MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON SEPTEMBER 13, 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, and Fire Chief Ron Lawrence. Absent was Liquor Store Manager Nancy Campbell.

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES
A. Regular Meeting Minutes of August 23, 2018
B. Study Session Meeting Minutes of September 6, 2018

REYNOLDS MOVED TO APPROVE THE REGULAR MEETING MINUTES OF AUGUST 23, 2018 AND STUDY SESSION MEETING MINUTES OF SEPTEMBER 6, 2018. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA
A. Permits and Licenses
   1. Civic Betterment Club Raffle for 11-1-18
B. Personnel
   1. Police Officer Cole Wubben Step Increase effective 9-24-18
C. Donations
   1. Resolution 18-46 – accept donation to PFRD from Outlaw Grass Drags
D. Miscellaneous

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

PRESENTATION

OPEN FORUM

PUBLIC HEARING
A. Franchise Fees

   Barbian reported that this has been discussed at several meetings. Brotzler provided a brief summary of the franchise fees and park and trail improvement program.

   Staff and legal council is working with the utility companies on the agreements. The ordinances are for review and introduction tonight, and will be approved at a future meeting. There may be some minor changes to them for the second reading.

   Barbian added the highlights of the Park Improvement program.

WALKER MOVED TO OPEN THE HEARING AT 7:10. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Victor Spiczka lives at 7561 State Highway 95 in Princeton Township. He received the information with his utility bill, and does not feel like he should be required to pay the Franchise Fee.
Barbian responded that he will not be charged as he lives in the Township.

WALKER MOVED TO CLOSE THE PUBLIC HEARING AT 7:11PM. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

1. Creation of Franchise – draft ordinances 769, 770, 771 – FIRST READING

There could be some changes as staff works with the companies. It will be coming forward to the next meeting, even if they are not ready to be acted on at this point.

There was a Franchise agreement for CenterPoint energy in place, so that does not have to be created.

WALKER MOVED INTRODUCE ORDINANCE 769 CREATING A FRANCHISE WITH PRINCETON PUBLIC UTILITIES. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

WALKER MOVED INTRODUCE ORDINANCE 770 CREATING A FRANCHISE WITH CONNEXUS ENERGY. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

WALKER MOVED INTRODUCE ORDINANCE 771 CREATING A FRANCHISE WITH EAST CENTRAL ENERGY. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

2. Implement Franchise Fees – draft ordinances 772, 773, 774, 775 – FIRST READING

EDMONDS MOVED INTRODUCE ORDINANCE 772 ESTABLISHING A FRANCHISE FEE WITH PRINCETON PUBLIC UTILITIES. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

EDMONDS MOVED INTRODUCE ORDINANCE 773 ESTABLISHING A FRANCHISE FEE WITH CONNEXUS ENERGY. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

EDMONDS MOVED INTRODUCE ORDINANCE 774 ESTABLISHING A FRANCHISE FEE WITH EAST CENTRAL ENERGY. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

EDMONDS MOVED INTRODUCE ORDINANCE 775 ESTABLISHING A FRANCHISE FEE WITH PRINCETON PUBLIC UTILITIES. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

A. Airport Board meeting of August 6, 2018
B. Fire Advisory Board of August 7, 2018
C. EDA Board Meeting of August 16, 2018
D. Planning Commission Meeting of August 20, 2018
E. Park Board Meeting of August 27, 2018

PETITIONS, REQUESTS, AND COMMUNICATIONS
A. Pizza Barn and CrossFit Beyond Sports Trunk or Treat Event Request

Jenkins advised that Jody Stay with Pizza Barn is looking to hold an event in the City Parking lot on Saturday October 27, 2018.

Stay reported that she is requesting to close a portion of the parking lot starting midafternoon, until about 8pm. The bank will be closed, and Pizza Barn and Pizza Pub customers would be the primary users of the parking lot.

Gerold said they can sweep the lot Friday and set some barricades to the side for them to use the next day.

ZIMMER MOVED TO APPROVE THE REQUEST TO TEMPORARILY CLOSE A PORTION OF THE PARKING LOT ON SATURDAY OCTOBER 27, 2018. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

ORDINANCES AND RESOLUTIONS

A. Ordinance 767 – amending Chapter 670 – FINAL READING

Jenkins asked the Council to review and decide what hours for each type of seller the Council would like to see.

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

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

A lot of the new language came from Elk River’s ordinance, along with a few others, it appears the second half got deleted by error as the language was being copied and pasted into the city’s 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.

She stated she asked Elk River how it has gone for them with allowing them in the parks:

Our ordinance was just implemented a few months ago and we have not had a food truck request to locate in our parks with concession stands yet. So I don’t have an experience to share about it. The reason we left it to the concession’s operators, which are usually run by youth association groups, is because we figured the actual youth groups may want to bring in a food truck on occasion versus running the con-
cessions. The thought was that a food tuck could be more popular and thereby help the youth groups to bring in more money for their operation.

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

We could add back the rest that was deleted in error from the draft. 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.

The Park Board discussed this at their August 27th meeting and after much discussion, they decided that Food Trucks could be allowed in the parks with a “Special Event permit”. We do not have a Special Event Permit, so I thought the following wording may be adequate as it would require permission needed from Concession Stand Operators AND the City Council via the standard “Council Action Request Form”

*Mobile food units are not allowed in city parks, unless they get written permission from the concession stand operators and approval from the City Council.*

Via Email, Park Board member Carla Vita suggested that we create a “Special Event Form” and sent me the link to one North Branch uses, which follows for review.

**History of Food Vendors who have applied with the City since 2006, NOT counting those for Community Events**

2006 and 2007 – Deb Vogelpohl with ‘Yummy Tummy Treats’
2011 – Brad Hatch – Pig roast at Mark Park at Tournament
2013 – Michael Starr – “Every Friday April through September” – staff thinks he sold BBQ
2016, 2017 & 2018 – Annual Permit with Firehouse BBQ
2018 – E&J Sweet Treats – 5 days of sales over 3 months

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

- Hours for each – Leave as is, or suggest changes
- What do you want to see for the wording on #14?
- Do you want staff to create a “Special Event Permit”

Zimmer stated the Park Board had motioned to only allow them when the concession stands were closed. The motion failed, as the vote was 2 to 2.

Zimmer stated he does not think the concession stand operators would want strange people contacting them. He would be willing to be the contact for the concession stand operators.
Frederick added that if a soccer or football tournament is going to be held, they would need to contact staff to schedule the fields, so they could be informed of any rules regarding them bringing in a mobile food truck.

Walker mentioned the Ice Cream trucks, as the state statues say those are prepackaged ice cream treats. Jenkins responded that the word “Novelty” was added to the 2 places in the ordinance where Ice Cream Truck was mentioned

MOVED TO UNTABLE ORDINANCE 767 AND BRING BACK FOR DISCUSSION. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

WALKER MOVED TO APPROVE ORDINANCE 767 WITH THE HOURS AS DRAFTED, AND ADD WORDING TO #14 THAT THEY ARE ALLOWED IN PARKS, WITH THE EXCEPTION OF MARK PARK WHICH REQUIRES COUNCIL APPROVAL. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. Ordinance 768 – Fee Schedule amendment for Knox box fees.

Lawrence reported that when he placed his last order the prices had increased. He is requesting to carry that fee over to the Fee Schedule.

REYNOLDS MOVED TO APPROVE ORDINANCE 768. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Resolution 18-44— authorizing amendment to the JPA with the Cable Commission

Barbian advised that there are some small changes that the Cable Commission is requesting to the Joint Powers Agreement.

Walker said The Cable Commission had discovered they had never done an audit, so these changes were suggested to add those requirements to the agreement.

WALKER MOVED TO APPROVE RESOLUTION 18-44. APPROVING THE AMENDMENT TO THE JOINT POWERS AGREEMENT. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

D. Resolution 18-45 – MnDOT aeronautics Project A4802-27

Barbian reported that this is the standard agreement for an Airport Grant that the City receives yearly.

ZIMMER MOVED TO APPROVE RESOLUTION 18-45. WALKER SECONDED THE MOTION.

Edmonds questioned where the local share is funded from. Jackson responded that it is paid out of the Liquor Fund.

THE MOTION CARRIED UNANIMOUSLY
E. Resolution 18-47 – Calling for a Public Hearing on TIF 9-1

Barbian advised that creating a TIF in this area will assist in paying for part of the needed lift station, which is estimated to cost about 2 million. A lift station is in the CIP for 2020 or 2021. Staff is looking at planning ahead for some growth in the Industrial Park. This will connect to Smith Systems Road.

Walker asked if the TIF district will include the whole Industrial Park. Barbian responded that it will be limited to a couple sites.

WALKER MOVED TO APPROVE RESOLUTION 18-47 AND AGREEMENT WITH NORTHLAND SECURITIES. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

A. Budget Discussion

Jackson reported that the council will need to approve the preliminary budget at the next meeting. He asked if the Council wanted to hold a separate meeting prior to the 27th, meet prior to 7pm, or just include the discussion as an agenda item.

Zimmer said he would not mind meeting a half hour prior to discuss the preliminary budget.

ZIMMER MOVED TO APPROVE MEET AT 6:30PM ON SEPTEMBER 27TH TO DISCUSS THE 2019 PRELIMINARY BUDGET. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

A. Custom Remodelers Solicitor Permit Request

Jenkins advised that on August 27, Custom Remodelers, Inc brought in applications for 7 employees to go door to door selling Exterior Remodeling.

They appear to be doing a fair amount of work in the area, as staff gets calls from them probably once or twice a month checking to see if an address is in the city limits.

2018 year to date – 2 permits in city limits

The request is for 7 applicants that would be soliciting 5 consecutive days.

The applicants:
Devin Sellin
Harold Wilson
Carter Nelson
Eduardo Ennis
Alyssa Smith
Dawson Johnson
Dakotah Schulte
REYNOLDS MOVED TO APPROVE SOLICITORS PERMIT REQUESTS FOR THE FOLLOWING WITH CUSTOM REMODELERS TO SOLICIT DOOR TO DOOR FOR 5 CONSECUTIVE DAYS.
  DEVIN SELLIN
  HAROLD WILSON
  CARTER NELSON
  EDUARDO ENNIS
  ALYSSA SMITH
  DAWSON JOHNSON
  DAKOTAH SCHULTE
WALKER 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 $202,163.91 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 77958 TO 78056 FOR A TOTAL OF $359,982.00. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT
There being no further business:

ZIMMER MOVED TO ADJOURN THE MEETING AT 8:00PM. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted, ATTEST:

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Shawna Jenkins Paul Whitcomb, Mayor
City Clerk