

ADDITIONS TO THE AGENDA
7/15/09

1. Review annual Lump Sum Pension Plan report – Fire Relief Assn.
2. EDA & Rocori Trail updates.

MINUTES OF A REGULAR EDA MEETING HELD MONDAY, JULY 13, 2009**6:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by President Vern Salzl. Roll Call was taken and the following members were found to be present: President Salzl, Bill Becker, Duane Willenbring & Rena Weber. Absent: Ed Karls, & Heidi Peper. Duane Willenbring arrived at 6:14 p.m.

APPROVE MINUTES OF 05/11/09 – Motion by Chair Salzl, second by Member Becker, to approve the minutes of 05/11/09 as presented. Motion carried unanimously.

NEW BUSINESS – There was none.

OLD BUSINESS

FIRE HALL FLOOR – Discussion was held regarding the proposal by SBI to fix the apparatus bay floor.

	7,244 Square feet total	
	<u>-4,426</u> SBI to take care of	
	2,818 Remaining	
4,426		2,818
X3.00 = \$13,278.00		x3.00 = \$8454.00

The following was determined:

- City needs to see sample first
- Is the borderline area included in SBI's fix or not?
- We want the floor to look the same throughout
- The city would pay for our portion directly – separate bill no overhead for change order
Rena to question SBI on the marginal bays and if it included then okay to do the whole floor.

Motion by Member Simon, second by Member Becker, to first question SBI if the borderline areas are included, further that the EDA would pay to replace the remaining area of 2218 square feet at \$3.00/foot = \$8,454.00. Motion carried unanimously.

TREASURER'S REPORT – Rena Weber presented the treasurer's report for approval showing a Combined Fund balance of \$518,933.11.

Motion by Member Becker, second by Member Simon, to approve the Treasurer's Report of 7/13/09 as presented. Motion carried unanimously.

TERMS OF OFFICE – Rena Weber reported on the current terms of office:

- Ed Karls – 12/31/2012
- Duane Willenbring – 12/31/2013
- Bill Becker – 12/31/2012
- Don Simon – 12/31/2010
- Vern Salzl – 12/31/2011

Chair Salzl's term was discussed as he thought his term was up. The Board recommended a three extension to which Chair Salzl agreed. *Upon review it was determined to be 12/31/2011.*

ADJOURNMENT – **Motion by Member Becker, second by Member Simon, to adjourn the meeting at 6:15 p.m. Motion carried unanimously.**

**MINUTES OF A ROCORI TRAIL CONSTRUCTION COMMITTEE MEETING HELD
THURSDAY, JULY 9, 2009 – 9:00 A.M. – ROCKVILLE CITY HALL**

The meeting was called to order. The following members were found to be present:
ROckville: Rena Weber-Administrator, Duane Willenbring & Jerry Schmitt
COld Spring: Larry Lahr-Administrator, Doug Schmitz & Brigetta Klemek
RIchmond: Dan Coughlin-Administrator
Others: Linda & John Peck, Peter Theismann, Adam Ripple, Joe Chovan & Gary Cerkvenik

Update on Discussion with BNSF – Adam Ripple, now representing Rinke Noonan, was present to update the committee on his communication with Susan Odem – BNSF. Ms. Odem has agreed to spend one day visiting our area and review the request to abandon the railroad. Questions to ask Ms. Odom:

- What is her authority?
- What will be talk about – what is the Big Picture?

The visit will be scheduled during the week of 7/20 to 7/24.

Meeting with Elected Officials – both Federal & State

Brigetta Klemek reported that she made contact with Sen. Klobachar's aide & Rep. Hoesch. Duane Willenbring reported that he talked to Tarryl Clark personally and she will attend a future meeting.

Representative Bachmann has indicated she is not in support.

Gary Cerkvenik suggested we contact the aides for the congress members:

- Alina Peterson – Sen. Al Franken's State Director
- Jake Spano – Sen. Klobachar's State Director

Ask them to specifically attend one of our meetings to learn of the project. The Committee should also send a letter inviting them to come and Gary will follow up with a phone call. Gary to provide the mailing information to Rena.

Gary Cerkvenik asked Adam to ask Susan Odem if the MN State Freight & Waterways people should be invited the day she is here. They have the final say so in abandonments.

Meeting with Stearns County – Dan Coughlin reported on the meeting with Stearns County.

Representing Rocori were: Dan, Rena, Heidi, Scott, Gary, Kevin, & Adam Ripple

Representing the County were: George Rindelaub, Mitch Anderson, Jodi Teich, Randy Schreifels, Brenda Theis, Chuck Wocken & Pete Theismann. The discussion was regarding procuring the Right of Way and having Stearns County take the lead. An update on the time lines for our grant was discussed. County concerns were:

- Can any of the bonding money (\$372,000) be spent for ROW?
- The county will need a guarantee first
- A rough budget needs to be provided to Randy Schreifels (Heidi to provide)
- Use the local money to acquire and match \$84,000 Rockville, \$100,000 Cold Spring & \$35,000 Richmond
- Rena Weber talked to Steve Voss-MNDOT regarding:
 - a) If the committee decides to go with plan 1A and shorten the termini to 14th Ave in Cold Spring then we stand to lose \$190,000 of the SAFETEALU grant.
 - b) Or the committee could stick with the original plan but ask for a one year extension.
 - c) A decision needs to be made by 7/12/09

George Rindelaub would like to be invited to the August meeting when the legislators are also present.

Adam Ripple indicated that abandonment must be secured before design is begun. He also advised the committee that should a contested case occur it would delay the project.

Brigetta Klemek asked at what point can the one property owner using the line be told they may have to pay for the bridge and major repairs or no more service.

Adam Ripples suggested that any money the cities have now should go to Stearns County to show earnest and to establish the fund.

Scott Hedlund suggested to Adam Ripple that the committee needs to focus on 1A as Phase I timelines are not realistic.

Gary Cerkvenik suggested that the budget and a matrix of when/how the money will be spent should be designed and given to the County as well. He also suggested that all cities keep track of the time spent already (in-kind) for our match.

Bob Swanberg – Stearns County HRA should be involved to help with the relocation of the Wenner Propane business. Larry to contact Mr. Swanberg. Wenner's are seeking \$400,000 to relocate and need 2 acres of land with a railroad spur.

A consensus of the committee determined that if we are unsuccessful with BNSF then the desire is to still go with option 1A. Rena will invite Steve Voss to the meeting with BNSF and also ask for a 2 week extension. *(This was done and Steve Voss will not attend the meeting with BNSF, but did grant the extension and asked that we keep in close contact with him.) He does not want to see us lose any money.*

August Meeting – all legislators will be invited to the meeting.

Other Business

Gary Cerkvenik suggested that when the Bonding Committee does their tour of the sites in fall we need to hold a welcome party. Cathy Blair schedules the site visits and we should contact her for a noon visit.

Gary Cerkvenik informed the committee of an economic stimulus incentive called "Recovery Zone Economic Bond" whereby each county is allocated money (Stearns County could be awarded \$7 to \$8 million dollars. This money could be used on 1 public project and 1 private project (Wenner re-locate). This is a 30 year treasurer bond that uses tax credits instead of an interest rate. Gary thought that Randy Schreifels should investigate this first.

Duane Willenbring voiced concern as to who the "voice" of the committee would be. It was determined that the 3 administrators would take that position.

Brigetta Klemek and John Peck will approach Wakefield Township to ask that they request their share of park dedication funds be dedicated to the Rocori Trail.

Brochures – Rena Weber reported that Cindy Anderson – Rockville has converted the brochure over to our computer and made changes that were suggested. We will get an estimate from Mike Austreng to print them (before October) and share that number with the Administrators. The cost will be split 3 ways.

Next Meeting – The meeting will move back to the first Thursday of the month 8/6/09. We should have maps available, an update of where we are, and invite the legislators.

Adjournment – Meeting adjourned at 10:50 a.m.

Submitted by Rena Weber
City of Rockville

ORDINANCE #2009-59
AN ORDINANCE REGULATING DOGS IN THE CITY OF ROCKVILLE, MINNESOTA

The City Council of the City of Rockville hereby ordains as follows:

Section 91.01: Definitions.

- A. **Owner.** Any person, group of persons, or legal entity owning, keeping, or harboring a dog or dogs.
- B. **Harborer.** The harborer of a dog shall be any person who has custody of any dog or permits a dog to be kept or to stay on or about the harborer's premises.
- C. **At Large.** A dog shall be termed at large when it is not under restraint, as defined herein.
- D. **Restraint.** A dog is under restraint if it is controlled by a leash not exceeding eight feet in length; or if it is within the boundaries of the owner's or harborer's premises.
- E. **Police.** The police officers of the City, or any person, firm, or agency hired or engaged by the City to assist the police in the performance of their duties.

Section 91.02: Identification. All dogs shall be either harnessed or collared with proof of rabies vaccination attached or have the dog tattooed or micro chipped.

Section 91.03: Running at Large Prohibited within the City of Rockville. No dog shall be permitted to be at large within the city. All dogs shall be under restraint at all times. All dogs in the A-40 areas of the city must be under the control of the owner at all times.

Section 91.04: Confinement of certain animals. The owner or harborer shall confine within a building or secure enclosure any fierce, dangerous, or vicious dog, and not permit such animal out of such confinement unless and until it is securely muzzled and in control of a competent person.

Section 91.05: Animals creating nuisance prohibited. No person shall keep or harbor an animal that otherwise constitutes a nuisance, such as excessive barking, howling, or other disruptive behavior.

Section 91.06: Impounding Animals. The police, or any other duly appointed person, may take and impound any animal which is not being kept, confined, or restrained in a manner consistent with the requirements of this regulation. Such police or person may enter upon private premises where it appears that there is a reasonable cause to believe that an animal is not being kept, confined, or restrained as herein required.

Section 91.07: Notice to owner. Immediately upon the impounding of an animal, the police shall make every reasonable effort to notify the owner or harborer of such impoundment, and of the conditions whereby the owner or harborer may regain custody of the animal. When possible, verbal notice shall be immediately confirmed in writing by the police.

Section 91.08: Reclaiming impounded animal. Any animal impounded hereunder may be reclaimed by the owner or harborer of same within five days after receiving notice of such impoundment, excluding Saturdays, Sundays and legal holidays.

Section 91.09: Dogs which cannot be impounded. If a dog is rabid, or otherwise diseased, vicious, or dangerous, and cannot be impounded after a reasonable effort or without serious risk to the impounder or others, such animal may be immediately killed.

Section 91.10: Disposal of impounded dogs. If a dog taken up and impounded has not been reclaimed within the time provided herein, or if the owner cannot be located, then within five days, the dog will be disposed of.

Section 91.11: Rabies vaccination required, penalties for violation. It shall be unlawful for any person to own, possess, or harbor a dog within the city, if the dog has not had a vaccination for rabies within the time required under standard veterinary practices. A written waiver from a veterinarian accompanied by a rabies titer may be accepted as proof of vaccination when circumstances are indicated. Proof of rabies vaccination must be readily available upon request.

Section 91.12: Biting dogs to be quarantined. Whenever a dog has bitten a person, the owner or custodian of such dog, having been so notified, either orally or in writing, shall immediately quarantine said dog or animal at the owner's home or other suitable place of confinement, as directed by the responsible officer of the city for a period of 14 days after the occurrence. During the quarantine period, the animal shall be securely confined in a building or in a yard enclosed by a fence so constructed that the animal cannot escape or otherwise leave said enclosure, and which will not permit other animals or persons to enter, for the purpose of preventing the animal from biting or otherwise coming in contact with persons or other animals. Upon a reasonable suspicion that the dog may be rabid, the dog shall be subjected to the necessary tests by a doctor of veterinary medicine for the purpose of determining if it is infected with rabies. The confinement, testing, treatment, in addition to all other expenses incurred as the result of a dog biting a person shall be the expense of the owner of said animal.

Section 91.13: Penalty. Any person who violates any provision of this ordinance is guilty of a petty misdemeanor of which the fine for the first time offender is \$25.00, \$50.00 for the second time in a 12 month period. The third fine would be an automatic court date.

PASSED THIS _____ DAY OF JULY, 2009.

ATTEST:

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR