



**City Council Agenda
City Council - Regular Session
November 18, 2024
6:00 p.m.**

Attending and Viewing the Meeting:

Attend the Meeting in Person: Government Center Council Chamber, 151 4th Street SE

View Meeting: Cable TV on Channels 180 or 188

Watch & Listen via Zoom: <https://bit.ly/2OGnZYB>

Telephone in and Listen via Zoom: Call: 1-312-626-6799 Webinar ID: 912 4541 8192
Passcode: 162027

If you have a disability and require a reasonable accommodation to fully participate in the City Council meeting, please contact the City Clerk's office at least 2 business days before the Council meeting via email (cityclerk@rochestermn.gov) or telephone (507-328-2900) or TTY/TDD (507-328-2900) to discuss your accessibility needs.

Pledge of Allegiance

Vision, Principles, and Priorities for the City of Rochester

A. Open Comment Period

View the open comment period guidelines [online](#).

- A.1. Sign-up In Person 30 Minutes before the meeting. View Open Comment guidelines for additional ways to participate. Virtual participation is not available at this time.**

B. Call to Order/Roll Call

C. City Administrator's Report

D. Mayor's Report

E. Order of Agenda

F. Consent Agenda

F.1. Minutes for the City Council Meeting of November 4, 2024

Accepting the minutes and video of the November 4, 2024, meeting as the official record of the City Council.

F.2. Appointments to Boards and Commissions

Approving the Mayoral appointment of:

1. Jean Binkovitz to the Citizens Advisory on Transit, effective immediately, to fill the unexpired term of L. Valerio ending December 31, 2025.
2. Michael Schnell to the Citizens Advisory on Transit, effective January 1, 2025, for a first term ending December 31, 2027 (replacing S. Ahmed).
3. Ribu Goyal to the Citizens Advisory on Transit, effective January 1, 2025, for a first term ending December 31, 2027 (replacing J. Lovelace).

F.3. Accounts Payable for November 18, 2024

Approving the listing of total disbursements for November 18, 2024, in the amount of \$14,464,067.23 including investment purchases of \$0 and accounts payable of \$14,464,067.23.

F.4. City Attorney Employment Agreement Amendment and Merit Adjustment

1. Approving the summary of City Attorney Michael Spindler Krage's performance evaluation based on the Council President's evaluation.
2. Authorizing a 2% merit increase.
3. Authorizing approval of the employment agreement amendment as attached.

F.5. Lease Agreement with Olivia Oehlke for Agricultural Parcel

Authorizing a lease agreement between the City of Rochester, the Rochester Airport Company, and Olivia Oehlke from January 1, 2025 - December 31, 2027, for an agricultural parcel consisting of approximately 17.57 acres of tillable airport property located west of 31st Ave SW.

F.6. Lease Agreement with Kats Company, LLC for Agricultural Parcel

Authorizing a lease agreement between the City of Rochester, the Rochester Airport Company, and Kats Company, LLC from January 1, 2025 - December 31, 2027, for the use of an approximately 2-acre parcel of tillable airport property.

F.7. Lease Agreement with Bryce and Brenda DeCook for Agricultural Parcel

Authorizing a lease agreement between the City of Rochester, the City of Rochester Water Reclamation Plant, the Rochester Airport Company, and Bryce and Brenda DeCook from January 1, 2025 - December 31, 2027, for approximately 1,100 acres of tillable airport property.

F.8. Lease Agreement with Denis Strei for Agricultural Parcel

Authorizing a lease agreement between the City of Rochester, the Rochester Airport Company, and Denis Strei from January 1, 2025 - December 31, 2027, for approximately 42 acres of tillable airport property on the east side of highway 63.

F.9. Purchase of Rough Terrain Vehicle (RTV) for Rochester International Airport (RST)

Authorizing the purchase of a rough terrain vehicle (RTV) vehicle in the amount of \$39,857 for use in the public parking lot and landside area at Rochester International Airport (RST).

F.10. Non-Terminal Use Rental Car Operator Agreement - Go Rentals

Authorizing the Non-Terminal Use Rental Car Operator Agreement with Go Rentals for the right to operate at the Fixed Based Operator (FBO) located at Rochester International Airport (RST) on a month-to-month basis.

F.11. Runway 31 Approach Improvements Phase 2 - Change Order No. 2 with Mathiowetz Construction

Approving Change Order No. 2 with Mathiowetz Construction for Federal Aviation Administration (FAA) required additional field directed work related to the Runway 31 Approach Improvements Phase 2 Project.

F.12. Bid Advertisement - Link Bus Rapid Transit (BRT) West Transit Village Underground Utilities - Project No. J8707

Authorizing an advertisement for bids with a bid opening date of December 17, 2024, for the Link Bus Rapid Transit (BRT West Transit Village Underground Utilities - Project No. J8707.

F.13. Contract Amendment with Axon for Technology Integration

1. Authorizing a one-time increase of approximately \$185,000 in the baseline budget starting in 2027 for the amended Axon agreement with the Rochester Police Department (RPD).
2. Authorizing an amended contract with Axon.

F.14. Agreement with Sustainable Strategies DC for Strategic Consulting and Funding Acquisition

Authorizing an agreement with Sustainable Strategies DC in the amounts of \$93,000, \$96,000, and \$99,000, for strategic consulting, funding strategies, grant writing, and legislative advocacy to secure external resources for fiscal years 2025, 2026 and 2027, respectively.

F.15. Contract with Cornerstone/Saba Software Inc. for Saba TalentSpace and Halogen Performance Management Software

Authorizing a contract with Cornerstone/Saba Software Inc., in the amount of \$70,838.48 from Jan. 4, 2025 - Jan. 3, 2026, for continued access to Saba TalentSpace Performance and Halogen Human Resource Information System (HRIS) Connect (Performance Review Software).

F.16. Contract with Durst Outdoor Services for Flood Control Trail System Improvements - Project No. J4857

Adopting a Resolution authorizing a contract with Durst Outdoor Services for \$171,837.55 for Flood Control Trail System Improvements - Project No. J4857

F.17. Contract Amendments for Bridge R0572 Skyway Column Corrosion Repair - Project No. J7920

Approving contract amendments in the form of three change orders in the amount of \$30,045.20 with Alvin E. Benike, Inc. for Bridge R0572 Skyway Column Corrosion Repair - Project No. J7920.

F.18. Contract with Kimley-Horn for 300 Block of 14th Ave SW Sanitary Sewer Improvements - Project No. J7860

Authorizing:

1. A contract with Kimley-Horn, in the amount of \$21,895, from November 19, 2024, to December 31, 2025, for the design of the 300 Block of 14th Ave SW Sanitary Sewer Improvements - Project No. J7860 and;
2. Advertisement for bids and scheduling a bid opening once the design is completed for the 300 Block of 14th Ave SW Sanitary Sewer Improvements - Project No. J7860.

F.19. Contract with Rochester Sand & Gravel to Construct Multi-Use Path along 16th St SE from 3rd Ave SE to Canadian Pacific Railroad, then South to 20th St SE - Project No. J4692

Adopting a Resolution approving a contract with Rochester Sand & Gravel for \$544,738.87 to construct a Multi-Use Path along 16th St SE from 3rd Ave SE to Canadian Pacific (CP) Railroad, then south to 20th St SE - Project No. J4692.

F.20. Contract with Center for Energy and Environment for Energy Efficiency and Electrification Education and Advising Services

Authorizing the execution of a Services Agreement with the Center for Energy and Environment for \$67,000 from December 1, 2024, to December 31, 2025, for professional services related to providing energy efficiency and electrification education and advising services.

F.21. Contract Award - Construction Manager at Risk (CMAR), Regional Sports & Recreation Complex - Project No. 2870

Authorizing a Construction Manager at Risk (CMAR) professional services contract with Knutson Construction in the amount of \$1,415,250 for pre-construction, construction staffing, and overhead/profit fee for construction management services for the Regional Sports & Recreation Complex (RSRC) - Project No. 2870.

F.22. Revocable Permit and Agreement with The Church of St. John of Rochester, Minnesota, for Private Improvements in a Watermain and Electric Easement

Authorizing a Revocable Permit and Agreement ("the agreement") with The Church of St. John of Rochester, Minnesota, for the placement of private improvements within a watermain and electric easement.

F.23. Release of Public Drainage and Utility Easement for Development of the Cassidy Farms 1st Subdivision.

Authorizing the release of a Public Drainage and Utility Easement conveyed to the City in 2017 via Document No. A-1435293 within Section 19-107-13 so it may be platted by by CF Development, LLC as part of the as part of the Cassidy Farms 1st Subdivision.

F.24. Budget Amendment for One-Time Public Safety Aid Allocations - Phase 2

Adopting a Resolution authorizing allocation of Public Safety Aid Investments Funds - Phase 2.

Public Hearing Guidelines

View the public hearing guidelines [online](#).

Sign-up In Person 30 Minutes before the meeting. View Public Hearing guidelines for additional ways to participate. Virtual participation is not available at this time.

G. Public Hearings

G.1. Certification for Collection with Taxes of Unpaid Special Charges - Weed, Snow, Rubbish and Tree Removal, Secure Property and Property Violation

Adopting a Resolution levying proposed assessments for weed removal, snow removal, rubbish removal, tree removal (under \$1,000), secure property, and property violation assessed over a period of one year with an interest rate of 4.5%; tree removal (over \$1,000 and less than \$5,000) assessed over three years with an interest rate of 4.5%; and tree removal (over \$5,000) assessed over eight years with an interest rate of 4.5%.

G.2. Certification for Collection with Taxes for Unpaid Administrative Citations for Weed and Snow Removal

Adopting a Resolution levying parcels for proposed assessments for weed removal administrative fines - Project No. 70512501 and snow removal administrative fines - Project No. 70522501, assessed over a period of one year with an interest rate of 4.5%.

G.3. Certification for Collection with Taxes of Unpaid Utility Charges - Electric, Sewer, Water, and Storm Water

Adopting a Resolution levying the proposed assessments for unpaid utility charges, assessed over a period of one year with an interest rate of 4.5%.

G.4. Vacation Petition No. CD2024-006VAC by Mayo Clinic

Adopting a Resolution approving Vacation Petition No. CD2024-006VAC, by Mayo Clinic, with five conditions, for the vacation of five public right-of-ways and alleys.

G.5. Vacation Petition No. CD2024-008VAC by Mayo Clinic

Adopting a Resolution approving Vacation Petition No. CD2024-008VAC, by Mayo Clinic, with three conditions, for the vacation of eight public easements.

G.6. Zone Change No. CD2024-002ZC by City View Flats LLC

1. Approving Zone Change No. CD2024-002ZC, by City View Flats LLC, to change the zoning designation on a 10-acre site from R-2 (Low Density Residential - Small Lot) to R-3 (Medium Density Residential) and;
2. Directing the City Attorney's Office to prepare an Ordinance for first reading.

G.7. Comprehensive Plan Amendment No. CD2024-003CPA by City View Flats LLC

Adopting a Resolution approving Comprehensive Plan Amendment No. CD2024-003CPA, by City View Flats LLC, consisting of a change of Land Use Classification on a 10-acre site, from Low Density Residential to Medium Density Residential.

G.8. Annexation by Ordinance No. CD2024-006ANX by the City of Rochester

1. Approving Annexation by Ordinance No. CD2024-006ANX, by the City, to incorporate 1.03 acres of land into the Rochester City Limits and;
2. Directing the City Attorney's Office to prepare an Ordinance for First Reading.

G.9. Text Amendment No. CD2024-002TA by the City of Rochester Amending Various Areas of the Unified Development Code (UDC)

1. Approving Text Amendment No. CD2024-002TA, to amend language in various areas of the Unified Development Code (UDC) and;
2. Directing the City Attorney's Office to prepare an Ordinance for First Reading.

H. Reports and Recommendations

H.1. Crow Abatement in the Downtown Area

1. Approving the intensive crow abatement scheduled to take place in the central business district December 1 - 5, 2024, activity being coordinated by the Mayo Facilities team with USDA and Parks and Recreation.
2. Acknowledging City Administrator approval requested by USDA in the *Work Initiation Document for Wildlife Damage Management*.
3. Authorizing the conditional approval for use of air rifles provided by Chief Franklin pursuant to City Ordinance Sections 8-7-10 and 8-7-11
4. Authorizing the use of noise devices for crow abatement as outlined in Sec. 8-7-8 (e) 3 of the City of Rochester Code of Ordinances.

H.2. Grant Agreement with the State of Minnesota for the Silver Lake Dam Fish Passage Modification - Project No. J4889

Adopting a Resolution authorizing execution of a grant agreement with the State of Minnesota, acting through its Commissioner of Natural Resources, in the amount of \$2,368,000 for the Silver Lake Dam Fish Passage Modification - Project No. J4889.

H.3. Layout Approval and Support for Utilization of Grant Funds from the State Active Transportation Infrastructure Program for Center St East from Zumbro River Bridge to 11th Ave NE/SE - Project No. J7348

1. Approving geometric layout and authorizing the advancement of plans from preliminary design to final design of Center St East from Zumbro River Bridge to 11th Ave NE/SE - Project No. J7348.
2. Adopting a Resolution acknowledging the City's support and sponsorship of applying for grant funds from the State Active Transportation Infrastructure Program to use for funding of bike infrastructure along Center St East from Zumbro River Bridge to 11th Ave NE/SE - Project No. J7348.
3. Authorizing the filing and administration of the grant application, including a commitment to secure and guarantee the local share of the project costs, as well as any ineligible construction costs, all design and inspection costs, and right-of-way acquisitions (if required) related to Center St East from Zumbro River Bridge to 11th Ave NE/SE - Project No. J7348.

I. Council Initiated Actions

J. Ordinance First Readings

K. Ordinance Second Readings

K.1. Proposed Ordinance Amendments to Rochester Code of Ordinances Chapter 5-23 Relating To The Regulation of Cannabis.

Adopting an Ordinance amending the Rochester Code of Ordinances (RCO) "Ch. 5-23. relating to the regulation of Cannabis".

L. Tabled Items

M. Other Business

N. Adjournment