

**ROSEMOUNT CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
FEBRUARY 2, 2021**

**CALL TO ORDER**

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Tuesday, February 2, 2021, at 7:00 p.m. in Rosemount Council Chambers 2875 145th Street West and virtually via Zoom.

Mayor Droste called the meeting to order with Council member Block, Essler, Weisensel, and Freske attending. Staff present included the following;

- City Administrator Martin
- Community Development Director Lindquist
- Director of Public Works/City Engineer Erickson

The Pledge of Allegiance was recited.

**APPROVAL OF AGENDA**

City Administrator Martin noted the addition of item 3.a. Proclamation Congenital Heart Defect Awareness Week and also noted staff will include an update in the minutes of the January 19, 2021 Regular Meeting Proceedings (item 6.b.) to include the applicant agreed to the continuation of the easement vacation public hearing and final plat approval for Emerald Isle to February 2, 2021.

**Motion by Weisensel Second by Freske**

**Motion** to Adopt the Agenda as presented.

**Ayes: 5.**

**Nays: None. Motion carried.**

**PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS**

**3.a. Proclamation Congenital Heart Defect Awareness Week**

City Administrator Martin provided an overview of the proclamation declaring February 7 -14<sup>th</sup> as Congenital Heart Defect Awareness Week.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

**Motion by Weisensel Second by Essler**

**Motion** to approve consent agenda item 6.c. removed

- a. Bills Listing
- b. Minutes of the January 19 2021 Regular Meeting Proceedings
- ~~c. Technology Task Force Appointments~~
- d. Renewal of Consumption and Display (Set Up) Permit, The Meeting Point
- e. Request Dakota County Membership of MVTA

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

### **6.c. Technology Task Force Appointments**

Mayor Droste pulled this item for recognition of the new taskforce and its members.

**Motion by Droste Second by Weisensel**

**Motion** to approve the creation of Technology Taskforce and appoint the following individuals to the Technology Task Force;

- Mohammad Khan (*term end date 3/31/2023*)
- Furhath Arnob (*term end date 3/31/2023*)
- Joe Duffy (*term end date 3/31/2023*)
- Tony Hall (*term end date 3/31/2024*)
- Steve Thoennes (*term end date 3/31/2024*)
- Robert Kidwell (*term end date 3/31/2024*)
- Samuel Mwangi (*term end date 3/31/2024*)

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

## **PUBLIC HEARINGS**

**7.a. Continued Public Hearing for a Request by CNC Development IV, LLC, for the** Community Development Director Lindquist provided a brief recap of the applicant's request, highlighted information provided since the January meeting and noted the continuation of the hearing from January 19, 2021 requested by the council and approved by the applicant.

Dakota County Senior Project Manager Kristi Sebastian provided an overview of the project and the timeline of the county's actions. Ms. Sebastian noted the project had an aggressive schedule and the County moved forward to obtain necessary easements in order to keep the installation of the traffic signal at Akron Avenue on track and completed in the summer of 2021. Ms. Sebastian provided additional detail regarding the offer letter and stated the county withdrew the county's offer letter to the original owner to purchase the easement for drainage and utility needs because the plat filed provided the easement needed.

City Attorney Tietjen mentioned she included a memorandum in the council packet which responded to several questions raised at the January 19, 2021 council meeting.

Mayor Droste continued the public hearing open at 7:39 P.M.

The applicant's attorney, Peter Coyle, stated the applicant was forced to put an easement on the property and stated that the easement on Outlot B shouldn't have been in required to begin with.

Bill Ryan, developer, stated the County was fully aware that the intentions were to develop the property from previous interactions. Mr. Ryan confirmed no purchase agreement was ever signed

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with the County regarding the easement acquisition and only an offer letter was submitted which was never formerly accepted by the property owner or developer.

Rick Osberg, engineer, discussed the appraisal process and noted no interaction took place with County staff except with the appraiser. Mr. Osberg also noted the applicant objected to the blanket easement and was told by the city staff the easement was required per city policy. Ms. Lindquist responded stating she was not involved in the conversations initially, however many developers do dedicate blanket easements.

Ms. Lindquist noted no objections to approve the final plat, with the dedicated blanket easement were heard at the Planning Commission meeting in August or the Council meeting in September.

Councilmember Essler stated the City followed the correct process and if there was an objection the city would have responded to the objection at that time. The timeline indicates the developers objection came after Dakota County withdrew their offer.

City Attorney Tietjen noted staff are not the final decision makers, and developers who object to various conditions or processes should go to the final decision makers, the City Council if there is disagreement. It is a public process.

**Motion by Droste Second by Block**

**Motion to** close the public hearing at 8:03 p.m.

**Motion by Freske Second by Block**

**Motion to** adopt a resolution approving the vacation of a portion of the blanket drainage and utility easement over Outlot B, Emerald Isle 1st Addition, subject to conditions.

**Ayes: Droste, Essler, Freske, Weisensel, Block**

**Nays: None. Motion carried.**

**NEW BUSINESS**

**9.a. Request by CNC Development IV, LLC, for Final Plat Approval of Emerald Isle 2nd Addition**

Community Director Lindquist discussed the reason for the continuance is related to the vacation of the drainage and utility easement over Outlot B of the Emerald Isle 1<sup>st</sup> Addition Plat. The City Council is being asked to consider a request from CNC Development IV, LLC, for approval of a Final Plat for Emerald Isle 2<sup>nd</sup> Addition to allow development of 57 single family lots. The final plat is necessary to facilitate subdivision of the subject property into individual residential lots, outlots, and public streets. The plan is to start construction this spring.

**Motion by Block Second by Essler**

**Motion to** Adopt a Resolution Approving the Final Plat for Emerald Isle 2nd Addition, subject to conditions

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

**Motion by Block Second by Essler**

**Motion to** Approve the Subdivision Agreement for Emerald Isle 2nd Addition and authorize the Mayor and City Clerk to enter into the agreement

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

**ANNOUNCEMENTS**

**10.a. Staff Updates**

City Administrator Martin provided staff updates including thanking the cable crew for their efforts to make these virtual meetings available for the public and reminded the public to keep an eye out for upcoming videos on social media.

**10.b. Upcoming Community Calendar**

Mayor Droste offered condolences regarding the passing of former Mayor Lee Knutson.

Mayor Droste 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 Droste and a second by Weisensel the meeting was adjourned to a closed meeting at 8:11 p.m.

Respectfully submitted,



Erin Fasbender  
City Clerk