

**ROSEMOUNT CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
MARCH 2ND, 2016**

**CALL TO ORDER**

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Wednesday, March 2nd, 2016 at 7:00 p.m. in the Council Chambers at City Hall, 2875 145<sup>th</sup> Street West, Rosemount.

Mayor Droste called the meeting to order with Council Members DeBettignies, Nelson, Weisensel and Demuth attending. An audience of approximately 100 was in attendance.

Staff present included the following;

- o City Administrator Johnson
- o Community Development Director Lindquist
- o Director of Public Works/City Engineer Wrase
- o Parks & Recreation Director Schultz
- o Finance Director May
- o Chief of Police Scott
- o City Attorney Tietjen
- o City Clerk Hadler
- o Communications Coordinator Cox

The Pledge of Allegiance was said.

**ADDITIONS OR CORRECTIONS TO AGENDA**

City Administrator Johnson stated there were no changes to the agenda.

**Motion** by DeBettignies. **Second** by Weisensel.

**Motion** to Adopt the Agenda.

**Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth**

**Nays: 0. Motion carried.**

**PRESENTATIONS, PROCLAMATIONS, & ACKNOWLEDGMENTS****PUBLIC COMMENT****CONSENT AGENDA**

Mayor Droste noted that the bids for Item H. relating to Danbury Way improvements were \$400,000 lower than what was expected.

**Motion** by DeBettignies. **Second** by Demuth.

**Motion** to Approve the Consent Agenda.

- a. Minutes of the February 16, 2016 Regular Meeting Proceedings
- b. Bills Listing
- c. Redesignation of General Funds Balance
- d. Expenditure Approval from the Donation Account – Parks & Recreation Dept.
- e. Receive Donation – Parks & Recreation Dept.
- f. Minutes of the February 9th, 2016 Special Work Session Proceedings
- g. Authorize Eminent Domain – Safe Routes to School
- h. Declare Cost Set Hearing – Danbury Way Improvement Project

**Ayes: DeBettignies, Nelson, Droste, Weisensel, Demuth**  
**Nays: None. Motion carried.**

## **PUBLIC HEARING**

## **OLD BUSINESS**

## **NEW BUSINESS**

### **9.a. Resolution Calling for a Special Referendum**

City Administrator Johnson gave an overview of matter at hand; a proposed special election to vote on a referendum to borrow up to \$15,000,000 for park and recreation facilities. The referendum comes after a lot of work by staff and recreation organizations to determine needs and costs of facilities. May 17<sup>th</sup> was determined as the date based on availability of polling places. Mr. Johnson noted various ways that citizens may become informed on the issue, including City newsletters, City website, and a planned public meeting.

Parks and Recreation Director Schultz described the proposed facilities and the approximate costs of each. The total cost of all the projects is estimated at \$14.3 million. The bond amount of \$15 million paid back over 20 years would have an estimated tax impact of \$99 per year on the median value home.

Council member Nelson inquired about the concession stand at Flint Hills. Mr. Schultz stated there would not be a concession stand right away, due to the unknown placement of future fields, as well as costs being prohibitive at this time. There is no water and sewer service readily available yet.

Council member Weisensel inquired about the build-out of the projects that are not being completed. Mr. Schultz explained the various phases that would not be completed without additional funding and the potential timing of each.

Council member Weisensel asked Mr. Schultz to outline the expectations if the referendum were passed or not passed. Mr. Schultz stated the ice arena project would be initiated immediately, due to the time it takes to design such a facility. He stated Flint Hills fields would most likely come next. And UMore and Central park would likely be developed concurrently. He stated that if the referendum were passed, that construction of projects might begin in 2017 for completion in 2018.

Council member Demuth asked Mr. Schultz about the challenges of putting the second sheet of ice at the Community Center. Mr. Schultz explained what the new layout would need to look like, the costs of purchasing land at the site, and the higher cost of construction at the site.

Council member Weisensel inquired about operational costs of the new facilities. Mr. Schultz stated staff believes that the sale of ice will cover much of the operational costs, based on demand estimates the City has received from Rosemount Area Hockey Association. Mr. Schultz speculated that the new facility would be able to operate a little less expensively because of its smaller size and newer mechanical system.

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Council member Weisensel inquired if the bonds from the original facility had been paid off. Mr. Schultz stated they were. Mr. Weisensel inquired about improvements that will need to be done on that facility. Mr. Schultz stated that there is a 10 year capital improvement plan that accommodates the ongoing maintenance of the facility.

Council member Weisensel inquired about the refrigerant upgrade. Mr. Schultz stated that system is not in need of immediate replacement due to a supply of “R22” in the market.

Council member DeBettignies asked a follow up question about the supply of R22. Mr. Schultz speculated that there is a 5 to 7 year supply.

Mayor Droste commented on the costs and subsidies of ice rinks. He noted that the Council received emails from residents and the Chamber of Commerce; 3 in support, 2 against. The Chamber inquired about the timing of the referendum, and a RAHA member family expressed concerns about the lack of transparency of RAHA financial data. Mayor Droste encouraged the organization to be transparent.

Mayor Droste invited comments from the audience.

Mr. Paul Essler, President of Rosemount Area Athletic Association, thanked the Council for their interest and work on finding more field and court space for youth athletics. He stated their mission was to provide affordable options. Mr. Essler spoke to the ability to host tournaments in the community, which will bring money into the community. He also stated that the organization works to develop better kids in the community.

Melanie Nelson, a recent Rosemount graduate, asked that the Council pass the resolution. The city facilities have played a large part in her life. She stated that the facilities would benefit Rosemount youth, through sports and learn-to-skate programs.

Mayor Droste commented that if the referendum is approved, 39% of the participants are non-residents and those people will not be paying for the referendum through their taxes.

Council member DeBettignies told Ms. Nelson that he hoped she would move back to Rosemount, because it is the 4<sup>th</sup> Best Place to Raise a Kid (based on Money Magazine).

Council member Weisensel reiterated some of Mr. Essler’s comments, and stated that the City should figure out a way to build the concessions to better accommodate tournaments. He stated that the small community of Rosemount often is compared with its larger neighbors and their facilities. He stated that other communities have found other ways to fund facilities, from private donations, etc., and he would encourage the community to help find those donations. He also stated that District 196 will not be building the new elementary school in Rosemount. He stated that the Money Magazine ranking of 12<sup>th</sup> / 4<sup>th</sup> comes from the existence of gathering spaces like schools and athletic facilities.

**Motion** to approve the attached resolution authorizing the setting of a special referendum to ask voters to consider approving up to \$15,000,000 in general obligation bonds to fund the acquisition, betterment, construction and related costs of recreational facilities, including a new indoor ice arena;

additional baseball and softball fields at UMore Park; additional athletic fields for soccer, lacrosse and football at Flint Hills athletic complex; and an Ice Skating/Event Plaza and play area at Central Park.

**Motion** by Nelson. **Second** by DeBettignies.

**Ayes:** Nelson, Droste, Weisensel, Demuth, DeBettignies

**Nays:** 0. **Motion carried.**

### **9.b. Request by Dakota Aggregates to Renew their Large Scale Mineral Extraction Permit through 2016**

Community Development Director Lindquist gave an overview of the matter at hand. Dakota Aggregates has applied for the annual renewal of their large scale mineral extraction permit (LSMEP) on the UMore property. The current application is for the overall mining operation, which must be renewed on an annual basis. The initial approval was done in 2012.

The notice that was mailed out mistakenly stated that the permit would add the 24 hour working hours. In fact, the 24-hour work was approved last year for the first time.

Ms. Lindquist reviewed the staging of the mining. Ms. Lindquist stated that she suggests two additional conditions into the annual permit, which are currently included in the large-scale mining permit; 1.) The City of Rosemount shall have the ability to collect independent soil and water samples, and 2.) Mining within any phase that would expose the ground water will not be permitted before additional borings are conducted in the deepest areas of the proposed lake to confirm that a minimum of 15 feet of separation between the mining and the bedrock. Mining can occur within two feet of the groundwater prior to testing occurring.

Ms. Lindquist discussed feedback from residents. Staff has received some negative feedback from residents north of County 42. The police were deployed for 30 days to gauge the noise levels in the community. She encouraged residents to call 911 when they do have noise concerns so that the police could verify the noise.

The Planning Commission recommends approval of the permit. The applicant stated they can increase the height of the berm to 30 feet and finish extending it to Biscayne Avenue, and that is a condition of the permit.

Mr. Shawn Dahl, of Dakota Aggregates, outlined the work that has been on the site to date since 2014. Facilities currently include Harddrives Asphalt plant, Cemstone plant, and Wells Concrete casting. Total site investments are approximately \$50 million. Gravel taxes paid are approximately \$340,000 to date, of which \$130,000 goes to the City. Mr. Dahl addressed noise complaints, beginning in July 2015. The company is working on various noise mitigation efforts, including the berming, relocating the screening equipment, and changes to equipment.

Mr. Larry Hansen, of Aeroacoustics Engineering, outlined the sound mitigation efforts at the facility. Mr. Hansen discussed the acoustic testing that was undertaken near the site.

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Mayor Droste inquired about the timing of the measurements. Mr. Hansen clarified that the study was done based on manufacturer claims and modeling.

Mayor Droste invited audience members to comment. There were no speakers.

Mayor Droste asked for clarification that the facility has never actually operated 24 hours per day. Mr. Dahl stated that working hours are approximately 4 a.m. to 12 / 1 a.m..

Council member Demuth asked whether materials would be hauled in for reclamation of the property. Mr. Dahl stated there will eventually be a time that "haul back" would be necessary, but it is not needed to achieve the reclamation plan.

**Motion** to renew the Dakota Aggregates Large Scale Mineral Extraction Permit for 2016, subject to the terms and conditions in the attached 2016 Draft Conditions for Mineral Extraction with the addition of the 2 existing conditions as recommended by staff from the original permit.

**Motion** by Weisensel. **Second** by DeBettignies.

**Ayes:** Droste, Weisensel, Demuth, DeBettignies

**Nays:** 0

**Abstain:** Nelson. **Motion carried.**

**ANNOUNCEMENTS**

Mayor Droste reviewed the calendar of events. The next City Council work session will be held on Wednesday, March 9, 2016, at 6:30 p.m. The next City Council meeting will be held on Tuesday, March 15, 2016, at 7:00 p.m.

**ADJOURNMENT**

There being no further business to come before the City Council and upon a motion by Droste, second by DeBettignies, the meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Clarissa Hadler, City Clerk