

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY MARCH 21, 2012 - 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: Bill Becker, Jerry Schmitt, Don Simon, and Duane Willenbring. Absent: Jeff Howe. Randy Volkmuth arrived at 6:07 p.m.

Staff members present were: Administrator/Clerk Rena Weber & Lt. Jon Lentz.

Others Present were: Tудie Hermanutz, Lori Anderson, Jim Massmann. Gary Grams, Paul Wirth, Richard Tallman, John Koerber, Ed Valentine, Larry Nelson & Scott Hedlund.

**ADDITION TO THE AGENDA – Motion by Member Becker, second by Member Willenbring, to approve the additions to the agenda for discussion purposes.**

**AYES: Becker, Hagen, Schmitt, Simon & Willenbring**  
**Motion passed on a 5 to 0 vote.**

**OPEN FORUM – Gary Grams would like the city to address Agate Beach Road as it needs to be fixed.**

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

- a) **Approve minutes of 02/15/12**
- b) **Approve Treasurer’s Report of 03/21/2012**
- c) **Approve List of Bills and Additions of 03/21/2012**

Accounts Payable Check #013517 to 013518	\$ 376.78
Check #013542 to 013602	48,912.96
Payroll Check # 004184 to 004198	15,018.87
EFT # 000608 to 000616	8,574.70
- d) **One page form to request information form Stearns County**
- e) **Approve Grand Lake LID proposal for monitoring TSS, phosphorus & chlorophyll**

**AYES: Becker, Hagen, Schmitt, Simon & Willenbring**  
**Motion passed on a 5 to 0 vote.**

**STAFF/ REPORT**

**POLICE – Lt. Lentz reported there were 38 contract hours and cited the types of calls and amounts.**

**PARK & RECREATION – Paul Wirth representing the Park & Recreation Board reported on the following:**

- Easter Egg Hunt would occur on Saturday, April 7<sup>th</sup> at 10:00 a.m.
- Tree Planting Grant – Paul Wirth wrote for and received a \$2500 grant to plant trees. Paul indicated this type of grant is paid for by the city first with re-imbursement to occur later.
- \$800 Stearns Electric Grant – Paul has applied for a grant to have the trees spade as part of the round up grant.
- \$3000 Knife River Grant - Paul has applied for a grant to expand the Lion’s Park parking lot, widen the road approach, and construct the volleyball court at Community Park.

Member Volkmuth arrived at 6:07 p.m.

**COMMUNITY CENTER** - Paul Wirth, representing the Community Center Ad Hoc Committee, along with Gary Grams and Jim Massmann were present to update the Council on the progress made thus far:

*(A copy of Paul's presentation to the Council is hereby attached and marked Exhibit A)*

*(A copy of the Notes from the Ad Hoc Committee are hereby attached and marked Exhibit B)*

Discussion was held regarding the need for a community center.

Mayor Hagen questioned an expense of \$36,000 for a polling place which will keep the city still divided.

***Motion by Member Becker, second by Member Willenbring, to table action on this proposal for now.***

Member Willenbring asked if we can have a time certain by which a decision will be made - 30 days.

Mayor Hagen instructed the committee to fill in the rest of the numbers and bring them back to the 4/18 council meeting.

Paul Wirth indicated that he would like to hear from the people themselves possibly through the Pleasant Lake Homeowner's Assn.

Member Simon asked how many volunteers would be involved.

Community input will be sought in the upcoming newsletter.

***AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring***  
***Motion passed on a 6 to 0 vote.***

Member Willenbring motioned to defer the SAC fees, but this was tabled due to the previous motion.

#### **NEW BUSINESS**

**RESOLUTION APPROVING REDISTRCTING LINES/PRECINCTS 2012-07** – Rena Weber presented a resolution approving the re-districting lines indicating that there is no change being suggested, but if the council were to combine the two precincts that could be done now.

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

#### **RESOLUTION NO. 2012-07**

#### **RESOLUTION REESTABLISHING PRECINCTS & POLLING PLACES**

**WHEREAS**, The legislature of the State of Minnesota has been redistricted, and;

**WHEREAS**, Minnesota Statute, section 204B.14, subd. 3 (d) requires that precinct boundaries must be reestablished within 60 days of when the legislature has been redistricted or at least 19 weeks before the state primary election, whichever comes first;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Rockville, Stearns County, State of Minnesota hereby reestablishes the boundaries of the voting precincts and polling places as follows:

#### **PRECINCT 1 (OLD PLEASANT LAKE CITY HALL)**

That part surrounding Pleasant Lake and north of Pleasant Lake including Brentwood Hills Development.

#### **PRECINCT 2 ROCKVILLE CITY HALL – 229 BROADWAY STREET EAST**

The remaining part of the city lying south westerly of the Pleasant Lake area.

Attached to this resolution, for illustrative purposes, is a map showing said precincts and the location of each polling place.

***The motion for the foregoing resolution was duly seconded by Member Becker with the following voting in favor:***

***AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring***  
***Motion passed on a 6 to 0 vote.***

**COMMITTEE REPORTS**

**MAYOR** – Mayor Hagen had nothing to report.

**RTCB** – There was nothing new to report.

**PUBLIC WORKS** – Rick Hansen requested approval of:

Please approve PLS for the 2012 Street Sweeping. The quotes we received are:

Parking Lot Sweeping	\$65.00/hr
ASTECH	\$83.00/hr

Parking Lot Sweeping has been doing our street sweeping for the last few years.

There is currently \$2500.00 in the 2012 budget for street sweeping.

Fund # E-101.43100.316

***Motion by Member Becker, second by Member Willenbring, to approve the low quote of Parking Lot Sweeping at \$65.00/hour.***

***AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring***

***Motion passed on a 6 to 0 vote.***

**HOLLY ROAD PETITION FOR ROAD IMPROVEMENT** – Rena Weber reported the Public Works Committee reviewed the request of Holly Road residents to re-tar their road:

\$22,746.16 – This quote was dated 12/23/11 so we will add an additional 10% to the bid.

\$25,020.60

27% = \$6,755.56 to be assessed to the property owners equally with the city picking up 73%.

***Motion Member Becker, second by Member Willenbring, to schedule a public hearing on 4/18/12 – 6:30 p.m. for the Holly Road Improvement Project.***

***AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring***

***Motion passed on a 6 to 0 vote.***

**FINANCE COMMITTEE** – Chair Susan Palmer reported on the following:

**REFINANCE CERTAIN BONDS** – Susan reported that David Drown (city's financial consultant) had reviewed our bonds and suggested that there may be a \$3,000 per year interest savings.

The Finance Committee reviewed this and recommends not spending the money to refinance as the savings are not enough to warrant spending money to re-finance.

**FORFEITED PROPERTY** – Susan Palmer reported that Rena, Jeff Hagen & Sue met with the Stearns County Auditor last week to review the forfeited properties in the city and how the city can best be made whole in regards to assessments. The Finance Committee recommends the following:

***Parcel: 76.41601.0200 Section 1 Township 123 Range 29 (Schilplin Property):***

- Original Assessment Amount – \$568,517.32 -
- Payments that were made – \$30,890.96
- Remaining Assessment Balance – \$537,626.36
- EMV – \$540,100.00
- Opening Auction Bid – \$270,050.00
- Remaining Assessment Balance: What amount do you want to assess back to the property – **\$0**
- Terms of the Assessment – Years/months **N/A** (Terms)? Interest Rate **N/A**?
- Restriction & Other information – **N/A**

***Parcel: 76.42146.0801 Section 17 Township 123 Range 29 (Prairie Business Park Lot 1 Block 2):***

- Original Assessment Amount – \$49,178.55
- Payments that were made – \$0
- Remaining Assessment Balance – \$49,178.55
- EMV – \$78,600.00
- Opening Auction Bid – \$39,300.00

- Remaining Assessment Balance: What amount do you want to assess back to the property – **\$16,000**
- Terms of the Assessment – Years/months **5 yrs** (Terms)? Interest Rate **4%**?
- Restriction & Other information – **open to rezoning to commercial or highway business or have the PC come up with new zoning district.**

**Parcel: 76.42146.0802 Section 17 Township 123 Range 29 (Prairie Business Park Lot 2 Block 2):**

- Original Assessment Amount – \$43,714.27
- Payments that were made – \$0
- Remaining Assessment Balance – \$43,714.27
- EMV – \$81,300.00
- Opening Auction Bid – \$40,650.00
- Remaining Assessment Balance: What amount do you want to assess back to the property – **\$10,000**
- Terms of the Assessment – Years/months **5 yrs** (Terms)? Interest Rate **4 yrs**?
- Restriction & Other information.

**Parcel: 76.42146.0804 Section 17 Township 123 Range 29 (Prairie Business Park Lot 4 Block 2):**

- Original Assessment Amount – \$187,789.25
- Payments that were made – \$15,654.23
- Remaining Assessment Balance – \$172,135.02
- EMV – \$258,400.00
- Opening Auction Bid – \$129,200.00
- Remaining Assessment Balance: What amount do you want to assess back to the property – **\$48,000**
- Terms of the Assessment – Years/months **5 yrs** (Terms)? Interest Rate **4%**?
- Restriction & Other information – **open to rezoning to commercial or highway business or have the PC come up with new zoning district.**

**Parcel: 76.42146.0807 Section 17 Township 123 Range 29 (Prairie Business Park Lot 7 Block 2):**

- Original Assessment Amount – \$32,890.25
- Payments that were made – \$0
- Remaining Assessment Balance – \$32,890.25
- EMV – \$68,400.00
- Opening Auction Bid – \$34,200.00
- Remaining Assessment Balance: What amount do you want to assess back to the property – **\$16,000 if we go to auction**
- Terms of the Assessment – Years/months **5 yrs** (Terms)? Interest Rate **4%**?
- Restriction & Other information – **Start at \$65,000**

**Parcel: 76.42147.0002 Section 17 Township 123 Range 29 (Prairie Industrial Park Lot 2 Block 2):**

- Original Assessment Amount – \$160,832.77
- Payments that were made – \$13,407.13
- Remaining Assessment Balance – \$147,425.64
- EMV – \$267,700.00
- Opening Auction Bid – \$133,850.00
- Remaining Assessment Balance: What amount do you want to assess back to the property – **\$40,000**
- Terms of the Assessment – Years/months **5 yrs** (Terms)? Interest Rate **4%**?
- Restriction & Other information – **open to rezoning to commercial or highway business or have the PC come up with new zoning district.**

**Motion by Member Willenbring, second by Member Becker, to accept the above changes as recommended by the Finance Committee.**

**AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring**  
**Motion passed on a 6 to 0 vote.**

**TOM MASELTER REQUEST TO PAY HIS SAC/WAC OVER A 12 MONTH PERIOD** –Susan Palmer reported that Tom Maselter is requesting approval to pay \$362.00/month for his SAC/WAC instead of paying it up front. The Building Official's fee would need to be paid right away. Mr. Maselter's name also appeared on the tax delinquency list just released from Stearns County. The Finance Committee recommends denial of the request.

**Motion by Member Becker, second by Member Willenbring, to deny the request to spread payment of SAC/WAC charges over a 12 month period.**

**AYES: Becker, Hagen, Schmitt, Volkmuth & Willenbring**

**NAYS: Simon**

**Motion passed on a 5 to 1 vote.**

**HUMAN RESOURCES** – Chair Volkmuth reported that the committee met for the purpose of interviewing potential fire fighters.

Jordan Schaefer

Andrew Struffert

Dan Welle

Rena Weber reported that all three passed the physical agility test and final interview with the Fire Department Officers and it is recommended that all three be hired.

**Motion by Member Volkmuth, second by Member Becker, to approve hiring all three applicants pending the passing of physicals.**

**AYES: Becker, Hagen, Schmitt, Volkmuth & Willenbring**

**ABSTAINING: Simon**

**Motion passed on a 5 to 1 vote.**

#### **ADMINISTRATOR'S REPORT**

**AT & T TOWER RENTAL AGREEMENT AMENDMENT** – Rena Weber reported that AT & T hired a firm to redo their water tower rental agreement with the city. Adam Ripple and I both reviewed it and basically threw it out. For one they want to drop the rent \$1400/month to \$900. That would be lower than any other company and AT & T has the most equipment and a building. The current lease is in place until 5/20/2014.

**Motion by Member Volkmuth, second by Member Willenbring, to deny the request to amend the AT & T tower rental agreement as proposed.**

**AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring**

**Motion passed on a 6 to 0 vote.**

**OFFICIAL ACTION REGARDING FINE OF BAR** - Rena Weber reported at the January meeting the request to renew the 2 a.m. liquor license came up and she was asked if there were any problems. She had not checked the DPS web-site that day so it was approved. Upon checking it was determined that Big-Daddy's was on the list again as of January 12<sup>th</sup>.

Betsy Goebel informed the Finance Committee of the issues she has had with her accountant and the ones she had while trying to access the State of MN e-file system. \$30.00 is the amount she did not pay on time and that is why she was on the list again. *This is not available to the city, but Ms. Goebel is to provide some proof of this being the case.*

**Motion by Member Volkmuth, second by Member Willenbring, to continue to stay the fine as previously passed in December 2011.**

**AYES: Hagen, Schmitt, Simon, Volkmuth & Willenbring**

**NAYS: Becker**

**Motion passed on a 5 to 1 vote.**

**JIM ARNOLD – 25365 PLEASANT ROAD - REQUEST TO HOST WEDDING RECEPTION AT HIS HOUSE 8/4 – 4 TO 12 P.M. –** Mr. Arnold would like to host his daughter's wedding reception in the back yard on 8/4/12 4 to 12 p.m. He is getting approval to park cars in the neighbor's yards. We will have him fill out a form with the information on it so it can be passed on to the sheriff's department. It was determined that the form should state that they need written approval from residents 150' around them.

***Motion by Member Becker, second by Member Simon, to approve the request pending approval of the neighbors.***

***AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring***

***Motion passed on a 6 to 0 vote.***

#### **ADDITIONS TO THE AGENDA**

##### **APPROVE WAIVING OF RENTAL FEE – ROCK FEST SPONSORED SOFTBALL**

**TOURNAMENT –** The Rock Fest committee would like to sponsor a softball tournament the weekend of the Rock Fest. They would like the city to waive the rental fee of the park.

***Motion by Member Volkmuth, second by Member Simon, to approve waiving the rental fee for use of the Softball Park on 7/6 – 7/8.***

***AYES: Becker, Hagen, Schmitt, Simon, Volkmuth & Willenbring***

***Motion passed on a 6 to 0 vote.***

##### **EDDIE'S ON GRAND –EXPANSION OF OUTDOOR SMOKING AREA TO ALLOW**

**CONSUMPTION OF ALCOHOL –** Rena Weber reported that Ed Valentine would like to expand the outdoor smoking area attached to the Grandview Resort. This would require an amendment to his on-sale license and also the insurance policy. (They must match). The request does not impact the 50' shore impact zone nor does it increase impervious surface.

***Motion by Member Volkmuth, second by Member Willenbring, to approve the request pending properly supplied insurance policy.***

Member Schmitt voiced concern regarding the Viking Coke truck parking on County Road 8 for their deliveries. It was determined that the area being proposed for the smoking is not the area where the delivery truck should park.

***AYES: Becker, Simon, Volkmuth & Willenbring***

***NAYS: Schmitt***

***ABSTAINING: Hagen***

***Motion passed on a 4 to 1 vote.***

#### **OPEN FORUM**

Lori Anderson reported that ball sign up would occur on 3/31. *(It actually was on 3/24/12)*

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

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

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**JEFF HAGEN  
MAYOR**