

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
JULY 25, 2024, 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, Jeff Reynolds and Jack Edmonds. Others present: Community Developer Planner Stacy Marquardt, Clerk Shawna Jenkins, Public Works Director Bob Gerold, Police Chief Todd Frederick, Wastewater Manager Chris Klinghagen, Fire Chief Steve Zumberge, Assistant Fire Chief Josh Vaccari, Liquor Store Manager Dylan Donner, Attorney Damien Toven and Engineer Jen Edison. Absent was Councilor Victoria Hallin and PUC Manager Keith Butcher.

Attending remotely was City Administrator Michele McPherson

2. Pledge of Allegiance

3. Agenda Additions / Deletions

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

4. Consent Agenda

- 4.1. Approval of City Council Meeting Minutes
 - 4.1.1. July 1st, 2024, Study Session Minutes
 - 4.1.2. July 11th, 2024, Regular Meeting Minutes
- 4.2. Cancel August 1, 2024, Study Session
- 4.3. Approve Professional Services Agreement with Northland Securities for TIF 9-5
- 4.4. Approve Professional Services Agreement with Northland Securities for TIF 9-6
- 4.5. Resolution 24-42 - Appointment of Additional Election Judges
- 4.6. Speed Trailer Replacement Purchase
- 4.7. Planning Commission Special Meeting Minutes of July 1st, 2024
- 4.8. Park Board Meeting Minutes of May 28th, 2024
- 4.9. Planning Commission Minutes of July 15, 2024
- 4.10. Princeton Public Utility Commission Meeting Agenda for July 24, 2024
- 4.11. Accept Resignation of Austin Schneider, General Maintenance II effective August 2, 2024, and Authorize Refilling the Position
- 4.12. Approve CIP Expenditure - Resurfacing of Rainbow Park Basketball Courts
\$15,000 was approved for the project.

EDMONDS MOVED TO APPROVE THE CONSENT AGENDA. J GEROLD 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. Swearing in of Fire Chief Steve Zumberge

Walker gave Fire Chief Steve Zumberge the Oath of Office.

7. Presentation - 2023 Audit by Smith Schafer

Jason Miller with Smith Schafer presented the 2023 Audit.

There is an unmodified audit opinion and there are no MN Legal Compliance exceptions in 2023.

Assigned and unassigned general fund balance of \$2,468,952 (49% of 2023 expenditures) and Bonds outstanding of \$16,051,147 as of December 31st, 2023.

8. Old Business

8.1. Ordinance 856 - Zoning Map Amendment/Rezoning and Memo for PID #24-032-5004 – FINAL READING

Marquardt reported that Sam Eastey, applicant applied for rezoning of the property located at PID #24-032-5004 that is currently zoned as A-1, Agricultural District and to rezone the site to B-3, General Commercial Business District.

The property is vacant land, and the applicant would like to build a mix use of Automobile and Recreational Sales and Service building along with Automobile and Truck Repair Shop that both would be permitted with a Conditional Use Permit in the B-3 District.

Rezoning Review Standards:

Many communities utilize the following factors as review standards in rezoning requests, which are being provided as information:

1. The proposed action has been considered in relation to the specific policies and provisions and has been found to be consistent with the official City Comprehensive Plan.
2. The proposed use is or will be compatible with present and future land uses of the area.
3. The proposed use conforms with all performance standards contained in this code.
4. The proposed use can be accommodated with existing public services and will not over burden the city's service capacity.
5. Traffic generation by the proposed use is within capabilities of streets servicing property.

The Planning Commission held a Special Planning Commission meeting on July 1st, 2024, and approved the rezoning of the site at PID #24-032-5004 from A-1, Agricultural District to B-3, General Commercial Business District and forward the recommendation for the zoning map amendment to the City Council to hold a first reading July 11th, 2024, of Ordinance #856.

The intent of the A-1, Agricultural District is to preserve the rural character of the district until such time as the land use is determined.

The intent of the B-3, General Business District is to create an area to serve the commercial and service needs of the general population. The objective is to provide services to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

The property is designated as Commercial in the Comprehensive Plan Future Land Use Map. No change will occur with this designation. The definition for commercial: Located at gateways and along corridors into the city, uses in this district include general commercial, retail, business service and offices.

EDMONDS MOVED TO APPROVE ORDINANCE 856. J GEROLD SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

8.1.1. Resolution 24-44 - Approving Amendment to the Zoning Map

EDMONDS MOVED TO APPROVE RESOLUTION 24-44. J GEROLD SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9. New Business

9.1. Special Event Request from Princeton Girl Scouts Troop 351 for 5k Run/Walk on September 28, 2024

Jenkins reported that Girl Scout Troop 351 has submitted a Special Event Request for a 5k Run/Walk on September 28, 2024. They are here to speak about their event and answer any questions there may be.

B Gerold asked them to call prior to the event and let him know where they would like the barricades set up.

J GEROLD MOVED TO APPROVE GIRL SCOUT TROOP 351 SPECIAL EVENT REQUEST. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.2. Resolution 24-43 - Accept Donation from PYSBA for Mark Park Improvements

B Gerold advised that staff is working with the Princeton School district to come up with a plan for the fields at Mark Park to meet Title 9 requirements.

Princeton Youth Softball and Baseball has donated \$3,500 towards the Mark Park hard surface improvement project. Staff expects some funding to also come from the School District, Park Dedication fees, and some remaining donations that were received for the Solheim Field Scoreboard.

EDMONDS MOVED TO APPROVE RESOLUTION 24-43 ACCEPTING A DONATION FROM PRINCETON YOUTH HOCKEY AND BASEBALL ASSOCIATION. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.3. Resolution 24-39 - Accept CenterPoint Energy Community Safety Grant for Fire Department

Vaccari reported the Princeton Fire and Rescue Department received a CenterPoint Energy Community Safety Grant in the amount of \$2,500. The funds will be used for thirty-five pairs of Pro-Tech Fusion PRO Structure Gloves for fire fighters.

J GEROLD MOVED TO ACCEPT RESOLUTION 24-39. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.4. Approve Scope of Feasibility Study for Pontious Property

Edison advised that WSB is pleased to provide a proposal for engineering services to complete preliminary design and feasibility study for the utility extension to service developing property currently undergoing annexation in Princeton (Pontious Property). The scope of services for this project is based on discussions with City staff.

Developable property located in Princeton Township is currently undergoing annexation into the City of Princeton. City staff recently met with the developer of the property on how the property could be served by public utilities. City staff have an interest in determining the most efficient way to serve this property that will provide service to additional surrounding developable properties in accordance with the City's Comprehensive Plan. In addition, City staff would like to investigate funding methods to extend trunk sewer and water to a non-contiguous property.

Preliminary Study

The preliminary study will include:

- Identify the area to be served by gravity trunk sanitary sewer and water as determined by existing record plans and the use of LiDAR.
- Determine whether the developing area will be best served by a lift station.
- Preliminary project concept utility extension figures.
- Address necessary permits for construction.
- Preliminary cost estimate.
- Introduction to potential funding sources.
 - o Compare trunk system expenditures with current trunk system assumptions.
 - o Evaluate available developable land area and determine a square footage price for sewer and water that will account for additional trunk costs for non-contiguous development.
 - o Consider deferred assessments as a potential funding source.
- Project schedule

ENGINEERING SERVICES FEE

Based on the proposed task hour budget, WSB will complete the scope of services previously discussed on an hourly basis for an estimated fee of \$23,842. If additional work outside of the above-described scope is determined to be necessary, it will proceed only after the City Council approval. This additional work would be billed on an hourly basis in accordance with the WSB 2024 Fee Schedule.

This represents our complete understanding and scope of the project. All work will be completed in accordance with our Professional Services Agreement dated February 11, 2022. WSB is available to begin work immediately based on the Council's authorization.

J GEROLD MOVED TO APPROVE THE SCOPE OF FEASIBILITY STUDY FOR THE PONTIUS PROPERTY. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.5. Ordinance 855 - Zoning Map Amendment/Rezoning and Memo for PID 24-519-0010 - FIRST READING

The City of Princeton approved an orderly annexation for the property site located at 9542 18th Street, PID #24-519-0010 on November 22nd, 2022. A dentistry office has been operating at the site for many years.

Analysis:

The site is currently zoned as A-1, Agricultural and will need to be amended to B-3, General Commercial Business District where the appropriate zoning is applied. Professional services such as dentistry is a permitted use and the site adjoins the B-3 District where the classification will be appropriate.

The intent of the A-1, Agricultural District is to preserve the rural character of the district until such time as the land use is determined.

The intent of the B-3, General Business District is to create an area to serve the commercial and service needs of the general population. The objective is to provide services to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off street parking or generate substantial traffic originating from outside the community.

Rezoning Review Standards:

Many communities utilize the following factors as review standards in rezoning requests, which are being provided as information:

1. The proposed action has been considered in relation to the specific policies and provisions and has been found to be consistent with the official City Comprehensive Plan.
2. The proposed use is or will be compatible with present and future land uses of the area.
3. The proposed use conforms with all performance standards contained in this code.
4. The proposed use can be accommodated with existing public services and will not over burden the city's service capacity.
5. Traffic generation by the proposed use is within capabilities of streets servicing property.

Conclusion / Recommendation:

A Special Planning Commission meeting was held on July 1st, 2024 where a public hearing was held and approved for the rezoning of the site at 9542 18th Street, PID #24-519-0010, Lot 1, Block 1, Lodge Pine Plantation, from A-1, Agricultural District to B-3, General Commercial Business District and forward the recommendation for the zoning map amendment to the City Council to hold a first reading July 11th, 2024 of Ordinance #855.

Zoning Map

The intent of the A-1, Agricultural District is to preserve the rural character of the district until such time as the land use is determined.

The intent of the B-3, General Business District is to create an area to serve the commercial and service needs of the general population. The objective is to provide services to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

Future Land use Map

The property is designated as Commercial in the Comprehensive Plan Future Land Use Map. No change will occur with this designation. The definition for commercial: Located at gateways and along corridors into the city, uses in this district include general commercial, retail, business service and offices.

EDMONDS MOVED TO INTRODUCE ORDINANCE 855 REZONING PID 24-519-0010 AND AMENDING THE ZONING MAP. J GEROLD SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.6. Ordinance 857 - Zoning Map Amendment/Rezoning and Memo for PID 24-028-3500 - FIRST READING

Marquardt reported that Chad Heitschmidt, submitted an application to rezone his property at 1300 7th Street North from B-3, General Commercial Business District to R-3, Multiple Family Residential District.

Analysis:

The property has a single-family home on it for many years and the applicant would like to have it zoned residential. Mille Lacs County has this site classed as Residential/Single Unit.

The intent of the B-3, General Business District is to create an area to serve the commercial and service needs of the general population. The objective is to provide services to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

The intent of the R-3, Multi-Family District is to create a district for the construction and occupancy of multi-family type dwellings. The average density for this district is 7 to 16 units per acre.

The property next door to this site is zoned R-3, Multi-Family Residential District where a single-family home is on the lot. The rezoning request would be appropriate for the site. The Future Land Use Map has the development designated as commercial. This designation will remain if the property owners in the future would want to have the site be used as commercial.

Rezoning Review Standards:

Many communities utilize the following factors as review standards in rezoning requests, which are being provided as information:

1. The proposed action has been considered in relation to the specific policies and provisions and has been found to be consistent with the official City Comprehensive Plan.
2. The proposed use is or will be compatible with present and future land uses of the area.
3. The proposed use conforms with all performance standards contained in this code.
4. The proposed use can be accommodated with existing public services and will not overburden the city's service capacity.
5. Traffic generation by the proposed use is within capabilities of streets servicing property.

Conclusion / Recommendation:

The Planning Commission held a public hearing on July 15th, 2024, and approved the rezoning of the site at 1300 7th Street North, PID #24-028-3500, from B-3, General Commercial Business District to R-3, Multiple Family Residential District and forward the recommendation for the zoning map amendment to the City Council to hold a first reading on July 25th, 2024, Ord. #857.

Marquardt added that this property will qualify for the Rural Taxing District.

EDMONDS MOVED TO INTRODUCE ORDINANCE 857 REZONING PID 24-028-3500 AND AMENDING THE ZONING MAP. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.7. Resolution 24-40 and Memo Authorizing Interim Use Permit for Chickens

Marquardt advised that Joel and Rebecca Shaw have submitted an Interim Use Permit application for the raising and keeping of chickens on their property located at 203 8th Avenue South in the R-2, Residential District.

The Planning Commission held a public hearing on July 15th, 2024. There were no concerns from those that received the public hearing notice. The proposal meets the Ordinance criteria, as reviewed by the Planning Commission, who recommended approval of the Interim Use Permit subject to the conditions.

Analysis:

The applicant would like to have up to four chickens and are considering Orpingtons which is a popular backyard chicken known for its mellow temperament.

The proposed coop with an enclosed run area would be placed on the southwest corner of their fenced in backyard. A photo of the backyard is provided as well as the coop plans.

The housing and keeping of chickens in the R-2 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 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, or R-3.

Comment: The applicant is requesting to have 4 (four) chickens and understands this is the allowed limits and 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 applicant has provided a layout of a chicken coop and run area that will be installed, 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 applicant has stated the chicken coop would be placed in the southwest corner of the fenced in backyard.

2) Meet the accessory structure setback requirements.

Comment: The chicken coop would be installed inside the six-foot wood fencing area.

3) Construction shall be adequate to prevent access by rodents.

Comment: The design of the chicken coop will prevent access by rodents.

j. A run or exercise yard is required to be provided and must be enclosed by a fence.

Comment: The coop design has an enclosed fence and the coop itself is inside a six-foot property fence.

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.

l. 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.

Findings of Fact:

When reviewing an 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-2 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. The Interim Use Permit can also be reviewed upon complaints.

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.

Longevity, Termination and Expiration:

1. Any interim use may be terminated by a change in this chapter or violations of any of the conditions imposed after the original or subsequent hearings held by the city.

2. Any interim use permit issued by the city automatically expires upon the termination date noted in the permit or upon change of the ownership of the property, whichever comes first.

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. The Planning Commission recommends approval of Resolution #24-40 Interim Use Permit for Joel & Rebecca Shaw to allow the raising and keeping of chickens at the property located at 203 8th Avenue South, subject to the following conditions (as listed in the Ordinance):

1. The keeping of any poultry besides chickens is prohibited.
2. Rooster 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 surrounding 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 within 48 to 72 hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration, or rendering, or offsite composting.
12. The Interim Use Permit shall terminate when the applicants vacate the property.
13. The Interim Use Permit can be reviewed upon complaints.

J GEROLD MOVED TO APPROVE RESOLUTION 24-40 AUTHORIZING AN INTERIM USE PERMIT FOR CHICKENS AT 203 8TH AVE SOUTH. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

9.8. Bill List

J GEROLD MOVED TO APPROVE THE JULY 25TH, 2024 CHECK REGISTER CONTAINING CHECKS 88556 TO 88614 AND ACH PAYMENT 72520241 IN THE AMOUNT OF \$471,900.31 ALONG WITH THE PAYROLL ELECTRONIC PAYMENTS AS NOTED ON THE PAY PERIOD 15 TRANSMITTAL REGISTER AND THE PAY PERIOD 15 CHECK REGISTER IN THE AMOUNT OF \$201,106.73. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

10. Committee Reports

Edmonds reported that the PUC met yesterday and discussed upgrading their financial software.

J Gerold advised that at the Chamber meeting, it was reported that a \$4,000 grant was received from Explore MN. The Golf Tournament was a success, and Zach with This is Princeton is going to be doing a new Park Video.

Assistant Chief Vaccari reported that the Fire Executive Board is continuing work on their standard operating procedures and budget items.

11. Adjournment

J GEROLD MOVED TO ADJOURN THE MEETING AT 7:48PM. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

ATTEST:

Shawna Jenkins Tadych
City Clerk

Thom Walker,
Mayor