

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY,  
DECEMBER 6, 2006 – 6:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Mayor Brian Herberg. Roll Call was taken and the following members were found to be present: Mayor Herberg, Council members: Vern Ahles, Jeff Hagen, Ed Karls, & Lloyd Lommel. Absent: Don Simon & Greg Simones.

Staff Members present were: Administrator/Clerk Rena Weber, Maintenance Person Rick Hansen, Fire Chief Randy Dingmann, & SEH Engineer Scott Hedlund.

Others present were: Tудie Hermanutz, Aaron Cheeley, Jim PflEPSen, Randy Volkmuth, Cheryl Lommel, Gwen & Megan Ballinger, Greg Beckrich, Kathleen Stanger, Bruce Conrad, Mike Hofmann, & Vince Schaefer.

**SPECIAL COUNCIL MEETING** – Mayor Herberg announced that the special meeting had been called for the purpose of meeting with the newly elected council members to discuss the appointment of the city attorney for 2007. Jim PflEPSen and Randy Volkmuth were present.

Mayor Herberg explained the interview process, who applied, the rates submitted, and where we are at.

Don Simon arrived at 6:15 p.m.

Member Lommel and Member Hagen voiced concern that the attorney should not be making recommendations and only offer the legal advice.

Member Lommel suggested that whoever we select, keep track of issues and let them know what the concerns are.

***Motion by Member Lommel, second by Member Simon, to reappoint Rinke Noonan, as the city attorney and let them know the areas of concern. There will be no term limits.***

***AYES: Ahles, Hagen, Herberg, Karls, Lommel & Simon***

***Motion passed on a 6 to 0 vote.***

**RECESS TO REGULAR MEETING – 6:40 p.m.**

Greg Simones arrived at 6:57 p.m.

**ADDITIONS TO THE AGENDA:** There were no additions to the agenda.

**CONSENT AGENDA:** *Motion by Member Simones, second by Member Ahles, to approve the consent agenda as presented;*

a) *Approve minutes of 11/15/06*

b) *Approve Treasurer's Report of 12/06/06*

c) *Approve List of Bills and Additions of 12/06/06*

*Accounts Payable CK #008568 - 008617*

**\$68,884.82**

*Payroll CK #002545 to 002549*

**\$ 4,723.30**

d) *Approve SEH hourly rate increase for 2007*

Member Simon questioned the SEH bill in the amount of \$78.40 regarding trees in the blvd.

***AYES: Ahles, Hagen, Karls, Lommel, Simon & Simones***

***ABSTAINING: Herberg***

***Motion passed on a 6 to 0 vote.***

**BOARD/STAFF REPORT**

**FIRE DEPARTMENT** – Fire Chief Randy Dingmann reported on the following:

**RAISE IN ANNUAL RETIREMENT PAY** – The Fire Relief Association is requesting an increase in the annual benefit from \$1200 to \$1500. Randy Dingmann explained the amount would be approximately \$6018 – minus the \$5000 municipal contribution in the budget leaves a shortage of \$1,018. The Fire Department would like to use the excess from 2006 to cover this. This is based on a 5% increase in the investments. The city budgets \$5,000 per year and they are basing their

request on this and how much they will earn on investments. The increase would take place in January 1, 2007.

Member Hagen questioned the 2% and where this comes from. Randy explained where this comes from.

***Motion by Member Karls, second by Member Ahles, to approve the request to increase the annual retirement benefit from \$1200 per year to \$1500 per year thereby ratifying said amount.***

***AYES: Ahles, Hagen, Herberg, Karls, Lommel & Simones***

***ABSTAINING: Simon***

***Motion passed on a 6 to 0 vote.***

**REQUEST TO PURCHASE MSA INFRARED CAMERA** – Randy Dingmann requested approval to purchase an MSA Infrared Camera at a cost of \$7995.00 plus tax. Randy indicated that they have \$8000 in the budget which was received from donations.

***Motion by Member Ahles, second by Member Simones, to approve the purchase of the MSA Infrared Camera as presented.***

***AYES: Ahles, Hagen, Herberg, Karls, Lommel, Simon & Simones***

***Motion passed on a 7 to 0 vote.***

**REQUEST TO HIRE PERSON FOR CLEANING OF FIRE HALL** – Randy Dingmann reported that the Fire Department would like approval to hire a person at 5 hours per week to clean the fire hall. This would be paid at \$8.08 per hour. Rena Weber reported that this position would go through the same hiring process as any other job.

***Motion by Member Simon, second by Mayor Herberg, to authorize the application process to hire a cleaning person for the Fire Hall at \$8.08 per hour.***

Member Simones asked how the hiring process was going with Experience Works. Rena Weber reported that they have been contacted and there are posters at the Granite Edge.

***AYES: Ahles, Herberg, Karls & Simon***

***NAYS: Hagen, Lommel & Simones***

***Motion passed on a 4 to 3 vote.***

**DNR GRANT TO PURCHASE PAGERS** – Randy reported that he is applying for a \$1200 grant to purchase pagers.

**MAINTENANCE DEPARTMENT** – Rick Hansen reported on the following:

**SANDER FOR SNOW PLOW TRUCK** – Rick Hansen requested approval to purchase a stainless steel sander for the yellow plow truck. This can be transferred to a new truck when and if it is purchased. Total cost is \$5,380.38 including tax and would come out of E 101-43125-103 which has a balance of \$9,514.35

Member Simon concurred that the current sander is to the point of no repair and the cost to double coat the roads would be too much.

Member Hagen asked if this could be purchased through the state bid.

***Motion by Mayor Herberg, second by Member Simon, to approve the purchase of the sander, but to first check with the state bid to determine if we could get a better price.***

***AYES: Ahles, Hagen, Herberg, Karls, Lommel, Simon & Simones***

***Motion passed on a 7 to 0 vote.***

**ROCK FEST** – Kathleen Stanger reported on the following:

Last Meeting – team leaders were appointed:

Kathleen Stanger – Vendors & Night Entertainment

Kirsten Stanger – Games

Tudie Hermanutz – Tours and Editorial

Carol Dietman – Car Show & Fundraising

Mike Hofmann – Logistics

Toni Honer – Kiddie Parade & Raffle

Peggy Adamson – Pageant

Adeline Boucher – Parade

Team Leaders needed for:

Membership, Day Entertainment, Signage, Set Up & Take Down, Waste Disposal & Clean Up, Safety, Security, Permits, Design & Decorating, Breakfast, Milking Contest & Petting Zoo

Meat Raffles – twice a month

Next meeting – 12/27/06 - 7:10 p.m.

**PLEASANT LAKE STORM WATER PROJECT** – Rena Weber reported that approval was given by the council some time ago to seek grants for a possible storm water project along the west side of Pleasant Lake. Stearns County Soil & Water Conservation District is proposing to request a \$9,486 grant from water management funds, \$2400 from the Pleasant Lake Homeowner's Association leaving a balance of \$2614. The proposed engineering budget is \$13,500 + \$1,000 SCSWCD administration. There will be in-kind dollars donated by the city and Stearns County SWCD.

***Motion by Mayor Herberg, second by Member Ahles, to approve the \$2,614 expenditure as presented:***

Member Simon questioned the expense and what if the residents don't want to deal with this. Member Hagen indicated that this is why Lake Improvement Districts are formed.

Discussion was held regarding citizen comments. Gwen Ballinger is the Secretary for the Pleasant Lake Homeowner's Association and she expressed her approval of the project.

Scott Hedlund suggested that another way to collect for this would be through a storm water fee on the sewer bills.

Member Hagen stated he would like to see the Lake Association run with this and cover the Administration.

***AYES: Ahles, Hagen, Herberg, Karls & Simones***

***NAYS: Lommel & Simon***

***Motion passed on a 5 to 2 vote.***

**SAUK RIVER WATERSHED RULES REVISION** – Rena Weber reported that the Sauk River Watershed District is proposing to make changes to rules on storm water that would affect cities. The SRWD has made changes to the rules having listened to a number of area cities concerns regarding:

- Duplication of services
- Rules on phosphorus concentration limits that are more strict than state regulations 25 ug/l
- Timing of the plan and request to slow the process down to educate the people it will affect
- Permitting process and who has to comply

***Member Simones introduced the following resolution and moved for its adoption:***

***RESOLUTION NO. 2006-45***

***CITY OF ROCKVILLE***

***RESOLUTION REQUESTING THE SAUK RIVER WATERSHED DISTRICT (SRWD) TO DELAY AND AMEND THEIR PROPOSED RULES REVISIONS***

***WHEREAS, the Board of Managers of the Sauk River Watershed District have proposed rules revisions pursuant to Minnesota Statutes, Chapter 103D, and;***

***WHEREAS, the City of Rockville lies within the Sauk River Watershed District and is subject to the rules enacted by the District, and;***

***WHEREAS, many of the proposed rules are a duplication of rules already being enforced by local ordinance or state laws, and;***

***WHEREAS, some of the rules proposed by the District are so restrictive that they are not feasible to comply with, and;***

**WHEREAS, some of the rules would be imposed on existing treatment systems that would require condemnation of additional land in order to meet the rule, and;**

**WHEREAS, the proposed rule for municipal wastewater is more restrictive than the State Minnesota Pollution Control (MPCA) regulations, and;**

**WHEREAS, the rules unjustly target municipalities for compliance, and do not give equal weight to agricultural activities, and;**

**WHEREAS, the time frame for adoption of the rules does not allow for a thorough review and redrafting of said rules.**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, MINNESOTA:**

- 1. The city requests that the SRWD suspend the rule revision process to allow affected communities an opportunity to draft an amendment to the rules revisions that would allow for positive water quality impacts within the watershed, while not being so restrictive and overreaching as the rules that are presently proposed.**

**The motion for the foregoing resolution was duly seconded by Mayor Herberg with the following vote being taken:**

**AYES: Ahles, Hagen, Herberg, Karls, Lommel, Simon & Simones**  
**Motion passed on a 7 to 0 vote.**

#### **ENGINEER REPORT**

**GOPHER ONE CALL MAPS** – Scott Hedlund indicated that he did make contact with Gopher One Call today due to the fact that the corporate limits are still depicted like they were before the merger. Scott Hedlund sent GIS maps to Gopher One Call and hopefully this will be taken care of April. Mayor Herberg reported that Greg Stang & Julie Zimmerman have been trying to correct this and were not getting anywhere. Mayor Herberg called the general manager and was given some firm from out of state.

**COUNTY ROAD 82 PROJECT** – Jodi Teich, Stearns County Highway Department, indicated that we should have some plans by January to review and approve. There will be city storm water costs on this.

**COUNTY ROAD 8 PROJECT** – Scott Hedlund indicated that this has been postponed to 2011.

**COUNTY ROAD 82 IMPROVEMENT – DIETMAN'S** – Scott Hedlund reported that he has explored more ways of utilizing the entire grant. One way would be to make a watermain loop connection up to Prairie Industrial Drive. Scott suggested this be done as a bid option. The estimated cost is \$150,000 with \$50,000 in grants so we still need \$100,000.

Discussion was held regarding the assessment of this or recapturing the cost through the developer or the trunk fees. This will be placed on the next Street Committee agenda.

**MAYOR'S REPORT** – Mayor Herberg clarified the honoring of the 180 day contract with All-Spec Services as it is an exclusive contract

Member Hagen suggested that we delay hiring of the new building inspector and let the next council decide who they want as the next building inspector. Member Hagen stated it was very clear at the last meeting that the firm was fired.

Discussion was held regarding a misunderstanding of what was reported at the meeting and what the attorney advised the council.

Member Hagen asked that a copy of the letter from attorney Melinda Sanders be provided. He further suggested that we throw out all the work and start all over. Member Hagen also thinks the reputation of the council is at stake for how this was handled. The person should be able to defend themselves.

**Member Hagen motioned to hold off on the motion to hire a new building official until the new council is in place. The motion died for lack of second.**

**FINANCE COMMITTEE** – Mayor Herberg reported that the Finance Committee met and has proposals to reduce the 2007 Budget - \$58,900 decrease with a \$12,574 increase = \$46,326 reduction. To this we need to add back \$17,872 for the fire contract revenue due to St. Augusta forming their own fire department = \$28,454 reduction. This amounts to a 16.2% increase with these changes. 14% should be the true increase in the levy without the Local Government Aid reduction.

**STREET COMMITTEE** – Chair Don Simon reported on the following:

- Possible grinder pump replacements – this is being worked on at the committee level and more information will be made available
- GM contract - After meeting with GM Contracting it was recommended that we split the cost to unplug the sewer on Marlene Court.

**Motion by Mayor Herberg, second by Member Lommel, to split the cost and pay \$1171.13 to close out the GM Contract.**

**AYES: Ahles, Hagen, Herberg, Karls, Lommel, Simon & Simones**

**Motion passed on a 7 to 0 vote.**

- GM contract – Re-seeding of areas along Lake Road \$2270.00. After meeting with GM Contracting it was determined that seeding should not be warranted for 2 years.

**Motion by Member Ahles, second by Mayor Herberg, to approve the payment of \$2270.00 (previously paid to Beumer Outdoors) and not withhold this from GM Contracting.**

**AYES: Ahles, Herberg, Karls, Lommel, Simon & Simones**

**NAYS: Hagen**

**Motion passed on a 6 to 1 vote.**

- PIP lift station – After meeting with Automatic Systems and Barbarossa it was determined that an intermittently submersible pump should be installed in the lift station. Cost is \$1,370.66. Don further indicated that Barbarossa is exploring where the surface water is coming from.

**Motion by Mayor Herberg, second by Member Lommel, to approve the additional cost for the intermittently submersible pump at a cost of \$1,370.66.**

**AYES: Ahles, Hagen, Herberg, Karls, Lommel, Simon & Simones**

**Motion passed on a 7 to 0 vote.**

**SEWER ODOR** – Don reported that we are experiencing another sewer odor problem at Prairie Industrial Park and suggested that we hold off on any action until more information can be obtained.

**TELEMETRY** – The Maintenance Department moved the tower for the telemetry system to the former city/fire hall and has not been able to get it to work. Automatic Systems will check this again.

**COMMENTED DOCUMENTED PROGRAMMING** – Automatic Systems will provide this.

**400 CLUB AGREEMENT** – There was a request to amend this odor control agreement, however, the Street Committee wishes to honor the original agreement.

**GRADING** – Don reported on the complaints that have been received regarding rough roads. The grading budget is over budget at present. It was determined that grading at this time would probably not do very much good and that we should hold off until next spring.

#### **OPEN FORUM**

Bruce Conrad – representing the Rockville Business Association, was present to request if the city could store the pageant float that the RBA purchased. Bruce further asked if the city would also take ownership for the insurance and store it. Rick Hansen indicated that the city does not have room.

**ADJOURN – Motion by Member Ahles, second by Member Simon, to adjourn the meeting at 9:13 p.m. Motion carried unanimously.**

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**VERENA M. WEBER-CMC  
ADMINISTRATOR/CLERK**

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**BRIAN HERBERG  
MAYOR**