



City of Albertville Council Agenda

Monday, December 17, 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

A. Oath of Office to Mike Potter, Wright County Commissioner Elect

B. Recognize Mark Meehan for service to the City of Albertville

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 December 3, 2012 Truth in Taxation meeting minutes as presented (pgs 4-5)

B. Accept the December 3, 2012 regular City Council meeting minutes as presented (pgs 6-9)

C. Accept the December 3, 2012 workshop City Council meeting minutes as presented (pgs 10-12)

D. Authorize the **Monday, December 17, 2012** payment of the claims that includes as presented except the bills specifically pulled, which are passed by separate motion. Claims listing have been provided to Council as a separate document. The claims listing are available for public view at City Hall upon request (pg 13)

E. Authorize the payment of all just claims received by December 31, 2012, which would be the year-end closeout of payments of claims (pg 13)

- F. Approve **Resolution No. 2012-053** entitled a Resolution Establishing the 2013 City Observed Holidays (pgs 14-16)
- G. Approve **Resolution No. 2012-054** setting the 2013 City Council Regular Meeting Dates (17-19)

7. PUBLIC HEARINGS - None

8. DEPARTMENT BUSINESS

A. Finance

1). Approve 2013 Fee Schedules (pgs 20-34)

*a) Motion to approve **Resolution No. 2012-055** entitled a Resolution Setting Fees for Various Services or Violation Fines within the Albertville city limits.*

*b) Motion to approve **Resolution 2012-056** entitled Resolution Setting 2013 Water Utility Rates and 2014-2017 Water Utility Base Rates*

*c) Motion to approve **Resolution 2012-057** entitled Resolution Setting 2013 Sewer Utility Rates and 2014-2017 Sewer Utility Base Rates*

2). 2013A providing for the issuance and sale of general obligation sewer revenue crossover refunding bonds, 2013A \$2,510,000 (pgs 35-65)
*(Motion to adopt **Resolution No. 2012-058** entitled a Resolution awarding the sale of General Obligation Sewer Revenue Crossover Refunding Bonds; Series 2013A.)*

3). 5 Year Capital Improvement Plan (pgs 66-68)
*(Motion to approve **Resolution 2012-059** entitled a Resolution Accepting the Capital Improvement Plan (CIP).)*

B. Planning/Zoning

1). Ashley Furniture Comprehensive Sign Plan (pgs 69-72)
*(Motion to adopt **Resolution No. 2012-060** approving the Ashley Furniture Comprehensive Sign Plan.)*

2). Central Park Master Plan (pg 73-74)
*(Motion to adopt **Resolution No. 2012-061** approving the Central Park Master Plan.)*

3). Reappointment or appointment of two (2) Planning and Zoning Commissioners for terms to expire December 31, 2015 (75--77)

4). L & D Trucking Letter (78-80)

C. Legal

1). Attorney Report (pg 81)

D. City Council

E. City Clerk

F. Public Works Director/City Engineer

G. Administration

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

December 25	Christmas Day, City Offices Closed
January 1	New Year's Day, City Offices Closed
January 7	City Council Meeting, 7:00 p.m.
January 8	Planning and Zoning Commission Meeting, 7:00 p.m.
January 14	STMA Ice Arena Board Meeting, 6:00 p.m.
January 21	Martin Luther King, Jr. Day, City Offices Closed
January 22	City Council Meeting, 7:00 p.m.
January 28	Joint Powers Water Board Meeting, 6:30 p.m. Parks Committee Meeting, 7:30 p.m.

December-12						
Su	M	Tu	W	Th	F	Sa
						1
2	CC3	4	5	6	7	8
9	Ice10	PZ11	12	13	14	15
16	CC17	18	19	20	21	22
23	JP24	H25	26	27	28	29
30	31					

JANUARY						
Su	M	Tu	W	Th	F	Sa
		H 1	2	3	4	5
6	CC 7	PZ 8	9	10	11	12
13	Ice 14	15	16	17	18	19
20	H 21	CC 22	23	24	25	26
27	JP28 ^{PK}	29	30	31		

10. ADJOURNMENT



ALBERTVILLE CITY COUNCIL

December 3, 2012

Truth-in-Taxation

DRAFT MINUTES

ALBERTVILLE CITY HALL

6:15 PM

CALL TO ORDER

Acting Mayor Vetsch called the meeting to order at 6:15 p.m.

ROLL CALL

Present: Vetsch, Hendrickson, Sorensen and Wagner

Absent: Meehan

Others present: Interim City Administrator Thistle, City Engineer/Public Works Director Nafstad, City Attorney Couri, City Clerk Olson

PUBLIC HEARING ON TRUTH-IN-TAXATION

Thistle gave a report on the proposed 2013 levy. He stated the levy over the last five (5) years has steadily gone down.

Thistle reported there were decreases in rentals of city buildings, administration fees, city hall departments, and capital reserves. Increases were in the fire contract with Otsego, attorney and planner fees and fire department back pay. The total increase to the 2013 levy is \$62,834 with a debt service increase of \$68,822 and a reduction of \$5,656 in operations. The total levy increase is 2%.

Vetsch asked for documentation on the fire back pay to explain how that occurred. Nafstad stated the Finance Director and the Fire Chief have the information. He understood that it was a small increment in the time keeping software that did not calculate correctly. Thistle stated it would be noted in the audit.

Nafstad stated that this will be the sixth year there has been a decrease in the operations budget.

Vetsch hopes residents realize there are four lines, or four entities, that receive tax dollars. Nafstad would like to see an article in the newsletter explaining the tax statements.

Thistle commented they have reached the point where they have diminished what they can do in terms of cost savings and there is not much left that can be cut. He stated there is a good article on what cities can do for cost savings and Albertville has done almost every item on the list. He stated that additional cuts will begin to affect core services. He stated the importance of keeping up with inflation.

Hendrickson would like to see a long term financial plan, so that future Councils aren't set up to have large levy increases.

Vetsch wanted to look at the compost site and see if we are getting anything in return for the use of the site. Nafstad stated there are some agreements between the public works staff in both cities for plowing, signs and use of equipment in Albertville.

PUBLIC COMMENT

Vetsch opened the hearing for public comment.

There was no one present for comment.

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

ADJOURN

Motioned by Hendrickson, seconded by Sorensen, to adjourn the meeting at 6:41 p.m. Ayes: Vetsch, Hendrickson, Sorensen and Wagner. Nays: None. Absent: Meehan. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk



ALBERTVILLE CITY COUNCIL
Monday, December 3, 2012

DRAFT MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Acting 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, City Engineer/Public Works Director Adam Nafstad, City Clerk Kimberly Olson, City Planner Alan Brixius, City Attorney Michael Couri, Water/Wastewater Operator Gerald Gerads, Kelly Gerads, John Gerads, Mitchell Gerads, and Rob Olson

3. RECOGNITIONS, PRESENTATIONS AND INTRODUCTIONS

A. Eagle Scout Mitchell Gerads

Mitchell Gerads reported his Eagle Scout project was to build and install wood duck houses around the Albertville area. He stated the ducks lay their eggs in the houses to hatch. Once they hatch, about 80% of wood ducks return to the same house year after year.

Vetsch presented Gerads with a certificate of appreciation and thanked him for his work within Albertville. He congratulated Gerads on achieving Eagle Scout.

4. CITIZENS OPEN FORUM

There was no one present to speak.

5. APPROVAL OF THE AGENDA

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

6. CONSENT AGENDA

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

- A. Accept the November 19, 2012 regular City Council meeting minutes as presented
- B. Authorize the Monday, December 3, 2012 payment of claims that includes electronic payments of 1557 EFT - 1563 EFT and check numbers 31536 to 31567 as presented
- C. Approve hiring Janet Rust for the full-time Administrative Assistant II/Accounting Clerk position starting Monday, December 10, 2012, at step one starting wage of \$17.37 per hour with a six month probation period
- D. Approve the November 26, 2012 Parks Committee meeting minutes as presented
- E. Approve Pay Estimate #6 to Eureka Construction for the I-94 project in the amount of \$1,240,354.91

Hendrickson would like to discuss consent agenda item C.

Hendrickson asked to hear more about the individual staff is recommending for the position. Olson reported that Janet Rust has over twenty years of experience with accounting functions and also has her two year degree in accounting. Staff felt her personality would be a good fit with the office staff. Staff felt she was very honest and a hard worker. Nafstad stated that he was impressed with her overall work ethic. He stated that working in the private sector, she was very customer oriented. He stated they received 97 applications and they interviewed a total of eight candidates.

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

7. PUBLIC HEARINGS - None

8. DEPARTMENT BUSINESS

A. Finance

1) Approve 2013 Final Budget and Levy

Thisle reported the 2012 total budget was \$3,815,006 and in 2013 the total proposed budget is \$3,877,690. The 2012 total levy was \$3,142,272 and in 2013 the proposed levy is \$3,205,160. The difference from 2012 to 2013 is 2% and that is all from debt service.

Hendrickson inquired what the debt service would be in future years. Nafstad stated that overall the debt service should remain the same and may have the potential to drop slightly in 2014. He stated that six years of reduced budgeting for operations is hard to sustain and they will have to begin levying for operations or have diminished services.

Motioned by Sorensen, seconded by Hendrickson, to approve Resolution 2012-051 entitled a Resolution Adopting Property Tax Levy Collectible in 2013. Ayes: Meehan, Hendrickson, Sorensen and Vetsch. Nays: Wagner. Absent: None. MOTION DECLARED CARRIED.

Motioned by Sorensen, seconded by Hendrickson, to approve Resolution 2012-052 entitled a Resolution Adopting the 2013 Final Budget. Ayes: Meehan, Hendrickson, Sorensen and Vetsch. Nays: Wagner. Absent: None. MOTION DECLARED CARRIED.

B. City Clerk - None

C. Legal - None

D. City Engineer/Public Works Director - None

E. City Council - None

F. Administration - None

G. Planning/Zoning - None

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

Sorensen reported the December STMA Ice Arena Board meeting has been cancelled so the next meeting will be the second week in January.

Hendrickson stated the holiday lights along Main Ave. NE look nice.

Nafstad announced there will be an appreciation luncheon on Wednesday, December 12 from 12 p.m. to 1:30 p.m. for all those involved in the I-94 WB C-D road completion.

December 11
December 17

Planning and Zoning Commission, 7:00 p.m.
City Council Meeting, 7:00 p.m.

10. ADJOURN MEETING

Motioned by Sorensen, seconded by Hendrickson, to adjourn the meeting at 7:21 p.m. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk



ALBERTVILLE CITY COUNCIL WORKSHOP
Monday, December 3, 2012

DRAFT MINUTES

ALBERTVILLE CITY HALL

6:42 P.M.

1. CALL TO ORDER/ROLL CALL

Acting Mayor Vetsch called the meeting to order at 6:42 p.m.

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

Absent: None

Others Present: Interim City Administrator Robert Thistle, City Engineer/Public Works
Director Adam Nafstad, City Attorney Michael Couri, City Planner Alan Brixius, and City Clerk
Kimberly Olson

2. PURCHASING PROCEDURES

Thistle reported that he has reviewed policies from other cities and has put together a set of procedures for purchasing, essentially documenting what the City is currently doing. It sets limits for staff purchases. Department heads may purchase up to \$1,000 and anything must get permission from the Finance Director for anything between \$1,000 and \$2,500. Since the Administrator is the purchasing agent for the City, the Administrator may make purchases up to \$5,000 without City Council approval. Council could change that limit if they wish to do so.

Thistle stated this is really a guide for City staff while making purchases.

Thistle discussed the different types of purchasing such as price agreements, emergency purchasing, disaster purchasing and use of credit cards.

Meehan asked if there was a limit set on credit cards and what they are used for. Nafstad stated that it is a low limit amount on the cards and they are generally used for small purchases that cannot be paid by check or signing up for conferences.

Nafstad stated there is a purchasing section in the City Code and they would need some minor updates to move forward.

3. EVALUATION FORMAT AND PROCESS FOR CITY ADMINISTRATOR

Thistle presented the format to the Council. He stated the previous evaluation format for both employees and the City Administrator were cumbersome, difficult to work with and had questionable meaningful outcomes. He reported that he looked at a different number of resources in both the private and public sector. He felt the evaluation should be understandable and easy to utilize.

Thistle reviewed the major areas of the City Administrator evaluation which included individual characteristics, professional skills, relations with City Council, policy execution, reporting and communications, citizen relations, staffing, community, supervision, fiscal management and community development/redevelopment knowledge. Each of these major areas includes four to five key components. The evaluation can be used by the City Administrator as a self evaluation as well as used by the Council and others.

4. WATER AND SEWER BUDGETS AND FEES

Nafstad reported on the projected revenue and expenses for the enterprise funds. He explained the shortages in the water and sewer funds and stated these would be annual. He explained that to make the funds whole, they would need to increase rates. Both the stormwater and recycling funds are funding themselves and are essentially whole. Nafstad stated the water and sewer accounts are not being funded for depreciation and to make those funds whole they are pulling money out of capital reserves.

Nafstad also reported that in approximately ten years the City would need to make improvements to the wastewater treatment plant and funds for that are not in the budget.

Hendrickson thought fees were set by the Joint Powers Water Board. Nafstad replied the bulk of the water fees are set by the Board and Albertville has its own portion in addition to that. He showed a sample water bill that identified the fees for the Joint Powers Water Board and City of Albertville.

Hendrickson asked how long the funds have not been covered by the fees. Nafstad stated they began funding depreciation about four or five years ago and it is much needed.

Staff is recommending a phased approach over about five years. It would add \$1.00 each to the base fee for water and sewer per month. This would happen each year for five years.

Couri stated that rather than coming back each year to set the fees, they could set the fees for the following years at one time. A future Council would be held to those fees unless they were changed. Nafstad stated that making it up what is needed in one year would be too much for the

residents, so they are proposing the five year plan. The increase per household would be \$24.00 annually. He stated that in one year they could make up about \$58,000.

Meehan spoke about the deadline to get phosphorous levels reduced. Nafstad stated these fees do not address the costs for future improvements to meet the requirements.

Sorensen asked about putting the increase on the tiered rates. Nafstad replied that applying it to the base fee is equitable to all residents.

Vetsch inquired about the administration costs increasing in the funds. Nafstad explained that ten percent goes to the general fund to cover operation costs and it shows as an expense. It is almost a line item transfer to the general fund to cover costs. He stated it is a generic number as they don't have the time keeping software that identifies the exact time spent working in each department. Thistle stated that analysis is done to determine the percentages.

Sorensen noticed that there were some administration costs under recycling. He thought when the contract was approved, there was a motion that a separate fund be set up just for recycling. He asked staff to follow up

Couri stated that depreciation is a cash item in the future and if it is not funded it will result in higher rates and bond issues. He stated the wastewater expansion is not a capacity necessitated expansion which most likely will be funded by rates. If the funds are in poor shape going into the expansion, it will be difficult. He felt they are on the right path to get the funds in shape prior to the expansion.

5. ADJOURNMENT

Motioned by Vetsch, seconded by Sorensen, to adjourn the meeting at 8:25 p.m. Ayes: Meehan, Hendrickson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted,

Kimberly A. Olson, City Clerk

December 12, 2012

SUBJECT: CONSENT (Finance) – PAYMENT OF BILLS

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

MOTION TO: Authorize the **Monday, December 17, 2012** payment of the claims that includes as presented except the bills specifically pulled, which are passed by separate motion. Claims listing have been provided to Council as a separate document. The claims listing are available for public view at City Hall upon request.

MOTION TO: Authorize the payment of all just claims received by December 31, 2012, which would be the year-end closeout of payments of claims.

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

KEY ISSUES:

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

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

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

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

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

Reviewed by: RDT

December 13, 2012

SUBJECT: CONSENT (City Clerk) - 2013 CITY OBSERVED HOLIDAYS

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

MOTION TO: Approve **Resolution No. 2012-0053** entitled a Resolution Establishing the 2013 City Observed Holidays.

BACKGROUND: Each year a resolution is required establishing holidays that are observed by the City for the upcoming year.

POLICY/PRACTICES CONSIDERATIONS: The Albertville City Offices follow the general practice of observing set U.S. Legal holidays with the exception of Columbus Day, which is viewed as a floating holiday taken on the Friday after Thanksgiving Day. Because City Hall has switched to a four day week, the holiday hours from the Friday after Thanksgiving are evened out over the remaining holidays to provide 10 hours of vacation for those 10 hour days (see attached resolution and chart). In November of this year, Council approved closing City Hall at 12 Noon on Monday, December 24 for Christmas Eve. City employees will be allowed to use vacation or comp-time for the remaining hours and Public Works employees are allotted five hours of holiday pay.

FINANCIAL CONSIDERATIONS: There are no financial considerations as it relates to approval of the Resolution setting the 2013 City Observed Holidays.

LEGAL ISSUES: The City Council has the authority to set the annual holiday schedule.

Reviewed by: RDT, Interim City Administrator

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

Attachments: Resolution No. 2012-053

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

RESOLUTION NO. 2012-053

**A RESOLUTION ESTABLISHING THE
2013 CITY OBSERVED HOLIDAYS**

WHEREAS, the City Council is desirous of establishing the 2013 City Observed Holidays for the City of Albertville effective December 31, 2012; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Albertville, Wright County, Minnesota, hereby establishes the following 2013 City Observed Holidays:

New Year's Day	January 1
Martin Luther King Jr. Day	January 21
Presidents' Day	February 18
Memorial Day	May 27
Independence Day	July 4
Labor Day	September 2
Veterans Day	November 11
Thanksgiving Day	November 28
Friday after Thanksgiving Day	November 29
(Floating holiday – Public Works/Utilities employees only)	
Christmas Eve (1/2)	December 24
(Public Works/Utilities employees only)	
Christmas Day	December 25

Adopted by the City Council of the City of Albertville this 17th day of December 2012.

Mark Meehan, Mayor

ATTEST:

Kimberly A. Olson, City Clerk

City Hall Employees	
8 hours	New Year's Day
2 hours	New Year's Day - vacation or comp-time
10 hours	Martin Luther King Jr. Day
10 hours	Presidents' Day
10 hours	Memorial Day
10 hours	Independence Day
10 hours	Labor Day
10 hours	Veterans Day
10 hours	Thanksgiving Day
10 hours	Christmas Day
88 hours	Total (city)

Public Works/Utilities Employees	
8 hours	New Year's Day
8 hours	Martin Luther King Jr. Day
8 hours	Presidents' Day
9 hours	Memorial Day
9 hours	Independence Day
9 hours	Labor Day
8 hours	Veterans Day
8 hours	Thanksgiving Day
8 hours	Friday after Thanksgiving Day
5 hours	Christmas Eve Day
8 hours	Christmas Day
88 hours	Total (city)

December 13, 2012

SUBJECT: CONSENT (City Clerk) - 2013 CITY COUNCIL MEETING DATES

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

MOTION TO: Approve **Resolution No. 2012-054** entitled a Resolution Establishing the 2013 City Council Regular Meeting Dates.

BACKGROUND: Each year the City Council shall identify its official meeting dates for the year.

POLICY/PRACTICES CONSIDERATIONS: The City Council may choose to change or add meetings as needed and will be required to post notice at least 72 hours in advance of changes or additional meetings.

FINANCIAL CONSIDERATIONS: There are no financial considerations.

LEGAL ISSUES: The City Council has the authority to set its official meeting dates for the New Year.

Reviewed by: , Interim City Administrator

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

Attachments: Resolution No. 2012-054
2013 Calendar of City Meetings

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

RESOLUTION NO. 2012-054

**A RESOLUTION ESTABLISHING THE
2013 CITY COUNCIL REGULAR MEETING SCHEDULE**

WHEREAS, the City Council may declare its official regular meeting schedule each year, and;

WHEREAS, the regular City Council meetings are scheduled the first and third Mondays of each month and will be scheduled to Tuesday should it fall on an observed holiday, and;

WHEREAS, the regular City Council meetings begin at 7:00 p.m. and are to be held in the City Hall Council Chambers unless noticed in advance, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Albertville, Wright County, Minnesota, hereby establishes the following 2013 Regular City Council meetings:

January 7	July 1
January 22 – Tuesday	July 15
February 4	August 5
February 19 – Tuesday	August 19
March 4	September 3 – Tuesday
March 18	September 16
April 1	October 7
April 15	October 21
May 6	November 4
May 20	November 18
June 3	December 2
June 17	December 16

Adopted by the City Council of the City of Albertville this 17th day of December 2012.

Mark Meehan, Mayor

ATTEST:

Kimberly A. Olson, City Clerk

2013 Official Meeting Calendar

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

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

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

APRIL						
Su	M	Tu	W	Th	F	Sa
	CC 1	2	3	4	5	6
7	Ice 8	PZ 9	10	11	12	13
14	CC 15	16	17	18	19	20
21	JP PK	22	23	24	25	26
28	29	30				

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

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

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

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

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

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

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

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

- CC City Council Meeting, 7:00 p.m.
- Ice STMA Arena Board, 6:00 p.m.
- JP Joint Powers Water Board, 6:30 p.m.
- PK Parks Committee, 7:30 p.m.
(may not meet monthly, contact City Hall for info)

- PZ Planning & Zoning Commission, 7:00 p.m.
- H Holiday (City offices closed)
- FCD Friendly City Days

December 13, 2012

SUBJECT: FINANCE - 2013 VARIOUS FEE SCHEDULES FOR SERVICES

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

MOTION TO:

- 1) Approve **Resolution No. 2012-055** entitled a Resolution Setting Fees for Various Services or Violation Fines within the Albertville city limits.
- 2) Approve **Resolution 2012-056** entitled Resolution Setting 2013 Water Utility Rates and 2014-2017 Water Utility Base Rates
- 3) Approve **Resolution 2012-057** entitled Resolution Setting 2013 Sewer Utility Rates and 2014-2017 Sewer Utility Base Rates

BACKGROUND: The Albertville City Council sets the fees for various services and violation fines at the last meeting of each year. These fees will take effect January 1, 2013.

At a workshop discussion in early December, staff presented Council figures on the Water and Sewer Utility funds. It was staff's recommendation to slowly increase the base utility fees over a course of five years rather than to implement a large utility rate increase in order to balance the funds.

POLICY/PRACTICES CONSIDERATIONS: It is the policy of the Mayor and City Council to adopt or amend the Resolution setting fees. The resolutions adopting the sewer and water utility base rate increases will require those base rate increases in the coming years unless overturned by future Council(s).

FINANCIAL CONSIDERATIONS: There are financial considerations as it relates to approval of the Resolution setting fees for various services and violation fines in Albertville. Any increases in fees are to cover City expenses.

LEGAL ISSUES: In accordance with Council procedures, the Mayor and Council possess the authority to set fees schedules for services.

Reviewed by: RDT, Interim City Administrator

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

Attachments: Resolutions No. 2012-055, 2012-056, 2012-057

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

RESOLUTION NO. 2012-055

**RESOLUTION SETTING FEES
FOR VARIOUS SERVICES or VIOLATIONS
WITHIN THE ALBERTVILLE CITY LIMITS
FOR THE 2013 CALENDAR YEAR**

WHEREAS, the Albertville City Council sets the following fees by resolution effective January 1, 2013 unless otherwise set by a separate resolution:

Exhibit A - attached – 2013 Fee Schedule

Exhibit B – attached 2013 Rental Fee Schedule

Exhibit C – attached 2013 Violations of the City Liquor Ordinance

Exhibit D – attached 2013 Joint Powers Water Board Utility Rates

Exhibit E – attached 2012 City Resolution No. 2009-38 Stormwater Rates

Adopted by the City Council of the City of Albertville this 17th day of December 2012.

Mark Meehan, Mayor

Kimberly A. Olson, City Clerk

EXHIBIT A

2013 Fee Schedule

Title	Chptr	Sec	Subject	Fees Set by Resolution/per Schedule
<i>License related fees:</i>				
3	1	3.B.1.	Dog License (altered) (pay up to 3-yrs.)	\$10 per dog, per year, plus sales tax
3	1	3.B.1.	Dog License (un-altered) (pay up to 3-yrs.)	\$15 per dog, per year, plus sales tax
3	1	3.B.1.	Dog License Replacement	\$5, plus sales tax
3	1	3.B.1.	Dog Kennel Permit	\$50 per household, per year, plus sales tax
3	1	3.B.3.	Dog Impoundment & redemption fee (in addition, all impoundment, transport and boarding fees incurred by the City must be paid)	1 st Impoundment \$50, plus Boarding fees 2 nd impoundment \$100, plus Boarding fees Subsequent impoundments \$200, plus Boarding fees
3	1	3.B.1.	Garbage Hauler License	\$150 per year
4	2	3.	Coin-Operated Amusement Device License (per location)	\$15 annually (per MN State Statute)
4	2	3.	Coin-Operated Amusement Device License (per device)	\$15 annually (per MN State Statute)
4	3	1	Bingo License	\$25 annually
4	5	7	Massage Enterprise License & Investigation	\$300
4	5	7	Message Therapist Individual License	\$50 annually
			Background Check (BCA)	\$15 per individual
			Compost Site	\$250 annual license for commercial vendors (Albertville materials)
10	5	5.C.2.c.	Advertising Device (billboard) License - Renewal	\$75 per billboard
3	1	3.B.3.	Vendor Transient Permit	\$10 per day, plus sales tax
3	1	3.B.3.	Vendor Seasonal Permit	\$10 per day, plus sales tax
<i>License related fees continued:</i>				

Title	Chptr	Sec	Subject	Fees Set by Resolution/per Schedule
10	4	10	Rental Dwelling License and Inspection fee – Apartment complex	\$150 per bldg. + \$10 per unit, annually
10	4	10	Rental Dwelling License and Inspection fee – Single Family detached	\$100 annually
10	4	10	Rental Dwelling License and Inspection fee – Single Family attached	\$50.00 per bldg, plus \$50.00 per unit
3	1	3.B.3.	Peddler, Transient, Merchant (maximum 30 days)	\$50 1 st day, per individual, \$1.00 ea. add'l day, per individual
3	1	3.B.3.	Temporary Outdoor Seasonal Sales Permit (90 days maximum)	\$50 per event
<i>Copying – faxing – other miscellaneous fees:</i>				
			Administrative fees / Penalty	\$200 (up to \$200 per occurrence)
			Parking Fund	\$4,500 per stall
			Developer Fees	3.5%
3	1	3.B.3.	Special Assessment Search	\$20 per property
3	1	3.B.3.	PID and or Legal Description	\$10 per property
			Pop/water/beverage	Per vendor
3	1	3.B.3.	Copies (8 ½” x 11”)	\$0.25, plus sales tax
3	1	3.B.3.	Lot Survey Copy (11” x 17”)	\$1 per copy, plus sales tax
3	1	3.B.3.	Color Copies	\$0.30 per copy, plus sales tax
3	1	3.B.3.	Faxes	\$3 1 st page, \$0.25 ea. additional page
			City Hall Keycard-Fob	\$10, replacement or lost/damaged
3	1	3.B.3.	Maps – 2’ x 3’ wall, black & white	\$2 , plus sales tax
3	1	3.B.3.	Maps – 2’ x 3’ wall color	\$5 , plus sales tax
3	1	3.B.3.	Maps – 11” x 17” street, black & white	\$2 , plus sales tax
3	1	3.B.3.	Maps – 11” x 17” street, color	\$5 , plus sales tax
3	1	3.B.3.	Maps – 11” x 17” zoning, color	\$5 , plus sales tax
<i>Copying – faxing – other misc. fees continued:</i>				
3	1	3.B.3.	Maps – 11” x 17” sub-division	\$5 , plus sales tax

Title	Chptr	Sec	Subject	Fees Set by Resolution/per Schedule
			Business lists (mailing list)	DO NOT PROVIDE
			Resident lists (mailing list)	DO NOT PROVIDE
			Builders-Contractors lists (mailing list)	DO NOT PROVIDE
			Minutes/Agendas	
			Mailed	\$7 plus sales tax
			Electronic	\$5 plus sales tax
			Faxed	\$5 plus sales tax
			Picked up	\$3 plus sales tax
			Council/Planning Packets	
			Mailed	\$25 plus sales tax
			Electronic	\$20 plus sales tax
			Picked up	\$20 plus sales tax
3	1	3.B.3.	Comprehensive Plan	\$100 , plus sales tax
3	1	3.B.3.	Comprehensive Park Plan	\$75 , plus sales tax
3	1	3.B.3.	2005 Albertville Municipal City Code Book	\$300 , plus sales tax
3	1	3.B.3.	Standard Detail Plates	\$25 , plus sales tax
			Recycling Fee	Per contract
3	1	3.B.3.	Real Estate Annual Fee (include Parade of Homes)	\$50 per year
3	1	3.B.3.	Weed Elimination	\$100 minimum, equipment cost plus man hours
3	1	3.B.3.	Mowing	\$100 minimum, equipment cost plus man hours
3	1	3.B.3.	Snow plowing	\$100 minimum, equipment cost plus man hours
1	5	2.C.	Special meeting fee	\$150
3	1	2	Returned check fee	\$20 plus bank fees
3	1	3.B.3.	Special Assessment Deferment Income level	Federal Poverty Level
4	6	9	Cable System Franchise Application Fee	Per Appendix B-3 (\$500, plus City expenses)
4	6	9	Gas System Franchise Fee	Per Appendix B-2
4	6	9	Electric System Franchise Fee	Per Appendix B-1
<i>Building and or Zoning related fees:</i>				

Title	Chptr	Sec	Subject	Fees Set by Resolution/per Schedule
3	1	3.B.3.	Zoning Request (lot size, permitted use, etc.)	\$25 per property
3	1	3.B.3.	Temporary Sign Permit	\$35 per property (14 days max)
			Business sign permit fee	Per building permit fee schedule
			Advertising Device (Billboard) permit fee	Per building permit fee schedule
			Building maintenance and occupancy appeal fee	\$250 plus City expenses
			Swimming pool permit fee	Per building permit fee schedule
			Permit/Records – Duplicate	\$50 per hour
			Fireplace (existing residential)	Per building permit fee schedule
			Plumbing (existing residential)	Per building permit fee schedule
			Mechanical (existing residential)	Per building permit fee schedule
			Reroofing (existing residential)	\$125
<i>Sewer – water – stormwater- recycling related fees:</i>				
3	1	3.B.3.	Water Disconnect	\$35 plus tax, non-residential
3	1	3.B.3.	Water Re-connect	\$35 plus sales tax, non-residential
9	2	5	Water meter test	\$50 plus sales tax, non-residential
			Sewer tap fee	\$250
9	4	6	Private Sewage Disposal System Permit	\$100
9	4	8	Private Sewage Disposal System Inspection	\$100
			Water Availability Charge (for those who have city water available, but choose not to hook-up)	\$25 per year
9	2	10	Joint Powers monthly portion	See Exhibit D Joint Powers Water Board Fee Schedule 2012
9	2	10	City monthly portion	See Exhibit F
9	2 or 3.A.	10 8	City Sewer monthly rates	See Exhibit F
2 or 3.A.	10 8		Stormwater Residential, Non-Residential, Golf Rates	See Exhibit G
2 or 3.A.	10 8		Stormwater Rates	Stormwater rate for pond not included that will be a separate resolution

Title	Chptr	Sec	Subject	Fees Set by Resolution/per Schedule
			Recycling	See Resolution No. 2010-036 per Recycling Contract
<i>Fire related fees:</i>				
			Open Burning Nuisance Abatement fee	\$200
			Car Fires/Accidents (non-residential)	\$500 first hours \$200 per hour thereafter
3	5	1 & 2	False Alarms – 1 st and 2 nd	Free of charge
3	5	1 & 2	False Alarms – 3 rd	\$300.00
3	5	1 & 2	False Alarms – 4 th	\$400.00
3	5	1 & 2	False Alarms – 5 th	\$500.00
3	5	1 & 2	False Alarms – 6 th	\$600.00
3	5	1 & 2	False Alarms – 7 th	\$700.00
3	5	1 & 2	False Alarms – 8 th	\$800.00
3	5	1 & 2	False Alarms – 9 th	\$900.00
3	5	1 & 2	False Alarms – 10 th	\$1,000.00 etc.
			Fire Department Engine Type 1 & 2 (Wright county FCA uniform schedule billable calls)	\$400.00 per hour
			Fire Department Engine Type 3 – 7 (Wright county FCA uniform schedule billable calls)	\$150.00 per hour
			Fire Department Aerial Apparatus (Wright county FCA uniform schedule billable calls)	\$750.00 per hour
			Fire Department Tenders – All Types ((Wright county FCA uniform schedule billable calls)	\$300.00 per hour
			Fire Department Utility & Rescue – All Types (Wright county FCA uniform schedule billable calls)	\$400 per hour
			Fire Department Boat/Water Ice Rescue (Wright county FCA uniform schedule billable calls)	\$150.00 per hour
			Fire Department Personnel Each (Wright county FCA uniform schedule billable calls)	\$20.00 per hour

EXHIBIT B
2013 Rental Fee Schedule

CENTRAL PARK SHELTER			
RENTER	DAYS	RESIDENT	NON-RESIDENT
Private Business	Monday - Thursday	\$100 per day, plus sales tax	\$150 per day, plus sales tax
Private Business	Friday - Sunday	\$100 per day, plus sales tax	\$150 per day, plus sales tax
Civic Organizations or Non-Profit Groups	Same as Above	Once a month free then 50% off above rate	
Central Park Ballfield Fine (if no damage deposit) Administrative Fine \$200.00			
CENTRAL PARK SHELTER			
LEAGUE OR OTHER TYPE OF RENTAL		RENTAL FEE	
Central Park – Softball Leagues		\$125.00 per field, per day, plus sales tax & proof of liability dis.; includes lights & scoreboards	
Central Park – Softball Tournaments		\$100.00 per field, per day, plus sales tax & proof of liability dis.; includes lights & scoreboards	
Central Park – Broomball Leagues		\$75.00 per field, per day, plus sales tax & proof of liability dis.; includes lights & scoreboards	
Central Park – Broomball Tournaments		\$100.00 per field, per day, plus sales tax & proof of liability dis.; includes lights & scoreboards	
Central Park Ballfield Fine (if no damage deposit) Administrative Fine \$200.00			
Damage Deposit on all private and business rentals is \$100.00.			
Civic and non-profit organizations are required to clean the facility prior to leaving, leaving the area in the same or in a better condition than found.			

EXHIBIT B
2013 Rental Fee Schedule

CONFERENCE ROOM (SEATING FOR 8-12) {East or West}			
RENTER	DAYS	RESIDENT (2 Hr Min)	NON-RESIDENT (2 Hr Min)
Private Business	Monday - Thursday	\$10 per hour plus sales tax	\$20 per hour plus sales tax
Private Business	Friday - Sunday	\$15 per hour plus sales tax	\$30 per hour plus sales tax
Civic Organizations or Non-Profit Groups	Sunday – Saturday	\$50 per hour setup – take down fee, plus tax	\$50 per hour setup – take down fee, plus tax
Civic Organizations or Non-Profit Groups	Same as Above	Once a month free then 50% off above rate	
UPSTAIRS (SEATING FOR 12-50)			
RENTER	DAYS	RESIDENT (4 HRS)	NON-RESIDENT (4 HRS)
Private Business	Monday - Thursday	\$50 per event plus sales tax	\$75 per event plus sales tax
Private Business	Friday - Sunday	\$100 per event plus sales tax	\$150 per day plus sales tax
Civic Organizations or Non-Profit Groups	Sunday – Saturday	\$50 per hour setup – take down fee, plus tax	\$50 per hour setup – take down fee, plus tax
Civic Organizations or Non-Profit Groups	Same as Above	Once a month free then 50% off above rate	
<p>Damage Deposit on all private and business rentals is \$100.00.</p> <p>Civic and non-profit organizations are required to clean the facility prior to leaving, leaving the area in the same or in a better condition than found.</p>			

EXHIBIT B

2013 Rental Fee Schedule

MULTI-PURPOSE ROOM OR COUNCIL CHAMBER (SEATING FOR 12-50)			
RENTER	DAYS	RESIDENT (4 HRS)	NON-RESIDENT (4 HRS)
Private Business	Monday - Thursday	\$75 per event plus sales tax	\$110 per event plus sales tax
Private Business	Friday - Sunday	\$125 per event plus sales tax	\$200 per day plus sales tax
Civic Organizations or Non-Profit Groups	Sunday – Saturday	\$50 per hour setup – take down fee, plus tax	\$50 per hour setup – take down fee, plus tax
Civic Organizations or Non-Profit Groups	Same as Above	Once a month free then 50% off above rate	
FULL COMMUNITY ROOM (SEATING FOR 50-100) {Council Chamber and Multi-purpose Room combined}			
RENTER	DAYS	RESIDENT (4 HRS)	NON-RESIDENT (4 HRS)
Private Business	Monday - Thursday	\$125 per event plus sales tax	\$200 per event plus sales tax
Private Business	Friday - Sunday	\$200 per event plus sales tax	\$300 per event plus sales tax
Civic Organizations or Non-Profit Groups	Sunday – Saturday	\$50 per hour setup – take down fee, plus tax	\$50 per hour setup – take down fee, plus tax
Civic Organizations or Non-Profit Groups	Same as Above	Once a month free then 50% off above rate	
Kitchen	Same as Above	\$50 per event plus sales tax	\$75 per event plus sales tax
OTHER AMENITIES			
RENTAL EQUIPMENT		RESIDENT	NON-RESIDENT
AV Cart	Multi-purpose Room	\$10 plus sales tax	\$15 plus sales tax

EXHIBIT C

2013 Liquor Violation Schedule

1. Upon a finding that a licensee of any license granted pursuant to the City's Liquor Ordinance has failed to comply with any provision of that Ordinance or any applicable State law, or other regulation or ordinance relating to alcoholic beverages, the City Council pursuant to the enforcement provisions of the City's Liquor Ordinance may either suspend the license for a period of up to sixty (60) days, revoke any liquor license, or impose a civil fine on the licensee not to exceed \$2,000, for each violation.
2. The civil penalty and/or suspension and revocation imposed pursuant to the City's Liquor Ordinance may in the City Council's discretion be based on the following guidelines related to the licensee's total number of violations at the specific location, at which the violation occurred, within the preceding 24-month period as follows:

First Violation:	\$ 500.00
Second Violation	\$1,000.00
Third Violation	\$1,500.00, plus two (2) day suspension of license
Fourth violation	\$2,000.00, plus a suspension of not less than five (5) days but no more than sixty (60) days or revocation as determined by the City Council
3. The above referenced schedule is non-binding and is only intended as a guide to the City Council for the imposition of appropriate sanctions pursuant to the City's Liquor Ordinance. The City Council in its discretion may depart from this schedule for any reason it deems appropriate.
4. Any suspension and/or revocation imposed by the City Council shall be pursuant to the relevant provisions of the City's Liquor Ordinance including any hearing requirements.
5. Nothing in this resolution is intended to prohibit the City, County or other authorized entity from seeking criminal prosecution for violations of the City's Liquor Ordinance or other laws related to alcoholic beverages.

EXHIBIT D

Joint Powers Water Board 2013 Water Utility Rates

Description	2012 Fee	2013 Fee	Comments
Supply Connection Fee (WAC)	\$2,001	\$2,001	
JP Distribution Connection Fee	\$904	\$904	
<u>Water Rate: Residential</u>			
Supply (BASE rate-no minimum)	\$3.56	\$3.56	
Supply 0-3500 gal	\$2.14	\$2.14	
Supply 3501-6500 gals	\$2.41	\$2.41	
Supply 6500-11500 gals	\$2.63	\$2.63	
Supply 11500-16500 gals	\$2.90	\$2.90	
Over 16500	\$3.23	\$3.23	
<u>Water Rate: Distribution</u>			
Base	\$1.09	\$1.09	
Rate per 1,000 gal	\$0.90	\$0.90	
<u>Water Rate: Commercial</u>			
3/4 inch meter	\$3.56	\$3.56	
1 inch meter	\$5.69	\$5.69	
1.5 inch meter	\$10.67	\$10.67	
2 inch meter	\$42.69	\$42.69	
3 inch meter	\$88.94	\$88.94	
4 inch meter	\$99.00	\$99.00	
6 inch meter	\$125.23	\$125.23	
8 inch meter	\$137.76	\$137.76	
Commodity Rate, per 1,000 gallons	\$2.49	\$2.49	
<u>Water Rate: Irrigation Only</u>			
3/4 inch meter	\$3.56	\$3.56	
1 inch meter	\$5.69	\$5.69	
1.5 inch meter	\$10.67	\$10.67	
2 inch meter	\$42.69	\$42.69	
3 inch meter	\$88.94	\$88.94	
>3 inch meter	Board analysis	Board analysis	
Commodity Rate, per 1,000 gallons	\$2.82	\$2.82	
Sprinkling Violations	\$75.00	\$75.00	
	\$50.00	\$50.00	1st violation (following warning) EACH addn'l violation

EXHIBIT E

2013 Stormwater Rates

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

RESOLUTION NO. 2009-028

RESOLUTION SETTING STORMWATER UTILITY RATES

WHEREAS, the Albertville City Council sets the Stormwater Utility rates by resolution; and

WHEREAS, the City has undertaken a storm water ponding improvement and has issued bonds to finance such improvement; and

WHEREAS, the City will repay the bonds in part from increased storm water rates;

NOW, THEREFORE, the City Council hereby sets the Stormwater Utility Rates effective for bills sent in September 2009 as follows:

Stormwater rates (bimonthly) for September 2009 (increase 2):

Stormwater 1 Residential	\$8.00 flat fee (increase of \$1.00)
Stormwater 2 Residential	\$11.12 flat fee (increase of \$1.39)
Stormwater 3 Residential	\$20.00 flat fee (increase of \$2.50)
Non-residential impervious 0-5%	\$12.58 per acre (increase of \$1.57)
Non-residential impervious 6-35%	\$23.70 per acre (increase of \$2.96)
Non-residential impervious 36-65%	\$33.32 per acre (increase of \$4.16)
Non-residential impervious 66-100%	\$59.96 per acre (increase of \$7.49)
Golf Course	\$2.00 per acre

Adopted by the City Council of the City of Albertville this 3rd day of August 2009.

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

RESOLUTION NO. 2012-056

**RESOLUTION SETTING 2013 WATER UTILITY RATES
AND SETTING 2014-2017 WATER UTILITY BASE RATES**

WHEREAS, the Albertville City Council sets the Water Utility Rates by resolution; and

WHEREAS, the City Council hereby sets the Water Utility Rates effective for bills sent in January 2013 as follows:

Monthly Rates

0-3,333 gallons	\$3.38
3,334-6,667 gallons	\$0.77 per 1,000 over 3,333
6,668-11,667 gallons	\$0.82 per 1,000 over 6,667
Over 11,668 gallons	\$0.84 per 1,000 over 11,668

NOW, THEREFORE, the City Council hereby authorizes increases in the base fee of the Water Utility Rate for the following years as set below:

2014	\$4.38
2015	\$5.38
2016	\$6.38
2017	\$7.38

Adopted by the City Council of the City of Albertville this 17th day of December 2012.

Mark Meehan, Mayor

Kimberly A. Olson, City Clerk

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

RESOLUTION NO. 2012-057

**RESOLUTION SETTING 2013 SEWER UTILITY RATES
AND SETTING THE 2014-2017 SEWER UTILITY BASE RATES**

WHEREAS, the Albertville City Council sets the Sewer Utility rates by resolution; and

WHEREAS, the City Council hereby sets the Sewer Utility Rates effective for bills sent in January 2013 as follows:

Monthly Rates

0-5,000 gallons	\$17.71
Over 5,000 gallon	\$3.90 per 1,000

NOW, THEREFORE, the City Council hereby authorizes increases in the base fee of the Sewer Utility Rate for the following years as set below:

2014	\$18.71
2015	\$19.71
2016	\$20.71
2017	\$21.71

Adopted by the City Council of the City of Albertville this 17th day of December 2012.

Mark Meehan, Mayor

Kimberly A. Olson, City Clerk

December 13, 2012

SUBJECT: FINANCE – 2013A PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION SEWER REVENUE CROSSOVER REFUNDING BONDS, 2013A \$2,510,000

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

MOTION TO: Adopt Resolution No. 2012-058 entitled a Resolution awarding the sale of General Obligation Sewer Revenue Crossover Refunding Bonds; Series 2013A.

BACKGROUND: In 2005, the City of Albertville bonded to fund the City's Wastewater Treatment Facility.

KEY ISSUES: This refunding does not increase the remaining length of the debt for the City of Albertville.

POLICY CONSIDERATIONS: It is the City's policy to review and approve redemption of bonds on first call date if it is feasible and has significant savings.

FINANCIAL CONSIDERATIONS: Refinancing this bond does not affect the general fund budget. The City could save an estimated \$190,000 in interest by re-issuing this bond.

LEGAL CONSIDERATIONS: The Mayor and Council have the statutory authority to reissue bonds pursuant to the bond indentures. Bond Attorney Steve Bubul of Kennedy and Graven will represent the City insuring the proper issuance of the bonds.

Responsible Person/Department: Tina Lannes, Finance
Approved by: RDT

Attachments: Resolution No. 2012-058

Extract of Minutes of Meeting
of the City Council of the City of
Albertville, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Albertville, Minnesota, was duly held at City Hall in the City on Monday, December 17, 2012, commencing at 7:00 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the offer which had been received for the purchase of the City's \$_____ General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A.

The City Administrator presented a tabulation of the proposals that had been received in the manner specified in the Notice of Sale for the Bonds. The proposals are as set forth in EXHIBIT A attached.

After due consideration of the proposals, Member _____ then introduced the following written resolution, the reading of which was dispensed with by unanimous consent, and moved its adoption:

RESOLUTION NO. 2012-058

A RESOLUTION AWARDING THE SALE OF \$ _____ GENERAL OBLIGATION SEWER REVENUE CROSSOVER REFUNDING BONDS, SERIES 2013A; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; PROVIDING FOR THEIR PAYMENT; PROVIDING FOR THE ESCROWING AND INVESTMENT OF THE PROCEEDS THEREOF; AND PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY.

BE IT RESOLVED By the City Council of the City of Albertville, Minnesota (the "City") as follows:

Section 1. Sale of Bonds.

1.01. Authorization. On November 7, 2012, the City Council adopted a resolution (the "Authorizing Resolution") authorizing the sale of the City's General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A (the "Bonds") in the proposed aggregate principal amount of \$ _____ to refund the Series 2005 Bonds (as defined in the Authorizing Resolution) pursuant to Minnesota Statutes, Chapter 475, and specifically Section 475.67, Subdivision 3 thereof (the "Act"). All capitalized terms herein have the meaning provided in the Authorizing Resolution.

1.02 Award to the Purchaser and Interest Rates. The proposal of _____ (the "Purchaser") to purchase the Bonds is found and determined to be a reasonable offer and is accepted, the proposal being to purchase the Bonds at a price of \$ _____ (par amount of \$ _____, plus an original issue premium of \$ _____, less an underwriter's discount of \$ _____), plus \$ _____ of accrued interest to date of delivery, for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2016	%	2021	%
2017		2022	
2018		2023	
2019		2024	
2020		2025	

True interest cost: _____%

1.03. Purchase Contract. The sum of \$ _____ being the amount proposed by the Purchaser in excess of \$ _____, shall be credited to the Debt Service Fund hereinafter created or deposited in the Escrow Fund hereinafter created, as determined by the City Administrator in consultation with the City's financial advisor. The City Administrator is directed to retain the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers. The Mayor and City Administrator are directed to execute a contract with the Purchaser on behalf of the City.

1.04. Terms and Principal Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the Act in the total principal amount of \$ _____, originally dated January 1, 2013, in

the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on December 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2021	\$
2017		2022	
2018		2023	
2019		2024	
2020		2025	

1.05. Optional Redemption. The City may elect on December 1, 2020, and on any day thereafter to prepay Bonds due on or after December 1, 2021. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 8 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on June 1 and December 1 of each year, commencing December 1, 2013, to the registered owners of record as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints Northland Trust Services, Inc., Minneapolis, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law

to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Finance Director must transmit to the Registrar monies sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Administrator and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The City may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in Section 3 with such changes as may be necessary to reflect more than one maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefor and cancelled.

Section 3. Form of Bond.

3.01. Form. The Bonds will be printed or typewritten in substantially the form as attached hereto as EXHIBIT A.

3.02. Approving Legal Opinion. The Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

Section 4. Bonds; Security; Escrow.

4.01. Funds and Accounts. For the convenience and proper administration of the money to be borrowed and repaid on the Bonds and the Series 2005 Bonds, and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds and the Series 2005 Bonds, there is herein created a special fund to be designated the General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A Fund (the "Fund") to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund will be maintained in the manner herein specified until all of the Series 2005 Bonds have been paid and until all of the Bonds and the interest thereon will have been fully paid. There will be maintained in the Fund two separate accounts, to be designated the Escrow Account and the Sewer Revenue Bonds Account.

(a) Escrow Account. The Escrow Account will be maintained as an Escrow Account (the “Escrow Account”) with Northland Trust Services, Inc. in Minneapolis, Minnesota, which is a suitable financial institution within the State, whose deposits are insured by the Federal Deposit Insurance Corporation, whose combined capital and surplus is not less than \$500,000 and said financial institution is hereby designated escrow agent (the “Escrow Agent”) for the Escrow Account. All proceeds of the sale of the Bonds will be received by the Escrow Agent and applied to fund the Escrow Account, to pay costs of issuing the Bonds or to fund the Debt Service Fund under Section 4.01(b). Proceeds of the Bonds not used to pay costs of issuance or to fund the Debt Service Fund under Section 4.01(b) are hereby irrevocably pledged and appropriated to the Escrow Account, together with all investment earnings thereon. The Escrow Account will be invested in securities maturing or callable at the option of the holder on such dates and bearing interest at such rates as will be required to provide sufficient funds, together with any cash or other funds retained in the Escrow Account, to pay when due the interest to accrue on each Bond, and to pay when due on the Redemption Date, the principal amount of each of the Series 2005 Bonds then outstanding. From the Escrow Account there will be paid (i) all interest paid on, or to be paid on, or to accrue on, the Bonds to and including the Redemption Date (as defined herein); and (ii) the principal of the Series 2005 Bonds due by reason of redemption on December 1, 2015 (the “Redemption Date”). The Escrow Account will be irrevocably appropriated to the payment of the principal of and interest on the Bonds until the proceeds of the Bonds therein are applied to prepayment of the Series 2005 Bonds. The moneys in the Escrow Account will be used solely for the purposes herein set forth and for no other purpose, except that any surplus in the Escrow Account may be remitted to the City, all in accordance with the Escrow Agreement (hereafter defined) by and between the City and the Escrow Agent. Any moneys remitted to the City upon termination of the Escrow Agreement will be deposited in the Debt Service Fund.

(b) Sewer Revenue Bonds Account. The City will continue to operate and maintain its Sewer Revenue Bonds Account o which will be credited all gross revenues of the sewer system of the City and out of which will be paid all normal and reasonable expenses of current operations of the sewer system. Any balance therein will be deemed net revenues (the “Net Revenues”) and will be transferred from time to time to the Sewer Revenue Bonds Account of the Debt Service Fund as set forth herein. To the Sewer Revenue Bonds Account there is hereby pledged and irrevocably appropriated and there will be credited: (i) any balance remitted to the City upon the termination of the Escrow Agreement (as defined herein); (ii) Net Revenues of the sewer system and not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the account sufficient to meet the requirements of Section 475.61 of the Act for the payment of the principal of and interest on the Sewer Revenue Refunding Bonds; (iii) amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Sewer Revenue Bonds Account in accordance with Section 1.03; (iv) all investment earnings on funds in the Sewer Revenue Bonds Account; and (v) any and all other moneys which are properly available and are appropriated by the City Council to the Sewer Revenue Bonds Account. The amount of any surplus remaining in the Sewer Revenue Bonds Account when the Sewer Revenue Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act.

There will always be retained in the Sewer Revenue Bonds Account a sufficient amount to pay principal of and interest on all the Bonds, and the Finance Director must report any current or anticipated deficiency in the Sewer Revenue Bonds Account to the City Council. The debt service fund heretofore established for the Series 2005 Bonds pursuant to the resolution authorizing the issuance and sale of the Series 2005 Bonds (the “Refunded Sewer Revenue Bonds Resolution”) shall be terminated on December 1, 2015, following the redemption of the Series 2005 Bonds, and all monies therein are hereby transferred to the Sewer Revenue Bonds Account herein created.

4.02. Findings. It is hereby found and determined that based upon information provided by the Purchaser of the Bonds, the issuance of the Bonds will result in a reduction of debt service cost to the City of the Series 2005 Bonds, such that the present value of such debt service or interest cost savings (the "Reduction") is at least _____% of the debt service on the Series 2005 Bonds. The Reduction, after the inclusion of all authorized expenses of refunding in the computation of the effective interest rate on the Bonds is adequate to authorize the issuance of the Bonds as provided by Minnesota Statutes, Section 475.67, Subdivisions 12 and 13.

4.03. Investment of Funds. The moneys in the Debt Service Fund will be used solely to pay the principal of and interest on the Bonds or any other bonds hereafter issued and made payable from the Fund. No portion of the proceeds of the Bonds will be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (i) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (ii) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Fund (or any other City account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield will not be invested at a yield in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable temporary periods or minor portion made available under the federal arbitrage regulations. In addition, the proceeds of the Bonds and money in the Fund will not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the Code).

4.04. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby pledged. If the balance in the Escrow Account or the Debt Service Account, as the case may be, is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of money in the general fund of the City which is available for such purpose, and such general fund may be reimbursed with or without interest from the Escrow Account or the Debt Service Account, as the case may be, when a sufficient balance is available therein.

4.05. Debt Coverage. It is hereby determined that the estimated collection of Net Revenues of the sewer system for the payment of principal of and interest on the Bonds will produce at least five percent in excess of the amount needed to meet, when due, the principal and interest payments on the Refunded Sewer Revenue Bonds maturing after the Redemption Date; therefore, no tax levy is needed at this time.

4.06. Filing. The City Clerk is authorized and directed to file a certified copy of this Resolution with the County Auditor of Wright County and to obtain the certificate required by Section 475.63 of the Act.

4.08. Prior Resolution Pledges. The pledges and covenants of the City made by the Refunded Bonds Resolution (the "Prior Resolution") relating to the ownership, protection of and other particulars governing the operation and financial management of the sewer system of the City and the improvements thereto are restated and confirmed in all respects. The provisions of the Prior Resolution is hereby supplemented to the extent necessary to give full effect to the provisions hereof.

Section 5. Refunding; Findings; Redemption of Series 2005 Bonds.

5.01. Deposit of Proceeds. As of the date of delivery of the Bonds, proceeds of the Bonds in the amount of \$_____ (the "Proceeds") are pledged and appropriated and will be deposited in the Escrow Account. Proceeds of the Bonds used to pay costs of issuance of the Bonds (\$_____) will be deposited with the Escrow Agent pursuant to the Escrow Agreement. Proceeds in excess of amounts needed to fund the Escrow Account and pay costs of issuance of the Bonds are appropriated to the Debt Service Account in accordance with Section 4.01(b) of this Resolution.

5.02. Payment of the Bonds and the Series 2005 Bonds. It is found and determined that the Proceeds available and appropriated to the Escrow Account will be sufficient to pay principal of and interest on the Bonds through the Redemption Date, and to pay at maturity or redemption all of the principal of and redemption premium (if any) on each of the Series 2005 Bonds maturing after the Redemption Date.

5.03. Notice of Payment. The Series 2005 Bonds maturing on December 1, 2016 and thereafter will be redeemed and prepaid on December 1, 2015. The Series 2005 Bonds will be redeemed and prepaid in accordance with their terms and in accordance with the terms and conditions set forth in the form of Notice of Call for Redemption attached hereto as Exhibit C, which terms and conditions are hereby approved and incorporated herein by reference. The Registrar for the Series 2005 Bonds is authorized and directed to send a copy of the Notice of Redemption to the registered holder of the Series 2005 Bonds.

5.04. Escrow Agreement. On or prior to the delivery of the Bonds, the Mayor and the City Administrator are authorized and directed to execute on behalf of the City an escrow agreement (the "Escrow Agreement") with the Escrow Agent in substantially the form now on file with the City Administrator. All essential terms and conditions of the Escrow Agreement, including payment by the City of reasonable charges for the services of the Escrow Agent, are approved and adopted and made a part of this Resolution, and the City covenants that it will promptly enforce all provisions thereof in the event of default thereunder by the Escrow Agent.

Section 6. Authentication of Transcript.

6.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the City as to the facts stated therein.

6.02. Certification as to Official Statement. The Mayor, City Administrator and Finance Director are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

Section 7. Tax Covenants.

7.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect

at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds. To that end, the City will comply with all requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments and limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States (unless the City qualifies for any exemption from rebate requirements based on timely expenditure of proceeds of the Bonds, in accordance with the Code and applicable Treasury Regulations).

7.02. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

7.03. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;
- (b) the City designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2013 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the City during calendar year 2013 have been designated for purposes of Section 265(b)(3) of the Code.

7.04. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 8. Book-Entry System; Limited Obligation of City.

8.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each such Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this Section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

8.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any

ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this Resolution. Upon delivery by DTC to the City Finance Director of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co.," will refer to such new nominee of DTC; and upon receipt of such a notice, the City Finance Director will promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interest, in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this Resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

8.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 9. Continuing Disclosure.

9.01. Execution of the Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and the City Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

9.02. Compliance with Provisions of the Continuing Disclosure Certificate. The City covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure

Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate will not be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

Section 10. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this Section, all pledges, covenants and other rights granted by this Resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF WRIGHT) SS.
)
CITY OF ALBERTVILLE)

I, the undersigned, being the duly qualified and acting Clerk of the City of Albertville, Wright County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on December 17, 2012 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of \$_____ General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A of the City.

WITNESS My hand officially as such Clerk and the corporate seal of the City this _____ day of _____, 2012.

(SEAL)

City Clerk
City of Albertville, Minnesota

STATE OF MINNESOTA
COUNTY OF WRIGHT

COUNTY AUDITOR'S
CERTIFICATE AS TO
AND REGISTRATION

I, the undersigned County Auditor of Wright County, Minnesota, certify that a certified copy of a resolution adopted by the governing body of the City of Albertville, Minnesota, on December 17, 2012, for the payment of \$_____ General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A, of said municipality dated January 1, 2013, has been filed in my office and said bonds have been entered on the register of obligations in my office.

WITNESS My hand and official seal this ____ day of _____, 2012.

(SEAL)

County Auditor
Wright County, Minnesota

Deputy

EXHIBIT A
FORM OF BOND

No. R-_____ UNITED STATES OF AMERICA \$_____

STATE OF MINNESOTA
COUNTY OF WRIGHT
CITY OF ALBERTVILLE

GENERAL OBLIGATION SEWER REVENUE CROSSOVER
REFUNDING BOND, SERIES 2013A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	December 1, 20__	January 1, 2013	013212 _____

Registered Owner: Cede & Co.

The City of Albertville, Minnesota, a duly organized and existing municipal corporation in Wright County, Minnesota (the "City"), acknowledges itself to be indebted and for value received promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$_____ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable June 1 and December 1 in each year, commencing December 1, 2013, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Northland Trust Services, Inc., Minneapolis, Minnesota, as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on December 1, 2020, and on any date thereafter to prepay Bonds due on or after December 1, 2021. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify Depository Trust Company, New York, New York ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

This Bond is one of an issue in the aggregate principal amount of \$_____, all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council of the City on December 17, 2012 (the "Resolution"), for the purpose of providing money to refund in advance of maturity and on the Redemption Date, as defined in the Resolution, certain general obligation bonds of the City, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapter 475, and Section 475.67, Subdivisions 3 and 13. The interest hereon is payable until the Redemption Date primarily out of the Escrow Account and the Debt Service Account in the City's General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A Fund, and after the Redemption Date from net revenues of the City's municipal sewer system, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy ad valorem taxes on all taxable property in the City in the event of any deficiency in sewer revenues, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED AND RECITED That in and by the Resolution, the City has covenanted and agreed that it will continue to own and operate the sewer system free from competition by other like municipal utilities; that adequate insurance on said system and suitable fidelity bonds on employees will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the Sewer Revenue Bonds Account, into which it will pay all of the gross revenues from the sewer system; that it will also create and maintain a Sewer Bonds Account of the General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A Debt Service Fund, into which it will pay, out of the net revenues from the sewer system, a sum sufficient to pay principal hereof and interest thereon when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net revenues of the sewer system.

IT IS CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Albertville, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and the City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: _____

CITY OF ALBERTVILLE, MINNESOTA

(Facsimile)
City Administrator

(Facsimile)
Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

NORTHLAND TRUST SERVICES, INC.

By _____
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common UNIF GIFT MIN ACT _____ Custodian _____ (Minor)

TEN ENT -- as tenants by entireties under Uniform Gifts or Transfers to Minors

JT TEN -- as joint tenants with right of survivorship and not as tenants in common Act (State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

Date of Registration

Registered Owner

Signature of
Officer of Registrar

Cede & Co.
Federal ID #13-2555119

EXHIBIT C

NOTICE OF CALL FOR REDEMPTION

**\$4,000,000 GENERAL OBLIGATION SEWER REVENUE BONDS, SERIES 2005A
CITY OF ALBERTVILLE
WRIGHT COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of Albertville, Minnesota, there have been called for redemption and prepayment on

December 1, 2015

all outstanding bonds of the City designated as General Obligation Sewer Revenue Bonds, Series 2005A, dated December 1, 2005, having stated maturity dates of December 1 in the years 2016 through 2025, both inclusive, totaling \$2,365,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>CUSIP</u>
2016	013212 LT0
2017	013212 LU7
2018	013212 LV5
2020*	013212 LW3
2022*	013212 LX1
2023	013212 LY9
2024	013212 LZ6
2025	013212 MA0

*Term Bonds

The bonds are being called at a price of par plus accrued interest to December 1, 2015, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Northland Trust Services, Inc. Minneapolis, Minnesota, on or before to December 1, 2015, at the following address: 45 South Seventh Street, Suite 2000, Minneapolis, Minnesota 55402.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

Dated: _____

BY ORDER OF THE CITY COUNCIL

By /s/ Kimberly Olson
City Clerk
City of Albertville, Minnesota

REFUNDING ESCROW AGREEMENT

Relating to: \$4,000,000 General Obligation Sewer Revenue Bonds, Series 2005A

THIS AGREEMENT, made pursuant to Minnesota Statutes, Section 475.67, Subdivision 13 (the "Act") and executed by and between the City of Albertville, Wright County, Minnesota (the "City"), and Northland Trust Services, Inc., Minneapolis, Minnesota, a banking corporation (the "Escrow Agent"):

WITNESSETH: That the parties hereto recite and, in consideration of the mutual covenants contained herein, covenant and agree as follows:

1. The City, in accordance with a resolution adopted by its governing body on December 17, 2012, entitled "Resolution Awarding the Sale of \$_____ General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A; Fixing Their Form and Specifications; Directing Their Execution and Delivery; Providing for Their Payment; Providing for the Escrowing and Investment of the Proceeds Thereof; and Providing for the Redemption of Bonds Refunded Thereby" (the "Resolution"), a certified copy of the latter of which has been filed with the Escrow Agent, has provided for the refunding of certain outstanding general obligation bonds (the "Refunded Bonds") of the City, described in said Resolution, by the issuance and sale of refunding obligations, designated as "General Obligation Sewer Revenue Crossover Refunding Bonds, Series 2013A" (the "Refunding Bonds").

2. The City has also, in accordance with the Resolution, issued and sold the Refunding Bonds in the aggregate principal amount of \$_____. The City has deposited with the Escrow Agent proceeds of the Refunding Bonds in the amount of \$_____ (par amount of \$_____, together with original issue premium of \$_____, accrued interest of \$_____, less underwriter's discount of \$_____). \$_____ of such funds shall be invested in securities which are general obligations of the United States, securities whose principal and interest payments are guaranteed by the United States, and securities issued by agencies of the United States (collectively, the "Federal Securities"), as described in the schedule which is attached hereto, marked Exhibit A and made a part hereof, \$___ shall be an initial cash deposit to the Escrow Fund, and \$_____ shall be used to pay the costs of issuance related to the Refunding Bonds, as delineated in Exhibit C. The City has irrevocably deposited all such proceeds, cash and securities with the Escrow Agent on the date of this Agreement. Proceeds in excess of these amounts will be forwarded to the City for deposit into the debt service fund for the Refunding Bonds. It is understood and agreed that the dates and amounts of payments of principal and interest due on the securities so deposited are as indicated in Exhibit A, and that the principal and interest payments due on such securities together with the initial cash deposit are such as to provide the funds required to pay all interest payable on the Refunding Bonds to the date on which any of the Refunded Bonds have been directed to be prepaid, as stated in the Resolution and to pay the redemption price of the Refunded Bonds on such date. The Refunded Bonds are the following:

\$4,000,000 General Obligation Sewer Revenue Bonds, Series 2005A, dated December 1, 2005 (the "Refunded Bonds"), of which the outstanding principal amount of \$2,365,000 representing the 2016 through 2025 maturities of the Refunded Bonds is callable on December 1, 2015;

3. The Escrow Agent acknowledges receipt of the securities described in paragraph 2 hereof and agrees that it will hold such securities in a special escrow account (the "Escrow Account") created by the Resolution in the name of the City, and will collect and receive on behalf of the City all payments of principal and interest on such securities and will remit from the Escrow Account (i) to the paying agent (the "Paying Agent") for the Refunding Bonds the funds required from time to time for the payment of interest on the Refunding Bonds; and (ii) to the Paying Agent for the Refunded Bonds the funds needed for the redemption and prepayment of the outstanding principal amount of the Refunded Bonds on December 1, 2015. After provision for payment of all remaining Refunded Bonds, the Escrow Agent will remit any remaining funds in the Escrow Account to the City.

4. In order to insure continuing compliance with the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder (collectively the Code), the Escrow Agent agrees that it will not reinvest any cash received in payment of the principal of and interest on the Federal Securities held in the Escrow Account. This prohibition on reinvestment shall continue unless and until an opinion is received by Escrow Agent from nationally recognized bond counsel that reinvestments, as specified in said opinion, may be made in a manner consistent with the Code. Reinvestment, if any, of amounts in the Escrow Account made pursuant to this paragraph may be made only in direct obligations of the United States of America which mature prior to the next date on which either principal or interest on the Refunded Bonds is payable.

5. Escrow Agent expressly waives any lien upon or claim against the moneys and investments in the Escrow Account.

6. If at any time it shall appear to the Escrow Agent that the money in the Escrow Account allocable for such use hereunder will not be sufficient to make any interest payment due to the holders of any of the Refunding Bonds, or principal payment due to the holders of any of the Refunded Bonds, the Escrow Agent shall immediately notify the City. The City thereupon shall forthwith deposit in Escrow Account from funds on hand and legally available to it such additional funds as may be required to meet fully the amount to become due and payable. The City acknowledges its obligation to levy ad valorem taxes on all taxable property in the City to the extent required to produce moneys necessary for this purpose. The City and Escrow Agent acknowledge receipt of a verification report from _____, certified public accountants, dated January __, 2013, to the effect that such cash and securities are sufficient to comply with the requirements of the Act.

7. The City will not repeal or amend the Resolution which calls the Refunded Bonds for redemption on the Redemption Date. The Escrow Agent shall cause the Notice of Call for Redemption attached hereto as Exhibit B, to be mailed not less than 30 days prior to the Redemption Date of the Refunded Bonds to the paying agent for the Refunded Bonds for the

purpose of giving notice not less than 30 days prior to the Redemption Date to the registered owners of the Refunded Bonds to be redeemed, at the address appearing in the bond register and also to the bank at which the principal and interest on the Refunded Bonds are then payable.

8. On or before January 1, 2014, and on or before January 1 of each year thereafter until the termination of the Escrow Account, the Escrow Agent shall submit to the City a report covering all money it shall have received and all payments it shall have made or caused to be made hereunder during the preceding twelve months.

9. It is recognized and agreed that title to the Federal Securities and cash, if any, held in the Escrow Account from time to time shall remain vested in the City but subject always to the prior charge and lien thereon of this Agreement and the use thereof required to be made by this Agreement. The Escrow Agent shall hold all such money and obligations in a special trust fund and account separate and wholly segregated from all other funds and securities of the Escrow Agent, and shall never commingle such money or securities with other money or securities; provided, however, that nothing herein contained shall be construed to require the Escrow Agent to keep the identical monies, or any part thereof, received for the Escrow Account on hand, but moneys of an equal amount (except to the extent such are represented by investments permitted under this Agreement) shall always be maintained on hand as funds held by the Escrow Agent as trustee, belonging to the City, and a special account shall at all times be maintained on the books of the Escrow Agent, together with such investments. In the event of the Escrow Agent's failure to account for any money or obligations held by it in the Escrow Account, such money and obligations shall be and remain the property of the City, and if for any reason such money or obligations cannot be identified, all other assets of the Escrow Agent shall be impressed with a trust for the amount thereof, and the City shall be entitled to a preferred claim upon such assets. It is understood and agreed that the responsibility of the Escrow Agent under this Agreement is limited to the safekeeping and segregation of the funds and securities deposited with it in the Escrow Account, and the collection of and accounting for the principal and interest payable with respect thereto.

10. This Agreement is made by the City for the benefit of the holders of the Refunded Bonds, and is not revocable by the City, and the investments and other funds deposited in the Escrow Account and all income therefrom have been irrevocably appropriated for the payment of the callable principal amount of the Refunded Bonds at the Redemption Date and interest on the Refunding Bonds to the Redemption Date in accordance with this Agreement.

11. This Agreement shall be binding upon and shall inure to the benefit of the City and the Escrow Agent and their respective successors and assigns. In addition, this Agreement shall constitute a third party beneficiary contract for the benefit of the holders of the Refunded Bonds and said third party beneficiaries shall be entitled to enforce performance and observance by the City and the Escrow Agent of the respective agreements and covenants herein contained as fully and completely as if said third party beneficiaries were parties hereto. Any bank into which the Escrow Agent may be merged or with which it may be consolidated or any bank resulting from any merger or consolidation to which it shall be a party or any bank to which it may sell or transfer all or substantially all of its corporate trust business shall, if the City approves, be the successor agent without the execution of any document or the performance of any further act.

12. The Escrow Agent may at any time resign and be discharged of its obligations hereunder by giving to the City Administrator of the City written notice of such resignation not less than 30 days before the date when the same is to take effect and by publication of a copy of such notice in a daily or weekly Minnesota newspaper published in a Minnesota City of the first class, or its metropolitan area, which circulates throughout the state and furnishes financial news as part of its service, not less than 30 days prior to such date; provided that the Escrow Agent shall return to the County the pro rata portion of its fee which is allocable to the period of time commencing on the effective date of such resignation. Such resignation shall take effect upon the date specified in the notice, or upon the appointment and qualification of a successor prior to that date. In the event of such resignation, a successor shall promptly be appointed by the City, and the City Administrator of the City shall immediately give written notice thereof to the predecessor escrow agent and publish the notice in the manner described in this paragraph 12. If, in a proper case, no appointment of a successor agent is made within 45 days after the receipt by the City of notice of such resignation, the Escrow Agent or the holder of any Refunded Bond may apply to any court of competent jurisdiction to appoint a successor escrow agent, which appointment may be made by the Court after such notice, if any, as the Court may prescribe. Any successor escrow agent appointed hereunder shall execute, acknowledge and deliver to its predecessor escrow agent and to the City a written acceptance of such appointment, and shall thereupon without any further act, deed or conveyance become fully vested with all moneys, properties, duties and obligations of its predecessor, but the predecessor shall nevertheless pay over, transfer, assign and deliver all moneys, securities or other property held by it to the successor escrow agent, shall execute, acknowledge and deliver such instruments of conveyance and do such other things as may reasonably be required to vest and confirm more fully and certainly in the successor escrow agent all right, title and interest in and to any property held by it hereunder. Any bank into which the Escrow Agent may be merged or with which it may be consolidated or any bank resulting from any merger or consolidation to which it shall be a party or any bank to which it may sell or transfer all or substantially all of its corporate trust business shall, if the City approves, be the successor escrow agent without the execution of any document or the performance of any further act.

13. The Escrow Agent acknowledges receipt of the sum of \$_____ as its full compensation for its services to be performed under this Agreement.

14. The duties and obligations of the Agent shall be as prescribed by the provisions of this Agreement and the Agent shall not be liable hereunder except for failure to perform its duties and obligations as specifically set forth herein or to act in good faith in the performance thereof and no implied duties or obligations shall be incurred by the Agent other than those specified herein.

15. Any notice, authorization, request or demand required or permitted to be given in accordance with the terms of this Agreement shall be in writing and sent by registered or certified mail addressed:

If to the City:

City of Albertville
5959 Main Avenue NE
Albertville, MN 55301-9776
Attn: City Administrator

If to the Escrow Agent:

Northland Trust Services, Inc.
45 South 7th Street, Suite 2500
Minneapolis, MN 55402
Attn: Corporate Trust Department

16. The exhibits which are a part of this Agreement are as follows:

Exhibit A	Federal Securities
Exhibit B	Notice of Call for Redemption of Refunded Bonds
Exhibit C	Costs of Issuance

IN WITNESS WHEREOF the parties hereto have caused this instrument to be duly executed by their duly authorized officers, in counterparts, each of which is deemed to be an original agreement, on this ____ day of January, 2013.

CITY OF ALBERTVILLE, MINNESOTA

By _____
Its Mayor

(SEAL)

Attest:

By _____
Its City Administrator

NORTHLAND TRUST SERVICES, INC.

By _____
Its _____

EXHIBIT A
FEDERAL SECURITIES

EXHIBIT B
NOTICE OF CALL FOR REDEMPTION

\$4,000,000 GENERAL OBLIGATION SEWER REVENUE BONDS, SERIES 2005A
CITY OF ALBERTVILLE
WRIGHT COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of Albertville, Minnesota, there have been called for redemption and prepayment on

December 1, 2015

all outstanding bonds of the City designated as General Obligation Sewer Revenue Bonds, Series 2005A, dated December 1, 2005, having stated maturity dates of December 1 in the years 2016 through 2025, both inclusive, totaling \$2,365,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>CUSIP</u>
2016	013212 LT0
2017	013212 LU7
2018	013212 LV5
2020*	013212 LW3
2022*	013212 LX1
2023	013212 LY9
2024	013212 LZ6
2025	013212 MA0

*Term Bonds

The bonds are being called at a price of par plus accrued interest to December 1, 2015, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Northland Trust Services, Inc. Minneapolis, Minnesota, on or before to December 1, 2015, at the following address: 45 South Seventh Street, Suite 2000, Minneapolis, Minnesota 55402.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

Dated: _____

BY ORDER OF THE CITY COUNCIL

By /s/ Kimberly Olson
City Clerk
City of Albertville, Minnesota

EXHIBIT C

COSTS OF ISSUANCE

Bond Counsel	\$
Rating Agency Fee	\$
Registrar / Paying Agent	\$
Escrow Agent	\$
CPA / Verification	\$
TOTAL	\$

December 12, 2012

SUBJECT: FINANCE DEPARTMENT – 5 YEAR CAPITAL IMPROVEMENT PLAN (CIP)

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

MOTION TO: Approve **Resolution 2012-059** entitled a Resolution Accepting the Capital Improvement Plan (CIP).

BACKGROUND: Annually, the Capital Improvement Plan (CIP) is reviewed and updated, as it is a living document. The purpose of the CIP is to provide an orderly and efficient long-term plan for acquiring necessary buildings, land, major equipment, infrastructure and other commodities of significant value which have a useful life of several years.

KEY ISSUES: To provide an opportunity for optimal decision-making by proposers, users and evaluators of capital projects and their funding.

POLICY CONSIDERATIONS: It is the City's policy to review and approve Capital Improvement Plans.

FINANCIAL CONSIDERATIONS: There are no financial considerations at this time.

LEGAL CONSIDERATIONS: There is not legal requirement to adopt a Capital Improvement Plan, but having one is a positive Management practice.

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

Attachments: Resolution 2012-059
Five Year Capital Plan 2013

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

RESOLUTION NO. 2012-059

**A RESOLUTION ACCEPTING THE
CAPITAL IMPROVEMENT PLAN (CIP)**

WHEREAS, the Albertville City Council has reviewed its Capital Improvement Plan (CIP); and

NOW, THEREFORE, BE IT RESOLVED by the Albertville City Council that the following actions are implemented:

Exhibit A – attached

2013 Capital Improvement Plan (CIP)

Adopted by the Albertville City Council this 17th day of December, 2012.

Mark Meehan, Mayor

Kimberly Olson City Clerk

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Fiber Connection															\$200,000
SAC	\$50,000		\$50,000		\$75,000		\$100,000		\$125,000		\$150,000	\$350,000	\$400,000	\$450,000	\$1,350,000
Economic Development															
Arena Capital Imp			\$10,000		\$10,000		\$10,000		\$10,000		\$10,000	\$20,000	\$20,000	\$20,000	
Total	\$50,000		\$60,000		\$85,000		\$110,000		\$135,000		\$160,000	\$370,000	\$420,000	\$470,000	\$1,550,000

Equipment

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Mower/Snow blower	\$35,000	reserves													
Utility Truck/Cub Cadet	\$15,000	reserves													
Bob Cat Buy Back	\$2,500	reserves	\$2,500		\$2,500		\$2,500		\$2,500						
Large Mower							\$45,000								
Loader w/plow											\$150,000				
Total	\$52,500		\$2,500		\$2,500		\$47,500		\$2,500		\$0	\$150,000	\$0	\$0	\$0

Vehicles

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
1 Ton truck with plow	\$35,000	reserves													
1 Ton dump truck w/plow (98)											\$40,000				
Plow truck												\$150,000			
Plow truck														\$150,000	
Total	\$35,000		\$0		\$0		\$0		\$0		\$40,000	\$150,000	\$0	\$150,000	\$0

Street

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
CSAH 19/1-94 Ramps (2)															\$5,000,000
CSAH 19 67-70															\$3,000,000
Main Avenue and Barthel Ind. Dr. Signal					\$250,000										
70th Street (07/08) Signal					\$250,000										
Main Ave Decr. Lights							\$200,000								
Re-align Barthel /50th							\$200,000								
Barthel (55th-59th)			\$235,000												
Barthel RR crossing															\$92,000
Street Improvements	\$240,000		\$350,000		\$250,000		\$250,000		\$250,000		\$250,000	\$500,000	\$500,000	\$500,000	
Main Ave RR Crossing															\$96,000
50th Street Imp															
57th & Lambert Drainage															\$450,000
Greenhaven (2013)															
Total	\$240,000		\$585,000		\$750,000		\$650,000		\$250,000		\$250,000	\$500,000	\$500,000	\$500,000	\$8,638,000

Fire Department

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Pick up Truck															
Tender 11									\$350,000						
Rescue 11 (2018-2019)											\$350,000				
Ladder 11 (2031)															\$1,800,000
Engine 11 (2018-2019)											\$744,800				
Utility 11 (2036)															\$64,000
Air Pack (2015-2020)	\$8,000		\$8,000		\$8,000		\$8,000		\$8,000		\$8,000	\$16,000			
Turn out gear (2013-2023)	\$5,000		\$5,000		\$5,000		\$5,000		\$5,000		\$5,000	\$10,000	\$10,000	\$5,000	
Air Compressor (2035)															
Total	\$13,000		\$13,000		\$13,000		\$13,000		\$363,000		\$1,107,800	\$26,000	\$10,000	\$5,000	\$1,864,000

Parks

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Arena expansion															\$500,000
CSAH 18 Trail															\$75,000
Overlay Trail 4 Seasons	\$20,000														
Community Playfield	\$20,000		\$0		\$0		\$0		\$0		\$0	\$0	\$0	\$0	\$575,000

Wastewater

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Jetter	\$37,500	reserves													
Ind Park Generator			\$58,000												
WWTF Expansion (2022)												\$8,000,000			
Main St					\$250,000										
Cover Digester										\$1,000,000					
WWTF Pond Removal															
3/4 Ton	\$37,500		\$58,000		\$250,000		\$0		\$0		\$1,000,000	\$0	\$8,015,000	\$0	\$0

Water

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Jetter	\$25,000	reserves													
3/4 Ton Wtr/Swr												\$15,000			
Cedar Creek Golf Wtr															\$25,000
Main St.					\$200,000										
Total	\$25,000		\$0		\$200,000		\$0		\$0		\$0	\$0	\$15,000	\$0	\$25,000

Storm Water

Description	Amount 2013	Financing	Amount 2014	Financing	Amount 2015	Financing	Amount 2016	Financing	Amount 2017	Financing	Amount 2018	Amount 2020	Amount 2022	Amount 2024	\$ Unscheduled
Jetter	\$37,500	reserves													
54th & Barthel Storm															\$485,000
Barthel Ind Park Ditch															
Pond Cleaning	\$10,000		\$10,000		\$10,000		\$10,000		\$10,000		\$10,000	\$20,000	\$20,000	\$20,000	
Ditch 9															\$250,000
Main St					\$150,000										
total	\$47,500		\$10,000		\$160,000		\$10,000		\$10,000		\$10,000	\$20,000	\$20,000	\$20,000	\$735,000

Grand totals	\$520,500		\$728,500		\$1,460,500		\$830,500		\$760,500		\$2,567,800	\$1,216,000	\$8,980,000	\$1,145,000	\$13,387,000
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**Bolded not scheduled and need estimated cost

Mayor and Council Request for Action

December 12, 2012

SUBJECT: PLANNING DEPARTMENT – ASHLEY FURNITURE COMPREHENSIVE SIGN PLAN APPROVAL

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

MOTION TO: Adopt **Resolution No. 2012-060** approving the Ashley Furniture Comprehensive Sign Plan.

BACKGROUND: Ashley Furniture was constructed in 2001 on Outlots B and C of the Outlets of Albertville, and is part of the larger Albertville Premium Outlet Mall planned unit development (PUD) that was established in 1999. The lot is unique in that it is visible from I-94 and County Road 19, though it is accessed via a private road and has no public street frontage. In 2002 the City approved a PUD comprehensive sign plan for Ashley Furniture, including a north façade wall sign (114 square feet) and name plate sign (1 square foot), a south façade wall sign (319 square feet), and a ground sign (64 square feet); all of these wall signs fell below the 15% of wall façade sign area limit.

With the opening of the I-94 C-D road and the exit ramp at county Road 19, Ashley Furniture decided to pursue an amendment to their PUD comprehensive sign permit to request additional signage to give the site exposure to the traffic at the exit ramp. They would like an expanded wall sign for the north façade (238.6 square feet, or 3% of the north wall façade), to move the existing north façade wall sign to the east building façade (114 square feet or 4.1% of the east wall façade), and to add a new manual changeable copy sign on the east wall (200 square feet).

The Ashley Furniture store is a single occupancy building and under standard regulations it would be allowed two wall signs per street frontage, not to exceed 15% of the building walls fronting on the public right-of-ways. As described, the store doesn't front on a public right-of-way, but as described in the planning report dated December 5, 2012, planning staff believes that the number and location of the requested signs are reasonable based on the properties unique circumstances, the size of the building, and the limited sign areas being requested. Planning staff recommended approval of all requested signs for the updated PUD comprehensive sign permit. Once approved, the sign permit will allow:

South Wall – Wall Sign (Existing)	319.0 square feet
North Wall – Wall Sign (New)	238.6 square feet
East Wall – Wall Signs (New)	114.0 square feet
East Wall – Changeable Copy Sign (New)	200.0 square feet

POLICY/PRACTICES CONSIDERATIONS: In accordance with State Law, public notice was published and a public hearing held by the Planning and Zoning Commission. They recommended the City Council approve the Ashley Furniture Comprehensive Sign Plan as outlined in Resolution No. 2012-060.

FINANCIAL CONSIDERATIONS: None.

LEGAL CONSIDERATIONS: In accordance with Council procedures, the Mayor and City Council has the authority to approve or deny the Ashley Furniture PUD Comprehensive Sign Plan.

Submitted Through: Alan Brixius, City Planner

Department/Responsible Person: Planning/Alan Brixius, City Planner

Reviewed by: RDT, Interim City Administrator

Attachments: Resolution No. 2012-060

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

RESOLUTION NO. 2012-060

**RESOLUTION APPROVING AN AMENDMENT TO THE ASHLEY FURNITURE PUD
COMPREHENSIVE SIGN PLAN FOR THE PROPERTY LOCATED AT 6497
LABEAUX AVENUE NE WITHIN THE ALBERTVILLE CITY LIMITS.**

WHEREAS, Ashley Furniture has applied for an amendment to their PUD comprehensive sign permit to allow additional and expanded wall signage for their store located at 6497 Labeaux Avenue NE in Albertville; and

WHEREAS, City Staff has reviewed the submitted application: the planning report, dated December 5, 2012 has been prepared by Northwest Associated Consultants that outlines the City staff findings and recommendations; and

WHEREAS, the Albertville Planning and Zoning Commission met and held a public hearing on December 11, 2012 to consider the PUD comprehensive sign permit amendment; and

WHEREAS, upon review of the staff reports and hearing public testimony, the Planning and Zoning Commission closed the public hearing and recommended that the City Council approve the amendment to the PUD comprehensive sign permit for Ashley Furniture, located at 6497 Labeaux Avenue NE, with the findings outlined in the December 5, 2012 planning report; and

WHEREAS, the Albertville City Council met on December 17, 2012 to consider the amendment to the PUD comprehensive sign permit; and

WHEREAS, the Albertville City Council received the application, staff reviewed documents, and the Planning Commission recommendation, and agrees with the findings and recommendation of the Planning Commission; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of Albertville, Minnesota hereby approves the amendment to the Ashley Furniture PUD comprehensive sign permit for 6497 Labeaux Avenue NE. City approval is subject to the following conditions;

1. The applicant receives building and sign permits for each new sign.
2. The sign placement follows the plans submitted with the application.
3. No other signs shall be installed on the building without City approval.

Adopted by the Albertville City Council this 17th day of December, 2012.

Mark Meehan, Mayor

Kimberly Olson, City Clerk

Mayor and Council Request for Action

December 12, 2012

SUBJECT: PLANNING DEPARTMENT – CENTRAL PARK MASTER PLAN APPROVAL

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

MOTION TO: Adopt **Resolution No. 2012-061** approving the Central Park Master Plan.

BACKGROUND: The Albertville Park Board and planning staff worked in concert to create the Central Park Master Plan over the past year. The Central Park Master Plan was presented to the Albertville Park Board, the Albertville Planning and Zoning Commission, and the Albertville City Council for review; comments and recommendations from these bodies were integrated into the plan. A public hearing was also held to provide an opportunity for the public to review the Central Park Master Plan and provide feedback.

POLICY/PRACTICES CONSIDERATIONS: In accordance with State Law, public notice was published and a public hearing held by the Planning and Zoning Commission. They recommended the City Council approve the Central Park Master Plan as outlined in Resolution No. 2012-061.

FINANCIAL CONSIDERATIONS: Future Central Park improvements will be administered as the annual budgeting process and the Capital Improvement Plan dictates, and as fits within the financial constraints of the City of Albertville.

LEGAL CONSIDERATIONS: In accordance with Council procedures, the Mayor and City Council has the authority to approve or deny the Central Park Master Plan.

Submitted Through: Alan Brixius, City Planner

Department/Responsible Person: Planning/Alan Brixius, City Planner

Reviewed by: RDT, Interim City Administrator

Attachments: Resolution No. 2012-061

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

RESOLUTION NO. 2012-061

RESOLUTION APPROVING THE CENTRAL PARK MASTER PLAN

WHEREAS, the City of Albertville has undergone an analysis of conditions within and surrounding Central Park, located at 11474 58th Street NE in Albertville, and created an updated Central Park Master Plan which demonstrates potential use of the park into the future; and

WHEREAS, Planning Staff in concert with the Albertville Park Committee outlined parameters upon which to base the design of the Central Park Master Plan, and provided a planning report dated November 7, 2012 outlining those parameters as related to the design of the Central Park Master Plan; and

WHEREAS, on November 26, 2012 the Albertville Park Board had the opportunity to review the Central Park Master Plan and recommended the City Council approve it as is; and

WHEREAS, on December 11, 2012 a public hearing and Planning and Zoning Commission meeting was held in order to review and hear comments on the Central Park Master Plan, which was thereby recommended for approval; and

WHEREAS, the Albertville City Council had the opportunity to review the Central Park Master Plan and has considered the recommendations for approval from both the Park Board and the Planning and Zoning Commission; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of Albertville, Minnesota hereby approves the Central Park Master Plan, finding that it provides an acceptable framework for the design and use of Central Park. Any future changes or additions to the Central Park Master Plan will need to undergo further review and approval by the City.

Adopted by the Albertville City Council this 17th day of December, 2012.

Mark Meehan, Mayor

Kimberly Olson, City Clerk

Mayor and Council Request for Action

December 12, 2012

SUBJECT: PLANNING DEPARTMENT – REAPPOINTMENT OR REPLACEMENT OF PLANNING COMMISSION MEMBERS WHOSE TERMS ARE EXPIRING AT THE END OF 2012.

RECOMMENDATION: The terms of Planning Commission members Brian Totman and Natalya Lindberg will expire at the end of 2012. It is respectfully requested that the Mayor and City Council either reappoint the aforementioned members to the Planning Commission for an additional term starting in 2013, or pursue advertising for Planning Commission member replacements as necessary. Both Totman and Lindberg have submitted letters of interest in serving another term (see attached). The new terms will be three (3) year terms to expire December 31, 2015.

POLICY/PRACTICES CONSIDERATIONS: It has been past practice to reappoint or appoint members at year end to begin serving in the New Year.

FINANCIAL CONSIDERATIONS: There are no financial considerations.

LEGAL CONSIDERATIONS: In accordance with Council procedures, the Mayor and City Council have the authority to appoint Planning Commission members.

SUBMITTED THROUGH: Alan Brixius, City Planner

Department/Responsible Person: Planning/Alan Brixius, City Planner

Reviewed by: RDT, Interim City Administrator

Attachments: Letters of Interest



City of Albertville
Attn: City Council
5959 Main Avenue NE
Albertville, Minnesota 55301

December 11, 2012

RE: Reappointment - Planning and Zoning Commissioner

Please consider my interest of reappointment for a second three year term as a planning and zoning commissioner with the City of Albertville.

As a commissioner serving the City of Albertville, I enjoyed working with the community and staff. The knowledge I received from my first term provides me confidence I will provide significant contributions to the commission if reappointed for a second term.

I appreciate the opportunity to continue my position as a Planning and Zoning Commissioner and to help plan the physical growth and development of the community I live in.

Thanks,

Brian Totman
10231 Karston Avenue NE
Albertville, Minnesota 55301

From: Natalya Lindberg [mailto:nmolenda@gmail.com]
Sent: Thursday, December 13, 2012 8:27 AM
To: Kim Olson
Subject: Re: Planning and Zoning Commission Term

Good morning, Kim!

Yes, I am interested in another three year term on the Planning and Zoning Commission.

Thank you,
Natalya

On Tue, Dec 4, 2012 at 4:39 PM, Kim Olson <kolson@ci.albertville.mn.us> wrote:

Our records indicate that your term on the Planning and Zoning Commission will end December 31, 2012. If you are interested in another three year term on the Commission, please submit a letter, or e-mail, of interest to the Clerk's Office by December 12, 2012.

Reappointments are not automatic and the final decision will be made by the City Council in December/January.

Thank you for serving the City of Albertville.

Kim Olson

City Clerk

kolson@ci.albertville.mn.us

763-496-6801

December 11, 2012

SUBJECT: PLANNING DEPARTMENT – L & D TRUCKING COMPANY

RECOMMENDATION: It is respectfully requested that the Mayor and City Council consider the attached proposal from Diane Vinge:

BACKGROUND: City staff has been working with Ms. Vinge to place a business within her building at 11800 61st Street NE. The business, a well and irrigation company, has chosen a site that is more rural in character (i.e., Becker Township in Sherburne County). With the departure of the prospective business, Ms. Vinge has inquired as to whether the City would be interested in acquiring the property for \$675,000 with the opportunity to pay for the property over time. City staff has indicated that the purchase of this property is not within the City's budget or planning, but we would bring Ms. Vinge's request before the City Council.

KEY ISSUES:

1. Past discussions with the hockey association and partner cities indicate that they would not contribute to the acquisition of more land for the Ice Arena as such the purchase would fall exclusively to Albertville.
2. The City has considered this land purchase in the past and determined it was not in the position to acquire the property.
3. This land purchase has not been considered in the preparation of the City's budget or capital improvement planning; as such the City would need to identify a funding source if this purchase would proceed.
4. The L&D Trucking site would contribute to the Ice Arena expansion with regard to land area and parking. This lot is 2+ acres in area and would also provide a redevelopment site for future commercial development.
5. The current proposal is a request from the property owner for the City to consider the purchase at a specific price and with a purchase over time to avoid large upfront City expenditure.

POLICY/PRACTICES CONSIDERATIONS: In accordance with past practices, the property owner's request is being presented to the City Council for consideration.

FINANCIAL CONSIDERATIONS: Ms. Vinge is offering a purchase price for the land at 11800 61st Street NE of \$675,000 and is willing to sell the property over time. The City's budget and capital improvement plan does not anticipate this purchase. The City Council would have to determine a revenue source and payment plan if the purchase would proceed.

LEGAL CONSIDERATIONS: In accordance with Council procedures, the Mayor and City Council have the ability to reject the proposal or direct staff to negotiate a purchase. Any land acquisition must follow the regulations of the State Statutes governing the public acquisition of private property.

SUBMITTED THROUGH: Planning/Alan Brixius, City Planner

Department/Responsible Person: Planning/Alan Brixius, City Planner

Reviewed by: RDT, Interim City Administrator

Attachments: Email correspondence dated 12/5/12

-----Original Message-----

From: Diane Vinge
[<mailto:loadeliver@aol.com>] Sent:
Wednesday, December 05, 2012 8:09 AM
To: Alan Brixius
Subject: L & D roperty

Al,

I am interested in selling the property to the City of Albertville with an asking price of \$675,000.00.

To alleviate a large amount of upfront costs, I would be interested in working with the City on terms that would be suitable for them such as a long term lease with a purchase option or a contract for deed.

I may be reached at 612-817-4730.

Diane

Memo

To: Robert Thistle, City Administrator; Albertville City Council

From: Mike Couri

Date: December 17, 2012

Re: Attorney Report

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

- **I-94 Assessment.** The Knechtel assessment appeal was filed in District Court in a timely manner, which perfected the appeal. I have spoken to Knechtel's attorney regarding settlement, but at this time they have not had an appraisal performed and are still formulating what they believe to be the benefit to the property. Once they determine what they believe the benefit to the property is, we will likely have some sort of settlement negotiations. Ultimately, the Court will send us to mediation, which would likely occur in the spring or early summer.
- **Fire Department.** I am drafting a volunteer agreement for the reserve fire fighters who will be joining the force in the future.