



City of Albertville Council Agenda

Monday, July 7, 2014
City Council Chambers
7:00 PM

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

- 1. Call to Order**
- 2. Pledge of Allegiance – Roll Call**
- 3. Recognitions – Presentations – Introductions**

A. Years of Service Recognition

- 4. Public Forum – (time reserved 5 minutes)**
- 5. Amendments to the Agenda**
- 6. Consent Agenda**

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

- A.** Approve the June 16, 2014 regular City Council meeting minutes as presented (pgs 4-9)
- B.** Authorize the Monday, July 7, 2014 payment of claims as presented, except bills specifically pulled which are passed by separate motion. The claims listing has been provided to City Council as a separate document and is available for public view at City Hall upon request (pg 10)
- C.** Approve the Church of St. Albert Lawful Gambling Exempt Permit Application for the annual Parish Festival that will be held on October 12, 2014 at the St. Albert Parish Center (pgs 11-14)
- D.** Approve Resolution No. 2014-016 entitled a Resolution Appointing Election Judges for the 2014 Primary and General Elections (pgs 15-17)

- 7. Public Hearings - None**
- 8. Department Business**

A. City Council

- 1). Committee Updates** (*STMA Arena, Planning, JPWB, Parks, Fire Board, etc.*)

B. Finance - None

C. City Clerk - None

D. Building – None

E. Public Works / Engineering

- 1). **54th Street NE/Barthel Industrial Drive NE Drainage Improvements (pgs 18-22)**
(Motion to adopt Resolution No. 2014 - 017 entitled A Resolution Approving Plans and Specifications and Accepting Low Bid For 2014 – 54th and Barthel Industrial Dr. Drainage Improvements.)

F. Planning/Zoning

- 1). **Planning Commission Liaison (pgs 23-24)**
(Motion to adopt Ordinance Amendment No. 2014-05 establishing the role of Planning Commission Liaison and related duties.)
- 2). **Kollville Estates, Lot 4, Block 4 (Presentation/Discussion)**

G. Legal

- 1). **Prairie Run Tax Forfeit Lots (pgs 35-26)**
(Motion to Purchase Lots 1-15, Block 1 and Lots 35 and 37, Block 2 from the State of Minnesota.)

H. Administration

- 1). **Transit Joint Powers Agreement (pgs 27-32)**
(Motion to approve agreement titled “Wright County Area Transit Joint Powers Agreement”, subject to City Attorney’s legal review.)
- 2). **City Administrator’s Update (pg 33)**

9. Announcements and/or Upcoming Meetings

July 8	Planning Commission, 7:00 p.m.
July 14	STMA Ice Arena Board, CANCELLED
July 21	City Council, 7:00 p.m.
July 28	Joint Powers Water Board, 6:30 p.m.
	Parks Committee, 8:00 p.m.
August 4	Budget Workshop, 6:15 p.m.
	City Council, 7:00 p.m.
August 11	STMA Ice Arena Board, 6:00 p.m.
August 12	Planning Commission, TBD
August 18	Budget Workshop, 6:15 p.m.
	City Council, 7:00 p.m.
August 25	Joint Powers Water Board, 6:30 p.m.

JULY							AUGUST						
Su	M	Tu	W	Th	F	Sa	Su	M	Tu	W	Th	F	Sa
		1	2	H 3	H 4	5						1	2
6	CC 7	PC 8	9	10	11	12	3	CC 4	5	6	7	8	9
13	Ice 14	15	16	17	18	19	10	Ice 11	PC 12	13	14	15	16
20	CC 21	22	23	24	25	26	17	CC 18	19	20	21	22	23
27	JP 28 ^{PK}	29	30	31			24	JP 25	26	27	28	29	30

10. Adjournment



ALBERTVILLE CITY COUNCIL
June 16, 2014

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Hendrickson called the meeting to order at 7:00 p.m.

2. ROLL CALL

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

Others Present: City Administrator -PWD Adam Nafstad, City Attorney Mike Couri

3. RECOGNITIONS - None

4. PUBLIC FORUM

There was no one present to speak.

5. APPROVAL OF THE AGENDA

Vetsch asked to add Sewer Jetting as item H3 under Administration.

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

6. CONSENT AGENDA

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

- A. Approve the June 2, 2014 regular City Council meeting minutes as presented
- B. Authorize the Monday, June 16, 2014 payment of claims as presented, except bills specifically pulled which are passed by separate motion. The claims listing has been provided to City Council as a separate document and is available for public view at City Hall upon request

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

7. PUBLIC HEARING – None

8. DEPARTMENT BUSINESS

A. City Council

1). Committee Updates (STMA Ice Arena, Planning, JPWB, Parks, Fire Board, etc.)

Planning Commission

Wagner reported they had a meeting scheduled for June 10, 2014 that included two public hearings, but they did not have a quorum of commissioners so no action was taken. He stated it was unfortunate they didn't have a quorum, because there was an applicant present for a CUP that was in a time-sensitive situation.

Couri reported that the City Planner suggested they amend the City Code to allow the Council Liaison to the Planning Commission voting rights only in the absence of a quorum in order to make the quorum. Nafstad stated staff could bring forward an ordinance to make that amendment at the next meeting.

Nafstad gave an update on the CUP request and stated that it was discovered in Albert Villas Sixth Addition that the covenants for that addition do not allow garages or sheds over 120 square feet. The City Planner has informed the applicant of those covenants. Nafstad stated that the way the City Code is written the CUP must be compliant with all PUD requirements and covenants. Wagner inquired if the applicant can still build the additional accessory structure if it is within the 120 square feet. Nafstad stated the applicant's request was to build the structure in excess of 120 square feet and although the City Code allows up to two accessory structures up to a certain amount of square footage, the covenants restrict sheds, accessory buildings, and garages to no more than one under 120 square feet.

Hendrickson inquired what the applicant can do to build the accessory building. Nafstad stated the applicant would need approval of 75% of the properties. Hendrickson inquired if a variance could be pursued. Couri replied that they generally do not recommend variances unless there is a very strong reason. He was concerned that it would set precedence and how would they determine what standard to hold the applicant to.

Couri stated the Council could change the ordinance, so that PUD covenants do not trump City Code.

Nafstad informed the Council that given the circumstances, the City would be returning the applicant's application and escrow fee's in full.

B. Finance

1). Budget Workshop Schedule

Nafstad stated staff has outlined the key dates involved with the budget process and has recommended setting budget workshops for August 4 and August 18. He is looking for direction on whether to hold the workshop before of after the regular meetings.

Motioned by Wagner, seconded by Olson, to set budget workshops meetings for August 4, 2014 and August 18, at 6:15 p.m. Ayes: Hendrickson, Olson, Sorensen, Vetsch, and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

C. City Clerk – None

D. Public Works/Engineering - None

E. Planning/Zoning – None

F. Building – None

G. Legal

H. Administration

1). Set Joint Meeting Date for June 30, 2014

Nafstad clarified that the meeting will be held with St. Michael and Hanover to discuss transit and Otsego and Monticello have also been invited. He stated the administrators have met frequently regarding transit and they feel the northeast Wright County councils all have similar questions. He reported six cities have already entered into the transit Joint Powers Agreement and they have since held their first meeting. He stated the director for Trailblazers will be present and MnDot has also been invited.

Sorensen was concerned if they sign the agreement, there is no guarantee of the number of rides, who will ride, or the level of service provided. Vetsch stated that they do have the option to withdraw out of the agreement. Couri explained that would require about a nine month notice.

Council discussed the cost to the City if they signed the agreement.

Hendrickson, Olson, and Sorensen stated they would be present at the meeting. Couri recommended they post public notice of a quorum and possible action on the transit Joint Powers Agreement.

Motioned by Hendrickson, seconded by Sorensen, to set a Joint Meeting with the City Councils of Hanover and St. Michael for June 30, 2014 at 6:00 p.m. at the St. Michael Government Center, 11800 Town Center Drive NE. Ayes: Hendrickson,

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

2). City Administrator's Update

It was questioned if there had been any issues or complaints about Friendly City Days. Nafstad reported that he received only one complaint regarding noise, but thought the complaint was directed at one of the neighboring bars. Sorensen stated that the event is very well run and is glad to see a limited number of complaints considering the amount of activity and number of people attending the festival.

3). Jetting Sewer

Nafstad stated that all sewer lines throughout the City are jetted at least every three years. They received two complaints from residents that water shot out their toilets during the jetting process. Nafstad stated that seldom do they receive a complaint of this type and typically the cause is an internal venting issue. Staff will continue to research the cause has noted the addresses of the complaints so that they can notify the residents prior to jetting in the future.

9. Announcements and/or Upcoming Meetings

June 23	Joint Powers Water Board, 6:30 p.m.
June 30	Joint Meeting with STMA School District & City of St. Michael
July 3	City Offices closed in Observance of Independence Day
July 7	City Council, 7:00 p.m.
July 8	Planning Commission, 7:00 p.m.
July 14	STMA Ice Arena Board, CANCELLED
July 21	City Council, 7:00 p.m.
July 28	Joint Powers Water Board, 6:30 p.m.
`	Parks Committee, 8:00 p.m.

10. MOVE TO WORKSHOP – Fire Committee Report on Recent Discussion

Nafstad reported they have had a number of meetings related to several fire related topics.

Nafstad reported that Fire Chief Tate Mills will not be seeking re-election at the end of the year. Mills has recommended to the Fire Committee to hire a full-time Fire Chief. Nafstad reported that he and the Assistant Fire Chief initially met with the State to discuss the process for reviewing the Department's needs, and since, the Offices have met to discuss, as well as, the Membership. The Department has been asked to provide feedback regarding staffing needs of the Department.

Nafstad stated that other topics of discussion have included equipment replacement, fire inspection services, and Otsego likely needing a substation in the future.

Nafstad stated that they are in the process of compiling feedback from the fire membership in hopes to give it to the Fire Committee at their July meeting. The City must approve its

preliminary budget at the first meeting in September, so the goal is to determine how much money, if any, should be budgeted should the City pursue a full-time chief.

Hendrickson was concerned that there was not enough time before the preliminary budget to make sure the entire membership had time and opportunity to understand and give comment regarding a full-time Fire Chief. She wanted to make sure the membership understood all the details and reasoning behind the recommendation.

Vetsch wants to make sure expectations are defined before continuing discussions. Vetsch also questioned a joint powers fire agreement. He was concerned what would happen if a joint powers agreement between Otsego and Albertville would fall through. Couri stated that right now, Albertville owns all of the equipment and that should be addressed upfront. The funding formula should take into account land mass, number of calls, and service needs. He stated the biggest concern that he sees is what would happen if Otsego would choose to form their own fire department down the road, how and where Albertville would stand in terms of equipment and fire personnel. Sorensen agreed and stated that many details need to be worked out for a joint powers agreement.

Couri stated that the Council may want to consider a joint powers agreement if they should move forward with a full-time Fire Chief without knowing the long-term status of Otsego. He stated they may want to seek a longer term contract with Otsego for more than five years if they do pursue a full-time Fire Chief. Nafstad stated that equipment replacement can change depending on whether the current service agreement with Otsego is for the short term or long term. Couri stated that in terms of moving forward with a full-time Fire Chief, it would be very beneficial to know how the economics will be with Otsego.

Sorensen stated that he will support whatever the fire membership feels is best and if they feel they do not have enough information at this time, the Council can wait until the membership is ready and that may not be in time to include it in the budget discussions.

Council discussed the benefits and drawbacks of 1306 of the Building Code regarding sprinkling requirements. Couri clarified that municipalities must adopt 1306 in its entirety and cannot adopt specific areas of 1306.

Olson suggested a joint meeting with the Otsego City Council. Council discussed the impact on the budget and salary/benefit costs for hiring a full-time Fire Chief.

Sorensen wanted to make sure there isn't the perception that the Council is rushing into a decision. He wants to make sure they get opinions from the entire fire membership and felt they will move forward when the department is ready.

Olson asked to review the selection and appointment process used for the Fire Chief and Assistant Fire Chief. Nafstad reported that those positions are elected from the membership and then formally appointed by the City Council. The Department has selection process for the other officer positions. Nafstad stated the State Fire Marshall's Office and League of Minnesota Cities have recommended that they move away from the election process and

move towards a selection process for qualified candidates. Couri explained the election process for the Fire Chief and Assistant Fire Chief does not comply with current law and suggested the Council make appointments by selecting from a group of the most qualified individuals.

Nafstad reported the Relief Association will be present at the next Fire Committee meeting. Sorensen recommended the Relief Association and City Council hold a joint meeting to review the Fire Relief funding.

Motioned by Wagner, seconded by Olson, to adjourn the workshop at 8:50 p.m. Ayes: Hendrickson, Olson, Sorensen, Vetsch, and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

11. ADJOURNMENT

Motioned by Sorensen, seconded by Olson, to adjourn the meeting at 8:51 p.m. Ayes: Hendrickson, Olson, Sorensen, Vetsch, and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk

July 2, 2014

SUBJECT: CONSENT - FINANCE – PAYMENT OF BILLS

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

MOTION TO: Authorize the Monday, July 7, 2014 payment of the claims as presented except the bills specifically pulled, which are passed by separate motion. The claims listing has been provided to Council as a separate document. The claims listing is available for public viewing at City Hall upon request.

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

KEY ISSUES:

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

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

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

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

Responsible Person: Tina Lannes, Finance Director

Submitted through: Adam Nafstad, City Administrator-PWD

Attachment: List of Claims (under separate cover)

July 1, 2014

SUBJECT: CONSENT - CITY CLERK – CHURCH OF ST. ALBERT LAWFUL GAMBLING PERMIT

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

MOTION TO: Approve the Church of St. Albert Lawful Gambling Exempt Permit Application for the annual Parish Festival that will be held on October 12, 2014 at the St. Albert Parish Center.

BACKGROUND: The Church of St. Albert has requested the City of Albertville approve a Lawful Gambling Permit for their Parish Festival in the fall. The Church of St. Albert is a non-profit religious organization that holds fund-raising events throughout the year. Their application for lawful gambling will allow them to conduct bingo, raffles, paddlewheels, pull tabs, and tip boards during the Festival. The Parish Festival will be held on October 12, 2014 at the St. Albert Parish Center located at 11458 57th Street NE.

KEY ISSUES:

- The Church of St. Albert is a qualifying non-profit organization that has the opportunity to apply for a Lawful Gambling Exempt Permit.
- The Parish Festival is an annual fund-raising event for the church.
- The Minnesota Gambling Control Board ultimately issues this type of permit, but requires City and/or County approval before issuance.

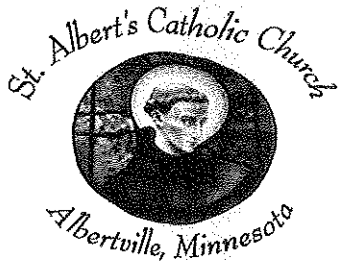
FINANCIAL CONSIDERATIONS: There is no financial revenue collected from the applicant for the gambling permit.

LEGAL CONSIDERATIONS: It is the City's policy to review and approve or deny gambling permit applications for gambling activity within the City.

Responsible Person/Department: Kimberly Olson, City Clerk

Submitted through: Adam Nafstad, City Administrator-PWD

Attachments: Church of St. Albert Application for Lawful Gambling Permit



St. Albert's Catholic Church

11400 57th St. NE - P.O. Box 127

Albertville, MN 55301

Telephone: (763) 497-2474 Fax: (763) 497-7678

Email: stalbertmn@gmail.com

July 1, 2014

City of Albertville,

Please place our application for an Exempt Permit to have lawful gambling at our Parish Festival, scheduled for October 12, 2014, on the agenda for approval at the next City Council meeting on Monday, July 7, 2014.

Any questions, please contact Rita Fay, Administrative Assistant at 763-497-2474.

Thank you.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:
 - conducts lawful gambling on five or fewer days, and
 - awards less than \$50,000 in prizes during a calendar year.
 If total prize value for the year will be \$1,500 or less, contact the licensing specialist assigned to your county.

Application fee (non refundable)

If application is postmarked or received 30 days or more before the event **\$50**; otherwise **\$100**.

ORGANIZATION INFORMATION

Organization name: **St. Albert Catholic Church** Previous gambling permit number: **X-00752-13-007**

Minnesota tax ID number, if any: **9270004** Federal employer ID number (FEIN), if any: **41-0850708**

Type of nonprofit organization. Check one.

Fraternal Religious Veterans Other nonprofit organization

Mailing address: **11400 57th Street NE-Box 127** City: **Albertville** State: **MN** Zip code: **55301** County: **Wright**

Name of chief executive officer [CEO]: **Father Xavier Thelakkatt** Daytime phone number: **763-497-2474** E-mail address: **stalbertmn@gmail.com**

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status.

See Catholic Directory
 Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.

Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103
 Phone: 651-296-2803

IRS income tax exemption [501(c)] letter in your organization's name.

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]

If your organization falls under a parent organization, attach copies of both of the following:
 a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.
St. Albert Parish Center

Address [do not use PO box]: **11458 57th Street NE** City or township: **Albertville** Zip code: **55301** County: **Wright**

Date[s] of activity. For raffles, indicate the date of the drawing.
October 12, 2014

Check each type of gambling activity that your organization will conduct.

Bingo* Raffle [total value of raffle prizes awarded for year \$ 3,250.00] Paddlewheels* Pull-tabs* Tipboards*

*Gambling equipment for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to www.gcb.state.mn.us and click on **Distributors** under the **WHO'S WHO? LIST OF LICENSEES**, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

CITY APPROVAL
for a gambling premises
located within city limits

The application is acknowledged with no waiting period.

The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days [60 days for a 1st class city].

The application is denied.

Print city name _____

Signature of city personnel _____

Title _____ Date _____

Local unit of government must sign

COUNTY APPROVAL
for a gambling premises
located in a township

The application is acknowledged with no waiting period.

The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.

The application is denied.

Print county name _____

Signature of county personnel _____

Title _____ Date _____

TOWNSHIP. If required by the county.
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.
[A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166.]

Print township name _____

Signature of township officer _____

Title _____ Date _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief executive officer's signature *F. Thelakkatt* Date 7-1-2014

Print name Father Xavier Thelakkatt

REQUIREMENTS

Complete a separate application for:

- all non-consecutive days, or
- all gambling conducted on one day (at multiple locations).

Send application with:

a copy of your proof of nonprofit status, and

application fee (non refundable). Make check payable to "State of Minnesota."

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Financial report and recordkeeping required
A financial report form and instructions will be included with your permit, or use the online fill-in form available at www.gcb.state.mn.us.

Within 30 days of the event date, complete and return the financial report form to the Gambling Control Board.

Questions?
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

July 2, 2014

SUBJECT: CONSENT - CITY CLERK - APPOINT 2014 ALBERTVILLE ELECTION JUDGES

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

MOTION TO: Approve Resolution No. 2014-016 entitled a Resolution Appointing Election Judges for the 2014 Primary and General Elections.

BACKGROUND: The City Council is required to officially approve the appointment of election judges that serve on the absentee ballot board, administer healthcare facility voting, and work at the polling location on Election Day. Many of appointed judges are active in the community or have been active in their respective parties.

The appointed election judges will receive training by the Wright County Auditor's Election Officials on the various duties and responsibilities that are expected to be carried out. Judges that administer absentee and healthcare facility voting also receive extra training for those activities. Several City staff members have also been trained to act as election judges to assist with those duties.

KEY ISSUES:

- 2014 is the third election cycle where the City has been designated to administer absentee voting and provide this valuable service to the residents of Albertville.
- This is the first year that the City will have to administer absentee healthcare facility voting for the Guardian Angels "Engel Haus" facility during the General Election. More judges will be needed to accommodate this voting.
- The City must make sure to adhere to party balance guidelines when administering voting procedures.

FINANCIAL CONSIDERATIONS: The City plans and budgets for the cost of elections including wages for election judges. Compensation for these judges has been included in the 2014 budget.

LEGAL ISSUES: The Mayor and Council possess the authority to appoint members of the community to serve as election judges.

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

Submitted Through: Adam Nafstad, City Administrator-PWD

Attachments: Resolution No. 2014-016

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

RESOLUTION NO. 2014-016

**A RESOLUTION APPOINTING ELECTION JUDGES
FOR THE 2014 PRIMARY AND GENERAL ELECTIONS**

WHEREAS, the City Council is required by Minnesota State Statute 204B.21, Section 2, to officially approve the appointment of election judges; and

WHEREAS, the Albertville City Council hereby adopts the judges listed on Exhibit A, hereto attached, as the Official 2014 Election Judges for the August 14, 2012 Primary and the November 6, 2012 General Election, with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party balance requirements, and

NOW, THEREFORE, BE IT RESOLVED, the City Council appoints the individuals listed on Exhibit A, hereto attached, is the list of Official Election Judges for the 2014 Primary and General Election at a rate depending on qualifications.

Exhibit A – Attached

Adopted by the City Council of the City of Albertville this 7th day of July, 2014.

Jillian Hendrickson, Mayor

Kimberly A. Olson, City Clerk

Exhibit A

Official Election Judges for 2014 Primary and General Elections

Connie	Bacon	Cheryl	Mattsen
Randy	Bacon	Curtis	Middendorf
David	Bartholomew	Sandra	Miller
Steven	Dunn	Adam	Nafstad
Sandra	Greninger	Rick	O'Brien
Paulette	Holman	Jane	O'Donnell
William	Holman	Michael	O'Donnell
Patrick	Kelly	Douglas	Potter
Tom	Kohmetscher	Carmen	Robeck
Dennis	Kueng	Jane	Rust
Allie	Lano	Theresa	Schreiber
Tina	Lannes	Sue	Schwalbe
Linda	Leger	Diane	Vossen
Carolyn	Lindsay	Gary	Weihn
LeVonne	Martinson		
Raedell	Marx		
Karen	Mason		

July 1, 2014

SUBJECT: PUBLIC WORKS / ENGINEERING – 54TH STREET NE AND BARTHEL INDUSTRIAL DRIVE NE DRAINAGE IMPROVEMENTS

RECOMMENDATION: This space on the agenda is reserved for the City Council to consider approval of the plans and specifications and acceptance of the lowest bid received for the Barthel Industrial Drive NE Drainage Improvements project. It is respectfully requested that the Mayor and Council consider the following motion:

MOTION TO: Approve Resolution No. 2014 - 017 entitled A Resolution Approving Plans and Specifications and Accepting Low Bid For 2014 – 54th Street NE and Barthel Industrial Drive NE Drainage Improvements.

BACKGROUND INFORMATION: As directed by the Council, the proposed drainage improvement project was advertised and on June 26, 2014, bids for the improvements were opened. A total of eight (8) bids were received with quotes ranging from \$719,414.10 to \$1,163,929.69, as shown on the attached Bid Abstract.

The Barthel Industrial Drive NE/54th Street NE intersection routinely experiences flooding during heavy rain events. In 2008, the City studied the intersection's drainage and later incorporated the project in the City's 5-year Capital Improvement Plan for construction in 2014. Additional preliminary engineering was completed in March of 2014, due to rain events that caused flooding and property damage in June of 2013, and to account for the change from TP-40 to Altas 14.

The scope of the project includes replacement of the existing storm sewer between the intersection and the outlet with a 60-inch pipe and parallel 48-inch, separating the Primary School pond outlet pipe from the trunk storm sewer on 54th Street NE, as well as, adding additional catch basins at the intersection and replacing the pond outlet pipe with a 30-inch pipe.

Construction of the improvements will take place in existing right-of-way and easement; however, private improvements within these areas will be disturbed. Construction will also require the intersection of Barthel and 54th to be closed for periods during construction. Industrial park businesses will be impacted by construction in easements, water shut offs, and traffic detours. The project is designed to include replacement or repair of all disturbed improvements in easement areas, including: pavement, trees, walls, fences, drains, and turf.

KEY ISSUES:

- Project is consistent with draft 5-Year Street Improvement Plan
- Low Bid for the project is \$719,414.10
- Low Bid Received by Kuechle Underground, Inc.

- 2013 flood events caused property damage and insurance claims were filed. The LMCIT has encouraged the City to implement improvements to mitigate flooding.

FINANCIAL CONSIDERATIONS: The proposed project will be funded through 2014 streets and storm sewer budgets, the storm water fund, and capital reserves. The low bid amount is for \$719,414. This figure does not include the overhead costs associated with surveying services or construction inspection and testing. Overhead and construction contingencies are estimated to be approximately 20% of the construction amount.

LEGAL CONSIDERATIONS: The Mayor and Council possess the authority to authorize municipal improvements and to accept or reject bids for municipal improvements.

Submitted Through: Adam Nafstad, City Administrator -PWD

Attached: Award Resolution No. 2014-017
Bid Abstract

On file with the Clerk: Construction Plans and Specifications
Engineer's Estimate
2008 and 2014 Flood Studies.

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

RESOLUTION NO. 2014 - 017

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ACCEPTING LOW BID FOR THE 2014 – 54TH ST. AND BARTHEL INDUSTRIAL
DR. DRAINAGE IMPROVEMENTS**

WHEREAS, plans and specifications for drainage and other related municipal improvements to the 54th Street NE and Barthel Industrial Drive intersection have been prepared by Bolton & Menk, Inc. and such plans and specification have been presented to the Albertville City Council for approval; and

WHEREAS, pursuant to an advertisement for bids for the proposed improvements, bids were received, opened and tabulated; and

WHEREAS, it appears that Kuechle Underground, Inc. of Kimball, Minnesota is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Albertville, Minnesota, as follows:

1. Such Plans and Specifications, a copy of which are on file with the City Clerk, are hereby approved.
- 2.
3. The bid of Kuechle Underground, Inc. said “Low Bidder” in the amount of \$719,414.10 for the construction of said improvements in accordance with the plans and specifications and advertisement for bids is the lowest responsible bid.
4. Said bid of said Low Bidder is accepted.
5. The City Administrator and City Clerk are hereby authorized and directed to enter into a contract with said “Low Bidder” for the construction of said improvements for and on behalf of the City of Albertville.

Approved by the City Council of the City Albertville this 7th day of July 2014.

Jillian Hendrickson, Mayor

ATTEST:

Kimberly A. Olson, City Clerk

ABSTRACTS OF BIDS

2014 - 54TH STREET & BARTHEL INDUSTRIAL DR
 CITY OF ALBERTVILLE, MN
 BMI #R16.107440

ITEM NO.	MN/DOT SPEC NO.	ITEM DESCRIPTION	UNIT	APPROX. QUANTITY	6 JR FERCHE RICE, MN		7 SR WEIDEMA MAPLE GROVE, MN		8 NORTHDALÉ CONSTRUCTION ALBERTVILLE, MN	
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	2021.501		LUMP SUM	1	\$30,000.00	\$30,000.00	\$35,000.00	\$35,000.00	\$31,500.00	\$31,500.00
2	2101.511	CLEARING AND GRUBBING	LUMP SUM	1	\$14,000.00	\$14,000.00	\$10,000.00	\$10,000.00	\$35,505.00	\$35,505.00
3	2104.501	REMOVE CONCRETE CURB & GUTTER	LIN FT	1550	\$6.00	\$9,300.00	\$3.30	\$5,115.00	\$2.75	\$4,262.50
4	2104.501	REMOVE SEWER PIPE 40" & LESS (STORM)	LIN FT	490	\$22.00	\$10,780.00	\$23.00	\$11,270.00	\$8.50	\$4,165.00
5	2104.501	REMOVE SEWER PIPE 40" & GREATER (STORM)	LIN FT	1230	\$27.00	\$33,210.00	\$30.00	\$36,900.00	\$35.50	\$43,665.00
6	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	640	\$12.00	\$7,680.00	\$1.25	\$800.00	\$1.25	\$800.00
7	2104.505	REMOVE BITUMINOUS PAVEMENT	SQ YD	2825	\$5.00	\$14,125.00	\$2.50	\$7,062.50	\$3.45	\$9,746.25
8	2104.509	REMOVE DRAINAGE STRUCTURE	EACH	9	\$750.00	\$6,750.00	\$475.00	\$4,275.00	\$575.00	\$5,175.00
9	2104.521	SALVAGE & INSTALL FENCE	LIN FT	670	\$30.00	\$20,100.00	\$20.00	\$13,400.00	\$22.40	\$15,008.00
10	2104.521	SALVAGE & INSTALL RETAINING WALL	SQ FT	600	\$70.00	\$42,000.00	\$22.00	\$13,200.00	\$18.50	\$11,100.00
11	2104.521	SALVAGE & INSTALL DRAINAGE PIPE	LIN FT	16	\$50.00	\$800.00	\$58.00	\$928.00	\$28.50	\$456.00
12	2104.523	SALVAGE & INSTALL PIPE APRON	EACH	1	\$1,000.00	\$1,000.00	\$620.00	\$620.00	\$350.00	\$350.00
13	2104.523	SALVAGE & INSTALL SIGN	EACH	6	\$600.00	\$3,600.00	\$200.00	\$1,200.00	\$112.00	\$672.00
14	2105.501	COMMON EXCAVATION (P) (EV)	CU YD	690	\$25.00	\$17,250.00	\$33.00	\$22,770.00	\$21.50	\$14,835.00
15	2105.507	SUBGRADE EXCAVATION	CU YD	70	\$21.00	\$1,470.00	\$16.50	\$1,155.00	\$24.50	\$1,715.00
16	2105.522	SELECT GRANULAR BORROW (P) (CV)	CU YD	390	\$35.00	\$13,650.00	\$25.00	\$9,750.00	\$22.00	\$8,580.00
17	2105.543	STABILIZING AGGREGATE	TON	130	\$25.00	\$3,250.00	\$31.00	\$4,030.00	\$16.50	\$2,145.00
18	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	905	\$4.00	\$3,620.00	\$2.00	\$1,810.00	\$2.95	\$2,669.75
19	2211.503	AGGREGATE BASE CLASS 5	CU YD	685	\$34.00	\$23,290.00	\$32.00	\$21,920.00	\$32.45	\$22,228.25
20	2231.604	3" BITUMINOUS DRIVEWAY	SQ YD	25	\$64.00	\$1,600.00	\$100.00	\$2,500.00	\$75.20	\$1,880.00
21	2360.501	TYPE SP 12.5 WEARING COURSE (2,C) (SPWEB240C) (2360)	TON	420	\$82.00	\$34,440.00	\$82.00	\$34,440.00	\$88.56	\$37,195.20
22	2360.502	TYPE SP 12.5 NON-WEARING COURSE (2,B) (SPNWB230B) (2360)	TON	310	\$79.00	\$24,490.00	\$70.00	\$21,700.00	\$86.06	\$26,678.60
23	2501.515	24" RC PIPE APRON WITH TRASH GUARD	EACH	1	\$1,500.00	\$1,500.00	\$1,400.00	\$1,400.00	\$1,611.47	\$1,611.47
24	2501.515	48" RC PIPE APRON WITH TRASH GUARD	EACH	1	\$4,000.00	\$4,000.00	\$3,000.00	\$3,000.00	\$3,435.82	\$3,435.82
25	2501.515	60" RC PIPE APRON WITH TRASH GUARD	EACH	1	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00	\$4,755.52	\$4,755.52
26	2503.511	12" RC PIPE SEWER DES 3006 CL V	LIN FT	68	\$45.00	\$3,060.00	\$59.00	\$4,012.00	\$63.33	\$4,306.44
27	2503.511	15" RC PIPE SEWER DES 3006 CL V	LIN FT	20	\$50.00	\$1,000.00	\$60.00	\$1,200.00	\$64.57	\$1,291.40
28	2503.511	18" RC PIPE SEWER DES 3006 CL V	LIN FT	16	\$52.00	\$832.00	\$63.00	\$1,008.00	\$67.54	\$1,080.64
29	2503.511	24" RC PIPE SEWER DES 3006 CL II	LIN FT	101	\$58.00	\$5,858.00	\$172.00	\$17,372.00	\$65.53	\$6,618.53
30	2503.511	30" RC PIPE SEWER DES 3006 CL II	LIN FT	549	\$75.00	\$41,175.00	\$167.00	\$91,683.00	\$93.62	\$51,397.38
31	2503.511	30" RC PIPE SEWER DES 3006 CL III	LIN FT	45	\$75.00	\$3,375.00	\$167.00	\$7,515.00	\$93.62	\$4,212.90
32	2503.511	48" RC PIPE SEWER DES 3006 CL II	LIN FT	1105	\$172.00	\$190,060.00	\$208.00	\$229,840.00	\$233.23	\$257,719.15
33	2503.511	48" RC PIPE SEWER DES 3006 CL III	LIN FT	105	\$178.00	\$18,690.00	\$208.00	\$21,840.00	\$241.69	\$25,377.45
34	2503.511	60" RC PIPE SEWER DES 3006 CLII	LIN FT	1115	\$215.00	\$239,725.00	\$239.00	\$266,485.00	\$271.07	\$302,243.05
35	2503.511	60" RC PIPE SEWER DES 3006 CLIII	LIN FT	46	\$230.00	\$10,580.00	\$239.00	\$10,994.00	\$285.26	\$13,121.96
36	2503.602	CONNECT TO EXISTING STORM SEWER, (PIPE)	EACH	4	\$3,000.00	\$12,000.00	\$1,200.00	\$4,800.00	\$1,500.00	\$6,000.00
37	2503.602	CONNECT TO EXISTING STORM SEWER, (STRUCTURE)	EACH	1	\$5,000.00	\$5,000.00	\$1,200.00	\$1,200.00	\$1,750.00	\$1,750.00
38	2503.603	12" HDPE PIPE SEWER	LIN FT	43	\$40.00	\$1,720.00	\$68.00	\$2,924.00	\$57.84	\$2,487.12
39	2503.603	15" HDPE PIPE SEWER	LIN FT	43	\$45.00	\$1,935.00	\$70.00	\$3,010.00	\$60.64	\$2,607.52
40	2504.602	WATERMAIN OFFSET	EACH	2	\$7,500.00	\$15,000.00	\$8,800.00	\$17,600.00	\$6,208.46	\$12,416.92
41	2504.602	ADJUST VALVE BOX	EACH	1	\$300.00	\$300.00	\$340.00	\$340.00	\$295.00	\$295.00
42	2506.603	CONSTRUCT DRAINAGE STRUCTURE R-1 (2'x3')	LIN FT	18	\$350.00	\$6,300.00	\$292.00	\$5,256.00	\$298.00	\$5,364.00
43	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 48-4020	LIN FT	19	\$375.00	\$7,125.00	\$334.00	\$6,346.00	\$298.00	\$5,662.00
44	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 60-4020	LIN FT	5	\$475.00	\$2,375.00	\$484.00	\$2,420.00	\$433.00	\$2,165.00
45	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 60-4022	LIN FT	21	\$450.00	\$9,450.00	\$383.00	\$8,043.00	\$369.00	\$7,749.00
46	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 72-4020	LIN FT	28	\$525.00	\$14,700.00	\$498.00	\$13,944.00	\$469.00	\$13,132.00
47	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 72-4022	LIN FT	17	\$510.00	\$8,670.00	\$441.00	\$7,497.00	\$263.00	\$4,471.00
48	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 96-4020	LIN FT	28	\$950.00	\$26,600.00	\$728.00	\$20,384.00	\$733.00	\$20,524.00
49	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 96-4022	LIN FT	17	\$975.00	\$16,575.00	\$767.00	\$13,039.00	\$763.00	\$12,971.00
50	2506.522	ADJUST FRAME & RING CASTING	EACH	2	\$350.00	\$700.00	\$470.00	\$940.00	\$375.00	\$750.00
51	2506.602	CASTING ASSEMBLY (STORM)	EACH	24	\$1,000.00	\$24,000.00	\$625.00	\$15,000.00	\$564.78	\$13,554.72
52	0.000	FURNISH AND INSTALL BACKFLOW PREVENTER	EACH	1	\$4,500.00	\$4,500.00	\$4,200.00	\$4,200.00	\$4,490.75	\$4,490.75
53	2511.501	RANDOM RIPRAP CLASS IV	TON	205	\$100.00	\$20,500.00	\$82.00	\$16,810.00	\$68.50	\$14,042.50
54	2531.501	CONCRETE CURB & GUTTER	LIN FT	1550	\$15.00	\$23,250.00	\$16.00	\$24,800.00	\$19.88	\$30,814.00
55	2531.504	6" CONCRETE PAVEMENT	SQ FT	640	\$55.00	\$35,200.00	\$8.80	\$5,632.00	\$8.37	\$5,356.80
56	2563.601	TRAFFIC CONTROL	LUMP SUM	1	\$6,000.00	\$6,000.00	\$6,450.00	\$6,450.00	\$9,972.00	\$9,972.00
57	2563.601	TRAFFIC BYPASS	LUMP SUM	1	\$2,500.00	\$2,500.00	\$12,740.00	\$12,740.00	\$7,840.00	\$7,840.00
58	2571.501	CONIFEROUS TREE 6' HT B&B	EACH	2	\$550.00	\$1,100.00	\$490.00	\$980.00	\$548.80	\$1,097.60
59	2571.502	DECIDUOUS TREE 2" CAL B&B	EACH	7	\$600.00	\$4,200.00	\$550.00	\$3,850.00	\$616.00	\$4,312.00
60	2573.502	SILT FENCE, TYPE MACHINE SLICED	LIN FT	800	\$3.00	\$2,400.00	\$1.95	\$1,560.00	\$2.18	\$1,744.00
61	2573.530	STORM DRAIN INLET PROTECTION	EACH	18	\$250.00	\$4,500.00	\$365.00	\$6,570.00	\$250.00	\$4,500.00
62	2573.602	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	1	\$2,000.00	\$2,000.00	\$1,110.00	\$1,110.00	\$3,000.00	\$3,000.00
63	2575.502	HYDROMULCH, SEED MIX 25-131, FERT TYPE 3 (22-5-10)	SQ YD	8500	\$1.10	\$9,350.00	\$0.65	\$5,525.00	\$0.71	\$6,035.00
64	2575.505	FILTER LOG TYPE WOOD FIBER BIOROLL	LIN FT	250	\$5.20	\$1,300.00	\$4.75	\$1,187.50	\$5.29	\$1,322.50
TOTAL:						\$1,110,510.00		\$1,134,352.00		\$1,163,929.69



Mayor and Council Request for Action

July 1, 2014

SUBJECT: PLANNING DEPARTMENT – PLANNING COMMISSION LIAISON

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

MOTION TO: Adopt Ordinance Amendment No. 2014-05 establishing the role of Planning Commission Liaison and related duties.

BACKGROUND: The amendment is to establish the role of Planning Commission Liaison. The amendment states that the City Council will appoint a Primary and Secondary Liaison to the Planning Commission. The Liaison will attend Planning Commission meetings and will serve as a voting member when a quorum is not otherwise present. When a quorum is present, the Liaison will not serve as a voting member. Implementing the role of Planning Commission Liaison will benefit the Council by providing the opportunity for a representative of the Council to attend Planning Commission meetings and will benefit the Planning Commission by providing an alternate voting member in situations when Planning Commissioners are unable to attend the meeting.

POLICY/PRACTICES CONSIDERATIONS: None. Staff is recommending approval.

FINANCIAL CONSIDERATIONS: None.

LEGAL CONSIDERATIONS: In accordance with Council procedures, the Mayor and City Council has the authority to approve or deny the request for the Code amendment.

Responsible Person/Department: Alan Brixius, City Planner

Submitted Through: Adam Nafstad, City Administrator-PWD

Attachments: Ordinance No. 2014-05

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

ORDINANCE NO. 2014 - 05

**AN ORDINANCE AMENDING CHAPTER 2 (PLANNING COMMISSION) OF TITLE 2
(BOARDS AND COMMISSIONS) OF THE 2005 ALBERTVILLE MUNICIPAL CITY
CODE, RELATING TO A PLANNING COMMISSION LIAISON**

Section 1. Chapter 2 is hereby amended as follows:

2-2-8: PLANNING COMMISSION LIAISON:

The City Council shall appoint two members of the Council to be the Primary and Secondary Planning Commission Liaisons. The Liaisons shall attend the Planning Commission meetings. In the case that a quorum is not present, the Planning Commission Liaison will serve as an alternate voting member on the Planning Commission. When a quorum is present, the Liaison will not serve as a voting member on the Planning Commission.

**THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY
FOLLOWING ITS PASSAGE AND PUBLICATION.**

Approved by the Albertville City Council this 7th day of July 2014.

Jillian Hendrickson, Mayor

Attest:

Kimberly Olson, City Clerk

July 2, 2014

SUBJECT: LEGAL/FINANCE - PURCHASE OF PRAIRIE RUN TAX FORFEIT LOTS FROM THE STATE

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

MOTION TO: Purchase Lots 1-15, Block 1 and Lots 35 and 37, Block 2 from the State of Minnesota.

BACKGROUND: In 2004-2005, the City installed utilities, street, curb, and ponding on the Prairie Run plat and special assessed the costs of the project to the lots in the subdivision. The Developer never made any payments on the special assessments, failed to pay the taxes, and subsequently filed for bankruptcy. The lots went tax forfeit in 2013, and the City had previously requested to purchase them at a nominal consideration from the State due to the large outstanding special assessments that the City can reimpose on the lots once they come out of tax forfeiture.

In accordance with State law, the County has valued the lots at what it believes are the market values for these lots in light of the fact that the outstanding special assessments would be put back on the lots by the City. The lot valuations are as follows:

Lots 1-15, Block 1	\$100 each lot
Lot 35, Block 2	\$5,000
Lot 37, Block 2	\$5,000

The State will also charge a per-lot processing fee. At this point we estimate the total costs per lot (purchase price plus processing fee) to be approximately \$180 per lot for each of the 15 townhome lots (about \$2,700 in total for these 15 lots) and approximately \$5,293 for each of the two cul-de-sac lots (about \$10,485 for these two lots). Total expected cost of all 17 lots is approximately \$13,185.

The City expects to market these lots for more than we are paying the State, but less than the total owed on the special assessments. The sale of these 17 lots, along with the 10 lots the City already owns on the west end of the subdivision, will likely yield several hundred thousand dollars, and will go a long way toward helping the City to recover much of the costs it has put into this property.

KEY ISSUES:

- Purchase of these lots will allow the City to recover a large portion of what it has put into this subdivision to date.
- The City can hold these lots tax free for up to 8 years.

- City staff expects that with the sale of just one of the townhome lots, the City will more than recover the estimated \$13,185 it will pay for all 17 lots.

POLICY/PRACTICES CONSIDERATIONS: City staff has been waiting several years to acquire these lots in tax forfeiture and sell them as a means of recovering the delinquent special assessments. Acquisition of these lots is the first step in recovering these special assessments.

FINANCIAL CONSIDERATIONS: It is expected that the purchase of these lots will allow the City to recover several hundred thousand dollars from these lots at sale.

LEGAL CONSIDERATIONS: Minnesota law allows the City to purchase residential lots and resell them at a price the City deems best.

Responsible Person/Department: Mike Couri, City Attorney; Tina Lannes, Finance Director

Submitted Through: Adam Nafstad, City Administrator-PWD

Attachments: None



Mayor and Council Request for Action

July 1, 2014

SUBJECT: CONSIDERATION OF JOINT POWERS AGREEMENT FOR TRANSIT IN WRIGHT COUNTY

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

MOTION TO: Approve agreement titled “Wright County Area Transit Joint Powers Agreement”, subject to City Attorney’s legal review

BACKGROUND INFORMATION: In 2013, the City entered into an agreement with neighboring communities and RiverRider to provide public transit in Albertville, Otsego, St. Michael, and Hanover, beginning in 2014. Almost immediately after entering into the agreement, Wright County learned that RiverRider would cease to operate after June 30, 2014. For the past six (6) months or so, the County Board has worked with MnDOT and others to try to develop another option for RiverRider. To date, the County Board has not been successful in securing another provider. With Wright County not partnering with another provider, MnDOT and the Trailblazer Transit Board have made interim arrangements for Trailblazer to provide transit in Wright County on July 1 through December 31, 2014, to avoid service interruption. While it is understood that Trailblazer and the Wright County Board desire not to work together at this time, Trailblazer is willing to partner with Wright County cities, not individually, but through a joint powers arrangement. MnDOT has stated they support the efforts of the cities to form a joint powers and believe that it is the best alternative for Wright County cities who desire a public transit option.

At several previous meetings the Council and staff have discussed the agreement and have raised concerns regarding potential costs, agreement language, and the preference that the County be the agency that oversees public transit in Wright County. On June 30, the cities of Albertville, Monticello, St. Michael, Hanover, and Otsego met to further discuss Trailblazer, MnDOT’s transit program, and the agreement. At that meeting, the Trailblazer Director shared that the Trailblazers Board is proposing the local share split between Sibley County, McLeod County, and the Wright County Area Transportation (WCAT) be 25%, 50% and 25%, respectively. The local share represents 15% of the MnDOT approved budget, where MnDOT pays 85%.

To date, nine (9) Wright County cities have approved the joint powers agreement and the (WCAT) joint powers is effective. The member cities have asked other interested cities to do so prior to August 1 to allow time to develop a service plan and budget for 2015. Cities not party to the joint powers agreement will not be included in contract discussions with Trailblazer for service following December 31, 2014.

If the Council desires public transit, it is believed that approving the WCAT joint powers agreement prior to August 1st will be the most economical time to do so. Doing so now allows cities to take advantage of MnDOT’s financing incentive of the buy-in into Trailblazers. Joining at a later date will undoubtedly cost more.

KEY ISSUES:

- Public transit is relatively new to Albertville. It is very difficult to estimate what our initial ridership will be and what we can expect it to be in the near future.
- Both the Senior Center and Guardian Angels have expressed a need for a public transit option.
- While the County is believed to be the best institution to oversee transit services in Wright County, that is not an option at this time.
- At this time, Trailblazer Transit is the only willing and eligible transit provider in Wright County.
- This agreement allows any party to get out of the agreement at the end of the year with nine (9) months notice
- If Albertville would like a say in the service the City receives, if any, post December 31, 2014, it will need to be party to the joint powers agreement.
- Generally, 85% of the transit program is funded by MnDOT. WCAT will be responsible for 25% of the remaining 15% (local share). Per the WCAT agreement, Albertville would only be responsible for its proportionate share of the WCAT ridership.

FINANCIAL CONSIDERATIONS: Currently the City budgets very little for public transit. As a party to the agreement, the City will be required to pay an annual administrative fee, initially set to be \$1,000, and annual operating and capital expenses will be allocated proportionate to rideshare among the member cities. It should be noted that the cost to Albertville is not known at this time. It is believed that a worse case scenario cost would likely be between \$7,000 and \$10,000, annually. Best case scenario would be no cost to Albertville due to sufficient ridership to pay for the local share. There would be no budget impact in 2014. The City will need to work with Trailblazer to estimate a budget impact for 2015.

LEGAL CONSIDERATIONS: The City Council has the authority to enter into joint powers agreements on the City's behalf. As a party to the agreement, the City will be obligated to the terms of the agreement. Approval of the agreement should be contingent to legal review of the final document.

Submitted Through: Adam Nafstad, City Administrator-PWD

Attachments: Joint Powers Agreement

**WRIGHT COUNTY AREA TRANSPORTATION
JOINT POWERS AGREEMENT**

The parties to this Agreement are municipal corporations under the laws of the State of Minnesota and located in Wright County, Minnesota (the parties to this Agreement are hereafter referred to individually as a “City” and collectively as the “Cities”).

RECITALS

WHEREAS, Minnesota Statute §471.59 authorizes the joint and cooperative exercise of powers common to the Cities.

WHEREAS, the Cities desire to provide for an agreement between and among them to establish a joint powers board for Transportation for the purpose of providing a coordinated service delivery and funding source for public transportation; and

WHEREAS, each City has adopted a Resolution finding that it is in the best interests of the citizens of each City to enter into this Agreement.

NOW THEREFORE, IT IS MUTUALLY AGREED AND UNDERSTOOD AS FOLLOWS:

1. General Purpose. Pursuant to the authority of the Joint Powers Act, the Cities desire and intend to provide affordable Public Transportation to their communities. The goal of the Cities is to provide people in their communities with mobility and access to employment, community resources, medical care and recreational opportunities, while reducing the impact of road congestion, travel times, air pollution, the cost of road maintenance and repair, and energy and oil consumption for their communities.
2. Joinder of Wright County Political Subdivisions. The undersigned Cities hereby agree to join together for the purpose of coordinating the delivery of public transportation services and establishing a joint funding source for said services through establishment of a Wright County Area Transportation Joint Powers Board (“WCAT Board”). This Agreement shall become effective upon adoption of a resolution by the governing body of no less than three Cities, and shall be binding on all the Cities who have joined through adoption of a resolution by their respective governing bodies through August 1, 2014, unless otherwise extended or amended by the Parties. Any Party seeking to join the WCAT Authority after August 1, 2014, shall do so only on an affirmative vote of a majority of the WCAT Board members. The WCAT Board shall determine voting authority and contribution requirements for any Parties joining after August 1, 2014.
3. WCAT Board Composition. Each City shall appoint annually a representative to the WCAT Board. Each City may appoint an alternate representative who may act in the place and stead of an absent representative from that Party. Members to the board may be appointed or removed at the pleasure of the Party, with each member serving until their successor is appointed and qualified as provided by each Party. Each member shall serve without compensation, health or medical benefits provided by the WCAT Board.

4. Funding. The WCAT Board is authorized to procure such State and Federal funding as is available toward financing the costs of providing public transportation services for the Cities. Each City agrees to pay a proportionate share (the "Pro Rata Share") of the WCAT Board's remaining unfunded operating expenses and capital expenditures based upon the number of rides originating in the City during the prior year as compared to the total number of rides originating in all of the Cities during the prior year (the "Ride Share"). Each City shall also pay an annual fee to provide for the proper operations of the WCAT Board. Each City shall pay an initial \$1,000 fee to cover the WCAT Board's projected expenses during the first year of operation. For 2015 only, operating and capital expenses shall be based upon the projected total number of rides during 2015 as determined by the WCAT Board prior to January 1, 2015 and such expenses shall be allocated proportionately among the Cities with each City paying its Pro Rata Share. Within 90 days after December 31, 2015, the WCAT Board shall perform a reconciliation of operating and capital expenses based upon each City's actual 2015 Ride Share, and funds shall be payable from or reimbursed to each City based upon the difference between each City's initial payments and reconciled 2015 Ride Share amounts. The WCAT Board may from time to time adjust the operating and capital expenses as it deems appropriate.

5. Meetings. The WCAT Board shall meet at least annually on a schedule determined by the WCAT Board. All meetings of the WCAT Board shall be conducted in a manner consistent with the Minnesota Open Meeting Law, Minn. Stat. §13D.01, et. seq., as amended. Special meetings may be called by the WCAT Board Chair or upon written request of three (3) or more members of the WCAT Board. Written notice of any special meetings shall be sent to all WCAT Board members and to the City Clerk of each City to comply with posting requirements.

6. Powers and Duties. The powers and duties of the WCAT Board include, but are not limited to, expending funds for the purpose of establishing, funding, coordinating, administering and operating a public transportation service including:

a. Apply for, receive and expend State and Federal funds available for said purpose, as well as funds from other lawful sources, including fares, donations or gifts for the purpose of providing public transportation services and such supplemental services deemed advisable by the WCAT Board.

b. Approve an annual budget.

c. Adopt and implement a management plan to carry out the WCAT Board's purpose.

d. Enter into contracts with public or private entities as the WCAT Board deems necessary to accomplish the purpose for which the WCAT Board is organized, including, but not limited to, the hiring of any consultants.

e. Obtain such insurance as the Board deems necessary for the protection of the WCAT Board, members of the WCAT Board, member cities, and its property.

f. Exercise all other lawful powers necessary and incidental to the implementation of public transportation services and the purposes and powers set forth herein.

h. The WCAT Board has no authority to obtain or operate an independent transit service without the express approval of a majority of the Parties.

i. The WCAT Board has no authority to levy taxes or issue debt for operating capital or debt service purposes unless approved in writing by the governing body of all Parties.

j. The WCAT Board has no authority to issue debt that exceeds the term of this Agreement.

7. Voting. Prior to January 1, 2015, each Party shall have one vote on the WCAT Board. Beginning January 1, 2015, each Party shall be entitled to one vote plus one additional vote per each 3,000 rides originating in that City during the previous year. Prior to the first meeting in March the Secretary of the WCAT Board shall determine the number of votes for each Party in accordance with this section and certify the results to the Chair. A quorum shall consist of a simple majority (51%) of representatives from the Cities. A simple majority vote of the WCAT Board members present at the meeting with a valid quorum shall be required by the WCAT Board to take action unless otherwise provided in this Agreement or by law.

8. Officers. There shall be a chair, a vice chair, and a secretary elected from the members of the WCAT Board at the initial meeting of each year. The officers shall be elected from different member Cities. The WCAT Board may elect or appoint such other officers as it deems necessary to conduct its meetings and affairs.

9. Effective Date/Termination. This Agreement shall become effective as stated in Paragraph 2 of this agreement. This agreement shall continue in effect through December 31, 2019. This Agreement shall remain in effect for each respective party until that party hereto gives notice to the WCAT Board of its intention to withdraw. Notice of withdrawal must be given by April 1 of a given year. If notice of withdrawal is given after April 1 of a given year the withdrawal shall be effective on December 31 of the following year. A withdrawing party shall be responsible for its respective share of any debts or liabilities outstanding as of the effective date of withdrawal. Termination will be effective at the conclusion of the fiscal year. This Agreement shall remain in effect as to the remaining members provided that there are three or more members who desire to continue operating the WCAT Board. The withdrawing member shall not be entitled to compensation or distribution of any assets of the WCAT Board. In the event of dissolution of the WCAT Board, any property owned or held by the WCAT Board shall be sold for fair market value. All remaining funds after satisfaction of all WCAT Board debt, payments and other financial obligations shall be returned to the Parties in the same manner in which the Parties contributed funding to the WCAT Board in the last full calendar year prior to dissolution.

10. No Waiver. Nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to any City, whether set forth in Minnesota Statutes, Chapter 466 or otherwise.

11. Severability. If any section, subdivision or provision of this Agreement shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, subdivision or provision shall not invalidate or render unenforceable any of the remaining provisions.

12. Amendment. Any amendments to this Agreement must be in writing, signed by all of the Cities, following approval of their respective City Councils.

13. Governing Law. This Agreement shall be interpreted in accordance with the laws of the State of Minnesota.

14. Liability and Insurance. Each City shall be liable for its torts and the torts of its employees, agents and consultants in undertaking its respective individual responsibilities as described in this Joint Powers Agreement. Notwithstanding any language to the contrary, the Cities agree that liability arising out of the activities of the WCAT Board and the Cities shall be subject to the requirements of Minnesota Statutes §471.59, subdivision 1(b), as it may be amended. The Cities intend that the WCAT Board be insured for its tort liability and general liability as a Joint Powers Board. Nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to any City, whether set forth in Minnesota Statutes, Chapter 466 or otherwise.

15. Default. The failure by any Party to observe or timely perform any covenant, condition, obligation or agreement herein shall constitute Default of the Agreement. Whenever a Default occurs, the WCAT Board shall provide thirty (30) days written notice to the defaulting Party of the default which notice includes the nature of the Default and the manner in which the Default may be cured. If the Default is not timely cured, the WCAT Board may take any action available, including legal, equitable or administrative action, to enforce this Agreement.

16. Disputes. The Cities agree that they will submit any disputes under this Agreement to mediation prior to resorting to an action in Court.

By signing this Agreement, the parties hereto certify that the same has been approved by their respective City Councils.

By _____
Mayor

By _____
Mayor

ATTEST:

ATTEST:

City Administrator

City Administrator

By _____
Mayor

By _____
Mayor

ATTEST:

ATTEST:

City Administrator

City Administrator

GENERAL ADMINISTRATION

Candidate Filing for Municipal Elections: Filing for the two City Council member seats and the Mayoral seat will begin on Tuesday, July 29. Campaign packets and filing information will be available the week of July 7. Filing for office will officially close at 5:00 p.m. on Tuesday, August 12. Those who have filed for office may withdraw their affidavit of candidacy until Thursday, August 14 at 5:00 p.m. Please contact staff if you wish to obtain filing forms and a campaign packet.

STMA Ice Arena: The ice sheet is in and the facility is being used for summer hockey clinics. The dehumidification project is progressing well and is scheduled to be operational by the end of the month.

Prairie Run City-Owned Lots: The City Attorney has prepared a draft purchase agreement and Fieldstone is reviewing.

5975 Main Avenue NE (Old City Hall): The FYCC Committee has approved the lease and FYCC is in the process of moving in. Sandy has been successful in securing material and labor donations for painting, shelving and other interior improvements. The communication line (phone/internet) connecting the building to the City Hall system has been installed and is operational.

Fire Department: The Fire Committee will be meeting on July 9th.

ENGINEERING/PUBLIC WORKS

Hunters Pass Second Addition: Road work is progressing and it is expected that curb will be placed the second or third week of July.

Kassel Avenue NE: Kraus Anderson/Guardian Angels is scheduled to begin work on Kassel Avenue on July 14. Kassel Avenue NE, between 49th Street NE and CSAH 18 is expected to be closed for approximately four (4) weeks. Advanced notice signs were placed on June 30.

I-94 Coalition: The June 30 groundbreaking was well attended and very successful.

Barthel Industrial Drive NE and 54th Street NE Drainage: Bids were received on June 26 and will be presented to Council with a recommendation for award at the meeting. The homeowners that have submitted claims for damages from the June 23, 2013 rain event have been informed the Council will be considering the project.