

**MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY JUNE 20, 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: Jeff Howe, Jerry Schmitt, Don Simon, and Duane Willenbring. Absent: Bill Becker.

Staff members present were: Administrator/Clerk Rena Weber & Public Works Director Rick Hansen.

Others Present were: Lt. Jon Lentz, Toni Honer, Tудie Hermanutz, Rick Tallman, and George Bechtold.

**ADDITIONS TO THE AGENDA**

*Motion by Member Volkmuth, second by Member Howe, to approve the additions to the agenda for discussion purposes.*

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

**OPEN FORUM** – No one appeared.

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

- a) *Approve minutes of 05/16/12 amended (Change to Res. 2012-14)*
- b) *Approve Treasurer's Report of 06/20/12*
- c) *Approve List of Bills and Additions of 06/20/12*

<i>Accounts Payable Check #013732 to 013813</i>	<i>\$170,194.67</i>
<i>Payroll Check #004233 to 004246</i>	<i>10,111.93</i>
<i>EFT #000636 to 000641</i>	<i>5,387.61</i>
- d) *Grand Lake Assn– fireworks permit on 7/4*
- e) *Election Judges for August Primary & November General Elections*

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

**BOARD/STAFF REPORT**

**POLICE DEPARTMENT**– Lt. Jon Lentz reported that there was 32 contract hours during the month of May and cited the activity encountered.

**PUBLIC WORKS** – Rick Hansen was present to request approval of the following:

**RFA – WELL #3 INSPECTION:**

Please approve Werner well drilling to pull and inspect well 3. AWA recommends this be done every 7 years; this well was put into service in 1997 and had never been pulled. Attached is the bid form sent out and the prices from each company.

Traut Wells	\$16,147.00
Thein Wells	15,877.35
Werner Wells	12,731.30

Designated Fund # 601-49440-591 Fund Balance is \$64,500.00 (*This approval includes the budget amendment*).

*Motion by Member Volkmuth, second by Member Simon, to approve the well inspection quote of Werner Wells not to exceed \$12,731.30.*

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

**RFA – AGATE BEACH ROAD REPAIR ADDITIONAL COST:**

During the recent completion of the sub cuts on Agate Beach road I asked the Mayor and the Administrator to approve an additional \$2500.00 be spent to lengthen the sub cut an additional 100 feet. This allowed us to avoid a separation between the two original sub cuts. This allowed us

to avoid having a gap between the two and hopefully avoid having a heave in the future. I have heard many good compliments from the residents on Agate Beach Road on the job the excavator did as well as the City for doing the graveling project.

Designated Fund #101-43100-338 (\$2500.00) fund balance \$31,380.00 (*This approval includes the budget amendment*).

***Motion by Member Willenbring, second by Member Volkmuth, to approve the request for additional funds as presented.***

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

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

#### **RFA - 123<sup>RD</sup> AVENUE CULVERT REPAIR:**

Please approve Gene Lange and Sons Excavating to do the 123<sup>rd</sup> Ave culvert repair and sub cut. The request for quotes is attached and details the job description:

- Kraemer Trucking and Excavating \$ 10,260.00
- Gene Lange and Sons Excavating \$ 7,395.00.
- Krippner Trucking and Excavating- no bid received

Designated Fund #101-43100-308 Road Patching (balance \$9,300.00) (*This approval includes the budget amendment*)

***Motion by Mayor Hagen, second by Member Willenbring, to approve the request to repair the culvert as quoted.***

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

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

#### **RFA - 4 CHANNEL DIALER:**

Please approve Preferred Controls to install and program a 4 channel dialer at well house 3. This will allow us to be notified any time there is an alarm at well house 2 or 3 as well as the two water towers. Currently we only find out about issues when we check the wells daily, this will allow us to take care of problems immediately as soon as they happen. This is the last system that is not able to notify us of problems. Two quotes were received:

- Preferred Controls \$1,450.00 plus tax on the hardware
- Automatic Systems \$3,169.00 plus tax on the hardware

There will be a monthly phone charge of \$23.00 plus an additional \$45.00 to install the phone line into well house 3.

Fund 601-49440-540 (2012 budget amount \$2,500.00) (*This approval includes the budget amendment*).

***Motion by Member Volkmuth, second by Member Howe, to approve the low quote of Preferred Controls as presented.***

Member Howe asked what the monthly charge would be. \$23.00

Member Willenbring asked what is happening to cause he overflow. Rick Hansen reported they had a sticking valve problem.

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

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

#### **ADDITION TO THE AGENDA**

##### **STONEY'S 2 AM LIQUOR LICENSE RENEWAL –**

***Motion by Member Simon, second by Member Volkmuth, to approve the 2 am renewal of Stoney's Liquor License.***

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

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

**PUBLIC HEARING – APPROXIMATELY 6:30 P.M. –** Mayor Hagen announced that a public hearing would now be held to consider approval of Ordinance No. 2012-74 amending certain sections of the Zoning Ordinance.

Planning Commission Chair Toni Honer reported that the Planning Commission reviewed the ordinance at their last meeting and recommends approval by the City Council.

A review of the proposed ordinance ensued:

- Section 1 Definitions – the purpose here is to add 4 new definitions
- Section 2 Electronic Signs – the purpose is to change electronic messages from once every 5 minutes to once every 6 seconds
- Section 3 - B-1 District – the purpose is to refer any residential use to the corresponding R-1, R-2 or R-3 procedures when applying zoning law.
- I-1 Permitted uses – the purpose here is to identify uses in the I-1 zone that would require Council approval before they are actually permitted

Mayor Hagen questioned smaller lots in the I-1 zone – is there a minimum lot size? No. Mayor Hagen indicated that there are no real specific permitted uses being added. Are we telling anybody anything? Chair Honer stated that she asked for council help on this very issue.

No one appeared at the public hearing on the issue at hand.

***Motion by Member Volkmuth, second by Member Howe, to close the public hearing at 6:45 p.m.***

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

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

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

**ORDINANCE NO. 2012-74**

**ORDINANCE AMENDING CERTAIN SECTIONS OF THE CITY OF ROCKVILLE ZONING CODE**

**THE CITY COUNCIL OF THE CITY OF ROCKVILLE STEARNS COUNTY, MINNESOTA DOES HEREBY ORDAIN:**

**SECTION 1:**

**Amend Rockville's Zoning Ordinance SECTION 8: Rules and Definitions Subdivision 2 by adding:**

**"ABANDON"** The cessation of a specific use of a property for a period of 12 or more months.

**"EXPANSION"** An increase in the floor or land area or volume of an existing building.

**"PRINCIPAL BUILDING"** A building or group of buildings which are permanently affixed to the land and which are built, used, designed or intended for the shelter or enclosure of the principal use on the property."

**"PRINCIPAL USE"** The primary or predominant use of any land and/or buildings and the main purpose for which the land and/or buildings exist.

**SECTION 2:**

**Amend Rockville's Zoning Ordinance SECTION 12 Subdivision 9 Signs by:**

C. Electronic Variable Message Signs. The preferred sign type relating to the electronic message sign is a monument type. If the EVM is displayed in a pylon sign type said sign shall include a landscaped base wherein planter boxes, shrubs, flowers, etc. are preferred. Electronic message signs may be allowed under applicable provisions of this Ordinance provided that:

1. The message does not change more than once in Six (6) seconds, excluding time and temperature;

**SECTION 3:**

**Amend Rockville's Zoning Ordinance Section 20 B-1 Central Business District by adding: B1 – (USED FOR RESIDENTIAL PURPOSES)**

**Subdivision 8: LOT, YARD, AREA AND HEIGHT REQUIREMENTS**

R-1 Single Family Residential District – refer to procedure set forth in Section 17.

R-2 Two Family Residential District – refer to procedures set forth in Section 18.

R-3 Multiple Family Residential District – refer to procedures set forth in Section 19.

**SECTION 4:**

**Amend Rockville’s Zoning Ordinance Section 22 I-1 Light Industrial by adding:  
Subdivision 2 Permitted Uses**

**18.** Uses the City Council considers to be of a commercial nature and not detrimental to the City’s general health and welfare.

*The motion for the foregoing ordinance was duly seconded by Member Schmitt with the following vote being taken:*

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

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

**OLD/NEW BUSINESS**

There was none.

**COMMITTEE REPORTS**

**Mayor’s Report** – There was none.

**Finance Committee-** Chair Palmer reported that Finance Committee met earlier this evening to discuss:

Granite Tops – Minutes were found from 2005 where the council required Kip Cameron to hook up to city water/sewer on both buildings. The Finance Committee recommends that all 3 buildings hook up to city water/sewer prior to a certificate of occupancy being issued.

**Motion by Member Volkmuth, second by Mayor Hagen, to require that all three buildings be hooked up to city water/sewer prior to a certificate of occupancy being issued.**

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

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

Chair Palmer also reported the committee is looking at water & sewer rates that will be adequate to cover Operations & Maintenance and further the debt service payments.

Member Willenbring asked if information would be ready for the next meeting. Member Volkmuth indicated not yet, because we need more information for budgets and will probably start 1/1/13.

It was determined 7/16/12 – 5:00 p.m. will be the next Finance Committee meeting.

**Rocori Trail Construction Board** – RTCB Chair Duane Willenbring and Rena Weber explained that a revised budget has now been obtained and it appears the construction costs will be \$26,000 for each city excluding soft costs (attorney). Each city has contributed \$60,000 to the escrow account with Stearns County.

**ATTORNEY COSTS RFA –**

The RTCB is nearing construction on the first leg of the trail from Richmond to Cold Spring. The three cities share in the Attorney costs that are not eligible for reimbursement through the grants. At the 6/7/12 meeting the RTCB approved payment to Rinke Noonan for service from 3/15/12 to 5/31/12. Total cost is \$12,109.74. Rockville’s share is \$4,036.58. I am seeking approval to pay this out of Park Land Dedication fees

Approve transfer \$4,036.58 from 205-45122-304 Dedicated Park fees

Plus the Budget Amendment of:

	DR	CR
202-45122-304		4,036.58

**Motion by Member Volkmuth, second by Member Willenbring, to approve the request for transfer of park dedication funds as presented.**

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

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

**ADMINISTRATOR'S CORRESPONDENCE****Letters;**

Sartell City has submitted a letter of thanks to our Fire Department. It is their intent to recover labor/equipment costs from Verso, but it is huge.

MDH has sent us their report on the Well inspection they did recently. FYI only.

**Requests for Information:**

Rena Weber reported that there was an article in the St. Cloud Times recently regarding Small City Development Grants that were awarded – why can't Rockville ever score grants? The City went together with St. Augusta and Clearwater a few years back to get grant money. We needed at least 4 letters of interest (or double the amount proposed) as people tend to back out once the grants are awarded. The 3 cities shared the cost of the grant writer and still were unsuccessful in obtaining a grant. We did not have enough letters of interest in Rockville. FYI only.

CMIF – sent a card thanking the city for our donation to the fund.

**OPEN FORUM** – No one appeared.

**ADJOURNMENT** – *Motion by Member Volkmuth, second by Member Willenbring, to adjourn the meeting at 6:46 p.m. Motion carried unanimously.*

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

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**JEFF HAGEN  
MAYOR**

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