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	Pledge of Allegiance
A-1	Wishing to be heard during the Open Comment Period was Shannon O'Neill, 116 6th Ave. SE. Ms. O'Neill expressed her concerns over the 6-plex property next door to her. She feels the tenants are not reputable and have had many calls to Law Enforcement. She has contacted the owner and received no satisfaction just threats of harassment charges. She mentioned other threatening acts to others and herself. President Hanson asked Mr. Kvenvold to contact Building Safety and Law Enforcement for any help they can extend to the situation.
B-1	President Dennis Hanson called the meeting to order at 7:00 P.M. with the following members present: Councilmembers Amy Blenker, Pat Carr, Marcia Marcoux, Sandra Means, and Bob Nowicki. Absent: Jean McConnell. Also present: Mayor Brede.
D-1,4-8,10 & 11, 13-17, 20-29 &31	Councilmembers Marcoux moved, Nowicki seconded to approve the following consent agenda items.
D-1	Approved the minutes of the June 6, 2005 and June 27, 2005 meetings.
D-2	See at end of D items.
D-3	See at end of D items.
D-4	Adopted Resolution No. 282-05 executing a Purchase Agreement with Olmsted Medical Center for the sale of the Public Works Garage located at 1602 4th Street SE.
D-5	Adopted Resolution No. 283-05 executing an amendment to the State Aid Agreement for the purchase of the fuel facility at the Rochester International Airport that increases the State's share of the project costs.
D-6	Adopted Resolution No. 284-05 executing a State Aid Agreement for the purchase of two new maintenance vehicles for the Rochester International Airport and fund the conversion of an airport fire truck using the State contract.
D-7	Adopted Resolution No. 285-05 executing a State Aid Agreement for T-Hangar site preparation at the Rochester International Airport.
D-8	Adopted Resolution No. 286-05 approving a professional engineering services agreement with McGhie & Betts for T-Hangar site preparation at the Rochester International Airport.
D-9	See at end of D items.

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D-10	Approved the following miscellaneous licenses and activities:

SOUND AMPLIFICATION

Holiday Inn South
1630 South Broadway
Rochester, MN. 55904
Blues Concert on Patio 7/3/05 8:00PM to 12:00AM
(Prior Approvals ;) M. Marcoux, J.McConnell, D. Hanson, B Nowicki
End of Summer Parking Lot Party 8/26/05 9:00PM to 12:00AM

Multiple Myeloma Charitable Foundation
2516 23rd Ave SE
Rochester, MN 55904
Walk for Cure of Myeloma 9/24/05 8:00AM to 2:00PM

Mayo Clinic Dept of Medicine
200 1st St SW
Rochester, MN. 55905
Leadership Retreat 8/12/05 6:30 PM to 11:00 PM
Behind Civic Center

Westfire Grill
2043 Superior Dr NW
Rochester, MN. 55901
Outdoor Band Show 7/8/05 5:00 PM to 11:00 PM

Melissa Wilson
1844 Spruce Meadows Drive SE
Rochester, MN. 55904
National Night Out 8/2/05 5:30 PM to 9:30 PM

MISCELLANEOUS

Multiple Myeloma Charitable Foundation
2516 23rd Ave SE
Rochester, MN 55904
Walk for Cure of Myeloma 9/24/05 8:00AM to 2:00PM

Georgene Fail
1520 4th St NE
Rochester, MN... 55906
4th St NE Block Party for National Night Out 8/2/05 6:00 PM to 9:00 PM

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	Mayo Clinic College of Medicine AMA Chapter 200 1st St SW Rochester, MN. 55905 Harvest Classic 5K Walk/Run Proceeds for Channel One Melissa Wilson 1844 Spruce Meadows Drive SE Rochester, MN. 55904 National Night Out 8/2/05 5:30 PM to 9:30 PM Downtown Business Association PO Box 416 Rochester, MN. 55903 Sidewalk Sales Days 7/21/05 thru 7/24/05 David J. Middleton 1726 18th Ave NW Rochester, MN. 55901 18th Ave NW Neighborhood National Night Out Picnic 8/2/05 4:30 PM to 7:30 PM **FIREWORKS DISPLAY** RCTC 851 30TH Ave SE Rochester, MN. 55904 Fireworks for Closing Activity of 90th Anniversary 9/10/05 (Back-up – 10/1/05
D-11	Approved amendment to the Minutes of March 21, 2005 to reflect correct contract award for "2005 Airfield Runway and Electrical Improvements".
D-12	See at end of D items.
D-13	Adopted Resolution No. 287-05 authorizing an agreement with the State of Minnesota for the operation of a State Regional Hazardous Materials Team for fiscal year 2005-2006.
D-14	Adopted Resolution No. 288-05 approving the Orderly Annexation #05-08 by Randy Reynolds to annex approximately 2.02 acres of land located north of Pinewood Road and east of 30th Ave. SE.
D-15	Approved Zoning District Amendment #03-16 to amend the floodway and flood fringe boundaries and related 100 year flood protection elevations for South Run of the North Fork of Cascade Creek located in the Manorwood Lakes Sixth and Seventh Subdivisions and instructed the City Attorney to prepare the required

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	ordinance for adoption.
D-16	Adopted Resolution No. 289-05 authorizing the City Clerk to advertise for bids for Project No. J-7708, "Replacement of Kings Run Trunkline Sanitary Sewer".
D-17	Adopted Resolution No. 290-05 Amending the Comprehensive Traffic and Parking Resolution as follows: Delete paragraph 15 of Section C "Special Parking Zones in the Comprehensive Traffic and Parking Resolution. Amend paragraph 26 of Section B "No Parking" of the Comprehensive Traffic and Parking Resolution, to read as follows: 26 George Gibbs Dr SW, from 6th Ave SW to 425 feet, more or less, northeast of 6th Ave SW, on both sides, at all times. Add paragraphs 333 and 334 to Section B "No Parking" of the Comprehensive Traffic and Parking Resolution, to read as follows: 333 George Gibbs Dr SW, on both sides, from 360 feet to 460 feet, more or less, south of 7th St SW, near the playground, at all times. 334 George Gibbs Dr SW, from 7th St SW to 230 feet, more or less, south of 7th St SW, on the west side, at all times. Amend paragraph 2.15 of Section H, Zone F "2 Hour Parking" of the Comprehensive Traffic and Parking Resolution, to read as follows: 2.15 George Gibbs Dr SW, on the west side, from 230 feet to 360 feet, more or less, south of 7th St SW; and from 460 feet, more or less, south of 7th St SW to 425 feet, more or less, northeast of 6th Ave SW, at all times. Add paragraph 9 to Section H, Zone F "2 Hour Parking" of the Comprehensive Traffic and Parking Resolution, to read as follows: 9 Soldiers Field Dr SW, on both sides, April Ito November 1, from 7th St SW south to the parking lot, except 150 feet to 300 feet south of 7th St SW on the east side. Add paragraph 1 to Section R "Park Drive Speed Zones" of the Comprehensive Traffic and Parking Resolution, to read as follows: 1 George Gibbs Dr SW, from 7th St SW to 6th Ave SW, 20 miles per hour.
D-18	See at end of D items.
D-19	See at end of D items.
D-20	Adopted Resolution No. 291-05 authorizing the Mayor and City Clerk to execute the Lease Agreement with Isabel Theobald to allow her to continue renting the property located at 3426 Villa Road NW.

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D-21	Adopted Resolution No. 292-05 authorizing the Mayor and City Clerk to execute a Quit Claim Deed to Mark E. and Jane L. Fulton for the City's access control rights over the north 5.00 feet of the south 45.00 feet, Lot 6, Block 1, Circle Drive Business Center.
D-22	Adopted Resolution No. 293-05 executing a Pedestrian Facilities Agreement with Michael B. Goodman and Julie A. Goodman for Lot 4, Block 2, Hilmer's Highview Acres, Olmsted County, MN.
D-23	Adopted Resolution No. 294-05 executing a Pedestrian Facilities Agreement with David Vikse & Elizabeth J. Vikse for Lot 11, Blo9ck 1, Indian Heights Addition, Olmsted County, MN.
D-24	Adopted Resolution No. 295-05 executing a Pedestrian Facilities Agreement with Hawkins Investments Properties, LLC, for SDP #05-15, D & R Vending located on Outlot "B" and part of Lots 7, 8 & 9, Valleyhigh Second Subdivision, Olmsted County, MN
D-25	Adopted Resolution No. 296-05 executing a Pedestrian Facilities Agreement with Nesler, LLC, for SDP #05-21, Rochester Plumbing & Heating located on part of the Northeast Quarter of Section 33, Township 107 North, Range 14 West, Olmsted County, MN.
D-26	Adopted Resolution No. 297-05 awarding the contract for Project J-7205 & 7218, "Curb, Gutter & Overlay on 8 ½ Ave. SE and 15th Street SE." to Rochester Sand & Gravel in the amount of $295,563.87.
D-27	Adopted Resolution No. 298-05 approving execution of City/Owner Contract for J-51651, "Public Improvements to Serve Shannon Oaks Third Subdivision".
D-28	Adopted Resolution 299-05 executing a Menards South First Supplemental Development Agreement with Menards, Inc.
D-29	Adopted Resolution 300-05 authorizing the City Clerk to advertise for bids for J-9712, "Reconstruction of 7th Street NW from Cascade Creek Bridge #55529 to North Broadway (TH 63)".
D-30	See at end of D items.
D-31	Adopted Resolution No. 301-05 approving the Rochester Public Utility Board to enter into a Letter of Agreement dated June 17, 2005 with the International Brotherhood of Electrical Workers Local 949 for Stand-by Related Over-Time payments. Ayes, (6), Nays (0). Motion carried.
D-2	Councilmember Marcoux moved, Carr seconded to table the request for CDBG funding for Somali Community Service Organization. Ayes, (6), Nays (0). Motion carried.

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D-3	Councilmember Blenker wanted to recognize the need for housing for the homeless and support of the Castleview and Candle Rose projects. Councilmember Blenker moved, Marcoux seconded to support the Castleview Housing Project and include the Candle Rose housing project. Ayes (6), Nays (0). Motion carried. Note action continued after D-12
D-9	City Attorney Adkins asked this be tabled until he could meet with the City Clerk to clarify the need for a new ordinance. Councilmember Marcoux asked to be included in the discussions. Councilmember Marcoux moved, Blenker seconded to table Amending Chapter 138A for the Rochester Code of Ordinances relating to Residential Parking Permits. Ayes (6), Nays (0). Motion carried.
D-12	Councilmember Carr asked that the Accounts Payables be more accessible on the City Website. Councilmember Carr moved, Marcoux seconded to approve Accounts Payable as presented. Ayes (6), Nays (0). Motion carried.
D-3	Doug Knott, Downtown Development, explained that the Castleview Resolution was prepared at the request of the Salvation Army Consultants and certain wording was required specifically to the project or it would affect the funding. The Candle Rose project did not require this same wording and would prefer that the two projects be acted on separately. Councilmember Marcoux moved, Carr seconded to reconsider D-3, Castleview Housing Project. Ayes (6), Nays (0). Motion carried. Councilmember Blenker moved, Means seconded to adopt Resolution No. 302-05 approving Castleview Housing Project by Salvation Army for low income housing tax credits. Ayes (6), Nays (0). Motion carried. Councilmember Carr moved, Nowicki seconded to direct staff to prepare a resolution making it known that the Rochester City Council is sympathetic to the needs of the homeless for adoption at the July 18, 2005 meeting. Ayes (6), Nays (0). Motion carried.
D-18	Councilmember Nowicki wanted to make it clear that the change to the two-way traffic will not affect the parking on these streets. Councilmember Nowicki moved Marcoux seconded to adopt Resolution No. 303-05 amending the Comprehensive Traffic and parking Resolution: 1. Delete paragraph 3 of Section G. "One Way Streets and Alleys."

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	Ayes. (6), Nays (0). Motion carried.
D-19	Councilmembers concurred to allow the public comment. Wishing to be heard was Lynn Waggie, 1917 Salem Road SW. Mr. Waggie stated his concern was the safety of having a bike trail at the exit of the resident's driveways on Salem Road SW. He felt this could be a liability issue for the residents and the city. He asked that some precautions such as traffic calming or caution signs. Doug Nelson, Public Works agreed that this issue will be studied in regards to the concerns. Councilmember Carr moved, Means seconded to adopt Resolution No. 304-05 awarding the contract (J-4604) "Salem Road Bike Trail" to Rochester Sand & Gravel in the amount of $301,000.30. Ayes (6), Nays (0). Motion carried. Councilmember Means referred back to D-2 wishing to express her approval of tabling the CDBG Funding for Somali Community Service Organization to allow for documentation and identification for services. She would like to see information on collaborative efforts with IMAA services to reduce duplication.
D-30	President Hanson commented that the UCR Football/Soccer Stadium would be an exciting project for Rochester. He stated he had talked to consultants and people in the community and feels that allocating $50,000 instead of the $500,000 would allow for a feasibility study which would show an operating budget. Greater Rochester Area University Center Committee has concerns and this would help clear up some of the factors of the project to be brought back to the council. Councilmember Nowicki moved, Carr seconded to approve the allocation of $50,000 of Sales Tax money to hire an UCR Football/soccer Stadium Architect.
	Discussion: Councilmembers concurred to allow public comment Wishing to be heard was Jeff Korsmo, Chief Administrative Officer for Mayo Clinic, Rochester, MN. He read a statement presented to the council and asked the Council to consider appropriate community priorities for any sales tax revenue with particular attention to higher education. Wishing to be heard was Valerie Pace, 2760 Viola Heights Dr NE. She stated she had been working on a taskforce organized by GRAUC with Councilmember Means to advocate on behalf of this proposal with the state legislature. She also asked that the Council take time to proceed with this project to make sure it is done with the best intentions. Mayor Brede supported the project and the $50,000 allocation. Councilmember Means felt the $50,000 was not enough to complete the report and asked for a larger amount to be allocated.

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	Councilmember Marcoux stated she was in agreement with the $50,000. Councilmember Blenker stated she did not approve of the allocation because of the legislation being unstable at this time. President Hanson called the vote. Ayes (4), Nays (2). Motion carried. Councilmembers Blenker and Marcoux voted nay.
E-1	A Hearing on Preliminary Plat #05-12 by Mills Properties, Inc. and Rochester Petroleum Equipment Inc. Councilmember Blenker moved, Marcoux seconded to continue the hearing to July 18, 2005, on Preliminary Plat #05-12 by Mills Properties, Inc. and Rochester Petroleum Equipment Inc. Ayes, (6), Nays (0). Motion carried.
E-2	A Hearing on Amendment to General Development Plan #224 known as Morris Hills Subdivision by Morris Land Development, LLC located south of the planned Morris Hills development, east of TH 63, North and east of the Viking Hills Development and allows for the continuation of Stone Point Drive NE. President Hanson also opened the hearing on Revision to Preliminary Plat #04-33 known as Morris Hills, Amendment to GDP #239 known as Morris Hills North and Revision to Preliminary Plat #04-44 known as Morris Hills North. All testimony taken in Item E-2 will apply to Items E-3, E-4 and E-5. Wishing to be heard was Dale Allen, Yaggy Colby Associates representing the developer. Mr. Allen explained that the developer purchased property to allow for a secondary access to 48th Street to accommodate further development. He also explained the traffic study required by Planning Department has been completed and any concerns were addressed. He stated they were in agreement with the six conditions for E-2, the ten conditions for E-3, the six conditions for E-4 and the eight conditions for E-5. Having no one further wishing to be heard President Hanson closed the hearing. Councilmember Nowicki moved, Marcoux seconded, to approve Amendment to General Development Plan #224 with six conditions and Revision to Preliminary Plat #04-33 with ten conditions known as Morris Hills Subdivision by Morris Land Development, LLC and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order, and Amendment to General Development Plan #239 with six conditions and Revision to Preliminary Plat #04-44 with eight conditions known as Morris Hills North by Morris Hills North, LLC and instructed the City Attorney to prepare Findings of Fact, Conclusions of Law, and Order, and adopted Resolution No. 305-05 approving the Substantial Land Alteration Activity. Ayes (6), Nays (0). Motion carried.
E-3	See Item E-2 above for all testimony and approvals.
E-4	See Item E-2 above for all testimony and approvals.

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E-5	See Item E-2 above for all testimony and approvals.
E-6	A Hearing on Type III, Phase II, Amendment to Planned Unit Development #R-53 by Richard Emerson to construct a single story 3,662 square foot structure for a barber and beauty shop facility located north of 10th Lane NW and south of 37th Street NW. Wishing to be heard was Teresa McCormick, Urban Studio, 318 South Broadway representing the applicant. She stated they were in agreement with the conditions and was available for any questions. Having no one further wishing to be heard, President Hanson closed the hearing. Councilmembers Means moved, Nowicki seconded to adopt Resolution No. 306-05 approving Type III, Phase II, Amendment to Planned Unit Development #R-53 by Richard Emerson with five conditions. Ayes (6), Nays (0). Motion carried.
E-7	A Hearing on Type III, Phase III, Amendment to Incentive Development #97-07 by Carpenter & Torgerson, LLC known as SpringHill Suites located at 1125 SW 2nd Street, west of 11th Ave. SW and east of 12th Ave. SW. Wishing to be heard was Tom Torgerson, PO Box 1020, Willmar, MN. He explained the difference between the Cabinet Style and the Channel Letter Style signage that he is requesting for the building. He asked that the council approve the Channel Letter Style because the design would be more noticeable from a distance and more appealing to the building design. The lighting for the sign does not face any residential area. Having no one further wishing to be heard, President Hanson closed the hearing. Councilmembers Marcoux moved, Nowicki seconded, to adopt Resolution No. 307-05 approving the Type III, Phase III, Amendment to Incentive Development #97-07 by Carpenter & Torgerson, LLC known as SpringHill Suites with Option Two (Channel Letter Style). Ayes, (6), Nays (0). Motion carried.
E-8	A Hearing on Final Plat #04-27 by Stonehedge Land Development LLC, to be known as Stonehedge Estates Fourth Subdivision located north of Stonehedge Estates Subdivision and allows for the continuation of Stonehedge Drive NE and Jasper Place NE. Wishing to be heard was Dale Allen, Yaggy Colby Associates representing the developer. He stated he was in agreement with the conditions and was available for any questions. Wishing to be heard was Donald Layton, 2501 Hawthorn Hill Road NE. He asked for a map showing the secondary access. Mr. Allen will see to it that he receives

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	the map. Having no one further wishing to be heard, President Hanson closed the hearing. Planning Staff recommended an eighth condition, "as required by the Preliminary Plat, this Final Plat may not be recorded until the secondary access is physically under construction". Councilmember Nowicki moved, Marcoux seconded, to adopt Resolution No. 308-05 approving Final Plat #04-27 by Stonehedge Land Development LLC, to be known as Stonehedge Estates Fourth Subdivision with eight conditions. Ayes (6), Nays (0). Motion carried.
F-1	Councilmember Marcoux moved, Nowicki seconded, to approve the Findings of Fact, Conclusions of Law, and Order for Amendment to Prairie Crossing GDP #180 and Land Subdivision Permit #05-14 Prairie Crossing. Ayes (6), Nays (0). Motion carried.
F-2	Request to Reconsider Action on Quinstar GDP and LUPA. Wishing to be heard was Geoff Griffin, GGG Inc. 14070 Hwy 52 SE, Chatfield representing the applicant. Mr. Griffin presented a revised plan for review. He showed a east/west connection between the residential. He also showed a change of zoning on the northern section of the development from B-4 to B-5 because of the contour of the land. He asked that the previously submitted GDP be approved with the modifications without a public hearing. City Attorney Terry Adkins explained that the public hearing is required to give the general public a chance to speak to the revised plan. This applies when a project is denied by council and then is resurrected for reconsideration after the original plan is revised. Councilmember Means moved, Marcoux seconded to reconsider the action taken on Quinstar GDP and Land Use Plan Amendment. Ayes (6), Nays (0). Motion carried. Councilmember Marcoux moved, Means seconded to direct staff to publish a public hearing on the Quinstar GDP and LUPA for August 1, 2005 or as soon as possible. Ayes, (6), Nays (0). Motion carried.
G-2a	An Ordinance Amending the Floodway and Flood Fringe Boundaries Relating to a Portion of the South Run of the North Fork of Cascade Creek Located in the Manorwood Lakes Sixth and Seventh Subdivisions was given a first reading.
G-2b	An Ordinance Amending and Reenacting Chapter 641, and Amending and Reenacting Section 60.327 of the Rochester Code of Ordinances, Relating to the Establishment of the Prairie Crossing Special District, was given a first reading.

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G-3a	An Ordinance Rezoning Approximately 10.87 Acres of Property from the R-1 Zoning District to the B-4 Zoning District and Rezoning Approximately 44.10 Acres of Land from the R-1 Zoning District to the M-1 Zoning District, and Amending Ordinance No. 2785, Known as the Zoning Ordinance and Land Development Manual of the City of Rochester, Minnesota was given a second reading. Councilmembers Marcoux moved, Nowicki seconded, to adopt the Ordinance as read. Ayes (6), Nays (0). Motion carried. (Zoning District Amendment #03-24)
G-3b	An Ordinance Annexing to the City of Rochester Approximately 4.91 Acres of Land Located in a Part of the Southeast Quarter of the Southeast Quarter of Section 13 and Approximately 52.60 Acres of Land Located in a Part of the Southwest Quarter of Section 18, Township 107 North, Range 14 West, Olmsted County, Minnesota was given a second reading. Councilmembers Means moved, Marcoux seconded to adopt the Ordinances as read. Ayes (6), Nays (0). Motion carried. (Annexation Petition #05-05, south of 48th St. NE, west of 22nd Ave. NE and north of Cassidy Hills Development)
G-3c	An Ordinance Annexing to the City of Rochester Approximately 40 Acres of Land Located in a Part of the Northeast Quarter of Section 22, Township 106 North, Range 14 West, Olmsted County, Minnesota was given a second reading. Councilmembers Marcoux moved, Means seconded to adopt the Ordinance as read. Ayes (6), Nays (0). Motion carried. (Annexation Petition #05-06,East of 18th Ave. SW and South of Greystone Lane SW)
G-3d	An Ordinance Amending and Reenacting Section 85.13 of the Rochester Code of Ordinances, Relating to the Use of Firearms, Bows and Dangerous Weapons in Game Hunting Within the City was given a second reading. Councilmembers Marcoux moved, Nowicki seconded to adopt the Ordinance as read. Ayes (5), Nays (1), Motion carried. Councilmember Carr voted nay.
I-1	Councilmember Marcoux asked the Planning Department review the city requirements regarding pools with 18 inches or more of water requiring a fence and bring the information back to council to review.
J-1	Having no further business, Councilmembers Means moved, Marcoux seconded to adjourn the meeting, Ayes (6), Nays (0). Motion carried.

Valori Langseth
Deputy City Clerk