

CITY OF ROCKVILLE

P.O. BOX 93

ROCKVILLE, MN 56369

**AGENDA
JUNE 12, 2013
ROCKVILLE CITY HALL
6:00 P.M.**

1. **PLEDGE OF ALLEGIANCE**
Pause to honor Jerry Bechtold
2. **ROLL CALL**
 - a) Approve Additions to the Agenda (if any)
3. **OPEN FORUM (4) FOUR MINUTE LIMIT**
4. **CONSENT AGENDA:**
 - a) Approve minutes of 5/15/13
 - b) Approve Treasurer's Report of 06/12/13
 - c) Approve List of Bills and Additions of 06/12/13
 - d) Pleasant Lake Homeowner's Assn – Fireworks permit approval
 - e) Grand Lake – Fireworks permit approval
5. **BOARD/STAFF REPORT**
 - a) Police
 - b) Fire – request to hire three fire fighters
 - c) Public Works – ditch mowing bid & seal coating bid
6. **OLD BUSINESS/NEW BUSINESS**
 - a) Rental Ordinance fee schedule
 - b) Water Rate – ordinance effective date
 - c) Schedule PH – 7/2/13 – Noon (Bond Refunding)
 - d) Bids – Burg Street/Alvin & Marlene Court/Holly Road
 - e) Rock Fest approvals
7. **COMMITTEE REPORTS**
 - a) Mayor's Report
 - b) RTCB –
 - c) Finance – refer to notes (Voigt Family request)
 - d) Human Resources – refer to notes (PT Maintenance Worker)
8. **ADMINISTRATOR'S CORRESPONDENCE**
9. **OPEN FORUM**
10. **ADJOURN**

06/12/2013 agenda.wd

*This agenda has been prepared to provide information regarding an upcoming meeting of the City of Rockville. This document does not claim to be complete and is subject to change.

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, MAY 15, 2013 – 6:00 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 Susan Palmer, Randy Volkmoth & Duane Willenbring. Absent: Don Simon.

Staff members present were: Administrator/Clerk Rena Weber & Engineer Dave Blommel.

Others present were: Steve Wischmann, Jennifer Pikarski, Jim, Lon & Mike Voigt, Dean Headlee, Tудie Hermanutz, Rick Tallman, & Ev Balko.

ADDITIONS –There were none.

OPEN FORUM

Dean Headlee – Centrepont Energy was present at the meeting to present the Fire Department with a check for \$600 to purchase safety equipment. Mr. Headlee reported that as of this year the firm has awarded one million dollars in grants for safety projects.

Tудie Hermanutz reported that there is a community garden in the city that is owned by the church. She is just making us aware of the availability.

CONSENT AGENDA

CONSENT AGENDA – Motion by Member Volkmoth, second by Member Willenbring, to approve the consent agenda as presented:

- a) *Approve minutes of 4/17/13 & 5/1/13*
- b) *Approve Treasurer’s Report of 5/15/13*
- c) *Approve List of Bills and Additions*

<i>Accounts Payable CK #014407 to 014461</i>	<i>\$43,864.65</i>
<i>Payroll CK #004442 – 004450 & 00463 to 004471</i>	<i>11,478.31</i>
<i>EFT #000723 to 000730</i>	<i>5,381.04</i>
- d) *Liquor License Renewals*

<i>ON-SALE</i>	<i>OFF-SALE</i>	<i>SUNDAY</i>
<i>Big Daddy’s Burgers & Booze – Closed</i>		
<i>Stoney’s Bar</i>	<i>X</i>	<i>X</i>
<i>B’S Liquor of Rockville</i>		<i>X</i>
<i>400 Supper Club</i>	<i>X</i>	<i>X</i>
<i>Eddies on Grand Bar & Grill</i>	<i>X</i>	<i>X</i>
<i>Boomerville – not requesting</i>		

AYES: Hagen, Palmer, Volkmoth & Willenbring.
Motion passed on a 4 to 0 vote.

BOARD/STAFF REPORTS

POLICE- There were 37 hours of contract time spent during April.

FIRE DEPARTMENT 3 RFA’S Rena Weber reported that there are three requests from the Fire Department.

(1) Requests approval to purchase an 8’ x 14’ aluminum rail side single axle utility trailer using funds received from the sale of Rhino 4 x 4

Cost is:	\$1995.00
Sales tax	.00
Perm. Reg. & License fees total	<u>102.50</u>
	\$2,097.50

Funding:	Sale of Rhino \$5200.00
	Less sales tax <u>334.50</u>
	4865.50 funds available

E 101-42200-540 Budget Amendment: + \$5200.00 101-42200-39101

- (2) Request approval to purchase 1 two-way mobile radio for use in a truck.

	\$2,769.39	radio
	395.00	
	3,164.39	
	- 1,000.00	DNR grant
	2,164.39	

Funding: There is \$2,768.00 left from the sale of Rhino 4 x 4 which will cover the remaining balance.

E 101-42200-540 \$3,164.39

Budget Amendment: 101-42200-540 \$5200.00

- (3) Request approval to donate the following:

- 7 Motorola chargers
- 4 Power Supply
- 2 Portable Radios
- 1 Pager
- 1 Portable Leather Case

The department has researched the value of this equipment and has found them to be outdated and unusable for use. We would like to donate them to a fire department in the Dominican Republic. These do not show up on the fixed assets report, but will still need Council approval.

Motion by Member Volkmuth, second by Member Willenbring, to approve the above three requests as presented.

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

PUBLIC WORKS – Public Works Director Rick Hansen requested the following:

Please approve Central MN Dust Control for the 2013 dust control. This is a company out of Richmond and applied our dust control last year. The price is \$0.55 per foot @ 18ft wide. The price has decreased \$0.02 per foot due to availability.

We have \$11,000.00 budgeted for dust control.

Motion by Member Volkmuth, second by Member Palmer, to approve the dust control bid for 2013 as presented.

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

OLD/NEW BUSINESS

2012 ANNUAL AUDIT PRESENTATION - Steve Wischmann was present to go over the 2012 annual audit citing a clean audit. Staff was thanked for their hard work.

Motion by Member Palmer, second by Member Volkmuth, to approve the following Resolution as presented.

RESOLUTION NO. 2013-13

RESOLUTION ACCEPTING THE 2012 FINANCIAL AUDIT REPORT & MANAGEMENT LETTER

WHEREAS, a yearly audit was performed by Kern DeWenter Viere (KDV) on the 2012 City Financial Audit, and;

WHEREAS, Said audit was reviewed with the city council at their 05/15/13 council meeting.

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

- 1. Said 2012 Financial Audit & Management Letter is hereby accepted and approved.***

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

AUTHORIZE SPECIAL HUNTING IN ROCKVILLE COUNTY PARK – Rena Weber presented her review of the city ordinance on hunting in city limits Vs Stearns County's ordinance.

City of Rockville – Ordinance on Hunting in City Limits

(E) Exceptions. This section shall not prohibit the firing of a military salute or the firing of weapons by persons of the nation's armed forces acting under military authority, and shall not apply to law enforcement officials in the property enforcement of the law, or to any person in the proper exercise of the right of self defense, or to any person otherwise lawfully permitted by proper federal, state or local authorities to discharge a firearm in a manner contrary to the provisions of this section.

County of Stearns –Ordinance No. 353 5. PUBLIC SAFETY

5.2 This section shall not apply to those in possession of a permit under the terms of an authorized controlled hunt.

Rena reported that the Planning Commission reviewed the interpretation and agreed that city ordinance does allow special hunting as long as the city council approves/authorizes it.

**Member Volkmuth introduced the following resolution and moved for its adoption:
RESOLUTION NO. 2013-14**

RESOLUTION AUTHORIZING SPECIAL HUNT IN ROCKVILLE COUNTY PARK

WHEREAS, Stearns County Parks is requesting approval to allow hunting for disabled persons in a public park for a specific period of time, and;

WHEREAS, Whereas City Ordinance #130.02 Discharging firearms (E) Exceptions grants local authority (City of Rockville) to allow such specified hunting.

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

2. Disabled Hunts for Deer & Turkey

Stearns County Parks will work with the non-profit (MN Outdoors Unlimited) to administer the program. By utilizing general seasons no special DNR permits will be needed. During the shotgun deer season special safety measures for other users would be needed and will include signage and closure of the park for general recreation during these specific days.

3. Example of possible handicapped hunt details:

- **5 Day October Turkey Hunt & 5 day November Deer Gun Season (Both during regular seasons).**
- **Hunting limited to established blinds (2 -4 Blinds to be established).**
- **DNR License and permit to shoot from vehicle required. (MN Outdoors to take applications. A lottery will be used if more applications than available slots. Preference given in future years for hunter not chosen in present year.)**
- **Steel shot only for turkey hunting.**
- **Due to fawn rehabilitation at site – no harvesting of fawns. (Note: No specific harvest limit needed – per DNR).**
- **Posting of park and public notice of hunting.**

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

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

HOLLY ROAD – 80TH AVENUE - BURG STREET UPDATE –

Dave Blommel reported that the discrepancies for Holly Road and 80th Avenue were based on what he used as a standard road replacement for milling & repaving. Dave's estimate had a larger scope and the quotes last year were for an overlay.

Dave Blommel had plans and specifications for Burg Street/Alvin & Marlene Court citing that Holly Road could easily be added to the project for bids.

Discussion was held regarding the four homeowners on Holly Road being asked to sign a waiver form on the assessment using the assessment policy with the current rates and based on the 27/73 split. The people will also be asked to agree that this will have to last at least 20 years before another project would be considered.

80th Avenue will not be done this year.

***Member Volkmuth introduced the following resolution and moved for its adoption:
RESOLUTION NO. 2013-15***

Resolution Approving Plans and Specifications and Ordering Advertisement for Bids Using the Most Cost Effective Manner.

WHEREAS, pursuant to a resolution passed by the council on Wednesday, May 15, 2013 the city engineer (consulting engineer retained for the purpose) has prepared plans and specifications for the Burg Street, Alvin Court, Marlene Court and Holly Road Improvements and has presented such plans and specifications to the council for approval;

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

- 1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.**
- 2. The city clerk shall prepare and cause to be inserted in the official paper and Finance & Commerce Publication an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the clerk until a time and date selected by the city engineer, at which time they will be publicly opened in the council chambers of the city hall by the city clerk and engineer, will then be tabulated, and will be considered for award at a future City Council meeting. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashiers check, bid bond or certified check payable to the clerk for 5 percent of the amount of such bid.**

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

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

SINGLE GARBAGE HAULER – Rena Weber reported that she received a large packet of information from Ross Olson – Sauk Rapids Administrator. It was determined that the information would be reviewed at the 5/29 Finance Committee meeting – 4 p.m.

VOIGT FAMILY REQUEST – Jim, Lon & Mike Voigt were present at the meeting stating that they did not get a response from the city on their proposal. *(For the record – Administrator/Clerk Weber informed Jim Voigt that their proposal was not signed and further the council did not accept it)*

Member Volkmuth stated that he would like to sit down with David Drown (Financial Consultant) to discuss this issue.

Jim Voigt claimed the city is using their property in three places without easements:

- Cul-de-sac at the end of Pleasant Road
- Sewer Lift station
- 900' line under the Pleasant Road between Jim's house & the lift station.

Jim Voigt stated that the family is offering to sell land at \$10,000/acre – city pick.

Mayor Hagen questioned if we are using their property without approval that is an issue, but he does not believe the city would just do that.

Jim Voigt stated the family needs something negotiable.

Member Volkmuth indicated he would like to see a site map blown up for meeting with David Drown. Essentially the city is looking at \$252,000 instead of \$352,000.

JUNE MEETING DATE CHANGE – Rena Weber reported that two members will not make the 6/19 meeting for sure and if the council is looking at approving any refunding we would need a super majority of the council.

Motion by Member Volkmuth, second by Member Willenbring, to move the June 19th meeting up a week to June 12th – 6 p.m.

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

PERSONNEL COMMITTEE MEETING – It was determined that a Personnel Committee meeting would be held right after the Finance Committee meeting on 5/29 5:30 p.m.

PUBLIC HEARING CONTINUED – RENTAL ORDINANCE – LIFT MORATORIUM – Rena Weber presented the corrected version of the rental ordinance.

Motion by Member Volkmuth, second by Mayor Hagen, to close the public hearing at 7:01 p.m.

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

Motion by Member Volkmuth, seconded by Member Willenbring, to lift the moratorium on rental inspections effective immediately.

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

Member Willenbring voiced concern that Section 104.A50 still states bi-annual. He also would like to see the minimum charge reduced from \$100 to \$50/hr.

Member Palmer would be okay with that as long as the building inspector does not charge more than \$50/hr.

Member Volkmuth introduced the following ordinance and moved for its adoption:
ORDINANCE NO. 2013-79

AMENDING THE RENTAL ORDINANCE

(A copy is hereby attached and marked exhibit A and includes the deletion of the word bi-annual to section 104.A50 and further that the building inspector does not charge more than \$50/hour).

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

COMMITTEE REPORTS

MAYOR – Mayor Hagen had nothing to report.

RTCB – Member Willenbring had nothing to report.

PUBLIC WORKS – Rena Weber reported that the Public Works Committee met with Jodi Teich – Stearns County Highway Engineer in regards to County Road 138 turn back. A 4th option was brought up and members adjourned to the site to look at the option of possibly closing off the north end of CR 138 with a cul-de-sac. This is just being explored. No action was taken.

FINANCE COMMITTEE - Chair Palmer reported that the Finance Committee had met prior to this meeting to consider the re-assessment of special assessments to Parcel #76.42146.0807. The city received \$32,109.48 from the sale of the lot that Butch Voigt purchased last summer on the auction. There was \$40,833.60 in special assessments on that property. We indicated that we would re-assess \$16,000 once it was sold. We are really short \$8,724.12 on special assessments so the question is do we still wish to process the request for \$16,000 or go with a

lesser number. The land sold for \$34,200 so the county took \$2090.52 for their administrative cost and we got the rest. The Finance Committee recommends keeping the assessment at \$16,000 as there were taxes not paid on this lot.

Motion by Member Willenbring, second by Member Volkmuth, to accept the recommendation of the Finance Committee and keep the assessment at \$16,000 as approved previously.

AYES: Hagen, Palmer, Volkmuth & Willenbring.

Motion passed on a 4 to 0 vote.

ADMINISTRATOR'S CORRESPONDENCE

SCML – Rena Weber reported that the next Stearns County Municipal League meeting will be held on Tuesday, May 22, 2013 in Kimball. Member Willenbring to attend.

OPEN FORUM

Rick Tallman – 25594 Lake Road – spokesman for CFUR presented a written document for inclusion in the minutes regarding:

- Water Rate Amendment – effective date
 - Reduced sewer rates if less water is used
 - Request for Information form - declined
- (A copy is hereby attached and marked Exhibit B)*

Diane Willenbring –25213 County Road 139 also questioned the water rates effective date. She had concerns on the following:

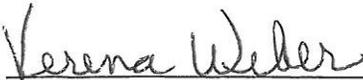
- Street light at the Senior Housing parking lot. *(This is a private parking lot and she should check with their electricity supplier).*
- County Road 139 – she has a safety concern in that when the farmers haul manure out from the field north of Gross's. A biker could get hurt by driving over it. *(This is a county issue and she would need to contact them)*

Member Willenbring requested clarification on excessive use of staff time when there is no ordinance violation. When does the Administrator charge the hourly rate? We should clarify that it is not just water rate related. We need to give directive to the Administrator. Is it straight across the board \$50/hr. and a minimum of an hour?

Mayor Hagen asked if this is such a big issue. Rena Weber reported that there was maybe three times when such excessive use occurred and the city charged.

Member Palmer asked if the city has talked to Maine Prairie Township about repairing Grand Lake Road on their side.

ADJOURNMENT– *Motion by Member Volkmuth, second by Member Willenbring, to adjourn the meeting at 7:24 p.m. Motion carried.*



VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR