

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON  
APRIL 28, 2022, 7:00 P.M.**

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**1. Call to Order - Roll Call**

Vice Mayor Jenny Gerold called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were Vicki Hallin and Jeff Reynolds. Others present: Administrator Michele McPherson, Public Works Director Bob Gerold, Wastewater Plant Manager Chris Klinghagen, Technology Services Manager Ed Yost, Police Chief Todd Frederick, Fire Chief Ron Lawrence, Liquor Store Manager Dylan Donner, Clerk Shawna Jenkins, Attorney Damien Toven and Public Utilities Manager Keith Butcher. Absent was Mayor Thom Walker and Councilor Jules Zimmer.

**2. Mille Lacs County Board of Appeal and Equalization – Assessor Dave Vigdal**

Curt Vanoort 414 South Rum River Drive would like his value looked at. The County has the property value at \$278,000. Vigdal responded that the County has to compare sales in a 5-year lookback. They are also required to stay within a certain percentage range.

Dylan Howard, 5655 331<sup>st</sup> Cambridge has a few properties in question. He is questioning the value on . 24-040-0340 and 24-040-0350. Vigdal stated he was not aware Howard was coming to the meeting tonight, so he was not prepared to review and discuss those properties tonight. He suggests that the City Council refer these to the County Board of Review.

HALLIN MOVED TO KEEP THE VALUE THE SAME ON THE HOWARD PROPERTIES AND SEND THE REVIEW TO THE COUNTY BOARD OF REVIEW. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vigdal stated that he met with Richard Lorendo and viewed his property on April 18th, 24-040-2990. He found significant issues with the property that will reduce the grade/condition value of the property. He recommends lowering the estimate value to \$123,000.

HALLIN MOVED TO LOWER THE VALUE ON 24-040-2990 TO \$123,000. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vigdal stated that Jacob Koppendraye, 24-040-2365 has questioned his value as well, so he is asking the Council to push this to the County Board as well, so he has some time to review.

HALLIN MOVED TO KEEP THE VALUE THE SAME ON PID 24-040-2365 AND SEND THE REVIEW TO THE COUNTY BOARD OF REVIEW. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

REYNOLDS MOVED TO KEEP THE VALUE ON CURT VANOORT'S PID OF 24-761-0120 AND SEND THE REVIEW TO THE COUNTY BOARD OF REVIEW. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

**3. Agenda Additions / Deletions**

HALLIN MOVED TO APPROVE THE AGENDA. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

#### **4. Consent Agenda**

- 4.1. Approve City Council Meeting Minutes from April 14, 2022
- 4.2. Approve and Sign AIS Grant Contract
- 4.3. Approval to Hire Interns
  - 4.3.1. Finance Intern Anna Sutier - starting date May 9th, 2022
  - 4.3.2. Community Development Intern Paige Johaneson - starting date May 9th, 2022
  - 4.3.3. Splash Park Intern Hayley Payment - starting date May 23rd, 2022
- 4.4. Approve Sale of Fireworks inside Coborn's April 25 through July 8, 2022
- 4.5. Approve Sale of Fireworks inside Walmart May 9 through July 8, 2022
- 4.6. Approve Mobile Food Vendor License for Addie's Ice Cream
- 4.7. Gambling permit for Princeton Lions for Raffle on June 12, 2022
- 4.8. Solheim Field Requests
  - 4.8.1. Authorize Execution of Lease with Midwest Machinery
  - 4.8.2. Authorize Expenditure for Invitations to May 6 Scoreboard Dedication
- 4.9. Approve Letter Authorizing Removal of Culvert
- 4.10. Public Utilities Commission Agenda Packet for April 27th, 2022
- 4.11. Resolution 22-20 Concurring with Princeton PUC to Redeem Revenue Refunding Bonds Series 2012A
- 4.12. Princeton Police K9 Fundraiser Update

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

#### **5. Probationary Firefighters to Regular Firefighter Status**

- 5.1. Swearing in of new Firefighters
  - 5.1.1. Jeremiah Reedy
  - 5.1.2. Dan Ryden
  - 5.1.3. Ryan Signore
  - 5.1.4. Eric Weiss

#### **6. Open Forum**

#### **7. Old Business**

- 7.1. PFRD Approve Sale and/or Disposal of Old Items

Lawrence advised that on the sell / auction list there is Diesel generator with hydraulic pump, wildland firefighting hoses they do not use. Floating drafting boxes, center counsels from grass trucks, outdated emergency lights from old fire trucks, portable foam unit – outdated and plumbing pipe fittings for an old engine that the department no longer has.

For discard or give away, numerous hoses with leaks and bad ends, broken nozzles, hose ends and repair pieces, Outdated SCBA tanks and packs.

HALLIN MOVED TO APPROVE THE SALE AND DISPOSAL OF OLD FIRE DEPARTMENT ITEMS. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

#### **8. New Business**

- 8.1. Resolution 22-18 - Accept Donation from Kevin & Kathleen Walz from K & K Collectibles to the Beautification Fund

HALLIN MOVED TO APPROVE RESOLUTION 22-18 ACCEPTING A DONATION FROM K & K COLLECTIBLES TO THE BEAUTIFICATION CLUB. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

## 8.2. Taco Johns CUP

### 8.2.1. Resolution 22-19

**Background:** Eric McBroom, applicant has applied for a Conditional Use Permit to allow the drive-thru hours of operation for a restaurant and eating establishment to be 6 AM to Midnight at his new site located at 105 9<sup>th</sup> Circle South.

The Planning Commission held a public hearing on March 21<sup>st</sup>, 2022. There were no issues from the neighboring sites for this Conditional Use Permit for extended hours for drive-thru service.

**Analysis:** The property site is located in the B-3, General Commercial District. The Zoning Ordinance states the following:

**\* Restaurants and eating establishments, including drive thru service provided that:**

a. *Residential properties shall be screened from vehicle lights in the stacking area. The site is in the B-3 District, no residential nearby.*

b. *Adequate stacking is provided at the menu board and pick up window. The Planning Commission had completed a Site Plan Review on December 20, 2020 and the stacking for vehicles between the menu board and pick up window met the review standards.*

c. *The drive-thru hours of operation are limited to 7:00 AM to 10:00 PM, unless extended by the City Council as part of the conditional use permit. The applicant would like the drive-thru hours to be 6 AM to 12 AM (Midnight).*

*The two neighboring businesses hours are:*

**Marathon Convenience Store**

*Monday - 4:30 AM - 11 PM*

*Tuesday - 4:30 AM - 11 PM*

*Wednesday - 4:30 AM - 11 PM*

*Thursday - 4:30 AM - 11 PM*

*Friday - 4:30 AM - 11 PM*

*Saturday - 6 AM - 11 PM*

*Sunday - 6 AM - 11 PM*

**Burger King Drive-thru Hours Monday thru Sunday - 6 AM - 9 PM**

The proposed Taco John's drive-thru hours to 6 AM to 12 AM will be beneficial for the manufacturing employees and highway traffic.

## **CONDITIONAL USE PERMIT STANDARDS**

The issuance of a Conditional Use Permit finds the proposed location complies with the following standards:

1. The proposed use does not violate the health, safety or general welfare of Princeton residents. The proposed use will not violate the health, safety or general welfare of the Princeton residents.
2. The proposed use has been reviewed and approved by the City Engineer in regard to erosion, runoff, water pollution, and sedimentation. The proposed use of having extended drive- thru hours will not cause an increase of erosion, runoff, water pollution, or sedimentation.
3. Adequate parking and loading are provided in compliance with the Ordinance. The Planning Commission held a Site Plan Review on December 20, 2020 and found the parking and loading were in compliance.
4. Possible traffic generation and access problems have been addressed. The traffic and access were reviewed for the Site Plan Review, and it meets the Engineer requirements.
5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity. This Conditional Use Permit request will not cause an issue with the City's service capacity.
6. The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area. This site conforms to the City's Comprehensive Plan and is compatible with the future land uses of the area.

**CONDITIONS:** In approving any Conditional Use Permit, conditions can be applied to protect the best interests of the surroundings area or the City as a whole. Failure by the applicant or property owner to comply with the conditions of approval shall result in the revocation proceedings according to subsection E.

The conditions may include, but are not limited to, the following:

1. Ingress and egress to property and proposed structures thereon with particular reference to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe.
2. Off-street parking and loading areas where required, with particular attention to the items in Subd. 1 and the economic, noise, glare, or odor effects of the conditional use on nearby property.
3. Refuse and service areas, with particular reference to the items in Subd. 1 and Subd. 2 above.
4. Utilities, with reference to location, availability, and compatibility.
5. Diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
7. Required yards and other open space.
8. General compatibility with present and future land uses of the area; and

## 9. Hours of operation.

**Conclusion/ Recommendation:** Normally, the Planning Commission's decision will serve as the final ruling and the decision will be reported to the City Council for information only. In this case, the B-3 Zoning Ordinance states the City Council will approve the Conditional Use Permit for the extended hours (Do not apply days of the week with hours, keep the motion simple where drive-thru hours of operation are 6 AM to 12 AM).

The Planning Commission supports the Conditional Use Permit application and recommended approval to the City Council for Resolution #22-19 at the property site located at 105 9<sup>th</sup> Circle South (PIO #90-402-0114) for drive-thru hours of operation for a restaurant and eating establishment to be 6 AM to 12 AM.

HALLIN MOVED TO APPROVE RESOLUTUION 22-19 APPROVING THE CONDITIONAL USE PERMIT FOR TACO JOHNS. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

### 8.3. Sherburne County Joint Cooperative Agreement for Fire Depts

Lawrence asked for council approval to accept the new Joint Cooperative Agreement with the other Sherburne County Fire Chief's. This is a new document that the fire chiefs wanted to put in place for all Sherburne County Fire Departments. Our city attorney and city administrator reviewed the agreement and did not find any issues.

HALLIN MOVED TO APPROVE THE SHERBURNE COUNTY JOINT COOPERATIVE AGREEMENT FOR FIRE DEPARTMENTS. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

### 8.4. Authorize Filing of Notices of Intent to Annex

McPherson advised that Under MN Statutes 414.033 Subdivision 3, a city may file an intent to annex property by ordinance with the Office of Administrative Hearings if the area or parcels are:

1. Less than 40 acres in area, and
2. Bounded by the city by at least 60%.

This is commonly known as the 60-40 rule.

Staff has discussed this option in the past with the Council and has identified the attached seven parcels as meeting this criterion. Per direction from the staff at the Office of Administrative Hearings, staff has prepared individual notices of intent to annex along with exhibits and an overview map. The Township may object to any or all of these; providing individual notices for each parcel will allow parcels to move through the process independently of each other.

#### **Recommendation:**

Staff recommends that the City Council authorize filing the attached even Notices of Intent to Annex with the Office of Administrative Hearings and Princeton Township.

HALLIN MOVED TO APPROVE THE FILING OF THE NOTICES OF INTENT TO ANNEX WITH THE OFFICE OF ADMINISTRATIVE HEARINGS AND PRINCETON TOWNSHIP. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

#### **8.5. 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 \$160,798.08 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 84712 TO 84766 FOR A TOTAL OF \$135,938.11. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

#### **8.6. City Administrator Bi-Weekly Report**

McPherson advised she had the following observations and information to share from the last two weeks:

##### **Finance**

Account Hodges, Tech Services Manager Yost and I met with representatives from Abdo, Inc on April 18 to review the process for preparation for the audit. We reviewed the technology needs and the list of documents that they will need to access in order to do their work. We have set up an audit folder on the server where all documents will be stored, this will allow us to limit access to just that folder. Tech Services Manager Yost has set up a VPN (Virtual Private Network) access point for them to remote into both the file folder and the finance software; we duplicated the finance software so that there is no concern about having to arrange access to the finance software as only one user can access the software at a time.

Accountant Hodges has been scanning and copying files to the folder.

##### **Grants**

We are still waiting on the results from our grant application to the Federal EDA for the Business Park infrastructure. In addition to speaking with Congressman Stauber's office, I also reached out to Congressman Emmer's office.

##### **LMCIT Loss Control Workshop**

Police Chief Fredericks, Public Works Director Gerold and I attended LMCIT's Loss Control Workshop on April 19 in St. Cloud. I attended a session on email phishing that was very informative.

##### **Legislation**

We are nearing the end of the legislative session. There is a push to encourage legislators to increase the amount dedicated to LGA as well as to change the formula.

In recent days, there has also been movement to put local zoning pre-emption legislation back on the table.

##### **Personnel**

The search for a Finance Director continues. I have had feedback that our pay is too low, but we are in the middle of a budget year and the Classification/Compensation Study, so there can be no movement in that direction at this time. I have been thinking about alternatives and plan to discuss them with the Council at the May 5 Study Session.

I am meeting weekly with Accountant Hodges and Tech Services Manager Yost in order to determine how projects are progressing and identify if assistance from other staff is needed. Liquor Store Manager Donner and I meet bi-weekly.

## **Redistricting**

The County has completed its redistricting process. Attached is the resolution as well as the new district map. The City of Princeton will continue to be District 1 with no boundary changes. The current Commissioner's term will continue until the election in 2024.

## **Upcoming Meeting/Event Reminders**

Council Study Session – May 6; tentative agenda topics:

- Review of Open Meeting Law Requirements
- Finance Director Options
- Email Policy
- Computer Use Policy
- TIF/Tax Abatement Policy

- May 6 – I will be out of the office
- CGMC Summer Conference – July 27 to 29, Red Wing
- CGMC Fall Conference – November 17-18, Alexandria

## **8.7. Closed Session per MN Statute 13.05 Subd 3(a)(3) for the Sale of Real Estate**

### **Introduction**

J Gerold advised that the agenda item for this meeting is to discuss and consider terms of an offer to purchase or sell real estate.

### **A. Opening Statement**

This portion of the properly noticed meeting of the Princeton City Council will be closed pursuant to Minnesota Statutes under the real estate sales or purchase exception to the Minnesota Open Meeting Law, pursuant to Minnesota Statute Section 13D.05 Subd 3(a)(3).

The need for confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:

Confidentiality is necessary to protect the City's negotiating strength and interests as to real estate negotiations.

- The purpose of the closed meeting is not to make a decision behind closed doors, but instead is to determine what actions are appropriate with respect to the real estate negotiations.
- The only business to be discussed in this portion of the meeting are the real estate negotiations, and what action, if any, should be taken.

Walker advised that the 2<sup>nd</sup> agenda item for this meeting is to discuss the personnel matters.

This portion of the properly noticed meeting of the Princeton City Council will be closed pursuant to Minnesota Statutes under the personnel non-public data exception to the Minnesota Open Meeting Law, pursuant to Minnesota Statute Section 13D.05 Subd 2(a)(3).

The need for confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:

Confidentiality is necessary to protect the city employee's private data.

- The purpose of the closed meeting is not to make a decision behind closed doors, but instead is to determine what actions are appropriate with respect to the potential personnel issue.
- The only business to be discussed in this portion of the meeting is the personnel issue, and what action, if any, should be taken.

## **II. Closed Sessions**

The Council will now go into a closed session. The time is 7:45

Only the officials and consultants of the Council who reasonably require access to this data may be in attendance at any portion of the meeting for this agenda item.

I will now entertain a motion to close this portion of the meeting.

HALLIN MOVED TO CLOSE THE MEETING AT 7:45PM. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

J Gerold addressed the Members of the Council, following the completion of our business, we will now adjourn into open session, and I will entertain a motion to adjourn the closed portion of the meeting and go back into open session.

HALLIN MOVED TO ADJOURN THE CLOSED SESSION AND GO BACK INTO OPEN SESSION AT 8:40PM. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

## **9. Committee Reports**

## **10. Adjournment**

HALLIN MOVED TO ADJOURN THE MEETING AT 8:43 PM. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST:

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Shawna Jenkins Tadych  
City Clerk

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Jenny Gerold,  
Acting Mayor