

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
MARCH 24, 2011, 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Mayor Jeremy Riddle called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were Paul Whitcomb, Victoria Hallin, Dick Dobson and Thom Walker. Staff present was Administrator Mark Karnowski, Finance Director Steve Jackson, Public Works Director Bob Gerold, Police Chief Brian Payne and Engineer Mike Nielson. Also present: City Attorneys Damien Toven and Dick Schieffer.

AGENDA ADDITIONS/DELETIONS

Without objection, the City Council added the following items to the agenda:

- 4. Consent Agenda**
 - C. Donations/Designations**
 1. Resolution 11-19: A Resolution Accepting grave sites from Hamlin University
- 8. Petitions, Requests and Communications**
 - A.** A letter from USDA giving notice of approval to go out for bids (WWTP)
- 9. Ordinances and Resolutions**
 - A.** Resolution 11-17 – Paging of PFRD to motor vehicle accidents (deleted from agenda)
- 13. Miscellaneous**
 - A.** Family Pathways Teen Center Update – Councilor Victoria Hallin

**- SPECIAL ORDER OF BUSINESS -
Closed Session regarding Detachment Request**

Mayor Riddle read a prepared statement advising that the City Council was going into a closed session under the attorney/client provisions of M.S. Section 13D.05, Subd. 3 (b) to discuss a tentative settlement agreement relating to the pending matter of Princeton/Princeton Township Detachment, File No. D-473 (filed August 11, 2010).

DOBSON MOVED TO CLOSE THE MEETING. HALLIN SECONDED THE MOTION. CARRIED UNANIMOUSLY AT 7:04 PM (5 AYES, 0 NAYS).

The Council Chambers were then cleared except for the City Council, the City Attorneys, Consulting Attorney Chris Hood and the City Administrator.

DOBSON MOVED TO REOPEN THE MEETING. HALLIN SECONDED THE MOTION. CARRIED UNANIMOUSLY AT 7:35 PM (5 AYES, 0 NAYS).

When the members of the public had re-entered the room, Mayor Riddle announced that the Council had reviewed the proposed settlement agreement with the attorneys and requested that the attorneys draft a final agreement for Council consideration. The contents of the settlement agreement will be made public at that time.

CONSIDERATION OF MINUTES OF THE REGULAR MEETING OF MARCH 10, 2011

WHITCOMB MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 10, 2011. HALLIN SECONDED THE MOTION. CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

CONSENT AGENDA

Karnowski advised the Council that, if the Council approved the two fireworks permits, that it should be with the condition that the permits are reviewed and also approved by the Fire Department.

Permits and Licenses:

1. Fireworks Permit for display of Fireworks at the Mille Lacs Co Fairgrounds for July 4, 2011 about 10:15pm – Pyrotechnic Display, Inc.
2. Coborns Sale of Fireworks Permit effective May 1, 2011-September 2011

Personnel - none

Donations/Designations

1. Resolution 11-19: A Resolution Accepting grave sites from Hamlin University

DOBSON MOVED TO APPROVE THE CONSENT AGENDA WITH THE FIREWORKS PERMITS BEING SUBJECT TO THE REVIEW AND APPROVAL OF THE FIRE DEPARTMENT. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

OPEN FORUM

Jeff Holm – Baldwin Township Resident

Holm questioned the recent actions of the City Council in their objecting to the detachment of the Anderson parcel. He suggested that, if the city did everything it could so the property owner's costs and restrictions were exactly the same as the townships, then why not let them just go back into the township?

Holm went on to suggest that the real reason to oppose the detachment wasn't actually a local issue or decision at all and that it was suggested and driven by the attorneys representing the Coalition of Greater Minnesota Cities (CGMC) and that the CGMC just didn't want any further detachments to be approved in the state.

PUBLIC HEARINGS - None

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. EDA Minutes of February 17, 2011
- B. Princeton Area Visionary Committee Minutes of February 14, 2011
- C. Planning Commission Minutes of February 22, 2011

The above minutes were reviewed with no motions needed and with no further comments.

PETITIONS, REQUESTS, AND COMMUNICATIONS

A. USDA Notice to Proceed with WWTP Bidding

Karnowski advised that the notice came in the mail on Wednesday and that the city was still looking for the final "go ahead" from the MPCA. No action by the Council was required, but getting the letter was good news and put the city a step closer to getting under construction.

ORDINANCES AND RESOLUTIONS

B. Ordinance 633 – Fee Schedule Amendment

It is my recommendation that the City become a member and use the 4M Fund in order to manage this money in the most efficient manner possible.

Dobson asked if there was a charge from the 4M Fund to become a member. Jackson said that there was not.

WHITCOMB MOTIONED TO APPROVE RESOLUTION 11-14. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

UNFINISHED BUSINESS

A. Liquor Fund Contribution Budget Update

Finance Director Steve Jackson reviewed the contributions that were approved by the City Council for 2009, 2010 and so far in 2011 (including anticipated contributions) to see what the trend was. It was noted that the purpose of the exercise was to see what might be available to contribute toward the PTO's efforts to raise money for new playground equipment at North Elementary.

Hallin questioned whether the city should use park dedication fees toward that project. She noted that a lot of neighborhood kids in the North Elementary area use the school playgrounds, so the school's playground serves a dual purpose.

Karnowski advised that he didn't think that City Park Dedication Funds could be used to develop park property on non-city property. Attorney Schieffer said he'd look into it, but said he also agreed that city funds could not be used on school property.

Dobson, who is the Council liaison person on the Park Board, indicated that he would not support using Park Dedication funds for that effort. Whitcomb said he also would not support the use of PDFs.

Mayor Riddle indicated he'd been asked to write a letter of support since the PTO was applying for a grant from the Mille Lacs Band of the Ojibwe. The Mayor noted that there was no hurry in determining the level of contribution from the city.

DOBSON MOTIONED TO APPROVE THE SENDING OF A SUPPORT LETTER TO THE PTO FOR THEIR GRANT APPLICATION TO THE OJIBWE. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

B. Rural Taxing District Ordinance 659 – Consideration of Summary Publication

Karnowski advised that the language for the summary publication of the Rural Taxing District Ordinance was inadvertently left out of the original ordinance. So the proposed summary language was before the Council for their consideration.

HALLIN MOTIONED TO APPROVE THE SUMMARY PUBLICATION LANGUAGE FOR ORDINANCE 659 AS WRITTEN. WHITCOMB SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

NEW BUSINESS

A. Resolution 11-18: Bureau of Criminal Apprehension JPA

Karnowski advised that the resolution before the Council was to approve a Joint Powers Agreement between the city and the state of Minnesota. The city would then be allowed to use certain systems and tools that are necessary to do successful investigations.

Chief Payne agreed that using the State's system was critical. He noted that the city is already using the state's processes but the proposed agreements better outlines the existing arrangement. He indicated that the city already pays a few hundred dollars a quarter for the use of the systems and tools.

Dobson commented that, with the availability of the State's systems and tools that most law enforcement agencies would never be able to successfully prosecute a case.

HALLIN MOVED TO APPROVE RESOLUTION 11-18 APPROVING THE JPA BETWEEN THE CITY AND THE STATE. WHITCOMB SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

B. 2010 Census Data

Karnowski reviewed a memo prepared by Jay Blake that contained the 2010 census information. The census numbers for the city indicated that the city had grown by 19.45% since 2000 and now has a population of 4698 with 2044 households. Karnowski noted that the new census figure indicate that the State Demographer's numbers – which reduced the city's population to 4518 for 2009 – was in error.

No action was required for this agenda item.

C. KDV Contract Consideration

Steve Jackson advised that the city's contract auditing firm KDV from St. Cloud had submitted a proposal for the 2010 audit at a cost that was 2.6% higher than 2009. Jackson noted that KDV had audited the city's books pursuant to a 3-year contract that expired last year. He suggested that, since the cost increase was minimal, to go with KDV for one year. He further advised that the city could then either negotiate a contract extension or do a Request for Proposals (RFP) and consider other firms as well.

Karnowski suggested that the City attempt to negotiate a reasonable contract extension with KDV and if the City and KDV were unable to reach a reasonable contract agreement, then the city would do a full RFP.

WALKER MOVED TO APPROVE KDV AS THE CITY'S AUDITING FIRM FOR THE 2010 YEAR AND AUTHORIZE STAFF TO NEGOTIATE A CONTRACT EXTENSION AND IF AGREEMENT COULD NOT BE REACHED TO THEN GO OUT FOR OTHER PROPOSALS. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

D. School District Conditional Use Permit Consideration

Karnowski reviewed a memo outlining the recommendation of the Planning Commission regarding the proposed expansion at North Elementary school. The memo recommended that the Council approve the Conditional Use Permit request from Princeton Public Schools to add 20,500 ft² of classroom and office space to North Elementary at 1200 – 7th Avenue North with the following conditions:

1. The Addition is consistent with the plans reviewed by the Commission on March 21, 2011 and as amended by the City Building Official.
2. The Plans will incorporate the requirements outlined in the City Fire Inspector letter dated March 11, 2011.
3. The District will prepare a landscaping plan that replaces all trees and shrubs lost as a result of the construction. The vegetation may be placed within 12 months of the completion of the project.
4. The District and Minnesota Central Bus Company will implement a bus routing plan that reduces the bus traffic in the intersection of 12th Street North and 7th Avenue North. The City will work with the applicant to determine alternative bus routes. The District will consider a school start time shift to reduce redundant bus traffic through this intersection.
5. The City will consider removal of stop signs on new routes in order to make traffic flow more smoothly.
6. The District agrees to meet with the City in 12 months to review bus traffic patterns and determine if additional changes are needed.
7. The District will pay the required SAC and WAC fees as part of the building permit process.
8. The District will apply for Safe Routes to School grants in order to reduce pedestrian traffic directly on 7th Avenue North

It was further noted that the recommendation included a recognition that the standard room capacity of 49 students per room seemed excessive since the District has a policy of a maximum of 25 students per room. Accordingly, the Commission recommended using a fudge factor of five students per room (for a total of 30) which amounts to a total of 16.67 units for the proposed addition.

The understanding is that, if the number of students in the 10 room addition exceeds 300 students, then the district is obligated to advise the city and pay additional WAC & SAC charges accordingly. If the district fails to notify the City if they exceed the 300 student limit, then the WAC & SAC charges based on the maximum 49 students per room would be charged.

The Commission further recommended that the district be charged for 12.5 units up front and that the remaining 4.7 units be paid off within five (5) years. To memorize all of the above information, it is suggested that a developer's agreement, similar to the one used for the Ice Arena, be entered into by both the City and the School District.

HALLIN TO APPROVE THE SCHOOL DISTRICT CUP AS RECOMMENDED AND OUTLINED ABOVE. WHITCOMB SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

MISCELLANEOUS

Councilor Hallin advised that both she and Councilor Dobson had worked at the Family Path-

way's Teen Center "Jail & Bail" earlier that day and the group of 10 who participated in the fund raiser took in about \$5,200. She said it was a good initial effort and thanked the citizens and business owners for their support.

BILL LIST

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL VOUCHER BILL LIST FOR A TOTAL OF \$94,528.38, AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 63935 TO 64001 FOR A TOTAL OF \$136,199.49. WHITCOMB SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

ADJOURNMENT

There being no further business:

1120DOBSON MOVED TO ADJOURN THE MEETING. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY AT 8:16 PM. (5 AYES, 0 NAYS).

Respectfully Submitted,

Mark Karnowski
City Administrator

ATTEST:

Jeremy Riddle, Mayor