

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY,  
FEBRUARY 15, 2006 – 7:00 P.M. – JOHN CLARK ELEMENTARY MEDIA CENTER**

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, Ed Karls, Don Simon, and Greg Simones arrived at 7:01 p.m. Absent: Jeff Hagen and Lloyd Lommel.

Staff members present were: Administrator/Clerk Rena Weber, Public Works Supervisor Greg Stang, Fire Chief Randy Dingmann, and Engineer Scott Hedlund.

Planning Commission members present were: Jerry Bechtold & Linda Peck.

Others present: Tудie Hermanutz, Brian Hatten, Aaron Cheeley, Deputy Jon Lentz, Diane Thomes, Mike & Joan Vanderweyst, Dave Volkmuth, & Duane Willenbring.

**ADDITIONS TO THE AGENDA: *Motion by Member Ahles, second by Member Simon, to approve the additions to the agenda for discussion purposes.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, & Simon.***

***Motion passed on a 4 to 0 vote.***

**CONSENT AGENDA:** Member Ahles questioned page 21 of the 2/1/06 minutes in that the vote regarding zoning ordinance changes should be 4 to 2 (not 4 to 0). Mayor Herberg indicated that the meeting was actually a special meeting.

***Motion by Member Karls, second by Member Ahles, to approve the consent agenda as amended:***

a) ***Minutes of 02/01/06 as amended.***

b) ***Treasurer's Report of 02/15/06.***

c) ***List of Bills & Additions***

***Accounts Payable CK #007669 & #007674 to 007714 \$105,019.28***

***Payroll CK #002304 to 002309 \$ 4,358.29***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**BOARD/STAFF REPORTS**

**POLICE DEPARTMENT** – Deputy Jon Lentz reported that their department spent 71.5 contract hours within the city. Deputy Jon Lentz reviewed the calls and offenses.

Mayor Herberg questioned if they list parking violation warnings. Deputy Jon Lentz indicated they do not keep track of those. They do keep track of the number of individual warnings.

Crime Free Multi Housing – Mayor Herberg indicated he would like to form a citizens group to head this up in addition to a neighborhood watch. If people are interested in either group they should contact city hall.

Deputy Jon Lentz indicated they have an officer that deals with training of citizens for neighborhood watches.

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

**REQUEST FOR COUNCIL ACTION** – Randy Dingmann stated that on 11/9/05 a request for approval of lockers in the amount of \$7416.00 was granted. The actual cost is \$8136.00 and therefore \$720.00 more is needed to be taken out of dedicated Fire Department operations fund 101-42200-538.

***Motion by Mayor Herberg, second by Member Simones, to approve the request for \$720.00 additional funds to pay for the cost of lockers at the new fire hall.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**MAINTENANCE DEPARTMENT:** Greg Stang reported on the following:

REQUEST FOR COUNCIL ACTION - Greg Stang asked for council approval to hire Tight Rope from Maplewood to pressure wash the 150,000 gallon water tower at a cost of \$1900.00. There is mildew growth so this is more of an aesthetic thing. One more quote was received from Maguire Iron in the amount of \$3780.00

Member Simones questioned if the \$5000 would be enough to paint the tower during the life of the paint job. Greg Stang indicated that we are saving \$5,000 per year. Greg Stang also indicated the paint is good for 10 to 15 years.

Mayor Herberg questioned how soon we have to decide on this. Greg Stang indicated that the cost is good for now as the company is scheduling for the season. Greg Stang was instructed to check on the life of the paint and the cost.

***Motion by Member Ahles, second by Member Simones, to table action on this request until 3/1/06.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**PARK & RECREATION** – There was no report.

**TRAILS COMMITTEE** – Linda Peck reported on the following:

UPDATE ON TRAILS – Linda Peck reported that the Rocori Trail grant was tentatively awarded \$520,000 for Phase I. Phase 1 is scheduled for 2010.

The draft report of the plans for Eagle Park has been reviewed and comments were given to Bonestroo, Rosene, & Anderlik. A public hearing will be held shortly. There are potential grant applications due by 3/31/06.

**PLANNING COMMISSION** – Chair Jerry Bechtold reported on the following:

SP-1 PUBLIC PARKS PERMITTED USE – Jerry Bechtold reported the Planning Commission reviewed the permitted use of public parks in the SP-1 District and are proposing to amend the ordinance to permit public parks. Jerry Bechtold reported the Planning Commission is also keeping the 4 homes per year clause in the SP-1 District.

**OLD BUSINESS** – None

#### **NEW BUSINESS**

**TOM VAN LITH** – Tom Van Lith had asked to be taken off of the agenda.

**RESOLUTION NO. 2006 –05** – Rena Weber reported that the revised resolution was being presented to indicate that there is a zero population increase and that this request to detach 9.14 acres located north of Interstate 94 which is owned by Jerome & Kathleen Zabinski was approved by both the Planning Commission and City Council.

***Mayor Herberg introduced the following resolution and moved for its adoption:***

#### ***RESOLUTION NO. 2006-05***

***RESOLUTION FOR THE CONCURRENT DETACHMENT AND ANNEXATION OF INCORPORATED LAND BY AND BETWEEN THE CITY OF WAITE PARK AND THE CITY OF ROCKVILLE.***

***(A complete copy of the resolution is hereby attached and marked Exhibit A).***

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

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**AGREEMENT FOR PROSECUTION SERVICES** – Rena Weber reported that she had contacted John Koch, the current criminal prosecution attorney, to report that the city was considering another agreement. Mr. Koch indicated that he could not match the quoted cost. Mr. Koch also indicated the number/cost for ordinance violations is minimal. This was excluded from the

proposed agreement with Stearns County. Rena Weber further reported that distribution of fine money would not change.

***Motion by Mayor Herberg, second by Member Ahles, to approve the agreement for prosecution services with the Stearns County Attorney as presented:***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**GAMBLING LICENSE RESOLUTION 2006-06** – Rena Weber reported that the Rocori Booster Club had contacted the city to obtain a charitable gambling license at the Grand Bar & Grill, LLC. The organization meets the requirements of the city gambling ordinance.

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

***RESOLUTION NO. 2006-06***

***RESOLUTION APPROVING A GAMBLING LICENSE***

***WHEREAS, The Rocori Booster Club has requested a gambling license at: Grand Bar & Grill LLC, 21614 County Road 8, Cold Spring, MN 56320 and;***

***WHEREAS, No objections were raised.***

***NOW, THEREFORE BE IT RESOLVED by the City Council of Rockville, Stearns County, Minnesota:***

- 1. Approval of said license is hereby granted.***

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

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**SAUK RIVER CANOE CLASSIC** – Rena Weber reported that the Sauk River Canoe Classic has requested approval to hold the annual event on 6/3/06 from 8:30 a.m. to 2:30 p.m. The race starts at the Rockville Bridge.

Concern was voiced regarding the number of cars, people that attend this event and does it require more police coverage.

***Motion by Member Simones, second by Member Ahles, to table action on this request until more information is available regarding the volume of traffic, people and whether more police protection is required.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

#### **ENGINEER REPORT**

**PAY APPLICATION #5 – KHC CONSTRUCTION** – Scott Hedlund requested approval for pay application #5 for the construction of the well house in the amount of \$24,912.00. Scott indicated this is the last payment minus the 5% of \$14,910.00. The payment covers indirect costs for the chemical feed system, electrical installation, and labor. The well house has been tested and is working properly.

***Motion by Mayor Herberg, second by Member Ahles, to approve Pay Application #5 as presented.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

#### **COMMITTEE REPORTS**

**MAYOR'S REPORT** – Mayor Herberg reported that his issues were discussed previously.

#### **ADMINISTRATOR REPORT**

**BROADWAY STREET IMPROVEMENT (AKA COUNTY ROAD 82)** – Rena Weber reported that a public informational meeting would be held on 2/23/06 from 5 p.m. to 7:00 p.m. (Stearns County Highway Department-Waite Park). This is the opportunity for residents to view the proposals and make comments.

**CIVIL ATTORNEY** – Rena Weber reported that she received a quote from Rajkowski Hansmeier Ltd. and wanted to know if the council wished to interview the firm. Rena Weber suggested the Council interview on 3/1/06 at 6:00 p.m. Rena Weber will also seek a proposal from one more firm.

***Motion by Member Simon, second by Member Ahles, to schedule a special meeting for 3/1/06 – 6:00 p.m. to interview more attorney firms.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**MEETING DATE CHANGE** – Rena Weber asked for approval to change the 3/15/06 meeting date to 3/22/06 due to a scheduling conflict with the annual Clerk's conference.

***Motion by Member Simones, second by Member Simon, to approve the change of the 3/15/06 meeting date to 3/22/06 and provide proper postings.***

***AFFIRMATIVE VOTES: Ahles, Herberg, Karls, Simon, & Simones.***

***Motion passed on a 5 to 0 vote.***

**OTHER BUSINESS** - Mayor Herberg asked all to read the city newsletter and complimented staff on the content.

**WELL PROPERTY** – Mayor Herberg reported that a meeting of the negotiating committee will be set up with the Voigt family to discuss the purchase of the well property.

**OPEN FORUM** – No person came forward to speak.

**ADJOURNMENT** – ***Motion by Member Simon, second by Member Ahles, to adjourn the meeting at 7:44 p.m. Motion carried unanimously.***

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

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**BRIAN HERBERG  
MAYOR**