

ROCKVILLE CITY COUNCIL MEETING MINUTES
April 12, 2017
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

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; Devin Cesnik, Don Simon, Rick Tallman, and Jerry Tippelt.

Staff members present: City Administrator Martin Bode.

Others present: Various members of the public.

Item 4) Approval of Agenda

Administrator Bode requested to add:

7. e) LMC Liability Coverage Waiver Form – *add Resolution 2017-25*
7. j) Amend Resolution 2017-03 – *adding Jerry Tippelt to the Special Events Committee*
9. b) Administrator Bode will fill in for Chairperson Bill Becker
10. g) Concession Stand - *add Resolution 2017-26*
10. f) Updated Resolution which requires signatures from all property owners

Tippelt requested to add Rocori Trail discussion to the agenda.

12. a) Rocori Trail discussion

Tallman requested adding to the possibility of a city survey discussion to the agenda.

13. b) City Survey

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

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

Vince Schaefer, 541 Caroline Lane, spoke about the location of the Rocori Trail

Randy Dingmann, 7585 Co. Rd. 47, expressed his concern about the Rocori Trail location.

Marie Dingmann, 213 Cottonwood Street, spoke about the Rocori Trail and safety concerns.

Item 6) Approval of Bills Paid

Motion by Cesnik, second by Simon, to approve bills paid for March and April 2017. Motion passed unanimously.

Item 7) Consent Agenda: Approved with one motion

- a) Resolution 2017-14 Approval of March 2017 Journal Entries
- b) Resolution 2017-15 Accepting March 2017 Donations

- c) Approval Rockville City Council Minutes of March 8, 2017
- d) Acknowledge February and March 2017 Sheriff's Report
- e) Approve Resolution 2017-25 LMC Liability Coverage Waiver Form to NOT WAIVE the monetary limits on municipal tort liability.
- f) Resolution 2017-16 Tax Exempt Permit – Rockville Area Sportsman's Club
- g) Renewal of Boomerville Consumption and Display Permit
- h) Hideaway Special Events Permit(s) May 20, June 16 & 17, June 23 & 24, July 7-8
- i) Stoney's Bar Road Closure Date Change/Special Event Permit – 1-4 Day On-Sale
June 17, 2017
- j) Amend Resolution 2017-03 adding Member Tippelt to Special Events Committee

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

Item 8) Appreciation Certificates

Mayor Willenbring presented appreciation certificates to outgoing Park & Rec Committee members Scott Stenseth, Lori Anderson, and Paul Wirth. They were acknowledged for their many years of dedication and commitment to the City of Rockville.

Item 9) Department Reports

- a) Sheriffs Quarterly Report – Lt Victor Weiss
FYI Sheriff John Sanner Retirement, April 17, 2017
- b) Planning Commission – Administrator Bode
 - 1. Ordinance 2017-86 Amending Zoning Ordinance

ORDINANCE NO. 2017-86

ORDINANCE AMENDING CERTAIN SECTIONS OF THE CITY OF ROCKVILLE ZONING CODE

WHEREAS, the City Council of the City of Rockville adopted official zoning controls ("Zoning Code") pursuant to the authority granted in Minnesota Statutes, Chapter 462 in April 2003 which replaced all pre-existing official controls; and

WHEREAS, the City Council amended the Zoning Code by Ordinance Numbers 2003-06, 2004-18, 2004-19, 2004-20, 2004-25, 2004-26, 2006-30, 2007-40, 2007-41, 2007-42, 2007-43, 2007-44, 2008-45, 2008-46, 2008-47, 2008-49, 2008-50, 2008-51 and 2008-53; 2009-58, 2009-61, 2009-62, 2009-63, 2010-64, 2011-69, 2011-70, 2011-73, 2012-74, 2012-76, 2014-82, 2015-84 and 2016-85.

WHEREAS, the City Council has the authority pursuant to Minnesota Statutes, Chapter 462 to amend the official zoning controls; and

WHEREAS, the City Council seeks to amend: certain zoning requirements, and

WHEREAS, public hearing was held on December 13, 2016 in front of the City Planning Commission, and members of the public were given an opportunity to comment on the proposed amendment(s)

NOW, THEREFORE, THE CITY COUNCIL DOES ORDAIN TO AMEND THE ROCKVILLE ZONING ORDINANCE AS FOLLOWS:

SECTION 9: GENERAL REQUIREMENTS Subdivision 2;F is hereby amended as follows:

- F. **Site Plan Required.** All accessory structures shall require a building permit and approval of a Site Plan.

SECTION 9: GENERAL REQUIREMENTS Subdivision 2;H is hereby amended as follows:

- H. **Design and Appearance of Exterior.** All accessory buildings greater than 200 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and material of the principal structure. For purposes of this Subdivision 2(G):

SECTION 9B: SITE PLAN Subdivision 1;1-i is hereby amended as follows:

- i. The erection or construction of any principal structure or building and/or any accessory structure within any zoning classification require submittal of a site plan to the City; except that single/two family residential units on lots within approved subdivisions shall be exempt providing they adhere to elevations and building types as approved with the grading/drainage plan.

SECTION 9B: SITE PLAN Subdivision 2;2-A,a is hereby amended as follows:

- a. Building permit applications for the construction of principal structures and/or accessory structures in the R-1 single family and R-2 two family district shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

SECTION 9B: SITE PLAN Subdivision 2;2-B,a is hereby amended as follows:

- a. Building permit applications for the construction of principal and accessory structures in the A-40 Agricultural District shall illustrate the location of the proposed building(s) relative to property lines, easements (public and private), elevations and the uses of all remaining land.

SECTION 17: R-1 SINGLE FAMILY RESIDENTIAL DISTRICT Subdivision 3;4, is hereby amended as follows:

4. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

SECTION 18: R-2 TWO FAMILY RESIDENTIAL DISTRICT Subdivision 3;3, A, is hereby amended as follows:

- A. Accessory Buildings (not exceeding two hundred (200) square feet in area) for storing domestic equipment and non-commercial recreational equipment.

EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication in the official newspaper.

Motion by Cesnik, second by Willenbring, to approve Ordinance 2017-86 Amending Zoning Ordinance. Motion passed unanimously.

2. Jim Voigt Concept Plat Plan

Council held discussion on the concept plan that was presented. The concept plat plan would take the extra parcels along Pleasant Road and make them available to current property owners adjacent to these properties. The next step will be the Preliminary Plat.

3. Mike Schneider Concept Subdivision Plan

Council held discussion on a subdivision plan for a 94+ acre parcel.

4. Steve Pfannenstein Set-back Concept Plan

Council held discussion on the concept plan for an accessory structure to be placed on the property line due to the fact that the property adjacent to the homeowner is an unbuildable lot. The homeowner would need approval from the adjacent homeowner.

5. Hideaway Bar Impervious Service / FYI
Hideaway Bar requested to construct an accessory building and will be proceeding with the process.
- c) Public Works – Nick Waldbillig
 1. Resolution 2017-17 Grading Contract 2017-2018
Motion by Tallman, second by Cesnik, to approve Resolution 2017-17 Road Grading contract 2017-2018 to Herberg Construction.
Roll Call Vote:
AYES: Tallman, Tippelt, Cesnik, Willenbring
NAYS: Simon
Motion passed on a 4 to 1 vote.
 2. Resolution 2017-18 Road Ditch Mowing 2017-2018
Motion by Cesnik, second by Tippelt, to approve Resolution 2017-18 Road Ditch Mowing 2017-2018 to Herberg Construction. Motion passed unanimously.
 3. SCADA and Sampler Update
Waldbillig provided council SCADA and Sampler updates.
 4. Seasonal Part-time Maintenance Worker
Motion by Tallman, second by Cesnik, to approve a Seasonal Part-time Maintenance worker. Motion passed unanimously.
 5. Salt Shed – See 11 a2 and a3
- d) Emergency Management – Mike Hofmann
Mike Hofmann provided an update on severe weather awareness and various items.
- e) Rock-fest – Tудie Hermanutz on behalf of Kathleen Court-Stanger
 1. Resolution 2017-19 Authorization of Support and Use of Municipal Personnel and Resources in Conjunction with the City of Rockville’s Rock-fest Festival and Approval of Requested Festival-Related Permits and Authorizations
Motion by Tallman, second by Tippelt, to approve Resolution 2017-19 Rock-fest. Motion passed unanimously.
 2. Resolution 2017-23 License Agreement, City of Rockville, RES & ColdSpring
Motion by Simon, second by Tallman, to approve Resolution 2017-23 License Agreement with City of Rockville, RES and Coldspring. Motion passed unanimously.
 3. Resolution 2017-25 RES Specialty Pyrotechnics Display Contract
Motion by Cesnik, second by Simon, to approve Resolution 2017-25 RES Specialty Pyrotechnics Display Contract. Motion passed unanimously.

Item 10) Administration

- a) Stickney Hill Dairy Inc.
Administrator Bode provided council with an explanation on the Stickney Hill Dairy utility bill adjustment.
- b) Brentwood Additions – For Sale Sign and Advertise

Motion by Tippelt, second by Simon, to approve a For Sale Sign and Advertising for Brentwood Additions. Motion passed unanimously.

- c) Resolution 2017-20 Abatement J & J Property Investments

Motion by Simon, second by Tallman, to approve Resolution 2017-20 Abatement J & J Property Investments. Motion passed unanimously.

- d) Resolution 2017-21 RFP Pay Equity Point System

Motion by Tallman, second by Cesnik, to approve Resolution 2017-21 RFP Pay Equity Point System. Motion passed unanimously.

- e) Resolution 2017-22 Approval of Street Committee Appointments

Motion by Simon, second by Tallman, to approve Resolution 2017-22 Approval of Street Committee Appointments. Motion passed unanimously.

- f) Resolution 2017-24 Set Public Hearing for Vacating of Cartway

Motion by Tippelt, second by Simon, to approve Resolution 2017-24 Set Public Hearing for Vacating of Cartway. Motion passed unanimously.

- g) Resolution 2017-26 Concession Stand

Motion by Tippelt, second by Simon, to approve Resolution 2017-26 Concession Stand to Eddie's on Grand. Motion passed unanimously.

- h) Molitor Organic Land Notification / FYI

- i) Fire Relief 2016 Financial Statement / FYI

Item 11) Appropriations, Allocations and Transfers

- a) Council Action

Motion by Tallman, second by Cesnik, to approve the allocation of \$10,000 to the Rocori Trail Construction Board. Motion passed unanimously.

Item 12) Mayor/Council Reports

- a) RTCB - Mayor

1. Rocori Trail Discussion

Member Tippelt requested to have discussion on and present to the Council a signed petition from concerned residents opposed to the Rocori Trail extension in their backyards. Mayor Willenbring denied the request.

Motion by Tippelt, second by Simon, to appeal the Chair's decision on discussing the Rocori Trail petition. Roll Call Vote: YES: Tippelt, Simon. NAYS: Tallman, Willenbring, Cesnik. Motion failed on a 3 to 2 vote.

2. Rocori Trail Ground Breaking, Rockville, May 4, 2017

- b) Listen & Learn Session – April 22, 2017, 10 to Noon, Lions Park Pavilion (Pleasant Lake)
c) Street Tour – Council members gave a brief update on the April 5, 2017 Road Bus Tour.
d) Tri-City Cable – Council is seeking to upgrade the camera system with Tri-City Cable.

Item 13) Other

- a) Rinke Noonan, 50th Anniversary Open House, May 4th 2017, 4:30 – 6:30 p.m.

b) City Survey

Member Tallman noted that a number of years ago the City sent out a survey to the City residents and suggested the city send out another survey. Survey could be included in the next newsletter. Administrator Bode will look for the old survey.

Item 14) Forum for Positive Comments and Emerging Topics

Jerry Tippelt, 12318 235th Street, displeasure of the Rocori Trail location.

Vince Schaefer, 541 Caroline Lane, displeasure on the Rocori Trail location.

Cory Schreifels, 12450 235th Street, spoke about the concession stand, RTCB meeting times and displeasure of the trail location.

Greg Mueller, 25770 133rd Avenue, expressed concerns about the gravel roads.

Marie Dingmann, 213 Cottonwood Street, expressed disappointment in the trail location.

Paul Schmidt, 24947 Haywood Road, expressed concerns about the gravel roads.

Item 15) Future Agenda Items

A meeting has been set with Sauk River Watershed District, MN DNR and Stearns County to discuss Sauk River bank repair project as it relates to the Sauk River Road.

Item 16) Adjourn

Motion made by Tippelt, second by Tallman, to adjourn the meeting at 9:14 p.m. Motion carried.

Respectfully Submitted,

*Martin M. Bode
City Administrator*