CITY OF PRINCETON
Planning Commission
Agenda
September 17th, 2018
7:00 P.M., City Hall

1. Call to Order/Pledge of Allegiance

2. Approval of Minutes of Regular Meeting on August 20th, 2018 - Tab A

3. Agenda Additions/Deletions

4. Public Hearing:
   A. #18-11 Variance for Dairy Queen Drive Thru Lane - Tab B

5. Old Business:

6. New Business:
   A. Site Plan Review for Dairy Queen – See memo from Tab B
   B. Site Plan Review for Erdman’s Addition – Tab C
   C. Princeton Public Utilities Report – Connie
   D. BP Gas Station Pylon Sign – Tab D
   E. Administrative Boundary Line Adjustment for proposed Habitat home located at 609 County Road #18 South – Tab E

7. Communication and Reports:
   A. Verbal Report
   B. City Council Minutes for August, 2018 – Tab F

8. Adjournment
THE MEETING OF THE PLANNING COMMISSION HELD ON AUGUST 20, 2018, AT 7:00 P.M., AT THE CITY HALL COUNCIL CHAMBERS

The meeting was called to order at 7:00 P.M., by Dan Erickson. Members present were Victoria Hallin, Jeff Reynolds, Eldon Johnson, Scott Moller, and Eugene Stoeckel (Princeton Twsp). Staff present were Robert Barbian (City Administrator) and Mary Lou DeWitt (Comm. Dev. Assistant).

APPROVAL OF MINUTES OF REGULAR MEETING OF JULY 16, 2018
HALLIN MOVED, SECOND BY JOHNSON, TO APPROVE THE MINUTES OF JULY 16, 2018. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

AGENDA ADDITIONS / DELETIONS:
HALLIN MOVED, SECOND BY JOHNSON, TO APPROVE THE ADDITION TO NEW BUSINESS:

ITEM A. CHAPTER V-ZONING ORDINANCE, SECTION F, AND CHAPTER VI, PERFORMANCE STANDARDS, SECTION Q.2 DESIGN STANDARDS, DRIVEWAY MATERIALS, AND

ITEM B. LAND USE PLAN, CURRENT AND PROPOSED.

UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS TO APPROVE THE ADDITIONS TO THE AGENDA. MOTION CARRIED.

PUBLIC HEARING:
#18-10 Interim Use Permit for Chickens at 420 15th Avenue South
Community Development Assistant Memo:

BACKGROUND
Angela & Russell Brown have submitted an Interim Use Permit application for the raising and keeping of chickens on their property located at 420 15th Avenue South. The property is zoned R-3, Multiple Family Residential. The property owners have been raising the chickens for a period of time without the knowledge that an Interim Use Permit was needed.

ANALYSIS
The housing and keeping of chickens in the R-3 District requires and Interim Use Permit. Chapter VI.BB lists the review criteria for the housing of chickens:

No person shall own, keep, harbor, or have custody of any live chickens without first obtaining an Interim Use Permit in writing from the City, in accordance with the provisions of Section IV.6 of the Zoning Ordinance and subject to the following conditions:

a. The keeping of any poultry besides chickens is prohibited.
Comment: This shall be a condition of approval.
b. **Roosters are prohibited.**
   **Comment:** This shall be a condition of approval.

c. **No more than four (4) chickens shall be housed or kept on any one residential lot in any area of the city zoned R-1, R-2, R-3.**
   **Comment:** The applicants currently have 4 chickens and understand they cannot have any more, still will be a condition of approval.

d. **Chickens shall only be allowed on single family home lots.**
   **Comment:** This condition is met, still will be a condition of approval.

e. **Outdoor slaughtering of chickens in city limits is prohibited.**
   **Comment:** This shall be a condition of approval.

f. **Chicken fighting shall not be allowed within city limits.**
   **Comment:** This shall be a condition of approval.

g. **Leg banding of all chickens is required. The bands must identify the owner’s name, address, and telephone number.**
   **Comment:** This shall be a condition of approval.

h. **Chickens shall not be housed in a residential house or an attached or detached garage.**
   **Comment:** The applicants currently have a chicken coop and run area, still will be a condition of approval.

i. **A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards.**
   1) **Located in the side or rear yard.**
      **Comment:** The applicants have the coop located in the rear yard of their property. **See photos.**

   2) **Meet the accessory structure setback requirements.**
      **Comment:** The proposed location meets setback requirements.

   3) **Construction shall be adequate to prevent access by rodents.**
      **Comment:** Per the photos, it appears the coop will not allow access by rodents.

j. **A run or exercise yard is required to be provided and must be enclosed by a fence.**
   **Comment:** The applicants have a fenced in run area.

k. **All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surroundings must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.**
   **Comment:** This shall be a condition of approval.
I. All food shall be stored in an enclosed, rodent proof container.
Comment: This shall be a condition of approval.

m. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.
Comment: This shall be a condition of approval.

Interim Use Permit Review Standards: When reviewing the application for an interim use, the City shall base its judgement 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;
Comment: The keeping of chickens is an Interim Use in the R-3 District.

2. The date or event that will terminate the use can be identified with certainty and continued;
Comment: The Planning Commission shall recommend to the City Council a date or event that will terminate the keeping of the chickens. Staff would recommend that the keeping of chickens terminate when the current property owners sell the property.

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;
Comment: If the listed conditions are met, the interim use does not appear that it will result in adverse effects on the public health, safety, and welfare, nor does it create additional pollution potential.

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.
Comment: It does not appear the use will impose additional costs on the public if it is necessary for the public to take the property in the future.

CONCLUSION / RECOMMENDATION
Based on the findings that the proposed Interim Use appears to meet the standards for the keeping of chickens and the general review standards for an Interim Use Permit, as listed in the Zoning Ordinance. Staff would recommend the Planning Commission approval of the proposed Interim Use Permit to keep chickens at 420 15th Avenue South, subject to the following conditions (as listed in the Ordinance):
1. The keeping of any poultry besides chickens is prohibited.
2. Roosters are prohibited.
3. No more than four (4) chickens shall be housed.
4. Outdoor slaughtering is prohibited.
5. Chicken fighting shall not be allowed.
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6. Leg banding of all chickens is required. The bands must identify the owner’s name, address, and telephone number.
7. A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:
   a) Located in the side or rear yard.
   b) Meet the accessory structure setback requirements.
   c) Construction shall be adequate to prevent access by rodents.
   d) If the coop is 120 SF or larger, a building permit is required.
8. A run or exercise yard is required to be provided and must be enclosed by a fence.
9. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounds must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes and unsanitary condition or causes odors detectable on another property.
10. All food shall be stored in an enclosed, rodent proof container.
11. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.
12. The keeping of chickens terminate when the current property owners sell the property.

The Planning Commission recommendation shall go to the City Council at their August 23, 2018 meeting.

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

HALLIN MOVED, SECOND BY MOLLER, TO OPEN THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

Tom Affeldt, 1406 5th Street South, said he is a neighbor to this property. The coop does not look like it is 120 square feet. They had the coop on his land and once the property owner found out, they moved it. The applicant had a rooster, but had gotten rid of it. He opposes allowing them on getting this permit since he is their neighbor. He had to put up a fence around their garden because of issues they had with them in the past and does not see it getting better in the future.

Hallin questioned him about the coop being on his property and Affeldt showed a photo on his phone that he had taken where it had been. The grass has not come back in yet and Hallin said it looked to be partly on their property and it should be able to be reseeded. The coop had been on the property line.

Affeldt agreed that it could just be reseeded. It is quiet now without the rooster, the chickens are fine.
Angela Brown spoke. She did not know it was a rooster when she got it because it was a baby and when she found out, she got rid of it the same day.

Arlene Affeldt, 1406 5th Street South, believes there was knowledge that a permit was needed. The applicant was going around to neighbors saying she would give them eggs if they were okay with her having chickens.

Angela Brown said they have silkie chickens and they produce little eggs. The chickens are pets for them.

MOLLER MOVED, SECOND BY JOHNSON, TO CLOSE THE PUBLIC HEARING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED.

Moller said the only issue is complying with the Ordinance and they now are correcting that and should be allowed to keep the chickens. They had an issue of not obeying the property lines and have that corrected also. If they comply with the permit regulations they should be okay to issue the Interim Use Permit.

Hallin asked if they are new to raising chickens.

Angela Brown said they got them last summer and are willing to put up a fence if needed for sound barriers. The chickens are kept confined.

HALLIN MOVED, SECOND BY MOLLER, TO FORWARD TO THE CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL OF ITEM #18-10 INTERIM USE PERMIT TO ALLOW CHICKENS AT 420 15TH AVENUE SOUTH, LEGAL DESCRIPTION: LOT 12, BLOCK 2, MEADOW VIEW ESTATES FIFTH ADDITION, PID #24-554-0560, SUBJECT TO THE FOLLOWING CONDITIONS:
1. THE KEEPING OF ANY POULTRY BESIDES CHICKENS IS PROHIBITED.
2. ROOSTERS ARE PROHIBITED.
3. NO MORE THAN FOUR (4) CHICKENS SHALL BE HOUSED.
4. OUTDOOR SLAUGHTERING IS PROHIBITED.
5. CHICKEN FIGHTING SHALL NOT BE ALLOWED.
6. LEG BANDING OF ALL CHICKENS IS REQUIRED. THE BANDS MUST IDENTIFY THE OWNER’S NAME, ADDRESS, AND TELEPHONE NUMBER.
7. A SEPARATE COOP IS REQUIRED TO HOUSE THE CHICKENS. COOPS MUST BE CONSTRUCTED AND MAINTAINED TO MEET THE FOLLOWING MINIMUM STANDARDS:
   A) LOCATED IN THE SIDE OR REAR YARD.
   B) MEET THE ACCESSORY STRUCTURE SETBACK REQUIREMENTS.
   C) CONSTRUCTION SHALL BE ADEQUATE TO PREVENT ACCESS BY RODENTS.
   D) IF THE COOP IS 120 SF OR LARGER, A BUILDING PERMIT IS REQUIRED.
8. A RUN OR EXERCISE YARD IS REQUIRED TO BE PROVIDED AND MUST BE ENCLOSED BY A FENCE.
9. ALL PREMISES ON WHICH CHICKENS ARE KEPT OR MAINTAINED SHALL BE KEPT CLEAN FROM FILTH, GARBAGE, AND ANY SUBSTANCES WHICH ATTRACT RODENTS. THE COOP AND ITS
SURrounds must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.

10. All food shall be stored in an enclosed, rodent proof container.

11. Dead chickens shall be disposed of according to the Minnesota Board of Animal Health Rules, which require chicken carcasses to be disposed of as soon as possible after death, usually incineration or rendering, or offsite composting.

12. The keeping of chickens terminate when the current property owners sell the property.

Upon the vote, there were 5 ayes, 0 nays. Motion carried.

Moller said the City Council is an open meeting and the neighbors can come. The Council will have the final approval.

Barbian suggested that the applicant put some grass seed down in the area where the coop had been on the property line.

The Planning Commission reviewed the Findings of Fact:

1. Is the proposed use an interim use listed in the district in which the application is being made? Yes.

2. Is the date or event that will terminate the use can be identified with certainty and continued? Yes.

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? Yes.

4. Would permission of the use not impose additional costs on the public if it is necessary for the public to take the property in the future? Yes.

The Commission recommends approval of a Interim Use Permit based upon the Findings of Fact, with the noted conditions.

Old Business: None

New Business:

A. Chapter V-Zoning Ordinance, Section F, and Chapter VI, Performance Standards, Section Q.2 Design Standards, Driveway Materials

Barbian said he would like the Planning Commission’s clarification of what they determine is the hard surface material for a driveway. Normally it is asphalt or cement.

Erickson said hard surface is asphalt, concrete, or brick. Something that cannot be picked up by the tire and dragged onto the street and is dustless. Hot mix would be a good wording.
DeWitt handed out photos of a new home that put in broken up asphalt that was put down and rolled over with heavy machinery.

Erickson said that is crushed asphalt and not a hard surface. That is a good base material.

DeWitt said that the Ordinance allows a year to put in the driveway if the season is at an end and they cannot get it in. The property owner would have to put down an escrow. We are wondering if we need to put better wordage in our Ordinance that states what the hard surface material is.

Erickson suggested look at what wordage other communities have in their Ordinance.

Reynolds said that Minneapolis restricts how much asphalt and concrete is allowed. They want material that does allow drainage.

Stoeckel said they used this product at the airport and it is not working good. It was being picked up by the airplane propellers. Should just be an underlayment.

Erickson said this product last approximately five to seven years and then breaks up.

Staff will let the property owner know that they will have to put down hot asphalt for their driveway.

Land Use Next:

B. LAND USE PLAN, CURRENT AND PROPOSED

Barbian said a property owner that has 40 acres of land is considering putting in storage units on his land. Not the full 40 acres. He wanted the Planning Commission Board to look at the current 2008 Land Use Map and the draft copy that is near completion and have their thoughts on the idea. Mille Lacs County does not have a Future Land Use Plan instead they just has zoning. The City has a Future Land Use Plan and a Sherburne County has one also, but Mille Lacs County does not. This is a base for the Transportation Plan and is identified as a need. Barbian would like the Planning Commission to review the maps and see if there is a better use for this land. The property owner wants to put this land to use for something. He showed the Planning Commission the property site. He asked Stoeckel if Princeton Township would be open to discuss a Future Land Use Plan map.

Stoeckel said not this year, next year he believes it would be good to bring it to the Township Board.

Barbian said with the Transportation Plan it would have the areas laid out for higher use.

Johnson said the church on 33rd Street by Fog Lake, there is 120 acres of farm land and that would be good to get into the city because the city services run to it.
Barbian asked if there are any ideas on this 40 acre site.

Erickson said it does not look like a good residential site.

Barbian said it would be a long time for this to be used as a commercial lot. Why not do a ¾ acre residential sites and well and septic.

Johnson said Princeton township allows 1 ¾ acre lots to build on.

Barbian said a community system and convert into a line. We do not have much buildable land in the city to build on. The Land Use Plan would show were houses could be put in. Farmers are approached by Developers and then they come to the City on what they would like to do with the land. Barbian will meet with the property owner and discuss his site more.

**COMMUNICATION AND REPORTS:**

**A. General Planning & Reports**

Barbian said that there was the first Downtown Façade meeting with the architects. On August 27th at 3:30 P.M. will be another meeting with WSB Engineering. He has received a proposal from the first one and will hold that until he gets the one from WSB. If anyone from the Planning Commission would like to attend they are welcome. Eldon Johnson attended the first meeting.

Barbian will work on having a Transportation Plan with the two counties and townships and look at where traffic should be. The Airport want the air space protection plan in place and adjustments to the Comprehensive Plan. They want to have the air space reserved and the Comprehensive Plan has not been adopted yet.

Erickson said that Brent Titcomb who is on the Airport Board had called him and he expressed the need to keep air space available so larger air crafts are able to come here and also the fuel needs to be updated.

Stoeckel asked if the masterplan of the ownership been cleaned up yet.

Barbian said the Airport Engineer is working on it.

Stoeckel said the cross wind runway is off the plans, but needs a joint powers meeting to finalize it. MN requires a longer glide path. The old landing bed could extend 500 feet.

Erickson said Brent Titcomb believes the airport would be beneficial to the community.

Barbian said he is enthusiastic and knowledgeable about the airport. The Comprehensive Plan should be finalized soon. Maybe next month for the Planning Commission meeting to discuss it and make a recommendation to the City Council to proceed with it. Take another look at it and
make any recommendations they would like to it. Mille Lacs County has a zoning map and not a future land use map. Would the Planning Commission Board like it to be converted to a Future Land Use Plan. We could make a recommendation of how we would like the land to be used.

B. City Council Minutes for July 2018
The Planning Commission Board had no comments.

HALLIN MOVED, SECOND BY MOLLER, TO ADJOURN THE MEETING. UPON THE VOTE, THERE WERE 5 AYES, 0 NAYS. MOTION CARRIED. THE MEETING ADJOURNED AT 8:34 P.M.

ATTEST:

__________________________  ______________________________
Dan Erickson, Chair          Mary Lou DeWitt, Comm. Dev. Assistant
BACKGROUND
Valley Storage, LLC has submitted an application for a site plan review for the construction of a Dairy Queen Restaurant and variance for a drive-thru service lane at 1102 7th Avenue South. The property is legally described as Lot 1, Block 1, Coborn's Addition, Sherburne County. This property is zoned B-2, Neighborhood Commercial Zoning District. The parcel is .77 acres located west of the Coborn’s Store and east of Rum River Drive South.

SITE PLAN ANALYSIS:
Access & Traffic Flow: Access will be off of Rum River Drive North to 323rd Avenue NW to the site or a second option is through the north entrance of the Coborn’s parking lot. There are three ingress and egress areas to the DQ site. The access easement documentation is requested and may be required to be filed.

Sidewalk is being extended to the north edge of the DQ site with the construction of the Great Northern Trail project. Extending the sidewalk further south to 323 Avenue NW is appropriate to be completed by the developer.

Drive-Thru lane will be accessed via north of the building where a directional sign will move patrons to the west side of the building to the menu board. The drive-thru is ok, ordering que is a bit tight and a designated order pickup area may be helpful although comments do not require any corrective action.

Parking: The proposed 22 parking stalls, 2 of those are handicap stalls. Parking requirements are met. Ordinance requires one space per four patron seats or one space per 100 square feet of gross floor area, whichever is greater, plus one space per employee on the largest shift. Each space shall be a minimum of one hundred-eighty (180) square feet in area with a minimum width of nine (9) feet and a minimum depth of 18 feet, with adequate maneuvering lanes.

The entire parking area, including parking spaces and maneuvering lanes shall be hard-surfaced within one year of the date of the permit is issued.

Bicycle racks are required to accommodate bicycles and is to be located near the entrance.

Lighting: Off-street parking shall be illuminated to a minimum level of one (1) foot candle at ground level over the entire surface of the parking area. Exterior lighting plans be submitted and approved by staff.

Landscaping: 50% of the building perimeter shall be landscaped in an area not less than 5 feet in width. Impervious area maximum lot coverage cannot exceed 50%. A landscape plan has not been submitted at this time. Because of the lateness to begin building, staff is asking that if the Planning Commission approve the site plan there is a condition of approval for landscaping by staff. The Ordinance does state that if because of weather conditions sodding and/or
seeding is unadvisable, a temporary certificate of occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.

Commercial uses which are adjacent to residential area shall be screened to minimize visual impact. The plans show the refuse containers have fencing around the area that matches the building.

**Building Materials:** The building is proposed to be constructed of tan/brown stucco or EFIS exterior with modular brick around the entrance.

All rooftop mechanicals shall be screened with materials that are architecturally compatible with the building. All ground level mechanicals (air conditioning units, electrical boxes, etc.) shall be screened with shrubs or an approved fence.

**Signage:** The applicant is not seeking signage approval at this time. The applicant will likely utilize wall, directional, and pylon sign however. The signage shall be reviewed and permits obtained prior to installation. The Planning Commission review is required for a new pylon sign or utilization of the MTB signage.

**Grading and Storm Water Plans:**
Upon completion the City Engineer will review the grading and storm water plans and are required to meet standards as established by municipal code prior to issuance of any permits for grading and construction.

**Sewer, Water, and Electrical:**
The Developer is required to extend sewer, water, and electric distribution to the site, appropriate shut offs and lateral extensions to the building at their cost including associated impact fees. The Princeton Public Utilities is to approve the proposed electric plans.

**VARIANCE**
**Variance Review Standards:** The Zoning Ordinance lists the following standards to review a variance application by:

1. Is the variance in harmony with the general purposes and intent of the zoning ordinance?
   **Comment:** The general purpose and intent of the B-2 District is to offer basic, convenience-type goods and services to the immediately surrounding area in which it is located.

2. Is the variance consistent with the Comprehensive Plan?
   **Comment:** The Comprehensive Plan designates this area as Highway Commercial. A Dairy Queen with a drive-thru service lane is consistent with the Highway Commercial designation, which “allows a large mix of retail, office, and other business uses with generally more stringent development standards. Integrated neighborhood design with pedestrian and automobile facilities should be encouraged”

3. Does the property owner propose to use the property in a reasonable manner not permitted by the zoning ordinance?
   **Comment:** A drive-thru lane on a Dairy Queen is a reasonable use of a commercial property alongside a major highway.

4. Are there circumstances unique to this property not created by the landowner?
Comment: The B-2 Zoning District is intended to serve those commercial areas in close proximity to residential areas, such as the commercial node just north of the roundabout and the areas south of downtown along Rum River Drive. The B-2 Zoning District currently lists a restaurant without drive-thru service as a permitted use. Although the property is zoned B-2, Neighborhood Commercial, it is designated as Highway Commercial on the Future Land Use Plan.

5. Will the issuance of the variance maintain the essential character of the locality?
Comment: Yes, the issuance of a variance to allow a drive-thru will maintain the essential character of the locality as it is next to the Coborn’s store that has a drive-thru service lane for their pharmacy. A drive-thru is an amenity that is a necessary mode of doing business in a setting next to a highway.

Variance: Staff would recommend approval of the variance for a drive-thru service land, based on the following findings of fact:
1. The variance is in harmony with the general purposes and intent of the zoning ordinance;
2. The variance is consistent with the Comprehensive Plan;
3. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
4. There are circumstances unique to this property not created by the landowner;
5. The issuance of the variance shall maintain the essential character of the locality;
6. The alleged practical difficulty involves more than economic circumstances; and
7. Subject to the conditions of approval of the site plan review.

CONCLUSION
Site Plan Review: Based upon the above review standards, staff would recommend approval of the site plan review, subject to the following conditions:
1. Documentation of the access easement, the recording of will be determined by City Atty.
2. Bicycle racks shall be placed near the entrance.
3. Construction of a sidewalk along the west side of the lot to be constructed by developer.
4. The signage shall be reviewed and permits obtained prior to installation. Planning Commission review required for a new pylon sign or utilization of the MTB signage.
5. The trash enclosure shall match the exterior building materials in color. The trash enclosure shall not be of concrete block construction.
6. Staff approve landscaping and if because of weather conditions sodding and/or seeding along with landscape is unadvisable, a temporary certificate of occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.
7. Additional information shall be provided for the City Engineer’s review.
8. The City Engineer conditions shall be met prior to the issuance of the Building Permit or Certificate of Occupancy.
9. All necessary permits shall be applied for and approved prior to construction, including, be not limited to: building, signage, Water Access Charge (WAC), and Sewer Access Charge (SAC).
10. Any consultant costs over and above the original escrow fee shall be the responsibility of the applicant.
12. The Developer extend sewer, water, and electric distribution to the site, appropriate shut offs, and lateral extensions to the building at their cost.

End:
Aerial Map/Survey/Site Drawings
SIGNAGE AREAS:

- DQ LOGO: 6' x 10'5" profile area: 16.38 S.F.
- DQ LOGO: 3'1" x 4' profile area: 9.08 S.F.
- RECTANGULAR AREA: 56.0 S.F.
- PROFILE AREA: 13.36 S.F.
- RECTANGULAR AREA: 11.03 S.F.
- GRILL & CHILI BOWTIE: 2'6" x 1'0" profile area: 2.25 S.F.
- RECTANGULAR AREA: 1.17 S.F.
- CORE & CHILI BOWTIE: 2'6" x 1'0" profile area: 2.25 S.F.
- RECTANGULAR AREA: 1.17 S.F.

ENTRANCE ELEVATION

FRONT ELEVATION

DQ GRILL & CHILL - CORE47

EXTERIOR ELEVATIONS
MEMORANDUM

TO: Planning Commission Board
FROM: Mary Lou DeWitt/Bob Barbian
SUBJECT: Erdman Automation Addition
DATE: September 17, 2018

BACKGROUND

R.W. Builders, on behalf of Erdman Automation, has submitted a site plan review application for the construction of a warehouse and production facility. The subject property is 2.97 acres, zoned MN-1 Industrial, and designated as Industrial on the Future Land Use Plan.

The proposed building would be 43,950 square feet (293’ by 150’) one-story that will have two links on the east side of the building that would join to the existing production and warehouse building. This addition will be used for production and warehouse.

ANALYSIS:

Variance: The proposed addition has two links that will be connected from the new building to the current site located on the lot east of this site. The applicant indicated that the link could be removed in the future if need be. However, this creates a zero setback where the links will be built over the property line. This requires a Variance. The building construction must also meet all building codes. Should a variance not be granted or building codes not met the buildings cannot be connected.

Parking: New parking area will be placed in the northwest corner of the lot. The proposed 25 parking stalls, 2 of those are handicap that will be in the northwest corner of the lot. Future parking is shown south of the proposed parking area if needed.

   Manufacturing: Five plus one for each employee on the largest working shift, but not less than one per 1,000 SF.
   Warehouse: Five plus one for each employee on the largest working shift, but not less than one per 2,000 SF.

Lighting: Off-street parking shall be illuminated to a minimum level of one (1) foot candle at ground level over the entire surface of the parking area.

Materials: The structure will be faced with the same steel material as existing buildings. All rooftop mechanicals shall be screened with materials that are architecturally compatible with the building. All ground level mechanicals (air conditioning units, electrical boxes, etc.) shall be screened with shrubs or an approved fence.

Grading, drainage and storm water: The City Engineer shall review the grading and drainage plans. The plans shall meet all conditions of the code as determined by the City Engineer and shall be met prior to the issuance of a grading permit, building permit or certificate of occupancy.
Landscaping: Landscaping plans shall be submitted. A condition of approval will be city staff’s review and approval of the landscaping plans. The Ordinance does state that if because of weather conditions sodding and/or seeding is unadvisable, a temporary certificate of occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.

Signage: No signage has been applied for as part of this application. Any new signs will require approval prior to installation. (New freestanding signs require Planning Commission review).

RECOMMENDATION:
That the Planning Commission consider approval of the Site Plan for Edman Manufacturing provided that the following conditions be met:

1. A variance be applied and approved allowing the building links to be built over the property line or the buildings not be connected.
2. The Developer extend sewer, water, and electric distribution to the site, appropriate shut offs and lateral extensions to the building at their cost, including covering associated impact fees acceptable to the City Engineer and PUC.
3. The building be sprinkled.
4. Grading, Storm Water Plans, along with sewer, water, and electrical be approved by the City Engineer, Public Works, and Public Utilities prior to Building Permit issuance.
5. Any consultant costs over and above the original escrow fee shall be the responsibility of the applicant.
6. The additional information be provided for the City Engineer’s review, meeting engineer conditions prior to the issuance of the Building Permit or Certificate of Occupancy.
7. All street excavation for sewer or water shall require an escrow.
8. The new parking area shall meet the stall size and aisle width requirements. No parking stalls are allowed within the public right-of-way.
9. Staff approve landscaping plans, if sodding and/or seeding is unadvisable, a temporary certificate of occupancy may be issued subject to an escrow deposit to assure compliance by no later than July 1st of the following year.

Encl:
Aerial Map
Survey
Site Drawings
MEMORANDUM

TO: Planning Commission Board  
FROM: Mary Lou DeWitt, Comm. Dev. Assistant  
SUBJECT: BP Station  
DATE: September 17, 2018

REQUEST
Anthony & Cheryl Hofman, owners of BP Station, have submitted a Building Permit application for replacement of their pylon sign located at 509 19th Avenue North. The current pylon sign has storm damage and BP is requiring that instead of a sign faceout, they update the sign to their current regulations.

ZONING PROVISIONS
The Sign Ordinance requires that the Planning Commission approves the pylon signage. This site is located in the B-3 General Commercial District where the pylon sign regulations requirements are:

1. Total square footage is 150 square feet
2. The sign cannot be higher than 60 feet
3. Ten feet of clearance shall exist between grade levels and the bottom of the sign
4. The sign must be located on the property where the business advertisement is located
5. The sign cannot extend over public sidewalks or streets
6. There shall be no more than one pylon sign per lot

CONCLUSION
The sign request is for a sign of approximately 110 total square feet, 30 feet in height, and clearance of 14 feet between grade level and the bottom of the sign. The sign must be 15 feet away from surrounding building or structures and cannot extend over public sidewalk or streets. The sign will be illuminated internally with LED lighting and the pricing area will be the only area that has the changeable LED lighting. The proposed sign meets the requirements and staff supports the approval of the pylon sign.

If the Planning Commission approve the proposed BP Station pylon signage, staff recommends the following conditions of approval:

1. Total square footage is 150 square feet
2. The sign cannot be higher than 60 feet
3. Ten feet of clearance shall exist between grade levels and the bottom of the sign
4. The sign must be located on the property where the business advertisement is located
5. The sign cannot extend over public sidewalks or streets
6. There shall be no more than one pylon sign per lot
7. Engineered plans for the pylon signage will need to be submitted with a building permit and approved prior to installing.
Mid Type: BgbCenterMount
Mid Job Type: New Sign
Sign Width: Blair 81"
Wind Load: 30
Overall Height: 30
Existing Foundation: No
Customer requested a quote for installation.
PC RESOLUTION #18-07
A RESOLUTION OF THE CITY OF PRINCETON PLANNING COMMISSION
AUTHORIZING AN ADMINISTRATIVE SIMPLE LOT SUBDIVISIONS / SIMPLE LOT
CONSOLIDATIONS / BOUNDARY LINE ADJUSTMENTS WITH PROPERTIES
LOCATED ON THE REGISTERED LAND SURVEY NO. 16, CONSISTING OF FOUR
TRACTS, TRACT A, B, C, AND D

Legal Description: The City of Princeton wants to combine with the current property (three sites) of Registered Land Survey No. 16;

TRACT A OF REGISTERED LAND SURVEY NO. 16, COMBINED WITH THE CURRENT
PROPERTY OF PID #24-033-0370, CITY OF PRINCETON, MILLE LACS COUNTY,
MINNESOTA;

TRACT B OF REGISTERED LAND SURVEY NO. 16, COMBINED WITH THE CURRENT
PROPERTY OF PID #24-915-0010, CITY OF PRINCETON, MILLE LACS COUNTY,
MINNESOTA;

TRACT C OF REGISTERED LAND SURVEY NO. 16, COMBINED WITH THE CURRENT
PROPERTY OF PID #24-033-0361, CITY OF PRINCETON, MILLE LACS COUNTY,
MINNESOTA.

WHEREAS, the Simple Lot Consolidations will not conflict with the City of Princeton Subdivision Development Ordinance; and

WHEREAS, the Simple Lot Consolidations will not conflict with the City of Princeton Comprehensive Zoning Plan; and

WHEREAS, the Simple Lot Consolidations will result in lots conforming to the City of Princeton Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve the Simple Lot Consolidations of the above described properties.

ADOPTED this 17th day of September, 2018 to become effective immediately after reservation of an easement for utility and drainage purposes across Tracts A and C of Registered Land Survey No. 16 by the City of Princeton.
This instrument was drafted by:

City of Princeton
705 2nd Street No.
Princeton, MN 55371

ATTEST:

__________________________  ____________________________
Robert Barbian, Administrator  Dan Erickson, Chairperson
MINUTES OF A STUDY SESSION OF THE PRINCETON CITY COUNCIL
HELD ON AUGUST 2, 2018 4:30 P.M.

Mayor Paul Whitcomb called the meeting to order. Council members present was Jack Edmonds, Jules Zimmer, Jeff Reynolds and Thom Walker and. Staff present, Administrator Robert Barbian, Finance Director Steve Jackson, Public Works Director Bob Gerold, Police Chief Todd Frederick, Clerk Shawna Jenkins, Wastewater Plant Manager Chris Klinghagen, Liquor store manager Nancy Campbell, and Fire Chief Ron Lawrence.

Insurance Renewal

Jackson introduced Jim Burroughs from Princeton Insurance.

Burroughs reported that the property premium increased $3,382 due to increased property values of $1,135,587 and increasing the restroom value at Riverside Park.

The Liability premium is down $2,864 due to lower liability modification factor (a few claims dropping from 2013)

The auto premium is up $2,960 due to vehicle changes (removed 3 units and added 4) and a change in how the physical damage is rated (increase in physical damage rates for police)

Workers Compensation is down slightly for 2018-2019.

EDMONDS MOVED TO NOT WAIVE THE PER PERSON STATUTORY LIABILITY LIMIT OF $500,000 TO THE $1,500,000 STATUTORY LIABILITY MAXIMUM AT A COST OF $2,382. AND TO ACCEPT THE INSURANCE RENEWAL AS PRESENTED. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Sidewalk Snow Clearing

Barbian reported that staff put together some estimates. For the current plow route, it takes an average of 8-9 hours for an estimated event cost of $765. An upgrade in equipment would also be requested, which would be a Trackless MT with plow, blower, brush and salt-er for $154,000.

If the route was changed to only sidewalks adjacent to public property, it is estimated to take 4-5 hours, for an estimated event cost of $425.

The route requested by Carol Ossel includes what is currently being cleared, plus an additional 25 sidewalk blocks. A local company was contacted for a quote, which was 6-10 hours for an approximate event cost of $780. If Public works was utilized for this route, it would add an additional 5-10 hours, which would require an additional seasonal employee or overtime, plus additional equipment cost spread out over several years.

Whitcomb, asked if the equipment is in the CIP. Gerold replied that it is in the CIP, but the price has gone up a bit since he put it in.
Walker asked if there are other uses for this equipment. Gerold responded that they could put a finish mower on the front to use in the parks, but a standalone mower does work better.

Walker questioned if the machine is a power takeoff, or hydraulic system. Gerold replied that it can be ordered with either system. Walker asked which system seems to last longer. Gerold said the power takeoffs tend to have more maintenance than a hydraulic system.

Walker asked how long these machines usually last. Gerold responded that the manufacturer states 10 years is a good average. At which time, the Manufacturer refurbishes them and sells them. Gerold added that he had asked about the refurbished ones, but the cost is not much less than new, and they do not have as good of a warranty.

Barbian added that he has reached out to Mille Lacs county about setting up a discussion about the reimbursement amount to the city for the snow clearing we are doing.

Barbian stated that Gerold says Public Works are clearing about 5.5 lane miles currently, with an average of 4 passes.

Edmonds said Elk River has 2 of these machines. They are very rarely used in the summer, and they did not seem to be the first equipment used during a snow event.

Zimmer asked how it would work with if a 3rd party did the snow clearing. Gerold said they usually coordinate with the contractors that are already doing some of the businesses downtown.

Carol Ossel asked if the County does not provide an increase for what the city is clearing, could the city ask the County to take on County Roads 29 and 31 for the next year or two. Edmonds responded that the County would plow the roads but would not remove the snow from downtown like the city does. He is sure that our public works would also be much quicker to plow those roads than the County would.

Ossel asked how the sidewalks appear adjacent to the businesses that Pettibone landscaping does. She wondered if they are cleared as it is snowing, or do they wait until the snow has ended. Gerold replied that they wait until it is done snowing.

Reynolds stated that the estimate of 12 snow events seem a little high. Gerold said it is a safe average, as some winters we don't get much snow, and other winters it seems to snow all the time.

Edmonds asked about the sidewalk near Walmart. Gerold said those were designated as trails. Jackson added that when the County put the trail that follows the County Road around, it may have been an agreement for the city to clear it. Staff will check into that.

Walker asked what public works use for sidewalk snow removal. Gerold responded that they use a Skidsteer and a Toolcat. Both are too wide for a couple spots. They do make a smaller skidsteer that would fit through those few narrow areas, but then it would require more passes elsewhere.
Zimmer questioned how the sidewalks are handled if there was less than 2 inches of snow. In many cases, if left the snow would likely melt a bit and become dangerous. Gerold replied that in those types of snow events, public works will go out to sweep off those areas, or lay salt down.

Guptill said the main issue they see is that the snow gets pushed back up on the sidewalks when the plow goes through, and they end up with a large ridge of snow.

Walker questioned why the snow is no longer plowed to the center and removed from there as it used to be. Gerold responded that he believes that was discontinued because of safety concerns.

Guptill asked if a parking space could be sacrificed for that first day, and the snow could be piled up there.

Whitcomb asked if a snow Emergency could be declared, and all the snow plowed to one side of the street.

Frederick added that when snow was piled in the center, there were some accidents and cars getting hung up on the snow in the center, so it was no longer done that way.

Reynolds said we have a policy for snow removal, and he sees the outside contractor as an option. Walker said he disagrees. He feels the biggest issue Ossell has is the large piles of snow that end up back on the sidewalk.

Ossell stated that Lucas from Cambridge had stated that their sidewalks were done first, and then the plow came by and made sure the snow was removed.

Gerold said in response to piling the snow in a parking space, it would take longer to load it and haul it away verses using a blower to load the trucks like they currently do.

Campbell added that they have the ridge of snow that gets pushed back on the sidewalk at the Liquor Store as well. Her and her employees just work at it. Even during the times when she is working along, she goes out in between customers.

Barbian said it appears there are 2 issues. The sidewalks and how the snow is removed from the Street.

Zimmer said he doesn't see any difference between the business owners, or the private contractor doing it. If the plow goes back by after the sidewalk is cleaned, a ridge of snow is going to end up back on the sidewalk. He asked if a second plow could come behind the first to clean up what is left.

Gerold said he can remind his employees to slow down in the downtown area so some of the snow doesn't go back on the sidewalks. However, if they do that, that same snow will end up adjacent to the curb, which would narrow the drive lane if cars were parked in those parking spots.
Edmonds stated that we live in MN and it snows, and there is going to be a little inconvenience for a day until staff has time to get to plow all the streets, then remove the snow from downtown.

Gerold said to keep in mind, the only parking restrictions we have downtown are no parking from 2-6am. It is not possible to get everything plowed in the city, and the snow removed before cars are parked on Rum River and First Street.

Frederick said we don’t have the capability to declare a snow emergency, because there are not enough tow trucks. The police will actually start knocking on doors for people to move their cars. Whitcomb added that there is a lot of traffic starting at 4:30-5am for those that work in the cities. There are a lot of streets that need to be cleared so people can get out for work.

Zimmer said he is leaning towards with staying with our current ordinance and for Public works to try to be more conscious of plowing downtown to keep the snow from piling up on the sidewalks.

ZIMMER MOVED TO ABIDE BY THE CURRENT ORDINANCE ON SIDEWALKS AND FOR PUBLIC WORKS TO ONLY CLEAR SIDEWALKS ADJACENT TO PUBLIC PROPERTIES. EDMONDS SECONDED THE MOTION.

Walker asked if there are some plowing methods can be changed slightly for these problem areas. Gerold said they can do that.

VOTE 3:1:1 – REYNOLDS AGAINST, WALKER ABSTAINED. MOTION CARRIED

**Transient, Food Vendor, Peddler License Discussion**

Jenkins advised that Food Truck licensing was recently brought up by a Princeton Business owner and it was said we would review our ordinance.

In looking the ordinance over, “food trucks” were not mentioned anywhere, we classified them as under a transient merchant. Therefore, it is something we should add to the ordinance.

The League of MN sent a memo that that Delano put together in regard to food trucks, and competing with local businesses which is very informative.

In searching other city’s ordinances, there were a few that were the same or very similar to our current ordinance and did not specifically mention food trucks. I thought Elk River’s ordinance was very good, so I incorporated a lot of their wording, and some tidbits from other city’s ordinances that I thought may fit our community well.

Some additional things that the Council may want to determine.
Section 670.01 – currently, we do not require a license for those operating on private property, or during community type events.

1. Do we want to continue not licensing/regulating them?
2. Do we want to license them? (in the past, some were upset they would have to pay the city’s license fee, and a fee to the event sponsors)
3. Do we want them to only register with us, with no fee so we have any necessary information we may need?

Hours allowed are noted in the ordinance in a few areas, 670.07, 670.10 B 2, 670.10 D 9,

What hours do we want each to be able to operate in?
Mobile Food Trucks
Transient Merchants
Those going door to door?

Also, what type of insurance should be required? Elk River required quite a bit, so I sent that list to our Insurance agent for review. It appeared to be somewhat standard but mentioned lowering the automobile liability from 2 million to 1 million as that is typically the highest level

At the July 26th meeting, Walker asked if someone dropping information off at the door are required to apply for a permit.

They would classify them as a Solicitor, so they are required to be licensed with the City:

“Solicitor” - a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property or services of which the person may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this section if the actual purpose of the person’s activity is to obtain or attempt to obtain orders as discussed above. The term shall have the same meaning as the term “canvasser.”

There are a couple other instances where one would not need to be licensed:

Door to Door Advocacy, and Charitable, Civic, Non-Profits, and educational of political organizations with offices in the Princeton area.

Whitcomb and Zimmer said they don’t want to discourage food trucks.

Zimmer liked the suggestion to require a distance between a Food Truck and restaurant.

Sara Strandberg with Firehouse BBQ added that it is out of respect to not be close to another similar business. She comes to town usually once a week if she does not have an event scheduled.
Edmonds likes the distance requirement. Walker suggested that a location could also be designated for Food Trucks.

The Council consensus was to request that Food Vendors and Transient merchants on private property will not need to be licensed through the city, but to register so information about the business is on file in case of an issue. The same will be requested from Community event sponsors on any vendors they have coming in.

Jenkins stated that she will make the recommended changes and bring the ordinance back for an introduction.

Resolution 18-37 – calling for a public hearing for Fairview

Jackson reported that Fairview Health Services ("Fairview") has asked the City of Minneapolis, Minnesota ("Minneapolis"), to issue revenue bonds on behalf of Fairview in an amount not to exceed $550,000,000 (the "Bonds") under the Municipal Industrial Development Act, Minnesota Statutes, sections 469.152 to 469.165. Although Minneapolis will issue the Bonds, the IRS Code requires the consent of the City Council of the City of Princeton ("Princeton") after a public hearing on the proposed financing, which must be held by Princeton's City Council.

The proceeds of the Bonds will be used to finance and refinance various Fairview projects in health care facilities located not only in Princeton, but also in the cities of Burns ville, Chisago City, Edina, Hibbing, Minneapolis, and Wyoming. In particular, the proceeds of the Bonds will be used to refinance bonds issued by Minneapolis in 2008, a portion of which were used to finance or refinance the construction and improvement of Fairview Northland Medical Center and other health care-related facilities located at 911 Northland Drive in the City (the "Princeton Facilities").

It is common practice in the health care industry for institutions like Fairview that have facilities in multiple municipalities to ask one city to issue bonds for facilities located not only in that city, but also in other cities (with their consent). By doing so, health care institutions like Fairview are able to achieve economies of scale by marketing bonds in larger issuances. In this instance, Fairview will be able to market its debt effectively by including the bonds benefiting the Princeton Facilities within the larger issue of bonds by Minneapolis, where the largest portion of the financing is taking place.

Fairview will pay all expenses with respect to issuance of the Bonds. Princeton will not be asked to issue the Bonds on behalf of Fairview. Further, the issuance of the Bonds will in no way impact Princeton's bond ratings or count against its bonding limits (including bank-qualified limits) or result in any liability for Princeton.

In order to satisfy the IRS requirements and consent to the issuance of the Bonds, the first step is to pass a resolution calling for a public hearing on the issuance of the Bonds. Bond Counsel will then publish a notice of public hearing in the Union Times on August 9th, and the public hearing will be held on August 23rd. At the conclusion of the
public hearing, the City Council will consider adopting a resolution consenting to the issuance by Minneapolis of the Bonds.

ZIMMER MOVED TO APPROVE 18-37. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PFRD Ladder and Engine update

Lawrence advised that the vehicle committee has researched purchasing a new ladder truck and engine for the fire dept. They have made a recommendation to the council for their consideration and discussion. The Council was provided with information on all the vehicles and financial information about the purchase.

The Truck Committee feel it is better to buy a new engine and use the CIP balance to purchase a used ladder truck. This will be brought up to the Fire Advisory Board next week.

Reynolds asked if there is a grant available. Lawrence said they tried for a grant to purchase a ladder truck and did not qualify.

Walker asked how long the Department has had the current ladder truck. Lawrence responded it has been about 8 or 9 years.

PFRD Part Time Chief / Emergency Management position proposal

Barbian said the current Fire Chief is an elected position. Having an appointed Chief could bring some increased stabilization into the department. Relocation would pay half of the salary as well.

Walker asked if he is starting to get some pressure from higher ups. Lawrence replied that the League of Mn Cities is very opposed to elections.

Lawrence said he takes a lot of phone calls during the day from people. Edmonds asked if there are a lot of people looking at a part time position. Lawrence said there are a few other cities that are looking for this type of position, but it not sure how many people would be looking for a part time chief position.

Zimmer asked when something like this would start. Lawrence was thinking the first of the year.

Edmonds asked if another city would be interested in sharing a position. Lawrence stated Mark Karnowski at one time mentioned talking with Milaca as they have had a difficult time finding a fire chief.

Reynolds said Mille Lacs County is looking at hiring an Emergency Manager. Lawrence responded that they have hired one, and he met with her last week.
Walker asked if this would fall into the City’s current Pay steps. Jackson said it would need to be looked at and determined where it would fall in the city’s pay equity.

Whitcomb said he feels it is worth looking into it further.

Lawrence said it is an election year. Elections are done in December, with those elected taking office in January.

Council determined to move forward on gathering information.

Adjournment

ZIMMER MOVED TO ADJOURN THE STUDY SESSION AT 6:29PM. REYNOLDS SECOND-ED THE MOTION. MEETING ADJOURNED

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor
MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON AUGUST 9, 2018 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, Jack Edmonds, Jules Zimmer, and Jeff Reynolds. Others present: Administrator Robert Barbian, Finance Director Steve Jackson, Public Works Director Bob Gerold, Police Chief Todd Frederick, Clerk Shawna Jenkins, Wastewater Plant Manager Chris Klinghagen, Liquor Store Manager Nancy Campbell, and Fire Chief Ron Lawrence.

AGENDA ADDITIONS/DELETIONS

Barbian announced that Lawrence would like to speak about the Fire Act Grant under reports and that there was a handout regarding the upcoming Franchise fee draft ordinances.

CONSIDERATION OF MINUTES

A. Regular Meeting Minutes of July 26, 2018
B. Study Session Meeting Minutes of August 2, 2018

WALKER MOVED TO APPROVE THE REGULAR MEETING MINUTES OF JULY 26, 2018 AND STUDY SESSION MEETING MINUTES OF AUGUST 2, 2018. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

CONSENT AGENDA

A. Permits and Licenses
B. Personnel
C. Donations
   1. Resolution 18-37 – accept donation to K9 program from USD/P/Phillips
   2. Resolution 18-38 – accept donation to Public Safety Day from Walmart
D. Miscellaneous

REYNOLDS MOVED TO APPROVE THE CONSENT AGENDA. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PRESENTATION

OPEN FORUM

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

A. Planning Commission Meeting of July 16, 2018
B. Park Board Meeting of July 23, 2018
C. Fire Act Grant Application

Lawrence said he was in contact with their fire act grant representative, and was informed that it looks pretty favorable that we will receive a grant. The grant is for $169,000 with 5% matching. He asked if the Council was okay with him receiving the grant if it is before the next Council meeting. The Council agreed to accept the grant.

PETITIONS, REQUESTS, AND COMMUNICATIONS

A. VFW request to temporarily reserve 4 parking spots for Motorcycle parking

The VFW is requesting to mark a few parking spots for motorcycles for a lunch event that they will be having on August 25th. Frederick added that there is one handicap space there that will not be able to use as it would be in violation of state law.
Walker stated the VFW will need to provide their own signage. Zimmer asked what would happen if a vehicle parked in one of those designated spaces. Frederick responded that it the VFW could ask them to move the vehicle, as it wouldn’t be something that the police could really enforce.

WALKER MOVED TO APPROVE VFW’S REQUEST TO RESERVE 4 OF THE REGULAR PARKING SPACES FOR MOTORCYCLE PARKING ON AUGUST 25. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ORDINANCES AND RESOLUTIONS

A. Ordinance 767 – amending Chapter 670 – FIRST READING

Jenkins advised that the wording regarding registration of transient merchants and mobile food units was added to the draft amendment.

What hours do we want each to operate? Using what was seen in other ordinances and first thoughts, the following is a suggestion.

Transient Merchants - 8am to 9pm

Peddlers, Solicitors, Non-Profits - Hours for unsolicited calls are limited to Monday – Saturday 10am – 6pm

Mobile Food units – 8am to 9pm, except in Residential District, which is 10:00am to 8pm

Do we want Mobile food units to be 150 or 200 feet from “same or similar food establishments”.

In regard to the insurance required for mobile food units, staff talked with Jim Burroughs at Princeton Insurance. He stated that it was standard commercial coverage. He recommended the following requirements and verbiage for the ordinance and application:

I. Commercial General Liability insurance, including Products and Completed Operations coverage, with a limit of not less than one million dollars ($1,000,000) each occurrence/two million dollars ($2,000,000) aggregate.

II. Automobile liability insurance with a limit of not less than one million dollars ($1,000,000) combined single limit.

III. The City of Princeton shall be named as an additional insured and provided a certificate of insurance.

I also checked a few other cities to see what their fees are. Our current fees:

$30.00 Per Person for 5 consecutive Days
$50.00 Per Person for 5 days of sales in any 3-month period
$250.00 Per Person Per Year (annual)
PRIVATE PROPERTY – NO FEE REQUIRED

Zimmerman: $250 Solicitor and Transient Merchant – annual? No time frame listed
Cambridge - $25 per day, $50 for one month, $200 Annual

Isanti - $25 per day, $75 for one month, Seasonal (6 months of less) $200

Milaca - $50 per applicant – annual? No time frame listed

Walker asked about #14 which does not allow mobile food units in the City Parks. Jenkins stated that the wording came from one of the cities whose ordinances she reviewed. Frederick and Zimmer stated that the non-profits who sell concessions at Mark Park and Solheim field, would not want a food truck in the park. Walker stated if we allow them in areas where there are other food establishments, it would not be fair to eliminate them from the Parks where 2 concession stands are.

Zimmer asked if those groups that sell at the park should apply for a license. Jenkins stated that they should register with the city, as they are on city properties. However, because they are local non-profit groups, there would not be a fee.

Walker asked if the concession stand cooks items, or if they sell prepackaged food. Zimmer said he believes the one at Solheim does cook some items, but they were in contact with the Mn Department of Health so they are following those guidelines.

Walker thinks 14 should be stricken.

Jenkins added that she can remove #14. The non-profit groups will want to register with the city, and other mobile food vendors would need to meet the distance required from “same or similar food establishments” in the park if they wanted to sell there.

ZIMMER MOVED TO INTRODUCE ORDINANCE 767. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

NEW BUSINESS

A. KLJ Hanger Development

Barbian advised that this is for some work that the engineer needs to do on any lots if someone wishes to build a hanger. The city is collecting $250 in escrow from those people wishing to build, so that should cover the necessary engineering costs. This is to just approve the Engineer to do that work as needed in the future.

WALKER MOVED TO APPROVE THE TASK ORDER WITH KLJ AS NEEDED FOR EACH HANGER SITE. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

MISCELLANEOUS

BILL LIST
ZIMMER MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF $89,137.71 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 77825 TO 77898 FOR A TOTAL OF $431,394.30. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY
ADJOURNMENT
There being no further business:

ZIMMER MOVED TO ADJOURN THE MEETING AT 7:30PM. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor
MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
AUGUST 23, 2018 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS

Acting Mayor Thom Walker called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Jack Edmonds, Jules Zimmer, and Jeff Reynolds. Others present: Administrator Robert Barbian, Finance Director Steve Jackson, Public Works Director Bob Gerold, Police Chief Todd Frederick, Clerk Shawna Jenkins, Wastewater Plant Manager Chris Klinghagen, and Liquor Store Manager Nancy Campbell. Absent was Mayor Paul Whitcomb and Fire Chief Ron Lawrence

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES
A. Regular Meeting Minutes of August 9, 2018
B. Study Session Meeting Minutes of August 2, 2018

EDMONDS MOVED TO APPROVE THE REGULAR MEETING MINUTES OF AUGUST 9, 2018. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA
A. Permits and Licenses
   1. Christ Our Light Bingo and Raffle Gambling request for Sept 16, 2108
B. Personnel
   1. Accept resignation of Troy Minsk from EDA Board
   2. Accept resignation of Probationary Firefighter Travis Barker effective 8-21-18
C. Donations
   1. Resolution 18-41 – accept donation to K9 program from Inline Packaging
D. Miscellaneous

REYNOLDS MOVED TO APPROVE THE CONSENT AGENDA. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

PRESENTATION

OPEN FORUM

PUBLIC HEARING
A. Approval of Fairview Bonds
   Resolution 18-39

   Jackson advised that for the City of Minneapolis to post bonds, each city where a Fairview is located need to approve it as well. The city does not have any obligation on these bonds.

WALKER OPENED THE HEARING AT 7:05

ZIMMER MOVED TO CLOSE THE PUBLIC HEARING WITH NO COMMENTS AT 7:08PM. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

EDMONDS MOVED TO APPROVE RESOLUTION 18-39. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES
A. EDA Board Meeting of July 19, 2018
B. Fire Advisory Board of July 9, 2018

PETITIONS, REQUESTS, AND COMMUNICATIONS

A. Christ Our Light 5K Race Request

Frederick stated that he spoke with the organizers of the race, and the original route they had submitted has been amended to the one that was in the Council packet. They would like to run on 2 small sections of sidewalk. They will have people in vests at intersections, and it is a small enough race that it should not be an issue. The police department is fine with this route.

EDMONDS MOVED TO APPROVE THE REQUESTED ROUTE FOR CHRIST OUR LIGHTS 5K RACE ON SEPTEMBER 15, 2018. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ORDINANCES AND RESOLUTIONS

A. Ordinance 767 – amending Chapter 670 – FINAL READING

Jenkins advised that staff added the word “Novelty” to 2 places in the draft in regard to Ice Cream Trucks after receiving an email from Cathy St Lucia quoting language from the MN Department of Health. She asked that the Council look over the hours of operation for each.

   Transient Merchants - 8am to 9pm

   Peddlers, Solicitors, Non-Profits - Hours for unsolicited calls are limited to Monday – Saturday 10am – 6pm

   Mobile Food units – 8am to 9pm, except in Residential District, which is 10:00am to 8pm

Allowing Mobile Food units in the park was discussed at the last meeting.

14. City parks. Mobile food units are not allowed in city parks.

   I got a lot from Elk River’s ordinance, along with a few others, I’m guessing the second half got deleted by error as I was copying/pasting, and moving things into our ordinance format

   Elk River reads:
   *Mobile food units are not allowed in city parks, unless they get written permission of the Parks and Recreation Director. Except that parks with concession stands also require the written consent of the concession operator for their specific event.

   If we entirely remove #14, any vendor would need to be “200 feet from a same or similar food establishment” requirement.

   #14 could be left, and the additional language added. This would require them to get permission from Bob Gerold and the concession stand operators.
Mark Park is zoned Residential, so if the above hours of business suggestions were kept as written, they would only be able to sell 10am to 8pm. Riverside Park is zoned Business, so if a vendor parked there, they could sell 8am to 9pm.

**Council Action requested in addition to ordinance approval:**

Hours for each – Leave as is, or suggest changes

Leave #14 as is, add missing wording back in to require approval, or delete #14 entirely

Cathy Saint Lucia, owner of St Lucia’s Ice Cream stated she feels allowing food trucks in the parks would keep people from visiting downtown.

Cheryl Minks with Coffee Corner added that as a small business owner, they are putting all their resources into rent and current employees. They do not have an option to move around to the various events.

Zimmer says he does not feel ready to vote on this ordinance, and he feels the full council should be present for the review and approval or denial. He also feels that the Park Board should review and make their recommendation on whether they should or should not be allowed in the parks.

ZIMMER MOVED TO TABLE ORDINANCE 767 UNTIL SEPTEMBER 13. EDMONDS SECONDED THE MOTION.

Walker added that if this is tabled, it will end all discussion about the item for tonight.

THE MOTION CARRIED UNANIMOUSLY

**B. Ordinance 758 – Fee Schedule amendment for Knox Box fees**

Jenkins advised that Chief Lawrence asked for the fee schedule to be amended for the Knox boxes, as the cost of them have gone up slightly.

EDMONDS MOVED TO INTRODUCE ORDINANCE 768. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

**C. Resolution 18-40 – Opposing sale of strong beer and wine in stores**

Barbian advised that the city received a letter from the Minnesota Municipal Beverage Association in regard to a bill that was introduced at the last legislative session to allow wine, beer and spirits to be sold in grocery and convenience stores. Campbell added that the MMBA feel it will come up at the capital again, so it is suggested that the city pass their opposition to it.

Walker said the liquor store does a lot of great things for the community, and it would be nice to have a list of all what those profits pay for.
Frederick stated that Mille Lacs and Sherburne County do a lot of alcohol checks, and it would be a big burden to add a lot more locations that they would need to check. He said it is likely that it would be passed onto the local departments.

Reynolds said supports a free market. Sunday sales were also expected to affect the city’s bottom line, and it has not done that.

ZIMMER MOVED TO APPROVE RESOLUTION 18-40. EDMONDS SECONDED THE MOTION. VOTE 3:1 REYNOLDS OPPOSED, THE MOTION CARRIED

UNFINISHED BUSINESS

NEW BUSINESS

A. Interim Use permit for chickens at 420 15th Ave S

Barbian advised that Angela & Russell Brown have submitted an Interim Use Permit application for the raising and keeping of chickens on their property located at 420 15th Avenue South. The property is zoned R-3, Multiple Family Residential. The property owners have been raising the chickens for a period of time without the knowledge that a Interim Use Permit was needed.

The housing and keeping of chickens in the R-3 District requires an Interim Use Permit. Chapter VI.BB lists the review criteria for the housing of chickens:

No person shall own, keep, harbor, or have custody of any live chickens without first obtaining an Interim Use Permit in writing from the City, in accordance with the provisions of Section IV.6 of the Zoning Ordinance.

Based on the findings that the proposed Interim Use appears to meet the standards for the keeping of chickens and the general review standards for an Interim Use Permit, as listed in the Zoning Ordinance. Staff would recommend the Planning Commission approval of the proposed Interim Use Permit to keep chickens at 420 15th Avenue South, subject to the conditions as listed in the Ordinance.

Angela Brown stated when she found out a permit was required she came in and filled that out. She has met all the requirements.

Walker asked if the yard for the chickens was fenced. She confirmed it was.

Arlene Pyka said her and her husband have a lot of concerns with this permit. She claims they have had a lot of problems with the chickens, Brown’s dogs and other neighbor disputes.

Toven responded that the Council cannot regulate relationships between neighbors. A property line dispute is also a civil matter. If the neighbors see a violation, they can report that to city hall or the police. That interim use can be revoked if the conditions are not followed.

Edmonds said his input was going to be similar to Toven’s. The Council acts on the ordinance as it is written, and the planning commission’s recommendation. What happened in the past is the past. The city or council does not get involved with civil issues.
EDMONDS MOVED TO APPROVE THE INTERIM USE PERMIT AT 420 15TH AVENUE SOUTH
WITH THE FOLLOWING CONDITIONS:

1. THE KEEPING OF ANY POULTRY BESIDES CHICKENS IS PROHIBITED.
2. ROOSTERS ARE PROHIBITED.
3. NO MORE THAN FOUR (4) CHICKENS SHALL BE HOUSED.
4. OUTDOOR SLAUGHTERING IS PROHIBITED.
5. CHICKEN FIGHTING SHALL NOT BE ALLOWED.
6. LEG BANDING OF ALL CHICKENS IS REQUIRED. THE BANDS MUST IDENTIFY THE
   OWNER’S NAME, ADDRESS, AND TELEPHONE NUMBER.
7. A SEPARATE COOP IS REQUIRED TO HOUSE THE CHICKENS. COOPS MUST BE
   CONSTRUCTED AND MAINTAINED TO MEET THE FOLLOWING MINIMUM STAND-
   ARDS:
   A) LOCATED IN THE SIDE OR REAR YARD.
   B) MEET THE ACCESSORY STRUCTURE SETBACK REQUIREMENTS.
   C) CONSTRUCTION SHALL BE ADEQUATE TO PREVENT ACCESS BY RODENTS.
   D) IF THE COOP IS 120 SF OR LARGER, A BUILDING PERMIT IS REQUIRED.
8. A RUN OR EXERCISE YARD IS REQUIRED TO BE PROVIDED AND MUST BE EN-
   CLOSED BY A FENCE.
9. ALL PREMISES ON WHICH CHICKENS ARE KEPT OR MAINTAINED SHALL BE KEPT
   CLEAN FROM FILTH, GARBAGE, AND ANY SUBSTANCES WHICH ATTRACT RO-
   DENTS. THE COOP AND ITS SURROUNDING MUST BE CLEANED FREQUENTLY
   ENOUGH TO CONTROL ODOR. MANURE SHALL NOT BE ALLOWED TO ACCUMU-
   LATE IN A WAY THAT CAUSES AND UNSANITARY CONDITION OR CAUSES ODORS
   DETECTIBLE ON ANOTHER PROPERTY.
10. ALL FOOD SHALL BE STORED IN AN ENCLOSED, RODENT PROOF CONTAINER.
11. DEAD CHICKENS SHALL BE DISPOSED OF ACCORDING TO THE MINNESOTA BOARD
    OF ANIMAL HEALTH RULES, WHICH REQUIRE CHICKEN CARCASSES TO BE DIS-
    POSED OF AS SOON AS POSSIBLE AFTER DEATH, USUALLY WITHIN 48 TO 72
    HOURS. LEGAL FORMS OF CHICKEN CARCASS DISPOSAL INCLUDE OFFSITE BURI-
    AL, OFFSITE INCINERATION OR RENDERING, OR OFFSITE COMPOSTING.
12. THE KEEPING OF CHICKENS TERMINATE WHEN THE CURRENT PROPERTY OWN-
    ERS SELL THE PROPERTY.

ZIMMER SECONDED THE MOTION.

Walker added that there are concerns with having chickens in the city. Being in the city and hav-
ning small lots, people need to be even more considerate of their neighbors.

Walker said Pyka brought up the issue with the dogs. There is a leash law, and chickens also
need to be contained.

THE MOTION CARRIED UNANIMOUSLY

B. Reallocation of Splash Park Funds

Gerold reported that he has $17,000 or $18,000 in the CIP for this year to replace a fixture.
However, there are some repairs that need to be made to the pipes. He is looking for a contract-
tor to do that work.

Barbian added that the Park Board has said these repairs are a priority.
ZIMMER MOVED TO APPROVE THE FUNDS IN THE CIP FOR A SPLASH PARK FIXTURE REPLACEMENT BE USED FOR PIPE REPAIR. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

MISCELLANEOUS

Zimmer asked for an update on the Community Development Director position. Barbian responded that the EDA and Planning Commission chairs have reviewed the applications and would like to set something up with the Mayor. The Council is welcome to review those applications as well.

BILL LIST
ZIMMER MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF $121,848.76 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 77900 TO 77954 FOR A TOTAL OF $145,510.06. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT
There being no further business:

ZIMMER MOVED TO ADJOURN THE MEETING AT 7:50PM. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Shawna Jenkins
City Clerk

ATTEST:

Paul Whitcomb, Mayor