

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY
OCTOBER 20, 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, Public Works Director Rick Hansen & Engineer Scott Hedlund

Others present were: Tудie Hermanutz, Dave Volkmuth, Lt. Jon Lentz, Rachel Thoennes, and Don Simon.

OPEN FORUM

No one appeared.

CONSENT AGENDA

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

- a) *Approve minutes of 0915/10 & 09/29/10*
- b) *Approve Treasurer’s Report of 10/20/10*
- c) *Approve List of Bills and Additions of 10/20/10*

<i>Accounts Payable CK # 012422 – 012496</i>	\$196,721.91
<i>Payroll CK# 003834 –003864</i>	\$ 18,607.35
<i>EFT #000361 – 000371</i>	\$ 9,886.96

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 31 contract hours during the month of September. The speed trailer was here 7 times. He noted the types of calls.

POLICE CONTRACT – Rena Weber reported the Stearns County Sheriff’s contract was on the agenda and that there is no proposed change to the rate for 2011.

Motion by Member Willenbring, second by Member Palmer, to approve the renewal of the Stearns County Sheriff’s contract as presented.

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

PUBLIC WORKS – Rick Hansen reported on the following:

BIDS ON GRINDER STATION CONTROL PUMPS

Bids were obtained to:

BASE BID 1: Relocate fuses & Relays, Install Square D breaker & re-connect alarm & control wiring to new breaker

OPTIONAL BID 2: Add green indicator light (LED) to panel

	Base Bid 1 (per unit)	Optional Bid 2
Delta Electric	\$96.50	\$130.00
Comments: time line contingent on availability of parts		

Klein Electric, Inc.	\$63.84	\$300.00
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Comments: If the intent of the option is to provide a simple means of checking to see there is power to the grinder control without opening the control box or calling the city or an electrician to do so we proposed installing a small contractor selected pilot & switch to the control box installed at the same time as the base bid work \$50.00 each

Cold Spring Electric \$48.76 \$ 92.00
Comments: The pump control manufacturer suggested an alternative to this proposal. This alternate should reduce the cost for option #1, monitor both A/C power phases, and use existing beacon.

Birchwood Electric \$ 87.00 \$145.00
 Comments: All work will be completed by Nov. 30th.

Kramer Electric of Watkins, Inc. \$ 63.84 \$142.00
 Comments: Optional bid 2 price is good only if done at same time as breaker installation.

Rick Hansen reported that Cold Spring Electric also proposed an alternate bid of \$75.00 to install a relay switch instead of the green LED light. The cost savings would be substantial.

Member Willenbring offered information of the NOR (Notice of Opportunity to Repair) law and asked if the attorney responded to this. Rena Weber reported that they had not responded.

Motion by Member Volkmuth, second by Member Becker, to approve the low bid of Cold Spring Electric at \$48.76 base bid per unit, further that the funds to pay this would be the lakes area sewer funds, and further send a letter to the affected residents informing them of Option 2 which is to install a relay switch only if the resident wants and pays for it.

Mayor Hagen instructed staff to let the city attorney know that this is what we are going to do by such date and the city will pay the \$48.76.

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

PLANNING COMMISSION – Rena Weber reported on the following:

HANSEN/HUNSTIGER – ADMINISTRATIVE PLAT – Rena reported that this land swap actually occurred some time ago, but was not recorded. The Planning Commission approved the split.

A-10 TASK FORCE – Rena reported that Toni Honer would like to get the organizational meeting set for 10/26/10 – 6:30 p.m. – city hall. Jerry Schmitt asked if he could volunteer for the task force too. Approval was given.

PUBLIC HEARING

XCEL ENERGY FRANCHISE AGREEMENT – Rena Weber reported that attorney Adam Ripple did not come to an agreement in the franchise agreement and asked that discussion be tabled until the next regular meeting.

Motion by Member Palmer, second by Member Volkmuth, to table discussion until 11/17/10 – 6:30 p.m.

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

NEW BUSINESS

RESOLUTION 2010-22 – SCHEDULING PUBLIC HEARING ON ASSESSMENTS – Rena Weber reported that a resolution declaring the cost of assessment and also scheduling a public hearing on said assessment needs to be done. It was determined that the following would occur:

11/10/10 – 5:30 p.m. – Personnel Committee meeting

6:00 p.m. – Special Council Meeting to Canvass Election Ballots

6:05 p.m. – Public Hearing – Grand Lake & Fowler Road Improvement

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

RESOLUTION NO. 2010-22

RESOLUTION DECLARING COST TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENT AND SCHEDULING HEARING ON PROPOSED ASSESSMENT

WHEREAS, a contract has been let and costs have been determined for the improvement of Grand Lake Road and Fowler Road, and the costs for such improvement are \$257,660.80.

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

1. The portion of the cost of such improvement to be paid by the city or other sources is hereby declared to be \$194,701.68 and the portion of the cost to be assessed against benefitted property owners is declared to be \$62,959.12.
2. Assessments shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January, 2011, and shall bear interest at the rate of 4.75% percent per annum from the date of the adoption of the assessment resolution, in accordance with other provisions of the Assessment Policy.
3. The City Engineer shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in the City Hall for public inspection at least two weeks prior to the public hearing declared below.
4. A hearing shall be held on the 10th day of November, 2010, in the City Hall at 6:05 p.m. to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
5. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
6. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. He may at any time thereafter, pay to the County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

In addition if the property is split or sold then the remaining assessment is due and payable in full at the time of event.

If any of the assessments are granted deferment the time is for up to 10 years, but the balance shall be paid in full upon the conclusion of the 10 years.

7. The City Council hereby reserves the right to reimburse itself for all or a portion of the amount not assessed against benefitted properties from the proceeds of a bond sale.

The motion for the foregoing resolution and time schedule was duly seconded by Member Palmer with the following vote being taken:

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

80TH, 81ST & HOLLY AVENUE – Rena Weber reported that letters were sent out to each of the affected property owners informing them that the potential assessment to have their road tarred would be approximately \$7211 per lot. Residents were asked to call city hall by noon of this day if they still wished to see the project completed. Not one person called. It was determined that the project would not be done. Another letter reporting this information to the residents will be sent.

ARCON DEVELOPMENT – REDUCTION IN LATE FEE – Rena Weber reported that staff met with Tom Ingebrand of Arcon regarding their upcoming payment of WAC/SAC charges. The staff will now bill the property owner for WAC/SAC and bill the remaining amount to Arcon in November of each year. The agreement is to pay for 10 each year up to an amount equal to \$210,000 SAC and \$312,480 in WAC charges. Arcon still owes \$328.25 in back taxes from 2008.

Member Volkmuth questioned how much is interest and how much is late fee. It was determined that it is all late fees.

A reduction of the late fees \$7,434.71 would leave a balance of \$39,827.45.

Motion by Member Becker, second by Member Willenbring, to deny the request to reduce the late fees.

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

PAUL BETZ – REQUEST FOR OFF-SALE LIQUOR LICENSE - Paul Betz requested approval for an off-sale liquor license. Discussion was held regarding how many were allowed and how many are issued.

Motion by Member Willenbring, second by Member Volkmuth, to approve the request for an off-sale liquor license to Paul Betz pending approval of the Sheriff and proper certification of insurance.

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

COMMITTEE REPORTS

MAYOR – Mayor Hagen had nothing to report.

FINANCE COMMITTEE – Chair Palmer reported the committee met before the regular council meeting and approved the September Reconciliation and Investment reports as well as the 3rd quarter status report from Tom Olinger.

RTCB – Member Willenbring reported that a draft agreement with Stearns County as the financial pass through has been approved by the RTCB. No approval of the agreement is being asked for tonight, but if anybody has any real issues with the agreement as proposed they need to let the committee know.

SCML – Rena Weber reported that the Stearns County Municipal League met the previous evening in Albany where regular business was conducted, but area candidates for Federal, State & County offices were invited to attend.

ADMINISTRATOR'S CORRESPONDENCE

DUANE WILLENBRING APPOINTED TO LMC ADVISORY COMMITTEE - Rena Weber reported that the League of MN Cities was looking for a committee member to serve on the Residential Fire Sprinkler Advisory Committee. She submitted the information to Duane Willenbring as he has voiced concern on this legislation. Duane applied and was appointed representing small cities.

TAX CAPACITY HISTORY – Rena Weber reported that the League of MN Cities tabulates property tax information in September of each. Staff tracked the previous three years information and presented a graph showing how we compare to our neighbors, inclusion of detachment figures and also a 9.26% decrease in Tax Capacity Rate since 2008.

HEALTH INSURANCE RATES DECREASING – Rena Weber reported that the employee health insurance rates are decreasing by 3% next year part which is due to the fact the employees will be picking up more of the out of pocket expenses.

WELLHEAD PROTECTION PLAN – IMPLEMENTATION GRANT – Rena Weber reported that she applied for a \$10,000 grant from the State of MN to implement parts of the wellhead protection plan and we were granted \$5,700.

YELLOW RIBBON CITY – Rena Weber reported that Sartell Mayor Tim O'Driscoll had given her the Yellow Ribbon City designation award from the State. This was accepted and will be displayed at city hall.

OPEN FORUM

Member Willenbring asked when the discussion on deferments of special assessments was discussed. It was determined that this was done as part of the approval process.

ADJOURNMENT – *Motion by Member Volkmuth, second by Member Willenbring, to adjourn the meeting at 6:49 p.m. Motion carried unanimously.*
(For the record this meeting was not taped by Tri-City Cable TV due to scheduling problems)

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR

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