

Mayor Beyer called the September 13, 2011 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 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, Administrator Carswell, Public Works Supervisor Dennis Peterson and Fire Chief Kevin Reed.

The Pledge of Allegiance to the Flag was given.

***SET AGENDA/APPROVE CONSENT AGENDA**

MOTION was made by Martinson, seconded by Graner to approve all items on the consent agenda and to move item 4-E up on the agenda to accommodate the number of people present for the Baseball field/Parkwood park.

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

***Approve Regular Council Minutes/August 23, 2011**

MOTION was made by Martinson, seconded by Graner to approve the minutes of the August 23, 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 Graner to approve the payment of claims #19510 to #19582 in the amount of \$127,945.74.

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

***Approve Building Permits**

MOTION was made by Martinson, seconded by Graner to approve the building permits #11-81 to #11-107.

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

***Resolution #11-38/Adopt Preliminary General Fund Levy for 2011/2012**

MOTION was made by Martinson seconded by Graner to approve Resolution #11-38 adopting the Preliminary General Fund Levy for 2011/2012.

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

OPEN FORUM/Wright County Deputy

Mayor Beyer called for open forum, no one from the public spoke. Wright County Deputy was present and discussed theft of vehicles last month and urges residents to lock their vehicles. Red Vest was burglarized a couple weeks ago and it is under investigation.

Parkwood Ball Field – Rockford Area Athletic Association (RAAA)

Steve Yakesh Rockford Athletic Association Director was present to discuss the proposal of RAAA's desire to develop a baseball field in the Parkwood Park. The youth baseball program is in need of more fields and has approximately 82 participants in the baseball program. In the past three months RAAA has

been working toward fund raising efforts. Chevrolet Dealership in Delano is willing to donate a vehicle and RAAA would sell raffle tickets and keep the money for the development of the field. RAAA would also apply for funding through the TWINS Community Fund for a match of up to \$10,000. Hanover Athletic Association would be another source of funding and donations from local individuals and businesses. Labor would be donated by the local residents. RAAA would pay for the costs of developing the park and the city would mow it and water it. Any permits they ask that the city would waive those fees. Costs do not include water which is estimated to be \$5,000.

Tournaments could be held on this field which would bring teams into town.

Martinson asked about the Chevrolet program, starts in February 2012, registration and raffle ticket sales would begin in January of 2012. Portable toilets, dugouts are planned and could be used for storage of equipment. No concessions will be sold at this time. Beyer asked about neighbor's support of this field. No lights on the field or advertising on the outfield fence. Dug outs will be designed in earth tones to blend in with the surrounding.

Beyer wondered about the parking for a tournament since there are only 20 parking spaces, planned and there should be enough parking on the street during tournaments. Beyer wants to make sure that the residents are aware of the traffic that this would bring. A tournament would be once or twice a year. Lucarelli was present and said that the parking spots are being poured and it doesn't look like 20 spaces.

Steve stated that RAAA has their own liability insurance to cover their volunteer work. The city will draft an agreement for the use of the ball field which specifies the use and maintenance of the fields. The city council gave approval to the concept of RAAA building a baseball field in Parkwood Park and directed staff to submit an agreement for council review at the next meeting.

Review Bids for Demolition of 6127 Mechanic Street

The city received three bids today for the demolition of the structures at 6127 Mechanic Street. The results of the bids are as follows:

A-1 Transfer \$11,000 - Doboszinski & Sons \$12,875 - Lloyd's Construction Service \$13,720

Staff recommends the city contract with A-1 Transfer for the demolition of the structures at 6127 Mechanic Street. The project would have a start date of no later than September 29 and completion date of October 28th. There was some discussion about the finished grade of the site and staff will discuss this with the contractor but the public works department will take care of seeding and any other items.

MOTION was made by Hafften, seconded by Graner to approve the contract for demolition of 6127 Mechanic Street by A-1 Transfer at a cost not to exceed \$11,000 to be financed by the HRA fund 207.

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

Designation of Funds 313 & 101 Reserve

Discussed the proposed plan submitted by staff. There was discussion about the options listed for 2012 which included a traffic signal at Highway 55 and Autumn Oaks Drive/Electric Drive. Council tabled action until the staff meets with the potential grocer to see if having money set aside for the traffic signal would be the best plan if it makes the grocer's decision to relocate in Rockford a reality.

Accept Resignation of Fire Chief Kevin Reed

Kevin Reed submitted his resignation from the Rockford Volunteer Fire Department after ten years of service to the city council effective October 31, 2011. Kevin Reed has served as the fire chief for the past few years and his current term expires December 31, 2013.

The city council discussed the resignation of Fire Chief Reed in length and decided to place Gordon Hopkins as the interim chief until the city interviews for a replacement which will complete Reeds term.

The city interview committee will also recruit a member from the Rockford Volunteer Fire Department to sit on the committee. Martinson and Carswell will attend the next fire department meeting on October 10th to receive their input about the replacement of the Fire Chief and what they want to see in the next leader of the department.

Gordon Hopkins Assistant Chief was present and stated he is willing to step into the position of chief until the end of the year. Ron Harkins addressed the council and noted that the fire department officers met and discussed moving forward and they suggest Gordon be appointed to fill the term of the fire chief as he feels it will be good for morale to move forward. Hafften stated that the city council is going to ask for the fire departments input in the process and feels this will be good for boosting morale.

MOTION was made by Martinson, seconded by Graner to accept resignation of Chief Reed effective October 31, 2011.

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

Approve Purchase of Blower/Wastewater Treatment Plant #1

A new blower for the wastewater plant #1 is in need of replacement the cost of a new blower is \$6,620 and will be financed by the sewer fund.

MOTION was made by Martinson, seconded by Hafften to approve the purchase of the blower from General Repair Services at a cost of \$6,620 for the wastewater treatment plant #1.

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

3877 Haug Avenue Claim

Sanna Kariniemi was present with a request from the city council to be reimbursed for the damages to their home caused by heavy rains in May of 2011. The League of MN Cities denied the Kariniemi's claim and stated that the city is not liable for any damages to the Kariniemi's property. The request from the Kariniemi's is for the us to reimburse them \$9,499.98 for damages they feel are due to the road the city approved for the Marsh Run development adjacent to their property which they feel blocks the flow of water and caused their home to flood.

Attorney Couri suggested at a meeting with staff that the Kariniemi's submit their request in writing to the city council. Attorney Couri stated that the city has the authority to settle this claim but we are not liable. The League Insurance Trust found that the city was not negligible and did not cause this damage by constructing this road and has maintained the main pipe as intended per the developer's agreement. The city may however, decide to improve the method of storm sewer but has no money set aside for this such as Parkwood which competes for flooding protection and the downtown flood protection is being funded by all of the taxpayers.

Engineer Statz provided storm water options: 1) do nothing, 2) clear area around storm water pipe/install rip rap, 3) construct a berm around walkout, 4) convert home to lookout style by modifying the basement,

5) install additional sewer line under the road, 6) or purchase the home and demolish to sell to a developer.

Sanna stated she would be agreeable to Option #3 which is the city install a berm around the walkout. Graner asked Attorney Couri that if the city were to agree to make an improvement would we be setting up precedence. Would this have been the developer's responsibility and Couri said not since the storm water was reasonably constructed to meet 100 year storm event. Per the developer's agreement the Marsh Run home owners association needs to maintain the storm water inlet pipe however, the pipe is on the Kariniemi's property.

The council discussed that the Marsh Run Homeowners Association should install riprap by the inlet for the storm sewer.

Hafften suggested that the city agree to construct option #2 and #3 as presented by the engineer. Graner stated that if the city completes these improvements that the city should assess the costs to the property that benefits from the improvement. Hafften stated that since the development was not completed as planned that which included demolishing the Kariniemi's home and developing the site as town homes it should be considered differently. It was noted that the city's flood levee is being paid for by all of city tax payers. Beyer agrees with Graner but suggested that Sanna discuss option #3/ berm with her husband. Martinson stated that he does not feel the city should pay damages. Sanna stated that she does not want to continue this debate any longer and is confident her husband would be in agreement with the city installing the berm. Engineer Stats suggested the city council make a decision tonight or establish a dollar amount of repairs they are willing to fund so the project may be completed before winter and not table to next meeting.

MOTION was made by Martinson, seconded by Wenz to install Options #2 and #3 or option #4 sharing a cost of up to \$4500 contingent upon the Kariniemi's entering into an agreement releasing the city from further damages and that the terms are acceptable to the city attorney.

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

Authorize Preparation of Plans and Specifications for Sewer and Water Upgrades on Highway 55

The project will be bid by MNDOT this winter and the project will start on the west of Rockford area first. This is why this project was placed on the agenda. The engineer stated that the city needs to get topographical survey, council asked how much that topography will cost and it was estimated by Statz at \$3,000.

Motion was made by Martinson, seconded by Wenz authorize the city engineer to prepare the topographic survey for the utility project for a cost not to exceed \$3,000.

MOTION CARRIED BEYER, GRANER, HAFFTEN, MARTINSON AND WENZ.

Review No Interest Loan Application/8740 State Highway 55

Sue Miller/Rockford Mini Storage 8740 Highway 55 submitted an application for an HRA no interest loan in the amount of \$10,150. Ms. Miller is requesting that the no interest loan be deferred until she sells her property to a developer.

MOTION was made by Martinson , seconded by Hafften to approve an HRA no interest loan to Sue Miller in the amount of \$10,150 for the demolition of the Cozy Rest Motel at 8740 Highway 55 to be deferred until the property is sold.

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

Wastewater Treatment Plant Chemical Feed Improvement

Jim Bullert of Liesch and Associates was present to review the quotes received for the wastewater treatment plant and the total quotes are \$77,613 but with some changes the total project should be \$76,000. They plan to start right away to get the water lines installed and concrete in before the winter frost; however the city has not yet received approval from the PCA for the project.

MOTION was made by Martinson, seconded by Graner to approve the bids for the wastewater plant chemical feed improvement contingent upon the PCA approval for the project.

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

Administrator's Report

Council reviewed the administrator's report including the following items: movie in the park, electrical/city hall, planning commission meeting, downtown mural completion, HRA next meeting, and Initiative foundation presentation.

Council Report

There were no council reports.

Adjournment

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

Mayor Beyer adjourned the meeting at 10:25 p.m.

Michael Beyer, Mayor

Nancy Carswell, Administrator