

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, DECEMBER 17
2014 – 5:30 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 Sue Palmer, Don Simon, Duane Willenbring and Randy Volkmuth. Absent: None.

Staff members present were: Administrator/Clerk Rena Weber, Finance/Billing/Admin. Asst. Judy Neu, Lt. Jon Lentz, Planning Commission Chair Toni Honer, Park Board representatives Scott Stenseth & Paul Wirth & Public Works Director Nick Waldbillig,

Others present were: Tudie Hermanutz, Richard & Dorothy Tallman, Tom Masetler, Carol Dietman, Tim Byram, Vince & Audrey Schaefer, Dave Zwilling, Bill Molitor, Andrew & Eunice Molitor, Gary Merrill, Diane Willenbring, Gwen Ballinger, Bill Becker, Dave Volkmuth, Mike Roth Rodney Schaefer, Mike Hofmann & John Vicky Rozycki.

Mayor Hagen announced that the council would now go into closed session with the city attorney to discuss threatened litigation with the Voigt family.

Motion by Member Volkmuth, second by Mayor Hagen, to go into closed session under MN Statute 13D.05 Subd. 3 (b) permitted by attorney-client privilege.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

Meeting reconvened to open session at 6:04 p.m.

Attorney Adam Ripple reported that we had a closed meeting, cited all members in attendance and further the purpose was to discuss threatened litigation with the Voigt family in relation to their sewer assessment.

Attorney Ripple also presented his revised version of the 4rd party contact policy citing that he had spoken to Pat Beety of the LMC. It was determined that the last sentence of the proposed policy be deleted and it would be better for the city to deal with 3rd party contacts.

In regards to the contact with the city attorney there are some things that he as our attorney has to respond to and does not want to be hindered in conducting business.

ADDITION TO THE AGENDA – Motion by Member Palmer, second by Member Volkmuth, to approve the addition to the agenda for discussion purposes.

1. Kent/Rozycki – Property Boundary Issue, Pleasant Lake

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

OPEN FORUM

Vince Schaefer – 541 Caroline Lane – the October 10th minutes and specifically the mayor's report talks about the Mayor breaking a tie. He was at the meeting and recalls the Mayor saying that mayor breaks ties and read the minutes. He has a memo from Rylee Retzer, research attorney from LMC that states: ***Tie votes.*** The mayor in a statutory city is only authorized to break a tie vote when the council makes an appointment to fill a council vacancy. When a vote to fill the vacant council seat results in a tie vote, the mayor may appoint an individual to the vacant seat. The mayor has power to appoint any person he or she chooses. Aside from this exception, a statutory mayor does not have authority to break tie votes in any other circumstance. Tied council votes otherwise fail.

Mr. Schaefer also questioned #7 – 6:30 p.m. Are these both public hearings? Rena Weber reported that proposed budget and tax levy is just part of the meeting only.

Rick Tallman 25594 Lake Road – would like address the 3rd party contractor policy on the agenda. The reason the 3rd party contact policy was drafted was due to him contacting Banyon and he totally agrees that the city needs to limit people from calling 3rd party contacts where a bill would be generated. But you make it sound like his contacting Banyon cost the city money. There was no cost to the city because of what he did, but there was a cost to the city due to the fact that Rena contacted the city attorney and generated a bill. The new policy still allows that to happen.

Expense budget –he sees an increase to the water repair budget page 9 – \$25,000 to \$32,000, but for the year only \$11,513 was spent. This is only one half of the expense and feels this is unwarranted.

Dennis Hansen – 20740 125th Avenue was the person who put the water heater in at city hall. People have been complaining about the price and wondered why we didn't replace it with a heater that was identical to the old heater. That gas water heater would have cost \$4500 and we chose to go with less costly water heater. This goes back to when the city hall was built and they chose to go with gas heaters. The city blew through \$10,000 on repairs already on units that are 8 years old or less.

Mayor Hagen asked about the operating cost. Dennis stated there would little bit more cost with electric but the amount used would not be much, but with lifetime warranty on the tank replacement the city would be better off.

Member Willenbring asked if there was an energy management system that went in with this. Rena Weber reported that she checked with Mark Ostendorf of Xcel Energy who stated that no there are no rebate programs and further that the usage here would not warrant an off-peak meter.

Dennis stated that we probably burn more electric with the lights on tonight than what the water heater would use.

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

a) **Approve Treasurer's Report of 11/12/14**

b) **Approve List of Bills and Additions of 12/17/14**

Accounts Payable CK #015674 - #015771	\$97,630.22
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Payroll CK #004819 - #004839	20,204.22
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EFT #00878 – #000889	78,233.23
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c) **2015 Tobacco License Renewal-Stoney's, Rockville G & b, B's Liquor & Quick Mart**

d) **Fire Relief Assn – Fish fry raffle and 1 day on-sale liquor license**

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

BOARD/STAFF REPORTS

POLICE DEPARTMENT – Lt. Jon Lentz reported on the contract hours for October (33) and November (38) with a listing of the types of calls.

PLANNING COMMISSION – Chair Honer reported on the following:

MOLITOR FAMILY TRUST –

Re: Re-Zoning, Subdivision, Variance Requests

76.41637.0300: Owners: Andrew & Eunice Molitor Trust

Property Address: 123rd Avenue, Cold Spring, MN 56320

Variance(s) Requested:

- 1st request is to re-zone 20 acres of property to R-R – Rural Residential
- 2nd request is split this 20 acres from a parcel that contains 100 acres. (not touching)
- 3rd request is to receive approval to build a house on the eastern most area that may or may not a variance from the 700' feedlot buffer. I will explain.

Construction Requests:

1. Split off the 20 acres to allow for a house to be built.

Relevant Information:

1. Property contains 100 acres more or less.
2. 10 notices of public hearing were sent out.
3. This property is zoned Ag-40.
4. These two properties are not contiguous, but were put on one parcel for taxing purposes.
5. The owners are looking to retire and sell off some of their property.
6. The feedlot that is in question is owned by Jerry Tippelt. According to Stearns County no boundaries were sent back to the county so it is a registered feedlot, but not complete.
7. The area that the proposed structure would be built on is currently cropped. Under RR the standards are to keep this as crop land.

Recommendation:

1. This is a 3 piece request. Each request has issues, but may not be insurmountable.

Chair Honer reported that the request to Re-zone 20 acres was denied, but variance from the feedlot setback was approved and further approved the subdivision of the 20 acres even though it is not contiguous. This was a tough one for the Planning Commission.

They denied the rezoning and kept it AG-40, but to allow the 20 acre split and do a declaration of restriction on the 80 acre parcel. They approved the subdivision as there are 2 building entitlements – one on the current PID and one on the new parcel. The Planning Commission also recommends granting of the variance from the feedlot (non-contiguous) as they feel there are 2 building sites, but the variance would only allow one house. This needs to be put on the deed. The final site plan would need their approval.

Member Palmer also reminded the council of the right to farm ordinance and this should be put on the deed.

***Member Palmer introduced the following resolution and moved for its adoption:
RESOLUTION NO. 2014-25***

A RESOLUTION GRANTING APPROVAL TO SUBDIVIDE 20 ACRES AND FURTHER TO GRANT A VARIANCE TO CONSTRUCT A SINGLE FAMILY DWELLING WITHIN 700' OF A FEEDLOT.

WHEREAS, A request has been received from Andrew & Eunice Molitor Trust for a variance from feedlot setback requirements, approval of a subdivision, and rezoning of said 20 acres in the Ag 40 District, and;

WHEREAS, said request is hereby denied, however, the variance and subdivision with conditions was approved, and;

WHEREAS, Proper notification and publication had been given, and;

WHEREAS, all persons were given an opportunity to be heard on said request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. ***Said request is hereby approved to subdivide 20 acres from the 100 acre legal description, further a variance is granted to construct one single family dwelling with 700' of a feedlot. Deed restrictions will be placed on the said 20 acre split and also the declaration of restriction placed on 20 acres of the 80 acres parcel.***
2. ***Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.***
3. ***That granting of the variance will not be detrimental to the public health, safety, comfort and general welfare of the City.***

The motion for the foregoing was duly seconded by Member Volkmuth and the following vote was taken.

Member Willenbring stated that he would abstain as the Molitor's are his in-laws and he does not want there to be a conflict of interest.

AYES: Hagen, Palmer, Simon & Volkmuth

ABSTAINING: Willenbring

Motion passed on a 4 to 0 vote.

MIKE ROTH – 11190 Grand Lake Road – Chair Honer read the staff report:

Re: Variance Request

76.41649/0800: Owner: Michael A. Roth

Property Address: 11190 Grand Lake Road

Variance(s) Requested:

4. Variance to construct a 10' x 12' accessory structure and to locate it within the 50' shore impact area on property abutting Grand Lake – General Development Lake.
5. Impervious Surface – Total lot area is 30,000 sf of which 21% would be covered including the accessory structure. With the addition impervious surface exceeds the 20% by 186 sf and 1686 sf of the 15%.

Construction Requests:

2. Construct accessory structure and place it on the lake side of the house.

Relevant Information:

8. This property is located within the 1000' Shoreland Overlay District.
9. Property contains 30,000 square feet more or less.
10. 9 notices of public hearing were sent out.
11. Administrator did not request a certificate of survey for this request.

Recommendation:

2. This requires 2 variances on a conforming lot affecting the shore impact zone.

Chair Honer reported that being 186 SF over on impervious is not a lot, but locating the shed in the 50' shore impact zone is the issue. The request does maintain the flow of neighboring properties. If you make him go back it would infringe on neighbors visual view. This is a movable free standing shed that the Planning Commission would like him to move it back further – if he can.

Member Palmer voiced concern that using where the neighbors are goes against the ordinance we have now. Looking at the 50' line there appears to be room to move it back.

Member Willenbring indicated that the impact is still the same.

Member Palmer stated she is not in favor of granting this.

Member Willenbring indicated that using the OHWL is a huge difference so call it a fish house.

Motion by Member Palmer, second by Mayor Hagen, to deny the request, but grant the 1% variance from impervious surface, but not in the 50' shore impact zone. Mayor Hagen asked for an amendment to 50' from the Ordinary High Water Level.

Chair Honer stated the Planning Commission approved the request as presented.

ROLL CALL VOTE TAKEN:

**Mayor Hagen - aye
Member Palmer - aye
Member Simon - nay
Member Volkmuth - nay
Member Willenbring - nay**

Motion failed on a 3 -2 vote.

Motion by Member Willenbring, second by Member Volkmuth, to approve the 15 foot setback from the OHWL

Member Volkmuth would be in favor of something greater than 15'.

Member Willenbring views this as affecting personal property rights and does not see it as an impediment to the lake.

Member Palmer disagreed with Member Willenbring and stated that 50' is not a hardship.

Mayor Hagen to Member Willenbring – so if everybody wanted to do that, are you okay with that?

Member Willenbring stated ok if there is an established building line.

Member Volkmuth stated he would be okay with something going back further.

ROLL CALL VOTE TAKEN:

**Member Willenbring - aye
Member Volkmuth - nay
Mayor Hagen - nay
Member Simon - aye
Member Palmer - nay**

Motion failed on a 3 – 2 vote.

Mike Roth stated that location of building was to be the most aesthetically pleasing. It would be closer to the deck and it is not on level ground.

Member Volkmuth asked if locating it back 25' would work?

Motion by Member Volkmuth, second by Member Simon, to accept locating it at 25' setback with stipulations as presented.

ROLL CALL VOTE TAKEN*Member Palmer - nay**Member Simon - aye**Mayor Hagen - nay**Member Volkmuth - aye**Member Willenbring - nay**Motion failed on a 3 -2 vote.**Motion by Mayor Hagen, second by Member Willenbring, to send the request back to the Planning Commission and come up with something that will pass.**AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth**Motion passed on a 5 to 0 vote.*

PARK & RECREATION 2014 YEAR END REVIEW – Scott Stenseth shared the Park & Recreation Boards annual report. A copy is hereby attached and marked Exhibit A.
BALL PROGRAM SIGN UP – Scott indicated it is scheduled for March 28th.

FIRE DEPARTMENT – Requests for council action were presented:

TRUCK REPAIRS - The annual report on needed repairs to fire trucks shows a list of things that should be fixed. We keep putting off the repair and it is time do something about it. We propose to use excess funds left in budget this year instead of designating funds.

Repair totals are: Engine #2 \$6,565 plus travel – this unit has head gasket issues
 Tanker #3 \$ 761 plus travel – normal maintenance
 Engine #5 \$5,705 plus travel – this one is not worth fixing – needs to be

replaced

Funding: 101-42200-212 Gas & Oil	\$1,000
101-42200-218 Radio & Communication	\$1,000
101-42200-332 Training	\$2,090
101-42200-381 Utilities	\$2,000
101-42200-538 Personal Protective Equip.	<u>\$3,076</u>
	\$9,166

Also – the Rescue Van needs 4 new tires. Schweiter's is ready to replace them at a cost of \$822.64 so this needs to be added to use up PPE totally. It has a balance of \$3076.

E 101-42200-220

Budget Amendment: 101-42200-220 +\$8,343 +\$ 822 + \$10,000 budget = \$19,166

*Motion by Member Volkmuth, second by Member Willenbring, to approve the request as presented.**AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth**Motion passed on a 5 to 0 vote.*

BOAT/MOTOR/TRAILER – AMENNDEN RFA Funding: To get permission for a boat/motor for rescue calls Sheriffs dept. will not let us back on river. We have no motor @ this time. Request to spend up to \$7000 Fund 101-42200-540

At the time the request was made from the Fire Dept. they did not have enough funds in the budget so we are requesting to amend the request to reflect the amount needed from designated funds and further approve the budget amendment.

The Fire Department received a \$1000 check from the Rockville Lion's Club for the boat/motor.

Designated Fire Dept. Machinery & Equipment \$20.97***Designated Fire Dept. Mtg. Mileage \$1092.00******Designated Fire Dept. Health Service \$2800.00******Designated Fire Dept. Wage \$1795.00******Total from Designated Fund \$5707.97******Budget Amendment: From 1500 to 6,707.95****Motion by Member Willenbring, second by Member Palmer, to approve the request as amended.**AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth**Motion passed on a 5 to 0 vote.*

FIRE TRUCK ANNUAL MAINTENANCE – *The original RFA did not include where the money would come from.*

Please approve the annual repairs/maintenance for the fire trucks. The cost this year was \$4241.67 and is done by Emergency Apparatus Maintenance out of Lino Lakes.

Funding: 101-42200-220

Budget Amendment: From 10,000 to 12,408

Where funds will come from:

Designated Fire Dept. Operation \$2000.00

Designated Fire Dept. Mtg. Mileage \$408.00

Total Designated Fund \$ 2408.00

Motion by Member Volkmuth, second by Member Willenbring, to approve the amended request as presented.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

PUBLIC WORKS DEPARTMENT – Nick Waldbillig requested approval on the following:

We were able to purchase a snow plow truck from the City of Coon Rapids for \$66,005 plus \$2.00 filling fee. It will be financed at 80% Snow and 20% Street

Use Tax for the purchase of the snow plow truck \$4313.00

It will be financed at 80% Snow and 20% Street

We were able to purchase a White Chevy Pickup 1/16/14 from Granite City Motor Car and a Bob Cat from Farm-rite 1/30/14.

White Chevy Pickup \$16,103.75

Bob Cat \$19,768.96

\$35,872.71

Total purchase (Snow Plow/Use Tax, White Chevy Pickup & Bob Cat) \$106,192.71

Funding: To do this we will be using designated funds and the \$6,000 from machinery/equipment in the 2014 snow removal fund.

Designated Street Crack Filling \$6,566

Designated Street Crushing Gravel \$30,700

Designated Street Machinery/Equipment \$9,600

Designated Street Gas/Oil \$3,007

Designated Street Wages-Snow removal \$5,700

Designated Street Temp Employee SR \$1,400

Designated Street Gas/Oil-Snow Removal \$4,000

Designated Street Machinery/Equip. SR \$5,600

\$66,573

Machinery/Equip 2014 Budget \$6,000 101-43125-540

Use funds 101-43100-319 8000.00

101-43100-327 3700.00

101-43100-220 10,000.00

101-43100-308 157.00

101-43100-316 1000.00

101-43100-317 3420.00

101-43100-318 4900.00

101-43100-320 1000.00

\$ 32,177.00

\$104,750.00

Budget Amendment: Increase 101-43100-540 by 54,493.45 total budget \$61,493.45

Increase 101-43125-540 by 50,256.06 total budget \$56,256.06

Motion by Member Simon, second by Member Volkmuth, to approve the request as presented.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

UNFINISHED/NEW BUSINESS

RINKE NOONAN CONTRACT RENEWAL- Rena Weber reported the increases for the year.

Motion by Member Volkmuth, second by Member Willenbring, to approve renewal of the Attorney contract as presented.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

Member Willenbring wished to add something in city attorney contact to have it cleaned up so there are estimated parameters for contacting them. That way there is more control on the council's part.

ROCKVILLE LION'S CLUB GAMBLING LICENSE APPLICATION –

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

RESOLUTION NO. 2014-23

RESOLUTION APPROVING A GAMBLING LICENSE

WHEREAS, The Rockville Lion's Club has requested a gambling license at: Bugs & Buddy Pub & Grub, LLC -201 Broadway Street East, Rockville, MN 56369 and;

WHEREAS, No concerns were raised.

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

1. Approval of said license is hereby granted effective 12/17/14.

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

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

3RD PARTY CONTACT POLICY – Discussion was held regarding the revised edition of the policy as recommended by the city attorney.

Member Palmer introduced the following policy and moved for its adoption:

19.3 Contact with City Attorney

The Mayor and members of the City Council must obtain approval from the Council before contacting the City Attorney. In extraordinary cases, the Mayor may authorize contact with the attorney, but the person who made the contact must report on it to the City Council at the next council meeting. They must also notify the Administrator/Clerk when contact has been made, for purposes of verification with the attorney's invoice.

The Administrator/Clerk has authority to contact the City Attorney only when necessary.

19.4 Contact With 3rd Party Contracts

The City of Rockville has numerous contracts that help in the operations of the city. From time to time the contactors need to be contacted for specific direction. Therefore the City Council of the City of Rockville hereby adopts a policy by which employees of the city (both staff and Council) must make every effort to abide by. Contacts to 3rd party contracts are allowed with direct approval of the Council through the City Administrator/Clerk only if there is no cost to the city. If there is a cost to the city the Administrator/Clerk will have to approve the contact prior to the expense.

An annual letter shall be sent to each 3rd party contractor informing them of this.

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

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

PUBLIC MEETING

2015 PROPOSED TAX LEVY & BUDGET – Mayor Hagen announced that discussion would now be held regarding the 2015 tax lev & budget. Rena Weber reported that the tax levy actually goes down by 1.83% as the levy is staying the same as 2014.

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

RESOLUTION NO. 2014-24**RESOLUTION APPROVING 2014 TAX LEVY, COLLECTIBLE IN 2015**

Be it resolved by the council of the City of Rockville, County of Stearns, Minnesota, that the following sums of money be levied for the current year, collectible in 2015, upon taxable property in the City of Rockville, for the following purposes:

CITY OF ROCKVILLE 2015	SUPPLEMENT TO REGULAR LEVY FORM
CERTIFIED LEVY	LEVY AMOUNT
LEVY PURPOSE	(PLEASE ROUND TO WHOLE DOLLARS)
Revenue-Fund 101-41000	430,050
Fire Protection-Fund 101-42200	153,090
Economic Development- Fund 209	1,000
Road & Bridge Maintenance-Fund 215	246,273
Special Levies Outside of Levy Limits:	
Certificate of Indebtedness Pumper Truck Fund 101-42200	20,503
Lake Improvement District Fund 221-41000	14,500
2009A/1998 G.O. Utility Revenue Bond Disposal Portion-Fund 310	11,004
City Facilities-City Hall/Fire Hall-Fund 304	200,322
City Facilities-City Hall/Fire Hall-Fund 304 Detachment	8,228
CR 82 Imp (& SJ Louis) Bond Fund 308	21,485
TOTAL NET TAX CAPACITY BASED LEVIES	
TOTAL CERTIFIED LEVY	\$1,106,455

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Stearns County, Minnesota.

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

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

PUBLIC HEARING

CONSERVATION WATER RATE – Mayor Hagen announced that a public hearing to approve a conservation water rate would now be held.

Rena Weber and Judy Neu presented the proposed tiered conservation rates as recommended by the Finance Committee.

Subd. 1 Water Rate Fees will be:

- A. Water Availability Fees
\$ 9.54/month flat fee – OM & R (Operations, Maintenance & Replacement) +
Conservation Rate:
 0 – 2000 \$2.25/per thousand gallons
 2001 – 8,480 \$3.45/per thousand gallons
 8481 – 15,000 \$3.55/per thousand gallons
 15,001 + \$3.85/per thousand gallons

Rick Tallman and Member Willenbring presented their uniform rate for consideration:

CREATING UNIFORM CONSERVATION WATER RATES

The Rockville City Council amends Basic Code Section 52.51 Water Rates, Fees & Charges to read:

Subd. 1 Uniform Water Rate Fees will be:

- A. **Minimum water fee:**
2,000 gallons per month = \$10.00
- B. **Fee per thousand gallons**
\$5.00

COPIES OF BOTH SPEADSHEETS ARE HEREBY ATTACHED AND MARKED EXHIBIT B (Finance Committee version) & C (Tallman/Willenbring version).

CITIZEN COMMENTS:

Tudie Hermanutz –211 1st Street West – Tudie stated that she was less conservation conscientious. She will have incentive now and is in favor of Rick's plan. When she goes over the 14,000 gallons she will use less.

Jerry Tippelt –12318 235th Street asked when a new tower is built who pays for it.

Member Willenbring reported that a WAC charge is supposed to pay for it. *In addition if this is in a new development the developer should be making some payment.*

Jerry Tippelt - Is there revenue that is coming off the water tower? Why doesn't it go to the water fund?

Member Palmer stated that the reason for the 10% was to keep the water rates down; however, this is not something that the city should bank on as it could go away.

Vince Schaefer – 541 Caroline Lane stated that what Jerry is getting at is we paid to put the tower up so we would not build a tower for a private enterprise.

Motion by Member Volkmuth, second by Member Willenbring, to close the public hearing at 8:02 p.m.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

Member Willenbring stated that first and foremost he is looking forward to conversation that is civil. Rick is not aware of the change he is suggesting. He did the research. The Tallman endeavor may not cover the costs. First you would need to take the 20,000,000 gallons pumped and divide that by 1,000 x \$5.00 = \$100,000. That is the simple math.

The first 4,000 gallons would be the base rate. Many cities have a base rate so it is not a new idea. So Member Willenbring proposes that with 388 units today

0 to 4,000 in the \$5.00/thousand gallons base fee (or \$20.00)

Upcharge from there is 4,001 to 99,999 would be \$5.10/thousand gallons

100,000 to 199,000 would be \$6.10/thousand gallons

200,000 + would be \$ 7.10/thousand or \$115,000 estimate in revenue

435,100 was used in the ballpark

23 units used over 100,000 gallons

18 units used 100,000 to 200,000 @ 6.10/thousand

5 units used over 200,000 @ \$7.10 for a total of \$109,420

This would accomplish the tiered rate and meet DNR standards.

The water tower rent would bring us to \$115,000.

He went to a MRWA meeting in Waite Park where he learned that we should have at least 50% of the budget in reserve. The State is not going to come in and shut the doors if we don't accomplish this tonight.

Motion by Member Volkmuth, second by Mayor Hagen, to approve the finance committee's recommendation for the 4 tiered rate schedule.

ROLL CALL VOTE TAKEN:

Member Willenbring - nay

Member Volkmuth - aye

Mayor Hagen - aye

Member Simon - nay

Member Palmer - nay

Motion failed on a 3 to 2 vote.

Motion by Member Willenbring, second by Member Simon, to table action for one month giving Member Willenbring a chance to work closely with Member Palmer on an alternative.

ROLL CALL VOTE TAKEN:

Member Palmer - aye

Member Simon - aye

Mayor Hagen - nay

Member Volkmuth - nay

Member Willenbring - aye

Motion passed on a 3 to 2 vote.

COMMITTEE REPORTS

MAYOR – None

RTCB – None

HUMAN RESOURCES COMMITTEE– Chair Palmer reported on the following:

MAINTENANCE MECHANIC – The committee interviewed for this position and recommend hiring Gene Van Havermaet at step 3 - \$18.30 to \$18.87

Motion by Member Palmer, second by Member Willenbring, to hire Gene Van Havermaet as the Maintenance Mechanic at step 3 (\$18.30/hour) up to \$18.87.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

2014 FIRE DEPARTMENT APPOINTMENTS – Chair Palmer reported that 2014 officer appointments can now be done, but the 2015 office appointments need to be posted first.

HOUSE KEEPING - First there are some housekeeping items that came up:

LOA – If a member is on Leave of Absence they cannot show up for calls. This affects the Fire Relief rules.

Officer Position – If you hold an officer position you must have proper certifications.

Motion by Member Palmer, second by Member Volkmuth, to approve the recommendations to the Fire Department as presented.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

JOB DESCRIPTIONS – Chair Palmer reported that job descriptions for the officers and captains were revised and approved by Human Resources.

Motion by Member Palmer, second by Member Volkmuth, to approve revised job descriptions as presented.

Member Willenbring stated that he has not seen the job descriptions therefore would not vote on them. Does the description match the job that is required or the person? Job that is required.

They are not creating a job description for fire marshal and this will stay with the Fire Chief

AYES: Hagen, Palmer, Simon & Volkmuth

ABSTAINING: Willenbring

Motion passed on a 4 to 0 vote.

HIRING OF 3 TO 4 NEW FIRE FIGHTERS –Chair Palmer reported that Chief would like approval to advertise for hiring of 3 or 4 more fire fighters.

Motion by Member Simon, second by Member Willenbring, to authorize the advertisement of hiring fire fighters.

ADMINISTRATOR/CLERK PERFORMANCE EVALUATION – Chair Palmer reported that the Human Resource Committee did a performance evaluation of the Administrator/Clerk Rena Weber. They felt that she has done outstanding job managing the city especially in light of the turmoil in the public works department. The HR Committee is recommending that she be moved up one step to Step 6

Motion by Member Palmer, second by Member Willenbring, to approve the recommendation of the HR Committee to move the Administrator/Clerk to Step 6.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

ADMINISTRATOR’S REPORT

Rena Weber reported that it is year-end and this is the time we like to take care of designated funds and budget amendments to reflect what happened during the year.

DESIGNATED FUNDS – ***Motion by Member Volkmuth, second by Member Willenbring, to approve the following list of designated funds for 2014:***

Please approve the following Adjustment to the 2015 Designated Funds

	2014 <u>Amount</u>	<u>Total</u>
<u>GENERAL GOVERNMENT BUILDING</u>		
ADVERTISING TO GOV. OPERATION	1,000	160,538.23
MACHINERY/EQUIPMENT	1,000	5,276
<u>FIRE</u>		
TRUCK FUND	11,000	34,825
<u>BALL PROGRAM</u>		
OTHER EQUIPMENT	1,755	3,255
<u>PARKS & RECREATION</u>		
TREE MOVING/PLANTING	1,000	1,000
OTHER EQUIPMENT	1,000	3,000
CAPITAL OUTLAY	5,000	12,900
SPECIAL EVENTS TO TRACTOR FUND	1,000	2,000
BLEACHERS	1,000	1,000

Motion by Member Volkmuth, second by Member Willenbring, to approve the designated for 2015 as presented.

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

BUDGET AMENDMENTS – ***Motion by Member Palmer, second by Member Volkmuth, to approve the budget amendments as presented.***

(A copy is hereby attached and marked Exhibit D)

AYES: Hagen, Palmer, Simon, Willenbring & Volkmuth

Motion passed on a 5 to 0 vote.

PROPERTY LINE DISPUTE BETWEEN TWO PROPERTY OWNERS – Rena Weber reported that she has been working with the two parties for the past 3 -4 months regarding their property line dispute. At this time we have a letter from Sam DeLeo – surveyor on what he thinks should happen so basically it is not a city issue until this line is agreed to.

Jack Rozycki – 25699 Lake Road stated he has a warranty deed and legal description as he owns Lots 2, 3 & 4. He has been working on this issue for 3 to 4 months and would like to see it settled. He is giving the city 60 days or he will disconnect the grinder station currently being used by Travis Kent.

Rick Tallman – 25594 Lake Road stated that his property is on the other side of the Kent property. This was not properly vacated, he is not sure who came out to survey the area, but Jack has a legitimate issue.

Member Willenbring stated that he has looked at this issue and at the end of a lot –there is a residual piece of property. He suggested we establish the boundary dispute committee again.

Vicky Rozycki -25599 Lake Road stated that they have already granted an easement as the property on the other side needed an easement they were going to sell. She is open to granting an easement.

PLAQUE PRESENTATION – At this time Mayor Hagen presented an appreciation plaque to Randy Volkmuth citing his 16+ years of dedicated service to the city of Rockville and Pleasant Lake.

ADJOURNMENT – Motion by Member Volkmuth, second by Member Simon, to adjourn the meeting at 9:00 p.m. Motion carried.

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

**JEFF HAGEN
MAYOR**