

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, JUNE 21, 2006 – 7:00 P.M. – ROCKVILLE CITY HALL

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, Jeff Hagen, Ed Karls, Lloyd Lommel, Don Simon, and Greg Simones. Absent: Vern Ahles

Staff members present were: Administrator/Clerk Rena Weber, & Engineer Scott Hedlund.

Planning Commission members present were: Jerry Bechtold & Toni Honer.

Others present were: Butch Voigt, Mike Hofmann, Mike VanderWeyst, Ev Balko, Harold Rosenow, Tудie Hermanutz, Duane Willenbring, Danille Kesteloot, Bill Molitor, Dave Volkmuth & Tom Van Lith.

ADDITIONS TO THE AGENDA – Motion by Member Simon, second by Member Simones, to approve the additions to the agenda for discussion purposes.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones
Motion passed on a 6 to 0 vote.

CONSENT AGENDA –

Motion by Member Lommel, second by Member Karls, to approve the consent agenda as presented:

- a) **Approve the Minutes of 06/07/06**
- b) **Treasurer's Report of 06/21/06**
- c) **List of Bills and additions of 06/21/06**

Accounts Payable CK #008031 to 008076	\$85,025.47
Payroll CK #002391 to 002398	\$ 5,629.63

AYES: Hagen, Karls, Lommel, Simon

ABSTAINING: Herberg & Simones

Motion passed on a 4 to 0 vote.

BOARD/STAFF REPORTS

POLICE REPORT – A written report was presented indicating 65 contract hours for the month of May, 2006.

EMS REPORT – Mike Hofmann was present to report on the following:

NAME TAGS – Mike Hofmann stated that he ordered the tags and they should be here soon.

EMS PLAN – Mike Hofmann stated that he is re-doing the city plan and should have the basic plan done in one month,

SIREN REQUEST – Mike Hofmann requested approval to purchase one more siren and to locate it in the outer area. Mike Hofmann stated this one will be placed at the new Fire Hall and he went over the costs and specifications.

Member Simon asked if there were two quotes for the electrical wiring. Mike Hofmann indicated that one quote was obtained but he will do that.

Motion by Member Hagen, second by Member Lommel, to authorize the purchase of one new siren plus the electric hookup at a cost not to exceed \$15,300. The motion further approves the costs of a pole and the installation.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones

Motion passed on a 6 to 0 vote.

SAFETY POLICY – Mike Hofmann reviewed the safety policy/program that has been developed thus far.

MAINTENANCE DEPARTMENT - Greg Stang presented written requests for the following:
CRACK FILLING – Rena Weber reported that Lawrence Schreffler attended the Street Committee meeting on the previous Monday and agreed to change his application procedure to make sure we do not get a thick band on the top of the road as this is a safety hazard. Mr. Schreffler will place his equipment flat on the surface as opposed to a tilt therefore spreading the substance further. The budget is set at \$20,000.

Motion by Member Simon, second by Member Simones, to approve the low bid of Lawrence Schreffler at \$.70 per pound for crack filling.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones

Motion passed on a 6 to 0 vote.

SEAL COATING – Rena Weber reported that bids came in for the seal coating project that was bid with the City of Cold Spring and Stearns County. The bid for pea rock came in at \$.52 per square yard or \$33,500 from Astech Corp. This is \$16,000 below what was budgeted. There is an additional cost of \$4,000 to sweep the roads when done; however, if the maintenance department were to rent an 84" side broom for \$165.00 a day and do it themselves the cost would be \$2,000.

Motion by Mayor Herberg, second by Member Simones, to approve the low bid of Astech Corporation for approximately \$33,500. of seal coating plus \$2,000 of sweeping costs with work to be done by city maintenance staff.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones

Motion passed on a 6 to 0 vote.

PLANNING COMMISSION – Chair Jerry Bechtold reported on the following:

WALZ/DAR MAR – Jerry Bechtold reported that the Preliminary Plat and re-zoning has been put on hold temporarily as Butch Voigt and Voigt Bus are exploring other options. The Planning Commission has recommended approval of the re-zoning request from Ag-40 to Industrial.

DANIEL HANSEN – CUP REQUEST – Jerry Bechtold reported that there was a lot of discussion on this request and the Planning Commission has continued the public hearing to get more information. Daniel is creating a man made wetland and Dan needs a Conditional Use Permit for the extraction process. The Planning Commission will need a timeline from Dan Hansen as well as some financial hold on the completion.

Member Simon questioned if the Planning Commission recommended that he come in with a time table? Jerry Bechtold stated that he would like a preliminary time frame from the council to take back to the Planning Commission.

Rena Weber reported on the one year time frame allowed in the permitting process.

Member Hagen stated that this is AG -40 and the Conditional Use Permit will allow Mr. Hansen to conduct business in here and no tax revenue is gained, roads are wrecked, and further he is concerned that this could go on for many years.

Mayor Herberg stated there is an aggregate tax that could be imposed, but a lot of cities don't charge it because they are the biggest users of the mined material.

Discussion was held regarding using the tax for fixing up the road.

Mayor Herberg stated that the county gets some of the tax and it will still cost the city more if we buy some of it.

Member Simones asked what is the pro-rata share? Rena Weber is to check on this.

Mayor Herberg suggested that we do a little research on what we can do as a policy.

Discussion was held regarding the estimate on the amount of material that could be taken out yet. *(The amount was figured to be 56,000 cubic yards).*

Other concerns were:

- The time line
- Wellhead protection plan impact.

JACOB'S DIVIDE –Jerry Bechtold reported the Planning Commission denied this plat as the zoning ordinance does not permit subdivision of less than 40 acres.

Member Hagen wished to discuss the Ag-40 and the one house per 40 rule, but he would like to discuss allowing such construction as it would increase the tax base and without a lot of demand for services. Member Hagen recommends the Planning Commission look at this further

and come back with something such as a policy to look at certain areas or on a case by case basis with criteria.

Jerry Bechtold reported that the Planning Commission was under the impression that existing lots of record were removed from the AG-40 requirements. Rockville Township was working on language for smaller A10's and he felt the same language was transferred to the new ordinance. The new language does not provide for what they were doing in the past. Jerry stated he would like to do a joint City Council & Planning Commission meeting with a bus tour to view the city and come up with a plan.

Member Hagen indicated there should be impact fees for people who want to do this which will pay for services such as buses and parks.

Mayor Herberg stated there are lots of areas out there that would fit right in and agreed that a working session of Planning Commission & City Council would be in order.

Member Simones indicated that we need to incorporate some of the ordinance from the Township regarding lots of record.

Member Hagen suggested the Planning Commission research the philosophy of the township and see what other cities have done.

Motion by Member Simones, second by Member Lommel, to deny the preliminary plat for Jacob's Divide and further to refund the \$200.00 application fee to the applicant.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones

Motion passed on a 6 to 0 vote.

ROCK FEST – Toni Honer was present to update the council on the Rock Fest stating there are new things this year. The committee has heard some complaints from area residents and urged people to dwell on what is good about this event. There is still a need for volunteers. Buttons cost \$3.00 and they will gain people entrance to the gate at the ball field as well as a discount on the horse rides. Sunday brunch will be held at the Granite Edge Café. Applications for Grand Marshall are still open. Next meeting will be held on 6/28/06 - 7:00 p.m. at city hall.

OLD BUSINESS

JOHN KIRSCHER – Rena Weber reported that Mr. Kirscher has provided proof that he intends to combine the two lots and this will be done as part of the Boundary Commission process. The request is to approve the hooking up from the McNamara well to the Kirscher cabin. The price difference is between \$4,000 for connecting the two buildings Vs \$8,000 for a new well. The Street Committee recommends offering to hookup between the two buildings at a cost of \$4,000.

Discussion was held regarding members concerns that they don't want to approve this until the Boundary Commission is done.

Mayor Herberg voiced concern that until this gets officially done things could change. What if the BC does not get approved?

Member Hagen asked if he is willing to release us from any liability then why not?

Member Lommel indicated that if Mr. Kirscher signs off, then okay.

Motion by Member Lommel, second by Member Hagen, to approve connecting the well from 11063 Hubert Lane to the cabin 11049 Hubert Lane at a cost of approximately \$4,000, and further that the owner must sign a waiver relieving the city of any liability.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones

Motion passed on a 6 to 0 vote.

NEW BUSINESS

FIREWORKS PERMIT – Rena Weber reported that Dave Lenhardt, Monday Pyrotechnics, had applied for two fireworks permits – 7/3/06 & 7/4/06 for Grand Lake and Pleasant Lake. The permits are being sent to Sheriff Sanner for his approval.

Motion by Member Simones, second by Member Simon, to approve the two fireworks permits to Dave Lenhardt for 7/3/06 & 7/4/06 as requested.

AYES: Hagen, Herberg, Karls, Lommel, Simon, & Simones

Motion passed on a 6 to 0 vote.

ENGINEER REPORT

Scott Hedlund reported that he did talk to Mark Ruff (Ehler's & Associates) today about the water issue for Tom Van Lith and he hopes to have a document for review next week.

COMMITTEE REPORTS

MAYOR'S REPORT – Mayor Herberg thanked all who came to the open house for City Hall and for the Fire Hall on Saturday. It was a great turn out.

STREET COMMITTEE – Don Simon reported on the Street Committee meeting held on Monday night. The main item talked about was reconstruction of Lena Lane and Burg Street. It was determined that the committee will look at costs to re-claim the road. The Committee will also look at the policy for future road fund projects.

TOM VAN LITH – Tom Van Lith was present at the meeting and was approved as an addition to the agenda, however, he asked to be taken off the agenda as there was no information to discuss.

ADMINISTRATOR'S REPORT

JOHN HERBERG BILL- Rena Weber reported the city received a bill from John Herberg Construction in the amount of \$315.00 regarding grading of the 400 Club parking lot.

Member Lommel reported that the Street Committee agreed with Cherie Verkinnes that if she would haul in fill to her parking lot that was disrupted due to the sewer project, the city would level it off. The City decided to re-grade the lot and do our portion.

Motion by Member Lommel, second by Member Simon, to approve payment of \$315.00 to John Herberg Construction for the grading of the 400 Club parking lot.

AYES: Hagen, Karls, Lommel, Simon & Simones

ABSTAINING: Herberg

Motion passed on a 5 to 0 vote.

OPEN FORUM

Ev Balko – 11193 Hubert Lane, stated that he was at the May 3rd meeting and asked the city to put down 350' of Class 2 past his house which has not been done for some time.

Member Simon indicated that this is on the schedule for getting gravel and the Maintenance Department is supposed to get this done.

Duane Willenbring – 25123 County Road 139, indicated he is the chair in charge of setting up stands for Rock Fest and he was just asking lots of people to help set up on July 5th.

ADJOURNMENT – Motion by Member Simones, second by Member Lommel, to adjourn the meeting at 8:44 p.m. Motion carried unanimously.

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

**BRIAN HERBERG
MAYOR**