

ROCKVILLE CITY COUNCIL WORKSHOP MEETING MINUTES
August 29, 2018
Rockville City Hall
9:00 a.m.

Item 1) Call to Order

Meeting was called to order at 9:00 a.m. by Mayor Willenbring.

Item 2) Roll Call

Roll call was taken and the following were present: Mayor, Duane Willenbring; Council Members; Vince Schaefer, Don Simon, Rick Tallman, and Jerry Tippelt.

Staff member present: City Administrator Martin Bode; Public Works Director, Gene Van Havermaet; Finance Clerk, Judy Neu; Bolton & Menk City Engineer, Justin Kannas; JKA Law Firm City Attorney, Susan Kadlec; Cold Spring City Administrator, Brigid Murphy; Cold Spring Public Works Director, Jon Stueve; Cold Spring Wastewater/Water Supervisor, Tanya Schmidt; Stickney Hill Dairy employees - Sue Guggenberger, Michelle Scott, Glen Wood, Bob Freemore.

Item 3) Additions/Approval of Agenda

Motion by Simon, second by Tippelt, to approve the agenda as presented. Motion carried.

Item 4) Recess to Workshop at 9:05 a.m.

Workshop Agenda

- a) Stickney/Cold Spring/Rockville Wastewater Contract & Permit Compliance
- b) Stickney Hill Dairy Inc. Utility Bill(s)
- c) Salt Shed
 - > ***Recess to Item 5) Closed Meeting 11:36 a.m. until 12:38 a.m.***
- d) Fuel Tanks – no discussion during the workshop
- e) Chapel Street - no discussion during the workshop
- f) Gravel Road Quote - no discussion during the workshop
- g) 2019 Pre-Budget - no discussion during the workshop

Item 5) Closed Meeting - Per State Statute 13D.05, subd. 3(b) Attorney-Client Privilege, to discuss active and pending litigation

Motion by Tallman, second by Schaefer to adjourn the closed meeting at 12:38 p.m. Motion carried.

Break for Lunch 12:38 p.m. to 1:04p.m.

Reconvene Council Meeting at 1:04 p.m.

Item 6) Summarize Closed Meeting

Council held a closed meeting via conference call with LMC appointed attorney, Jim Thompson and his associate Lizzie Brodeen-Kuo. Mr. Thompson will review the case and then provide the counsel his opinion by the September 12, 2018 Council meeting on how to proceed with the pending lawsuit.

Item 7) Stickney Hill Dairy Inc.

The City of Rockville has provided notice that Stickney Hill Dairy has exceeded its CBOD limits in violation of the above-referenced permit on numerous occasions in 2017 and 2018. This has caused the City of Rockville to be out of compliance with its sewer use agreement with the City of Cold Spring.

The City, through its engineer, has determined that Stickney's sampling location is not appropriately located to capture an accurate representation of waste being discharged into the City's sewer system. In addition, the City has been unable to verify sewer usage because Stickney's flow meter is not appropriately submerged.

Stickney did not provide a plan of action for correcting the sewer flow meter issues, nor has Stickney provided a proposal to account for the difference between water coming into the property and sewer flows coming out of the property.

City Council directed that the City Administrator, City Engineer and City Attorney draft up a letter of understanding from the City to Stickney Hill detailing of what Stickney needs to do to come into compliance with the City testing and flow monitoring/measuring requirements and provide a copy of this letter of understanding to Stickney prior to the next Council meeting. The Council will review and take action on this letter at its September 12, 2018 Council meeting.

Item 8) Public Works Department

a) Salt Shed

Public works provided several quotes for a proposed salt shed to be located up at the fire hall. High quote from Worms for \$92,400 and low quote from Dingman Brothers Construction for \$39,950

Motion by Tippelt, second by Simon, to approve the salt shed. Roll Call Vote: AYES: Tippelt, Simon, Schaefer. NAYS: Tallman, Willenbring. Motion passed on a 3 to 2 vote.

b) Fuel Tanks

It was noted that Becky's Gas and Bait has closed resulting in the fire department and public works having to drive to Kiess Gas Station in Cold Spring with each unit, as needed, to fill up with gas or fuel. Public works provided one quote for two new double walled fuel tanks with electric pumps for \$7,000. Another option was used overhead gravity feed fuel tanks for an estimated \$1,500 that would include the containment structure. The tanks could be located up at the fire hall.

Motion by Simon, second by Tippelt, to approve two used elevated fuel tanks not to exceed \$3,000

Motion by Simon, second by Tippelt, to call the question. Roll Call Vote: AYES: Tippelt, Schaefer, Simon. NAYS: Tallman, Willenbring. Motion failed on a 3 to 2 vote. (requires 2/3)

The Mayor called the question to approve portable fuel tanks not to exceed \$3,000. Roll Call Vote: AYES: Tippelt, Simon. NAYS: Schaefer, Tallman, Willenbring. Motion failed on a 3 to 2 vote.

c) Chapel Street

A decision to not include a curb/berm with the recent pavement project on Chapel Street has created several washouts along and over the street. Council discussed the current condition and no further action will be taken at this time.

d) Gravel Road Quote

Public works provided a quote from Herberg Construction to add gravel to 230th Street. The City has received numerous complaints about the roughness of the road since it was milled and reclaimed earlier this year. No action.

Item 9) 230th Road Restriction Permit Request

The City has received a request from Pilgrims (former Golden Plump) to haul up to 97,000 GVW of agricultural products on trucks with 6 and 7 axles on 230th Street.

Motion by Schaefer, second by Simon, to approve the 230th Road Restriction Permit Request with a one year renewal. Roll Call Vote: AYES: Schaefer, Simon, Tallman, Willenbring. NAYS: Tippelt. Motion passed on a 4 to 1 vote.

Item 10) Fire Relief Donation

Part of the City Insurance cost includes the cost of covering the Rockville Fire Relief Association liquor liability at their annual fish fry and the bond coverage for their treasurer. Additionally part of the actuarial audit is their

cost. The option for the City is to invoice the Relief Association or call it a donation from the City to the Relief Association.

Motion by Tallman, second by Schaefer, to approve the above noted cost totaling \$1,417.20 as a donation to the Fire Relief Association. Motion passed unanimously.

Item 11) Joint Rep Agreement

City Council reviewed the Joint Representation Agreement the City Attorney Kadlec has drawn up. The purpose of the agreement is to formally acknowledge that Attorney Kadlec is the City Attorney for the City of Rockville as well as the City of Cold Spring. And that she will jointly represent the Cities of Rockville and Cold Spring as it relates to Stickney Hill's sewage treatment agreement with the City of Cold Spring.

Motion by Schaefer, second by Tallman, to approve the Joint Rep Agreement. Motion passed unanimously.

Item 12) Broadway Street Trail Use Permit/Snow Cruisers

Mayor Willenbring informed the Council that he has been approached by a representative of the Snow Cruiser asking if the downtown paved trail could be used by snowmobilers to travel through town on.

Motion by Schaefer, second by Tippelt, to deny the request for Broadway Street Trail Use Permit by the Snow Cruisers Snowmobile Club. Motion passed unanimously.

Additional items:

- **260th Street Drainage Ditch**

The City has received a concern from a resident at the intersection of CSAH 139 and 260th Street that the South ditch of 260th Street does not drain storm water as it used to. Public Works has received quotes to have the portion of ditch in question to be cleaned with a backhoe. The low quote was from Steve Kraemer in the amount of \$2,100 to \$2,400.

Motion by Willenbring, second by Schaefer, to approve contracting Steve Kraemer Excavating to correct the 260th Street drainage ditch. Motion passed unanimously.

- **Plow Truck**

Public Works provided to the Council information regarding the ongoing issue of trying to find repair parts for the city's 1995 Ford plow truck and more recently the long list of repairs needed to pass DOT inspection.

Public works also provided information on a used 2004 Sterling plow/dump truck that is up for sale by Stearns County for \$20,000.

Motion by Schaefer, second by Simon, to approve the purchase of the Stearns County's 2004 Sterling plow truck. Motion passed unanimously.

- **Resolution 2018-30 Declaring Excess Property and Authorizing Disposal**

Motion by Simon, second by Tallman, to approve Resolution 2018-30 Declaring Excess Property and Authorizing Disposal of 1995 Ford LT 9000 Dump/Plow Truck. Motion passed unanimously.

Item 13) Adjourn

Motion by Simon, second by Tallman, to adjourn the meeting at 3:13 p.m. Motion carried.

Respectfully Submitted,

Martin M. Bode
City Administrator