

NOTES FROM A PERSONNEL COMMITTEE MEETING HELD MONDAY, AUGUST 24, 2009 – ROCKVILLE CITY HALL – 6:30 P.M.

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

Also present: Rena Weber, John Koerber & Jerry Schmitt.

Chair Volkmuth announced that the closed meeting of the Personnel Committee was being called for the purpose of preliminary discussion regarding disciplinary action on Fire Department member(s).

Administrator/Clerk Rena Weber presented three reports of complaints/incidents and her recommendation regarding each:

HARASSMENT/HOSTILE WORK ENVIRONMENT/SEXUAL HARASSMENT COMPLAINT – A copy of the complaint is on file in the office of the Administrator/Clerk.

Motion by Chair Volkmuth, second by Member Willenbring, to accept the recommendation of the Administrator/Clerk and further follow up to occur for more specific information. Motion carried unanimously.

COMPLAINT – A copy of the complaint is on file in the office of the Administrator/Clerk.

Motion by Member Willenbring, second by Member Palmer, to accept the recommendation of the Administrator/Clerk as presented. Motion carried unanimously.

FIRE DEPARTMENT MANAGEMENT ISSUES – A copy of the complaint is on file in the office of the Administrator/Clerk.

Motion by Mayor Hagen, second by Member Willenbring, to have Members Volkmuth and Willenbring contact the interim Fire Chief on how to handle the situation, further to contact the Fire Chief regarding his status, and further to start the search/nomination for replacement of the interim Fire Chief while reserving the right to reject any and all nominations/applications. Motion carried unanimously.

ADJOURNMENT – Motion by Mayor Hagen, second by Member Willenbring, to adjourn the meeting at 6:54 p.m. Motion carried unanimously.

Submitted by
Rena Weber-Administrator/Clerk

**NOTES FROM A PERSONNEL COMMITTEE MEETING HELD MONDAY, AUGUST 31,
2009 – ROCKVILLE CITY HALL – 6:00 P.M.**

The meeting was called to order by Chair Randy Volkmuth. Roll Call was taken and the following members were found to be present: Chair Volkmuth, Mayor Hagen & Susan Palmer. Absent: Duane Willenbring & Bill Becker.

FIRE CHIEF POSITION – This was not a full quorum of the Personnel Committee therefore no action was taken. The following was discussed as being something to bring to the full council's attention:

- Policy Change – Fire Department to send in nominations
- Have one or two names pulled out of the group to help interview or none at all
- Change the draft letter to Jeff Howe, Mayor sign on behalf of whole council & cite recognition of federal/state law
- 15th of September interview
- 16th of September – council approve
- 2010 – look at this position again, if Jeff Howe comes back in June -6 months to review
- City is not giving up our rights in the selection process
- Put forward some nominations

ADJOURNMENT – *Meeting adjourned at 6:50 p.m.*

Submitted by:
Rena Weber-Administrator/Clerk

NOTES FROM A PUBLIC WORKS COMMITTEE MEETING HELD MONDAY, AUGUST 24, 2009 – 6:54 P.M. – ROCKVILLE CITY HALL

The meeting was called to order by Mayor Hagen. The following members were found to be present: Mayor Hagen, Council Members John Koerber, Jerry Schmitt, Randy Volkmuth & Duane Willenbring. Absent: None.

Staff Members present were: Rena Weber-Administrator/Clerk, Rick Hansen-Public Works Director.

Also present: Alternate Bill Becker & Susan Palmer.

GRAND LAKE ROAD IMPROVEMENT –

Discussion on repaving the whole road vs. patching certain spots.

Susan Palmer asked if this would be right to do since the under surface is not being taken care of.

It was determined that a notice be sent to the property owners on what is going to happen and when.

Member Becker asked how about removing the tarvia completely and leaving it gravel. No action was taken on this request.

Rick Hansen stated they would like do the project before school starts.

COMPLAINT ON APPEARANCE OF BUILDING/FIRE HAZARD -

Greg Seelen was present to explain what the family would like to do with his mother Inga's building.

- a. Auctioneer is being sought
- b. Not whole house – pick something to convince Mom to do it
- c. Need to get a roof, façade on Stoney's Bar
- d. Greg to keep city abreast of what is happening
- e. Start with the masses of thing
- f. Address the windows for better appearance

The committee thanked Greg for attending the meeting and wished him well in taking care of the situation.

CYPRESS COURT – WALKING PATH

Member Koerber indicated that he had no quote yet to discuss.

Rick Hansen presented pictures of the really bad walking path by Community Park. No action was taken on this.

Rena Weber brought up the discussion on the trail not being dedicated to the city. No action was taken.

COW PASS ISSUE – Rick Hansen presented a copy of the bill paid in 2008 in the amount of \$10,740 for replacement of the cow pass. Greg Bechtold was present at the meeting and left.

Motion by Member Volkmuth, second by Member Willenbring, to recommend not do anything more at city expense on this cow pass. Motion carried unanimously.

Jerry & Mark Bechtold were present to discuss the cow pass. Jerry Bechtold requested a public hearing so the neighbors could voice their opinion on this cow pass that they did not request to have replaced – fixed only. The original cow pass was 8' in diameter and the new one is 66". Mark Bechtold reported the cows will not fit through it. Jerry reported that the cows will not walk on the ridged steel.

It was determined that more research needs to be done first.

JOHN KIRSCHER –11049 HUBERT LAND – Mr. Kirscher would like to pave Hubert lane at his own expense due to the fact that every time it rains he gets sand on his lawn.

- Need waiver that he would have to maintain it

- Would pay to repave if we need to get sewer repaired at his cost.
- Deed restriction – is this advisable?

Motion by Member Volkmuth, second by Member Willenbring, to recommend approval pending the above issues are addressed. Motion carried unanimously.

BROOM PURCHASE REQUEST – Rick Hansen asked for input from the Public Works Committee on the purchase of a 68" broom to be attached to the Tool Kat. The state bid price is \$3460 and can also be used on a bobcat.

Motion by Member Volkmuth, second by Member Willenbring, to recommend approval on the purchase in the amount of \$3460 as requested. Motion carried unanimously.

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

Submitted by
Rena Weber – Administrator/Clerk

REQUEST FOR COUNCIL ACTION

Originating Department:
Maintenance

Requested By:
Rick Hansen

Date:
09.04.09

The Maintenance Department requests council action to approve 1-new 68" Bobcat Angle Broom.
MN State Bid Price \$3460.00. We have \$6000 in the budget.

Fund E101-43100-540.

Motion by: _____ 2nd by: _____ Vote: _____

**NOTES FROM A FINANCE COMMITTEE MEETING HELD MONDAY, AUGUST 24,
2009 – 5:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Chair Susan Palmer. Roll Call was taken and the following members were found to be present: Chair Palmer, Mayor Hagen, Randy Volkmuth & Duane Willenbring. Absent: John Koerber arrived at 5:30 p.m.

Staff members present: Rena Weber, Amy Goerger & Jerry Schmitt – Bill Becker arrived at 5:46 p.m.

VOIGT APPORTIONMENT AGREEMENT – Discussion was held regarding the letter received from Shay Law Office on behalf of the Voigt family specifically requesting that the subdivision occur and that the assessments stay with the undeveloped property. In exchange the family will pay \$30,000 to reduce the amount of the special assessments on the undeveloped property.

What do we do that is in the best interest of the city?

Motion by Member Volkmuth, second by Mayor Hagen, to recommend applying \$300,000 towards the house (primary) and require the New Acreage remaining to have a surety bond. Motion carried unanimously.

FIRE RELIEF ASSOCIATION – MUNICIPAL CONTRIBUTION UPDATE

Rena Weber reported on the survey option results:

4 _____ **OPTION 1.** Reduce the Fire Relief annual benefit from \$1500 to \$1400 for two years.

The benefit would go back to \$1500 automatically.

5 _____ **OPTION 2.** Reduce the hourly wage to \$6.00/hour and accept pay for calls and training only. Also eliminate the cleaning person position and take over cleaning duties internally.

10 _____ **OPTION 3.** Other suggestions

19 fire fighters were surveyed.

The money will have come out of the Fire Department budget.

Memo out to the members – anywhere in the budget – need decision by 8/31/09.

BUDGET COMMITTEE – REVIEW/DISCUSSION – UPDATE

Amy Goerger presented the updated Revenue, Expense and Tax Levy for 2010 citing the tax levy reflects the reductions in: LGA, MVHC, and Detached area revenue.

Motion by Member Volkmuth, second by Mayor Hagen, to recommend not including the 1% COLA for 2010 and further to put back this money into the Road Maintenance fund.

Duane Willenbring relinquished his vote.

Motion carried.

ROCK FEST – Discussion was held regarding Rock Fest and whether or not the city should continue levying the \$4500. Questions arose regarding:

Who should take it over?

Should the city replace the coordinator?

Could the Business Association take over like other cities? Bruce Conrad is President.

Open up city wide

Go down to one day only.

Amy Gorger reported on the year end estimate–

Revenues	\$5,000 w/o Sportsman's Club Donation
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Expense	13,000
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Needs \$3100 yet to arrive at a positive cash balance.

Chair Palmer asked do we want to keep \$4500 in this event. Chair Palmer suggested leaving the levy as is knowing that we can move it.

Also discussed the need for fire works – 3 places

Form a task force – to determine how to run the Rock Fest.
Invite the Rock Fest Committee to the next meeting to report on what went well, what didn't?

Motion by Member Volkmuth, second by Mayor Hagen, to recommend approval of the 2010 tax levy except LID with 1% cola taken out. Motion carried unanimously.

ADJOURNMENT – Motion by Member Volkmuth, second by Mayor Hagen, to adjourn the meeting at 6:10 p.m. Motion carried unanimously.

Submitted by
Rena Weber-Administrator/Clerk



September 2, 2009

RE: Stearns County, Minnesota
ROCORI Trail Improvements– Phase 1A
*Letter Agreement for Professional
Engineering Services*
SEH No. P-COLDS 100321 1

ROCORI Trail Construction Board

c/o Rena Weber
229 Broadway St E, PO Box 93
Rockville, MN 56369-0093

c/o Larry Lahr
27 Red River Avenue South
Cold Spring, MN 56320-2536

c/o Dan Coughlin
45 Hall Ave S, PO Box 400
Richmond, MN 56368-0400

Dear Board Members:

Thank you for the opportunity to provide a formal proposal for engineering services to the ROCORI Trail Construction Board (RTCB) and ROCORI Trail Committee (RTC) for Phase 1A of the ROCORI Trail project. We've enjoyed working with the RTCB/RTC.

The RTCB is committed to providing a functional and aesthetically pleasing trail. With attention to detail, the trail will become an integral part of the community's transportation system. In addition to being an important transportation link between the cities of Rockville, Cold Spring, and Richmond, it will become a recreational draw for visitors and residents.

The SEH Team understands how important it is to have a consultant with a solid background in engineering and accessing state and federal dollars (funding gap remains). Our proven track record shows us to be responsive, creative, and have the ability to overcome challenges this site provides with its proximity to the railroad, wetlands, businesses, TH 23, and the Sauk River (watershed district). We look forward to the opportunity to bring this trail project to life.

The completed ROCORI Trail will connect the Cities of Rockville, Cold Spring, and Richmond, and is approximately 9.55 miles in length see attached Figure 1 – Segments A - D. Phase "0" (aka DNR - Glacial Lakes Trail) which spans from Paynesville, through Richmond, to 178th Avenue in Wakefield Township - via abandoned rail bed - is currently in the design phase with construction scheduled for 2010.

We understand Phase 1A spans from 178th Avenue in Wakefield Township, east through Cold Spring, to the east side of future CR149/ 14th Avenue intersection on the north side of TH 23 in Cold Spring, approximately 8,060 linear feet (1.53 miles) in length. We understand Phase 1A would be constructed entirely ON abandoned rail bed. We estimated the Phase 1A trail construction cost (not including soft costs) at \$420,000 in 2009 dollars.

We understand the project is scheduled (goal) for preliminary design and project memorandum in 2009/2010; final design, right-of-way/easement acquisition, and permitting in 2009/2010; and construction in 2010/2011 using federal, state, and local funding. We assisted the RTCB/RTC to secure just under \$900,000 in grant funding to date.

Until recently, the project was lead by an “informal” trail committee made up of staff from the cities of Rockville, Cold Spring, and Richmond, Wakefield Township, Stearns County Parks Department, a few citizens at large, and SEH, who have been meeting monthly for approximately five years. As project funding deadlines quickly approach, it was necessary to formally organize the RTC into the RTCB in order to move the project forward.

The following is a general work program identifying tasks required to achieve the entire project. We welcome the opportunity to further discuss the project process the RTCB desires, so the scope can be further refined and tailored.

Task 1: Preliminary Design and Project Memorandum

- Kick-off meeting/ walk through with RTCB to define all project requirements, methods, and procedures. Discuss any desired changes to the alignment proposed in 10/04/06 SEH ROCORI Trail Corridor Study prior to completion of design survey.
- Meeting with Railroad representatives, defining RTC-intended project scope, requirements, methods, and procedures, all to determine the Railroad’s requirements for a successful project. Discuss any desired changes to the alignment proposed in 10/04/06 SEH ROCORI Trail Corridor Study prior to completion of design survey. One (1) meeting.
- Complete design survey.
 - a. Establish a survey control network (vertical and horizontal).
 - b. Place Gopher State One-Call utility locate request.
 - c. Survey location of identified private and public utilities on the site.
 - d. Survey site ground surface to create a design-accurate ground surface model for 2-foot contours.
 - e. Stake location and determine elevations of proposed site soil borings.
 - f. Survey location of other miscellaneous aboveground features needed as part of the final design.
- Coordinate RTCB’s procurement of a suitable site geotechnical investigation. Geotechnical investigation will be completed prior to completing this task and will include:
 - soil borings
 - trail subgrade recommendations.
 - possibly also slope stability analysis, retaining wall design, soil bearing capacity.
- Complete preliminary drawings showing trail vertical and horizontal alignment.
- Identify necessary easements (preliminary).
- Identify necessary permits (preliminary).

- Complete revised opinion of probable cost.
- Review design and easement needs with RTCB.
- Review design and easement/ROW needs with RTCB & Railroad officials. One (1) meeting.
- Complete Project Memorandum (federal funding requirement) to address design layout, construction elements, environmental, and cultural issues.
- Meeting with RTCB to review content of the Project Memorandum prior to submission to Mn/DOT to ensure all RTCB comments and concerns are addressed.
- Attend Preliminary Design/Project Memorandum open house. Provide exhibits. One (1) public meeting.

Task 2: Final Design – Prepare Construction Plans & Specifications

The preliminary design plans will be refined and design ideas translated into buildable elements.

- Prepare final construction drawings that include a cover sheet, standard construction details, plan and profile sheets, structural sheets for retaining walls as necessary, and an erosion control plan.
- Prepare construction specifications.
- Prepare MPCA NPDES General Stormwater Permit for Construction permit application and SWPPP.
- Prepare other permit applications. Anticipated permits required include:
 - Sauk River Watershed District permit.
 - MNDOT ROW permit.
 - Stearns County Highway ROW permit.
 - Railroad crossing permit
- Prepare final engineer's opinion of probable construction costs.
- Deliverables: Trail Construction Drawings (11" x 17").
Trail Construction Specifications.

Task 3: Bidding Services

Once the RTCB has approved the final construction documents, SEH will assist the RTCB in preparing bid documents, follow-up on references, prepare recommendation of award letter to the RTCB, and then administer a contract to qualified bidder.

- Prepare advertisement for bids and coordinate publication.
- Prepare bid form and any addenda.
- Answer pre-bid questions.
- Attend bid opening.
- Review and tabulate bids.
- Prepare award recommendation letter.

Task 4: Construction Services

- Administer pre-construction conference.

- Distribute and review contract documents.
- Complete shop drawing and submittal review.
- Project progress site visits by engineer.
- Prepare and review contractor applications for payment.
- Review wage compliance reports.
- Provide part-time observation of trail construction during active construction to ensure general compliance with plans and specifications.
- Provide one complete set of trail construction stakes, once.
- Prepare punch list.
- Prepare MnDOT final submittals

Additional Services

The following SEH services are not included in this proposal because the scope cannot be clearly defined at this time, but if required, can be provided by SEH to RTCB:

- Railroad coordination: Task 1 provides for two (2) meetings with railroad representatives on behalf of the trail project. However, multiple meetings will likely be needed with railroad officials to fully negotiate an easement/purchase agreement on/across their property and facilitate the abandonment process. This could take multiple years to complete. As necessary, we can provide assistance with negotiation meetings, legal descriptions, exhibits, temporary staking, boundary survey, platting, appraisal coordination, etc. This task includes additional meetings and information requests not listed in Task 1. The goal would be to get a formal agreement for Phase 1A, with the understanding that the agreement could be amended to include the remaining future phases.
- Non-railroad right-of-way/ easement acquisition: Permanent and temporary easements may be necessary to facilitate construction. This task could take 6 to 12 months or more to complete. As necessary, we can provide assistance with negotiation meetings, legal descriptions, exhibits, temporary staking, boundary survey, platting, appraisal coordination, legal testimony, etc.
- Preparation of environmental documents other than the Project Memorandum, if required: Wetland Delineation Reports; Mitigation permits; USACE permit; MN DNR filling in Flood Plain or Flood Way permit; FEMA permits; contaminated material – Phase I, II Environmental, Contingency Plan, Emission Control Plan, etc; Environmental Documentation requested by the Railroad to facilitate the abandonment process; etc.
- Extensive Landscape Architecture design/features including, but not limited to: special plantings and landscaping, brick pavers, colored/stamped concrete, decorative lighting, overlooks, seating areas, shelters, trail head facilities, kiosks, custom signs, interpretive monuments, etc.
- Assistance at public or regulatory agency meetings (not listed in Task 1).

Assumptions

The following assumptions are made in preparing this proposal:

- Any necessary legal documents/opinions/actions will be prepared by RTCB Attorney.
- Railroad agreement; railroad and non-railroad easement or fee title acquisition; and permitting tasks could alter the project schedule beyond SEH's control.

- All wetland delineation, environmental work, and wetland permits will be contracted separately or completed by others.
- RTCB will contract directly with a geotechnical engineering firm (i.e. Braun, ITT, etc) to conduct a site geotechnical investigation (soil borings, typical section recommendation, etc); and material testing/sampling during construction. SEH will only provide coordination for these items.
- Costs for permit application and advertisement fees are not included in the proposal and will be reimbursed directly by RTCB.
- Right-of-way acquisition/agreements will be coordinated/prepared by RTCB Attorney, including railroad.
- Costs for right-of-way appraisals are not included in the proposal and will be reimbursed directly by RTCB.

Fee Schedule

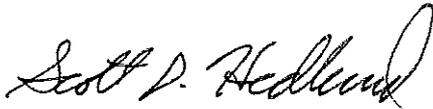
We propose to provide our services for Tasks 1, 2, and 3 on a lump sum plus reimbursable expenses basis. We propose to provide our services for Task 4 on an hourly plus reimbursable expenses basis. We will also furnish such Additional Services at any time as you may request or as required. Payment for Additional Services shall be based on the time required to perform the services and the billable rates for the principals and employees engaged directly on the project, plus charges for expenses and equipment. Rates for Task 4 and Additional Services will be billed based on the current year SEH hourly rate schedule (updated annually). Our compensation for services is as follows:

	<u>Compensation</u>	<u>Est. Reimbursable Expenses</u>	<u>Total</u>
Task 1	\$23,000	\$1,500	\$24,500
Task 2	\$19,000	\$1,000	\$20,000
Task 3	\$1,500	\$500	\$2,000
Task 4	\$42,000	\$3,000	\$45,000
Total	\$85,500	\$6,000	\$91,500

We look forward to working with you on this project, and appreciate the opportunity to provide you a proposal for services. If this proposal is acceptable, please sign all four (4) originals and return one to SEH.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Scott D. Hedlund, PE
Associate



Scott A. Lange, PE
Principal

Enclosures
sh/dg

c: Heidi Peper, SEH (w/enclosures)
Kate Henkemeyer, SEH (w/enclosures)

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Accepted by: City of Rockville RTCB Voting Representative

By: 
Authorized Client Signature

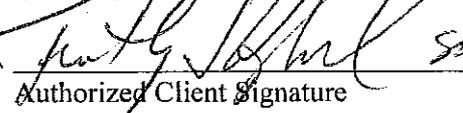
Date: 9-3-09

Accepted by: City of Cold Spring RTCB Voting Representative

By: 
Authorized Client Signature

Date: 9-3-09

Accepted by: City of Richmond RTCB Voting Representative

By: 
Authorized Client Signature

Date: 9-3-09