

Mayor Beyer called the July 13, 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: Engineer Statz, Administrator Carswell and Public Works Supervisor D. Peterson.

**Public Hearing 2010 Sidewalk Improvement**

Mayor Beyer noted that the notice for the sidewalk improvement was only published once in the official newspaper, which staff was notified of today. Therefore, the hearing was cancelled and no one was in attendance that was affected by the proposed improvement.

Administrator Carswell stated that she had sent the notice to the newspaper to be published on July 16 and July 23<sup>rd</sup> for the hearing date of July 27, 2010. Mailed notices will also be sent to affect property proposed to be assessed.

**\*CONSENT AGENDA/SET AGENDA**

Motion was made by Martinson, seconded by Hafften to approve all items on the consent agenda.

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

**\*Approve Council Minutes/June 22, 2010**

Motion was made by Martinson, seconded by Hafften to approve the minutes of the June 22, 2010 regular Council Meeting.

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

**\*Approve Payment of Claims**

Motion was made by Martinson, seconded by Hafften to approve the payment of claims #17901 to #17990 in the amount of \$193,716.79

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 #10-44 to #10-63.

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

**Resolution 10-28 Establishing a Slate from Which to Choose Election Judges For the Primary Election August 10, 2010 and Establishing Fees for the Same.**

Motion was made by Martinson, seconded by Hafften to adopt Resolution 10-28 Establishing a Slate from Which to Choose Election Judges for the Primary Election August 10, 2010 and Establishing Fees for the same.

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

**Resolution 10-29 Approving Absentee Ballot Boards for the 2010 Primary and General Elections**

Motion was made by Martinson, seconded by Hafften to adopt Resolution 10-29 Approving Absentee Ballot Boards for the 2010 Primary and General Elections.

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

**Cancel Regular Council Meeting and Re-Schedule**

Motion was made by Martinson, seconded by Hafften to cancel the regular August 10, 2010 council meeting due to the primary election and to re-schedule a special council meeting for August 10-, 2010 at 8:00 p.m. after the polls close.

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

**Council Budget Workshop Meeting**

Motion was made by Martinson, seconded by Hafften to schedule a council workshop meeting with staff on August 17, 2010 at 6:00 p.m. at the Lions Building at Riverside Park 8220 Elm Street.

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

**\*Resolution 10-30 Establishing Administrative Enforcement Civil Penalty Schedule**

Motion was made by Martinson, seconded by Hafften to adopt resolution 10-30 Establishing Administrative Enforcement Civil Penalty Schedule.

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

**Open Forum/Eagle Scout**

Scout Sid Wright presented his plans for an Eagle Scout Project. The project includes painting a mural of the Crow River on the north wall of the River Works building that the city owns located at 8230 Cedar Street. Sid explained that he and a few scout members will be assisting him with the project and also a person who paints murals on buildings that will do most of the art work. The project should take about 3 to 5 days. The city council agreed the project would enhance the downtown and the city building and Mayor Beyer signed the Eagle Scout papers required for the project.

**Open Forum/Second Hand Store Sign Violations**

A resident Jerry Hommes of 5042 Greenwood expressed his concerns about the blatant abuse of the sign ordinance by Rockin' Green Restore since the public hearing held on May 11, 2010. Mr. Hommes stated that he believes that zoning laws are in place for a reason such as this when signs are plastered over the Highway 55 right of way and all along Autumn Oaks Drive. Mr. Hommes thanked the city council for the service they provide for the residents.

**Resolution 10-31 Approve Plans and Specifications and Authorize Advertisement of Bids/2010 Streets & Sidewalk Improvements**

Engineer Mark Statz of Bonestroo submitted a copy of the plans and specifications for the 2010 Street/Sidewalk Improvements. The City Council had directed Bonestroo to prepare the plans and specifications at the June 22, 2010 meeting after the public improvement hearing.

MOTION was made by Nichols, seconded by Hafften to adopt resolution 10-31 Approve Plans and Specifications and Authorize Advertisement of Bids/2010 Streets & Sidewalk Improvements.

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

**Adopt Ordinance 10-05 Establish Charges For City Fire and Accident Calls**

Council reviewed information from staff on May 25, 2010 in regards to the law that allows a city with the Fire Department to charge for calls and directed staff prepare an ordinance for review which was included in the packet for discussion. The draft of ordinance 10-05 establishes fees for city fire calls and vehicle accident calls. A fee structure is included which is a certain cost per equipment and personnel, although medical

calls are not included in the fee structure. The staff also provided information from neighboring cities regarding this type of ordinance.

Administrator Carswell did not think that the city wanted to include the entire fire service district in the ordinance as the ordinance states the property may be assessed if they do not pay the charges. However, Hafften stated that the city should charge for all calls whether they are within the city or in our service district. Council member Nichols was not in favor of assessing any property owner for costs of fire services and wondered what would happen if the person did not have insurance. The group directed the discretionary language that is included in the City of Monticello's ordinance should be added to our ordinance which states "The Monticello Fire Chief, or his authorized representative, or the City may use discretion in enforcing this ordinance, taking into account any unique circumstances that may exist in a particular case."

Mayor Beyer noted he had contacted his home and vehicle insurance agents to find out if his policy would pay such a charge. Beyer was told that his base homeowners insurance would pay up to \$5,000 for the service of putting out a fire and his vehicle insurance would pay up to \$500 to the city for fire services incurred.

Graner stated that it was her intention to save costs for the entire fire service district by recouping these costs through the insurance companies for services that residents are paying for and may never use or even be aware of.

Administrator Carswell asked that this first be sent to the city of Greenfield and Rockford Township along with the letter that will be sent out to persons from the city. Carswell will also check the fire contract to make sure that there isn't a clause that states all entities must approve the ordinance. The ordinance will be submitted to council on the consent agenda after the City of Greenfield and the Rockford Township have had an opportunity to review it at their board/council meeting.

#### **Resolution 10-32 Approve Social Media Policy**

Staff drafted a Social Media Policy that was taken from another city for council review prior to starting a Face Book for the city. The policy is a good start and will probably need to be reviewed annually.

MOTION was made by Martinson, seconded by Nichols to adopt Resolution 10-32 Approve Social Media Policy.

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

#### **Review License for Second Hand Store at 8905 Autumn Oaks Drive**

Staff informed the city council that the owner of Rockin' Green Restore has received two letters since the public hearing held on May 11, 2010. The owner has not provided all of the information required and continues to violate the sign ordinance by placing temporary signs up and down the Highway and along Autumn Oaks Drive. Staff contacted Ms. Fiedler today and she informed staff that she will no longer have a store at the Autumn Oaks Drive location. The city council directed staff to send a letter to Ms. Fiedler informing her that she no longer had a license to operate a Secondhand Store within the City of Rockford.

#### **2010 Clean Up Day Summary**

The 2010 Clean Up Day consisted of 86 loads, 48 appliances, 13 tires, 5.8 tons Waste Management, 2.5 tons of construction debris, 1,420 pounds of electronics and 6.68 tons of scrap metal. The city cut costs this year and ended up with the clean up day doing well financially after all the invoices have been paid. The city broke even and made a small profit of \$244.62 compared with 2009 when it cost the city \$2,053.31. Costs savings including staffing, Waste Management, Scrap Metal and electronics.

#### **Ongoing Directives**

The ongoing directives were reviewed. Mayor Beyer asked Council Member Hafften/Nichols for an update on the Personnel Committee. Hafften stated that the committee has reviewed the benefit package, and are now reviewing the wages and job descriptions, along with the compensation plan. The sick leave bank is still under consideration and will be reviewed by the committee. The next meeting is July 19<sup>th</sup> or 21<sup>st</sup>.

**Administrator's Report**

Staff has begun working on the 2011 General Fund Budget, first time homebuyer applicant, movie in the park July 23rd, and primary election August 10<sup>th</sup>. Public Work Supervisor reported that the sirens parts have not been delivered and are expected within the next week or so. The fire department is burning down the home and outbuildings on the northwest side of Highway 55 just west of Marsh Run and east of Our Father's Lutheran Church. The Cozy Rest Motel cannot be used as a training burn by the fire department due to the fact that there is a fire hydrant on the site, and other structural requirements and the buildings don't meet per state regulations.

**Community 4 Theatre**

Council member Graner thanked all of the local businesses who so generously donated money to the Community 4 Theatre.

**Engineer's Report**

Levee project final pay request and Plans and Specifications for the 2010 Street improvement have been completed.

**Adjournment**

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

Mayor Beyer adjourned the meeting at 8:58 p.m.

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Michael Beyer, Mayor

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Nancy Carswell, Administrator