



ALBERTVILLE CITY COUNCIL
April 4, 2011
WORKSHOP NOTES

ALBERTVILLE CITY HALL

9:04 PM

Mayor began the workshop around 9:04 p.m.

STMA Ice Arena

This item was discussed during the regular Council meeting; therefore, no further comments were made.

Legal - Social Host Ordinance

City Administrator Kruse began by reporting he received an e-mail from Ellen Schreder regarding the potential of the City Council adopting a Social Host Ordinance. Schreder noted that there have been 59 cities within the State of Minnesota which have passed a Social Host Ordinance. In addition to the cities, there are fourteen (14) counties that passed such an ordinance at the county level.

Kruse went on referring to the e-mail sharing the fact that according to Schreder, there is a Bill in the House and Senate; and, the matter is under discussion at the state level; however, there is no guarantee it will pass. Schreder wanted the Council to reconsider passing an ordinance similar to the one the City of St. Paul passed in October 2009.

City Attorney Couri gave a brief overview of the proposed Social Host ordinance. Couri focused more on Schreder's concern that is contained in Section 4; Subsection 239.04.A. of the St. Paul Ordinance see below:

Section 239.04 Prohibited Act and Penalty for Violation of Ordinance

- (A) **Prohibited Acts.** It is unlawful for any person(s) to host or allow an event or gathering at any residence, premises, or on any other public property or private property where alcohol or alcoholic beverages are present when the person hosting or allowing the event or gathering knows or reasonably should know that an underage person will or does:

- a. Consume alcohol or an alcoholic beverage; or
- b. Possess alcohol or an alcoholic beverage with the intent to consume it; and, the person, hosting or allowing the vent or gather, fails to take reasonable steps to prevent such possession or consumption by the underage person(s).

Couri noted that individuals may not realize the ramifications when they decide to host a gathering of teenagers with alcohol. In 2009, this was brought before the Council because of the vehicular accident on CSAH 19. Even though some parents may take away the keys, these teenagers under the influence may decide to walk home, which happened in another community during the winter and the kid was not wearing any shoes.

Council reviewed the ordinance and would like all three (3) entities to be on the same understanding. The three (3) being the STMA School District 885, City of Albertville, and the City of St. Michael.

In conclusion of the discussion, Council directed staff to encourage Ellen Schreder to attend the next joint meeting of the STMA School District, Cities of Albertville and St. Michael that way all three (3) bodies involved with supporting the ordinance(s) would be on the same page.

Planning - Karston Cove Housing Project

Planner Brixius began by informing the Council that the developer of the Albertville Meadows Townhomes is interested in purchasing the property known at Karston Cove 3rd Addition. The current owner has a cash deposit with the city for the completion of the utility installation and other improvements. Staff recommends negotiating return of the majority of the cash deposit in exchange for the land. Then the city could contact a developer who may build tax credit rental housing on the site.

Staff reported that the city holds possession of Woodside's cash deposit in the amount of \$460,000 for the street improvements within the development. Brixius brought to the Council's attention with the initial approval of Karston Cove 3rd Addition there are structural amenities incorporated within the Developer's Agreement that are to remain with the property.

There was a comment about adding to Winter Park that is close by. The City could take over the land and apply it towards additional parking spaces to accommodate the residents that use the park for ball practice or for ball games.

Council members Vetsch, Sorensen, and Schommer all agreed that there is enough rental property in Albertville. The city does not need additional property to be rented out.

Council member Wagner shared his thoughts, which he felt like the City was becoming landlords or land owners. The city recently purchase about 6-8 tax forfeited land from the County, we acquired the Prairie Run Housing addition, that's in addition to the Barthel Industrial Park property.

City Attorney Couri wanted to make sure that the Council was aware the Park Dedication fees have been paid. Couri also pointed out that the city needs to enact on the Letter of Credit soon, meaning enforce the improvements in six (6) years or sooner.

Couri gave the Council two (2) options which are:

1. The best win-win would be the city obtain the land and release the Letter of Credit;
or
2. Extend the Letter of Credit for another six (6) to eight (8) years in hopes that the economy gets better or to see if anything else comes along.

At this time Council would entertain extending the Development Agreement if anything. The Council requested additional time to think about the issue.

Engineering - I-94 Improvement Feasibility Study

City Engineer Nafstad was rather brief with the update due to the meeting running longer than expected. Staff has reviewed the properties taking into account the appraisals that were completed by Nagell. This will be a 429 Assessment process that requires appropriate timing from here on out.

Nafstad reported staff is in the process of preparing documents and putting together the schedule. The next step would be to present the Council with a document to set the Public Hearing for the I-94 Improvement Project. Staff is looking at asking for approval in May 2011 for the Public Improvement Hearing that would be held in June or July 2011.

Nafstad presented a layout of the area that identified the properties that would most likely benefit from the I-94 Improvement Project. From there staff, with assistance from Nagell, set the percentage of the assessment that would be applied towards the various parcels. As with prior assessments the proximity of the property will determine the percentage applied to the site. The closer the property is to the improvement the higher percentage of the assessment will be.

Council questioned if a property owner wanted to appeal the assessment amount. Staff reported if a property owner wants to appeal, the owner would hire their own appraiser. The two (2) appraisals would be presented in court and it would be up to the judge reviewing the appraisals to determine which one would be accepted.

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Council asked staff if the same properties would be assessed again when the Second Phase is implemented. Staff reassured the Council that the majority of the assessment will be seen or applies towards Phase One.

Staff continued with the comment that the appraiser or market demonstrated a similar interchange project that was completed within the State of Minnesota. It was closer to the Minneapolis area.

Nafstad conclude with the comment that staff will do their best to complete the steps necessary to present the Feasibility Study at the next Council meeting that is scheduled for April 18, 2011 or the first meeting in May.

The meeting adjourned at approximately 10:22 p.m.

Bridget Miller, City Clerk (recording secretary)