

**CITY OF PRINCETON
Planning Commission
Agenda
August 15th, 2016
7:00 P.M., City Hall**

- 1. Call to Order**
- 2. Approval of Minutes of Regular Meeting on July 18th, 2016 - Tab A**
- 3. Agenda Additions/Deletions**
- 4. Public Hearing:**
 - A. #16-07 Variance at 1207 7th Avenue North - Tab B**
 - B. #16-06 Lot Spilt at 1207 7th Avenue North (Continued) – Tab C**
- 5. Old Business: None**
- 6. New Business: None**
- 7. Communication and Reports:**
 - A. Verbal Report**
 - B. City Council Minutes for July, 2016 - Tab D**
- 8. Adjournment**

 **DRAFT**

**THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON JULY 18, 2016,
AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

The meeting was called to order at 7:00 P.M., by Jeff Reynolds. Members present were Faith Goenner, Jules Zimmer, and John Roxbury Jr. (Princeton Township Representative). Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

APPROVAL OF MINUTES OF REGULAR MEETING ON JUNE 20, 2016

GOENNER MOVED, SECOND BY ZIMMER, TO APPROVE THE MINUTES OF JUNE 20, 2016. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE THE AGENDA. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

PUBLIC HEARING:

A. #16-06 Lot Split at 1207 7th Avenue North
Community Development Assistant Memo:

BACKGROUND

Bob & Jenny Gerold and Jeremy & Cindy Riddle are the applicants for the proposed Lot Split. The legal descriptn of this site is: S 12 RDS OF E 40 RDS OF N ½ OF NE OF NW, SEE 1/13/76 SURVEY, Section 28, Township 36, Range 26, PID #24-028-1900, City of Princeton, Mille Lacs County.

The applicants intend to split the property site and sell the vacant lot. The home on Parcel A is rental property.

ZONING

The site is zoned R-1, Residential Single Family Zoning District. The following is the yard requirements for the R-1 District:

- A. Lot area minimum square feet – 12,500 sq. ft.
- B. Lot width minimum feet – 80 feet (Lot width shall be taken at building setback line).
- C. Maximum lot coverage – 30%
- D. Front yard minimum setback – 10 ft.
- E. Side yard minimum setback – 20 ft.
- F. Street side yard minimum setback – 30 ft.
- G. Rear yard minimum/alley setback – 30 ft.
- H. Maximum height – 30 ft.

PROPOSAL

The proposed lot split would be splitting the land of 1207 7th Avenue North into two separate lots. Parcel A has the home on the site and the lot size would reduce to 30,891 square feet, which would be more than the 12,500 sq. ft. the Zoning Ordinance requires for an R-1 Zoning District.

Parcel B is the proposed additional lot that is the split off section on the west side of the land, behind Parcel A. The proposed lot would be 99,107 square feet. Both proposed sections would have more square footage than the Zoning Ordinance requires.

The concern is the access to both parcels. Parcel A (1207 7th Ave. N.) will have its current access. The aerial photo shows this property has made another access that is dirt and is close to the proposed access of Parcel B. Staff suggest that this is seeded so this area is no longer used.

The Parcel B access would be on the south side of the site with a 50.03 foot parcel frontage to 7th Avenue North. There is a water service line in this area. Connie Wangen, Princeton Public Utilities Manager said the water connection in the proposed driveway at the street needs to be kept exposed for service. In her enclosed memo, Wangen said the WAC/SAC fee would be required to connect to the second service as well as the assessments need to be charged for two services.

Andrew Brotzler, City "Engineer with WSB, said because this is a flag lot it is not meeting the minimum feet for front yard lot width. The Zoning Ordinance states 80 feet for minimum lot width. Brotzler says a variance application should be approved for the 50 feet minimum lot width prior to approving the lot split.

Bruce Cochran, Mille Lacs County Engineer in regards to CSAH 4 and his input on the proposed lot split and the access to the site. Cochran interpretation by City Zoning Ordinance definition of setback is "the minimum horizontal distance between a structure and the ordinary high water level bluffline, road and highway right-of-way, alley, and/or lot line or property line". Cochran said a variance should be applied for prior to the lot split approval. The applicant would have to go through Mille Lacs County to apply for a Driveway Permit if Parcel B is developed. The dirt driveway on Parcel A would need to be removed and seeded. Princeton Zoning Ordinance does not recognize "Flag Lots". Cochran does not support a flag lot.

Lynn Paulson, Princeton Building Inspector commented that he reads the Zoning Ordinance definition of setback the same as Cochran and a variance would be needed to prior to the lot split. Paulson said flag lots are difficult lots with construction and access. He is not supportive of them.

Loren Kohen, Metro West Inspections reviews building codes and fire codes for the City of Princeton. Kohen has reviewed the survey and his suggestion is that the driveway be 24 feet



wide on Parcel B because of the length of the driveway, and emergency vehicles can bypass each other. Kohen said the temporary driveway should be vacated on Parcel A. The only driveway on Parcel A should be the main driveway to the accessory building. Kohen interprets the width would be at the building setback line. Kohen said Maple Plain had issues with flag lots.

Public Hearing:

A public hearing notice was sent to the property owners 350 feet from the site. A resident contacted City Hall with questions on the location of the lot being created in the back section of the property. The resident is concerned with having a property in this area and plans to attend the Planning Commission meeting. Another resident called and said he was okay with it.

CONCLUSION/RECOMMENDATION

This type of lot split is creating a flag lot. Staff has researched the approved City lot splits and we have not had a flag lot request come forth. The lot splits the City has approved in the past is side by side lots with each lot having street fronts.

As you have read, there are different interpretations from staff for the definition of setbacks and what the applicant has for the minimum lot width. Staff would like the Planning Commission's input on the setback interpretation and if a variance is needed.

The Planning Commission's decision is that a variance is needed, the application can be reviewed at the August 15th meeting. The lot split request would need to be tabled until the August 15th meeting.

Conditions of Approval:

1. The applicants must follow the permitted uses and regulations of the R-1 Zoning District.
2. The temporary driveway on Parcel A should be vacated where seeding is added for the purpose of safety.
3. Parcel B will need a Driveway Permit from Mille Lacs County if it is developed.
4. The PUC water line connection area needs to be kept exposed if the proposed lot split is approved and a driveway to Parcel B is installed.
5. WAC/SAC fee is required for the second service connection and assessments should be charged for two services.
6. The Planning Commission can determine if a 24 foot driveway for emergency vehicles on Parcel B should be required because of the length of the lot to a future home.

*****End of Staff Memo*****

Memo from Connie Wangen, Princeton Public Utilities General Manager:

Mary Lou,

Our PUC Water Department staff has verified there are two water services at 1207 7th Avenue North. One of these services is connected to the home and the other is stubbed in on the south side of the lot.

A WAC fee would be required to connect to the second service as well as assessments should be charged for two services.

Connie Wangen (PUC General Manager)

*****End of Memo*****

Email from Kelli Bourgeois, City Attorney

Hi Mary Lou:

The Zoning Ordinance states the 80' minimum lot width should be measured at the setback line. The front yard setback should be measured from the lot line or right-of-way line. In this instance, the front yard setback would be 30' back from the right-of-way of County Road 4. From what I can see that would land about midway through the narrow portion of the lot and the width is 50'. This would require a variance to allow the 30' difference if the City feels it meets the standards for a variance.

I'd be curious to know why the surveyor shows the front yard setback the way that they do - squaring off the rectangular portion of the lot with the setback boundary instead of following the property lines.

Flag lots are not ideal and many entities prohibit them. I have not had any major issues with existing flag lots except that they make it difficult to enforce zoning and other health and safety regulations sometimes because you can't see what's going on with the property without driving up into it. You are correct though, I don't see anything in your regulations that prohibit flag lots, so it would be difficult to deny one, if it met all other zoning and engineering design standards, based on the current ordinance language.

I hope this helps. Please feel free to call or e-mail me if you have any questions.

Thanks, Kelli

*****End of Email*****

Reynolds opened the public hearing.



Jeremy Riddle, applicant said they bought the parcel with three acres and one house on it. They thought they would split the lot and sell the vacant lot. It is hard to find lots in the City to build on. This is next to the new school. He will answer questions if they have any.

Zimmer said when he bought the lot the zoning regulations were not covered for flag lots.

Riddle said they are fine with it as it is if the lot split does not happen. The City would benefit from the lot split with additional tax base.

Zimmer questioned if the lot area to be split off is on the west side of this land.

Riddle said yes. The person who buys it would determine on where to place the house. The 50 foot is the driveway access to the proposed building site.

Bob Gerold, applicant said the edge of driveway would be 15.5 feet from the shed. In the staff memo Loren Kohen said he interrupts the lot width at the building setback line and they exceed the 80 feet.

Zimmer commented that would be after the lot split.

Gerold said yes, after the split. They are looking to add value to the city.

Aaron Julson, 1205 7th Avenue North, said there was only suppose to be two empty lots being stubbed in on this street. How did 1207 get stubbed in with an extra hookup for a one parcel lot. The two lots that were having the extra hookup was the corner lot on 7th Avenue North and his. That was determined back in November, 2015 Council assessment hearing. There were eight lots and two were non-residential lots. With this lot it should have been nine lots. This information was at the assessments hearing and 1207 was not mentioned to have an additional hookup.

Foss said that would be an engineering question and she would ask him on this.

Susan Bialka, 1205 7th Avenue North, said the SAC and WAC charges and assessments were for the eight lots and this is about taxes, so splitting the lots is about taxes. Before the lot was sold it was a single lot and how all the sudden was there an additional stub put in and how did that happen.

Riddle said that if a house is built back there they have to pay SAC and WAC fees.

Gerold said the PUC General Manager said that another SAC and WAC fee would be added.

Bialka said if there was one lot why two stubs prior to this hearing. It was done in advance knowing it was going to be split and how did that happen. There is something shady with one

lot getting two stubs. The SAC and WAC fees and assessments is on the number of lots, not the size of the frontage.

Foss said she will get back to her on what she finds out from the City Engineer.

Goenner commented that this is a rental property and is concerned that this will be another rental site. She wants assurance that with rental properties that they are picking good tenants. They currently own the land and may be asking for a variance and selling off the back half of the land. She just is concerned that there are good tenants for the neighbors.

Riddle asked those that are present if they are having problems with the neighbors.

Bialka said she knows the people currently there are leaving soon. Who knows with the next renter.

Marty Hancer, 807 Oak Circle, said he came to hear about the lot split, but he is questioning the SAC and WAC that was stubbed in. That seems like something that would happen after the hearing of the lot split. That seems like something done prior to any decisions being made. An alarm was set off when he heard that.

Bialka agreed. Mike Nielson, City Engineer said at the **assessment** hearing there would be eight stubs, not nine.

Foss will speak to the City Engineer about the stubbing of the extra line and contact those present and also will update the Planning Commission Board at the next meeting.

ZIMMER MOVED, SECOND BY GOENNER, TO TABLE ITEM #16-06 LOT SPLIT AT 1207 7TH AVENUE NORTH AND CONTINUE THE PUBLIC HEARING FOR THE AUGUST 15TH, 2016 PLANNING COMMISSION MEETING FOR THE APPLICANT TO APPLY FOR A VARIANCE FOR A 50 FOOT MINIMUM LOT WIDTH TO MAKE THIS A CONFORMING LOT AS STATED IN THE CITY OF PRINCETON ZONING ORDINANCE. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

DeWitt explained to those present that if the applicants apply for a variance, a public hearing notice will be sent out. If not, this lot split will be reviewed again at the August 15, 2016 Planning Commission meeting at 7:00 P.M. in the Council room. There will be a notice in the Union Eagle newspaper.

OLD BUSINESS: None

NEW BUSINESS: None



DRAFT

COMMUNICATION AND REPORTS

A. Verbal Report: None

B. City Council Minutes for June, 2016

The Planning Commission Board had no comments.

GOENNER MOVED, SECOND BY ZIMMER, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:40 P.M.

ATTEST:

Jeff Reynolds, Chair

Mary Lou DeWitt, Comm. Dev. Assistant



TO: Planning Commission
FROM: Jolene Foss, Community Development Director
SUBJECT: Lot Width Variance Request
DATE: August 15th, 2016

BACKGROUND

Cindy and Jeremy Riddle and Bob and Jenny Gerold have submitted an application to the City of Princeton for a variance to decrease the minimum lot width requirement from 80 feet to 50 feet. The variance is needed by the property owner in order to split the lot without removing the existing accessory building from the parcel it is intended for. The newly split lot would not meet the required lot width and therefore a variance of 30 feet is being requested.

ANALYSIS

The property is located at 1201 7th Avenue North and legally described as S 12 RDS of E 40 RDS of N ½ of NE of NW, SEE 1/13/76 Survey, Section 28, Township 36, Range 26, PID #24-028-1900, City of Princeton, Mille Lacs County. This location is zoned R-1 Single Family Residential. The intent of R-1 is to provide for an environment of predominantly low density one-family detached dwellings along with other residentially-related facilities which serve the residents in the district. The average gross density for this district is 3 units per acre or less.

The applicants are proposing to divide the existing approximately 3 acre parcel into two lots. One lot would be just under one acre and include the current single-family home including a detached garage and an additional accessory building. A second lot would be approximately 2 acres and is proposed to accommodate a future single-family residence. Under the applicant's proposal, the future and existing lots would not share a driveway but would both be accessed by 7th Avenue North.

Any newly created lots within the neighborhood must comply with all minimum lot requirements included in the Zoning district's development regulations. Included in these requirements are minimum lot width. The minimum required lot width is 80 feet. The lot as currently configured has width of 198 feet, as well as road frontage of the same. Minimum lot width is measured at the building setback line.

The current configuration of the property has the existing single family home, the detached garage and the accessory building at the front (East) portion of the property extending from the northern property line to approximately 140 feet toward the south property line. If the parcel was split at the required 80 foot width, the accessory building would be on the new parcel.

Due to this circumstance, the proposed lot split would create a flag lot that would be required to access the rear (West) portion of the parcel. A flag lot includes a long linear, unbuildable connection of land between the road and the buildable area used to meet the lot width requirements. This type of lot is not generally ideal, as it can be somewhat more difficult to enforce zoning and other safety regulations.

The first parcel would have road frontage and lot width of 145 square feet. The second parcel would have 50 foot road frontage and lot width on the east side. This 50 foot wide connection of land would go westerly for approximately 209 feet then widen out to the 198 foot width after it was past the first lot.

The City of Princeton does not currently have a policy that prohibits the creation of this type of lot. Although this request does not meet the minimum lot width standard, it cannot be split as proposed without a variance for width.

It is believed, by the City Staff, that this lot was platted incorrectly and was unintentionally inaccessible from the south as the result of the original subdivision of the tract.

Due to this circumstance, Staff recommends that Planning Commission approve the variance and lot split

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 request for this variance is due to the width to depth ratio of the parcel, the existing accessory building placement and unintentional inaccessibility. The granting of the variance will allow the property owners to use the lot in a more effective way, and provide additional residential opportunity.



An existing structure prevents the front portion of the property to be split with 80' of road frontage. The property widens in the rear to exceed 80. The intended purpose of the 50' wide section to include a driveway with a home to be built in the larger area in the rear of the property.

Princeton Public Schools
706 - 1st Street
Princeton, MN 55371
Business: 763.389.2422
ISD477.ORG

Notes

SUBDIVISION SURVEY

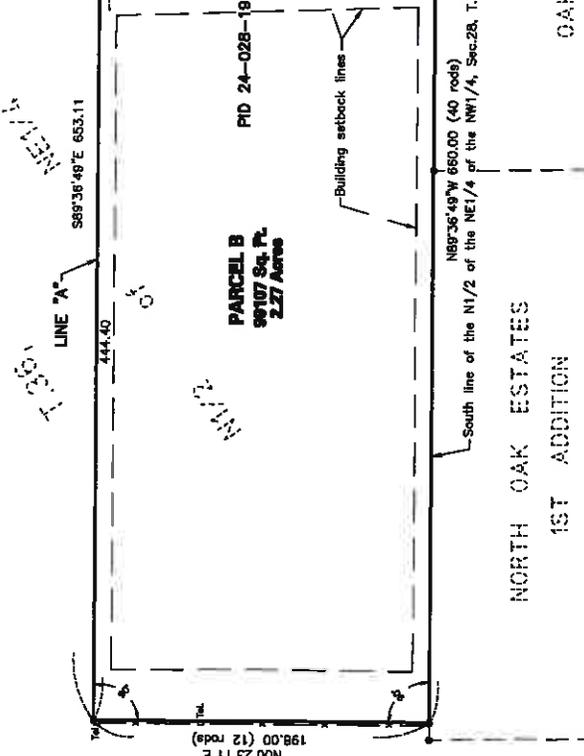
For: Robert and Jennifer Gerold and Jeremy and Cynthia Riddle

PROPOSED PARCEL A, 30,891 sq. ft.

That part of the North Half of the Northwest Quarter of Section 28, Township 36, Range 26, Mile Lake County, Minnesota, described as follows: Commencing at the southeast corner of said North Half of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, and extending north along the East line of said North Half of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, a distance of 198.00 feet; thence north, at right angles, a distance of 444.40 feet to a point along a line to be hereinafter described as Line "A", for the purposes of this description, said Point "A" being distant 208.71 feet west of a point to be hereinafter known as Point "A", for the purposes of this description, said Point "A" being located at the point of intersection of the easterly extension of said East line of the North Half of the Northwest Quarter of the Northwest Quarter, and to the point of beginning of the property being described; thence south and parallel with said East line of the North Half of the Northwest Quarter, a distance of 148.09 feet; thence south along said East line of the North Half of the Northwest Quarter, a distance of 208.71 feet to said East line of the North Half of the Northwest Quarter; thence east along said East line of the North Half of the Northwest Quarter, a distance of 148.09 feet to said Point "A"; thence west along said easterly extension of Line "A", a distance of 208.71 feet to said point of beginning.

Subject to that part taken for County State Aid Highway purposes along the East line thereof.

For the purpose of this description, the southeast corner of said North Half of the Northwest Quarter of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, is on file and of record in the County Recorder in and for said Mile Lake County and a Mile Lake County east iron monument marking the East Sixteenth corner of the Northwest Quarter of said Section 28 for which a "Certificate of Location of a Government Corner" is on file and of record in the office of the County Recorder in and for said Mile Lake County.



EXISTING PARCEL DESCRIPTION, PID 24-028-1900:

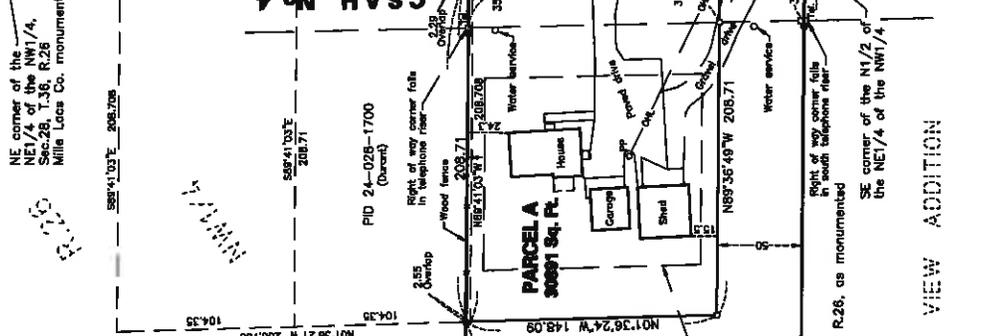
Part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 28, Township 36, Range 26, Mile Lake County, Minnesota, described as follows: Beginning at the southeast corner of said North Half of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, and extending north along the East line of said North Half of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, a distance of 198.00 feet; thence north, at right angles, a distance of 444.40 feet to a point distant 208.71 feet west of a point to be hereinafter known as Point "A", for the purposes of this description, said Point "A" being located at the point of intersection of the easterly extension of said East line of the North Half of the Northwest Quarter of the Northwest Quarter, and to the point of beginning of the property being described; thence south and parallel with said East line of the North Half of the Northwest Quarter, a distance of 148.09 feet; thence south along said East line of the North Half of the Northwest Quarter, a distance of 208.71 feet to said East line of the North Half of the Northwest Quarter; thence east along said East line of the North Half of the Northwest Quarter, a distance of 148.09 feet to said Point of beginning, according to the U.S. Government Survey thereof, and situate in Mile Lake County, Minnesota.

PROPOSED PARCEL B, 2.27 ACRES:

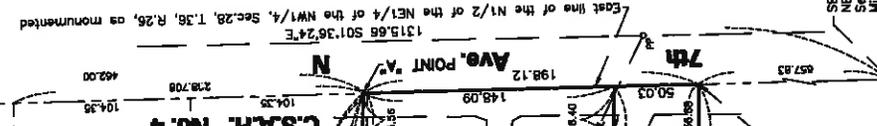
That part of the North Half of the Northwest Quarter of the Northwest Quarter of Section 28, Township 36, Range 26, Mile Lake County, Minnesota, described as follows: Beginning at the southeast corner of said North Half of the Northwest Quarter of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, and extending north along the East line of said North Half of the Northwest Quarter of said Section 28, Township 36, Range 26, Mile Lake County, Minnesota, a distance of 198.00 feet; thence north, at right angles, a distance of 444.40 feet to a point distant 208.71 feet west of a point to be hereinafter known as Point "A", for the purposes of this description, said Point "A" being located at the point of intersection of the easterly extension of said East line of the North Half of the Northwest Quarter of the Northwest Quarter, and to the point of beginning of the property being described; thence south and parallel with said East line of the North Half of the Northwest Quarter, a distance of 148.09 feet; thence south along said East line of the North Half of the Northwest Quarter, a distance of 208.71 feet to said East line of the North Half of the Northwest Quarter; thence east along said East line of the North Half of the Northwest Quarter, a distance of 148.09 feet to said Point of beginning.

Subject to that part taken for County State Aid Highway purposes along the East line thereof.

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NE corner of the NW1/4, Sec. 28, T.36, R.26, Mile Lake Co. monument



- DENOTES A FOUND IRON MONUMENT
- DENOTES A SET 1/2" IRON PIPE WITH A PLASTIC PLUG STAMPED TRUNK 18434
- DENOTES UTILITY POLE
- DENOTES OVERHEAD UTILITY LINES
- DENOTES FENCE
- DENOTES TELEPHONE RISER

BEARINGS SHOWN ARE BASED UPON THE MILLE LAKE COUNTY COORDINATE DATUM (NAD 83 1986 AD).

Property is located in the R1- Residential District
 Minimum lot size = 12,500 sq. ft.
 Minimum lot width = 80 ft. at building setback
 Front yard setback = 30 ft.
 Side yard setback = 10 ft. or 5 ft. for accessory building
 Rear yard setback = 30 ft. or 5 ft. for accessory building

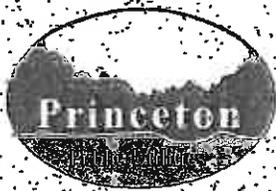
SE corner of the NE1/4 of the NW1/4, Sec. 28, T.36, R.26, Mile Lake Co. monument (E1/16 corner of the NW1/4)

SURVEYOR'S NOTE: The proposed descriptions shown hereon are based upon the assumption that the location of the section corners of the parcel and PID 24-028-1700, Durant, will be resolved by the acceptance of a Quit Claim deed or other instrument being granted to the Gerold's and Riddle's which dissolves the interest of the Durant's to the overlap area. The proposed descriptions are subject to revision.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Michael J. Trunk, L.S., CFS
 Minnesota License No. 18434
 Date June 3, 2016

TRUNK SURVEYING, LLC
 306 7TH AVE. S
 PRINCETON, MN. 55371
 763-447-7106



PRINCETON PUBLIC UTILITIES COMMISSION

Electricity — Water

907 FIRST STREET / PO BOX 218 / PRINCETON, MN 55371-0218
TEL: 763-389-2252 / FAX: 763-389-2273

July 29, 2016

Jeremy & Cynthia Riddle
206 7th Avenue N
Princeton MN 55371

Re: Water Service at 1207 7th Avenue N

Dear Jeremy and Cynthia Riddle:

At the Princeton Public Utilities Commission Meeting on Wednesday, July 27, 2016 the Princeton Public Utilities Commission Board approved the following Motion: Not Allowing the use of the second water service stubbed in at 1207 7th Ave N, Princeton.

This means you are not allowed to connect to this water stub even if a lot split is allowed.

Within the past month Princeton Public Utilities (PPU) discovered this second water service was stubbed in last fall during the construction and installation of the water main on 7th Avenue N. The installation of this second stub to 1207 7th Avenue N was not part of the original project to connect water to residents along 7th Avenue N. The project was approved for 1 water service stubbed into this property for connection to the home on this address.

Your request to install this water service was not brought to the Princeton Public Utilities Commission, who is in charge of the Public Water System in Princeton, prior to the time of installation nor at any time during the project.

PPU has been informed since discovering this extra water service, both by Cynthia Riddle on Thursday, July 21, 2016 at the PPU office and in a letter by email from Mark Karnowski, Princeton City Administrator, that at the time of your request and installation of this water service stub you did not own the property yet.

Connie Wangen
General Manager
Princeton Public Utilities Commission

Cc: Robert and Jennifer Gerold
PPU Commission Board Members
Scott Daniels, PPU Water Superintendent
City of Princeton



PRINCETON PUBLIC UTILITIES COMMISSION

Electricity — Water

207 FIRST STREET / PO BOX 218 / PRINCETON, MN 55371-0218
TEL: 763-389-2252 / FAX: 763-389-2273

COPY

July 29, 2016

Robert & Jennifer Gerold
1302 7th Street N.
Princeton MN 55371

Re: Water Service at 1207 7th Avenue N.

Dear Robert and Jennifer Gerold:

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Connie Wanger
General Manager
Princeton Public Utilities Commission

Cc: Jeremy and Cynthia Riddle
PPU Commission Board Members
Scott Daniels, PPU Water Superintendent
City of Princeton

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
JULY 14, 2016 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 Jules Zimmer and Victoria Hallin. Others present: Administrator Mark Karnowski, Police Chief Todd Frederick, Development Director Jolene Foss, Fire Chief Jim Roxbury, Liquor Store Manager Nancy Campbell, Clerk Shawna Jenkins, Engineer Andy Brotzler, and Attorney Damien Toven and Kelli Bourgeois. Absent was Public Works Director Bob Gerold

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of June 23, 2016

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF JUNE 23, 2016. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
 - 1. Southwestern Advantage sales – Jagoda Lewandowski – pending background check
- B. **Personnel**
 - 1. Liquor Store – Hiring of Brandi Defreitis as of 6-29-16 at \$11.40
- C. **Donations/Designations**

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

OPEN FORUM

PUBLIC HEARINGS

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. EDA Board Minutes of June 16, 2016
- B. Planning Commission Minutes of June 20, 2016
- C. Park Board Minutes of June 27, 2016

PETITIONS, REQUESTS, AND COMMUNICATIONS

- A. School Street Parking Sign Request

Karnowski reported that the school has requested some signage along the street to set aside some spots for School District Office Parking.

HALLIN MOVED TO APPROVE THE SCHOOL'S REQUEST FOR PARKING SIGNS. WALKER SECONDED THE MOTION.

Dobson requested that they add Monday through Friday on the signs, as those visiting the church park there on Sunday's. Walker commented that it should be okay without the dates, as the Church likely won't use it much during the week, and the School district won't be using them on the weekends.

THE MOTION CARRIED UNANIMOUSLY

B. Bethel Church request to use the old Fire Hall July 18-22

Karnowski advised that Bethel Church has requested the use of the previous Princeton Fire Department Building for Bethel Art Camp July 18 through the 22nd. During the week 150 Princeton Area children in grades 2 through 8 have the opportunity to explore arts and crafts in nearly every form. They can use from over 50 art classes. .

Hallin asked if they would be paying rent. Karnowski said it was not originally discussed, but they can request that if the Council wishes. Walker said he agrees with Hallin. He does not have a problem with them using it, but thinks it is opening a Pandora's Box if it is no charge. Karnowski asked Jenkins what the fee was for weekend days for the Civic Center. Jenkins responded that for Civic Groups using it for a non-fundraising events, the rental fee is \$25 per day.

HALLIN MOVED TO APPROVE BETHEL CHURCH ART CAMP TO USE THE OLD FIRE HALL FOR A RENTAL FEE OF \$25 PER DAY. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Fire Act Grant Update

Roxbury advised that the Princeton Fire and Rescue Department (PFRD) applied for a Fire Act Grant to replace all of the nozzles to standardize them with more modern technology and to replace our thermal imaging camera.

This includes 33 nozzles and a NFPA 1801 compliant thermal imaging camera.

The grant application was for \$33,140 with a 5% match.

Staff has been informed that we have been approved for the grant if we accept it.

Application amount	\$33,140
Grant amount after 5% match	\$31,562
City Match	\$ 1,578
Match deduction for grant writer	\$ 595
Total due from city	\$ 983

The 2016 PFRD's CIP includes \$15,000 for a new Thermal Imaging Camera.

Staff is requesting that the Council:

1. Adopt a motion accepting the 2016 Fire Act Grant as noted above, and
2. Adopt a motion taking \$983 from PFRD's CIP Thermal Imaging Camera allocation to offset the local (City) match for the grant.

DOBSON MOVED TO APPROVE THE 2016 FIRE ACT GRANT AND TO TAKE \$983 FROM THE PFRD'S CIP THERMAL IMAGING CAMERA ALLOCATION TO OFFSET THE LOCAL MATCH FOR THE GRANT. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ORDINANCES AND RESOLUTIONS

A. Ordinance 736 – Wild and Scenic Protection Area – FINAL READING

Foss reported that the MN Department of Natural Resources (MNDNR) received correspondence from the MN Office of Administrative Hearings- Municipal Boundary Adjustments Unit, approving annexation of land to the City of Princeton. The land being referred to is designated for ballfields by the School District.

The annexed land includes areas in the Rum River Scenic District. Although we already have land in the Scenic District of the Rum River, the regulations applicable to the existing land in our existing ordinance cannot be extended to the newly annexed land. They were established as a type of 'urban' district.

Minnesota Rules 6105.1440 Subpart 4G allow portions of the Rum River district in Princeton at the time of Wild and Scenic River Designation (WSR) to be considered urban areas, with different regulations applicable to them; however, these urban regulations cannot be extended to regulate the recent annexation.

The City of Princeton must amend our ordinance to incorporate regulations consistent with state standards for this newly annexed land.

To accommodate the requirements for the annexed land, staff is requesting that we establish two separate land use districts, one for the Scenic District land originally in the city and a new district for this and any future annexations of Scenic District land. By doing so we can add sections addressing lot standards and use restrictions required for this and future annexations without have to rewrite the ordinance as a whole.

The amended ordinance will clearly differentiate between the original urban area and the "newly annexed" land.

The MN DNR has reviewed and approved the ordinance amendment.

HALLIN MOVED TO APPROVE ORDINANCE 736 AMENDING THE CITY ZONING ORDINANCE BY ADDING TO CHAPTER IX, SUBSECTION 11, WILD AND SCENIC RUM RIVER PROTECTION AREA FOR NEWLY ANNEXED PROPERTIES DISTRICT ESTABLISHING THE PERMITTED AND CONDITIONAL USES, PERFORMANCE STANDARDS AND RELATED REQUIREMENTS.DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Ordinance 737 – Adding Micro brewing wordage to R-3

Foss advised that the Micro Brewing as a Home Occupation Ordinance Amendment that was recently approved did not define that that usage would not be allowed in the R-3 Multiple Family Residential Zoning District.

It is the Planning Commission Staff's opinion allowance of this type of activity as a home occupation would not be conducive to responsible land use due to the residential density in these areas.

Staff requests a recommendation to the City Council to prohibit micro brewing as a home occupation in the R-3 Zoning District.

Hallin asked where the current interested Home Brewing applicant is located. Foss said he is in R2. He will need to apply for a license through the City, the State and meet Federal guidelines as well.

DOBSON MOVED TO APPROVE ORDINANCE 737 AMENDING TO CHAPTER V (ZONING DISTRICTS) TO THE CITY ZONING ORDINANCE FOR R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT, UNDER CONDITIONAL USES/INTERIM USES, AMENDING THE HOME OCCUPATION, ADDING TO THE WORDAGE THAT MICROBREWING IS NOT AN ALLOWED USE. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Ordinance 738 – Alternative Building Materials

Foss reported at the June 20th Planning Commission meeting an ordinance amendment proposal to allow alternative building materials (Insulated Concrete Form and Pole Type Construction) in the B-3 General Business District, the MN-1 Industrial and MN-2 Industrial was discussed at a public hearing and was recommended for approval by the City Council.

Discussion centered on the value of allowing this type of construction and the look of the finished construction.

B-3, MN-1, and MN-2 already have a list of Applicable Regulations for aesthetic purposes.

See Chapter V, Section G for B-3 General Commercial District

F. Exterior Building Materials

Buildings within the General Business District shall be faced with the following:

- a. Face brick;
- b. Natural or synthetic stone;
- c. Stucco or EFIS;
- d. Prefinished metal panels;
- e. Glass and or curtain wall construction;
- f. Integrally colored split face (rock face) burnished or glazed concrete masonry units (excluding smooth, plain or painted).
- g. Precast concrete panels;
- h. Fiber-cement siding;
- i. Windows are required in the front of the building pending planning review and demonstration of need; e.g. security, etc;
- j. Or other materials approved by the Planning Commission if determined to have a similar or better longevity and durability as material listed above.

The standards for how buildings look when completed are already addressed in the Zoning Ordinance.

See Chapter V, Section N for B-3 General Commercial District

N. General Design Criteria

- a. Building facades shall be designed to avoid monolithic or monotonous appearance by employing designs which prevent the appearance of straight, unbroken lines in their horizontal and vertical surfaces.
- b. Portions of buildings facing or oriented toward public rights-of-way or residentially zoned or designated parcels shall features breaks/divisions in materials, separate entrances/entrance treatments, variation in roof lines and/or variation in building setbacks.

See Chapter V, Section G for MN-1 and MN-2

G. Other Applicable Regulations

1. For aesthetic purpose, all buildings and structures shall be faced with the following:

- a. Face brick;
- b. Pre-finished metal panels;
- c. Pre-cast concrete panels;
- d. Glass and/or curtain wall construction;
- e. Concrete block may be used alone or in conjunction with other permitted materials or surfaced with stucco, wood, or properly applied masonry paints;
- f. Plastic panels when combined with modular exposed structural curtain wall systems;
- g. Other approved materials;
- h. Windows are required in the front of the building pending planning review and demonstration of need, e.g. security etc.;

There are no General Design Criteria in place for MN-1 or MN-2 Industrial Districts.

All buildings would have to meet the criteria established by the International Code Council (ICC) in the International Building Code (IBC). The International Building Code® (IBC®) is a model code that provides minimum requirements to safeguard the public health, safety and general welfare of the occupants of new and existing buildings and structures.

The IBC is fully compatible with the ICC family of codes, including: *International Energy Conservation Code® (IECC®)*, *International Existing Building Code® (IEBC®)*, *International Fire Code® (IFC®)*, *International Fuel Gas Code® (IFGC®)*, *International Green Construction Code™ (IGCC™)* (to be available March 2012), *International Mechanical Code® (IMC®)*, *ICC Performance Code® (ICCPC®)*, *International Plumbing Code® (IPC®)*, *International Private Sewage Disposal Code® (IPSDC®)*, *International Property Maintenance Code® (IPMC®)*, *International Residential Code® (IRC®)*, *International Swimming Pool and Spa Code™ (ISPSC™)* (to be available March 2012), *International Wildland-Urban Interface Code® (IWUIC®)* and *International Zoning Code® (IZC®)*.

The IBC addresses structural strength, means of egress, sanitation, adequate lighting and ventilation, accessibility, energy conservation and life safety in regards to new and existing buildings, facilities and systems. The codes are promulgated on a 3-year cycle to allow for new construction methods and technologies to be incorporated into the codes. Alternative materials, designs and methods not specifically addressed in the code can be approved by the code official where the proposed materials, designs or methods comply with the intent of the provisions of the code (see Section 104.11).

The City Building Inspector has verified that all projects must meet the minimum requirement set forth in the IBC, including those that refer to snow, wind and rain loads.

The Planning Department will require a site plan review with the Planning Department and/or the Zoning Administrator for projects that are requesting pole type structure or insulated concrete forms of construction.

Staff contacted several communities that are in the region or are of similar size and this is what was found:

Zimmerman: Pole frame construction is allowed in industrial and commercial, some standards on sheet steel exterior

Elk River: Pole type structures are allowed in Industrial

Milaca: Pole type structures are allowed in commercial and industrial

Cambridge: Nothing that states pole type structures are not allowed. Architectural metal siding as an accent only, no more than 35% on exterior

Circle Pines: Nothing in ordinance regarding pole type structures

Baxter: Nothing specific in place regarding post frame construction. Architectural standards put in place. Non Architectural sheet metal in MN-1 up to 20% on front façade and up to 100% on other facades. MN-2 -40% on front.

St Cloud: The Land Development Code only addresses exterior materials in the industrial districts. Any internal structure allowed by the Building Code is permitted.

B. Design Standards The following design standards apply: 1. All exterior wall finishes on any building must be any single one (1) or combination of the following: a. Face brick b. Natural stone or cultured stone c. Specially designed pre-cast concrete units, if the surfaces have been integrally treated with an applied decorative material or texture d. Membrane e. Factory fabricated and finished metal-framed panel construction, if the panel materials are any of those named in Paragraphs 1 through 3 above, glass, pre-finished metal (excluding unpainted galvanized iron), or plastic f. Other material as may be approved by the Zoning Board of Appeals 2. All subsequent additions and out-buildings constructed after the original building(s) must be harmonious in architectural design and general appearance. 3. Any other exterior wall finishes or any changes in architectural design must be approved by the Zoning Board of Appeals.

In the City owned business parks, the covenant does not allow pole type structures.

Maple Grove: Prohibits pole type construction by reference to exterior standards, no types of sheet metal for exterior in Commercial or Industrial

Otsego: No response

Little Falls: The City of Little Falls' ordinance doesn't really treat pole buildings differently than other buildings in commercial and industrial developments – at least not from a zoning perspective. All buildings are subject to the building code and if you had specific questions about how that is handled the City's contracted building inspector is David Barsody at 612-219-2252.

Roxbury reported that he was asked, from a fire department perspective, to give his opinion regarding the proposed ordinance amendment which would allow the use of:

- A. Insulated Concrete Foam
And/or
- B. Pole type building construction

In areas of the city zoned General Commercial District (B-3), Industrial (MN-1) and Industrial 2 (MN-2).

He checked the appropriate resources and find that those material can be used such that they meet currant fire code.

He stated he appreciated staff checking with the fire department of an opinion on this issue.

HALLIN MOVED TO APPROVE ORDINANCE 738 AMENDING SECTION 10 (B-3 GENERAL COMMERCIAL DISTRICT) AND SECTION 13 (MN-1 INDUSTRIAL) AND SECTION 14 (MN-2 INDUSTRIAL) OF CHAPTER V (ZONING DISTRICTS) OF THE CITY OF PRINCETON ZONING ORDINANCE #538, REMOVING THE PROHIBITION OF POLE TYPE CONSTRUCTION, ADDING DEFINITIONS OF POLE TYPE CONSTRUCTION, AND ADDING DEFINITIONS TO CHAPTER II (DEFINITIONS) THE LANGUAGE FOR ALTERNATIVE BUILDING MATERIALS. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

- A. Main Sanitary Lift Station Rehabilitation Pay Voucher #1

Karnowski advised that the work is in progress on the Main Sanitary Lift Station and they have submitted Pay voucher #1 for \$99,772.94

WALKER MOVED TO APPROVE THE MAIN SANITARY LIFT STATION REHABILITATION PAY VOUCHER #1 FOR \$99,772.94. HALLIN SECONDED THE MOTION.

Hallin asked if any grant money is being used. Karnowski replied that the loan the City received was used to build the plant, so the funds paying for this project are entirely from the grant.

THE MOTION CARRIED UNANIMOUSLY

- B. TH95 at 21ST Ave North Proposal of Right of Way Acquisition Services

Nielson reported that WSB & Associates, Inc. (WSB) submitted following proposal for right of way services for the TH 95 at 21st Avenue Intersection Improvements. The design for this project is currently underway which includes the construction of a roundabout, partial frontage road, and trail. The project is currently on track to have design plans completed by early fall. The right of way process needs to start in order to bid the project in early 2017. It is intended the right of way process will follow the approximate schedule:

- Appraisal Work Complete: September 15, 2016

- ☐ Send official offers: October 7, 2016
- ☐ Start Condemnation (if necessary): November 7, 2016
- ☐ Title and Possession: February 6, 2017 (at the latest)
- ☐ Right of Way Certificate Preparation: March 1, 2017

INTRODUCTION

The City of Princeton together with Mille Lacs County and MnDOT were successful in securing Federal funding for improvements to the TH 95 corridor. The project included the planning, design and construction of improvements on TH 95 from east of 13th Avenue to west of CSAH 31 from the existing two lane rural roadway to a 4 lane divided section with left and right turn lanes, a frontage road and replacement of the bridge over TH 169.

The project initially received \$ 1.2M in Federal funding of which \$ 940,000 is still available for improvements to the corridor. In addition to the Federal funding MnDOT has committed the local match of \$236,000, bringing the total available to \$ 1,176,000. The design portion of the project is progressing, and it has been determined permanent right of way and/or temporary easements will be needed on 4 parcels that are adjacent to the roundabout.

The following Scope of Work outlines the required tasks to complete the right of way acquisition portion of the project, and to move the project forward. These services will be provided in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and other applicable state and federal laws and rules.

SCOPE OF WORK

Right of Way Services

Task 1 – Project Management

WSB & Associates, Inc. will coordinate the required acquisition and relocation tasks, provide monthly parcel status reports and provide a detailed contact log for the impacted parcel. Communication will be maintained with the City throughout the process to resolve any issues or concerns that arise quickly and efficiently which, in turn, keeps the project on schedule.

Task 2 –Acquisition Services

WSB staff will provide legal descriptions and parcel sketches as well as staking for the acquisition areas for the project. The acquisition services will include the preparation of a general information letter, field title report, offer presentation and negotiations with the property owners.

Offer letters will be prepared and presented to the owner in person, if possible, or by Certified Mail if we are unable to meet them in person. Offer packets will include an offer letter, summary statement, landowner rights brochure and the conveyance documents. In the case where there is a mortgage interest on the property, we will obtain mortgage consents. Our agents will provide good faith negotiations between the landowners and the City. If a settlement is reached that is higher than the offer, administrative settlements will be prepared and submitted to the City for approval.

WSB will draft the Right of Way Certificate # 1, obtain City signatures, schedule and attend the audit with MnDOT's Dan Phelps to obtain a signed Right of Way Certificate # 1. Multiple Right of Way Certificate # 1's have been prepared and submitted by our staff and WSB's files have always returned "no findings" meaning an A+ audit.

Task 3 – Relocation Services

As part of this project, a garage/shed will be impacted. Relocation services will be provided to compensate for the moving costs associated with the personal property in that building. The relocation tasks will include the preparation of a relocation study, advisory assistance, an initial interview with the displacee(s), determination of relocation eligibility, notification letters, move coordination and claims processing.

Task 4 – Title Work, Appraisals, Appraisal Reviews (provided by sub-contractors)

As part of WSB management of the project, we will coordinate the delivery of title commitments, appraisal and appraisal reviews. All appraisal and appraisal review work will comply with the state, federal and USPAP regulations. The appraiser will extend the opportunity to landowners to view the property and impacted area. Appraisals drafts will be submitted for review as they are completed and certified once the reviews are completed. The appraiser will provide three hard copies and an electronic copy of the final reports covering each parcel of real estate on which an appraisal is made.

ESTIMATED FEE

Based on the hours outlined for each task as shown in the attached table and WSB fee schedule, it is estimated that the cost for right of way services will be as outlined below:

Tasks Cost

Right of Way Services

Task 1 – Project Management \$ 1,804.00
Task 2 – Acquisition Services \$15,656.00
Task 3 – Relocation Services \$ 1,976.00
Task 4 – Title Work, Appraisals and Reviews \$12,200.00
Total Cost \$31,636.00

Walker asked for conformation that the costs listed to not include the acquisitions. Nielson said it does not. When it was looked at several years ago, the property owner with the garage was fine with leaving the garage there. At this point he does not want to estimate on the cost, and would like to wait for the appraisals to come in.

WALKER MOVED TO APPROVE THE TH95 AT 21ST AVE NORTH PROPOSAL OF RIGHT OF WAY ACQUISITION SERVICES. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Comprehensive Plan Update – RFP Draft

Foss advised that the Comprehensive planning is a process that determines community goals and aspirations in terms of community development. The outcome of comprehensive planning is the Comprehensive Plan which dictates public policy in terms of transportation, utilities, land use, recreation, and housing. The City of Princeton's Comprehensive Plan is scheduled for an update.

The Comprehensive Plan was last updated in January of 2009 and was for the timeframe 2008-2018. The update is budgeted for in the CIP. Generally, planning updates take 12-18 months.

A tentative timeframe would look like this:

September 15 2016	Proposals Due
October 2016	Consulting Firm Chosen
October 2017	Draft Comp Plan Complete
January 2018	Final Comp Plan Complete

We can allow an additional 3 months for final completion, if necessary.

Staff provided a draft RFP for the Comp Plan Update for the Council to review.

Walker stated that in terms of transportation and infrastructure, he would like to leave it out of the RFP for now.

There was not a lot of public input the last time, so Whitcomb feels 1 open house is suitable. Karnowski suggested using "a number of meetings including the following groups" for the verbiage in the RFP.

Walker agreed and said maybe some additional language could be added that if it becomes apparent that more open houses are needed, the City can be billed.

NEW BUSINESS

A. Election Judge Appointment

Karnowski advised that the following 12 persons are being recommended for approval as election judges for the 2016 Primary Election to be held on Tuesday, August 9, 2016, and the General Election on Tuesday, November 8, 2016. The hourly wage will be \$10.00 for judges and \$10.50 for head judges. Judges are also expected to attend a 2-3 hour training session prior to the election through either the Sherburne County Auditor's Office or Mille Lacs County.

Ann Bien, Diann Boser, Donald Britt, Meilan Haehn, Jane Hanson, Fran Howard
Evelyn King, Vicki Lind, Jo Seifert, Norma Stay, Delores Topliff, Marilyn Trunk

HALLIN MOVED TO APPPOINT THE FOLLOWING ELECTION JUDGES FOR THE 2016 PRIMARY AND GENERAL ELECTIONS.

ANN BIEN, DIANN BOSER, DONALD BRITT, MEILAN HAEHN, JANE HANSON, FRAN HOWARD, EVELYN KING, VICKI LIND, JO SEIFERT, NORMA STAY, DELORES TOPLIFF, MARILYN TRUNK

DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. State Demographer's estimates

Karnowski reported that the city has been notified by the Minnesota State Demographer's Office that Princeton's estimated population and number of households as of April, 2015 is:

Population: 4,736
Households: 1,990

To help put that in perspective, below is the 10 year history of each entity:

|-----POPULATION-----|

<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Since 2006</u>	
Baldwin Twsp	6488	6509	6575	6656	6739	6746	6769	6798	6830	6853	+365 (+5.6%)
Princeton Twsp	2228	2229	2237	2232	2254	2240	2222	2227	2233	2236	+ 8 (+>1%)
Princeton City	4535	4517	4530	4518	4698	4698	4727	4726	4732	4736	+ 201 (+4.4%)

|-----NUMBER OF HOUSEHOLDS-----|

<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Since 2006</u>	
Baldwin Twsp	2218	2231	2244	2264	2334	2343	2353	2357	2363	2373	+155 (+6.9%)
Princeton Twsp	809	813	818	818	837	835	832	835	837	838	+ 29 (+3.6%)
Princeton City	1953	1960	1972	1973	1926	1928	1979	1981	1985	1990	+ 37 (+1.9%)

MISCELLANEOUS

Hallin reminded the Council members and Staff about the Family Pathways Golf Tournament that is on August 17th in Oak Grove at the Refuge. This is a great fundraiser for the Teen Centers.

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 \$112,282.57 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 73926 TO 74022 FOR A TOTAL OF \$836,959.72. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business:

HALLIN MOVED TO ADJOURN THE MEETING AT 7:35 PM. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST:

 Shawna Jenkins
 City Clerk

 Paul Whitcomb, Mayor



**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
JULY 28, 2016 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 Jules Zimmer and Victoria Hallin. Others present: Administrator Mark Karnowski, Police Chief Todd Frederick, Development Director Jolene Foss, Public Works Director Bob Gerold, Fire Chief Jim Roxbury, Liquor Store Manager Nancy Campbell, Engineer Mike Nielson, and Attorney Damien Toven and Kelli Bourgeois. Absent was Clerk Shawna Jenkins

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of July 14, 2016

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF JULY 14, 2016. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
 - 1. Princeton Lion's Raffle at K Bob – October 17, 2016
- B. **Personnel**
- C. **Donations/Designations**
 - 1. Resolution 16-33 accepting donation from Walmart for Public Safety Day

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

OPEN FORUM

PUBLIC HEARINGS

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. Fire Board Minutes of July 5, 2016
- B. Planning Commission Minutes of July 18, 2016
- C. Park Board Minutes of June 25, 2016

PETITIONS, REQUESTS, AND COMMUNICATIONS

- A. National Night Out

Frederick reported that National Night out is on Tuesday August 2nd and will be held at Mark Park and Rainbow Park from 6 to 8pm

ORDINANCES AND RESOLUTIONS

- A. Ordinance 739 -- Ordinance to Opt out of State program- FIRST READING

Karnowski advised that a bill creating a new process for local governments to permit certain types of recreational vehicles as temporary family dwellings was signed into law by Gov. Dayton on May 12. The law is Chapter 111: SF 2555.

The main stated motivation behind the new law is to provide transitional housing for seniors. For example, if a family wanted to keep a close eye on grandma while she recuperates from surgery, they could have grandma stay in a "temporary family health care dwelling" in the yard or driveway.

But the law has a broader effect than that, however, with anyone who needs assistance with two or more "instrumental activities of daily life" for mental or physical reasons eligible to be housed in this manner.

The law includes a provision stating cities can opt out of the law but must do so by Sept. 1, 2016. Staff is recommending the city opt out of the law for the following reasons:

- The Planning Department has not had sufficient time to thoroughly review the law,
- Opting out gives the city additional time to consider whether to address the use with the Planning Commission and seek community input.
- Opting out allows the city to draft its own ordinance language if or when it decides to consider the use.

Staff believes there is a need for a provision similar to that law passed by the legislature but we think the concept should be vetted by our own Planning Commission and Council rather than buy into the 'one size fits all' provisions of the state law.

If the Council agrees that the city should opt out, then the appropriate Ordinance should be introduced.

The Council can, by motion, also direct staff to have the Planning Commission investigate adoption of an ordinance that would have a similar impact as the state law noted above.

Walker asked what is allowed now. Frederick responded that there it is currently allowed now, but it can only be so many days. Hallin asked what a "Temporary Dwelling" would entail. Frederick and Zimmer said it could be a camper or even a fish house. Karnowski said that is why he felt the City should put something in place.

DOBSON MOVED TO INTRODUCE ORDINANCE 739 AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593. HALLIN SECONDED THE MOTION.

Walker stated he has no problems opting out, but there are some requirements in the state law regarding durability of the temporary housing that would address some of the Council and Staff's concerns.

THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

A. Public Works Building Addition

Karnowski reported that about April 1st of this year the city requested proposals from qualified firms interested in handling the construction management for the proposed addition(s) to the public works garage. The approved budget for that project is \$430,000.

The Council was advised on April 28 that the city received responses from the following three companies for Construction Management services for the amount noted:

1. Wenck Engineering, Golden Valley, MN (\$139,550.00)
2. RW Builders, Princeton MN (\$103,115.00)
3. CPMI, Eagen MN (\$93,330.00)

Obviously, when the Construction Management costs equal about one fourth of the total budget, it's doubtful that the project can be completed for the budgeted amount.

At that meeting, staff requested and was granted permission to see if any of the proposers appeared interested in helping the city modify the original proposal such that the city could get the space we need, stay within statute limitations for such a project and come in at or under budget.

Only two of the three original proposer appeared interested in working with the city to meet those goals. Of those two, Bob Gerold, Kelli Bourgeois, Damien Toven and he were able to work with Ron Weyer of RW Builders to break the project down into manageable tasks that stayed under the trigger amount for sealed bids.

Staff has reviewed an outline for those tasks and the anticipated costs plus new diagrams of both the storage component of the project and the office space component. Note that the anticipated cost exceeds the budget by approximately \$2,136. RW Builders has agreed to contribute the amount over the city's budget.

Staff is requesting a motion authorizing the Mayor and Administrator to enter into an agreement with RW Builders to manage the project.

WALKER MOVED TO AUTHORIZE THE MAYOR AND ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH RW BUILDINGS TO MANAGE THE PUBLIC WORKS BUILDING EXPANSION PROJECT. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Old Fire Station Purchase Agreement (Final)

Karnowski advised that a proposed final purchase agreement between the City and the School District for the purchase of the old Fire Station has been drafted. It has been reviewed and approved by both the City and School District attorneys.

If the Council so wishes, a motion directing the Mayor and City Administrator to sign the document would be in order.

HALLIN MOVED TO APPROVE THE PURCHASE AGREEMENT WITH THE SCHOOL DISTRICT FOR THE PURCHASE OF THE OLD FIRE STATION. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. 8th Ave. South Drainage Improvement Pay voucher #2 & Change order #1

Nielson reported that pay voucher #2 for the amount of \$10,061 has been received for the 8th

Ave Drainage Project. As the Council may remember, a gas main was encountered and a different kind of casting was required. West Branch agreed to finish the work this spring and did extend their contract prices. There were some mobilization costs to come back this year and a \$375 fee for traffic control. The casting required was \$250. This is the Final pay estimate, with the total project cost being \$68 more than originally quoted.

Whitcomb asked for clarification that the project is completed and has been inspected by WSB. Neilson confirmed that it is complete and has been inspected.

DOBSON MOVED TO APPROVE PAY VOUCHER #2 FOR \$10,061 TO WEST BRANCH CONSTRUCTION COMPANY. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

D. Request of partial allocation of 2011 Ford Crown Vic sale proceeds

Frederick advised that the Police Department has received a cashier's check in the amount of \$4,200 for the sale of the police departments 2011 Crown Vic Police Interceptor (unmarked) that was taken out of its scheduled rotation. David Russel, the Mille Lacs County Animal Control Officer purchased the vehicle.

Normally the police department auctions all squads and they sell for approximately \$2,000. In selling the unmarked squad, cage and taking into consideration of the squad we were able to get \$4,200. The Police Department is asking the City Council to allocate \$1,400 of the total amount to outfit the K9 squad with a lockable rear storage compartment for drugs, weapons and other equipment that need to be secured with the K9 program.

Dobson asked for clarification that it would transferable to a different squad. Frederick responded that was the first thing they asked as well. Walker asked what type of vehicle is the K9 unit. Frederick replied Cedarberg is driving a 2012 Tahoe.

ZIMMER MOVED TO APPROVE TO SPEND UP TO \$1,400 TO PURCHASE A LOCKABLE REAR STORAGE COMPARTMENT FOR THE K9 SQUAD. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

E. Revised Comp Plan RFP

Foss advised that she has made the requested changes to the Comp Plan RFP. If the Council is satisfied with the RFP, it can be advertised and go out next week.

WALKER MOVED TO APPROVE THE COMPREHENSIVE PLAN REQUEST FOR PROPOSAL. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

F. Resident Questions regarding 7th Ave Project, assessments, etc.

Susan Bialka at 1205 7th Ave asked when is the project going to be completed, and the residents are informed of the final assessment costs. No one has been in contact with them since October of last year.

Nielson stated that it was discovered that the turn lane would be needed, so that was added with a Change Order. In addition, the Fire Department required the school to put in another hydrant, which currently is not connected to the water main. They have looked at 2 options to get it hooked up. The PUC will need to approve which one they would like to see done. The cost of both are approximately the same. They hope to have that done without the next 2 weeks.

He said they anticipate having the assessment hearing in October.

Whitcomb asked for clarification that the Fire Hydrant hookup cost will be paid for by the School. Nielson responded that the Hydrant and the Turn Lane will be paid for by the School, so they will not impact the assessment.

Bialka asked if the additional water main on 12th Ave was new or a replacement. Nielson said that was a replacement. Some issues were discovered when putting in the sanitary sewer, so the waterline was replaced. Bialka asked if that would be included in their assessment. Nielson stated that is yet to be discussed with Princeton Public Utilities. Bialka asked if there were any other homes connected to it. Nielson said there are no other connections to that new line.

Bialka said she spoke to the contractor, who informed her that the project had been paid for, minus a 5% retainage fee. However, the final wear course and seeding has not yet been done. The Turn Lane and Fire Hydrant hookup are Change Orders and the contractor said he is waiting for those to be approved to send his guys back out. She feels that the Turn Lane cost should be noted as the School District's responsibility. Whitcomb apologized if that was not stated in the minutes.

Whitcomb asked if there were any more questions. He thanked them for coming in and bringing up their concerns.

NEW BUSINESS

A. Wood Chipper Purchase

Gerold is requesting Council approval to purchase a gas powered Wood Chipper. Staff has one listed in the CIP for 2016 with a cost of \$42,000. A quote for a Morbark Beaver M12R has been received, with a cost of \$33,610.00.

**HALLIN MOVED TO APPROVE THE PURCHASE OF THE WOOD CHIPPER FOR \$33,610.00.
ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY**

MISCELLANEOUS

Hallin gave the Council an update from the CGMC Conference. They will be focusing on LGA, Economic Development and Broadband.

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 \$119,181.69 AND THE ITEMS

LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 74025 TO 74081 FOR A TOTAL OF \$205,685.81. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business:

HALLIN MOVED TO ADJOURN THE MEETING AT 7:32 PM. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST

Shawna Jenkins
City Clerk

Paul Whitcomb, Mayor

draft