

Mayor Beyer called the March 8, 2011 regular council meeting to order at 7:06 p.m. in the council chambers of city hall, 6031 Main Street, Rockford, MN.

ROLL CALL

Roll call was taken and the following council members were present: Beyer, Graner, Hafften, Martinson and Wenz. Absent: none. Also in attendance were: Attorney Couri, Engineer Statz, Public Works Supervisor Peterson and Deputy Clerk Etzel.

The Pledge of Allegiance to the Flag was given.

***CONSENT AGENDA/SET AGENDA**

Motion was made by Martinson, seconded by Hafften to approve all items on the consent agenda except items 2.e. Payment to Bonestroo for Ver-Tech invoices and 2.g. RES/Micro Loan for the International Tandem Truck for further discussion and to add 4.e. Community Emergency Response Team and 4.f. Heart Safe Community to the agenda.

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

***Approve Special Council Workshop Minutes/February 22, 2011**

Motion was made by Martinson, seconded by Hafften to approve the minutes of the February 22, 2011 Special Council Workshop Meeting.

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

***Approve Regular Council Minutes/February 22, 2011**

Motion was made by Martinson, seconded by Hafften to approve the minutes of the February 22, 2011 Regular Council Meeting.

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

***Approve Payment of Claims**

Motion was made by Martinson, seconded by Hafften to approve the payment of claims #18840 to #18898 in the amount of \$48,375.31.

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

***Approve Building Permits**

Motion was made by Martinson, seconded by Hafften to approve the building permits #11-06 to #11-10.

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

***Resolution #11-11 Approve Investments**

Motion was made by Martinson, seconded by Hafften to approve Resolution #11-11 to approve investments.

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

Approve Paying Bonestroo for Outstanding Ver-Tech Invoices

Council requested more information regarding the outstanding invoices owed by Ver-Tech and payable to Bonestroo. Engineer Statz explained the bills are an accumulation of 15 months worth of work performed by Bonestroo for quarterly meetings and to rewrite their Significant Industrial User (SIU) Agreement. Drafting the SIU agreement makes up the majority of the balance due. Ver-Tech is responsible for the costs of the services provided, per their SIU Agreement with the City.

Ver-Tech disagrees with some of the costs that are associated with violations at the wastewater treatment facility. Since Liesch was hired to research the processes used by staff at the plant and to complete more samples throughout the city there have not been any violations at the treatment facility. Staff did not want to go into the details at this time, but they do have proof that shows Ver-Techs discharge in the sanitary sewer system has caused violations at the plant.

At one point staff found TSS levels were high, but Liesch had staff reposition the equipment and the levels were normal.

The city does not have a written letter of dispute on file from Ver-Tech disagreeing with the charges.

Council wants to work with Ver-Tech to get the balance due paid. If payment is not received, it could be added to the tax roll.

Staff was directed to follow-up with Ver-Tech regarding the payment schedule and if any or all invoices are in dispute, then report back the information received at the next council meeting.

Motion was made by Martinson, seconded by Wenz to authorize payment to Bonestroo \$10,582.28 for outstanding Ver-Tech invoices and Ver-Tech will reimburse the city for these costs.

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

Resolution #11-12 Approve Micro Loan for Plow Truck

Attorney Couri had the Micro Loan for the plow truck pulled to verify if the bond council approved.

Motion was made by Graner, seconded by Hafften to approve Resolution #11-12 to approve the Micro Loan for plow truck contingent upon bond counsel approval.

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

OPEN FORUM

Mayor Beyer called Open Forum and no one was present to speak.

Rockford School Field Maintenance

Rockford School District Superintendent Paul Durand and Steve Yakesh a representative from RAAA (Rockford, Area Athletic Association) were present to discuss the community's use of the school's baseball and softball fields. The district has received complaints regarding the maintenance of the ball fields during the summer months and the conditions are due to budget cuts; the cost to maintain for the summer is \$42,000 (staff, field maintenance, repairing the fences, water line, water, biffs, etc.). The only fields being used in the summer are for baseball and softball. Community groups are using the fields in the summer, not the school. The school district's general fund can not continue to pay these maintenance costs for summer programs. The school district is proposing cost share as follows: Rockford School will agree to pay 50% and is looking for partners (RAAA, City of Rockford, Greenfield, and Corcoran) to pay the other 50%. Since Rockford residents make up of 56% of the users or 180 families, the school is requesting the City contribute \$10,000 for the summer maintenance of the ball fields. If the other partners are unable to contribute, those residents will be charged higher registration fees.

Superintendent Durant noted there are grant opportunities and if they could show community partnerships, the grants have a better chance of being approved. The western suburbs have not received money and should be due. The idea is to invest the \$42,000 in the fields this year and apply for grants for next year to assist with necessary improvements such as: lights, improved road access, dug outs, etc. With these

improvements the fields could be used to host tournaments which would be good for the program and the community.

RAAA representative Steve Yakesh stated the 2011 participation fees doubled from the previous year to help cover the expenses. The program now has 25 less families.

Mayor Beyer expressed concern that the district will come back to the city and ask for more money. Superintendent Durand was unable to guarantee the district would not be back at the city with a request for more funds.

The council would like to see the Rockford Township be asked to pay for their portion of the partnership.

Council would like staff to check with the Hanover Athletic Association to verify that the \$5,000 donation originally granted for the tennis courts can now be used towards the ball fields.

Motion was made by Graner, seconded by Hafften to approve funding \$5,000 to the Rockford School District along with the \$5,000 from the Hanover Athletic Association for field maintenance.

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

Forfeited Property/Marsh Run Commercial Lot

The city received notice from Wright County regarding two tax forfeited lots in the city limits coming up for sheriff's sale in the Marsh Run Development. Outlot A is a wetland and has no real value as it may not be developed. The other lot is zoned C-3 Highway Commercial and is legally described as Lot 28, Block 1; it is an undeveloped lot which has past due assessments owed. The city has paid approximately \$80,000 worth of assessments on the lot to date. The assessment on Lot 28 was originally \$83,000 assessed at 10 years at 6.5% interest for a total of \$112,826.30.

Attorney Couri stated because of the assessment value, Lot 28 may not be marketable once the city reimposes the assessment. A future buyer could buy the lots for as little as \$1.00 each and the County Assessor should share the assessment amount owed. One problem doing this is if the new owner does not pay the taxes and it is tax forfeited again, the property and taxes would be tied up for another 5 to 6 years. The City could purchase and try to market or wait through the auction process (about one year).

Council requested staff contact the property owner south of the Lot 28 to see if he is interested in purchasing. Also, staff will contact Wright County to see if the property would be tax exempt, if only for a period of time, if the City decided to purchase. No action was made regarding the sale of this property until council receives more information.

Resolution #11-13/Approve Revised Preliminary Plat/Parkwood

Attorney Couri started with a brief history on the Parkwood Developments. The Parkwood Development included all owners until US Homes purchased the land to the east. A stipulation stated they could build homes, but if they wanted to build over 180 homes a second access would be required. Plans and easements were acquired for the second access. In the mean time the housing market fell and US Homes decided not to purchase all of the Wagner's land. The city and developers looked at the cost of a bridge and the cost came in at \$800,000-\$900,000 more than the original estimate. So, a second amendment to the developers agreement was purposed to include no second access, separate property (US Homes and Wagner's), 156 lots to US Homes and 24 lots to Wagner's. US Homes would submit a revised preliminary plat (park property, less townhomes), and Wagner's 24 lots would be platted when development occurs and will be made to comply with city regulations.

Attorney Couri reviewed highlights of the new developer’s agreement and exhibits. Paragraph 10.d. of the developer’s agreement was eliminated and added language regarding US Homes conveying Out Lots C & F to the city.

Council and staff had concerns about the townhomes accumulating plowed snow in front of the emergency access gate on Cyrus Street on the south side of the tracks and that the city would need to keep the access clear of snow on the north side of the tracks. Staff will contact the townhome association and talk to city staff about snow removal.

Engineer Statz and Attorney Couri recommended approving Resolution #11-13, the revised preliminary plat for Parkwood contingent upon: verification of deeded access over Cyrus Street (the emergency access), all exhibits be approved by staff, confirm ownership of Parkwood lots from the first phase platted, changes to the Developers Agreement paragraph 10.d. the elimination of the wetland woodchip-type trails and instead increase the cash for park dedication and:

1. The total number of dwelling units allowed shall not exceed 180 as follows:
 - a. 104 additional single family lots may be final platted within the Lennar property based on the submitted preliminary plat with Lots 4 and 5, Block 10 combined to create one lot subject to the following lot requirements:

Lot Area	Lot Width	Lot Depth	Setbacks		
			Front	Side	Rear
10,800 sf	80 ft	120 ft	20 ft	10 ft	35 ft

- b. 24 lots subject to R-1 District standards may be preliminary and final platted within the Wagner property.

2. Lennar and Wagner shall execute the second amendment to the development agreement as approved by the City Attorney and the City Council.
3. Lennar and Wagner shall pay all outstanding balances owed to the city related to the Parkwood Development.
4. All grading, drainage, and utility issues are subject to review and approval by the City Engineer.

MOTION was made by Martinson, seconded by Graner to approve Resolution #11-13 approving the revised preliminary plat for Parkwood with the conditions as listed.

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

Well #6 Maintenance (Kettenacker Park)

The Department of Health recommends all municipal wells be inspected every 8 years. Well #6 (in Kettenacker Park) was installed in 2000 and since that time no inspections have been made. Staff is recommending the well be inspected. There is money in the budget to perform the following on Well #6:

- Pull, inspect and reinstall the well (estimated cost \$3,200)
- Replace the check valve (estimated cost \$1,975)
- Replace drop pipe (estimated cost \$4,865)

Supervisor Peterson explained there is \$8,000 in the budget, some items will be put on hold so Well #6 can be inspected along with the other items needed.

MOTION was made by Graner, seconded by Wenz to authorize staff to hire Their Well to perform the inspection and any maintenance at a cost not to exceed \$10,400.00.

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

Community Emergency Response Team (CERT)

Mayor Beyer presented information regarding forming a Community Emergency Response Team. The City of Delano started this program in 2001. Those who decide to be on the team would be required to attend seven (7) classes of 2.5 hours in length. The volunteers on the team would be on call when needed and called out by the Fire Department for large emergencies. A refresher course would be required every two years.

Council gave Beyer approval to investigate further into the program details. Supervisor Peterson offered to help get the program going. There is some funding available for the training needed for this program.

Heart Safe Community

Fire Department Training Officer Kim Bemenderfer is in the process of completing an application for the city to become a Heart Safe Community as we have earned adequate points for the program. The application asks to identify partners within the city: Lion's, Chamber of Commerce, Scouts, RAAA, school district and day cares. Staff and council will contact the organizations to see if they are willing to participate in the program.

Once the application has been approved the city would receive a sign recognizing Rockford as a Heart Safe Community. A celebration event would be organized and the newspaper contacted to help get the word out.

Mayor Beyer noted the city has an opportunity to purchase an AED (Automatic External Defibulator) for City Hall. The AED needs to be recalibrated and new batteries installed. The estimated cost is \$480 verses a new machine for \$2000. Council member Martinson will contact the Lion's about giving a donation to cover the costs. Staff at city hall would be required to be trained on the use of the AED.

Council would like to place a plaque on or near the AED stating the AED was donated by the Rockford Lions.

Mayor Beyer will submit a request to Allina for the AED.

Administrator's Report

Council reviewed the administrator's report including the following items: March 19th Business Expo, business closing – Dairylicious and Sugar & Spice, Stork house building issues, update on violation process at 5512 Sunset Circle, Building Inspector RFP's have been received, Hennepin County reviewed and approved the proposal for the 2011 Cam Project to paint the traffic light at Hwy 55 and Co Rd 50, and there is an HRA meeting on March 22nd at 6 or 6:30 pm depending on the agenda.

Council members: Martinson, Wenz and Hafften will work the city booth at the Business Expo on March 19th. Staff will set up the booth and provide information: flood info, recycling calendar, P & Z commission application and email registration for a free city coffee cup.

If a regular or emergency flood meeting is needed, staff will contact the press, post on the web site and notify those with email addresses.

Engineer's Report

Bonestroo's report included: flood levee information and the Parkwood Development.

Adjournment

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

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

Mayor Beyer adjourned the meeting at 10:04 p.m.

Michael Beyer, Mayor

Nancy Carswell, Administrator