



## City of Albertville Council Agenda

**Monday, November 19, 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.** Accept the November 7, 2012 regular City Council meeting minutes as presented (pgs 4-10)
  - B.** Accept the November 13, 2012 Canvassing Board meeting minutes as presented (pgs 11-12)
  - C.** Authorize the Monday, October 15, 2012 payment of claims that includes electronic payments 1521 EFT - 1539 EFT and check numbers 31491 to 31527 as presented (pgs 13-19)
  - D.** Accept STMA Ice Arena Board meeting minutes of November 13, 2012 (pgs 20-21)
- 7. PUBLIC HEARINGS - None**
  - 8. DEPARTMENT BUSINESS**
    - A. City Clerk**
      - 1). Canvass Nov. 6, 2012 General Election Recount Results (pgs 22-30)**  
*(Motion to Adopt Resolution 2012-049 Certifying Recount Results of the November 6, 2012 General Election.)*

**B. Finance**

**1). Approve 2012 Certification of Uncollected Utility Bills – Additions (pgs 31-34)**

*(Approve Resolution No. 2012-049 entitled a Resolution Certifying the 2012 Uncollected Utility Bills to Wright County for Collection with Real Estate Taxes.)*

**2). 1986 Assessment on Parcels Related to 5491 Main Ave NE (pgs 35-42)**

**C. Legal**

**1). Shut of Ordinance (pgs 43-46)**

*(Motion to Adopt Ordinance No. 2012-003 entitled an Ordinance Establishing a Fee for Notice of Shutoff of Water Service.*

**2). Attorney Report (pg 47)**

**D. Public Works Director/City Engineer**

**1). Jet-Vac Sewer Truck Purchase (pgs 48-50)**

*(Motion to Authorize the purchase of a combination jet-vac sewer truck in the amount not-to-exceed \$330,000.)*

**2). I-94 Update (pg 51 )**

**E. Administration**

**F. Planning/Zoning**

**G. City Council**

**9. ANNOUNCEMENTS and/or UPCOMING MEETINGS**

November 22	Thanksgiving, City Offices Closed
November 26	Joint Powers Water Board, 6:30 p.m.
December 3	Truth in Taxation Hearing, 6:00 p.m. City Council, 7:00 p.m.
December 10	STMA Ice Arena Board, 6:00 p.m.
December 11	Planning and Zoning Commission, 7:00 p.m.
December 17	City Council Meeting, 7:00 p.m.

November-12						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	Ele 6	CC7	8	9	10
11	H 12	PZ/lce 13	14	15	16	17
18	CC-19	20	21	H 22	23	24
25	JP 26	27	28	LF 29	30	

December-12						
Su	M	Tu	W	Th	F	Sa
						1
2	CC3	4	5	6	7	8
9	lce 10	PZ 11	12	13	14	15
16	CC-17	18	19	20	21	22
23	JP 24	H 25	26	27	28	29
30	31					

10. ADJOURNMENT



ALBERTVILLE CITY COUNCIL  
TUESDAY, November 7, 2012  
DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

**1. CALL TO ORDER – PLEDGE OF ALLEGIANCE**

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

**2. ROLL CALL**

**Present:** Council members Jillian Hendrickson, Larry Sorensen, John Vetsch and Dan Wagner. Mayor Mark Meehan arrived at 7:05 p.m.

**Absent:** None.

**Others Present:** Interim City Administrator Robert Thistle, Finance Director Tina Lannes, City Engineer/Public Works Director Adam Nafstad, City Clerk Kimberly Olson, Fire Chief Tate Mills, City Planner Alan Brixius, City Attorney Michael Couri, Rob Olson, Rita and Tom Fay, and Samara Postuma.

**3. RECOGNITIONS, PRESENTATIONS AND INTRODUCTIONS - None**

**4. CITIZENS OPEN FORUM**

There was no one present to speak.

**5. APPROVAL OF THE AGENDA**

Olson added an election update to the agenda.

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

## 6. CONSENT AGENDA

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

- A. Accept the October 15, 2012 regular City Council meeting minutes as presented
- B. Accept the October 15, 2012 workshop City Council meeting minutes as presented
- C. Authorize the Monday, October 15, 2012 payment of claims that includes electronic payments 1497 EFT - 1510 EFT and check numbers 31440 to 31488 as presented
- D. Approve I-94 Project Payment to Eureka Construction for \$695,624.70
- E. Approve Closure of City Offices at Noon on Christmas Eve, Monday, December 24, 2012
- F. Approve Release of Claims Agreement between the City of Albertville and Larry Kruse

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

## 7. PUBLIC HEARINGS - None

## 8. DEPARTMENT BUSINESS

### A. Finance

#### 1). Issuance and Sale of General Obligation Sewer Revenue Crossover Refunding Bonds, 2013A \$2,510,000

Paul Donna from Northland Securities was present at the meeting. Donna reported that municipal interest rates are at historically low levels once again and locking in low fixed rates in advance of the call date will significantly reduce the City's future interest costs. They are not extending or shortening the debt. They would replace the old interest rates of the 2005A bonds with new rates. The savings would roughly be \$190,000. They would take proposals in mid December and bring them forward at the December 17, 2012 Council meeting.

*Motioned by Vetsch, seconded by Sorensen, to adopt Resolution No. 2012-044 entitled a Resolution approving the issuance and sale of General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A. Ayes: Meehan,*

***Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.***

## **2). Delinquent Utility and Account Assessments**

Lannes reported it is that time of year again to assess for delinquent utility and invoicing accounts.

Meehan opened the floor to the public for comment.

No one was present to speak.

Meehan closed the floor for comment.

Lannes reported that delinquent accounts can pay off their balance until November 15, but after that date they will be certified to Wright County.

***Motioned by Sorensen, seconded by Hendrickson, to approve Resolution No. 2012-045 entitled a Resolution Certifying the 2012 Uncollected Utility Bills and invoices to Wright County for Collection with Real Estate Taxes. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.***

## **3). Recycling Update**

Lannes reported that 83-90% of the households are recycling. She stated they were in the 90<sup>th</sup> percentile last year but have averaged about 82% this year. This is due to the peaks and valleys around the holiday season.

## **B. Administration**

### **1). Addition of Three (3) Reserve Firefighters**

Chief Mills reported they are seeking an additional three (3) reserve firefighters for the department. He stated that they have lost firefighters to other job openings in other communities and it has been difficult to keep the positions filled. He stated that a committee met to address the issue and they came up with a reserve firefighter program. It entails bringing up to three (3) people on board as reserves. They would not be paid but would be trained to the level needed to respond to fires and be covered by the City's insurance. They would be required to sign a volunteer form the City Attorney has drawn up. Should an opening occur for a paid on call firefighter position, the department could choose from the reserves a replacement that is ready immediately to fill the position. It would not be based on seniority, but on performance.

Mills stated that they have the equipment, gear and housing for the reserves. The only cost would be training and they have been fortunate to have their training costs reimbursed by the State and he expects that to continue in 2013.

Meehan inquired if they would receive firefighter retirement benefits. Mills replied they would not unless they were brought on as a paid on call firefighter.

***Motioned by Hendrickson, seconded by Sorensen, to authorize the Albertville Fire Chief to hire and maintain on staff three (3) reserve firefighters as volunteers and to make one or more of these firefighters employed firefighters as vacancies in the force occur. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.***

### **C. Planning/Zoning**

#### **1). Lions Club Caboose Donation Request**

Nafstad reported that the Lions Club is seeking approval to find a caboose, renovate it and place it in Central Park. There is a resolution before the Council to authorize the Lions Club to move forward with securing a caboose.

***Motioned by Sorensen, seconded by Hendrickson, to adopt Resolution 2012-046 approving a request by the Lions Club to place a donated caboose in Central Park. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.***

### **D. Legal**

#### **1). I-94 Project Assessment Deferral**

Couri reported he had drafted a settlement agreement between the City and RJ&S Investments of Albertville for an assessment deferral for a property assessed for the I-94 project. RJ&S Investments owns the property where the beneficial property owner is in her late 90's. Should the property remain in the occupant's name, she would have qualified for an assessment deferral under State Law. However, the property was transferred to RJ&S Investments for estate planning purposes. RJ&S submitted an objection to the assessment and Council directed staff to work on a solution.

Couri reported the settlement would defer the assessment payments for the earlier of 1) 10 years, 2) until the passing of Mrs. Kasper or 3) until the property is sold or transferred. The interest would continue to accrue during the deferral period, but would not be paid until the expiration period. Once the deferral ends, the assessment would be spread over 10 years. The agreement will not have an impact on the City in terms of dollars, but it means that the City will put

more money up front for the bond payment while gaining more in interest on the back end of the agreement.

Sorensen stated this appears to be a good outcome to the concerns expressed by RJ&S Investments.

Couri stated they could also prepay the assessment if they wish.

***Motioned by Sorensen, seconded by Hendrickson, to approve the Settlement of Special Assessment Objection with RJ&S Investments of Albertville. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.***

## **2). Approve 152 Club Assessment Deferral**

Couri reported the City recently closed on a \$10,500 Revolving Fund loan to the 152 Club to cover the costs of installing sprinklers in a building addition to the establishment. This was an acceptable use of Revolving Fund dollars under the City's policy. Instead of putting a second mortgage on the property, the owner agreed to have the loan set up as a special assessment while they make payments on the loan. They have set a payment arrangement where monthly payments would be drawn electronically and if payments are not made, the City can make the assessment active.

Couri felt this was a fairly efficient arrangement for both parties. He stated the 152 Club is in agreement with the arrangement and their intent is never to have the assessment become active. Vetsch asked how soon the assessment would be activated if a payment is late. Couri reported that would be up to the City's discretion and it is not outlined in the agreement. The City would be required to notify them of any default and he hoped that staff would be able to communicate with the property owner if and when a payment is missed. He stated that because the assessment will be levied, the City's security is in place.

***Motioned by Sorensen, seconded by Hendrickson, to approve Resolution 2012-047 related to the Revolving Loan to the 152 Club. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.***

## **E. Public Works Director/City Engineer**

### **1). I-94 Assessments/City Parcels**

Nafstad reported on the four (4) City owned parcels that are part of the I-94 assessment process. He stated three (3) are owned by the City and one by STMA School District. They must be assessed just as the other properties are assessed. The amount is \$18,716 and staff's recommendation is to pay the assessments up



front and not have them certified to the County. They will use project funds to make payment to the County. He stated it is budget neutral to do so. The STMA School District parcel is technically in the ice arena's parcel and it will be easier to pay off the \$414 assessment than to work it through all entities involved with the parcel.

**F. City Council - None**

**G. City Clerk**

**1). Election Update**

Olson updated the Council on the statistics from Election Day. She reported they had 3,849 registered voters as of 7:00 a.m. on Election Day and had 3,447 ballots cast at the polls including 743 new registrations. She reported the absentee precinct had 267 accepted absentee ballots cast. The overall voter turnout for the election was about 89%.

Meehan congratulated Hendrickson on her election to the Mayor's seat.

Couri reviewed the process for filling Hendrickson's Council seat at the beginning of the year once she is sworn in as Mayor. He stated the Council would need a motion or resolution declaring a vacancy on the Council and State Statute allows an appointment to the vacancy by the majority vote of the Council. If there were a tie vote, the Mayor would make the decision.

Couri explained the second and third place candidates for the two open Council Member seats have a one vote difference. With such a small difference some assume it is an automatic recount, but that is not the case for municipal elections. However, a candidate can request a recount of right. If the vote difference is less than half of one percent of the total votes, the cost is the City's responsibility and that would be the case here. The City Council serves as the Canvassing Board and once the Board certifies the results of the election, any candidate can submit a written request for a recount. The City Clerk would provide notice of the recount and conduct the recount. The Canvassing Board would then meet again to canvass the results of the recount.

Sorensen felt the canvassing was to put the final stamp of approval on the elections results and the process seems a bit backward to him. Couri replied that even though a recount will most likely be requested, the canvass meeting is to certify the ballots were counted according to statute and there was nothing irregular in the tabulation of the ballots. He stated that during the recount, candidates may challenge ballots to be disqualified. Those ballots will come back to the Canvassing Board to review and declare whether or not to count the votes.

Sorensen asked since he will be the one requesting the recount, if an e-mail is sufficient notice. Couri replied that he, as well as the Secretary of State's Office, would recommend a traditional, written letter requesting the recount.

Hendrickson stated that she thought the cost for the recount would be minimal. Lannes reported they would need to pay the hourly rate for election judges and felt the cost would be under \$500.

Vetsch felt that recounts seemed to take place more quickly than the process outlined this evening. Couri replied they cannot begin a recount before the first canvass board meeting and that must occur three (3) to ten (10) days after the election. A candidate also has up to seven (7) days after the canvass meeting to request a recount.

**9. ANNOUNCEMENTS and/or UPCOMING MEETINGS**

November 12	Veteran's Day, City Offices Closed
November 13	Ice Arena Board Meeting, 6:00 p.m. City Council Special Mtg. to Canvass Election Results, 6:30 p.m.

**10. ADJOURN MEETING**

*Motioned by Hendrickson, seconded by Sorensen, to adjourn the meeting at 7:41 p.m. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.*

Respectfully submitted,

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Kimberly A. Olson, City Clerk



**ALBERTVILLE CANVASSING BOARD  
TUESDAY, November 13, 2012**

**DRAFT MINUTES**

**ALBERTVILLE CITY HALL**

**6:35 P.M.**

**CALL TO ORDER**

Vetsch called the meeting to order at 6:35 p.m.

**ROLL CALL**

**Present:** Council members Jillian Hendrickson, Larry Sorensen, and John Vetsch

**Absent:** Mayor Mark Meehan and Council member Dan Wagner

**Others Present:** Interim City Administrator Robert Thistle, Finance Director Tina Lannes, Public Works Director/City Engineer Adam Nafstad, City Clerk Kimberly Olson and Mark Barthel

**CANVASS ELECTION RESULTS**

Olson stated the purpose of the meeting was to confirm the results of the election and that there were no irregularities in the tabulation of the ballots. She stated there is a resolution before Council to certify the election results, The results from the election declare JillianHendrickson for Mayor and John Vetsch and Mark Barthel for Council member. There is one vote difference between Mark Barthel and Larry Sorensen for the Council member seat. It is anticipated they will receive a request for a recount.

Sorensen had a few grammatical corrections to the staff report and resolution. Olson stated the resolution would be corrected before signing of the document.

Vetsch questioned the write in votes and Olson replied the originals are available for review.

***Motioned by Hendrickson, seconded by Sorensen, to adopt Resolution 2012-048 Certifying the Results of the November 6, 2012 General Election. Ayes: Vetsch, Hendrickson and Sorensen. Nays: None. Absent: Meehan and Wagner. MOTION DECLARED CARRIED.***

Vetsch asked when a letter requesting the recount can be given. Olson replied anytime after the adjournment of the meeting.

Olson reported that she has secured a room at the Wright County Offices, Room 120 A, in which to conduct the recount on Thursday, November 15, 2012. The room is available for the entire day and a team of election judges will be on hand to sort and count the ballots. If ballots are challenged at the recount, those will come to the Canvassing Board to review and make a decision on. Speaking with the City Attorney, he felt the City Council could act as the Canvassing Board at their regular Council meeting on November 19, and certify the results of the recount. Olson stated that when reviewing the challenged ballots, Sorensen would need to abstain from voting on those individual ballots.

Sorensen questioned if the challenge ballots would only come to Council if they determined the race. Olson replied that all challenged ballots would be given to the Council to review. Candidates may challenge any ballot and the recount official, being the City Clerk, can determine the voter's intent on the ballot. If the candidate(s) disagree with that determination, they would proceed with challenging the ballot and it would be labeled, numbered, and the reason for the challenge given. Those ballots would have one last opportunity to be withdrawn and if not, they would proceed to the Canvassing Board for their determination on the votes cast.

Olson stated the ballot counters are tested for accuracy and any discrepancies in vote totals come not from the tabulator but usually from voters incorrectly marking their ballots. She explained several ways in which a ballot counter cannot read marks and those are what will be caught at the recount. She explained how to determine voter intent and stated that she will have manuals and state statutes guiding the rules of voter intent at the recount.

Olson stated the recount is open to the public and the door must be kept open. The process is intended to be as transparent as possible.

Sorensen stated that he plans on viewing each ballot and Olson replied they will take as much time as needed to complete the recount.

### **ADJOURNMENT**

***Motioned by Sorensen, seconded by Hendrickson, to adjourn the meeting at 6:50 p.m. Ayes: Vetsch, Hendrickson and Sorensen. Nays: None. Absent: Meehan and Wagner. MOTION DECLARED CARRIED.***

Respectfully submitted,

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Kimberly A. Olson, City Clerk

November 1, 2012

**SUBJECT: CONSENT (Finance) – PAYMENT OF BILLS**

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

**MOTION:** Authorize the **Monday, November 19, 2012** payment of the claims that includes check numbers **1521 EFT – 1539 EFT** and checks numbered **31491 to 31527** 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. 1533E      SimplexGrinnel – annual payment for monitoring services for City Hall

Check No. 31518      Organizational Innovation – Payment for career transition program for Mrs. Miller as per the separation agreement.

**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*

November 2012

			Check Amt	Invoice	Comment
<b>10100 Premier Bank</b>					
Paid Chk#	001521E	11/14/2012			<b>CTM SERVICES, INC</b>
	<b>E 810-00000-404</b>	<b>Repair/Maint - Machinery/Equip</b>	<b>\$2,868.70</b>	<b>2478</b>	<b>STMA Arena Wash Water System service, Snow Bin lid Cylinders, fuel</b>
	<b>E 810-00000-404</b>	<b>Repair/Maint - Machinery/Equip</b>	<b>\$947.90</b>	<b>2478</b>	<b>STMA Arena 1 seat w/ safety switch</b>
		<b>Total CTM SERVICES, INC</b>	<b>\$3,816.60</b>		
Paid Chk#	001522E	11/14/2012			<b>FERRELLGAS</b>
	<b>E 810-00000-212</b>	<b>Motor Fuels</b>	<b>\$78.54</b>	<b>1072772300</b>	<b>STMA Arena fuel</b>
	<b>E 810-00000-212</b>	<b>Motor Fuels</b>	<b>\$95.64</b>	<b>1072969815</b>	<b>STMA Aena fuel</b>
		<b>Total FERRELLGAS</b>	<b>\$174.18</b>		
Paid Chk#	001523E	11/14/2012			<b>MVTL LABORATORIES, INC</b>
	E 601-49450-218	Testing Expenses	\$113.40	1212534	Chemical Testing 10/31/12
		<b>Total MVTL LABORATORIES, INC</b>	<b>\$113.40</b>		
Paid Chk#	001524E	11/14/2012			<b>S &amp; T OFFICE PRODUCTS</b>
	E 101-41910-200	Office Supplies (GENERAL)	\$148.36	01PL4348	Laminating Pouches 5 ML & 3 ML
		<b>Total S &amp; T OFFICE PRODUCTS</b>	<b>\$148.36</b>		
Paid Chk#	001525E	11/14/2012			<b>WATSON COMPANY</b>
	<b>E 810-00000-252</b>	<b>Food/Concessions For Resale</b>	<b>\$192.77</b>	<b>819576</b>	<b>STMA Arena Concessions chips,</b>
		<b>Total WATSON COMPANY</b>	<b>\$192.77</b>		
Paid Chk#	001526E	11/14/2012			<b>WRIGHT COUNTY SHERIFFS PATROL</b>
	E 101-42110-307	Police Contract Fees	\$43,737.00	Patrol-12-11	Sheriff Patrol Billing for the Month of
		<b>Total WRIGHT COUNTY SHERIFFS</b>	<b>\$43,737.00</b>		
Paid Chk#	001527E	11/14/2012			<b>WRIGHT-HENNEPIN COOP ELECTRIC</b>
	<b>E 810-00000-381</b>	<b>Electric Utilities</b>	<b>\$29.87</b>	<b>Arena</b>	<b>STMA Arena Fire Panel Monitoring</b>
		<b>Total WRIGHT-HENNEPIN COOP</b>	<b>\$29.87</b>		
Paid Chk#	001528E	11/14/2012			<b>S &amp; T OFFICE PRODUCTS</b>
	E 101-41910-200	Office Supplies (GENERAL)	\$44.86	01PL8881	Labels, Envelopes 9 x 12
	E 101-41400-200	Office Supplies (GENERAL)	\$19.58	01PL8881	Electon - Labels
	E 101-41910-200	Office Supplies (GENERAL)	\$12.81	01PL8987	Labels
	E 101-41910-200	Office Supplies (GENERAL)	\$2.97	01PL9702	Reinforcements
	E 101-41400-200	Office Supplies (GENERAL)	\$74.22	01PL9702	Election supplies - Clipboards, pens,
		<b>Total S &amp; T OFFICE PRODUCTS</b>	<b>\$154.44</b>		
Paid Chk#	001529E	11/14/2012			<b>EMERGENCY APPARATUS MNTC</b>
	E 101-42000-404	Repair/Maint - Machinery/Equip	\$264.63	64289	FD Ladder 11 Jumper Block removed
	E 101-42000-404	Repair/Maint - Machinery/Equip	\$561.18	64760	FD Engine 11 nut, bolt, solenoid
		<b>Total EMERGENCY APPARATUS MNTC</b>	<b>\$825.81</b>		
Paid Chk#	001530E	11/14/2012			<b>CITY OF ST. MICHAEL (NEW)</b>
	E 601-49450-300	Professional Svcs (GENERAL)	\$2,481.41	10292012-1	Vactor Rental 10/18/11, 10/25/11
	E 468-49000-303	Engineering Fees	\$12,252.50	11092012-1	I-94 October 12 Senior Tech 188.5
		<b>Total CITY OF ST. MICHAEL (NEW)</b>	<b>\$14,733.91</b>		
Paid Chk#	001531E	11/14/2012			<b>JACKS OIL DIST., INC.</b>
	E 101-43100-212	Motor Fuels	\$1,589.32	43074	fuel
		<b>Total JACKS OIL DIST., INC.</b>	<b>\$1,589.32</b>		

**Mayor and Council Request for Action – November 19, 2012**  
**Finance – Payment of Claims**

			<b>Check Amt</b>	<b>Invoice</b>	<b>Comment</b>
Paid Chk#	001532E	11/14/2012	<b>N. A. C.</b>		
E	101-41910-306	Planning Fees	\$2,112.11	20502	General, review packet, development Vinge, mt w/Adam, youth hockey,
E	101-41910-306	Planning Fees	\$55.00	20502	Wiesner Memorial
E	101-41910-306	Planning Fees	\$950.97	20502	Code Enforcement
E	101-41910-306	Planning Fees	\$500.00	20503	Meetings
E	101-41910-306	Planning Fees	\$146.85	20504	Central Park Master Plan
		<b>Total N. A. C.</b>	<b>\$3,764.93</b>		
Paid Chk#	001533E	11/14/2012	<b>SIMPLEXGRINNELL</b>		
E	101-41940-405	Repair/Maint - Buildings	\$484.14	75697986	CH Intrusion Monitoring
E	101-41940-405	Repair/Maint - Buildings	\$517.28	75697987	CH alarm & Detection Monitoring
		<b>Total SIMPLEXGRINNELL</b>	<b>\$1,001.42</b>		
Paid Chk#	001534E	11/14/2012	<b>SHRED RIGHT-A ROHN INDUSTRIES</b>		
E	101-41400-300	Professional Svcs (GENERAL)	\$31.20	135682	Document Destruction 10/22/12
		<b>Total SHRED RIGHT-A ROHN INDUSTRIES</b>	<b>\$31.20</b>		
Paid Chk#	001535E	11/14/2012	<b>COMDATA</b>		
E	101-42000-212	Motor Fuels	\$272.11	XS29510012012	FD fuel 9/1/12 - 9/30/12
E	101-42000-212	Motor Fuels	\$697.81	XS29511012012	FD fuel 10/1/12 - 10/31/12
		<b>Total COMDATA</b>	<b>\$969.92</b>		
Paid Chk#	001536E	11/14/2012	<b>GOPHER STATE ONE-CALL</b>		
E	602-49400-209	Locates	\$62.45	52331	Locate tickets
E	601-49450-209	Locates	\$62.45	52331	Locate tickets
		<b>Total GOPHER STATE ONE-CALL</b>	<b>\$124.90</b>		
Paid Chk#	001537E	11/14/2012	<b>BOLTON &amp; MENK, INC</b>		
E	468-49000-300	Professional Svcs (GENERAL)	\$23,042.50	0151507	WB I-94 9/1/12 - 9/28/12
		<b>Total BOLTON &amp; MENK, INC</b>	<b>\$23,042.50</b>		
Paid Chk#	001538E	11/14/2012	<b>WRIGHT-HENNEPIN COOP ELECTRIC</b>		
E	101-45100-381	Electric Utilities	\$255.29	October 2012	Parks
E	468-49000-300	Professional Svcs (GENERAL)	\$416.81	October 2012	I-94 / Cty Rd 19 Construction
E	101-43100-381	Electric Utilities	\$573.80	October 2012	Lights
E	601-49450-381	Electric Utilities	\$84.91	October 2012	Lift Stations
		<b>Total WRIGHT-HENNEPIN COOP</b>	<b>\$1,330.81</b>		
Paid Chk#	001539E	11/14/2012	<b>COURI &amp; RUPPE, P.L.L.P.</b>		
R	101-00000-36200	Donations	(\$100.00)	November	Cerdt per Mike for AV Room
E	468-49000-304	Legal Fees	\$308.50	November	I-94 ramps
E	101-41600-304	Legal Fees	\$85.00	November	Parkside Commercial - letter of credit
E	101-41600-304	Legal Fees	\$4,725.00	November	General: draft old CH lease, St. Mich Personnel review BM, atd mtgs, fire
		<b>Total COURI &amp; RUPPE, P.L.L.P.</b>	<b>\$5,018.50</b>		
Paid Chk#	031491	11/19/2012	<b>ALL STAR CHEMICAL CORP</b>		
E	101-42000-587	Capital - Tools	\$264.78	19875	FD 6 Orange Squirt Concentrate
		<b>Total ALL STAR CHEMICAL CORP</b>	<b>\$264.78</b>		
Paid Chk#	031492	11/19/2012	<b>ALLIED WASTE</b>		
E	605-43200-308	Recycling Contract Fee	\$6,389.79	0899-002159500	Recycling Service 10/01/12 -
		<b>Total ALLIED WASTE</b>	<b>\$6,389.79</b>		
Paid Chk#	031493	11/19/2012	<b>AMERICAN SUPPLY GROUP INC.</b>		
E	810-00000-405	Repair/Maint - Buildings	\$250.56	29688	STMA Arena bath tissue, screens
		<b>Total AMERICAN SUPPLY GROUP INC.</b>	<b>\$250.56</b>		
Paid Chk#	031494	11/19/2012	<b>APPROVED EQUAL CO</b>		
E	101-41940-405	Repair/Maint - Buildings	\$151.00	11272	CH Temperature controls service call
		<b>Total APPROVED EQUAL CO</b>	<b>\$151.00</b>		

**Mayor and Council Request for Action – November 19, 2012**  
**Finance – Payment of Claims**

			Check Amt	Invoice	Comment
Paid Chk# 031495	11/19/2012	<b>ARAMARK UNIFORM SERVICES</b>			
<b>E 810-00000-405</b>	<b>Repair/Maint - Buildings</b>		<b>\$10.69</b>	<b>629-7606176</b>	<b>STMA Arena mats, mops laundry</b>
E 101-41940-405	Repair/Maint - Buildings		\$42.24	629-7620550	CH mats, towels, mops
<b>Total</b>	<b>ARAMARK UNIFORM SERVICES</b>		<b>\$52.93</b>		
Paid Chk# 031496	11/19/2012	<b>BANYON DATA SYSTEMS</b>			
E 605-43200-300	Professional Svcs (GENERAL)		\$152.78	00148393	WIN Support
E 601-49450-300	Professional Svcs (GENERAL)		\$152.78	00148393	WIN Support
E 101-41400-300	Professional Svcs (GENERAL)		\$152.83	00148393	WIN Support
E 101-42000-310	Other Professional Services		\$152.78	00148393	WIN Support
<b>E 810-00000-300</b>	<b>Professional Svcs (GENERAL)</b>		<b>\$152.78</b>	<b>00148393</b>	<b>WIN Support</b>
E 602-49400-300	Professional Svcs (GENERAL)		\$152.78	00148393	WIN Support
E 604-49660-300	Professional Svcs (GENERAL)		\$152.78	00148393	WIN Support
<b>Total</b>	<b>BANYON DATA SYSTEMS</b>		<b>\$1,069.51</b>		
Paid Chk# 031497	11/19/2012	<b>CASHION HVAC SERVICES INC</b>			
<b>E 810-00000-405</b>	<b>Repair/Maint - Buildings</b>		<b>\$428.00</b>	<b>12-056</b>	<b>STMA Arena Replace leaking furnaces, replaced/fixd intake duct,</b>
<b>Total</b>	<b>CASHION HVAC SERVICES INC</b>		<b>\$428.00</b>		
Paid Chk# 031498	11/19/2012	<b>CENEX FLEETCARD</b>			
E 101-45100-212	Motor Fuels		\$327.61	65622C	Vehicle 3 fuel PW
E 601-49450-212	Motor Fuels		\$164.36	65622C	Vehicle 4 fuel WW
E 101-43100-212	Motor Fuels		\$327.61	65622C	Vehicle 3 PW fuel
E 602-49400-212	Motor Fuels		\$164.35	65622C	Vehicle 4 fuel WW
<b>Total</b>	<b>CENEX FLEETCARD</b>		<b>\$983.93</b>		
Paid Chk# 031499	11/19/2012	<b>CENTERPOINT ENERGY</b>			
E 101-41940-383	Gas Utilities		\$13.98	5361503-5 10/12	5975 Main Ave NE
E 468-49000-300	Professional Svcs (GENERAL)		\$58.59	5361507 10/12	I-94 5954 Main Avenue NE
E 101-45100-383	Gas Utilities		\$8.55	5376665 10/12	5801 Lander Ave NE
<b>E 810-00000-383</b>	<b>Gas Utilities</b>		<b>\$241.29</b>	<b>5390131-0 10/12</b>	<b>STMA Arena 5898 Lachman Ave</b>
E 101-42000-383	Gas Utilities		\$50.17	5396144 10/12	FD 11350 57th St. NE
E 601-49450-383	Gas Utilities		\$38.91	5407574-2 10/12	11728 63rd St. NE
E 101-43100-383	Gas Utilities		\$81.46	5421442-4 10/12	11822 63rd St. NE
E 101-41940-383	Gas Utilities		\$340.62	6759963-9 10/12	5959 Main Ave NE
<b>Total</b>	<b>CENTERPOINT ENERGY</b>		<b>\$833.57</b>		
Paid Chk# 031500	11/19/2012	<b>CHARTER COMMUNICATIONS</b>			
E 101-42000-321	Telephone		\$22.63	Oct 12	FD Charter TV
<b>E 810-00000-321</b>	<b>Telephone</b>		<b>\$76.21</b>	<b>Oct 12</b>	<b>STMA Arena Telephone</b>
<b>Total</b>	<b>CHARTER COMMUNICATIONS</b>		<b>\$98.84</b>		
Paid Chk# 031501	11/19/2012	<b>CJ S LINEN SERVICE</b>			
E 101-42000-587	Capital - Tools		\$21.38	29140	FD 100 Rags
<b>Total</b>	<b>CJ S LINEN SERVICE</b>		<b>\$21.38</b>		
Paid Chk# 031502	11/19/2012	<b>COCA COLA ENTERPRISES BOTTLING</b>			
<b>E 810-00000-254</b>	<b>Soft Drinks/Mix For Resale</b>		<b>\$709.52</b>	<b>0118190121</b>	<b>STMA Arena Coke, Pibb, Fanta Orange, Mountain</b>
<b>Total</b>	<b>COCA COLA ENTERPRISES BOTTLING</b>		<b>\$709.52</b>		
Paid Chk# 031503	11/19/2012	<b>CROW RIVER FARM EQUIPMENT</b>			
E 101-43100-404	Repair/Maint - Machinery/Equip		\$97.52	157661	74" #60 Roller Chain, 2 #60 Com
<b>Total</b>	<b>CROW RIVER FARM EQUIPMENT</b>		<b>\$97.52</b>		



			Check Amt	Invoice	Comment
Paid Chk#	031504	11/19/2012	<b>DJS TOTAL HOME CARE CENTER-CH</b>		
E 468-49000-300	Professional Svcs (GENERAL)		\$4.26	64045	Rule 6" pocket scale (I-94 concreter
E 468-49000-300	Professional Svcs (GENERAL)		\$6.39	64117	2 Can Lined Gallon I-94
E 101-43100-215	Shop Supplies		\$24.57	65025	4" Trench Spade
E 604-49960-406	R/M - Collection System		\$18.70	65054	Conduit, Pipe, Adapters, Elbow
E 604-49960-406	R/M - Collection System		\$6.44	65060	Couple Insert, Elbow Insert, Riser
E 101-43100-215	Shop Supplies		\$3.52	65095	2 Cycle Oil
E 601-49450-210	Operating Supplies (GENERAL)		\$44.29	65107	Fantastik Clnr, scrubber, key stem 4 Aluminum Foil, solder plg
E 101-43100-215	Shop Supplies		\$55.67	65157	Couple insert, electrical supplies
E 601-49450-210	Operating Supplies (GENERAL)		\$2.13	65230	Poncho 50 x 80
E 101-43100-215	Shop Supplies		\$3.20	65382	Htg & Cooling supplies
E 601-49450-210	Operating Supplies (GENERAL)		\$11.20	65383	Denatured alcohol, sprayer
E 601-49450-210	Operating Supplies (GENERAL)		\$14.94	65480	Grease Marine
E 101-45100-404	Repair/Maint - Machinery/Equip		\$4.25	65506	2 Cycle Oil
<b>Total</b>	<b>DJS TOTAL HOME CARE CENTER-CH</b>		\$199.56		
Paid Chk#	031505	11/19/2012	<b>DJS TOTAL HOME CARE CTR - FIRE</b>		
E 101-42000-587	Capital - Tools		\$36.44	64957	FD antifreeze, windshield wash,
E 101-42000-587	Capital - Tools		\$11.99	65101	FD Ace common nail
E 101-42000-587	Capital - Tools		\$9.42	65408	FD fuel propane
<b>Total</b>	<b>DJS TOTAL HOME CARE CTR - FIRE</b>		\$57.85		
Paid Chk#	031506	11/19/2012	<b>FEDERATED CO-OPS, INC.</b>		
E 601-49450-210	Operating Supplies (GENERAL)		\$1.37	912305	Service charge for late payment of
<b>Total</b>	<b>FEDERATED CO-OPS, INC.</b>		\$1.37		
Paid Chk#	031507	11/19/2012	<b>FIRE EQUIPMENT SPECIALTIES, IN</b>		
E 101-42000-584	Capital - Turnout Gear		\$347.86	7704	FD Haix Fire Hero Extremet
<b>Total</b>	<b>FIRE EQUIPMENT SPECIALTIES, IN</b>		\$347.86		
Paid Chk#	031508	11/19/2012	<b>FRICKE &amp; SONS SOD, INC</b>		
E 604-49960-406	R/M - Collection System		\$38.80	8171	22 rolls 33 yards sod
<b>Total</b>	<b>FRICKE &amp; SONS SOD, INC</b>		\$38.80		
Paid Chk#	031509	11/19/2012	<b>HASSAN SAND &amp; GRAVEL, INC.</b>		
E 604-49960-406	R/M - Collection System		\$44.08	88573	1 1/2 crème limestone, 1 1/2 granite
<b>Total</b>	<b>HASSAN SAND &amp; GRAVEL, INC.</b>		\$44.08		
Paid Chk#	031510	11/19/2012	<b>JAYCO PLUMBING, INC.</b>		
E 810-00000-405	Repair/Maint - Buildings		\$131.30	0001822	STMA Arena Remove & re-install
<b>Total</b>	<b>JAYCO PLUMBING, INC.</b>		\$131.30		
Paid Chk#	031511	11/19/2012	<b>MINNESOTA STATE FIRE DEPT ASSN</b>		
E 101-42000-433	Dues and Subscriptions		\$216.00	Dues	FD 2013 Membership Dues
<b>Total</b>	<b>MINNESOTA STATE FIRE DEPT ASSN</b>		\$216.00		
Paid Chk#	031512	11/19/2012	<b>MN DEPT OF TRANSPORTATION</b>		
E 468-49000-300	Professional Svcs (GENERAL)		\$3,486.26	P00000859	WB I-94 Sept/October 2012
<b>Total</b>	<b>MN DEPT OF TRANSPORTATION</b>		\$3,486.26		
Paid Chk#	031513	11/19/2012	<b>MTR SERVICES INC</b>		
E 101-43100-403	Repair/Maint - Catch Basins		\$2,951.34	4517a	52nd St, Kahler Bay
E 101-43100-403	Repair/Maint - Catch Basins		\$261.25	4524a	10615 61st Street NE
<b>Total</b>	<b>MTR SERVICES INC</b>		\$3,212.59		
Paid Chk#	031514	11/19/2012	<b>NAPA AUTO PARTS</b>		
E 101-43100-404	Repair/Maint - Machinery/Equip		\$5.00	103112	service charge
E 101-43100-404	Repair/Maint - Machinery/Equip		\$169.71	841388	oil filters, fuel filter, floor mat
<b>Total</b>	<b>NAPA AUTO PARTS</b>		\$174.71		
Paid Chk#	031515	11/19/2012	<b>NEXTERA COMMUNICATIONS</b>		
E 601-49450-321	Telephone		\$27.29	9466 11/12	3% Phone/Data Network
E 101-41940-321	Telephone		\$545.84	9466 11/12	60% Phone/Data Network
E 101-41940-321	Telephone		\$181.95	9466 11/12	20% Phone/Data Network
E 101-42000-321	Telephone		\$63.68	9466 11/12	7% Phone/Data Network
E 602-49400-321	Telephone		\$27.29	9466 11/12	3% Phone/Data Network
E 101-43100-321	Telephone		\$63.68	9466 11/12	7% Phone/Data Network

**Mayor and Council Request for Action – November 19, 2012**  
**Finance – Payment of Claims**

<b>Total NEXTERA COMMUNICATIONS</b>		<b>\$909.73</b>		<b>Check Amt</b>	<b>Invoice</b>	<b>Comment</b>
Paid Chk#	031516	11/19/2012	<b>NORTHLAND TRUST SERVICE INC</b>			
E	601-49450-611	Bond Interest		\$61,142.50	ALBE05A	Dec Interest 4,000,000 GO Sewer
E	601-49450-601	Debt Srv Bond Principal		\$170,000.00	ALBE05A	Dec Principal 4,000,000 GO Sewer
E	359-00000-611	Bond Interest		\$26,597.10	ALBE12B	Dec Interest
E	359-00000-601	Debt Srv Bond Principal		\$190,000.00	ALBE12B	Dec Principal
<b>Total NORTHLAND TRUST SERVICE INC</b>				<b>\$447,739.60</b>		
Paid Chk#	031517	11/19/2012	<b>OMANN BROTHERS</b>			
E	101-43100-400	Repair/Maint - Paved Rd		\$256.28	10093	4.02 1/2' #2341 AC Mix
E	101-43100-400	Repair/Maint - Paved Rd		\$215.50	10095	3.01 AC Fines Mix
<b>Total OMANN BROTHERS</b>				<b>\$471.78</b>		
Paid Chk#	031518	11/19/2012	<b>ORGANIZATIONAL INNOVATION INC</b>			
E	101-41000-300	Professional Svcs (GENERAL)		\$2,500.00	12-004008	Bridget Miller OI Co-Managed Career
<b>Total ORGANIZATIONAL INNOVATION INC</b>				<b>\$2,500.00</b>		
Paid Chk#	031519	11/19/2012	<b>POSTMASTER</b>			
E	810-00000-433	Dues and Subscriptions		\$56.00	STMA Arena 193	STMA Arena PO Box 193 1 year
<b>Total POSTMASTER</b>				<b>\$56.00</b>		
Paid Chk#	031520	11/19/2012	<b>PREMIER 94 TRUCK SERVICES</b>			
E	101-43100-404	Repair/Maint - Machinery/Equip		\$70.20	0141684-IN	DOT Truck #23 Inspection
E	101-43100-404	Repair/Maint - Machinery/Equip		\$70.20	0414692-IN	DOT Truck #22 Inspection
<b>Total PREMIER 94 TRUCK SERVICES</b>				<b>\$140.40</b>		
Paid Chk#	031521	11/19/2012	<b>SHERWIN-WILLIAMS ALBERTVILLE</b>			
E	601-49450-404	Repair/Maint - Machinery/Equip		\$106.77	57724	Quart DP 235 Hard B, Gallon B67B235
<b>Total SHERWIN-WILLIAMS ALBERTVILLE</b>				<b>\$106.77</b>		
Paid Chk#	031522	11/19/2012	<b>SUN PRESS &amp; NEWSPAPERS</b>			
E	101-41000-300	Professional Svcs (GENERAL)		\$224.62	10122140	Administrative Asst II/Accounting Clerk
<b>Total SUN PRESS &amp; NEWSPAPERS</b>				<b>\$224.62</b>		
Paid Chk#	031523	11/19/2012	<b>THISTLE ADVISORY &amp; CONSULTING</b>			
E	101-41100-300	Professional Svcs (GENERAL)		\$6,187.50	17	October 2012 routine office, council, material review, phone calls, employee
<b>Total THISTLE ADVISORY &amp; CONSULTING</b>				<b>\$6,187.50</b>		
Paid Chk#	031524	11/19/2012	<b>T-MOBILE - 828941579</b>			
E	101-41500-323	Cell Phones		\$62.25	828941579-10612-599-1929	Finance
E	101-41750-323	Cell Phones		\$67.30	828941579-10612-328-0878	PW Eng
E	101-41400-323	Cell Phones		(\$69.54)	828941579-10	Credit fee adjustment Acct charges
E	101-41400-323	Cell Phones		\$31.99	828941579-10763-913-5114	CH
E	101-42000-321	Telephone		\$84.90	828941579-10612-685-6383	FD
<b>Total T-MOBILE - 828941579</b>				<b>\$176.90</b>		
Paid Chk#	031525	11/19/2012	<b>T-MOBILE - ACCOUNT 828939188</b>			
E	101-42000-321	Telephone		\$9.93	828939188-10612-685-2650	FD
E	101-43100-321	Telephone		\$0.86	828939188-10763-490-9336	PW
E	101-42000-321	Telephone		\$9.93	828939188-10763-477-8464	FD
E	101-41400-323	Cell Phones		\$227.19	828939188-10	Acct Charges General
E	101-43100-321	Telephone		\$0.86	828939188-10612-490-9338	PW - PD
E	601-49450-323	Cell Phones		\$0.86	828939188-10612-490-9328	UD
E	101-43100-323	Cell Phones		\$0.86	828939188-10612-759-0401	PW - PD
E	602-49400-323	Cell Phones		\$0.86	828939188-10612-490-9332	UD
E	101-42000-321	Telephone		\$9.93	828939188-10612-490-9330	FD
E	101-45100-321	Telephone		\$9.93	828939188-10612-490-9334	PD - PW
E	101-43100-323	Cell Phones		\$9.93	828939188-10612-490-9326	UD
<b>Total T-MOBILE - ACCOUNT 828939188</b>				<b>\$281.14</b>		
Paid Chk#	031526	11/19/2012	<b>VANG, JUA &amp; VICTORIA VUE</b>			
R	602-00000-99999	UNALLOCATED UTILITY		\$19.93	Refund	Refund water/sewer credit
<b>Total VANG, JUA &amp; VICTORIA VUE</b>				<b>\$19.93</b>		

**Mayor and Council Request for Action – November 19, 2012**  
**Finance – Payment of Claims**

			Check Amt	Invoice	Comment
Paid Chk#	031527	11/19/2012			<b>XCEL ENERGY</b>
E 101-45100-381	Electric Utilities		\$24.28	5145796403-10	11830 51st St NE Park Light
E 468-49000-300	Professional Svcs (GENERAL)		\$291.47	5146897849-10	5964 Main Ave NE
E 601-49450-381	Electric Utilities		\$91.28	5146897849-10	4940 Kaiser Ave NE
E 101-42000-381	Electric Utilities		\$770.33	5146897849-10	11350 57th St NE
E 601-49450-381	Electric Utilities		\$99.94	5146897849-10	5900 Cty Rd 18 Swr
E 101-42000-381	Electric Utilities		\$18.64	5146897849-10	Facility Chrg 11350 57th St. NE
E 101-43160-381	Electric Utilities		\$84.39	5146897849-10	5700 Labeaux Ave NE
E 601-49450-381	Electric Utilities		\$148.48	5146897849-10	11942 52nd St NE Lift Station
E 101-43160-381	Electric Utilities		\$80.00	5146897849-10	11060 61st St NE
E 101-43160-381	Electric Utilities		\$202.54	5146897849-10	5050 LaBeaux Ave NE Light
E 101-41940-381	Electric Utilities		\$103.74	5146897849-10	6002 Main Ave NE
E 101-43160-381	Electric Utilities		\$223.20	5146897849-10	5300 LaBeaux Ave NE Light
E 601-49450-381	Electric Utilities		\$4,683.11	5146897849-10	11728 63rd St NE Sewage Plant
E 601-49450-381	Electric Utilities		\$725.87	5146897849-10	11200 60th Sewer Lift Station
E 101-41940-381	Electric Utilities		\$126.70	5146897849-10	Auto Prot Lights
E 601-49450-381	Electric Utilities		\$105.77	5146897849-10	5900 Lyman Ave NE Swr
E 101-41940-381	Electric Utilities		\$2,080.51	5146897849-10	5959 Main Ave NE
E 601-49450-381	Electric Utilities		\$28.60	5146897849-10	5299 Kyler Ave NE Sewer
E 101-43160-381	Electric Utilities		\$102.78	5146897849-10	5050 LaBeaux Ave NE Signal
E 101-45100-381	Electric Utilities		\$44.81	5146897849-10	5801 Main Ave NE Picnic Shelter
E 101-43100-381	Electric Utilities		\$421.36	5146897849-10	11822 63rd St. NE PW
E 101-45100-381	Electric Utilities		\$351.76	5146897849-10	11401 58th Ballfield/Rink
E 101-42000-381	Electric Utilities		\$23.30	5146897849-	Facility charge FD 11350 57th
E 101-41940-381	Electric Utilities		\$59.81	5146897849-	Auto Protective Lights
E 101-43160-381	Electric Utilities		\$68.92	5146897849-	11750 Cty Rd 37 Signal
E 101-41940-381	Electric Utilities		\$126.38	5146897849-	5975 Main Ave NE
E 101-45100-381	Electric Utilities		\$34.81	5146897849-	11474 58th St NE Park Shelter
E 101-43160-381	Electric Utilities		\$22.37	5151123630-10	5998 LaBeaux Ave NE
E 101-43160-381	Electric Utilities		\$3.57	5155564108-10	5799 Lander Ave NE Fire Siren
<b>E 810-00000-381</b>	<b>Electric Utilities</b>		<b>\$5,992.61</b>	<b>51-58733154 10</b>	<b>STMA Arena 10/6 - 11/03</b>
E 101-43160-381	Electric Utilities		\$4.37	51-64439116 10	10820 Kantar Court NE
E 101-43160-381	Electric Utilities		\$5,362.07	51-6901038-0	Street Lights
	<b>Total XCEL ENERGY</b>		<b>\$22,507.77</b>		
	<b>10100 Premier Bank</b>		<b>\$601,383.69</b>		

**Fund Summary**

<b>10100 Premier Bank</b>	
101 GENERAL FUND	\$85,093.28
359 City Hall Revenue Bond	\$216,597.10
468 CSAH 19 RAMPS/I 94 Project	\$39,867.28
601 SEWER FUND	\$240,332.62
602 WATER FUND	\$427.66
604 STORM WATER	\$260.80
605 Recycling Fund	\$6,542.57
<b>810 STMA ARENA</b>	<b>\$12,262.38</b>
	<b>\$601,383.69</b>

# ST. MICHAEL-ALBERTVILLE ARENA BOARD MINUTES

November 13, 2012

6:00 p.m.

**Present:** Chairman Jeff Lindquist and Members Larry Sorensen, Dan Wagner, Gayle Weber, Chris Schumm, and Kevin Kasel. Also present were: Arena Manager Grant Fitch; City of Albertville Finance Director Tina Lannes and City of Albertville Engineer/Public Works Director Adam Nafstad, City of Albertville Interim Administrator Robert Thistle. Also present several members from the Youth Hockey Association, Albertville City Council and Chris from Franklin Outdoor Advertising. The meeting was called to order at 6:04 p.m. by Chairman Lindquist.

## Set Agenda

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

## Approval of Minutes

Members Weber/Sorensen **moved** to approve the minutes of the October 8, 2012 Board Meeting. All voted aye.

## Finance Reports

Members Weber/Kasel **moved** to approve the October 2012 list of claims in the amount of \$4,195.94 and the October Financial Report as presented. All voted aye.

## Arena Manager's Report

Fitch updated the board on Arena rental hours stating we are just at about capacity and working with youth hockey on advertising options. Fitch also notified the board on transition hockey wanting to increase their hours from last year, but there is a need to pull the ice for a month and a half. Staff will come back in December with a recommendation of when to pull the ice in 2013 and for how long because it has been three years of straight ice. Pulling the ice will reduce the ice build up and allow for maintenance such as painting. Fitch also mentioned he provided the exterior lighting retrofit which will be discussed at a later meeting.

Schumm asked for an update on the Zamboni since the repairs and asked about a back-up plan. Fitch stated that the repairs were done and it is working fine. Also, if the machine goes down Becker would have a machine available in possibly 3-4 hours, but we could be down a day.

## Old Business

Lannes requested authorization to sign the Ballard-King proposal with an additional line added to the agreement stating not to exceed \$8,000. The board discussed the proposal and Weber asked if we should be going out for RFP's from firms such as Springsted. Chairman Lindquist asked about the verbal agreement from Youth Hockey and how to proceed with the cost share. Lannes suggested that past practice on the feasibility study the STMA Board did not move forward with an agreement until Youth Hockey provided their portion of the fees as a deposit to the City.

Members Sorensen/Schumm **moved** to authorize the City of Albertville City Administrator to execute the Letter of Agreement with Ballard-King contingent on two items. The first of which to add an item 5 on the letter of agreement stating that the costs of the project will not exceed \$8,000 total and the second item that youth hockey deposits in an account controlled by the City of Albertville their portion of the ½ share of projected costs (\$4,000). (Discussion by youth hockey to clarify if the costs are less than the \$8,000. Chairman Lindquist stated that the cost share is a 50/50 split and if the expense was less than \$8,000, youth hockey would receive their portion of the prorated funds back). All voted aye.

**New Business**

Chris from Franklin updated the board on the arena advertising. Stated he felt things were going well over the past 6 years. Chairman Lindquist mentioned that we are looking for ways for youth hockey association to raise funds and they came to us thinking they could do something with the advertising. The concept is in its exploration stage, but Lindquist felt it was necessary that Franklin Outdoor know that this is being considered and it is not due to any dissatisfaction with Franklin Outdoor.

**Adjourn**

Members Kasel/Schumm **moved** to adjourn at 6:29 p.m. All voted aye.

Attest:

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Tina Lannes, Finance Director

November 15, 2012

**SUBJECT:** City Clerk – Canvass Election Results

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

**MOTION TO:** Approve Resolution No. 2012-049 accepting the recount results of the November 6, 2012 General Election.

**BACKGROUND:** The City Council serves as the Canvassing Board. The Canvassing Board met on Tuesday, November 13, 2012 to canvass the results of the November 6, 2012 General Election. At that time, Jillian Hendrickson was declared Mayor and John Vetsch and Mark Barthel declared Council members beginning January 2013. However, there was a one vote difference between second place (Barthel) and third place (Larry Sorensen). Because automatic recounts do not occur for municipal elections, Larry Sorensen requested a recount of right of the votes cast between him and Mark Barthel.

The City Clerk conducted a recount on November 15, 2012 at the Wright County Offices. The process to be used for the recount was provided to those in attendance and is attached. At the end of the recount, the two candidates ended in a tie vote with 1,116 votes each. One ballot was contested during the recount.

The City Council, serving as the Canvassing Board, must unseal and then review the challenged ballot. The Board must make a determination of whether it is a vote for the candidate in question and will require a motion either way. Materials on voter intent are also attached. Council member Sorensen must abstain from the vote.

**POLICY CONSIDERATIONS:** The Canvassing Board must follow State Statute and certify the results of the recount.

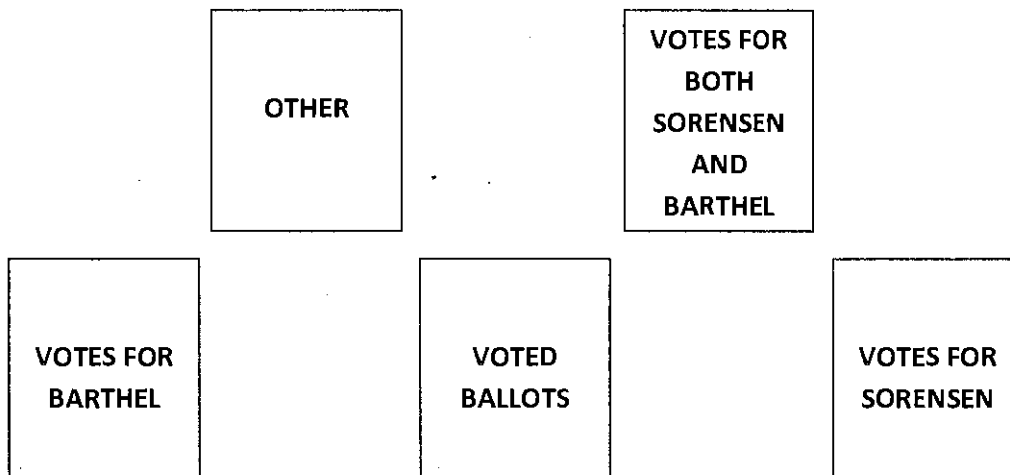
**FINANCIAL CONSIDERATIONS:** There was very little cost to the City to conduct the recount. The only expense was the time of the election judges who will be paid their regular rate of pay.

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

**Attachments:** Memo to Candidate, Election Judges, Media and Observers  
Information on Determining Voter Intent  
Resolution 2012-049

TO: Candidates, Election Judges, Media and Observers  
FROM: Kimberly Olson, City Clerk  
DATE: November 15, 2012  
RE: Recount Process

The Clerk will retrieve the ballots from the secured area with the team of election judges. The recount will begin at 8:30 a.m. or as near as possible. The recount official will explain the recount process and the challenge process for the voted ballots. The seal on the cases of voted ballots will only be opened in full view of the public. One team of judges will sort the ballots into the following piles while candidates or their representatives look on. Only one person for each may be present at the table to review the ballots. No one except the recount official and the team of election judges are to handle the ballots at any time.



**Challenges**

Candidates may challenge any ballot during the sorting process. Frivolous challenges will not be accepted. Challenges must have a specific reason for the challenge. The recount official will determine the voter's intent of the challenged ballot and if the candidate does not agree, the ballot will be placed in a manila envelope until the end of the process, at which time they will be viewed by the recount official and each candidate one more time. A candidate may decide to withdraw the challenge at that point. Those challenged ballots remaining will be labeled,

numbered, and the reason for the challenge indicated and will be made available to the Canvassing Board on November 19. Examples of voter intent and State Statute regarding determination of voter intent are attached. Additional information is located in the Election Law book and 2012 Recount Manual retained by the Clerk.

### **Counting**

Once the ballots are sorted into piles, they will be counted and stacked into piles of 25 by the election judges and placed crosswise over one another. A candidate or a representative may ask for a specific stack of 25 ballots to be recounted at any time, but not the entire pile. Once ballots for each candidate are counted, the election judges will count the pile that had votes for both candidates. That number will be added to the total votes cast for each candidate. These numbers will be recorded on the recount worksheet and provided to the Canvassing Board.

### **Absentee Ballots**

Because the absentee ballots are considered a different precinct, they will be counted separately from the Election Day ballots. The absentee ballots will be counted and sorted using the same process listed. Those absentee totals will also be recorded on the recount worksheet.

### **Wrapping Up**

The Clerk and candidates will review the challenged ballots at the end of the day. All unchallenged ballots will be resealed into their cases and returned to the County Auditor's office. Challenged ballots will be placed in the Challenged Ballot Envelope for each candidate, sealed and signed by the election judges. The Clerk will prepare a written staff report and resolution to the City Council with the results of the recount for the November 19, 2012 City Council/Canvassing Board meeting.

**\*\*At any time if you are unsure or have a question, raise your hand. Please do not wait to ask questions!\*\***



## 13.0 DETERMINING VOTER INTENT

Minnesota law requires that every effort be made to accurately count all votes on a ballot. This means that a ballot or vote must not be rejected for a technicality if it is possible to decide what the voter intended, even though the voter may have made a mistake or the ballot is damaged. Intent is determined only from the face of the ballot. Use the following rules to decide what a voter intended:

### 13.1 COUNTED

- If a name is written in the proper place but write-in not marked, count the voter for that individual whether or not write-in target is marked to the left of the written in name.

FEDERAL OFFICES	
UNITED STATES SENATOR	
VOTE FOR ONE	
<input type="radio"/>	ROBERT FITZGERALD <small>Republican Party</small>
<input type="radio"/>	MARK KENNEDY <small>Republican</small>
<input type="radio"/>	AMY KLOBUCHAR <small>Democratic-Farmer-Labor</small>
<input type="radio"/>	MICHAEL JAMES CAVLAN <small>Green Party</small>
<input type="radio"/>	BEN POWERS <small>Prohibition Party</small>
<input type="radio"/>	<i>John Smith</i>

- A mark made out of place but close enough to a name or line to determine voter intent are counted.

FEDERAL OFFICES		REPUBLICAN PARTY		FEDERAL OFFICES		FEDERAL OFFICES	
UNITED STATES SENATOR		FEDERAL OFFICES		UNITED STATES SENATOR		UNITED STATES SENATOR	
VOTE FOR ONE		UNITED STATES SENATOR		VOTE FOR ONE		VOTE FOR ONE	
<input checked="" type="radio"/>	JACK SHEPARD	<input type="radio"/>	JACK SHEPARD	<input type="radio"/>	JACK SHEPARD X	<input type="radio"/>	JACK SHEPARD
<input type="radio"/>	NORM COLEMAN	<input type="radio"/>	NORM COLEMAN	<input type="radio"/>	NORM COLEMAN	<input type="radio"/>	NORM COLEMAN
CONTINUE VOTING ON THE NONPARTISAN BALLOT		CONTINUE VOTING ON THE NONPARTISAN BALLOT		CONTINUE VOTING ON THE NONPARTISAN BALLOT		CONTINUE VOTING ON THE NONPARTISAN BALLOT	

- If two or more different marks used, count those, provided the marks do not mark the ballot with distinguishing characteristics where the voter's intent is to identify the ballot.

SUPREME COURT	
ASSOCIATE JUSTICE 3 VOTE FOR ONE	
<input checked="" type="checkbox"/>	ALAN LAWRENCE TELSON
<input type="checkbox"/>	PAUL H. ANDERSON
<input type="checkbox"/>	THE TRINITY
ASSOCIATE JUSTICE 4 VOTE FOR ONE	
<input checked="" type="checkbox"/>	LOUIS BRZEZNY ORDEA
<input type="checkbox"/>	DEBORAH HEDLUND
<input type="checkbox"/>	JILL CLARK
<input type="checkbox"/>	F. RICHARD GALLO, JR.
2ND DISTRICT COURT	
JUDGES VOTE FOR ONE	
<input checked="" type="checkbox"/>	JOY D. BARTSCHER
<input type="checkbox"/>	DORNE S. BERGEN
<input type="checkbox"/>	JOHN P. GLEK
<input type="checkbox"/>	JAMES C. SPYDER, SR.
<input type="checkbox"/>	PAUL GODFREY
<input type="checkbox"/>	GAIL CHANG BOHR
<input type="checkbox"/>	HOWARD ORENSTEIN
<input type="checkbox"/>	RICHARD E. CARLSON, JR.

- If marks are made next to two candidates and an attempt was made to erase one of the two, vote is counted for the remaining marked candidate.

<b>UNITED STATES SENATOR</b> <b>VOTE FOR ONE</b>	<b>UNITED STATES SENATOR</b> <b>VOTE FOR ONE</b>
<input checked="" type="radio"/> DARRYL STANTON <input checked="" type="radio"/> <del>BILL DAHN</del> <input type="radio"/> STEPHEN WILLIAMS <input type="radio"/> JACK ULDRICH <input type="radio"/> KURT MICHAEL ANDERSON <input type="radio"/> DOUG WILLIAMS <input type="radio"/> DEAN BARKLEY	<input checked="" type="radio"/> DARRYL STANTON <input checked="" type="radio"/> BILL DAHN <input type="radio"/> STEPHEN WILLIAMS <input type="radio"/> JACK ULDRICH <input type="radio"/> KURT MICHAEL ANDERSON <input type="radio"/> DOUG WILLIAMS <input type="radio"/> DEAN BARKLEY
<b>CONTINUE VOTING ON THE NONPARTISAN BALLOT</b>	<b>CONTINUE VOTING ON THE NONPARTISAN BALLOT</b>

- If an attempt is made to obliterate a write-in name a vote is counted for the remaining write-in name or marked candidate.

<b>FEDERAL OFFICES</b>
<b>UNITED STATES SENATOR</b> <b>VOTE FOR ONE</b>
<input checked="" type="radio"/> ROBERT FITZGERALD <input type="radio"/> MARK KENNEDY <input type="radio"/> AMY KLOBUCHAR <input type="radio"/> MICHAEL JAMES CAVLAN <input type="radio"/> BEN POWERS <input type="radio"/> <del>Write-in Name</del>

- A write-in for governor without lieutenant governor is counted as a vote for the team of candidates including lieutenant governor.
- Count all printed names with a mark made opposite them and all names written-in, not exceeding the number to be elected for that office.
- Misspellings for names written-in are ok provided that voter intent can be determined.
- If voter's choice can only be determined for some of the offices on the ballot, only count those offices on the ballot.
- If voter uniformly uses same mark to mark the ballot, count if possible.
- A ballot cannot be rejected because it is slightly soiled or defaced.
- A ballot that has one or more blank offices is not defective.

### 13.2 NOT COUNTED

- Marks more candidates than to be elected or nominated ballot is defective for that office.
  - All other offices on the ballot are counted if possible.

<b>UNITED STATES SENATOR</b> <b>VOTE FOR ONE</b>
<input checked="" type="radio"/> DARRYL STANTON <input checked="" type="radio"/> BILL DAHN <input type="radio"/> STEPHEN WILLIAMS <input checked="" type="radio"/> JACK ULDRICH <input type="radio"/> KURT MICHAEL ANDERSON <input type="radio"/> DOUG WILLIAMS <input type="radio"/> DEAN BARKLEY
<b>CONTINUE VOTING ON THE NONPARTISAN BALLOT</b>

- For a primary, if the voter marks candidates from more than one party, the ballot is totally defective for the partisan offices.

INDEPENDENCE PARTY	REPUBLICAN PARTY	DEMOCRATIC-FARMER-LABOR PARTY
FEDERAL OFFICES	FEDERAL OFFICES	FEDERAL OFFICES
UNITED STATES SENATOR VOTE FOR ONE	UNITED STATES SENATOR VOTE FOR ONE	UNITED STATES SENATOR VOTE FOR ONE
<input checked="" type="radio"/> DARRYL STANTON <input type="radio"/> BILL DAHN <input type="radio"/> STEPHEN WILLIAMS <input type="radio"/> JACK ULDURICH <input type="radio"/> KURT MICHAEL ANDERSON <input type="radio"/> DOUG WILLIAMS <input type="radio"/> DEAN BARKLEY CONTINUE VOTING ON THE NONPARTISAN BALLOT	<input checked="" type="radio"/> JACK SHEPARD <input type="radio"/> NORM COLEMAN CONTINUE VOTING ON THE NONPARTISAN BALLOT	<input checked="" type="radio"/> 'DICK' FRANSON <input type="radio"/> AL FRANKEN <input type="radio"/> BOB LARSON <input type="radio"/> PRISCILLA LORD FARIS <input type="radio"/> OLE SAVIOR <input type="radio"/> ROB FITZGERALD <input type="radio"/> ALVE ERICKSON CONTINUE VOTING ON THE NONPARTISAN BALLOT

- If the voter used an identifying mark or mark with the intent to identify the ballot, the entire ballot is defective.

his:  *Ashia Smith*

COUNTY OFFICES
CONSERVATION DISTRICT SUPERVISOR DISTRICT 2 VOTE FOR ONE

his:  *Ashia Smith*

COUNTY OFFICES
CONSERVATION DISTRICT SUPERVISOR DISTRICT 2 VOTE FOR ONE

his:  *Ashia Smith*

CONSERVATION DISTRICT SUPERVISOR DISTRICT 5 VOTE FOR ONE
<input checked="" type="radio"/> MARGARET A. BEHRENS <input type="radio"/> Write In

7432

- If a voter has voted yes and no on a ballot question, that question is not counted but the rest of the ballot must be counted if possible.
- No write-in votes counted for a primary or a special primary.
  - Any names written on a primary or special primary ballot are an indentifying mark and no votes on the ballot would be counted.
- If marks are made opposite of more printed candidate names or write-ins allowed for an office, the ballot is defective for that particular office.
- If the number of candidates for an office is equal to the number of individuals to be elected to that office, and the voter has not marked any name, no vote is counted for any candidate for that office.
- A specific office is considered blank when no name or response to a question is marked and no name is written-in.

(M.S. 204C.22)

## 2012 Minnesota Statutes

[Pdf](#)**204C.22 DETERMINING VOTER'S INTENT.**

Subdivision 1. **Ballot valid if intent determinable.** A ballot shall not be rejected for a technical error that does not make it impossible to determine the voter's intent. In determining intent the principles contained in this section apply.

Subd. 2. **From face of ballot only.** Intent shall be ascertained only from the face of the ballot.

Subd. 3. **Votes for too many candidates.** If a voter places a mark (X) beside the names of more candidates for an office than are to be elected or nominated, the ballot is defective with respect only to that office. No vote shall be counted for any candidate for that office, but the rest of the ballot shall be counted if possible. At a primary, if a voter has not indicated a party preference and places a mark (X) beside the names of candidates of more than one party on the partisan ballot, the ballot is totally defective and no votes on it shall be counted. If a voter has indicated a party preference at a primary, only votes cast for candidates of that party shall be counted.

Subd. 3a. **Votes yes and no.** If a voter votes both yes and no on a question, no vote may be counted for that question, but the rest of the ballot must be counted if possible.

Subd. 4. **Name written in proper place.** If a voter has written the name of an individual in the proper place on a general or special election ballot a vote shall be counted for that individual whether or not the voter makes a mark (X) in the square opposite the blank.

Subd. 4a. **Write-in vote for candidate team.** A write-in vote cast for a candidate for governor without a write-in vote for a candidate for lieutenant governor must be counted as a vote for the candidate team including the lieutenant governor candidate selected by that candidate for governor.

Subd. 5. **Name written on primary ballot.** If a voter has written the name of an individual on a primary or special primary ballot, a vote shall not be counted for that office.

Subd. 6. **Mark out of place.** If a mark (X) is made out of its proper place, but so near a name or space as to indicate clearly the voter's intent, the vote shall be counted.

Subd. 7. **All written names or marks counted up to limit.** If a number of individuals are to be elected to the same office, the election judges shall count all names written in and all printed names with (X) marks in squares opposite them, not exceeding the whole number to be elected. When fewer names than the number to be elected are marked with an (X) or written in, only the marked or written in names shall be counted. When more names than the number to be elected are marked or written in, the ballot is defective with respect to that office and no vote shall be counted for that office.

Subd. 8. **Misspelling; abbreviations.** Misspelling or abbreviations of the names of write-in candidates shall be disregarded if the individual for whom the vote was intended can be clearly ascertained from the ballot.

Subd. 9. **Votes for only some offices or questions determined.** If the voter's choice for only some of the offices or questions can be determined from a ballot, the ballot shall be counted for those offices or questions only.

Subd. 10. **Different marks.** If a voter uniformly uses a mark other than (X) which clearly indicates an intent to mark a name or to mark yes or no on a question, and the voter does not use (X) anywhere else on the ballot, a vote shall be counted for each candidate or response to a question marked. If a voter uses two or more distinct marks, such as (X) and some other mark, a vote shall be counted for each candidate or response to a question marked, unless the ballot is marked by distinguishing characteristics that make the entire ballot defective as provided in subdivision 13.

Subd. 11. **Attempted erasures.** If the names of two candidates have been marked, and an attempt has been made to erase or obliterate one of the marks, a vote shall be counted for the remaining marked candidate. If an attempt has been made to obliterate a write-in name a vote shall be counted for the remaining write-in name or marked candidate.

Subd. 12. **Soil; defacement.** A ballot shall not be rejected merely because it is slightly soiled or defaced.

Subd. 13. **Identifying ballot.** If a ballot is marked by distinguishing characteristics in a manner making it evident that the voter intended to identify the ballot, the entire ballot is defective.

Subd. 14. **No votes for certain offices.** If the number of candidates for an office is equal to the number of individuals to be elected to that office, and the voter has not marked any name, no vote shall be counted for any candidate for that office.

Subd. 15. **Blank ballot for one or more offices valid.** If no name or response to a question is marked and no name is written in, the ballot is blank with respect to that office or question. A ballot that is blank with respect to one or more offices or questions is not defective.

**History:** *1981 c 29 art 5 s 22; 1987 c 222 s 2; 1990 c 453 s 7-10; 1991 c 320 s 14*

**Resources**[About Minnesota Statutes](#)[2012 Table of Chapters](#)[2012 Statutes New, Amended or Repealed](#)[Chapter 204C Table of Sections](#)[Chapter 204C Text](#)**Topics**[Ballots](#)[Defacing](#)[Write-in Voting](#)

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

**RESOLUTION 2012-049**

**A RESOLUTION CERTIFYING RECOUNT RESULTS OF THE  
NOVEMBER 6, 2012 ELECTION**

WHEREAS, the City of Albertville held an municipal election for the office of Mayor and two Council Members on Tuesday, November 6, 2012, during the General Election; and

WHEREAS, on the 13<sup>th</sup> day of November, 2012, the City Council met to canvass said election results; and

WHEREAS, the votes initially tabulated on November 6, 2012 were:

<b>Mayor</b>	Jillian Hendrickson	1698
	Donald Peterson	1363
	Write-Ins	23
	Over Votes	0
	Under Votes	630
	Total Votes	3714
	<b>Council Member</b>	John Vetsch
Mark Barthel		1118
Larry Sorensen		1117
Rob Olson		738
Paul Anthony Turpin		485
James Krutzig		401
Write-Ins		29
Over Votes		28
Under Votes		2285
Total Votes		7428

WHEREAS, on November 13, 2012, candidate Larry Sorensen challenged the election results and requested a recount of Mark Barthel's and Larry Sorensen's ballots as a matter of right under Minn. Stat. 204C.36, Subd. 1; and

WHEREAS, on November 15, 2012, the City election officials recounted the votes cast in the November 6, 2012 general election for Mark Barthel and Larry Sorensen; and

WHEREAS, the results of said November 15, 2012 recount were \_\_\_\_\_ votes for Mark Barthel and \_\_\_\_\_ votes for Larry Sorensen;

NOW, THEREFORE BE IT RESOLVED by the Albertville City Council that the following candidates for office of Mayor and Council Member elected at the November 6, 2012 regular city election for the respective terms to commence January 1, 2013, are as follows:

Mayor	2 year term	Jillian Hendrickson
Council Member	4 year term	John Vetsch
Council Member	4 year term	_____

Approved by the Albertville City Council this 19<sup>th</sup> day of November, 2012.

\_\_\_\_\_  
Mark Meehan, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly A. Olson, City Clerk

(SEAL)

November 14, 2012

**SUBJECT: FINANCE DEPARTMENT – APPROVAL OF THE 2012 CERTIFICATION OF UNCOLLECTED UTILITY BILLS ADDITIONS**

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

**MOTION TO:** Approve Resolution No. 2012-050 entitled a Resolution Certifying the 2012 Uncollected Utility Bills to Wright County for Collection with Real Estate Taxes.

**BACKGROUND:** On an annual basis, it is the City's procedure to send notification to residents, developers, and other business owners that there are outstanding utility bills or invoices, allowing them sufficient time to pay such fees owed to the City. If such outstanding debt has not been paid before November 15, 2012, the City has the ability to certify such outstanding debt to the appropriate property that would be collected with the Real Estate Taxes.

There are three properties that need to be added to the assessment list if not paid in full by November 20, 2012.

**KEY ISSUES:** The key issue regarding the outstanding debt is allowing the City to certify it to the property taxes ensuring collection.

**POLICY CONSIDERATIONS:** It is the City's policy to review and authorize staff to certify uncollected utility bills and outstanding invoices to Wright County for Collection with Real Estate Taxes.

**FINANCIAL CONSIDERATIONS:** City staff has reviewed and recommends approval of Certification list, which would be updated as payments are received up until June.

**LEGAL CONSIDERATIONS:** The Mayor and Council have the authority to authorize staff to certify pursuant to Minnesota State Law, which requires uncollected utility bills and invoices to be paid in a timely manner, generally within 60 days unless one party determines to dispute the billing.

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

**Approved by:** RDT

**Attachments:** Draft Resolution 2012-050

<b>Property</b>	<b>PID</b>	<b>Balance</b>	<b>Type</b>
5457 Kagan Avenue NE	101-070-002030	629.76	delq UB
5537 Kalenda Drive NE	101-051-003080	139.69	delq UB
5672 Main Avenue NE	101-500-011303	214.41	delq UB



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

**RESOLUTION NO. 2012-050**

**A RESOLUTION CERTIFYING UNCOLLECTED  
UTILITY BILLS TO WRIGHT COUNTY FOR  
COLLECTION WITH REAL ESTATE TAXES**

**WHEREAS**, the City Council is desirous of collecting all charges for the use of the wastewater treatment facility, the storm water system, and water department; and

**WHEREAS**, the City Council has determined that some sewer, storm water, and water remain uncollected and delinquent.

**Exhibit A attached**

**NOW, THEREFORE, BE IT RESOLVED** the City Council of Albertville, Wright County, Minnesota, hereby directs the Finance Director to certify all uncollected invoices, sewer, storm water, and water, accounts that have not been paid to the City on Tuesday, November, 20, 2012, to the Wright County Auditor for collection with real estate taxes.

**BE IT FURTHER RESOLVED**, the City Council hereby orders that delinquent accounts certified to the tax rolls will be assessed a ten percent (10%) interest charge by the City upon certification and the total assessment will be collectible along with the 2013 taxes.

**Adopted by the City Council of the City of Albertville this 19<sup>th</sup> day of November 2012.**

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Mark Meehan, Mayor

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Kimberly Olson, City Clerk

**Exhibit A**  
**UNCOLLECTED UTILITY BILLS**

<b>Property</b>	<b>PID</b>	<b>Balance</b>	<b>Type</b>
5457 Kagan Avenue NE	101-070-002030	629.76	delq UB
5537 Kalenda Drive NE	101-051-003080	139.69	delq UB
5672 Main Avenue NE	101-500-011303	214.41	delq UB

November 15, 2012

**SUBJECT: CITY COUNCIL – 1986 ASSESSMENT ON 5491 MAIN AVENUE NE DRIVEWAY PARCEL**

**BACKGROUND:** In 1986 the City of Albertville did a street and sanitary sewer improvement project in which there were special assessments to a number of properties including the two parcels related to (at the time Pouliot's home) 5491 Main Ave NE. The original assessment for this property was \$8,483.81 at an interest rate of 8% over a ten (10) year period. The assessment for the Pouliot's was deferred for five (5) years. In 1986 the Pouliots requested the City of Albertville to place the special assessment on the 14 foot driveway parcel and they would pursue a lot combination, in which they failed to do. In the early 1990's the Pouliots informed the City of Albertville that they did not intend to pay the assessments remaining on the driveway property. The ownership of the property located at 5491 Main Avenue NE has transferred title several times since the early 1990's and the driveway lot now holds an assessment of \$23,000. Scott Euerle, current owner, is selling the property for contract for deed and was informed by the county of the outstanding assessment on the driveway parcel. There has been a garage built on the property and about 1/8 of the garage is on the driveway parcel. Mr. Euerle has filed a claim with the title company he used when he purchased the house in 2004, but they responded that they did nothing wrong and denied the claim. Since taxes and assessments have not been paid on the driveway parcel 101-500-013104 since 1989, it is now owned by the State of Minnesota due to tax forfeit, but the parcel is needed to maintain access to the home located at 5491 Main Ave NE.

**KEY ISSUES:**

- The bond for the project is paid in full (1993-A G.O Improvement/Refunding Bond)
- Mr. Euerle has contacted Wright County, City of Albertville and the Title Company as directed by staff at the county and Albertville
- Mr. Euerle is seeking some type of relief from the Assessment

**POLICY CONSIDERATIONS:** The City does not have a policy on items in this nature and these issues are handled on a case by case basis.

**FINANCIAL CONSIDERATIONS:** The City of Albertville has already advanced the payment for the bond based on collection of the original assessment.

**LEGAL CONSIDERATIONS:** The City Council has the authority to put the special assessments back on the property and/or to reduce the special assessment. Options Council may consider will be presented for discussion at the November 19, 2012 council meeting.

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

**Reviewed by:** RDT

**Attachments:** Mike Couri Memo from March 22, 1996  
Scott Euerle's denial letter from the title company

MEMORANDUM

TO: GARY HALE, CITY ADMINISTRATOR, ALBERTVILLE CITY COUNCIL  
FROM: MIKE COURI, CITY ATTORNEY  
SUBJECT: POULIOT SPECIAL ASSESSMENT.  
DATE: MARCH 22, 1996

=====

Mr. John Gries, attorney for Virgil and Kim Pouliot, has requested that the City remove approximately \$13,000.00 in special assessments (original assessment of \$8,483.81 plus interest at 8% since 1991) from one parcel of Pouliot's property, located approximately where the Pouliot's driveway is located. These special assessments have their roots in a 1986 assessment agreement between the Pouliots and the City.

In conjunction with the platting of Psyk's Fourth Addition, the City and Pouliots entered into an "Easement Agreement" (attached to this memo) under which the Pouliots agreed to dedicate land to the City over which Lander Avenue was constructed. Prior to the dedication, Pouliots had two pieces of property in this location: the parcel their house was built upon (facing Main Street) and a long, pan-handle property with approximately 14 feet fronting main street, widening out to the west to the point where it was approximately 90 feet wide where Lander Avenue was to be located. The construction of Lander Avenue did not affect Pouliot's house property, but did split the pan-handle property into two pieces, with one parcel west of Lander Avenue and a second parcel located between Lander Avenue and Main Street. Both before and after the construction of Lander Avenue, the pan-handle property was assigned one PID number, 013104. Pouliot's house was assigned PID number 013103.

As part of the agreement, the City agreed to defer payment of the special assessments that would otherwise be levied upon the Pouliot's property until one of the following:

1. Five years from the date of the agreement (i.e. 1991);
2. Either of the lots adjoining Lander Avenue were sold;
3. A building permit is applied for for either of the Lander Avenue lots.

The City also agreed that it would assess the costs of construction of Lander Avenue against the pan-handle property, and not against the Pouliot's house property. Finally, the City agreed that, upon application by Pouliots, it would combine the driveway portion of the panhandle lot with the Pouliot's house property. This would have left the property split by Lander Avenue under the PID number

013104, while the house property, including the driveway, would have been under PID number 013103. It appears that the Pouliots never pursued this lot combination.

In late 1986, the City assessed the Pouliot's pan-handle property (PID #013104, which included the Pouliot's driveway) as stated in the agreement in the amount of \$8,483.81. This assessment was deferred until early 1992, when it became a payable assessment.

On August 2, 1988, Pouliot contracted to sell one of the two lots on Lander Avenue to Jim Hennum. On January 13, 1989, Pouliot contracted to sell the other lot to Jim Hennum. The sale of these lots occurred on March 2, 1989. On December 19, 1988, the City adopted its current subdivision ordinance, which requires all smaller-lot subdivisions to be platted and to be processed through planning and zoning and the City Council. Any lot subdivision occurring after December, 1988 without proper subdivision approval from the City would not be a valid subdivision and consequently would not be a buildable lot.

It appears that the City was not notified of the sale of the lots to Hennum, and neither lot was platted through the subdivision process as required by the ordinance. When the deed to Hennum was recorded at the County, the County Auditor's office assigned the lot a new PID number. Because the Pouliots never requested that the City transfer some of the special assessments from PID #013104 (the pan-handle property) to the new lot, the remaining portion of the pan-handle property still had the full amount of the special assessments levied against it.

The net result of these two lot splits are that the Pouliots now own a 14-foot driveway with an estimated \$13,000.00+ in assessments on the property, and Jim Hennum purchased two lots which front on Lander Avenue without paying any special assessments for the Lander Avenue improvements. The attorney for the Pouliots has informed the City that the Pouliots do not intend to pay the assessments remaining on their driveway property, and is seeking some relief from the City. Tax records at the County show that the Pouliots have not paid any real estate taxes on the driveway portion of the property since 1989.

It is my belief that the City has conducted itself properly with respect to the special assessments at issue. In 1986 the City agreed to assess the panhandle property, and agreed to allow Pouliots to combine the driveway portion of the panhandle property with their house property. The City assessed the property according to the agreement. The Pouliots failed to pursue the lot combination. Had they done so, the special assessments would have remained on the two Lander Avenue lots, and would not be on the driveway lot.

Further, had the Pouliots informed the City of the pending sale of the lots to Henum and requested the City to apportion the assessments between the lots at the time of the subdivision, the assessments would have followed the lots and would not be an issue today. Not having been informed of the lot sales, the City could not be expected to have taken some action to prevent the current situation.

Accordingly, I do not believe that the City is in any way legally responsible for the Pouliot's current situation. The assessments at issue are currently pledged to the 1993-A \$675,000 G.O. Improvement/Refunding Bond. Were the City to reduce or remove the Pouliot's assessment amount, the City would have to ultimately contribute to the bond fund the amount forgiven. This money would most likely come from the City's general fund.

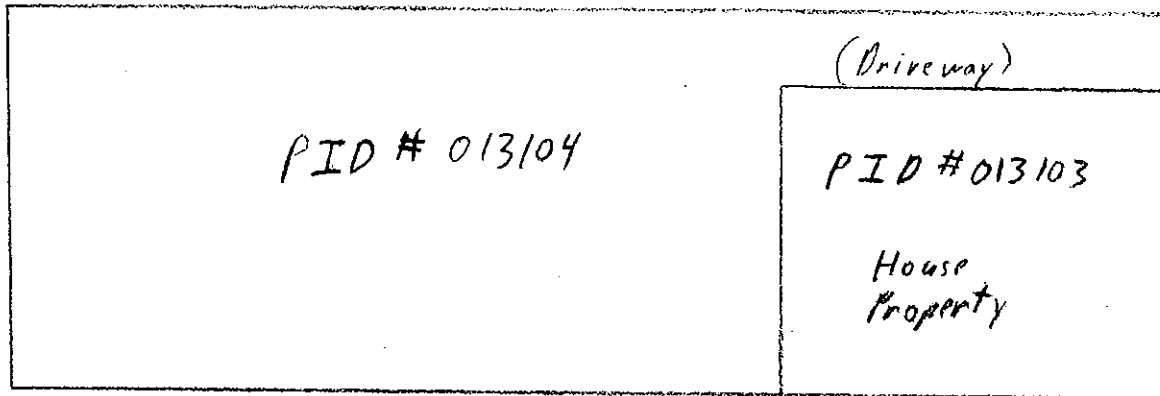
A second practical problem is presented to the City by this situation. If, as stated, the Pouliots do not pay the special assessments, the City's only recourse would be a tax sale of the Pouliot's driveway. While the sale of this land would severely inconvenience the Pouliots, such a sale is unlikely to produce enough revenue to pay the special assessments. While the City could reinstate the special assessments upon the driveway property once it is sold, the prospects of collecting those special assessments may not be much better.

One potential solution to this problem is to refuse to issue a building permit for the remaining vacant lot abutting Lander Avenue on the grounds that the lot was not properly subdivided and is therefore not a buildable lot (the other lot abutting Lander Avenue was purchased by Dundee Nursery & Landscaping Company in 1993 and a house has since been built on the property). The current owner of the lot (Michael & Lori Mimnaugh, according to the County tax records) would then have to plat the lot as a formal subdivision. At this time, the City should be able to transfer all or a portion of the special assessments from the driveway to this property as authorized under Minnesota Statutes §429.071, Subd. 3.

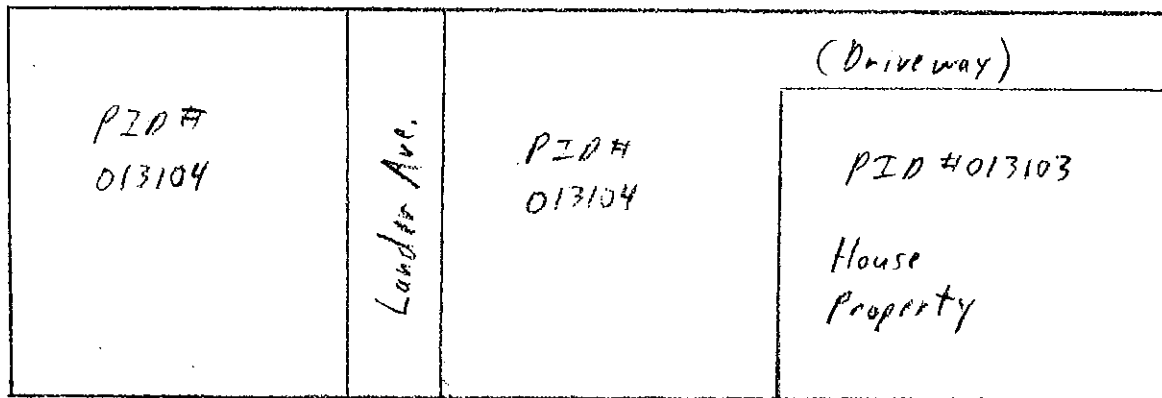
While this solution does not seem entirely fair to the new lot owner, that owner would most likely take that issue up with Mr. Henum, who sold the lot to the new owner. Henum may then wish to take the matter up with Pouliots. If the special assessments are not apportioned to the remaining vacant lot, it appears likely that the driveway property containing all of the special assessments will be sold for taxes, and the City will have little chance of collecting the special assessments that are currently pledged to its bond.

cc: John Gries, attorney for Pouliots

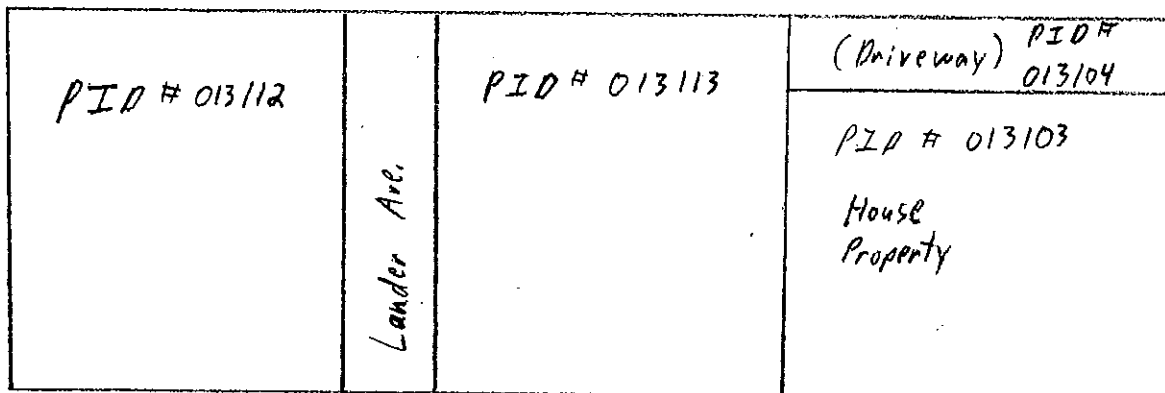
Pouliot property prior to agreement:



Pouliot property after agreement and construction of Lander Avenue:



Pouliot property after sale of both lots abutting Lander Avenue:







Commonwealth Land Title Insurance Company  
Omaha Claims Center  
6601 Frances Street  
Omaha, NE 68106  
Direct: 402.498.7000  
Fax: 402.498.7898  
Toll Free: 888.453.4095

October 4, 2012

**VIA US MAIL**

Scott Euerle  
5491 Main Avenue NE  
Albertville, MN 55301

Re:      Claim No.:      443353  
         Policy No.:      A60-0899331  
         Insured:          Scott H. Euerle and Melissa M. Euerle  
         Property:         5491 Main Avenue NE  
                                 Albertville, MN 55301

Dear Mr. Euerle:

This is to inform you that Commonwealth Land Title Insurance Company (the "Company") has completed its investigation of the above-referenced claim and has determined that coverage is not afforded.

You have informed the Company that you purchased the above property ("Insured Property") on October 24, 2004, and obtained an owner's title insurance policy from the Company in connection therewith. At the time you purchased the Insured Property, you believed that the property lines ran from "telephone to telephone pole." There were no issues with the Property until you went to sell, at which point Central Land Title Company informed you that the driveway by which you access the Insured Property (the "Driveway") was in fact located on property owned by the State of Minnesota and not by you as believed. You later confirmed the State's ownership and found that approximately \$23,000.00 in property taxes is owed on the Driveway. You have requested the Company pay the taxes and purchase the Driveway from the State of Minnesota so that you may continue to access your Property.

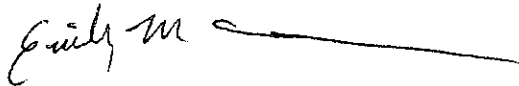
Pursuant to Schedule A of the above-referenced Policy, the Company insures that you have a fee simple interest in the property as described therein and as conveyed per the Warranty Deed recorded as document number 932561 (the "Warranty Deed"). The legal description of the property described in the Warranty Deed and insured in Schedule A includes only the Insured Property and does not include the Driveway. Moreover, paragraph 2 of Schedule B of the Policy specifically excepts the following from coverage: *"Unrecorded easements, discrepancies or conflicts in boundary lines, shortages in area and encroachments which an accurate and complete survey would disclose."* Had a survey of the Insured Property been obtained prior to closing, it would have revealed the location of the Driveway on the adjacent property as opposed to the Insured Property. Accordingly, even if the property insured by the Policy included the Driveway, any coverage for the same would have been excepted by paragraph 2.

You also claim that the Insured Property does not have access to a public right of way without use of the Driveway. Paragraph 4 of the Policy issued to you insures against damage sustained or incurred by reason of a "[l]ack of a right of access to and from the land." However, there is no indication that you no longer have access to the Property. Rather, there is direct access to the City maintained road on the East side of the Property known and described in the Policy as "Main Avenue." The Policy does not insure the type of access to the Insured Property—only that the Insured Property has access. As the Property continues to have access by means of Main Avenue, you have not suffered any damage for which the Policy insures.

For the reasons set forth above, the Company respectfully denies your claim. Please note that reference to any particular provision of the Policy in this letter shall not be construed as a waiver of any other term or provision. The Company retains the right to supplement this letter. Also, please be advised that the Company reserves the right to deny this claim based on additional grounds.

If there are any facts which were unknown to the Company upon making this coverage determination, and which may alter such determination, please provide this information or documentation as soon as possible and your clients' claim will be reevaluated. If I do not receive additional information or documentation, your clients' claim file will be closed in 30 days from the date of this letter. Please contact me at the above address and number should you have any questions or concerns regarding this matter. **Please reference the above claim number in all communications with my office.**

Regards,

A handwritten signature in cursive script, appearing to read "Emily M.", followed by a long horizontal line extending to the right.

Emily M. Gordon  
Associate Claims Counsel

November 14, 2012

**SUBJECT: WATER SHUTOFF NOTICE FEE ORDINANCE AMENDMENT**

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

**MOTION TO:** Adopt Ordinance No. 2012-003 entitled an Ordinance Establishing a Fee for Notice of Shutoff of Water Service.

**INFORMATION:** The City has a recurring problem with several residents who routinely pay their water bill only after the City sends them a letter informing them that their water will be shut off, and sends a public works employee to the house to post a notice that the water will be shut off. While it is good that the bills are ultimately being paid, this practice occurs repeatedly with several residents, which in turn wastes City employee time and resources. It is not that these residents can't pay their water bills, but rather that they choose not to pay them until the City has taken all of the steps to shut off their water except actually turning the valve.

City Staff is proposing to amend the ordinance to apply an additional \$20 late payment charge if the City has to go as far as posting a notice on the property informing the occupant that the water will be shut off if the water bill is not paid. City Staff is proposing this amendment for two reasons: 1) to recover City costs incurred in preparing, mailing and posting the notices, and 2) to encourage these residents to pay their water bills on time, thus saving Staff time and resources.

**KEY ISSUES:**

- This ordinance will only apply to someone who receives their second shut off notice within the last 12 months (it does not apply to first-time delinquent accounts or those that have not been delinquent in the last year).
- The \$20 fee does not apply if the water is actually shut off for non-payment. In that case, the existing shutoff fee of \$35 will apply, as will a water turn on fee of \$35 when the water is turned back on.
- City Staff believes this fee will reduce the number of shutoff notices the City has to mail and post on residences, thus reducing City Staff time devoted to collecting delinquent water bills.

**POLICY CONSIDERATIONS:** Staff believes that this ordinance will make utility billings easier to collect and will result in minor efficiencies in the City's utility billing department.

**FINANCIAL CONSIDERATIONS:** This change is not expected to generate any significant revenue. It is hoped, however, that it will reduce Staff time devoted to noticing and posting water shut off actions.

**Mayor and Council Request for Action – November 14, 2012  
Legal—Water Shutoff Notice Fee Ordinance Amendment.**

**Page 2 of 2**

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**LEGAL CONSIDERATIONS:** The City Council has the legal authority to implement charges for late payment of utility accounts.

**Department/Responsible Person:** Finance/Tina Lannes

**Submitted Through:** Mike Couri, City Attorney

**Reviewed by:** RDT

**Attachments:** Ordinance No. 2012-003; An Ordinance Establishing a Fee for Notice of Shutoff of Water Service

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

**ORDINANCE NO.: 2012-003**

**AN ORDINANCE ESTABLISHING A FEE FOR  
NOTICE OF SHUTOFF OF WATER SERVICE**

The City Council of the City of Albertville, Minnesota hereby ordains:

1. Section 9-2-10 of the Albertville City Code is hereby amended to read as follows:

**9-2-10: RATES AND CHARGES<sup>2</sup>:**

A. Water Connection And Inspection: Each water user shall pay for water connection and inspection, a fee of one hundred dollars (\$100.00), prior to issuance of the building permit.

B. User Charges: Each water user shall pay a bimonthly amount as set by the city council based on water used. (Ord., 7-17-1978; amd. 2005 Code)

C. Fees for Notice of Shutoff. A processing fee of twenty dollars (\$20.00) shall be imposed every time: 1) the City sends a notice of intent to shut off water for nonpayment of bill; and 2) The City posts a notice upon the premises of the proposed water shutoff; and 3) an owner of the property has been sent a notice of intent to shut off water for nonpayment of bill within the previous 12 months; and 4) the delinquent account is paid in full or a payment plan is agreed upon with the City prior to shutoff of water service.

D. Water Shutoff And Restoration Fees: A water shutoff fee of thirty five dollars (\$35.00) shall be imposed every time water service is shut off to a property. A water restoration fee of thirty five dollars (\$35.00) shall be imposed every time water service is restored to a property. The city council may change the water shutoff and water restoration fees from time to time via city council resolution.

E. Responsibility For Charges: All charges authorized by this chapter shall be imposed against the owner of the premises or against the owner and occupant, jointly and severally, if the premises is not owner occupied. The owner shall be responsible for monitoring and shall be liable for water supplied to the owner's property, whether the owner is occupying the property or not, and all charges shall be a lien upon the property until paid. All charges shall be due and payable as provided in this chapter or as provided

by separate resolution of the city council or by administrative billing statement, if not provided in this section. Any unpaid charges shall constitute a lien against the premises from and after the date they were due and unpaid and shall be certified to the county auditor for collection with taxes. (Ord. 2007-15, 11-5-2007)

Passed by the council this 19th day of November, 2012.

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Mark Meehan, Mayor

ATTEST:

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Kimberly A. Olson, City Clerk

# Memo

To: Robert Thistle, City Administrator; Albertville City Council

From: Mike Couri

Date: November 14, 2012

Re: Attorney Report

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

- **Otsego Fire Contract.** The Otsego City Council approved the fire contract with Albertville. The agreement has been executed; we are in the process of preparing the map that is an exhibit to the agreement.
- **I-94 Assessment.** We have received an appeal of the assessment from Gerhardt Knechtl. His assessment was \$112,240 and is the only appeal we received. We will likely open negotiations with Mr. Knechtl's attorney soon to see if we can settle the case. If we are not able to do so on our own, the Court will put us in mediation, most likely over the winter.
- **Bridget Miller Severance Agreement.** The severance agreement/release has been signed and Bridget is working with the outplacement firm the City has made available.
- **Larry Kruse Release.** I have sent the Release to Larry Kruse and will be following up with him to get it executed by he and the City.

November 11, 2012

**SUBJECT: PUBLIC WORKS – JET - VAC SEWER TRUCK PURCHASE**

**RECOMMENDATION:** This space on the agenda is reserved for the Mayor and Council to discuss and consider the purchase of a combination Jet-Vac Truck:

**MOTION TO:** Authorize the purchase of a combination jet-vac sewer truck in the amount not-to-exceed \$330,000.

**BACKGROUND:** Since 2006, the City has been planning and annually budgeting for the purchase of a combination jet-vac truck. The purchase would replace the City’s existing jet truck, which is a 35 year-old vehicle retrofitted with jetter equipment. The existing vehicle has outlived its useful life, has limited capabilities, and is not sufficient for in-house maintenance of the City’s sewer and water infrastructure.

A combination jet-vac truck is a hydro jet truck with a vacuum system and tank. One of the principle uses of the truck is to clean sewer pipes, as well as, extract or vacuum the debris from the manholes. While the truck will maximize the City’s ability to clean and maintain its sewer and water systems, it will also significantly improve job-site safety. Current practice requires public works crews to routinely enter manholes and manually remove debris. This practice exposes crews to confined space and fall hazards, as well as, OSHA violations and fines when proper procedures and permitting are not followed.

The public works department has researched several jet-vac apparatus models and various chassis options. The recommended model is equipped with rear mounted reel and operation controls, which is believed to be the most economical and best suited for the City’s operations. Based on pricing received, the total cost of the recommended acquisition is approximately \$330,000.

Pricing received is as follows:

	<u>Freightliner</u>	<u>Mack</u>	<u>International</u>	<u>Peterbilt</u>
Chassis	\$91,098.83	\$102,283	N/A	\$87,626
	<u>Aqua Tech</u>	<u>Vac-Con</u>		
Apparatus	\$216,942	\$230,028		

Note: Above prices are before taxes

The alternatives to the proposed purchase include leasing or the purchase of a used vehicle. A five-year lease on a similar unit costs approximately \$80,000. The purchase of used equipment poses risks associated with warranty, general wear and tear, and emission compliance. Given that the City is planning on the purchase being a 25-year capital investment and no financing is needed, these are not viewed as viable alternatives.



The purchase recommended by staff will enable the City to operate a self-sustaining sewer, water and storm drain maintenance program for routine and emergency response situations. Additionally, the City will benefit operationally and fiscally from the wider range of uses and capabilities offered by a combination unit. A jet-vac truck would be used for maintenance and repairs of the City's sewage pumping stations, wastewater treatment plant, for utility locating, hydro excavations, trench dewatering, hydrant and valve repairs, and culvert cleaning. Today, these types of services are largely contracted out or performed through equipment rental arrangements.

**KEY ISSUES:**

- The practice of routinely entering manholes and confined spaces is a safety issue and a practice that needs to stop.
- The existing truck has exceeded its useful life and upcoming maintenance costs exceeding the value of the vehicle are imminent.
- The purchase of the new truck represents a 25-year capital investment.
- The Public Works Committee has reviewed the purchase and is recommending Council action.
- A jet-vac truck serves as an emergency response vehicle for the sewer and water department.
- The public works department operates and maintains in excess of: 37 miles of sanitary sewer, 10 pumping stations, 52 miles of watermain, 2,800 manholes and catch basins, 100 detention ponds, 572 hydrants, 1090 valves, and a water wastewater treatment facility.
- Annual jetting and routine system maintenance, of which the new truck will be utilized, consume approximately 512 crew hours annually.
- Per the MPCA, it is expected that in 2013 Albertville will be designated and regulated as a MS4 city. This designation will require the City to implement and perform additional stormwater maintenance practices, for which the jet-vac truck will be utilized.
- The recommended purchase is an Aqua –Tech jet-vac apparatus with a Peterbilt chassis for a cost, including tax, of \$325,507.
- It is recommended that the purchase be made in 2012. It is estimated that 2013 pricing will be approximately \$20,000 more due to emission standards and State Contract adjustments.

**POLICY CONSIDERATIONS:** It is City policy to adequately maintain its sewer and water infrastructure. Maintenance procedures and practices are necessary to prevent sewer backups into homes and businesses and the natural environment. Maintenance also protects and extends the life of the City's sewer and water infrastructure. The City is responsible for maintaining its infrastructure in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. It is also City policy to provide emergency response to citizens when there is a possible problem with city managed infrastructure.

It is City policy for the Council to review and approve all capital purchased and investments.

**FINANCIAL CONSIDERATIONS:** The cost associated with the jet-vac truck is a budgeted expenditure and will be funded through Capital Reserves and the 2013 Capital Budget for sewer, water, and storm sewer specifically demonstrated for this purchase. The amount of current capital reserves for the purchase totals \$198,350, and the amount included in the proposed 2013 Capital Budget is \$150,000 for the replacement jet-vac. The purchase of the jet-vac unit does not impact the general fund or the tax levy, as this purchase utilizes enterprise funds.

**LEGAL CONSIDERATIONS:** The City has the authority to replace and purchase equipment as necessary to maintain the City infrastructure.

**Department/Responsible Person:** Public Works/ John Middendorf and Adam Nafstad

**Submitted Through:** Adam Nafstad, P.E., Public Works Director

**Reviewed by:** RDT

**Supplemental Information:** Presentation at meeting (John Middendorf)  
Quotes and pricing on file and available upon request

November 14, 2012

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

On Thursday, November 15, at approximately 10:00 AM, the C-D road will be substantially complete and opened to traffic. Items such as right-of-way fencing and site clean-up will continue through the week and it is expected that all work will come to an end early next week. In the spring, final restoration and seeding will be completed, as well as, any outstanding work and punchlist items. This winter, the mast arms on the new signal at CSAH 19 will be changed out, as the arms currently in place are not the correct length.

At the November 19 Council meeting, staff would like to discuss and seek Council direction on hosting an appreciation event to recognize and thank all those individuals and agencies that made the project possible.

Miscellaneous Project Related Items:

- The City has received an appeal to the assessment on the Knecht property and the City Attorney will be addressing.
- Partial Payment No. 6 will be presented to Council at the first meeting in December.
- The preliminary audit by PFA has been completed and all went extremely well.
- The final disbursement request for State funds will be submitted the week Nov. 19.
- Select traffic control devices will be left in place during the first few weeks following the project opening to allow motorists to acclimate to the new C-D route.

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:** RDT