

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, AUGUST 19, 2009 - 6:00 P.M. – ROCKVILLE CITY HALL.**

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council Members: Bill Becker, John Koerber, Susan Palmer, Jerry Schmitt, Randy Volkmuth & Duane Willenbring. Absent: None.

Staff members present were: Administrator/Clerk Rena Weber.

Others present were: Scott Stenseth, Dave Volkmuth, David Biery, Karla Spanier, Brenda Lodermeier, Travis Rothstein, Shannon Wicker, Aaron Cheeley, Lt. Jon Lentz, Don Simon, Toni Honer, Charles & Polly Grell, Ev Balko, & Tудie Hermanutz.

**ADDITIONS TO THE AGENDA – Motion by Member Volkmuth, second by Member Koerber, to approve the additions to the agenda for discussion purposes.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

**OPEN FORUM**

Don Simon – 600 Othmar Lane stated that with the budget coming up he hopes the council got input from the citizens. He would like to see town hall meetings as was suggested in the survey this summer. Cuts have to be made, but we need to keep money in the capital equipment fund. The Fire Department is looking at making changes in their budget. Also the council was granted a pay raise last year and has gone down to one meeting per month. Did they rescind their pay raise? It would be wise to do the same as other departments.

**CONSENT AGENDA**

**Motion by Member Volkmuth, second by Member Willenbring, to approve the consent agenda as presented:**

- a) **Approve minutes of 07/15/09 & 07/29/09**
- b) **Approve Treasurer's Report of 08/19/09**
- c) **Approve List of Bills and Additions of 07/15/09 – 08/19/09**

<b>Accounts Payable CK #011391 to 011499</b>	<b>\$102,028.58</b>
<b>Payroll CK #003531 to 003550</b>	<b>11,963.31</b>
<b>EFT#000240 to 000246</b>	<b>6,428.07</b>
- d) **St. Mary Help of Christians Church Raffle – 400 Club 10/9/09**
- e) **Midwest Stone Fabricators Association – Raffle – January 2010**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

**BOARD/STAFF REPORTS**

**POLICE DEPARTMENT** – Lt. Jon Lentz was present at the meeting to report there were 42.5 contract hours during the month of July. Lt. Lentz cited the activity. For the record there were six animal complaints.

Member Schmitt asked about the 3 DUI'S. Lt. Lentz informed him one was from in the city.

Member Volkmuth asked if they patrol the lakes as it appears they come out late (9:00) and there are no boats at the access. Lt. Lentz informed the council that the water patrol people do patrol area lakes with different schedules.

Rena Weber inquired if there were any issues with Stoney's Bar and the request to renew their 2:00 a.m. license. Lt. Lentz reported that no issues came to mind.

Lt. Lentz reported on a "watch" conducted along Lake Road. One ticket was issued at 45 mph and this occurred between 6:00 a.m. and 10:00 a.m.

**BOARD/STAFF REPORTS**

**PLANNING COMMISSION** – Chair Toni Honer reported on the following:  
**CHARLES & POLLY GRELL – CUP & VARIANCE**

Toni Honer reported the Planning Commission considered the request of Charles & Polly Grell for a conditional use permit from Shoreland Requirements and variance from setback requirements. The address of the property is: 21096 Fowler Road with a legal description of: 5.89 Acres, part of Government Lot 4, Section 28, Township 123 North, Range 29 West.

The request is to construct a 10 KW Wind Turbine in the Shoreland District.

**Subdivision 4: DISTRICT REGULATIONS States:**

WECS will be permitted, conditionally permitted or not permitted based on the generating capacity and land use district as established in the table below:

District	Non-Commercial*	Commercial	Meteorological Tower*
Shoreland Residential Management R1	Not permitted <u>Unless on 5 Acres or More CUP</u>	Not permitted <u>Unless on 5 Acres or more CUP</u>	Not permitted <u>Unless on 5 Acres or more CUP</u>

The setback from any non-permitted districts R-1, R-2, B1 & B2 SRM or where a conditional use permit is needed shall not be less than 500' from the property line. A variance from the property line setback is also being requested.

STAFF REPORT

Re: Conditional Use Permit & Variance Request  
76.41647.0400: Owners: Charles & Polly Ann Grell  
Property Address: 21096 Fowler Road, Cold Spring, MN 56320  
Legal Address: 5.89 Acres, part of Government Lot 4, Section 28, Township 123 North, Range 29 West.

Conditional Use Permit & Variance Requested:

1. Conditional use permit is requested to construct a 10 KW Wind Turbine and to locate it within the Shoreland abutting Grand Lake – General Development Lake. CUP approval is required.
2. Said request is to also locate said structure 290' feet from the centerline of the roadway – 145' from the east property line, 250' from the west property line and approximately 385' from the shore. **500' from property line is required.**

Relevant Information:

1. This property is located within the 1000' Shoreland Overlay District.
2. Property contains 5.89 acres more or less.
3. 12 notices of public hearing were sent out.
4. A letter of "No objection" was received on 7/28/09 from Paul Wenner via e-mail from Grell's.
5. Engineer Report:
  - 1) There doesn't appear to be engineering certification on the WECS plans specific to this installation (turbine, structure, foundation).
  - 2) It appears the applicant is increasing the impervious lot coverage on their property as a result of the construction of the WECS. If so, a storm water management plan is required.
  - 3) Verify the setbacks requirements from all property lines (fall zone + 10' should be verified) are met.

Recommendations:

1. The Grell's will supply the engineered certification on the WECS if approved.

2. There are 5.89 acres on this property – the Grell's do not exceed the 12% impervious surface lot coverage, but the increase from the concrete pad holding the tower will need to show some sort of drainage plan to capture the run off. **Tower pad 18x18**
3. The tower is 120' in height with a 23 Rotor diameter – thus Setbacks from structures on their own property would be affected.

Zoning Administrator Rena Weber explained the location of the tower from property lines and buildings:

- ◆ 250' from Fowler Road
- ◆ 145' from East property line
- ◆ 290' from Grand Lake Road
- ◆ 385' from Grand Lake
- ◆ 35' from existing metal shed
- ◆ 110' from barn

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

**RESOLUTION NO. 2009-16**

**RESOLUTION GRANTING CONDITIONAL USE PERMIT AND VARIANCE FROM SETBACK REQUIREMENTS IN THE SHORELAND DISTRICT.**

**WHEREAS, The City Council of the City of Rockville, Stearns County, Minnesota has received a request for a conditional use permit and variance from setback requirements from Charles & Polly Grell to construct a Wind Tower in the Shoreland District, and;**

**WHEREAS, The Grell's own 5.89 acres, and;**

**WHEREAS, proper notification and publication had been given, and;**

**WHEREAS, all persons were given an opportunity to be heard on said request.**

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

**1. Said request is hereby approved to construct a 10 KW Wind Turbine and to locate it within the Shoreland abutting Grand Lake – General Development Lake. CUP approval is required.**

**2. Said request is to also locate said structure 290' feet from the centerline of the roadway –145' from the east property line, 250' from the west property line and approximately 385' from the shore. 500' from property line is required.**

**3. Said approval is not a burden on public facilities, is compatible with existing and planned adjacent uses, has no adverse affect on adjacent properties, the use is related to the needs of the city, is consistent with the Comprehensive Plan, is not a traffic hazard, there is adequate parking and loading, and;**

**4. The granting of the conditional use permit/variance will not be detrimental to the public health, safety and general welfare of the City.**

**5. Further a storm water management plan is not required.**

**The motion for the foregoing resolution was duly seconded by Member Willenbring with the following vote being taken.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring  
Motion passed on a 7 to 0 vote.**

**KARLA SPANIER VARIANCE REQUEST** – Chair Honer reported the Planning Commission held a public hearing to consider the request of Karla Spanier for a variance from Lot Coverage Requirements. The address of the property is: 525 Cypress Court with a legal description of: Lot Ten (10), Block One (1), COUNTRY SIDE ADDITION PLAT 5, according to the plat and survey

thereof on file and of record in the office of the County Recorder in and for Stearns County in the City of Rockville.

The request is to construct a 256 square foot attached deck in the R-1 District. Variances are required for: Impervious surface lot coverage.

#### STAFF REPORT

Re: Variance Request  
 76.41741.0056: Owner: Karla Spanier  
 Property Address: 525 Cypress Court, Cold Spring, MN 56320  
 Legal Description: Lot 10, Block 1, Country Side Addition Plat 5

#### Variance(s) Requested:

1. Variance to construct a 256 Square Foot attached deck and to vary from impervious surface lot coverage requirements – no more than **25% required**.

#### Relevant Information:

1. R-1 Single Family District.
2. Existing home was built with a patio door from the rear of the home knowing that some day a deck would be attached.
3. The lot to the south of the property is currently wooded and fronts State Highway 23.
4. Engineer Report:  
 Attached are my calcs for the existing impervious lot coverage ==> approx. 27.5% (existing non-conformity). The property is not within the Shoreland District. It is zoned R-1. City ordinances allow 25% lot coverage without a variance. So adding the deck would increase the impervious lot coverage, and require a variance for impervious lot coverage. The City's Stormwater Management Plan Ordinance Subdivision 13(b) requires that all new impervious surfaces be treated for Water Quality. The applicant needs to submit a site plan showing the location and size of their proposed Water Quality Feature, the calculations made to determine the size, a list of materials they intend to use/install, etc. per Subdivision 13(d). Subdivision 13(d) lists "pre-approved" methods to help simplify meeting the Water Quality requirement, however the applicant can decide to do something different.

#### Recommendations:

1. Maintain existing drainage patterns over, under, and across their property.
2. Proper temporary and permanent erosion control measures (BMP's) shall be implemented during and after construction to minimize sediment leaving the site; this would include proper installation of silt fence or bio-rolls on the down gradient side(s) of any excavations or earth disturbing activities, and subsequent re-vegetation of the disturbed areas soon after work is completed. It appears there are wetland(s) nearby south and southwest of the property.
3. Construct either a 26 square foot rain garden, French drain, or soak away pit.
4. Approve with these conditions.

The Planning Commission recommended approval of the variance. Toni added that the Planning Commission is reviewing the ordinance further in that in the Shoreland standard we allow for increased impervious surface with no variance if people do a mitigation plan. That is currently not allowed in the R-1 so they want to amend the ordinance and were told to review it after one year.

**Member Volkmuth introduced the following resolution and moved for its adoption:  
 RESOLUTION NO. 2009-17**

**A RESOLUTION APPROVING VARIANCE IN THE R-1 RESIDENTIAL DISTRICT.**

**WHEREAS, A request has been received from Karla Spanier to construct an attached deck in the R-1 District, and;**

**WHEREAS, said structure will exceed the maximum impervious surface requirement, and;**  
**WHEREAS, Proper notification and publication had been given, and;**  
**WHEREAS, all persons were given an opportunity to be heard on said request.**  
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE,**

**STEARNS COUNTY, MINNESOTA:**

1. **Said request is hereby approved to construct the 256 square foot attached deck with the installation of one rain barrel to catch storm water run off.**
2. **Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.**
3. **That granting of the variance will not be detrimental to the public health, safety, comfort and general welfare of the City.**

**The motion was duly seconded by Member Willenbring with the following voting in favor.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

**DAVID BIERY – VARIANCE – 25910 BERG STREET** – Chair Honer reported the Planning Commission considered the request of David L & Tammy L Biery for a variance from Accessory Building Height Requirements. The address of the property is: 25910 Burg Street with a legal description of: Lot Two (2), Block Two (2) of PLEASANT LAKE HEIGHTS PLAT 3, according to the plat and survey thereof, now on file and of record in the office of the Stearns County Recorder.

**Subdivision 3: PERMITTED ACCESSORY USES READS:**

ACCELERATED ACCESSORY STRUCTURE – Private garages are permitted in all residential districts based on the following accelerated structure and only if the exterior covering materials on the roof and side walls are the same as the roof and side walls materials on the principal structure.

10,200 SF to 13,000 SF =	600 SF	Building with 8' Side Walls			
13,000 SF to 18,000 SF =	900 SF	“	“	10'	“
18,000 SF to 25,000 SF =	1,100 SF	“	“	10'	“
25,000 SF to 35,000 SF =	1,200 SF	“	“	12'	“
35,000 SF to 45,000 SF =	1,500 SF	“	“	12'	“ with 15' setback from main structure
45,000 SF to 65,000 SF =	1,800 SF	“	“	14'	“ with 20' setback from main structure
65,000 SF to 70,000 SF =	2,000 SF	“	“	14'	“ (because of higher side walls)
<b>70,000 SF to 85,000 SF =</b>	<b>2,400 SF</b>	“	“	<b>14'</b>	“

The request is to construct a 22' x 40' addition to the unattached garage currently constructed in the R-1 District. The request is to exceed the 14' sidewall restriction and to vary from the same roof and siding requirement.

**Amended:** The 2<sup>nd</sup> request is to construct 14' x 52' addition to the unattached garage currently constructed in the R-1 District. The request is to exceed the 14' sidewall restriction and to vary from the same roof and siding requirement.

**STAFF REPORT**

**RE: VARINACE REQUEST**

76.42142.0054 Owners: David & Tammy Biery

Property Address: 25910 Burg Street, St Cloud MN 56301

**VARIANCE(S) REQUESTED:**

1. Variance to construct a (22' x 40') addition and (14' x 52') addition to the unattached garage. The request is to exceed the 14' side wall restriction and to vary from the same roof and siding requirement.

## RELEVANT INFORMATION

1. Property is zoned R -1
2. Property is 300' x 317' deep. .
3. The owner is proposing vertical siding and roof that will match the existing unattached garage. This is not the same as the house.
4. New structure will not exceed 25' in height.
5. Height of walls 16'.
6. 10 notices were sent out.
7. Property owner has exhibited care in installing rain gardens on the property and rock with landscaping fabric.
8. Engineer report:  
As requested, I have reviewed the submittals and digital photos taken by City staff with respect to drainage for the Biery Variance application. City staff has already determined that lot coverage limits (25%) will not be exceeded after construction of the shop addition.

The area where the shop addition would occur is currently delineated by block retaining wall. The ground within the retaining wall area appears to be highly compacted (i.e. impervious) with no vegetation; used for parking and/or storage. The City's Stormwater Management Ordinance classifies highly compacted soils as impervious. Thus, per the ordinance, construction of a structure within the confines of the existing retaining wall area will not increase the net impervious lot coverage area; thus, no storm water runoff treatment is required.

With construction of the structure addition, water will shed from the structure to the east and/or west. City staff advises that the applicant plans to direct the shop addition runoff to an existing drain tile & rock channel system on the property. The existing drainage system drains northerly to an existing culvert under CR 6.  
In summary, it appears the applicant is being responsible with their drainage.

## RECOMMENDATION

1. Maintain existing drainage patterns over, under, and across their property.
2. Proper temporary and permanent erosion control measures (BMP's) shall be implemented during and after construction to minimize sediment leaving the site; this would include proper installation of silt fence or bio-rolls on the down gradient side(s) of any excavations or earth disturbing activities, and subsequent re-vegetation of the disturbed areas soon after work is completed.
3. Previously City of Pleasant Lake granted a variance from height of side wall restriction and to vary from the same roof and siding requirement.

The Planning Commission recommends approval of the request as presented.

***Member Koerber introduced the following resolution for adoption:***

***RESOLUTION NO. 2009-18***

***A RESOLUTION APPROVING VARIANCE IN THE R-1 RESIDENTIAL DISTRICT***

***WHEREAS, A request has been received from David & Tammy Biery for a Variance to construct a (22' x 40') addition and (14' x 52') addition to the unattached garage. The request is to exceed the 14' side wall restriction and to vary from the same roof and siding requirements in the R-1 District, and;***

***WHEREAS, Proper notification and publication had been given, and;***

***WHEREAS, all persons were given an opportunity to be heard on said request.***

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

***STEARNS COUNTY, MINNESOTA:***

1. ***Said request is hereby approved to construct the 22' x 40' addition and the 14' x 52' addition, further to exceed the 14' side wall restriction and to vary from the same roof and siding requirements in the R-1 District. A request similar to this was approved by the City of Pleasant Lake in 2001.***

2. ***Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.***
3. ***That granting of the variance will not be detrimental to the public health, safety, comfort and general welfare of the City.***

***The motion was duly seconded by Member Schmit, with the following voting in favor.***

***AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring  
Motion passed on a 7 to 0 vote.***

**HUNTING IN CITY LIMITS** – Chair Toni Honer reported the Planning Commission had discussed the issue of hunting in the city and recommends the council go along with the request from the county to allow hunting for disabled persons. We are going to see an increase of animals.

The current city ordinance reads:

**130.02 DISCHARGING FIREARMS:**

*(B) Hunting near a city park. No person shall hunt, shoot, or kill game within ½ mile of a city park unless the City Council has granted permission to kill game not desired within the limits prohibited by this division.*

Member Willenbring discussed the nature of the parks and felt the DNR regulations should be looked at too. There is a restriction that you can't shoot a firearm within 300' of a residential setting, but it is different in a rural setting.

Mayor Hagen voiced concern that if someone is anti-hunting they could request the city to enforce this.

***Motion by Member Becker, second by Member Volkmuth, to send this back to the Planning Commission for more research and further to check with the DNR for their regulations.***

***AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring  
Motion passed on a 7 to 0 vote.***

Mayor Hagen asked that the council continue to allow hunting on lakes until this is resolved.

**SIZE OF PLANNING COMMISSION** – Chair Honer reported that the Planning Commission is looking at the size of the commission. Dan Hansen may leave and 3 terms are up (Toni Honer, Jerry Bechtold & Dale Borgmann).

**SHANNON WICKER VARIANCE CORRECTION** – Rena Weber reported that Shannon Wicker's variance needs to be amended due to the fact that a 5' variance between the house and new garage is actually 4'. Mr. Wicker was presented and reported that the garage does sit at somewhat of an angle thereby creating the difference.

***Motion by Member Volkmuth, second by Member Koerber, to approve the request to amend the 5' variance separating the house from the garage to 4'.***

***AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring  
Motion passed on a 7 to 0 vote.***

**PARK & RECREATION** – Chair Scott Stenseth was present to discuss two issues:

**PARK RENTAL FORM** – The Park & Rec. Board is suggesting changes to the park rental form:

- Create a fee for an event
- Create a fee for rent of city building
- Add definition of Event
- Include Meeting room as part of the Lion's Park facilities list
- Include Picnic area in Eagle Park Facility

Rena Weber reported that City staff has more changes:

- a) Lion's Park Resident fee \$0 – this should be \$25.00 as it is no different than using the community ball field. There is extra cost for electrical, garbage, staff time, portable toilets, envelopes, stamps, and making sure it is cleaned up.
- b) There should be something about renting the concession stand – example

It is not available from May to August. The issue is that inventory would have to be counted and where would the city store the cold beverages as they would have to remove it from the coolers.

Staff changes had not been approved by the Park & Recreation so it was suggested that Scott take those to the Park & Recreation Board for consideration.

**Motion by Member Volkmuth, second by Member Palmer, to approve the amended Park Rental Agreement form as presented by the Park & Recreation Board.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

**PLEASANT LAKE WAKING PATH** – Chair Stenseth requested:

The Park & Rec Board is requesting funds to reclaim and repave the walking path at Lions Park at Pleasant Lake. The current path is approximately 15 years old and in poor condition. There are several areas that pose tripping hazards to both walkers and roller bladers. We have received a quote from Hardrives at a cost of \$39,203.36. The funds for this purchase would come out of Park Land Dedication Fund 202. This fund currently has a balance of \$41,464.77 in it.

Two bids were received:

\$39,203.36 – Hardrives - 6' walking path

\$46,750.00 – Minnesota Blacktopping - 8' walking path

Mayor Hagen asked how much did Arcon pay in parkland dedication fees. *The answer is \$52,800.*

Member Willenbring cited the MN State Statute 462.358 Relating to Use of Park Dedication fees:

*(g) Cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space based on the approved park systems plan. Cash payments must not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands, or open space.*

**Motion by Member Becker, second by Member Palmer, to approve the low bid of Hardrives in the amount of \$39,203.36 and further authorize the Administrator/Clerk to enter into agreement with the firm.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

#### OLD BUSINESS

**MAINE PRAIRIE TOWNSHIP ROAD AGREEMENT** – Rena Weber presented the revised agreement for approval citing that this should address the concerns of both parties.

**Motion by Member Volkmuth, second by Member Becker, to approve the Maine Prairie Township Road Agreement effective 8/19/09 as presented.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

#### NEW BUSINESS

**STONE'S BAR** – request for two on-sale 3.2 malt liquor licenses. Darrin wishes to hold a tournament at the community ball park on 9/12 & 9/13 and further to use the concession stand. Because this is late in the year there should not be any inventory at the park.

Mr. Ennen also wants to hold a Backyard Bash on 9/19 and this requires a separate 3.2 Malt Liquor license.

**Motion by Member Volkmuth, second by Member Willenbring, to approve the requests, pending receipt of the proper insurance certificates.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote.**

**RENEWAL OF 2:00 A.M. LICENSE** – Darin Ennen was present to request approval of the renewal of his 2 am license.

**Motion by Member Volkmuth, second by Member Koerber, to approve the request for renewal of the 2 a.m. Liquor License for Stoney's Bar.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**

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

#### COMMITTEE REPORTS

**PERSONNEL COMMITTEE** – Chair Randy Volkmuth reported on the following:

FIRE FIGHTER JOB DESCRIPTION REQUIREMENT CHANGE – Chair Volkmuth reported that the current requirement calls for a Class B Driver's License and the committee recommends lowering that requirement to Class D.

**Motion by Member Palmer, second by Mayor Hagen, to approve the change in the Fire Fighter job descriptions to require a Class D driver's license.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**

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

POLICY(S) APPROVAL – Chair Volkmuth reported that three policies have been presented for approval (as part of the annual audit process) and the committee recommends approval.

- Cell phone use policy
- Computer use policy
- Internal control policy (same policy – different format)

**Motion by Member Koerber, second by Member Volkmuth, to approve the policies as presented.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**

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

#### UPCOMING MEETINGS:

8/24/09 – 6:30 p.m. Personnel Committee

8/31/09 – 7:00 p.m. Meeting with Fire Department at Fire Hall (to review the updated Employee Policy Manual)

**PUBLIC WORKS** – Rena Weber reported on the following:

Grand Lake Road – Rick Hansen & John Koerber received bids to do a much scaled down version of the road repair.

Tar removal, soil replacement, road fabric placement, place Class 5 & compact

Steve's Excavating, Inc.	\$8,200.00
Steve Kraemer Excavating	5,950.00
Krippner Trucking & Excavating, Inc.	6,230.00

#### Patching

Central Specialties – 2" of bituminous pavement in an area measuring 800 SY

\$11.00 per ton – approximately 90 tons	\$9,900.00
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Overlay 3500' x 20' \$68.25/ton x 850 tons	58,012.50
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Central MN Paving, Inc. 3" compacted blacktop on 6 spots	
2" on 3 spots	10,600.00

Hardrives – 788 SY Apply tack coat to existing bituminous. Place and compact

MV4 Bituminous wear to a compacted depth of 1.5" on bituminous overlays.

Place and compact MV4 bituminous wear to a depth of 2" on Class 5 gravel areas

Unit price \$15.50	12,214.00
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Minnesota Blacktopping –

Approximately 4554 Sq feet of 3" 1 lift paving	9,025.00
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Approximately 1789 sq feet of 0 to 2" overlay of asphalt	<u>1,850.00</u>
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10,875.00

Caldwell Asphalt

Approximately 702 sq yds of 2" asphalt material	21,885.00
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**Motion by Member Volkmuth, second by Member Willenbring, to approve the bids of:**

<b>Steve Kraemer Excavating (Excavation Work)</b>	<b>\$5,950.00</b>
<b>Central MN Paving, Inc. (Patching using 3" of tarvia)</b>	<b>10,600.00</b>

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote**

Hubert Lane – The Public Works Committee recommend that the city bid & contract out with a firm with to blow out Hubert Lane only if the snow is more than 3" deep and further to notify the residents that no change in road status will occur.

**Motion by Member Volkmuth, second by Member Palmer, to approve the bidding out of snow removal on Hubert Lane as presented.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote**

Cow Pass Resolution – The Public Works committee recommends granting Greg Bechtold approval to extend the Glacier Road cow pass culvert (both ends) at their expense and further to allow them to put soil in the culvert to prevent the cows from hurting their feet.

**Motion by Member Volkmuth, second by Member Becker, to approve the request to extend the culvert on Glacier Road as presented.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote**

Spraying of Ditches – The Public Works Committee recommends sending Rick Hansen to school to become licensed to handle hazardous chemicals to spray the weeds in area ditches thereby reducing the cost of maintenance.

**Motion by Member Volkmuth, second by Member Becker, to approve the request to send Rick Hansen to school and become licensed in handling hazardous chemicals to spray weeds.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote**

Sauk River Road Design Changes – The Public Works committee recommends allowing Stearns County to re-align the road at their expense.

**Motion by Member Palmer, second by Member Willenbring, to approve Stearns County's request to re-align Sauk River Road at their expense.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote**

#### **UPCOMING MEETING:**

Public works – right after personnel on 8/24/09 or approximately 7:00 P.M.

Finance Committee – 8/24/09 5:00 p.m.

#### **ADMINISTRATOR'S REPORT**

**SCHEDULE TRUTH IN TAXATION DISCUSSION FOR 12/16/09 – 6:30 P.M.** Rena Weber reported the law has changed this year so that we don't have to publish a TNT hearing, but rather announce at a public meeting when we will discuss the budget, allow for public input, and adopt the final levy.

**Motion by Member Palmer, second by Member Koerber, to schedule the public meeting to consider the adoption of the 2010 budget and tax levy for 12/16/09 at 6:30 p.m.**

**AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring**  
**Motion passed on a 7 to 0 vote**

**RE-SCHEDULE 9/16/09 COUNCIL MEETING FOR 9/9/09** – Rena Weber asked the Council to move the meeting up by one week to accommodate adoption of the tax levy and budget for submittal to Stearns County by 9/15/09. Approval was given.

**SEPTEMBER 29<sup>TH</sup> – JOINT CITIES MEETING IN ROCKVILLE** Administrator/Clerk Rena Weber also informed the council that Rockville is being asked to host the 9/29/09 – 5:30 p.m. Area Cities Meeting. This would be held at the 400 Club. Approval was given.

**MAYOR'S REPORT** - Mayor Hagen reported that the Richmond Mayor held a meeting of area city's Mayor's and Administrator's to discuss the way cities bill area townships for fire service. Recently Richmond changed the formula on how they charge the townships. This has been in the works for four or five years and has resulted in an approximate 20% increase which has upset some of the townships. The goal was to get the area cities together to explain their formula which is a four pronged formula that was developed by attorneys and the LMC.

- 3 years of historical calls
- Population
- Market value of improved property
- Market value of vacant land

The wanted area cities to base their formulas on these factors so that townships would not shop for fire fighting services. Some cities may be building a fire hall and the township does not want to pay for that so they will shop around so that pits one city against the other. Basically they want cities to make sure their decision of providing fire service is for public safety and not what is the cheapest at the time.

Member Palmer reported that she attended the luncheon with Senator Al Franken. Mr. Franken is trying to gain an idea of what is needed for this area. Member Palmer talked to Mr. Franken about the Rocori Trail.

#### **OPEN FORUM**

Toni Honer – 512 Cypress Court voiced concern that the council is overlooking the trail in her neighborhood. Her concern is in order for people to get from Cypress Court to Walnut Street this became a walking path. The former owner allowed 1.3 acres to be split off and at the same time they allotted a trail along her property. That is a publically maintained 450' trail. There are huge potholes and needs repair.

**ADJOURNMENT – Motion by Member Volkmuth, second by Member Becker, to adjourn the meeting at 7:30 p.m. Motion carried unanimously.**

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

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**JEFF HAGEN  
MAYOR**

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