

**ROSEMOUNT CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
MAY 21, 2019**

**CALL TO ORDER**

Pursuant to due call and notice thereof a regular meeting of the Rosemount City Council was held on Tuesday, May 21, 2019, 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 Weisensel, Essler, Freske and Block attending.

Staff present included the following;

- City Administrator Martin
- Senior Planner Klatt
- Director of Community Development Lindquist
- Director of Parks & Recreation Schultz

The Pledge of Allegiance was said.

**ADDITIONS OR CORRECTIONS TO AGENDA**

City Administrator Martin stated there are no additions or corrections.

**Motion** by Weisensel **Second** by Block

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

**Ayes: 5**

**Nays: 0. Motion carried.**

**PRESENTATIONS, PROCLAMATIONS AND ACKNOWLEDGMENTS**

**3.a. Commendation for Attainment of Eagle Scout Rank**

Mayor Droste and council honored two new Eagle Scout Members; Sam Ericksen-Schultz and Read Stanton who achieved the Eagle rank.

**3.b. Proclamation of National Public Works Week and Recognition of Public Works Employees**

Mayor Droste declared May 19-25, 2019 as National Public Works Week in Rosemount.

**Motion** by Droste **Second** by Weisensel

**Motion** to approve proclamation

**Ayes: 5**

**Nays: 0. Motion carried.**

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

**Motion** by Weisensel **Second** by Essler

**Motion** to Approve the Consent Agenda with items 6.d. and 6.e. pulled.

- a. Bills Listing
- b. Minutes of the May 7, 2019, Regular Meeting Proceedings
- c. Accept Minnesota Department of Health Grant and Enter into a Source Water Protection Plan Implementation Agreement
- d. ~~Application to Conduct Off Site Gambling – Irish Football Boosters~~
- e. ~~Biscayne Business Park PUD Master Development Plan with Rezoning, Preliminary Plat and Site Plan Review (Final Development Plan)~~
- f. Expenditure Approval for the Donation Account – Parks & Recreation Department
- g. General Obligation Bond Proceeds Grant Agreement - Construction Grant for the City of Rosemount Family Resource Center
- h. Request by Prestwick, LLC for Final Plat Approval for Prestwick Place 19<sup>th</sup> Addition
- i. Metro Land Minor Amendment to Harmony PUD and Simple Plat for Harmony Parkview 2<sup>nd</sup> Addition

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

**Nays: None. Motion carried.**

**6.d. Application to Conduct Off-Site Gambling – Irish Football Boosters**

Council member Block pulled the item to inform council that she will abstain from voting as Block is a booster board member.

**Motion** by Freske **Second** by Essler

**Motion** to approve an Application to Conduct Off-Site Gambling for Irish Football Boosters

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

**Abstain: Block**

**Nays: None. Motion carried.**

**6.e. Biscayne Business Park PUD Master Development Plan with Rezoning, Preliminary Plat and Site Plan Review (Final Development Plan)**

Council member Block pulled item 6.e. for further information on the details of the project. The developer for the project was present and answered a few questions such as the project timing and stated a user for the first phase has not yet been determined.

**Motion** by Block **Second** by Weisensel

**Motion** to Adopt an Ordinance Rezoning the Property from BP Business Park to Business Park Planned Unit Development, BP-PUD

**Motion** to Adopt a Resolution Approving a PUD Master Development Plan for an eight-lot business park development with construction of an 18,000 square foot office, warehouse, and light manufacturing facility on Lot 1, Block 1 of the subdivision.

**Motion** to Adopt a Resolution Approving a Preliminary Plat of the Biscayne Business Park.

**Motion** to Approve the Planned Unit Development Agreement for Custom Apparel, Inc. and Authorizing the Mayor and City Clerk to enter into this Agreement.

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

**Nays: None. Motion carried.**

**PUBLIC HEARINGS**

**7.a. Public Hearing for a Vacation of the Drainage and Utility Easement over Outlots A and B, Prestwick Place 16th Addition**

Community Development Director Lindquist provided an overview of a request, noting that placement of easements over outlots is one way to preserve future phases until the developer is ready to build. To accommodate the development of Prestwick Place 19<sup>th</sup> Addition, a vacation of the drainage and utility easements over Outlots A and B, Prestwick Place 16<sup>th</sup> Addition is necessary which is typical when there are multi-phased developments in a larger preliminary plat.

Mayor Droste opened the public hearing at 7:22 p.m.

**Ben Lillie**

**13996 Ashford Path**

Mr. Lillie a current resident who has a utility easement on his property stated he has had a number of issues arise due to the easement. Mr. Lillie stated he would like to know the difference between easements and a clearer answer of what can and cannot be done on the easements; i.e. landscape design, rock, grass, etc.

Ms. Lindquist explained the differences between easements and explained the reasoning for certain easements. Staff further elaborated on the main item to consider when dealing with easements is to not change the elevation level as this would have an impact on the drainage and can affect neighbors.

**ROSEMOUNT CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
MAY 21, 2019**

Council members advised staff to put together guidelines for residents clarifying the differences between easements, educate residents on what homeowners can and cannot do on easements, and ensuring residents are notified should a sign be placed in a homeowner's back yard.

**Daniel Eckstrom  
14095 Abercorn Ave**

Mr. Eckstrom lives on property that has an easement to the back of his property and questioned staff on the reasoning of granting variances. Ms. Lindquist provided an explanation regarding the easement with this particular area and the reasoning for variances.

Mr. Eckstrom questioned how builders will get the dirt that is currently building up in this area removed and whether or not the builders will remove the dirt. Ms. Lindquist confirmed staff does a final inspection of all completed projects to ensure all builders have abided by our regulations and project approval requirements.

**Linda Stone  
13974 Ashford Path**

Ms. Stone would like to receive further clarification from staff on what property owners can and cannot do within the easement areas. Ms. Stone also questioned whether or not the weeds will be controlled within the easement area on her property. Staff stated there is a certain seed mix that is required in certain easements that will help prevent the weeds.

**Pat Riley  
13970 Ashford Path**

Mr. Riley stated the main reason for purchasing the lot he did was for the extended lot size and now Mr. Riley is concerned because he is unable to utilize the full lot due to the easement restrictions.

**Tom Stone  
13974 Ashford Path**

Mr. Stone expressed his concern that some builders are misleading potential and current homeowners that homeowners are able to utilize the full lot. Mr. Stone urges staff to communicate to the builders the policy to avoid further confusion on lot sizes and easements.

**Ben Lillie  
13996 Ashford Path**

Mr. Lillie followed up regarding his statement earlier stating Mr. Lillie had a lawyer review documents regarding Mr. Lillie's property and the understanding was "the homeowner can do what the homeowner wants as long as it is not permanent". Mr. Lillie as well is requesting for a clearer explanation of what can and cannot be done on easements.

**Motion** by Droste **Second** by Weisensel

**Motion to close public hearing at 7:53 p.m.**

**Ayes: 5.**  
**Nays: 0.**

Staff confirmed staff will have additional conversations with the builders to reiterate our policy and ensure the builders are communicating properly to the homeowners regarding lot sizes and potential restrictions within easement areas. Staff will also lay out what can be done in the easement and storm water areas and post that on the City's website

**Motion** by Weisensel **Second** by Essler

**Motion** to Adopt a Resolution Approving the Vacation of the Drainage and Utility Easement of Outlots A and B, Prestwick Place 16th Addition.

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

**Nays:** None. **Motion carried.**

## **NEW BUSINESS**

### **9.a. Comprehensive Plan Submittal**

Kyle Klatt, Senior Planner, presented a high level overview of the complete draft of the 2040 Rosemount Comprehensive Plan and the process for completing the Plan. The action being requested tonight is for the Council's review and recommended approval of the Plan for submittal to the Metropolitan Council. Once the City Council recommends approval, the entire document will be forwarded to the Metropolitan Council for final approval and ultimately implementation. The Metropolitan Council has 120 days for this review process.

The formal adoption of the 2040 Rosemount Comprehensive Plan will then take place once the Metropolitan Council approves the plan. The 2040 Rosemount Comprehensive Plan will be posted on our website for the public to view.

**Motion** by Weisensel **Second** by Freske

**Motion** to Authorizing the 2040 Comprehensive Plan to be submitted to the Metropolitan Council for Review

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

**Nays:** None. **Motion carried.**

### **9.b. Receive Bids and Award Contract - Expansion of the Family Resource Center**

Director of Parks and Recreation Schultz provided a recap of the expansion plans for the Family Resource Center. Bids were received for the project on Wednesday, May 1, 2019, and five contractors were on the plan holders list. The low bidder, Terra Contracting, for the amount of \$977,000, bid alternate #1 for \$2,400 and bid alternate #2 for \$3,400. Mr. Schultz highlighted the City and Legislators were successful in getting \$450,000 appropriated for this project.

Terra Contracting would intend to begin this project early summer with the goal to have the expansion completed by this winter. During the construction, the Family Resource Center will be temporarily stationed at The Well Church located off of Canada Ave in Rosemount. A ground breaking ceremony will take place at a later date.

**ROSEMOUNT CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
MAY 21, 2019**

**Motion** by Essler **Second** by Block

**Motion** to receive the bids for the Family Resource Center Expansion and award the contract to the low bidder, Terra Contracting, for the base bid amount of \$977,000, bid alternate #1 for \$2,400 and bid alternate #2 for \$3,400.

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

**ANNOUNCEMENTS**

**10.a. City Staff Updates**

City Administrator Martin shared several updates including; Rosemount was listed as the 7<sup>th</sup> fastest growing within metro, the retail strip center near McDonald's had walls going up today, the Economic Development Coordinator job posting has been extended by one week to acknowledge any additional applicants.

Mr. Martin acknowledged Mr. Klatt for all his work completing the 2040 Rosemount Comprehensive Plan as several other cities hire a consultant and spend considerable resources for this type of project.

Mr. Schultz recapped the Recreation Center Open House Event from last night and shared several comments staff has received. Mr. Schultz encouraged resident that have feedback to check out the city website as there is a dedicated area online to leave any comments.

Mr. Schultz also wanted to thank the 444 cars that attended the citywide spring cleanup. Staff is aware of the changes that need to be made and will continually look for ways to improve this event.

**10.b. Upcoming Community Calendar**

Mayor Droste reviewed the calendar of events for May and June. The American Legion will have a Memorial Day Ceremony at 9 a.m. on Memorial Day as they have done in the past. The next City Council work session and regular meeting will be held on Tuesday, June 4<sup>th</sup> starting at 5:00 p.m.

**ADJOURNMENT**

There being no further business to come before the City Council and upon a motion by Droste, second by Freske, the meeting was adjourned at 8:36 p.m. back to the work session held in the conference room.

Respectfully Submitted,



Erin Fasbender,  
City Clerk