

**ROSEMOUNT CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MARCH 7, 2023**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Tuesday, March 7, 2023, at 7:00 p.m. in Rosemount Council Chambers 2875 145th Street West.

Mayor Weisensel called the meeting to order with Councilmember Essler, Klimpel, Freske attending. Councilmember Theisen was absent.

Staff present included the following;

- Public Works Director Egger
- Director of Parks & Recreation Schultz
- City Engineer Erickson

APPROVAL OF AGENDA

Motion by Weisnesel Second by Freske

Motion to Adopt the Agenda

Ayes: 4.

Nays: None. Motion carried.

PUBLIC COMMENT

None

CONSENT AGENDA

Motion by Klimpel Second by Essler

Motion to approve consent agenda items

- a. Bills Listing
- b. Minutes of the February 21, 2023 Regular Meeting
- c. Receive Donation – Parks & Recreation - Dakota Electric
- d. Receive Donation – Parks & Recreation - Merchants Bank
- e. Receive Donation – Parks & Recreation - Xcel Energy
- f. On-Sale License on Public Premise for Omni Winery and Taproom
- g. Renewal of Consumption and Display Permit, The Meeting Point
- h. Request by LTF Lease Company, LLC., for approval of a final plat and a minor amendment to the Prestwick Place PUD Agreement

Ayes: Essler, Klimpel, Weisensel, Freske

Nays: None. Motion carried.

PUBLIC HEARINGS

7.A. 2023 NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENT PROJECT: PUBLIC IMPROVEMENT HEARING

City Engineer Erickson and Jeff Pearson, WSB and Associates, Inc. Representative, presented the project scope for the 2023 Neighborhood Infrastructure Improvement Project. Mr. Pearson highlighted information noted within the feasibility report, discussed current road conditions, proposed improvements and the timeline of the project. The project is proposed to consist of full reconstruction with the addition of utilities (water, sewer and storm).

Mr. Pearson explained the extending utilities now is appropriate, since a full reconstruction of these streets would be unlikely to occur again for 30 years or more and the project currently lies within the 2040 Municipal Urban Service Area (MUSA) boundary meaning these areas within the boundary are expected to be served utilities. If the line is to be adjusted, a comprehensive plan amendment would need to occur. Based on the records the City has, there may be septic systems that are reaching end of life; staff illustrated on a map the current status of systems based on the records and information the City possess. Staff will work with residents, county, etc. to see if additional records are available to update the map to include an updated status on the systems.

The assessments are based on 35% of a residential street design section only and not applied to the utility extensions. The project would be funded by Street CIP, special assessments, municipal state aid funds and other funds to cover utilities (i.e. sanitary sewer, watermain, storm sewer).

Should the City Council proceed with this project more refined information will be provided for costs, funding and final proposed assessments at a future meeting as final assessments are based on the bids received.

Councilmembers noted that at the work session prior to the regular meeting this evening; staff investigated neighboring city's policies and the proposed policy that Rosemount staff are looking into is very lax compared to neighboring communities. Staff has been directed to investigate possible solutions that would make this project and assessment cost valuable to all.

Mayor Weisensel opened the public hearing at 7:25 p.m.

**Jackie Young
12895 Bengal Ave W**

Ms. Young expressed gratitude to Councilmembers for listening to residents concerns regarding the project. Ms. Young stated she would like to see how many homes are failing, more communication from the City as soon as possible, concerns of additional costs and wants to know if residents have the full 10 years to hook up to the City services.

**Gail Nozal
12795 Bengal Ave**

Ms. Nozal questioned how the map that illustrated the known status of the systems was developed? Ms. Nozal moved into her home in 2012 and her system was installed by the previous owner and questioned how the compliance checks are reported to the city.

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Tom McDonald
2168 128th Street West

Mr. McDonald shared a letter he wrote to Councilmembers voicing his concerns regarding the project. In addition, question what septic systems are failing and stated several residents in the neighborhood do not want city water and sewer.

Reed Hansen
Attorney for Ted McMenomy - 12780 Bacardi Avenue

Mr. Hansen shared a letter he wrote to Councilmember voicing Ted McMenomy's stance on the project. Mr. Hansen stated he doesn't agree with the assessments for hooking up to water and sewer and is requesting to not have Bacardi Avenue constructed as far north which would save on assessment costs.

Terry Kramer
2075 128th Street

Mr. Kramer questioned if moving forward with the project would impact the zoning in the area and questioned the cost of connecting to the home and whether there are additional costs for homeowners.

Tiffany Livingston
2175 128th Street West

Ms. Livingston questioned whether this entire project had to be completed now and urged staff and council to consider all options before making a decision.

Ted McMenomy
12780 Bacardi Avenue

Mr. McMenomy summarized his position on the project and requests the portion of the Bacardi Avenue project didn't go as far north and stated by not doing this portion of the project it would save tax payer money. Mr. McMenomy also noted he has not been contacted for any inspection reports regarding his property's well and septic system.

Motion by Weisensel Second by Freske

Motion to close the public hearing at 7:55 p.m.

Ayes: 4

Nays: None. Motion carried.

Mr. Egger stated the action for Council tonight is to approve ordering the project for the 2023 Neighborhood Infrastructure Improvement Project, directing staff to prepare final plans and specifications, and authorizing the advertisement for bids.

Mr. Pearson noted the following; the status of the septic systems are based on the records the staff has and if there are no records, staff assumes the systems are original. Staff requested if residents have inspection documents to give them to the City and Mr. Person noted there is a difference between a maintenance inspection and a full compliance inspection (completed by Dakota County) that residents should be aware of.

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City Administrator Martin recapped the direction the Council would like staff to pursue; retain the 10 years to hook up to city utilities with the understanding that residents will be required to provide reports that the systems are in good standing on a continual basis. The risk for residents of not hooking up to City services is that it could become a public health hazard, i.e. groundwater becoming contaminant from a leaking septic system. Staff noted, it could take only one failed system to create contamination.

Mr. Pearson stated having the scope of the project going as far north as it is currently purposed on Bacardi Avenue is necessary due to the gravity of the sanitary system and the end point is not an arbitrary point, the point will allow for system functionality in the future.

Parks and Recreation Director Schultz stated extending the path to the north will allow an opportunity for a future connection the the Missisissppi Greenway system and Lebonon Hills and by doing the path now with Bacardi Avenue, it will be a cost savings.

City Administrator Martin confirmed the project will not change the current zoning of the neighborhood.

Mayor Weisensel stated there will be some connection charges for water and sewer and noted Dakota County offers certain programs if residents seal their wells. Also noted, if residents have questions regarding their property value to connect with the Dakota County Assessor. Mayor Weisensel stated there are two other areas within the city that will be future projects for the city and staff will work to notify those residents as early in advance as possible.

Councilmember Freske requested staff provide a one-pager to include the information that the impacted residents need to be aware of i.e. connection fees, sealing fees, etc.

Motion by Freske Second by Essler

Motion to Adopt a Resolution Ordering the 2023 Neighborhood Infrastructure Improvement Project, City Project 2023-04 and Authorizing Final Preparation of Plans and Specifications and Advertisement for Bids

Ayes: Klimpel, Weisensel, Freske, Essler

Nays: None. Motion carried.

9.A. PLAYGROUND PROPOSALS – KIDDER PARK

Parks & Recreation Director Schultz presented the Parks Maintenance Capital Improvement Plan which includes funding for the replacement of the playground equipment at Kidder Park. Mr. Schultz showed illustrations of the proposals and noted several residents living in the area had an opportunity to provide input via an online poll. The project is scheduled to be removed in the fall of 2023 and the new equipment would be installed soon after.

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Motion by Klimpel Second by Freske

Motion to purchase playground equipment for Kidder Park from Webber Recreation/Miracle

Ayes: Weisensel, Freske, Essler Klimpel

Nays: None. Motion carried.

ANNOUNCEMENTS

10.a. Staff Updates

Mayor Weisensel informed Council of his attendance to the National League of Cities, Small City introductory meeting.

10.b. Upcoming Community Calendar

Mayor Weisensel reviewed the calendar of events and upcoming meetings.

ADJOURNMENT

There being no further business to come before the City Council at the regular council meeting and upon a motion by Weisensel and a second by Essler the meeting was at 8:52 p.m.

Respectfully submitted,



Erin Fasbender
City Clerk