



City of Albertville Council Agenda

Monday, February 4, 2013

City Council Chambers

7:00 PM

PUBLIC COMMENTS -The City of Albertville welcomes and encourages public input on issues listed on the agenda or of general community interest. Citizens wishing to address the Council regarding specific agenda items, other than public hearings are invited to do so under Public Forum and are asked to fill out a "Request to Speak Card". Presentations are limited to five (5) minutes.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE – ROLL CALL**
- 3. RECOGNITIONS – PRESENTATIONS – INTRODUCTIONS**
 - A. Certificate of Achievement for Excellence in Financial Reporting**
(Presented by Mayor Hendrickson to Finance Director Tina Lannes)
- 4. PUBLIC FORUM – (time reserved 5 minutes)**
- 5. AMENDMENTS TO THE AGENDA**
- 6. CONSENT AGENDA**

All items under the Consent Agenda are considered to be routine by the City staff and will be enacted by one motion. In the event an item is pulled it will be discussed in the order it is listed on the Consent agenda following the approval of the remaining Consent items. These items will be approved by a separate motion.

- A. Approve the January 22, 2013 City Council regular meeting minutes as presented (pgs 4-10)**
 - B. Accept the draft January 28, 2013 Parks Committee meeting minutes as presented (pg 11)**
 - C. Authorize the February 4, 2013 payment of claims that includes as presented, except bills specifically pulled which are passed by separate motion. The claims listing has been provided to City Council as a separate document and is available for public view at City Hall upon request. (pg 12)**
 - D. Approve Pay Estimate #7 to Eureka Construction for the I-94 project in the amount of \$253,389.94**
 - E. Accept Parks Committee Update on Member Terms of Office (pg 13)**
 - F. Adopt Resolution No. 2013-004 and Resolution 2013-005 approving the Annual Retirement Benefit for the Albertville Volunteer Fire Department for 2012 and 2013 (pgs 14-16)**
- 7. PUBLIC HEARINGS - None**

8. DEPARTMENT BUSINESS

A. City Council

- 1). Committee Updates (STMA Arena, Planning, JPWB, etc.)

B. City Clerk

- 1). Set Board of Appeal and Equalization meeting date for Wednesday, April 17, 2013 at 5:30 p.m.
(Motion to set the City of Albertville Board of Appeal and Equalization meeting date for Wednesday, April 17, 2013 at 5:30 p.m.)

C. Finance

D. Public Works / Engineering

- 1). Water and Wastewater Update (pg 17)

E. Planning/Zoning

F. Building

G. Legal

- 1). City Attorney Update (pgs 18-19)

H. Administration

- 1). Administrator's Update (pgs 20-21)
- 2). 5964 Main Ave Use/Lease Discussion

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

February 11	STMA Ice Arena Board, 6:00 p.m.
February 12	Planning Commission, 7:00 p.m.
February 18	Presidents' Day, City Offices Closed
February 19	City Council, 7:00 p.m.
February 25	Joint Powers Water Board, 6:30 p.m.
March 4	City Council, 7:00 p.m.
March 11	STMA Ice Arena Board, 6:00 p.m.
March 12	Planning Commission, 7:00 p.m.
March 18	City Council, 7:00 p.m.
March 25	Joint Powers Water Board, 6:30 p.m. Parks Committee, 7:30 p.m.

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

MARCH						
Su	M	Tu	W	Th	F	Sa
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10	Ice 11	PZ 12	13	14	15	16
17	CC 18	19	20	21	22	23
24	JP PK	26	27	28	29	30
31	25					

10. ADJOURNMENT



**ALBERTVILLE CITY COUNCIL
TUESDAY, January 22, 2013**

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Hendrickson called the meeting to order at 7:01 p.m.

2. ROLL CALL

Present: Mayor Hendrickson and Council members Olson, Sorensen, Vetsch and Wagner

Absent: None

Others Present: City Administrator/Public Works Director/City Engineer Adam Nafstad, City Attorney Bob Ruppe, City Clerk Kimberly Olson, City Planner Alan Brixius, Public Works Supervisor Tim Guimont, and Diane Vinge

3. RECOGNITIONS, PRESENTATIONS AND INTRODUCTIONS

A. Certificate of Achievement for Excellence in Financial Reporting

Hendrickson stated this award would be presented to the Finance Director at the next meeting.

4. PUBLIC FORUM

There was no one present to speak.

5. APPROVAL OF THE AGENDA

Vetsch added the City Council workshop on February 4, 2013 at 6:00 p.m. to upcoming events.

Motioned by Sorensen, seconded by Wagner, to approve the agenda as amended. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

6. CONSENT AGENDA

All items under the Consent Agenda are considered to be routine by City Staff and will be enacted by one motion. In the event an item is pulled, it will be discussed in the order it is listed on the Consent Agenda following the approval of the remaining Consent items. These items will be approved by a separate motion.

- A. Accept the January 7, 2013 City Council regular meeting minutes as presented
- B. Accept the January 14, 2013 STMA Ice Arena Board meeting minutes as presented
- C. Authorize the January 22, 2013 payment of claims as presented, except bills specifically pulled which are passed by separate motion. The claims listing has been provided to City Council as a separate document and is available for public view at City Hall upon request.
- D. Adopt Resolution 2013-002 entitled a Resolution Appointing Corporate Authorized Signers for the City of Albertville for the Year 2013
- E. Approve the release of the LaBeaux State Letter of Credit No. 636 with the condition that the development is current with all fees and obligations owed to the City

Sorensen questioned how the Council could accept the STMA Ice Arena Board minutes of January 14, 2013 when they have not yet been approved by the Board. Ruppe stated most cities will have the Council accept board and committee minutes after they have been approved by the board or committee.

Sorensen suggested changing the language of 6A to read "Approve" the January 7, 2013 City Council regular meeting minutes and to add the word draft prior to the STMA Ice Arena Board minutes.

Motioned by Sorensen, seconded by Wagner, to accept the consent agenda as amended. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

7. PUBLIC HEARINGS - None

8. DEPARTMENT BUSINESS

A. City Council

1). **Committee Updates** (STMA Arena, Planning, JPWB, etc.)

Sorensen reported the roof is leaking at the STMA Ice Arena and it is less than a year old. Nafstad reported they are working with the contractor to determine whether it is condensation and have also involved the City's Building Official. There is a twenty (20) year warranty on the roof.

Sorensen also reported the STMA Ice Arena has lost internet connection many times in the last several weeks and it appears to be related to the cold. Nafstad reported they are looking at other options and are dealing with outdated equipment that is difficult to replace. They are receiving quotes and there are several options that may be available. There could be the possibility to tie in with the schools. Wagner inquired if the antennae can be kept inside or if it has to be outside to receive from the other antennas. Nafstad replied that it may need a direct sight line with the other antennae to connect.

Sorensen stated they need a long-term solution. Nafstad stated staff will provide options and costs in the next month.

Nafstad reported the feasibility study consultant arrived and interviewed individuals. He stated he was impressed with the consultant and would recommend the consultant, rather than staff, present the feasibility study findings to the Board.

Hendrickson stated the Joint Powers Water Board has been able to find some savings by switching banks.

2). Appointment of City Council Members to Various Boards and Committees

Hendrickson asked if Council had any changes to the appointments and Council was comfortable with the appointments set forth in the resolution.

Motioned by Wagner, seconded by Hendrickson, to adopt Resolution 2013-003 entitled a Resolution Appointing City Council Members to Various Boards and Committees. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

B. City Clerk

1). Temporary On-Sale 3.2 Malt Liquor Licenses

Clerk Olson reported that the current City Code is more restrictive than Minnesota State Statute in regards to issuing temporary on-sale 3.2 malt liquor licenses. The City Code only allows these licenses to be issued to “bona fide clubs” which must have a certain number of members, owns or rents space for meetings and is directed by a board of directors. Minnesota Statute also allows for these licenses to also be issued to religious, non-profit and charitable organizations.

She stated that if the City wishes to continue issuing these licenses, they should be consistent with what the State allows.

Clerk Olson reported the broomball leagues that were interested in the temporary on-sale 3.2 malt liquor license were not able to secure a “club” to host their

tournament and therefore will not be serving beer in the park. Vetsch asked if this will also impact the spring kickball tournament and fundraiser for cancer research. Clerk Olson stated that it will most likely fall under a charitable organization, but will contact them to allow enough time to prepare for the event.

Motioned by Sorensen, seconded by Wagner, to adopt Ordinance 2013-001 authorizing Temporary On-Sale 3.2 Malt Liquor Licenses to be issued to Clubs and Religious, Charitable, and Non-Profit Organizations. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

2). Set Public Hearing for February 19, 2013 at 7:00 p.m. regarding Fraser Steel Business Subsidy

Motioned by Vetsch, seconded by Hendrickson, to set a Public Hearing for February 19, 2013 at 7:00 p.m. in the Albertville City Council Chambers regarding Fraser Steel Business Subsidy. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

C. Public Works / Engineering

1). Public Works Report

Hendrickson inquired about the old Christmas decorations and Guimont replied they were given to an interested resident; they were no longer of use to the City.

D. Planning/Zoning

1). MacKenzie Avenue NE Name Change

Brixius reported there has been a request to rename MacKenzie Ave. NE to MacIver Ave. NE to improve the continuity of addressing along the road. Upon speaking with the sole business owner located on MacKenzie, staff learned the business owner is not in favor of the street renaming. If Council wishes to move forward, they would hold a public hearing and eventually pass an ordinance to rename the street. Staff recommended they not move forward with renaming the street as it will cause a hardship to the business and felt they should be sensitive to the business owner.

Vetsch stated he was not sure how beneficial renaming the street would be. Hendrickson was fine with leaving the street named as it currently is. Nafstad stated that it is something that could always be looked at again in the future. Council directed staff not to move forward with the street renaming.

2). Planning and Zoning Commission Vacancy

Brixius reported there is now a vacancy on the Planning Commission since Rob Olson was appointed to the City Council. There are two ways to proceed in filling the vacancy. Council can compile a list of candidates or direct staff to advertise the vacancy. The second option could generate a larger pool of candidates.

Sorensen asked Olson how he was recruited to the Planning Commission. Olson replied it was not advertised, but letters were sent out to previous applicants.

Hendrickson asked if a Council member should sit on the commission until a successor is found. Ruppe stated that the ordinance does not prohibit that, but it may be a concern in regards to the perception of the public process.

Wagner was in favor of advertising the vacancy. Vetsch would like to see it widely advertised in places such as the City's reader board, utility bills, etc.

Hendrickson asked when the new person would start their term. Brixius replied that it most likely would be the April commission meeting.

Council directed staff to move forward with advertising the vacancy.

E. Finance - None

F. Building - None

G. Legal - None

H. Administration

1). Administrator's Update

Nafstad reported that Wright County held its annual Wright County Economic Development meeting at Albertville City Hall last week and it was well attended.

Nafstad stated the Darkenwald Group is interested in purchasing one of the city owned parcels to create a regional pond. Nafstad asked for Council approval to obtain an appraisal of the property in the amount of approximately \$800 to determine the true value of the property.

Vetsch wanted it on the record that he would like to see a short time frame for construction, so property does not sit vacant for a long time after the property is purchased. He stated that they cannot front end projects.

Hendrickson and Sorensen felt an appraisal on the property in question made sense.

Motioned by Sorensen, seconded by Hendrickson, to approve Nagle Corporation to complete an appraisal for the City owned parcel not to exceed \$800. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

2). L & D Purchase

Nafstad stated that some of the reasons to consider purchasing the property include the benefit of accommodating additional parking and greater flexibility with site design for an expansion to the ice arena. Several reasons not to purchase the property include: the City would have to pay taxes after eight years if the land is not put to a public use, the current expansion plan does not include the L & D site and, without an additional partner to purchase the property with, the City would most likely have to levy to pay for the purchase.

Nafstad stated there are several other factors to consider as well. If the City were to purchase the property they would forgo any future revenue for a higher use on the property and the purchase could potentially affect the City's bond rating. He also stated there is no certainty the expansion will move forward and depends on the results of the feasibility study that was conducted, the results of which are unknown at this time.

Diane Vinge, L & D property owner, was present at the meeting. Vinge stated she is open to a lease purchase, cross easement or other ideas that Council may have. She stated that eventually the City will need to look at street access in that area. She stated the arena does not have enough land for parking and parking is already a concern.

Wagner reported the feasibility is very important and will depict whether a second sheet of ice is financially feasible and self supporting.

Nafstad stated no action was needed at this time, but he would like staff to work with Ms. Vinge on the current parking issues.

3). Draft Agenda for February 4, 2013 City Council Workshop

Nafstad reviewed some of the ideas staff would like to discuss at the workshop including infrastructure, economic development, Wright County priorities, I-94 Phase 2, saleable City properties, communications and code enforcement.

Brixius stated the economic development plan would put together the process and information needed for potential builders and their clients. There are several local contractors that can be engaged in discussing opportunities within

Albertville. Nafstad stated they would also have an inventory of all City properties for sale and will need to identify pricing for those properties.

Vetsch felt there were other priorities that would take precedence before the I-94 Phase 2 project. Nafstad replied he only wants to ensure they don't miss any funding opportunities.

Nafstad stated they would bring forward several ideas regarding the City newsletter. He stated that there are companies that can make a professional newsletter incorporating local business advertisements. Hendrickson stated that by including advertisements they could possibly offset some of the costs of publication. Sorensen felt the newsletter has value and is something the community looks forward to.

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

January 28	Joint Powers Water Board, 6:30 p.m. Parks Committee, 7:30 p.m.
February 4	City Council Workshop, 6:00 p.m. City Council, 7:00 p.m.
February 11	STMA Ice Arena Board, 6:00 p.m.
February 12	Planning and Zoning Commission, 7:00 p.m.
February 18	Presidents' Day, City Offices Closed
February 19	City Council, 7:00 p.m.
February 25	Joint Powers Water Board, 6:30 p.m.

10. ADJOURN MEETING

Motioned by Vetsch, seconded by Wagner, to adjourn the meeting at 8:20 p.m. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk

**Albertville Parks Committee meeting minutes
January 28, 2013**

Attendees: Tim Guimont, Mark Barthel, Andy Swanson, LeRoy Berning, Sharon Oakvik
Visitor: Adam Nafstad, Public Works Director/City Engineer

Memorial Park plan review

Adam Nafstad presented to Committee a plan for a proposed park in proximity of the April 2008 bus accident site. Construction will begin this spring with volunteer efforts. Committee recommends the facility be called Memorial Park.

Term Limits

Committee recommends to Council that Sharon Oakvik and LeRoy Berning be appointed to a 1-year term on the Parks Committee; and Mark Barthel and Andy Swanson be appointed to a 2-year term. Communication should go out fall 2013 that citizens who want to join the Committee need to apply by December 2013.

Little Winter Park sign

Committee recommends moving forward with plan to purchase and install a sign at Little Winter Park. Tim received a quote for about \$250 for 1/3-scale sign.

Warming House

Tim reports that things are going well at the ice rink and warming house in Central Park. The facility is getting used regularly. Improvements this fall to the interior of warming house included repainting the walls and gluing rubber floor.

Explore Your Parks Night

Explore Your Parks night will be Friday, May 17 from 6-8 pm. Committee recommends a council member be at each park and to have fire truck travel to the parks. Sharon will contact food vendors; Tim will contact town sports organizations people (lacrosse, soccer, baseball, hockey, football, girls' softball, basketball) to get them involved. Suggestion was made to incorporate the annual Town Hall meeting at City Hall during the event. Perhaps call it the Albertville Town Hall Meet & Greet?

New Business

- Adam said that the Council hears continued demand for more playing fields (lacrosse, soccer, etc.).
- Soccer is looking for a place to put up a temporary dome for practice in the winter. Potential site is Cedar Creek?
- Council wants improved communication with city residents. It is working on newsletter and website improvements, among other changes.

Next meeting: March 25, 7:30 p.m.

Minutes prepared by Andy Swanson, andy.swanson99@gmail.com; 763-370-2428

January 30, 2013

SUBJECT: CONSENT (Finance) – PAYMENT OF BILLS

RECOMMENDATION: It is respectfully requested that the Mayor and Council consider the following:

MOTION TO: Authorize the **Monday, February 4, 2013** payment of the claims that includes as presented except the bills specifically pulled, which are passed by separate motion. The claims listing has been provided to Council as a separate document. The claims listing is available for public view at City Hall upon request.

BACKGROUND: The City processes claims on a semi-monthly basis. The bills are approved through their respective departments and administration and passed onto the City Council for approval.

KEY ISSUES:

Account codes starting with 810 are STMA Arena Expenses/Vendors (bolded) and key issues will be presented in the claims listing document.

POLICY/PRACTICES CONSIDERATIONS: It is the City's policy to review and approve payables on a semi-monthly basis.

FINANCIAL CONSIDERATIONS: City staff has reviewed and recommends approval of payments presented.

LEGAL CONSIDERATIONS: The Mayor and Council have the authority to approve all bills pursuant to Minnesota State Law, which requires all bills to be paid in a timely manner, generally within 30 days unless one party determines to dispute the billing.

Department/Responsible Person: Finance/Tina Lannes, Finance Director

Submitted through: Adam Nafstad, City Administrator

Attachment: List of Claims (under separate cover)

January 31, 2013

SUBJECT: CONSENT - PARKS COMMITTEE – TERMS OF OFFICE

RECOMMENDATION: It is respectfully requested that the Mayor and Council consider the following:

BACKGROUND: In 2005, the Parks Committee was established by Resolution 2005-19. The resolution states that the committee must be made up of four citizen members and two members of the City Council. The terms of office for Council members are 1-year terms. There are two 2-year terms and two 1-year terms for the citizen members. The resolution further states that members may not serve more than two consecutive years.

In years past, members have served until their resignation. On January 28, the Parks Committee discussed the terms and limits and recommended that members Berning and Oakvik be appointed to a 1-year term to expire December 31, 2013 and members Barthel and Swanson to a 2-year term to expire December 31, 2014. The Parks Committee further recommended that communication go out to the general public in the fall of 2013 that any citizens interested in serving on the Parks Committee submit a letter of interest before December 2013.

There is no action needed at this time, but is simply an update to the City Council on the Parks Committee.

KEY ISSUES:

- The City should be consistent with resolutions and ordinances approved by City Council.
- It is beneficial for board and committee members to know when their term expires.

POLICY/PRACTICES CONSIDERATIONS: It is good practice to have terms and limits identified in advance should a vacancy occur on the committee.

FINANCIAL CONSIDERATIONS: There is no financial impact to the City.

Department/Responsible Person: Kim Olson, City Clerk

Submitted Through: Adam Nafstad

January 31, 2013

SUBJECT: CONSENT - FINANCE DEPARTMENT – RESOLUTIONS ESTABLISHING THE ANNUAL RETIREMENT BENEFIT FOR THE ALBERTVILLE VOLUNTEER FIRE DEPARTMENT RELIEF ASSOCIATION, EFFECTIVE JANUARY 1, 2012 AND JANUARY 1, 2013

RECOMMENDATION: It is respectfully requested that the Mayor and City Council consider raising the Albertville Fire Relief Pension amount to \$1,782 per year of service effective January 1, 2012 and to raise the amount to \$1,817 per year of service effective January 1, 2013.

MOTION TO: Approve **Resolution No. 2013-004 and Resolution 2013-005** approving the Annual Retirement Benefit for the Albertville Volunteer Fire Department for 2012 and 2013.

BACKGROUND: : In 2008, Council decided that future increases of the fire relief pension should be tied to the rate of increase that the regular City employees receive each year subject to Council approval in that particular year. The Cost of Living Adjustment approved in the 2012 budget was 2.4%; therefore, that is \$42.00 for the fire relief pension increase. The Cost of Living Adjustment for 2013 was 2%; therefore, that is a \$35.00 for the fire relief pension increase.

KEY ISSUES:

- The additional \$42 per year of service in the annual Fire Relief Pension for 2012 has an estimated cost of \$13,000. The 2013 increase of \$35 per year of service has an estimated cost of \$11,000.
- In 2008 the City of Albertville set up a capital fund for pension contributions along with the annual contribution given to the fire relief. The capital fund was set up to build up capital monies in case of a large contribution needed by the city in future years in regards to the required funding of 80% if there is a shortfall.
- The City will not pay additional dollars into the Relief Association Fund, unless the return on their investments falls below the required 80% funding level, the city then would use the capital funds set aside for fire pension to bring them up to the 80% funding level, unless they lowered the ‘per year’ of service amount.

POLICY CONSIDERATIONS: The proposed increases are in the 2012 and 2013 budgets.

FINANCIAL CONSIDERATIONS: The amounts requested for the ‘per year’ of service fire relief pension amount were considered and in the 2012 and 2013 budgets.

LEGAL CONSIDERATIONS: The City Council has the authority to increase or decrease the Fire Relief Pension and must by state law fund it to 80% of the outstanding liability.

Department/Department/Responsible Person: Finance/Tina Lannes, Finance Director
Submitted through: Adam Nafstad

Attachments: Resolutions 2013-004 and 2013-005

**CITY OF ALBERTVILLE
COUNTY OF WRIGHT
STATE OF MINNESOTA**

RESOLUTION NO. 2013-004

**A RESOLUTION AMENDING THE
ANNUAL RETIREMENT BENEFIT FOR THE
ALBERTVILLE VOLUNTEER FIRE DEPARTMENT
EFFECTIVE JANUARY 1, 2012**

WHEREAS, the City Council of the City of Albertville is desirous of increasing the annual retirement benefit for the Albertville Fire Department effective January 1, 2012; and

WHEREAS, the City Council is committed to contribute \$1,782 as the 2012 municipal contribution to the Albertville Fire Relief Association.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Albertville hereby establishes the retirement benefit of the Albertville Fire Relief Association at \$1,782 per year of service for all members based on their years of service as active Fire Department members.

Adopted by the City Council of the City of Albertville this 4th day of February 2013.

Jillian Hendrickson, Mayor

Kimberly A. Olson, City Clerk

**CITY OF ALBERTVILLE
COUNTY OF WRIGHT
STATE OF MINNESOTA**

RESOLUTION NO. 2013-005

**A RESOLUTION AMENDING THE
ANNUAL RETIREMENT BENEFIT FOR THE
ALBERTVILLE VOLUNTEER FIRE DEPARTMENT
EFFECTIVE JANUARY 1, 2013**

WHEREAS, the City Council of the City of Albertville is desirous of increasing the annual retirement benefit for the Albertville Fire Department effective January 1, 2013; and

WHEREAS, the City Council is committed to contribute \$1,817 as the 2013 municipal contribution to the Albertville Fire Relief Association.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Albertville hereby establishes the retirement benefit of the Albertville Fire Relief Association at \$1,817 per year of service for all members based on their years of service as active Fire Department members.

Adopted by the City Council of the City of Albertville this 4th day of February 2013.

Jillian Hendrickson, Mayor

Kimberly A. Olson, City Clerk

January 31, 2013

SUBJECT: PUBLIC WORKS UTILITIES – WWTP AND UTILITIES UPDATE

WATER

We have had a lot of water leaks this fall/winter.

- 1) November 15th, at 11801 55th Street NE. Crack in the copper service line.
- 2) January 3rd at 10459 Karston Avenue NE. Frost pulling on curb stop valve breaking it in two.
- 3) January 13th Barthel Industrial Drive NE and 54th Street NE. Corrosion caused a quarter size hole on side of the 12 inch pipe.
- 4) January 13th Alley behind Post Office. Circumferential crack. This is typical of what you would see from frost.
- 5) January 29th, at 10473 Karston Avenue NE. Frost pulling on curb stop valve breaking it in two.

WASTEWATER

We have been working on two lift station malfunctions. The main lift station had a relay go bad and the Industrial Park lift station has a problem where the controller does not see the water level accurately. This problem is very inconsistent, sometimes it will go for a day; sometimes it will go for months with no problem. Troubleshooting the problem has been difficult and time consuming.

We have completed harvesting the reed beds. This is the process where we cut the reed plants and burn them and this year has been difficult. The snow we had back in December knocked a lot of the reed plants down; however, the process was completed earlier than most years.

We missed one sample back in December for total dissolved solids. This is a once a month sample and this is one parameter where we don't have a limit. What happened was there was not enough sample volume sent to the lab to complete the test and this is one out of 51 samples taken each month. The missing data should generate a letter from MPCA, stating that a sample has been missed.

All yearly maintenance scheduled for this winter has been completed.

Department/Responsible Person: Public Works/John Middendorf, Public Works Supervisor

Submitted Through: Adam Nafstad, City Administrator

Memo

To: Adam Nafstad, City Administrator; Albertville City Council
From: Mike Couri
Date: January 30, 2013
Re: Attorney Report

Below is an update of the projects our office has been working on for the City.

- **I-94 Assessment.** The Court has set discovery and mediation deadlines and a pretrial date, but has not scheduled a trial date. My best guess is that the trial will likely occur in early 2014, if we do not settle the case at mediation. Mediation is to be completed by June 3, 2013. I have been in contact with Mr. Knechtl's attorney, but they have not completed their appraisal yet and therefore do not have an amount that they believe Knechtl's property should have been assessed.
- **Fire Department.** I am drafting a volunteer agreement for the reserve fire fighters who will be joining the force in the future. Also, I am checking the law to see how we can allow those public works employees who want to serve on the fire department to do both jobs. On its face, the proposal raises some sticky issues related to overtime and pay rates. I hope to have some answers to these issues soon.
- **Fraser Steel TIF.** We have met with Baxter Stevenson and expect to have everything in place for the Fraser Steel TIF in late February.
- **Donations to Albertville Friendly City Days.** Tina and I have put in place a program that satisfies the auditors and allows the City to donate to the Friendly City Days celebration.

- **Darkenwald Property.** We continue to meet with John Darkenwald regarding development proposals on the Roden Property in the northwest quadrant of the City. Everything at this stage is still very much in the concept stage.

GENERAL ADMINISTRATION

Property Appraisal: Nagell Appraisal will be completing the property appraisal for the city owned lot in the NW Business Park. We expect to receive the appraisal in approximately a month.

Public Building Interconnect: Staff is researching options to address the communications difficulties we have been experiencing between city buildings. Even with the temporary repairs and heating elements that have been added to the arena antennas, we continue to lose connection.

Arena Roof: Last week staff met with the Contractor and Architect to discuss the arena roof/humidity issues. Ebert and ARY are both of the impression that the leaking (or dripping) is not related to a faulty roof, but more likely due to humidity control. Staff will be meeting with our mechanical contractor (SRC) on the 30th to review the system and obtain their opinion.

Fraser Steel: Staff is working with Fraser on the TIF documents and the application for the expansion project. The project is scheduled to be presented at the February Planning Commission meeting and Council meeting on the 19th.

Darkenwald, Inc.: Staff has been meeting with Darkenwald, Inc. to discuss future develop of their Albertville properties. In general, all discussions are very conceptual and the group is reviewing status of past studies and plans.

ENGINEERING/PUBLIC WORKS

2013 Street Projects: Public works is in the process of reviewing potential 2013 projects.

WB I-94 C-D Road: SRF has completed the coordinated signal timing plan for the CSAH 19 signals between 57th Street NE and the Mall. Staff will be meeting with the County, SRF and MnDOT to discuss implementation timing.

I-94 Coalition: A stakeholders meeting was held earlier this week to discuss objectives for 2013. In the past, the Chamber has been the lead or facilitating agency; however, the Chamber has concerns with the amount of time their staff is spending on Coalition activities (10 -20%). The Chamber and Coalition will be working together to determine who is best suited to act as a director of the Coalition. The Coalition will be working to assemble a forum for legislative and congressional persons in early spring to discuss the need for expansion of the interstate.

UPCOMING EVENTS

- March 14, 2013 – State of the Cities (WCEDP)
- April 29, 2013 - Joint Cities and School District Meeting

Attachments: (None)