MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, NOVEMBER 12, 2014 – 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 Sue Palmer, Don Simon, Duane Willenbring. Absent: Randy Volkmuth

Staff members present were: Administrator/Clerk Rena Weber & Public Works Director Nick Waldbillig,

Others present were: Jim Voigt, Tudie Hermanutz, Richard & Dorothy Tallman, Carol Dietman, Tim & Deb Byram, Tom Maselter, Vince & Audrey Schaefer, & Vicky Rozycki.

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

1. Planning Commission – meeting was cancelled due to the weather so all items should be removed from the agenda.
2. Policy on 3rd party contacts.
3. Voigt family has sent a letter against the proposed assessment to the tax rolls.

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

OPEN FORUM

Rick Tallman 25594 Lake Road – questions on:

- Check the mikes – especially Randy's – it's hard to hear what he says
- Going over the packet he notes the minutes of 10/15/14 – motion was made and 2nd to change the language on the policy – that's not what really happened. He sees there is language here tonight – just wanted that noted.
  (Motion by Mayor Hagen, second by Member Palmer, to instruct the Administrator/Clerk to draft a policy change to include contacting 3rd party contract to "without direct approval of the council only the city administrator can contact them. Member Palmer wished to add a friendly amendment to state that a letter will be sent to all 3rd vendors informing them of the policy change.)
- Water Heater for City Hall – most people change from electric to gas. Total cost came up to $2100. Were there bids taken.

CONSENT AGENDA – *Motion by Member Palmer, second by Member Simon, 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 11/12/14

Accounts Payable CK #015619 - #015673	***$62,134.73***
Payroll CK #004812 - #004818	***6,923.27***
EFT #00874 – #000877	***4,714.91***

c) Canvass Election results (See attached Exhibit A)
d) Approve Pleasant Lake Area Homeowners Assoc. raffle-Water's Edge Restaurant 1/24/15
e) Approve St. Augusta Blizzard Busters raffle – Water's Edge Restaurant 2/7/15
f) Approve Certifying outstanding bills to 2015 Tax Rolls (See attached Exhibit B)

Member Willenbring wanted clarity on the approval of minutes in regards to the policy of 3rd party contact. Are we going to be acting on that policy tonight? Rena Weber stated that she was sure it would be tabled since the council just received it tonight.

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

BOARD/STAFF REPORTS

POLICE DEPARTMENT– Rena Weber reported that the officer was not aware that the meeting date had been changed. Also the Channel 10 person would not be here tonight as he was taking care of the meeting in Richmond.

PUBLIC WORKS – Nick Waldbillig asked the council to approve the purchase of salt and sand for the streets.

Funding: 101-43125-228	$6,110.68	Holicky Brothers
	1,005.00	Kraemer Trucking
	7,115.68	

E Budget has $3924.50 left plus
Designated Funds has $6900.00
Budget Amendment: Use up the designated funds first and an additional $215.68 to come out of salt sand budget leaving a budget of $3708.82
Journal Entry:

	DBT	CR
Designated fund		-6900.00
101-43125-228	6900.00	

Motion by Member Willenbring, second by Member Simon, to approve the request as presented.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

FIRE DEPARTMENT – Rodney Schaefer asked for the following:
Funding: To get permission for a boat/motor for rescue calls. The Sheriff's dept. will not let us back on river. We have no motor @ this time. To spend up to $7000
Fund 101-42200-540

Motion by Member Willenbring, second by Member Simon, to approve request as presented.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

FIRE TRUCK ANNUAL MAINTENANCE - Rena Weber asked the following on behalf of the Fire Department: 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
Designated Fire Dept. Operation $2000.00
Designated Fire Dept. Mtg. Mileage $408.00
Total Designated Fund $ 2408.00

Motion by Member Palmer, second by Member Willenbring, to approve the request as presented.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

NEW BUSINESS

SUSAN DEAN - 21983 Agate Beach Road – Rena Weber reported that Susan Dean recently had her lot split into two and now would like to reserve a sewer stub, but in addition she wants it placed on the tax rolls. In the past the city has granted such requests.

Motion by Member Palmer, second by Member Willenbring, to approve placing the sewer stub in for Susan Dean (76.41705.0016) $8,782.50 on the tax rolls – 5 years @ 4.75% interest.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

CONSERVATION WATER RATES – Rena Weber requested the council schedule a public hearing to adopt the new rates before 1/1/15.

Member Palmer reported on the finance meeting from last month to this month in which options were reviewed and are recommending:

- 0 to 2000 $2.25 per thousand gallons
- 2001 to 8480 $3.45 per thousand gallons
- 8481 to 15,000 $3.55 per thousand gallons
- 15001 + $3.85 per thousand gallons

Mayor Hagen reported that they moved the range from 24,000+ to 15,001+ to add a comfort level as far as revenue collections could be.

Member Willenbring felt there would be push back and he needs time to wrap his arms around it. He would like to cover the first 2,000 gallons in the base fee, make it up in the 24,001+ tier. He would have no fear factor at this point.

Member Willenbring was invited to give the Administrator/Clerk some other options. He then suggested the base fee include 2,500 gallons then take the balance to see where they would be. He will stop in to meet with staff.

Motion by Member Simon, second by Mayor Hagen, to schedule a public hearing for 12/17/14 at 6:30 p.m. to consider water conservation rates.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

COMMITTEE REPORTS

MAYOR - Mayor Hagen had nothing to report.

RTCB – PROJECT AGREEMENT & ESCROW AGREEMENT – Member Willenbring reported that the RTCB is working on Phase 2 of the trail to Rockville and approval is needed to enter into agreement with Stearns County as the fiscal agent.

Motion by Member Willenbring, second by Member Palmer, to approve the proposed agreements as presented.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

PUBLIC WORKS COMMITTEE – Chair Simon reported on the following:
250th Street – Brent Nierenhausen and his neighbors were present to request asphalt on 131st Avenue and 250th Street.

- 3200' $265,380.00 for a new road – using the most up to date cost estimate.
- Assessment – for new construction is 100%

Discussed dust control Vs adding additional millings to tighten up the road base

- Class 5 – which is compacted and wet

It was determined that the residents would like to see the road upgraded with Class 5 – which is part of regular maintenance.

2015 PROJECTS Pleasant Road - $1,393,120. The cost estimate includes the extension of an 8" watermain. Dave Blommel suggested sending a survey to the homeowners, with a cost estimate of replacing the well as opposed to having the water provided. WAC cost and possible service line cost for construction should be included. Dave to work with Rena on this.
Sauk River Road – Don met with Scott Henderson from SRWD on a possible fix. Nick to call around to see if we can fix the apron on the culvert this fall.

DUST CONTROL- During the bus tour the question came up about doing more dust control and cutting back on the grading costs. Once the road is established it stays that way. The concern was that in winter intersections that are dust controlled become slippery.

SALT SAND SHED – Nick indicated that there should be no storage of equipment in the shed if built and we need to maintain our equipment that is used.

WATERLINE REPAIRS – Chestnut Street. There were cones placed around the construction area the night the job was first done, however they disappeared. A few people reported damage to their vehicles. This was turned over to Kraemer Excavating insurance company since it was a contracted project.

ADMINISTRATOR'S REPORT

BUS TOUR UPDATE – Rena Weber reviewed the notes from the bus tour on 10/25/14 where no action was taken. (A copy is hereby attached and marked Exhibit C).

CITY HALL WATER HEATER –Please approve the replacement of city hall water heater. The old one had significant rust on the bottom of the tank and needed to be replaced. I reviewed this with Mayor Hagen – we went with a household heater. The new heater has a lifetime warranty that covers the tank – if it leaks – it gets replaced for free. A 50 gallon tank was quoted and actually was out of stock so Dennis Hansen gave the city an 80 gallon tank which should have cost $200 more. We have a water heater that will last – no maintenance and city can check into off-peak electric.
Funding: 101-41950-540

Member Willenbring questioned the purchase of the heater at $1629 plus the electrical bill to amount to $2194.

Motion by Member Palmer, second by Member Simon, to approve the purchase of the water heater as presented.
AYES: Hagen, Palmer & Simon
NAY: Willenbring
Motion passed on a 3 to 1 vote.

ADDITIONS TO THE AGENDA

POLICY ON 3RD PARTY CONTACTS – Mayor Hagen read the proposed policy on 3rd party contacts –

19.3 <u>Contact with City Attorney</u>

The Mayor and members of the City Council must obtain approval from the Council before contacting the City Attorney regarding any city matter. 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.

<u>19.4 Contact With 3rd Party Contractors</u>

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 contractors 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.
Contacts by citizens to any of the contractors are prohibited if it is going to incur an expense to the city and those contacts should be made only when it has been made clear to the contractor that the citizen is making that contact for their personal reasons only.
An annual letter shall be sent to each 3rd party contractor informing them of this.

Motion by Member Willenbring, second by Member Simon, to table action on the proposed policy until the next meeting.
AYES: Hagen, Palmer, Simon, & Willenbring
Motion passed on a 4 to 0 vote.

VOIGT FAMILY OBJECTION TO INVOICE 13-50 SAC CHARGES – Attorney Adam Ripple had advised the Council to acknowledge the letter received from the Voigt's and nothing further.

PART-TIME SEASONAL PLOW DRIVERS – Member Simon stated that after the last snow storm we hired two extra plow drivers. We pay the snow plow operator less than what they currently earn and asked if we can raise their rate to $17.00 hour. They are paid $15.00/hour now.

Member Willenbring agreed with Don and the $17.00/hr.

Motion by Member Simon, second by Member Willenbring, to approve raising the rate paid to the snow plow operators at $17.00/hr. retroactive to 11/10/14.

Member Palmer stated she was not opposed to the increase, but that she is amazed that we are giving someone a 13% raise and they did not even request it. This is inconsistent with the raises given recently and that is why she would oppose this increase.

Mayor Hagen agreed that Sue makes a good point. We need to be consistent. Mayor Hagen asked if they would then be employees and would there be additional PERA, FICA, etc.?

AYES: Hagen, Simon, & Willenbring
NAYS: Palmer
Motion passed on a 3 to 1 vote.

MAINTENANCE MECHANIC – Mayor Hagen reported that as of today there are only two applicants for the Maintenance Mechanic position and Nick asking for a two week extension. Request granted.

OPEN FORUM

Tudie Hermanutz - 211 1st St W asked if it is possible to get copies of the proposed Water Rate options available beforehand. Rena said – yes as soon as she meets with Duane Willenbring for his option.

Rick Tallman – 25594 Lake Road had a couple of things:

Bus tour goals – What happened with the Castaway house, Ruth Brown, & Todd Wahnschaffe concern? *Rena indicated:*

Castaway house – Send letter asking of their intentions
Ruth Brown – follow up with Sheriff's Dept.
Todd Wahnschaffe - Needs to do his landscaping

Consent agenda had payment of $1300 for a water hydrant meter purchase – was this new or replacement? *Nick reported this was to replace a meter that was lost before he came on.*

If the meter is no longer around was there a report filed? *Rena reported that this came to her knowledge only recently and it was under previous PW Director's watch.*

Finance meetings are public meetings and anything being discussed there copies of everything you are talking about must be available. He has attended many meetings and there never is anything available. At the August meeting which he taped, Rena reported there was $3,000 more than the projected income for the water fund. The repairs expense had a budget of $25,000 and only $4,000 was spent. Where did that go?

Member Palmer stated that this was a budget. We look at the actuals.

Water rates you are talking about – he really wants to see the proposals. Does he need to supply a data practices request to get this information? *Rena passed her copy to Mr. Tallman.*

Snow plow drivers – somebody losing money to come help out the city, that's just wrong.

Vince Schaefer – 541 Caroline Lane – complimented the council on 3 mikes that work. Sue's does not work.

3rd Party Contract Policy – With all the time that city staff is taken up because of constituents requests, that is public information. The council spent two meetings discussing this policy and he is not sure how much time by staff was spent. All you have to do is send a letter to contractors city of Rockville will not be liable for any changes not authorized by the city council.

Member Willenbring had one question on hydrant meter. He assumes it is the same meter he froze his fingers to last year, but not this one.

ADJOURNMENT – ***Motion by Mayor Hagen, second by Member Willenbring, to adjourn the meeting at 7:07 p.m. Motion carried.***

VERENA M. WEBER-CMC **ADMINISTRATOR/CLERK**	**JEFF HAGEN** **MAYOR**

EXHIBIT A

Detail of Election Results
City of Rockville
Tuesday, November 4, 2014 2014 State General Election

Office Title: Council Member (Rockville) (Elect 2)

Precinct	NP RICHARD TALLMAN	NP BILL BECKER	NP DUANE P. WILLENBRING	NP PAUL B. WIRTH	NP TONI HONER
73 0235 : ROCKVILLE	392	290	466	303	251
Total:	**392**	**290**	**466**	**303**	**251**

Precinct	WI WRITE-IN**
73 0235 : ROCKVILLE	10
Total:	**10**

EXHIBIT B

OUTSTANDING UTILITIES AND INVOICES

11/3/2014

PARCEL	ACCOUNT	WATER & SEWER FEES		
76.41652.0200	07-091	676.01	602-49490-31900	Sewer
76.41840.0003	07-1171	558.68	602-49490-31900	
76.42189.0020	07-1461	243.91	602-49490-31900	
76.42141.0007	08-281	50.84	602-49490-31900	
76.41603.0200	08-1051	49.78	602-49490-31900	
76.41619.0200	08-481	66.39	602-49490-31900	
76.42141.0018	08-1281	66.39	602-49490-31900	
76.42142.0033	08-1501	676.01	602-49490-31900	
76.42141.0026	08-2031	66.39	602-49490-31900	
76.42240.0043	01-0001	747.05	601-49440-31900	water
		7.01		safe water
		174.22	602-49490-31900	Sewer
		184.51		Sewer Debt
76.41631.0100	05-0119	127.82	601-49440-31900	water
		4.73		safe water
		8.80		Sales Tax
		119.23	602-49490-31900	Sewer
		124.49		Sewer Debt
		3,952.26	**Grand Total Water & Sewer**	

Parcel #	Invoice	Date	Amount	Code	
76.41720.0445	13-51	12/01/13	42,535.94	601-602	WAC/SAC
76.41600.0400	13-50	12/01/13	23,631.08	602	SAC
76.42240.0028	14-05	03/05/14	70.76	101-41000	Scheduled Rental Inspection/Owner no show & no cancelation
			66,237.78	Grand Total Invoices	

EXHIBIT C

BUS TOUR GOALS
10/25/14
9:00 a.m.

The following people attended the bus tour:

Toni Honer, Rena Weber Judy Neu, Mandy Lais, Dave Blommel, Dale Borgmann, Jerry Tippelt, Don Simon, Bill Becker, Duane Willenbring and Susan Palmer.

Notes are marked in bold – no action taken.

1. **Discuss policy issues**
2. **Future development**
3. **View roads while touring**

POLICY –

Outside storage should be fenced in – how serious are we with this?
S J Louis – **Just stopped and looked at**

R-1 District allows basically single family dwelling.
Old Sportsman Club use is currently more than that.
Stopped and looked at – will need to discuss further

Must be hooked up to water/sewer if within 360'
Pickup and Power Sports – not hooked up yet.
Council will have to enforce the ordinance

Trimming trees in road right of way
Agate Beach Road – residents become agitated when this is done.
This is a safety concern – put policy in the newsletter

Campers – if they were to hook up to city sewer – would that be okay?
Consider property rights – **A lot of campers were gone, but not all**
Hubert Lane

Snow removal
Hubert Lane – how much do we do?
Road too narrow to drive down it in a bus

Issues/Concerns
Castaway house – **Send letter asking of their intentions**
Ruth Brown – **follow up with Sheriff's Dept.**
Todd Wahnschaffe - **Needs to do his landscaping**

FUTURE DEVELOPMENT

A question was asked of staff if a storage building with an association could be built in the industrial park. This would then become a "man cave". **Concern on drinking becoming an issue**

Development near a lake – The future zoning map has certain land depicted as agricultural transitional. It is being cropped. Would the council consider re-zoning it to RR and allow 5 to 10 acre lots with horses, animals? **Interesting- for future discussion**

Rural Residential – The Molitor's wish to subdivide 20 acres from their 100 acre farm – 3 questions have to be discussed for this approval.

Notice was mailed to property owners within 350' – is that enough? Feedlot needs to be identified.

Salt sand storage building – look at fire hall property

Public Works future facility - " " " " "

Salt Sand shed should be built here as there appears to be room, might not be the best site

ROADS TO VIEW AS WE TRAVEL

Sauk River Road – culvert & fall off area

260th Street

Cypress Court Trail

82nd Ave

White Oak Road

Lena Lane

Pleasant Road – reconstruct with Extension of Water

Lake Road

Question came up about applying more dust control to cut down on the cost of grading each year.

230th Street – since it is through wetlands – how about grinding it back to gravel?

GOOD THINGS THAT ARE HAPPENING

Forfeiture property is just about sold