

**ROSEMOUNT CITY COUNCIL
REGULAR MEETING PROCEEDINGS
February 18, 2020**

CALL TO ORDER

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Tuesday, February 18, 2020, at 7:01 p.m. in the Council Chambers at City Hall, 2875 145th Street West, Rosemount.

Mayor Droste called the meeting to order with Councilmembers Weisensel, Block, Essler, and Freske attending.

Staff present included the following;

- City Administrator Martin
- Community Development Director Lindquist
- Public Works Director/City Engineer Erickson
- Recording Secretary Paque
- Parks and Recreation Director Schultz

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Administrator Martin indicated there were no changes to the Consent Agenda.

Motion by Weisensel Second by Block

Motion to Adopt the Agenda as presented.

Ayes: 5.

Nays: None. Motion carried.

PRESENTATIONS, PROCLAMATIONS, & ACKNOWLEDGMENTS

3.a. Recognition of New Public Works Supervisor

Public Works Director/City Engineer Erickson introduced the new Public Works Supervisor of the Streets and Utilities Divisions, Charles (Chuck) Jacobus.

3.b. Presentation by 360 Communities

Parks and Recreation Director Schultz introduced two members from 360 Communities. 360 Communities provided an update on their activities and accomplishments.

PUBLIC COMMENT

Mike McMenomy, 1283 Bonaire Path West, expressed concern about the future road assessment and the Autumn Path Road Extension project. McMenomy requested that the City and the McMenomy family come to a compromise and the entire road not be constructed at this time.

RESPONSE TO PUBLIC COMMENT

Community Development Director Lindquist advised that the action occurring on this consent agenda is not related to the assessment. The McMenomy family has received a draft assessment agreement for the Autumn Path Road Extension and staff has not received any feedback from the family regarding any requested changes.

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Public Works Director/City Engineer Erickson explained that notices that were sent out regarding the improvement hearing in December 2019 would have been addressed to the property owner based on Dakota County's records.

CONSENT AGENDA

Motion by Weisensel Second by Block

Motion to Approve the Consent Agenda with 6.l. removed for further discussion.

- a. Bills Listing
- b. Minutes of the February 4, 2020 Regular Meeting Proceedings
- c. Receive Donation – Parks & Recreation Dept. – MN Energy Resources
- d. Receive Donation – Parks & Recreation Dept. – First State Bank
- e. Lawful Off-Site Gambling Application – CLIMB Theatre
- f. Budget Assignments
- g. Family Resource Center Project - Change Order #4
- h. Accept Well 16 and Authorize Final Payment, City Project 416
- i. Autumn Path Extension Project, City Project 2019-07: Receiving Plans and Authorize Ad for Bid
- j. Declaration of Surplus Property – Parks and Recreation Dept.
- k. Case 19-54-ME Request by Dakota Aggregates to Renew their Large-Scale Mineral Extraction Permit through 2020 and Aggregate Processing Facility IUP through 2024
- ~~l. Deepwoods Court Improvement Project, City Project 2020-03: Receiving Plans and Authorize Ad for Bid~~
- m. Renewal of the Max Steininger, Inc. Small Scale Mineral Extraction Permit for 2020

Ayes: Weisensel, Block, Droste, Essler, Freske

Nays: None. Motion carried.

Items Pulled for Discussion:

6.l. Deepwoods Court Improvement Project, City Project 2020-03: Receiving Plans and Authorize Ad for Bid

Councilmember Essler pulled item 6.l. to discuss School District 196's guidelines for bus stops.

Public Works Director/City Engineer Erickson explained the discussion that staff had with the school district about the cul-de-sac and the redesigning of it. The buses typically do not go into cul-de-sacs except if there is a special education student or if the cul-de-sac is of a certain length. City staff expressed to the school district that there are concerned parents about the traffic along McAndrews. The school district confirmed that the bus stops between Pilot Knob and Highway 3 meet current safety standards. Councilmember Essler expressed concerns for the bus stop safety on McAndrews as well.

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Motion by Essler Second by Freske

Motion to Adopt a Resolution Receiving Plans and Specifications and Authorizing the Advertisement for Bids for the Deepwoods Court Improvement Project, City Project 2020-03.

Ayes: Block, Droste, Essler, Freske, Weisensel

Nays: None. Motion carried

NEW BUSINESS

9.a. Request by Brent and Angela Bosaaen for approval of a Conditional Use Permit to Operate a Commercial Kennel in the AG-Agriculture Zoning District

Community Development Director Lindquist discussed the conditional use permit and the commercial business that would occur on the applicant's property. Staff reached out to the State of Minnesota to check on their use permit guidelines and the ordinance amendment relies on the State permitting standards and their inspections to ensure compliance.

Councilmember Weisensel discussed the conditional use permit and how it stays with the property. In the future, if ownership of the property changed, they would be able to operate under the same permit but, they would need to get a new license from the State of Minnesota. Staff confirmed that was correct.

Councilmember Freske questioned the number of dogs that are allowed on the property at a given time.

Applicants, Angela and Brent Bosaaen, 4979 160th Street East, explained the amount of space they have available on the property and the maximum number of dogs they can have according to the State of Minnesota. Currently, there are 19 adult dogs and 10 puppies, which is well under the state's guidelines but is about the number they would want to have.

Motion by Freske Second by Block

Motion to Adopt a Resolution Approving a Conditional Use Permit to operate Commercial Kennel in the AG-Agriculture Zoning District, subject to conditions.

Ayes: Droste, Essler, Freske, Weisensel, Block

Nays: None. Motion carried.

9.b. Text Amendment to Zoning Ordinance Modifying the Conditions for Commercial Kennels in the AG and RR districts, adding Commercial Kennels as a Conditional Use in the GI and BP Districts, and Modifying the Definition of Commercial Kennels

Community Development Director Lindquist discussed with previous item, 9. a.

Motion by Block Second by Essler

Motion to Approve the Text Amendment to the Zoning Ordinance Modifying the Conditions for Commercial Kennels in the Rural Residential and Agriculture Zoning

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Districts, Adding Commercial Kennels as a Conditional Use in the General Industrial and Business Park Zoning District, and Adding Commercial Kennels to Definitions.

Ayes: Essler, Freske, Weisensel, Block, Droste
Nays: None. Motion carried.

9.c. 19-32-SMP, 19-33-V, 19-34-RZ Request by Rebecca and Ronald Gruenes for a Rezoning and Simple Plat to create a three-lot subdivision called Deer Haven

Senior Planner Klatt provided an overview of the rezoning and simple plat request.

Councilmember Essler questioned if there are existing parcels that do not have access. Mr. Klatt explained that all the lots have access but some of the lots have shared driveways.

Motion by Weisensel Second by Freske

Motion to adopt an ordinance rezoning the subject property from AG Agricultural to RR Rural Residential.

Ayes: Freske, Weisensel, Block, Droste, Essler
Nays: None. Motion carried.

Motion by Weisensel Second by Block

Motion to approve a Simple Plat for Deer Haven subject to conditions.

Ayes: Weisensel, Block, Droste, Essler, Freske
Nays: None. Motion carried.

9.d. Request by Equity Lifestyle Properties for a Major Amendment to the Rosemount Woods PUD to Develop an Additional thirty-nine (39) home sites within the boundaries of the Rosemount Woods Mobile Home Park

Senior Planner Klatt provided an overview of the proposed amendment for existing Rosemount Woods Mobile Home Park. There currently are 182 homes sites. After the proposed additional development, there will be a total of 221. The unpaved portion of Brazil Avenue will be paved with the project.

Councilmember Block asked that since the existing storage area is being replaced with new home sites, if the storage area will be relocated.

Developer, Michael Blank with Equity Lifestyle Properties, explained that operations staff will be working with the existing residents to remove the minimal items in the storage area. An operations maintenance facility, such as a shed, will be worked into the proposed plan as well.

Councilmember Freske questioned where the storm shelter will be located and how the playgrounds will be affected with the amendment.

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Community Manager, Paul with Equity Lifestyle Properties, explained to council that the playground by the office will be taken down due to the poor condition. The existing playground located near the basketball court will stay and an additional piece will be added. Location of the new storm shelter is still under review. Staff is looking to have the shelter centrally located.

Councilmember Freske requested that the upgrade of the play equipment be added as a condition of approval.

Mayor Droste stated that the public hearing for the project was held on December 16, 2019. Councilmember Essler questioned who would have received the notices about the projects. Mr. Klatt explained that notices were sent to property owners within a certain distance of the proposed project, in this case it was 500 feet. Notice was addressed to the property owners based on Dakota County property records, for the mobile home park it would have been addressed to park ownership/management.

Mayor Droste, Councilmember Essler and staff discussed that the storm shelter should be built before a certain number of certificate of occupancies can be issued.

Marissa Coleman with Equity Lifestyle Properties addressed council's concerns about storm shelter. Equity Lifestyle Properties hired on an architect to evaluate the storm shelter size. Council and the developer agreed that before certificates of occupancy are issued that the storm shelter be built.

Mayor Droste opened the meeting to public comment.

Thomas Lucking, 13830 Robert Trail S, expressed concerns about the flow of stormwater. When the development goes in, Mr. Lucking requested that a privacy fence be installed.

Public Works Director/City Engineer Erickson addressed the stormwater flow concerns. A drainage swale will be installed to direct the drainage from the north to the new infiltration basin at the southwest corner of the property.

Gregg McElroy, 13898 Robert Trail S, believed that the area located behind his property was zoned to be green space. Mr. McElroy expressed privacy concerns with the development directly behind his property and requested a privacy fence be installed or spruce trees be planted.

Developer, Michael Blank, stated that they have added several more trees to help with privacy screening. Civil Engineer, Matthew Smaker with KH Civil Engineering stated that they were able to save 11 of the 17 trees with the current project plan.

Mayor Droste and council members requested that six more coniferous trees of five feet in height be added for additional privacy.

Donna Semlak, 13836 Robert Trail S, stated that she did not receive any notice from the city or the developer about the project.

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Motion by Weisensel Second by Block

Motion to adopt a resolution approving a Major Amendment to the Rosemount Woods Planned Unit Development (PUD) Agreement, allowing the development of 39 additional home sites, subject to conditions. With the additional conditions including; storm shelter shall be constructed before certificates of occupancy can be issued; additional six coniferous trees that are five feet in height; upgrade of playground equipment.

Ayes: Block, Droste, Essler, Freske, Weisensel

Nays: None. Motion carried.

ANNOUNCEMENTS

Administrator Martin congratulated the new Public Works Supervisor, Chuck Jacobus. Open House for the new Family Resource Center will be held on February 26 from 4 to 6 p.m.

Mayor Droste reviewed the calendar of events and upcoming meetings for the remainder of February and March. The next City Council meeting will be held on Wednesday, March 4, 2020 at 7:00 p.m.

ADJOURNMENT

There being no further business to come before the City Council at the regular council meeting and upon a motion by Droste and second by Block the meeting was adjourned at 8:52 p.m. back to the City Council Work Session in the conference room in city hall.

Respectfully submitted,

Jessie Paque,
Recording Secretary