

**MINUTES OF A CITY COUNCIL AND SHORELAND MEETING HELD THURSDAY,
AUGUST 7, 2008 - 7:00 P.M. – ROCKVILLE CITY HALL.**

The meeting was called to order by Acting Mayor Don Simon. Roll Call was taken and the following members were found to be present: Council Members Don Simon, Vern Ahles, Bill Becker, Susan Palmer & Jim Pflapsen. Absent: Mayor Herberg & Randy Volkmuth.

Staff members present were: Administrator/Clerk Rena Weber, Engineer Scott Hedlund & Attorney Jim Mogen.

Shoreland Committee members present were: Toni Honer, Scott Palmer, Paul Wirth & Jerry Bechtold.

Others present were: Joe Torborg, Bruce Conrad & Duane Willenbring.

Attorney Mogen went through his changes from the Shoreland meeting on 8/6/08.

Scott Hedlund reported that his changes were in red and addressed Wayne Cymbaluk and CMBA comments.

Rena Weber confirmed that she had written Wayne Cymbaluk and CMBA comments as well as other citizen input on the copy that Attorney Mogen had created for the 8/6/08 Shoreland meeting. Rena also confirmed that she reviewed the comments further with the edited copy presented by Scott Hedlund this evening. She confirmed that for the most part the concerns were addressed.

REVIEW OF STORM WATER ORDINANCE

Jim Mogen and Scott Hedlund reported on the following changes:

Subd 1 – 5 – are for administrative purposes only – no real changes were done.

A city project – who does the city have review our projects? The County does.

Subd 2 (b) H – Jim added new exemption for minor permits for electrical, plumbing, window replacement, residing, or reroofing, and the impervious surface will not be increased.

There was concern of the exemption of (E) a subdivision resulting in less than 3 lots or outlots, unless any part of it is in the Shoreland district. This section is needed.

Subd 3 B (2) - added as a condition of the approval in perpetuity.

Subd 6 (a) 5 – added soils information can be obtained and printed in report format from Soil Data website (<http://solidatamart.nrcs.usda.gov/>)

Compacted soils were deleted from the ordinance.

Definition of Impervious surface is included in Subd 12.

Reference to SSTS – refers only to areas around septic systems or grinder stations where we don't want any disturbance in or around the area.

Scott reported that a lot of Wayne's comments would require people to hire an engineer and this is what the committee wants to avoid.

Subd 6 (b) – added a work and materials list, provision for protection.

Subd 6 (c) – added verbiage to reflect time of concentration.

Subd 7 – no changes were made.

Don Simon asked who is going to pay for this. Jim Mogen reported the city has the option of establishing a fee. We don't require an engineered drawing if the city feels it is necessary. If it is a fairly thought out design the city can accept and not require more.

Jim Mogen indicated that Subd 8 – 10 are standards or goals. The city would rather have natural retention than detentions.

Subd 8 – added retention/detention facilities.

Subd 9 – addressed issues to reflect the same requirements as NPDES and melds in with construction.

Scott Hedlund reported that these changes reflect the changes that were approved nationwide on 8/1 so this is more specific. Before we were less strict and this addresses CMBA and Wayne Cymbaluk.

The city will develop reporting forms as a part of this process.

People who disturb over an acre are required to pull an NPDES permit and would have to do essentially the same things.

Member Palmer questioned a clarification on construction activity for a development Vs a resident in the Shoreland and anything over an acre. Scott to review and provide more information. The thought is to make this easy and low cost for the resident. On developments this is covered through a developer's agreement and passed through the developer.

Don Simon questioned the County Road 82 project and if this would have applied. Scott indicated that the county had a permit, stockpiles have other standards, and they have to comply with NPDES too.

Scott Palmer questioned the 14 days time frame and how that affects impaired waters. Scott Hedlund reported that he did not check the list of impaired waters.

Subd 10 – was addressing the comments from the county.

Subd 11 – added specific language regarding specifications and when a permit is required. This also requires the engineer to sign off on an approved plan. The city will not record this on the deed.

Subd 12 (a) Lot Coverage Definition- addressed confusion on mitigation. This was moved up from Subd 13.

Subd 12 (b) Lot Coverage Limits – substantive changes are made here:

Jim Mogen indicated that the Grand Lake & Pleasant Lakes are on the general or recreational development lakes and the limit is 15%, except that a lot of record may contain up to 20% impervious surface, with a variance, if the parcel provides a plan to the City that treats all surface runoff for water quality, as provided in 13 (a). For all other areas in the Shoreland District the limit is 12%. The trade off is that let's at least treat the first .05 inch of rainwater.

Planned Unit Developments have more strict requirements i.e. the first 200' must not exceed 15%.

Subd 12 (c) – Jim Mogen stated that we took out highly compacted soils as it is hard to administer. We also took out overhangs, eaves, and similar extensions as long as they are 24" above the ground.

Scott indicated that gravel roads should be considered at 100% and this is what the county does too so it was removed from receiving credits. Decks with gaps of 0.5 inches will receive 75% credit and pervious pavers are treated as 50% impervious.

Member Pflepsen asked if the committee did any trial analysis on existing homes in the Shoreland. It was reported that the committee viewed Paul Ludwig's request and Tom Reed on Grand Lake showing the existing, proposed and the city proposal.

Member Pflepsen voiced concern that this 12% to 20% standard without a variance is still too strict and would like to raise it from 17% to 22%. When we get down to that 15% area it affects most people on both Grand & Pleasant Lakes. 2/3 of the lots are affected and we still need a product that is politically passable. He can't support this at this point. This is a wonderful document, but it is getting so much resistance based on the lot coverage formula.

Scott Palmer gave Member Pflapsen copies of the Alternative Shoreland Standards and the Wisconsin study that was talked about at the hearing citing that anything under 20% is not an improvement.

Member Palmer indicated that there is nothing right now that prohibits people from applying for a variance from the 25%. Are there a number of people waiting at the door to apply?

Member Pflapsen indicated there are a number of factors that contribute to the degradation of the quality of water in the lakes.

Toni Honer indicated that this applies only if they want to expand.

Subd 16 & 17 – Jim Mogen stated these subdivisions are administrative and which allow the city to create a fee.

Subd 13 (a) Rate and Volume – applies mainly to large developments

Subd 13 (b) Water Quality – mainly for Shoreland

B – is used only if not already treating impervious surface.

C – is the mitigation piece and an attempt to get better than we currently are.

C 3 – is the catchall

E – allows for the buffer on riparian lots.

Subd 13 (d) C - Scott Palmer questioned the 8" depth for a rain gardens and where the scientific language comes from for that standard.

ADJOURNMENT – Motion by Member Ahles, second by Member Becker, to adjourn the meeting at 8:06 p.m. Motion carried unanimously.

**VERENA M. WEBER – CMC
ADMINISTRATOR/CLERK**

**DONALD SIMON
ACTING MAYOR**

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