

**CITY OF PRINCETON
Planning Commission
Agenda
May 18, 2015
7:00 P.M., City Hall**

- 1. Call to Order**
- 2. Approval of Minutes of Regular Meeting on April 20th, 2015 - Tab A**
- 3. Agenda Additions/Deletions**
- 4. Public Hearing:**
 - A. #15-08 Interim Use Permit at 114 Rum River Drive North - Tab B**
 - B. #15-09 Variance for setbacks at 405 7th Avenue South – Tab C**
- 5. Old Business: None**
- 6. New Business: None**
- 7. Communication and Reports:**
 - A. Verbal Report**
 - B. City Council Minutes for April, 2015 - Tab D**
- 8. Adjournment**



**THE REGULAR MEETING OF THE PLANNING COMMISSION BOARD HELD ON APRIL 20TH, 2015,
AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

The meeting was called to order at 7:00 P.M., by Jack Edmonds. Members present were Jeff Reynolds, Eldon Johnson, and Chad Heitschmidt. Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

APPROVAL OF MINUTES OF THE REGULAR MEETING ON MARCH 16, 2015

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE MINUTES OF MARCH 16, 2015. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIOINS/DELETIONS:

JOHNSON MOVED, SECOND BY HEITSCHMIDT, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #15-06 Interim Use Permit for mini-storage in B-3 Zoning District

Comm. Dev. Director Memo:

BACKGROUND

Jared Hanson has submitted an application for an Interim Use Permit to allow a Mini-Storage Facility and outdoor storage in a B-3 General Commercial District.

ANALYSIS

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-Way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, and Range 26, PID #24-029-0405.

The location is zoned B-3 General Commercial District.

The intent of the B-3 General Commercial District is to create an area to serve the commercial and service needs of the general population. The objective is to provide service to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

The following use is permitted by the issuance of an Interim Use Permit:

Mini storage facilities, including exterior and interior only accessible facilities provided that:

- (a) No Building to exceed 4,000 sq. with no more than 4 buildings per site
See variance request:
- (b) No site shall be closer than 1,000 feet from another mini-storage facility;
- (c) No building shall be closer than 50 feet from a neighboring residential zone;
- (d) Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.
- (e) No outdoor storage is permitted.

(Due to location, Staff does not approve of the request to allow outdoor storage at this facility).

- (f) The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street.

Interim Use Permit Review Standards/Findings of Fact. When reviewing application for an interim use, the City shall base its judgement on the following factors and any other factors it may deem appropriate for the specific property. The interim use may be granted if:

1. *The proposed use is interim use listed in the district in which the application is being made;*

Staff: Mini-storage facilities are listed as an interim use in a B-3 General Commercial District.

2. *The date or event that will terminate the use can be identified with certainty and continued;*

Staff: The Planning Commission shall recommend to the City Council a date or event that will terminate the use. Staff is recommending that the Interim Use Permit terminate when and if Jared Hansen decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.

3. *The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters;*

Staff: It does not appear that the proposed interim use will result in adverse effects on the public health, safety, and welfare, no does it create additional pollution potential for ground and surface waters.

4. *Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*

Staff: It does not appear that permission of the use will impose additional costs on the public if it is necessary for the public to take the property in the future.

CONCLUSION/RECOMMENDATION

Based on the findings that the proposed Interim Use appears to meet the review standards and provisions as listed in the Zoning Ordinance, staff would recommend that the Planning Commission recommend approval to the City Council of the proposed Interim Use Permit for a Mini-Storage Facility in B-3 General Commercial District with the approved variance request for buildings over 4,000 sq. ft. This recommendation is contingent upon these:

Conditions of Approval:

1. The Interim Use Permit terminate when and if Jared Hansen decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
2. Verification and submission of a grading plan and drainage calculations to verify that additional runoff does not negatively affect the adjacent properties, as requested by the



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- City's Engineer. Verification that culvert is sized to handle additional rate of runoff from the site.
- 3. Submission and verification of landscaping plans, planting and construction schedule to Zoning Administrator before beginning construction.
- 4. Verification by Zoning Administrator of type and height of lighting fixtures.
- 5. A NPDES storm water permit will be required.

*****End of Staff memo*****

Memo from Jared Hansen, applicant:

March 29, 2015

Dear City of Princeton:

This letter is to inform you of my plans to begin building a safe, protected and profitable storage facility for all Princeton, and surrounding residence to benefit from. The purpose of this request is to allow me to build a larger sq. ft. facility than currently allowed in the Zoning Ordinance. Presently, the building code for four buildings not exceed 4,000 sq. ft., however I would like to build three buildings but 8,000 sq. ft. each. This will allow the proper room that customers will need for a more preferred storage unit. Additionally I would like to permit for the use of outside storage as well since this plot of land is 1,300 ft. long I will only be using 750 ft. The remainder of the lot will be left untouched for wild life and plant life to continue living unchanged. The reason for this building sizes is because I would like to have more units to donate storage for our community. School, churches, charities, rescues, a specific group or club that benefits the city and its residence. Also please consider outside storage for this facility in the event that in some customers may need to store vehicles, motorized boat, recreation vehicles and other such property that may be too big for a standardized storage unit to accommodate. This alternative is so everyone can use this facility as needed. Furthermore, the facility will have a privacy chain link fence facing the residence side to assure that the outside parking portion will not be capable of being seen.

Sincerely,
Jared Hansen

*****End of applicant's memo*****

Edmonds said if he is okay with the conditions. He spoke to the applicant and said that in his letter he requested outside storage. Staff recommends not allowing it.

Jared Hansen is okay with the conditions except for the outside storage. He will have a lot left and would like to put RV's and boats on that partial of land.

Edmonds opened the public hearing.

Jeff Field, 1411 17th Avenue North said that four or five years ago when Dan Howard was going to do this there was going to be a berm put in.

Hansen said he will be putting in six foot fencing. If outside storage he would do a higher fence. It would be slated.

Field asked how far off the property will it be from residential.

Hansen said about 50 feet and then it would be 30 feet from the road.

Laurie Watson, 1405 17th Avenue North asked what will be the lighting for the area.

Hansen said he will work with the neighbors. It would be worked out and also have a security camera.

Reynolds suggested directional lighting where it is down cast.

Edmonds said have it in the conditions that the lighting is downcast.

Foss said she will work with him on that to use downward lighting.

Jeff Watson, 1405 17th Avenue North asked where does the road come in. The Princeton Township Industrial Park is to the north of this site.

Johnson said at the end of the residential homes it narrows down to one lane.

Jeff Watson said where it narrows down you would take a right to Princeton Industrial Park.

Foss said she spoke to someone and the actual traffic is one to two vehicles per day. The initial moving in would generate traffic and from then on there would not be much at all.

Edmonds said the street can be addressed once it is built. If need to be widen it can be looked at.

HEITSCHMIDT MOVED, SECOND BY JOHNSON, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Heitschmidt asked what the reasoning for not recommending the outside storage is.



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Foss said the plans do not include the outdoor storage. The larger size buildings, it would not need it. If larger fence maybe could work with him.

Heitschmidt said he sees it is not allowed in the Zoning Ordinance.

Johnson said it should be a Conditional Use Permit not an Interim Use Permit.

DeWitt explained that the Ordinance states an Interim Use Permit is needed for mini-storage and the Ordinance would need to be amended to have it as a Conditional Use Permit. We could make that change in the future to the Ordinance.

JOHNSON MOVED, TO APPROVE ITEM #15-06 INTERIM USE PERMIT TO ALLOW A MINI-STORAGE FACILITY IN A B-3 GENERAL COMMERCIAL ZONING DISTRICT LOCATED AT NORTHWEST OF NORTHEAST, LYING EAST OF HIGHWAY #169 RIGHT-OF-WAY, DESCRIBED AS PARCEL "G" OF 10/27/80 SKETCH, PID #24-029-0405, WITH THE FOLLOWING CONDITIONS:

1. THE INTERIM USE PERMIT WILL TERMINATE WHEN AND IF JARED HANSEN DECIDES TO SELL THE SITE IN THE FUTURE. UPON THE SALE OF THE LAND THE INTERIM USE PERMIT TERMINATES AT THE SALE.
2. VERIFICATION AND SUBMISSION OF A GRADING PLAN AND DRAINAGE CALCULATIONS TO VERIFY THAT ADDITIONAL RUNOFF DOES NOT NEGATIVELY AFFECT THE ADJACENT PROPERTIES, AS REQUESTED BY THE CITY'S ENGINEER. VERIFICATION THAT CULVERT IS SIZED TO HANDLE ADDITIONAL RATE OF RUNOFF FROM THE SITE.
3. SUBMISSION AND VERIFICATION OF LANDSCAPING PLANS, PLATING AND CONSTRUCTION SCHEDULE TO ZONING ADMINISTRATOR BEFORE BEGINNING CONSTRUCTION.
4. VERIFICATION BY ZONING ADMINISTRATOR OF TYPE AND HEIGHT OF LIGHTING FIXTURES.
5. A NPDES STORM WATER PERMIT WILL BE REQUIRED.
6. NO OUTSIDE STORAGE.

Foss suggested to approve in B-3 Zoning and approve the outdoor storage once staff sees how it looks then staff could approve it.

Edmonds said the outdoor storage is not allowed in the Interim Use Permit.

Heitschmidt agreed. It is not allowed.

Edmonds said we first have to approve the Interim Use Permit and then go to the variance application.

HEITSCHMIDT SECOND. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the proposed use an interim use listed in the district in which the application is being made? Yes.
2. Is the date or event that will terminate the use can be identified with certainty and continued? Yes.
3. The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters? Yes.
4. Would permission of the use not impose additional costs on the public if it is necessary for the public to take the property in the future? No.

B. #15-07 Variance for mini-storage that exceed 4,000 square feet in B-3 Zoning District & Site Plan Review

Comm. Dev. Director Memo:

BACKGROUND

Jared Hansen has applied for a variance to construct mini-storage buildings that exceed 4,000 sq. ft. in B-3 District. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to, or the result of, general conditions in the district in which the property is located.

ANALYSIS

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-Way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, Range 26. PID #24-029-0405.

The request is to build three mini-storage units that will exceed 4,000 square feet. The location is zoned B-3.

Variance:

Accessory building which exceeds 4,000 sq. ft. within a B-3 Zone requires a Variance.

GENERAL VARIANCE REVIEW STANDARDS

Subsection 3.B of Chapter IV outlines the standards for review of a Variance:

1. *Is the variance in harmony with the general purposes and intent of the zoning ordinance?*

Comment: Yes- The variance is in harmony with the general purposes and intent of the zoning ordinance.

2. *Is the variance consistent with the Comprehensive Plan?*



Comment: Yes- It appears the variance will remain consistent with the Comprehensive Plan.

3. *Does the property owner propose to use the property in a reasonable manner not permitted by the zoning ordinance?*

Comment: Yes-the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.

4. *Are there circumstances unique to this property not created by the landowner?*

Comment: Yes- There are circumstances unique to this property not created by the landowner.

5. *Will the issuance of the variance maintain the essential character of the locality?*

Comment: Yes- Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.

6. *Does the alleged practical difficulty involve more than economic considerations?*

Comment: Yes- The unique circumstances are not merely financial and are not due to, or the result of, general conditions in the district, in addition, the shape of the parcel is a consideration.

*****End of staff memo*****

Edmonds opened the public hearing.

Jeff Watson asked why they are so big.

Jared Hansen said the guidelines say 4,000 square feet with no more than four buildings per site. He wants to go with three buildings with 8,000 square feet for each.

Jeff Watson asked if this would decrease their property value.

Edmonds said no.

JOHNSON MOVED, SECOND BY HEITSCHMIDT, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

REYNOLDS MOVED, SECOND BY JOHNSON, TO APPROVE ITEM #15-07 VARIANCE TO CONSTRUCT MINI-STORAGE BUILDINGS THAT EXCEED 4,000 SQUARE FEET FOR EACH OF THE THREE INDIVIDUAL UNITS IN A B-3 GENERAL COMMERCIAL ZONING DISTRICT. THE PROPERTY SITE IS LOCATED AT NORTHWEST OF NORTHEAST, LYING EAST OF HIGHWAY #169 RIGHT-OF-WAY, DESCRIBED AS PARCEL "G" OF 10/27/80 SKETCH, PID #24-029-0405. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission reviewed the Findings of Fact:

1. Is the variance in harmony with the purpose and intent of the Ordinance? Yes.
2. Is the variance consistent with the Comprehensive Plan? Yes.
3. Does the proposal put the property to use in a reasonable manner? Yes.
4. Are there unique circumstances to the property not created by the landowner? Yes.

5. Will the variance maintain the essential character of the locality? Yes.
6. Does the alleged practical difficulty involve more than economic considerations? Yes.

Site Plan Review for Jared Hansen, Mini-Storage Facility:

Comm. Dev. Director Memo:

BACKGROUND

Jared Hanson has submitted an application for a site plan review for a Mini-Storage Facility in a B-3 General Commercial District.

ANALYSIS

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, and Range 26, PID #24-029-0405

The location is zoned B-3 General Commercial District.

Access/Traffic Flow/Lots. Access is being addressed with roadway space that encircles the buildings. The proposed roadway provides no less than 28 feet of width around the proposed buildings.

Parking. Due to the nature of the facility, no on-site parking spaces are provided. Parking of vehicles while loading and unloading from storage unit will occur directly in front of the storage unit's door. Parked cars at the door of the storage unit will not impede traffic that may need to navigate around the site to access another unit.

Landscaping. The landscape plan is yet to be submitted. Zoning Administrator shall verify compliance of landscape plan.

Signage. No signage has been applied for as a part of this application. Any new signs will require approval prior to installation. (New freestanding signs require Planning Commission review).

Building Materials. All building materials are approved within the B-3 Zoning Ordinance. No pole type construction will be permitted.

City Engineer. The City Engineer has reviewed the site plan application and submitted comments via a memo. Approval of the site plan shall be subject to the conditions and recommendations in the memo.

CONCLUSION

Based on the above review, staff is recommending approval of the site plan review for Jared Hansen's Mini-Storage Facility, subject to the following conditions:



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1. Staff is recommending that the Interim Use Permit terminate when and if Jared Hansen decided to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
2. Verification and submission of a grading plan and drainage calculations to verify that additional runoff does not negatively affect the adjacent properties, as requested by the City's Engineer. Verification that culvert is sized to handle additional rate of runoff from the site.
3. Submission and verification of landscaping plans, planting and construction schedule to Zoning Administrator before beginning construction.
4. Verification by Zoning Administrator of type and height of lighting fixtures.
5. A NPDES storm water permit will be required.

*****End of staff memo*****

Foss said there is not a lot of landscaping at the other mini storages, seed or sod will be needed where the grass areas are now. Probably not any trees or shrubs since there will be fencing, but will be reviewed by staff. Stick frame building.

Hansen said he is okay with the conditions. For snow removal he will take care of it. The snow will stay on the lot. There is a lot more empty area on the south side of the lot. Will melt for drainage.

JOHNSON MOVED, SECOND BY REYNOLDS, TO APPROVE THE SITE PLAN FOR THE MINI-STORAGE FACILITY AT NORTHWEST OF NORTHEAST, LYING EAST OF HIGHWAY 169 RIGHT-OF-WAY, DESCRIBED AS PARCEL "G" OF 10/27/80 SKETCH, WITH THE FOLLOWING CONDITIONS:

1. STAFF IS RECOMMENDING THAT THE INTERIM USE PERMIT TERMINATE WHEN AND IF JARED HANSEN DECIDES TO SELL THE SITE IN THE FUTURE. UPON THE SALE OF THE LAND THE INTERIM USE PERMIT TERMINATES AT THE SALE.
2. VERIFICATION AND SUBMISSION OF A GRADING PLAN AND DRAINAGE CALCULATIONS TO VERIFY THAT ADDITIONAL RUNOFF DOES NOT NEGATIVELY AFFECT THE ADJACENT PROPERTIES, AS REQUESTED BY THE CITY'S ENGINEER. VERIFICATION THAT CULVERT IS SIZED TO HANDLE ADDITIONAL RATE OF RUNOFF FROM THE SITE.
3. SUBMISSION AND VERIFICATION OF LANDSCAPING PLANS, PLANTING AND CONSTRUCTION SCHEDULE TO ZONING ADMINISTRATOR BEFORE BEGINNING CONSTRUCTION.
4. VERIFICATION BY ZONING ADMINISTRATOR OF TYPE AND HEIGHT OF LIGHTING FIXTURES.
5. A NPDES STORM WATER PERMIT WILL BE REQUIRED.
6. OPTION TO GO TO A EIGHT FOOT HIGH FENCE.

UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED.

Jim Kusler asked where the culvert will be.

Hansen said on the north side of the driveway, coming off of the street. The runoff will be by Highway 169 where there is a pond as well. It will run both ways. Heitschmidt asked from the edge of the bituminous will be what.

Hansen said grass and a few trees.

Foss will let Hansen know if it will be on this coming Council meeting for Interim Use Permit.

OLD BUSINESS: None

NEW BUSINES: None

COMMUNICATION AND REPORTS:

A. Verbal Report

1) Comprehensive Plan insufficient in supporting CUP – Discussion

Edmonds said he is on the Mille Lacs County Planning Commission Board and this is something Michele McPherson brought to their attention. The Supreme Court overturned a Conditional Use Permit because the Comprehensive Plan is not a regulatory document, but a guideline.

Foss asked if the Ordinance stands over the Comprehensive Plan.

Edmonds said yes. The Comprehensive Plan is not the standing document for overturning the Conditional Use Permit.

B. City Council Minutes for March, 2015

The Planning Commission Board had no comments.

HEITSCHMIDT MOVED, SECOND BY JOHNSON, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 4 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:03 P.M.

ATTEST:

Jack Edmonds, Chairperson

Mary Lou DeWitt, Comm. Dev. Assistant

MEMORANDUM

TAB B



TO: Planning Commission
FROM: Community Development Director
SUBJECT: **Interim Use Permit to allow a church or place of worship and bread distribution in B-1 Central Business Zoning District**
DATE: May 18th, 2015

BACKGROUND

Michael Brooks has submitted an application for an Interim Use Permit to allow A church or place of worship and bread distribution in the B-1 Central Business Zoning District.

ANALYSIS

The property site is located at 114 Rum River Drive North on the property described as Condo #3, Princeton Riverside Plaza, Unit 116, City of Princeton, Mille Lacs County, PID #24-690-0160, Section 33, Township 36, Range 26.

The location is zoned B-1 Central Business District.

It is the intent of the B-1 Central Business District to create an area which will serve as the focal point of community interest and as a focal point of commercial, financial, office, entertainment, and governmental activity.

The following use is permitted by the issuance of an Interim Use Permit:

Churches or place of worship provided that:

- a) Such space is within a multi-tenant building
- b) Joint parking arrangements allow for compliance with parking requirements for all uses (as regulated by Chapter VI, Performance Standards)

Interim Use Permit Review Standards/Findings of Fact. When reviewing application for an interim use, the City shall base its judgment on the following factors and any other factors it may deem appropriate for the specific property. The interim use may be granted if:

1. *The proposed use is interim use listed in the district in which the application is being made;*
Staff: Churches and places of worship are listed as an interim use in a B-1 Central Business District.
2. *The date or event that will terminate the use can be identified with certainty and continued;*
Staff: The Planning Commission shall recommend to the City Council a date or event that will terminate the use. Staff is recommending that the Interim Use Permit terminate when and if Michael Brooks decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
3. *The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters;*
Staff: It does not appear that the proposed interim use will result in adverse effects on the public health, safety, and welfare, nor does it create additional pollution potential for ground and surface waters.
4. *Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*
Staff: It does not appear that permission of the use will impose additional costs on the public if it is necessary for the public to take the property in the future.

CONCLUSION/RECOMMENDATION

Based on the findings that the proposed Interim Use appears to meet the review standards and provisions as listed in the Zoning Ordinance, the Planning Commission recommend that the City Council approve the proposed Interim Use Permit for a church or place of worship and bread distribution in a B-1 Central Business Zoning District.

This recommendation is contingent upon these:

Conditions of Approval:

1. The Interim Use Permit be reviewed annually.
2. The Interim Use Permit terminate when and if Michael Brooks decides to discontinue leasing and/or sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
3. Activities shall be limited to those proposed by the applicant:
 - a. Church Services on Saturdays from 5:00 to 9:00 pm;
 - b. Bible Studies on Tuesdays and Thursdays from 6:00 to 9:00 pm;
 - c. Bread Distribution on the 1st and 3rd Saturday of the month from including set-up and tear-down from 8:30am to 1:30pm;
 - d. Possible additional opportunities to bless the community (Dinners, etc...)
4. Provision of Fire Inspection, Seating Plans, Maximum Occupancy Load, and signage plans.
5. Building Permit will be required for build out.

MEMORANDUM

TAB C



TO: Planning Commission
FROM: Jolene Foss, Community Development Director
SUBJECT: **Variance for side yard and rear yard setbacks to construct an accessory building**
DATE: May 18th, 2015

BACKGROUND

Dylan Howard of Howard Homes, Inc., on behalf of Phil Lingle, has applied for a variance to construct an accessory building within the required rear yard (alley) and side-yard setback area. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to, or the result of, general conditions in the district in which the property is located.

ANALYSIS

The property site is located at 405 7th Ave South on the property described as Lot 4, Block 5, Murray's Addition & S 26 FT of Lot 5, Block 5 & N ½ of Vacated Alley between Lots 3 & 4, Block 5, City of Princeton, Mille Lacs County, PID #24-561-0260, Section 33, Township 36, Range 26.

The location is zoned R-2. The intent of the R-2 Residential District is to preserve the older historic areas of the city, which was platted into small modest sized lots with a less restrictive zoning district permitting a higher density but retaining the historic residential character of the district. The average density for this district is 4 to 8 units per acre.

Variance:

Construction of an accessory building within the required rear yard (alley) and side-yard setback area requires a Variance. Required rear yard (alley) setback is 5 feet, request is for a 2 foot setback. Required side-yard setback is 5 feet, request is for a 3 foot setback.

GENERAL VARIANCE REVIEW STANDARDS

Subsection 3.B of Chapter IV outlines the standards for review of a Variance:

1. *Is the variance in harmony with the general purposes and intent of the zoning ordinance?*

Comment: Yes-The variance is in harmony with the general purposes and intent of the zoning ordinance.

2. *Is the variance consistent with the Comprehensive Plan?*

Comment: Yes-It appears the variance will remain consistent with the Comprehensive Plan.

3. *Does the property owner propose to use the property in a reasonable manner not permitted by the zoning ordinance?*

Comment: Yes-he property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.

4. *Are there circumstances unique to this property not created by the landowner?*

Comment: Yes-There are circumstances unique to this property not created by the landowner.

5. *Will the issuance of the variance maintain the essential character of the locality?*

Comment: Yes-Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.

6. *Does the alleged practical difficulty involve more than economic considerations?*

Comment: Yes-The unique circumstances are not merely financial and are not due to, or the result of, general conditions in the district.

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
APRIL 2, 2015 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Dick Dobson, Victoria Hallin and Jules Zimmer. Staff present, Administrator Mark Karnowski, Finance Director Steve Jackson, Community Development Director Jolene Foss, Police Chief Todd Frederick, Public Works Director Bob Gerold, Clerk Shawna Jenkins, and Attorney Damien Toven.

AGENDA ADDITIONS/DELETIONS

None

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of March, 26 2015

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF MARCH 26, 2015. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
 - 1. Intoxicating and Sunday Liquor License for Princeton Golf Course
- B. **Personnel**
 - 1. Public Works – Dan Pierce Step 3 Increase with Sewer license
 - 2. Splash Park – Approval to hire Mike Alexander for On Call position
- C. **Donations / Designations**
 - 1. Resolution 15-15 – accept donations from Winter Knights Snowmobile Club

DOBSON MOVED TO APPROVE THE CONSENT AGENDA. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

OPEN FORUM

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

PETITIONS, REQUESTS, AND COMMUNICATIONS

ORDINANCES AND RESOLUTIONS

- A. Ordinance 716 – Kennel Moratorium

Karnowski advised that there is some conflicting wording in our ordinances in regard to kennels. Staff is recommending a moratorium be passed to allow it to be researched and revised.

HALLIN MOVED TO APPROVE ORDINANCE 716 ESTABLISHING A MORATORIUM PROHIBITING THE ISSUANCE OF CONDITIONAL USE OR INTERM USE PERMITS FOR THE OPERATION OF A KENNEL. ZIMMER SECONDED THE MOTION.

Walker asked if there was a plan to revise the conflicting information in the current ordinance. Karnowski responded that he has started researching what other cities have done. We are trying to deal with people that are in violation of the ordinance, but they are fostering

rescues. Staff is trying to figure out how to make an allowance for those types of situations, but not allowing an actual kennel. Walker questioned if there have been residents interested in having a kennel. Karnowski replied that there was not, but there is a resident currently fostering for Ruff Start Rescue.

THE MOTION CARRIED UNANIMOUSLY

B. Resolution 15-16 Satisfaction of mortgage for 116 Rum River Drive North, #108 & 120

Jackson reported that on December 24, 1986 the City loaned funds secured by a mortgage on real estate located at 116 Rum River Drive North, Units 108 and 120. The City has not been paid in full with respect to funds lent and secured by the mortgage. The City Attorney Paul Dove has drafted a mortgage satisfaction form that will be recorded with the Mille Lacs County Recorder's Office.

HALLIN MOVED TO APPROVE RESOLUTION 15-16 AUTHORIZING SATISFACTION OF MORTGAGE HELD BY THE CITY OF PRINCETON NOW PAID IN FULL. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

NEW BUSINESS

MISCELLANEOUS

ADJOURNMENT

There being no further business:

DOBSON MOVED TO ADJOURN THE MEETING AT 7:06 PM. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor

**MINUTES OF A STUDY SESSION OF THE PRINCETON CITY COUNCIL AND SHERBURNE
COUNTY BOARD OF EQUALIZATION AND APPEALS
HELD ON APRIL 9, 2015 4:30 P.M.**

Mayor Paul Whitcomb called the meeting to order. Council members present were, Dick Dobson, Jules Zimmer and Victoria Hallin. Staff present, Administrator Mark Karnowski, Finance Director Steve Jackson, Clerk Shawna Jenkins, Police Chief Todd Frederick, Engineer Mike Nielson, and Attorney Damien Toven. Absent was Council member Thom Walker and Community Development Director Jolene Foss

Sherburne County Board of Equalization and Appeals

Sherburne County Assessor Dan Weber reported that residential values increased 5.34% throughout the City of Princeton. Due to a lack of sales within city limits, sales from neighboring communities were used to determine the necessary adjustments.

The average commercial and Industrial values decreased approximately .88%, however there was over \$1.5 million in new construction to the commercial/industrial tax base actually increased by 2.1%

No one was in attendance for the Sherburne County Board of Equalization and Appeals.

National Day Of Prayer

Karnowski reported that as the Council has done in the past, this is to proclaim May 7th as a Day of Prayer.

ZIMMER MOVED TO PROCLAIM MAY 7TH AS A DAY OF PRAYER. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Digital Community Sign

Karnowski advised that the quit claim deed from Sherburne County has been completed and recorded.

The School District, The City, Public Works, the PUC and Scenic Sign have made decisions on the look, size, placement and maintenance of the digital sign. The projected timeline is to enter into a contract with Scenic Sign in the next couple of weeks, provide the down payment and the product will be ordered taking 6-8 weeks for delivery and construction.

The total amount for the sign and construction has come in at \$58,960. This is \$8,960 more than the original bid due to the addition of the base material and base installation. There was going to be a brick base that was to be constructed as a donated service/in-kind donation, but is no longer a possibility.

This cost split is being split by the School district and the City with each paying \$29,480. The original budgeted amount for the project in 2015 was \$25,000. This is a request to allocate an additional \$4,480 from the Capital Budget to cover the expense of the base and installation

HALLIN MOVED TO APPROVE THE ALLOCATION OF \$4,480 FROM THE CAPITAL BUDGET TO COVER THE EXPENSE OF THE BASE AND INSTALLION. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Accept Resignation of Keith Koehler

Karnowski advised that Public Works Supervisor Keith Koehler has unfortunately submitted

his resignation, as he accepted a position with the City of Zimmerman. Staff is deciding on whether to post the position externally, or internally. Koehler is going to extend his resignation date to May, as he is willing to come back and help train the Splash Park employees.

DOBSON MOVED TO ACCEPT KEITH KOEHLER'S RESIGNATION WITH REGRETS. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Bill List

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF \$89,810.39 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 71659 TO 71727 FOR A TOTAL OF \$426,321.31. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business

DOBSON MOVED TO ADJOURN THE MEETING AT 4:37PM. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Shawna Jenkins
City Clerk
ATTEST:

Paul Whitcomb, Mayor

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
APRIL 23, 2015 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Dick Dobson, Victoria Hallin and Jules Zimmer. Staff present, Administrator Mark Karnowski, Finance Director Steve Jackson, Community Development Director Jolene Foss, Police Chief Todd Frederick, Public Works Director Bob Gerold, Clerk Shawna Jenkins, and Attorney Damien Toven.

AGENDA ADDITIONS/DELETIONS

None

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of April 2, 2015
- B. Sherburne County Board of Appeal and Study Session Minutes of April 9, 2015

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF APRIL 2, 2015 AND THE SHERBURNE COUNTY BOARD OF APPEAL AND STUDY SESSION MINUTES OF APRIL 9, 2015. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
 - 1. Fireworks Sale Permit for Shopko
 - 2. Fireworks Sale Permit for Coborns
 - 3. Gambling Permit for Princeton Lion's for "Fly in"
- B. **Personnel**
 - 1. Public Works – Jim Sinkel Step 4 Increase to \$23.30 effective 5-14-15
 - 2. Public Works – Seasonal employees
 - a. Chase Lindenfelser
 - b. Jake Green
 - c. Bob Goodell
 - d. Clarence Reiman
 - e. Jack Sinkel
- C. **Donations / Designations**

HALLIN MOVED TO APPROVE THE CONSENT AGENDA. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

OPEN FORUM

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. Planning Commission Minutes of March 16, 2015
- B. EDA Minutes of March 19, 2015
- C. Airport Board Minutes of April 6, 2015
- D. Fire Board Minutes of April 7, 2015
- E. PAVC Minutes of April 13, 2015

PETITIONS, REQUESTS, AND COMMUNICATIONS

- A. Council Action for October Race

Frederick reported that Kris Lofgren is seeking approval to hold a 10 mile foot race in Princeton on Saturday October 17. The Race proceeds will go to the Princeton Pantry. She is asking the City to waive the cost of using the Civic Center for the race, and she will cover the \$200 Deposit. He said he has been working with Lofgren to determine a good route for the race.

Hallin said her concern is waiving the Civic Center rental fee, because if we did it for one non-profit, we would have to do it for all non-profits. Lofgren said she can understand that. Hallin said she really appreciates what she is doing for the Pantry. Whitcomb said he is also appreciative of what she is doing, but can understand councilor Hallin's concerns about waiving the rental fee. Whitcomb said he feels we could provide the reduced City Resident / Civic Organization rate to them as they donating their proceeds to the food Pantry.

HALLIN MOVED TO APPROVE THE ROUTE AS REQUESTED AND OFFER THE REDUCED CITY RESIDENT / CIVIC ORGANIZATION CIVIC CENTER RENTAL FEE. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ORDINANCES AND RESOLUTIONS

A. Ordinance 717 – Fee in Lieu of Assessment – First Reading

Karnowski advised that while reviewing some old documents he realized that as part of the Coborns project, the city was supposed to adopt a "fee in lieu of assessment" policy which would allow the city to reimburse Coborns should someone tap into the sewer and water lines they installed for their home.

Councilor Zimmer arrived at 7:08pm

DOBSON MOVED TO INTRODUCE ORDINANCE 717 AMENDING CHAPTER VII (METHOD OF ASSESSMENT) OF THE SUBDIVISION ORDINANCE IN ORDER TO ADD A PROVISION TO CHARGE A FEE-IN-LIEU OF ASSESSMENT TO A PROPERTY WISHING TO HOOK UP TO AVAILABLE CITY INFRASTRUCTURE THAT WAS CONSTRUCTED WITHOUT THE SUBJECT PROPERTY BEING ASSESSED. HALLIN SECONDED THE MOTION.

Karnowski added that the reason this came up was they came across it again when looking into sewer lines for the new school.

THE MOTION CARRIED UNANIMOUSLY

B. Resolution 15-17 Supporting dedicated state funding for City Streets

Karnowski reported that this is recommended by the League of MN Cities and the Coalition of Cities. A bill going through right now will begin providing money to cities under \$5000 for roads.

Hallin asked if this would be from the State's surplus. Karnowski replied that he believes it is from the Transportation bill that the governor has written.

HALLIN MOVED TO APPROVE RESOLUTION 15-17 SUPPORTING DEDICATED STATE FUNDING FOR CITY STREETS. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Resolution 15-18 Approving plans and Specifications, Ordering Advertisement

Karnowski advised that if the council recalls the loan and grant the city received, there are some funds left that exceeded what the WWTP cost. Therefore, staff has been taking a look at doing some modifications to the main lift station. This would order the plans, specs and advertisements of bids for the project.

Hallin questioned if we have a ballpark cost. Nielson responded that the improvements were designed to come in near what the remaining grant funds are. He added that it is their hope that all costs will be covered under the grant.

WALKER MOVED TO APPROVE RESOLUTION 15-18 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE MAIN SANITARY LIFT STATION REHABILITATION. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

D. Resolution 15-19 Supporting VFW Buddy Poppies

Karnowski reported that as the Council has done in the past, this Resolution is showing support for the VFW Buddy Poppies.

DOBSON MOVED TO APPROVE RESOLUTION 15-19 SUPPORTING VFW BUDDY POPPIES. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

A. Public Works Supervisor Recommendation

Karnowski reported that the in-house posting for the Public Works Supervisor position resulted in the city receiving four applications.

A committee comprised of Councilman Zimmer, Police Chief Fredericks and Public Works Director Gerold interviewed the applicants on Monday, April 20th.

The recommended appointee is Tim Jensen.

Jensen has been employed by Princeton as a GMI since May or 2003 and is familiar with all aspects of the Public Works Department areas.

Jensen has his Wastewater, Class C license and has a MN Class B CDL with the Tanker Endorsement. He is also a certified Pool Operator and has additional training in Hazmat operations, confined space rescues, pesticide applicator and has participated in a Primary Leadership course and is very proficient in welding.

Jensen is also a Princeton Fire and Rescue Department firefighter and holds the rank of Captain with the PFRD and is a certified First Responder.

Before working for the city, Jensen was employed by Progress Casting in Plymouth, MN for ten years. He is also a U.S. Army veteran trained in combat engineering, explosives, carpentry, and masonry. He is a graduate of Monticello High School and a graduate of Anoka Vocational Technical College where he took Welding Science.

Because Jensen is a 12-year city employee at top of scale for the GMII position (\$50,472/yr.), we negotiated the following provisions for his appointment to the supervisory position:

1. Appoint Tim Jensen to the position of Public Works Supervisor and start him at the Step 3 Level (\$51,656/yr.).
2. Because of his 12 years with the city, staff is also recommending a 3 month probationary period (rather than 6 months) before he'd be promoted to the Step 4 level (\$53,904/yr.) where he'd stay for one year before reaching top of scale.
3. Jensen would be allowed to take a city vehicle home after work and would receive a \$28 stipend for using his own cell phone rather than have him carry a special city phone.

If the Council agrees to that arraignment, a motion to concur with the staff recommendation would be in order.

Additionally, staff recommends that the Council approve advertising for another General Maintenance employee to replace Mr. Jensen's former position. A separate motion for that would also be in order.

Karnowski added that if we had hired externally, we would not have hired someone at the Step 3 level. Staff had a discussion with Jensen regarding that and they decided on a 3 month probationary period instead of the 6 months because he has worked for the city for so long.

Dobson asked Jensen if he minded using his personal phone. Jensen said he is okay with that and currently uses it for the Fire Department as well.

Zimmer said it is nice to have employees that are willing and able to step right into a position. Dobson said it is nice for employees to know they promote from within so they are usually are in favor of completing the necessary schooling.

DOBSON MOVED TO APPROVE PROMOTE TIM JENSEN TO PUBLIC WORKS SUPERVISOR AT STEP 3, HAVE A 3 MONTH PROBATIONARY PERIOD, ALLOW HIM TO TAKE A CITY VEHICLE HOME FROM WORK AND RECEIVE A \$28 STIPEND FOR HIS CELL PHONE. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

HALLIN MOTION TO ADVERTISE THE GENERAL MAINTENANCE II OPENING. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Bike Path contract

Karnowski advised that staff has drafted a contract between the City and West Branch Construction for the construction of the Great Northern Trail Bike Path.

Of note is the fact that staff did not specifically include the requirement for a performance bond which is required by state law for projects exceeding \$100,000 in value. Accordingly, the contract includes a provision for the city to pick up the cost of that bond (estimated at \$4,000). Even with the bond cost, the project will be built for less than the original estimated cost.

Staff recommends that the Council approve the contract contingent upon the city attorney's review.

The contractor plans on beginning work on or about May 1 and the project has to be completed by June 30.

HALLIN MOVED TO APPROVE THE CONTRACT WITH WEST BRANCH CONSTRUCTION FOR THE CONSTRUCTION OF THE GREAT NORTHERN TRAIL CONTINGENT UPON THE CITY ATTORNEY'S REVIEW. DOBSON SECONDED THE MOTION. THE MOTION CARRIED

NEW BUSINESS

A. Personnel Policy Amendment

Karnowski advised that it was recently brought to his attention that the city's personnel policy was not amended to prohibit the use of city equipment for non-city purposes. A prohibition of that nature should be considered as a matter of loss control.

Accordingly, the following amendment (addition) to the city's personnel policy is offered for Council consideration.

10.10 Use of City Tools and Equipment

City tools and equipment shall not be used for anything other than City purposes, unless approved by the City Council. City employees are prohibited from using city owned equipment for personal use. That prohibition applies to all equipment that has a motor or engine and includes but is not limited to lawnmowers, weed whips, chainsaws, etc. Employee are also prohibited from using expendable products (mosquito spray, windshield washer fluid, oil, gas, antifreeze, blacktop mix, etc.) for non-city purposes.

WALKER MOVED TO APPROVE THE PERSONNEL POLICY AMENDMENT TO COVER THE USE OF CITY TOOLS AND EQUIPMENT. DOBSON SECONDED THE MOTION. THE MOTION CARRIED

B. Attorney Services RFP

Karnowski reported that it appears that Attorney Schieffer's health is such that he will not be able to continue providing the same excellent level of service we've become accustomed to over the past 10 years or so.

Accordingly, he has prepared a Request For Proposal (RFP). The RFP, as drafted, would allow for one firm to represent the city in criminal matters and another firm to serve as legal advisor to the Council and staff or have one firm that provides both services.

The intent of staff would be to advertise in the League of Cities bulletin and direct mail the RFP to our current attorney and any others the Council might be interested in asking to give us a proposal.

Karnowski asked the Council to advise of any changes they would like to see made in the document. Unless the Council deems otherwise, the intent would be to request that proposals be returned no later than Friday, May 15th. The Council would review them the following week and possibly do interviews at the June 4th Study Session.

The ad in the LMC Bulletin would read as follows:

RFP/LEGAL SERVICES. Princeton is soliciting submissions for municipal legal work. Princeton is a statutory city of approximately 4,727 people in East Central MN. The city has developed a Request for Proposals (RFP) which outlines its legal needs. Those interested in providing legal services to the City should request a copy of the RFP criteria from: Ms. Shawna Jenkins, City Clerk, City of Princeton, 705 Second Street North, Princeton, MN 55371; Phone: (763) 389-2040. To be considered, proposals should be received by 4:30 p.m., Friday, May 15.

Karnowski said in talking with the mayor, they believe it's a healthy thing to do once in a while for all consultants.

Hallin asked if everything is laid out and if this was the same RFP the City used many years ago. Karnowski said it was for the same one they used when attorney Anderson became a judge and left the firm.

Zimmer asked if this was for civil and criminal. Karnowski responded that the RFP was for both, but they are not bound to stay with one firm for both. Zimmer questioned why we would change if we have kept the same civil attorney for so long. Karnowski said Anderson did both himself, but when he left Dove Freitland, they replaced Anderson with Damien Toven for Criminal and Dick Schieffer for civil. Dobson added that if the city could save some money on one end by splitting it, then that is something to look at. Zimmer asked why they would change if Toven's office is handling the both civil and criminal. He suggested asking if the Police Department if they have had any issues with their work.

Karnowski responded that if the City decided to keep Toven on for criminal and did not put out an RFP, we could end up paying more. It does not mean they can't stay with Toven even with requesting an RFP. Walker added that even if the Council doesn't want to change consultants, it is a good idea to do an RFP once in a while.

Hallin asked if staff thought anything should be changed since this RFP was done so long ago. Karnowski responded that this RFP is still relevant and explains what the city needs well.

Dobson said he wanted to add it has been very nice to always have an attorney at the meetings, as many times legal questions come up and can be answered then instead of tabling the discussion.

DOBSON MOVED TO APPROVE THE RFP FOR LEGAL SERVICES AS WRITTEN. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Yard Waste Discussion

Karnowski reported that as the Council is aware, Sylva ceased taking yard waste a few weeks ago because of safety concerns whereby there were, apparently, some close calls between the vehicle(s) of residents dropping off yard waste and some of Sylva's heavy equipment.

Because the city had little notice of the change, staff has been scrambling to try and come up with a viable alternative – given we have virtually no money in the 2015 budget for yard waste collection.

While the alternative outlined below may not be the ultimate, long term solution, staff can probably make it work at least until fall.

Staff has been in discussion with a representative from East Central Sanitation (ECS) suggested that they could supply the city with one or two large drop boxes (i.e. roll-offs) for yard waste and one more for brush plus a garbage cart which would be located within the fenced in area at the public works garage. That would allow citizens to de-bag their leaves and the leaves in the roll-offs and put the plastic bags in the garbage cart.

When the roll-offs are full, ECS would then take the leaves to Sylva who has agreed to grind them up for a fee. The ground up leaves would then be loaded on a city dump truck and taken to a farm where the owner has agreed to use the leaves.

The roll-offs would be monitored by a part-time city employee to make sure folks don't put anything other than leaves and grass in the roll-offs. We'd be open to taking leaves and yard waste for 3 weeks this spring on Wednesday & Friday (8 AM to 3:30 PM) and Saturday (8 AM to 1 PM). Residents would be encouraged to mulch their grass clippings for the summer.

Staff proposes to return to the practice of charging folks for dropping off the yard waste as was the case before Sylva agreed to start taking the product. The City used to charge about \$5.00 per pickup load and, because of our increased costs, we're proposing to now charge \$10.00 per pickup load.

Staff is proposing this as a stop gap plan until we can come up with a more permanent solution for this fall and beyond.

The options include:

1. Allowing folks to burn leaves/grass on their property (not advised because of neighbor complaint potential).
2. Go to an 'organized collection' process by which the city would contract with one garbage hauler to pick up all the city garbage. The contract would include a provision that they have to pick up yard waste as well. (This option would take about a year to implement and may face resident resistance).
3. Assist Sylva in setting up a gated area allowing residents to drop off material as Sylva. (Would probably cost the city around \$20,000 to implement)
4. Continuing the system defined above.

Staff recommends adopting the roll-off box system as a stop gap measure.

Walker asked what size roll off boxes would be used, as if they are larger they will be difficult for people to dump leaves in the box. Gerold said this is going to be labor intensive regardless how it is set up.

Zimmer questioned why there would be city resistance if we were to change to one garbage hauler and have them pick up leaves and brush. Karnowski replied that people don't like government to tell them what they can do, even if they could be guaranteed a cheaper rate, it would be better for the roads, and they could pick up leaves. He added that maybe if the advantages could be explained to everyone it may work, but it may not.

Zimmer asked if we can reduce the rate, as going from free to a cost so it is going to be big change.

Dobson said the city needs to do something to assist the residents, especially this time of year as people have bags sitting around. He does not know if the roll offs will work, but feels it is a good option at least for now.

Zimmer asked what it will cost to grind the leaves. Gerold replied that it will depend on volume, but Doose from Sylva said at most it would be \$5000 per year. That was using an estimate amount of what was chopped off at Sylva, but feels it should be a lot less since we are limiting it to City Residents only.

HALLIN MOVED TO APPROVE USING THE ROLLOFFS FOR COLLECTION AND FOR STAFF TO DETERMINE AN APPROPRIATE COST. DOBSON SECONDED THE MOTION.

Walker said if people don't have a place to dispose of their yard waste, the city won't look as nice. He added that we do not want to make it difficult or expensive for them to dispose of it. Dobson said the problem is that this came up after the budget was done, so there are no funds available to cover the cost. In order to try to stay on budget, we need to try and recoup some of the costs. He did agree with Walker that if something isn't done, the City will look worse with time. The cost may be a shock to some, but at least we have someplace where they can dispose of it.

Austin Schneider from Public Works said he used to live in Zimmerman and they have a nice system set up. They developed a spot for the community to dump their waste, then they can come back and pick up the compost. The only thing the city has to do is go in once in a while and push the pile up. The residents have done a very good job at keeping it working well.

Whitcomb asked the council what they want the fee to be. Dobson said he doesn't know if the \$10 per load will even cover the cost of the roll offs, transportation and grinding costs. He does not like the idea of it costing \$10, but that is what staff had determined it should be. Zimmer said he feels \$10 is too much.

Walker asked if how they would feel about the fee being \$5 per load.

ZIMMER MOTIONED TO AMEND HALLIN'S MOTION TO SET THE FEE AT \$5. DOBSON SECONDED THE MOTION. VOTE 4:1, HALLIN OPPOSED, MOTION CARRIED.

HALLIN'S ORIGINAL MOTION CARRIED UNANIMOUSLY

D. Approval of Actuarial Services Agreement

Jackson reported that there are two new Governmental Accounting Standards Board requirements, GASB No. 67 and GASB No. 68. They are both relating to new requirements in the accounting and reporting of pension plans. The pension plan that falls under this new

requirement is the one established by the Fire Relief Association. However, because of the close association between the City and the Fire Relief Association, in order for the City to maintain its "clean" audit report opinion the Fire Relief has to have an actuarial study done on its pension plan.

The ramifications of not having a "clean" opinion are much greater for the City than for the Relief Association. It could have an impact on our future financing attempts and may even create problems with investors and agencies that own some of our current debt. For that reason, he has suggested that the City and the Relief Association split the costs of these appraisal requirements through the years. The engagement letter specifies the cost for the first year at \$2,400. The amounts vary for different years because of the changing requirements year to year.

Jackson said he had requested two quotes for the appraisal work. The firm that he is recommending is one that the City has used in the past for similar work. The cost amounts were slightly different for the two years (the other firm only quoted 2 years). The one shown here has a cost for the two years of \$3,600 and the other firm had a range of \$3,250 to \$4,000. The one being recommended also had a quicker turnaround time for the report.

The action being requested is to approve the agreement as attached and to split the cost with the Relief Association.

Hallin asked if the cost for the reports were for 2 years. Jackson responded that the cost is split up for 4 years.

HALLIN MOVED TO APPROVE WITH VANIWAARDEN FOR ACTUARIAL SERVICES AND TO SPLIT THE COST WITH THE FIRE RELIEF ASSOCIATION. DOBSON SECONDED THE MOTION. THE MOTION CARRIED

E. Interim Use for Mini-storage in B3 Commercial District

Foss reported that Jared Hanson has submitted an application for an Interim Use Permit to allow a Mini-Storage Facility in a B-3 General Commercial District. The Planning Commission has approved the Site Plan and the Variance for three buildings at 8,000 sq. ft. each.

The property site is located at City of Princeton, Northwest of Northeast, Lying east of Highway 169 Right-of-Way, Described as Parcel "G" of 10/27/80 Sketch, Section 29, Township 36, and Range 26. PID # 24-029-0405

The location is zoned B-3 General Commercial District.

The intent of the B-3 General Commercial District is to create an area to serve the commercial and service needs of the general population. The objective is to provide service to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

The following use is permitted by the issuance of an Interim Use Permit:

Mini storage facilities, including exterior and interior only accessible facilities provided that:

- (a) No Building to exceed 4,000 sq. ft. with no more than 4 buildings per site
(Variance request approved by Planning Commission for three (3) 8,000 sq. ft. buildings);

- (b) No site shall be closer than 1,000 feet from another mini-storage facility;
- (c) No building shall be closer than 50 feet from a neighboring residential zone;
- (d) Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.
- (e) No outdoor storage is permitted.

The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street.

Interim Use Permit Review Standards/Findings of Fact. When reviewing application for an interim use, the City shall base its judgment on the following factors and any other factors it may deem appropriate for the specific property. The interim use may be granted if:

1. *The proposed use is interim use listed in the district in which the application is being made;*

Staff: Mini-storage facilities are listed as an interim use in a B-3 General Commercial District.

2. *The date or event that will terminate the use can be identified with certainty and continued;*

Staff: The Planning Commission shall recommend to the City Council a date or event that will terminate the use. Staff is recommending that the Interim Use Permit terminate when and if Jared Hansen decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.

3. *The interim use does not result in adverse effects on the public health, safety and welfare nor does it create additional pollution potential for ground and surface waters;*

Staff: It does not appear that the proposed interim use will result in adverse effects on the public health, safety, and welfare, nor does it create additional pollution potential for ground and surface waters.

4. *Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*

Staff: It does not appear that permission of the use will impose additional costs on the public if it is necessary for the public to take the property in the future.

Based on the findings that the proposed Interim Use appears to meet the review standards and provisions as listed in the Zoning Ordinance, the Planning Commission recommend that the City Council approve the proposed Interim Use Permit for a Mini-Storage Facility in B-3 General Commercial District with the approved variance request for buildings over 4,000 sq.ft. (Proposed site plan is for 3 buildings at 8,000 sq. ft. each).

This recommendation is contingent upon these:

Conditions of Approval:

1. The Interim Use Permit terminate when and if Jared Hansen decides to sell the site in the future. Upon the sale of the land the Interim Use Permit terminates at the sale.
2. Verification and submission of a grading plan and drainage calculations to verify that additional runoff does not negatively affect the adjacent properties, as requested by the City's Engineer. Verification that culvert is sized to handle additional rate of runoff from the site.
3. Submission and verification of landscaping plans, planting and construction schedule to Zoning Administrator before beginning construction.

4. Verification by Zoning Administrator of type and height of lighting fixtures.
5. A NPDES storm water permit will be required.

Zimmer asked why council was not involved in the Speedway CUP permit, but needs to approve this Interim Use permit. Foss said according to the city code, the Council needs to approve Interim use permits, but not conditional use permits or variances.

HALLIN MOVED TO APPROVE THE INTERIM USE PERMIT FOR A MINI-STORAGE IN B-3 WITH THE FOLLOWING CONDITIONS:

1. THE INTERIM USE PERMIT TERMINATE WHEN AND IF JARED HANSEN DECIDES TO SELL THE SITE IN THE FUTURE. UPON THE SALE OF THE LAND THE INTERIM USE PERMIT TERMINATES AT THE SALE.
2. VERIFICATION AND SUBMISSION OF A GRADING PLAN AND DRAINAGE CALCULATIONS TO VERIFY THAT ADDITIONAL RUNOFF DOES NOT NEGATIVELY AFFECT THE ADJACENT PROPERTIES, AS REQUESTED BY THE CITY'S ENGINEER. VERIFICATION THAT CULVERT IS SIZED TO HANDLE ADDITIONAL RATE OF RUNOFF FROM THE SITE.
3. SUBMISSION AND VERIFICATION OF LANDSCAPING PLANS, PLANTING AND CONSTRUCTION SCHEDULE TO ZONING ADMINISTRATOR BEFORE BEGINNING CONSTRUCTION.
4. VERIFICATION BY ZONING ADMINISTRATOR OF TYPE AND HEIGHT OF LIGHTING FIXTURES.
5. A NPDES STORM WATER PERMIT WILL BE REQUIRED.

WALKER SECONDED THE MOTION. THE MOTION CARRIED

F. Clock Tower control replacement

Gerold stated that the Clock Tower was installed in approximately 1997 or 1998. Staff has been able to maintain it up until now but the computer controls are no longer repairable because technology has changed.

Staff has received a quote for \$6,800 from Verdin Company to replace the Clock controls. This cost has not been budgeted for and staff is looking for direction on how the Council would like to proceed.

DOBSON MOVED TO APPROVE THE REPAIR COST OF \$6,800 FROM VERDIN COMPANY FOR THE CLOCK TOWER CONTROLS OUT OF THE CAPITAL IMPROVEMENT FUND. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

MISCELLANEOUS

BILL LIST

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF \$109,857.08 AND THE ITEMS

LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 71732 TO 71783 FOR A TOTAL OF \$162,091.63. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business:

HALLIN MOVED TO ADJOURN THE MEETING AT 8:06 PM. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor