

**ROCKVILLE CITY COUNCIL MEETING MINUTES
MAY 18, 2016
ROCKVILLE CITY HALL**

Item 1) Call to Order / Pledge of Allegiance

Item 2) Roll Call

The meeting was called to order by Member Palmer at 5:00 p.m. Roll call was taken and the following members were present: Council Members; Sue Palmer, Don Simon, Rick Tallman, and Duane Willenbring. Mayor Jeff Hagen arrived at 5:19 p.m.

Staff members present: City Administrator Martin Bode, Public Works Director Nick Waldbillig, City Engineer David Blommel w/SEH, Stearns County Sheriff Representative's Jon Lentz and Victor Weiss, Planning Commission Chair Bill Becker, City Attorney Adam Ripple w/Rinke Noonan

Others present: Steve Wischmann w/ Bergan KDV, Jerome and Donna Karls, Tудie Hermanutz Sandra Schutz, Julie Zimmerman, Shirley Sieben, Ev Balko, Theresa Mertes, Ed Schutz, Kristoper Bellmont, River Belmont, Gage Belmont, Kyria Miller, Vince Schaefer, Carol Dietman, Paul Wirth, Tom Zimmerman, Kathleen Stanger, Jerry Tippelt and Jan Stueve.

Item 3) Approval of Agenda

Member Palmer requested approval and additions to the Agenda.

Request by Member Willenbring to move Item 13. 4) Failed Liquor Compliance Check. Administrator Bode suggested this item be moved to between Item 8 & 9)

Member Tallman requested Unfinished Business be added. Administrator Bode stated that would be covered under Item 15. 4) Other.

Motion by Member Simon, second by Member Willenbring, to approve the agenda along with the additions as amended. Motion passed unanimously. (Mayor Hagen absent)

Item 4) Recess to Workshop

1) *Pleasant Lake Water Tower Debt Service (Water Tower Rent)*

From 2010-2015 the accumulated water tower debt is \$146,000. The water fund has been covering this shortage. Discussion was held on how to fund the debt service for the next seven years.

(Mayor Hagen arrived 5:19 p.m.)

2) *25683 Lake Road Nuisance Violation Unfinished Siding*

Discussion was held the length of time for a building permit. We need to work with our building official and enforce the city ordinances.

3) *Tax Forfeited – Waive Assessments*

Discussion on whether to waive the \$40,000 in assessments on a Prairie Industrial Park tax forfeited property that someone is interested in buying from the state if the assessments are waived.

4) *MN Truck*

MN Truck questioned whether the council would be favorable to tax abatement. At this time we do not feel that we are in a financial position to waive the taxes.

5) *Failed Liquor compliance Check*

Ordinance calls for a 3-day suspension (consecutive) for a second violation within 3 years plus a \$1,000 fine.

6) *Payment in Lieu of*

Adam Ripple, spoke about the payment in lieu of process and provided guidance. Members of the council provided input as well.

Mayor Hagen Reconvened Council Meeting 6:00 p.m.

Item 5) Pledge of Allegiance

Item 6) Open Forum (4) Minute Limit (No Sharing/Allotting of Minutes)

No one appeared.

Item 7) Approval Rockville City Council Minutes of April 20 and May 12, 2016

Motion by Member Palmer, second by Member Simon, to approve the City Council minutes of April 20 and May 12, 2016. Motion passed unanimously.

Item 8) Approval of Bills Paid

Motion by Member Palmer, second by Member Simon, to approve the bills paid for April and May. Motion passed unanimously.

Item 13.4 Failed Liquor Compliance Check

City Attorney Ripple reviewed with the Council the City Liquor Ordinance, for a second violation within a three year period, the ordinance calls for a 3-day suspension (consecutive) plus a \$1,000 fine.

Motion by Member Willenbring, second by Member Palmer, to enforce the 3-day suspension (consecutive) plus a \$1,000 fine. Motion passed unanimously.

Item 9) Consent Agenda:

City Attorney Ripple requested Item number 5 be pulled from consent agenda (moved to Item 12.5 and Member Tallman requested Item number 1 be pulled as well moved to Item 15.4.

- 1) **Approve of April/May 2016 Journal Entries (remove for further discussion)**
- 2) Approve Amended Fee Schedule
- 3) Approve Amended Calendar
- 4) Approval of Annual Liquor License Renewals
- 5) **Approve Rock-Fest Fireworks Contract June 4, 2016 (remove for further discussion)**
- 6) Approve Pleasant Lake Fireworks Permit July 3, 2016
- 7) Approval of LG220 MN Lawful Gambling Exempt Permit Pleasant Lake Area Homeowners Association October 18, 2016 at Waters Edge on Pleasant Lake
- 8) Approve LMC Liability Coverage Waiver Form to NOT WAIVE the monetary limits on municipal tort liability.
- 9) Acknowledge Rockville Veterans Monument Committee Minutes April 12, 2016
- 10) Approve Grand Lake Fireworks Permit July 4, 2016

Motion by Member Simon, second by Member Willenbring, to approve the Consent Agenda. Motion passed unanimously.

Item 10) Public Hearing – 260th Street Public Improvement

Resolution 2016-12 – A Resolution Ordering Improvement and Preparation of Plans

Dave Blommel, SEH Engineer, reported on the costs involved for improving 260th Street.

Jerome and Donna Karls, 260th Street, spoke about their concerns regarding the street improvements.

Julie Zimmerman, lives near 260th and spoke in favor of improving 260th Street.

Shirley Sieben, 260th Street, also spoke in favor of improving 260th Street.

Motion by Member Willenbring, second by Member Simon, to close the Public Hearing at 6:21 p.m. Motion passed unanimously.

Motion by Member Willenbring, second by Member Palmer to move forward with Resolution 2016-12: Resolution Ordering Improvement and Preparation of Plans for 260th Street. Motion passed unanimously.

Sheriff's Report: Officer Jon Lentz reviewed with the Council the April 2016 written Sheriff's report of the City of Rockville activity. Officer Lentz also introduced and reported that Lt. Victor Weiss will be taking over the position as the City of Rockville liaison.

Item 11) 2015 Audit Report -

Steven Wischmann, Bergan-KDV, gave a review of the 2015 Audit Report.

Resolution 2016-09 Approval of 2015 Audit Report

Motion by Member Willenbring, second by Member Palmer to approve Resolution 2016-09: Approval of 2015 Audit Report. Motion passed unanimously.

Item 12) Department Reports:

1) Sheriff's Report: Moved to after Item 10

2) Planning Commission
Chair Bill Becker presented the following:

Rezone R-1/B-2 to RR, Edward and Sandra Schutz 25173 County Road 138, Parcel No. 76.41607.0402

Re-Zoning Requested:

1) Request to re-zone 24.2 acre parcel more or less from R-1 to RR.

Purpose of Request:

1) To continue to allow for raising of farm animals.

Relevant Information:

1. Property contains 24.2 acres more or less.
2. 8 notices of public hearing were sent out.
3. This property is currently zoned R-1
4. This property prior to annexation was zoned Ag-40
5. Have a feedlot permit for 7 units
6. Future Land Use Map – Low density residential (not agricultural)
7. This area has a 300 foot Shoreland setback

PLANNING COMMISSION RECOMMENDATION

Consider Approval, Must Adhere to County Animal Unit Guidelines.

Motion by Member Palmer, second by Member Tallman, to approve the rezoning from R-1 to R-R and to amend the future land use map and comprehensive plan as presented. Motion passed unanimously.

3) Public Works

No update at this time.

4) Fire Department

Two new firefighters applicants to approve. This will be addressed at the next council meeting

5) Rock-Fest FYI

Kathleen Stanger, presented an update for this year's Rock Fest Festival scheduled for Saturday, June 4, 2016.

Motion by Member Tallman, second by Member Willenbring, to approve the Fireworks Contract. Motion passed unanimously.

Item 13) City Attorney Adam Ripple Rinke Noonan

1) Payment in Lieu Of

Motion by Mayor Hagen, second by Member Willenbring, to approve the change of payment in lieu (health benefits) of where the employee will receive \$300 per month and the balance of the payment in lieu of will be paid out in step increase(s) to the nearest whole step, provide (annual) proof of insurance, all future employees either use or lose the city benefits, and update Employee Handbook accordingly. Motion passed unanimously.

2) Resolution 2016 - 10 State of Minnesota JPA (And Related Documents)

Motion by Member Palmer, second by Member Simon, to approve a data sharing agreement with the state to access court records. This allows the county attorney's office to access documents for criminal prosecution. Motion passed unanimously.

3) Resolution 2016 – 11 Supporting Regional Trail Designation Application

Motion by Member Tallman, second by Member Willenbring, to approve supporting the regional trail designation application. Motion passed unanimously.

4) This item moved to between Item 8 and 9

5) 25683 Lake Road Nuisance Violation Unfinished Siding

Mayor Hagen will be contacting homeowner.

6) **Hold Harmless Agreement W/Coldspring re: Rock-fest Fireworks**

Motion by Member Palmer, second by Member Willenbring, to approve the Fireworks Hold Harmless Contract with Coldspring. Motion passed unanimously.

Item 14) Council Action:

Appropriations, Allocations and Transfers

- 1) Initiative Foundation \$600 Annual Membership Fee.

2) Paperless Council Packets

Discussion held on the amount of time and resources currently used to produce packets. Item postponed.

3) Fix/Repair Upgrade Council IT Equipment

- a) IT needs to repair some of the existing equipment
- b) Projector/screen replacement. Item postponed.
- c) Camera updates are being looked into by Tri-City Cable

4) Precision Concrete

Quote from Precision Concrete to bring the city sidewalks up to ADA Code. Administrator Bode will work with Members Willenbring and Simon to complete this project and not to exceed \$1180.

5) Tax Forfeiture Waive Assessments. The consensus of the Council was not to waive assessment fees.

6) 80th Street Water Corp

Quote from Steve Kraemer to repair water corp on 80th Street.

7) Repairs to Fire Department Tanker

8) Fire Department Electrical Cord Drops

9) 4 New SCBA Tanks

Motion by Member Willenbring, second by Member Palmer, to approve the Council Action items as listed with the exception of Item 2) and Item 3.b) being postponed and Item 4) not to exceed \$1180. Motion passed unanimously.

Item 15) Other Business

- 1) Stearns County Interim Use FYI
- 2) Stearns County Tax Forfeiture – FYI
- 3) Mayors Report – no report.
- 4) Other
 - a) Thank you to Member Willenbring for locating the last remaining city curb box's, approximately 70 of them.
 - b) Journal Entries

Motion by Member Hagen, second by Member Tallman, to approve the April and May journal entries. Motion passed unanimously.

Item 16) Open Forum (4) Minute Limit (No Sharing/Allotting of Minutes)

Tudie Hermanutz, 211 1st St W, explained that Rock Fest will be honoring veterans at this year's festival and encouraged all vets to attend.

Item 17) Adjourn

Motion made by Member Palmer, second by Member Willenbring, to adjourn the meeting at 7:24 p.m. Motion carried.

Martin Bode
City Administrator

Jeff Hagen
Mayor

