen/M Meehan **motioned** to accept and approve the three (3) Gambling Permits to the St. Albert Catholic United Financial Council 147 for events to be held at the St. Albert Parish Center on Saturday, March 19, 2011 (raffle, paddlewheel), Saturday, June 11, 2011 (Bingo), and Sunday, November 20, 2011 (Bingo). Motion carried.

*Accept and approve a 1-4 Day Temporary Intoxicating Liquor License application submitted by the Albertville Lions for an event that will be held at the St. Albert Parish Center on Saturday, March 19, 2011*

City Clerk Miller reported that the Albertville Lions applied for a 1-4 Day Temporary Intoxicating Liquor License. This is for a benefit that will take place at the St. Albert Parish Center on Saturday, March 19, 2011. The individual is a local gal that is battling cancer. The treatments needed are costly and the insurance will not cover them. The community is holding the benefit to raise money to help the resident. The City sets the fee at \$220, which will take away for the amount of funds that could be raised for her.

Mayor Meehan asked the Council if they wanted to reduce the fee for the liquor license or leave it at \$220.

M Meehan/CM Sorensen **motioned** to approve a 1-4 Day Temporary Intoxicating Liquor License application submitted by the Albertville Lions for an event that will be held at the St. Albert Parish Center on Saturday, March 19, 2011 at a cost of \$20.00 set by the City Council on Tuesday, February 22, 2011. Motion carried.

*Set Date for Next City Council and Staff Workshop*

M Meehan/CM Wagner **motioned** to set Monday, March 7, 2011 as the next City Council and Staff Workshop that will begin after the regular City Council meeting. Motion carried.

**ENGINEERING**

*Accept the City Engineer's Written Report*

City Engineer Nafstad gave a brief overview of the written report that was included in the packet. In addition, Nafstad stated that a Preliminary I-94 Ramp Project Schedule will be put together for presentation at the March 7, 2011 City Council workshop.

Nafstad noted that he is working on a Feasibility Report related to the I-94 Project for the Council to accept during the regular portion of the March 7, 2011 Council meeting.

**ADMINISTRATION**

*Administrator's Oral Update*

City Administrator Kruse reminded the Council about the February 28<sup>th</sup> joint meeting with the City of Otsego.

*National Flood Insurance Program*

City Administrator Kruse prepared information for the Council to review pertaining to National Flood Insurance Program. There would be no action taken on the matter this evening, but it is something for the Council to review and possibly consider participating in – in the future.

**ANNOUNCEMENTS and or UPCOMING MEETINGS**

**February 2011**  
**28 6:00 p.m. Joint Powers Water Board meeting**

- 28 8:15 p.m. Albertville Council & Otsego Council workshop  
(Otsego City Hall)

**March 2011**

- 7 7:00 p.m. City Council meeting
- 7 following City Council workshop
- 10 5:00 p.m. Liv Wright Grant Open House (Albertville City Hall)
- 14 6:00 p.m. **STMA Ice Arena Board meeting**
- 15 7:00 p.m. **Planning and Zoning Commission meeting**
- 21 7:00 p.m. City Council meeting
- 28 6:00 p.m. **Joint Powers Water Board meeting**

March-11						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	CC 7	PZ 8	9	10	11	12
13	Ice 14	15	16	17	18	19
20	CC 21	22	23	24	25	26
27	JP 28	29	30	31		

April-11						
Su	M	Tu	W	Th	F	Sa
					1	2
3	CC 4	5	6	7	8	9
10	Ice 11	PZ 12	13	14	15	16
17	CC 18	19	20	21	22	23
24	JP-W 25	26	27	28	29	30

**April 2011**

- 4 7:00 p.m. City Council meeting
- 9 8:00 a.m. 2011 Albertville Spring Town Hall Open House
- 11 6:00 p.m. **STMA Ice Arena Board meeting**
- 12 7:00 p.m. **Planning and Zoning Commission meeting**
- 18 7:00 p.m. City Council meeting
- 21 tbd p.m. **Joint Cities of Albertville/St. Michael with  
Wright County Commissioners meeting**  
(location to be determined)
- 25 6:00 p.m. **Joint Powers Water Board meeting**
- 30 7:00 a.m. **Joint Albertville-St. Michael Spring Clean-up Day**  
(held at the St. Michael PW Facility)
- 28 6:00 p.m. **Joint Powers Water Board meeting**

**ADJOURNMENT**

CMs Sorensen/Wagner **motioned** to adjourn the Tuesday, February 22, 2011 regular City Council meeting at 9:25 p.m. Motion carried unanimously.

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Bridget Miller, City Clerk (recording secretary)