

**CITY OF PRINCETON
Planning Commission
Agenda
September 19th, 2016
7:00 P.M., City Hall**

**City Hall is under construction and you will be entering on the side door facing
Second Street North.**

- 1. Call to Order**
- 2. Approval of Minutes of Regular Meeting on August 15th, 2016 - Tab A**
- 3. Agenda Additions/Deletions**
- 4. Public Hearing:**
 - A. #16-08 Interim Use Permit for Animal Chiropractic at 103 Rum River Dr. S. - Tab B**
- 5. Old Business:**
- 6. New Business:**
 - A. Temporary Dwelling Legislation Becomes Law - Tab C**
 - B. Ordinance Amendment addressing the Flag Lots in Residential Dev. - Tab D**
- 7. Communication and Reports:**
 - A. Verbal Report**
 - B. City Council Minutes for August, 2016 - Tab E**
- 8. Adjournment**



DRAFT

**THE MEETING OF THE PLANNING COMMISSION BOARD HELD ON AUGUST 15, 2016,
AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS**

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

APPROVAL OF MNUTES OF REGULAR MEETING ON JULY 18, 2016

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE THE MINUTES OF JULY 18, 2016. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETEIONS:

DeWitt requested to add Princeton Speedway to New Business.

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

PUBLIC HEARING:

A. #16-07 Variance at 1207 7th Avenue North

Community Development Director Memo:

BACKGROUND

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

ANALYSIS

The property is located at 1207 7th Avenue North and legally described as S 12 RDS of E 40 RDS of N ½ of NE of NW, SEE 1/13/76 Survey, Section 28, Township 36, Range 26, PID #24-028-1900. City of Princeton, Mille Lacs County. This location is zoned R-1 Single Family Residential. The intent of R-1 is to provide for an environment of predominantly low density one-family detached dwellings along with other with other residentially-related facilities which serve the residents in the district. The average gross density for this district is 3 units per acre or less.

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

by 7th Avenue North.

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

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

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

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

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

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

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

GENERAL VARIANCE REVIEW STANDARDS

Subsection 3.B. of Chapter IV outlines the standards for review of a Variance:

1. *Is the variance in harmony with the general purposes and intent of the zoning ordinance?*

Comment: Yes- The variance is in harmony with the general purposes and intent of the zoning ordinance.

2. *Is the variance consistent with the Comprehensive Plan?*

Comment: Yes- It appears the variance will remain consistent with the Comprehensive Plan.



3. *Does the property owner propose to use the property in a reasonable manner not permitted by the zoning ordinance?*

Comment: Yes- the property owner propose to use the property in a reasonable manner not permitted by the zoning ordinance.

4. *Are there circumstances unique to this property not created by the landowner?*

Comment: Yes- There are circumstances unique to this property not created by the landowner.

5. *Will the issuance of the variance maintain the essential character of the locality?*

Comment: Yes- Such variance will not alter the essential character of the district in which it is located or the property for which the variance is sought.

6. *Does the alleged practical difficulty involve more than economic considerations?*

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

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

Memo from Connie Wangen, General Manager for Princeton Public Utilities Commission:

July 29, 2016

Jeremy & Cynthia Riddle (The letters were addressed to each property owner)
Robert & Jennifer Gerold

Re: Water Service at 1207 7th Avenue North

Dear Robert and Jennifer Gerold (Jeremy and Cynthia Riddle)

At the Princeton Public Utilities Commission meeting on Wednesday, July 27, 2016 the Princeton Public Utilities Commission Board approved the following Motion: Not allowing the use of the second water service stubbed in at 1207 7th Ave. N., Princeton. This means you are not allowed to connect to this water stub even if a lot split is allowed.

Within the past month Princeton Public Utilities (PPU) discovered this second water service was stubbed in last fall during the construction and installation of the water main on 7th Avenue N. The installation of this second stub to 1207 7th Avenue N. The project was approved for one water service stubbed into this property for connection to the home on this address.

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

PPU has been informed since discovering this extra water service, both by Cynthia Riddle on Thursday, July 21, 2016 at the PPU office and in a letter by email from Mark Karnowski,

Princeton City Administrator, that at the time of your request and installation of this water service stub you did not own the property yet.

Connie Wangen

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

Memo from Michael Nielson, WSB City Engineer
Dated: July 22, 2016

Re: Planning Commission Questions
7th Ave. N. – Extra Service Installation
WSB Project No. 02257-100

Jolene had asked that I comment on the decision to install an additional service at 1207 7th Street North for the Planning Commission.

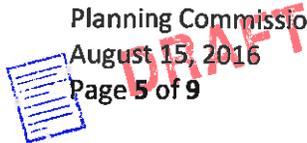
The parcel at 1207 7th Street North has the potential to be subdivided into 2 lots. Given the depth of the lot this lot has the potential to be split with the only street access and sewer access available from 7th Street North. It is also my understanding that the decision to install this service or not to install had to be made within hours of the concern being raised.

I agree with the decision to install/the service for the following reasons.

1. Mille Lacs County has a policy of not cutting into a newly paved streets for a minimum of 5 years to avoid unnecessary maintenance cost due to the excavation.
2. The cost to complete the work after the roadway was paved would most likely be in excess of \$15,000 to \$20,000 due to the depth of sewer and the amount of payment that would need to be removed to install a sewer service.
3. Traffic would be required to be detoured around 7th Street to install the sewer and water services on two different days. One day to install the services and one day to re-pave the roadway.

While the decision to add extra services is always based on an educated guess as to whether it will ever be used, I usually recommend adding them for economic and convenience reasons as noted above.

I have looked at the actual cost to install the additional sewer and water service at 1207 7th Avenue North.



The costs are as follows;

8" x 4" Wye	1	\$540.00	\$540.00
4" PVC Sanitary Sewer Service Pipe SDR 26	33	\$15.00	\$495.00
1" Corporation Stop	1	\$325.00	\$325.00
1" Curb Stop	1	\$595.00	\$595.00
1" Type K Copper	43	\$10.00	\$430.00
Total Construction Cost =			\$2,385.00

It would be my recommendation that no reductions or subsidy as proposed for the residential lots on this project be applied to the second service for this lot and the full cost for this work in the amount of \$2,385.00 is added to the assessment for 1207 7th Avenue North.

If you have any questions, please call.

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

Email from Jeremy Riddle (applicant) to Jolene Foss (Comm. Dev. Director) and Mark Karnowski (City Administrator) on August 15, 2016

Greetings Mark and Jolene,

I understand that Connie insisted her letter stating they would deny use of the utility stub is included in the packet for tonight's Planning Commission meeting. In all fairness I think a copy of the state statute at the link provided here should probably be included as well. I think it should also be noted to the commission that there are permitted uses that don't require water to be hooked up and they shouldn't consider water accessibility in their decision of whether or not to grant the split.

<https://www.revisor.mn.gov/statutes/?id=216B.04> states that "Every public utility shall furnish safe, adequate, efficient, and reasonable service; provided that service shall be deemed adequate if made so within 90 days after a person requests service."

I'm sorry you guys ended up having to wade through what appears to be a personal issue, but hopefully the commission can focus on the technical aspects of things and not personal feelings.

Thanks, I hope you have a good rest of the day.

Jeremy Riddle

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

Foss said she had a conversation with staff and it is believed that there should have been access from the back of this lot and it was unintentionally platted where you cannot get to the back of the property. She did an overview of Connie Wangen's memo, City Engineer's memo, and Jeremy Riddle's email. She supports the variance and lot split.

Zimmer asked when that area was platted.
Foss did not know the date, but it was a long time ago.

DeWitt thought it was around the early 1980's.

Reynolds opened the public hearing.

Aaron Julson, 1205 7th Avenue North said he called City Hall and Princeton Public Utilities and asked questions on the second stubbing. They could not answer how the second stubbing was put in. He is okay with the lot split, but does not support a home being built because of what has been done with another connection being put in without anyone being aware of it. He said Princeton Public Utilities went out and inspected 1207 7th Avenue North and seen a second stubbing was put in without them knowing of it.

Foss mentioned the memos written by the Princeton Public Utilities, City Engineer, and Riddle with the State Statue. She believes the process informing the Princeton Public Utilities was not standard and that is with the Administrator and City Council.

Reynolds said in the memo from Princeton Public Utilities that they will not allow them to use the second connection.

Foss said yes, the Princeton Public Utilities stated that in their memo.

Susan Bialka, 1205 7th Avenue North said she is okay with the lot split, but why would they go ahead with the lot split when you cannot build a home on it. What is the purpose of going through the lot split.

Foss said a neighboring property could buy it for an accessory building.

Bialka said she had done research on this and the North Oaks Addition did not plan to have this property site in the platting. This property is a foreclosed house and on October 7th, 2015 when the bid was accepted to RL Larson, the bank owned the property at that time. There was suppose to be eight stubs put in and there was nine. The extra stub was put in without the Princeton Public Utilities and the Council's knowledge. That decision was addressed by the Princeton Public Utilities when they seen the extra stub.

Foss said the process of the stubbing is outside the decision of the lot split and variance.

Jeremy Riddle, applicant said he is available for any questions.

Zimmer said the Princeton Public Utilities sent the letter notifying them that they will not hook up the stub that was put in. He asked Riddle if he understood this.



Riddle said yes, he believes it is against State Statue and that they cannot deny hookup.

Zimmer said the Planning Commission's decision tonight is solely on the variance and lot split. It is not how the extra stub was put in.

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

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE ITEM #16-07 VARIANCE TO THE 80 FOOT MINIMUM LOT WIDTH REQUIREMENT IN THE R-1 ZONING DISTRICT FOR A PROPOSED LOT SPLIT TO BE REDUCED TO 50 FEET AT 1207 7TH 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 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.

Reynolds mentioned to the applicants that at the July 18, 2016 meeting, the applicant's said the back half of the property is filled with buckthorn and that is a violation of the Weed Ordinance. This is a noxious weed and spreads fast. Please remove all of the buckthorn and let the City staff here know that it has been taken care of.

Riddle said they would.

B. #16-06 Lot Split at 1207 7th Avenue North

This is continued from the July 18, 2016 Planning Commission meeting where the item was tabled and to continue the public hearing for the August 15, 2016 Planning Commission meeting for the applicant to apply for a variance for a 50 foot minimum lot width to make this a conforming lot as stated in the City of Princeton Zoning Ordinance. The Zoning Ordinance states that 80 feet is the minimum lot width.

Bob & Jenny Gerold and Jeremy & Cindy Riddle are the applicants for the proposed Lot Split. The site is located at 1207 7th Avenue North and is zoned R-1, Residential Single Family Zoning District. The proposed lot split would be splitting the land of 1207 7th Avenue North into two separate lots. Parcel A has the house and the proposed split is Parcel B on the southwest side of the property. Parcel A will have its current access. This parcel has made another access that is dirt and is close to the proposed access of Parcel B. Staff suggest for safety, that the dirt access is seeded so it is no longer used.

This proposed lot split does create a flag lot where it would be a long lot where the road frontage is 50 foot for approximately 209 feet and then widens to the west to a 198 foot lot width. This type is not ideal because it makes it more difficult to enforce zoning and other safety regulations. The variance was approved to allow a 50 foot lot width instead of the required 80 foot minimum lot width.

Reynolds opened the public hearing. There were no comments from those that were present.

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

Zimmer said he had not heard anything of opposition from the public hearing on the proposed lot split.

ZIMMER MOVED, SECOND BY GOENNER, TO APPROVE AND FORWARD TO THE CITY COUNCIL FOR FINAL APPROVAL OF ITEM #16-06 LOT SPLIT AT 1207 7TH AVENUE NORTH. LEGALLY DESCRIBED AS S 12 RDS OF E 40 RDS OF N ½ OF NE OF NW, SEE 1/13/76 SURVEY, SECTION 28, TOWNSHIP 36, RANGE 26, PID #24-028-1900, WITH THE FOLLOWING CONDITIONS:

1. THE APPLICANTS MUST FOLLOW THE PERMITTED USE AND REGULATIONS OF THE R-1 ZONING DISTRICT.
2. THE TEMPORARY DRIVEWAY ON PARCEL A (1207 7TH AVENUE NORTH) SHOULD BE VACATED WHERE SEEDING IS ADDED FOR THE PURPOSE OF SAFETY.
3. IF THERE IS A DRIVEWAY INSTALLED FROM 7TH AVENUE NORTH TO THE NEWLY SPLIT LOT, A DRIVEWAY PERMIT MUST BE APPLIED FOR AND APPROVED FROM MILLE LACS COUNTY.
4. IF A DRIVEWAY IS INSTALLED FOR THE NEWLY SPLIT LOT, A 24 FOOT WIDTH DRIVEWAY SHOULD BE INSTALLED FOR EMERGENCY VEHICLES BECAUSE THE LENGTH OF THE LOT.
5. PRINCETON PUBLIC UTILITIES COMMISSION REQUEST THAT THE WATER LINE CONNECTION BE KEPT EXPOSED.
6. PRINCETON PUBLIC UTILITIES COMMISSION WILL NOT ALLOW THE USE OF THE SECOND WATER SERVICE THAT WAS STUBBED IN AT 1207 7TH AVENUE NORTH.
7. THE WATER AND SEWER FEE FOR THE SECOND CONNECTION AND ASSESSMENTS SHOULD BE PAID BY THE APPLICANT.

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

Zimmer told staff for the future he would like flag lots addressed in the Ordinance.

Goenner said that she hopes the City is not paying for the extra hook-up that was put in on this site.



DRAFT

Foss said no.

Zimmer said the City is looking into how this second hook-up occurred.

OLD BUSINESS: None

NEW BUSINESS:

A. Princeton Speedway

DeWitt informed the Planning Commission Board that she received a phone call from Holly at the Princeton Speedway inquiring if it would be okay to have a carnival on September 23rd and 24th at the Fairgrounds/Speedway during the Princeton Speedway Showdown. The carnival would be open from 9:00 A.M. to 5:00 P.M. during that weekend.

DeWitt said that the Resolutions for the Speedway are for extending the race night's time and additional dates to the Speedway calendar.

GOENNER MOVED, SECOND BY ZIMMER, TO APPROVE THE CARNIVAL RIDES FOR SEPTEMBER 23RD AND 24TH, 2016 FROM 9:00 A.M. TO 5:00 P.M., AT THE PRINCETON FAIRGROUNDS/SPEEDWAY WITH THE CONDITIION THAT THE FAIR BOARD APPROVES THE CARNIVAL AND LOCATION OF THE RIDES. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED.

COMMUNICATION AND REPORTS:

A. Verbal Report

DeWitt said she handed out the Ordinance amendments for; Chapter II, (Definitions) R-3 Residential, MN-1 Industrial, MN-2 Industrial, B-3 Highway Commercial, Wild & Scenic Rum River Protection Area, and the Zoning Map. Please remove the current sections in the Zoning Ordinance and replace them with these.

B. City Council Minutes for July, 2016

The Planning Commission Board had no comment.

ZIMMER MOVED, SECOND BY GOENNER, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 3 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 7:30 P.M.

ATTEST:

Jeff Reynolds, Chair

Mary Lou DeWitt, Comm. Dev. Assistant



TO: Planning Commission
FROM: Jolene Foss, Community Development Director
SUBJECT: **Interim Use Permit to allow Animal Chiropractic in B-1 Central Business District**
DATE: September 19th, 2016

BACKGROUND

Dr. Keith Billstein has submitted an application for an Interim Use Permit to allow the operation of a small animal chiropractic office in the B-1 Central Business Zoning District.

ANALYSIS

The property site is located at 103 South Rum River Drive on the property described as Damons Addition, E 61.99 FT on N & E 62.24 FT on S of N 63.36 FT on E & 62.9 FT on W of Lot 6, Block 3, (Building address 101 Rum Rum River Drive South), PID #24-041-0220, City of Princeton, Mille Lacs County, Section 33, Township 36, Range 26. 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.

Dog Daycare, Training, and Grooming Facility with no overnight boarding are allowed uses with an Interim Use Permit. At this time, there are no zoning regulations regarding animal chiropractic offices addressed in Zoning Ordinance #538.

Interim Use Permit Review Standards/Findings of Fact. When reviewing 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 an interim use listed in the district in which the application is being made;
2. The date or event that will terminate the use can be identified with certainty and continued;
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;
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.

Narrative Description of proposed interim use for 103 South Rum River Drive, Princeton MN 55371.

Motion Wellness Animal Chiropractic is a professional licensed service that provides Chiropractic care for Animals. I am the owner, Dr. Keith Billstein, I am a licensed Minnesota chiropractor with 33 years of experience treating people. I am also a Nationally Certified Animal Chiropractor. I was certified at Parker University in Dallas, Texas and I am also nationally certified by the American Veterinary Chiropractic Association (AVCA) since 2013. I hold an active MN license in both human and animal chiropractic. I reside with my wife, Mary on a 20-acre hobby farm in Princeton Minnesota as well. The 103 South Rum River Drive location will be used for treatment of small animals only.

For a doctor of chiropractic-animal chiropractor to initially see an animal, the owner must have their veterinarian sign a referral form before chiropractic services can be performed, this is required by state law. In an animal chiropractic facility, the owners have scheduled appointments for their pets. The pet owners bring in their small animals, usually dogs on a leash or in a crate. Examination and treatment of an animal typically takes between 15 and 30 minutes. When treatment is completed, they leave the facility. No animals are boarded or kept overnight.

If an owner has a dog that needs to go to the bathroom before bringing into the animal chiropractic facility, there are several small areas in the back of the building to go. In my present location in Anoka, I find that dogs don't have to go to the bathroom before being seen because owners have taken care of that before their appointment. I find my clientele to be very responsible with their animals. On a rare occasion where a dog will have to go to the bathroom they will be asked to around the back of the building. Should you feel it necessary, I will provide a waste container outside the building with plastic bags and disinfectant wipes just inside the entrance.

If you have any additional questions regarding this type of business, I would be happy to answer your questions. Thank you for your attention in this matter.

Sincerely,

Keith M. Billstein, DC, CAC

MEMORANDUM

Tab C



TO: Planning Commission
FROM: Jolene Foss, Community Development Director
SUBJECT: **Temporary Dwelling Legislation Becomes Law**
DATE: August 25th, 2016

The City of Princeton City Council has chosen to opt out of the Temporary Dwelling Permit Legislation recently passed as they have determined that this type of expedited land use permitting for temporary dwellings may not be well-suited to the community. They have requested the Planning Commission evaluate the reasonability of this program for our community.

Many communities have communicated that property owners in their jurisdiction have adequate access to a permit for this type of use through existing local land use controls and permitting authority. The law would require the city to issue permits to qualified applicants as of Sept. 1, 2016. A permit can be denied for appropriate cause. The law lists the information required and the requirements that may be considered in that decision.

The final act has the following key components:

- Creates a new type of permit referred to as a temporary dwelling permit that has a six-month duration, with an option to extend the permit for six months.
- Requires that the permit be for a property where the caregiver or relative resides.
- Allows modular and manufactured housing (instead of just recreational vehicles) to use this permit process as long as the unit meets all of the listed criteria.
- Lists the criteria for the structure and the information required in the permit application.
- Addresses sewer safety issues with required backflow valves and advance verification of septic service contracts.
- Requires the inclusion of site maps showing where the unit will be placed and notification of adjacent neighbors prior to application.
- Requires applications to specify the individual authorized to live in the unit.
- Applies the permit approval process found in Minnesota Statutes, section 15.99, but allows the local government unit only 15 days to make a decision on granting the permit (no extension). It waives the public hearing requirement and allows the clock to be restarted if an application is deemed incomplete, as long as the applicant is notified of how the application is incomplete within five days. A 30-day decision is allowed if the regular council meeting occurs only once a month.
- Requires unit placement to meet existing stormwater, shoreland, setback, and easement requirements. A permit exempts the units only from accessory unit ordinances and recreational vehicle parking and storage ordinances.
- Sets a default permit fee level that may be replaced by a local ordinance.
- Allows cities to pass an ordinance opting out of using this new permitting system.

Following is the Legislative Ruling:

Sec. 2.

[394.307] TEMPORARY FAMILY HEALTH CARE DWELLINGS.

Subdivision 1.

Definitions.

(a) For purposes of this section, the following terms have the meanings given.

(b) "Caregiver" means an individual 18 years of age or older who:

(1) provides care for a mentally or physically impaired person; and

(2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.

(c) "Instrumental activities of daily living" has the meaning given in section 256B.0659, subdivision 1, paragraph (i).

(d) "Mentally or physically impaired person" means a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

(e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of the mentally or physically impaired person. Relative includes half, step, and in-law relationships.

(f) "Temporary family health care dwelling" means a mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of subdivision 2.
Subd. 2.

Temporary family health care dwelling.

A temporary family health care dwelling must:

(1) be primarily assembled at a location other than its site of installation;

(2) be no more than 300 gross square feet;

(3) not be attached to a permanent foundation;

(4) be universally designed and meet state-recognized accessibility standards;

(5) provide access to water and electric utilities either by connecting to the utilities that are serving the principal dwelling on the lot or by other comparable means;

(6) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(7) have a minimum insulation rating of R-15;

(8) be able to be installed, removed, and transported by a one-ton pickup truck as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002, subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;

(9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and

(10) be equipped with a backflow check valve.

Subd. 3.

Temporary dwelling permit; application.

(a) Unless the county has designated temporary family health care dwellings as permitted uses, a temporary family health care dwelling is subject to the provisions in this section. A temporary family health care dwelling that meets the requirements of this section cannot be prohibited by a local ordinance that regulates accessory uses or recreational vehicle parking or storage.

(b) The caregiver or relative must apply for a temporary dwelling permit from the county. The permit application must be signed by the primary caregiver, the owner of the property on which the temporary family health care dwelling will be located, and the resident of the property if the property owner does not reside on the property, and include:

(1) the name, address, and telephone number of the property owner, the resident of the property if different from the owner, and the primary caregiver responsible for the care of the mentally or physically impaired person; and the name of the mentally or physically impaired person who will live in the temporary family health care dwelling;

(2) proof of the provider network from which the mentally or physically impaired person may receive respite care, primary care, or remote patient monitoring services;

(3) a written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living signed by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state;

(4) an executed contract for septic service management or other proof of adequate septic service management;

(5) an affidavit that the applicant has provided notice to adjacent property owners and residents of the application for the temporary dwelling permit; and

(6) a general site map to show the location of the temporary family health care dwelling and other structures on the lot.

(c) The temporary family health care dwelling must be located on property where the caregiver or relative resides. A temporary family health care dwelling must comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure. The temporary family health care dwelling must be located on the lot so that septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.

(d) A temporary family health care dwelling is limited to one occupant who is a mentally or physically impaired person. The person must be identified in the application. Only one temporary family health care dwelling is allowed on a lot.

(e) Unless otherwise provided, a temporary family health care dwelling installed under this section must comply with all applicable state law and local ordinances.

Subd. 4.

Initial permit term; renewal.

The initial temporary dwelling permit is valid for six months. The applicant may renew the permit once for an additional six months.

Subd. 5.

Inspection.

The county may require that the permit holder provide evidence of compliance with this section as long as the temporary family health care dwelling remains on the property.

The county may inspect the temporary family health care dwelling at reasonable times convenient to the caregiver to determine if the temporary family health care dwelling is occupied and meets the requirements of this section.

Subd. 6.

Revocation of permit.

The county may revoke the temporary dwelling permit if the permit holder violates any requirement of this section. If the county revokes a permit, the permit holder has 60 days from the date of revocation to remove the temporary family health care dwelling.

Subd. 7.

Fee.

Unless otherwise specified by an action of the county board, the county may charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

Subd. 8.

No public hearing required; application of section 15.99.

(a) Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the county does not have to hold a public hearing on the application.

(b) The procedures governing the time limit for deciding an application for the temporary dwelling permit under this section are governed by section 15.99, except as provided in this section. The county has 15 days to issue a permit requested under this section or to deny it, except that if the county board holds regular meetings only once per calendar month the county has 30 days to issue a permit requested under this section or to deny it. If the county receives a written request that does not contain all required information, the applicable 15-day or 30-day limit starts over only if the county sends written notice within five business days of receipt of the request telling the requester what information is missing. The county cannot extend the period of time to decide.

Subd. 9.

Opt-out.

A county may by resolution opt-out of the requirements of this section.

Sec. 3.

[462.3593] TEMPORARY FAMILY HEALTH CARE DWELLINGS.

Subdivision 1.

Definitions.

(a) For purposes of this section, the following terms have the meanings given.

(b) "Caregiver" means an individual 18 years of age or older who:

(1) provides care for a mentally or physically impaired person; and

(2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.

(c) "Instrumental activities of daily living" has the meaning given in section 256B.0659, subdivision 1, paragraph (i).

(d) "Mentally or physically impaired person" means a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

(e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of the mentally or physically impaired person. Relative includes half, step, and in-law relationships.

(f) "Temporary family health care dwelling" means a mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of subdivision 2. Subd. 2.

Temporary family health care dwelling.

A temporary family health care dwelling must:

(1) be primarily assembled at a location other than its site of installation;

(2) be no more than 300 gross square feet;

(3) not be attached to a permanent foundation;

(4) be universally designed and meet state-recognized accessibility standards;

(5) provide access to water and electric utilities either by connecting to the utilities that are serving the principal dwelling on the lot or by other comparable means;

(6) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;

(7) have a minimum insulation rating of R-15;

(8) be able to be installed, removed, and transported by a one-ton pickup truck as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002, subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;

(9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and

(10) be equipped with a backflow check valve.
Subd. 3.

Temporary dwelling permit; application.

(a) Unless the municipality has designated temporary family health care dwellings as permitted uses, a temporary family health care dwelling is subject to the provisions in this section. A temporary family health care dwelling that meets the requirements of this section cannot be prohibited by a local ordinance that regulates accessory uses or recreational vehicle parking or storage.

(b) The caregiver or relative must apply for a temporary dwelling permit from the municipality. The permit application must be signed by the primary caregiver, the owner of the property on which the temporary family health care dwelling will be located, and the resident of the property if the property owner does not reside on the property, and include:

(1) the name, address, and telephone number of the property owner, the resident of the property if different from the owner, and the primary caregiver responsible for the care of the mentally or physically impaired person; and the name of the mentally or physically impaired person who will live in the temporary family health care dwelling;

(2) proof of the provider network from which the mentally or physically impaired person may receive respite care, primary care, or remote patient monitoring services;

(3) a written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living signed by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state;

(4) an executed contract for septic service management or other proof of adequate septic service management;

(5) an affidavit that the applicant has provided notice to adjacent property owners and residents of the application for the temporary dwelling permit; and

(6) a general site map to show the location of the temporary family health care dwelling and other structures on the lot.

(c) The temporary family health care dwelling must be located on property where the caregiver or relative resides. A temporary family health care dwelling must comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure. The temporary family health care dwelling must be located on the lot so that septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.

(d) A temporary family health care dwelling is limited to one occupant who is a mentally or physically impaired person. The person must be identified in the application. Only one temporary family health care dwelling is allowed on a lot.

(e) Unless otherwise provided, a temporary family health care dwelling installed under this section must comply with all applicable state law, local ordinances, and charter provisions.

Subd. 4.

Initial permit term; renewal.

The initial temporary dwelling permit is valid for six months. The applicant may renew the permit once for an additional six months.

Subd. 5.

Inspection.

The municipality may require that the permit holder provide evidence of compliance with this section as long as the temporary family health care dwelling remains on the property. The municipality may inspect the temporary family health care dwelling at reasonable times convenient to the caregiver to determine if the temporary family health care dwelling is occupied and meets the requirements of this section.

Subd. 6.

Revocation of permit.

The municipality may revoke the temporary dwelling permit if the permit holder violates any requirement of this section. If the municipality revokes a permit, the permit holder has 60 days from the date of revocation to remove the temporary family health care dwelling.

Subd. 7.

Fee.

Unless otherwise provided by ordinance, the municipality may charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

Subd. 8.

No public hearing required; application of section 15.99.

(a) Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the municipality does not have to hold a public hearing on the application.

(b) The procedures governing the time limit for deciding an application for the temporary dwelling permit under this section are governed by section 15.99, except as provided in this section. The municipality has 15 days to issue a permit requested under this section or to deny it, except that if the statutory or home rule charter city holds regular meetings only once per calendar month the statutory or home rule charter city has 30 days to issue a permit requested under this section or to deny it. If the municipality receives a written request that does not contain all required information, the applicable 15-day or 30-day limit starts over only if the municipality sends written notice within five business days of receipt of the request telling the requester what information is missing. The municipality cannot extend the period of time to decide.

Subd. 9.

Opt-out.

A municipality may by ordinance opt-out of the requirements of this section.

Sec. 4.

EFFECTIVE DATE.

This act is effective September 1, 2016, and applies to temporary dwelling permit applications made under this act on or after that date.

Presented to the governor May 12, 2016

Signed by the governor May 12, 2016, 1:27 p.m.

The City of Princeton does not address this type of dwelling in Zoning Ordinance #538. The Mille Lacs County Land Use Director, Michele McPherson spoke to the Princeton Union about why Mille Lacs County opted out. The article is included with this memo.

It is staff's recommendation to remain in an opted –out position on this temporary dwelling permit issue due to the size of most city lots and the complexities involved in the public keeping of medical records.

Community & People

Counties, cities, act to meet "granny pod" deadline

Published August 20, 2016 at 8:20 pm

By [Debbie Griffin](#)

As the trend of backyard-cottage living evolves and expands, counties and cities have been opting out of regulations the Minnesota Legislature enacted by a vote of 113 to 17 during the 2016 session: Revisions to statute 394.307 pertaining to Temporary Family Health Care Dwellings, nicknamed the "granny pod" rules.

The new law makes clear that counties and cities may choose to opt out of the regulations but to do so must pass a resolution before Sept. 1.

The Mille Lacs County Board approved its opt-out resolution Aug. 16. Sherburne County commissioners had the resolution on their Aug. 2 agenda. The cities of Milaca and Princeton are on their way to opt-out resolutions before the deadline, according to their respective city administrators.

Small-dwelling background

The tiny-house trend began blossoming during and after the recession, and it has gained popularity for a number of reasons: People are downsizing, simplifying and streamlining their lives and their budgets. Kids live with their parents longer and need more space than a bedroom. Aging parents need various forms of help or can't afford traditional housing on their limited, fixed incomes. All sorts of people need in-home care for various reasons.

The tiny, cottage-type housing comes preassembled and ready to use; they usually have about 300 to 500 square feet of living space that includes a kitchenette, bathroom, bedroom and living area. Water and electricity are supplied either by the main-residence utilities or by a setup like those in a recreational camper.

While the small dwellings provide a needed solution for some, the entities responsible for zoning and development codes struggle to balance the interests of neighborhoods, local laws and individual preferences. City lots do not typically have room for a second dwelling, and when someone wants to build a structure such as shed or shop, the permitting process includes neighbor notification and a public hearing.

Part of the new "granny pods" section enables the structures to be permitted without a public hearing. The law language states: "Due to the time-sensitive nature of issuing a temporary dwelling permit for a temporary family health care dwelling, the county does not have to hold a public hearing on the application." Counties would also have 15 days to issue or deny the requested permit.

The new requirements on "temporary family health care dwellings" include stipulations for the structures:

- They must be less than 300 square feet and not attached to a permanent foundation.
- They must meet accessibility requirements.
- Dwellings materials must meet residential construction standards.
- They must be connected to main-residence utilities.
- Septic service must be performed, managed and documented.
- A site map must be provided.
- One temporary dwelling is allowed per lot.
- One individual is permitted per dwelling.

Where applicable, a caregiver would apply for the "temporary family health care dwellings" permit and give basic information about themselves and the "mentally or physically impaired" person to receive care. The application requests a written physician's certification about the impaired person's condition and their need for assistance. The living units are subject to inspection, and the permits for them cost \$100 initially and \$50 per renewal; the permits are good for six months at a time.

Local entities reject special-permit option

Mille Lacs County Land Services Director Michele McPherson shared information about the new rules. She has yet to understand the timeline of the law, since the topic seemed to pop up when legislators were focused on other priorities during a short session.

Notes attached to the bill at the state's website show that representatives from NextDoor Housing testified at two senate hearings. McPherson said it had been her understanding that a "granny-pod" manufacturer had sponsored and lobbied for the new regulations.

She summarized the county's position by saying that cities and counties believe local ordinance and development standards should stay local, with obvious exceptions such as statewide standards for group health homes and day care facilities. McPherson speculated it's possible that the small-dwelling manufacturers found the regular permitting process to be slow and cumbersome, so they lobbied the state to create allowances.

She said the main concerns among government entities are privacy issues and the possibility of plopping down the structures without proper notification or a public hearing. Land-use permits become public record and presumably all the protected health- or medical-related data becomes public along with them.

"As a zoning administrator, you're asking me to keep data on file that has data-practice or privacy or HIPPA issues," McPherson said. "I don't want any part of that."

McPherson said Mille Lacs County values land-ownership rights and said the dwelling issue is complex. It involves people trying to take care of their loves ones, neighbors who don't like what other neighbors are doing, enterprising ventures trying to do more business and sometimes multiple layers of governmental interest and regulation. Additionally, the "granny pod" rules give cities and counties an unfunded mandate plus sets the permit fee for them.

Most counties opt out because they have other ordinances that cover such uses. Cities are opting out because such land uses are not normally allowed within city limits anyway; urban lots don't typically have enough room for the small structures.

McPherson said the county opted out because it can permit the little homes either as a second dwelling or as a recreational camper and do it within a reasonable amount of time, such as a maximum of 60 days. Also, unlike the new regulations, neither of the local options have a short deadline or square-footage limits.

Filed Under: [granny pods](#)

PRINCETON Union-Eagle

[Advertising Information](#) | [Contact Us](#) | [Subscribe](#) | [Jobs & Classifieds](#)

Copyright ©2016 ECM Publishers, Inc. • All Rights Reserved

MEMORANDUM

Tab D



TO: Planning Commission
FROM: Jolene Foss, Community Development Director
SUBJECT: **Ordinance Amendment addressing the Flag Lots in Residential Development**
DATE: September 19th, 2016

Definition:

Flag Lot: An interior lot located generally to the rear of another lot, but with a narrow portion of the lot extending to the public street.

Considerations:

- The practice of subdividing land into flag lots has in some cases resulted in the use of flag lots to avoid construction of public streets;
- This practice can be more difficult to enforce zoning and other safety regulations;
- Development on flag lots is appropriate in certain circumstances and a total ban on this type of development may not be an appropriate solution;
- The resulting development could be poorly configured when served by a common driveway that is not built to withstand use by multiple homeowners;
- There are cases where an existing structure(s) and its required side yard cannot be accommodated, then the width shall not be less than twenty four (24) feet in width;
- There can be an issue of a house front primarily facing a neighbor's rear yard as most homeowners seek privacy for the rear yard.

Possible courses of action:

- Configure an acceptable lot width to depth ratio;
- Prohibit flag lots;
- Allow flag lots when there are conditions that prevent meeting the lot width requirement such as existing structures, preserve a natural feature or avoids a natural feature that may cause problems in the future (steep slopes, wetlands, water courses).

Possible Ordinance Amendment:

	One Family	Accessory Buildings³	Other Buildings⁴
A. Lot area minimum square feet	12,500 sq. ft.		
B. Lot width minimum feet	80 feet ^{1,5}		
C. Maximum lot coverage	30%	0	
D. Front yard minimum setback	30 feet ²	---	
E. Side yard minimum setback	10 feet	5 feet	
F. Street side yard minimum setback	20 feet	20 feet	
G. Rear yard minimum/alley setback	30 feet	5 feet	
H. Maximum height	30 feet	15 feet	

¹ Lot width shall be taken at building setback line.

² If, at the time of an application affecting the front yard setback, 50% or more of the then existing dwellings having frontages on the same side street or road for three (3) blocks have an average front yard setback different from that specified herein, then all buildings thereafter erected, altered, or moved may conform to that average front yard depth as a minimum.

³ No accessory structures shall be allowed prior to the construction of the principal structure. No more than one principal building may be located on one lot in a residential district.

⁴ See Conditional Use conditions Chapter 4.

⁵ Lot width could be determined by Planning Commission when there are conditions that prevent meeting the lot width requirement such as existing structures, preservation of a natural feature or to avoid a natural feature that may cause problems in the future (steep slopes, wetlands, water courses).

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
AUGUST 11, 2016 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

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

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of July 28, 2016
- B. Study Session Minutes of August 4, 2016

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF JULY 28, 2016 AND STUDY SESSION MEETING MINUTES OF AUGUST 4, 2016. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
 - 1. Tax License for Floyd Cox – Princeton Cab
- B. **Personnel**
- C. **Donations/Designations**

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

OPEN FORUM

PUBLIC HEARINGS

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. EDA Board Minutes of July 21, 2016
- B. Airport Board Minutes of July 18, 2016

PETITIONS, REQUESTS, AND COMMUNICATIONS

- A. School District Bus Loading Signage Request

Karnowski reported that the School District is requesting signage on 7th by the old hospital emergency to read "Bus Loading Zone" with the times of 7:40am to 8:10am and 2:40pm to 3:10pm. Their Building Grounds Director will coordinate with City Staff if the signage is approved.

Gerold said there is also a crosswalk there, so he will have to determine where they want the signs and loading area

Dobson asked if the parking signs they previously requested will be in the same location. Staff will talk to the School District and find out.

WALKER MOVED TO APPROVE THE SCHOOL DISTRICT REQUEST FOR BUS LOADING SIGNAGE ALONG 7TH. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Greater Life Church Request to use Riverside Park on August 20

Foss advised that Greater Life Church is requesting to use Riverside Park on Saturday August 20th for their event from 11am to 3pm. Their event includes kids programs, games, music, free lunch, Bread distribution and they will be handing out 20 backpacks to needy families in the Community.

Hallin stated that it also the Day of Kindness on August 20th. She said she brought her teens to the event last year and it was wonderful.

HALLIN MOVED TO APPROVE GREATER LIFE'S CHURCH REQUEST TO USE RIVERSIDE PARK FOR THEIR EVENT ON AUGUST 20. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ORDINANCES AND RESOLUTIONS

A. Ordinance 740 – Adding Speedway to sites able to be licensed- FIRST READING

Karnowski advised this is just a cleanup of the ordinance to list the Speedway as a Sports Facility allowing them to sell liquor.

MOVED TO INTRODUCE ORDINANCE 740 ADDING THE SPEEDWAY TO THE LIST OF ALLOWED LIQUOR LICENSE HOLDERS AS BEING A SPORTS FACILITY. SECONDED THE MOTION.

Walker asked for some clarification on this. Jenkins responded that the Speedway currently has a liquor license, this is just cleaning up the current ordinance that will now list them as a Sports Facility.

THE MOTION CARRIED UNANIMOUSLY

B. Resolution 16-35 – Airport CIP Project Encumbrance / Agreement

Karnowski the taxiway project should begin soon and will likely be done in September. This is the standard agreement that the Council sees yearly for the various Airport projects.

HALLIN MOVED TO APPROVE RESOLUTION 16-35 AUTHORIZING MNDOT AGREEMENT FOR AIRPORT IMPROVEMENT (AGREEMENT 1026202, STATE PROJECT A4802-25). ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Ordinance 739 – Ordinance to Opt out of State program- FINAL READING

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

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

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

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

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

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

Since the first reading there has been some controversy on the List serve. The argument was that this is a zoning amendment so a public hearing should be held. Karnowski feels that it is not a zoning ordinance until the state law is in effect, so his thought was a public hearing was not needed. He refers to the City Attorney. Toven asked if there is a downside to waiting and holding the public hearing. Karnowski stated that if someone were to apply prior to the Public Hearing being held, there could be an issue. Toven suggesting holding the hearing on the first and act on it then. Karnowski added that his other argument that if the state wanted a hearing they would have likely put it in the law.

Walker doesn't see why we have to wait to approve the ordinance.

DOBSON MOVED TO APPROVE ORDINANCE 739 AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593, AND IF A PUBLIC HEARING IS DEEMED NECESSARY AT SOME POINT THAT WILL BE HELD. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

D. Resolution 16-35 – SMMPA Agency Agreement Amendment

Connie Wangen of Princeton Public Utilities reported in a memo that when SMMPA was created in the late '70's, the Agency's founding Members contemplated the Agency would be a system Agency. That is, SMMPA would provide all requirements power to the Agency's members, with some limited exceptions. Accordingly, the Agency Agreement among the Members was drafted with a system agency approach in mind.

Now, years later, two of the Agency's Members have decided not to renew the all-requirements system contracts past 2030. However, these Members are interested in participating in projects, such as transmission and generation projects, with the Agency after the all-requirements system contracts expire in 2030.

In order to reflect an Agency that could have both all-requirements system members as well as project members the Agency began working with legal counsel to draft changes to the agreement to accomplish this post 2030.

The primary parts of "AMENDMENT No. 1 to Agency Agreement" that have been updated deal with assessments and governance such as correctly allocating project costs and revenues, weighted voting and SMMPA Board Member seats.

Changes to the Agency Agreement need to be approved by 2/3 of the Agency's Representatives, 2/3 of the weighted votes of the Members, and 2/3 of the commission and city councils of the Members.

At its Board Meeting On July 27, 2016, the Princeton Public Utilities approved its Resolution and now are seeking approval from the Princeton City Council.

Zimmer asked why the Council has to approve this as well as the PUC. Karnowski responded that PUC is separate, but the City does oversee the Public Utilities Commission.

WALKER MOVED TO APPROVE RESOLUTION 16-36 WHICH AMENDS THE SMMPA AGENCY AGREEMENT. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

NEW BUSINESS

A. Senior Dining Program and Public Transportation

Foss reported that the City of Princeton has been supporting the Princeton Senior Dining Program with the provision of insurance and fuel for a bus in the amount of approximately \$2500.00 annually.

It has recently been determined that the bus is no longer safe for transport.

Bridget Johnson, Princeton Senior Dining Director, Helen Pieper, Transit Director of Kanabec County Timber Trails Public Transit and Staff have met and determined that Timber Trails can provide this service for the City of Princeton.

Timber Trails Public Transit requires a fee of \$3.00 per round trip per rider.

City Staff would like to enter into an agreement with Kanabec County Timber Trails Public Transit to transfer the \$2500 to a holding account with Timber Trails to "purchase" vouchers that be used exclusively for the Senior Dining participants.

The Princeton Senior Dining Program recently requested \$1000 from the Princeton Wine and Spirits. They have not yet received the donation and they have decided not to invest any more into the existing bus.

Foss said she is proposing that we prorate the amount that the City pays annually and then add the \$1000 request to this first transaction.

According to preliminary calculations, the Senior Dining Program will see approximately 15 riders five days a week. If they are charged \$3.00 per round trip it would cost \$11,700 annually.

The Senior Dining Program intends to fundraise for the remaining amount.

Staff is requesting a motion to draft a contract with Timber Trails and the Princeton Senior Dining Program.

Hallin questioned if they are no longer thinking of purchasing a new bus. Foss said they were no longer planning on that route.

Dobson agrees with this concept as this is what Public transport is for. He likes the idea that the City could help pay for some of the needed vouchers, as many seniors are on a fixed income. He is in favor to at least meeting with Timber Trails. Foss would like to see them be able to raise the rest of the funds that will be needed.

Whitcomb asked how much they were able to raise since they had requested \$1000. Foss said she was not sure. Whitcomb said he can see helping somewhat, but questioned where it stops

Whitcomb asked for clarification that \$2500 is budgeted yearly. Jackson responded that was correct. Hallin said she sees an issue with them fundraising the remaining amount needed, as they were not able to raise the funds for the bus

Walker mentioned that he can bring it up at the next ECRD Meeting to see if they can assist in finding a grant to help.

WALKER MOVED TO APPROVE THE DRAFTING OF A CONTRACT WITH TIMBER TRAILS AND THE PRINCETON SENIOR DINING PROGRAM. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Public Safety day

Frederick reported that the Fire Department, Public Works and Public Utilities Commission is all ready for Public Safety Day on August 20th. It will be held 10am to 2pm and include bouncy houses for the kids, face paintings, hot dogs and demonstrations.

MISCELLANEOUS

Hallin reminded the Council of the Golf Tournament Fundraiser next week. Princeton has the largest visits to their teen center, so funds are needed to keep the program going.

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 \$80,763.83 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 74083 TO 74164 FOR A TOTAL OF \$265,756.72. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business:

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

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor

draft

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
AUGUST 25, 2016 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Dick Dobson Jules Zimmer and Victoria Hallin. Others present:, Police Chief Todd Frederick, Development Director Jolene Foss, Public Works Director Bob Gerold, Clerk Shawna Jenkins, Engineer Andy Brotzler, and Attorney Kelli Bourgeois. Absent was Administrator Mark Karnowski

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of August 11, 2016

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF AUGUST 11, 2016. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
- B. **Personnel**
 - 1. PW – Caleb Scharber extension to 12-31-16 and pay increase from \$9.50 to \$10hr
 - 2. Resignation from Fire Department Effective 7-27-16 – Tim Gould
 - 3. Resignation from Fire Department Effective 8-6-16 – Jeff Kerkfeld
 - 4. Advance from Probationary Fire Fighter to Regular Fire Fighters effective 8-27-16
Dan Hiller, Bill Jacobson and Cory Zahner
- C. **Donations/Designations**
 - 1. Resolution 16-38 – Accepting donation to the Police Department
- D. **Miscellaneous**
 - 1. Trespass female “L.G.” from Parks for one year

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

OPEN FORUM

PUBLIC HEARINGS

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

- A. Planning Commission Meeting of August 15, 2016

PETITIONS, REQUESTS, AND COMMUNICATIONS

- A. Mary Mahan and Martha Nelson letter regarding Senior Bus

Jackson advised that the letter is just some correspondence for the Council to review. The letter simply asks the Council to consider efforts to assist in senior transportation.

- B. Princeton High School 5k Fundraiser

Foss advised that the High School is holding a 5k as a fundraiser for the high school PE program and Homecoming kickoff on October 2 at 4:30 and 5pm. They are looking for an approval for the route. They will provide staff at the corners for safety.

Hallin asked they will have 2 start times. Frederick stated that they wanted to stagger the runners a bit to not have so much traffic at once on the route.

DOBSON MOVED TO APPROVE THE PRINCETON HIGH SCHOOL 5K ROUTE. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. School District Signage

Jackson advised that the City staff has met with School District and they have determined how many, what size and where the signs need to be.

Zimmer asked where the signs will be. Gerold, responded that from First Street to 2nd street North the Bus Loading signs will be placed. Parking between the bus loading times will be for District Office visitors.

WALKER MOVED TO APPROVE PRINCETON SCHOOL DISTRICTS SIGNAGE REQUEST. DOBSON SECONDED THE MOTION.

Whitcomb asked if the signs will have wording to say if would be for school days only. Frederick said, he would like that on the sign as well.

THE MOTION CARRIED UNANIMOUSLY

ORDINANCES AND RESOLUTIONS

A. Ordinance 740 – Adding Speedway to sites able to be licensed- FINAL READING

Jackson stated that as discussed at the introductory reading, this is just a cleanup of the liquor ordinance listing the Speedway as a Sports Facility allowing them to sell liquor.

HALLIN MOVED TO APPROVE ORDINANCE 740 ADDING THE SPEEDWAY TO THE LIST OF ALLOWED LIQUOR LICENSE HOLDERS AS BEING A SPORTS FACILITY. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Resolution 16-37 – Approving community promotion expenditure

Foss reported that with the support of the Economic Development Authority she has been working with the Department of Employment and Economic Development to create a promotional ad. This ad will be featured In the Business Climate MINNESOTA Thriving in the North Magazine that will be distributed to decision makers in key industries like Aerospace, Advanced Manufacturing, Pharmaceutical Manufacturing, Medical Device Manufacturing, Computer programming and Data Centers. These magazines are distributed by MN DEED at conferences and events, and through overseas offices. Over 10,000 copies will be distributed next year.

Due to the limited budget that is designated for community promotion (\$5000) and the high cost to advertise on a national platform, this ad in this magazine is likely the best opportunity

we have as a small community to make our location known to many national site location consultants and corporate real estate professionals.

The 2/3 vertical bleed will be located across from the Top 100 Hospitals in Minnesota article and Fairview Northland will be on that list. There will be no other ads on those two pages. Our ad will also be featured in digital form on the website as a leaderboard ad with general placement and a leaderboard ad in the Livability MN section.

Fairview Northland Hospital was contacted to partner on this ad, but due to a promotional funding freeze as a result of a potential merger, they were only able to help out with \$500. USDP was approached to help with this ad and agreed to spend \$750 toward the cost. Staff approached Glenn Metalcraft and BioMatrix but at his time they did not choose to spend money on the ad, stating that it was not in their budget this year. Sherburne and Mille Lacs County were also approached for help to cover the cost, but could not due to budget constraints. Unfortunately, she was unable to meet with Crystal Cabinets due to scheduling conflicts.

Lastly, she said she approached the PUC to see if they would be willing to split the remaining cost. They responded: "Ok – but they would like to see some type of draft before they agree to the amount." Staff deeply researched print advertising to create an ad that would attract potential developers, impress a feeling upon them and create a message that was brief and clear. The magazine allowed for one edit as part of the agreement and after much consideration, it seemed that including many of the businesses that we have in Princeton that sell to a national clientele would be most beneficial.

The cost of the ad is \$5926.00. Minus the \$1250 from USDP and Fairview the remaining cost would be \$4676. Split with the PUC, our cost would have been \$2338.

The PUC met yesterday. Their response was, "The Business Ad was discussed in length- no action was taken by the board to pay for a portion of the ad. They question the effect of the ad and at this time were unsure of the benefit and therefore could not justify using ratepayers money. They invite you to come to their next meeting on Wednesday September 28th at 1:00 pm to discuss."

At this time, Foss said she would like to use the remaining community Promotion budget to cover the remaining cost of \$4,676. Participation at the September 28th PUC Board meeting will still occur in hopes that they see the value of the ad and decide to participate in the sharing of costs.

Staff interviewed a few communities who had advertised last year to see how they felt about their investment. This is the response that was received.

Linsey Preuss-Fairmont- "We will do it again, thought it was a good expenditure, DEED reps do take it to trade shows, split cost with Convention and Visitors Bureau and Utility."

Sherri Charney-Red Wing -They are investing again this year, they don't know if any leads came specifically from magazine, cannot afford to go to all of the trade shows so they can get their name out there this way.

Brian Tohal-New Ulm- they are going to do it again, no direct leads per say, but being absent from the magazine would eliminate any chance of exposure nationally, it is DEED's Chief marketing tool partnered with the Utility and the Chamber.

Bill Kemp-Greater St. Cloud Development Corporation: "I am not sure we got any leads per se. We decided on being in it because it is the main hand out piece DEED uses at conferences so we would be conspicuous if we were not in it."

Drew Hage-Windom- They are going to increase their ad, they like that the ad then can be used for promotion locally, also.

Zimmer asked Foss if she had planned anything for the other funds. She said she had a few ideas, but nothing set in stone or officially planned.

Whitcomb said he feels it's worth trying. Dobson said his feeling at the PUC meeting was that they did not seem to be open to covering the full half. He asked why businesses were listed that did not contribute to the ad. Foss said she felt that some of the businesses that were known nationwide should be listed. She said some of the businesses she contacted were not able to contribute this year due to it not being in their budget.

Walker asked when they need to have this to the magazine. Foss said as soon as a decision is made, it will need to be sent in soon.

Zimmer said he would like to see staff still ask if PUC can contribute. Hallin said she would like to see those businesses contribute as well if they can.

ZIMMER MOVED TO APPROVE RESOLUTION 16-37 APPROVING THE COMMUNITY PROMOTION EXPENDITURE OF UP TO \$4,676. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

A. Early move in agreement with the School District

Jackson advised that this will allow the School District to move in to the old fire station a bit early. They are proceeding with a purchase agreement, which can take some time. This agreement will allow the school to have access to the building, but still protect the city as the current owner. In checking with staff everything of the cities property has been removed with the exception of some shelving that will be moved to city hall

WALKER MOVED TO APPROVE THE EARLY MOVE IN AGREEMENT WITH THE SCHOOL DISTRICT. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. 7th Ave N water and sewer Extension Change Order #4

Brotzler advised that change order #4 is to make a connection to a water line that was installed on the school district. Before the project is closed out, the water line with a hydrant needs to be installed in 7th Ave. This Change Order will be funded by the School District and WSB.

Hallin asked about the previous Change Orders of \$48,000. Brotzler responded that Change Order #3 was about \$22,000 and was for the Turn Lane that the School District will be paying for.

Walker asked if 7th Ave needs to be dug into to make this water connection. Brotzler replied that all parties tried to find a different solution, but unfortunately they were not able to find one and the road will need to be dug into.

WALKER MOVED TO APPROVE CHANGE ORDER #4 IN THE AMOUNT OF \$17,181.00. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

- C. Northland Drive 2014 Improvement Project
 - 1. Resolution 16-39 – declaring cost and assessments
 - 2. Resolution 16-40 – calling for assessment hearing

Brotzler reported that Northland Drive has been completed. One Hundred percent of the cost of the project is proposed to be assessed.

WALKER MOVED TO APPROVE RESOLUTION 16-39 DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENTS FOR NORTHLAND DRIVE IMPROVEMENTS. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

HALLIN MOVED TO APPROVE RESOLUTION 16-40 CALLING FOR AN ASSESSMENT HEARING WITH RESPECT TO NORTHLAND DRIVE IMPROVEMENTS. SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

- D. 8th Ave 2015 Drainage Project
 - 1. Resolution 16-41 – declaring cost and assessments
 - 2. Resolution 16-42 – calling for assessment hearing

Brotzler stated this project was petitioned for by the residents and is complete and final. One Hundred percent of the project will be assessed to the property owners.

WALKER MOVED TO APPROVE RESOLUTION 16-41 DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENTS FOR THE 8TH AVENUE SOUTH DRAINAGE IMPROVEMENTS DOBSON SECONDED THE MOTION.

Hallin asked if the cost was the same as the original estimate. Gerold replied that there was a slight change to a drain. Brotzler added that it is actually a slight reduction from the original estimate.

THE MOTION CARRIED UNANIMOUSLY

HALLIN MOVED TO APPROVE RESOLUTION 16-42 CALLING FOR AN ASSESSMENT HEARING WITH RESPECT TO THE 8TH AVE SOUTH DRAINAGE IMPROVEMENTS. SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Zimmer asked about how the assessment hearing works. Brotzler responded that the State Statutes require a project improvement hearing, and then an assessment hearing. Many times the estimated costs are provided to the public at the first hearing.

THE MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

A. Public Works Utility Trailer disposition Request

Gerold said public works is looking to disposition a trailer at public auction. The cost to repair the trailer and the amount of downtime makes it no longer suitable for the department

WALKER MOVED TO APPROVE THE DISPOSITION OF THE TRAILER AT PUBLIC AUCTION. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. September Study Session Date and Time

Jackson said he put this on the agenda to discuss options with the Council. It seems several staff members have plans for Labor Day Weekend and he wanted to check with the Council to see if they have plans as well. It is an important study session with Jim Burroughs presenting the Insurance renewal and will include discussion on the CIP for the 2017 budget and preliminary levy. He asked if the Council would like to move the meeting to Wednesday August 31st.

WALKER MOVED TO RESCHEDULE THE STUDY SESSION TO WEDNESDAY AUGUST 31ST AT 4:30PM. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

MISCELLANEOUS

BILL LIST

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF \$132,791.61 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 74167 TO 74225 FOR A TOTAL OF \$347,840.89. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business

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

Respectfully Submitted,

ATTEST:

Shawna Jenkins
City Clerk

Paul Whitcomb, Mayor

**MINUTES OF A STUDY SESSION OF THE PRINCETON CITY COUNCIL
HELD ON AUGUST 31, 2016 4:30 P.M.**

Mayor Paul Whitcomb called the meeting to order. Council member present was Dick Dobson, Jules Zimmer and Victoria Hallin. Staff present, Finance Director Steve Jackson, Public Works Director Bob Gerold, Community Development Director Jolene Foss, Police Chief Todd Frederick, Public Works Director Bob Gerold, Fire Chief Jim Roxbury, Assistant Fire Chief Ron Lawrence, Waste Water Plant Manager Chris Klinghagen, Engineer Andy Brotzler, and Clerk Shawna Jenkins. Absent was Thom Walker and Administrator Mark Karnowski

Insurance Renewal

Jim Burroughs reported that the city's 2016-2017 premium will be \$122,893, which is a small decrease from last year. The 2016-2017 Workers Compensation Premium is \$96,651, which is about a \$16,000 increase. The rate for Police went up \$.50 per \$100 and the cities experience modification factor went from a \$1.03 to \$1.06

He asked for Council conscious is to continue with the insurance renewal. The Council agreed. The one option that the Council needs to act on, is whether to wave the per person Statutory Liability Limit of \$500,000 to the \$1,500,000 Statutory Liability maximum at a cost of \$2,109.

DOBSON MOVED TO NOT WAIVE THE LIABILITY LIMITS. HALLIN SECONDED THE MOTION. MEETING ADJOURNED

2017 Preliminary Budget & CIP Discussion

Liquor:

Campbell stated that the electronic sign has been on the CIP a few years, and she carried it out a year. The computer equipment and software upgrade is an every year thing. She would like to change lights to LED in 2017, which will save money.

Sanitary Sewer:

Dobson asked Klinghagen about the truck listed in 2017. Klinghagen replied that in looking at used trucks, the 2010-2012 trucks sell for approximately \$22-25,000. However, in talking with Princeton Chevrolet, the municipality receives a large discount, so a new truck with warranty would be just slightly more than used at \$28,000 so he feels that would be the best way to go.

Gerold reported on the Sewer Camera listed in 2017. The Departments current sewer camera is from 2003 and is very limited in what it can do. The one they are looking at will work much better for the department.

Foss reported on the replacement of sewer on 7th Ave between 12th and 7th. She said the County is planning on redoing the road in 2017, so it would be a good time to replace the sewer. The amount of \$788,600 is a high estimate.

Fire and Emergency Management:

Roxbury reported that the Share Service Study is complete and he will provide the full study to a council at an upcoming study session. The Engine listed in 2019 is just listed as a heads up as it will likely need to be updated in the future.

The amount listed for the Update City Disaster Plan is an estimate on staff time. At this point, it would just be updating contact numbers and names, which staff should be able to do.

Public Works & Parks:

Gerold did add a Sidewalk Machine to the CIP, and there has been discussion amongst staff if the City wants to plow snow on more sidewalks. He will likely be coming to the Council with this discussion.

Police:

Frederick advised the he asked his officers and staff if they had any suggestions of what they would like added or replaced to the department.

Officer Dehn is requesting the purchase of 2 handguns to use as backup if needed. Their current backup handguns are approximately 75 years old and acquired through the military donation program. The cost to purchase 2 M&P .45 CP Handguns is \$850.

The replacement of a squad rifle and back-up rifle is a new request as well. The cost of the request is \$1,850.

Office Soden is requesting Force on Force training equipment. It includes rifle training conversion kits, blue training pistols, training ammunition and protective face masks. This will provide dynamic and realistic training while maintaining a high level of safety. The Total Cost of this training equipment is approximately \$4,407.10.

Police Secretarial Staff are requesting two adjustable standing desks. The Cost of these are \$850

The Department is also requesting a Shield replacement, as theirs is very outdated in regards to ballistic value. The cost of this replacement is \$1,464.16

Public Infrastructure and Community Development:

Foss said she added 2 items to the CIP. One is a Transportation Comprehensive Plan and the other an Infrastructure Comprehensive Plan. These plans will help prepare for future needs.

Jackson stated that the council will need to make some decisions on projects. A decision on the utility extension and trail will need to be made soon to begin the planning process.

Jackson questioned what the council's goal was for the 2017 tax levy. Last year there was approximately an increase of 2.9%. The preliminary levy will need to be passed at the next meeting. The preliminary levy that is set cannot be raised, but can be lowered. He suggested a possible 2.5% increase, which should meet the needs of the City but is a slight decrease from last year.

Frederick mentioned that he has been in contact with the Sherburne County Drug Task Force and gave the council an overview of the program. They are looking at joining the group and will likely be coming back to the council with more information.

Public Works new building discussion

Jackson reported that the agreement that was first presented would not conform to the state statues, Ron Weyer with RW Builders met with staff and Attorney Bourgeois. A new contract is being drafted that will meet the state statutes. He stated that he wanted to verify with the Council that they wanted staff to move forward with signing the agreement after the Attorney has reviewed and approved it.

Council stated that they approve of staff signing once the attorney has reviewed the agreement.

DOBSON MOVED TO ADJOURN THE STUDY SESSION AT 6:40PM. DOBSON SECONDED THE MOTION. MEETING ADJOURNED

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor