

**Barnesville Planning Commission
Regular Meeting
Monday, August 7, 2006**

The regular meeting of the Barnesville Planning Commission was called to order by Vice Chairman Merlin Strom at 6:33 p.m.

Members present: Merlin Strom, Gary Fraedrich, Steve Mortenson, Marlene Schell, Pat Berndt, and Karen Lauer, Acting Zoning Administrator.

Members absent: Jeremy Krause, Mike Osten, and Aaron Grommesh.

Also in attendance were Roland Holm, Leon Dunham, Dennis Fenner Sr., Dennis Fenner Jr. Don Sakry, Howard Schindler, and Karen Carpenter from the Record-Review.

AGENDA

08-07-06-01 Motion by Fraedrich and seconded by Mortenson to approve the agenda. Unanimously carried.

MINUTES

08-07-06-02 Motion by Mortenson and seconded by Berndt to approve the minutes of the June 26, 2006 meeting. Unanimously carried.

SUMP PUMP DRAINAGE OPTIONS

Karen Lauer reviewed the current Barnesville ordinance. Currently, the wastewater superintendent can issue a by-pass permit. Copies of ordinances from Mapleton and Kindred were reviewed. Their ordinances prohibit discharge into the sanitary sewer from March 1 through November 30, have a surcharge for non-compliance, and have inspection language. The West Fargo ordinance has a committee set-up to allow exemptions. Their ordinance lists seasonal waivers that may be granted from November to April 1, details on shut-off valves and seals, inspection language, \$50 per year cost for seasonal waiver, and the homeowner must justify the need to discharge. Gary Fraedrich asked if the new lagoon would be able to handle seasonal discharge. Don Sakry commented that the issue is that a 8" main will only handle so much water and that is what can cause the problem. Gary Fraedrich commented that he is in favor of offering a seasonal discharge option if the piping and lagoon can handle it. Karen Lauer indicated the system may be able to handle the discharge until the city grows or there is a large spring run-off. Karen Lauer will contact Ulteig to get information on capacities. Roland Holm expressed concern with the time necessary for city employees to open and close valves. The fee set-up in the West Fargo ordinance helps cover the cost of employee time. Commission members discussed the percentage of houses where a sump pump would run all year.

CONDITION OF POPPEL SALVAGE YARD

Karen Lauer reviewed the letter that was sent to Tom Poppel regarding the condition of the Salvage Yard and the possible actions by the City if the site is not brought into compliance. Karen Lauer indicated she will consult the City Attorney regarding the inspection process.

DELYLE FANKHANEL PROPERTY: NONCONFORMING USE 702 FRONT STREET SOUTH

Karen Lauer reviewed the letter sent to DeLyle Fankhanel in 2004 regarding truck parking. She indicated that the information in the letter was not correct in regard to the zone in which the property is located. The property is located in a R2 zone. Due to the grandfather clause, trucks can park at the former Clay County Shop location. Commission members discussed what vehicles were previously parked at the location and where the vehicles were parked. One suggestion was to talk to former county employees regarding the equipment that was parked there. Karen Lauer noted that the trailer has been pulled from the residential

yard. She also noted that current truck parking language indicates that in C-1, unless it specifically states it is OK to park a truck, it is unlawful. She will continue to research the C-1 and C-2 parking restrictions and requirements.

PUBLIC HEARING – CUP REQUEST FROM DENNIS FENNER FOR HOME-BASED BUSINESS TO SELL AMMUNITION

08-07-06-03 Motion by Fraedrich and seconded by Schell to open the public hearing on the CUP request from Dennis Fenner for a home-based business to sell ammunition at 7:15 p.m. Unanimously carried.

Karen Lauer noted that all notices and publishing was done and no correspondence was received prior to the meeting. Dennis Fenner Jr. reported he has taken gunsmith classes and to get started he would like to sell ammunition and reloading supplies. He would eventually like to see his business grow into a storefront business. He sees this area as a need in the community. Mr. Fenner hopes to do most of his business by phone, will not have a display case in his home, will buy in case lots from a wholesaler, and will not manufacture ammunition. Mr. Fenner noted he has completed background checks for various reasons and would be willing to comply with another background check as a condition of this request. Fire Chief Leon Dunham indicated he would like to see the material stored in a fireproof cabinet because he has concerns regarding the safety of fire fighters and the family in the home. Karen Lauer reviewed Fire Code limitations on quantity of materials that may be stored in a residential setting. One important statistic is that the quantity is limited to 50 pounds.

08-07-06-04 Motion by Schell and seconded by Berndt to close the public hearing at 7:45 p.m. Unanimously carried.

Commission members discussed the requested CUP. Karen Lauer will contact the State Fire Marshall and request a copy of the code that discusses smokeless powder and manufactured shells.

08-07-06-05 Motion by Mortenson and seconded by Fraedrich to recommend to the City Council to approve the CUP request from Dennis Fenner for a home-based business to sell ammunition with the following conditions and, if legal advice indicates it is allowable, to place a five year limit on the CUP.

1. Before operation can commence, the Barnesville Police must conduct a background check, with Dennis Fenner Jr. to pay a \$50 non-refundable fee.
2. All Federal and State regulations in regard to what types of ammunition may be sold and any age restrictions will be carefully followed.
3. All ammunition must be purchased from wholesale ammunition companies. The sale of black powder will not be allowed.
4. Hours of operation would not extend beyond 9:00 p.m.
5. All inventories will be stored in a locked, fireproof storage cabinet, as well as in a wooden box which meets Fire Code regulations at all times.
6. Inventory is limited to quantities as specified in Fire Code.
7. Proof of insurance will be provided to the City of Barnesville on an annual basis.
8. Appropriate 8x10 signage will be posted at the entrance to the room where materials are being stored noting that explosives are being stored on-site.
9. The Police and Fire departments will be apprised as to the exact storage location.
10. The City of Barnesville, Barnesville Police Department and the Barnesville Fire Department reserves the right to inspect the property on a regular basis for conformity with these conditions.
11. The CUP is good for a period of five years or until such time as a condition not being met. (This condition may be omitted if the City Attorney deems it is not allowable.)

REVIEW PLANS FOR ATHLETIC COMPLEX BUILDING

Karen Lauer noted that P-zone section 16.13 states that the Planning Commission will review all construction. The Planning Commission reviewed the plans for the athletic complex building. It was noted that one of the current structures at the athletic complex would be eliminated after the completion of the new building. The location of the new building was discussed. It was also noted that the building would match the color of the other structures at the complex.

BUILDING PERMIT LIST

Planning Commission members reviewed the building permit list from July 1 through July 31, 2006. Roland Holm noted he will be doing some inspections in Glyndon. Mr. Holm also noted that some maintenance issues are being addressed.

The next Planning Commission meeting is Tuesday, September 5, 2006 at 6:30 p.m.

08-07-06-06 Motion by Fraedrich and seconded by Schell to adjourn at 8:16 p.m. Unanimously carried.

Submitted by:

Pat Berndt
Planning Commission Secretary