

Mayor Beyer called the **August 28, 2012** 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: Beyer, Graner, Hafften, Martinson and Wenz. Absent: none. Also in attendance were: Attorney Ruppe, Administrator Carswell and Public Works Supervisor D. Peterson. Engineer Statz arrived at 7:03 p.m.

The Pledge of Allegiance to the Flag was given.

The special assessments are not allowed to be written off on your property taxes per the city attorney as questioned by Hafften.

***Approve Consent Agenda/Set Agenda**

MOTION was made by Graner, seconded by Hafften to approve all the items listed on the consent agenda.

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

***Approve Special Council Minutes/August 14, 2012**

MOTION was made by Graner, seconded by Hafften to approve the minutes of the August 14, 2012, Regular Council Meeting.

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

***Approve Payment of Claims**

MOTION was made by Graner, seconded by Hafften to approve the payment of claims #20833 to #20899 in the amount of \$55,292.17.

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

***Approve Temporary Liquor License/Rockford Lions for the Crow River Food Co-op**

MOTION was made by Graner, seconded by Hafften to approve a temporary liquor license to the Rockford Lion's for the Crow River Food Co-op event to be held September 15th in Riverside Park from 7 pm to 11pm and to waive the license fee.

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

***Approve Hurst Woods Channel Project Contract/Wenck Associates, Inc. & Sunram Construction**

MOTION was made by Graner, seconded by Hafften to approve the contract(s) with Wenck Associates and Sunram Construction for the Hurst Wood Channel Restoration project and authorizes staff to sign the contracts.

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

***Approve Joint Powers Agreement with the Bureau of Criminal Apprehension and the City of Rockford**

MOTION was made by Graner, seconded by Hafften approving amendment to contract #45069 with the Joint Powers, Bureau of Criminal Apprehension & City of Rockford and authorizes the Mayor to sign the contract.

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

***Resolution 12-45 Authorizing Certifying Delinquent Garbage Collection to Tax Roll**

MOTION was made by Graner, seconded by Hafften to approve Resolution #12-45 authorizing certifying delinquent garbage collection to the tax roll.

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

Open Forum

Susann Dye a candidate for State House of Representatives in district 29A was present to introduce herself and asked for support. Ms. Dye stated that she wants to take a middle of the road approach and represent all of her constituents. Ms Dye is a strong advocate for supporting local businesses, education and veterans.

Brian Doren a candidate for State Senate District 29 was present to introduce himself. Mr. Dorn is interested in reducing state redundancy, expansion of Highway 55 to four lanes, and develop a long term solution to K-12 funding. Mr. Dorn discussed his experience and background. Currently serving the US Department of State as a trainer of military and civilian personnel deploying to Afghanistan to help build its government's administrative structure.

Approve Construction Management/Event Center

The city council reviewed the construction contract scope of work for two workshops. Attorney Ruppe said that this type of scope of work agreement is vague.

MOTION was made by Martinson, seconded by Wenz to accept the scope of service for the Event Center with CPMI in the amount of \$6,000 for two workshop meetings.

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

Sunday Liquor License/Red Vest – 8210 Bridge Street

Loyal Staskivige owner of the Red Vest was present. Graner said she did some research about this today. Hafften asked Loyal about the cost to upgrade to a medium restaurant establishment. Loyal stated that it would cost about \$30,000 to upgrade his business to add the ventilation and deep fryers. The ventilation system he had was for animal based oil and now it is a requirement to have a system for vegetable oil. Hafften asked what liability would the city take on if we allowed the Red Vest to have a Sunday Intoxicating liquor license and then a patron was in an accident that caused a death. Attorney Ruppe said that the city is not liable for the actions of a liquor establishment that serves a person too much alcohol.

Hafften stated that a restaurant is not qualified as a limited food menu per the county and the state because it does not include preparing food on site. Attorney Ruppe stated that the city should follow the state laws and can be more restrictive but not less restrictive. The MS defines a Restaurant which is an establishment where food is regularly prepared on the premises and served at tables. Loyal said he talked with Patricia Kessler at the state and with Scott Mueller liquor division 651-775-5286 and they told him something different.

Graner said the state is not going to alleviate this requirement and may even create stricter laws in the future. Hafften suggested Loyal should lease the kitchen to someone else and they could make the improvements. Deputy Clerk Etzel was directed to speak with the State Department of Liquor Control to get a clear answer in writing so that the council is sure that our ordinance follows the state requirements and this can be brought back to the city council. No action was taken.

Administrator's Report

The administrator's report included: city hall job descriptions reviewed, peer evaluations for fire chief and assistant chief, movie in the park, Food Co-op membership event September 15th, technology report, status of visioning session October 2nd and HRA special meeting.

Council Reports

Martinson – nothing to report

Hafften – nothing to report

Wenz – nothing to report

Beyer – nothing to report

Graner – thought River Days was a great event!

Hurstwoods Developers are willing to pay \$35,000 for the channel restoration project per Attorney Couri.

ADJOURNMENT

Motion was made by Graner, seconded by Hafften to adjourn the meeting at 8:15 p.m.

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

Mayor Beyer adjourned the meeting at 8:15 p.m.

Michael Beyer, Mayor

Nancy Carswell, Administrator