



City of Albertville Council Agenda

Monday, March 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**
- 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 February 19, 2013 City Council regular meeting minutes as presented (pgs 3-10)
 - B.** Authorize the March 4, 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 (pg 11)
 - C.** Accept the February 11, 2013 STMA Ice Arena meeting minutes (pgs 12-14)
- 7. PUBLIC HEARINGS - None**
 - 8. DEPARTMENT BUSINESS**
 - A. City Council**
 - 1). Committee Updates (*STMA Arena, Planning, JPWB, etc.*)
 - B. Public Works / Engineering**
 - 1). Purchase of Snow Plow (pg 15)
 - C. Legal**
 - 1). Fire Inspection Fees (pgs 16-18)
(*Motion to Approve Ordinance No. 2013-002 entitled An Ordinance Modifying City Code Sections 10-3-9, 10-3-10 and adding Section 10-3-11 relating to Fire Inspections.*)

- 2). Fraser Steel TIF Interfund Loan
- 3). Attorney Update (pgs 19-20)

B. City Clerk

- 1). Set Meeting Date and Time for Annual Sheriff’s Department Update/Workshop for Monday, March 18, 2013 at 6:00 p.m.
(Motion to set a meeting date of March 18, 2013 at 6:00 p.m. for the Annual Sheriff’s Department Update/Workshop.)

C. Finance

D. Planning/Zoning

E. Building

F. Administration

- 1). City Administrator’s Update (pgs 21-22)

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

- 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.
- April 1 City Council, 7:00 p.m.
- April 8 STMA Ice Arena Board, 6:00 p.m.
- April 9 Planning Commission, 7:00 p.m.
- April 15 City Council, 7:00 p.m.
- April 17 Board of Appeal & Equalization, 5:30 p.m.

MARCH						
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APRIL						
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10. ADJOURNMENT



ALBERTVILLE CITY COUNCIL
TUESDAY, February 19, 2013

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Acting Mayor Vetsch called the meeting to order at 7:06 p.m.

2. ROLL CALL

Present: Council members Olson, Sorensen, Vetsch and Wagner

Absent: Mayor Hendrickson

Others Present: City Administrator/ Public Works Director/City Engineer Adam Nafstad, City Attorney Michael Couri, City Clerk Kimberly Olson, Baxter Stephenson, Dennis Cornelius, Tom Dawson, and Roger Derham

3. RECOGNITIONS, PRESENTATIONS AND INTRODUCTIONS - None

4. PUBLIC FORUM

There was no one present to speak.

5. APPROVAL OF THE AGENDA

Nafstad requested Item H1 be moved under A1 as there are visitors in the audience.

Motioned by Wagner, seconded by Sorensen, to approve the agenda as amended. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. 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. Approve the February 4, 2013 City Council regular meeting minutes as presented

- B. Approve the February 4, 2013 City Council workshop meeting minutes as presented
- C. Authorize the February 19, 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 the City Hall upon request
- D. Approve a One Day Temporary 3.2 Liquor License for the Albertville Lions Club for a Fish Fry on March 8, 2013
- E. Approve Resolution 2013-006 Approving the State of Minnesota and the City of Albertville Master Partnership Contract, MnDot Agreement #02628

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

7. PUBLIC HEARINGS

A. Fraser Building Limited Partnership – Business Subsidy

Nafstad reported that Fraser Steel has submitted an application for a 24,500 square foot expansion of their industrial building. This is a permitted use within the I-1 Limited Industrial District and meets all width and setback standards. The parking demand is less than City requirements, so they will be pursuing a proof of parking arrangement. The Planning Commission held a public meeting on the application and recommended approval of the site and building plans for the expansion.

Couri reported that Fraser Steel initially came into the City using TIF and grant funds and as a result of that, the City was required to set up a revolving loan fund for businesses to either retain jobs in or bring jobs to Albertville.

Couri reported the City has already set up a new TIF district for the project. Couri stated that once Fraser Steel shows qualifying expenditures, they will receive approximately \$170,000 from the Revolving Loan Fund and then \$140,000 from TIF funds. The Revolving Loan Fund will be paid first and after fully replenished, Fraser Steel will begin receiving the TIF funds.

Couri reported Fraser Steel's requirements are to maintain all improvements of the agreement and all local, state and federal laws. The City's responsibility is to provide TIF funding for Fraser Steel. He stated it was important to note this project would not take place without that financing. Fraser Steel will be responsible for creating the facility and will create at least four (4) positions. If Fraser Steel does not meet the job and wage goals outlined in the agreement, the City would be able to withhold some of the \$310,000.

Couri stated that there will be an assessment agreement applied to the property and once the Revolving Loan Fund is fully paid, it will no longer be in effect.

Vetsch inquired if the \$140,000 would have interest. Couri stated only the money received from the Revolving Loan Fund would have interest at 3%.

Acting Mayor Vetsch opened the public hearing. There was no public comment.

Motioned by Sorensen, seconded by Olson, to close the public hearing. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

Wagner inquired about dispersing the funds for certain expenses. Couri replied that the City has financial controls in place that would require receipts for those qualifying expenses before funds would be dispersed.

Nafstad inquired about the resolutions included for approval. Couri reported the approval of the development contract authorizes both loans. The City will rely on bond counsel to tie all the documents together. Couri reported that if all motions are approved this evening, the item will not come back to Council for anything more than signatures.

Motioned by Wagner, seconded by Sorensen, to adopt Resolution No. 2013-007 Approving a Contract for Private Development By and Between the City of Albertville and Fraser Building Limited Partnership. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

Motioned by Wagner, seconded by Sorensen, to Adopt Resolution No. 2013-008 Authorizing Interfund Loan for Advance of Certain Costs in Connection with Tax Increment Financing District No. 14. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

Wagner asked for staff's engineering recommendation. Nafstad reported when 52nd St NE was completed, it was completed with this type of expansion in mind. He stated utilities are in place and there are no stormwater concerns.

Olson had questions regarding lighting. The contractor stated they will meet zoning requirements while still maintaining the feel of the current architecture. Couri encouraged the contractor to coordinate with the City Planner on any lights that are not cut off lights.

Sorensen felt this was a fair agreement and felt that Fraser Steel is a big asset to the City. Vetsch thanked Fraser Steel for staying in Albertville. Couri stated this is a great example of what TIF can bring to a city.

Motioned by Wagner, seconded by Sorensen, to Adopt Resolution No. 2013-009 Approving the Site and Building Plans for Fraser Building Limited Partnership to Allow a 24,500 Square Foot Industrial Building Expansion at 11915 53rd Street NE

in Albertville. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

8. DEPARTMENT BUSINESS

A. City Council

1). Proposed Lease of Old Public Works Building, 5964 Main Ave NE, to Soccer Association

Roger Derham and Tom Dawson from the STMA Soccer Association were present at the meeting.

Nafstad reported the Building Official reviewed the old Public Works building and identified several issues with sprinkling, plumbing, HVAC and electrical. There are some significant costs associated with these issues and relate to the health and safety of any future occupants in the building. The next step would be to engage an architect to determine the costs.

Nafstad reported that in concept, they discussed the Soccer Association paying the costs of repairs in lieu of monthly rent until repairs are completed and once completed, the Association would then pay rent for the remainder of the lease.

Nafstad stated the annual cost to the City for the old Public Works building is approximately \$7,000. It would be possible to house the Albertville Lions float at the Public Works shop.

Couri reported the lease is currently written for five years. They must determine the monthly rent and once they know the repair costs, they will be able to determine when to start collecting rent.

Sorensen inquired about risks to the City. Couri responded the lease was constructed in this fashion to limit expenses and risk to the City. If the association were not able to keep the lease, they would be asked to leave the property.

Vetsch had concerns about ADA access. Derham stated that any large meetings would be held in another location such as City Hall. Dawson stated that past attendance at annual meetings is 40-50 people. Though not specifically written into the lease, Couri stated the City Hall parking lot could be used for additional parking.

Wagner would like to see a qualified architect hired.

Vetsch was concerned that improvements to the building would also increase taxes. Couri clarified the City would only pay the insurance and the Soccer Association would be responsible for utilities and taxes during the entire time of

the lease whether they are paying for repairs or rent. It may take some time to begin receiving rent and depends on the costs associated with the repairs. Once those costs have been determined, a finished lease would come before Council for review. Sorensen would like to move forward, so long as there is room in the Public Works shop for the Public Works equipment and the float. Council agreed; however, Vetsch does not want to see a shed constructed at the City Hall to house the tractor used for snow removal there.

Derham stated ideally they would like to be in place sometime in May, but that depends on the architect's findings and projected repair costs. Derham stated they have researched other spaces, but there is not a lot that will fit their needs and gym space is limited at the schools.

Motioned by Sorensen, seconded by Olson, to direct staff to work with the Soccer Association to finalize a lease of the old Public Works building, 5964 Main Ave NE, to the Soccer Association. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

2). Committee Updates (STMA Arena, Planning, JPWB, etc.)

STMA Ice Arena

Sorensen updated the Council on discussion of possible rate increases for ice time and Wagner added that they need to remain competitive with rates and can't out price the ice. Sorensen stated the feasibility study for a second sheet of ice should be coming out shortly and suggested having this as a topic at the joint meeting with St. Michael and the STMA School District. Wagner stated at the last meeting they discussed some of the line items in the budget, including an assistant manager.

Planning Commission

Olson reported there may be a rotation in who is chairing the Commission.

FYCC

Olson reported they discussed the budget and an employment contract for a part time employee.

Fire Department Update

Sorensen stated the Fire Department has finalists for the three reserve positions. He added that he spoke with Rob Olson and invited him to attend the next fire meeting to meet the firefighters, since he will be serving on the new Otsego/Albertville Fire Board.

B. City Clerk

1). Newsletter

Clerk Olson reported that staff is recommending a biannual publication in April and October. Staff felt spring and fall were the most opportune times to distribute the newsletter, but also felt inserts in the utility bills can be used for events that are not covered in the newsletters. Staff received several quotes for services including graphic design and felt the lower quote was for Minute Man Press. Nafstad stated that unless directed otherwise, staff will move forward with the spring publication.

C. Public Works / Engineering

1). 2013 Street, Trail and Utility Improvements

Nafstad reported the 2013 infrastructure project consists of a street overlay, Cedar Creek watermain extension, Four Seasons trail overlay and CSAH 18 trail connection. He stated staff is not seeking authorization for bids but to prepare estimates, plans and specifications.

Nafstad reported the street overlay would include 53rd St NE, Lachman Ave. NE, Lambert Ave. NE in the Psyk 4th, 5th, and 6th additions as identified in the five year CIP. Vetsch had concerns that the City was falling behind in street infrastructure. He was also concerned with assessing some areas for street repair while the City funded other street repairs. Nafstad stated they are not currently behind but they are not on a 20 year replacement plan and that is why it is important to keep up the annual projects.

Nafstad reported he had a quote from a previous year for the bituminous repairs and overlay of the Four Seasons Park trail. There were budget concerns the last time this was reviewed and this was not done. Sorensen asked about the parking lot. Nafstad stated he is not including the parking lot as it would need total replacement.

Nafstad stated there are 1,500 feet of bituminous trail construction to complete the trail segment between Kahl Ave. NE and the school campus. He stated they did not score well on grants through Safe Routes to School. He stated they need to meet minimum pedestrian counts and it is a very competitive grant. He stated that if a trail were to go in, that would be the time to extend the Cedar Creek watermain. He felt the two projects go together. There would be no costs charged to the golf course for the extension. Vetsch would like it to be clearly known the watermain extension would be the result of the trail going in.

Nafstad stated that some work would be required from Bolton and Menk, Inc. for survey work, field work, etc. and these costs make up anywhere from five to ten percent of the estimated project costs.

Nafstad stated the rough costs associated with each project are as follows: \$245,000 for the street overlay, \$24,000 for the Four Seasons Park trail overlay,

\$55,000 for the Cedar Creek watermain extension and \$65,000 for the CSAH 18 trail connection. Funds are available and within the budget.

Sorensen asked if it would be possible to request assistance from the County for the trail connection per their previous discussion with Commissioner Potter. Nafstad replied he will have those discussions and put in a request for funding.

D. Planning/Zoning

E. Finance - None

F. Building - None

G. Legal

H. Administration

1). City Administrator's Update

Nafstad stated the STMA School District will be creating a Finance Advisory Committee and Dr. Behle has invited member(s) of the Albertville Council to participate. The Committee would review budgets, education funding, etc. Sorensen and Vetsch stated they would be interested in serving on the committee.

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

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.
April 3	Education Equity/Schools to the Capitol

10. CLOSED SESSION

Motioned by Wagner, seconded by Olson, to move to closed session to discuss attorney client privileged information concerning the case of Gerhardt Knechtel v. City of Albertville. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

Motioned by Wagner, seconded by Olson, to reconvene the regular City Council meeting. Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson. MOTION DECLARED CARRIED.

11. ADJOURN MEETING

*Motioned by Wagner, seconded by Hendrickson, to adjourn the meeting at 9:52 p.m.
Ayes: Vetsch, Olson, Sorensen and Wagner. Nays: None. Absent: Hendrickson.
MOTION DECLARED CARRIED.*

Respectfully submitted,

Kimberly A. Olson, City Clerk

DRAFT

February 28, 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, March 4, 2013** payment of the claims 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)

ST. MICHAEL-ALBERTVILLE ARENA BOARD MINUTES

February 11, 2013

6:00 p.m.

Present: Chairman Jeff Lindquist and Members Larry Sorensen, Dan Wagner, Gayle Weber, Chris Schumm, and Kevin Kasel. Also present: City Administrator/PWD Adam Nafstad, and Youth Hockey Association representatives, Tammy Tupper, Kurt Sjelin, and Mike Marhula. The meeting was called to order at 6:02 p.m. by Chairman Lindquist.

Set Agenda

Members Wagner/Weber **moved** to set the agenda as amended. All voted aye.

Approval of Minutes

Members Wagner/Schumm **moved** to approve the minutes of the January 14, 2013 Board Meeting. All voted aye.

Finance Reports

Chairman Lindquist noted Finance director Lannes is away due to a family emergency and Arena Manager Fitch was out.

December Report: Nafstad commented on the 2012 budget and noted that the audit is not complete and the year-end actual may change. Nafstad noted a few of the more significant budget discrepancies are related to the roof replacement and the reduced salary expenses by not hiring an assistant manager; however, net income on the year is approximately \$300.

January Report: Weber questioned the January 2013 total income summary on the 2013 financial statement, as there is a discrepancy between the 2013 actual and YTD. Nafstad noted the \$23,204 is the correct figure and will correct the summary for the January actual.

Claims: Members Schumm/Wagner **moved** to approve the January 2013 list of claims in the amount of \$3,386.85. All voted aye.

Arena Manager's Report

Roof: Nafstad provided a brief update regarding the roof and noted that staff and the building official met with the roof architect and contractor, and various vendors to address the leaking issues. Nafstad commented that to date it appears the leaking is not related to a faulty roof, but some sort of moisture or humidity issue. Nafstad reported that staff is temporarily trying to control the humidity by supplementing heat from the locker rooms and bleacher area, as advised by one of our mechanical contractors. Nafstad said that at the recent meeting architects ARY felt the old roof was not sealed to the degree the new roof is, which could be causing the change in air/humidity controls. Chairman Lindquist questioned whether or not this was something that could be addressed by means of adjusting the system levels. Schumm stated that the existing dehumidification/mechanical system was recently engineered and improved and should be capable of controlling the issues and asked whether or not Paul Heins (building official) has been involved with the issue. Nafstad said Paul has been involved and staff will need to continue to work with the mechanical contractors to address the issues. At this time it doesn't appear to be leaking caused by the roof. Chairman Lindquist stated monthly status reports need to be provided to the Board and that this is an issue that staff and the Board need to stay on top of before it becomes a bigger issue.

Sorenson questions whether or not we have seen any leaking (dripping) since we had the winter warm-up about a month ago. Nafstad stated no. Further general discussion regarding what the problem could be, the new roof vs. the old roof, the feedback from various vendors was had.

Rates: Nafstad commented that Manager Fitch is currently researching the rates other area rinks are proposing for 2013 and that staff plans to have these rates available for comparison purposes at the

next meeting. Chairman Lindquist commented on the need to work towards finalizing 2013 rates on the timeline previously discussed to allow adequate time for Youth Hockey prior to their registration.

Facility Maintenance: Nafstad briefly commented that Fitch is researching cost to provide supplemental cleaning services, which will be brought back to the Board at a later time.

Old Business

Ballard King Update: Nafstad commented that Jeff King plans to have a draft report on the feasibility of the 2nd sheet delivered around the end of February. Nafstad also suggested that it may be beneficial to have King present in person and that King could be available for the next Board meeting. Nafstad commented that this would be an additional expense, as it is outside the scope of services approved. Chairman Lindquist questioned the balance of the budget for King's services and asked staff to see where it currently stands. Schumm, Lindquist and Kasel suggested that the Board study the report prior to determining whether or not it was needed to have King present the report in person, especially if additional costs would be incurred.

YHA President Sjelin suggested that if the consultant were to come and present the report, it perhaps would be best accomplished at the joint cities and school board meeting in April, as YHA potentially would like to bring a proposal(s) forward at the same time. Chairman Lindquist recommended that the report be on the agenda for the next arena meeting (March) for the Board to review prior to the larger joint meeting. Chairman Lindquist also asked staff to review the budget for King's services.

Chairman Lindquist suggested that Youth Hockey Update be a standing agenda item for future meetings.

2013 Budget: Nafstad reviewed the four (4) alternative draft budgets for 2013. The four draft scenarios are 1) no rate increase, 2) no rate increase with assistant manager, 3) rate increase, and 4) rate increase with assistant manager. All four scenarios include ice-out from April to May. All budgets show a net loss. Chairman Lindquist questioned whether the need for an assistant manager still existed and requested to hear more from Fitch on the need of the position. Lindquist also questioned YHA on what kind of impact the rate increase would have on the program. Sjelin explained that the rate adjustment would have an impact on the association. Kasel questioned Sjelin about the degree of the impact and what it would mean to an individual/average family. Tammy said it would impact the average family dramatically. Chairman Lindquist and the Board asked YHA to provide some more feedback on the impact of a rate adjustment at the next meeting. Weber also noted she would like to see the rates of other area arenas prior to deciding on a rate increase.

Tammy suggested that perhaps YHA could assist with concession operations and claimed that more revenues could be generated if the concession stand was open during more youth events. General discussions were had regarding YHA assisting with concessions.

Communications Update: Nafstad stated communication connections have continued to be an issue when temperatures drop. He noted that staff has made some temporary/interim adjustments, which hopefully will help, but a permanent fix will need to be pursued. Chairman Lindquist questioned what, if any, costs would be the responsibility of the Arena Board; as this is part of a larger Albertville communication improvement.

Other: Member Weber questioned the general intent of the dedicated \$10,000 from each entity. General Board discussion was had on the need to use those funds to maintain the quality of the building. Weber also questions some of the specific line item estimates in the proposed budget, particularly the insurance estimate. Nafstad reported staff is waiting to hear back from the League on the exact amount of the premium, but is under the impression that based on the adjusted value of the building the premium will be higher.

New Business

Chairman Lindquist updated the Board on the School District's discussion regarding the dedicated capital improvement fund. Lindquist stated the District was going to make the contribution with the same stipulations as the two cities, which is generally not for operations or a second sheet.

Kasel questioned the figures provided for the assistant manager position, as there appears to be some discrepancy between partial and full year estimates. Nafstad will review with Lannes and report back to the Board.

Chairman Lindquist directed staff to report back to the Board as to the need and what an assistant manager position would entail.

Sjelin questioned the Board as to whether or not a proposal from YHA should be presented to the Board prior to the April joint meeting. Chairman Lindquist responded that it would best for the Board and YHA to discuss the feasibility report and any proposal(s) prior to the larger meeting.

Sjelin also informed the Board that YHA would like to pursue the purchase of 2 sets of rink dividers at an approximate cost of \$1,500 per set. Sjelin suggested that Arena would benefit and will be asking the Board to consider a contribution for the purchase at the March meeting.

Mike Marhula questioned how the monthly financial were computed, whether it was on an accrual or cash basis. Sorenson and Nafstad stated it was a cash basis. Mike is going to contact Tina for clarification. Kasel suggested that staff put together an explanation sheet of the monthly financial report to assist in the public understanding of the budget.

Adjourn

Members Sorensen/Kasel **moved** to adjourn at 7:20 p.m. All voted aye.

Attest:

Adam Nafstad, Albertville Administrator

March 4, 2013

SUBJECT: PUBLIC WORKS – PURCHASE OF BOSS SNOW PLOW

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

MOTION TO: Approve purchasing a Boss 8'2" VXT snow plow for the Water and Sewer Department's 2008 Chevy utility truck, at a cost of \$5,500 plus tax.

BACKGROUND: The Public Works Department has two Boss V plows that are being used now. The new plow would supplement the existing equipment and would primarily be used to clean up lift stations, and as back-up.

KEY ISSUES:

- The two V plows we own are 12 and 14 years old.
- As in the past, if a plow goes down, we experience operational issues and delays.
- We sold the 1998 pickup and plow in 2011 with the intention to put a plow on the 2008 truck.

FINANCIAL ISSUES:

- This is a budgeted expenditure
- City crews will be installing the plow and equipment
- Three (3) quotes for the plow have been obtained:

North Central Equipment	\$5,845
Crysteel Equipment	\$5,950
Central Hydraulics, Inc.	\$5,500

LEGAL ISSUES: The City Council possesses the authority to recommend and authorize the purchase of equipment to manage and maintain the city's infrastructure.

Department/Responsible Person: Tim Guimont, Public Works Supervisor

Submitted through: Adam Nafstad, City Administrator

February 28, 2013

SUBJECT: Ordinance Amendment to Add \$50 Fire Inspection Fee

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

MOTION TO: Approve Ordinance No. 2013-002 entitled An Ordinance Modifying City Code Sections 10-3-9, 10-3-10 and adding Section 10-3-11 relating to Fire Inspections.

BACKGROUND: Currently the City does not charge to inspect newly installed fire alarms and sprinkler systems, although we do pay St. Michael's Fire Marshall to conduct these inspections for the City. The City also does not charge for fire inspections of existing buildings, nor do we charge for follow-up inspections to make sure that the violations found in the first inspection have been fixed. We have had situations where the Fire Chief has returned for follow-up inspections three or more times, only to find that the owner has not corrected the violations. The City pays its Fire Chief on an hourly basis to conduct these inspections.

The proposed ordinance imposes a \$50 inspection fee for new sprinkler systems and new fire alarms, as well as for any inspections beyond the third inspection where a violation has been found and the owner has not fixed it.

KEY ISSUES:

- Current inspections are costing the City money, but we are not collecting fees to offset the City's costs.
- It is believed that the re-inspection fee will encourage owners to fix code violations earlier and will result in fewer inspection visits overall.

POLICY/PRACTICES CONSIDERATIONS: The fees enacted by this ordinance will both cover the City's costs to some extent and encourage building owners to fix code violations earlier, therefore eliminating unnecessary inspections.

FINANCIAL CONSIDERATIONS: The revenues raised by this ordinance change will not cover the costs of the City's fire inspections overall, but will offset some of the costs the City incurs. In addition, to the extent the code violations are fixed sooner, the City will save some money on fire inspection costs.

LEGAL CONSIDERATIONS: The City Council has the ability to impose a fee for fire inspection services provided to its property owners.

Department/Responsible Person: Mike Couri, City Attorney

Submitted Through: Adam Nafstad, City Administrator

Attachments: Ordinance 2013-002

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

ORDINANCE NO. 2013-002

**AN ORDINANCE MODIFYING CITY CODE
SECTIONS 10-3-9, 10-3-10 AND ADDING SECTION 10-3-11
RELATING TO FIRE INSPECTIONS**

The City Council Of The City Of Albertville Hereby Ordains As Follows:

Section 1. Section 10-3-9 of the Albertville City Code is hereby amended to read as follows:

10-3-9: FIRE SAFETY INSPECTIONS:

- A. All new construction in which a fire suppression system or a fire alarm system is installed shall be inspected by the City's Fire Chief or Fire Marshall and shall satisfactorily pass such inspection prior to the issuance of an occupancy permit for such structure. The owner of any building so inspected shall pay a \$50.00 fee for such inspection.
- B. The owner of any building which has been the subject of a fire safety inspection for which the City's Fire Chief or Fire Marshall has to return to the building to re-inspect any violation of the Fire Code found on a previous inspection shall pay a fire inspection fee of \$50 per visit by the Fire Chief or Fire Marshall, commencing with the third return inspection addressing the same violation. There shall be no charge for the initial inspection plus two return inspections addressing the same issue.

Section 2. Section 10-3-10 of the Albertville City Code is hereby amended to read as follows:

10-3-10: APPEALS:

Whenever the chief of the fire department disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the international fire code do not apply or that the true intent and meaning of said code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the city council within thirty (30) days from the date of the decision appealed.

Section 3. Section 10-3-11 of the Albertville City Code is hereby amended to read as follows:

10-3-11: VIOLATIONS; PENALTIES:

- A. Any person who shall violate any of the provisions of the code or standards hereby adopted, or who shall fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement or specifications or plans submitted and approved from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor.
- B. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.
- C. The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

Section 3. Effective Date. This ordinance shall be effective upon its passage and publication.

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

CITY OF ALBERTVILLE

Jillian Hendrickson, Mayor

Kimberly A. Olson, City Clerk

Memo

To: Adam Nafstad, City Administrator; Albertville City Council
From: Mike Couri
Date: February 28, 2013
Re: Attorney Report

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

- **I-94 Assessment.** I expect that we will be choosing a mediator soon. Once a mediator is chosen, a mediation date can be set.
- **Fire Department.** The volunteer agreement for the reserve fire fighters is being reviewed by the Fire Chief. It appears we can allow public works employees to become regular firefighters who will respond to both daytime and nighttime calls. These employees will receive their regular public works wage for any calls they respond to during the workday, but will receive firefighter pay for any time incurred after their regular workday. The City will have to pay overtime to these employees if they work their regular 40-hour week and respond to fire calls after hours. I will continue to work with Tate and Tina to iron out the details.
- **Fire Inspection Fee Ordinance.** I have included on the March 4th agenda a proposed amendment to Albertville's City Code that establishes an inspection fee of \$50 for inspections of new fire alarms and sprinkler systems, and a re-inspection fee of \$50 that will be charged on the third return inspection (the initial inspection and two follow up inspections are free).

- **Fraser Steel TIF.** I will be asking the City Council to revisit the interest rate on the revolving loan fund at the March 4th meeting. I will have a separate memo explaining that issue.

GENERAL ADMINISTRATION

5964 Main Avenue Lease: The Soccer Association is working with an architect with regards to the improvements necessary for the proposed use of the building. Ultimately, the work the architect is performing will assist to better understand the costs associated with the required improvements and for the Association and City to resume lease negotiations.

5975 Main Avenue: Staff has received a few inquiries recently from groups interested in leasing the former city hall property.

Wright County Sheriff Department: Staff is proposing to set a workshop prior to the March 18 meeting, at 6:00 PM, for the Sherriff's Department to provide its annual update and discuss public safety in general.

Fraser Steel: Staff is working to finalize the development agreement and TIF documents for all parties.

STMA Arena: Staff is working with Ms. Vinge to control the overflow parking onto the L&D Trucking site. Recent arena parking has caused some issues for potential new tenants of the property. Staff is also preparing to distribute the updated feasibility report for the 2nd sheet of ice prior to the Arena Board's March meeting.

2012 Financial Audit: Finance Director Lannes and staff have been busy with the 2012 audit, currently underway. KDV will be presenting findings and final audit to the Council at the second meeting in April.

Ongoing Projects/Tasks:

- Arena (Roof, 2nd Sheet Feasibility, Communications)
- NW Commercial Park Property Appraisal
- Public Building Interconnect
- Televising Options
- Website Creation

ENGINEERING/PUBLIC WORKS

2013 Street Projects: Plan development and construction schedules are currently being developed. Staff is working towards a mid-May approval by Council and mid-June bid date.

UPCOMING EVENTS and ANNOUNCEMENTS

- March 5, 2013 – I-94 Coalition Stakeholders/Board meeting
- March 14, 2013 – State of the Cities (WCEDP), Delano City Hall, 11:30 to 1:00 p.m.
- Beginning on April 9, 2013 – The Wright County Sherriff’s Department will be offering a Citizen’s Law Enforcement Academy. Program information will be distributed to the Council.
- April 3, 2013 – Day at the Capitol/Schools for Education Equity (In conjunction with Schools for Education Equity (SEE), STMA will be going to the Capitol on Wednesday April 3rd to advocate for equity funding for schools and equalization of school property taxes. Please let me know if you are interested in attending.
- April 29, 2013 (6:00 PM at St. Michael City Hall)- Joint Cities and School District Meeting

Attachments: (None)