

1. Call to Order. The regular meeting of the City Council of the City of Rogers was called to order by Mayor Ihli on Tuesday, November 27, 2018 at 7:03 p.m. at Rogers Community Center, 21201 Memorial Drive, Rogers, MN, 55374.

Council present: Mark Eiden, Bruce Gorecki, Rick Ihli, and Shannon Klick.
Council excused: Darren Jakel

Staff present: Jeff Beahen, Police Chief; Gary Buysse, Liquor Operations Director; Paul Byun, Deputy Clerk/Communications Coordinator; Jeff Carson, City Attorney; Lisa Herbert, Finance Director; Stacy Scharber, Assistant City Administrator; John Seifert, Public Works Director; Steve Stahmer, City Administrator; Bret Weiss, City Engineer; and Brad Feist; Fire Chief

2. Open Forum

None.

3. Presentations

None.

4. Approve Agenda

The agenda was set as submitted.

5. Consent Agenda

- 5.1** Approval of the November 13, 2018 City Council Meeting Minutes
- 5.2** Approval of Bills and Claims
- 5.3** Approval of Resolution No. 2018 - 101, A Resolution Adopting Assessments for the Justen Circle Street and Utility Improvement Project
- 5.4** Approval of Massage Therapy License Renewals and Renewal of Massage Establishment License for Massage Envy
- 5.5** Accepting the Retirement/Resignation of Judy Splett Effective December 3, 2018
- 5.6** Accept Improvements and Approve Final Payment for the Mallard Estates Street Improvement Project
- 5.7** Approval of Illinois Casualty as Liquor Liability Insurance Provider for 2019
- 5.8** Items Related to the Following Resolutions:
 - Approval of Resolution No. 2018-102, A Resolution Granting a Conditional Use Permit for Outdoor Storage
 - Approval of Resolution No. 2018-103, A Resolution for a Variance to Exceed Outdoor Storage Area
- 5.9** Approval of Resolution 2018-105 Approving the Loan of a Minnesota Investment Fund Grant to Graco Minnesota Inc. and Related Documents

Council member Eiden requested to pull agenda items 5.5 and 5.8 for further discussion.

Gorecki moved, Eiden seconded a motion to approve the consent agenda less 5.5 and 5.8. Motion carried 4-0

5.5

Ihli spoke on resignation of Judy Splett, Deputy Clerk. Judy has been with us for a long time, an integral part of our city. She is moving on and we will miss her.

Ihli moved, Eiden seconded a Motion for Accepting the Retirement/Resignation of Judy Splett Effective December 3, 2018. Motion carried 4-0.

5.8

Staff and Council discussed using the existing on-site septic system versus hooking up to City utilities. Staff stated they are working with the County on compliance with the existing system. Seifert stated he has just met with the applicant today to discuss their options.

Eiden, addressed applicants and if they are comfortable with what they have learned today. That things are moving in the right direction.

Applicant, yes, ultimate goal was to hook up to city sewer and water. Did not think that was originally an option.

Eiden moved, Gorecki seconded a motion to approve 5.8. Motion carried 4-0.

6. Public Hearings

6.1 Public Hearing to Consider the Vacation of Excess and Dedication of New Road Rights-of-Way on South Diamond Lake Road

Public Works Director Seifert, City needs to realign the right of way adjacent to the Rogers Wines and Spirit in order to more accurately meet the needs of the community. The original ROW was dedicated by two separate projects. This first happened in 1996 with the assistance from MNDOT that delivered the new intersection of State Hwy 101 and the South Diamond Lake Road intersection. The State of Minnesota then dedicated back to the City the excess ROW of South Diamond Lake Road approximately 50 Feet west of the Target entrance. The rest of the ROW was dedicated with the Target and Kohl's Plat that provided ROW for the extension of the S. Diamond Lake Road past Kohl's site.

As part of this right of way adjustment, City staff is proposing a land exchange of a vacant excess city property on South Diamond Lake Road to improve sight lines at the intersection with Target's entrance and the expansion of land for the RWAS site to accommodate a better sloping and retaining wall landscape plan.

Mayor Ihli opened the public hearing at 7:21 pm. No person addressed the Council.

Gorecki moved, Eiden seconded a motion to close the public hearing. Motion carried 4-0.

Ihli moved, Eiden seconded a motion to Approve Resolution 2018-104 Vacating Excess Right-of-Way and Dedication of New Road Rights-of-Way on South Diamond Lake Road. Motion carried 5-0.

7. General Business

7.1 Accepting Acquisition of Outlot B of Lyndhaven Meadows from RM Investments, LLC

Seifert, Lyndhaven Meadows subdivision was platted and recorded in 2006 and at that time Outlot B was created. The Outlot is .11 acres and located east of three (3) homes in the Lyndhaven Development and west of a single family home off 129th. The single family home is 2.27 acres and guided as mid-density in the draft 2040 Comprehensive Plan.

The Outlot is a long and thin parcel, the dimensions are 15.91' x 310.00' for a total of 0.11 acres. The City would take possession of Outlot B, with the primary intention to facilitate future redevelopment of the property to the east, located at 23169 129th Ave N. There is a city owned wetland to the south of the parcel, although the Outlot does not abut the wetland.

The single family home off 129th has a shed on the west side of the property. The shed is said to be the reason Outlot B was created. The shed is setback from the property an estimated four (4) feet and has a driveway to the west of the shed (located on Outlot B). It is understood that at time of platting Lyndhaven Meadows, the property owner of the single family home wanted to keep his access driveway to his shed, and did not want the development to encroach onto his driveway. As a result, the developers created an Outlot to satisfy the resident.

The developer of Lyndhaven Meadows recently approached the City asking if acquiring the parcel would of interest to the City. City staff had conversation on the subject and ultimately decided the parcel could be used in a beneficial manner.

A Quit Claim Deed has been drafted by LM Investments, LLC conveying possession of the Subject Property to the City. Council action will determine if the Quit Claim Deed will be accepted and recorded.

Gorecki moved, Klick seconded a motion to approve Acquisition of Outlot B of Lyndhaven Meadows via quit claim deed. Motion carried 4-0.

7.2 Approval to Hire Blake Bistodeau for the Back Fill of Utility Operator II

Seifert, this is an opportunity for us to reengage with an employee here at the City of Rogers that we developed at a part-time capacity, eventually full-time as an entry level operator, while he went to St. Cloud Tech to become a utility operator. After completing his school, he accepted a position with neighboring City of St. Francis. Since that time, he has developed Operator II skills.

Mr. Bistodeau has accepted a conditional offer of employment for the backfill of the Utility Operator II position, pending Council approval.

Stahmer, just to clarify, the opportunity to rehire Blake Bistodeau came up before a formal job posting could be published on the League of Minnesota Cities website.

Klick moved, Gorecki seconded a motion to approve the rehire of Blake Bistodeau for the Utility Operator II position. Motion carried 4-0.

8. Other Business

None.

9. Correspondence and Reports

9.1 October 2018 Financial Reports

No action taken.

10. Adjourn

Mayor Ihli adjourned the meeting at 7:27 p.m.

Respectfully submitted,

Paul Byun
Deputy Clerk/Communications Coordinator