

ROCKVILLE CITY COUNCIL MEETING MINUTES
July 12, 2017
ROCKVILLE CITY HALL

Item 1) Call to Order

The meeting was called to order at 5:00 p.m. by Mayor Duane Willenbring. Roll call was taken and the following members were present: Council Members; Rick Tallman and Jerry Tippelt, Council Members absent; Don Simon and Devin Cesnik.

Staff members present: City Administrator Martin Bode.

Recess to Council Workshop

- a) Presentation of Pay Equity Point Structure – David Drown, DDA Associates, Inc.
- b) SCADA

Reconvene Council Meeting

Item 2) Pledge of Allegiance

Item 3) Roll Call

The meeting was called to order at 6:00 p.m. by Mayor Duane Willenbring. Roll call was taken and the following members were present: Council Members; Rick Tallman and Jerry Tippelt, Council Members absent; Don Simon and Devin Cesnik.

Staff members present: City Administrator Martin Bode, Stearns County Sheriff Lt. Victor Weiss.

Others present: Various members of the public.

Item 4) Approval of Agenda

Tippelt requested to add:

8. d) Maintenance

Tallman requested to add:

11. c) Sign

Administrator Bode requested to add:

7. e) Resolution 2017-50 New Liquor License (400 Club Coyote Moon Style Restaurant)

9. a) Acknowledge Koshiol – Maus Administrative Plat

Motion by Tallman, second by Tippelt, to approve the agenda with the amendments. Motion passed unanimously.

Item 5) Open Forum (4) Minute Limit (No Sharing/Allotting of Minutes)

No one appeared.

Item 6) Approval of Bills Paid

Motion by Tallman, second by Tippelt, to approve bills paid for June and July 2017. Motion passed unanimously.

Item 7) Consent Agenda: Approved with one motion

- a) Resolution 2017-44 Approval June 2017 Journal Entries
- b) Resolution 2017-45 Accepting June 2017 Donations
- c) Approval Rockville City Council Minutes of June 13, 2017
- d) Resolution 2017-46 Accept, Declare, Advertise Council Seat
- e) Resolution 2017-50 New Liquor License - 400 Club Coyote Moon Style Restaurant

Member Tallman requested to pull item c for discussion. Motion by Tippelt, second by Tallman, to approve Items a, b, d, and e of the Consent Agenda as presented. Motion passed unanimously.

Tallman requested that the June 13, 2017 City Council Minutes be updated to state his request to discuss the land for sale sign in the Brentwood Addition and also add his future agenda additions; utility base fees and rates and the DNR Water Supply Plan.

Motion by Willenbring, second by Tippelt, to approve Item c) Rockville City Council Minutes of June 6, 2017 of the Consent Agenda with the amendments. Motion passed unanimously.

Item 8) Department Reports

- a) Sheriff's Quarterly Report – Lt. Victor Weiss
Lt. Victor Weiss reviewed with the Council the Sheriff's Report of the City of Rockville activity.
Lt. Weiss will arrange to have the City Administrator receive the Sheriff's Newsletter.
- b) Planning Commission

- 1) Resolution 2017-47 Clement Kremers Rezone A-40 to RR (Rural Residential)

Re: Re-zoning Request
PIN: 76.41641.0700
Owner: Clement J. Kremers
Property Address: 22267 88th Avenue, Rockville MN 56301

Re-Zoning Requested:

- 1. Request to re-zone 20 acre +/--parcel from A-40 to RR

Purpose of Request:

- 1. To allow a qualified minor subdivision

Relevant Information:

- 1. Property contains 20 acres +/-
- 2. 10 notices of public hearing were sent out
- 3. This property is zoned A-40
- 4. Future Land Use Map – A-40
- 5. Not prime farmland per Stearns County Environmental Services

Recommendation:

- 1. Consider Approval

Motion by Tallman, second by Tippelt to approve Resolution 2017-47 Clement Kremers Rezone A-40 to RR. Motion passed unanimously.

- 2) Resolution 2017-48 Clement Kremers QMS (Qualified Minor Subdivision)

Re: Qualified Minor Subdivision
PIN: 76.41641.0700
Owner: Clement J. Kremers
Property Address: 22267 88th Avenue, Rockville MN 56301

Request to split off 7 acres +/- of a 20 acre +/- parcel.

Relevant Information:

1. Original property contains 20 acres +/-
2. Split off north 7 +/- acres
3. Prior to this application an Administrative Plat had been applied for, granted and recorded. Purpose was to correct both the north and south boundary lines.
4. Prior to this application a request to rezone from A-40 to RR was applied for
5. Future Land Use Map – A-40
6. Not prime farmland per Stearns County Environmental Services
7. Purpose is for building purposes
8. QMS do not require a public hearing but does require Planning Commission and Council Approval

Recommendation:

1. Consider Approval

Motion by Tallman, second by Tippelt to approve Resolution 2017-48 Clement Kremers Qualified Minor Subdivision. Motion passed unanimously.

3) Acknowledge Clement Kremers Administrative Plat

CERTIFICATE OF COMPLIANCE

Owners: Clement J. Kremers Trust, 22267 88th Avenue, Rockville MN
AND: Douglas F. Lichy Trust and Linda A. Lichy Trust, 22197 88th Avenue, Rockville MN
AND: Daniel J. Schaefer, Melvin P. Schaefer, Connie J. Petermeier, Kathleen M.
Grabowski, Sharon Pippo, Rebecca St. John 22409 88th Avenue, Rockville MN

The request is to correct boundary lines between the two neighbors.

The Rockville City Zoning Administrator has reviewed this request and found it to be in compliance with the standards set forth in the City of Rockville. The Application for Administrative Plat is approved and the Certificate of Compliance may be recorded. Acknowledged by the Rockville Planning Commission and Rockville City Council.

(Clement J. Kremers Trust) Parcel I.D. No. 76.41641.0700, Section 23, Township 123, Range 029

(Douglas F. Lichy Trust and Linda A. Lichy Trust) Parcel I.D. No. 76.41641.0800, Section 23, Township 123, Range 029

(Daniel J. Schaefer, Melvin P. Schaefer, Connie J. Petermeier, Kathleen M. Grabowski, Sharon Pippo, Rebecca St. John) Parcel I.D. No. 76.41641.0500, Section 23, Township 123, Range 029

EXISTING LEGAL DESCRIPTIONS

Schaefer Parcel:

The North Half of the Northeast Quarter of the Southwest Quarter (N1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota.

Kremers Parcel:

The South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota.

Lichy Parcel:

The Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota.

LEGAL DESCRIPTIONS OF TRACTS TO BE CONVEYED AS PART OF BOUNDARY LINE ADJUSTMENT

Tract A

(From Kremers to Schaefer)

That part of the South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota, lying northerly of the following described line: Beginning at the northwest corner of said S1/2 NE1/4 SW1/4; thence easterly to a point on the east line of said S1/2 NE1/4 SW1/4 distant 21.52 feet southerly of the northeast corner of said S1/2 NE1/4 SW1/4, as measured along said east line thereof.

Tract B

(From Lichy to Kremers)

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota, lying northerly of the following described line: Beginning at the northwest corner of said SE1/4 SW1/4; thence easterly to a point on the east line of said SE1/4 SW1/4 distant 26.00 feet southerly of the northeast corner of said SE1/4 SW1/4, as measured along said east line thereof.

LEGAL DESCRIPTIONS POST BOUNDARY LINE ADJUSTMENT

Schaefer Parcel:

The North Half of the Northeast Quarter of the Southwest Quarter (N1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota.

Together with that part of the South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota, lying northerly of the following described line: Beginning at the northwest corner of said S1/2 NE1/4 SW1/4; thence easterly to a point on the east line of said S1/2 NE1/4 SW1/4 distant 21.52 feet southerly of the northeast corner of said S1/2 NE1/4 SW1/4, as measured along said east line thereof.

Kremers Parcel:

The South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota.

Together with that part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota, lying northerly of the following described line: Beginning at the northwest corner of said SE1/4 SW1/4; thence easterly to a point on the east line of said SE1/4 SW1/4 distant 26.00 feet southerly of the northeast corner of said SE1/4 SW1/4, as measured along said east line thereof.

Except that part of the South Half of the Northeast Quarter of the Southwest Quarter (S1/2 NE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota, lying northerly of the following described line: Beginning at the northwest corner of said S1/2 NE1/4 SW1/4; thence easterly to a point on the east line of said S1/2 NE1/4 SW1/4 distant 21.52 feet southerly of the northeast corner of said S1/2 NE1/4 SW1/4, as measured along said east line thereof.

Lichy Parcel:

The Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota.

Except that part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 23, Township 123, Range 29, Stearns County, Minnesota, lying northerly of the following described line: Beginning at the northwest corner of said SE1/4 SW1/4; thence easterly to a point on the east line of said SE1/4 SW1/4 distant 26.00 feet southerly of the northeast corner of said SE1/4 SW1/4, as measured along said east line thereof.

Motion by Tallman, second by Tippelt to acknowledge the Administrative Plat – Kremers Parcel, Schaefer Parcel & Lichy Parcel. Motion passed unanimously.

4) Resolution 2017-49 Keller Side yard Setback Variance

Re: Variance Request
Owner: Allen and Julie Keller
Property Address: 25479 Pleasant Road
Legal Description: Parcel ID# 76.42140.0009, Lot 010 of Pleasant Beach, Section-Township-Range 01-123-029
Zoning District: R-1 Single Family Residential, Shoreland

Variance Requested:

A Variance to setback requirement of a non-conforming lot in an R-1 Shoreland District, to construct a 12' x 20' addition to the east end of the existing home, said addition will encroach 4 feet into the 10 foot side yard setbacks

Section 17, Subsection 6, 5 Setbacks,

B. Side Yard Setback. The side yard setback must be at least ten (10) feet, except that the side yard setback on corner lots must be at least fifteen (15) feet.

Relevant Information:

1. This property is located in the Pleasant Lake Shoreland District
2. This is a riparian lot
3. Lot is a legal non-conforming
4. Current structure is 4 feet inside the 10 foot side yard setback
5. Variance to construct a 12 x 20 addition that would be 4 feet inside the 10 foot side yard setback requirement
6. 14 notices of public hearing were sent out.

Recommendation:

1. Consider Approval with condition that property survey pins are visible or a new survey is completed.

Council held a brief discussion reviewing the pro's and con's on whether to continue to allow a variance in a setback area.

Motion by Tippelt, second by Tallman to approve Resolution 2017-49 Keller Side Yard Setback Variance.

Roll Call Vote:

AYES: Tallman, Tippelt

NAYS: Willenbring

Motion passed on a 2 to 1 vote.

c) Rock-fest – Tудie Hermanutz

Hermanutz provided a brief update on behalf of Kathleen Stanger. Next year's Rock-fest is planned for the second weekend of June (June 9, 2018).

d) Maintenance

Tippelt requested a report from the maintenance department. After a brief discussion, Administrator Bode stated that the Public Works Department will provide council with a monthly written report.

Item 9) Administration

a. Acknowledge Koshiol Administrative Plat

Re: Administrative Plat

Re: (Koshiol) Parcel I.D. No. 76.41642.0300, Section 24, Township 123, Range 029

AND: (Maus) Parcel I.D. No. 76.41642.0400, Section 24, Township 123, Range 029

Owners: Paul J. Koshiol Rev. Trust & Susan T. Koshiol Rev. Trust, 7089 Ahles Road, St. Cloud MN 56301
AND: Rita Maus and Roland Henry Maus Disclaimer Trust, 21977 County Road 141, Kimball MN 55353

Request:

Paul Koshiol wants to straighten out a property line issue with their neighbor, Rita Maus.

Relevant Information:

1. Property is zoned Ag-40
2. Property being transferred is less than 40 acres
3. This split does not require a public hearing since they are re-aligning property lines and not creating more than two lots

Recommendation:

Approve

Motion by Tallman, second by Tippelt, to acknowledge the Koshiol/Maus Administrative Plat Staff Report. Motion carried unanimously.

Item 10) Appropriations, Allocations and Transfers

Administrator Bode stated that the 2018 budget process has commenced with reports distributed to Department Directors for review.

Item 11) Mayor/Council Reports

- a) RTCB – Listen & Learn – Communication Task Force (Mayor Willenbring)
 - RTCB (ROCORI Trail Construction Board) monthly meeting minutes can be found on the City's website.
 - Listen & Learn session held July 24, 2017 at Eddies on Grand. Open to the public.
 - Create a Communication Task Force with community volunteers to provide input on future newsletters and public communication.
- b) RTU (Roads Trails Utilities)
 - Member Tallman provided council with the review of the Asphalt Zipper demonstration.
- c) "Land for Sale" Sign
 - Member Tallman questioned the cost, location, and staff time involved in the "Land for Sale" sign in the Brentwood Addition.

Item 12) Other

Member Tallman requested a Building Permit report.

Mike Dols, future owner of the 400 Club, introduced himself to the council.

Item 13) Future Agenda Items

Item 14) Adjourn

Motion made by Tippelt, second by Tallman, to adjourn the meeting at 7:50p.m. Motion carried.

Respectfully Submitted,

Martin M. Bode
City Administrator