

**ROCKVILLE CITY COUNCIL MEETING MINUTES**  
**July 10, 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, Don Simon, and Jerry Tippelt.

Staff members present: City Administrator, Martin Bode; Public Works Director, Gene Van Havermaet; Rockville Fire Department, Rodney Schaefer; City Engineer, Justin Kannas; City Attorney, Sue Kadlec; and Stearns County Sheriff Department, Lt. Kellan Hemmesch.

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. Motion carried.***

**Item 5) Public Comment**

No comments were made.

**Item 6) Resolution 2019-28 Acceptance of June 2019 Donation**

***Motion by Herberg, second by Tippelt, to approve Resolution 2019-28 Acceptance of the June 2019 Donation. Motion passed unanimously.***

**Item 7) Approval of June 2019 Bills Paid**

***Motion by Becker, second by Simon, to approve the June 2019 Bills Paid noting that Herberg abstained from check #019192 and #019202. Motion passed.***

**Item 8) Consent Agenda**

- a) Approval of Rockville City Council Minutes of June 12, 2019
- b) Approval of 2<sup>nd</sup> Quarter 2019 Journal Entries
- c) Acknowledge June 2019 Sheriff's Report
- d) Acknowledge June 2019 Building Permits

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

**Item 9) Public Hearing – Regulating Refuse Haulers – Consideration of Ordinance 2019-98**

**ORDINANCE NO. 2019-98**  
**An Ordinance Amending the Minnesota Basic Code, Title Xi, Section 114**  
**Regulating Refuse Hauler in the City of Rockville**  
**Chapter 114: Refuse Haulers**

Section 114

- 114.01 Definitions.
- 114.02 License Required.
- 114.03 Refuse Hauling Schedule.
- 114.04 Composting.
- 114.05 Disposal Required.
- 114.06 Collection Vehicles.
- 114.07 Recycling.
- 114.08 Containers.
- 114.09 Penalty, License Revocation.

#### **114.01 DEFINITIONS.**

For the purpose of this Section, the follow definitions shall apply.

**GARBAGE.** Organic refuse resulting from the preparation of food, and decayed and spoiled food from any source.

**REFUSE.** Includes garbage and rubbish.

**RUBBISH.** All inorganic refuse matter such as tin cans, glass, paper, ashes and the like. Rubbish shall include garbage.

#### **114.02 LICENSE REQUIRED.**

- (A) Refuse haulers are required to obtain an annual Refuse Hauling license from the City offices. The license shall be issued each January 1 at a fee as set by the Ordinance Establishing Fees and Charges. Licenses shall expire on December 31 of each year. Unless otherwise specified, the full annual fee will be required of licensees irrespective of the date of issuance of the license.
- (B) The number of refuse hauler licenses issued by the City shall be reduced by attrition to no more than two (2) refuse hauling licenses.
- (C) Refuse Haulers must have a minimum of 100 existing/committed refuse customers in the City limits of the City of Rockville to be eligible to apply for a Refuse Hauling License.
- (D) Application Requirements.
  - (1) Applications shall be on a form approved by the City and include:
    - (a) The name and address of the Applicant,
    - (b) A description of each piece of equipment proposed to be used in collection,
    - (c) The proposed fee for service to customers,
    - (d) A description of the service provided,
    - (e) The place to which the refuse is to be hauled,
    - (f) The manner in which refuse is to be disposed.
  - (2) The City Council shall investigate each application and after due consideration approve or deny the license.
  - (3) Approved licensees shall provide the following:
    - (i) A current certificate of public liability insurance covering all vehicles to be used by the Applicant in the licensed business with the following minimum coverages:
      - (1) General liability coverage in an amount not less than \$1,000,000 for injury to any one or more persons resulting from any one accident and not less than \$500,000 for property damage resulting from any one accident.
      - (2) Automobile liability insurance with a combined single limit of \$1,000,000, covering all owned, hired, and non-owned vehicles.
    - (ii) Worker's Compensation Insurance covering all employees of the Licensee.
    - (iii) Any insurance policy required from the Licensee under this Section shall remain in full force and effect at all times that the hauler is licensed in the City. All insurance policies shall contain a provision requiring the City to be notified at least 30 days prior to the expiration or cancellation of any insurance policy.
    - (iv) A current list of vehicles used in Rockville, that includes the license plate number, make and year.
- (E) No transfer of licenses between refuse hauling companies or entities shall be allowed.
- (F) No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.

#### **114.03 REFUSE HAULING SCHEDULE.**

- (A) Refuse hauling shall be limited to hauling one day per week as designated by the City Council annually.

#### **114.04 COMPOSTING.**

- (A) No person shall bury any refuse in the City except in a sanitary landfill, but leaves, grass clippings, and easily biodegradable, non-poisonous garbage may be composted on the premises where such refuse has been accumulated. Garbage may only be composted in a rodent-proof container or structure approved by the City.
- (B) Licensed refuse haulers may provide collection of compost items at a fair and equitable cost to residential customers.

#### **114.05 DISPOSAL REQUIRED.**

Every person shall, in a sanitary manner, dispose of refuse that may accumulate upon property owned or occupied by such person. Refuse shall be collected, or otherwise lawfully disposed of on a regular basis.

#### **114.06 COLLECTION VEHICLES.**

- (A) Every refuse collection vehicle operating within the City of Rockville shall be lettered on the outside so as to identify the owner thereof. Every vehicle used for hauling garbage shall be covered, leak-proof, durable and of easily cleanable construction. Every vehicle used for hauling refuse shall be sufficiently air-tight, and so used as to prevent unreasonable quantities of dust, paper, or other collected materials to escape. Every vehicle shall be kept clean to prevent nuisances, pollution or insect breeding and shall be maintained in good repair.
- (B) An empty weight of five (5) tons per axle will be the maximum refuse/recycling truck weight allowed during weight restriction periods.

#### **114.07 RECYCLING.**

Removal and hauling of recyclables shall occur every other week. Pickup of recycling will coincide with the same schedule as the refuse hauling schedule.

#### **114.08 CONTAINERS.**

- (A) Every householder, occupant or owner of any residence and any restaurant, industrial establishment or commercial establishment shall provide, on the premises, one or more nuisance-free containers to receive and contain all refuse which may accumulate between collections. All normal accumulations of refuse shall be deposited in such containers.
- (B) It shall be the duty of the property owner or occupant to place their garbage containers where the refuse is to be collected, but in no event shall containers be placed in the street or on the sidewalk or in any manner placed where the containers will interfere with vehicular or pedestrian traffic. Refuse/recycling containers shall be stored inside or in side or rear yards.

#### **114.09 DEMOLITION – NEW CONSTRUCTION – REMODEL**

- (A) Demolition of an existing structure, construction of a new structure or major structure remodel is not regulated by this section.

#### **114.10 PENALTY, LICENSE REVOCATION.**

- (A) The violation of any provision or condition of this Section shall be grounds for revocation or suspension of the license.
- (B) Any person, firm, or corporation who violates any provision of this Section shall, upon conviction, be guilty of a misdemeanor. The penalty which may be imposed for any crime which is a misdemeanor under this section, including Minnesota Statutes specifically adopted by reference, shall be a sentence of not more than 90 days or a fine of not more than \$1,000, or both.
- (C) Upon conviction of a misdemeanor, the costs of prosecution may be added.
- (D) A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

**114.11 EFFECTIVE DATE:** This Ordinance, adopted by the City Council on July 10, 2019, becomes effective January 1, 2020 following the publication of the ordinance, or summary thereof, in the City's legal newspaper.

Mayor Willenbring opened the public hearing at 6:08 p.m. for public comment.

Jeff Bertram, West Central Sanitation, stated that overall he was in favor of the proposed ordinance and thought the ordinance could be beneficial to the City of Rockville. Mr. Bertram, Staff and Council then went on to discuss some minor adjustments to the proposed ordinance:

- 114.02 (A) Change *residential* haulers to *refuse* haulers.
- 114.04 (B) Change *shall* provide to *may* provide
- 114.06 (B) Change (5) tons will be the maximum to (5) tons *per axle* will be the maximum
- 114.07 Change *twice each month* to *every other week*

**No other members of the public came forward therefore motion by Becker, second by Simon, to close the Public Hearing at 6:22 p.m. Motion carried unanimously.**

Council held further discussion before calling the vote.

**Motion by Becker, second by Simon, to approve Ordinance 2019-98 amending the Minnesota Basic Code, Title XI, Section 114 Regulating Refuse Hauler in the City of Rockville with the noted changes.**

**Roll call vote: Ayes; Becker, Willenbring, Simon. Nays; Herberg, Tippelt.**

**Motion passed on a 3-2 vote.**

### **Item 10) Public Hearing - Regulating Water Usage – Consideration of Ordinance 2019-96**

#### **Water Surface Use Ordinance City of Rockville Ordinance No.2019-96**

#### **An Ordinance Regulating the Surface Use of Pleasant Lake and Grand Lake**

Be it ordained and enacted by the City of Rockville, State of Minnesota that the following becomes the Water Surface Use Ordinance.

**Section 1: PURPOSE, INTENT AND APPLICATION:** As authorized by Minnesota Statutes 86B.201, 86B205, and 459.20, AND Minnesota Rules 6110.3000-6110.3800 as now in effect and as hereafter amended, this Ordinance is enacted for the purpose and with the intent to control and regulate the use of the waters of Pleasant Lake and Grand Lake in the City of Rockville Minnesota, said bodies of water being located entirely within the boundaries of the City of Rockville to promote its fullest use and enjoyment by the public in general and the citizens of City of Rockville in particular; to insure safety for persons and property in connection with the use of said waters; to harmonize and integrate the varying uses of said waters; and to promote the general health, safety and welfare of the citizens of City of Rockville, Minnesota.

**Section 2: DEFINITIONS:** Terms used in this ordinance related to boating are defined in M.S. 86B.005.

“Public Watercraft Access” in this Section means an area set aside and managed by the Minnesota Department of Natural Resources as a free and adequate access site to public water resources for all citizens of Minnesota for recreational opportunities per MN Statute 86A.

“Slow-No-Wake” is defined by Minnesota Statute and Rule as the operation of a watercraft at the slowest possible speed necessary to maintain steerage, but in no case greater than five (5) miles per hour (See Minn. Stat. 86B.005 subd.16a or Minn. R. part 6110.3700 for exact definitions).

**Section 3: SURFACE ZONING** of Pleasant Lake and Grand Lake by Restricting Speeds During Certain Hours.

(A) Slow – No-Wake speed 24 hours per day on the entire water surface when the lake level on Pleasant lake exceeds 1093.5 feet (NGVD 29) and Grand Lake exceeds 1104.36 feet (NGVD 29) as measured on the DNR certified gauge located on each lake. All public watercraft accesses shall be posted prior to and during the time restrictions are in place. In addition, signs will be posted along access roads at each effected lake and at the Rockville City Hall.

(B) When high water levels have subsided and have remained below the elevations stated above for three (3) consecutive days, said restrictions shall be promptly removed.

**Section 4: SURFING:** At all times, boats producing large wakes for the intent of surfing, must be at least 500 feet from shore when doing this activity.

**Section 5: ENFORCEMENT:** the primary responsibility for enforcement of this ordinance shall rest with the Stearns County Sheriff’s Department. This, however, shall not preclude enforcement by other licensed peace officers.

**Section 6: EXEMPTIONS:** All authorized Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their assigned duties are exempt from the foregoing restrictions.

**Section 7: NOTIFICATION:** It shall be the responsibility of the City of Rockville to provide for adequate notification of the public, which shall include placement of signs at each public watercraft access outlining essential elements of the ordinance.

**Section 8: PENALTIES:** Any person who shall violate any of the provisions of this Ordinance shall be guilty of a Misdemeanor.

**Section 9: EFFECTIVE DATE:** This Ordinance shall be in effect from and after the date of its passage and publication.

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Mayor Willenbring opened the public hearing at 6:34 p.m. for public comment.

Tim Byram, 25807 80<sup>th</sup> Avenue, expressed concerns to Council regarding the proposed ordinance:

- Concerned that Pleasant Lake over the years has gotten consistently higher.
- Cattails (narrow leaf cattails), lily pads and people blowing there leaves into the lake is causing the outlet to plug up.
- If this ordinance would have been passed this last January there would not have been a boat on Pleasant Lake going more then 5 miles an hour this entire summer.
- If you set the no wake one foot below the OHWM you will never see another speed boat on Pleasant Lake.

Dave Meyer, 25533 Pleasant Road, expressed concerns about the ordinance regulations:

- Sent a letter outlining his concerns
- Mr. Meyer stated he's not about stopping people from using the lake. The Council's responsibility if they pass an ordinance needs to be safety of the people using the lake and protecting the resource and if we enact an ordinance at that level he does agree we will never see another boat on the lake and he's not in favor of that.
- If the Council believes an ordinance is needed then the Council should be pro active to ensure the lake is draining the way it should.
- Council and Lake Association in partnership to ensure the lake is draining as needed.
- Not all boats are created equal as it relates to the wake surfing issue and that does need to get addressed.
- Request the sheriff police the number of people who are parking at the landing and keep the number of boats at a safe level.
- Would encourage Council if passing this ordinance to be proactive to be sure the lake is draining because we are going to have a lot of folks with boats that will never use them again at the rate we are going.

***No other members of the public came forward therefore motion by Becker, second by Herberg, to close the Public Hearing at 6:40 p.m. Motion carried unanimously.***

Council held further discussion as it relates to County Ditch 17 and the possibility of it being cleaned in the near future. Member Becker suggested changing the wake surfing distance from 300 feet to 500 feet. It was noted that some of the Pleasant Lake property owners have lost as much as two feet of shoreline this year due to the normal than usual high water and pounding of the wakes.

***Motion by Becker, second by Tippelt, to approve Ordinance 2019-96 Regulating the Surface Use of Pleasant Lake and Grand Lake with the change of 300 feet to 500 feet from shoreline for wakeboard boats. Motion passed unanimously.***

#### **Item 11) Ordinance 2019-99 Miscellaneous Amendments City Zoning/Subdivision Ordinance**

It was noted that over the past year and a half the City Council and various committees have spent a lot of time reviewing the City's current ordinances and conducted two public hearings reviewing the ordinances, the most recent was May 9, 2019 and prior to that December 12, 2018.

***Motion by Becker, second by Willenbring, to approve Ordinance 2019-99 Miscellaneous Zoning Amendments. Motion passed unanimously. (copy available on City web site or at City Hall)***

**ORDINANCE NO. 2019-100**  
**ORDINANCE AMENDING CERTAIN SECTIONS**  
**OF THE CITY OF ROCKVILLE SUBDIVISION ORDINANCE**

The City Council of the City of Rockville Stearns County, Minnesota does hereby ordain:

**WHEREAS**, the City Council of the City of Rockville adopted official Subdivision Ordinance controls ("Zoning Code") pursuant to the authority granted in Minnesota Statutes, Chapter 462 in December 15, 2004 which replaced all pre-existing official controls; and

**WHEREAS**, the City Council amended the Subdivision Ordinance by Ordinance Numbers 2004-24, 2008-45 and 2009-60.

**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 May 08, 2019 in front of the City Council, 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 SUBDIVISION ORDINANCE AS FOLLOWS:**

**SECTION 4: REVIEW AND ACTION to read:**

**Subdivision 2: CONCEPT PLAN PROCEDURE**

Prior to filing a preliminary plat, the applicant shall elect to prepare a Concept Plan so that the applicant may become informed of the procedural requirements and minimum standards of this Ordinance and the requirements or limitations imposed by other City ordinances or plans. Concept Plans shall be submitted to the Planning Commission. In order for the Planning Commission to review Concept Plans, the applicant must submit the Concept Plans at least 30 days before the next scheduled Planning Commission meeting. *Submission of a Concept plan, drawn to scale, shall not be considered an application for subdivision.* Any comments, direction or action by staff, the Planning Commission or the City Council shall not be considered binding upon the City for purposes of review of a future subdivision application.

**Subdivision 3: ACTION ON PRELIMINARY PLAT**

2. **Application Deadline.** The Zoning Administrator must receive completed applications at least ~~ten~~ (40) thirty (30) days prior to the Planning Commissions next scheduled meeting.

**SECTION 5 PRELIMINARY PLAT to read:**

**Subdivision 1: SUBMISSION REQUIREMENTS.**

At least 30 days prior to the next regularly scheduled Planning Commission meeting, the applicant must submit the following to the Zoning Administrator:

1. An application fee as established by the City Council.
2. One (1) 24" x 36" full-size copy of the preliminary plat, plus additional copies as the City requests.
3. One (1) 11" x 17" copy and one (1) 11" x 17" pdf of the preliminary plat.

**SECTION 6 FINAL PLAT to read:**

**Subdivision 1: SUBMISSION REQUIREMENTS**

The applicant must submit at least thirty (30) working days before the next regularly scheduled Planning Commission meeting the following:

1. One (1) 24" x 36" copy of the final plat, one (1) 11" x 17" copy and one (1) 11" x 17" pdf, plus additional copies as requested.

**Subdivision 2: ACTION ON FINAL PLAT**

4. **Recording.** If the City Council approves the Final Plat and duly certifies, signs and acknowledges the Final Plat, ***the applicant shall record the Final Plat with the Stearns County recorder's office at the applicant's sole cost within one hundred eighty (180) days after the approval date or the City Council's approval of the Final Plat will be considered null and void.*** Upon recording the Final Plat, the applicant shall provide the Administrative Official with a print of the Final Plat showing

evidence of recording.

**SECTION 10 PUBLIC LAND DEDICATION to read:**

**Subdivision 2: SCHEDULE FOR PUBLIC USE DEDICATION**

2. 1,800 square feet of land shall be dedicated for each multi-family residential unit.

**SECTION 11 MINOR SUBDIVISIONS to read:**

**Subdivision 1: QUALIFIED MINOR SUBDIVISIONS**

4. **Certificate of Survey.** An Applicant for Minor Subdivision approval must submit to the City at least thirty (30) days prior to the next Planning Commission meeting, One (1) 11" x 17" copy and one (1) 11" x 17" pdf of a Certificate of Survey. All copies of the Certificate of Survey shall be 11" x 17" in size. The survey shall include the following information: legal description of each parcel, parcel area, site improvements including buildings, free standing signs, utilities, paved areas, and distances from buildings to ownership and property lines. In addition to the above information, the City may require a wetland delineation prior to approving an administrative plat.
3. **Procedure.** An Administrative Minor Subdivision shall be considered by the following procedure:
  - A. The applicant shall submit, to the Zoning Administrator, a legal description of the existing parcel and proposed legal description of the parcel to be conveyed. When any proposed or existing tract is described by metes and bounds description, the application shall be accompanied by one (1) copy of a certificate of survey, prepared by a Licensed Land Surveyor. The survey shall include:

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

***Motion by Becker, second by Willenbring, to approve Ordinance 2019-100 Ordinance Amending Certain Sections of the City of Rockville Subdivision Ordinance. Motion passed unanimously.***

**Item 12) Department Reports**

- a) Sheriff's 2<sup>nd</sup> Quarter 2019 Report  
Lt. Kellan Hemmesch reviewed the quarterly report with Council.
- b) Fire Department  
Fire Chief Rodney Schaefer reviewed with Council recent activity with the fire department.
- c) Planning Commission
  1. Resolution 2019-29 – VanderEyck Rear Yard Variance Application

**Staff Report**

**Re:** Rear Yard Setback Variance Request from:

**Owners:** Brittney Vander Eyk

Property Address: 26176 Bluebird Lane

Parcel No. 76.41720.0416

**Variance Requested:**

1. To exceed the 25-foot rear yard setback requirement in an R-1 Shoreland Overlay District of Pleasant Lake, a Recreational Development Lake.  
*Section 17.6.5.D Rear Yard Setback. For clarification purposes, the following is a list of features that are exempt and may be located within the thirty-five (35') foot setback but no closer than twenty-five (25) feet: outside stairways, fire escapes, porches, platforms, decks, balconies and other similar projections. (This does not apply to the riparian lake lots.)*

**Relevant Information:**

1. Owner proposes to construct a 12' x 14' deck
2. Lot dimensions: 131.58' x 135.84'
3. The deck would range between 3 to 15 +/- feet into the 25-foot rear yard setback
4. The lot is a legal Planned Unit Development lot
5. 12 notices of public hearing were sent out

**Recommendation**

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***Motion by Tippelt, second by Simon, to approve Resolution 2019-29 VanderEyck Rear Yard Variance as presented. Motion passed unanimously.***

- 2. Resolution 2019-30 - Gross Berdan Qualified Minor Subdivision

**Staff Report**

**RE:** Qualified Minor Subdivision and Rezone

Parcel I.D. No. 76.41625.0605 - Section 15, Township 123, Range 029

**Owners:** Ann M. Gross

Property Address: County Road 47 and Lake Road

Request is to reallocate 71.06 restricted acres to allow for a Qualified Minor Subdivision of 22.09 +/- acres and Rezone the 22.09 +/- acres from A-40 to RR.

**Relevant Information:**

1. This property is located in an A-40 zoning district
2. Property is located near the intersection of County Road 47 and Lake Road
3. Total acreage is 93.15 +/-
4. Restricted acreage is 71.06
5. Unrestricted acreage is 22.09
6. Purpose is to reallocate the 71.06 restricted acres and subdivide and rezone 22.06 to RR
7. Concept Plan was submitted and approved by the Planning Commission and City Council on June 4 and June 12, 2019 respectively.

**Recommendation:**

Consider approval.

***Motion by Simon, second by Herberg, to approve Resolution 2019-30 Gross Berdan Qualified Minor Subdivision. Motion passed unanimously.***

- 3. Gross Berdan Rezoning Application Ag-40 to RR

**Staff Report**

**RE:** Qualified Minor Subdivision and Rezone

Parcel I.D. No. 76.41625.0605 - Section 15, Township 123, Range 029

**Owners:** Ann M. Gross

Property Address: County Road 47 and Lake Road

Request is to reallocate 71.06 restricted acres to allow for a Qualified Minor Subdivision of 22.09 +/- acres and Rezone the 22.09 +/- acres from A-40 to RR.

**Relevant Information:**

1. This property is located in an A-40 zoning district
2. Property is located near the intersection of County Road 47 and Lake Road
3. Total acreage is 93.15 +/-
4. Restricted acreage is 71.06
5. Unrestricted acreage is 22.09
6. Purpose is to reallocate the 71.06 restricted acres and subdivide and rezone 22.06 to RR
7. Concept Plan was submitted and approved by the Planning Commission and City Council on June 4 and June 12, 2019 respectively.

**Recommendation:**

Consider approval.

- a. Ordinance 2019-97 Rezone

**ORDINANCE APPROVING REZONING APPLICATION  
FOR ANN M. GROSS PROPERTY**

**WHEREAS**, Ann M. Gross has applied for and received approval from the Planning Commission and Council for a qualified minor subdivision to split off 20.00 +/- acres from a total of 93.15 acres from Parcel No. 76.41625.0605 that is currently zoned A-40; and

**WHEREAS**, Ann M. Gross has submitted an application to Rezone the 20.00 +/- acres from Ag-40 to RR; and

**WHEREAS**, the application was reviewed by the Rockville City Planning Commission at their July 9, 2019 Planning Commission Meeting, and;

**WHEREAS**, the Planning Commission held a Public Hearing for the Rezoning application on July 9, 2019; and

**WHEREAS**, persons wishing to address the Planning Commission were given an opportunity to do so; and

**WHEREAS**, proper notification and publication had been given; and

**WHEREAS**, the Planning Commission after discussion was in favor of rezoning Ann M. Gross property from Ag-40 to RR and to forward this application on to the Rockville City Council for their consideration.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA that the 20.00 +/- acres of Ann M. Gross Property as described below is Rezoned from Ag-40 to RR.**

**Adopted this 10th day of July, 2019.**

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***Motion by Tippelt, second by Becker, to approve Ordinance 2019-97 Approving Rezoning Application for Ann M. Gross Property. Motion passed unanimously.***

d) City Engineer

1. Stickney Hill. Administrator Bode provided an update.
2. 2019 Street Project
3. Resolution 2019-31 Approving 2019 Seal Coat

***Motion by Herberg, second by Simon, to approve Resolution 2019-31 Awarding Bid of 2019 Crack Fill and Seal Coat Project to Asphalt Surface Technologies Corporation a/k/a ASTECH Corp. Motion passed unanimously.***

e) Public Works

Public Works Director, Gene Van Havermaet, reviewed with Council his written report regarding recent public works activity.

1. Gravel Roads

The Council reviewed the 2019 gravel road project that had been approved at the June Council meeting. No changes were made.

Council acknowledged that Director VanHavermaet is looking into purchasing a used blacktop roller as well as a used hot mix trailer, both would be purchased from MNDot.

**Item 13) Council Action**

a) Molitor Vacation Rental Extension Request

Administrator Bode reported that Korla Molitor is requesting that until the new zoning ordinance is in place as it relates to vacation rentals could the Molitor Vacation Rental be granted another extension.

***Motion by Herberg, second by Becker, to approve the Molitor Vacation Rental extension until September 20, 2020 or the new zoning ordinance permit is acted on, whichever occurs first. Motion passed unanimously.***

**Item 14) Mayor/Council Reports**

**Item 15) Future Agenda Items**

Possible August budget meeting.

**Item 16) Adjourn**

***Motion by Becker, second by Tippelt, to adjourn the meeting. Motion carried. Meeting adjourned at 7:44 p.m.***

Respectfully submitted,

*Martin M. Bode  
City Administrator*