

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
MAY 28, 2015 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

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

AGENDA ADDITIONS/DELETIONS

None

CONSIDERATION OF MINUTES

- A. Mille Lacs Board of Appeal & Study Session Minutes of May 7, 2015
- B. Regular Meeting Minutes of May 14, 2015

WALKER MOVED TO APPROVE THE MILLE LACS BOARD OF APPEAL AND STUDY SESSION MINUTES OF MAY 7, 2015 AND THE REGULAR MEETING MINUTES OF MAY 7, 2015. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

A. Permits and Licenses

- 1. TNT Fireworks – outside fireworks sales at Walmart
- 2. Pyrotechnic Display – July 4th fireworks at Fairgrounds

B. Personnel

- 1. Splash Park – approval to hire Erica Schramel at \$7.50 effective 5-1-15
- 2. Public Works – approval to hire Nicholas Nelson for GMII at \$19.41 effective 6-1-15
- 3. Splash Park – approval to rehire Bailey Bartz at \$8.50 effective 5-1-15
- 4. Splash Park – approval to rehire Ashley Schramel at \$8.50 effective 5-1-15
- 5. Splash Park – approval to rehire Linda Alexander at \$8.50 effective 5-1-15

C. Donations/Designations

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

OPEN FORUM

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. EDA Special Meeting of Minutes of April 30, 2015
- B. Planning Commission Minutes of May 18, 2015
- C. Airport Board Minutes of May 4, 2015
- D. Fire Board Minutes of May 5, 2015

PETITIONS, REQUESTS, AND COMMUNICATIONS

- A. Wine and Spirits Grant Request from Mille Lacs County Historical Society

Karnowski reported that the Mille Lacs Historical Society is requesting a Wine and Spirits Grant to assist in an electrician completing electrical disconnect to Caboose that is on dis-

play. They would like to connect a heater and install electrical receptacles so it can be used for events year round.

Whitcomb said he is having a trouble giving a \$1000, as he would rather have had them come to the council and request some gift certificates for a fundraiser. Barry said they have installed underground electric in several areas of the yard. They would like to animate the artifacts, and they have electric ran right up to the caboose. It originally had 32 volt electric. They have plans to hold birthday parties, meetings and other events in it. There is also a 220 volt heater that needs to be hooked up.

Barry added that they hope to increase traffic to the Depot. Walker said it is too bad they do not have any electricians on their board. Zimmer said he happened to stop buy and tour the caboose and it really does have some value and use. Walker asked if they have a bid for the \$1000, or if it was an estimate. Barry said it is an estimate and they would gladly refund any funds that were left over. He said most of their materials were donated and they have had some labor donated as well. Walker suggested paying for half, and hopefully donations can be received elsewhere for the rest. Hallin asked if he could get some bids and come back to the Council. Walker mentioned the council could approve a grant, not over a particular amount.

Zimmer asked if Walker would like to approve the request of \$1000. Walker responded that he does not want to approve the full amount.

WALKER MOVED TO APPROVE HALF THE COST OF ELECTRIC, NOT TO EXCEED \$500 TO THE MILLE LACS HISTORICAL SOCIETY TO ASSIST IN THE ELECTRICAL BEING RAN TO THE CABOOSE FOR YEAR ROUND USE. DOBSON SECONDED THE MOTION. VOTE 3:2, HALLIN AND WHITCOMB OPPOSED. THE MOTION CARRIED.

B. Council Action Request to approve the 5k route for June 13, 2015

Karnowski advised that Beyond Sports Martial Arts and Fitness is organizing this year's Rum River 5k run. They are requesting approval for their route. Chief Frederick has spoken with Beyond Sports and has approved the route.

HALLIN MOVED TO APPROVE THE ROUTE AS SUBMITTED FOR THE RUM RIVER FESTIVAL 5K ROUTE. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Wine and Spirits Grant Request for MN Central Art Coop

Karnowski reported that the Central MN Art Coop is asking for a \$325 grant to assist in obtaining the public showing rights to the movie "ET" for a special community movie night during Rum River Festival on June 13th.

Dobson said he knows they have other movies planned, and asked if they will be requesting funds for those as well. Whitcomb said the policy is only one per year, so they cannot request a grant again this year. Dobson said it is nice public event and a place you can bring your kids and feel comfortable about it.

DOBSON MOVED TO APPROVE THE \$325 GRANT REQUEST FROM MN ART COOP. ZIMMER SECONDED THE MOTION. VOTE 4:1, HALLIN OPPOSED. THE MOTION CARRIED.

ORDINANCES AND RESOLUTIONS

A. Ordinance 718 – Amendment to the FOG Ordinance – final reading

Karnowski advised that this amendment is simply adding “Wastewater Treatment Plant Manager” to the ordinance and there have been no changes since it was introduced.

DOBSON MOVED TO APPROVE ORDINANCE 718 AMENDING TITLE 9 (SEWER AND WATER), CHAPTER 925 (FATS, OILS AND GREASE “FOG”) OF THE CITY OF PRINCETON CODE OF ORDINANCES. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Ordinance 719 – Amendment to Airport Standards – First Reading

Karnowski reported that MnDOT has suggested having Airport standards in place. The ordinance basically covers FBO (fixed base operators) in some airports. Princeton does not currently have those and do not have any that do agricultural spraying. However, MnDOT suggesting having something in the code in case that were to occur. Walker said they look like they are fairly minimal requirements.

HALLIN MOVED TO INTRODUCE ORDINANCE 719. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Resolution 15-23 – Approving a Joint Powers Agreement for the Community Sign

Karnowski reported that the school and staff have been meeting for quite some time for a community sign. Resolution 15-23 approves a Joint Powers Agreement with the school district for the community sign.

WALKER MOVED TO APPROVE RESOLUTION 15-23 ENTERING INTO A JOINT POWERS AGREEMENT FOR A NEW COMMUNITY DIGITAL SIGN. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

D. Resolution 15-24 – Approving agreement with DNR for Great Northern Trail

Karnowski advised that Resolution 15-24 is approving an agreement with the DNR for the Great Northern Trail.

HALLIN MOVED TO APPROVE RESOLUTION 15-24, APPROVING AN AGREEMENT WITH THE STATE OF MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND THE CITY OF PRINCETON. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

NEW BUSINESS

A. Variance for Side and rear yard setbacks

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

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

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

The Planning Commission approved the variance request and Council action is not required for a Variance so this is informational only.

B. Interim use to allow a church in B-1 Central District

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

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

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

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

Churches or place of worship provided that:

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

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

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

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

This recommendation is contingent upon these conditions:

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

Hallin asked how churches are usually zoned. Karnowski replied that many are in a residential area, but churches are sometimes moving into business districts when there are open buildings. Hallin asked if this will be reviewed yearly. Karnowski responded that the Planning Commission will review it yearly and it will only come to the Council if there are any issues.

DOBSON MOVED TO APPROVE THE INTERIM USE PERMIT FOR MICHAEL BROOKS CHURCH IN A B1 DISTRICT WITH THE FOLLOWING CONDITIONS:

1. THE INTERIM USE PERMIT BE REVIEWED ANNUALLY.
2. THE INTERIM USE PERMIT TERMINATE WHEN AND IF MICHAEL BROOKS DECIDES TO DISCONTINUE LEASING AND/OR SELL THE SITE IN THE FUTURE. UPON THE SALE OF THE LAND THE INTERIM USE PERMIT TERMINATES AT THE SALE.
3. ACTIVITIES SHALL BE LIMITED TO THOSE PROPOSED BY THE APPLICANT:
 - A. CHURCH SERVICES ON SATURDAYS FROM 5:00 TO 9:00 PM;
 - B. BIBLE STUDIES ON TUESDAYS AND THURSDAYS FROM 5:30 TO 9:00 PM;
 - C. BREAD DISTRIBUTION ON THE 1ST AN 3RD SATURDAY OF THE MONTH FROM INCLUDING SET-UP AND TEAR-DOWN FROM 8:30AM TO 1:30PM;
 - D. POSSIBLE ADDITIONAL OPPORTUNITIES TO BLESS THE COMMUNITY (DINNERS, ETC...)
4. PROVISION OF FIRE INSPECTION, SEATING PLANS, MAXIMUM OCCUPANCY LOAD, AND SIGNAGE PLANS.
5. BUILDING PERMIT WILL BE REQUIRED FOR BUILD OUT.

HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

Hallin advised that Saturday at the Teen Center they are holding a QPR suicide prevention training. The organization that is holding the event is called Jakes Hope. The training teaches people to recognize some of the signs. The event is May 30th 11am to 2pm and is free to the public.

Karnowski reported that Robin Sushen's retirement party from the Library is being held Thursday, June 4th.

Karnowski added that because the Public Hearing is not being held on June 4th, the Study Session can be moved back to 4:30 if the Council so chooses.

ZIMMER MOVED TO MOVE THE JUNE 4TH STUDY SESSION BACK TO 4:30 PM. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

BILL LIST

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF \$126,992.77 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 71885 TO 71935 FOR A TOTAL OF \$126,654.40 ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business:

DOBSON MOVED TO ADJOURN THE MEETING AT 7:30PM. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor