

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON  
JANUARY 28, 2016 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

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Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Victoria Hallin, Dick Dobson, and Jules Zimmer. Others present: Administrator Mark Karnowski, Development Director Jolene Foss, Police Chief Todd Frederick, Public Works Director Bob Gerold, Liquor Store Manager Nancy Campbell, Fire Chief Jim Roxbury, Clerk Shawna Jenkins, Engineer Jeff Row and Attorney's Damien Toven and Kelli Bourgeois.

**AGENDA ADDITIONS/DELETIONS**

**CONSIDERATION OF MINUTES**

- A. Regular Meeting Minutes of January 14, 2016
- B. Special Study Session Meeting Minutes of January 21, 2016

WALKER MOVED TO APPROVE THE REGULAR MEETING MINUTES OF JANUARY 14, 2016 AND THE SPECIAL STUDY SESSION MEETING MINUTES OF JANUARY 21, 2016. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**CONSENT AGENDA**

- A. **Permits and Licenses**
  - 1. Firehouse BBQ Annual Food Vendor License
- B. **Personnel**
  - 1. Accept resignation of Judy Ludwig from the Park Board
- C. **Donations/Designations**
  - 1. Resolution 16-04 accepting donation for Fire Dept. from John & Carol Hulett

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. PFRD Year End Review

**PETITIONS, REQUESTS, AND COMMUNICATIONS**

**ORDINANCES AND RESOLUTIONS**

- A. Dog Kennel Revision Ordinance 729 – FIRST READING

Foss advised that the Planning Commission recently reviewed and are suggesting a few additional changes to Kennel Ordinance in the B-1, B-2 and the B-3 Districts. There are also some changes to Performance Standards, Standards and re-alphabetizing subsequent sections.

DOBSON MOVED TO INTRODUCE ORDINANCE 729, AMENDING ORDINANCE 727 FOR THE OPERATION OF A KENNEL IN CHAPTER V (ZONING DISTRICTS), SECTION 8 (B-1 CENTRAL BUSINESS DISTRICT), SECTION 9 (B-2 NEIGHBORHOOD COMMERCIAL DIS-

TRICT, SECTION 10 (B-3 GENERAL COMMERCIAL DISTRICT) AND CHAPTER VI (PERFORMANCE STANDARDS, SECTION 2 (STANDARDS), ITEM K, WITH KENNEL LANGUAGE, AND RE-ALPHABETIZING OF ALL SUBSEQUENT SECTIONS. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

## **UNFINISHED BUSINESS**

### A. Odgers Annexation Proposal – Resolution 16-05

Karnowski stated that the Council was advised at the January 21<sup>st</sup> Study Session, the city received a legal notice advising of an upcoming public hearing before the Princeton Township Planning Commission to consider the request of Jane Odgers for both a preliminary and final plat of her property at the northwest corner of the intersection of 21<sup>st</sup> Avenue and 1<sup>st</sup> Street. The Odgers property is completely surrounded by land that is within the city (copy of legal notice and map attached).

The city's unwritten policy in the past has been to not annex property unless the property owner requests annexation.

However, at the Study Session, the Council discussed the situation and appeared to agree that the proposed platting of the property makes annexation something the Council should consider as it may not be in the city's best interest to have the adjacent township platting property that is surrounded by the city.

State law (MS 414.033) allows a city to annex a parcel of property that is 'completely surrounded by land within the municipal limits'.

In discussing the situation with the city attorney, the suggestion is that the city should direct staff to begin the annexation by ordinance process on the property via resolution. While adopting a resolution for an annexation by ordinance is not normally necessary, the attorney suggests that by doing so, the resolution can be filed against the subject property so any future buyers of the property are on notice that the property is being annexed and that the city will then be in control of the property's development.

The proposed resolution calls for the required public hearing after which the city can annex the property.

Attorney Bourgeois suggested that she and a Council representative attend the hearing to both raise an objection to the process being considered and to hand-deliver a copy of the adopted resolution, assuming passage by the Council.

Staff also determined that there are substantially deferred assessments on the property. If the property is annexed, the city will need to hold an assessment hearing and begin collecting those assessments.

Walker mentioned that this property does touch 2 corners of the Township. A property touching only corners of the City has been used as reasoning for previous annexation.

Attorney Toven stated another basis to use when considering annexation is that it is under 120 acres and it is abutting city property.

Karnowski said Walker makes an interesting point about it touching the Township on 2 corners. Both of those provisions are State Law. Land can be annexed if it is touching a corner, or if it is totally surrounded by the city. Walker added that a land sale would be another basis as well. Hallin agreed and does not want the land being split and sold off and put into a use that the City does not feel fits in the area.

Bourgeois said State Statute does provide for contiguous properties to be annexed.

Zimmer said at the study session, it appeared the entire Council was surprised that the property totally surrounded by the City was not already annexed into the City.

Walker said it seems that the property is just being split, and questioned if the other parcel was going to be developed. Karnowski stated this is a preventative move to prevent something from being put there that the city does not want.

Foss added that the area is shown as being in the City Limits when looking at the Future Land use Map in the Comprehensive Plan.

HALLIN MOVED TO APPROVE RESOLUTION 16-05 DIRECTING STAFF TO INITIATE ANNEXATION BY ORDINANCE PROCEEDINGS ON PROPERTY OWNED BY JANE E. ODGERS TRUST AND LEGALLY DESCRIBED AS LOT 4, BLOCK 1 LIESTMANS ADDITION. ZIMMER SECONDED THE MOTION.

Hallin said she is very concerned with having an island of township there, if the land around it is in the city limits. Walker would feel more comfortable if a city could only annex property like this when land was sold. Whitcomb agreed that he wouldn't want something to be put in there that does not fit the city or area.

VOTE: 4:0:1 WALKER ABSTAINED, THE MOTION CARRIED

B. West Branch Pay Estimate #4

Karnowski advised that staff has received Construction Pay Voucher No. 4 for the West Branch project in the amount of \$102,262.68. The quantities completed to date have been reviewed and agreed upon by the Contractor, and the Engineer Row recommends that the City of Princeton approve Construction Pay Voucher No. 4 for Douglas-Kerr Underground, LLC for \$102,262.68

Walker said the listing is confusing as some are listed as negative numbers. Row explained that the negative numbers are in essence cleaning up areas where it was paid, and moved them to a different and correct fund. Jackson said Karen Hodge and himself went over it and did determine that the figures match the change orders.

Row will put together a summary for the council.

HALLIN MOVED TO APPROVE PAY VOUCHER #4 TO DOUGLAS-KERR UNDERGROUND, LCC FOR \$102,262.68. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Appoint Blake Broding to the Park Board, to finish out Judy Ludwig's term

Karnowski reported Blake Broding has applied to finish out Judy Ludwig's term on the Park Board (term ends December 31, 2017)

ZIMMER MOVED TO APPOINT BLAKE BRODING TO THE PARK BOARD TO FINISH JUDY LUDWIG'S TERM THAT ENDS DECEMBER 2017. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

## **NEW BUSINESS**

### A. Pay Equity Report

Jackson reported that all cities in Minnesota are required to report the status of their pay equity compliance once every three years. 2016 is the City of Princeton's year to file the report. The preliminary "Implementation Form" and the "Compliance Report" was provided to the Council for review. Once approved and signed, it will be submitted to the Minnesota Pay Equity Management System division of the Minnesota Management and Budget department.

Walker questioned the male and female class differences. Jackson clarified that is the number of people working in those positions. It does indicate that there are a few job classifications that should be reviewed, which is something they were planning on doing for the union agreement.

HALLIN MOVED TO APPROVE THE PRINCETON'S 2016 IMPLEMENTATION FORM AND COMPLIANCE REPORT. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

### B. Planning Commission Bylaws

Foss advised that the Planning Commission made some small numbering changes to the Bylaws and are asking for them to be approved by the City Council.

HALLIN MOVED TO APPROVE THE PLANNING COMMISSION BYLAWS AS SUBMITTED. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

### C. PFRD Grass Rig Proposal

Karnowski stated that the fire department would like the Council's approval to order the Grass/Rescue truck that was approved in the 2016 Capital Improvement Plan (CIP).

We have the state bid prices for the truck (from Midway Ford) priced at \$33,773.70.

The low bid for the Lighting and siren package from Emergency Automotive Technologies priced at \$8,139.46. Other bids for that package included Kirvida Fire at \$9,599.78 and Granite Electronics for \$9006.48 (that did not include the brush guard).

Roxbury said one company provided one bid for the Slide-in Pump, but no specifications were included. They have asked for the specifications so they can compare the bids properly.

The delivery time for the truck is 10 to 12 weeks and staff had hoped to have the unit in service in time for grass fire season. He is asking the Council for approval in order to meet that timeframe.

WALKER MOVED TO APPROVE THE PURCHASE OF THE TRUCK AND EQUIPMENT NEEDED FOR A GRASS RIG TO BE PURCHASED FROM THE TRUCK AND EQUIPMENT FUND. DOBSON 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 \$115,017.01 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 73121 TO 73172 FOR A TOTAL OF \$298,071.44. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

#### **ADJOURNMENT**

There being no further business:

HALLIN MOVED TO ADJOURN THE MEETING AT 7:41PM. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST:

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Shawna Jenkins  
City Clerk

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Paul Whitcomb, Mayor