

## ROCKVILLE CITY COUNCIL MEETING MINUTES

May 8, 2019

Rockville City Hall

### Item 1) Call to Order

The meeting was called to order at 5:03 p.m. by Mayor Duane Willenbring.

### Item 2) Recess to Council Workshop

Workshop Agenda

- a) RFP Realtor Services
- b) Ordinance Review
- c) Lions Park Storage Shed

**Reconvene Council Meeting 6:00 p.m.**

### Item 3) Pledge of Allegiance

### Item 4) 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; City Attorney, Chris Nelson; and Glen Wood, Stickney Dairy.

Others present: various members of the public.

### Item 5) Additions/Approval of Agenda

Remove Items 15, 16, and 17 from the agenda.

Add Item 11d) Lions Park Shed.

***Motion by Becker, second by Herberg, to approve the agenda with the addition and removals as presented. Motion carried.***

### Item 6) Public Comment

No comments were made.

### Item 7) Resolution 2019-16 Acceptance of April 2019 Donation

***Motion by Becker, second by Simon, to approve Resolution 2019-16 Acceptance of April 2019 Donation. Motion passed unanimously.***

### Item 8) Consent Agenda

- a) Acknowledge Review of the April 2019 Bills Paid (note any conflict of interest bills)
- b) Approval of Rockville City Council Minutes of April 10, 2019
- c) Acknowledge April 2019 Sheriff's Report
- d) Acknowledge March/April 2019 Building Permits
- e) Resolution 2019-17 Approval of Annual Liquor License Renewals
- f) Resolution 2019-18 Approval of One Probationary Firefighter

***Motion by Becker, second by Herberg, to approve the Consent Agenda as presented noting that Simon abstained from check #19012 and Herberg abstained from checks #19011 and #19057. Motion passed unanimously.***

### Item 9) Public Hearing – City of Rockville Ordinance Amendments

Public Hearing opened at 6:08 p.m.

Lori Johnson, no address given, spoke about VRBO properties.

Korla Molitor, 10919 Mitchell Lane, spoke about Short Term Rental properties.

Vicky Rozycki, 25699 Lake Road, talked about Short Term Rentals.

Richard Luckerth, 8282 County Road 6, Short Term Rentals.

John Rozycki, 25552 Lake Road, Short Term Rentals.

Alex Molitor, 10919 Mitchell Lane, Short Term Rentals.

***Motion by Herberg, second by Becker, to close the Public Hearing at 6:28 p.m. Motion passed unanimously. No further Council action was taken.***

### **Item 10) Department Reports**

a) Planning Commission

#### **1) Resolution 2019-19 Rezone - John and Lisa Lutgen – Ag-40 to RR with PUD Overlay**

##### **Staff Report**

**Re:** Rezoning Application Ag-40 to RR with PUD Overlay

Owner: John and Lisa Lutgen

The legal description of the property is: The Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), LESS AND EXCEPT: The South one-fourth of the SE1/4 of NE1/4, all in Section (5) in Township one hundred twenty-three (123), Range twenty-nine (29), Stearns County, Minnesota. Parcel No. 76.41607.0900

##### **Request:**

To change the current zoning district of Ag-40 to RR-PUD Rural Residential Planned Unit Development.

##### **Relevant Information:**

1. Property is currently zoned Ag-40.
2. Lot size is 30 +/- acres.
3. 10 notices of public hearing were sent out.
4. Purpose of request is to further subdivide Parcel into six (6) 5-acre lots. Note, some of the lots are using road right-of-way (ROW) to meet the 5-acre parcel requirements in an R-R district.
5. Not prime farmland.
6. Future Land Use Map shows Agricultural Transitional.

##### **Recommendation:**

Chairman Becker stated that it was the Planning Commission's recommendation to approve of the application.

***Motion by Simon, second by Herberg, to approve Resolution 2019-19 Rezone John and Lisa Lutgen Property Ag-40 to RR with PUD Overlay. Motion passed unanimously.***

#### **2) Resolution 2019-20 CUP - Edward J. Zapp Rev Trust and Verizon Wireless**

##### **Staff Report**

**Re:** Conditional Use Permit Request

Owner: Edward J. Zapp as Trustee of the Edward J, Zapp Revocable Trust, Applicant: Verizon Wireless. Property Address: 22807 Rausch Lake Road, Section 16 and 21, Township 123, Range 029, City of Rockville, Stearns County Minnesota. PID 76.41638.0100.

##### **Conditional Use Permit requested:**

For construction of a new 199-foot telecommunications tower.

##### **Relevant Information:**

1. This property is located in the Ag-40 District.
2. Property contains 55.84 acres more or less.
3. 10 notices of public hearing were sent out.

Section 16 Subdivision 4 (19): Conditional Uses reads:

19. Commercial Wireless Telecommunication Service Towers subject to Section 13 of City Zoning Code.

##### **Recommendations:**

Approve with the following conditions:

1. All conditions of the City Zoning Code, Subdivision Code and other Ordinances are met, specifically those included in Section 13 of the City's Zoning Code.

2. That the proposed driveway be surfaced with Class 2 crushed granite or other similar material to minimize potential erosion issues.
3. That operation of said communications tower does not interfere with the emergency communications of the City's fire and rescue department or other public safety entity.

***Motion by Herberg, second by Simon, to approve Resolution 2019-20 CUP – Edward J. Zapp Rev Trust and Verizon Wireless. Motion passed unanimously.***

- b) City Engineer - Justin Kannas, Bolton-Menk
  - 1) Stickney Hill – nothing to report.
  - 2) 2019 Street Project – Bid date is set for May 20, 2019.
- c) Public Works – Gene VanHavermaet, Director  
Council reviewed the April written department report.

#### **Item 11) Council Action**

- a) Appropriations, Allocations, and Transfers – Non presented
- b) Resolution 2019-21 Approval of Realtor Services  
Carol Dietman, Edina Realty gave a brief review of the services Edina Realty are able to provide.  
***Motion by Becker, second by Herberg, to approve Resolution 2019-21 Approval of Realtor Services – Re/Max. Motion passed unanimously.***
- c) Ordinance Amendments – No further discussion or action.
- d) Lions Park Shed – Council consensus was to consider this project during the 2020 budget process.

#### **Item 12) Mayor/Council Reports**

- a) RTCB – no May 2019 meeting.
- b) Highway 23 Coalition, Mayor plans to attend a May 14 legislative meeting.
- c) SCML meeting on May 21 in St Augusta. Member Simon to attend.
- d) Open Meeting law.

#### **Item 13) Other**

Herberg discussed the following items with Council:

- For a possible revenue funding consider membership with St. Cloud APO.
- Agate Beach culvert is a 6-inch PVC pipe.
- Current condition of the City's gravel and asphalt roads.

#### **Item 14) Future Agenda Items**

- Goal setting session for budget.
- Special Council Meeting scheduled for May 22, 2019 at 6:00 p.m.

#### **Item's 15 thru 17 Removed**

#### **Item 18) Adjourn**

***Motion by Becker, second by Simon, to adjourn the meeting. Motion carried. Meeting adjourned at 7:09 p.m.***

Respectfully Submitted,

Martin M. Bode  
City Administrator