MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON OCTOBER 6, 2011, 4:30 P.M. IN THE CITY HALL COUNCIL CHAMBERS

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Mayor Jeremy Riddle called the meeting to order. Council members present were Dick Dobson, Victoria Hallin, Thom Walker and Paul Whitcomb. Staff present was Administrator Mark Karnowski, Community Developer Carie Fuhrman, Police Chief Brian Payne, City Engineer Mike Nielson, Public Works Director Bob Gerold, Liquor Store Manager Nancy Campbell, Fire Chief Jim Roxbury and City Clerk Katie Hunter. Also present: City Attorney Dick Schieffer.

RESOLUTION 11-58 ELECTION AID DISABILITY EAID GRANT

Karnowski explained that Hunter was going to undertake the task of applying for the Secretary of State's EAID Grant for upgrades to polling places related to help for the disabled voters. A possibility would be updating the bathrooms at the Depot.

HALLIN MOTIONED TO APPROVE RESOLUTION 11-58. DOBSON SECONDED THE MOTION. ON THE VOTE: AYES - 5; NAYS - 0. THE MOTION CARRIED UNANIMOUSLY.

FIRST STREET RIGHT-OF-WAY ACQUISITION DISCUSSION

Dave Thompson, Public Utilities Manager, was present at the meeting to discuss the overhead power lines bordering south of First Street. Because the alley is narrow in places and continued maintenance becomes more difficult with the growth of trees in the alley and the normal use of back yards for gardens, plantings, fences and sheds. Even though overhead lines are relatively inexpensive to install, they are expensive to maintain; for example, when they become downed in stormy weather.

The PUC would like to abandon and remove all electric energy installations in the alley and relocate the line to an easement along the south edge of the right-of-way of First Street from 11th Avenue, westerly to Highway 169. The PUC would like to begin construction in 2012. The line would be three feet underground and would be installed by directional drilling so there would be no trench to dig and refill. There would be no charge or assessment to the City Hall for this upgrade. The homes would, however, need to connect a service line to their home electrical panel from the new electric line proposed for First Street.

The easement being requested would be over and under the northerly seven feet of each lot abutting the right-of-way of First Street. Each home has already received a letter and a proposed easement document for their review. Both Dave Thompsons and Dick Schieffer's phone numbers were listed on the letter as contacts.

Thompson went on to add that homeowners do not like to see trees cut in their easements. There was $12,000 worth of damage during the first storm this past summer and $100,000 damage to lines during the second storm. The customers pay for that in their rates. In addition, during the last seven years, monies have been being put aside to upgrade the system to a higher voltage.

The Council asked if there were other areas in town that had underground lines. Thompson said there were several other areas in town that are underground already; Coborn's, Hockey Arena, and Downtown Princeton, to name a few.

Hallin asked how many property owners live along the First Street stretch. Thompson said there are seventeen. Thompson added that three people have inquired after the letters were sent, but no one was in opposition. When the lines are removed, the residents will actually be gaining more in their backyards.

Dobson asked if residents will end up losing a lot of land in the front of their property with the easements. Scheiffer said that there are a variety of easements in that area. In fact, an old sewer line runs through there. Thompson said some easements run two or three feet off of the house. The easements were dated 1973, said Schieffer.

FENCE ISSUES 219 14TH AVENUE SOUTH

Fuhrman explained that Angela and Jeremy C. Uhrich, owners of a residential property located at 219 – 14th Avenue South in the City of Princeton, Minnesota, which property is legally described as Lot 10, Block 1, Meadow View Estates Fourth Addition, had applied for a fence permit in May. On the fence application, there was a hand written note stating that the fence would be 21.5 feet from the center of the road. The City Building Inspector, Lynn Paulson, approved the application itself, overlooking any notes on the paper, said Fuhrman.

The fence was constructed and when Paulson went to inspect it, he found it was built about 12.5 feet in the right-of-way. The fence has not been removed at this time and the City is ordering the fence be removed within 20 days with resolution #11-59.

Both Jeremy and Angela Uhrich were at the meeting to discuss the issue.

Mrs. Uhrich said that she was asked to make a drawing of where the fence would go. Where the sprinkler system aligns, is where the Uhrichs thought the property line was. Uhrich said if Paulson could read the application, he should have read the notes on it as well.

Mr. Uhrich explained that the couple had initially taken out a loan to install the fence so Mrs. Uhrich could start an in-home daycare business. Now they are being asked to spend another $2000.00 to fix the fence that they would not have installed if they had known it would have to be put so close to their home.

Hallin told the Uhrichs that the city cannot legally have the fence where it is. It must be moved.

Karnowski said that when Paulson looked at the application, what he saw from the drawing was that the fence was going to be within the property lines. He did overlook the notation from the center of the street; but the mistake was also made by the property owners in that the property line was not properly identified.

Mr. Uhrich said his wife is not a professional. She did her best as to what was asked of her to make a sketch.

Karnowski said that the City had offered to remove the fence at no cost, but the Uhrichs declined the offer. The Uhrichs said they declined the offer because the City could not reinstall it. Also, the City personnel are not fence professionals.

The Council asked what the quote for $2000.00 was for. Mr. Uhrich said that quote included both taking the fence out and installing it again. If a company were to just reinstall the fence (after Public Works removed it, for example), the cost would not be as much as the $2000.00 quote. Mr. Uhrich said that new posts would need to be used, new pins, and new concrete.

Hallin said that regardless, the fence will have to be moved. A snow plow will hit the fence.
The Uhrichs said that there is a home off of First Avenue that the fence is only a foot off of the tarred road. That fence has been there for five years and a snowplow has not hit it. Fuhrman said she would look into that.

Riddle asked Karnowski if Metro West, the inspection company, would be willing to contribute anything. Karnowski said he spoke with Lynn Paulson, who did not think that company would contribute. Karnowski will go further and ask Paulson's boss, Loren Kohnen.

Walker asked who did the fence installation. The Uhrichs said that Ed's Fencing was the company that did the installation. Walker said he was perplexed at Ed's Fencing for putting the fence where it shouldn't be. The Uhrichs said because the city had granted them a permit, Ed's Fencing thought it was okay to be built where it was built. Walker went on to say that Princeton is not the only place in Minnesota that has guidelines regarding fences in right-of-ways. Mr. Uhrich said that Ed's Fencing claims they have not moved a fence in twenty years.

Schieffer added that when someone submits an application, the responsibility is on that person to provide plans. The inspector approves a site plan. When the site plan comes in and it shows that the construction is within the property lines, it will be approved. Building official is used to approving plans, not notations.

Schieffer went on to say, that the question at hand is how to get the fence out of the right-of-way without costing the property owners a lot of money. When you have insurance, it pays for damages that occur as a result of a negligent act, but a court would not find that the inspector was negligent in this case. The plans are "ambiguous", he approve something that most of time should be approved. He approves site plans, not notations.

The property owners put a notation on the plan that contradicted the plan. Having a permit to build something on property you don't own is not going to get you somewhere in court.

Schieffer offered a cheaper solution to assessing the work to the property. The amount of money can be charged to the property for a cheap rate and be paid off over a period of time.

Schieffer said that add to Walker's comment on Ed's Fencing installing the fence in the incorrect location, that if Mr. Ed were to be brought into court, he would have responsibility. The court would most likely be in favor of the city based on the principle. A property owner is required to know the law and what property they own. Schieffer said he has represented people in court that have built a garage in the wrong place. The Court rarely sides with the resident in this case. Overall, the question is not who to blame, but how to remedy the problem at the lowest cost to Mr. and Mrs. Uhrich.

Karnowski put in that the City would take the fence down at our own expense, so there would be no assessment to the property owners. The reinstallation is where the cost would come in.

Schieffer confirmed with the property owners that the do want the fence reinstalled, even though not in their desired spot. Then, there would be the possibility that City staff could remove the fence at no cost. But, a contractor would do the reinstallation and then assess those costs against the property.

Mrs. Uhrich asked if the city would be the ones choosing the contractor or the residents. Schieffer said that the City would choose the contractor after bids were received from different ones, but that the residents could certainly be involved to have input.

Mrs. Uhrich asked if Lynn Paulson would receive any sort of reprimand. Schieffer said he has a disagreement there being that the Building Inspector approved the plans as he was supposed to. When you put a notation on the plan that goes against the plan itself, it cannot be assumed that the Inspector will go off of the notations. He goes off of the plan itself, and that was drawn

correctly. If the plan meets the code, the Building Inspector has to approve it. Schieffer said he understands the frustration that the Uhrichs have. But, they need to recognize that what was submitted was contradictory.

Resolution 11-59 that the City Council is considering states that the fence must be removed within twenty (20) days. Either way, before any finalizing is done, this issue will come back to the City Council.

Dobson asked if the City Council approved Resolution 11-59, would that mean that everything must be completed in twenty (20) days (removing, City Staff looking into possible payment options, and reinstalling.) Mrs. Uhrich added that if there was a lag time, she could not have half of a fence lying around.

Schieffer said that the Council should not get particular on counting exact days. The time limit is in the City Council's hands. Resolution 11-59 is just a tool to get the process going. The fence may even need to be rebuilt next spring.

Walker stated that the best way for this problem to be fixed is if the fence comes out and goes back done within a couple days. Walker said if the contractor, Public Works, and City staff can all meet at the same time, then everyone should be willing to help.

It was mentioned that quotes, not bids, will need to be obtained.

Walker added that if the City and the Uhrichs are working toward the same goal, this issue can be resolved for a cheaper amount. If the Uhrichs are working against the City, this could cost more to resolve.

Schieffer said that if the City Council members are concerned about the finality, then it can be deferred rather than work out a settlement. As long as there is progress being made, the twenty (20) days do not need to be enforced.

HALLIN MOTIONED TO ACCEPT RESOLUTION 11-59. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

The Mayor suggested to Karnowski, as an afterthought, to contact Ed's Fencing as well.

MARK PARK LIGHTING DISCUSSION

Thompson said that Bob Gerold had contacted the PUC about a month ago in regards to the lighting at the ball fields at Mark Park. Gerold added that in looking at the budget, one way to reduce costs would be to install a 'pay as you go' system. For example, a coin operated system.

Thompson said it costs $6.72 an hour to light the field with 30 metal halide lights.

The new led light screws right into the system that is currently there. It is much brighter, at 400 volts versus 100 volts. Thompson said that a resident will call PUC asking them to replace a burned out light bulb. When the PUC replaces the bulb with an LED light, the resident will call back and say the light is now too bright! These lights are guaranteed 100,000 hours. The current lights are only 10,000 hours.

Walker suggested just having the people who are using the lights most to help pay for the lighting bill. Gerold said they are currently working on trying to get a uniform plan so it's equal across the board.

Thompson said some lighting, for example on the trails, has already been converted. Granted, the LED lights cost more, they have a longer life, a longer warranty and the extra costs can be obtained in a couple of months from the savings of running the LED lights.

Walker quickly computed a $13,000 - $14,000 utility savings a year if the improvements are done. Walker asked how much changeover would need to be done. Thompson said the changes are minor and that it is mostly labor. Walker added that he would like to see hard numbers.

Thompson said that emergency personnel also prefer this lighting because shadows cannot be seen with an LED light.

Nielson said that he could rerun a spreadsheet that he had run in the past comparing the new bulbs with the old bulbs.

Dobson added that he would like to see the people that are using the field to be paying for the field.

Walker asked how much it costs for a single person to play softball in Princeton. Gerold said when he played a couple of years back, it was $70.00 per person and there were up to nine teams just in his league. Walker said he really would like hard numbers showing how much of the cost of maintenance and lighting is covered by the softball association.

Payne said that he would prefer no "change" boxes. He feels that these boxes only attract people who are out to steal money to do so.

2012 CAPITAL IMPROVEMENT PLAN (CIP)

Although Jackson was not present at the meeting, he had outlined the 2012 CIP.

ADMINISTRATION

Karnowski said that the City Hall roof replacement cost of around $56,000.00 was included in the 2012 CIP. Also, $12,000 for a new copier. Karnowski said that a guesstimate of $250,000.00 was used to remodel the Civic Center. That figure is not locked in and in addition, Carie Fuhrman is looking into some possible grants.

FINANCE

$2500.00 is included through 2017 for computer upgrades.

LIBRARY

The Council asked why $32,000.00 was included in the 2012 year – wasn't the carpeting already completed at the Library? It was confirmed that the carpeting was completed in the community room and not the main area. Walker suggested replacing just the areas that were worn down. Possibly leaving the areas that the shelves cover. Karnowski said he will check with Robin at the Library, but he thought their plan was to use the carpet tiles again for easy re-

placing in the future. Walker also asked if the carpet company moves the shelving and if that is included in the cost.

COMMUNITY DEVELOPMENT

Karnowski took over for Fuhrman in explaining that there are a few Hangar purchases/removals to be done at the Airport. The GIS Map will also need some updating over the years, hence the $2,500.00 included through 2017. Another $10,000 is included for sewer locations.

Walker asked about the $600,000.00 for the 21st Avenue Extension; whether that was approved yet or not. Karnowski assured the Council that the project has not been approved. That extension could only be completed with the airport projects to be completed. The Airport Advisory Board met earlier in the week and spoke about the high doubt that the Crosswind Runway will ever get built. It seems that the FAA is cracking down on justification that is necessary to even allow you to build a crosswind runway. The standard will become more difficult to meet. The understanding of environmental studies is out of reach for ability of city to pick it up. Grant dollars would be needed, Karnowski added. Extended runway to 5000 feet should be first on the list rather than the crosswind runway. In conclusion, a Comprehensive Plan Updated and Enhancement is set for 2013 at around $5,000.00.

PUBLIC INFRASTRUCTURE

As for the two million dollars in the 2015 CIP for the South Sewer Extension, Nielson explained that he and Jay Blake had previously looked at this issue. They had spoke about realigning the county roads extending past Crystal Cabinets and past Prarie Restorations; and connecting back on West side. Nielson went on to add that because USDA decided not to fund the Smith System Sewer project, this extension discussed cannot happen until Smith System happens.

POLICE DEPARTMENT

Payne said that each year, the Police Department allows for a new squad car. Crown Victoria vehicles are not being produced any longer as squad cars. Even though $40,000.00 is listed as the price for 2012 replacement, Payne said he believes the cost should come in well under $40,000.00.

The Police Department roof is a definite fix for 2012 at $3,500.00. The 800 megahertz radio station will also need to be updated at the $40,000.00 mark for 2012. Payne added that the Department is still in negotiation terms with Mille Lacs County to obtain grant funds for the radio update. Although, the County Sherriff informed Payne not to count on grant money one hundred percent. The copier has rolled over for many years, at $15,000.00.

As for Police Department computer and equipment upgrades, $17,000.00 is listed for replacements. The current equipment that the department is using is seven (7) years old. Improved apparatus is certainly needed for the video camera usage for evidence.

The $3,000.00 in 2013 is for Range Equipment for the Diesel Pickup that the Police Department is keeping for Public Works use.

Each squad had computers in 2006, so the plan for the future, is to have them replaced in 2015 ($38,500.00).

LIQUOR STORE

Campbell reported that $10,000.00 in 2014 was added for a computer upgrade at the Princeton Wine and Spirits Liquor Store.

FIRE DEPARTMENT

Roxbury said some of the rescue equipment is in need of upgrading ($19,000.00) the equipment was purchased in 1982 and 1983. Although, the Fire Department stands a good chance at receiving a grant for $42,000.00 for this equipment. $2,100.00 would come out of the Equipment Fund.

Walker asked what the $20,000.00 was for listed as the GPS Mapping System. Roxbury said they weren't too sure about it for 2012. The company who came to present the system to the Fire Department did a poor job.

PUBLIC WORKS

Gerold said that $50,000.00 was set aside to replace the Public Works Garage office area. A pick-up truck for $18,000.00 in 2012 and some replacement of barricades, cones and signs for $5,000.00.

The paver in 2013 for $35,000.00; the department is looking at possibly having the paver on the back of a truck for better service.

As for upgrading the $5,000.00 signage, the good news is the mandated upgrade will no longer be as strict.

Gerold went on to say that the tractor with the blower will need replacement ($140,000.00) by 2015.

Walker asked how often the paver will be used. Gerold said that it would definitely get use and the plan would be to purchase a slip paver, not self propelled, which would hook on the back of an existing truck.

Hallin said she appreciates Gerold shopping around.

PARKS AND RECREATION

Gerold went on to add that a fence is needed for the Dog Park ($5,000.00), a leaf blower ($5,000.00); both for 2012. Also in 2012, the Park Board would like to put in a Mini Golf in conjunction with Mark Park and Splash Park ($100,000.00). This will be paid for with Park Dedication funds.

The City Council asked how much can Gerold's Public Works Department contributes to the construction of the Mini Golf Course. Gerold added that Todd Frederick, Park Board member, is currently obtaining quotes for the course.

In addition, in 2013 an Air Compressor will be needed for the department. In 2014, $22,000.00 is allowed for a pick-up truck and $20,000.00 in 2017 for a new lawn mower.

CEMETERY

Gerold reminded the City Council that the plan was not to expand on Oak Knoll Cemetery. But, there may be other options. The fence at the cemetery does need to be replaced, on the other hand ($40,000.00). That project could be pushed out, if needed. In fact, Mille Lacs County had given the City a number of rose bushes this past year that were planted along the North side of the cemetery. The bushes are doing well and may be able to provide a vegetative fence in place of a metal fence.

The cemetery utility truck with the plow is no longer running, so $26,500.00 was estimated for replacement. This piece of equipment could also be used for cul-de-sacs.

AIRPORT

Karnowski said that the Airport Board will meet with the Federal Aviation Administration (FAA) next week regarding upgrades to the airport including the following: drainage rehabilitation, maintenance building, runway lights, papi's, and fix the based operator facility. These would be funded on a 50/50 basis. The project at the top of the list is redoing the tie down area next to the A/D building. There are a lot of cracks and grass growing up, to which Gerold's department cannot keep up. The idea will be to grind it off and repave it. The cost here is about $250,000.00, but would be a 95/5 grant.

SANITARY SEWER

Gerold said his department is working with Community Development on computer mapping. This will locate all sewers and keep track of the records for cleaning.

The Treatment Plant upgrade is already in the works, obviously. As the plant expands, a new lawn mower will be needed for the plant itself.

MISCELLANEOUS

RE-DISTRICTING
Karnowski reported that the City of Princeton may be split into two districts. Karnowski went on to add that may mean two different senators representing the city. Riddle commented that this may be a good thing. There would be bipartisan support.

FAMILY PATHWAYS
Hallin reported that it is National Lights On on October 20, 2011 from 3:00 – 7:00 pm.

CIVIC CENTER UPDATE
Carie is looking at grant money to upgrade the Civic Center as was mentioned earlier in the meeting. Because that may take a while, one of Gerold's ideas was to shut down the building for the winter (as is usually done), but to then board it up until rehabilitation takes place.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS:

RIDDLE MOVED TO ADJOURN THE MEETING AT 6:41 PM. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (5 AYES, 0 NAYS).

Respectfully Submitted,

Katie Hunter
City Clerk

ATTEST:

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Jeremy Riddle, Mayor