

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY
DECEMBER 15, 2010 - 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, Judy Neu, Rick Hansen, Chief Rodney Schaefer, Mike Hofmann & Scott Stenseth.

Others present were: Lt. Jon Lenz, Tудie Hermanutz, Scott Hedlund, Dave Volkmuth, Mike, Lonnie, James & Jacqueline Voigt, Paul & Alice Wirth & Don Simon.

ADDITIONS TO THE AGENDA

Rena Weber reported that there is one deletion the 6:30 p.m. Public Hearing Xcel Energy Franchise Agreement they have not responded back to the City Attorney.

OPEN FORUM

No one appeared.

CONSENT AGENDA

CONSENT AGENDA – Motion by Member Willenbring, second by Member Palmer, to approve the consent agenda as presented:

- a) *Approve minutes of 11/17/10*
- b) *Approve Treasurer's Report of 12/15/10*
- c) *Approve List of Bills and Additions of 12/15/10*

<i>Accounts Payable CK # 012549 – 012597</i>	\$89,977.38
<i>Payroll CK# 003885 – 003916</i>	\$28,359.75
<i>EFT #000380 – 000386</i>	\$ 8,861.25
- d) *Cigarette License Renewals*
B's Liquor, QuickMart, Stoney's Bar, Rockville Gas & Bait

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

BOARD/STAFF REPORT

POLICE – Lt. Jon Lentz was present at the meeting to report that there were 38 contract hours during the month of November and cited the activity. Alcohol compliance checks were done and all establishments passed inspections.

PARK BOARD-YEAR END REPORT: Scott Stenseth reported on the 2010 year end review.

- ◆ Hockey Rink at the Community Park-Steve Heying has retired from flooding the rink and found volunteers to keep the rink flooded for this winter.
- ◆ Annual Easter Egg Hunt – over 200 participants and collected about 185 pounds of food for the Cold Spring Area Food Shelf.
- ◆ Repaved/Shouldered the walking path at Lions Park.
- ◆ Leveled the ball field (infield) and laid down new ag-lime at the Lions Park.
- ◆ Eagle Park-had prairie burn & snow seeding, added signage/more native plants and had dozens of educational tours. (Hundreds of volunteer hours were spent on keeping up the park.)
- ◆ Summer Ball Program – around 90 youth participants.
- ◆ Sponsored the Tractor Peddle Pull at Rock-Fest- over 60 youth participants.
- ◆ Annual Santa Day- over 80 participants and collected over 160 pounds of food for the Cold Spring Area Food Shelf and along with \$30 in cash.
- ◆ Park and Recreation volunteered over 500 hours for social events and projects.

PLANNING COMMISSION – Rena Weber reported on the following:

APPOINTMENT OF MEMBER: One of the Planning Commission member’s terms is up as of 12/31/2010 and that person did not reapply. The City received one application-Member Susan Palmer. We would like to thank Steve Dietman for all his work.

Motion by Member Willenbring, second by Member Volkmuth, to accept the application for Susan Palmer to serve on the Rockville Planning Commission.

AYES: Hagen, Schmitt, Volkmuth, Willenbring, Koerber & Becker.

ABSTAIN: Palmer

Motion passed on a 6 to 1 vote.

BLOCH FINAL PLAT & PARK LAND DEDICATION UPDATE: Rena Weber reported after further discussion with Sam Deleo and Adam Ripple (City Attorney) the outcome was that the lots would become outlots and the parkland dedication is not warranted here because they are not creating any new single family lots.

DALE MOLITOR ADMINISTRATIVE PLAT: Rena Weber reported that the Planning Commission didn’t meet in December and the Molitor’s came in last week wanting this to be done by the end of this year because of tax purposes. Mr. Dale Molitor would like to split off the west half of his property to his sister.

CERTIFICATE OF COMPLIANCE

STATE OF MINNESOTA)
COUNTY OF STEARNS) ss
CITY OF ROCKVILLE)

RE: These descriptions are intended for the Dale A. Molitor tract to be retained and the remaining tract to be transferred to Darlene M. Molitor & Glen D. Vannurden (husband & wife) in the City of Rockville.

The following described property is the new legal description for parcels #76.41636.0010 & 76.41636.0100.

TRACT A DALE A. MOLITOR

The Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 18, and the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼), Section 19, Township 123 North, Range 29 West, being in Stearns County, Minnesota, LESS AND EXCEPT .35 acres of said NE ¼ NE ¼ of Section 19, that was taken by Rockville Township for road purposes.

ALSO LESS AND EXCEPT: That part of the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 18, and the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 19, Township 123 North, of Range 29 West, that lies east of County Road #140, said tract containing approximately .50 acres more or less.

The following described property was transferred to Darlene M. Molitor & Glen D. Vannurden

TRACT B The Southwest Quarter of the Southeast Quarter (SW ¼ of SE ¼) of Section 18 and the West One Half of the Northeast Quarter (W ½ of the NE ¼) of Section 19, Township 123, Range 29 in the City of Rockville.

The Rockville City Planning Commission has reviewed this split and found it to be in compliance with the standards set forth in the City of Rockville.

Motion by Member Volkmuth, second by Member Schmitt, to approve the Administrative Plat as presented.

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

Motion passed on a 7 to 0 vote.

2011 BUDGET & TAX LEVY- public comment welcome – Rena Weber reported that the Finance Committee met last week to review the revenue and the expense budgets and indicated where changes needed to be made but still kept tax levy where it was. The Finance Committee met again this evening to discuss the Fire Department Municipal Contribution. We started at \$5,000 in which it should have been \$24,265 and the Fire Department has designated funds of \$10,000 for wages and \$7,600 for training. This should probably be used as you know the Fire Department members have been volunteering all their training time for free this year. The City requires the Fire Department members to have minimum training. The Finance Committee recommends paying the Fire fighter for their training. This would not change the levy.

The Tax Levy for 2011 is \$1,005,274 that did increase tax levy from last year by 2.85%.

Motion by Member Volkmuth, second by Member Willenbring, to approve the 2011 Budget & Tax Levy with the changes that were discussed tonight on the fire department.

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

Motion passed on a 7 to 0 vote.

AREA CITIES LEGISLATIVE ISSUES – Rena Weber reported that our Mayor submitted six different items that the committee to consider. The Area Cities consist of St. Cloud, Sartell, Sauk Rapids, Waite Park, St. Joseph, St. Augusta and Rockville. Last year you approved the Joint Resolution of all the City of what the legislative priorities are for this area.

They decided to keep in:

- ◆ Sales Tax Exemption for Collaborative Expansion & Upgrade of Regional Wastewater Treatment Plan: but change the wording to Sales Tax Exemption for Municipal projects.
- ◆ North Star Commuter Rail
- ◆ State Fee Increases & New \$75.00 per fire fighters license fee: Check into this.

Of the suggestive changes that our Mayor presented they did accept and is going to take forward is.

- ◆ That the State of MN request that the Federal Gov't retract the requirement to change all those street signs and make it a recommendation to city, counties to change to their requirements only as signs need to be replaced.
- ◆ For the legislature to add public casino, expand gambling in bars/restaurants, and support the Racino idea that has been talked about lately.

ATTORNEY RATES FOR 2011 – Rena Weber reported Municipal Rate Fee Schedule for 2011:

- ◆ Standard rate includes general advice, general land use related advice, employment and labor advice, ordinance drafting, zoning enforcement, and general meeting attendance (not related to a specific project): Going from Attorney 3 - 6 years experience \$145.00 to Attorney 4 plus years experience \$166.00 per hour.
- ◆ Rate for projects, whether or not reimbursement by other sources, including development agreements and related advice; infrastructure and utility related installation and reimbursement contracts; state aid projects, state and federally funded projects; assessment projects and appeals; significant contracts such as real estate purchases

and sales, land use agreements, joint powers agreements, and business subsidy packages; eminent domain and relocation; significant land use applications/permits; litigation; and tax increment and abatement projects: Attorney 4 plus years experience \$189.00 per hour.

- ◆ There in NO CHARGE for internal copies, long distance phone calls and mileage. Actual out of pocket costs shall be passes through to the client.

Motion by Member Palmer, second by Member Willenbring, to approve the 2011 Attorney Rates as presented.

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

Motion passed on a 7 to 0 vote

COMMITTEE REPORTS

MAYOR - Nothing

FINANCE COMMITTEE – Chair Susan Palmer reported on the following:

1% EXCEPTIONAL PAY – ADMINSTRATIVE STAFF –

Chair Palmer reported that given the fact that current staff has taken on the work of the Finance Director and we didn't replace that position. Staff is doing a great job. The Finance Committee felt that we should be adjusting their pay to reflect the added responsibility. A motion was made at the Finance meeting to recommend approval of a 1% responsibility pay to administrative staff from 7/1/10 to 12/31/10.

Chair Palmer suggested if we going to ask the staff to continue with doing the Finance Director duties we got to look at permanent adjustment in their pay.

Motion Member Volkmuth, Second Member Palmer to approve a 1% responsibility pays to administrative staff from 07/1/10 to 12/31/10.

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

Motion passed on a 7 to 0 vote

10% TRANSFER- WATER TOWER RENT FUNDS –

Transferring 10% from the tower rent fund to the water fund which amounts to \$5106.00 for the 2010 budget.

Motion Volkmuth Second Member Willenbring, to approve the transfer of \$5106.00 (10%) from the tower rent fund to the water fund for 2010 budget.

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

Motion passed on a 7 to 0 vote

NOVEMBER RECONCILIATION– Chair Palmer reported the committee met before the regular council meeting and approved the November Reconciliation and Investment reports.

REVIEW ACCOUNTANT BIDS – Chair Palmer reported that the City received 4 bids and interviewed one firm and will be interviewing one more before making a decision.

JAMES VOIGT-REQUEST FOR DEFERMENT-DESCISION –Chair Palmer reported that finance committee discussed the request for deferment and recommended to deny the referral.

A decision was made that the Voigt's would need to request it in writing a proposal but the proposal would have to have a significant change from previous requests.

Motion by Member Palmer, second by Member Willenbring, to denied deferment and should some other information come forward it could be modified.

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

Motion passed on a 7 to 0 vote.

RTCB – FINAL APPROVAL STEARNS COUNTY AGREEMENT–

Motion by Member Becker, second by Member Willenbring, to approve the agreement with Stearns County on the Rocori Trail.

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

Motion passed on a 7 to 0 vote.

ADMINISTRATOR REPORT

RFA-YEAR END BUDGET AMENDMENTS & DESIGNATIONS–

Motion by Member Volkmuth, second by Member Becker, to approve the year end budget amendments & designations as presented.

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

Motion passed on a 7 to 0 vote.

APPROVE NOLAN BARTNICK & ZACHARY HANSEN ONE YEAR PROBATION –

Motion by Member Volkmuth, second by Member Becker, to approve the one year probation on Nolan Bartnick & Zachary Hansen. .

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

Motion passed on a 7 to 0 vote.

FIRE CHIEF UPDATE ON CONFLICT – Rena Weber reported that she has not received information back from Jeanette Bach (League of Minnesota Cities).

OPEN FORUM

Mike Hofmann – EMS Director wants to invite Council members to come to St. John's on January 11th, 2011 @ 7:00 p.m. Stearns County Emergency Management is holding a meeting and is inviting the City of Wadena to do a presentation on how they handled the tornado disaster.

Dave Volkmuth 25754 Lake Road- would like to thank Susan Palmer and John Koerber for many years of service and would like to complement the entire council for what they have done.

Don Simon 600 Othmar Lane – with all the snow we have been getting, we need to make sure the fire hydrants are not covered with snow. If there is a fire hydrant near your property if you could make sure that the hydrant is not covered with snow.

Mayor Hagen thanked Member Koerber and Member Palmer for all their work that they had done for the city.

Member Volkmuth thanked them also.

Member Palmer read a letter:

Dear Citizens of Rockville:

I want to thank you for the opportunity to serve the residents of the city over the last four years. During that time I have learned a lot about this city and I met many wonderful people as a result of my council membership. Despite being one of the most challenging economic times in history, Rockville came through the downturn admirably. The council recognized the hardship this placed on our citizens and we worked hard to maintain services at lower costs. As Chair of the Finance Committee, I am proud of the accomplishments over the last four years. With my fellow council members, we were able to accomplish the following—all of which helped to reduce the tax rate:

- Reviewed all departments budgets which resulted in reductions of 19% to the general budget

- Reviewed outstanding bond issues for refinancing opportunities that resulted in significant savings to the city and ultimately you, the taxpayer
- Enhanced the city's investment process which resulted in more revenues thus allowing lower taxes
- Developed and implemented ordinances that allow for equitable distribution of costs to all residents of the city
- Increased rents from the city's water towers thus reducing taxes
- Did a careful review of water rates, took input from the citizens in the core city and allocated a portion of the water tower rents to help defray some of the costs
- Through reallocation of funds, established a \$150,000 budget for street repair
Resulting in a reduction of the tax capacity rate of over 9%

Many cities saw increased rates during this time as a result of the loss of local government aid from the State of Minnesota. Through the council's leadership over the last four years, the city is well positioned to move forward. I would especially like to thank Rena for her dedication, hard work and willingness to answer all my questions and to the dedicated hard-working staff of the city for their efforts to provide great service to the citizens. I extend my congratulations to Randy, Don, and Jeff as they begin their new terms on city council—I know they will continue to provide careful stewardship of the city's resources and leadership for the future of the city.

Respectfully,
Sue Palmer

ADJOURNMENT – Motion by Member Volkmuth, second by Member Willenbring, to adjourn the meeting at 7:05 p.m. Motion carried.

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

**JEFF HAGEN
MAYOR**

THIS PAGE LEFT BLANK INTENTIONALLY