



ALBERTVILLE CITY COUNCIL
Monday, May 6, 2013

APPROVED MINUTES

ALBERTVILLE CITY HALL

7:00 PM

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

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

Absent: None

Others Present: City Administrator/ PWD Adam Nafstad, Finance Director Tina Lannes, City Planner Alan Brixius, City Attorney Michael Couri, City Clerk Kimberly Olson, Water/Wastewater Superintendent John Middendorf, Paul Saffert, Roger Derham, Charlie Estep, Tom Dawson and Samara Postuma

3. RECOGNITIONS, PRESENTATIONS AND INTRODUCTIONS

A. Recognize Sarah (Bistodeau) Kasper's 100th Birthday

Vetsch congratulated Kasper on her 100th birthday and presented her with a certificate of recognition.

4. PUBLIC FORUM

There was no one present to speak.

5. APPROVAL OF THE AGENDA

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

6. CONSENT AGENDA

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

- A. Approve the April 15, 2013 regular City Council meeting minutes as presented
- B. Approve the April 17, 2013 Local Board of Appeal and Equalization meeting minutes as presented
- C. Approve the April 22, 2013 special City Council meeting minutes as presented
- D. Accept the draft April 8, 2013 STMA Ice Arena Board meeting minutes as presented
- E. Authorize the Monday, May 6, 2013 payment of claims as presented, except bills specifically pulled which are passed by separate motion. The claims listing has been provided to City Council as a separate document and is available for public view at City Hall upon request
- F. Approve Temporary 3.2% Malt Liquor License for “Kick for a Cure” fundraiser sponsored by the St. Michael Lions Club to be held on May 18-19, 2013 at Central Park
- G. Approve payment to Eureka Construction for W.B. I-94 C-D Road (Partial Payment #8) in the amount of \$63,170.63
- H. Approve payment to Knife River Corporation for 2010 Street Overlay (Partial Payment #2 and Final) in the amount of \$3,769.31

Vetsch asked for clarification that the partial and final payment to Knife River Corporation was for 2010. Nafstad stated it was for the 2010 Street Overlay project and there was a lag in the paper work and also some needed repairs that occurred in 2011 and 2012.

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

7. PUBLIC HEARINGS - None

8. DEPARTMENT BUSINESS

A. City Council

- 1). **STMA United Soccer Club Lease Agreement for 5964 Main Avenue NE**
 Couri reviewed the draft lease agreement with the Soccer Club. He stated the lease would begin once the Certificate of Occupancy is issued. There are approximately \$75,000-\$100,000 of repairs that are needed at the building. Upfront costs would be \$55,000 for the City and \$25,000 for the Soccer Club with any additional costs being split in the same proportion. The Soccer Club would pay monthly rent until the City recoups it upfront costs. Once that is done, the Soccer Club would stop paying rent until they recoup their upfront costs. Once both parties recoup their costs for the repairs to the building, the Soccer Club will begin paying rent again and it would be revenue for the City. The Soccer Club has the option to sublease the building if they wish to do so. They also have the Right of First Refusal. They will provide a security deposit equal to one month's rent.

The City would be responsible for the building insurance and property taxes with the Soccer Club paying all utilities except water and sewer. Vetsch inquired why they would not pay the water and sewer. Nafstad replied there is no water meter at the building as it is City property. Vetsch would like to see it metered now and felt that if there is another tenant after the Soccer Club they would be charged for water and sewer; he felt the meter should be installed while they are doing the repairs. Derham stated that during the lease negotiations, the cost of the water and sewer was included in the amount of their monthly rent.

Couri stated both parties have the right to opt out of the lease agreement if the repairs exceed certain amounts.

Derham stated there are approximately 1200 youth in the club and this building would serve 300-400 youth per week for practice in the winter months. They currently drive to many other cities for practice time. He hopes this lease will help them to reduce costs and increase the amount of practice time each youth receives. He felt this is a unique opportunity. He anticipates the Soccer Club would fill all available hours, but they would allow other groups to use the building if there are open hours. He stated the Soccer Club is committed to the site and they have put a lot of time and money into making the lease work.

Wagner asked if the Soccer Club has an ultimate goal of a larger facility, perhaps a dome. Derham replied that they see the building as their future home and although they would like to see a larger facility in town, he felt they can still sustain this facility and a larger one if that were to happen. Olson inquired about exterior signage. Derham replied they would have signage identifying the building.

Nafstad stated the Soccer Club has put in a significant amount of money for the architect, but he sees the City taking over the bidding process for the repairs. Nafstad stated that once the lease is executed they will move the float to the Public Works building, but they will need to find another permanent home for the float.

Hendrickson stated that it seems reasonable to lease the building if the City is eventually receiving money. Sorensen stated he was supportive of the lease.

Motioned by Hendrickson, seconded by Sorensen, to approve the lease of the building located at 5964 Main Avenue NE to the STMA United Soccer Club. Ayes: Hendrickson, Olson, Sorensen and Wagner. Nays: Vetsch. Absent: None. MOTION DECLARED CARRIED.

Vetsch wanted it on the record that he voted against the lease because he feels a water meter should be installed in the building.

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

FYCC

Olson reported FYCC is busy with program updates, upcoming summer activities and scheduling the ballfields. Budget discussions will be happening soon.

Fire/Public Safety

Sorensen reported that an Otsego Council member is now attending the monthly Fire Department meetings. He reported that Duane Berning has retired from the Department after 22 years of service and stated how much the City and the Fire Department have appreciated his dedication.

Vetsch would like to have uniform Fire Codes for Albertville and Otsego and Sorensen stated they will bring it up at the next meeting.

B. Finance

1). **STMA Ice Arena Audit Costs**

Lannes reported the audit costs for the STMA Ice Arena would be \$7,000 to \$9,000 and does not include staff time. She stated they will be discussing it at the next Arena Board meeting. Nafstad stated that it is no longer an option, but a requirement of state statute.

2). **Replacement of UPS/Battery Back Up Unit for City Hall**

Lannes reported she requested several bids for the unit, but only received one back. The bid came was \$17,962.00 plus tax. The City has currently been operating without the backup since October. Replacement of the unit is necessary because City Hall is an emergency center and it also saves the servers from wear and tear from power surges.

Hendrickson asked if it will have a warranty. Lannes replied that the bid received is from a local company that can respond quickly and they will also be requesting annual service on the unit.

Sorensen inquired about the unusual number of power outages Albertville has been having. Nafstad replied he will follow up with the power company.

Wagner asked where the funds for this will come from. Lannes replied it would come from building capital. The life expectancy for these units is five to seven years. Nafstad suggested they start budgeting for this item in future budgets.

Motioned by Vetsch, seconded by Sorensen, to approve replacing the UPS/battery backup unit for City Hall at a cost of \$17,962.00 plus tax. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

C. Public Works/Engineering

1). Wastewater Treatment Facility Software

Middendorf reported the computers at the facility are old and the new software cannot be installed with the operating system of the current computers. The software is custom built to Albertville's Wastewater Treatment Facility and will allow all water/wastewater staff access to run the facility.

Wagner asked what the life expectancy is of the software and Middendorf replied that it is four to seven years, so they are past due for new software. Wagner inquired why the software is custom built and thought it would be similar from city to city. Middendorf replied that each city is different and no facility is identical due to the different needs of each city. Middendorf stated it will be a big undertaking to upgrade the software and will also require training for staff. Hendrickson inquired if the cost will include support for the software. Lannes replied it would, but does not include the price of the computers at the facility. She stated she could purchase them less expensively than what was quoted.

Motioned by Olson, seconded by Wagner, to authorize ICS Healy-Ruff to install and configure computer software and equipment at the Wastewater Treatment Facility. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

2). WWTF Biosolids Disposal

Paul Saffert, Bolten & Menk, Inc., reported the removal of the biosolids is a requirement of the MPCA permit. The City must formulate a plan that does not damage the ponds and meets the minimum requirements. It must be submitted by July 13, 2013. Olson inquired about the fees. Nafstad stated it would be an hourly fee if Bolton & Menk, Inc. is used. The cost would be hourly not to exceed fee of \$7,000.

Motioned by Vetsch, seconded by Sorensen, to authorize Bolton & Menk, Inc. to prepare plans and specifications for biosolid disposal, as required by the MPCS, at an hourly not to exceed fee of \$7,000. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

3). WWTF Facility Plan

Nafstad reported that they identified markers for the Facility Plan implementation and developed three successive tasks with Council workshops for each one. Hendrickson asked why so many workshops are needed. Nafstad replied they can determine if they are needed as they move along. The cost would hourly not to exceed fee of \$28,900.

Vetsch asked if other firms have been looked at to provide this service. Nafstad replied the Bolton & Menk, Inc. staff have already worked closely with the MPCA permit and to do an RFP and evaluation would be difficult at this point.

Vetsch wanted to ensure they are receiving the best value for the taxpayers. Nafstad stated Bolton & Menk, Inc. is under contract at a specified hourly rate.

Sorensen inquired if the costs of the three tasks will go into the next year. Nafstad stated the deadline is March 2014. Hendrickson asked if it is possible to switch firms during the tasks. Nafstad stated that it is easier to have one firm do all three.

Olson asked about the capacity of the plant and Middendorf replied they are at about 50% of the allowed amount granted by the MPCA, but it would be a struggle for the Wastewater Treatment Facility if they got near the 100% allowed mark. Saffert stated the Facility Plan is to identify the limits of the facility and what improvements can be made. He stated that having this plan in place could result in better financing and access to grants.

Motioned by Olson, seconded by Wagner, to authorize Bolton & Menk, Inc. to prepare a Facility Plan to address reduced phosphorous limits, as proposed by the MPCA, at an hourly not to exceed fee of \$28,900. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

4). 2013 Street, Trail and Utility Improvements

Nafstad reported on the four components of the project. He stated the project includes Street Reclamation and Pavement, Cedar Creek Watermain Extension, Four Seasons Trail Repairs and Overlay, and CSAH 18 Trail Connection. Sorensen inquired about the time frame for the projects and Nafstad responded it would be July through August. Although they will be flexible with contractor schedules, the projects should be done before fall when the trees lose their leaves. Sorensen stated he would like to see staff get a bid for the parking lot at Four Seasons Park. Nafstad stated the lot is beyond overlay, but they could get a bid alternate or quote. Nafstad stated they will need to get easements from the properties along the CSAH 18 Trail. He stated these projects would come before Council for final approval. The cost of the projects is approximately \$440,000.

Motioned by Sorensen, seconded by Olson, to approve plans and specifications, authorize the advertisement of the 2013 Street, Trail and Utility Improvement project and direct staff to negotiate acquisition for the CSAH 18 Trail segment. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

5). Restrictions on Coal Tar-Based Sealants

Nafstad stated that coal tar-based sealants are no longer used by State agencies and most have been removed from store shelves. These are generally used as driveway sealers and are carcinogenic, causing environmental hazards, and are

often found in ponds. Staff has prepared a draft ordinance if Council wishes to move forward with it.

Hendrickson inquired if there were financial benefits. Nafstad responded it is beneficial to have such an ordinance in place, especially if the City is seeking grant funding.

Nafstad stated this is a difficult item to enforce, but there are still some individuals that solicit door to door using the coal tar-based sealants. He stated this would be one of the Best Management Practices the City should have in place as it moves to MS4.

Council directed staff to send the item to the Planning Commission for a public hearing.

D. Planning / Zoning

1). Code Enforcement Policy

Brixius reported there were two options for the code enforcement policy. One would include a condition that the complainant must reside within 400 feet of the property on which the complaint is being filed and the other does not. He outlined the process and timelines in the policy and stated that complainants must identify themselves. This allows staff to follow up with them and is not public information.

Hendrickson stated she was a little nervous to limit the distance to 400 feet in Option 1. Sorensen stated that if it is an Albertville resident with a complaint, it should be investigated. He did not like that the complainant has to identify themselves. Vetsch stated they have the obligation to investigate any complaint made by a resident. Brixius stated they investigate as times allows. Couri added that to achieve full compliance with code enforcement violations, taxes would have to be raised to cover the cost of that enforcement.

Motioned by Sorensen, seconded by Hendrickson, to adopt Resolution No. 2013-015-Option 2 establishing the City of Albertville City Code Enforcement Policy (without 400 feet). Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

2). Outlet Mall Sign Criteria

Brixius reported he was made aware that the Outlet Mall had documents in place that further restricts temporary signage beyond the City's criteria. The documents allow for temporary signage for short term leases and meet the City's standards. He is looking for endorsement of the documents by the City Council. Olson stated that he did not have a problem endorsing the documents, so long as they hold to the standards of the Outlet Mall's Comprehensive Sign permit.

Motioned by Hendrickson, seconded by Olson, to endorse the “Temporary Storefront Sign Criteria” and “Albertville Premium Outlets Tenant Signage Criteria – Phase I & II”. Ayes: Hendrickson, Olson, Sorensen, Vetsch and Wagner. Nays: None. Absent: None. MOTION DECLARED CARRIED.

E. Legal

1). City Attorney’s Update

Couri reported he is still trying to connect with Charter Communications to discuss video recording equipment, but it is proving difficult to reach someone.

F. City Clerk – None

G. Building – None

H. Administration

1). City Administrator’s Update

Nafstad reported that staff will be meeting with Guardian Angels tomorrow.

9. ANNOUNCEMENTS and/or UPCOMING MEETINGS

May 13	STMA Ice Arena Board, 6:00 p.m.
May 14	Planning Commission, 7:00 p.m. Parks Committee, 8:00 p.m.
May 17	Explore Your Parks Night, 6:00-8:00 p.m.
May 20	City Council, 7:00 p.m.
May 27	City Offices Closed, Memorial Day
May 28	Joint Powers Water Board, 6:30 p.m.
June 3	City Council, 7:00 p.m.
June 5-9	Albertville Friendly City Days (St. Michael Relay Challenge June 5 th , Central Park, 5:00 p.m.)
June 10	STMA Ice Arena Board, 6:00 p.m.
June 11	Planning Commission, 7:00 p.m.
June 17	City Council, 7:00 p.m.
June 24	Joint Powers Water Board, 6:30 p.m.

10. ADJOURN MEETING

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

Respectfully submitted,

Kimberly A. Olson, City Clerk