

Zoning Administrator's Report

A. February Permits: The following permits were issued over the last month by the Zoning Department:

1. Jason and Kristen Forrest, 5577 Wilderness Road, for a new home and garage.

B. Correspondence: Your Staff sent the following correspondence since the last meeting:

1. March 6 letter to Sharon Thorson waiving the CUP fees;
2. March 6 letter to Curt Johnson notifying him the Solar Ordinance Amendment was approved.

C. Council Meeting Notes:

An excerpt of the draft March 5 City Council Minutes is included.

6.2. Ordinance Amendment - Definitions and Solar Energy Systems

Dawn Bittner informed the Council that the City received a request to amend the City Code to permit ground-mounted solar. She stated the Planning Commission unanimously recommends the City Council amend the ordinance regarding definitions and solar energy systems. She explained the red text in the Ordinance Amendment is the proposed language to be added.

COUNCIL MEMBER CLEMENT MOVED TO ADOPT ORDINANCE 20-02 AMENDING CHAPTER 17 OF THE CITY CODE REGARDING DEFINITIONS AND SOLAR ENERGY SYSTEMS. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 3-0.

Ms. Bittner explained there will be no Council motion for a summary publication since a four-fifths vote is needed.

Curt Johnson thanked the Council on behalf of himself, Jerry Ackerson, and everybody involved with the amendment to the solar ordinance. He also spoke for John Vaughn, Executive Director of RealSolar, who could not be at the Council meeting. He said that Mr. Vaughn would like to express his gratitude to the City for the things that they are doing in relationship to amending the ordinance. Mr. Johnson said the ordinance opens up a lot of opportunity, economically and otherwise, for the City and local contractors.

6.3. Ordinance Amendment – Lighting in Public Zone

Ms. Bittner stated the City found that a downward directional solar light did not adequately light the American Flag in the new flag display. She said hardwiring a

light at the top of the flight pole was more expensive than up-lighting the Flag. She explained the red text in the Ordinance Amendment is the proposed language to be added. Ms. Bittner stated the Planning Commission recommends five to one the City Council amend the City Code as proposed.

COUNCIL MEMBER CLEMENT MOVED TO ADOPT ORDINANCE 20-03 AMENDING CHAPTER 17 OF THE CITY CODE REGARDING LIGHTING IN THE PUBLIC ZONE. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 3-0.

6.4. Request to Waive Conditional Use Permit Fees

Dawn Bittner stated Sharon Thorson, owner of It's a Wing Ding Thing on Government Drive, has applied for a Conditional Use Permit to operate a seasonal outdoor farmers market, offering locally farmed, grown, harvested and produced goods for the community. Ms. Bittner stated Ms. Thorson plans to hold this market one day a week from late May to early October. She said Ms. Thorson has provided the attached written request to waive the application and recording fees.

Council Member Clement asked if conditional use permits or fees have been waived in the past and Mayor Tayloe stated none that he can recall. Ms. Bittner did state the City recently waived a fee but that was to remove a condition that they found the City should not have placed on that particular conditional use permit. Ms. Bittner did contact Pine River and they have waived fees in the past. She also contacted Nisswa and was told they had not waived fees.

Council Member Clement asked if it is an annual or a one-time fee and Ms. Bittner stated it would be a one-time fee.

MAYOR TAYLOE MOVED TO WAIVE THE \$450 CONDITIONAL USE PERMIT APPLICATION FEE AND \$46 RECORDING FEE FOR SHARON THORSON, IT'S A WING DING THING, TO OPERATE SEASONAL FARMERS MARKET FROM MAY TO OCTOBER 2020. COUNCIL MEMBER CLEMENT SECONDED THE MOTION. MOTION CARRIED 3-0.

9.2.A. Set Sale Date of General Obligation Bond Issuance

Jason Murray, City's Financial Consultant from David Drown Associates, presented the Recommendation Letter, Cash Flow Report and the Resolution for the general obligation utility revenue and disposal system bonds for the Rasmussen Road & South Washington Avenue Improvement Project.

He explained this week there has been a lot of market changes and if the Council proceeds with the sale resolution tonight he will be back in a month to lock in the interest rates. He stated they will be borrowing a total of about \$2,115,000, with the Highway 371 turnback funds and some budget allocations totaling \$943,000 the total project cost is just over \$3 million. He stated that they will be issuing it as a sanitary sewer debt and a utility debt.

Mr. Murray reminded the Council that a year ago part of the Capital Financial Plan's goal for this project was to fund it with 50% tax levies, 25% from water, and 25%

from sewer. He explained that is what they have done and it is a little bit blended but they are going to proceed by issuing under these authorities and no additional public hearings will be required. He stated in April they will be asking the Council to approve the sale.

COUNCIL MEMBER CLEMENT MOVED TO ADOPT RESOLUTION 20-11 PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$2,115,000 IN GENERAL OBLIGATION UTILITY REVENUE AND DISPOSAL SYSTEM BONDS FOR THE RASMUSSEN ROAD & SOUTH WASHINGTON AVENUE IMPROVEMENT PROJECT. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 3-0.

9.2.B Permanent Easements Update

Tim Houle informed the Council that the City has been talking to seven property owners along Rasmussen Road about improvements mainly in the block North and the two blocks South of Main Street. He said there is some wider street sections proposed to provide some on street parking and sidewalks. He said with that kind of a layout they are exceeding the present right-of-way widths. He stated the City is seeking a permanent easement with these property owners.

Mr. Houle said they are in stages with all seven of them and trying to come to agreements. He said obviously the City would prefer that the land be donated if at all possible. He stated that some property owners asked if a six foot sidewalk can be done instead of an eight foot sidewalk and more things like that. He said they hope to present agreements at the April Council meeting for approval.

Mayor Tayloe questioned the length of the sections of land they are negotiating. Mr. Houle explained they are roughly 10 foot wide strips.

Discussion ensued about what residents are trying to negotiate which includes services or the City clearing their sidewalks. Mr. Houle stated that Nancy Malecha has provided the property owners the City's Sidewalk Policy and it will be their responsibility to clear the new sidewalks.

Mr. Houle informed the Council that a pre-construction meeting has been set with the contractor for Friday, March 20th at 10:00 AM at City Hall. He stated one more Council Member can attend but it would become an open meeting if three or more Council Members attend. He said they have not received a schedule from the contractor yet but once they do they will be talking to them about some possible adjustments to that schedule.

He stated when they start to get into construction they will have weekly construction progress meetings. He believes they will have time for public input at the beginning of these weekly progress meetings and said they can work on a communication strategy to let people know when those meetings will be. He said the progress meetings are not set yet but they should be every Tuesday at 8:00 a.m. or something similar to that. He requested one of the Council Members become a liaison and attend those progress meetings. Mr. Houle said it is sometimes helpful to have a Council Member's perspective and have them provide a summary to the other Council Members. He asked the Council to think about a liaison for progress

meetings.

Discussion ensued about Council concerns from the last meeting and Mr. Houle suggested they wait to see what the contractor is proposing since they may have some ideas to minimize some of the issues or some of them may be resolved once they receive the schedule. He said the ideal would be to give the Council a proposal or a fairly good update at the April Council meeting.

D. Potential Violations/Enforcement Actions: The City Staff is currently working on the following potential violations/enforcement actions. We will report on each of these each month until they are resolved to the satisfaction of the Planning Commission.

- John and Barbara Derksen – Exterior storage. The City Council, at their August 6, 2019 meeting, unanimously agreed to waive the permit fee of \$50 for the fence permit if there are no verified complaints received in the next 12 months. (5/13)
- Robert Swenson – The City Council declared this property a public nuisance in 2017. Staff has issued 5 Administrative Citations. (6/16)
- David & Christine Kennedy – Maintenance. Staff has issued 4 Administrative Citations. (5/17)
- Lee Moren – Maintenance, Exterior Storage & Lawn. Staff will monitor next growing season. (8/18)
- Wesley T. Johnson – Maintenance. Staff will continue monitoring his mowing and yard maintenance next growing season. (9/18)



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March 6, 2020

Sharon Thorson
29808 Suffolk Drive
Breezy Point, MN 56472

RE: Conditional Use Permit Fees

Dear Mrs. Thorson:

At the March 5, 2020 Council Meeting, the City Council unanimously agreed to waive the \$450 Conditional Use Permit Application Fee and the \$46 Recording Fee. Therefore, I am enclosing your Check Number 3603 in the amount of \$496 marked "void".

Please feel free to contact me with any questions. Thank you.

Sincerely,

Dawn Bittner
Zoning Specialist

Enc.



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March 6, 2020

Curt Johnson
PO Box 149
Pequot Lakes, MN 56472

Dear Mr. Johnson:

Please be advised that the City Council at their March 5 Council Meeting unanimously approved the proposed Ordinance Amendment to allow Ground Mounted Solar Energy Systems. This amendment will be effective once it is published in the newspaper.

Please feel free to contact me with any questions.

Sincerely,

Dawn Bittner
Zoning Specialist