

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, JUNE 17 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, Public Works Director Rick Hansen & Engineer Scott Hedlund.

Others present were: Aaron Cheeley, Ev Balko, Tудie Hermanutz, Darrin Ennen, Maureen Heiserich, Heidi Reitmeier, Dennis & Delores Johannes, Sara Grachek, Bob Schlicht, Kim Koepp, Gita Sweeney, Sgt. Phillip Meemken, Scott Palmer, John Wicker, Dave Volkmuth, Don Simon, Joel & Sharon Sponheim, Clarence Bloch, Lori Anderson & George Bechtold.

ADDITIONS TO THE AGENDA – Rena Weber reported that the public hearing for Hubert Lane minimum maintenance road was cancelled due to the fact the city is not a “road authority” for such purpose of declaring a road minimum maintenance.

Motion by Member Palmer, second by Mayor Hagen, 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

CONSENT AGENDA – Rena Weber reported there were a few changes to the consent agenda in that item 4 E should be deleted as Stoney’s did not want the 3.2 malt liquor license on 7/11/09, Double Deuce is now requesting approval of a 3.2 malt liquor license for 7/12/09 and further that Grand Lake fireworks permit application is now completed.

Member Volkmuth questioned the attorney fee for the Joint Powers Agreement – Rocori Trail. Rena Weber explained that the bill was current as of the last meeting.

Motion by Member Volkmuth, second by Member Palmer to approve the Consent Agenda as presented with the changes outlined above.

- a) ***Approve minutes of 05/20/09***
- b) ***Approve Treasurer’s Report of 06/17/09***
- c) ***Approve List of Bills and Additions of 05/21/09 – 06/17/09***

<i>Accounts Payable CK #011210 to 011291</i>	<i>\$202,719.08</i>
<i>Payroll CK #003471 to 003491</i>	<i>11,467.44</i>
<i>EFT CK #000212 to 000215 & 000220 to 000226</i>	<i>9,937.56</i>
- d) ***Rock Fest – 3.2 Malt Liquor License & Fireworks permit***
- e) ***Stoney’s Bar – 3.2 Malt Liquor License 7/11/09 (pulled)***
- f) ***Pickups N’ Power Sports-Truck Pull (Rock-fest) & 3.2 Malt Liquor license***
- g) ***Grand Lake Fireworks permit***

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

BOARD/STAFF REPORTS

POLICE DEPARTMENT – Sgt. Phil Meemken reported there were 38.5 contract hours for May with 19 citations. Alarms have been up this month. Alcohol compliance checks were done with there being one non-compliance issue.

Rena Weber reported about a complaint of the speeding on Lake Road and also questioned the crowd control for the Graniteman Triathlon.

Member Koerber also questioned if ATV’s need to be licensed and also voiced concern about the speeding.

PLANNING COMMISSION – Rena Weber reported that the Planning Commission reviewed the changes made to the WECS ordinance and went on record as still being opposed to locating any such tower within 1000' of a lake or within 300' of a river. The Planning Commission also discussed the storage of batteries in buildings as part of the energy conversion system.

Motion by Member Volkmuth, second by Member Becker, to schedule a public hearing for 7/15/09 – 6:30 p.m. to reconsider the change to the WECS ordinance.

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

NEW BUSINESS

PLEASANT LAKE HOMEOWNER'S ASSN – FIREWORKS PERMIT – Member Becker reported that all is in order for the permit including the fire truck.

Motion by Member Volkmuth, second by Member Willenbring, to approve the PLHA fireworks permit on 7/3/09.

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

ABSTAINING: Becker

Motion passed on a 6 to 0 vote

PERSONNEL COMMITTEE – Chair Volkmuth reported on proposed changes to:
EMPLOYEE POLICY MANUAL & WORK SCHEDULES

- 40 hour work week – needs to remain at 40 hours by law
- Insurance for LTD & STD – 80/20 split like health insurance currently is split
- Hours – City Hall 7:30 a.m. to 4 p.m. – Monday through Friday
- Hours – Maintenance – 7 a.m. to 5 p.m. with hours being staggered Monday through Friday

Motion by Member Palmer, second by Member Becker, to approve the above listed changes effective 7/1/09.

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

NAYS: Hagen

Motion passed on a 6 to 1 vote.

Mayor Hagen indicated he was opposed as there is still too much overhead.

CLEANING PERSON – Chair Volkmuth reported that the cleaning person position is being eliminated for city hall and fire hall in the future in order to save money. Staff will take over the cleaning duties. Estimated savings \$220 bi-weekly.

Mayor Hagen indicated he is in favor of eliminating.

Member Willenbring indicated that this year it is budgeted but that he feels this is something we could eliminate next year.

Member Palmer indicated that the Finance Committee has already discussed 5% reductions for 2010 so this has been talked about.

Motion by Member Volkmuth, second by Member Willenbring, to eliminate the city hall cleaning position effective 7/1/09 and further to see how it works by budget time for discussion of eliminating both cleaning positions.

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

NAYS: Becker

Motion passed on a 6 to 1 vote.

AUTHORIZE POSTING FOR 1st ASST. CHIEF - & HIRING OF 5 NEW MEMBERS – Chair Volkmuth reported Fire Chief Ralph Walz requested approval to post in-house for a 1st Assistant Fire Chief and also authorize advertising for 5 new fire fighters to be hired by this fall.

Motion by Member Volkmuth, second by Member Becker, to approve both requests as presented.

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

PUBLIC HEARINGS

Mayor Hagen announced that the meeting would now recess to the public hearing portion.

PROPOSED DOG ORDINANCE NO. 2009-59 – Rena Weber read the notice of public hearing and informed the council that she resurrected the dog ordinance from the former city and added the changes as recommended by the Planning Commission:

- a) The ordinance be city wide
- b) No licenses will be required
- c) Dog Leashes on any dog not in the A-40 District
- d) If dog is in the A-40 District must under the owner's control

Rena Weber reported that Sara Grachek - 8609 White Oak Road had submitted comments via e-mail on 6/12/09. *(A copy of the e-mail is hereby attached and marked Exhibit A).*

It was reported that the Planning Commission did not have these comments when they considered the ordinance.

Charles Craft reported that he now lives in the township and asked whose law would apply if a dog from the city should wonder onto his property. Mr. Craft was informed that township laws would apply.

Don Simon – 600 Othmar Lane, questioned in the A-40 District the dog must be under the control of the owner at all times. Some farmers have herding dogs and it would be impossible to have them all under the control of the owner.

Section 91.06 Impounding Animals – The police, or any other duly appointed person, may take and impound any animal which is not being kept, confined, or restrained in a manner consistent with the requirements of this regulation. Such police or person may enter upon private premises where it appears that there is a reasonable cause to believe that an animal is not being kept, confined, or restrained as herein required.

Mr. Simon asked how this is done, by the officer's judgment or is a warrant needed.

Sara Grachek 8609 White Oak Road – was present to voice particular concern on:

1) Section 91.02 Collar – All dogs shall be harnessed or wear a collar with proof of rabies shot attached. Ms. Grachek asked if this could be changed to identification and have the option of having a collar with ID tag, or have the dog tattooed or micro chipped.

2) Section 91.11 Rabies Shots Required – Ms. Grachek supports rabies shots, but standard practice has changed to requiring every 3 years. She suggested:

Change title to Rabies Vaccination required, penalty for violation

A written waiver from a veterinarian accompanied by a rabies titer may be accepted as proof of vaccination when circumstances are indicated.

Add additional statement "Proof of rabies vaccination must be readily available upon request".

Motion by Member Palmer, second by Member Volkmuth, to table action on adoption of the ordinance until the Planning Commission reviews the suggested changes, and further that this ordinance come back for discussion at the 7/15/09 council meeting. Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring Motion passed on a 7 to 0 vote.

PROPOSED PARK DEDICATION ORDINANCE NO. 2009-60 – Rena Weber reported the proposed Park Dedication is technically for housekeeping purposes only. The zoning ordinance already has this verbiage included in the ordinance and the Sub-division ordinance needs the same verbiage.

No person appeared to question the approval.

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

Motion by Member Volkmuth, second by Member Willenbring, to close the public hearing at 6:42 p.m.

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

Member Willenbring introduced the following ordinance and moved for its adoption:

Ordinance No. 2009-60

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE REGARDING PARK DEDICATION CASH IN-LIEU CALCULATIONS

The Rockville City Council ordains:

SECTION I. Section 10 of the Subdivision Code is hereby amended by deleting all and replacing same with the following:

**SECTION 10
PUBLIC LAND DEDICATION**

Subdivision 1: DEDICATIONS OF PUBLIC SITES AND OPEN SPACES

All residential subdivisions shall dedicate land for public use such as parks, playgrounds, open spaces, natural sites, or other uses according to the following schedule.

Subdivision 2: SCHEDULE FOR PUBLIC USE DEDICATION

- (A) 1,800 square feet of land shall be dedicated for each single family residential lot.
- (B) 1,500 square feet of land shall be dedicated for each multi-family residential unit.

Subdivision 3: DEDICATIONS FOR PREVIOUS SUBDIVISIONS

The following criteria will adjust the above schedule:

- (A) For subdivisions that create a maximum of two lots, and that have one existing single family home on the property, no public use dedication will be required for the lot with the existing single family home, regardless if the single-family lot is credited with previously dedicating land for public use.
- (B) If the subdivision, or any portion thereof, was previously required to dedicate land for public use, the public use dedication required will be adjusted as follows:
 - (1) By reducing the number of single-family lots which are subject to the schedule in Subdivision 2 by the number of previous single-family lots eliminated by the new subdivision. If more single-family lots are eliminated than are included in the new subdivision, the difference is subtracted from the number of multi-family units included in the new subdivision on a one-for-one basis, and
 - (2) By reducing the number of multi-family units subject to the schedule in Subdivision 2 by the number of multi-family units eliminated by the new subdivision. If more multi-family units are eliminated than are included in the new subdivision, the difference is subtracted from the number of single-family lots included in the new subdivision based on a ratio of six units-to-five lots ratio.
- (C) If no portion of the subdivision was required to dedicate land, the entire subdivision will be subject to the requirements of this Section 10.
- (D) In no event will a new subdivision result in a return of previously dedicated land, or a refund of funds paid in-lieu of dedication.

Subdivision 4: SUBDIVISIONS INVOLVING MIXED USES

For subdivisions incorporating a mixture of uses and/or densities, the public use areas shall be determined by applying the appropriate dedication requirement proportionate for each use listed in this Section.

Subdivision 5: DEDICATION OF LAND INCLUDED ON MASTER PLAN

Where a proposed public site or open space is identified in the Master Park Plan or Comprehensive Plan of the City for public site or open space and is located in whole or in part in a subdivision, the Planning Commission may require the dedication of this land within the subdivision in complying with the dedication requirements of this Section 10. The subdivision must provide access by public street to the dedicated land, unless other access is acceptable to the Planning Commission.

Subdivision 6: DEDICATION OF LAND NOT SHOWN ON MASTER PLAN

Where the subdivision proposes to dedicate land for public use to comply with the requirements of this Section 10 that is not identified in the Master Plan or Comprehensive Plan of the City for public site or open space, the land must:

- (A) Have frontage on one (1) or more streets, unless otherwise approved by the City Council after recommendation of the Planning Commission, and
- (B) Be of a character and location suitable for the intended use as determined by the Planning Commission.

Subdivision 7: DEDICATION OF PHASED SUBDIVISIONS

The City shall require the dedication of all land identified in the preliminary plat within the first final plat (first phase) adopted for the subdivision. In addition, the subdivision must dedicate sufficient proposed right-of-way to access the dedicated land.

Subdivision 8: CASH IN LIEU OF LAND

- (A) The Planning Commission may require the subdivision to pay to the City the equivalent cash value of the land which would otherwise be dedicated. Such amount shall be made pursuant to the requirements of Minn. Stat. § 462.358 Subd 2(b), as amended, and shall be based on the value of the land at the time the subdivision, or any first phase, is approved.
- (B) In determining whether to require a cash in lieu of land payment includes, the Planning Commission must consider whether: (1) a subdivision is too small, (2) the subdivision does not include any land shown on the Master Park Plan or Comprehensive Plan, (3) the proposed land to be dedicated doesn't meet the requirements of Subdivision 6, and (4) the need for funds to develop existing park land or acquire higher-priority park land in the area.

Subdivision 9: PARK DEDICATION FEE

The City may, by resolution, adopt a park dedication fee, in accordance with the following:

- (A) The fee shall be based on the average value of land within the City. The City may use the values as determined by the County Assessor, or any licensed or approved appraiser.
- (B) Such resolution shall be reviewed at least annually.
- (C) The City may adopt various park dedication fees specific to an area or portion of the City which are based on the values of the land located within the area.
- (D) The park dedication fee will be the cash in lieu of land payment, unless:
 - (1) The subdivision opts to have the City calculate the cash in lieu of land payment based on its actual value;
 - (2) The subdivision pays for the costs to the City to determine the value of the cash in lieu of land payment pursuant to Subdivision 8; and
 - (3) The City may require security of its choosing to ensure payment of the costs of Subdivision 9(D) (3).

The subdivision must pay the cash in lieu of land payment as determined by the City, if this process is followed.

Subdivision 10: SPECIAL PARK FUND

The City shall establish a separate fund into which all cash contributions received from owners and developers in lieu of conveyance of dedication of land for such public purposes shall be deposited. Said funds shall only be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space. Cash contributions must not be used for ongoing operation or maintenance.

Subdivision 11: DEED TO PROPERTY

Such dedication of land for public use shall be without restrictions or reservations and shall be transferred to the City by Warranty Deed or unrestricted plat dedication.

Subdivision 12: PROPERTY TAXES ON DEDICATED PROPERTY

Property taxes due and payable on dedicated properties must be paid by subdivision prior to recording of the subdivision.

Subdivision 13: IMPROVEMENTS IN FRONT OF DEDICATED PROPERTY

The subdivision shall be responsible for the cost of all street, storm sewer, water and sewer and other municipal improvements which run in front of or through land dedicated as part of a subdivision. Such costs shall be paid by the subdivision directly if the improvements are privately installed. If the improvements are publicly installed such costs shall be equally assessed to the subdivision lots.

SECTION II. This Ordinance shall be effective immediately upon its passage and publication.

The motion was seconded by Member Volkmuth with the following vote being taken:

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

HUBERT LANE MINIMUM MAINTENANCE ROAD – Mayor Hagen reported that this discussion came up since he found out that the city was blowing snow out of Hubert Lane which resulted in a 15' or 16' cliff on one side. Mayor Hagen further reported we are spending a lot of time blowing out the road with the Toolkat and he wants to save on unnecessary expenditures, but he wanted to hear from the residents about closing it. He recognizes that everybody pays taxes and would like to see the road open whether they use it or not. Here's the opportunity to save expenses if it makes sense.

Gita Sweeney - 10923 Hubert Lane stated she sees no reason to keep it open. It is of no use to those at the end of the lane.

Bob Schlicht– 11031 Hubert Lane sees no reason to keep the road open either. Mr. Schlicht asked if there is a reason to keep it open for fire protection purposes and what it might do to their insurance. They can get in by walking down from the plowed portion.

Mayor Hagen indicated he would like to put an agreement in place with the property owners to not plow any further than a certain point.

Mr. Schlicht was asked to check with his insurance agent on the rate.

Duane Koepp – 11011 Hubert Lane stated that he does not need the road open if the city saves money by that, but what happens in the future if somebody builds a year round residence and they do want the road plowed. It was reported that the city would have to plow the road.

Mr. Koepp also has a concern about the insurance.

Don Simon – speaking on behalf of the Fire Department asked what if a fire happens, and a house burns down – who will be responsible. He urged the council to make sure everything is right before making a decision. Does it have to be open at all times?

Gita Sweeney reported that she talked to her insurance agent who said there are tons of places like this each year and further there would be no increase in her rate.

Dennis Johannes – 11089 Hubert Lane stated he feels like a 2nd class citizen by not having the road plowed. He disagrees with the lady who talked to her agent. His agent says this property must be accessible all year long and the rate is based on access. If you are not going to keep it open how are you going to adjust the tax and reduce his sewer bill. If I can't use it 3 or 4 months per year then divide the cost by 12 and take 4 months off. How much does it cost to keep it open?

Rick Hansen estimated the city plowed the road 5 times @ 5 hours each time for a large snow storm.

Dennis Johannes stated it should be maintained to a certain extent at all times. What would it cost to outsource the snow blowing? Clarence Bloch stated it would cost \$1000/hour.

Dennis Johannes wants it opened and he will pay the taxes. Mr. Johannes was informed the sewer is already reduced for seasonal residences.

Gary Mrozek – e-mail 6/17/09

"Thank you for the phone message regarding the public hearing cancellation tonight. I will not be able to attend tonight but I would like to share a few comments:

I'm thankful that the State of Minnesota has a policy on this. I understand the City's position on this as a budgetary standpoint (my guess is the snow removal concerns).

I was not in favor of leaving the roadway as it is back in 2006/7 (?), but rather working with the developer of the Block Farm to move the road on top of the hill. I was greatly outnumbered but the opposition. We went through a lot of pain (the City and residence of Hubert Lane alike). We agreed on a plan and I believe the agreement should be honored. That plan was a 5 year plan to provide "bump outs" to allow emergency vehicles to navigate the road. With the current economy, I would support pushing this plan out another 5 years. My greatest concern is that the rezoning and plot approval of any future development of the Block Farm should include provisions to correct the roadway. One suggestion is for the City to purchase the land required from the developer and the resident purchase it from the City. The current market might be right for such an acquisition? My property is in its second generation with hope to continue this trend. I do not want to see the emotions of the current resident affect future generation. By simple "band-aiding" the problem by make the road a minimum maintenance road does not serve current and future resident of Hubert Lane. It is my understanding that if the road would have been re-classified, it would have been nearly impossible to regain it as a city road as it now is."

Thank you,

Gary and Faye Mrozek
11135 Hubert Lane

Motion by Member Volkmuth, second by Member Willenbring, to send this back to the Public Works Committee to come up with an appropriate method of maintenance.

Member Palmer asked Mr. Johannes if the road has to be plowed each time it snows. Mr. Johannes indicated it needs to be passable.

Mayor Hagen suggested "accessible within a reasonable amount of time".

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

NEW BUSINESS

STONEY'S BAR – LIQUOR VIOLATION – Rena Weber reported that recently Stearns County Sheriff's Department conducted an alcohol compliance check. Stoney's Bar was in violation.

Darrin Ennen was present to discuss the matter with the council stating that he has not received the paperwork from the county. Mr. Ennen also felt this was done incorrectly.

Rena Weber reported that in the past the council has "stayed the fine" for a first offense, but if another failure occurs within a year – the fine doubles.

Motion by Member Becker, second by Member Willenbring, to approve the civil penalty of \$500, but stay the fine for a one year period if there are no further violations. If there is a 2nd violation the penalty would \$1000.

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

LID BY-LAW RESOLUTION CHANGES – Scott Palmer – 21108 Fowler Road, representing the Grand Lake Improvement District was present to discuss the LID by-laws and resolution adopting the same. Scott reported the council approved the by-laws and resolution on 9/7/07. Since then it was determined that a few changes needed to be made.

Reviewed proposed changes:

Order Establishing LID

4E – Change members terms from two to three will expire

Delete board members shall reside in City of Rockville

Five shall reside in the Grand Lake Improvement District

Member Volkmuth was concerned about this statement

By Laws –

2.0 Delete board members shall reside in City of Rockville

Five shall reside in the Grand Lake Improvement District

3.0 Advance all years by one year due to the late start of the LID

Change number of members terms expiring by one

Delete last sentence regarding voting by secret ballot and sentence regarding absentee ballots.

Scott Palmer indicated the meeting is held in August where they will be holding an election and the term starts 7/1/10. There will be one vote per property. Jim Hall, Paul Ludwig & Georjean Fabel terms are up

Vacancies –

4.C Delete sentence and add Resignation of Board Member

4.D Delete Loss of City residency by a Board member. Add when the requirement that 5 of the 7 board members shall own property within the Grand LID cannot be met.

Sharon Sponheim – 21556 County Road 8 cited the state statute calls for a method to be present for people who are not present to vote.

103.551 State Statute – states "All directors must be property owners in the LID and majority have to reside in the district."

Motion by Mayor Hagen, second by Member Koerber, to approve with the changes discussed.

Discussion occurred whereby the motion was pulled from the table.

Member Volkmuth suggested we make the changes as requested and bring back for Mayor' signature.

Motion by Member Becker second by Member Volkmuth, to approve the Order Establishing the LID using the correct verbiage from State Statute 103.551 regarding that a majority must reside in the district and all members must own property in the LID and further include approval of the other changes as reported.

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

MAINE PRAIRIE TOWNSHIP ROAD MAINTENANCE AGREEMENT – Board member John Wicker was present to discuss the proposed Road Maintenance Agreement. Mr. Wicker reported on the changes the Township would like to see:

- 4. Snow Plowing rate was changed from \$100/hr to \$85/hr
Mr. Wicker indicated they found a cheaper rate or we could plow every other year.
Member Palmer asked the township consider going to a rate in between - \$92.00 hour
Mayor Hagen asked why in 1) d and 2) e basic services isn't the TWP paying ½ of the

cost.

Member Becker indicated that 1) d and 2) e should be the same.

Mayor Hagen asked what is considered major. John Wicker indicated that all are except snow removal, mowing and signing. It was also determined that a definition of each major/minor item be identified.

Scott Hedlund reported that in the assessment policy the city considers overlays and reconstruction as major.

Mayor Hagen asked if we should set a number of \$5000 or over and then approval of the township would be needed.

Rick Hansen suggested we eliminate section 1 & 2 as it is covered further in the agreement. It was also determined to add a definition for minor/major project.

Fire Apportionment agreement – work out with the township.

ENGINEER REPORT

GRAND LAKE ROAD - Scott Hedlund presented a shortened version of the feasibility report dated 6/17/09. *(A copy of the report is hereby attached and marked Exhibit B).*

OPTIONS & PRO'S/ CON'S ARE:

2 Inch overlay - \$96,650

Patching 3" Bituminous, 11" gravel with fabric - \$181,092

Reclaim 3.4" bituminous -\$219,550

Reclaim Spot Sub-grade Corrections Combo - \$258,310

Re-claim/Drain Tile Combo - \$267,543

Complete Reconstruct - \$605,000

Member Palmer asked what is the estimated life on a reclaim road Vs the estimated life on reclaim road with sub-grade corrections and center line tile. Scott Hedlund reported there is an estimated life of 15 years for those kinds of fixes, but if you do the seal coating/crack filling you extend the time Problems below are visible on top. Reclaim alone is less.

Member Schmitt asked where would the storm water drain to. Scott Hedlund reported it would go to a low point and treated, not the lake.

John Wicker asked would this require a drainage easement. Mr. Wicker indicated this won't fly with Maine Prairie Township as the cost is \$40,000 that they would have to cough up.

It was determined that this should be sent back to public works.

COMMITTEE REPORTS

MAYOR – Mayor Hagen had no report.

PUBLIC WORKS COMMITTEE – Mayor Hagen reported on:

- Grand Lake – this was just considered and will be sent back to the Public Works Committee
- Pleasant Lake Walking Path – waiting for two bids
- Dust Control Policy – leave it up to Rick

Motion by Mayor Hagen, second by Member Willenbring, to approve leaving it up to the discretion of Rick Hansen based on a first come, first served basis and to charge 50/50 on dead end roads or roads that are the least traveled.

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

SJ LOUIS – CHARGE BACK FOR WATER – Rick Hansen reported that SJ Louis had water problems in their basement this spring and ran water directly into the sanitary sewer. This caused the sewer bill from Cold Spring to rise significantly.

Motion by Member Koerber, second by Member Palmer, to approve the average amount (\$1,016.39) staff figured out and further bill the overage to SJ Louis.

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

MITCHELL LANE & 230TH STREET CULVERTS – Rick Hansen reported that he received a bid to replace the culvert in Mitchell Lane in the amount of \$1100 from Krippner Trucking. Rick also received a bid in the amount of \$2,746.74 from Krippner Trucking to replace the culver on 230th Street.

Motion by Member Volkmuth, second by Mayor Hagen, to approve replacing the culverts per the bids presented.

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

ADMINISTRATOR'S REPORT

ROCORI TRAIL CONSTRUCTION COMMITTEE – Rena Weber suggested that Duane Willenbring & Jerry Schmitt be appointed.

Motion by Member Volkmuth, second by Mayor Hagen, to approve the appointments of Duane Willenbring and Jerry Schmitt to the Rocori Trail Construction Committee.

Ayes: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

ADDITION TO THE AGENDA

Jerry Bechtold – 24353 125th Avenue, reported that the city replaced their cow pass culvert with ridged rib culvert and hoofed animal can't not negotiate through it. It was determined that this should go back to the Public Works Committee and further temporary signage be put up when the cows are passing on the road.

OPEN FORUM

Joe Sponheim - 21556 County Road 8, asked for a clarification on revenue budget for 2009 that shows \$14,500 budgeted, but showing \$14,266 now. Where is that coming from? Also, does the money that is not spent go to the General Fund as year end.

Rena Weber reported that the LID is in a dedicated fund so no the money would not go to the General Fund. As to the difference – it may have to do with the un-allotment from Governor Pawlenty. Scott Palmer wanted to know too and asked that the LID Board know too.

Tudie Hermanutz – 211 1st St W gave a brief update on Rock Fest and requested volunteers to the milking contest.

Member Willenbring wished to report that he would vote against the change of not allowing generators in the Shoreland district He feels we would be missing the boat by disallowing it.

ADJOURNMENT – Motion by Member Becker, second by Member Koerber, to adjourn the meeting at 8:13 p.m. Motion carried unanimously.

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

**JEFF HAGEN
MAYOR**