

Mayor Hafften called the **November 25, 2014** Regular Meeting of the Rockford City Council to order at 6:02 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, Financial Consultant Sweeney, Council Elect Buoy & Hill, Administrator/Special Counsel Madsen, Public Works Supervisor Peterson, Public Works staff: Quirk & Duda, Finance Clerk Swendsen, Deputy Clerk Etzel.

The Pledge of Allegiance to the Flag was given.

**Approve Consent Agenda/Set Agenda**

**MOTION** was made by Martinson, seconded by Wenz to approve all items on the consent agenda 3.A. to 3.D. and set agenda item 4.A to 4.F.

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

**\*Approve Special Council Minutes/November 12, 2014**

**MOTION** was made by Martinson, seconded by Wenz to approve the minutes of the November 12, 2014 Special Council Meeting.

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

**\*Approve Payment of Claims**

**MOTION** was made by Martinson, seconded by Wenz to approve the payment of claims #23980 to #24041 in the amount of \$117,258.85.

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

**\*RES #14-52/Deferring Rockford City Center Mall Rent-Lee's Kitchen**

**MOTION** was made by Martinson, seconded by Wenz to approve Resolution #14-52 to:

- 1) The rent and CAM Fees for Ms. Wang shall be deferred for a period of three calendar months commencing with her November rent payment and terminating with her rent payment due for the month of January. Ms. Wang will resume making rent and CAM Fee payments in February and thereafter pursuant to the terms and conditions in her Lease Agreement.
- 2) These three months of rent that are being deferred are still due and owing. The city is deferring collection of these rents for a period of three months, and these rents will be forgiven if Ms. Wang fulfils all of the terms and conditions contained in her Lease Agreement moving forward.
- 3) In the event Ms. Wang terminates, defaults or otherwise violates her Lease Agreement, these deferred rents will be immediately due and owing and must be paid in full within thirty days of the default or violation of her Lease Agreement. Failure to repay the deferred rent may result in late fees, interest due on the balance aggregated on a monthly basis, or termination of the Lease Agreement and withholding of the deferred rent amounts from her damage deposit.

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

**\*RES #14-53/Approve Rockford River Days Fireworks Contract**

**MOTION** was made by Martinson, seconded by Wenz to approve Resolution #14-53 approving the contract with Premiere Pyrotechnics under the terms and conditions contained therein, and agrees to contribute the amount of \$3,500 annually for three years to procure this fireworks display for the City of Rockford's annual River Days Celebration.

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

**Resolution #14-54/Refinance of 2007A Bond**

Financial Consultant Shannon Sweeney of David Drown Associates stated the city received competitive bids to refinance the 2007A Bonds that were originally issued to fund the public works facility. The refinancing will save approximately \$259,000 in interest expense. The city received a credit AA Rating for the issue which Sweeney indicated is very good for a community of Rockford's size and likely resulted in the additional bids that were received. The low bid was from United Bankers' Bank for a purchase price of \$2,179,751.58, net interest cost \$513,105.30 and a net interest rate of 2.6333%.

Sweeney indicated that staff did a good job of preparing for and answering questions during the rating call.

The bid included a premium which will result in lower initial payments.

Mr. Sweeney recommended awarding the bid to United Banker's Bank by approving the resolution that was prepared by Briggs & Morgan for council consideration.

**MOTION** was made by Hafften, seconded by Graner to approve Resolution #14-54 providing for the issuance and sale of \$2,130,000 General Obligation Refunding Bonds, Series 2014C to United Bankers' Bank at an interest rate of 2.6333% for a fifteen year term and pledging for the security thereof net revenues and levying a tax for the payment as described in the resolution.

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

**Resolution #14-55/Call for Public Hearing on Question of Establishing an EDA**

Administrator Madsen explained an Economic Development Authority (EDA) would have more authority over a Housing Redevelopment Authority (HRA). Staff is recommending the Council call for a public hearing on the question of establishing an EDA.

A resolution calling for the public hearing on the question of establishing an EDA has been prepared for council to consider.

**MOTION** was made by Martinson, seconded by Wenz to approve Resolution #14-55 calling for a public hearing on the question of establishing an Economic Development Authority for the City of Rockford on Tuesday, December 9, 2014 at 5pm.

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

Notice of the Public Hearing will be published in the official newspaper the Crow River News on November 28, 2014 and December 4, 2014 and posted at City Hall.

**Rockford City Center Mall/Snow Removal**

Administrator Madsen stated staff contacted over six snow plow contractors to bid snow removal at the Rockford City Center Mall. All but one declined to bid, due to the fact they are unable to commit to the demands required to keep the mall functioning as required in the contract.

Mike Hymes submitted a bid of \$12,000 for the 2014/2015 snow season. Mr. Hymes will deduct \$1,100 from the \$12,000 bid, which is the amount he billed the City for the previous snow removal.

Staff considered taking on the task, but do not feel they have the equipment and personnel at this time to keep the roads open and to keep the mall open for business. Next year staff will research options of hiring a seasonal snow plow personnel and review the equipment required.

**MOTION** was made by Graner, seconded by Martinson to approve a contract with Mike Hymes for the 2014/2015 snow season to plow unlimited amounts of snow events at the Rockford City Center Mall as described in bid for the amount of \$12,000 less \$1,100 already paid.

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

**Rockford City Center Mall/Sign Policy**

Administrator Madsen explained the Rockford City Center Mall Sign Policy was discussed at the last Council meeting on how to ensure all tenants could get mall front signage given the limited sign channels and locations, and how large their signs could be under the recommended parameters.

Council discussed limiting the sign length to 9 feet 6 inches to create 14 spaces for signage. Council was concerned over how short signs would need to be to fill the space and discussed other options. Council and staff viewed other mall layouts, the Hill family also provided sample signage layouts.

Currently there are five businesses that could take five of the eight undivided spaces available. At this time the Council decided to not divide the eight spaces and space will be given to the tenants on a first-come-first-service bases. In the future, the Council can amend the policy to fit the tenants requests if needed.

There was some discussion about a pylon sign at the two entrances, but the funding is not available at this time. Staff recommended the mall be completed in three phases: exterior of the mall first, interior of the mall second, and a mall entrances signs to match the mall to complete the phases.

**MOTION** was made by Hafften, seconded by Wenz to approve the Rockford City Center Mall sign policy to allow for eight sign locations.

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

**Rockford City Center Mall/Community Meeting Space**

Administrator Madsen noted the Council had discussed a community meeting space at the Rockford City Center Mall at the October 14, 2014 meeting, due to the fact the Lion's Building was removed from Riverside Park. Staff prepared options for Council to consider in calculating the rental rate of the 750 square foot space at the mall.

The cost to typically rent a 750 square foot space would rent for around \$8.25 per square foot per year plus about \$1.60 for CAM fee per square foot. That would be \$7,387.50 per year, or \$20.24 per day – understanding this space would not be rented every day the rate factor would be about \$71.03 per day.

Council considered their options and decided to move forward with the following:

- \$33 per day for non-profits
- \$66 per day for City of Rockford residents
- \$99 per day for non-residents

The Lion’s and other organizations may approach the Council in the future to discuss the rental rate for their organization.

**MOTION** was made by Wenz, seconded by Hafften to approve the following rates: \$33 per day for non-profits, \$66 per day for City of Rockford residents, and \$99 per day for non-residents for the community rental space at the Rockford City Center Mall.

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

Council asked if a rental form and fee was being established for the Rockford Fire Department space. At this time staff is researching options for future consideration.

**Rockford City Center Mall/ATM Contract**

Administrator Madsen stated the City was approached by Annomate, a company based out of Wayzata, to have an ATM machine set-up at the Rockford City Center Mall. Annomate would charge a fee for each withdraw, and the City would receive \$1.25 per transaction. If they do not receive 50 transactions per month the contract would be terminated and they would pick up the machine. They would also charge \$14.95 per month to cover their internet access fee and do all the maintenance.

The addition of an ATM at the mall may draw people and would be of little expense to the City.

Council discussed the ATM and would like to move forward. Staff will work with Annomate on an appropriate location within the mall common space.

**MOTION** was made by Hafften, seconded by Graner to approve a twelve month contract with Annomate to place an ATM in the Rockford City Center Mall common area and authorizes to sign the ATM Site Location Placement Agreement.

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

**Purchase Wastewater Plant Lab Equipment**

Supervisor Peterson explained the new wastewater permit has a phosphorus limit. Staff will need to purchase new testing equipment since the old equipment is not capable of testing for phosphorus. Two price quotes were received for the following:

	USA Blue Book	Hach Company
Hach HQ440d Multi-input lab meter with probe	\$1,698.28	\$1,672.00
DR3900 Spectrophotomer with Digital Reactor	\$6,207.05	\$5,922.89

This bid does not include the yearly Bench testing  
Which is \$637.00 per year.

<b>Total</b>	<b>\$7,905.33</b>	<b>\$7,594.89</b>
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Staff is recommending purchasing the equipment from Hach Company at a price for \$7,594.89. At this time staff did not know if sales tax would be required to be paid and asked for a price not to exceed \$8,164.50 should tax be required.

**MOTION** was made by Martinson, seconded by Graner to approve the purchase of the equipment as listed to be purchased from Hach Company for a price not to exceed \$8,164.50.

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

### **Administrator's Report**

Administrator's update included:

- Truth in Taxation hearing scheduled for Tuesday, December 9<sup>th</sup> at 6pm – notice of the hearing was posted at City Hall, on Facebook and the website.
- Thank you to the Hanover Athletic Association for the generous donation of \$50,000 for the ice skating park located at the corner of Elm and Main Street. So far the grading and house foundation removal has been completed. Staff will research cost for: warming house, lights, boards, liner, fire pit, etc...
- Happy Thanksgiving – City Hall will be closed Thursday and Friday.

### **Engineer's Report**

Engineer Ward reported the following: the wastewater UV has been erected, roof on chemical building will begin next week, 2014 Utility Improvement project laterals will take about five days – 22 remaining be completed, if requesting an extension to complete the laterals this will be brought back to council for approval. The delay in the laterals is due to the weather and the equipment needed. There may be issues with the lateral being completed if the house is for sale and the escrow balance is an estimate.

### **Public Works**

Public Works Supervisor Peterson noted the holiday lights are up on State Highway 55 and the new holiday lights for Main Street are on order. The department has more salt to be delivered, but has enough on hand for snow events.

### **Council Reports**

Martinson – Thanked the Hanover Athletic Association for the generous \$50,000 donation for the ice skating rink and Administrator Madsen for working on getting the donation. Public Works did a good job cleaning the roads. Residents should take time to clear fire hydrants in their neighborhood – in the event of a fire the hydrants would then be accessible.

Graner – Rockford Fire Department Toy Drive are set-up at many locations in town and will benefit local families. Sign-up at RiverWorks Food Shelf to receive a toy donation. Photos with Santa on Saturday, December 6<sup>th</sup> from 10am-2pm – along with many other events that are part of Crow River Christmas.

Hafften – Remember snow season parking is in affect and Happy Thanksgiving.

Wenz – Stork House Formal Tea on Sunday, December 14<sup>th</sup> 1-4pm.

### **Open Forum**

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

**ADJOURNMENT**

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

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

Mayor Hafften adjourned the meeting at 7:12 p.m.

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Renee Hafften, Mayor

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Audra Etzel, Deputy Clerk