

## ROCKVILLE CITY COUNCIL MEETING MINUTES

September 11, 2019

Rockville City Hall

### Item 1) Call to Order

The meeting was called to order at 6:00 p.m. by Mayor Duane Willenbring.

### Item 2) Pledge of Allegiance

### Item 3) Roll Call

Roll call was taken and the following members were present: Duane Willenbring, Bill Becker, Brian Herberg, and Don Simon. Absent: Jerry Tippelt.

Staff members present: City Administrator, Martin Bode; Public Works Director, Gene Van Havermaet; City Engineer, Justin Kannas; and City Attorney, Sue Kadlec.

Others present: various members of the public.

### Item 4) Additions/Approval of Agenda

***Motion by Becker, second by Simon, to approve the agenda as presented with the addition of the Resolution number 2019-44. Motion carried.***

### Item 5) Public Comment

April Stadtler, 402 Walnut Circle, expressed community interest in participating in future development or improvements as it relates to the Rockville Community Park.

Amy Grinsteiner, 11279 Hubert Lane, spoke about the Council's special meeting held September 4, 2019 and the COLA that was approved by the Council.

### Item 6) Approval of August 2019 Bills Paid

***Motion by Becker, second by Herberg, to approve the August 2019 bills paid - noting that Herberg abstained from check #019313 and #019317. Motion passed.***

### Item 7) Consent Agenda

- a) Approval of Rockville City Council Minutes of August 6<sup>th</sup> and 14<sup>th</sup> and September 4<sup>th</sup>, 2019
- b) Acknowledge August 2019 Sheriff's Report
- c) Acknowledge August 2019 Building Permits
- d) Resolution 2019-39 Approval of Probationary Firefighter
- e) Resolution 2019-40 LG220 Application for Exempt Permit Church

***Motion by Herberg, second by Simon, to approve the Consent Agenda as presented. Motion passed unanimously.***

### Item 8) Rockville Veterans Monument Flag Presentation

Senator Jeff Howe on behalf of the Rockville Veterans Monument Committee presented to the City of Rockville a flag that was flown over the State Capital on Memorial Day 2016.

### Item 9) 2020 Budget

- a) Resolution 2019-41 Approving 2020 Preliminary Budget

Administrator Bode and Council reviewed the 2020 preliminary budget.

John Wicker, Maine Prairie Township, was present and discussed with the Council the Township's 2020 proposed street repair included 210<sup>th</sup> Street - a street that is shared jointly between Maine Prairie Township and the City of Rockville. Estimated cost to fix the approximately 1 ¾ mile long road would be \$400,000.00 or \$200,000 for each entity. Maine Prairie Township, with the City of Rockville's approval is planning to include 210<sup>th</sup> Street in their 2020 Street Project.

It was noted that after the September 4, 2019 Council meeting, the proposed budget was 131.12% over last year's budget. The bulk of that increase was to increase the tax levy for the Road Improvement Fund. It was suggested to add another \$100,000.00 to the road fund. The additional 100,000.00 would bring the percent over last year's budget to 138.31% for a total tax levy of \$1,924,356.00.

**Motion by Becker, second by Simon, to approve Resolution 2019-41 Adopting the Preliminary 2020 Tax Levy of \$1,924,356.00. Roll call vote: Ayes: Becker, Herberg, Simon. Nays: Willenbring.**

## **Item 10) Department Reports**

### a) Planning Commission – Chairman Bill Becker

#### 1. Hieserich dba Pickups N Powersports Interim/Conditional Use Permit

Planning Commission Chair Becker informed the Council that the Planning Commission, at their September 3, 2019 meeting did reconsider the Heiserich CUP application with the additional added stipulations as recommended by the Council and the Planning Commission on a four to one vote voted to again deny the Heiserich CUP and recommends that the Rockville City Council also deny the application.

The City Council reviewed and considered the advice and recommendation of the Planning Commission and the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding land, including land values. Among other things, the City Council considered the following:

- 1) **Burden on Public Facilities.** Would the use create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
- 2) **Compatible with Existing and Planned Adjacent Uses.** Would the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding vacant property for existing and planned uses in the area.
- 3) **Adverse Effect on Adjacent Properties.** Would the structure and site have an appearance, traffic, noise, odors, fumes, dust, vibration, light or emission levels or other features that would have an adverse effect upon adjacent properties for purposes already in use or permitted.
- 4) **Related to the Needs of the City.** Would the use be reasonably related to the overall needs of the City and to existing land uses.
- 5) **Consistent with the Comprehensive Plan.** Would the proposed use be in compliance with the Land Use Plan and other portion of the Comprehensive Plan adopted by the City.
- 6) **Traffic Hazard.** Would the use cause a traffic hazard or congestion.
- 7) **Adequate Parking and Loading.** Would the use provide adequate parking and loading areas.
- 8) **Detrimental to Health, Safety and Welfare.** Would the proposed use be detrimental to the public health, safety, comfort and general welfare of the City.

**Motion by Simon, second by Becker to deny the Heiserich CUP application and require that the current nonconforming and illegal use be abated within 30 days.**

**Roll Call Vote: Ayes: Simon, Becker and Willenbring. Nays: Herberg.**

**Motion passed on a 3 to 1 vote.**

Administrator Bode stated with the Council's consent, staff will draft a formal resolution outlining the Finding-of-Fact that the Council can act on at its next meeting.

#### 2. Resolution 2019-42 Accessory Structure Variance Request Tom and Amanda Eich

Planning Commission Chair Becker reviewed with the Council the following Staff report as it relates to the Variance request from Tom and Amanda Eich and noted that the Planning Commission at its September 3, 2019 had reviewed, held public hearing and subsequently approved the application and recommends Council approval as well.

#### **Staff Report**

**Re:** Variance Request by

**Applicant/Owner:** Thomas and Amanda Eich

**PIN:** 76.42170.0035

**Property Address:** 6050 Scenic View Court, Rockville MN

#### **Variance(s) Requested:**

1. Locate a new accessory structure in the side/front yard of property - (Section 9, Subd 2.D.1 – rear and side yard only)
2. Construct a 5,280-sf accessory structure with 18-foot sidewalls - Section 17, Subdivision 3 Permitted Accessory Uses. 1. Accelerated Accessory Structure, Area - 70,000-sf to 85,000-sf = 2,400-sf w/14' Sidewalls

**Relevant Information:**

1. Property is zoned RR, Schneider Farm Plat.
2. Recently combined two parcels into one.
3. Property contains approximately 10.3 +/- acres.
4. 18 Public Hearing notices were mailed out.

**Motion by Herberg, second by Simon, to approve Resolution 2019-42 Accessory Structure Variance request from Tom and Amanda Eich. Motion passed unanimously.**

3. Resolution 2019-43 Voigt Administrative Plat

Planning Commission Chair Becker reviewed with the Council the following Staff Report as it relates to the Voigt Administrative Plat application and noted that the Planning Commission at its September 3, 2019 had reviewed and subsequently approved the application and recommends Council approval as well.

**Staff Report**

*September 3 and September 11, 2019*

**Re:** Administrative Subdivision Registered Land Survey  
James and Jacqueline Voigt

**Owner:** James and Jacqueline Voigt  
Property Address: adjacent to 25293 Pleasant Road  
Known as: Registered Land Survey 14  
Parcel I.D. 76.41601.0625 - Section 1 & 2, Township 123, Range 029

**Request:**

Administrative Subdivision by Registered Land Survey.

**Relevant Information:**

1. Property is zoned Ag-40
2. Property is titled by Registered Land Survey
3. Total subdivided area is 14,715 sf or 45' x 327' +/-
4. No new lots/parcel are created
5. Purpose: neighbor is buying the additional 45-foot wide subdivision and attaching to their existing parcel. Parcel No. 76.42160.0930
6. Administrative Plats do not require a public hearing or Planning Commission/Council approval. However, because of the Registered Land Survey and requirement to be recorded by mylar which will need to be signed by Planning Commission Chair and City Mayor, Planning Commission and Council approval is being requested.

**Recommendation:**

Consider approval of:

1. Preliminary and Final Registered Land Survey

**Motion by Herberg, second by Simon, to approve Resolution 2019-43 Voigt Administrative Subdivision Registered Land Survey No.14 Preliminary and Final as presented. Motion carried unanimously.**

b) City Engineer, Justin Kannas, Bolton & Menk

1. 2019 Street Project

- Contractor has completed all the work on the project
- Working on final close out of the project

2. Stickney Hill Partial Flume – Resolution 2019-44 Authorizing Installation of Partial Flume

- Installing a meter and valve in City right-of-way
- Low quote was received from Voss Plumbing and Heating
- Not included in the base bid was the electrical work of \$1,280.00
- Base bid includes 40" concrete manhole, meter is installed at the bottom of the manhole
- Outside will be a temperature-controlled cabinet to house the monitoring system
- For an additional estimated \$1,000.00 the cabinet can be enlarged to accommodate possible future equipment needs

- Additional Alternate option would be to have the system hooked into the City's SCADA system that would allow the system to be automatically monitored as opposed to manually read on a monthly basis. The cost for this alternate would be an additional \$19,250.00.

**Motion by Becker, second by Herberg, to approve Resolution 2019-44 Authorizing Installation of Partial Flume with addition of \$1,000.00 for the larger cabinet and the cost of electrical installation of \$1,280.00. Motion passed unanimously.**

It was noted that Stickney Hill will be invoiced for these costs, if unpaid the cost would be assessed against their property taxes.

Attorney Kadlec stated that there is a question as to whether Stickney currently has an Industrial Waste permit with the City of Rockville because it was terminated by the City of Cold Spring.

c) Public Works – Director Gene VanHavermaet

1. 210<sup>th</sup> Street Discussion – discussed during Item 9 a)

- Xcel will be cleaning up trees along their electrical lines this month
- One Ton truck was taken in for repairs, cost covered under warranty
- Seal coat project has been delayed due to rain. Weather permitting will get done towards the end of this week.
- Chapel Street shoulder work is scheduled to be completed next week.
- Reviewed written report

**Item 11) Administration**

- a) Tri City Cable Quarterly Report – Council reviewed.

**Item 12) Council Action**

**Item 13) Future Agenda Items**

- a) APO Membership

**Item 16) Adjourn**

***Motion by Becker, second by Simon, to adjourn the meeting. Motion carried. Meeting adjourned at 7:06 p.m.***

Respectfully submitted,

*Martin M. Bode*  
City Administrator