

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY,  
JANUARY 16, 2008 - 6:00 P.M. – ROCKVILLE CITY HALL.**

The meeting was called to order by Acting Mayor Don Simon. Roll Call was taken and the following members were found to be present: Council members Vern Ahles, Jeff Hagen, Susan Palmer, Jim Pflapsen, Don Simon & Randy Volkmuth. Mayor Herberg arrived at 6:03 p.m. Absent: None.

Staff members present were: Administrator/Clerk Rena Weber, Maintenance Worker Rick Hansen, Park & Recreation Member Steve Heying, & Engineer Scott Hedlund.

Planning Commission members present: Toni Honer & Jerry Bechtold.

Others present were: Lt. Jon Lentz, Tудie Hermanutz, Jeff Howe, Dave Volkmuth, Aaron Cheeley, Audrey Schaefer, Duane Willenbring, Jerry Schmidt, and John Koerber.

**ADDITIONS TO THE AGENDA – Motion by Member Volkmuth, second by Member Palmer, to approve the additions to the agenda for discussion purposes.**

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**  
**Motion passed on a 7 to 0 vote.**

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

- a) **Approve minutes of 01/02/08**
- b) **Approve Treasurer’s Report of 1/16/08**
- c) **Approve List of Bills and Additions of 1/16/08**

<b>Accounts payable CK # 009835 to 009877</b>	<b>\$302,864.33</b>
<b>Payroll CK #002926 to 002981</b>	<b>39,918.88</b>
<b>EFT #000128 &amp;000129</b>	<b>1,808.31</b>

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**  
**Motion passed on a 7 to 0 vote.**

**BOARD/STAFF REPORT**

**POLICE DEPARTMENT** – Lt. Jon Lentz was present to report there were 70.5 contract hours for the month of December. A recap for the entire year shows 800 hours for the year with 170 citations and 1992 calls for service. Lt. Lentz indicated he would get back to the council with the results from previous years as to the number of hours and number of calls.

**MAINTENANCE DEPARTMENT** – Rick Hansen had no report.

**PLANNING COMMISSION** – Chair Toni Honer reported on the following Ordinance amendments:

2008-45 – amends the # of copies required for plats – Planning Commission recommends approval.

2008-46 – amends setback requirements moving them from Ag-40 to general requirements and also floor area ratio adjustments is deleted and replaced with impervious surface requirements. Planning Commission recommends approval.

2008-47 – amends the zoning ordinance in that two sections conflict with each other. Ag-40 requires that only subdivisions are to be done by PUD and SP-1 says no planned unit developments are allowed in SP-1. Most of the city is in SP-1 with an Ag-40 under lying zone. Planning Commission recommends approval.

**Motion by Member Volkmuth, second by Member Palmer, to schedule a public hearing to consider adoption of all three ordinances for 2/6/08 – 6:30 p.m.**

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**  
**Motion passed on a 7 to 0 vote.**

**Chair Honer also reported on the following:**

1/24/08 – Stearns County Storm water / erosion control seminar  
 Jed Burkett seminar on 1/22/08  
 School District 750 task force – Rockville is not represented.

**PLANNING COMMISSION APPOINTMENT** – Toni Honer reported that the liaison has not accepted the appointment and the Planning Commission would like to appoint Vern Ahles.

Member Ahles indicated he would finish 2008.

***Motion by Member Palmer, second by Member Volkmuth, to appoint Vern Ahles as the liaison to the Planning Commission for 2008.***

***AYES: Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth***

***ABSTAINING: Ahles***

***Motion passed on a 6 to 0 vote.***

**PARK & RECREATION** – Member Steve Heying reported on the following:

Summer Recreation Coordinator – Brenda Hoffke has submitted her resignation and the Park & Recreation Board would like the council to accept the resignation and authorize for a replacement.

***Motion by Member Volkmuth, second by Member Hagen, to accept the resignation of Brenda Hoffke as Summer Recreation Coordinator and further to authorize advertisement for a replacement.***

***AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth***

***Motion passed on a 7 to 0 vote.***

Concession Stand workers – Steve Heying reported that both workers resigned (Mandy Schutz and Stephanie Burg).

***Motion by Member Volkmuth, second by Member Palmer, to accept the resignations of Mandy Schutz and Stephanie Burg as Concession Stand workers and further to authorize advertisement for replacements.***

***AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth***

***Motion passed on a 7 to 0 vote.***

Summer Ball program – 3/29/08 is the sign up date from 9 a.m. to 10 a.m. Sign up sheets will also be available on the city web-site.

Easter Egg Hunt – the annual Easter Egg Hunt will be on 3/22/08 starting at 9 a.m. The event is open to anyone that is 0 to 10 years old.

Ice rink at Community Park – Steve Heying reported that it is working out real good this year and people are thankful.

### **OLD BUSINESS**

**EDA APPOINTMENT** - Rena Weber provided an excerpt of minutes from last year showing Vern Salzl term ending 12/31/07.

Greg Simones – 6 months

Jeff Hagen – 2 years

Jim Pflapsen – 3 years

Vern Salzl – 1 year

Duane Willenbring – 6 years

Ed Karls – 5 years

Mayor Herberg indicated that he talked to Vern Salzl who has agreed to remain on the EDA and suggests this be approved for 6 years.

Member Hagen indicated that he would like to open it up to be transparent and fair to the community.

Rena Weber reported the by-laws indicate the term is for 6 years.

Mayor Herberg indicated the terms of the council runs with their terms.

Member Palmer agreed with the concept as proposed by Member Hagen.

Member Ahles stated that if there is anybody out there interested they should come forward. He suggested we advertise for it.

Rena Weber was asked to look into the 6 years requirement.

**Motion by Member Ahles, second by Member Palmer, to advertise for the EDA position.**

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**

**Motion passed on a 7 to 0 vote.**

### NEW BUSINESS

**AREA SAC/WAC FEES** – Rena Weber reported that since the last meeting staff collected information from other cities regarding SAC/WAC fees and they appear to be about the same. Refer to attached document Marked as Exhibit A.

Scott Hedlund explained that some cities charge on a per unit basis whereas the City of Rockville uses connection or based on developable acres (Trunk fees). Our fees are in line so no change is needed.

**CUP, VARIANCE, PLATTING FEES** – Rena Weber reported the practice now is to charge \$200.00 and bill out for legal/engineering. The thought is to charge a \$500 fee which would cover legal/engineering and we could rebate back if there is a big difference.

Member Palmer asked if they would ever go over the \$500.

Member Hagen questioned the \$500 and giving back rebates being just as much work as what we are doing now.

Member Ahles indicated that what it is doing is putting the money up front.

Member Hagen's concern was for the small project putting the money up front.

Member Volkmuth agreed that it seems fair to keep it at \$200 and bill out the extras.

Member Hagen indicated the fee should reflect the size of the project.

**PLATTING FEES** – Discussion was held regarding the fees for platting and how this could differ according to the number of lots.

Rena Weber was asked to explore a graduated schedule for platting.

Member Pflapsen voiced concern that with a growing city consideration should be given to commercial Vs residential rates for variances and CUP's. No action was taken.

**JOINT RESOLUTION – AREA CITY LEGISLATIVE SUPPORT ISSUES** – Mayor Herberg announced that the Administrator and he attended a recent meeting of Administrators and Mayors in Sartell where the group drafted a joint resolution. Each city voiced their concern on issues such as Central MN specific, Capital Investment/State Bonding Requests, and Issues of Broader Concern.

Member Palmer questioned the LGA statement in that it refers to "stabilize". We do not want to stabilize where we are at. Mayor Herberg indicated the reason it says this is due to the fact that the legislators know this is a problem. Each city works with their legislator to correct the problem.

Mayor Herberg reported that the next Joint Cities meeting will be held in Rockville on 1/29/08 – 5:30 p.m.

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

#### **RESOLUTION NO. 2008-02**

**JOINT RESOLUTION OF THE CENTRAL MN CITIES OF ST. CLOUD, SARTELL, SAUK RAPIDS, WAITE PARK, ST. JOSEPH, ST. AUGUSTA, AND ROCKVILLE ADVOCATING SUPPORT FOR CERTAIN LEGISLATIVE ISSUES AND PROPOSALS OF COMMON INTEREST OR CONCERN TO CENTRAL MINNESOTA REGION**

**(A complete copy is hereby attached and marked Exhibit B).**

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

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**

**Motion passed on a 7 to 0 vote.**

Member Simon reported that he went to a meeting in Waite Park recently and stressed the need for increased LGA to our legislators.

Member Pflapsen voiced concern that the formula needs to be changed by not using traffic accidents and that sort of thing. He asked can we do something to conform.

## ENGINEER/ATTORNEY REPORT

### ATTORNEY LETTER REGARDING RATES

Rena Weber reported this rate schedule came in after the appointment was done which was unfortunate, but Jim Mogen was asked not to attend the last meeting and also this meeting to defend this request. Jim Mogen is charged out at \$160/hour which used to be \$130/hour.

Member Volkmuth asked if we have any recourse.

Member Simon indicated that we do RFP's every two years.

Discussion was held regarding reducing the amount of service requested.

Member Volkmuth suggested we cut back even on the SAP meeting.

Member Palmer indicated it is fine cutting back, but when you go out for bids you might get somebody with less experience.

Member Pflapsen agreed that we have room to save money on existing bills.

Member Hagen suggested that we put a cap on raising rates when going with a two year contract.

The Council determined the rate should have increased due to the fact this is the second year of the contract.

## ADDITIONS TO AGENDA

### ST. JOSEPH VOLUNTEER FIRE FIGHTERS RELIEF ASSOCIATION RAFFLE -

*Motion by Member Volkmuth, second by Member Simon, to approve the St. Joseph Volunteer Fire Fighters Relief Association Raffle at the 400 Supper Club on March 28, 2008 as presented.*

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**

**Motion passed on a 7 to 0 vote.**

**BOARD OF REVIEW** – Rena Weber asked for council approval to schedule the Board of Review meeting on 5/14/08 – 6 p.m.

*Motion by Member Ahles, second by Member Hagen, to schedule the Board of Review meeting for 5/14/08 at 6 p.m.*

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**

**Motion passed on a 7 to 0 vote.**

## COMMITTEE REPORTS

**MAYOR'S REPORT** – Mayor Herberg reported that he also attended the following:

1/5/08 - He met with Rep. Steve Gottwalt for a Town Hall meeting at the Granite Edge

1/9/08 – He and the Administrator were at the area joint cities meeting in Sartell

1/12/08 – He met with Tarryl Clark & Larry Haws in St. Cloud to discuss LGA

1/15/08 – He attended the SCML meeting where the guest speaker was the GRRL director.

1/23/08 – is the next Special Assessment Policy Committee (SAP) meeting

Mayor Herberg asked Duane Willenbring to give the minority report on the SAP meeting.

Duane Willenbring reported 12/17/07 was the date of the first meeting which was organizational.

1/7/08 was the next meeting and David Drown presented information on different scenarios.

Financial snapshot – revenues

Tax base – higher than area cities

Tax Rates comparably low because of the higher tax base

Median Household Income higher than like size cities

Water Rates – lower than like size cities

Sewer Rates – higher than other cities

LGA – much lower

Valuation – higher than statewide and regional

Tax Rates – lower than statewide and regional

Debt Per Capita – higher than other cities – 2013 the debt load will be back to today's average

Questions/concerns he had were:

What happens if future council members change the policy?

Copies of the graphs will be available to committee members at the next meeting.

The charge of the committee is to determine how the policy should be changed.

The Street Committee/Council determines what amount of money should be spent each year in capital improvements.

2% net debt limit (A street reconstruction bond is subject to this and an improvement bond is not subject to it).

Duane commented that nobody comes to the meetings and he is asking for people to attend.

Is there a specific charge that the council or Mayor has of them or a time certain by when they have to finish? He is of the opinion that more than likely the assessment policy will be very close to the one we currently have, but this is his opinion at this time. The education process is very unique and it is sad that more people don't hear what is being said.

Member Palmer indicated it is hoped that the committee will make a recommendation for a policy that has to work for the citizens and also the city from a financial status. The goal is to have something by the end of March.

Member Hagen stated the goal of the council in selecting the committee members was to select city wide which is not much different than why we are elected. The fact that you have more people maybe does not really matter, but he strongly encourages committee members to (with the amount of money that has been spent already ) read the information that was given to us & give a recommendation on the ideas that we concluded.

Duane Willenbring indicated that some of the most vocal or most visual people of the community are on the board. There is an enormous amount of education that goes with this and we don't want to make a hasty decision.

Member Pflapsen indicated the committee needs to look at the education process. You should have learned that we can't pay for improvements through taxes. He urged the committee to observe how the assessment policy is going to affect farmers. How do you balance the improvement for large parcel owners?

Member Palmer thought we had pretty much addressed the Ag-40.

Rena Weber indicated the discussion where Scott presented four proposals and how the policy would apply will be on the next agenda.

**PERSONNEL COMMITTEE** – Chair Randy Volkmuth reported on the following:

**FIRE CHIEF ELECTION** – Member Volkmuth reported the Personnel Committee was apprised that it is not necessarily the best thing to go by elections, it is a popularity contest, and there is too much power concentrated. The Personnel Committee felt it pertinent to go through the selection process for the Fire Chief and have drafted a job description for approval.

Member Palmer indicated that the Personnel Committee did look at a number of other cities job descriptions in order to come up with ours.

Member Simon questioned the qualifications of requiring Leadership training 1, 2 & 3 or equivalent training in one year. Member Volkmuth indicated that we are open to looking at it.

**APPROVE JOB DESCRIPTION – FIRE CHIEF & AUTHORIZE IN HOUSE ADVERTISEMENT**

***Motion by Member Palmer, second by Mayor Herberg, to approve the job description for Fire Chief as presented and further to authorize for in house advertisement to fill this position until 1/31/08.***

***AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth***

***Motion passed on a 7 to 0 vote.***

Member Simon reported that the Fire Department would like the council to attend their next meeting on January 28<sup>th</sup> – 7:00 p.m.

**RICK HANSEN PROMOTION** – Chair Volkmuth reported that Rick Hansen passed both the water and wastewater tests which will reduce our contract amount with Paul Hoeschen and the Personnel Committee recommends that he be promoted to Step 5 as Public Works Director.

Member Hagen indicated that he is a firm believer in competition and opening up the process of hiring. We are looking at duplication using a contract with Paul Hoeschen and possibly a boiler inspector. He urged the Personnel Committee to look at the job description and

what that position might require as we grow. There are a lot of people out there with a lot of experience. We need to run this city more like a business and a little less like family.

Member Volkmuth agreed with Member Hagen and indicated the Personnel Committee is looking at that issue. That's what is happening in the Fire Department.

Member Simon indicated that going back to when the sewer system went in the city contracted with Paul Hoeschen. Vince Schaefer and Don Simon needed Paul's help for his information. That was why we kept it local.

Member Pflapsen stated that Member Hagen made good points, but there are a lot of intangibles operating this city as a family Vs a business. That feeling to him is very good.

**Motion by Mayor Herberg, second by Member Simon, to promote Rick Hansen to Step 5-Public Works Director, effective 1/1/08.**

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**

**Motion passed on a 7 to 0 vote.**

**ADMINISTRATOR'S REPORT**

**MEMO REGARDING ANNUAL APPOINTMENTS** - Rena Weber reported on the e-mail she received from the LMC regarding annual appointments. The e-mail read: "The council appoints the city attorney, auditor, etc. at the first council meeting of the year. Generally, it seems that these appointments may be changed during the year, subject to any contract language to the contrary. The change should be made in the same manner the appointment was made."

**RFA – FINAL BUDGET AMENDMENTS & RECODING** – Rena Weber presented a request for council action to make the final 2007 budget amendments.

**Motion by Member Volkmuth, second by Member Hagen, to approve the following:**

There were three requests for action that were approved during 2007 that don't meet the auditor recommendation to code capital assets to capital outlay codes (generally 500 #'s) or to pay for items by function and not by budget balances. To clean up these items (so the city is not cited on these during the 2007 audit) please approve the following recoding changes:

<u>Original request date</u>	<u>Vendor</u>	<u>Requested change</u>
2/7/07	Mies Outland	Recode pressure washer to 101-43100-540 and amend budget by decreasing 101-43100-220 by 3,000 and increasing 101-43100-540 by 3,000.
2/7/07	Granite Electronics & Motorola	Recode portable radio & base to 101-42500-540 and amend budget by decreasing 101-42500-218 by 6,500 and increasing 101-42500-540 by 6,500
8/15/07	L & M Services	Recode crack sealing of Pleasant Lake Park walking path entirely to 101-45122-319 and amend budget by decreasing 101-45122-294 by 1,600 and increasing 101-45122-319 by 1,600.

2 additional budget amendments are recommended. They are noted below:

Amend 2007 budget line item 220 Tamarack Ct Drain Project-expenses came in after previous budget amendment request was created.

+ 22,562 to 220-41000-325 E Increase for construction costs from 0 to 22,562.

Amend 2008 budget line item Civil Defense-capital assets should now be coded to 540 Machinery/Equipment per audit recommendation

- 500 from 101-42500-218 E Decrease Radio/Equipment line item and move to  
+500 to 101-42500-540 E Increase Machinery/Equipment

**AYES: Ahles, Hagen, Herberg, Palmer, Pflapsen, Simon & Volkmuth**

**Motion passed on a 7 to 0 vote.**

**OPEN FORUM**

John Koerber – 25774 Lake Road indicated he is not sure how Richmond handles their attorney, but they use him 15 to 25 minutes max.

Jerry Bechtold – 24353 125<sup>th</sup> Avenue wanted to have discussion on a Rocori School District task force. He recommends the city have an official representative on this committee. Mr. Bechtold just served two years on the County comprehensive plan committee. He indicated that Rockville

is at a disadvantage with two school districts splitting the city and he fears this city will become a retirement community with no young families. A Design Team member was critical of the present school and recommended a new building in Eagle Park with 200 homes north of that. He reminded all how important it is to have the school in Rockville. We are going to end up with a population of senior citizens in the city.

Jerry Bechtold asked the council to think about the following:

1. What is your attitude toward business locating outside of the service area?
2. What is the policy on allowing business in the industrial park?
3. Where would you locate a business park?

Member Hagen stated that he advocates that Prairie Industrial Park be more of a retail area and to keep business where service is available.

Duane Willenbring – 25123 County Road 139 complimented the choice of Rick Hansen in the Maintenance Department.

Member Simon commented that Eagle Park should be used for snow shoeing. Rick Hansen will clean out the parking lot.

Tudie Hermanutz – 211 1<sup>st</sup> St N asked when the big hole will be fixed on Mill Street North.

**ADJOURNMENT – Motion by Member Volkmuth, second by Member Ahles, to adjourn at 7:38 p.m. Motion carried unanimously.**

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

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**BRIAN HERBERG  
MAYOR**

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