



ALBERTVILLE CITY COUNCIL
Tuesday, July 5, 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

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

STAFF MEMBERS PRESENT: City Planner Alan Brixius, City Attorney Mike Couri, PW Supervisor Tim Guimont, City Administrator Larry Kruse, Finance Director Tina Lannes, Permit Tech Tori Leonhardt, Utilities Superintendent John Middendorf, Fire Chief Tate Mills, City Clerk Bridget Miller, City Engineer Adam Nafstad, and Building Official/Zoning Administrator Jon Sutherland

ABSENT: none

CITIZEN FORUM

Permit Technician Leonhardt wanted to let the Mayor and Council members know that she presented her two (2) weeks notice to the City Administrator and Building Official on Monday, August 8. Leonhardt shared that she accepted a job offer with the City of Columbia Heights in the Finance Department. Leonhardt went on to share that it has been fun working here.

RECOGNITION-PRESENTATION-INTRODUCTIONS

None

AMENDMENTS TO THE AGENDA

Mayor Meehan asked if there were any amendments to the agenda. City Engineer Nafstad added an item under Engineering 7.I.2. Real Estate Purchase Agreement. Mayor Meehan pulled item 6.B. off the Consent Agenda for further discussion on the hours of the 1-4 Day Temporary Intoxicating Liquor License for the Fire Department.

CMs Wagner/Sorensen **motioned** to approve the Monday, August 15, 2011 agenda as amended to adding item 7.I.2. Real Estate Purchase Agreement between the City of Albertville and the Albertville Marketplace Association, Inc.; and, pulling item 6.B. Approve a 1-4 Day Temporary Intoxicating Liquor License; and, waive the \$220 City License Fee; and, allow the consumption of alcohol within a City owned building known as the Fire Hall on Saturday, September 10, 2011 from 3:00 p.m. – 10:00 p.m. that will be discussed in the general order of business. Motion carried unanimously.

CONSENT AGENDA

Mayor Meehan noted there are a number of items on the Consent Agenda, which he asked if the Council had any other questions or concerns. If there are no questions or concerns, the Mayor asked for a motion to approve-accept the Consent Agenda pulling the 1-4 Day Temporary Intoxicating Liquor License for the Fire Department Dinner.

CMs Sorensen/Wagner **motioned** to approve the remaining items on the Consent Agenda that included the following: approve a LG220 Application for a Minnesota Lawful Gambling Exempt Permit for the St Albert Parish Center to allow the members of the church to sell Raffle tickets for a drawing that will be held on January 9, 2012 that will take place at 11458 57th Street NE within the Albertville city limits; and, approve a 1-4 Day Temporary Intoxicating Liquor License application submitted by the Albertville Lions for an STMA Youth Hockey Fundraiser that will take place at the St. Albert Parish Center located at 5700 Lander Avenue NE for an event to be held on Saturday, September 24 from 2:00 p.m. to 11:00 p.m.; and, approve reduce Letter of Credit No. 805 held as security for the Niemeyer Trailer Sales development to no less than \$7,840, conditioned on all outstanding balances owed to the City being paid in full; and, approve the purchase and installation of dog park fence in Winter Park from Storm Fence for amount not to exceed \$5,350.00. Motion carried unanimously.

Approve a 1-4 Day Temporary Intoxicating Liquor License; and, waive the \$220 City License Fee; and, allow the consumption of alcohol within a City owned building known as the Fire Hall on Saturday, September 10, 2011 from 3:00 p.m. – 10:00 p.m.

Mayor Meehan wanted clarification whether the Fire Department would like to extend the hours of the Fire Hall from 10:00 p.m. until 12:00 midnight. Meehan was informed that city buildings are supposed to be closed at 10:00 p.m.

City Attorney Couri was not aware if there were restricted hours on city buildings but knew that City Parks are closed at 10:00 p.m. with the exception of Friendly City Days when the Council approves extending the hours for the City Festival.

City Clerk Miller commented that all City Building are supposed to be closed at 10:00 p.m. When a resident or other individual inquires about reserving City Hall for a wedding reception staff tells them the building is suppose to be closed at 10:00 p.m. There was a concern with the receptions going late into the evening and Council decided to close the building at 10:00 to be consistent with the parks. The exception to the rule would be during elections as the judges are here counting up the results.

Council member Sorensen asked if that meant Council meetings are not supposed to go past 10:00 p.m.

Fire Chief Mills reported that the fire fighters would like the ability to stay in the building until 12:00 midnight.

CMs Vetsch/Schommer **motioned** to approve a 1-4 Day Temporary Intoxicating Liquor License to the Albertville Lions; and, to waive the \$220 City License Fee; and, to allow the consumption of alcohol within a City owned building known as the Fire Hall on Saturday, September 10, 2011 beginning at 3:00 p.m. and terminating at 12:00 midnight; and, to allow the Fire Hall to be open until 12:00 midnight. Motion carried unanimously.

DEPARTMENT BUSINESS

CITY COUNCIL

Oral Update on the STMA Arena Board meeting

Council member Wagner reported that the STMA Arena Board reviewed the 2011-2012 Budget. There was discussion about raising the Prime time rate to \$200; however, the STMA Youth Hockey would like to see the amount remain at \$185. Other surrounding communities do not charge that much. In summary, the Board left the Prime time rate at \$185 for the 2011-2012 School calendar year.

Council member Sorensen was pleased to inform the other members that the STMA Arena demonstrated a profit in 2010 and so far 2011 is looking favorable in the profit margin. It is not a huge profit but is better than nothing.

Sorensen went on to explain that the Board discussed the potential of putting funds in the budget to replace the Zamboni. It gets a workout every year and things need repair. Having a new electric Zamboni would be beneficial for the facility and those that use it.

Wagner commented about the replacement of the sound system that also could use come attention. It would require renting equipment to reach as it is above the ice. Arena Manager Fitch has looked into what it would cost for a new system, but it may be on hold.

The last item brought forward from the STMA Arena meeting was the authorization to obtain a survey and site layout for the future expansion of the second sheet of ice. This is to ensure the expansion will meet the required City Code setback regulations.

Oral Update on the Planning and Zoning Commission meeting

Council member Sorensen began by sharing the Commission reviewed a Conditional Use Permit for a attached garage addition.

City Planner Brixius stated a homeowner wanted to add onto the existing garage; however, the additional 509 square-foot garage exceeds the 1,000 square-foot maximum allowed. Staff reviewed the application and encouraged the resident to apply for a CUP to allow for the 1,125 square-foot garage. This will come before the Council at the September 6, 2011 meeting for review and approval.

FIRE DEPARTMENT

No comments

PUBLIC WORKS-PARKS DEPARTMENT

No comments

UTILITIES DEPARTMENT

No comments

BUILDING DEPARTMENT

No comments

FINANCE DEPARTMENT

*Authorize the Monday, August 15, 2011 Payment of Claims (bills) for check numbers **89EFT – 93EFT, 030075 to 030133***

Mayor Meehan addressed the Council to see if there were any questions or concerns regarding the August 1, 2011 payment of claims.

Council member Wagner requested additional information related to check no. 030058 made payable to Pick Electric in the amount of \$100.00. He wanted to know if this was part of the retro work that was going to be completed.

Finance Director Lannes was unaware of what exactly the work order was for but would contact Grant Fitch the STMA Ice Arena Manager and report back to Wagner.

CMs Vetsch/Sorensen **motioned** to authorize the Monday, August 15, 2011 Payment of Claims (bills) for electronic payment numbers **89EFT – 93EFT** and check numbers **030075 to 030133** as presented in the total amount of \$223,583.72 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.

Oral Update on Property Casualty Insurance (Worker's Compensation)

Finance Director Lannes reported for a number of years the City has used Middleton Insurance for Property Casualty – Worker's Compensation Insurance through the Minnesota League of Cities Insurance. At a Finance Officers meeting Lannes discovered there is another company that would offer the same service; however, the agent would conduct the physical inventory for staff to review.

The current situation is staff consisting of City Administrator Kruse, PW Supervisor Guimont, Utilities Superintendent and myself would take a physical inventory of property throughout the city. Staff reviewed the cost with having the agent conducting the physical inventory versus staff spending time to take inventory of equipment owned by the City. The agent would be comparable in price for the service.

Council appreciated the knowledge of staff researching and bringing this to their attention. In prior years the Insurance Policy would be presented and the Council felt there was not enough time to review the policy as it had expired and needed to be approved immediately.

Council member Sorensen thought this is a good idea as homeowners or other individual's seek quotes for their personal property insurance. Council member Schommer agreed to the thought of seeking insurance quotes from another vendor. Schommer noticed that it appears other municipalities are going with Northland Capital Insurance Group and have been offering recommendations.

Council member Wagner wanted to make sure that staff would still be reviewing the list to make sure pieces of equipment were not over looked. Lannes assured Wagner that the staff members currently involved would look over the list prior to presentation to the Council.

Finance Director Lannes asked the Council to make a motion directing staff to work with Northern Capital to get a quote for services.

CMs Sorensen/Schommer **motioned** to direct staff to work with Northern Capital Insurance Group to obtain a quote for Property Casualty Insurance that would include Worker's Compensation to be presented at a future Council meeting. Motion carried unanimously.

CITY CLERK

Approve the Monday, August 1, 2011 regular City Council minutes and the Monday, August 1, 2011 Second City Council Budget Workshop

Mayor Meehan wanted to review the minutes separately, which Meehan looked to the Council for correction to the Monday, August 1, 2011 regular City Council minutes.

Council member Wagner asked to correct the paragraph dealing with the approval of the checks that began with: Council member Wagner requested additional information related to check no. 030058 made payable to Pick Electric in the amount of \$100.00. He wanted to know if this was part of the retro work that was going to be ~~done~~.

Wagner wanted the word done changed to 'completed'. City Clerk Miller stated she would make the correction.

Mayor Meehan continued to the Monday, August 1, 2011 Second City Council Budget Workshop notes. Hearing no comments Meehan entertained a motion to approve the minutes as amended and the workshop notes as presented.

CMs Schommer/Sorensen **motioned** to approve the Monday, August 1, 2011 regular City Council minutes as amended noting Council member Wagner's correction and the Monday, August 1, 2011 Second City Council Budget Workshop notes as presented. Motion carried unanimously.

PLANNING

Approve **Ordinance No. 2011-010** entitled an Ordinance Amending Section 10-7-7.G. And 10-7-7.H. of Chapter 7 (Sign Regulations) of the Albertville Building and Development Regulations (Title 10) of the 2005 Albertville Municipal City Code to Allow Temporary Off-Premise Signs

City Planner Brixius reviewed the background on how staff arrived at amending the Albertville Municipal City Code. Business owners have been sharing thoughts and comments related to the ability to display signage off-premise. Council has directed staff to look into some alternative methods to meet both the City's enforcement and business owners opportunity to advertise off-site.

The amendment went before the Planning and Zoning Commission in the spring of 2011, which the Commission denied amending the Albertville Municipal City Code. It was the Council that wanted to revisit the amendment during a workshop to hear what the Planning and Zoning Commission members concerns were. It was during the workshop that the Planning and Zoning Commission would consider amending the City Code with limitations. Staff took the information from the workshop to present the outcome result, which is where we are at today.

Brixius continued by going over the highlighted areas of the amendment.

Under Permit Requirements this language will be added: Each sign shall require a separate permit. The application shall be signed by both the business requesting the sign and the property owner of the site where the sign is be located. The sign application shall include information that identifies the type of sign, sign size, sign location and the dates when the sign will be in place and the date of the sign removal. The city building official is

authorized to review and approve permits for temporary signs and/or portable signs or banners, ten day prior to the special event.

The duration period will be the same as Temporary On-site Premise signs, which is a maximum of fourteen (14) consecutive days.

Language dealing with the limit on the number of signs will read as follows:

- (1) Properties with a building containing one (1) to three (3) tenant shall be limited to no more than four (4) permits in a calendar year.
- (2) Properties with a building containing four or more tenants shall be limited to no more than eight (8) permits in a calendar year.
- ~~(2)~~-(3) If two (2) permits are obtained in succession by any applicant, both permits shall be counted for the purpose for determining the yearly limitations of this subsection G1c.

Brixius continued with the remainder of the Ordinance item-by-item listed below:

2. Maximum Size: Maximum banner sign size shall be limited to thirty-two (32) square feet. Maximum portable sign size shall be limited to forty-eight (48) square feet.
3. Temporary Sign Location Standards:
 - a. Except as allowed in subsections 10-7-7G 7 and 8 of this ordinance all temporary signs shall be located on the property of the business with the special event.
 - b. Signs may not be placed in the right-of-way and must be set back minimum of ~~ten feet (10')~~ five feet (5') from all property lines.
 - c. Where multiple signs have been located, they shall be a minimum of one hundred feet (100') apart.
5. Dangerous Signs Prohibited; Anchors Required: Signs must not be unsafe or dangerous; they must be securely anchored.
6. Electronic Signs: Electronic changeable copy signs shall be prohibited as temporary or Portable signs.
7. Temporary Off-Premise Signs: For the period between August 15, 2011 and December 31, 2012, an Albertville business may locate a permitted temporary sign off their premises provided the following conditions are met:
 - a. Limits on Temporary Off-Premise Sign Permits:
 - (1) No more than two (2) temporary off-premise sign permits shall be issued for any one business per calendar year.

(2) Off-premise signs shall be counted against the allowed number of temporary signs per Section 10-7-7.G.1.c. of this ordinance for the property where the sign is located.

(3) Off-premise signs shall be counted against the allowed number of temporary signs per Section 10-7-7.G.1.c of this ordinance for the business requesting the sign.

b. Temporary Off-Premise Sign Location Standards:

(1) Temporary off-premise signs shall not be located within any street right-of-way or publicly owned land.

(2) Temporary off-premise sign shall not be located on vacant or undeveloped lots.

(3) Temporary off-premise signs shall be set back from all property lines a minimum of five (5) feet.

(4) Temporary off-premise signs shall not be located within three hundred (300) of the Interstate 94 right of way.

(3) Where multiple temporary off-premise signs are located on the same lot or along the same side of the street, they shall maintain a minimum separation of one hundred (100) feet.

(4) Temporary off-premise signs shall be located within one-quarter (1/4) mile of the site containing the business being served by the sign.

(5) Temporary off-premise signs shall only be located within commercial and industrial zoning districts.

c. Ordinance Expiration: Without further action by the Albertville City Council, Section 10-7-7.G.7 of the Albertville Sign Ordinance shall be repealed in its entirety and all permits issues under this ordinance shall expire on December 31, 2012.

8. Nonprofit or Charitable Organization Signs:

~~a. The sign must be located on the property on the business with the special event, and the advertising message must only relate to the business conducted on that premises; except, that nonprofit or charitable organizations as defined by the internal revenue code 501(C3) may have off premise signs for fundraising activities prop that they obtain the permission of the property owner. Nonprofit and charitable organizations as defined by Internal Revenue Code 501(C3) may have temporary off-premise signs provided;~~

(1) All temporary signs require permits; permit applications must include the _____ property owner's permission to locate the sign on their property.

- (2) Special events are limited to no more than six (6) in a calendar year.
- (3) Signs from a nonprofit or charitable organization shall not be counted as against the number of temporary sign permits allow allowed to the property owner.
- (4) Nonprofits and charitable organizations may have up to three (3) temporary signs per permit.

9. Violation: Temporary off-premise signs erected without a permit or in violation of this ordinance may be subject to immediate removal and/or be subject to an administrative fine per Chapter 6 of the Albertville City Code. After one (1) notice of a violation this section of the sign code the city shall levy administrative fines for subsequent violations or repeat offenses without additional notices. Failure to abide by the approved permit or the provision of this code will be grounds for denial of additional permits for six (6) months following notice of violation.

Brixius opened it up to the Council for comments, concerns or recommendations to adjust the proposed Ordinance dealing with Temporary Off-Premise Signs.

Council member Vetsch and Mayor Meehan shared their views regarding amendments that have been made to the section of the City Code that deals with signage. Both commented that there has been a number of changes made over the past six (6) to twelve (12) months. Vetsch and Meehan encouraged staff to make these corrections easy to understand and clear as to what is allowed.

Council member Schommer brought up non-profit organizations and wanted clarification on how they fit into this amendment, which Brixius confirmed non-profit groups are treated in a separate way as they don't have a specific business so they have different guidelines to follow. Brixius noted that there is language contained in the ordinance that addresses 501(C3) groups; however, it is known that obtaining a 501(C4) is easier to obtain and staff could include them into the ordinance.

There was discussion that dealt with vacant property as to whether that was included. There are a number of vacant properties along CSAH 19 and Council was visualizing a vertical 'yellow pages' down the corridor of advertisement signs.

Brixius reminded the Council the limitation is $\frac{1}{4}$ of a mile from the business. The example Brixius gave was using Neighbor's Eatery and Saloon would be allowed to place a sign along CSAH 37 that was previously illegal. Looking at the businesses along CSAH 19 it would be difficult for Sassy Seconds to place a sign at the intersection of CSAH 19 and 50th Street NE as it is more than $\frac{1}{4}$ mile away.

Mayor Meehan looked to the Council for any final comments before asking for a motion on Ordinance No. 2011-010 entitled and Ordinance Amending Section 10-7-7G and 10-7-7H of the Albertville City Code. The Council was in agreement as this would be for a limited time to see how much additional signage this will create and help business get back on their feet during these tough times.

CMs Schommer/Vetsch **motioned** to approve **Ordinance No. 2011-010** entitled an Ordinance Amending Section 10-7-7.G. And 10-7-7.H. of Chapter 7 (Sign Regulations) of the Albertville Building and Development Regulations (Title 10) of the 2005 Albertville Municipal City Code to Allow Temporary Off-Premise Signs as follows including amendments made this evening:

SECTION 1. Section 10-7-7.G (Temporary and Portable Signs) of Chapter 7 (Sign Regulations) is hereby amended to include repealing the strikeout language and adding the underlined following language:

10-7-7.G. Temporary and Portable Signs: In all districts temporary and/or portable signs or banners may be permitted subject to the following:

1. Permit Requirements:

a. Temporary and/or portable signs or banners shall not be permitted without a permit. A temporary sign application fee, as set by city resolution, shall be submitted to the city building official. Each sign shall require a separate permit. The application shall be signed by both the business requesting the sign and the property owner of the site where the sign is be located. The sign application shall include information that identifies the type of sign, sign size, sign location and the dates when the sign will be in place and the date of the sign removal. The city building official is authorized to review and approve permits for temporary signs and/or portable signs or banners, ten day prior to the special event.

b. Duration of Permit; Expiration; Sign Removal Required: All permits issued hereunder shall be for a maximum duration of fourteen (14) days and shall automatically expire after said period. Upon expiration, the applicant shall cease to display any and all signage permitted by the permit unless the applicant has received a new permit for said signage.

c. Limitations on Permits:

~~(1) No more than four (4) permits per calendar year shall be issued to any one property, except for the period of time from July 1, 2009 through December 31, 2012 no more than eight (8) per calendar year shall be issued for each property. After December 31, 2012, the number of temporary and potable signs shall be limited to four (4) permits per calendar year per property. Shopping Centers and multiple tenant buildings shall be counted as one property.~~

(1) Properties with a building containing one (1) to three (3) tenant shall be limited to no more than four (4) permits in a calendar year.

(2) Properties with a building containing four or more tenants shall be limited to no more than eight (8) permits in a calendar year.

~~(2)-(3)~~ (3) If two (2) permits are obtained in succession by any applicant, both permits shall be counted for the purpose for determining the yearly limitations of this subsection G1c.

2. Maximum Size: Maximum banner sign size shall be limited to thirty-two (32) square feet. Maximum portable sign size shall be limited to forty-eight (48) square feet.
3. Temporary Sign Location Standards:
 - a. Except as allowed in subsections 10-7-7G 7 and 8 of this ordinance all temporary signs shall be located on the property of the business with the special event.
 - b. Signs may not be placed in the right-of-way and must be set back minimum of ~~ten feet (10')~~ five feet (5') from all property lines.
 - c. Where multiple signs have been located, they shall be a minimum of one hundred feet (100') apart.
5. Dangerous Signs Prohibited; Anchors Required: Signs must not be unsafe or dangerous; they must be securely anchored.
6. Electronic Signs: Electronic changeable copy signs shall be prohibited as temporary or Portable signs.
7. Temporary Off-Premise Signs: For the period between August 15, 2011 and December 31, 2012, an Albertville business may locate a permitted temporary sign off their premises provided the following conditions are met:
 - a. Limits on Temporary Off-Premise Sign Permits:
 - (1) No more than two (2) temporary off-premise sign permits shall be issued for any one business per calendar year.
 - (2) Off-premise signs shall be counted against the allowed number of temporary signs per Section 10-7-7.G.1.c. of this ordinance for the property where the sign is located.
 - (3) Off-premise signs shall be counted against the allowed number of temporary signs per Section 10-7-7.G.1.c of this ordinance for the business requesting the sign.
 - b. Temporary Off-Premise Sign Location Standards:
 - (1) Temporary off-premise signs shall not be located within any street right-of-way or publicly owned land.
 - (2) Temporary off-premise sign shall not be located on vacant or undeveloped lots.
 - (3) Temporary off-premise signs shall be set back from all property lines a minimum of five (5) feet.

- (4) Temporary off-premise signs shall not be located within three hundred (300) of the Interstate 94 right of way.
 - (3) Where multiple temporary off-premise signs are located on the same lot or along the same side of the street, they shall maintain a minimum separation of one hundred (100) feet.
 - (4) Temporary off-premise signs shall be located within one-quarter (1/4) mile of the site containing the business being served by the sign.
 - (5) Temporary off-premise signs shall only be located within commercial and industrial zoning districts.
- c. Ordinance Expiration: Without further action by the Albertville City Council, Section 10-7-7.G.7 of the Albertville Sign Ordinance shall be repealed in its entirety and all permits issues under this ordinance shall expire on December 31, 2012.

8 Nonprofit or Charitable Organization Signs:

~~a. The sign must be located on the property on the business with the special event, and the advertising message must only relate to the business conducted on that premises; except, that nonprofit or charitable organizations as defined by the internal revenue code 501(C3) may have off premise signs for fundraising activities prop that they obtain the permission of the property owner.~~ Nonprofit and charitable organizations as defined by Internal Revenue Code 501(C3) may have temporary off-premise signs provided;

- (1) All temporary signs require permits; permit applications must include the property owner's permission to locate the sign on their property.
- (2) Special events are limited to no more than six (6) in a calendar year.
- (3) Signs from a nonprofit or charitable organization shall not be counted as against the number of temporary sign permits allow allowed to the property owner.
- (4) Nonprofits and charitable organizations may have up to three (3) temporary signs per permit.

9. Violation: Temporary off-premise signs erected without a permit or in violation of this ordinance may be subject to immediate removal and/or be subject to an administrative fine per Chapter 6 of the Albertville City Code. After one (1) notice of a violation this section of the sign code the city shall levy administrative fines for subsequent violations or repeat offenses without additional notices. Failure to abide by the approved permit or the provision of this code will be grounds for denial of additional permits for six (6) months following notice of violation.

SECTION 2. Section 10-7-7.H (Off-Premises Signs) of Chapter 7 (Sign Regulations) is hereby amended as follows:

H. Off-Premise Signs:

1. Except for government signs and signs identified in subsections Q, R, and S of this section, no signs may be erected or temporarily placed within a street right-of-way, public lands, easements, or rights-of-way.
2. The following off-premises advertising signs are permitted:
 - a. Signs regulated by Section 10-7-6 of this chapter.
 - b. Off-premise advertising signs within ballparks or stadiums provided they are not visible from the perimeter of the property.
 - c. Off-premises temporary and portable signs of non-profit or charitable organizations per ~~subsection G3~~ Sections 10-7-7.G.3 and 10-7-7.G.4 of this section ordinance.

Motion carried unanimously.

ENGINEERING

2011 Street Improvements (Bids and Resolution to Award will be presented)

City Engineer Nafstad began by informing the Council staff received and opened bids for the 2011 Street Improvements just today. We received three (3) bids that ranged from \$180,518 up to \$222,315.

The scope of the 2011 Street Improvements includes spot concrete curb and gutter repair, reclamation and paving for the following street segments:

- Lannon Avenue NE, between 51st Street NE and Barthel Industrial Drive
- Larabee Circle NE
- Lasalle Circle NE
- 60th Street NE, between CSAH 37 and the Co-Op driveway entrance (bid as add Alt.)

Nafstad reported that Omann Brothers, Inc. of Albertville submitted the low bid for the project in the amount of \$180,518. Omann Brothers, Inc. is very familiar with this type of project and has completed several similar projects in Albertville and surroundings communities.

Nafstad noted the estimate for construction of the project is \$195,500. The 2011 Street Improvement budget is \$198,000 plus approximately \$60,000 of street improvement capital project reserves from past years.

Council member Vetsch wanted to know with the addition funds if there was enough to repair the puddle/pot hole on 57th Street NE and Lambert Avenue NE. Staff commented that was put on the Street Project list and revisited in approximately five (5) years.

CMs Sorensen/Schommer **motioned** approve **Resolution No. 2011-026** entitled a Resolution Approving Plans and Specifications and Accepting Low Bid from Omann Brothers, Inc. in the amount of \$180,518 for the 2011 Street Improvements. Motion carried unanimously.

Accept the counter-offer from Albertville Marketplace Association, Inc. for the Permanent Right-of-Way Easement for the I-94 Westbound Collector Distributor Road

City Engineer Nafstad stated that staff received a Real Estate Purchase Agreement from Albertville Marketplace Association, Inc. for the piece of property that is needed to continue with the I-94 Westbound Collector Distributor Road. The counter-offer price is in the sum of \$4,800.00. Staff believes this is a fair market value for the parcel that is necessary for the construction of the westbound collector distributor road. It was a recommendation from MnDOT to obtain the permanent easement rather than a temporary easement.

CM Wagner/M Meehan **motioned** to accept the Albertville Marketplace Association, Inc.'s Counter-offer for the parcel of land needed as a Permanent Right-of-Way Easement to construct the off-ramp of the I-94 Westbound Collector Distributor Road. Mayor Meehan, Council members Wagner, Sorensen, and Schommer voted aye. Council member Vetsch voted nay. Motion carried.

LEGAL

Accept the City Attorney's Written Report

City Attorney Couri touched on the Tanker Truck Litigation. Staff is looking for Council to authorize the payment of all claims in an approximate amount of \$20,000.

CM Schommer/M Meehan **motioned** authorize all claims totaling approximately \$20,000 dealing with the 2009 Tanker Truck Litigation be paid. Motion carried unanimously.

ADMINISTRATION

City Administrator's Oral Update

City Administrator Kruse acknowledged that with Tori's resignation staff has offered and hired an individual on a Temporary Part-time basis to fill the vacancy. During the 60-days, staff will be reviewing the office staffing needs to decide as to how to move forward.

ANNOUNCEMENTS and or UPCOMING MEETINGS

Mayor Meehan commented there are upcoming meetings and announcements.

August 2011

- 22 6:00 p.m. Joint Powers Water Board meeting**
- 24 8:00 P.M. Parks and Recreation Committee meeting**

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

September 2011

- 5 all day Labor Day observed – City offices closed**
- 6 7:00 p.m. City Council meeting- TUESDAY**
- 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**
- 26 8:00 P.M. Parks and Recreation Committee meeting**

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

October 2011

- 3 7:00 p.m. City Council meeting
- 10 6:00 p.m. STMA Ice Arena Board meeting
- 11 7:00 p.m. Planning and Zoning Commission meeting
- 17 7:00 p.m. City Council meeting
- 24 6:00 p.m. Joint Powers Water Board meeting
- 24 8:00 P.M. Parks and Recreation Committee meeting

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

ADJOURN THE REGULAR CITY COUNCIL MEETING TO GO INTO THE FINAL BUDGET WORKSHOP SESSION

CM Sorensen/Wagner **motioned** to adjourn the Monday, August 15, 2011 regular City Council meeting at 8:53 p.m. to go into the Second 2011 Budget Workshop Session. Motion carried unanimously.