

Mayor Beyer called the June 8, 2010 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.

The Pledge of Allegiance to the Flag was given.

**ROLL CALL**

Roll call was taken, the following council members were present: Beyer, Graner, Hafften, Martinson and Nichols. Absent: none. Also in attendance were: Attorney Couri, Administrator Carswell, Engineer Statz and Public Works Supervisor D. Peterson.

**\*CONSENT AGENDA/SET AGENDA**

Motion was made by Nichols, seconded by Graner to approve all items on the consent agenda and to remove item 5-d 8740 Highway 55 until the property owner can attend the meeting.

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

**\*Approve Council Minutes/May 25, 2010**

Motion was made by Nichols, seconded by Graner to approve the minutes of the May 25, 2010 regular 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 #17792 to #17848 in the amount of \$119,756.45.

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

**\*Approve Building Permits**

Motion was made by Nichols, seconded by Graner to approve the building permits #10-30 to #10-43.

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

**\*Resolution #10-22/Approve Licenses**

Motion was made by Nichols, seconded by Graner to approve Resolution #10-22 to authorize licenses to Billy's Rockford Bar, Red Vest Bar & Grill and Sabourin Wine and Liquor starting July 1, 2010 to June 30, 2011.

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

**Open Forum/Jim Lupino 6400 High Street**

Mayor Beyer called for Open Forum and Jim Lupino was present to speak on behalf of his sister who has property on Ash Street that is proposed for improvement. Mr. Lupino expressed his concerns about the proposed improvement which includes curb, gutter, storm sewer and assessing three property owners. Mr. Lupino stated that the city has not maintained this section of street with the exception of patching two potholes about ten years ago. Mr. Lupino also stated that the city had talked about improving this street in 1998 by installing a radius curb but these improvements were not completed. Lupino said he remember the city council discussing vacating this portion of Ash Street since it only serves three homes; however, the street has never been vacated.

Council asked Mr. Lupino if he would be willing to plow the street if the city were to vacate it and he said he would, but he could not speak for the other two property owners. Mr. Lupino suggested that the city install

an overlay on the street and then vacate it. Lupino further stated that the street is only alligatored at the far north end and does not require the improvement that the city is proposing.

**Open Forum/ Jeremy Grady 6400 Ash Street**

Mr. Grady recently purchase the property on the corner of Ash and Plum Street and stated that the entrance to his home is located on Plum Street and noted he does not use Ash Street. Mr. Grady stated he would like to have his address changed to a Plum Street address. Staff asked Mr. Grady to stop in city hall and that they could change his address and forward that information to the post office.

Mr. Grady said he doesn't feel he should be assessed for the proposed improvements of Ash Street since the city did not complete the improvement in 1998. Mr. Grady stated that the city should pay for the improvements on Ash Street since it has been neglected for twenty years.

Attorney Couri informed the city council that the vacation of any right should be due to the fact that the right of way no longer benefits the public. Couri also stated that the city should not improve the road and then vacate it because the city only improves public right of ways that is part of their infrastructure and is of public benefit. Vacating the street would translate to the fact that there is no public purpose for this right of way. The right of way would be divided and deeded to property owners on both sides of the street. The property owners may petition the city for vacation of the street and a public hearing would be held.

**RES #10-23/CUP for Pool to be located at 3001 Aspen Circle N**

The Planning Commission reviewed the application submitted by Mr. & Mrs. Dugstad of 3001 Aspen Circle North. The Planning Commission held a public hearing to review the CUP application and recommended approval with conditions as listed in the resolution.

Motion was made by Nichols, seconded by Hafften to adopt Resolution #10-23 approving a CUP for a swimming pool to be located at 3001 Aspen Circle North with conditions.

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

**Recycling Contract – Request for Proposal**

The recycling contract for the City expires on September 1, 2010. The City has the option to renew the contract or to go out for requests for proposals (RFP). The City has experienced very good service and low costs for the service with the current contractor, Wright Recycling.

Staff has been approached by Waste Management who has the city's refuse contract, stating they would appreciate an opportunity to bid on the recycling contract.

The contract includes all residential units up to 48, any other larger apartment or commercial businesses contract for their own recycling. Riverview Estates opted out of the City recycling program a few years ago, as they found a cost savings using their garbage contractor Randy's Sanitation.

Currently the City bills residential homes \$5.00 per quarter for recycling and apartments are billed at 80% per unit to cover most of the costs of the program. The annual revenues from 2009 for the program were \$26,889 and the expenditures paid to Wright Recycling were \$34,864.

Staff asked council for direction to renew the contract with Wright Recycling or to go out for RFP's which require RFP preparation, RFP publication, RFP review and section of an RFP by Council. Council asked if the city would have to accept the low bid and the city attorney stated not when you go out of requests for proposals. Council also stated that they are willing to see what type of service they could receive elsewhere but noted that they prefer doing business with a local company like Wright Recycling.

Motion was made by Martinson seconded by Hafften to authorize staff to go out for Requests for Proposals for the Recycling Collection service contract which expires on September 30, 2010.

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

### **Sludge Storage and Hauling**

Council Member Martinson requested the storage of sludge and all the costs associate with the sludge be placed on the council agenda for discussion. The city council discussed the added costs associated with drying the sludge instead of land applying. This process was done due to the fact that the Rockford Township had added 5 ton limits on the road to the city's permitted site for land application. The costs for drying the bio solids and hauling them to Veolia Landfill costs approximately \$39,962.

When staff made the arrangements for Fergus Pump to dry the materials they were told it was to be a certain size but in the end the amount of dried materials was much larger. There were many complaints from homeowners about the odor of this material stored on the city property, so staff made arrangements to have it hauled away last week and everything has been cleaned. Dennis said he had planned on storing the dried bio solids on site until the fall at which time the city staff would haul the material to the farmer's field. The city council questioned how many loads that would be and thought the cost of contracting to have the material hauled was a better plan especially with the odor. Council member Graner stated she received many complaints about the odor at the public works facility due to the storage of this material.

Dennis Peterson informed the city council that the staff is working with Fergus Pump to obtain a permit for another site where we can apply the solids which is not located on a Township Road and has a load limit of 10 ton. Peterson did state that the site is farther but should present fewer problems as the road is built for heavy loads such as this. Peterson stated that it takes anywhere from 4-6 months to have a site approved by the state before we can apply the sludge.

The city council stated that there needs to be better communication with the Rockford Township as we need to work together. The council also asked if the city received a permit from PCA to store the materials on our site and Dennis Peterson stated that Fergus Pump took care of the permitting and it was legal to store the materials on site. Dennis stated that is costs \$.4 to \$.6 per gallon to land apply versus \$.35 per gallon to haul to Hutchinson or the Metro.

### **Schedule Goal Setting Meeting**

Council looked at the dates recommended for the goal setting meeting and decided to make it part of the regular council agenda.

### **2010 Improvement Project**

Engineer Mark Statz of Bonestroo reviewed the Feasibility study for the proposed 2010 Street Improvement project. The report includes ten improvements and three different scenarios's for financing or assessing the improvements. The total estimated project cost is \$468,100. The improvements include the following:

1. Ravenrock Road adjacent to: 8040 & 8045 Ravenrock Road
2. Willow Wood Trail from Meadow Lakes Trail to Wesley Court, also 100' in low area on Willow Wood Trail adjacent to: 7020, 7031, 7021, 7011 Willow Wood Trail – remove and replace bituminous
3. Walnut Street between Electric Drive to Catch Basin – remove and replace bituminous, install drain tile behind curb
4. Autumn Oaks Drive between Linnea Parkway & Highway 55 – total reconstruct
5. Autumn Oaks Circle adjacent to: 2991 Autumn Oaks Circle and 8893 Autumn Oaks Drive – total reconstruct and install drain tile
6. Woodlawn Court – remove and replace bituminous
7. Ash Street from Plum Street north to dead end full reconstruct, curb and gutter
8. Basswood Court – overlay bituminous

9. City Parking lot on Main and Cedar Streets –bituminous overlay
10. City sidewalks as per attached list

Engineer Statz provided a map along with the feasibility study which documented when and if any repairs had been completed on these streets. A map showing when the streets were originally constructed was also included for council review. Costs for each improvement and details of what the improvement entailed for each area were reviewed.

Basswood Court had an alternative correction which was to remove and replace bituminous pavement, spot curb repairs and spot subgrade correction. The other option includes a mill of the edge of the pavement and overlay of bituminous, spot curb and bituminous patching.

Hafften stated that items #1, #2 and #6 were rated very high priority on the tour taken May 4<sup>th</sup>.

The council decided to eliminate #9 parking lot improvements as this property would probably be sold to the adjacent developer.

Improvement #7 Ash Street was discussed and the council was open to vacating the street and would address a petition from residents.

Improvement #10 sidewalks were discussed and decided unless they were a tripping hazard they are not a high priority. Mayor Beyer suggested the city repair one half this year and one half next year.

The council asked the engineer if they eliminate a lot of the project if he feels it would be more expensive. Statz stated that the city would probably receive less bids on a smaller project but shouldn't affect the cost.

The council discussed improving items 1, 2, 4 and 6. There was discussion as to how far to proceed with repairs on Autumn Oaks Drive. Statz stated that the improvement is considered a 15 year improvement and is necessary because there is no longer a crown on this section of road to allow water to run off into the storm sewers. The city discussed completing a mill and overlay instead of a full reconstruction since this may be upgraded when the traffic signal is installed.

The group discussed proceeding with completing the repairs described in the report as follows: 1) Ravenrock Rd, 2) Willowood Trail, 4) Autumn Oaks Dr, 5) Autumn Oaks Circle portion, 6) Woodlawn Court and 8) Basswood Court.

Discussed 8-8A for Basswood Court and decided a mill and overlay is fine. Statz recommended that the same repairs should be made on Woodlawn Court which is a full removal and replacement. The edge is milled off and then 2' of bituminous is installed on the road to build up the crown on the road. The spider cracks on these roads show they need repairs.

The group decided to change #6 Woodlawn Court to a mill and overlay which is considered a 10 year improvement. Full removal is considered a 20 year improvement.

Council expressed concerns about the falling market values and that these repairs have to show benefit in order to assess the property owner. Where the report calls for removing full curb and gutter only areas that are necessary will be done.

Item #5 Autumn Oaks Circle patching and replacing curb will not be assessed.

Items #6 Woodlawn Court repairs will include a mill and overlay \$21,000

Item #8 Basswood Court repairs will include a mill and overlay \$20,800

Items #1, #2, #5 will be repaired as listed in the report.

Item #3 is a patch on Ravenrock Road and will not be assessed as this is regular maintenance.

Willowood Trail repairs were discussed and it was suggested that the entire road be repaired. Statz will view this road again and make a recommendation at the next meeting.

There was discussion about assessing or just raising taxes to pay for street improvements. The council instead reviewed the scenarios for assessments and selected scenario #3

The feasibility report will be revised as discussed and approved at the June 22<sup>nd</sup> meeting prior to the public improvement hearing scheduled for that evening. Notice will be sent to those property owners being assessed which includes improvements #2, #4, #6, & #8.

Mayor Beyer called a recess and reconvened the meeting at 9:35 p.m.

### **Sidewalk Trail Policy**

Council reviewed the sidewalk ordinance and assessment policy. The policy and ordinance both state that residential sidewalk/trails that are part of the cities trail system will be maintained 100% by the city. Administrator Carswell wanted to make sure that the city council was aware of this. The city council stated that when developer's were required to put in trails that they were because they connected to the city's system. No developments have been made to install trails that do not connect to the city's system, with the exception of Parkwood which does not connect to any city trail, however, a future trail is proposed along Autumn Oaks Drive when the traffic signal is installed at the intersection on Highway 55.

The administrator was concerned that the way the wording is that people would expect the city to also remove snow from all of the trails which we are not currently doing. The assessment policy has regulated the financing of sidewalks which needs to be corrected. Council asked staff to bring corrections to an upcoming meeting for review and adoption.

### **8740 State Highway 55/Old Cozy Rest Motel**

Council tabled until the June 22, 2010 meeting when the owner can attend.

### **Ongoing Directives**

The ongoing directives were reviewed and discussed.

### **Administrator's Report**

The administrator's report included: attendance at the DNR flood plain management training in St. Cloud on May 27<sup>th</sup>, levee finally was mowed and re-seeded this past week, nuisance letters for tall grass mailed, update on Facebook and the June newsletter was sent via email.

### **Engineer's Report**

The engineer's report was reviewed.

### **Adjournment**

MOTION was made by Hafften, seconded by Martinson to adjourn the meeting.  
Mayor Beyer adjourned the meeting at 10:10 p.m.

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Michael Beyer, Mayor

ATTEST:

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Nancy Carswell, Administrator