

**Barnesville Planning Commission
Regular Meeting
Monday, June 1, 2009**

The regular meeting of the Barnesville Planning Commission was called to order by Chairman Merlin Strom at 6:32 p.m.

Members present: Steve Mortenson, Paul Karsnia, Merlin Strom, Pat Berndt, Mike Detloff, Margaret Follingstad, Matthew Wever, and Karen Lauer, Zoning Administrator.

Member absent: Mike Osten.

Others present: Roland Holm and Pam Aakre of the Barnesville Record-Review.

AGENDA

06-01-09-01 Motion by Follingstad and seconded by Mortenson to approve the agenda with the addition of Fankhanel Properties and Committee Member Discussion under Other Zoning Concerns. Unanimously carried.

MINUTES

06-01-09-02 Motion by Detloff and seconded by Karsnia to approve the minutes of the May 4, 2009 meeting. Unanimously carried.

PUBLIC HEARING: REZONING REQUEST FROM BARNESVILLE EDA

06-01-09-03 Motion by Mortenson and seconded by Berndt to open the public hearing at 6:36 p.m. on the rezoning request from Barnesville EDA. Unanimously carried.

Karen Lauer reviewed a map of the Heartland addition and the area of Block 2 that is being requested to be rezoned from R-3 to R-1. Barnesville EDA now owns all of the undeveloped property in Heartland south of 11th Avenue, all of block 2 and a portion of Block 1. EDA has been exploring the options for development of low to moderate housing on the lots with reasonable specials. Lauer noted she does have a slight conflict of interest in this matter since she is also the Executive Director of the EDA. Lauer also noted that the EDA is working towards the same purpose as the Planning Commission. Lauer reported that the necessary mailings and publishing were completed and no input was received prior to the meeting.

06-01-09-04 Motion by Detloff and seconded by Follingstad to close the public hearing at 6:45 p.m. on the rezoning request from Barnesville EDA. Unanimously carried.

06-01-09-05 Motion by Detloff and seconded by Berndt to recommend to the City Council to approve the Barnesville EDA request to rezone Block 2, Heartland Addition from R-3, Multi-Family Residential District, to R-1, Single Family Residential District. Unanimously carried.

PUBLIC HEARING: PRELIMINARY PLAT FOR HEARTLAND THIRD ADDITION

06-01-09-06 Motion by Karsnia and seconded by Mortenson to open the public hearing at 6:46 p.m. on the preliminary plat for Heartland Third Addition. Unanimously carried.

Karen Lauer reviewed the map of Block 2 in relation to existing development in the Heartland Addition. The goals for Block 2 is to maximize the number of lots, to keep the specials per lot down, to keep the investment of the city down by working with the current infrastructure and to meet the subdivision lot size requirements. Lauer noted that water and sewer are available on all sides of the block and electricity can be serviced but may not be ideal. The Planning Commission reviewed a memo from Dan Hanson, City Engineer. Hanson indicated he would prefer a dedicated right of way instead of an easement on the north side of Block 2 which would allow 10th Avenue to go west into the Holland Addition. Hanson is concerned with safety at the corner of 9th Street and 10th Avenue due to the angle of the roadways. Lauer noted that at a

minimum the 50' utility easement has to remain as platted. Lauer reported that the necessary mailings and publishing were completed and no input was received prior to the meeting. The Planning Commission discussed the option of using a cul-de-sac but the cost would be high and could create problems for placing a home on some of the lots. Lauer reported that the proposed plat meets the minimum requirements for lot sizes. The plat with six lots was reviewed. The Planning Commission discussed the option for five lots instead of six lots due to a concern that the smaller lots would not allow quite as much space between homes. No covenants exist on this block and the chance of a split lot is a possibility.

06-01-09-07 Motion by Mortenson and seconded by Follingstad to close the public hearing at 7:55 p.m. on the preliminary plat for Heartland Third Addition. Unanimously carried.

The Planning Commission discussed the options for the Block 2 plat. The consensus of the Commission members was to recommend five lots and a 58' right of way. The right of way would be dedicated to the City and may be available to the Parks Department until it is needed by the City. The Commission discussed dividing the east side of the block into 3 lots and to retain the 2 lots on the west side of the block. The proposed dimensions of Lots 1 and 2 would be 76.48' and 76' by 266'. Lots 4 and 5 would be 85' by 140' and Lot 3 would be 96' by 140'.

06-01-09-08 Motion by Mortenson and seconded by Detloff to recommend to the City Council to approve the plat of Heartland Third Addition as follows. Unanimously carried.

- Lot 1: 76.48' by 266'
- Lot 2: 76' by 266'
- Lot 3: 96' by 140'
- Lots 4 and 5: 85' by 140'

SWIMMING POOL ORDINANCE

Karen Lauer reviewed information from the City Attorney, the League of Minnesota Cities and insurance agents on the swimming pool issue. Lauer recommended to keep the ordinance on the zoning side and to go to complaint based enforcement for existing pools. If a pool was installed prior to the adoption of the Swimming Pool Ordinance, the pool would be grandfathered in and there would be nothing that could be done in regard to that pool. New pools will need to have a building permit and to follow the International Building Code and the zoning code. Roland Holm indicated the language in the ordinance would need to be changed from fence to barrier to make it compatible with the IBC. Lauer will communicate to the public via the newsletter the need for a permit for any new pools. The Commission discussed the amount of the permit fee and by consensus agreed upon a flat fee of \$25.

06-01-09-09 Motion by Follingstad and seconded by Mortenson to recommend to the City Council to institute a one time \$25 permit fee for all swimming pools 24" or deeper in accordance with the IRC. Voting in favor: Mortenson, Follingstad, Karsnia, Strom and Berndt; voting against: Detloff. Motion carried.

06-01-09-10 Motion by Berndt and seconded by Detloff to recommend that the City adopt a complaint based enforcement policy. Unanimously carried.

HOUSE BEHIND THE CHIROPRACTIC OFFICE

Karen Lauer reported that the City did complete some grading work on the property. Roland Holm reported he has not heard any plans for completion from the owner. Holm also noted that the building permit has expired and a new permit will need to be obtained for the owner to continue work on the house.

POPPEL SALVAGE YARD

Karen Lauer reported that the fence is up again around the Poppel Salvage Yard. The fence leans and is not sturdy so a wind would probably take it down again. Lauer discussed with Mr. Poppel the plan to reinforce the fence and he indicated he intends to complete the project. Lauer will contact Mr. Poppel to find out a specific date for the completion of the fence reinforcement.

LAND USE PLANNING WORKSHOP

The Planning Commission discussed the upcoming workshop. An update will be presented at the next meeting.

UPDATE ON OLD CHURCH PROPERTY

Karen Lauer noted that no progress has been made on the old church property. Concerns were expressed regarding the safety of the chimney. Lauer indicated the city may be able to knock down the chimney and assess the cost to the property. Roland Holm questioned if the City would be liable if during the removal of the chimney more damage was done to the property. Lauer will discuss the situation with John Shockley, the City Attorney.

SAFE ROUTES TO SCHOOL GRANTS

Karen Lauer reported that Hawley had obtained a Safe Routes to School Grant in the amount of \$175,000. The grant funds were used to build new paths on the boulevard connected to the schools. Hawley indicated it was a good project and they were happy with the project but there were some concerns with the process for the reimbursement of funds. Last year was the final year of the federal transportation grant. Currently, the handling of future grants is being reevaluated. Lauer will keep the Commission updated on any new developments.

BUILDING PERMIT LIST

Buildings permits for May 2009 were reviewed.

Roland Holm updated the Planning Commission on the plans for Blue Eagle Lake. The plan is to plant some lily pads and bulrushes for better spawning areas in the lake. The plan is to also place channel catfish in the lake this year and walleye next year.

OTHER ZONING CONCERNS: FANKHANEL PROPERTIES

Karen Lauer reported that it appears there is repair shop operating on the Fankhanel property. Currently there are several vehicles sitting around and it is becoming a nuisance issue. If the vehicles all belong to Mr. Fankhanel, it will be a police issue and not a zoning issue. If the vehicles belong to others, then Mr. Fankhanel would need a CUP to operate a repair shop.

OTHER ZONING CONCERNS: COMMITTEE MEMBER DISCUSSION

Merlin Strom reported that job duties have changed for Commission member Mike Osten and he is currently unable to attend Planning Commission meetings. Osten has not submitted a letter of resignation from the Planning Commission at this time. Karen Lauer noted that per City Code 2.60 Boards and Commissions a member may be removed for misfeasance, malfeasance or nonfeasance. The concerns of the Commission members is that by the absence of a member, the Commission is missing input and risk not having a quorum for meetings.

The next Planning Commission meeting is Monday, July 6, 2009 at 6:30 p.m.

06-04-09-11 Motion by Mortenson and seconded by Karsnia to adjourn at 9:46 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary