

Mayor Hafften called the **June 24, 2014** Regular Meeting of the Rockford City Council to order at 7:00 p.m. The meeting was held in the Council Chambers of City Hall at 6031 Main Street, Rockford, MN.

Roll Call

Roll call was taken. The following council members were present: Hafften, Graner, Martinson and Wenz. Absent: Kesanen. Also in attendance were: Engineers Ward & Noreen, Administrator/Special Counsel Madsen, Public Works Supervisor Peterson and Deputy Clerk Etzel

The Pledge of Allegiance to the Flag was given.

Approve Consent Agenda/Set Agenda

MOTION was made by Martinson, seconded by Graner to approve all items on the consent agenda 3.A. to 3.G. and set agenda item 4.A to 4.C.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Approve Regular Council Minutes/June 10, 2014**

MOTION was made by Martinson, seconded by Graner to approve the minutes of the June 10, 2014, Regular Council Meeting.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Approve Payment of Claims**

MOTION was made by Martinson, seconded by Graner to approve the payment of claims #23360 to #23416 in the amount of \$194,115.51.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Pay Request #1/2014 Rockford Utility Improvements – LaTour Construction**

MOTION was made by Martinson, seconded by Graner to approve Pay Request #1 for the 2014 Rockford Utility Improvement project to LaTour Construction in the amount of \$106,837.00.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Resolution #14-30/CUP Amendment-Interim Use Outdoor Storage-8905 Autumn Oaks Drive**

MOTION was made by Martinson, seconded by Graner to approve Resolutions #14-30 to Amend Conditional Use Permit to allow an Interim Accessory Use of Outdoor Storage for ACMG Properties, LLC. d/b/a Hathon Farms located at 8905 Autumn Oaks Drive.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Resolution #14-31/Approve Election Judges**

MOTION was made by Martinson, seconded by Graner to approve Resolutions #14-31 establishing a slate from which to choose election judges for the Primary Election to be held August 12, 2014 and establishing fees for the same.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Approve Hennepin County Joint Cooperation Agreement**

MOTION was made by Martinson, seconded by Graner to approve the Joint Cooperation Agreement Urban Hennepin County Development Block Grant Program and authorize the Mayor and Administrator to sign the agreement.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

***Approve Temporary Liquor License/Rockford River Days Festival**

MOTION was made by Martinson, seconded by Graner to approve a temporary intoxicating on-sale license and waive the \$40 fee for the Rockford River Days Festival Committee to be held August 8th, 9th and 10th, 2014; contingent upon receiving the Certificate of Insurance.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

Demolition Bids/8990 Walnut Street – Old Post Office Building

Administrator Madsen presented the Council with bids for the demolition of the old post office building located at 8990 Walnut Street as requested. As staff moved forward in the bid process, we learned that asbestos testing is required for commercial use buildings. Based upon our conversations with the companies that have inspected the old post office, it is believed that the asbestos is in the mastic (the glue holding the tiles to the floor), but that no other asbestos or other issues exist.

Based upon our understanding and belief, staff asked for bids assuming that the mastic has asbestos and asked that the demolition bids include both the required testing and the removal of the asbestos.

The company awarded the bid would conduct the testing and remove the old post office building. Staff will handle filling in the holes, chipping and removing the sidewalk, remove the flagpole and the copper post office boxes prior to demolition of the building.

As noted, if additional asbestos exists, we will either need to rebid this project if the cost is too high or simply pay the upcharge to handle the asbestos removal

The following five bids were received:

- Chase Tree and Outdoor Service \$12,500
- Veit Specialty Contracting & Waste Management \$12,979
- Doboszinski & Sons, Inc. \$15,005
- One-Call Contracting, Inc. \$15,780
- A-1 Transfer Inc. \$15,900

MOTION was made by Graner, seconded by Martinson to award the bid for the demolition of the old post office building located at 8990 Walnut Street to Chase Tree for \$11,250.00 and authorizes the Administrator to sign the agreement.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

MOTION was made by Graner, seconded by Martinson to rescind the motion awarding the bid to Chase Tree service for further discussion and to further review the details provided by the bidders.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

Council discussed the details provided in the bids and felt more comfortable with how the items were detailed and the asbestos information that was provided by Veit.

MOTION was made by Graner, seconded by Martinson to award the bid for the demolition of the old post office building located at 8990 Walnut Street to Veit Specialty Contracting & Waste Management for \$12,979.00 based on the details provided in the bid.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

Rockford City Center Mall/Maintenance Agreement

Administrator Madsen reminded the Council that the City entered into a 60 day maintenance contract with Mike Hymes or Mike's Construction Services, Inc. The 60 day term for the contract ended on Sunday, June 22, 2014.

Under the current agreement the City is paying: \$1,200 per month for the services listed in Exhibit A which includes a schedule of daily, weekly and monthly cleaning services as well as some seasonal duties. The City is also paying \$120 per month for exterior grounds maintenance as proved in Exhibit A(I), and \$32.50 per hour for repairs and maintenance work conducted outside of the parameters of the exhibits as discussed.

An invoice was received for work done at the mall from April 25, 2014 to May 24, 2014 totaling \$2,511.25, with \$1,191.25 being additional work at the \$32.50 per hour rate; noting that \$861.25 of this additional expense was for assisting OTS Enterprises getting out of the mall in time for the daycare expansion and would not typically be included in future months. A reasonable monthly bill under this agreement would be around \$1,650 per month.

Staff has avoided calling Mr. Hymes due to the cost and has handled a majority of the maintenance calls in-house. Just this week the calls included: the roof leaking, the air conditioner not working, and fire equipment is beeping. It is nice to have someone on call for the times we cannot address the needs of the mall tenants. At this time staff could not handle the daily cleaning and bathroom maintenance needs without having outside help.

Staff is recommending the council consider continuing an ongoing agreement with Mr. Hymes with a 30 day termination notice upon either party. This will allow the City the option to get bids and review at a later date.

The Council would like a daily log of activities performed at the mall to understand the needs of the mall. Also, they would like language regarding confidentiality added to the agreement.

MOTION was made by Wenz, seconded by Hafften to extend the Rockford City Center Mall Maintenance Agreement with Mike's Construction Services, Inc. as an ongoing agreement with a 30 day termination by either party and include the clauses discussed.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

Resolution #14-32/Declaration of Local Emergency

Administrator Madsen stated the Minnesota Statue provides cities an opportunity for Federal Emergency Management Authority (FEMA) funding for cities that suffer catastrophic events in flooding situations

such as the one Rockford is experiencing. Statue also authorizes cities with the authority to dispense with routine or regular processes and procedures to protect the health, safety and welfare of the community during times of emergency.

In order to qualify for such funding, cites must declare a Local State of Emergency by Resolution. Staff has prepared a resolution should Council agree. The city is not required to accept funding based on the resolution. However, if the city's levee breaks or there is a second rain event, the city would be positioned to apply for and hopefully secure both state and federal funding to cover or offset the expenses from that event. The resolution may also allow the city to recover the labor and expenses already incurred in preparing for this flood event. Finally, if there is damage to the city's infrastructure from this flood event that cannot be seen at this time such as a washouts, sink holes, etc. we should be able to apply for funding to correct those issues.

MOTION was made by Graner, seconded by Hafften to approve Resolution #14-32 declaring a local emergency for the City of Rockford.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

Old Business

Council Member Graner would like to see the AED from the Lion's Building in Riverside Park relocated to the Rockford City Center Mall after the Lion's Building is closed. Graner will contact Ron Harkins to have him work with Dennis Peterson on the relocation of the AED after the Rockford River Days Festival.

Administrator's Report

Administrator's update included: Mayor and Administrator travelled to Delano to meet with surrounding communities and the Governor Dayton to discuss flood issues and concerns, state agencies will be contacting cities in the next week to check and see if funds are needed due to high water, staff, Engineers, and the Fire Department were well prepared and did a great job preparing for the high water – the Engineers were on call for questions and the Public Works Department and Fire Department have been patrolling the levee around the clock, the Rockford City Center Mall exterior plans will be on the July 22nd agenda, Movie in the Park scheduled for June 27th will be rescheduled based on availability, and Council and staff wished Linda Herkenhoff from the South Crow River Newspaper good luck and thanked her for her positive newspaper coverage for the City of Rockford.

Engineer's Report

The Engineer's report included the following:

- Waste Water Treatment Facility is under way with some delays due to the weather and the building permit is pending approval
- 2014 Utility Improvement Project has also has some rain delays but not behind schedule. There is one resident that needs to submit their sewer lateral agreement. The contractor has been easy to work with and the residents have been giving positive feedback

For future projects Mayor Hafften would like a recap of the 2014 Utility Improvement Project once completed to include: what worked and what didn't, concerns, complaints, how issues were handled etc. Staff will provide an update once completed

- The Hurstwoods stabilization has held through the most recent rain events. The contractor had a few small items and Wenck is getting ready to close out the project.

Fire Department Update

Council Member Graner stated the Fire Department is monitoring the levee 6pm – 6am and will continue until the Crow River high waters recede.

Council Reports

Graner – nothing to report

Hafften – recently attended the League of Minnesota Cities conference in St. Cloud with Administrator Madsen where they met members of the Delano community.

Martinson – thanked the staff and volunteers for assisting with the high water

Wenz – agreed with Martinson

OPEN FORUM

Mayor Hafften called for open forum. No one from the public spoke.

ADJOURNMENT

MOTION was made by Graner, seconded by Wenz to adjourn the meeting.

MOTION CARRIED-VOTING IN FAVOR: HAFFTEN, GRANER, MARTINSON AND WENZ.

Mayor Hafften adjourned the meeting at 7:35 p.m.

Renee Hafften, Mayor

Audra Etzel, Deputy Clerk