

**CITY OF PRINCETON  
Planning Commission  
Agenda  
October 19<sup>th</sup>, 2015  
7:00 P.M., City Hall**

- 1. Call to Order/Oath of Office for new member Chuck Young**
- 2. Approval of Minutes of Regular Meeting on September 21<sup>st</sup>, 2015 - Tab A**
- 3. Agenda Additions/Deletions**
- 4. Public Hearing:**
  - A. #15-16 Variance for 1607 12<sup>th</sup> Street South - Tab B**
  - B. Kennel Ordinance Amendment -- Tab C**
- 5. Old Business: None**
- 6. New Business: None**
- 7. Communication and Reports:**
  - A. Verbal Report**
  - B. City Council Minutes for September, 2015 - Tab D**
- 8. Adjournment**



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**THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON SEPTEMBER 21, 2015, AT 7:13 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

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The meeting was called to order at 7:13 P.M., by Jack Edmonds. Members present were Jeff Reynolds (arrived at 7:13 P.M.), Chad Heitschmidt, and Jim Kusler (Princeton Twsp. Representative). Staff present were Jolene Foss (Comm. Dev. Director) and Mary Lou DeWitt (Comm. Dev. Assistant).

**APPROVAL OF MINUTES OF REGULAR MEETING ON JULY 15, 2015 AND THE SPECIAL PLANNING COMMISSION MEETING OF AUGUST 3<sup>RD</sup>, 2015**

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE THE MINUTES OF JULY 15, 2015. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE THE MINUTES OF AUGUST 3, 2015. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

**AGENDA ADDITIONS/DELETIONS:**

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

**PUBLIC HEARING:**

**A. #15-13 Conditional Use Permit at 701 16<sup>th</sup> Avenue North**  
Community Development Director Memo:

**BACKGROUND**

Jim Thompson, on behalf of Moose International, Inc. Lodge #2331, has applied for a conditional use permit for the property address at 701 16<sup>th</sup> Ave N Princeton MN 55371 PID #24.560.0020 Section 29, TWP 36, Range 26, Lot 2, Block 1, Maple View development, Mille Lacs County.

**ANALYSIS**

The request is for Auto Sales Lot and Recreational Vehicle Sales and Service.

**Comprehensive Plan.** The Future Land Use Plan designates this property as Highway Commercial.

**Zoning.** The current zoning for this property is B-3 General Commercial.

Automobile and Recreational Sales and Service is an allowable use in B-3 with a Conditional Use Permit provided that:

- (a) A minimum lot area of 1 acre is required and the use shall be on 1 lot or contiguous lots not separated by a public street or other use.

- (b) A minimum lot width of 100 feet is required.
- (c) The parking area for the outside sales and storage area, whether for a new or the expansion of an existing facility, shall be hard surfaced by the date determined by the Planning Commission after consideration of the size and scope of the project, and the effect of the cold weather season on paving construction materials, but in no event more than 10 months after final city approval. Parking areas shall be maintained to control dust, erosion, and drainage before and after hard surfacing. No parking or display of vehicles for sale shall occur on landscaped areas. Customer parking shall be clearly marked (Rev. 02-28-13; Ord. 696).
- (d) Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas.
- (e) All areas of the property not devoted to building or parking areas shall be landscaped.
- (f) Noise from electronic speaker devices shall be regulated in Chapter VI, Performance Standards.

#### **General CUP Review Standards**

Subsection 3.B. of Chapter IV outlines the standards for review of a conditional use permit:

1. *The proposed use does not violate the health, safety, or general welfare of Princeton residents.*

**Comment:** It does not appear that the proposed use will violate the health, safety or general welfare of Princeton residents.

2. *The proposed use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation.*

**Comment:** It does not appear that the proposed use will create any potential erosion, runoff, water pollution and sedimentation issues.

3. *Adequate parking and loading is provided in compliance with the Ordinance.*

**Comment:** The parking requirements are being met and any potential repair will be either overlay or seal coated and re-striped.

4. *Possible traffic generation and access problems have been addressed.*

**Comment:** No changes to the traffic generation or access are proposed with the CUP.

5. *The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.*

**Comment:** The proposed use can be accommodated with existing municipal sewer and water.

6. *The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area.*



**Comment:** The Comprehensive Plan states that the City should strive to expand and diversify the area tax base by promoting sound economic development opportunities and encourage wise land use patterns in the area.

**Staff Recommendation**

It is City Staff's recommendation to **approve** the Conditional Use Permit for the Auto Sales Lot and Recreational Vehicle Sales and Service.

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

Jim Thompson, applicant wrote the following memo dated July 10, 2015:

My business has grown and it is necessary to expand my space. The former Moose Lodge property is available and right next door. It is a great opportunity to grow this way. I own the property to the south as well so this will tie all four pieces together. I feel this use is the best opportunity for the location.

Lighting: There are currently five light poles around the parking lot, all facing the blacktop area and building. One in the southwest corner is a couple of feet onto the property to the southwest of the parking lot owned by myself.

Landscaping: There are currently many mature trees of all kinds to the west half of the property. The building and parking lot has none, as the black top covers to the south north and east sides of the property.

Building: No current changes to any bearing wall inside.

Garbage: To be stored on the north side of the building in a concealed container.

Parking Display Area: If replaced overlaid, seal coated over, the blacktopped area will be restriped as showed in sight plan.

Customer parking: To be on east and west sides of the building with customer and handicap spaces clearly marked near building entrances.

Signs: Currently there is a pole sign located on the far southwest corner of the property. Also an existing sign on a pole owned and controlled by a switch in the building in the easement outside property.

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

Jim Thompson, applicant was present and said that since the last Planning Commission meeting was canceled, he had closed on this property. He wanted to make sure he could get the Conditional Use Permit approved before closing, but he did not want to take the chance of putting a hold on the closing for the property. The property is under his Heartbreak Properties name. His auto sales business has grown and he watched this place for sale for such a long

time and it went down in value and they agreed on a price and this would be used to expand his business too. He does own the property to the south of this lot. The site that is on the agenda tonight is black topped and has plenty of parking that is all stripped now. The lot is mostly black topped so the landscaping will have to be what is there. He will not be making changes to the property. He will keep the equipment in there and may make it back into a restaurant. He will for now do the cars.

Heitschmidt asked if he has plans to seal coat the lot.

Thompson said in the spring he will and restripe it. There is black top on it now.

Edmonds said he just wants him to stay into his criteria of staying with what parking is there now.

Edmonds opened the public hearing. There were no questions or comments from those that were present.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

Thompson is aware that he will not be using the other property for any building use. He will use the signage of the Moose Lodge site for his business and just replace the signage face with his business signage and paint the pole. He will just do a reface of it. The other vacant property he owns will not be used by him. He owns the land, but will not use it. The sign is not being touched that is on the south of this property.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE ITEM #15-13 CONDITIONAL USE PERMIT AT 701 16<sup>TH</sup> AVENUE NORTH TO ALLOW AUTOMOBILE AND RECREATIONAL SALES AND SERVICE IN THE B-3 HIGHWAY COMMERCIAL DISTRICT, LOCATED AT 701 16<sup>TH</sup> AVENUE NORTH (PID # 24-560-0020), WITH THE FOLLOWING CONDITIONS:

1. WHEN THE PARKING LOT IS RESURFACED, THE SAME NUMBER OF PARKING SPACES ARE STRIPED AS THEY ARE SHOWN ON THE PLANS AND THEY NEED TO STAY IN COMPLIANCE WITH WHAT THE PARKING GUIDELINES ARE AT THE TIME OF RESURFACING.

UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Does the proposed use violate the health, safety or general welfare of the Princeton residents? No.



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2. Has the proposed use been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation (if applicable)? No.

3. Is adequate parking and loading provided in compliance with the Ordinance? Yes.

4. Have possible traffic generation and access problems been addressed? Yes.

5. Can the proposed use be accommodated with existing public services and not overburden the City's service capacity? Yes.

6. Does the proposed use conform to the City's Comprehensive Plan and is compatible with present and future land uses of the area? Yes.

Are there conditions that could be attached to the granting of a permit that would mitigate any potential the adverse impact? No.

## **B. #15-14 Variance at 501 2<sup>nd</sup> Street South**

Community Development Director Memo:

### **BACKGROUND**

Chris Clark of Leroy Signs on behalf of Spire Bank, has applied for a variance to allow a pylon sign within the minimum of 15 feet from any surrounding buildings or structures.

### **ANALYSIS**

The property is located at 501 Second Street South and legally described as City of Princeton, Lot 6, Block 6, Damons Addition, Mille Lacs County, Section 33, Township 36, Range 26, PID #24-041-0540. 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.

### **VARIANCE**

To allow a pylon sign within the minimum 15 foot setback from any surrounding buildings or structures in a B-1 Central Business District. Spire Credit Union would like to install a new double sided internally lit illuminated pylon sign at the East side of their property in order to enhance the visibility of their Princeton branch. This sign meets all existing city sign codes in regards to size, area, height and location inside their property lines. The sign will be installed in the SE corner of the property 17'-10" from the bank building but only 4'-10" from the East edge of the auto bank canopy. The request is for a setback variance of 10'-2" from the west edge of the sign to the east end of the bank auto canopy.

### **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-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.

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 small size of the lot. The granting of the variance will allow the credit union to provide a high quality image and compete with the neighboring financial institute larger signs in the area.

It is staff recommendation to approve the Variance to allow a pylon sign within the minimum 15 foot setback.

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

Memo from Jim Kucheimeister, Facilities Manager for Spire Credit Union, dated July 27, 2015

To who it may concern:

Spire Credit Union authorizes Chris Clark from Leroy Sign Inc. to pursue the monument sign placement variance on our behalf at our Princeton, MN branch located at 501 South 2<sup>nd</sup> Street, Princeton, MN 55371.

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

Memo from Chris Clark, Leroy Signs, Inc. dated on July 28<sup>th</sup>, 2015

To Whom It May Concern:

I am applying for a sign setback variance of 10'-2" on behalf of Spire Credit Union. Spire Credit Union would like to install a new double sided internally illuminated pylon sign at the East side of their property in order to enhance visibility of their Princeton branch.

- 1) This variance request is in harmony with the general purpose and intent of the zoning ordinance. The pylon meets all existing city sign codes in regards to size, area, height and location inside their property lines. Unfortunately, due to the small size of their corner lot we cannot meet the 15 foot setback from building/structures. The sign will be installed in the SE corner of the property, completely inside their property lines as per code. The sign will be 17'-10" from the bank building but only 4'-10" from the East



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edge of the auto bank canopy. Thus we are requesting a setback variance of 10'2" from the West edge of the sign to the East end of the auto bank canopy.

- 2) This variance request is consistent with the Comprehensive Plan.
- 3) The property owner proposes to continue the use of this property in a reasonable manner as permitted by the zoning ordinance.
- 4) The circumstances unique to this property were not created by the land owner.
- 5) The issuance of the variance will keep intact the essential character of the land owner.
- 6) The request for this variance is due to the small size of the lot. The granting of the variance will allow the credit union to provide a high quality image and compete with the neighboring financial institute larger signs in the area.

Respectfully submitted, Chris Clark

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

Jim Kuchelmeister, Facilities Manager for Spire Credit Union, was present to answer questions the Planning Commission may have.

Edmonds commented that this had been discussed at a past Planning Commission meeting.

Edmonds opened the public hearing. There were no questions or comments from those that were present.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

Edmonds said he thinks the signage looks nice.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE ITEM #15-14 VARIANCE TO ALLOW A PYLON SIGN WITHIN THE MINIMUM OF 15 FEET FROM ANY SURROUNDING BUILDINGS OR STRUCTURES IN A B-1 CENTRAL BUSINESS DISTRICT, LOCATED AT 501 SECOND STREET SOUTH, WHERE THE SIGNAGE WILL BE 4'-10" FROM THE EAST EDGE OF THE BANK CANOPY. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board 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.

**C. Ordinance Amendment for B-1 Zoning District (Conditional Uses)**

The proposed Ordinance Amendment reads as:

An Ordinance amending provision C (Conditional Uses) Section 8 of B-1 Central Business District, Chapter V (Zoning Districts) of the City of Princeton's Zoning Ordinance by adding a Conditional Use for ATV/Snowmobile/Motorcycle Sales and Service.

SECTION 1: Provision C (Conditional Uses) Section 8 (B-1 Central Business District) Chapter V (Zoning District) of the City of Princeton's Zoning Ordinance is hereby amended to add the following definition:

ATV/Snowmobile/Motorcycle Sales and Service provided that

- (a) The parking area for the outside sales and storage area, whether for new or the expansion of an existing facility, shall be hard surfaced by the date determined by the Planning Commission after consideration of the size and scope of the project, and the effect of the cold weather season on paving construction materials, but in no event more than 10 months after final city approval. Parking areas shall be maintained to control dust, erosion, and drainage before and after hard surfacing. No parking or display of ATVs/Snowmobiles/Motorcycles shall occur on landscaped areas. Customer parking shall be clearly marked. The number of spaces required for customer parking shall be determined by the Planning Commission on a project case by case basis.
- (b) Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas.
- (c) All areas of the property not devoted to building, parking or storage areas shall be landscaped.
- (d) Outdoor storage of ATVs/Snowmobiles/Motorcycles shall be limited to the business hours of operation. Overnight storage is not permitted. All outdoor storage of ATVs/Snowmobiles/Motorcycles shall only be upon the paved portion of the property and within any setback requirement of the City of Princeton Zoning Ordinance.

SECTION 2: The remaining sections of Provision C (Conditional Uses) Section 8 (B-1 Central Business District) Chapter V (Zoning Districts) of the City of Princeton's Zoning Ordinance remain in full force and effect.

**SECTION 3: EFFECTIVE DATE**

This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:



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Ordinance #\_\_\_\_\_ amends Provision C (Conditional Uses) Section 8 (B-1 Central Business District) Chapter V (Zoning Districts) of the City of Princeton's Zoning Ordinance by adding a conditional use for ATV/Snowmobile/Motorcycle Sales and Service.

\*\*\*\*\*End of Ordinance Amendment\*\*\*\*\*

Foss said the number of spaces for customer parking were addressed and would be determined by the Planning Commission on a project case by case basis. This would go to the City Council if approved by the Planning Commission.

Edmonds asked if this is approved then Nelson would apply for a Conditional Use Permit.

Heitschmidt said he finds the outdoor storage confusing. He thought the outdoor storage was not permitted and was just for those to repair. If someone has 12 different atvs for sale, the way it reads does not distinguished between those for sale or for repair.

Foss said it would be hard to distinguish on how many would be allowed for outdoor storage so they limited it to business hours of operation to have outdoor storage. They would have to move them inside at night.

Heitschmidt asked Wayne Nelson what his input is on this.

Nelson said the stuff would have to come in because there would be theft if not. He only would leave the items outside if he fenced in an area and he does not want to do that.

Edmonds opened the public hearing. There were no questions or comments from those present.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE AND FORWARD TO THE CITY COUNCIL FOR RECOMMENDATION OF APPROVAL FOR AN ORDINANCE AMENDING PROVISION C (CONDITIONAL USES) SECTION 8 (B-1 CENTRAL BUSINESS DISTRICT) CHAPTER V (ZONING DISTRICTS) OF THE CITY OF PRINCETON'S ZONING ORDINANCE BY ADDING A CONDITIONAL USE FOR ATV/SNOWMOBILE/MOTORCYCLE SALES AND SERVICE. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the zoning amendment consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? No.

#### **D. Ordinance Amendment for Boundary Line Adjustment**

The proposed Ordinance Amendment reads as:

An Ordinance amending the City of Princeton's Subdivision Ordinance by adding Chapter XVIII allowing for Administrative Simple Lot Subdivisions, Simple Lot Consolidations, and Boundary Line Adjustment.

SECTION 1: The City of Princeton's Subdivision Ordinance is hereby amended to read as follows:

#### CHAPTER XVIII:

#### ADMINISTRATIVE SIMPLE LOT SUBDIVISIONS/SIMPLE LOT CONSOLIDATIONS/ BOUNDARY LINE ADJUSTMENTS

- (A) *Purpose.* This section is established to provide for administrative approval of simple lot subdivisions, simple lot consolidations and boundary line adjustments, that meet specified criteria and for the waiver of standard platting requirements specified elsewhere in the City of Princeton's Subdivision Ordinance. It is intended largely to facilitate the further division of previously platted lots, the combination of previously platted lots into fewer lots, or for the adjustment of a lot line by relocation of a common boundary.
- (B) *Definitions.*
- a. Simple Lot Subdivision. The division of one platted lot of record into two lots, each of which complies with all zoning and subdivision requirements of the City of Princeton.
  - b. Simple Lot Consolidation. The consolidation of multiple platted lots of record into one lot, which complies with all zoning and subdivision requirements of the City of Princeton.
  - c. Boundary Line Adjustment. The division of one or more lots of record for the purpose of combining a portion or portions thereof with other lots of record, without creating additional lots and provided that all resultant lots comply with all zoning and subdivision requirements of the City of Princeton.
- (C) *Applications for administrative simple lot subdivision/simple lot consolidation/boundary line adjustment.* Any person having a legal or equitable interest in a property may file an application for administrative simple lot subdivision/simple lot consolidation/ boundary line adjustment. Any such application shall be filed with the Zoning Administrator on an approved form and shall be accompanied by an accurate boundary survey and legal description of all parent parcels prior to any simple lot subdivision/simple lot consolidation/boundary line adjustment, as well as a survey and legal description identifying the resulting parcels after any simple lot subdivision/simple



lot consolidation/boundary line adjustment, as well as any other such exhibits or documents and deemed appropriate by the Zoning Administrator. Said surveys must clearly identify all rights of way boundaries as well as any and all utilities in existence on any affected properties.

- (D) Review of administrative simple lot subdivision/ simple lot consolidation/ boundary line adjustment. The Zoning Administrator shall review all applications for an administrative simple lot subdivision/simple lot consolidation/boundary line adjustment to determine compliance with the standards identified in this section and all other pertinent requirements of the City of Princeton. Upon written approval of the request, the applicant shall be responsible for any and all expenses for the preparation of all documentation required and to complete the recording of the same with the appropriate Court Recorder's office. Should the request be denied, the Zoning Administrator shall notify the applicant, in writing, of the reasons for the denial. Any appeal of city staff's decision shall be made to the Planning Commission in accordance with the procedures specified in the City of Princeton's Subdivision Ordinance.
- (E) *Findings required for approval.* In order for the Zoning Administrator to grant approval for a proposed administrative simple lot subdivision/simple lot consolidation/boundary line adjustment, each of the provisions shown below must be met.
- (1) A simple lot subdivision of land will not result in more than two lots. A simple lot consolidation will result in only one lot. A boundary line adjustment will result in no new lots being created.
  - (2) All necessary utility and drainage easements are provided for.
  - (3) All lots to be created by the simple lot subdivision/simple lot consolidation/ boundary line adjustment conform to lot area and width requirements established for the zoning district in which the property is located.
  - (4) The simple lot subdivision/simple lot consolidation/boundary line adjustment does not require dedication of public right-of-way for the purpose of gaining access to the property.
  - (5) The property has not been divided through the provisions of this section within the previous five years.
  - (6) The simple lot subdivision/simple lot consolidation/boundary line adjustment meets all design standards as specified elsewhere in the City of Princeton's Zoning and Subdivision Ordinances.

(F) *Conditions of approval.* The City may impose the conditions on any proposed administrative simple lot subdivision/simple lot consolidation/boundary line adjustment that are deemed reasonable and necessary to protect the public interest and to ensure compliance with the provisions of this chapter including, but not limited to, the following:

- (1) The applicant shall provide required utility and drainage easements for all newly created lots and be responsible for the cost of filing and recording written easements with the County Recorder's office; and
- (2) The applicant shall pay parkland dedication fees for each lot created beyond the original number of lots existing prior to the simple lot subdivision/simple lot consolidation/boundary line adjustment, except when the fees have been applied to the property as part of a previous simple lot subdivision/simple lot consolidation/boundary line adjustment.

SECTION 2: The remaining sections of the City of Princeton's Subdivision Ordinance remain in full force and effect.

### SECTION 3: EFFECTIVE DATE

This ordinance shall take effect upon its summary publication in the City's official newspaper. Said publication shall read as follows:

Ordinance #\_\_\_\_\_ amends the City of Princeton's Subdivision Ordinance by adding Chapter XVIII allowing for administrative simple lot subdivisions, simple lot consolidations and boundary line adjustments.

\*\*\*\*\*End of Ordinance Amendment\*\*\*\*\*

Foss said this has come by the Planning Commission a few times. This is a public hearing.

Edmonds opened the public hearing. There was no one present that had any concerns or questions.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE AND FORWARD TO THE CITY COUNCIL FOR RECOMMENDATION OF APPROVAL FOR AN ORDINANCE AMENDING THE CITY OF PRINCETON'S SUBDIVISION ORDINANCE BY ADDING CHAPTER XVIII ALLOWING FOR ADMINISTRATIVE SIMPLE LOT SUBDIVISIONS, SIMPLE LOT CONSOLIDATIONS AND BOUNDARY LINE ADJUSTMENT. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.



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The Planning Commission Board reviewed the Findings of Fact:

1. Is the zoning amendment consistent with the Princeton Land Use Plan? Yes.
2. Have there been changes in the character of development in the vicinity? No.

**E. Rezoning from R-2 Residential to R-3 Multi-Family Residential at 701 5<sup>th</sup> Avenue North**  
Community Development Director Memo:

**REQUEST**

Dan Erickson has submitted an application to rezone the property at 701 5<sup>th</sup> Avenue North from R-2, Residential, to R-3, Multiple Family Residential. The property is described as Lot 1, Block 45, Princeton Original Townsite and is located on the northwest corner of the intersection of 7<sup>th</sup> Street North and 5<sup>th</sup> Avenue North.

**BACKGROUND**

Currently, the home contains three rental units (two on the main floor and one on the second floor), and the applicant would like to add a fourth rental unit in the lower level/basement. The current zoning (R-2) allows up to two-family dwellings as permitted use, along with townhouses (up to 4 units) and condominiums (up to 4 units) as conditional uses. Multi-family units are not allowed in the R-2 District. The R-3 District does allow multi-family structures as a permitted use. Therefore, when the applicants inquired about adding a fourth unit, staff informed that that it would require a rezoning to R-3.

**Applicant Request**

The applicant has met with the Community Development Director explaining the rezoning request. The applicant purchased the property in 2015; it was operating as a triplex at the time of their purchase. Since the time of purchase, Mr. Erickson has been made aware of the East Central Regional Housing Study that was completed in February of 2015.

*"The housing study show a clear and urgent demand for housing of all types. The Mille Lacs County Executive Summary shows an overall market rate vacancy of 0.7 % which is considerably lower than the industry standard of 5% vacancy for a stabilized rental market, which promotes competitive rates, ensures adequate choice and allows for unit turnover. The subsidized and affordable rental properties should be able to maintain vacancy rates of 3% or less, Mille Lacs Counties subsidized and affordable vacancy rate is 2.1%. This indicates a pent up demand for all rental product types." Maxfield Research Inc. Feb. 2015*

Mr. Erickson has indicated that if the Planning Commission and the City Council do not approve the rezoning request, he will modify the building to have three units, but one will become a two bedroom apartment and will essentially eliminate the opportunity for an additional affordable rental unit.

## **ANALYSIS**

### **Existing Conditions**

The neighborhood in which the house is located contains mostly single family homes and some two-family homes. To the southwest of the property is an area zoned for R-3, Multiple Family Residential, which includes what appear to be at least one twin home and a four-unit apartment.

### **Future Land Use Plan (Comprehensive Plan)**

The City engaged in a Comprehensive Plan update back in 2009 that identified the long-range goals for development within the City. The Future Land Use Plan identifies this property and surrounding area as Traditional Residential (see attached Future Land Use Plan). According to the Comprehensive Plan (p.18), the Traditional homes with a density between four (4) and eight (8) units per acre. The proposed use is a four plex.

### **Review Standards**

The Zoning Ordinance does not list review standards for rezoning applications. However, many communities utilize the following factors as review standards in rezoning request, which are being provided as information:

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official city comprehensive plan.
2. The proposed use is or will be compatible with present and future land uses of the area.
3. The proposed use conforms to all performance standards contained in this code.
4. The proposed use can be accommodated with exiting public services and will not overburden the city's service capacity.
5. Traffic generation by the proposed use is within capabilities of streets serving the property.

**Planning Commission Recommendation.** An update will be provided prior to or at the Council meeting on Thursday regarding the Planning Commission's recommendation, along with a resolution denying the rezoning or an Ordinance approving the rezoning.

## **CONCLUSION/RECOMMENDATION**

City staff is in favor of providing affordable housing in the City of Princeton and supports investment in the existing housing stock in order to improve neighborhoods and the quality of life for residents.

Therefore, staff would recommend **approval** of the rezoning request from R-2 to R-3, based on the following findings:



1. The request is consistent with the recent finding from the East Central Regional Housing Collaborative study and will provide an additional rental unit where a demand has been identified.
2. The request to rezone this property would not be greatly affect the integrity of the neighborhood as it is adjacent to R-3 Multi-Family Housing and there are similar structures to the southwest of the proposed rezoning.

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

Dan Erickson, applicant said that the basement is 80% finished. He said it is framed and the bathroom is finished so the plumbing and wiring are done. There needs to be sheet rock in there and carpet and such to finish it off. There is plenty of parking, it is a big lot.

Edmonds asked what the square footage of the two apartments he has there now.

Erickson said they are a standard efficiency.

Heitschmidt questioned what type of parking is there now.

Erickson said there is a paved area already that has two more spaces available. Two spots per unit.

Edmonds opened the public hearing. There were no questions or comments from those that were present.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

Edmonds said this rezoning item had come to the Planning Commission in February, 2012. It was denied. The property is well suited for the request. His dilemma is that there is three or four homes in that area that could fit this request and he wonders if there are other options instead of rezoning. Edmonds has an issue with the rezoning. He would like to find another way to do it in any R-2 Zoning site. He understands that it would be changing the Ordinance.

Heitschmidt said it would start them popping up everywhere in the city to have four plexs.

Reynolds said this is adjacent to the R-3 Zoning District.

Edmonds said this could open a can of worms for more applications for rezoning.

Foss said they would have to be by the R-3 Zoning District.

Edmonds said it would have to be continuous to the R-3 Zoning District so he understands.

Heitschmidt said this was denied three years ago, it was not consistent with the Land Use Plan.

Edmond said a Comprehensive Plan is a guideline.

Foss said the Zoning Ordinance does uphold the Comprehensive Plan. Our Comprehensive Plan will be updated soon.

Heitschmidt said that the 2012 Planning Commission minutes have changed his opinion in supporting this.

Foss said the housing study shows there is a demand for affordable housing in the Mille Lacs County area.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE ITEM #15-15 REZONING FROM R-2 RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL AT 701 5<sup>TH</sup> AVENUE NORTH. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

The Planning Commission Board reviewed the Findings of Fact:

1. Is the rezoning consistent with the Princeton Land Use Plan? No, not currently but Comprehensive Plan is to be reviewed.
2. Have there been changes in the character of development in the vicinity? No, create need for market rate rental housing. Decrease in vacancies in the city.
3. Does the rezoning constitute spot zoning of the property? No, is continuous with R-3 Zoning.

#### **OLD BUSINESS:**

##### **A. LED Stripe Tube Lighting Signage (SuperAmerica)**

The Planning Commission Board was asked at the July 20, 2015 Planning Commission meeting about a request to put neon tube lighting on the top of the canopy at SuperAmerica. There was no wordage in the Sign Ordinance on this. The City Attorney said that if it is not specifically in the Ordinance, it cannot be done. The Ordinance would have to be amended. Foss asked the Planning Commission Board for their recommendation. The Planning Commission advised staff to draft an Ordinance Amendment for the next meeting.

Foss said she gathered some information from a few other areas on how they handle this type of signage and has that for their review. She is not sure if the Planning Commission wants staff to write a memo addressing this or not.

Reynolds said Zimmerman station has this. He feels it is less intrusive than what Princeton Holiday has now.



**DRAFT**

Planning Commission

September 21, 2015

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Edmonds said if we allow the signage it would have to meet our illumination of what we have now. It would have to be none flashing. He does not have an issue with it.

Foss said it would be a striping of LED. Foss said the current SuperAmerica signage is less noticeable because of the Holiday signage. She will write something up and have something in wordage about the measure of brightness.

Reynolds commented that the Holiday station is in a residential area.

Edmonds said during the day you do not notice the brightness of the Holiday signage as much.

Heitschmidt said he would like to see wordage on this. Would it be limited to LED or neon.

Foss said the number of rows of LED lighting strip would be allowed per station. Just to define it more. She thinks neon is out dated.

Heitschmidt said what if the next person wants neon and if that is not in the Ordinance.

Foss will draft something.

The Planning Commission would like staff to address wordage on this with LED and neon lighting.

## **B. Kennel Ordinance**

Foss said there was a moratorium on this. There is new wordage on this. City Council made a motion to adjust the Ordinance to any property with a combo of no more than five pet's total.

Edmonds said there are a lot of inconsistencies in our zoning code. He likes that this is being addressed. He is okay with how it is written.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO HAVE STAFF BRING THE KENNEL ORDINANCE AMENDMENT TO THE OCTOBER 19, 2015 PLANNING COMMISSION MEETING FOR A PUBLIC HEARING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

## **NEW BUSINESS:**

### **A. Pappa Murphy's Pylon Signage**

Community Development Assistant Memo:

Papa Murphy's will be a great addition to the area. They will be located in the strip mall by Ace Hardware. There currently is a Family Dollar pylon sign that was install in 2001. At the time, it was approved to multi-tenant signage on this pylon sign. A copy of the signage that was

submitted with the building permit in 2001 is enclosed. Staff is asking for Planning Commission to review the proposed signage and give direction.

**Pylon Business Signs – General Provisions:**

A permit will be issued by the Planning Commission based on the following size and height standards:

District	Maximum Sign Area	Maximum Sign Height
B-1	75 sq. ft.	20 ft.
B-2 In excess of 900 feet from the Highway 169 and Rum River Drive Interchange <i>*See attached map*</i>	75 sq. ft.	20 ft.
B-2 Less than 900 feet from the Highway 169 and Rum River Drive Interchange	150 sq. ft.	60 ft.
B-3	150 sq. ft.	60 ft.

1. The sign is supported by one or two poles or other approved methods which shall be metal in the B-1 zone and metal or treated wood in the B-2, B-3, and MN-1 zones, and are sufficient in size and strength to support the sign.
2. Ten feet of clearance shall exist between grade levels and the bottom of the sign.
3. The sign cannot be attached to any building or structure and must be a minimum of 15 feet from any surrounding buildings or structures.
4. The sign must be located on the property where the business advertised is located, except for highway billboard advertising.
5. The sign cannot extend over public sidewalks or streets.
6. There shall be no more than one pylon sign per lot, except as provided in subdivision D of this section.

**D. Multi-Tenant Business Signs (MTB) – General Provisions:**

1. Sign Intent. Multi-Tenant Business Signs, hereinafter referred to MTB signs, shall only be permitted in the B-2, B-3 and MN-1 zoning districts. The intent and purpose of MTB signs are:
  - a. To promote commercial depth rather than first tier strip development along highway corridors.
  - b. To allow area identification and commercial identification of business sites in a manner that coordinates traffic safely and effectively.
  - c. To minimize individual pylon signage by allowing clustering of two (2) or more area identification signs on a single MTB in exchange for separate pylons on each business site. *Ace Hardware does have a pylon sign north of the Family Dollar sign.*



- d. To cluster MTB signage at major intersections.
  - e. To require high architectural standards for MTB and to achieve a consistent style or standard for commercial development along Highways 169 and 95.
  - f. To require pylon base landscaping and maintenance.
  - g. To require annual permit review for MTB to ensure compliance.
  - h. To promote MTB sign usage for sufficient sized areas to achieve the other purposes listed above.
2. No MTB may be erected or maintained until a plan (the "MTB plan" or "plan"), signed by the owner(s) of all properties on which any area or business is located whose identification sign is proposed to be included on any MTB covered by the plan, is filed with, and approved by the city. The MTB plan shall also specify standards for each MTB sign proportions and landscaping around the base of each MTB. The plan may contain other restrictions as the owners of the affected properties may reasonably determine, shall be signed by each of the owners and shall otherwise be in such form as required by the city. An MTB plan may be amended by filing a new plan with the city that otherwise conforms with all of the requirements of the city code in effect at that time. No amendment shall be required for changing the identity of any area or business whose identification sign is attached to an MTB so long as all areas or businesses whose identification signs are attached to the MTB are located on one of the properties covered by the plan under which the MTB has been approved and the affected MTB otherwise conforms to the MTB plan after the replacement sign is attached.
  3. The applicant(s) shall submit diagrams, drawings, pictures and other information as requested by city staff describing each MTB proposed, the location on each MTB and the identity of each property proposed to be included in the MTB plan including the name of the property owner, and the size and location of each property included in the plan.
  4. All MTBs shall require an annual administrative review for compliance.
  5. After the city's approval of an MTB plan, no sign pylons other than those included in the approved plan shall be kept erected, placed or maintained on the properties covered by the plan. The MTB plan may be enforced in the same way as any other provision of this code. In case of any conflict between the provisions of any approved MTB plan and this code, the approved MTB plan shall control.
  6. The permissible height of MTB pylon shall be no greater than sixty feet (60') with a minimum clear zone below the sign of ten feet (10') unless approved as a monument type sign. Pylon height shall be measured from the curb height closest to the MTB site. The current Family Dollar signage measures 20 feet in height and has proposed three separate areas for additional signage that was approved in 2001. The clearance of ten feet will have to be met when additional signage is attached.
  7. Total permissible sign face area on MTB pylon shall be no greater than five hundred (500) square feet per face. The current Family Dollar signage measures 32 square feet. The attached email from the applicant states they believe they will go with the 3 foot signage. See attached proposed signage for Papa Murphy's.
  8. Setback standards in all applicable districts shall be as follows: the outermost edge of the sign face must be a minimum of ten feet (10') from any road right-of-way, forty feet (40') from any side lot line when the adjacent property is zoned one classification category less in use intensity and a minimum of ten feet (10') from the side lot line of same zone classification.

9. Each MTB plan shall consist of at least ten (10) acres, not including public right-of-way, and at least one of the businesses displayed on the MTB must be located on same parcel as the MTB or a located on an approved outlot owned and managed by the businesses located within the development area. In addition thereto, each business displayed on the MTB must be within one-half (1/2) mile of the MTB and be within the city.
10. MTBs may only be located within 900 feet of the major interchanges of Trunk Highway 169 within the City of Princeton or along Trunk Highway 95 west of 13<sup>th</sup> Avenue North.
11. Notwithstanding any other provision of the city code, no business located on property which is covered by any approved MTB plan shall be permitted to keep erect, place or maintain any pylon sign on such property except as referenced in the approved plan. Such business may, however, erect, place and maintain any other signs (such as building, monument, directional signs, etc.) otherwise permitted by the city code.
12. No signage shall be allowed on any MTB other than area identification and commercial business identification signs for developments and/or businesses located within the city on property covered by the MTB plan under which such MTB is approved. No sign advertising any product (rather than identifying an area or business) shall be allowed on any MTB. *If the Planning Commission were to approve the additional signage for Papa Murphy's, the motion should read that future additional signage to this pylon sign needs to come to the Planning Commission for approval.*

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

Mary Schulke and Amy Soderholm, applicants were present and said they will be going with the 36" x 96" signage.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO APPROVE THE ADDITIONAL 36' X 96" SIGN OF PAPA MURPHY'S TO THE FAMILY DOLLAR PYLON SIGN LOCATED AT 714 RUM RIVER DRIVE SOUTH WITH THE FOLLOWING CONDITIONS:

1. TEN FEET OF CLEARANCE SHALL EXISIT BETWEEN GRADE LEVELS AND THE BOTTOM OF THE SIGN.
2. IN THE FUTURE IF THERE IS A REQUEST FOR ADDITIONAL PYLON SIGNAGE BY A TENANT, IT WILL NEED TO COME BEFORE THE PLANNING COMMISSION.
3. A BUILDING PERMIT WILL BE REQUIRED AND APPROVED PRIOR TO THE SIGNAGE BEING INSTALLED.

UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

#### **B. EDA Update**

Foss said at the July Planning Commission meeting the Board wanted an update for what is happening each month with the EDA Board. Foss put a summary together:

- Rezoning request for 200 acres, last step for DEED Shovel Ready Certification
  - o Planning Commission Approved August 3<sup>rd</sup>, 2015



- Intro to Council August 6<sup>th</sup>, 2015
- Final Reading August 13<sup>th</sup>, 2015
  
- Great River Energy Data Center Site Assessment Program application beginning
- Discussion of upcoming Data Conferences
- DEED FAM (Familiarization) Tour September 14<sup>th</sup> – 15<sup>th</sup> Finish Line Café
- Minnesota Marketing Partnership Quarterly meeting and FAM tour wrap up
- Chamber Promotional Video – Umbehocker Memorial
- SherBand – Partnering for Broadband Promotional Video
- Mille Lacs County Economic Development Strategic Plan Draft
- Multi-Family Housing Discussion for West Branch site

Foss said the FAM Tour was held last week and they had five of the private sector local business people attend the luncheon. They discussed the benefits for being in Princeton. She has not gotten much feedback from this yet. The multi-family housing (Arcadian Homes site) has come to a pause where we cannot release the RFP because they want staff to attend some housing meetings to learn more about the procedure. It will be released at a later date.

### **C. Planning Commission Board Members**

Foss said the City Council approved the Ordinance Amendment. The amendment reads as the Planning Commission shall consist of five regular members who shall be residents of the city except that one of the members may be a person who owns a business located within the City of Princeton so long as that person lives within the 55371 zip code.

HEITSCHMIDT MOVED, SECOND BY REYNOLDS, TO APPROVE THE PLANNING COMMISSION BYLAWS ACCORDINGLY. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

### **COMMUNICATION AND REPORTS:**

#### **A. Verbal Report**

DeWitt informed the Planning Commission Board that United States Distilled Products would like to have a special meeting before the October 19, 2015 meeting date. United States Distilled Products will be building an addition and for this will need a Variance for exceeding the maximum height. For the meeting there would be a public hearing for the Variance and then a Site Plan Review. There would have to be enough time to publish the notice in the paper and send out public hearing notices. The Planning Commission reviewed the dates for October that could be a possibility and the only date that would work is Monday, October 12, 2015 and City Hall is closed that day because of Columbus Day. The Planning Commission Board decided that this would have to be held on the regular meeting of October 19, 2015. Staff will inform the applicant.

**B. City Council Minutes for August, 2015**

The Planning Commission Board had no comments.

REYNOLDS MOVED, SECOND BY HEITSCHMIDT, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:53 P.M.

ATTEST:

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Jack Edmonds, Chairperson

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Mary Lou DeWitt, Comm. Dev. Assistant

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## MEMORANDUM

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TAB B



TO: Planning Commission  
FROM: Jolene Foss, Community Development Director  
SUBJECT: **USDP request for Height Variance**  
DATE: October 19<sup>th</sup>, 2015

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Jeager Construction, on behalf of USDP, has submitted an application to the City of Princeton for a variance to construct a 40 addition, exceeding the 30 foot maximum height allowed in the MN-1 District, on the property described below:

The subject property is located south of 12<sup>th</sup> Street South, west of vacated 17<sup>th</sup> Avenue South, north of 14<sup>th</sup> Street South, and east of 18<sup>th</sup> Avenue South. The building is proposed to contain a distiller and some office space.

17<sup>th</sup> Avenue South between 12<sup>th</sup> and 14<sup>th</sup> Streets, directly to the east of the subject property, was vacated by the City on July 22, 1999. According to Resolution #99-31, the vacation was approved for future development of USDP industrial uses. According to Sherburne County, customary to street vacations, the west half of the right-of-way is now a part of Lot 1, Block 1, Princeton Industrial Park Third Addition, and the north half of the east half of the vacated right-of-way is now part of Lot 1, Block 4, Princeton Industrial Park, and the south half of the east half of the vacated right-of-way is now part of Lot 12, Block 4, Princeton Industrial Park for tax purposes. In regards to actual property lines and title work, the vacated portion of 17<sup>th</sup> Avenue South is its own separate parcel.

### VARIANCE REVIEW

**Review Standards.** The Statute regarding municipal variance authority was amended in May. The City Code has not yet been amended to comply with the new State statutory requirements; however, statutory language pre-empts inconsistent local ordinance provisions, and so the variance requests are being processed under the new State standards. The following outlines the new statutory language:

- A) Variances shall only be permitted:
  - 1) When they are in harmony with the general purposes and intent of the ordinance and
  - 2) When the variance is consistent with the comprehensive plan.
- B) Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Practical difficulties means that:
  - 1) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
  - 2) The plight of the landowner is due to circumstances unique to the property not created by the landowner;
  - 3) The variance, if granted, will not alter the **essential** character of the locality.

The applicants have stated that a 40 foot building height is needed for the following reasons: The proposed distiller that is to be constructed is 36 feet.

14 September, 2015

City of Princeton  
705 2<sup>nd</sup> Street North  
Princeton, MN 55371

RE: Site Plan Review and Maximum Height Variance  
United States Distilled Products  
1607 12<sup>th</sup> Street South  
Princeton, MN 55371

To Whom It May Concern,

United States Distilled Products would like to build an addition to their existing facility at the above referenced address. The scope of work for this project will include a 4,784 square foot addition to their existing warehouse. The addition will be located off of the north side of the existing "A Building". The addition will consist of warehouse space as well as a room for new distillery equipment. Due to the height of the equipment, they are requesting a variance to build that portion of the building to a height of 40'-0" in lieu of the 30'-0" maximum height allowed by the zoning code. The scope of work will also include infilling an existing loading dock to bring the floor level up to match the adjacent building.

If you have any questions about the above-mentioned items, please feel free to contact me at your convenience at (651) 222-4642.

Thank you,



Michael Tiedman

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## MEMORANDUM

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TAB C



TO: Planning Commission  
FROM: Jolene Foss, Community Development Director  
SUBJECT: **Ordinance Amendment for Kennels in R-1, R-2, R-3, B-1, B-2 and B-3**  
DATE: September 21<sup>st</sup>, 2015

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City Staff is requesting the consideration of an Ordinance Amendment to address Ordinance NO. 716 INTERIM ORDINANCE PURSUANT TO MINNESOTA STATUTES SECTION 462.355, SUBDIVISION 4, ESTABLISHING A MORATORIUM PROHIBITING THE ISSUANCE OF CONDITIONAL USE OR INTERIM USE PERMITS FOR THE OPERATION OF A KENNEL.

The city's ordinance defines a Kennel as:

**Kennel:** Any place where more than three domestic animals over eight months of age are owned, boarded, bred, trained or offered for sale, but not including veterinary clinics.

The city's regular ordinances identifies kennels as a nuisance and suggests they are not allowed anywhere in the city:

**500.06 Kennels.**

- (A) **Definition of kennel.** The keeping of three or more dogs, cats, and/or other domestic animals on the same premises, whether owned by the same person or not and for whatever purpose kept, shall constitute a "kennel," except that a fresh litter of pups or kittens may be kept for a period of three months before that keeping shall be deemed to be a "kennel."
- (B) **Kennel as a nuisance.** Because the keeping of three or more dogs or cats on the same premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard and general aesthetic depreciation, the keeping of three or more dogs or cats on the premises is hereby declared to be a nuisance, and no person shall keep or maintain a kennel within the city.

Still, in the city's zoning ordinances:

1. R-1 Residential: Kennels are an Allowed Use so long as there are "not more than three domestic animals" and a Conditional/Interim Use for more than 3 domestic animals.
2. R-2 Residential: Kennels are not an "Allowed Use" and can only exist with a Conditional/Interim Use (for more than 3 domestic animals).
3. R-3 Residential: Kennels are again an Allowed Use so long as there are "not more than three domestic animals" and a Conditional/Interim Use for more than 3 domestic animals.
4. B-1 Central Business District: Kennels are not allowed...even for a veterinarian clinic.
5. B-2 General Business District: Kennels are not mentioned but veterinarian clinics are a Conditional/Interim Use. Because the Kennel above definition says it's not a kennel if it's operated by a veterinarian clinic, one assumes they can exist with a Conditional/Interim Use Permit.

6. B-3 Highway Commercial: Vet Clinics are an Allowed Use (with no overnight boarding) and a Conditional/Interim Use (with overnight boarding).

In an attempt to clarify and maintain consistency throughout both the City Code of Ordinances and the Zoning Ordinance #538 the City Council has made a motion directing the Planning Commission to process this Ordinance Amendment redefining the allowed number of domestic pets allowed in each respective district.

After discussion at the August 6<sup>th</sup>, 2015 Study Session, the consensus was to adjust the ordinance such **that any property in an R-1, R-2 or R-3 zoned area should be able to have up to 3 dogs or up to 3 cats but a combination of no more than 5 dogs and cats. In any property in a B-1, B-2 or B-3 zoned area should be able to be used as a veterinarian clinic, a pet store and/or a 'doggy day care' facility with the issuance of an Interim Use Permit.**

The reasoning behind this decision is that there are certain expectations by a resident when they live in a city versus a rural area. Because of the close proximity of buildings and the size of lots, having more than 3 dogs on a property could create a nuisance situation for neighboring properties.

While residents who temporarily take in 'rescue animals' are to be commended, the city has to balance the need for animal foster care with the expectations of neighbors who live on a smaller lot properties within a city.

There are significantly more single family properties on larger lots in the townships surrounding Princeton than there are in the city.

That's not to say that Princeton residents cannot give temporary foster care to rescue pets, just that the number of dogs and/or cats need to be more limited than what might be possible in a more rural setting.

It is staff recommendation to **approve** this Ordinance Amendment redefining the allowed number of domestic pets and to maintain consistency throughout both Code of Ordinances and Zoning Ordinance.

MINUTES OF A STUDY SESSION OF THE PRINCETON CITY COUNCIL  
HELD ON SEPTEMBER 3, 2015 4:30 P.M.

TAB D

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Mayor Paul Whitcomb called the meeting to order. Council members present were, Thom Walker, 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, Community Development Director Jolene Foss and Attorney Damien Toven.

**Roundabout Landscaping design presentation – Lee Steinbrecher**

Karnowski advised that Lee Steinbrecher has organized a group and submitted a grant application to MnDOT to Landscape the property just northeast of the Roundabout.

Dave Patten has donated the landscaping design.

He has secured a \$5,000 grant from MnDOT which he believes will cover the project costs. Still, if the project costs more than anticipated, he's requesting that the city agree to contribute up to \$2,000 toward the project from the city's beautification fund.

Steve Jackson advises that he's discussed that possibility with Ann Bien (the head of the Beautification Committee and she's okay with that proposal.

They do not have equipment to remove some of the current brush, top soil, etc., so they would like to have a cooperative effort from the public works to assist. All other Labor will be by volunteers.

DOBSON MOVED TO APPROVE RESOLUTION 15-52 APPROVING THE AGREEMENT WITH MNDOT FOR THE PAYMENT OF LANDSCAPING MATERIAL. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

HALLIN MOVED TO APPROVE UP TO AN ADDITIONAL AMOUNT OF \$2,000 TO BE USED FROM THE BEAUTIFICATION FUND IF NEEDED. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**Discussion with Fire Relief Association – Benefit Increase**

Karnowski reported that the Princeton Fire and Rescue Department's Relief Association is a separate organization that manages the retirement fund for our firefighters.

As the council may recall, the annual budget includes a contribution to their fund which is subsequently invested and, along with annual contributions from the State of Minnesota, provide the bulk of the funding for the retirement program.

Currently, retiring PFRD members receive \$2,875 for each year of service to the department. That benefit level has not increased for at least the last 12 years because of the national economic slowdown which impacted the Relief Association's investments.

The Relief Association's investment portfolio has, subsequently, improved and an independent evaluation of those investments suggest that the benefit level can be increased to \$3,000 for each year of service without requiring any additional city contribution.

So the Relief Association is before the Council today to explain the nuances of their request, answer any questions you might have and, hopefully, get the Council's approval for the proposed increase.

The Council should be aware that the level of benefit approved by the City commits the city to guarantee the funding for that benefit level.

In other words, if the Relief Association's investments were to fall the level necessary to fund that benefit level, then the city would be responsible for replenishing the necessary funding to maintain that benefit level. That replenishment could be spread over a number of years.

Karnowski added that in his past City positions, the Fire Relief Association has been in almost yearly to ask for an increase. The Princeton Relief association has not had an increase in many years.

Jamin Wood explained that it is a year is a year in good standing. The benefit is payable at the age of 50 in one lump sum check if they choose to retire. There is a vesting period of 50% at 10 years and fully vested at 20 years of service. As of today, we have 1.333 million in assets and liabilities that are approximately 1.1 million. Therefore, they are over 100% funded. If they were to fall under that 100% funding, the city would contribute to the fund to get it back up over 100%.

Walker questioned where their investments are. If there was a global economic crash, it could be serious. Wood responded that it is approximately 60% in stocks and 40% in commodity and cash. They have an investment policy that they follow. A serious crash could happen, and believes it did happen once in 2007. Karnowski said unlike a City, the Relief Association can invest in the stock market. They work with professional investors that understand markets and trends and use diversification.

Hallin asked for clarification on how payments work. Wood said if you joined at 20 years old, and retired at 40, they would receive a payout at 50 years old. Roxbury added that currently the payment per year is \$5,500 in Isanti, Elk River is over \$5,000, Baldwin is at \$1,000 approved by the Board, but the Relief Association has set it at \$2000. Some cities are under \$1000.

Zimmer questioned if this would be show up as underfunded in our audit if it became under 100%. Jackson said it would not.

Walker asked how much that additional amount is according to the members we have. Wood said they currently have 36 members.

Roxbury added that if the member leaves before getting 10 years in, they would not receive a payment so that would go back in to the fund.

Roxbury explained that the amount is a one-time payment. The state also contributes \$1000 back into the fund when someone retires. Wood added that with the 2 state funded programs, they receive about \$60,000 per year. Roxbury said the state bases their payment on the department's coverage area.

Zimmer asked when the increase would be in effect. Wood responded that it would be active today. He added that the Fire Relief Association has approved it, so Council approval is the final step.

Roxbury commented that the State says an association only needs to be 90% funded, which Jackson confirmed.

Whitcomb stated if he recalls back to where they were slightly under-funded, they donated \$1 per hour back to the City to help bring it back to 100%.

Dobson questioned if the City has owed the Relief Association some funds at some point. Walker responded that the City did need to assist in bringing it back to 100% funded several years ago. Karnowski replied that if it became underfunded, it would go into the fire department budget, so that cost would be spread out over the entire coverage area.

Hallin said there has not been an increase in a long time. Dobson likes the idea of an increase, as the Volunteer Fire Fighters do give up a lot of family time.

Roxbury added that in fuel expended and clothes ruined, a firefighter is likely to lose more than the \$2,875 per year.

Wood commented that as of a week ago, it was 103% funded.

Walker stated he does not have any problems with this increase, but just wanted to make sure everyone knew that the City needs to bring it back up if it would become under-funded at some point.

Hallin questioned if some of those funds could come from the fire department. Roxbury replied that was correct, and said about 38% of the fire budget is paid for by the city, the rest is paid by the Townships.

Whitcomb added that this Department has great success in recruiting new mem, but this is a good recruiting and retention tool as well.

HALLIN MOVED TO APPROVE THE FIRE RELIEF'S REQUEST TO INCREASE THE YEAR OF SERVICE FROM \$2,875 TO \$3,000 PER YEAR. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

### Yard Waste Discussion

Karnowski advised that staff has drafted a proposed agreement between the city and Sylva Corporation which, if approved, will provide a vehicle allowing Princeton City residents a location to get rid of brush, leaves and grass clippings.

Staff is suggesting that:

1. Generally, the facility be operate from the Saturday closest to April 15<sup>th</sup> of the year through the Saturday before Thanksgiving.
2. The facility begin operations this fall beginning Saturday, September 19<sup>th</sup>.
3. The facility, for the remainder of 2015, be open on Wednesdays from 3 PM to 7 PM or at sunset (whichever comes earlier) and on Saturdays from 9 AM to 2 PM.
4. During the summer months, the hours and/or days will be reduced.
5. The charge for dropping off brush, leaves and grass clippings be set at \$5 for up to a full-size pickup load and that folks with smaller loads be encouraged to "pool" their dropping off with others.
6. Persons dropping off show a driver's License along with a sewer & water bill and/or property tax statement) showing their street address and name.
7. No Commercial lawn services, tree services, landscaping services, or commercial businesses will be permitted to drop off yard waste.
8. The public be advised that the site is **CLOSED** during inclement/rainy weather.

If the Council agrees to the provisions of the agreement and the rules outlined above, then a motion to that effect would be in order.

Obviously, if we find that the above rules (or agreement) isn't working, modifications will be made.

Zimmer asked if the hours should be longer on Saturdays. Gerold replied that when the City used to have it at the Public Works Building, the hours were 8am to 2pm if he recalls correctly. What they noticed is the users dropped way off after 2pm. Karnowski added that they wanted to come up with reasonable hours, but keeping the expenses down as well. The hours could be adjusted if need be.

Zimmer said he feels the \$5 per pickup load is a reasonable fee.

Whitcomb questioned if the hours will decrease the hours in the summer when there are no leaves. Gerold responded that they will monitor the usage and adjust as needed.

HALLIN MOVED TO APPROVE THE PROVISIONS OF THE AGREEMENT AND RULES AS FOLLOW:

1. Generally, the facility be open from the Saturday closest to April 15<sup>th</sup> of the year through the Saturday before Thanksgiving.
2. The facility begin operations this fall beginning Saturday, September 19<sup>th</sup>.
3. The facility, for the remainder of 2015, be open on Wednesdays from 3 PM to 7 PM or at sunset (whichever comes earlier) and on Saturdays from 9 AM to 2 PM.
4. During the summer months, the hours and/or days will be reduced.
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6. Persons dropping off show a driver's License along with a sewer & water bill and/or property tax statement) showing their street address and name.
7. No Commercial lawn services, tree services, landscaping services, or commercial businesses will be permitted to drop off yard waste.
8. The public be advised that the site is **CLOSED** during inclement/rainy weather.

WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

### Preliminary Budget Discussion

Jackson said they just got off the phone for the Bond rating. It went well, but they did comment several times on the amount of reserves that the City has.

Zimmer asked if we used some reserves to offset the levy last year. Karnowski replied that we used about \$50,000 last year.

Jackson said he was not sure if they were concerned they were not spending the amount down or if there were no plans to use it. He added that they also want to see if there is a decrease in the reserves, that there was a conscious decision to use them. If the reserves show a \$39,000 decrease, it would be shown that we used that to maintain a lower levy.

Zimmer asked what last year's increase was. Jackson said it was 1% last year. This year, a .82% increase is just for the West Branch project at the estimate bond rate. Although the

bond has not been sold yet, so they do not know what the rate will be. They will know the final number on that when the levy is certified in December.

Jackson stated that at the next meeting the Council will be approving the preliminary budget and levy.

Dobson asked about how the 7<sup>th</sup> Avenue and Northland Drive projects will affect the levy. Jackson said in those projects, most of the costs will be assessed so they will not affect the budget much.

Walker said he would like to get the Levy down to a 1%. He clarified we will be approving the maximum for the Preliminary levy and that can be lowered. Jackson confirmed that.

WALKER MOVED TO APPROVE THE PRELIMINARY LEVY AT A 2.4% INCREASE. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

### **Capital Improvement Plan ("CIP")**

#### ***POLICE***

Frederick went over the new additions to the Police Capital Improvement funds. They are looking at upgrading the anti-virus and backup as they discovered an issue a month ago with the length of backup. They are looking for digital recorders for each officer, as they are down to 7 and parts are no longer available for their current models.

Their Tasers are in the same situation as the digital recorders in that they are no longer supported. Whitcomb asked if they are on the state contract. Frederick said they were not. Whitcomb suggested going together with other departments to try and get a discount. Frederick added that with new Tasers, they may need new holsters as well.

They also need a new typewriter, as they do use one often.

Officer Soden is recommended some additional combative training equipment, as it has been one of his goals that the officers get better in this area.

Body armor is very important and the State recommends switching it out every 5 years. What they are currently using is good until June 2016. There may be some grants available for this, but he is planning for the worst case scenario. Each officer will be getting new body armor, and the old ones will be used for reserve officers, etc. Hallin asked why the State recommends they be replaced after just 5 years. Frederick responded that the number 1 reason is sweat, as that breaks down the material.

Squad is just on a normal rotation. This squad was supposed to be done this year, but we switched it to replace the crashed squad. The squad that will be replaced is the unmarked car.

Jackson said a few things that didn't get a CIP sheet for police, they are revenue ideas that we have not fully developed yet. One is patrol ATV that they will look at for 2017. The second is body cameras by 2018. Hopefully by then how long data is stored and what is shared is determined.

Dobson stated he was surprised the Police does not have an ATV as of yet as the City does have a lot of trails. Frederick said there is a group of individuals that does try to get on the

trails with their ATV's, and they know it is difficult for the Police to catch them. Hallin asked if they could borrow the Fire Department's ATV. Frederick said they have looked at that option, but it is set up for Rescue and not patrolling.

#### ***FIRE***

Roxbury said they would like to replace the Chevy 1986 grass / rescue truck. They would like to replace it with a truck that will allow 4 firefighters. They would like to get it in the system and up and running by grass season in the spring. He added that they do have the funds available in the equipment fund, so he is just asking for council permission to purchase the vehicle.

#### ***COMMUNITY DEVELOPMENT***

Foss reported that as the Council requested, one is to set up a street and utility replacement fund.

The second request is a project needs analysis. Nielson added that if you look at the current structures, short term is a 10 year CIP, whereas an overall system analysis would be to divide it up by a 50 year cycle.

#### ***PUBLIC WORKS***

Gerold advised they would like to purchase a Wood Chipper, so they will not have to use PUC's and cause projects to fall behind schedule.

A sidewalk machine is a very unique piece of equipment and will help with snow removal with the additional trails and sidewalks being development in the City.

Lawn mowers request is to replace the aging mowers. Maintenance costs are going up each year. One of the larger batwing mowers were just demo'd this week and the public works employees were very impressed with it.

The Boom mower is used to maintain ditches at the airport and along city roads. Would go on the current tractor.

Library is in need of some window replacement. Some of the windows are rotting out. So, he is requesting \$20,000 in 2016 and \$10,000 in 2017 to replace those windows.

For the cemetery, they are requesting a vehicle as the Mitsubishi is getting very difficult to find parts for.

They are requesting a storage garage for the Waste Water Treatment Plant. When the plant was remodeled, two garage stalls were removed. They need a place to store their mowers and other equipment.

The Waste Water Treatment Plant also needs more Samplers. The current samplers are difficult to find parts for. We need to replace them so they keep up on the permit requirements.

Sewer camera replacement is needed as the current one cannot record issues, cannot look up services and requires the jetter truck to be used.

**ADMINISTRATION**

Jackson advised that we may not need the sound system on the current CIP if the School District moves in. However, they are requesting some funds for the renovation of City Hall if needed.

Whitcomb added that the Princeton sign comes up a lot and asked if staff has found a location for it. Gerold responded that Foss and he have been out looking for a suitable location.

**Food Truck License approval for Come & Take it BBQ, Mama Gracie's Labor Day event**

Jenkins reported that Steven Iverson just came in Wednesday afternoon to apply for a food vendor license. He has been asked to have his truck available for food at Mama Gracie's Labor Day Grand Opening.

HALLIN MOVED TO APPROVE THE FOOD VENDOR LICENSE FOR COME & TAKE IT BBQ FOR MAM GRACIE'S LABOR DAY EVENT. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**Resolution 15-51 Accepting donation for the Public Safety Day**

DOBSON MOVED TO APPROVE RESOLUTUION 15-51 ACCEPTING A \$1,500 DONATION FROM WALMART FOR THE PUBLIC SAFETY DAY. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**USDA Grant fund - Reject bid for First Street lift Station**

Karnowski reported that he was just notified that we have received the extension on the grant. Therefore, the plan is to rebid the project this winter for construction in the spring

HALLIN MOVED TO REJECT THE BID RECEIVED FOR THE FIRST STREET LIFT STATION AND REBID THE PROJECT THIS WINTER FOR SPRING CONSTRUCTION. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

DOBSON MOVED TO ADJOURN THE MEETING AT 6:35PM. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

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Shawna Jenkins  
City Clerk  
ATTEST:

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Paul Whitcomb, Mayor

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON  
SEPTEMBER 24, 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, Jules Zimmer and Victoria Hallin. Staff present, Administrator Mark Karnowski, Community Development Director Jolene Foss, Public Works Director Bob Gerold Police Chief Todd Frederick, Attorneys Damien Toven, and Engineer Mike Nielson. Absent was Finance Director Steve Jackson and Clerk Shawna Jenkins

**AGENDA ADDITIONS/DELETIONS**

The hiring of Cami Flugear was pulled from the consent agenda. The hiring of Cole Wubben as a Princeton Police Officer was added as was the re-zoning of 701 5<sup>th</sup> Avenue North.

**CONSIDERATION OF MINUTES**

- A. Regular Meeting Minutes of September 10, 2015

WALKER MOVED TO APPROVE THE REGULAR MEETING MINUTES OF SEPTEMBER, 2015. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**CONSENT AGENDA**

- A. Permits and Licenses
- B. Personnel.
  - 1. Approve Public Works Compost Site Applicant Fred Rittenhour
- C. Donations/Designations
  - 1. Resolution 15-60 accepting donation from Outlaw Grass Drags

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

**OPEN FORUM** - No one addressed the Council.

**PUBLIC HEARINGS**

- A. Proposed School District Annexation

Karnowski advised the Council that the School District request for the annexation of 91 acres on the northwest side of the city was the subject of that evening's public hearing.

It was noted that the School District wishes to develop some of the land into ball fields and feels that having all the School District property under the jurisdiction of one political entity will aid in their ability to implement and maintain Emergency Response Plans and provide cohesive structure for all potential accidents and/or crimes that will be uniform on all District property.

The District also feels that having all District property located in one political jurisdiction will also allow for minimal confusion in what jurisdiction is responsible for any proceedings in an investigation. It was noted that the city's public safety department has been working closely with the District and has knowledge of the administration, staff and other critical information. Karnowski said that annexation will also make it easier to use current District infrastructure which will allow for a more cohesive and pleasant use of the land for both the District and the neighboring residents.

Karnowski pointed out that a draft copy of an agreement for the division of road maintenance responsibilities between the City and the Township was in the packet but has not, as yet,

been considered by the township as well. The proposed agreement states that the Township shall be responsible for all of 33<sup>rd</sup> Street, all of 110<sup>th</sup> Ave and all of 107<sup>th</sup> Ave. The City shall be responsible for 82<sup>nd</sup> Ave from its intersection with 14<sup>th</sup> Ave North northward to its intersection with 33<sup>rd</sup> there terminating and 17<sup>th</sup> Street west of Mille Lacs Co Rad 3 and East of 110<sup>th</sup> Ave.

MAYOR WHITCOMB OPENED THE PUBLIC HEARING AT 7:06.

Dan Whitcomb (8082 33<sup>rd</sup> Street, Princeton Township) advised that his property borders the proposed annexation area and that he does not oppose the annexation. His primary concern was the impact on the development of the ballfields on the neighborhood. Whitcomb suggested that the reason the District requested annexation was because they did not want to meet the road improvement condition proposed for the requisite conditional use permit by the Township. Whitcomb requested that the city address road issues during their permitting process.

Jason Wolfsteller (3340 82<sup>nd</sup> Avenue, Princeton Township) said that he feels the annexation isn't being done correctly and is concerned about the traffic and the dust it will create on the gravel roads in the area. He said that he cannot keep his windows open now because of the dust.

John Roxbury, Jr. (6126 Alpha Road, Princeton Township) is a Town Board Supervisor and echoed Dan Whitcomb's assertion that the primary reason the District was seeking annexation was to avoid paying for improvements to the roads abutting the proposed annexation area.

Ryan Hofmann represented the construction management company working on the new school additions and asserted that the District was not requesting annexation to simply avoid the costs of road improvements. He indicated that the plans are to access the ballfields from the Middle School property and avoid increasing the traffic on 82<sup>nd</sup> Avenue and 33<sup>rd</sup> Street. He said that the District assumes that the city's Conditional Use Permit for the project will address some of the same issues and noted that the District has not yet applied for the CUP because they wanted to find out first if the annexation would be approved.

Councilman Walker asked if the plans for the ballfield development call for site access from the Middle School property and Hofmann advised that, indeed, those are the current plans.

Dan Whitcomb pointed out that he understands that a school district can increase their property tax levy to pay for levied assessments which means they do not have to use the bonding money.

John Roxbury, Jr. clarified that the plans reviewed by the Township located the ball fields on the north side of the property and not on the south side as now proposed. So that location was never discussed as part of the CUP process.

Keven Walz (4004 Brickton Road, Princeton Township) inquired as to whether the District would be drilling a well to maintain the ballfields or if they planned on using the city water supply. He noted that the District should be assessed for all of the road improvements. He added that he's in favor of the proposed annexation.

Councilman Walker questioned what the District's water source was going to be.

Ryan Hofmann advised that the District may have to drill a new well if the existing well doesn't have the necessary capacity.

A discussion on the process for digging a new well ensued with Councilman Dobson inquiring about the District being aware of the PUC's Wellhead Protection Plan and Hofmann advised that they were aware of the issue.

DOBSON MOVED TO CLOSE THE HEARING AT 7:19. THAT MOTION WAS SECONDED BY HALLIN. THE MOTION CARRIED UNANIMOUSLY.

Hallin commented that the primary purpose of the annexation wasn't about roads but was to get all for the school property under a single jurisdiction which was good for not only property management but public safety too.

WALKER MOVED TO ADOPT ORDINANCE 722 ANNEXING LAND LOCATED IN PRINCETON TOWNSHIP, MILLE LACS COUNTY, MINNESOTA PURSUANT TO MINNESOTA STATUTES 414.033, SUBDIVISION 2(3) PERMITTING ANNEXATION BY ORDINANCE. HALLIN SECONDED THE MOTION. THE MOTION WAS ADOPTED UNANIMOUSLY.

#### **PRESENTATIONS** – Mille Lacs County Connect – Beth Vanderplatts

Vanderplatts advised the Council that on Thursday, October 15<sup>th</sup> from 10am – 2pm, the County is holding the 10<sup>th</sup> Annual "Operation Community Connect" event which is free and open to the public that will showcase numerous free services available to County residents.

The event will be held at the Milaca Public High School Gym and will include door prizes and a free meal for participants. She stressed that they want more Princeton area residents to attend. Staff advised that we will post the information on both the City Website and the city's Facebook page.

#### **REPORTS OF OFFICERS, BOARDS, AND COMMITTEES**

##### A. Proposed Police Officer hiring

Karnowski advised the Council that we had over 40 applicants for the police officer vacancy resulting from Sgt. Backlund's taking the Chief's position in another city. The interview team interviewed six candidates and are recommending that Cole Wubben be hired as a police officer at a salary of \$44,104.80 pending successful completion of the mandatory 12 month probation period.

Chief Frederick provided additional information on the candidate and advised that he is very much in favor of the proposed hiring.

DOBSON MOVED TO HIRE COLE WUBBEN AS A PRINCETON POLICE OFFICER AT A SALARY OF \$44,104.80 PENDING SUCCESSFUL COMPLETION OF THE PROBATION PERIOD. THE MOTION WAS SECONDED BY HALLIN. THE MOTION WAS ADOPTED UNANIMOUSLY.

Administrator Karnowski then swore in Officer Wubben.

B. Re-Zoning of 701 5<sup>th</sup> Avenue North

Community Development Director Foss advised the Council that they are being asked to approve the proposed re-zoning of 701 5<sup>th</sup> Avenue North from "R-2" to "R-3" to facilitate the construction of a 4-unity condo. She advised that the rezoning was first considered and denied in 2012 but the recent Housing Study shows a shortage and demand for that type of housing. So the request is being brought back. The Planning Commission held the requisite public hearing and are recommending approval.

DOBSON MOVED TO APPROVE THE RE-ZONING OF 705 5<sup>th</sup> AVENUE NORTH FROM "R-2" to "R-3". THE MOTION WAS SECONDED BY HALLIN. THE MOTION WAS ADOPTED UNANIMOUSLY.

**PETITIONS, REQUESTS, AND COMMUNICATIONS**

A. Waterfowl hunting request from Nate Cook

Karnowski reported that Cook is requesting permission to hunt the 2015 waterfowl hunting season at the Princeton Golf Course. He has been granted permission from the owner, so is asking the Council for their permission. They would be hunting away from of the inbound areas of the course. All the hunting will be taking place on the riverbanks away from any public golfing. Most of the hunting will take place before any public golf starts. Approximate hunting times would be sunrise to 9am. All hunters will have a firearm safety certificates along with all the legal licenses mandated by the State of MN and the DNR.

Police Chief Frederick advised that he discussed the proposal with Mr. Cook and confirmed the above described hunting parameters. He further noted that cook will be working on improving the coordination and communication with area residents.

Karnowski expressed concern that the proposal might run afoul of the city ordinances. Attorney Toven said that, so long as the Council approves the hunt, it falls within the ordinance parameters.

WALKER MOVED TO APPROVE THE REQUEST TO HUNT AT THE PRINCETON GOLF COURSE ALONG THE RIVERBANK DURING THE 2015 WATERFOWL SEASON, LIMITED FROM SUNRISE TO 9AM WHEN GOLFING WOULD BEGIN. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**ORDINANCES AND RESOLUTIONS**

A. Resolution 15-58 Bond Award

George Eilertson from Northland Securities advised The Council that the city received two bids for the bonds to fund both the West Branch and 7<sup>th</sup> Avenue North projects with Dougherty & Company, LLC offering the lowest true interest cost of 2.50%. Eilertson went on not that, because of the rate, the amount of the bond should be reduced from \$920,000 to \$910,000. Eilertson also advised that Standard and Poor's improved the city's bond rating from "AA -" to "AA".

Eilertson recommended that Resolution 15-58 be adopted to provide for the issuance and sale of \$910,000 General Obligation Bonds, Series 2015A and to pledge special assessments and levying a tax for the payment of the West Branch and 7<sup>th</sup> Ave Projects.

HALLIN MOVED TO APPROVE RESOLUTION 15-58 PROVIDING FOR THE ISSUANCE AND SALE OF \$910,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2015A, AND PLEADING SPECIAL ASSESSMENTS AND LEVYING A TAX FOR THE PAYMENT THEREOF. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Resolution 15-59 – approving the 8<sup>th</sup> Ave Drainage project feasibility Study

Engineer Nielson advised that the proposed improvements are required to reduce an existing flooding problem for a localized area on 8th Avenue S. During larger rain events the flooding threatens homes adjacent to the roadway. Due to the downstream capacity of the existing storm sewer these improvements will not be able to convey a 10- year design storm. The proposed improvements cannot guarantee that flooding will not occur in the future, however these improvements are intended to reduce the frequency and duration that the street and yards are flooded.

There were two options reviewed. The first option includes the installation of two drainage structures and 12" HDPE storm sewer on 8th Avenue S. approximately 500-feet south of S. 6<sup>th</sup> Street at a cost of \$35,753.25 which includes a 20% contingency and an additional 25% for indirect costs. The second option proposes to install a single catch basin on the east side of 8th Avenue S. connected to the existing storm sewer with a 12" HDPE storm sewer. The cost of Option #2 is estimated to be \$21,918.20, which includes a 20% contingency and 35% indirect costs.

Funding for the project will be provided through the City's Bonding, PUC funds and assessments to benefitting properties for the improvements.

Both of the options presented in this report are feasible, necessary and cost-effective from an engineering standpoint and should be constructed as proposed herein. The recommended option is Option 1 with an engineers opinion of probable cost of \$35,753.25.

Nielson advised that the residents along 8<sup>th</sup> Ave South petitioned the City to request the drainage issues be resolved and that he attempted to persuade the residents in that area to just agree to pick up the costs for the project rather than cause the city to go through the MS 429 process. He was unable to get their agreement. Nielson noted that the project costs (less contingency and indirect costs, is under \$25,000 so they'll need to get a second quote in addition to the one they have from West Branch Construction.

WALKER MOVED TO ORDER AND ACCEPT THE FEASIBILITY STUDY AND ORDER THE PUBLIC HEARING TO BE HELD AT 7 PM ON THURSDAY, OCTOBER 15 IN THE COUNCIL CHAMBERS OF CITY HALL. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**UNFINISHED BUSINESS**

A. Pay Voucher #1 – 2015 Crack Seal Project

Karnowski advised the crack seal project at the airport has been completed by Struck and Irwin. Pay Voucher #1 is for the total amount of \$66,666.00

HALLIN MOVED TO APPROVE PAY VOUCHER #1 FOR \$66,666.00 TO STRUCK AND IRWIN, FOR THE 2015 CRACK SEAL PROJECT. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Pay Voucher #2 – West Branch Project

Nielson reported that Pay Voucher # 2 is for the amount of \$229,253.19 to Douglas-Kerr Underground, LLC. The quantities completed to date have been reviewed and agreed upon by the Contractor.

HALLIN MOVED TO APPROVE PAY VOUCHER #2 FOR \$229,253.19 TO DOUGLAS-KERR UNDERGROUND, LLC FOR THE WEST BRANCH PROJECT. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Fire Station Proposal

Karnowski advised that the City has been approached by a local business to see if the Council would be willing to entertain a one-year lease, with an option to buy the old Fire Station building. The intent would be to use the facility as a detailing location for the business.

It was pointed out that, by renting the property, it would be taxable. The other drawbacks are that it's currently being used for storage by the Public Works Department. The other drawback is that we'd have to structure the lease such that if another party offers to buy it during the first year, that the city could cancel the lease.

Obviously the city would need to negotiate the terms for both the lease and purchase before a final decision is made by the Council.

He asked if the City Council be open to entertain that type of arrangement if the negotiated terms were satisfactory.

The concurrence of the Council was to authorize negotiations with the stipulation that no car repair would be allowed in that building...only detailing.

**NEW BUSINESS**

A. Planning Commission Opening – Applicant Chuck Young

Karnowski advised that the Planning Commission is short two members, with the resignation of Eldon Johnson and that presents a problem in that a meeting would have to be cancelled if one of the remaining members couldn't make the meeting. City resident Chuck Young has submitted an application for one of those open seats.

Mr. Young approached the Council to express his desire to serve and noted that he would like to see more affordable housing in the city.

MOVED TO APPOINT CHUCK YOUNG TO THE PLANNING COMMISSION TO FILL THE REMAINDER OF THE REMAINING TIME ON THE SEAT PREVIOUSLY HELD BY ELTON JOHNSON WAS MOVED BY ZIMMER AND SECONDED BY DOBSON. THE MOTION CARRIED UNANIMOUSLY

B. Sherburne County Election Counter purchase request

Karnowski reviewed a memo reporting that staff has received a letter from Sherburne County requesting Council approval to purchase new counting machines. The County would cover half the cost, with the City being required to pay for the other half. Due to the high cost of these machines and the very low amount of voters Princeton has in Sherburne County, the County will look at other voting options, including the possibility of mail balloting and report back to the City.

**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 \$136,784.28 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 72456 TO 72486 FOR A TOTAL OF \$148,959.63. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**ADJOURNMENT**

There being no further business:

DOBSON MOVED TO ADJOURN THE MEETING AT 8:28 P.M. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST:

\_\_\_\_\_  
Mark Karnowski,  
City Administrator

\_\_\_\_\_  
Paul Whitcomb, Mayor