

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF NORTH BRANCH IN THE COUNTY OF CHISAGO AND IN THE STATE OF MINNESOTA

REGULAR SESSION

May 26, 2015

CALL TO ORDER: The North Branch City Council met in regular session and Mayor Hagen-Kennedy called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL: Councilmembers present were [Kathy Blomquist](#), Theresa Furman, Kirsten Hagen-Kennedy, Joyce Borchardt, and Robert Canada. ~~Councilmember Kathy Blomquist was absent.~~ Staff members present were City Administrator Konrad, Planner Roberts, Finance Director Hill, Public Works Director Williams, Engineer Wilson and City Attorney Helmers.

PUBLIC COMMENT:

Tim Marion – DNR Property Purchase

Tim Marion provided information on the DNR property purchase. They are purchasing 108 acres that will connect to the Janet Johnson Memorial Wildlife Management area. Mayor Hagen-Kennedy reminded everyone of the County Board meeting on June 3, 2015 where they will approve the purchase.

Peter Schaps of 360th Street provided information he found on bonds for Water & Light operations.

CONSENT AGENDA:

- Claims
- Resolution No. 041-05-26-15 – Wastewater Operator Hire - Hischer
- Minutes – April 16, 2015 Work Session
- Minutes – April 28, 2015 Regular Session

Motion by Borchardt, seconded by Canada, to approve the Consent Agenda. All voted AYE. Motion carried.

PUBLIC HEARINGS:

5a Annual SWPPP Hearing

City Engineer Wilson conducted the annual SWPPP Hearing. There were no public comments received.

COMMITTEE/COMMISSIONS:

7a PLANNING COMMISSION

i. Meeting Update

Furman provided an update on the meeting.

ii. Minutes

iii. Conditional Use Permit - Access Church

Roberts provided an overview of the proposed CUP for Access Church. The request was for use of the property for church office space and for counseling purposes.

Blomquist commented that she wants to be clear that this travels with the property forever and that concerns her. Blomquist commented that perhaps an interim use permit is different and does not sell with the property.

Access Church representative Haseltine said that they would only sell this if they were going to add onto the church or something of that nature.

Council discussed condition eight regarding the access to the property from Highway 95. Konrad suggested the last sentence in Item 8 be removed. Council agreed.

Motion by Borchardt, seconded by Furman, to approve Resolution No. 042-05-26-15, "A RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR ACCESS CHURCH TO USE THE PROPERTY AT 4525 ST. CROIX TRAIL FOR OFFICE AND COUNSELING PURPOSES" with the amended to condition eight outlined above. All voted AYE. Motion carried.

iv. Ordinance Amendment – Solar Ordinance

Roberts provided an overview of the proposed Solar Ordinance Amendments. It included amendments to the screening provisions.

Furman said she had said she would like to see a 400 foot setback and Council had agreed at that time.

Blomquist said she thinks the Planning Commission did their homework and agrees with their findings. Blomquist said she would want to be sure that the suggested screening with trees does not impact the efficiency of the solar panels.

Canada said he has seen solar farms and he thinks the 400 feet is appropriate for solar energy systems.

Motion by Hagen-Kennedy, seconded by Blomquist, to adopt Ordinance 228-15, "AN ORDINANCE AMENDMING THE NORTH BRANCH ZONING CODE, BYADDING LANGUAGE ABOUT SCREENING FOR SOLAR ENERGY SYSTEM TO SECTION 66-980 OF THE CITY CODE" as proposed.

Borchardt expressed concern for the setbacks negatively impacting property owners.

Furman said she is voting no because of the setbacks staying the same because she thinks they should be larger.

After discussion members voted: Ayes – 3, Nays – 2 (Furman/Canada). Motion carried.

7b ECONOMIC DEVELOPMENT AUTHORITY NONE

7c PARK COMMISSION NONE

7d WATER AND LIGHT COMMISSION

i. Meeting Update

Furman provided a meeting update.

ii. Minutes

Blomquist read the comments of the City Attorney regarding metering. Furman commented that she did not vote to meter at the main because that is not being done on any other property except for the trailer parks and she did not feel it appropriate to single out one type of property owners. Council discussed the Minutes of Water & Light Commission meetings. Konrad noted that verbatim Minutes are not required and only need to record the actions of the Commission.

STAFF REPORTS:

8a ENGINEERING/PUBLIC WORKS

i. Ordinance Amendments and Summary Ordinance Stormsewer for MS4 Requirements

Konrad explained that WSB has been assisting the City with the need to update stormsewer ordinances. Wilson provided an overview of the proposed changes.

Blomquist suggested a part time person funded by fees could be considered to assist with the work necessary.

Borchardt suggested a change to Section 58-257(c)(4) to include piers.

Motion by Hagen-Kennedy, seconded by Canada, to adopt Ordinance No. 227-15, "AN ORDINANCE AMENDING THE NORTH BRANCH ZONING CODE BY ADDING LANGUAGE ABOUT STORMWATER MANAGEMENT TO CHAPTERS 54, 58 AND 66 OF THE CITY CODE" with the suggested change to Section 58-257(c)(4). All voted AYE. Motion carried.

Motion by Hagen-Kennedy, seconded by Canada, to adopt Ordinance No. 227-15(S), "A SUMMARY OF AN ORDINANCE AMENDING THE NORTH BRANCH ZONING CODE, BY ADDING LANGUAGE ABOUT STORMWATER MANAGEMENT TO CHAPTERS 54, 58 AND 66 OF THE CITY CODE" All voted AYE. Motion carried.

8B ADMINISTRATION

8C BUILDING

8D FINANCE

i. 2014 Audit

City Auditor Doug Host from Clifton Larson Allen provided a presentation of the City's 2014 Audit. He reported that the City has a clean opinion. He reported that the general fund had positive growth, the liquor store fund has gross profits above the state average, the sanitary sewer and storm sewer are not funding depreciation and he reviewed the financial stability of the various funds.

Motion by Hagen-Kennedy, seconded by Canada, to approve Resolution No. 040-05-26-15, "A RESOLUTION ACCEPTING THE 2014 AUDIT FOR THE CITY OF NORTH BRANCH CONDUCTED BY CLIFTON, LARSON ALLEN, LLP." All voted AYE. Motion carried.

8e LEGAL NONE

8f PUBLIC SAFETY NONE

8g OTHER NONE

NOTICES AND COMMUNICATIONS:

North Branch Sings

Konrad noted that the North Branch Chamber is looking for competitors for a North Branch Sings competition.

UNFINISHED BUSINESS: **NONE**

NEW BUSINESS: **NONE**

MAYOR AND COUNCIL:

12a Upcoming Agendas INFO
Council cancelled the June 4 worksession.

12b Code of Conduct and Council Bylaws

Motion by Furman, seconded by Canada, to approve the Code of Conduct with changes regarding minority rights and majority rule using the last two bullets from Mankato format.

Konrad clarified that the language would be replaced with the Mankato language. Furman agreed.

Council discussed the right and ability for individual members to testify at public hearings.

Furman withdrew her motion to allow time to get the definition of quasi-judicial from the City Attorney.

Motion by Furman, seconded by Canada, to table action on the Code of Conduct until the City Attorney could review. Members voted: Ayes – 3, Nays – 2 (Hagen-Kennedy and Blomquist). Motion carried.

12c Borchardt – Community Ed Update

Borchardt provided an update.

12d Borchardt – Heartland Express Update

Borchardt provided an update.

Motion by Furman, seconded by Hagen-Kennedy to adjourn. All voted AYE. Motion carried.

ADJOURNED at 9:28 p.m.

Respectfully submitted,

Bridgitte Konrad, City Administrator
jrl/TOSS