

## EAST BETHEL PLANNING COMMISSION MEETING

January 26, 2016

The East Bethel Planning Commission met on January 26, 2016 at 7:00 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Glenn Terry\* Randy Plaisance\*\* Lorraine Bonin  
\* 2015 Chairperson Sherry Allenspach Eldon Holmes Tanner Balfany  
\*\* 2016 Chairperson Lou Cornicelli (arrived at 7:05 p.m.)

MEMBERS EXCUSED: None

ALSO PRESENT: Colleen Winter, Community Development Director  
Tim Harrington, City Council Member

**1.0 Call to Order** Mr. Terry called the East Bethel Planning Commission meeting to order at 7:00 PM.

**2.0 Adopt Agenda** **Mr. Holmes motioned to adopt the agenda as written. Mr. Balfany seconded the motion. All members were in favor; motion carried.**

**3.0 Approval of November 17, 2015 Meeting Minutes** Mr. Plaisance stated actually, I think I would prefer that we table the minutes than approving those this evening. Because, I think there needs to be some more clarification on these items from Administration. So that would be my recommendation.

Mr. Holmes asked until when? Mr. Plaisance stated until the next meeting. Mr. Balfany stated having not been there, I can't really argue that. Mr. Terry stated the minutes will be tabled until the February Planning Commission meeting.

**4.0 Acknowledge Planning Commission Reappointment** Mr. Terry stated I believe it should be the voting of our new Chairman? Ms. Winter stated it's actually the reappointment and oath of office. Mr. Balfany stated I think it's on the backside of the page in your hand. Mr. Terry stated oh, thank you. Reappointment and Oath of Office. Would it be for whom?

Ms. Winter presented the staff report. The City Council has received letters of interest from Commission members wishing to continue work for the Planning Commission. On January 6, 2016, City Council appointed the following to the Planning Commission: Lorraine Bonin, Lou Cornicelli, and, Randy Plaisance. All have been reappointed for terms that will expire on January 31, 2019. At this time, Mr. Chair, I would ask that individually each member that's been reappointed take an oath of office. Being as Lou's not here, we can probably start with Lorraine.

Oath of Office Ms. Bonin asked do I just stand? Ms. Winter replied please. Ms. Bonin stood and recited the oath of office for the City of East Bethel for the office of Planning Commissioner. Mr. Plaisance stood and recited the oath of office for the City of East Bethel for the office of Planning Commissioner.

Mr. Terry stated in lieu of having Lou here, we will go to the election of Commission Chairperson and Commission Vice Chairperson.

Discuss Appointment Process for Chairperson and Vice Chairperson

Mr. Holmes asked can I say something before we do that? Mr. Terry answered yes.

Mr. Holmes stated in your background information, it says that the City Code states that the Chairperson and Vice Chairperson shall serve for one year. Well, I spent about six hours looking through everything and it doesn't say anything about any Vice Chairperson. It just says the Chair shall serve for one year. So I think everybody should know that without, unless you know where that is. But, I couldn't find it. Ms. Winter stated I think it was just a matter of we've always elected a Chair and a Vice Chair. Mr. Holmes stated not always. Ms. Winter stated okay, well in the time that I've been here, we've always had a Vice Chair.

Mr. Holmes stated well the time I've been here we haven't always done that. And, the other thing is, I think I brought this up last year, that the Vice Chair should be...how do I want to express it...let's just take the for instance what we have right now. Now Randy is the Vice Chair and if for some reason the City Council, three people on the City Council doesn't like Randy, heaven forbid that would ever happen, he couldn't be here to take the Chair. I think it should be the opposite. I think the Chairperson now should be the Vice Chair next time and the Chairperson should be elected. Because then the Vice Chair has the position of knowing what to do when if Randy was gone, or whatever. So I said that last year, I'm going to state it this time and, well, do whatever you want to do but I think it's backwards the way we're doing it. Ms. Winter stated it can be done either way.

Mr. Terry stated I don't really have a reason to not do it the way we've been doing it. And, in the past, we actually did elect a Chairperson and we didn't even have a Vice Chair then that I know of. Mr. Holmes stated right. But whoever was a Chairperson, or whatever, they just sort of took over. Mr. Terry stated right but this system where we elect a Vice Chair, we do it knowing that they'll probably serve as Chair. Mr. Holmes stated I understand but what I'm saying is, seeing as Randy had to take the oath of office this time, they could have just said, 'No, we're not going to allow him to take the oath of office.' Mr. Terry stated then we just throw it up to a general election. Ms. Allenspach agreed and stated right. Mr. Holmes stated to me it's just backwards, that's all. That's all I'm going to say. I'm not going to bring it up again but I think it's wrong.

Oath of Office

Mr. Terry stated all right. Well, since we haven't gotten to that point now, we can go back to having you do your oath of office.

Mr. Cornicelli stated sorry, I had a guest lecturer and she ran a little long. Mr. Cornicelli stood and recited the oath of office for the City of East Bethel for the office of Planning Commissioner.

**5.0 Election of Planning Commission Chairperson and Vice Chairperson**

It was noted that the Planning Commission is to elect a Chairperson and Vice Chairperson from among the appointed members for the term of one (1) year.

Mr. Terry stated all right, so time to vote for our Vice Chair. But, prior to doing that, I'll just ask does anyone object to having Randy serve as Chairman for the next

term? **Mr. Holmes made a motion to elect Randy Plaisance as Chairperson for 2016. Mr. Balfany seconded the motion. All members were in favor; motion carried.**

Mr. Terry stated I'll entertain any motions for Vice Chair. Mr. Balfany stated I'd ask Sherry if she'd be interested in it. Ms. Allenspach stated I would do it. **Mr. Balfany made a motion to elect Sherry Allenspach as Vice Chairperson for 2016. Mr. Terry seconded the motion.** Mr. Terry asked any other nominations? All right, all in favor of Sherry as Vice Chair for the next term say aye. **All members were in favor; motion carried.**

*At this point in the meeting, Mr. Plaisance assumed the role of Chairperson.*

## **6.0 Discussion Regarding Farm Animal Ordinance**

### **Background Information: Owner/Property Location:**

Brooklyn Williams  
19715 Tri Oak Circle NE  
East Bethel MN

Ms. Winter presented the staff report. At their regular meeting on November 4, 2015, the City Council heard an Administrative appeal from a Ms. Jerolyn Williams and Ms. Brooklyn Williams. They were appealing a City Staff decision to not allow a miniature horse on her property at 19715 Tri Oak Circle. This decision was based on requirements of City Code, Chapter 10, that says 'no animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than 3 acres provided, however that if all the lots within a platted subdivision are larger than 4 acres, then interim use permits for horses may be issued for those lots.' The four-acre exception does not apply in this situation.

19715 Tri Oak Circle is a platted lot of 2 acres in size and is located in the Viking Knoll Subdivision. The other platted lot in this subdivision is 2.28 acres.

There are no distinctions in our City Code between horse breeds or size and so, therefore, the decision that staff made was simply that they have to comply with what our Ordinance says, which is you have to be on 3 acres.

The suggestion when Ms. Williams appealed before the Council was that they do some research on what other communities regarding miniature horses and come back and meet with City staff. They did meet with City staff after that City Council meeting. They were not able to come up with good examples from other communities as far as miniature horses go. We were able to find two of them, one being Rosemount where they do talk about the keeping of horses as a permitted use in their Agricultural and Rural Residential areas provided the lot size is at least 2.5 acres and the number of horses does not exceed 1 horse per 1 acre. The exception to their rule is miniature horses. They actually say that miniature horses there would be 3 allowed per acre. And, they go on to define what a miniature horse is.

Another example is in Inver Grove Heights. Horses are allowed in all Agricultural and E zoning districts. I'm not sure what E stands for in this case, and miniature

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horses not taller than 38 inches as measured to the top of the withers are allowed in all Agricultural, E, and R-1 zoning districts. The minimum lot size is 1.75 acre. Structures used to shelter horses must conform to the setback requirements.

Ms. Winter stated so, that was really all we were able to find. This is being brought back before the Planning Commission. I know that there have been occasions where the Planning Commission has addressed the Farm Animal Ordinance relative to a number of other types of animals that we've dealt with, the last being chickens if you'll recall.

Ms. Winter stated so, that's kind of where we're at. This is merely a discussion and if the Planning Commission were to choose to make a recommendation, they could forward that on to City Council. Or, they can simply discuss it. In order for us to accommodate Ms. Williams or to accommodate something different in the future relative to the Farm Animals Ordinance, there would have to be a change in the Ordinance. It's just really a discussion point at this time.

Mr. Plaisance asked is the owner, Brooklyn Williams, here tonight to discuss this issue? Ms. Winter stated I do not see Ms. Williams. Ms. Allenspach stated that's too bad because she really did her homework. Ms. Winter agreed and stated she did. Ms. Allenspach stated I was very impressed.

Ms. Bonin stated I think that the size of the property in regard to an animal should be based on the size of the animal. When you say 'horse,' of course you usually think of a large animal but when you're talking about these miniature horses, you're talking about something like a big dog. So, I think that it makes sense to have a different set of requirements. And, the ones that you mentioned seem reasonable to me.

Mr. Holmes stated I have something that not only pertains to this but other things that we've done and the City Council has done and everything else. Somebody doesn't like our ordinance so they come up with something like this. All of a sudden we change it and I believe that last, I'm trying to think of...more than seven, but I know of seven items. People just come up and say, 'Hey, I don't like your ordinance. I want this changed and I've got this and that.' We change it just to change it. We're starting to set a precedence where we're not going to be able to get out of it. What good is our ordinance if we can't abide by it?

Ms. Bonin stated I don't agree with that because I think that things change and we need to change with them. It doesn't mean that every time somebody comes and wants to change an ordinance that we need to. But, we need to look at it and see if there's any logic to, either way.

Mr. Holmes stated I understand but it's the last seven that I can remember, we've just went ahead and changed it because they wanted it. It's getting to the point where what if somebody wants to build a 16-story house on their property and they say, 'Well, you changed this in your ordinance. You changed that in your ordinance.' I mean, this is facetious, obviously.

Ms. Bonin stated I don't think we change them just because somebody wanted to.

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We changed it, apparently, because we felt that their request was reasonable or we wouldn't have done it. Mr. Holmes stated yeah, but some of them weren't reasonable. Mr. Bonin stated there's a difference between just doing it when people ask.

Mr. Holmes stated I'm just saying that's a problem that could arise in the City and I'd hate to see that and I agree, we should try to do whatever we can for the residents of East Bethel. I mean, I'm not saying that. Ms. Bonin stated I think if you feel like we've changed something just because somebody wanted, that's our fault. We need to have a reason for changing it that makes logical sense. And, if it makes logical sense, we should do it even if in the past we've done some that didn't, maybe, make sense. That doesn't mean we shouldn't consider this one and then make a decision based on what we think is logical. Mr. Holmes stated right, no I agree. This one probably makes more sense than some of the other ones. But there's been a couple that, because the person has already done it and they said, 'We're not going to change it.' Well, then we change our Ordinance and then, I mean we can't do that either. Ms. Bonin stated then what we're saying to people if you don't like our ordinances then just break it and we'll change it. But that's not what's going on here. Mr. Holmes stated I'm just saying if we start setting a precedence, we're going to get into trouble legally.

Mr. Terry stated the only precedence we're setting is that we're reasonably addressing each issue as it comes before us and then we're voting by majority after discussion on whether it makes sense to do something or not. Mr. Holmes stated yeah, no, I understand.

Mr. Cornicelli stated I'll just chime in, I guess. I'm not a fan of designer ordinances, which is what I think this is. I think we're at a point we're 'splitting hairs.' It says 'equine,' it doesn't say 'miniature horse,' 'big horse.' We have a Dog Ordinance. It doesn't say, 'little dog,' 'big dog.' We have a Chicken Ordinance that doesn't say 'Bantam Chicken' versus 'Large Breed Chicken.' I think once we get down these 'roads' where it just becomes a 'slippery slope' of well, 'What about POAs or Shetlands? I mean, they're kind of intermediates.' Should they be? I mean, it's an equine.

Mr. Cornicelli stated I'm sorry they live on 2 acres. The Ordinance says 3. It's an equine. I don't think we want to go down, and I appreciate the work she put into it. I'm going to guess she did it as part of a school project. Nice work. I wish more kids had some civics experience. That said, it's still, at what point do we say...didn't we hear a horse one not too long ago? Maybe it was the same one? That they wanted some other split parcel that wanted a horse and it was too small. At what point? You know, we can have three Dachshunds or one Great Dane, or two-and-a-half Chihuahuas and a Poodle. So, it's a horse. The Ordinance says 3.

Mr. Balfany stated and to put both of your points in order here too, you've got not only the precedence that we are going to change it, like you said, designer-type and then you bring in the minutia like you talk about and what happens when somebody brings them both together and says, 'Well, you have a history of changing it to the minute so you didn't define this Ordinance well enough. Now I want you to re-do that one.' So, I agree with you.

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Mr. Cornicelli stated we shouldn't be changing ordinances for individual reasons. There ought to be a compelling reason that there's something fundamentally wrong with the ordinance in order so it needs to be changed. I'm not moved to think this is a compelling enough argument that it needs to be changed. Because, again, it opens up that 'can or worms' of, you know, big versus small.

Mr. Plaisance stated I would like to address that particular issue which is that this is a minutia-type of discussion. Because I did research this particular item because I've been involved in 4-H and been very involved in small animals and taking them to Anoka County Fair. And, the fact that there are lots of, I mean, I don't know if you understand how big the farm/pet is for Anoka County but it's very large. It's probably the biggest in the State, to be honest with you. And when I started looking into this, one of the problems I have with beyond this item, and I kind of want to set it aside for now, the horse piece, is the fact that this particular Section of 10-151 is: #1 talking about whether or not it's 3 acres but it's also talking about whether it's a subdivision or plotted or not. And one of my questions is, why would you have that particular set of discretion? Why isn't it just how much acreage you have?

Mr. Plaisance stated the second part of this, before anybody answers that question, I'm going to move on to the fact that even further into that Section, there is an exception to the rule. It's under J and it's called, 'Exceptions,' and it's called 'Youth Development Organizations may apply for an IUP in accordance with Section 10-157.' And, it's covering those individual groups, or Youth Development Organizations, where they would have these exceptions to the rules. Now as part of this, there has to be a Youth Development Project Permit Application prior to the farm animals being kept on the property. That's #1. I did look up that particular form and the, #1, the amount of time for the organization to have that IUP beyond that is five years.

Mr. Plaisance stated there is also on that Youth Development Project Permit, there is a space in order to put how long the project is for. The reason why I bring up that part of it is, because it's not defined on the form as to how long the project would last for. Is that at the end of this, the farm animals have to be removed from the property within 30 days of the expiration of that permit? Beyond that, it is talking about the fact that under these exceptions, it is a requirement for all permittees to have a minimum of 1 acre of pastureland to accommodate the farm animals.

Mr. Plaisance the very next one is: 'c. The permittee must comply with all other farm animal regulations set forth in the Code.' So, the way I'm reading this is if someone were to go to an organization and have that IUP approved, according to the way I'm reading this, and I could be reading it wrong, is that person then could theoretically have that exception to that acreage. My other problem with this, though, is okay, now you get an animal, it's on your property, and all of a sudden you come to the end of this project and now all of a sudden, okay, it's time to get rid of the animal.

Mr. Cornicelli stated but it's on the project. It's a pet. You're going to come get it after five years? Mr. Plaisance stated it's talking about this as being a project and getting rid of that animal at the end of that time. That exact point is where I have a

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problem with this ordinance. Mr. Cornicelli stated well, this ordinance as it applies to this individual, not as it applies to a group doing a project. That's different.

Mr. Plaisance stated I'm pointing out the fact that the whole ordinance needs to be looked at, not just for these horses. Mr. Cornicelli stated but you're referencing a Section of the Ordinance that doesn't apply in this case. She's not part of an organization. Mr. Plaisance stated it could. Mr. Cornicelli stated it could, maybe, but it doesn't in this case.

Mr. Plaisance stated well, they're talking about, if I'm reading this correctly, they're talking about showing the horse. Not necessarily under a youth group. Mr. Cornicelli stated yeah, but it's not a project. Mr. Allenspach stated it's just like showing your dog. I know a lot of people that show their dogs.

Mr. Plaisance stated true but if it was a project, okay, I guess what I'm trying to say is this is talking about farm animals being a project. And, it's only 1 acre and you'd have to get rid of them at the end of the term of that form.

Mr. Bonin asked is your problem the fact that they can have them for a while and then they have to get rid of them? Mr. Plaisance stated well, just the fact, like Lou was saying, I mean, it's a pet. It's not really a project. But, this is saying that pet is a project and, therefore, at the end of that time you'd have to get rid of it. Well, I mean, it's almost become part of the family, would be my concern.

Mr. Balfany stated not to counteract you there Randy too, but trying to re-read through the first paragraph of Brooklyn's letter. Sounded like the project was actually to save money to get the miniature horse. Right? Not to have the miniature horse. Mr. Allenspach stated right. Mr. Balfany stated if that makes sense. It's not like having the horse is the project, it was just to get it and it was more of a home school project, is what I was reading.

Mr. Terry stated right, the part of the research was part of a home school project. The project is not the actual animal. The animal is a pet. Therefore, it doesn't apply to the piece you just referenced. Mr. Plaisance stated true but, again, I was trying to address the entire ordinance itself, saying this needs to be looked at because the way I read this, I think it's very confusing and I think it sets up a bad precedence if somebody were to apply this to us. Obviously, they're not here tonight to discuss their particular issue which is why, when I was researching this, I saw this discrepancy and I think that it should be taken care of. Now, we can certainly table this and allow staff to look into it further and come up with, maybe, some alternatives.

Mr. Cornicelli stated I would guess, the finite time period placed on the permit, in this case five years to put constraints on the individual so it doesn't become pet living outside of compliance of the general ordinance would be my guess.

Ms. Winter stated yes, that's correct. But, to Randy's point, there is some language under there that probably does need clean up. I don't know as you'd want to open up farm animals on an acre property. You know, it doesn't tie back into the other section that's above it, which is the 3-acre minimum lot size. So, I think that part of

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the ordinance does just need some clean up. It's some minor language change to make it a little more clear for everybody. It would make some sense to do that.

Ms. Winter stated that doesn't necessarily address the issue at hand, which is the Williams wanting to have miniature ponies. I still think the Planning Commission needs to address that issue and make a stand as far as what they want to recommend to the Council. However, if you want to table this and bring that back up at the same time, that we look at cleaning up a couple of these sections, I think that would be perfectly fine as well.

Mr. Terry stated one thing that strikes me is the acreage element. I don't know why 3 acres is the target and I don't know why 2 acres would be any better or worse. My concern, let's say we change it to 2 acres, which to me seems reasonable and I wouldn't object to our doing that, but then somebody comes in and they have 1.5 acres or 1.8 acres. Mr. Cornicelli stated we saw that with accessory structure. You know, 1.92 acres. Mr. Holmes stated don't even get me going on that. Mr. Cornicelli stated sorry Eldon, that wasn't on purpose.

Mr. Terry stated so I don't mind changing it to 2 acres but what stops the next circumstance? Ms. Bonin stated the way I see it is these ordinances for various animals are based on the size of the animal even though it doesn't say that. Ms. Winter stated right. Ms. Bonin stated when it talks about a horse or a llama or something like that. You're talking about an animal that everybody knows and thinks about as being a certain size. But, when you talk about a miniature horse, you're talking about a big dog as far as size is concerned. And so I think the Ordinance should be based more on the size and the needs of the animal rather than an arbitrary size that couldn't fit everything, whether it fits or not. Ms. Winter stated I would agree with that.

Mr. Cornicelli stated Roseville's kind of done that with animals per acre but they didn't change the overall size of the parcel. It still needs to be 2.5. So, you know, again, this is a 'slippery slope,' 1 acre if you have a miniature horse, 1.5 if you have a Shetland, 1.75 if you have a POA you know, 3 if you have a real horse.

Mr. Plaisance stated well again, to the point that kind of got brought up earlier and add that with the precedence of continuing to change, or designer ordinances. I agree. I think it's 'slippery slope.'

Mr. Holmes stated and if you're talking about size, I mean a Great Dane can be a heck of a lot larger than a miniature horse. Now you've got separate categories for dogs. I mean if you start talking about size. Ms. Bonin stated yeah, but they have a different temperament. These animals apparently are very docile and would not be any kind of a problem where some dogs can be biters, others aren't of course. Mr. Cornicelli stated horse breeds vary too so you can't regulate, you can't have a thoroughbred because they're crazy but you can have a, you know. Ms. Bonin stated no you can't.

Mr. Balfany stated but just at that same point, let's say we went down that road of a miniature horse being similar to a dog, then all of a sudden does a miniature horse

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now all of a sudden have all the Dog Ordinance apply to the miniature horse? Does it need to be registered? Is there a leash law?

Mr. Cornicelli stated though the Amazon commercial is kind of cute. Ms. Allenspach stated but you don't need as high of a fence with miniature horses as you do for a Great Dane. Mr. Cornicelli stated it's still an equine. Mr. Balfany stated I agree.

Mr. Balfany stated I think it's best to address the miniature horse, the issue in front of us for the Williams so they have an answer and they can either move forward or have closure, however we decide to move forward. I think if there's language that needs clean up, I think it's best if City staff would bring it back to us with a recommendation saying after recent reviews. But, that's just my opinion at this point.

Mr. Terry stated I would like it better if we had decided acreage based on something significant rather than, 'the Ordinance says' so that we could say, 'Well, there's a reason why it's only 2 acres, or 3 acres, or whatever it has to be.' So then there's a stopping point if somebody wants to do it at 1.5 if we change it to 2. Ms. Winter stated and I think that's why the 3 acres is in place. That's essentially the stopping point based on the definitions we have for the farm animals.

Mr. Terry stated right but what is 'magical' about the 3 acres? Mr. Cornicelli asked well then what's 'magical' about 2 versus. If we change it to 2, someone's going to come in and say 1.5. And, nope, we decided, you know, we arbitrarily decided 2 was the minimum. Mr. Terry stated that's what I'm saying. We shouldn't do it arbitrarily. There should be a reason behind what we decide.

Mr. Plaisance asked Colleen, is there any official organizations that could recommend what they would have for certain types of animals as a need for acreage? Ms. Allenspach noted our report says a miniature horse only needs a quarter acre. Mr. Plaisance stated I realize that but I'm thinking if we're going to go down this path, we need to discuss not just the miniature horse but, I mean, then somebody's going to say, 'Well, what about this animal? What about that animal?'

Mr. Holmes stated we're going to need descriptions of what constitutes a farm animal, what constitutes a pet. I mean, getting into a lot of language.

Mr. Balfany stated let me see if I can clear it up with a question to you, Colleen. When these ordinances get drafted originally, I'm assuming the base has to come from somewhere. And, I'm going to carefully assume that a lot of this follows from the State and from what other neighboring cities of like size are. Ms. Winter stated correct.

Mr. Balfany stated so I would think somebody, and again still assuming here carefully, somebody has done some of this research already to come up with these finite numbers to where it's not on us to have to go 2, 1, 1.5, 3. And, that's where we're getting a lot of this from just because, unfortunately, somebody does have a lightly smaller size. Back to Lou's original point, we're getting to designer ordinances here and start bringing in the finite stuff, where does it stop. So, I think

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that should kind of answer that already. That somebody else has done the work and come up with some of these numbers. Ms. Winter stated right.

Ms. Bonin stated but that is saying what we did in the past is what we have to continue to do and we're not going to change anything. Mr. Balfany stated no, not necessarily. I'm just saying that the work has been done and theoretically if you're thinking about animals to land. How have the animals changed and the land changed that we would need to change these definitions?

Ms. Bonin stated I would guess that when this ordinance was adopted, nobody had even thought of anything such as a miniature horse. That wasn't on anybody's 'radar.' So when new things come along, we have to be open to at least addressing those things and seeing if we need to accommodate them or not. I don't think we should just arbitrarily say we've already decided this and that's it. Because, times change and things change. What we didn't even know existed before all of a sudden is right in front of our face.

Mr. Cornicelli stated but that's a structural argument about the ordinance in general. It's not a discussion about one individual who wants one horse. So, the question in front of us is: Should we change the ordinance to accommodate one person? No. I've been clear on that many times. If there's an issue with the ordinance then we should have that discussion with the City and change the ordinance because that benefits the City. We shouldn't change ordinances to benefit an individual, but I think we do. But if there's a problem with the ordinance, you know, how often do we get challenges to the ordinance? Are people bringing logical arguments as to why the ordinance is no longer relevant? That's a different issue and I don't think that's the question at hand. I realize I'm the 'bad guy,' and I'm sorry.

Ms. Winter stated getting back to the acres, part of it could be if you look at our Rural Residential subdivisions, 2.5-acre size is pretty common in a lot of our rural areas that were platted as subdivisions. So at the time that the Farm Animal Ordinance was constructed, it would make sense to say farm animals aren't going to be something allowed in rural subdivisions. It follows then that if most rural subdivisions were created at 2 ½ acre lot sizes, then 3 acres or more for Farm Animals would make sense.

Mr. Terry stated I had an idea to get around this. Instead of changing the ordinance, what about changing the definition of miniature horse? Mr. Cornicelli stated it's a hindgut fermentor, it's a horse. Mr. Terry asked if it were like a large animal rather than a horse, would that make any difference? Mr. Balfany stated but they have miniature breeds of cattle too. And, they have miniature goats and miniature sheep.

Mr. Holmes stated one of the biggest problems I think we have, and I'm just as much to blame when I moved to East Bethel myself because I thought I should be able to do this, and this, and this because I'm out in the 'tulies' now instead of in town. And, I didn't do this so I'm just as guilty as anybody else but we've had a lot of discussions about all these sort of things and people should actually, before they do anything, why don't they read our ordinance or our City codes? All they have to do is come to City Hall and find out what they are and then they can say, 'Well, gee, I've got to have 3 acres. I can't have it. It's a done deal.' We're not up here

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arguing.

Mr. Holmes stated I mean, like you say, I did the same thing when I came to East Bethel. I thought I could do this, and this, and this. And they said, 'Ho, wait a minute. No, you can't. Oh, why?' Well, read the ordinance. I read the ordinance I go, 'Oh, okay.' But seems to have a lot of discussions on this stuff when people want to do something like, for instance, put a garage a foot-and-a-half away from the lot line. Well, all he has to do is read the ordinance and he knows he can't do it but then we're up here arguing, wasting time, and City Council's time, arguing about something that should have been done a long time ago just by the same person.

Mr. Holmes stated now, if they do want to have it changed, then they can come to us but do we change it for one person again? The thing that I wanted, I didn't get and now after all these years now I can do it but now I don't want to. But, I'm just saying, you know, people should read the codes. I mean, it's just like, 'Well, I'm not going to stop for that stop sign because I don't feel like it.' No, there's a law against stopping for that stop sign and you're going to get a ticket if you don't stop. 'Well, I don't want to stop.' Well, you're going to get a ticket anyhow. I mean, that's why we have the ordinances and the codes and all this. I think if nothing else, you know, the City here, when somebody comes in, you know, show them that they should read the code first before they make any attempt to do anything. Because all we're doing is arguing and wasting time.

Ms. Winter stated well, they were told 'no' by staff that they didn't meet the requirements. Mr. Holmes stated but I mean it should be done when you move to a community. I mean everybody thinks they can move out to East Bethel and how many times we had this? 'I'm moving out to East Bethel because I won't have any neighbors.' Then all of a sudden we get somebody that wants to build 40 houses or something and they say, 'Well, I didn't come out here to have houses right next to me.' Well.

Mr. Plaisance stated but it doesn't sound like that's the case though. Mr. Holmes stated no, but I'm just saying. Mr. Plaisance stated I hear you. Mr. Holmes stated but we've had other things. You know, like I say, the guy that wanted his garage a certain way. Well, no it doesn't say that in our ordinance. 'Well, I want it that way.' Well, I'm sorry. You know? And then we look like the 'bad guys' but yet we're trying to help the residents of the City.

Mr. Plaisance stated but I think where this came from was, I think they started out trying to do the right thing when they called City Hall because according to the letter that I'm seeing here, they were originally told that they could have one horse for every acre and I don't know where that was, I don't know if that's true. That's going by what I read here. But regardless, just because you were told one thing by the City doesn't mean that, you know, you've met all the conditions. And, that's kind of what we're talking about because, I'm sorry, we still have to meet all the conditions to have this go through for an IUP. So, I'm in agreement with you.

Mr. Plaisance stated I think we've discussed this enough for now. I'm going to ask for a recommendation from someone as to where you want to go from here. Do we

6.0 Discussion  
Regarding Farm  
Animal Ordinance

send this back to administration to take a look at this again? Or, are we going to come up with a preliminary vote to give these people an idea of what our thoughts are?

Mr. Cornicelli stated I'll make a recommendation to kick around. Is that okay? **Mr. Cornicelli stated my recommendation is we don't change the ordinance to accommodate an individual and if there are structural problems with the Farm Animal Ordinance that need to be addressed, we take that up separately with the City. If the City agrees that there's issues in general with the ordinance. But, my recommendation would be to leave it as is. Mr. Balfany stated I would agree with that. Mr. Holmes stated me too. Ms. Bonin stated I think it's a good solution (inaudible comment too far away from the mic).** Mr. Plaisance stated well then I'm going to put it to a vote just to make it official. All those in favor of Lou's recommendation say aye. **6 members is favor; one member Allenspach naye; motion carried. This item will go to the City Council in February for consideration.**

7.0 Public Hearing/  
Interim Use Permit,  
Home Occupation

**Background Information:**

**Owner/Property Location:**

Property Owner: William Thompson (dba/Wandering Cellars)  
18341 Lakeview Point Drive NE  
East Bethel MN 55092  
PIN: 35-33-23-32-0010  
Zoning: R1, Single Family/Shoreland Management

Ms. Winter presented the staff report. Mr. William Thompson is interested in producing wine out of his residential home. The home is not built at this time. He had purchased property where they plan on removing the existing home that is there as well as removing several outbuildings and there's a tennis court there. So, this Interim Use Permit is directly tied to the new home that would be built on the property.

This is not a farm winery. There will be no grapes grown on the premises for wine making, rather the grapes will be brought in by truck once a year, where they will be offloaded into barrels. A forklift will be required the one time a year that they do the offloading. The barrels will then be brought into their garage where they will set up their winemaking. There will be no public tasting room and private tastings will be by appointment only. It is anticipated that they will only be selling 75 cases of wine per year. They are working with a distributor and will be sending cases out once a week via UPS or delivering the product directly to the vendor. Enclosed in the packet is Mr. Thompson's Business Plan that provides greater details regarding the business operation. Water use is minimal and City staff has checked with the local DNR to see if there are any special requirements that they have for this type of business. The DNR does not have any additional requirements. Items to consider are:

1. Noise – how much noise will be generated by this business?
2. Hours of operation – What will the hours of operation be?
3. Traffic – how much traffic will this business generate?
4. Waste – Type of waste generated, and how is that waste handled?

7.0 Public Hearing/  
Interim Use Permit,  
Home Occupation

Again, the attachments that are included are the business plan, the aerial photo, a location map, and an IUP draft document

Ms. Winter stated Mr. Chair, after the Public Hearing, I'd be happy to go through the recommendations as far as what should be on the IUP. Or, do you want me to do that now? Mr. Plaisance stated no, I think at this time we will open up the Public Hearing. If anyone wishes to speak on behalf of this item, please come forward to the microphone, state your name and address.

The Public Hearing was opened at 7:44 pm.

Steve Olson, 18365 Lakeview Point, stated I'm just a couple properties to the east of the projected location and I can see the aerial view but I'd like to know more about the plan. I don't have a copy of the plan. It wasn't included with the mailing. Of course my initial objections, it's right in the middle of a residential neighborhood. It's a 100-foot by 300-foot property. There will be increased traffic. The private wine tastings are of concern because there would be no regulation that I can see at this time on how many wine tastings they can have per day or per week. So I think there's not enough information. If they were going to use it as their corporate address and simply have that as their corporate address, I probably wouldn't have an issue with it. However, we also have to think about septic systems. They say there's be minimal water usage, I find that fairly hard to believe. You're going to be making wine not only close to the Lake but the drainfield, obviously, will be subject to stress because wine has skin and seeds and a number of things. So, I think there's a lot of things to consider. And, specifically, one item is that it's right in the middle of a residential district. It's not at the end of the road, it's not at the beginning of the road, it's right there in the center of the residential district with children, pets, no miniature horses.

Jo Rohady, 18369 Lakeview Point, stated we've been there since 1971. I have the same concerns that Steve does. My biggest issue is the traffic in the area. We have very narrow streets. It's bad enough in the summertime with the boats coming through. We have children that are on the roads as well, a lot of animals. And I feel, too, that we did not get enough information to even make this decision. We've been concerned about this property for quite some time so I would really like this to be looked at in a lot more detail.

Gary Quassabart, 18417 Lakeview Point Drive, stated I'm a little farther east. I'm a little concerned for a number of reasons. One, with people around the area it's very close family knit and we had understood at one point that when this property was purchased, it was under the idea it would be a home built on that property. It's my understanding today that there won't be a home built on that property unless this is passed. Ms. Winter stated I believe that is accurate.

Mr. Quassabart stated I believe that is accurate, yup. The second piece is what Steve has mentioned about what's the property look like? Will they live there? Will they buy a house across the street? And, before you know it, what do you have going on. And, more importantly, is the idea that what's on paper today scares me because when you indicated about when somebody takes advantage of permits, the

7.0 Public Hearing/  
Interim Use Permit,  
Home Occupation

next thing is, okay, you've got a \$700 fine because you broke a rule. When does it stop? How do you put guidelines on this to say that once this thing is put in place, you don't go beyond that? Because if you go beyond it, then you have to leave. Are we willing to put things in place like that? Because, quite honestly, I believe that once it's set up, once the concrete is poured, that there is no stopping how big this can get. Thanks.

Tyler Gagner, 18340 Lakeview Point Drive, stated I'm right across the street. I also, too, have the same concerns. Particularly the waste management portion of this. I work in waste management. I deal with septic systems, large waste treatment systems, and 75 cases a year, how much is that? Mr. Plaisance stated it's 1.5 per week.

Mr. Gagner asked how many are in a case? Ms. Winter stated 12 bottles. Mr. Gagner stated I don't have a very good, I can't visualize how much that is but yeah, need more information. How large of a building is it going to be? Traffic? Are you going to be bringing in a truck? Where are you going to put a truck on that road? I share the same concerns and I think we need more information. Thank you.

Christine Mahlen, 18346 Lakeview Point Drive, stated my house is directly across from this property, right next to Tyler, and I too have the same issues. We have one road in, one road out. There's no, it's very difficult to even turn around in that area if you had a large truck. It's such a nice residential area now to where you can walk your dogs, you can walk, you have a very safe neighborhood, very safe area. My concern would be that would completely change. Right now, it's a 30 mile an hour speed limit. I think that wouldn't be something where people would want to compromise on as well. Many concerns and I agree with all the people that have spoke before me.

Tyler Gagner stated just to talk on the walking point, what you don't see on this is a large, I don't know if you guys are familiar with 183<sup>rd</sup>, it's a very long straight, narrow road and that's probably even more dangerous than this particular spot right here where you're going to be bringing in a lot of traffic down that road where there are a lot of dog walkers, you know, joggers, kids at the bus stop.

Al Beck, 18619 Lakeview Point, stated I'm a little farther east and did not receive notification. Evidently, it's a little bit father out. Otherwise, we would have had a lot more people here because I just found out about this. And, I serve on the Anoka County Board, the Coon Lake Improvement District. I've been President of the Coon Lake Improvement Association and one of our biggest concerns is trying to control the pollution. That lot, if you actually went out and looked at it, is extremely low. It's about a foot above the Lake water. So, there would have to be a ton, multiple, multiple tons brought in. That little cabin that they call a house is about 800 square feet. That is not going to be replaced by something in the same area. And, then what kind of sewer system can they get in there and a well system for doing that type of industrial stuff. And, 700 can turn into 900, to what? And what is the zoning rule as far as for an industrial? How many acres you have? Quite a bit of time just talking about a little miniature pony versus opening a business on not even an acre of land in a residential area. And, the concern for safety of other people that live along the Lake. Thank you.

7.0 Public Hearing/  
Interim Use Permit,  
Home Occupation

Mr. Plaisance asked anyone else?

Ron Lewis, 183<sup>rd</sup> and Lakeview Point, stated I'm right where they join. My concern is the traffic. We've got four garbage haulers with eight trucks coming down there. The road is getting all beat up. We start bringing in people for wine tasting, trucks to deliver things, that's my biggest concern. Also, I'm worried about problems with odor when you're making the wine in your garage. We just don't have enough info.

Mr. Plaisance asked anyone wish to speak at tonight's public forum? Is Mr. William Thompson here tonight? Ms. Winter stated he is not. I did get a call. He was not able to attend due to an emergency. Mr. Plaisance stated he is not, okay. At this point I will close the Public Hearing and open it up for discussion.

The Public Hearing was closed at 7:54 pm.

Mr. Holmes stated I would like to ask one thing right away. The road that goes to this property, what's the load rating on that road? Do we know? Ms. Winter stated Randy had asked me that before. It's a standard residential street design.

Mr. Holmes stated I must be going way crazy because I really dove into this and this is how many items I have for questions. *(Mr. Holmes held up a sheet of paper listing his questions.)* I don't see this happening at all. He has to have a manufacturing license just to do this. Why are we allowing a manufacturing license in a residential area? That's number one. But, just for instance, he talks about a forklift and a conveyor and, I mean, where are those going to be stored? And 75 gallons of wine the first year, goes up to 400 gallons. Mr. Terry stated cases, not gallons, cases. Mr. Holmes stated cases, whatever. Mr. Terry stated it's even much larger. Mr. Holmes stated I don't care if it's 400 gallons, it's still, I mean, to me this is just not residential. It's a business.

Mr. Cornicelli stated it seems odd because I mean, you think about a home-occupied business. I live in my house, I'm making cabinets in a pole barn, pick whatever. This more seems like a business that they might live in the house. And, it seems like an odd area to put this kind of a business. It just seems, I wish they were here so we could ask these, Eldon's 32 questions. But, it's like, why on earth would you put it there of all places? Especially since there's no existing structure. You're not doing something in the domicile you currently live. You're going to build this thing and maybe live there. Something doesn't 'smell' right.

Ms. Winter stated we do have building plans. They actually have the house plans drawn up. Mr. Cornicelli but it's only what, 100 by 300.

Ms. Bonin asked and why aren't they making the wine where they're growing the grapes? Mr. Plaisance stated well, if they're importing grapes that wouldn't, I mean, that wouldn't be, there's lots of small wineries. Just like people who brew beer. They don't grow their own hops. They buy that stuff and ship it in and make it. But, it just seems like a, it just seems backwards to me.

Mr. Holmes stated in regard to getting the grapes from California, what's he doing

7.0 Public Hearing/  
Interim Use Permit,  
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about preventing diseases, pests, and fungi, and viruses from other States? Mr. Plaisance stated they'd have to comply with whatever ordinance the Minnesota Department of Ag has for importation. So, I'm less worried about the business plan and more concerned about why this low location. If this was something they were coming in on 65 in the Business District, 'Oh, this is great.' Great idea. But, it's kind of not. Mr. Holmes stated anyhow I've got way too many hours and I don't see it whatsoever.

Mr. Terry stated I spent very much less time on this and I've come to the same conclusion.

Mr. Balfany stated I drove by and read the whole plan and concluded, likely, most of Eldon's questions. But, is there an opinion from the City?

Ms. Winter stated it's up to the Planning Commission. I certainly think there are a lot of things that have to be answered on this one. And, that was made clear.

Ms. Bonin stated it sounds like to me that we don't need to have all those things answered because we all think that it's a dumb idea. Mr. Cornicelli stated I didn't say dumb.

Mr. Holmes stated it's an idea. I mean, the guy is adventurous and stuff but it's just not the right idea. Mr. Cornicelli stated I think it's potentially a great idea. Mr. Terry stated it's a great idea in the wrong location. Mr. Cornicelli stated there you go. Ms. Allenspach stated it's in the wrong neighborhood. It's definitely in the wrong neighborhood.

Mr. Plaisance stated I'm going to protect ourselves a little bit and just correct. I'm going to, I agree with you that I think we are all of maybe similar mind. But in respect to the applicant, we do need to respectfully make sure that it does or does not fall into our ordinances before we pass judgment on our personal opinions. Ms. Bonin stated right.

Mr. Plaisance stated with that said, one thing that does stand out to me and it's really only one line in here but this is the part that gets me in where I'm going to agree with Lou that it seems to be more about a business with living quarters than a house that has a small winery and people tasting. The sentence that gets me is under the sales paragraph, a couple pages into his plan operations, when it says, 'The majority of sales take place in the home based by appointment tasting room.' That sentence right there is saying the majority of the sales, and maybe it's mis-worded in here, but to me that tells me that there is more traffic. And, to get back to the original point, does it fall within our ordinance or not. This does generate higher traffic than normal use. Therefore, in my opinion, it would not fall in our ordinances. You don't have to worry too much about it, but that's my opinion.

Mr. Holmes stated well, I haven't seen one thing that would fall into our ordinance and for that reason I'd like to make the motion to deny. **Mr. Holmes made a motion to recommend denial of the IUP for William Thompson (dba/Wandering Cellars), 18341 Lakeview Point Drive NE, East Bethel MN 55092, to produce wine out of his residential garage to the City Council. Mr.**

7.0 Public Hearing/  
Interim Use Permit,  
Home Occupation

**Terry seconded the motion. All members were in favor; motion carried. This item will go to the City Council in February for consideration.**

**8.0 Public Hearing/  
Subdivision Concept  
Plan**

**Background Information:**

**Owner/Property Location:**

Concept Plan/Sketch Plan – Sauter’s Commercial Park 2<sup>nd</sup> Addition  
T&G Land Inc./Tom Sauter  
1052 189<sup>th</sup> Street NE  
East Bethel MN 55011  
PIN: 32-33-23-22-0002  
Zoning: Light Industrial

Ms. Winter presented the staff report. Mr. Tom Sauter is requesting to move forward with platting his property into nine lots in a Light Industrial area. The Concept Plan is the first step of that process and Mr. Sauter has completed the wetland delineation and has agreed to dedicate the necessary right-of-way to the City of East Bethel for the extension of the Service Road as indicated on the attached Sketch Plan. It should be noted that the City of East Bethel is intending to begin construction on the Service Road in 2016. Mr. Sauter will be platting the property in phases beginning on the south side. He currently has an interested buyer for Lot 9 and will plat as demanded by the market.

Ms. Winter stated for a Concept Plan, this evening what you need to do is, as a Planning Commission, determine if this meets the requirements of our Comp Plan, if it is appropriate for him to proceed forth with platting at this time. And if so, then you can make that recommendation to the City Council and at the same time call for a Public Hearing for the Preliminary Plat.

Mr. Plaisance stated at this time I will open the Public Hearing. Anyone who wishes to speak to this particular issue please come forward, state your name and address for the record.

The Public Hearing was opened at 8:02 pm. No members of the public spoke at the Public Hearing.

Mr. Plaisance stated seeing no one coming forward, I would ask is Tom Sauter here? Ms. Winter stated he’s here. Mr. Plaisance asked would you like to come forward and address the Commission?

Jason Rud stated I’m with E.G. Rud and Sons. Tom Sauter stated I’m Tom Sauter. Mr. Rud stated maybe just briefly to go over the project. Colleen gave a good summary. But, it’s a 40-acre parcel and the first phase, the southeast corner there, it’s called Lot 9. The intention would be to plat that lot. There is existing sewer and water out in front of that property. Services would need to be tapped for that parcel. Then a lot would be platted for the original Sauter homestead there and then the rest would be platted as an outlot along with the right-of-way dedication for the plat. All of the proposed lots meet the zoning requirements, lot area requirements, and livability requirements. The wetland has been delineated and approved and so we’re at step one.

8.0 Public Hearing/  
Subdivision Concept  
Plan

Ms. Winter stated it should be noted that with the Service Road going in there, these lots would be sort of in water lots.

Mr. Sauter stated I do have a purchase agreement signed today and he wants to build immediately so he's trying to get it platted. He would like to build this spring as soon as possible. I talked to Jack and we can actually hook up to the sewer, it's there, without the new road That's probably the only lot that we can hook up to sewer and this guy is excited to get this building going if we get it plotted.

Ms. Allenspach stated that was one of my questions, thanks. Ms. Bonin asked which lot is he buying? Mr. Sauter answered Lot 9.

Mr. Cornicelli stated Colleen I apologize, but I didn't see it. What is the zoning on this? Ms. Winter answered Light Industrial.

Ms. Bonin asked the house will stay there? Mr. Sauter stated right. Right now we're going to keep the house out and try to develop the other areas, other parcels. But, like Colleen said, it's just a concept plan on how we can divide the lots. I'm not comfortable with plotting the whole thing. It's nine lots. My second buyer, a bigger buyer, you know, could actually come back and plot it after I get a bigger buyer, I think would be more useful.

Ms. Winter stated once we have a road in there, it's going to impact, probably significantly, the visibility of these lots. Mr. Sauter stated and when we get one going, it will spark up the neighborhood. Mr. Plaisance stated ponds get drawn down to their historical level? Or, so the ponds just stay? Ms. Winter stated the ponds, for now, just stay. They actually did the delineation and they have to stay. Mr. Plaisance stated okay, so you just squeeze the lots in around the pond. Okay. That what it looks like but my eyes are getting... Ms. Winter stated there is one little section, it has a hashmark on it as part of that, if you'll see, depending on what happens with that part of it, there will be a whole joint application that they'll have to go through if they're going to alter it up there. Mr. Plaisance stated then they'll just mitigate it.

Ms. Bonin asked so you want approval of this plan as it is? Or, just the concept plan to do something and approval for the one lot? Mr. Rud replied the goal tonight is just Sketch Plan review. As I understand, we'd be coming back for a Preliminary Plat for review on a separate application.

Mr. Rud stated for what it's worth, do you have a camera that you're able to project? Ms. Winter replied no, unfortunately. Mr. Rud stated well we have a draft Preliminary Plat underway just knowing that Tom has a buyer and he's got one as well. These show what a preliminary plat would look like. I think we're trying to be proactive here in that, simply plat the two lots, plat the outlot, dedicate the right-of-way.

Mr. Balfany stated if I can ask, what type of buyer is interested in the property? Mr. Sauter stated it's Dave Pixley. It's a chimney sweep company that's very successful. He's an East Bethel resident. He lives over on 185<sup>th</sup>. He's got a nice

## 8.0 Public Hearing/ Subdivision Concept Plan

home over there but he's storing his vehicles at his home right now and would like to have his own shop. Mr. Balfany stated oh, fantastic.

Mr. Plaisance asked Colleen, do we have an anticipation as to when that Service Road will be put in. Ms. Winter stated I believe it is the City's intention, and Tim from the City Council is here and he may have an even better idea, but the Council did move forward with approving it. So, I know the Roads Commission has talked about it as well. So, I believe it is the intention for that to go in even as soon as this year.

Council Member Harrington stated we're waiting for one more easement. We've got all the other easements so I think we're looking at June. Mr. Plaisance stated great, thank you.

The Public Hearing was closed at 8:08 pm.

**Mr. Terry made a motion to recommend approval of the Concept Plan/Sketch Plan – Sauter's Commercial Park 2<sup>nd</sup> Addition, T&G Land Inc., /Tom Sauter, 1052 189<sup>th</sup> Street NE, East Bethel MN 55011 to the City Council and call for Public Hearing for a Preliminary Plat. Ms. Bonin seconded the motion. All members were in favor; motion carried. This item will go to the City Council in February for approval.**

## 9.0 City Council Report

Council Member Harrington stated good evening Commission members. Before I start, I'd like to thank Lorraine, Lou, and Randy for volunteering for another term on the Commission. Thank you very much. I'm looking forward to working with the Planning Commission. It's going to be a learning experience for me. I've been on the Parks and Roads for the last year and a half so this is going to be something new. It might take me a little while to get going but I'm really looking forward to it. I think it's going to be, hopefully, an exciting year with Mr. Sauter starting. Hopefully, other things will get rolling in that area.

Council Member Harrington stated some of the highlights from the last couple Council Meetings, like I said, we've got one more easement to get, to construct that new road. So, hopefully we'll get that by the end of the month. A couple of dates here, we've got the Town Hall Meeting set for April 19<sup>th</sup>, Spring Recycling Day is April 23<sup>rd</sup>, our Board of Appeals and Equalization Meeting is April 20<sup>th</sup>. And, at the last meeting we okayed Mn/DOT to start a study on what they call a Super Road. Where it's going to start is 181<sup>st</sup> and go to Sims. I don't know where it's going to end up but if you get a chance, go on the website and look at this. They already told us no bridges. It's going to be a lot of J-Turns, unless somebody else has a different idea.

Ms. Allenspach stated as long as it's not a roundabout. City Member Harrington stated all their, or whatever it's going to be, will be put down south in Blaine and Ham Lake. They said 109<sup>th</sup>, 117<sup>th</sup>, and Bunker, they're big projects. So, we're just trying to relieve the traffic. People are complaining about going east and west all the time. So, it might not be the best thing.

## 9.0 City Council Report

Mr. Cornicelli asked if it's not going to be a fly-over, what's it going to be? Council Member Harrington stated well, they're talking those J-Turns like up on 169<sup>th</sup>. But 22 and 65, it will be J-Turns but there will be lights. You have to have lights. The other ones they're looking at are just J-Turns.

Ms. Winter stated if you go on the last Roads Commission agenda, you can see it because it was an agenda item at the last Roads Commission meeting and it's all explained in there along with diagrams.

Council Member Harrington stated yeah, it looks good on a computer. But, like I said, roundabouts look good too on paper until people get driving on them. Mr. Cornicelli stated they'd like to get a new one on Broadway and Kettle River. They like to go straight. There's always new car tracks going straight.

Council Member Harrington stated that's all I've got unless you've got questions for me. Like I said, it's going to be a learning experience. I'm looking forward to it because I'm going to learn a lot. This is where things happen. Mr. Holms stated and boy, are we going to teach you. Council Member Harrington stated that's good.

## 10.0 Other Business

### 2015 Permit Report

Ms. Winter reported that there are four attachments in your packet. One is the total permits and it's got a graphic with it. What I think is encouraging about this, if you look at the 2015 permits, we went from 2010 where we were at a high and we dropped down and now we're coming back up. So, that's exciting to see in 2015, the amount of volume we had as far as the permits go. I think the other thing that's really good is if you look below. Again, it's really encouraging. Before the crash, we had a lot of single-family home permits and you can see, based on the graphic below the bar chart, that since 2010 it continues to increase. So, 2015 was a very good year for us.

### Piwik Website Use Analysis

Ms. Winter stated the other thing after that is the Piwik analysis. That's the traffic that's generated on our website, and where people go on our website, and how they use our website.

Mr. Plaisance stated it's nice to see the Resident's Guide gets used quite a bit.

### 2015 City Accomplishment Report

Ms. Winter stated and then lastly, if you'll look, and again I'm not going to read these verbatim but it's nice to see in 2015 the accomplishments from a City perspective that happens. So, I think as Tim said, it's not just a credit, it's a credit obviously to our Mayor and our Council for their leadership but it's also a great credit to all the other volunteers and all the folks that are part of the various Commissions and the work that they put into it. So, we wouldn't have been able to get all this done if it hadn't been for having the Commissions that support what we do. So, that's all I have.

### Discussion of Council Liaison Vote

Mr. Holmes stated I have one thing and I don't know, well, it should be brought up. Our City ordinance states that the City Council shall go by *Robert's Rules of Order*. And, naturally with this grape winery, I sort of got carried away. I don't know, I didn't have much to do this week. Anyhow, what I accidently found is that *Robert's Rules of Order* states that the Pro Tem officer, which would be Tim, has the right to

Discussion of  
Council Liaison  
Vote

cast a vote at our meetings. Or, it can be changed that he has a vote when we have a tie at this meeting. Or, it can be changed to him not having a vote at all.

Mr. Holmes stated now that's not up to us. That's up to the City Council and I think that should be put into our ordinance some how, some way, what Tim's position or the ex-officio's position should be for our body. We do not have that in our ordinance.

Mr. Balfany stated if we're going to be bringing it up and talking about it, should we be sending it forward with a recommendation? Mr. Holmes stated well. Mr. Balfany asked do you want to form a group opinion on this now? Mr. Holmes stated we can, I just think it's totally up to the City Council to make that decision, myself. I wouldn't mind seeing that if we're all tied, Tim has the untying vote. But, either way, it don't matter. But, it's something that according to our ordinance, it should be done. We haven't gotten it done and something that should be brought up.

Mr. Terry stated I'd like to suggest that in the case if we don't have a quorum, that he could fill. Mr. Holmes stated he can't do that. Mr. Terry asked no? Ms. Allenspach stated I've never volunteered in a City where that's ever been allowed at all. Not on any type of Commission so that's news to me. Not that it hasn't happened somewhere but I've never heard of that in places, cities, where I've volunteered.

Mr. Plaisance stated what he's saying is as part of *Robert's Rules of Order*... Mr. Holmes stated which the City Council has to abide by. Mr. Plaisance stated correct...that they would have to make the determination as to whether or not he would have the authority to vote in the case of a tie or to prevent him from making those votes. Mr. Holmes stated correct or him not voting or vote on everything. That's up to the City Council. That has nothing to do with us. I'm just bringing it up that, you know, I thought I knew a lot about *Robert's Rules of Order* until I started looking at it again.

Ms. Allenspach stated I've never heard of that one. Mr. Balfany stated that would be on us as well. Mr. Holmes stated correct. Mr. Cornicelli stated start talking about verbatim minutes, which is also a... Mr. Holmes stated no, but I think it's something that the City Council should look at and it shouldn't take long. They can just say, 'Hey, he's got no vote. That's it.' Or, whatever you want to do. It's just something that should be there and we probably will never, ever use it. I've got too much time on my hands.

Ms. Allenspach stated or maybe they did look at it and there's something in our ordinance that says we're not doing that. Mr. Bonin stated that's the same import to me because we're only a recommending board anyway. Ms. Allenspach stated right. Ms. Bonin stated and Council's going to decide what they want no matter what that person would do as far as what we're saying.

Mr. Holmes stated but it states the ex-officio at our meetings will, according to the City Council. Mr. Bonin stated so if we leave it the way it's been now, he doesn't have a vote, he doesn't have a say. Mr. Holmes stated right, and that's fine with me.

Discussion of  
Council Liaison  
Vote

I could care less even if he does have a vote. It doesn't matter. Mr. Cornicelli stated I think he's forming an opinion right now. Mr. Holmes stated I'm just saying if we're going by *Robert's Rules of Order*, we're supposed to, that they should make that determination and put that in our ordinance.

Ms. Allenspach stated I have served in another city as a council member and as a liaison to committees such as this and that's never been, I've never had a vote or any say. It's been an informational type of thing only, which is what we have here. Mr. Holmes stated and it depends on the city or whatever. I can see where there's instances where they would want the ex-officio to vote but I don't think we need that here unless Tim wants to vote, or whatever. But, that's up to City Council. I just thought I'd bring it up.

Mr. Plaisance stated well I think Lorraine's point was well taken when she was saying that, you know, we are just an advisory board. It's not like the decisions that we make here are going to be the decision that's for the City. So, it's only a recommendation. So, what we would be doing is saying, 'Yes, I think we should be recommending this to the Council.' Or, 'No, we shouldn't.'

Mr. Holmes stated but it does effect, maybe, some City Council decisions what we do. Mr. Plaisance stated it could. I'm not saying we shouldn't have that recommendation to them that they should come up with what you're discussing. I'm just saying I think that Lorraine made a very good point. Mr. Holmes stated oh, yeah, no, I agree.

Ms. Bonin stated and besides that, if he has a vote and changes what we're saying, then he gets two votes. He gets a vote here and he gets a vote at Council, which isn't really fair either I don't think. Mr. Balfany stated his vote would be, could be theoretically, the same because the information that's getting brought over is the same. Because it's really our job to review and make the recommendation for the City Council to have a lighter review of it to form their opinion. Mr. Terry stated we could give him half a vote.

Future Development  
Activity Discussion

Mr. Balfany stated Colleen, while you're looking that up, if I could slightly change topics. Where are we at with the project off Viking, the subdivision over there? What happened with that? It seems it kind of faded. Ms. Winter stated I think there's still interest in potentially doing something but I think they want to see what's going to be generated on the corner.

Mr. Holmes stated I think that's the problem the City's having. Everybody's waiting for somebody else to start something. Everybody's waiting for somebody else and nothing's happening.

Mr. Cornicelli asked have we still not heard anything from them? When was the last time we did? A year ago? A year and a half? Ms. Winter stated no, they have participated and I think they were at the last Roads or maybe Council. When we're talking about this road project, they've been very active participants in terms of being aware of what's happening with the road. And, when I say 'road' I'm talking about the continuous intersection, however they define that, what Tim brought up on Highway 65.

**Future Development  
Activity Discussion**

Mr. Balfany stated they paid quite a bit of money to have the turn lane on Viking put in. Obviously, they kind of had to if they ever wanted to sell the property, if that was their intent. I mean, obviously, I think everybody's a little anxious to see what's going to happen. And, I think it's going to be a 'tipping point' for what I hope will be the next expansion in the City.

Mr. Holmes stated well my guess is that the new grocery store up in Isanti will make a big change in what happens down here. Ms. Bonin asked what's that? Mr. Holmes stated Coborn's is going in Isanti on the southeast corner, next to a bank.

Mr. Balfany stated I guess for me that still falls within that 15 minutes from that intersection. I mean, if we go back to the data, I forget what company pulled out all that information but even when they did the demographics from the dead center of that intersection, a 15-minute radius, or 15 mile, I forget how they determined it, but what is it, there's a need for \$20 million or \$19 million of grocery per year.

Mr. Cornicelli stated that was, you now, that's four years old. Mr. Balfany stated yeah, but I'm just saying it still shows that there's a need. I do think from that position, literally, 15 minutes from everything: Isanti, Andover, Blaine, Forest Lake, and St. Francis. Literally, it is 15 minutes from everywhere. Even if you took half that size, of that \$19 million or even if you went down to \$15 million, that's still \$7 million a year in grocery revenue. I'm pretty sure you'd capture the majority of people within that radius.

Mr. Cornicelli stated I'm only a third of a mile in from Linwood so where I sit, I'm 12 from Forest Lake, 13 from St. Francis, and 18 to Cambridge. Mr. Balfany stated and I'm 5 in off of Viking over by Coon. Yeah, it's all six of one, half a dozen of another. It's no good trip. Literally, pull out of the neighborhood and go, 'Do I want to go right or left?' It doesn't really matter. Ms. Allenspach stated exactly. Mr. Plaisance stated it's a matter of convincing the investor though, to actually make that 'leap' and at this time they haven't done that.

Mr. Balfany asked do we know if the EDA's been doing anything? Ms. Winter stated the EDA's been very active. In fact, they had a meeting last night and they approved their 2016 Work Plan. So, they definitely have some strong goals to pursue some business entities. But the struggle always is, you know, development will happen when development happens, somewhat. Mr. Cornicelli stated who 'blinks' first. Ms. Winter stated exactly and that's part of it. Is it rooftops? You need more rooftops in order to support the commercial development? You need the commercial development in order to get rooftops here? So, it's a tough one.

**11.0 Adjournment**

**Mr. Holmes moved to adjourn the meeting at 8:28 p.m. Mr. Balfany seconded the motion; all members were in favor, motion carried.**

Submitted by: Carla Wirth *TimeSaver Off Site Secretarial Inc.*