



City of Albertville Council Agenda

Monday, August 20, 2012

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. **CITIZENS OPEN 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 August 6, 2012 regular City Council minutes as presented (pgs 3-8)
 - B. Approve the August 6, 2012 workshop City Council minutes as presented (pgs 9 10)
 - C. Authorize the Monday, August 20, 2012 payment of the claims that claims that includes electronic payments 1328 EFT – 1340 EFT and check numbers 31235 to 31263 as presented (pgs 11-16)
 - D. Set Truth in Taxation Meeting for 6:00 p.m. on December 3, 2012 and set a continuation meeting for December 10, 2012 **(This will be held only if necessary)*
 - E. Approve use of the Council Chambers and Multi Purpose room for the Albertville Fire Department to hold their Annual Fall on September 8, 2012 and to allow use of the building later than 10 p.m. (pg 17)
 - F. Approve Darkenwald non-disclosure agreement (pgs 18-22)
 - G. Approve payment to Eureka Construction, Inc. in the amount of \$1,082,591.51 for the I-94 Project
 - H. Building Department Memo (pgs 23-26)
7. **PUBLIC HEARINGS – None**
 8. **DEPARTMENT BUSINESS**
 - A. **City Council**
 - 1). Agent of Record (pgs 27-35)
 - 2). Arena Board Update – Minutes of Aug. 13, 2012 (pg 36)

B. Finance

- 1). Waive Tort Liability Limits and Approve (pg 37) **(MOTION NEEDED)**

C. City Clerk

D. Public Works Director/City Engineer

- 1). I-94 Update (pg 38)
- 2). Central Park Basketball Court Improvements (pg 39) **(MOTION NEEDED)**

E. Planning/Zoning

- 1). City Planner's Update (pgs 40-41)

F. Legal

G. Administration

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

- August 27 Joint Powers Water Board at 6:30 p.m.
- August 28 Special City Council Workshop at 7:00 p.m.
- September 3 Labor Day
- September 4 City Council Meeting at 7:00 p.m.
- September 10 STMA Arena Board at 6:00 p.m.
- September 11 Planning and Zoning Commission at 7:00 p.m.
- September 17 City Council Meeting at 7:00 p.m.

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

10. ADJOURNMENT TO CITY COUNCIL WORKSHOP – 10 MINUTE BREAK



ALBERTVILLE CITY COUNCIL
Monday, August 6, 2012
DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Mark Meehan called the regular City Council meeting to order at 7:02 p.m.

2. ROLL CALL

Present: Mayor Mark Meehan, Council members Jillian Hendrickson, Larry Sorensen, John Vetsch and Dan Wagner

Absent: None

Others Present: Interim City Administrator Robert Thistle, Finance Director Tina Lannes, City Attorney Michael Couri, City Engineer/Public Works Director Adam Nafstad, City Clerk Kimberly Olson, Fire Chief Tate Mills, Kurt Sjelin, Suzie Meier and Julie Frandsen

3. RECOGNITIONS, PRESENTATIONS AND INTRODUCTIONS - None

4. CITIZENS OPEN FORUM

There were no comments.

5. APPROVAL OF THE AGENDA

Motioned by Hendrickson, seconded by Sorensen, to approve the agenda. Ayes: Meehan, Hendrickson, 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. Approve the July 16, 2012 regular City Council minutes as presented
- B. Authorize the Monday, August 6, 2012 payment of the claims that includes electronic payments 1298 EFT - 1305 EFT and check numbers 31210 to 31233 as presented

Sorensen requested the minutes of July 16, 2012 be pulled from the agenda as he had a clarification for the minutes regarding the Ice Arena Committee meeting.

Motion by Sorensen, seconded by Hendrickson, to approve the minutes, with corrections, of the regular July 16, 2012 City Council meeting. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Hendrickson inquired when the last time staff looked at leasing quotes for copiers. Lannes replied it was done a year and a half ago and will be looked at next year.

Motion by Hendrickson, seconded by Sorensen, to authorize the Monday, August 6, 2012 payment of the claims that includes electronic payments 1298 EFT - 1305 EFT and check numbers 31210 to 31233 as presented

7. PUBLIC HEARINGS - None

8. DEPARTMENT BUSINESS

A. Finance

1). 2012 2nd Quarter Budget to Actual

Lannes reported they are just under 50% for revenue for the year and just under 40% for expenditures.

2). Accounts Receivable

Lannes reported that 89% was under 30 days out and the 8% that was over 90 days will be billed to the properties in November.

3). 2012 Budget Amendment

Lannes reported the hiring of a City Engineer, Admin Asst./Accounting Clerk and City Clerk required some internal changes to the budget to fund those items, but did not affect the overall levy at all. The amendment is required by the auditors to show there was no change to the levy amount.

Sorensen inquired if the reason they needed to do the budget amendment was because they hired a City Engineer. Lannes replied that was correct because it is a new department that is being charged expenses. She stated that approximately 70% is being charged to the General Fund and 30% is being charged to the Sewer Enterprise Fund.

Motion by Vetsch, seconded by Hendrickson, to approve the 2012 Budget Amendment. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

B. Planning/Zoning

- 1). Towne Lakes Customer Appreciation Event and Outdoor Music Application (InFit & Anytime Fitness)

Nafstad reported the Shoppes at Towne Lakes would like to hold a customer appreciation block party. This type of event would require a temporary sales and temporary outdoor music permit. There are two issues with the request: proximity to the neighborhood for the band and parking. These two issues prevented them from approving the application administratively.

Julie Frandsen, InFit & Anytime Fitness, stated they would like to host the block party for their customers and also draw attention to the area to let others know the businesses are out there. It will be a family friendly block party on August 22 from 4:00-8:00 p.m. There will be adult and kid activities as well as food from local businesses. They would like to have a family friendly band during those hours as well. They have obtained signatures from the neighborhood stating they are in support of the event and do not have a problem with the band. They have also obtained permission to use the parking facilities at Minnesota Lighting to reach the required amount of parking.

Sorensen thanked the applicant for their efforts.

Motion by Sorensen, seconded by Hendrickson, to approve the Towne Lakes Customer Appreciation Block Party and Outdoor Music Application. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

C. Public Works Director/City Engineer

- 1) I-94 Update

Nafstad reported the project has been moving along nicely and the weather has been cooperating. Concrete pavement will begin next week. Sorensen inquired if the completion will be done by the end of November. Nafstad replied that

completion will be done in 2012 and the most critical date is Black Friday. His goal is to make sure it is completed by Black Friday and he feels that is a realistic goal.

2) 2012 Main Ave NE Watermain Improvements

The hydrant by the 152 Club needs to be moved due to their expansion. They are planning to move and convert the hydrant into a larger capacity to accommodate their sprinkling needs for the 152 Club. They have also included two other hydrants in the project. Nafstad stated that he requested four bids and received only two. The low bid was from Meiney's Diggers from St. Michael.

Motion by Wagner, seconded by Hendrickson, to approve to low bid from Meiney's Diggers in the amount of \$20,225 for completion of the 2012 Main Ave NE Watermain Improvements. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

D. City Clerk

1) Liquor License – Approve On-Sale Wine and 3.2 Malt Liquor License for Pick Your Perfect Pasta

Olson reported Pick Your Perfect Pasta opened August 1, 2012 and will be serving convenient high quality Italian food available for dining, take out or delivery. They wish to offer wine and beer to their dine-in patrons. They have completed the appropriate paperwork, paid the fees, and are working on their insurance.

Olson stated the license would be contingent on successful completion of the background check and submittal of liquor liability and worker's compensation insurance.

Motion by Sorensen, seconded by Hendrickson, to approve the On Sale Wine and 3.2 Malt Liquor License for Pick Your Perfect Pasta. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. MOTION DECLARED CARRIED.

2) Cancel August 16, 2012 Special City Council Meeting

Olson stated the August 16, 2012 Special Meeting is not required for canvassing and would like to cancel the meeting.

Motion by Wagner, seconded by Sorensen, to cancel the August 16, 2012 Special City Council Meeting. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. MOTION DECLARED CARRIED.

E. City Council

F. Legal

1) Attorney Report

Couri reported they will be meeting with the owner of the Mattress Depot and the building inspector to try to figure out a solution for the store to stay in business.

G. Administration

1) Springsted Update

Thistle reported they are in the process of interviews and will follow up at a later date. He stated with the budget workshop on August 20, they may have to select a different day to review Springsted's report.

2) Website Proposals

Thistle stated that staff recommends hiring SM Website Solutions to create a new City website. They received two proposals. He stated they felt more comfortable with SM Website Solutions because of their experience whereas the other proposal would be using the tools for the first time.

Thistle reported two Council members have volunteered to be on the website committee.

Hendrickson stated that she has reviewed SM Website Solutions previous work and felt working with Ms. Meier will benefit the City.

Sorensen felt it is money well spent. Meehan agreed. Sorensen stated the amount of the contract is much lower than quotes received in the past.

Vetsch inquired about updating the site. Meier replied the site will have a content management system that the employees can update.

Thistle reported that the responsibility of the website will be transferring from the Finance Director to the City Clerk, as many communication items and notices are received through the City Clerk's Office.

Motion by Sorensen, seconded by Hendrickson, to accept the quote form SM Website Solutions to redesign the City of Albertville's website for an amount not to exceed \$4,000 for all three phases. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

August 13, 2012	STMA Ice Arena Meeting @ 6:00 P.M.
August 10, 2012	St. Michael vs. Albertville Bowling Challenge @ 5:30 P.M.
August 14, 2012	Primary Election Day
August 15, 2012	Planning Commission Meeting @ 7:00 P.M.
August 20, 2012	City Council Meeting @ 7:00 P.M. and Workshop to follow

10. ADJOURNMENT

Motion by Sorensen, seconded by Hendrickson, to adjourn the meeting at 7:33 p.m. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk



ALBERTVILLE CITY COUNCIL WORKSHOP
Monday, August 6, 2012

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:34 PM

ROLL CALL

Present: Mayor Mark Meehan and Council members Jillian Hendrickson, Larry Sorensen, John Vetsch and Dan Wagner

Absent: None

Others Present: Interim City Administrator Thistle, Finance Director Tina Lannes, City Attorney Michael Couri, Public Works Director/City Engineer Adam Nafstad, City Clerk Kimberly Olson and Fire Chief Tate Mills

BUDGET WORKSHOP DISCUSSION

Lannes gave a presentation to City Council. She reported on the timeline for the budget process and important dates. She reviewed the reductions in both revenue and expenditures.

Lannes stated the debt levy had an increase of 2.19% and the general levy had a proposed increase of 4.25% for a total levy increase of 6.44%. She reviewed the increases in expenditures, including unbudgeted items, and reviewed the assumptions for the reserve fund.

Council questioned the severance for the previous City Administrator. Lannes stated she had budgeted the pay out as well as an estimated cost for interim services provided by Mr. Thistle. Sorensen inquired about unemployment should the former administrator begin to draw on that. Lannes stated that is not budgeted for. Couri explained that the City does not pay a monthly unemployment premium as most private companies do; rather they pay it as it is applied for. Sorensen requested an estimate of unemployment costs. Meehan would like these issues to be reviewed thoroughly in the new City Administrator contract when the time comes.

Lannes reviewed other increases in the budget that were made to more accurately reflect actual costs. She stated that reserves at year end are 33-37%. The Office of the State Auditor requires at least 30%, but recommends it be between 40-50%. Thistle pointed out this is why it is important to replenish the \$100,000 for administration, so they don't slip under the 30%. He stated it is important the City protect its credit rating.

Lannes reviewed items that were not included in the budget that Council will also need to keep in mind. Thistle stated that Capital Improvement Projects are a major piece that Council will need to consider. They must determine the priority of these items and how to fund them.

Thistle stated the intent of the presentation is to show a comparison of this year to next year, identify lacking areas, and identify key issues.

Mills would like Council to be aware of long term plans for capital equipment. He stated that 2017 will be the year where they will need to replace two trucks.

Mills reported the Fire Relief Association had asked him to speak on their behalf this evening. They are asking for a \$200 increase for the year for pensions. Vetsch was concerned with the possibility some may be trying to stay on longer just for the benefits. Lannes provided some history on what had been done in the past with the pensions.

Thistle thanked staff for their help getting him up to speed on the budget.

Lannes stated that the next meeting would be August 20 immediately following the regular meeting.

Vetsch requested examples of how the budget will affect local businesses and homes. Lannes stated she would provide examples similar to last year.

ADJOURNMENT

Motion by Vetsch, seconded by Hendrickson, to adjourn the meeting at 8:17 p.m. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk

August 15, 2012

SUBJECT: CONSENT - FINANCE DEPARTMENT – PAYMENT OF BILLS

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

MOTION TO: Authorize the **Monday, August 20, 2012** payment of the claims that includes check numbers **1328 EFT – 1340 EFT and** checks numbered **31235 to 31263** as presented except the bills specifically pulled, which are passed by separate motion.

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)

Check No. 31238 Brite Stitch – new shirts for employees for St. Michael challenge

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

Reviewed by: RDT

Attachments: Check Register Detail



Check Detail Register

August 2012

			Check Amt	Invoice	Comment
10100 Premier Bank					
Paid Chk#	001328E	8/15/2012	COURI & RUPPE, P.L.L.P.		
E	101-41600-304	Legal Fees	\$1,162.50	08072012	Fraser Steel TIF preparation-reports-
E	468-49000-300	Professional Svcs (GENERAL)	\$150.00	08072012	I-94 WBCD review reports-revise
E	101-41600-304	Legal Fees	\$42.50	08072012	Center Cut Meats Variance (review
E	101-41600-304	Legal Fees	\$2,512.50	08072012	Tax Forfeit property paperwork, attend mtgs., 152 Club SAC/WAC expansion,
		Total COURI & RUPPE, P.L.L.P.	\$3,867.50		
Paid Chk#	001329E	8/15/2012	EMERGENCY APPARATUS MNTC		
E	101-42000-404	Repair/Maint - Machinery/Equip	\$642.27	62870	FD trombetta solenoid (Engine 11)
E	101-42000-404	Repair/Maint - Machinery/Equip	\$503.18	62922	FD foaming engine degreaser (Engine
		Total EMERGENCY APPARATUS MNTC	\$1,145.45		
Paid Chk#	001330E	8/15/2012	FERRELLGAS		
E	810-00000-212	Motor Fuels	\$60.38	5000940958	ARENA fuel for equipment (July
		Total FERRELLGAS	\$60.38		
Paid Chk#	001331E	8/15/2012	I-94 WEST CHAMBER OF COMMERCE		
E	101-41100-433	Dues and Subscriptions	\$280.00	382	Admin 2012-2013 membership fees
		Total I-94 WEST CHAMBER OF	\$280.00		
Paid Chk#	001332E	8/15/2012	GOPHER STATE ONE-CALL		
E	602-49400-209	Locates	\$78.30	43257	UD (water) monthly locates (July
E	601-49450-209	Locates	\$78.30	43257	UD (sewer) monthly locates (July
		Total GOPHER STATE ONE-CALL	\$156.60		
Paid Chk#	001333E	8/15/2012	MAGIC WATER		
E	101-42000-200	Office Supplies (GENERAL)	\$42.00	19619B	FD sport top bottled water (July 2012)
E	101-42000-200	Office Supplies (GENERAL)	\$140.00	19838B	FD bottled water-use when fighting
		Total MAGIC WATER	\$182.00		
Paid Chk#	001334E	8/15/2012	MVTL LABORATORIES, INC		
E	601-49450-218	Testing Expenses	\$113.40	615947	UD (sewer) chem series water testing
E	601-49450-218	Testing Expenses	\$286.20	616943	UD (sewer) chem series water testing
E	601-49450-218	Testing Expenses	\$257.40	616954	UD (sewer) chem series water testing
E	601-49450-218	Testing Expenses	\$281.40	617581	UD (sewer) chem series water testing
		Total MVTL LABORATORIES, INC	\$938.40		
Paid Chk#	001335E	8/15/2012	SHRED RIGHT-A ROHN INDUSTRIES		
E	101-41400-300	Professional Svcs (GENERAL)	\$30.00	129204	Admin document destruction charges
		Total SHRED RIGHT-A ROHN INDUSTRIES	\$30.00		
Paid Chk#	001336E	8/15/2012	S & T OFFICE PRODUCTS		
E	810-00000-200	Office Supplies (GENERAL)	\$168.44	01PH7176	ARENA toner cartridge-print reports
E	101-41400-200	Office Supplies (GENERAL)	\$23.51	01PH7176	Admin ink cartridge (July 2012)
E	101-41750-200	Office Supplies (GENERAL)	\$99.36	01PH8627	PW-CE jetstream pens (3-doz) (July
E	101-41400-200	Office Supplies (GENERAL)	\$58.65	01PH8627	Admin 11" x 14" legal copier paper
E	101-41400-200	Office Supplies (GENERAL)	\$6.80	01PI1379	General supplies legal paper (Aug
E	101-41410-300	Professional Svcs (GENERAL)	\$39.84	01PI1379	Elections thermal calculator tape,
E	101-42400-200	Office Supplies (GENERAL)	\$33.59	01PI1379	BldgDept page magnifier, expand
E	101-41400-200	Office Supplies (GENERAL)	\$49.49	01PI1379	CityClerk tab, blank write on, sorter
		Total S & T OFFICE PRODUCTS	\$479.68		

			Check Amt	Invoice	Comment
Paid Chk#	001337E	8/15/2012			USA BLUE BOOK
E	602-49400-209	Locates	\$130.65	730213	UD (water) blue & green flags for
E	601-49450-209	Locates	\$130.64	730213	UD (sewer) blue & green locate flags
E	601-49450-210	Operating Supplies (GENERAL)	\$133.66	736764	ud (sewer) CorePRO Sr.15' sampler 3
		Total USA BLUE BOOK	\$394.95		
Paid Chk#	001338E	8/15/2012			WRIGHT-HENNEPIN COOP ELECTRIC
E	101-43100-381	Electric Utilities	\$625.63	1028001-0812	PW TLks street light (July 2012)
E	601-49450-381	Electric Utilities	\$99.37	1028001-0812	UD (sewer) TLks Lift Stat-electricity
E	101-45100-381	Electric Utilities	\$303.00	1028001-0812	PD TLks parks (July 2012)
E	810-00000-381	Electric Utilities	\$29.87	5014270100-	ARENA monthly electric service
		Total WRIGHT-HENNEPIN COOP ELECTRIC	\$1,057.87		
Paid Chk#	001339E	8/15/2012			CITY OF ST. MICHAEL
E	468-49000-303	Engineering Fees	\$16,770.00	08082012-1	I-94 WBCD Proj July 2012 Eng Serv
		Total CITY OF ST. MICHAEL	\$16,770.00		
Paid Chk#	001340E	8/15/2012			BOLTON & MENK, INC
E	468-49000-303	Engineering Fees	\$23,156.51	0148405	I-94 WBCD Proj Eng Ser CD road retaining wall(s) & CD road slope stakes, stormsewer c
E	101-41700-303	Engineering Fees	\$66.00	0149334	Apr-Jun 2012 mapping services
E	468-49000-303	Engineering Fees	\$31,908.00	0149383	I-94 WBCD Proj Eng Serv west wall pond countours, stormsewer, wall
		Total BOLTON & MENK, INC	\$55,130.51		
Paid Chk#	031235	8/20/2012			ALLIED WASTE
E	101-43200-308	Recycling Contract Fee	\$6,451.35	0899-002103235	Recycling Contract (August 2012)
		Total ALLIED WASTE	\$6,451.35		
Paid Chk#	031236	8/20/2012			ARAMARK UNIFORM SERVICES
E	101-43100-417	Uniform Rentals	\$14.92	629-7549208	PW uniform expense
E	101-45100-417	Uniform Rentals	\$14.92	629-7549208	PD uniform exp
E	601-49450-417	Uniform Rentals	\$14.92	629-7549208	UD (sewer) uniform exp
E	602-49400-417	Uniform Rentals	\$14.93	629-7549208	UD (water) uniform exp
E	601-49450-417	Uniform Rentals	\$11.35	629-7553927	UD (sewer) uniform expense
E	101-45100-417	Uniform Rentals	\$11.36	629-7553927	PD uniform expense
E	101-43100-417	Uniform Rentals	\$11.36	629-7553927	PW uniform expense
E	602-49400-417	Uniform Rentals	\$11.35	629-7553927	UD (water) uniform expense
E	101-41940-405	Repair/Maint - Buildings	\$52.83	629-7553928	CH rugs, mop heads, towels, etc.
E	101-43100-417	Uniform Rentals	\$11.35	629-7558748	PW uniform expense
E	101-45100-417	Uniform Rentals	\$11.36	629-7558748	PD uniform expense
E	601-49450-417	Uniform Rentals	\$11.35	629-7558748	UD (sewer) uniform expense
E	602-49400-417	Uniform Rentals	\$11.36	629-7558748	UD (water) uniform expense
		Total ARAMARK UNIFORM SERVICES	\$203.36		
Paid Chk#	031237	8/20/2012			BERRY COFFEE COMPANY
E	101-41400-200	Office Supplies (GENERAL)	\$56.95	1032605	CH (5959) coffee supply
		Total BERRY COFFEE COMPANY	\$56.95		
Paid Chk#	031238	8/20/2012			BRITE STITCH MONOGRAMMING
E	101-41100-399	Miscellaneous	\$120.00	3837	Admin All-Stars t-shirts
		Total BRITE STITCH MONOGRAMMING	\$120.00		
Paid Chk#	031239	8/20/2012			BUSINESSWARE SOLUTIONS
E	101-41940-404	Repair/Maint - Machinery/Equip	\$336.66	159569	Admin Adobe Software
		Total BUSINESSWARE SOLUTIONS	\$336.66		
Paid Chk#	031240	8/20/2012			CENEX FLEETCARD
E	101-43100-212	Motor Fuels	\$206.37	62402C	PW fuel-motors (July purchases)
E	101-45100-212	Motor Fuels	\$206.38	62402C	PD mower motors (July purchases)
E	601-49450-212	Motor Fuels	\$248.53	62402C	UD (sewer) fuel for vehicles (July
E	602-49400-212	Motor Fuels	\$248.52	62402C	UD (water) fuel for vehicles (July
		Total CENEX FLEETCARD	\$909.80		

Mayor and Council Communication – August 20, 2012
Finance – Payment of Claims

			Check Amt	Invoice	Comment
Paid Chk#	031241	8/20/2012			CENTERPOINT ENERGY
E	101-45100-383	Gas Utilities	\$8.55	14425-5-08-12PD	(Central-City Park) (Aug 2012)
E	101-42000-383	Gas Utilities	\$23.85	14425-5-08-12FD	gas utilities (Aug 2012)
E	468-49000-300	Professional Svcs (GENERAL)	\$23.33	14425-5-08-121-94	WBCD Proj gas utilities (Aug
E	101-41940-383	Gas Utilities	\$13.87	5361503-5-0812	CH 5975 Main gas utilities (Aug
E	810-00000-383	Gas Utilities	\$49.10	5390131-0-0812	ARENA gas utilities (Aug 2012)
E	601-49450-383	Gas Utilities	\$30.51	5407574-2-0812	UD (sewer) treatment plant gas
E	101-43100-383	Gas Utilities	\$53.33	5421442-4-0812	PW 11822 63rd St gas utilities
E	101-41940-383	Gas Utilities	\$157.81	6759963-9-0812	CH gas utilities (Aug 2012)
		Total CENTERPOINT ENERGY	\$360.35		
Paid Chk#	031242	8/20/2012			CHARTER COMMUNICATIONS
E	101-41940-321	Telephone	(\$11.25)	5180121022-	Adm CREDIT MEMO
E	810-00000-321	Telephone	\$191.93	5180121022-	ARENA phone connection (Aug
E	101-42000-321	Telephone	\$22.64	5180121022-	FD phone connection (Aug 2012)
		Total CHARTER COMMUNICATIONS	\$203.32		
Paid Chk#	031243	8/20/2012			DJS COMPANIES INC.
E	468-49000-300	Professional Svcs (GENERAL)	\$45.00	107642	I-94 WBCD Proj diagnosis charge Job
		Total DJS COMPANIES INC.	\$45.00		
Paid Chk#	031244	8/20/2012			DJS TOTAL HOME CARE CENTER-CH
E	601-49450-210	Operating Supplies (GENERAL)	\$4.26	63101-1	UD (sewer) victor rat trap (July
E	468-49000-300	Professional Svcs (GENERAL)	\$3.20	63109-1	I-94 WBCD Proj (rain guage (July
E	468-49000-300	Professional Svcs (GENERAL)	\$3.20	63118-1	I-94 WBCD Proj (rain gauge (July
E	601-49450-210	Operating Supplies (GENERAL)	\$26.61	63155-1	UD (sewer) valve ball, elbow, adaptr,
E	601-49450-210	Operating Supplies (GENERAL)	\$9.59	63185-1	UD (sewer) adaptr, mendrhouse, pvc
E	601-49450-210	Operating Supplies (GENERAL)	\$9.54	63210-1	UD (sewer) wire, silcn caulk, thread
E	601-49450-210	Operating Supplies (GENERAL)	\$6.40	63230-1	UD (sewer) channel wire cordmate
E	101-43100-215	Shop Supplies	\$13.87	63343-1	PW oil 2-cycle, hornet, wasp, killer
E	101-41940-405	Repair/Maint - Buildings	\$89.22	63477-1	CH (5959) rubbermaid base cabinet,
E	601-49450-210	Operating Supplies (GENERAL)	\$4.89	63490-1	UD (sewer) pvc cap colv weld (July
E	601-49450-210	Operating Supplies (GENERAL)	\$34.17	63595-1	UD (sewer) 9V max battery (July
		Total DJS TOTAL HOME CARE CENTER-CH	\$204.95		
Paid Chk#	031245	8/20/2012			DJS TOTAL HOME CARE CTR - FIRE
E	101-43100-215	Shop Supplies	\$2.29	63052-1	PW term rng ins16-14g4 (July
E	101-42000-405	Repair/Maint - Buildings	\$24.28	63308-1	FD cartridge filter, vehicle parts (July
E	101-42000-405	Repair/Maint - Buildings	\$85.25	63418-1	FD replace photo battery (July
E	101-42000-405	Repair/Maint - Buildings	\$64.88	63419-1	FD replacement tarps (July purchases)
		Total DJS TOTAL HOME CARE CTR - FIRE	\$176.70		
Paid Chk#	031246	8/20/2012			DJS TOTAL HOME CARE CTR-ARENA
E	810-00000-405	Repair/Maint - Buildings	\$11.48	63201-1	ARENA softsoap, Terror ant spray
E	810-00000-405	Repair/Maint - Buildings	\$2.00	63202-1	ARENA insect killer (July
		Total DJS TOTAL HOME CARE CTR-ARENA	\$13.48		
Paid Chk#	031247	8/20/2012			FEDERATED CO-OPS, INC.
E	101-45100-210	Operating Supplies (GENERAL)	\$93.29	F44012	PD sunny place 50 pound (Jul 2012)
E	101-45100-210	Operating Supplies (GENERAL)	\$64.09	F44214	PD 19-19-19 turf energizer 5 (Jul 2012)
		Total FEDERATED CO-OPS, INC.	\$157.38		
Paid Chk#	031248	8/20/2012			HASSAN SAND & GRAVEL, INC.
E	101-41940-405	Repair/Maint - Buildings	\$87.32	86902	CH red limestone-washed coarse sand
E	101-41940-405	Repair/Maint - Buildings	\$442.46	86993	CH natrual wood mulch landscaping
		Total HASSAN SAND & GRAVEL, INC.	\$529.78		
Paid Chk#	031249	8/20/2012			HENRYS WATERWORKS, INC
E	602-49400-407	R/M - Water Mains	\$268.04	15945	UD (water) 5' hydra finder standard
		Total HENRYS WATERWORKS, INC	\$268.04		

			Check Amt	Invoice	Comment
Paid Chk#	031250	8/20/2012	JOINT POWERS BOARD		
E 206-49400-378	JP WAC		\$4,002.00	082012-August	JPB-WAC (rec) collected in July
E 602-49400-377	JP Fed Wtr Test Pen		\$21.88	082012-August	JP Fed Test Pen collected in July
E 602-49400-375	JP Access		\$7.00	082012-August	JP ACCESS collected in July
E 602-49400-372	JP Dist		\$72,988.22	082012-August	JPDIST collected in July 2012
E 602-49400-376	JP Fed Wtr Test		\$1,119.99	082012-August	JP Fed Test collected in July 2012
E 602-49400-371	JPDIST COMBO		\$1,551.98	082012-August	JPDIST II low collected in July
E 602-49400-374	JP Dist Pen		\$771.28	082012-August	JPDIST PEN collected in July
	Total JOINT POWERS BOARD		\$80,462.35		
Paid Chk#	031251	8/20/2012	MTR SERVICES INC		
E 604-49960-406	R/M - Collection System		\$85.00	4448a	UD (stormwater) clean beaver dam
E 101-43100-403	Repair/Maint - Catch Basins		\$2,846.25	4453a	PW-street/ditch repair on 51st St & materials, labor beaver dam, locate
E 101-45100-530	Capital - Improvements		\$437.50	4454a	PD concrete for Oakside Park (poured
E 101-43100-403	Repair/Maint - Catch Basins		\$100.00	4455a	PW-streets strip forms at 51st St &
	Total MTR SERVICES INC		\$3,468.75		
Paid Chk#	031252	8/20/2012	NAPA AUTO PARTS		
E 601-49450-404	Repair/Maint - Machinery/Equip		\$77.42	830089	UD (sewer) 2003 Silverado pressure
E 101-43100-404	Repair/Maint - Machinery/Equip		\$22.73	830618	PW oil filter/form gasket (July 2012)
E 101-43100-215	Shop Supplies		\$117.92	831129	PW booster cable (July 2012)
E 101-43100-404	Repair/Maint - Machinery/Equip		\$35.01	831209	PW elbow & u-bolt (July 2012)
	Total NAPA AUTO PARTS		\$253.08		
Paid Chk#	031253	8/20/2012	NEXTERA COMMUNICATIONS		
E 101-41750-323	Cell Phones		\$136.54	94666-082012	PW-CE network phone service (Aug
E 601-49450-321	Telephone		\$27.31	94666-082012	UD (sewer) network phone service
E 101-43100-321	Telephone		\$63.72	94666-082012	PW network phone service (Aug 2012)
E 101-42400-321	Telephone		\$136.54	94666-082012	Bldg Dp network phone service (Aug
E 101-42000-321	Telephone		\$63.71	94666-082012	FD network phone service (Aug 2012)
E 602-49400-321	Telephone		\$27.30	94666-082012	UD (water) network phone service
E 101-41940-321	Telephone		\$455.12	94666-082012	Admin network phone service (Aug
	Total NEXTERA COMMUNICATIONS		\$910.24		
Paid Chk#	031254	8/20/2012	NORTH MEMORIAL URGENT CARE		
E 101-43100-433	Dues and Subscriptions		\$24.50	497222-00TG	Random Drug-Alcohol Testing (T
E 101-45100-433	Dues and Subscriptions		\$24.50	497222-00TG	Random Drug-Alcohol Testing (T
	Total NORTH MEMORIAL URGENT CARE		\$49.00		
Paid Chk#	031255	8/20/2012	NORTHLAND SECURITIES		
E 101-41000-300	Professional Svcs (GENERAL)		\$640.00	3025	Fraser TIF 14 professional services
	Total NORTHLAND SECURITIES		\$640.00		
Paid Chk#	031256	8/20/2012	PREMIER 94 TRUCK SERVICES		
E 101-43100-404	Repair/Maint - Machinery/Equip		\$70.20	0139019-IN	PW DOT Inspection Mech8 (Aug 2012)
	Total PREMIER 94 TRUCK SERVICES		\$70.20		
Paid Chk#	031257	8/20/2012	SENTRY SYSTEMS, INC.		
E 101-42000-405	Repair/Maint - Buildings		\$26.88	661341	FD commercial alarm monitoring (Sept.
E 101-43100-405	Repair/Maint - Buildings		\$32.06	661341	PW commercial alarm monitoring
	Total SENTRY SYSTEMS, INC.		\$58.94		
Paid Chk#	031258	8/20/2012	SUNRISE PLUMBING		
E 101-41940-405	Repair/Maint - Buildings		\$250.00	11137	CH repair leak in pipe (front office
	Total SUNRISE PLUMBING		\$250.00		
Paid Chk#	031259	8/20/2012	THISTLE ADVISORY & CONSULTING		
E 101-41100-300	Professional Svcs (GENERAL)		\$2,750.00	14	Admin fee met w/Ad Hoc commt &
E 101-41100-300	Professional Svcs (GENERAL)		\$330.00	14	Admin fees rev-Fraser Steel TIF 14 (
E 101-41100-300	Professional Svcs (GENERAL)		\$4,510.00	14	Admin fee attend mtgs, rev budget w/consultants, rev internal office, meet
	Total THISTLE ADVISORY &		\$7,590.00		

			Check Amt	Invoice	Comment
Paid Chk#	031260	8/20/2012			T-MOBILE - 828941579
E 101-41750-323	Cell Phones		\$66.23	828941579-0812	PW-Eng Dir cell phone (July 2012)
E 101-41500-323	Cell Phones		\$64.67	828941579-0812	FinDir cell phone (July 2012)
E 101-42000-321	Telephone		\$85.79	828941579-0812	FireDept cell phone (July 2012)
E 101-41400-323	Cell Phones		\$31.99	828941579-0812	CityClk cell phone (July 2012)
	Total T-MOBILE - 828941579		\$248.68		
Paid Chk#	031261	8/20/2012			T-MOBILE - ACCOUNT 828939188
E 101-42400-323	Cell Phones		\$52.45	828939188-0812	BldgDpt cell phone (July 2012)
E 601-49450-323	Cell Phones		\$52.46	828939188-0812	UD-sewer cell phone (July 2012)
E 101-42000-321	Telephone		\$52.45	828939188-0812	FireDpt cell phone (July 2012)
E 101-41400-323	Cell Phones		\$200.00	828939188-0812	Admin-one time charge
E 602-49400-323	Cell Phones		\$52.45	828939188-0812	UD-water cell phone (July 2012)
E 101-43100-323	Cell Phones		\$52.46	828939188-0812	PW cell phone (July 2012 usage)
E 101-45100-323	Cell Phones		\$52.46	828939188-0812	ParkDpt cell phone (July 2012)
	Total T-MOBILE - ACCOUNT 828939188		\$514.73		
Paid Chk#	031262	8/20/2012			VALERIUS, BILL
E 101-42000-200	Office Supplies (GENERAL)		\$32.58	082012-FirDpBV	FireDpt white invitation 100 pk
	Total VALERIUS, BILL		\$32.58		
Paid Chk#	031263	8/20/2012			XCEL ENERGY
E 101-43100-381	Electric Utilities		\$538.94	334807181	PW facility on 63rd Street NE (Jul-Aug)
E 601-49450-381	Electric Utilities		\$5,280.67	334807181	UD (sewer) treatment plant power (Jul-
E 101-42000-381	Electric Utilities		\$473.40	334807181	FD lighting of fire hall (Jul-Aug 2012)
E 101-45100-381	Electric Utilities		\$463.36	334807181	PD Westwood, Four Season, Central,
E 101-43160-381	Electric Utilities		\$529.35	334807181	PW street lighting and/or parking lots
E 468-49000-300	Professional Svcs (GENERAL)		\$189.83	334807181	I-94 Job Shack electricity (Jul-Aug)
E 101-41940-381	Electric Utilities		\$2,210.14	334807181	Admin CH (5959 Main & 5975 Main)
E 101-43160-381	Electric Utilities		\$23.04	335569920	PW 5998 LaBeaux traffic signal (Jul-
E 101-45100-381	Electric Utilities		\$24.72	335702057	PD Four Seasons (Jul-Aug 2012)
E 101-45100-381	Electric Utilities		\$3.68	335719995	PD Central-City Park electricity (Jul-
E 101-45100-381	Electric Utilities		\$4.47	433328999	PD 10820 Kantar Ct (Oakside) (Jul-
E 101-43160-381	Electric Utilities		\$5,318.66	433329380	PW general street lighting (Jul-Aug)
	Total XCEL ENERGY		\$15,060.26		
	10100 Premier Bank		\$200,139.27		
Fund Summary					
10100 Premier Bank					
	101 GENERAL FUND		\$38,756.40		
	206 WAC FUND		\$4,002.00		
	468 CSAH 19 RAMPS/I 94 Project		\$72,249.07		
	601 SEWER FUND		\$7,230.35		
	602 WATER FUND		\$77,303.25		
	604 STORM WATER		\$85.00		
	810 STMA ARENA		\$513.20		
			\$200,139.27		

August 16, 2012

**SUBJECT: CITY CLERK – FIRE DEPT USE OF CITY HALL WITH 10:00 P.M.
EXCEPTION**

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

MOTION TO: Approve the use of the Full Community Room for the Annual Fire Department Fall Party and to allow use of the facilities past 10:00 p.m.

BACKGROUND: In the past, the Fire Dept. has always held its Annual Fall Party at the Fire Hall by obtaining a liquor license using the Albertville Lion's insurance. This year the Lions were hesitant to use their insurance for the event as they are not the host nor serving the alcohol. A temporary liquor license cannot be issued to the Fire Dept as they are not selling liquor and are only serving it to the members. Upon consultation with the City Attorney, it was determined the only way to allow the consumption of alcohol on City facilities would be to hold the event in City Hall, where the City holds a Consumption and Display Permit from the State Alcohol and Gambling Enforcement Division. Staff will be working closely with the Fire Dept to find a way to hold the event back at the Fire Hall for the coming years.

The City's Room Rental Policy states that all buildings close at 10:00 p.m. and all parties are to vacate the premises by that time, including the parking lot. The Fire Dept. would like approval to hold their Fall Party beyond that time.

KEY ISSUES:

- Only the City Hall building holds a Consumption and Display Permit
- The City's League insurance would cover and apply to the event
- Room Rental Policy requires all buildings be evacuated by 10:00 p.m.

POLICY/PRACTICES CONSIDERATIONS: The City Council has the authority to approve or deny the request.

FINANCIAL CONSIDERATIONS: Staff recommends the minimal rental fee be waived for the use/setup of the building, as it will be used by City employees.

LEGAL CONSIDERATIONS: The City Attorney was consulted throughout the decision to hold the event at City Hall. This appears to be only legal way to hold the event and also be covered by the City's insurance policy.

Submitted Through: Kimberly A. Olson, City Clerk

Department/Responsible Person: Kimberly A. Olson, City Clerk

Reviewed by: RDT

August 16, 2012

SUBJECT: Darkenwald Confidentiality Agreement.

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

MOTION TO: Approve Agreement To Keep Selected Business Information Confidential with Darkenwald Holdings, Ltd.

BACKGROUND: Darkenwald Holdings, Ltd. (“Darkenwald”) has approached City Staff with information that Darkenwald has prepared a development plan for the Roden property north of I-94 and west of CSAH 19 (about 100 acres in the vicinity of Welcome Furniture). However, because Darkenwald does not have the major players signed up yet for this development proposal, Darkenwald does not wish to disclose any details of this proposal to the City for fear that if the proposal becomes public too early, other competitors will either seek to attract these same players to their developments or seek to block the Darkenwald project as a potential competitor. Because Darkenwald’s project is likely to include a proposal that the City assist in some of the infrastructure construction/funding, the City will need to know some of the details of the proposal early in the development process. The attached Agreement to Keep Selected Business Information Confidential has been prepared to govern when the City may release such information.

KEY ISSUES:

- The confidentiality agreement seeks to keep the following information confidential:
 - a. Financial information about Darkenwald’s business plans related to the Property, including credit reports, financial statements, net worth calculations and business plans (including the names and types of prospective tenants or businesses intended to locate on the Property).
 - b. Income and expense projections, balance sheets, customer lists, income tax returns, and design, market, and feasibility studies not paid for with public funds.
- In general, the City will not release any oral information it receives regarding the proposed Darkenwald development.
- The City will not release written information it receives regarding the proposed Darkenwald development, unless:
 - a. Required by a Court of law, or by applicable state or federal law;
 - b. If disclosure is required by the Minnesota Data Practices Act;
 - c. After public financial assistance is provided by the City, or when Darkenwald receives a benefit from the City;

- d. The City may release the following general information at any time:
- i. The general category of proposed development (e.g. retail, office, hospitality, industrial, etc.).
 - ii. The estimated square footage of proposed development.
 - iii. The estimated market value of such proposed development.
 - iv. The type and extent of municipal services the City is anticipated to provide to support such development.
 - v. Potential job creation data.
 - vi. The type and extent of projected City financial assistance or benefit projected to be financed with public funds.

POLICY/PRACTICES CONSIDERATIONS: Approval of this agreement will necessarily mean that detailed information regarding proposed tenants, types of land uses, and other specific information regarding the proposed development either will not be contained in the City's files or will not be able to be discussed publicly. Because there is no exception under which we can close a City Council meeting to discuss this information, the City Council will likely not have access to the usual amount of detail that it would normally have for other developments, nor will staff be able to provide the same level of information to the Council at Council meetings, at least at the preliminary stages. This is going to put the Council members in the uncomfortable position of having some information related to a proposed development that it cannot discuss with Albertville residents, or of having incomplete information and not being able to fully respond to residents' questions regarding the proposed development.

When the project gets to the point when it is requesting a specific zoning approval, staff anticipates that more (but not necessarily all) information will be made public so that the City Council can make an adequate and informed decision.

FINANCIAL CONSIDERATIONS: There are no financial considerations associated with this Agreement.

LEGAL CONSIDERATIONS: This Agreement will be binding upon the City, including City Staff and City Council members. The City does not have to enter into this Agreement, but if it does, the City could be liable for damages caused if it breaches the Agreement. Essentially, it will require the City to make sure that any data released is either required to be released by the Data Practices Act or is of a very general nature that falls within the exceptions set out in the Agreement. There is no expiration date on this Agreement, as we do not know when the proposed development will actually occur.

Submitted Through: Mike Couri, City Attorney.

Department/Responsible Person: Bob Thistle, City Administrator/Mike Couri, City Attorney.

Reviewed by: RDT

Attachments: Agreement to Keep Selected Business Information Confidential

**AGREEMENT TO KEEP SELECTED
BUSINESS INFORMATION CONFIDENTIAL**

Whereas, Darkenwald Holdings, Ltd. (“Darkenwald”) owns land and has an option on additional land north of Interstate 94 and west of CSAH 19 (“Property”) in the City of Albertville (“City”); and

Whereas, Darkenwald desires to develop such Property with financial assistance from the City or with a benefit financed by public funds; and

Whereas, Darkenwald has developed a business plan, including potential tenants, potential business concepts and other original business ideas that need to be protected from public disclosure in order to preserve Darkenwald’s competitive advantage; and

Whereas, Minnesota Statute 13.591 allows such business data to be protected from public disclosure under certain conditions; and

Whereas, the City and Darkenwald desire to protect such qualifying business data from public disclosure as allowed by law;

NOW, THEREFORE, the City and Darkenwald agree as follows:

1. The City shall comply with the Minnesota Data Practices Act.
2. Except as otherwise provided in this Agreement, the City shall not disclose to any person or entity the following written information provided by Darkenwald related to the Property:
 - a. Financial information about Darkenwald’s business plans related to the Property, including credit reports, financial statements, net worth calculations and business plans (including the names and types of prospective tenants or businesses intended to locate on the Property).
 - b. Income and expense projections, balance sheets, customer lists, income tax returns, and design, market, and feasibility studies not paid for with public funds.
3. Except as otherwise provided in this Agreement, the City shall not disclose any oral information relating to the proposed development on the Property.
4. The City may disclose such information described in paragraphs 2 and 3 of this Agreement under the following conditions:

- a. When required by a Court of law, or by applicable state or federal law; or
 - b. If the City deems disclosure is reasonably necessary to defend itself in litigation related to a breach of contract claim under this Agreement; or
 - c. If disclosure is required by the Minnesota Data Practices Act; or
 - d. If the Minnesota Department of Administration, Information Policy Analysis Division opines that such data is public under the Minnesota Data Practices Act; or
 - e. After public financial assistance is provided by the City, or when Darkenwald receives a benefit from the City, the City may release all such information described in paragraphs 2 and 3, except that the following data shall remain private or nonpublic: business plans; income and expense projections not related to the financial assistance provided; customer lists; income tax returns; and design, market, and feasibility studies not paid for with public funds; or
 - f. Any information that is disseminated to the general public by others or that is provided to the City by a source other than Darkenwald or agents of Darkenwald identified to the City as Darkenwald's agents; or
 - g. Any information contained in an application by Darkenwald for zoning, subdivision or building permit approval, as well as any information necessary to process such application to completion; or
 - h. Provided such disclosure is limited to:
 - i. The general category of proposed development (e.g. retail, office, hospitality, industrial, etc.).
 - ii. The estimated square footage of proposed development.
 - iii. The estimated market value of such proposed development.
 - iv. The type and extent of municipal services the City is anticipated to provide to support such development.
 - v. Potential job creation data.
 - vi. The type and extent of projected City financial assistance or benefit projected to be financed with public funds.
5. In the event of a request for information contained in paragraphs 2 or 3 above, and the City submits such request to the Minnesota Department of Administration, Information Policy Analysis Division ("IPAD") for an opinion, Darkenwald shall reimburse the City for the fee charged by IPAD to render such opinion. Such reimbursement shall occur within 30 days. In the event Darkenwald fails to reimburse the City for such costs, the City shall have no further obligation under this Agreement.
6. This Agreement shall be effective upon approval by the Albertville City Council and execution by all parties.

Dated: _____ 2012

DARKENWALD HOLDINGS, LTD.

CITY OF ALBERTVILLE

By: John Darkenwald
Its: President

Mark Meehan, Mayor

Kimberly A. Olson, City Clerk



MEMORANDUM

Date: August 14, 2012
To: Honorable Mayor and City Council Members
Cc: Bob Thistle – City Administrator
Tina Lannes – Finance Director
From: Adam Nafstad, P.E., Public Works Director
Subject: Building Department/2013 Budget

This memo is intended to provide information for preparation of the City's 2013 Budget. As you are aware, since May of this year the City has been contracting with the City of St. Michael for interim building official services. Under this interim structure, the general work share is described as follows:

St. Michael

- Building code related reviews and inspections
- Maintaining the active permit file for open permits
- Scheduling inspections
- Rental and vacant property inspections
- Office hours, as needed
- Code enforcement and zoning related inspections on a case by case basis

Albertville

- Receiving and processing permit applications
- Reviewing lot surveys and utility connections
- Building permit issuance and tracking, as well as fee collection
- Document management for property file
- Non-building code related permits (fence, right-of-way, grading, temp. sign, etc.)
- Registration and licensing (vacant property, rentals)
- Code enforcement and zoning related inspections on a case by case basis

To date the work share has worked well for both cities. Albertville has received high-level services, and St. Michael has been able to preserve its building department by providing the services to Albertville.

In consideration of a continued shared department arrangement, staff from both cities have developed a draft funding formula for Council to review (attached). The intent of the proposed funding formula is to treat the building department as if it belonged to both cities, and to develop an equitable means of determining a cost-share based on the current staffing levels and needs of

the two communities. The formula ultimately assigns a time allocation to shared personnel, which is applied to compensations to determine the cost allocation of each city. Similar to the formulas used for the shared library and senior center, the allocation of costs are based on the averaged percentage of 1) population, and 2) market value. For the purpose of building department services, market values of the industrial and commercial properties is that of building value alone, and excludes the value of land. The population component of the formula represents the residential needs or services required by a building department. Likewise, the commercial/industrial component represents the non-residential needs of the department. By these means, the allocation of each city would be adjusted annually to reflect each city's growth and development. The averaged percentage indicates approximately 43% of a shared department's workload would be allocated to Albertville, and 57% to St. Michael.

Through staff discussions, it is believed that these percentages are a good representation of the Building Official/Inspectors' time allocation; however, may not accurately reflect the time allocation of the other staff members contributing to the shared services. For this reason, the time allocations of other staff members have been adjusted. For these staff members, their time allocation has been adjusted to reflect one-quarter of the Building Official or Inspectors' time. Staff members that do not contribute to the shared services or provide service to the other city have not been included in the formula.

With the exception of vehicle usage, general administration expenses and department overhead have purposely been excluded from the cost-share. These expenses will be incurred by each city, and it is believed that each city should be responsible for these expenses independently. It is proposed that vehicle usage be reimbursed on a per mile basis at the government rate.

Using the proposed formula, Albertville's cost-share in 2013 would be approximately \$93,850. Using this amount and other line-item revisions to the building department budget, the proposed 2013 Budget reflects approximately a \$45,000 saving from 2012. This type of arrangement would, essentially, provide Albertville with full-time building department coverage, five days a week. It is staffs' opinion that this option also provides for the highest, most consistent and comprehensive level of service at a pre-determined cost.

Alternatives to the shared-department arrangement with St. Michael would be contracting with a consulting company or hiring a building official to fill the position. In discussions with consultants, it is understood that the services sought would likely require a retainer of approximately \$7,000 to \$8,000 a month, or (\$84,000 to \$96,000 annually). Consultant fees can also be based on plan check fees and a percentage of permit fees. However, the additional consultant fees associated with non-revenue inspection services would be on a per-trip or hourly basis. Given the workload associated with non-revenue services, the monthly retainer would most likely be the cost effective consultant option.

Building Department Memo

8/14/12

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For comparison purposes, Albertville's cost for a building official the past few years was as follows:

<u>Year</u>	<u>Compensation</u>	<u>Employment Status (%)</u>
2009	\$109,614	100%
2010	\$109,855	100%
2011	\$87,200	85%
2012	\$87,200	85%

In addition to compensation, there are other overhead related expenses related to employment. Generally, these expenses include vehicle usage, training, education, and office related items. It can be reasonably assumed that these expenses amount to approximately \$8,000 annually.

For the purpose of budgeting, staff currently has the shared-department amount (\$93,850) as a line item for the building department budget, which reflects an approximate \$45,000 saving from 2012. It is the recommendation of staff, that the City pursue the joint building department venture with St. Michael and evaluate the needs of the department again in 2014.

If Council desires to move forward with the shared department arrangement with St. Michael, staff will develop an agreement for each city to consider. If consultant services are desired, the next likely step will be for Albertville to develop an RFP and seek proposals.

Attachment: 2013 Building Department Cost Allocation (Draft)

2013 BUILDING DEPARTMENT COST ALLOCATION
ALBERTVILLE - ST. MICHAEL

DRAFT

Population Estimates April 2011 (Minnesota State Demographer's Office)

Albertville	7,044	29.87%
St. Michael	16,536	70.13%
Total	<u>23,580</u>	<u>100.00%</u>

Industrial/Commercial Value (Wright County Auditor, Pay 2013)*

Albertville	\$146,759,500	55.31%
St. Michael	\$118,585,500	44.69%
Total	<u>\$265,345,000</u>	<u>100.00%</u>

(*) Reflects industrial/commercial property value only (not land value)

Average % (Population and Building Value)

Albertville	42.59%
St. Michael	57.41%
Total	<u>100.00%</u>

Albertville Time Allocation

St. Michael Staff	2013 Salaries	Time Allocation	Allocation Basis	Albertville Share
Bldg Official (P.H.)	\$105,758	42.59%	Average %	\$45,043.19
Comb Bldg Insp (J.H.)	\$84,210	42.59%	Average %	\$35,865.66
Permit Tech (A.W.)	\$56,198	10.65%	25% Average % (**)	\$5,983.75
Zoning Coord (J.I.)	\$44,429	10.65%	25% Average % (**)	\$4,730.64
				<u>\$91,623.24</u>

Notes:

(**) Allocation Basis reflects 4 to 1 Inspection to Admin Assit time

St. Michael Reimbursement

Personnel Compensation	\$91,623
Mileage Reimbursement - 4,000 miles/year at \$0.555 (Gov. Rate)	\$2,220
	<u>\$93,843</u>

Total Due to St. Michael **\$93,843**

August 15, 2012

SUBJECT: FINANCE DEPARTMENT – INSURANCE RENEWAL AGENT OF RECORD

BACKGROUND: In August of 2011, it was brought to Council, by request, to review options for the agent of record for the City's insurance policy. In August of 2011, Finance Director Lannes reported for a number of years the City has used Middleton Insurance for Property Casualty – Worker's Compensation Insurance through the Minnesota League of Cities Insurance. At that time Council moved forward with using Northern Capital for the 2011-2012 year.

Both Middleton Insurance (previous Agent of Record) and Northern Capital have requested to be the City's Agent of Record.

POLICY/PRACTICES CONSIDERATIONS: It is the City's policy to review and approve the agent of record. In the past, the City of Albertville has continued annually with the same agent as the previous year unless there is a request by Council to review other options.

FINANCIAL CONSIDERATIONS: None.

LEGAL CONSIDERATIONS: The Mayor and Council have the authority to contract for insurance coverage and agent of record.

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

Reviewed By: RDT

Attachments: Letters from Northern Capital and Middleton Insurance

MIDDLETON & ASSOCIATES, INC.
dba MIDDLETON INSURANCE AGENCY

106 Central Avenue East
St. Michael, MN 55376
St. Michael: 763-497-4420
St. Michael Fax: 763-497-1568



City of Albertville
PO Box 9
5959 Main Ave.
Albertville, MN 55301

July 30, 2012

My Name is Arlan Middleton, owner of Middleton & Associates Insurance Agency.

Last year I was removed as agent of record for the City of Albertville. I have come to this council to ask that I be re-appointed as your agent.

I am a "local" business owner and because my agency is smaller, it was assumed that I did not have the same services to offer that bigger agencies have available. That is not true. I have enclosed a listing of services available through my agency.

I am a local agent and live in this area, (including 15 years within the City of Albertville). I have 4 licensed agents in my organization. However, I have the most experience with public entity type of business.

I represent the following Public Entities:

- 1). STMA-Albertville Independent School District #885
- 2). City of St. Michael
- 3). Joint Powers Water Board
- 4). STMA Hockey Arena Board
- 5). FYCC (Family Youth Community Connection)
- 6). Albertville Friendly City Days Committee
- 7). Daze & Knights—St. Michael Daze & Knights Committee
- 8). Township of Hassen (until they merged with city of Rogers).

I have and will continue to attend annual Safety and Loss Control workshops for insurance agents that are offered by LMCIT.

I have always believed that local government needs to support local business. "If" the local business can offer the same product, the same service, and the same value/price, then there is no need for local government to look beyond their local area.

I am a member of Minnesota Independent Insurance Agents & Brokers Association and Trusted Choice Agency. See my personal "Pledge of Performance" that I must maintain to be a Trusted Choice Agency.

I would like to attend your next available board meeting to discuss this topic.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arlan Middleton', written over a white background.

Arlan Middleton

Services available through my agency:

- General Government Assistance Services
- Human Relation & Benefits Assistance Services
- Land Use Inquiry & Assistance Services – (Including a team of attorneys that specialize in Land Use guidance for cities / city attorneys).
- Contract Review Services including review of Mutual Aid Contacts.
- Loss Control Consultant Services for Property, Liability, and Workers Comp – (Including use of attorneys and staff and loss control consultants to answer legal loss control questions, employment related decisions including workers comp claims).
- Safety Assistance Services—including helping the cities meet state and federal OSHA mandates.
- Access to Resource Library including:
 - Model Ordinances and city codes.
 - Salary & benefits surveys.
 - Legislative and Policy Analysis information
 - And many more.



Trusted Choice®

Pledge of Performance

Trusted Choice® agencies are insurance and financial services firms whose access to multiple companies and commitment to quality service enable us to offer our clients competitive pricing, a broad choice of products and unparalleled advocacy.

As a Trusted Choice® agency, we are dedicated to you and are committed to treating you as a person, not a policy. This commitment means we shall:

- Work with you to identify the insurance and financial services that are right for you, your family or your business and use our access to multiple companies to deliver those products.
- Guide you through the claims process for a prompt and fair resolution of your claim.
- Help you solve problems related to your coverage or account.
- Explain the coverages and options available to you through our agency, at your request.
- Return your phone calls and e-mails promptly and respond to your requests in a timely manner.
- Provide 24/7 services for our customers, offering any or all of the following: emergency phone numbers, Internet account access, e-mail and call center services.
- Use our experience and multiple company relationships to customize your coverage as needed.
- Commit our staff to continuing education so they may be more knowledgeable in serving you.
- Treat you with respect and courtesy.
- Conduct our business in an ethical manner.

We pledge this to you, our clients and ask that you let us know if we fail to meet our commitment, so we may take corrective action.

August 15, 2012

City Council
City of Albertville
5959 Main Ave.
Albertville, MN 55301

Dear Council Members:

One year ago we were appointed your city's insurance agent of record. We would like to continue as your agent based on our record. Our unique services have benefited your city through substantial premiums savings and improved coverage.

Premium savings:

- 1.) Upon our request, the LMCIT refunded for the prior 10/1/2010-2011 policy year:
 - a. \$20,929 refund based on revised city operating expenditure information.
 - b. \$1,976 premium refund for correcting the maintenance facility building from "non-sprinklered" to "sprinklered."
- 2.) Additional 10/1/2011-2012 policy savings resulting from our efforts are:
 - a. \$26,711 lower liability premium than last years issued premium.
 - b. \$1,900 savings on the "sprinkler" rated maintenance facility building.
 - c. \$4,020 premium savings by changing from \$1,000 to \$2500 deductible based on our agency's Deductible-Premium Savings Analysis.

Coverage Improvements:

- 1.) Fire Department vehicles updated values to avoid physical damage loss gaps and reduce some vehicle premium costs.
- 2.) Added property coverage for \$50,000 city wide sirens and \$250,000 Main city Park ball field and hockey lights.

Our agency's services are listed on the attached page, and include these unique services:

- Onsite Insurance Audit of city facilities and equipment. We have visited and audited all of your city buildings and parks.
- Workers Compensation Claims Management. Your city has already benefited from the services of our agency claims management consultation.
- Legal Services Hotline. A free Agency legal hotline for calls relating to Human Resources and Workers Compensation, and other city business.

We are the LMCIT Agent of Record for 12 Municipalities including:

- City of Hanover
- City of Orono
- City of Brooklyn Center
- City of Victoria

- City of New Brighton

We are very familiar with the Albertville community, including meeting friends at the Albertville Shopping Mall. Ron Youngdahl was one of the original contributors to the STMA Hockey Arena, and our agency currently is a “signboard” sponsor at the STMA Hockey Arena.

We are looking forward to continuing our relationship with your city. Please feel free to contact us for any additional information.

Sincerely,



Ronald L. Youngdahl
Vice President



Carl A. Bennetsen
Public Entity Accounts Manager

Northern Capital Agent Services

Northern Capital's unique proactive services include:

- **Insurance Audit of City** – Agent will complete an audit of the current City and EDA insurance policies, and physical audit/photograph City structures and equipment, to be used as a risk management tool for the LMCIT coverage renewal process.
- **Workers Compensation Claims Management** – Our goal is to proactively manage claim reserves to lower the WC experience modification and premiums, using our free WC claims management consultant.
- **Property/Casualty Claims Management** – Save premium dollars by getting our clients below a 1.00 Experience Rating Modifier, and by choosing the best LMCIT deductible option. (see exhibits)
- **Legal Services Hotline** – A free legal hotline for our City clients, for calls relating to Human Resources, Workers Compensation, Land Use, or other City business.
- **LMCIT Online Renewal Support** – Our LMCIT online renewal support service will make your future renewal process simpler and time saving by pre-entering and updating renewal information.
- **LMCIT Coverage & Premium Summary** – Agent will provide a detailed summary with premiums by coverage, department, and individual items to facilitate City expense allocation.

The agent will perform the following services:

- Assist the City in evaluating municipal agreements and city contracts for insurance concerns.
- Advise and assist the city in assembling the underwriting data, including updating values, for the renewal rating process.
- Advise and assist the city in evaluating and selecting among coverage alternatives such as deductibles, limits, optional coverage's, alternative coverage forms, etc.
- Review coverage documents and invoices to assure coverage has been correctly issued and billed.
- Advise the city on potential gaps or overlaps in coverage's.
- Assist the city as requested in submitting claims and interpreting coverage as applied to particular claims.
- Review loss reports for correct reporting, appropriate reserves, etc.
- Assist as requested with safety and loss control activities.
- Assist the city in identifying risk exposures and developing appropriate strategies to address those exposures.

The above list is intended as a starting point. The city and agent will review and discuss this list to determine if specific services should be added to this list to meet the city's need and situation.

Northern Capital Services Team

<p><u>Team Executive Manager</u> Ron Youngdahl Northern Capital rly@ronyoungdahl.com 952-996-8819</p>	<p>Licensed Property and Casualty agent. Founder of R.L. Youngdahl & Associates that merged in 2000 with Arthur J. Gallagher. Has been involved with municipal clients for 25 years</p>
<p><u>Public Entity Accounts Manager</u> Carl Bennetsen Northern Capital carlbennetsen@northerncapital-mn.com 952-996-8864</p>	<p>Licensed Property and Casualty agent. Formerly affiliated with R.L. Youngdahl & Associates. Has worked with The League of MN Cities Insurance Trust since it's inception. Primary focus is municipal accounts.</p>
<p><u>Insurance Marketing/Account Executive</u> Kristy Hagner Northern Capital kristyhagner@northerncapital-mn.com 952-996-8813</p>	<p>Licensed Property and Casualty agent. Customer Service and account marketing including coverage changes and updates</p>
<p><u>HR/Hotline Attorney</u> Matthew J. Pfohl Attorney at Law Thomas B Olson & Associates mattp@olson-law.com 952-224-3644</p>	<p>City of St. Paul attorney before entering private practice. Human Resources expertise for cities on Hotline Basis. Will also review municipal agreements and contracts for insurance concerns such as: hold harmless and indemnification clauses. Additional services are subject to negotiation.</p>
<p><u>Workers Compensation Claims Management</u> Tracey Bryan Claims/Experience Mod Consulting KBA Inc. 952-835-2100</p>	<p>Provide claims review for accuracy of reserving and effect of Workers Compensation experience rating. All other services are subject to negotiation.</p>
<p><u>Employee Benefit Specialist</u> Rebecca A. Deelstra Northern Capital Life & Health rdeelstra@nclh.com 952-996-8845</p>	<p>Complete benefit programs including group medical, group life, and disability plans. These services are available separately and are not included in the fee agreement.</p>

**NORTHERN CAPITAL
MUNICIPAL CLIENTS REFERENCE LIST**

City of New Brighton

Daniel A. Maiers, Director of Finance
803 Old Highway 8 NW
New Brighton, MN 55112-2792
(651) 638-2102

City of Eagan

Gene Van Overbeke, CPA,
Director of Administrative Services
3830 Pilot Knob Road
Eagan, MN 55122-1810
(651)675-5016

City of Orono

Ron Olson, Finance Director
P.O. Box 66
Crystal Bay, MN 55323-0066
(952) 249-4611

City of Deephaven

Dana Young, City Administrator
20225 Cottagewood Road
Deephaven, MN 55331
(952) 474-4755

City of Hanover

Daniel Buchholtz, City Administrator
P.O. Box 278
Hanover, MN 55341
(763) 497-3777

City of Victoria

Don Uram, City Administrator
7951 Rose Street
Victoria, MN 55386-0036
(952) 443-4211

City of Albertville

Tina Lannes, Finance Director
5959 Main Ave. NE
Albertville, MN 55301
(763) 496-6802

City of Brooklyn Center

Dan Jordet, Finance Director
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430
(763) 569-3345

City of Shorewood

Bruce DeJong, Finance Director
5755 Country Club Rd.
Excelsior, MN55331
(952) 960-7903

City of Spring Lake Park

Barbara Nelson, City Administrator
Peggy Anderson, Accountant
1301 81st Ave NE
Spring Lake Park, MN 55432
(763) 784-6491

Ron Youngdahl and Carl Bennetsen have over 20 years each of municipal insurance experience with the League of Minnesota Cities Insurance Trust. Our previous agency, R.L. Youngdahl & Associates (later a merger partner with Arthur J. Gallagher Co.), was the LMCIT Agent of Record for several metro area cities of a similar size and exposure (including the cities of Eagan, New Brighton and Orono).

About three ago, after calls from several prior municipal contracts, Ron Youngdahl and Carl Bennetsen reunited to form the Agency's Public Entity Service Team. Our problem solving proactive approach is based on the "hands-on" municipal service program that we initiated at R.L. Youngdahl & Associates. We are looking for quality municipal clients that have an interest in controlling their insurance costs, and are looking for an agent with enhanced risk management services.

ST. MICHAEL-ALBERTVILLE ARENA BOARD MINUTES

August 13, 2012

6:00 p.m.

Present: Chairman Jeff Lindquist and Members Larry Sorenson, Dan Wagner, Gayle Weber, Chris Schumm, and Kevin Kasel. Also present were: Arena Manager Grant Fitch; Albertville Finance Director Tina Lannes and City of Albertville Interim City Administrator Robert Thistle. The meeting was called to order at 6:05 p.m. by Chairman Lindquist.

Set Agenda

Members Schumm/Weber **moved** to set the agenda as presented. All voted aye.

Approval of Minutes

Members Sorensen/Schumm **moved** to approve the minutes of the July 9, 2012 Board Meeting. All voted aye.

Finance Reports

Members Kasel/Sorensen **moved** to approve the July 2012 list of claims in the amount of \$56,481.62 and the July Financial Report as presented. All voted aye.

Arena Manager's Report

Fitch provided the board with a report of ice usage and operation for July 2012. In addition Mr. Fitch informed the board that the Fundraiser sign was delivered and up at the STMA Ice Arena. After discussion, it was clarified that the City or School monies do not show up on the thermometer, it is only for donations to reach the youth hockey \$1 million dollars for the second sheet of ice. It was also noted that the monies do not show up on the sign until it is deposited into the STMA Arena Expansion Fund bank account.

Fitch mentioned that there was a complaint about his availability, but this individual did not leave a message for Grant, therefore, the board decided to make no changes to Grant's operating policy.

The Board discussed the situation of the unfounded acquisitions the STMA Hockey Association continues to make on public malefaction with the Arena Financials. The Board concluded that this will be an agenda item on the September 10, 2012 meeting.

Fitch reported on the quotes he received to fix/repair control joints, hairline cracks and cracked block around the exterior of the Arena. It was recommended that Mr. Fitch bring this item back on the September 10, 2012 meeting with additional information before approval to move forward with the repairs. The items requested to be brought back before approval are references and warranty information.

Adjourn

Members Wagner/Schumm **moved** to adjourn at 6:54 p.m. All voted aye.

Attest:

Tina Lannes, Finance Director

August 15, 2012

SUBJECT: FINANCE DEPARTMENT – LEAGUE INSURANCE RENEWAL

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

MOTION: Waive our monetary limits on tort liability and purchase additional coverage up to the \$1,000,000 per occurrence and in aggregate.

BACKGROUND: The City has, in past years, waived our monetary limits on tort liability and purchaseD additional coverage up to the \$1,000,000 per occurrence and in aggregate. The League of Minnesota Cities Insurance Trust (LMCIT) requires and the SECTION I: LIABILITY COVERAGE WAIVER FORM states: "Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort limits to the extent of the coverage purchased." "This decision must be made by the City Council. Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage."

The City Council must make a decision to waive or not waive the statutory limits prior to the October 1, 2012 expiration/renewal date per LMCIT requirements in order for coverage to continue beyond that date. Upon submission of this "signed and dated" Waiver Form, the LMCIT will issue an Extension of Coverage Binder effective with the 10/1/2012 effective date.

It usually takes more than 30 days for the LMCIT to process a renewal application. The Extension of Coverage Binder assures the City of coverage beyond the 10/1/2012 renewal date.

POLICY/PRACTICES CONSIDERATIONS: It is the City's policy to review and approve tort liability options annually.

FINANCIAL CONSIDERATIONS: City staff has reviewed and recommends approval waving the tort liability to the extent of the limits of liability coverage obtained from LMCIT, as in the past.

LEGAL CONSIDERATIONS: The Mayor and Council have the authority to contract for insurance coverage including waiving the statutory tort liability limit.

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

Reviewed by: RDT

August 14, 2012

SUBJECT: Engineering – I-94 WB C-D Road Project Update

The wall panels for the west retaining wall are complete and foundation construction of the east wall is underway. Concrete paving will begin on the evening of the 20th at the east end of the project. Over the next two weeks the Contractor will be paving the road segment east of the CSAH 37 Bridge, the segment of the C-D road between the CSAH 37 Bridge and the west wall, as well as, the CSAH 37 ramps. On Monday the 20th, a lane closure for westbound I-94 will be scheduled 7:00 PM to 6:00 AM. For the next several weeks, grading operations will be focused on the west end of the project, between the west wall and CSAH 19.

Miscellaneous Project Related Items:

- The first PFA loan disbursement has been requested.
- Partial Payment No. 3 will be presented to Council on August 20th.
- The audit for the Right-of-Way acquisition has been completed, and the City can expect to receive an additional \$70,000 approximately from the Federal appropriation.

If at any time you have any questions or would like a project update, please call.

Submitted Through: Adam Nafstad, Public Works Director

Department/Responsible Person: Engineering/Adam Nafstad, Public Works Director

Reviewed by:

Attachments: (none)

August, 20, 2012

SUBJECT: PUBLIC WORKS - CENTRAL PARK BASKETBALL COURT IMPROVEMENTS

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

MOTION TO: Approve overlaying, painting, and equipment replacement for the basketball court at Central Park at a cost not-to-exceed \$7,495.

BACKGROUND: The court at Central Park is in poor condition .The surface is bad and the back stop poles are bent and non compliant. We would like to put a 2” overlay on the court, install new poles, backstops and hoops. We would then have the court painted and striped in the spring.

KEY ISSUES:

- The court is heavily used
- The court is old and in poor condition
- The Parks committee has recommended this project

FINANCIAL CONSIDERATIONS:

Two quotes for the overlay have been received, and area as follows:

Metro Paving	\$4,200
Omann Bros. Paving	\$2,500

To date, one quote for painting and striping of the court has been received. Prior to authorizing the work in the spring, a second quote will be received. The estimated cost of the poles, backboards, and hoops is \$1,600, which will be installed be public works.

Projected Cost of Improvement:

2” overlay	\$2,500 (low quote)
Painting/Striping	\$3,395 (or less)
Equipment (poles & hoops)	<u>\$1,600 (estimate)</u>
Total	\$7,495

There is \$9,000 available for this project in the parks improvement budget.

Submitted through: Adam Nafstad, Public Works Director

Department/Responsible Person: Tim Guimont Public Works Supervisor.

Reviewed by: RDT



MEMORANDUM

TO: Albertville City Council
FROM: Alan Brixius/Richard Hoffman
DATE: August 15, 2012
RE: Albertville – Code Violation Updates
FILE NO: 163.05 – 12.06

Background:

Recently, City administration has received a number of complaints for the following properties:

- 10326 Karston Ave. NE(Inspected 08/07/12)
- 11571 57th St. NE(Inspected 08/07/12)
- 11473 58th St. NE(Inspected 08/07/12)
- 10479 61st St. NE(Inspected 08/07/12)
- 5569 Kalenda Ave. NE

10326 Karston Avenue NE

The City received a complaint on 06/12/12 regarding this property. A site inspection was performed and it was brought to attention that the property owner had constructed a pool without proper fencing around the pool as required by City Code. City staff has been in contact with the property owner, who is unsure of whether he intends to keep the pool or not. Therefore staff will be sending out a notice to the property owner this week stating that he is allowed to keep the pool unfenced as long as the pool remains empty, unused, and has all ladders and other access equipment removed from the pool. If the pool, at any time, becomes usable it shall require fence per City Code.

11571 57th Street NE

The City received complaints regarding junk accumulation and long grass at this property. A site inspection was performed and the complaints had been confirmed by City Staff. Staff found that the site had been in violation of the junk accumulation and

grass and weed regulations within Chapter 5 of City Code. Therefore, a code violation notice letter will be sent out this week to the property owner stating that they have seven (7) days to bring the property into compliance before a citation will be enforced.

11473 58th Street NE

On 07/09/2012 the City sent a notice of code violation to the property owner in regards to a nuisance of refusal to remove waste and refuse from the property. The property owner was given till 07/16/2012 to bring the site into compliance. The site was again inspected and found that it was not brought into compliance. Therefore, a citation was sent out to the property owner on 08/01/2012. The property owner has until 08/15/2012 to bring the property into compliance and respond to the citation. Once the response time period has elapsed, another site inspection will be done to verify the status of the site and whatever necessary action will be taken.

10479 61st Street NE

The City received a complaint detailing excessive amounts of grading, filling, and outdoor storage regarding this property. The site was inspected by staff and it was found that the improvements that are being made by the property owner do require a permit. The property owner was made aware of this. Staff also had concerns about the amount of outdoor storage present on site. It was found that the outdoor storage on site is predominantly for the improvements being made. Therefore, Staff will be sending a letter out this week stating that the owner should apply for and obtain the necessary permits for all improvements being made. We are allowing the property owner a 30 day period to complete projects and clean up his site.

5569 Kalenda Avenue NE

On 06/14/2012 the property owner received a notice of violation for junk accumulation and unlicensed vehicles on the property. Since this date the property has been mowed and received a bill from the City for the maintenance.



City of Albertville

COUNCIL WORKSHOP AGENDA

(to immediately follow the Regular City Council Meeting)

Monday, August 20, 2012
East Conference Room

1. **BUDGET PRESENTATION** (Handouts provided)
2. **BUDGET DISCUSSION**
3. **ADJOURNMENT**