



**ALBERTVILLE CITY COUNCIL**  
**October 3, 2011**  
**MINUTES**

**ALBERTVILLE CITY HALL**

**7:00 PM**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:02 p.m. followed by the Pledge of Allegiance.

**ROLL CALL**

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

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

**ABSENT:** none

**RECOGNITIONS – PRESENTATIONS – INTRODUCTIONS**

Mayor Meehan acknowledged that Wright County Commission member Elmer Eichelberg was in the audience.

**CITIZEN FORUM**

No comments

**AMENDMENTS TO THE AGENDA**

Mayor Meehan asked for amendments to the agenda:

7.H.1. Planning – Continued discussion on Patty J’s Restaurant SAC and WAC fees moved up on the agenda to follow City Council under Department Business (City Clerk Miller)

9.A.1. Close the regular City Council meeting to go into a closed session for the purpose of receiving an update on the Tanker Settlement (City Attorney Couri)

CMs Wagner/Sorensen **motioned** to approve amendments to the October 3, 2011 regular Council agenda, which involved moving item 7.H.1. Planning-continued discussion of the Patty J's Restaurant SAC/WAC fees following the City Council and adding a closed session to receive updates on the Tanker Settlement. Motion carried unanimously.

## **CONSENT AGENDA**

No comments

## **DEPARTMENT BUSINESS**

### **CITY COUNCIL**

*Request from the STMA Youth Hockey Association – Tammy Tupper, on behalf of the STMA Youth Hockey Association would like to request the City Council to waive the \$50 Temporary Seasonal Sales Permit fee*

Mayor Meehan stated that Tammy Tupper on behalf of the STMA Youth Hockey Association has requested the City Council to waive the \$50 Temporary Seasonal Sales Permit fee. City Clerk Miller informed the Council that Ms. Tupper was in the audience to provide additional information.

Ms. Tupper told the Council that the STMA Youth Hockey Association has contacted the property owner, Mike Savitski, to put up a pumpkin stand on the corner of CSAH 37 and Lachman Avenue NE. It is in the strip mall where the Laundromat and Westside Liquor are located. The pumpkin stand would be in the corner closer to the STMA Ice Arena. Ms. Tupper approached staff who instructed her to complete a Temporary Outdoor Seasonal Sales Permit. According to the City Code, the City Administrator does not have the authority to waive the \$50 fee. The pumpkins will be donated by a local resident so the profits from the sale will be a little more. However, the \$50 permit fee will cut into the profits.

Sorensen asked if this is a one-weekend event, which Tupper responded the pumpkin sales will be this weekend. The Association will put the signs up and take them down according to the Code.

Mayor Meehan looked to the Council for a motion, which follows:

CMs Sorensen/Wagner **motioned** to waive the \$50 Albertville Temporary Seasonal Sale fee for an STMA Youth Hockey Association Pumpkin Sale Fund-raiser that will be held the weekend of

October 7 through October 9; located on the corner of CSAH 37 and Lachman Avenue NE within the Sunrise Plumbing Commercial Development parking lot in front of the Albertville Laundromat. The location of the Temporary Seasonal Sale tent will not interfere with the traffic flow within the parking lot or the Laundromat. Motion carried unanimously.

## **PLANNING AND ZONING**

### *Discussion of the Sewer Access Charge (SAC) and Water Access Charge (WAC) for the address of 5262 Kyler Avenue NE, Suite 111 and Suite 112*

City Attorney Couri reported that at the September 19, 2011 regular Council meeting staff was directed to meet with the current property owner of the Shoppes of Prairie Run strip mall located at 5262 Kyler Avenue NE and the tenant/business owner of Patti J's that occupies Suites 111 and 112. (a.k.a. Tom Clouttier and Sirios Svolopoulos).

Staff, consisting of City Attorney Couri, City Engineer Nafstad, and City Administrator Kruse, met with the two (2) individuals on Thursday, September 22, 2011 for the purpose of discussing both the back SAC and WAC fees that are attributable to the existing Suite 111 (formerly known as Senior Peppers) located at 5262 Kyler Avenue NE and the SAC and WAC that are due to the expansion into the adjoining Suite 112 (formerly known as BB Wireless). As an outcome of the meeting the proposal was as follows:

1. \$4,722.36 of the past WAC is due to Joint Powers. This would be paid to Joint Powers by the City now and assessed against the property payable over a five year period.
2. The remaining \$13,097.64 of the past SAC and City WAC would not be assessed against the property nor paid at this time. Patti J's can continue with the number of seats it currently has (and may expand to the BB Wireless space, provided it pays the new SAC and WAC as set out below) without paying the \$13,097.64. But, if Patti J's discontinues business at the premises for 30 days or more, sells the business to a third party, or expands the business beyond the BB Wireless space, the SAC and WAC credits would revert back to what has been paid on this space to date. This would be 1.14 SAC and WAC units previously paid with the development of Senior Peppers plus the 2.36 Joint Powers WAC units assessed under #1 above. If the BB Wireless expansion discussed below moves forward and the SAC and WAC fees are assessed, then the combined space would have an additional credit of 2.87 units of SAC and WAC. Whatever use succeeds Patti J's would then have to come into compliance with the SAC and WAC fees by paying the difference between the credits and the units attributable to the new use, which would be calculated on the successor's use per the Met Council manual in place at the time of the change. Payment of fees by Patti J's successor would be at the SAC and WAC rates in effect at the time of succession.

3. The BB Wireless expansion area would have to pay Joint Powers WAC charges now, which are calculated at 2.87 units times \$2,001, or \$5,742.87.
4. The BB Wireless expansion area would be special assessed for the City portion of the WAC (\$2,726.50) and the entire SAC (\$13,202.00) over a period of five years.
5. Interest rate on all assessments would be the City's standard assessment rate for SAC and WAC, which is 6.1% (2% over the most recent bond rate). All assessments would be levied this fall with payments to begin in 2012. The property owner would have to agree not to appeal any of the assessments.
6. These points would be reduced to a writing, signed by the City and Property Owner, consented to by Patti J's, and the agreement would be recorded on the property records at Wright County.
7. Payment breakdown is as follows:
  - a. Cash now: \$5,742.87
  - b. Assessments: \$20,650.86
  - c. Possible future payment by Patti J's successor; amount not calculable at this time.

Couri noted that the proposal would essentially grandfather in the City's portion of the WAC and all of the SAC attributable to Patti J's (Suite 111) as long as Patti J's occupies the space. Should Patti J's no longer occupy the space and Mr. Cloutier find a new tenant the \$13,097.64 of prior SAC and City WAC fees would come due. However, if another restaurant business were to open in the Patti J's (Suite 111 and Suite 112) the new business entrepreneur would pay SAC and WAC on any units the new restaurant qualifies for over and above the amount originally paid by Senior Peppers and BB Wireless. Should the new type of business that occupies the space (Suite 111 and Suite 112) be an office or retail setting, no additional SAC or WAC would be due.

Couri stated that Mr. Cloutier rejected the above proposal staff prepared. Mr. Cloutier's concern dealt mainly with the back charges for both the \$4,722.36 of Joint Powers Water Board WAC fees and the potential \$13,097.64 in future City SAC and WAC fees if Patti J's is not successful and closes the doors. Cloutier expressed his displeasure when he found out the SAC and WAC calculations were incorrectly calculated on Suite 111 following Senior Peppers leaving the space. Cloutier looks at this as a City's mistake and he should not be penalized for the error.

Couri informed the Council that other businesses within Albertville have been notified of miscalculations of SAC fees, which they reluctantly agreed to be assessed for the newly calculated difference and were paid over five (5) years. These businesses are Heidi's Market (Car Wash) in the amount of \$37,500; D Michael B's in the amount of \$36,432; and, Country Inn & Suites in the amount of \$29,584. It is unknown the specifics as to why these businesses stood out for staff to go back and recalculate the fees. It was brought up and the City and owners dealt with the error.

Staff is recommending entering into an agreement to pay the back SAC and WAC fees. If an agreement is not entered the City Attorney is directing the City and the Building Official not to issue any occupancy permits for the restaurant space (or in this case; into the BB Wireless space-Suite 112) until such SAC and WAC fees have been either paid or the property owner agrees upon a payment plan with the City. The owner (Mr. Cloutier) agreeing to pay the back SAC and WAC fees would allow Patti J's to continue operating as is; however, the City would still require payment of back SAC and WAC fees when and if another restaurant occupies the premises. Should the new tenant change the layout of the space that would trigger the need to complete a building permit that would require the Building Official to issue a 'Certificate of Occupancy'.

Mayor Meehan invited Mr. Cloutier to speak on the subject of the SAC and WAC fees that are being proposed on his facility.

Mr. Cloutier began by asking the Council, staff, and others present what if you were informed that you were going to be charged for your electricity by the number of light bulbs you had. Cloutier commented that you would probably be surprised how much you would be paying. Cloutier continued by reporting he owns property in other parts of the metropolitan area. With these economic times the property value or taxes have remained stable or on some went down. The property in Albertville is about the only one that the value pretty much stayed the same yet the taxes went up. Cloutier shared that when the pizza restaurant opened a few doors down from Patti J's, Cloutier had no problem paying the additional SAC and WAC fees.

Now he is working with Sirios Svolopoulos, business owner of Patti J's, to help the restaurant be successful. Cloutier allows Mr. Svolopoulos to expand into the former space of BB Wireless. After a few months of being in business it was discovered by staff that there are back SAC and WAC fees that are due, plus the need to recalculate the fees to Suite 112 were BB Wireless was. Cloutier seemed to understand the need to pay additional SAC and WAC fees on the BB Wireless space; however, did not agree to paying the back SAC and WAC fees on the current space of Suite 111 that is occupied by Patti J's.

Cloutier brought up the fact that an error was made, which he feels it is the City's mistake. Cloutier doesn't feel he should have to pay for a mistake or error that was done by the City. Cloutier has put money into the building and now the city is expecting him to pay more for back SAC and WAC fees. This oversight by the City should have been caught when it went from Senior Peppers to Montage Bistro. If it wasn't caught then, staff had another chance when it changed from Montage Bistro to Pappy's.

City Attorney Couri stated that he disagreed that a "mistake" was made by the City, as the original applicant applied for a "carry out" restaurant and somewhere along the line it changed to a full service restaurant. He said the City does not complete a SAC and WAC review when the businesses changes ownership.

Council wanted clarification on the \$4,722.36 of the Joint Powers Water Board portion, which would be paid now. Couri confirmed that the \$4,722.36 amount owed to Joint Powers Water

Board would be paid now by the City and assessed against the property that would be payable over a five (5) year period beginning in 2012.

Council member Schommer acknowledged there was a mistake or error in calculating the past SAC and WAC fees to Suite 111 of 5262 Kyler Avenue NE. Schommer has visited with staff regarding the concern and would be open to helping the business and property owner; however, doesn't have a solution at this time.

Mayor Meehan began taking a roll call to find out where each Council member stood with a recommendation.

Council member Wagner shared that he supports staff and is in agreement with the seven (7) proposal items that staff prepared.

Council member Schommer was hesitant as she would like to work something out, but does want the calculation to be fair for both the City and the owner.

Council member Sorensen stated he was okay with the proposal that staff has prepared with the amendment to item No. 2 'or changes operations or the building structure in such a manner that a 'Certificate of Occupancy' is required under the Building Code' that City Attorney Couri suggested.

Council member Vetsch was in agreement with the proposal and the amendments made this evening.

Mayor Meehan looked to the Council for a motion to the Patti J's Restaurant/Shoppes at Prairie Run, 5262 Kyler Avenue NE-Suite 111 and 112 accepting staff's recommendations presented in the October 3, 2011 regular Council packet with the amendment made by City Attorney Couri under Item No. 2 to strike ~~discontinues business at the premises for 30 days or more, sells the business to a third party,~~ and add the following language 'or changes operations or the building structure in such a manner that a 'Certificate of Occupancy' is required under the Building Code'. The motion was made as follows:

CMs Vetsch/Schommer **motioned** to accept staff's recommendations including amendments made:

1. \$4,722.36 of the past Joint Powers Water Board portion of Water Access Charges (WAC) is due to Joint Powers. This would be paid to the Joint Powers Water Board by the City now and assessed against the property (5262 Kyler Avenue NE, Suite 112) payable over a five (5) year period; and,
2. The remaining \$13,097.64 of the past Sewer Access Charges (SAC) and City Water Access Charges (WAC) would not be assessed against the property nor paid at this time. Patti J's can continue with the number of seats it currently has (and may expand to the

BB Wireless space (Suite 112), provided it pays the new SAC and WAC as set out below without paying the \$13,097.64. But, if Patti J's expands the business beyond the BB Wireless space (Suite 112) or changes operations or the building structure in such a manner that a 'Certificate of Occupancy' is required under the Building Code the SAC and WAC credits would revert back to what has been paid on this space (Suite 112) to date. This would be 1.14 SAC and WAC units previously paid with the development of Senior Peppers plus the 2.36 Joint Powers Water Board WAC units assessed under No. 1 above. If the BB Wireless (Suite 112) expansion discussed below moves forward and the SAC and WAC fees are assessed, then the combined space would have an additional credit of 2.87 units of SAC and WAC. Whatever use succeeds Patti J's would then have to come into compliance with the SAC and WAC fees by paying the difference between the credits and the units attributable to the new use, which would be calculated on the successor's use per the Met Council Manual in place at the time of the change. Payment of fees by Patti J's successor would be at the SAC and WAC rates in effect at the time of succession.

3. The BB Wireless (Suite 112) expansion area would have to pay Joint Powers Water Board WAC charges now, which are calculated at 2.87 units times \$2,001.00, or \$5,742.87.
4. The BB Wireless (Suite 112) expansion area would be special assessed for the City portion of the WAC (\$2,726.50) and the entire SAC (\$13,202.00) over a period of five (5) years.
5. Interest rate on all assessments would be the City's standard assessment rate for SAC and WAC, which is 6.1% (2% over the most recent bond rate). All assessments would be levied this fall (2011) with payments to begin in 2012. The property owner would have to agree not to appeal any of the assessments.
6. These points would be reduced to a written agreement, signed by the City and Property Owner, consented to by Patti J's, and the agreement would be recorded on the property records at the Wright County Recorder's Office.
7. Payment breakdown is as follows:
  - a. Cash now: \$5,742.87
  - b. Assessments: \$20,650.86
  - c. Possible future payment by Patti J's successor; amount not calculable at this time.

Motion carried unanimously.

Council directed staff to amend the 'Certificate of Occupancy' document to include the number of seats when dealing with eating establishments, which would trigger evaluating the SAC and WAC fees for the space.

**FIRE DEPARTMENT**

No comments

**PUBLIC WORKS-PARKS DEPARTMENT**

No comments

**UTILITIES DEPARTMENT (WWTP)**

No comments

**BUILDING DEPARTMENT**

No comments

**FINANCE DEPARTMENT**

*Authorize the **Monday, October 3, 2011** payment of the claims that includes electronic payments **187 EFT** and check numbers **30240 to 30294***

CMs Wagner/Sorensen **motioned** to authorize the **Monday, October 3, 2011** payment of the claims that includes electronic payments **187 EFT** and check numbers **30240 to 30294** in the total amount of \$70,656.91 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.

**CITY CLERK**

*Approve the Monday, September 19, 2011 regular City Council meeting*

M Meehan/CM Schommer **motioned** to approve the Monday, September 19, 2011 regular City Council minutes as presented. Mayor Meehan, Council members Schommer, Sorensen, and Wagner voted aye. Council member Vetsch abstained from voting.

## **PLANNING AND ZONING**

*Discussion of the Sewer Access Charge (SAC) and Water Access Charge (WAC) for the address of 5262 Kyler Avenue NE, Suite 111 and Suite 112*

This item was discussed earlier in the meeting.

## **ENGINEERING**

*Accept the City Engineer's Project Status*

### I-94 Westbound Collector-Distributor Road

City Engineer Nafstad briefly commented on the I-94 Westbound Collector Distributor Road, which staff held a meeting on Friday, September 23<sup>rd</sup> with MnDOT District No. 3. The purpose of the meeting was to discuss the remaining design of the distributor road that focused on the slotted drain, specifications for earthwork, the wall design, and meeting the ADA requirement on CSAH 37 traffic signal.

As an outcome of the meeting, the design team will be submitting revised final plan sets to the State by October 6<sup>th</sup> for MnDOT District No. 3 who will forward them onto the MnDOT's Central Office. The City needs the MnDOT's approval of the plans in order to bid the project.

Other things unfinished are the negotiations with AT & T on the easement acquisition and relocation agreement.

### CSAH 19 Traffic Signals

Nafstad continued by reporting back to Council on the CSAH 19 (LaBeaux Avenue NE) Traffic Signals. Nafstad stated that staff has contacted the Wright County Highway and Sheriff's Department to review the crash history at the various intersections along CSAH 19. These include and are not limited to CSAH 18 (a.k.a. Jason Ave. NE and 50<sup>th</sup> St. NE), 57<sup>th</sup> Street NE, and CSAH 37 (a.k.a. 60<sup>th</sup> St. NE or 61<sup>st</sup> St. NE).

The predominant problem found at all three (3) locations are motorists making a permissive left-hand turn on a green light, failing to follow the signage that reads "yield on a green". These intersections have green-arrows; however, when a motorist approaches most likely sees the green ball light and feels they have the right to make a left turn.

Nafstad gave a suggestion to mitigate the crashes, which is to allow a permissive left turn by using a flashing yellow arrow versus the green ball light. Implementing this style of signalized lights would involve replacement of five (5) sections of signal heads for the left turns and replacing them with a 4-section signal head that would have on the top a red arrow, next a solid yellow arrow, next a flashing yellow arrow, and at the bottom a green arrow.

Incorporating the yellow flashing arrow is a safer, more efficient left turn signal and is now a MnDOT standard. It has been suggested by Wright County that the CSAH 19 & CSAH 37 signal be retrofitted first because approximately 50% of the accidents happen at this intersection.

Council asked what the estimated cost to change out these lights would be which City Engineer Nafstad gave a rough guessimate of \$30,000 to \$35,000 for each signal. Nafstad was hopeful that Wright County would share in some of the expense.

Council member Sorensen agreed with the statistics that 50% of the accidents do seem to happen at the CSAH 19 & CSAH 37 intersection. Sorensen directed staff to research where to pull the City's portion of \$17,500 in the budget to change out the left turn traffic signals with Wright County sharing in the remaining \$17,500.

Nafstad would work with the Finance Director to research where to come up with the City's portion to change out the left turn traffic signals at the intersection of CSAH 19/37; and, to notify the Wright County Highway Department the City would be willing to share the expense to upgrade the signal lights to the MnDOT newer standards.

*Four Season Park – Trail Improvement (continued discussion item from September 19, 2011)*

City Engineer Nafstad was directed to research the cost to overlay the Four Seasons Park Trail. This cost was not included in the 2011 Street Improvement; however, staff has been monitoring the sidewalks and trails throughout Albertville. This trail is approximately ten (10) plus years old and is beginning to show wear and tear.

The estimated cost to overlay the trail portion within the Four Seasons Park was estimated at \$23,000. To include and get the job done it needs to be decided now before the weather changes. The main purpose of reporting on the trail was to inform the Council the condition of the parking lot and the trail.

Council asked if the costs would go up a significant amount if the project was postponed until 2012, which staff felt the cost would be pretty close to the \$23,000 amount. Staff did want the Council to know they would like to see the overlay completed in 2012 and not put it off any later than that.

Council acknowledged the fact that the trails and or sidewalks throughout Albertville are in need of maintenance. The City applied for a Wright County Grant but were not awarded it in 2011. The Council wants to hold off until 2012 to try applying for the Wright County Grant; otherwise, include it in the 2012 Street Improvement Project. City Planner Brixius prepared the Parks and Trails Comprehensive Plan, which gives the City something to work with.

## **LEGAL**

### *Accept the City Attorney's Report*

City Attorney Couri asked if the Council had any concerns regarding the report. One area Couri focused on was the AT & T easement that Nafstad commented on earlier.

### *Proposed Amendments to the City Administrator's Contract*

City Attorney Couri began by stating that the City Administrator's Contract was initially drafted and entered into in November 2003. The contract has not been updated since then with the minor change in the calculation of the car allowance section. The Mayor, serving as a member of the Personnel Committee, asked Couri to review and bring the City Administrator's Contract up to date. In other words do some general housekeeping on the language within the document.

Couri noted that included in the agenda packet is a compare document that shows the changes made from the original contract. The changes are relatively minor in nature and mostly clarify the original intent of the parties. For example, the changes in Paragraph 3 bring the salary up to date and clarifies that salary increases shall be equal to the percentage cost of living adjustment for all other City employees. Other changes clarify that sick leave accrues per the City's Personnel Policy (Paragraph 8); Paragraph 9 clarifies which professional organizations the City will pay dues for and which events the City will pay travel for; and Paragraph 12 clarifies that the City Administrator will be evaluated annually and that the City Administrator will place the performance evaluation on the City Council agenda.

Council member Sorensen challenged Mayor Meehan as to how much did it cost the City to have the City Attorney review the City Administrator's Contract. Sorensen would have appreciated if this would have been brought up at a Council meeting prior to the Personnel Committee making the decision to amending the document. The amendments or changes are minor. As Couri reported they are basic housekeeping, which was not really necessary.

CMs Vetsch/Wagner **motioned** to approve the amendments to the City Administrator's Contract as presented. Mayor Meehan, Council members Schommer, Vetsch, and Wagner voted aye. Council member Sorensen voted nay. Motion carried.

## **ADMINISTRATION**

### *City Administrator Update – Ukrainian Delegates*

City Administrator Kruse gave a review of how the day went for the Ukrainian Delegates. The day began with a social hour where there were coffee, rolls, and juice. Then they gathered around tables where there was an economic development discussion with participation by Wright County City Administrators, area businesses and other professionals. It was interesting to

discover how they thought process is somewhat similar to ours. Staff was involved during the workshop session where we broke out into smaller groups to continue the discussion.

The Crow River Seniors prepared a ‘Minnesota’ hot dish, a jell-o type salad and staff contributed a variety of desserts. After the meal they went outside to help plant an Autumn Maple tree, which was received positively by the Ukrainian’s. This is something I did when I visited them in May 2011. Wright County Sheriff’s Department had a K-9 Unit here to demonstrate how the dogs are used to help control criminals. A couple of the Albertville firefighters were here with the ladder truck.

They boarded a van and toured a few businesses in the area. The first stop was at the Minnesota Road Research office where Irina Fursman, an interpreter marked where she was from; then they went to the J & B Meats production in St. Michael for a tour of the facility. They got to see the joint Crow River Senior Center where the members served beverages and bars. They toured the St. Michael, Albertville, and Hanover Library. The last stop for the day was the Albertville Premium Outlets where they were given bags that contained gift cards ranging from \$50 to \$5. They wished they had more than a couple hours to shop.

All-in-all it was a beautiful day and everyone enjoyed the workshop along with the company.

**ANNOUNCEMENTS and or UPCOMING MEETINGS**

**October 2011**

- 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**
- 31 6:00 p.m. Joint Albertville-St. Michael City Councils and the STMA School Board mtg**

October-11						
Su	M	Tu	W	Th	F	Sa
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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					

**November 2011**

- 7**      **7:00 p.m.**      **City Council meeting**
- 8**      **7:00 p.m.**      **Planning and Zoning Commission meeting**
- 11**     **all day**            **Veteran's Day observed – City offices closed**
- 14**     **6:00 p.m.**        **STMA Ice Arena Board meeting**
- 21**     **7:00 p.m.**        **City Council meeting**
- 24**     **all day**            **Thanksgiving Day observed – City offices closed**
- 25**     **all day**            **Friday after Thanksgiving – PW-UD closed**
- 28**     **6:00 p.m.**        **Joint Powers Water Board meeting**
- 28**     **8:00 p.m.**        **Parks and Recreation Committee meeting**

November-11						
Su	M	Tu	W	Th	F	Sa
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13	Ice 14	15	16	17	18	19
20	cc 21	22	23	H24	25	26
27	JP 28	29	30			

**December 2011**

- 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**     **all day**            **Christmas Day observed – City offices closed**
- 26**     **8:00 p.m.**        **Parks and Recreation Committee mtg. (tentative)**
- 27**     **6:00 p.m.**        **Joint Powers Water Board meeting (tentatively set)**

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

**CLOSED SESSIONS - UPDATE ON THE TANKER ACCIDENT LITIGATION**

CMs Wagner/Sorensen **motioned** to close the regular City Council meeting at 9:08 p.m. for the purpose of going into a closed session to receive an update on the Tanker Accident Litigation Settlement. Motion carried unanimously.

CMs Wagner/Schommer **motioned** to reconvene the regular City Council meeting at 9:11 p.m. with the option to make a motion based on the information received during the closed session regarding the Tanker Accident Litigation Settlement. Motion carried unanimously.

CMs Schommer/Sorensen **motioned** to direct staff to proceed or go forward with the Tanker Accident Litigation Settlement as prepared by the City Attorney without the Daniel May (Truck Driver's) signature. Motion carried unanimously.

**ADJOURN**

CMs Wagner/Schommer **motioned** to adjourn the Monday, October 3, 2011 regular City Council meeting at 9:12 p.m. Motion carried unanimously.

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Bridget Miller, City Clerk (recording secretary)