

Mayor Beyer called the special council meeting to order at 8:00 p.m. in the council chambers of city hall, 6031 Main Street, Rockford, MN.

Roll call

Roll call was taken and the following members were present: Beyer, Graner, Hafften, Martinson and Nichols. Also in attendance were: Attorney Couri, Planner Dan Licht, Administrator Carswell, Engineer Statz and Public Works Supervisor D. Peterson.

Set Agenda/Consent Agenda

MOTION was made by Nichols, seconded by Graner to set the agenda and approve all items except: 2-E Res/Adopt Ordinance 10-06 Sick Leave Cap, 2-F Renew Secondhand Dealers License/8905 Autumn Oaks Drive and 2-H Accept Employee Resignation on the consent agenda.

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

***Approve Minutes/July 27, 2010 Council Meeting**

MOTION was made by Nichols, seconded by Graner to approve the minutes of the July 27, 2010 council meeting.

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

***Approve Payment of Claims**

MOTION was made by Nichols, seconded by Graner to approve the payment of claims Check #018038-#018093 in the amount of \$83,533.39.

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

***Building Permits**

MOTION was made by Nichols, seconded by Graner to approve the building permits #10-64 to #10-82 with a total new value of \$540,000 and other value of \$38,540.

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

***Resolution 10-35 Certifying 2010/2011 Levy for the Fire Relief Association Pension**

MOTION was made by Nichols, seconded by Graner to adopt resolution 10-35 Certify 2010/2011 Levy for the Fire Relief Association Pension in the amount of \$20,850.

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

***Resolution 10-36 Fund Transfer/Historical Society**

MOTION was made by Nichols, seconded by Graner to adopt resolution 10-36 approved fund transfer from Fund 313 to the fund 204 Historical Society in the amount of \$10,000 for repairs needed to the structure as listed in the structural report.

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

Resolution 10-37 Adopt Ordinance 10-06 Sick Leave Cap

Council Member Hafften requested that language be added to the ordinance that states there is no cash value for the sick leave accrued.

MOTION was made by Nichols, seconded by Martinson to adopt Resolution 10-37 Adopt Ordinance 10-06 Sick Leave Cap at 480 hour maximum accrual with no cash value for the sick leave accrued.

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

Resolution 10-38 Renew Secondhand Goods Dealer License/8905 Autumn Oaks Drive

This item was removed from the consent agenda for further discussion.

Council member Martinson expressed his concerns with this business as they continue to violate the city code by putting banner signs along the State Highway and furniture was dumped on the public street in front of the store this Monday morning. The council expressed concerns about the business continued lack of compliance with city ordinances after they were specifically told what was allowed.

Administrator Carswell stated that the city council asked that the owner comply with the city code and submit the following items which have been completed:

A completed application, license fee, floor plan, list of items sold, application for temporary sign. Since these items were completed staff brought the license request to the city council for approval or denial.

The thrift store owner, Ann Fielder was present and she stated that she would comply with the ordinance requirements.

MOTION was made by Martinson, seconded by Nichols to adopt the resolution 10-38 Approve License for second hand store at 8905 Autumn Oaks Drive for a three month trial period and other conditions that include complying with the city code.

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

Accept Employee Resignation

The city council reviewed the employee resignation of the Water and Wastewater operator Scott Niesen. Public works supervisor Dennis Peterson plans to promote Doug Duda into the position of water/wastewater operator since he has his Class C licenses. The city council discussed replacing this position or whether the city should contract for the operations of the wastewater treatment facility. Council member Graner stated that promoting from within the city staff is her preference. Council member Hafften asked if any of the other employees were interested in the position. Public Works Supervisor stated that he had not asked the other staff but that he would do that tomorrow. No council action was taken as to the promotion of Doug Duda until the position is offered to other employees. The city council also discussed the need to continue to provide training for the public works staff for this position so that there is a backup when needed. Dennis Peterson stated that the plant is operated under his Class B license.

Council stated that the advertisement for employment should be changed to require the Class B driver's license within 6 months.

MOTION was made by Graner, seconded by Nichols to accept employee Scott Niesen's resignation.

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

Open Forum

Mayor Beyer called open forum.

Resolution 10-39 Award contract 2010 Street/Sidewalk Improvement

Engineer Mark Statz of Bonestroo presented the bid results for the 2010 Street/Sidewalk Improvement Project. Bids were opened at city hall on August 10, 2010 at 10:00 a.m. and they were four bidders.

The lowest responsible bid was received from Omann Brothers Inc. 6551 Labeaux Ave. NE, P.O. Box 120, Albertville, MN 55301 in the amount of \$316,210.65, which was less than the engineer's estimate of \$350,000.

MOTION was made by Nichols, seconded by Graner to adopt resolution 10-39 Award Contract 2010 Street/Sidewalk Improvement Project.

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

Review 2011 Preliminary General fund Budget Information

Administrator Carswell presented some information about what staff is proposing for the 2011 Preliminary General Fund budget. Staff noted that the state has mandated a levy limit for cities over a population of

2,500.. The 2011 proposed budget decreased \$50,167 from 2010 numbers. The decreases include: Street CIP, library, parks and contingency. The increases in the budget include: insurance, police protection, fire protection, utilities and wage/benefit increases.

The budget includes a fund transfer for a new fund that will be used to cover the sick leave liability and a small contingency of \$12,000 that may cover insurance deductibles.

The city council expressed concern about the proposed 15% health insurance premium for 2011 and Carswell stated that the city will not have an actual dollar amount on this until 90 days before the end of the year, but the budget must be submitted to the county and state by September 15th. Staff is getting quotes on insurance starting in October. The agent has received the information on what type of coverage we currently have.

Resolution 10-40 Review Concept Plan/Parkwood

The city received a revised concept plan for the Parkwood residential subdivision from Lennar and Virgil/Edith Wagner. Also submitted with the plan is an agreement from the homeowners association which is part of the town home portion of the plat. Representative Joe Jablonski from Lennar was present. Brian Wagner was not able to attend the meeting.

Planner Dan Licht reviewed the revised Parkwood plans and stated that the main purpose of the concept plan review was to determine whether or not the city council would agree to a plat that has no western access requirement with the 181 lots/units prior to submitting a preliminary plat.

The proposed concept plan includes a total of 181 residential units which was the number noted in the master developer's agreement that would not trigger the need for the western access.

The concept plan includes 105 single family home lots, 20 town homes and 24 future R-1 Single Family Residential lots not platted but reserved on the western platted area owned by the Wagner's.

The planner suggests that lots 4 & 5, Block 10 be combined to make a more desirable lot. Lennar Developer Joe Jablonski stated that he would discuss this with his company but thought the lots could be combined. This would reduce the number of total units to 180 consistent with the city council's original limits on the number of units that could be constructed without a second public street access.

The remaining park land should be dedicated to the city now and graded and seeded by the developer. Joe Jablonski stated that Lennar owns the park land and is willing to grade and seed the park land now as required by the developer's agreement. Joe Jablonski estimated it would take about thirty days to grade and seed the park land. There was some discussion by council about Lennar providing some playground equipment for the park; however, they have dedicated over 9 acres of land instead of cash.

The planner noted that the Wagner's 24 lots will be required to meet at least the R-1 Single Family requirements.

The engineer's comments include the park land dedication to be required now rather than later. A developer's agreement should address the sewer and water extension easements to the west that will connect to the industrial park property. The revised agreement should ensure that the city is paid for the costs incurred year to date for the western access. The engineers report also states that the city council should be sure that the western access is no longer necessary before approving the concept plan.

The attorney's comments include the park land to be dedicated now, trailways that were original to the plat should be addressed, Wagner's property should be limited to 24 units that meet the R-1 zoning requirements, council should clarify whether it intends for the Wagner parcel to have to adjoin the western Wagner property with an access, the plan needs to address the existing dirt pile. The water main easement is still necessary for the industrial property to the west of County Road 32 and should be part of the concept plan. The water main connection from Woodlawn Court, and the water main crossing under Highway 55 near the far west end of the development should be addressed as it was in the September 2008 agreement as US Homes paying 50% and the city paying 50%.

Council member Graner stated that she is not happy that the western access is no longer part of the development plans but understands the bridge costs made the project unfeasible. Joe Jablonski stated that Lennar has given up 150 lots to comply with what the city discussed previously as a safe number of units before a second access would be required to be built. City Attorney Couri informed the city council that if they still wanted the bridge that they did not have to approve the revised plans. Couri noted that with the current economy he has seen many development changes in other cities he works with.

MOTION was made by Martinson, seconded by Nichols to adopt resolution 10-40 Approve concept plan for Parkwood Development with conditions:

1. Park land shall be deeded to the city now and graded and seeded by the developer and a letter of credit in the amount of 110% of the costs of the grading and seeding be submitted prior to review of the preliminary plat.
2. Trails for the Wagner property will have to be determined.
3. The development of Wagner's property shall comply with the Single Family R-1 regulations and shall be served by city water and sanitary sewer.
4. A western access will not be required if the amount of units/lots are no more than 181.
5. The developer's agreement will be revised as part of the final plat to include all of the concerns from the attorney's report attached, the planners report and the engineers reports all dated August 5, 2010.
6. The Wagner's shall submit a letter agreeing to proceed with preliminary plat application in accordance with the comments by the City related to the concept plan.
7. The city councils action regarding the concept plan shall be advisory only and shall not bid the city council regarding approval of subsequent applications required by the zoning ordinance and/or subdivision ordinance.

MOTION CARRIED-VOTING IN FAVOR: BEYER, HAFFTEN, MARTINSON AND NICHOLS. Opposed-Graner

Administrator's Report

Council reviewed the administrator's report including the following items: sewer/water funds, fund for sick leave liability, park commission meeting, fire board meeting, application for revolving loan fund, The Meadows development plans, Lot 28 Marsh Run, 8740 Hwy 55. Public works update includes: storm sewer repair, painting crosswalks, River Days preparation and Raven Ridge ground water.

Mayor's Report

Mayor Beyer discussed the fire board meeting and noted that the entities were very open to the proposed ordinance amendment that would allow the city to charge for accidents, and fire calls. Both entities will discuss it further with their respective boards/council and update the city. The entities seemed to be in favor of moving forward with plans and specifications for the fire engine that will replace engine #11 that was purchased in 2001. The plan is to lease the vehicle in 2012 and by that time an existing lease will be paid off so there should be no increase in the budget. The depreciation billed for 2011 was discussed and 100% depreciation is not affordable at this time. Staff will research the amount of depreciation that will be charged and present it after the budget has been prepared for 2011.

Engineer's Report

The engineer's report included updates on the following: levee improvements apply for DNR RIP program, Parkwood revised concept plan, and the 2010 Street Improvement. Mark stated that the 2010 street/sidewalk project could start as early as two weeks after a pre-construction meeting. The project should not be invasive as it does not include any utilities and it estimated that the project will take about four weeks.

Public Works

Dennis Peterson noted that the city has been notified by Wright County Engineers that there is a storm water erosion problem along County Road 33. Dennis plans to televise this area and meet with Wright county engineers to discuss the problem.

Council Report

Council member Nichols stated that he would like the supervisor's to continue staff training and if it is not in the budget that it should be brought to the city council for discussion as Nichols feels it is important to continue training for employees. After reviewing employee evaluations some employees did not complete goals due to budget constraints on training, however, this year more funding has been provided in the budget for staff training. Nichols also stated that next year the supervisor's should not freeze all wages but when an employee meets their goals or completes training that the supervisor should submit a request to council for a wage increase per the compensation plan.

Adjournment

MOTION TO ADJOURN was made by Graner, seconded by Hafften.

Mayor Beyer adjourned the meeting at 10:03 p.m.

Michael Beyer, Mayor

ATTEST:

Nancy Carswell, Administrator