

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, APRIL 19, 2006 – 6:00 P.M. – JOHN CLARK ELEMENTARY SCHOOL

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, Council Members Vern Ahles, Jeff Hagen, Ed Karls, Lloyd Lommel & Don Simon. Greg Simones arrived at 6:57 p.m.

Staff Members present were: Administrator/Clerk Rena Weber, Public Work Director Greg Stang, & Engineer Scott Hedlund.

Planning Commission Members present were: Jerry Bechtold, & Dan Hansen.

Others present were: John Koerber, Brian & Joanne Hatten, Jan Stueve, Ed Kalla, Tудie Hermanutz, Mitch Anderson, Jodi Teich, Vince Schaefer, George Bechtold, Duane & Diane Willenbring, Cheryl Lommel, Jerry Erkens, Steve Wischmann, Harold Rosenow, Clarence Bloch, Scott Stenseth, Kim Henkemeyer, Aaron Cheeley, Jon Lentz, Brett Ebling, Ed Ollgren, & Scott Kelm.

Mayor Herberg announced that a public informational hearing would now be held to consider the design of the County Road 82 (AKA Broadway Street) Improvement project.

Jodi Teich-Stearns County Highway Engineer Asst. explained the differences between the plans depicting widths and design standards.

Attendees were allowed to view the plans and voice their concerns to the council members in an informal way.

Mayor Herberg announced that a decision would need to be made as to the width for the road which will start at Chapel Street West to County Road 8.

Mitch Anderson explained that other areas that need to be determined are: driving lane width, parking lane width, sidewalks, boulevards, etc. This is an opportunity to green up the downtown area.

Jodi Teich reported that the County has hired a firm to design the Mill Creek Bridge and this firm will also need to know the size of the road width.

Mitch Anderson reported that this will be a late summer or early fall project.

Member Hagen questioned what does the county pay if the city chooses a center median and landscaping? Mitch Anderson stated that MNDOT will probably pay for a standard type treatment, but other than that nothing extra.

Mayor Herberg questioned the cost of light fixtures. Mitch Anderson indicated MNDOT would pay the standard cost and the city would have to pick up the difference.

Member Hagen questioned the 10' & 12' parking lanes and is that angled? Mitch Anderson replied that no it is parallel.

Scott Hedlund indicated that the Rocori Trail is proposed to be through the downtown area and this would be a time whereby this could be designed. There are concerns or issues from the County standpoint, but this should be considered in this design.

Mitch Anderson stated that there are no designated bike lanes in Stearns County.

Rena Weber asked for clarification on the amount of bids coming in less and that being less for the city to pay. Mitch Anderson stated this all depends on the style that is chosen such as lights, extra sidewalk, drainage sedimentation pond (city would be responsible for ½ the cost of the right-of-way.) Mitch Anderson stated the storm water pond location is not sure yet and they are looking at a possible stormceptor, or a pond would be most desirable.

Member Ahles stated that we are looking at a 14' driving lane and 10' parking lanes and asked if the county would go 12' and 12'? Mitch Anderson indicated that he feels comfortable with 52' and no wider. This would reduce the width down from 60' to 52' wide.

Vince Schaefer reported that the only part of the sidewalk that was replaced was in front of the old city hall and this would be the portion the city would be responsible for.

Motion by Member Lommel, second by Member Ahles, to approve Alternate #7 or Alternate #2 without the center median. (A copy is hereby attached and marked Exhibit A).

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

Motion passed on a 7 to 0 vote.

Mitch Anderson reported that County Road 8 is proposed to be resurfaced and wanted to know if there were any changes the city would like to see installed such as curb & gutter, or sidewalk. There will be a paved shoulder that can be used for walking.

Mitch Anderson also reported that CR 82 was posted as a 9 ton road and Cold Spring Granite had a problem with that. Since then the County has changed this to a 10 ton road.

Scott Hedlund suggested the Council determine the sidewalk locations – where it stops, or starts. Jodi Teich stated that MNDOT will need to know this in order to finalize their participation on the costs for sidewalk. Jodi Teich indicated she will get the sidewalk information back to the council by 5/3/06.

Mitch Anderson stated there should be 8' to 10' sidewalks downtown, but narrow it up as you go farther to the west.

ADDITIONS TO THE AGENDA

Motion by Member Lommel, second by Member Hagen, to approve the additions to the agenda for discussion purposes.

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

Motion passed on a 7 to 0 vote.

CONSENT AGENDA

Motion by Member Ahles, second by Member Simon, to approve the consent agenda as presented:

a) **Minutes of 04/05/06 & 04/12/06.**

b) **Treasurer's Report of 04/19/06.**

c) **List of bills and additions of 04/19/06**

Accounts Payable CK #007838 to 007868 \$77,091.52

Payroll CK #002338 to 002364 \$12,256.18

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

ABSTAINING: Herberg

Motion passed on a 6 to 0 vote.

BOARD/STAFF REPORT

POLICE DEPARTMENT – Deputy Jon Lentz was present to report that during the month of March there were 69 contract hours with 7 citations.

FIRE DEPARTMENT – There was nothing to report.

MAINTENANCE DEPARTMENT - Greg Stang reported on the following:

STREET SWEEPING BIDS – Greg reported that he received a bid of \$60.00 per hour from Parking Lot Sweeping and a bid of \$78.00 per hour from ASTECH INC. for sweeping. Greg indicated that he has \$3,000 in the budget and would like to move ahead with this project.

Motion by Member Hagen, second by Mayor Herberg, to approve the low bid of Parking Lot Sweeping at \$60.00 per hour.

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

Motion passed on a 7 to 0 vote.

LANDPRIDE MOWER – Greg Stang indicated that he received one bid in the amount of \$2265.36 from River Power & Equipment for the sale of the Landpride mower and suggested the Council accept the bid.

Motion by Mayor Herberg, second by Member Simon, to approve the bid of \$2265.36 from River Power & Equipment for the sale of the Landpride mower.

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

Motion passed on a 7 to 0 vote.

WELLHEAD PROTECTION PLAN – Greg Stang reported that he is working with Cold Spring and Richmond on an implementation plan. The goal is to get one plan for all three cities which would be a cost savings. The group is pursuing grants from Central MN Initiative Foundation for this plan. CMIF feels this looks good and they like to see three cities working together.

SEAL COATING – Greg Stang reported that he is working with Cold Spring and Stearns County to do a joint bid on seal coating for all three entities. In some areas of Rockville we will push the pea rock to the side instead of sweeping it up. Greg indicated that the sad thing is seal coat used to be 40cents per square yard, but with the oil prices it is now 80 to 90 cents per square yard. The city would be \$16,000 short this year so we will have to take some of the streets out such as Ptarmigan and Caroline Lane. This will be referred to the Street Committee.

PARK & REC & TRAIL COMMITTEE – Scott Stenseth reported on the following:

EASTER EGG HUNT – Scott reported that 132 kids attended the event and donated 128 lbs. of food for the food shelf. Scott thanked everybody who volunteered to make this a success.

SUMMER BALL PROGRAM - Scott Stenseth indicated that sign up is still on for the ball program and they still need kids in every category. There may not be a girls' minor softball team.

TWIN'S GRANT – Scott reported that through the Twin's Fields For Kids grant they have purchased most of the equipment, but the drag did not fit into the grant category.

LION'S PARK – Scott indicated that they are installing a gate at the right field fence in Lion's park.

CONCESSION STAND WORKER – Scott indicated they are taking applications for the concession stand until 5/19/06.

PARK RULES/ORDINANCE – Scott indicated that they are getting a lot of requests to reserve the Lion's Park picnic shelter. It was determined that a rental form and rules needed to be drafted. This will be sent to the city attorney for his review.

PLANNING COMMISSION – Jerry Bechtold reported on the following:

JOINT MEETING – Chair Bechtold thanked the Council members for attending the last Planning Commission meeting as there were great headways made on the ordinances.

CLARENCE BLOCH VARIANCE - Clarence Bloch had requested that no action be taken tonight as he needs to develop his plan a bit before approval can be given.

MATHEW AND PETER WALZ – Rena Weber reported that an administrative plat was approved for Peter & Mathew Walz which would divide 83.98 acres in half and be used for agricultural purposes.

OLD BUSINESS

ENVIRONMENTAL PRESERVATION ORDINANCE – Administrator/Clerk Rena Weber reported that since the Environmental Preservation was pulled out of Ordinance 2006-30 it was recommended by the LMC that a special hearing be held regarding this. Rena Weber also reported that she met with Don Adams and Cynthia Smith-Strack regarding the final version and they recommended adding back some of the language.

Member Simones questioned the qualifications of the special environment people and that this should be included. Rena Weber will add that to the ordinance.

Motion by Member Hagen, second by Member Ahles, to schedule a public hearing for 5/17/06 at 7:30 p.m. to consider adoption of proposed Ordinance No. 2006-30A.

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

Motion passed on a 7 to 0 vote.

NEW BUSINESS

2005 AUDIT – KDV Auditor Steve Wischmann was present to review the 2005 audit of the City and also the EDA funds citing that the city was financially in a very good state.

Management Letter – Steve Wischmann reviewed the graphs.

Audit Report – Steve Wischman review the audit page by page showing the positive fund balances. Steve Wischmann thanked the City staff for the effort they provided in completing the audit. Mayor Herberg also thanked the staff for their efforts.

Motion by Member Simones, second by Member Simon, to approve the 2005 Audit as presented.

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

Motion passed on a 7 to 0 vote.

LIABILITY INSURANCE COVERAGE FORM – Administrator/Clerk Rena Weber reported that this form needs to be approved annually and in the past the city has chosen to “not waive” the monetary limits.

Motion by Member Ahles, second by Member Simones, to approve the waiver form as presented checking the “does not waive” box.

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

Motion passed on a 7 to 0 vote.

ADDITIONS TO THE AGENDA

GAMBLING LICENSES:

THE BAYOU & ST. CLOUD BOXING CLUB – Kim Henkemeyer, owner of The Bayou and Scott Kelm, St. Cloud Boxing Club were present at the meeting to request approval to sponsor charitable gambling at The Bayou. Scott Kelm informed the council about the organization and its operation citing that they have two sites right now (Shooters and one in Sauk Rapids).

Mayor Herberg questioned being in the Cold Spring and St. Joe trade area and what is the process for giving to the local 10%. Scott Kelm indicated that all anybody has to do is ask the pull tab people to donate money to their club, write a letter to the membership which will be discussed and voted upon.

John Koerber asked to clarify the trade area and stated that he thought it was Luxemburg, Pleasant Lake, Rockville, and the Cold Spring School District.

Member Hagen indicated that the ordinance should be revised to include anything that is contiguous.

Member Lommel questioned that Rockville Lion’s used to have gambling and then there was a problem. Kim Henkemeyer stated that all was taken care of and further reported that Rockville Lion’s dropped their site license.

John Koerber stated that this is to be discussed at a 4/20/06 Lion’s meeting and also stated that they did not drop their license.

Scott Kelm indicated that they can wait two weeks so that the city can clarify the ordinance, and they also don’t want to step on anybody’s toes.

Motion by Mayor Herberg, second by Member Simon, to table action until further research is done.

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

Motion passed on a 7 to 0 vote.

400 SUPPER CLUB & CLEAR LAKE LION’S CLUB – Brett Edling, President and Ed Ollgren were present to request approval for a one day gambling license at the 400 Club on 6/2/06. Brett Edling indicated this would be a champagne dinner, they sell 120 tickets and one winner will receive \$1000 cash. In addition there are 10 more winners. They have been in existence for more than 3 years. All proceeds go to Camp New Hope in McGregor MN which is a special camp for youth with disabilities.

Member Lommel introduced the following resolution and moved for it adoption:

RESOLUTION NO. 2006-14

RESOLUTION GRANTING A ONE DAY GAMBLING LICENSE

WHEREAS, The Clear Lake Lion’s Club has requested a one day gambling license at: The 400 Club at 25958 Lake Road on June 2, 2006, and;

WHEREAS, No objections were raised.

NOW, THEREFORE BE IT RESOLVED by the City Council of Rockville, Stearns County, Minnesota:

1. Approval of said license is hereby granted.

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

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

Motion passed on a 7 to 0 vote.

COMMITTEE REPORTS

MAYOR – Mayor Herberg had nothing to report.

EDA – President Greg Simones reviewed the written annual report. (A copy is hereby attached and marked Exhibit B).

PERSONNEL COMMITTEE – Chair Lloyd Lommel reported on the following:

Maintenance Worker Job Description & Points – Chair Lommel reported that the Personnel Committee discussed the job description for this position and based on the essential duties and pay equity grading the committee valued the job points at 146.

Administrator/Clerk Rena Weber reported that this position would be part-time at 32 hours or less per week with no benefits. (*Clarification is that this position would be “less than 32 hours per week”*).

Motion by Mayor Herberg, second by Member Simones, that the Maintenance Worker Job Description valued at 146 points is hereby approved.

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

NAYS: Hagen

Motion passed on a 6 to 1 vote.

Motion by Mayor Herberg, second by Member Ahles, to authorize the Administrator/Clerk to advertise for this position.

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

Motion passed on a 7 to 0 vote.

ADMINISTRATOR REPORT

CITY HALL WALK THROUGH – Rena Weber reported that the walk through for the city hall completion would occur on Friday, April 21st.

OPEN FORUM

John Koerber reported that Don Dietman passed away and he is not sure who is going to take over his affairs.

Duane Willenbring stated the EDA Board should not be actively going on the walk through on Friday. We will review the punch list after it is done.

ADJOURNMENT – **Motion by Member Ahles, second by Member Simon, to adjourn the meeting at 8:38 p.m. Motion carried unanimously.**

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

**BRIAN HERBERG
MAYOR**

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