

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
MAY 9, 2023, 7:00 P.M.**

1. Call to Order - Roll Call

Mayor Thom Walker called the meeting to order and led the Pledge of Allegiance to the Flag. Councilors present were Jenny Gerold, Jack Edmonds and Jeff Reynolds. Others present: Community Developer Planner Stacy Marquardt, Clerk Shawna Jenkins, Public Works Director Bob Gerold, Police Chief Todd Frederick and Attorney Damien Toven. Absent was Councilor Vicki Hallin, City Administrator Michele McPherson, Liquor Store Manager Dylan Donner and PUC Manager Keith Butcher.

2. Pledge of Allegiance

3. Agenda Additions / Deletions

J GEROLD MOVED TO APPROVE THE AGENDA AS PRESENTED. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

4. Consent Agenda

- 4.1. Approval of April 25th, 2024, City Council Minutes
- 4.2. Police Officer Tommy Dubbs Step Increase effective 5-22-24.
- 4.3. Approval to Hire Seasonal Employees
 - 4.3.1. Public Works Riley Yetzer
 - 4.3.2. Splash Park Attendants
 - 4.3.2.1. Ryker St Martin, Alyx Roseward, Josie Hamilton, Oscar Dolan, Annabelle Lawrence, Peyton Lachelt, Maggie Brevitz and Logan Davis,
- 4.4. Authorize Purchase of Control Panel for Lift Station
- 4.5. Resolution 24-21 Authorizing Sale of Real Property to Carl Lundberg; Authorize Execution of a Purchase Agreement
- 4.6. Resolution 24-22 Authorizing Sale of Real Property to Betzler Builders
- 4.7. Resolution 24-23 - Call for a Public Hearing on Pontius Property Annexation Request
- 4.8. Approve Website Upgrade CIP Request
- 4.9. Authorize Execution of Contract with LELS #306 for 2024-2026

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

5. Open Forum; *public comment on items not on the agenda. Each speaker is limited to three (3) minutes. The Council will not discuss legal matters.*

6. Old Business

- 6.1. Briggs Submittal to Council Regarding Park Dedication Fees and Trunk Fees

Marquardt reported that MN Statute 462.358 requires payment of Park Dedication Fees or land in lieu of cash paid at the time of subdivision or platting. Section XI-4 of our Subdivision Ordinance also specifies that at the time of platting certain fees must be paid, one being Trunk Fees and one being Park Dedication Fees. Both MN Statute and our Subdivision Ordinance have been in effect for many years and this requirement has not changed in those years. Past experience working with a county and various cities this is how most, if not all counties and cities apply these same standards. For the sake of argument, however, other cities and counties were called to confirm this is how they collect these fees in accordance with statute and each entity was very clear, they are collected at the time of platting or subdivision. They do not allow the final plat to be recorded until these fees are paid.

Mr. Briggs has submitted several letters to the office. He is requesting the City Council to direct staff to accept only certain fees as he laid out in his letter and demanded the issuance of his building permit and the recording of the Princeton Residential Suites mylars without him paying the full Park Dedication Fee and Trunk Fee required to record the two-lot plat. He has highlighted some sections of the Subdivision Ordinance in his memo, however failed to highlight the section that applies which is

paragraph 3 under Public Improvements in the New Developments Section A. General Procedures and Policies where it clearly lays out the cost responsibilities at the time of platting.

To clear up any confusion, platting, aka subdividing, is not the same as developing. Sometimes the words can be misleading. If Mr. Briggs had platted one lot for phase 3 then his theory of how fees should be paid would apply. But he platted two lots, see attached Final Plat (which contain both Phase 3 and Phase 4,), and Park Dedication Fees pertain to the act of platting, aka subdividing, not the act of developing (building) the land, therefore the Park Dedication Fees are to be paid now for Princeton Residential Suites Plat which is a two-lot plat. In addition, there are other fees that are required to be paid at the time of platting through our Subdivision Ordinance, one being Trunk Fees. This is why we have given Mr. Briggs the full list of fees, noting that the Park Dedication Fees and the Trunk Fees both need to be paid for with the plat or we cannot record the plat (see attached list of fees).

The City's Attorney has reviewed the State Statute and the Princeton Subdivision Ordinance together and agreed Park Dedication Fees, along with Trunk Fees for the entire plat must be paid at the time of platting.

The City Council previously approved the reduction of Park Dedication Fees twice, for Princeton Residential Suites Plat, one being at the April 25th City Council meeting, this in no way gave him approval to not pay these fees in full. In fact, Ms. McPherson interjected before the final motion to point out that the Park Dedication Fees to be paid are for both Phase 3 and Phase 4.

Motion:

Walker moved to reconsider the Park Dedication Fees for Phases Three and Four. Reynolds seconded the motion. The motion carried unanimously.

McPherson interjected at the start of motion to approve the Park Dedication Fee for Phase Three in the amount of \$59,400 and for Phase Four in the amount of \$180,000.

Reynolds moved to approve the Park Dedication Fee of \$59,400 for Phase Three and \$180,000 for Phase Four. Edmonds seconded the motion. Vote 3:0:1, Reynolds, Edmonds and Hallin in favor, Walker abstained. The motion carried.

Recommendation:

Staff recommends the Council uphold the MN Statute and the Princeton Subdivision Ordinance and require the full Park Dedication Fee and Trunk Fee be paid to the City before the plat is recorded and the building permits are issued. The amount of Park Dedication with the reduction as approved by the City Council at the last meeting would be \$239,400 (paid to the city). The amount of Trunk Fees based on the 7.26-acre plat would be Sewer: \$37,062.30 (paid to the city) and Water \$23,137.62 (paid to Princeton Public Utilities).

Once these are paid the final signatures on the mylars will be collected and the mylars will be taken to the County for recording. Once all the additional fees that are required at the time of permit are paid, the building permit will also be issued.

Mr. Briggs presented his argument to the Council as he reads the statute differently. He also stated that with Phase One and Phase Two he paid those fees at the time the building permit was ready, he was not required to pay when it was platted. He was confused why it is being done differently this time. Staff, the Council and Mr. Briggs discussed options at length.

WALKER MOVED TO GRANT HIS REQUEST TO PAY THE PARK DEDICATION AND TRUNK FEES ON PHASE THREE AT THIS TIME. MOTION FAILED DUE TO LACK OF A SECOND.

Edmonds said he would like to take no action at this time. Walker suggested tabling the item.

The City Council set a Special City Council meeting for 4:30pm Wednesday, May 15th to give Mr. Briggs to come up with some additional options.

7. New Business

7.1. Res 24-20 - Accepting Donation from Fairview Health Services for Age Friendly Princeton.

Marquardt reported that Fairview Health Services donated to Age Friendly Princeton

WALKER MOVED TO APPROVE RESOLUTION 24-20. J GEROLD SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

7.2. Resolution 24-24 Accepting Donation from Joe Gerold to the Princeton Fire and Rescue Department

Vaccari reported THAT The Princeton Fire Department received a donation from Joe Gerold through Greg Anderson Auto for two front steer tires for Tender 4. The total for the two tires, labor for mounting and balancing, and disposal equals \$1,254.78. One of the steer tires that are being replaced was showing wear and is more than 25 years old. The Princeton Fire Department is truly grateful for this donation and the continued support from those we serve.

EDMONDS MOVED TO APPROVE RESOLUTION 24-24 FROM JOE GEROLD. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

7.3. Accept and Award Sealcoat Bids for 2024

MN Statues 471.345 Subd 4 states that for contracts with values between \$25,000 and \$175,000, the contract may be made by either sealed bids OR direct negotiations by obtaining two quotes. The 2024 budget includes \$212,000 for street sealcoating. Total square footage for 2024 is 149,082.

Four quotes were obtained for sealcoat services:

Pearson Brothers Incorporated:	\$1.39 Sq Yard	\$207,223.98
Allied Blacktop Company:	\$1.42 Sq Yard	\$211,696.44
Fahrner Asphalt Sealers	\$1.59 Sq Yard	\$237,040.38
Astech Corp.	\$1.73 Sq Yard	\$257,911.86

Staff recommends that the 2024 sealcoat project be awarded to Pearson Brothers Incorporated for \$1.39 per Square Yard.

EDMONDS MOVED TO AWARD THE 2024 SEALCOAT PROJECT TO PEARSON BROTHERS FOR \$1.39 PER SQUARE YARD. J GEROLD SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

7.4. Resolution 24-25 - Adoption of the City of Princeton Park and Trail System Master Plan.

Marquardt reported that this Resolution is to officially approve the Park and Trail Master Plan
EDMONDS MOVED TO APPROVE RESOLUTION 24-25. J GEROLD SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

7.5. Bill List

J GEROLD MOVED TO APPROVE THE MAY 9, 2024, CHECK REGISTER CONTAINING CHECKS 88214 TO 88284 IN THE AMOUNT OF \$378,413.94, AND THE PAYROLL ELECTRONIC PAYMENTS

AS NOTED ON THE PAY PERIOD 9 TRANSMITTAL REGISTER IN THE AMOUNT OF \$81,678.16 AND PAY PERIOD 9 CHECK REGISTER IN THE AMOUNT OF \$132,666.90, INCLUDING CHECKS 88212 AND 88213. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

7.6. City Administrator Bi-Weekly Report

McPherson reported on the following observations and information to share from the last update on April 23, 2024:

Airport

A vacancy exists on the Board. We did receive an application from Sharon Sandberg; consideration of her application will be placed on the May 23 Council agenda.

Baldwin Township

We are in a holding pattern with the Administrative Law Judge regarding Baldwin's request to incorporate.

The joint resolution to annex Mr. Schwartz' property has been sent to the Office of Administrative hearings. The State reviewed the legal description and discovered an issue.

We are still awaiting the "clean up" orderly annexation agreement for the remaining legal descriptions that need to be corrected from past annexations.

Development

There are no new addition developments in this area.

Finance

The Auditors were in the office May 1 and 2. They had very few questions for staff and Abdo was able to provide additional information as requested.

Fire

The transition team continues to meet weekly.

The Fire Advisory Board meeting on May 1 went very well. Dale Shelley was elected Chair and Mayor Walker was elected Vice Chair. They asked for information regarding the Milaca service contract.

Panel A completed the first round of interviews for the part-time Fire Chief. They were in agreement regarding the three applicants to send to Panel B for second interviews.

Infrastructure

Bid openings for the CSAH 4/7th Avenue and lift station projects are scheduled for next week. Award bids are scheduled to be considered by Mille Lacs County, Public Utilities (for the water portion) and the city the week of May 20.

Legislature

There has been no significant change in the legislation previously reported, although it appears that the housing legislation is losing steam and may not make it out of various committees to the chamber floors. CGMC and LMC continue to monitor any progress.

Upcoming Meetings and Reminders:

May 14 – State of the City Address to the Chamber of Commerce and Tourism, Princeton Middle School

May 14 – Airport Advisory Board, City Hall 5:30 pm

May 16 – Glenn Metalcraft Ribbon Cutting 2 pm
May 17 – Disc Golf Grand Opening, Reibe Park 10 am
May 20 – Fire Executive Board, Public Safety Building 7 pm
May 22 – Part-time Fire Chief Second Interviews
May 22 – PUC Meeting, Amdahl Room 1 pm

8. Committee Reports

9. Adjournment

J GEROLD MOVED TO ADJOURN THE MEETING AT 8:32PM. REYNOLDS SECONDED THE MOTION.
THE MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

ATTEST:

Shawna Jenkins Tadych
City Clerk

Thom Walker,
Mayor