

**REGULAR MEETING OF THE DASSEL CITY COUNCIL
JULY 17, 2017, 7:11 P.M.
DASSEL CITY HALL**

The regular meeting of the Dassel City council was called to order by Mayor Hungerford at 7:11 p.m. on July 17, 2017 at the Dassel City Hall.

Mayor Hungerford led the opening Pledge of Allegiance.

Present: Council members Bemenderfer, Carlson, Hallquist, Weseloh and Mayor Hungerford (5)
Absent: (0)

APPROVAL OF MINUTES

Motion by Bemenderfer, seconded by Carlson to approve the June 19, 2017 Public Hearing meeting minutes as presented, with one correction to the meeting location. Motion carried unanimously.

OPEN FORUM

David Backes presented the idea of a fishing pier at Spring Lake Park and solicited the council's assistance and support for the project. County Commission Housman stated he has been working on this project and the county is willing to enter into an agreement with the DNR for the pier. It will be approximately 108' long at a cost of \$35,000. There are no grants available through the DNR for the pier. The Council agreed to consider contributing monies toward the purchase in the 2018 budget.

Matt Doughty presented a donation request for the purchase of a fire dog mascot costume. He has been soliciting donations from local businesses and will be walking the parade route for additional donations toward the \$3,000 cost of the costume. The costume will be used at schools and events to raise fire safety awareness.

Motion by Hungerford, seconded by Bemenderfer to donate \$500 toward the purchase of a fire dog mascot costume and fire safety awareness, from account 101-41000. Motion carried unanimously.

Larry Oberg, Red Rooster Day Grande Parade Chair spoke to the council in regard to the need for additional volunteers to help organize the parade and assist along the parade route. Mayor Hungerford invited volunteer participation in every aspect of the weekend long events and encouraged people to contact city hall to find out what opportunities are available.

ADDITIONS TO THE AGENDA

Item 9A2. Cokato Dassel Rotary temporary liquor license application and Item 9G2. Water control panel upgrade quotes.

Motion by Weseloh, seconded by Hallquist to approve the agenda with the two additions listed above. Motion carried unanimously.

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Council & Committee Reports

Motion by Bemenderfer, seconded by Carlson to make the following committee appointments:

- 1. Historical Society Board Liaison-Mayor Hungerford**
- 2. Planning Commission Liaison-Weseloh**
- 3. Red Rooster Festival Committee-Weseloh**

Motion carried unanimously.

Council member Bemenderfer reported on the Website Committee meeting last week. He said the focus has changed from completely overhauling the site to contacting Vivid Image for options on upgrading the existing site.

DEPARTMENT REPORTS

Clerk/Treasurer

Clerk Boese reported on the following upcoming meetings:

- A. Discover Dassel, July 18th at 5 p.m., Dassel History Center
- B. DC Trail Board, July 20th at 5:00 p.m., Cokato City Hall
- C. Dassel Area Historical Board, July 25th at 10:00 a.m., Dassel History Center
- D. EDA Board, August 3rd at 5:00 p.m., Dassel City Hall
- E. Red Rooster Committee, August 3rd at 7:00 p.m., Dassel City Hall
- F. Discover Dassel, August 15th at 5:00 p.m., Dassel History Center
- G. Fire Advisory Board, August 15th at 7:00 p.m., Dassel Fire Hall

Motion by Bemenderfer, seconded by Hallquist to authorize Bolton & Menk to start the CIP review of the Ergot Museum and Event Center building and to explore options for expansion of the existing building. Motion unanimously carried.

The Council reviewed the Pioneerland Library System's request for a 3% budget increase (to \$1,623) in 2018. They agreed to consider the request in planning the 2018 budget.

Boese explained the notice of Non-Compliance received from the State Pay Equity Coordinator. The Coordinator had run additional reports after the city submitted the previously approved longevity pay implementation and it showed the city still out of compliance due to hourly wage disparity between a male class and female class. The city is required to be in compliance by July 27, 2017.

Motion by Weseloh, seconded by Bemenderfer to approve a \$.31/hour increase to the Museum Director's wage effective immediately to bring the city into compliance. Motion carried unanimously.

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Motion by Carlson, seconded by Bemenderfer to approve the Disclosure Request Form as recommended by the City Attorney for data information requests. Motion carried unanimously.

Motion by Hallquist, seconded by Weseloh to approve the Museum Custodian job description as presented and to advertise the part-time position (up to 20 hours per week) at \$10.50/hour. Motion carried unanimously.

The council reviewed the June recycling report from Waste Management which showed 45.7 tons of materials collected year to date.

Clerk Boese informed the council that the Meeker County Board of Commissioners would be reviewing the city's request to obtain Outlots C & E in Summit Hills for public purpose at their meeting on Tuesday, July 18th.

Motion by Bemenderfer, seconded by Weseloh to authorize the City Clerk to submit an application for a State Special Event Food License which will cover Discover Dassel, Fire Department and Red Rooster Chicken Feed events and to coordinate with the DC Saints Baseball Association, Cokato Dassel Lions and Cokato Dassel Rotary clubs at a cost of \$85.00. Motion carried unanimously.

The council will hold a special workshop meeting to review the 2018 preliminary budgets on Wednesday, August 16th at 6:00 p.m. at the City Hall.

Motion by Carlson, seconded by Bemenderfer to approve the Cokato Dassel Rotary temporary liquor license application as presented, pending the receipt of all required paperwork. Motion carried unanimously.

City Attorney

Attorney Greenley provided an update on the Miller Manufacturing/Golden Angle Properties easement/vacation request. He reviewed his discussion with Golden Angle's attorney and suggested the council should consider holding a closed meeting to discuss strategy on this issue. The council agreed and will hold a closed meeting in conjunction with their next regular meeting on August 21, 2017.

Fire Chief

Assistant Chief Enerson reported the department responded to 22 calls in June for a total of 140 year-to-date.

Liquor Store Manager

Mayor Hungerford reported total sales of \$119,443.46 for the month of June at the Liquor Store. This is a 12% increase over last year. July 2nd the first Sunday sales date since the city ordinance change resulted sales above expectation.

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Museum Director

Director Holje reported on the upcoming Rooster Ruckus and Swedish Farmstead events. She informed the council that she is working on a grant application for the window repairs required in the Ergot building. The repair estimate is approximately \$34,000.

Public Works Director

Director Zwilling reported on the following items:

- A. The sprinkler system in Breeds Park has a leak and will be fixed shortly.
- B. The street lights on Atlantic Ave that are not working will be repaired as soon as the parts arrive.
- C. The council discussed street lighting in the city and it was agreed that Director Zwilling should review the current street lighting and recommend additional streets lights be installed as part of an overall lighting plan.
- D. Zwilling will be painting the curb and handicapped symbol outside city hall on Third Street as this was not included in the stripping work that was recently completed in the downtown areas.

Motion by Bemenderfer, seconded by Carlson to approve repair of the sink hole on the corner of Simmons Ave and 3rd St and accept the low bid from Mid MN Hot Mix in the amount of \$4,750. Motion carried unanimously.

Motion by Bemenderfer, seconded by Weseloh to authorize cleaning of 4 storm drain basins and accepted the low bid from the City of Litchfield not to exceed 10 hours at a cost of \$130.00. Motion carried unanimously.

City Engineer

Motion by Troy Zwilling to replace Dave Scepaniak and Mayor Hungerford to replace Sherri Bjork on the Wellhead Protection Planning Team. Motion carried unanimously.

Engineer DeWolf reviewed the Wellhead Protection Plan, Part 1 for the council and answered various questions about the report.

Motion by Weseloh, seconded by Hallquist to accept the Wellhead Protection Plan, Part 1 as presented and forward to the MN Department of Health for final approval. Motion carried unanimously.

The Plan, Part 1 review for the Local Units of Government will be held at the city hall on August 8th. Part 2 Scoping meeting will be held August 29th.

Two bids were received for replacement of the control panel at the water plant: Automatic Systems Inc. \$31,340.00 and Quality Flow Systems, Inc. \$32,460.00.

Motion by Weseloh, seconded by Bemenderfer to accept the low bid from Automatic Systems Inc. for \$31,340.00 to upgrade the main control panel, replace the failing and obsolete PLTU in the main and I/O control panels, replace the obsolete PLTU & LC RTUs

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at the well house and Elevated Tank with Rockwell PLCs and to request payment be deferred until 2018 as presented in the proposal.

Motion by Weseloh, seconded by Hungerford to amend the previous motion to pay the cost of repairs out of the 2017 water fund budget. Motion carried unanimously.

Sheriff's Report

Deputy Johnson reported they had responded to 58 calls in the city during the month of June.

He also encouraged residents participate in National Night Out on August 1st from 5-8 p.m. in conjunction with the Fire Department.

CLAIMS FOR PAYMENT

Motion by Carlson, seconded by Hungerford to approve payment of claims in the amount of \$203,454.48 as presented. Motion carried unanimously.

New Business

Motion by Carlson, seconded by Bemenderfer to adopt Resolution 2017-013 Amending Summit Hills PUD as recommended by the Planning & Zoning Commission as follows:

**RESOLUTION AMENDING THE PLANNED UNIT DEVELOPMENT
KNOWN AS SUMMIT HILLS TO ALLOW
PERGOLAS ON THE COMMON LOT IN SUNRISE CIRCLE**

WHEREAS, the Planned Unit Development (PUD) known as Summit Hills consists of approximately 60 acres, and is legally described as:

- Lots 1-12, Block 1, Summit Hills
- Lots 1-8, Block 2, Summit Hills
- Lots 1-5, and Lots 27-33, Block 3, Summit Hills
- Lots 1-11, Block 4, Summit Hills
- Lots 1-3, Block 5, Summit Hills
- Lots 1-10, Block 6, Summit Hills
- Lots 1-12, Block 7, Summit Hills
- Lots 1-4, Block 8, Summit Hills
- Lots 1-4, Block 9, Summit Hills
- Outlots A, B, C, D, E, F and G, Summit Hills

and

- Lots 1-18, Block 1, Sunrise Circle

WHEREAS, the City of Dassel adopted Resolution #2017-009 approving the PUD on May 15, 2017, and further amended the Resolution on May 18, 2017; and,

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WHEREAS, Lot 18, Block 1, Sunrise Circle, is intended as the common area for the homes in Sunrise Circle; and

WHEREAS, the owner and developer of Lots 1-18, Sunrise Circle requested an amendment to the PUD to allow the placement of 12' by 14' pergolas on the common area adjacent to Lots 6, 7, 8, 9, Block 1, Sunrise Circle; and

WHEREAS, the City of Dassel Planning & Zoning Commission considered the proposed PUD Amendment at a public hearing on July 13, 2017; and

WHEREAS, the Planning & Zoning Commission proceeded to hear all persons interested in this issue and persons interested were afforded the opportunity to present their views and objections related to the PUD; and

WHEREAS, the Dassel City Council considered the PUD Amendment for Summit Hills on July 17, 2017; and

WHEREAS, the City Council finds the amendment to PUD is compatible with the stated purposes and intent of Chapter 153.042 of the Zoning Regulations.

NOW THEREFORE BE IT RESOLVED, the City Council of Dassel hereby adopts the following Findings of Fact:

- (1) **General intent.** The amendment to the PUD is consistent with intent and purpose of Chapter 153.042 of the Dassel Zoning Regulations, and is consistent with the original development concept for Summit Hills.
- (2) **Effect.** The amendment to the PUD will not adversely the surrounding uses either directly or indirectly by caused by traffic, noise, pollution and the like. The PUD consists of existing platted and buildable lots.
- (3) **Off-street parking and loading.** The amendment to the PUD has no impact on the off-street parking for the proposed uses.
- (4) **Recreation.** The amendment to the PUD will provide outdoor living space for the occupants of the homes on Lots 6-9, Block 1, Sunrise Circle.
- (5) **Coverage and plantings.** The PUD will continue to provide suitable yards for the proposed single family and townhome uses with the amendment.
- (6) **Feasibility.** The amendment to the PUD is not in conflict with other development, existing or planned.
- (7) **Traffic circulation.** The amendment to the PUD does not impact access and internal circulation for the traffic expected to be generated by this development and for ease of maintenance, fire and police.
- (8) **Site data.** The amendment to the PUD requirements and development standards is specified in the attached, table.

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THEREFORE, BE IT FURTHER RESOLVED, the Dassel City Council hereby approves the amendment to the Summit Hills Planned Unit Development subject to the following conditions:

1. The following Exhibits are attached to this resolution and shall be made part thereof:
 - a. Summit Hills PUD Requirements, dated June 19, 2017, and amended July 17, 2017.
2. The allowed pergolas may be no larger than 12' by 14', and are only permitted adjacent to Lots 6-9, Block 1, Sunrise Circle.
3. The pergolas may not be screened, roofed, or otherwise enclosed.
4. The pergolas located on Lot 18, Sunrise Circle, adjacent to Lots 6-9, Block 1, Sunrise Circle, may not be located any closer to the rear lot line than the existing platted rear lot lines of Lots 6-9, Block 1, Sunrise Circle.

THEREFORE, BE IT FURTHER RESOLVED, this Resolution supersedes all previous resolutions adopting the Summit Hills Planned Unit Development.

Motion carried unanimously.

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**Summit Hills PUD Requirements
 Approve by City Council, May 15, 2017
 Amended May 18, 2017
 Amended July 17, 2017**

	<p>PUD Proposed Restrictions Lots 1 through 3, Block 1, Summit Hills; Lots 1 through 8, Block 2, Summit Hills; Lots 1 through 5, Block 3, Summit Hills; Lots 27 through 33, Block 3, Summit Hills; Lots 1 through 11, Block 4, Summit Hills; Lots 1 through 3, Block 5, Summit Hills; Lots 1 through 10, Block 6, Summit Hills; Lots 1 through 12, Block 7, Summit Hills; Lots 1 through 4, Block 8, Summit Hills; Lots 1 through 4, Block 9, Summit Hills;</p>	<p>PUD Proposed Restrictions Townhome Development Lots 4 through 12, Block 1, Summit Hills and Lots 1 through 18, Block 1, Sunrise Circle</p>
Permitted Uses	<p>One to Two-family Residential Dwellings</p> <p>Accessory uses secondary to the principal building</p>	<ul style="list-style-type: none"> • Attached dwellings shall be permitted as platted • Lot 4, Block 1, Summit Hills and Lot 18, Block 1, Sunrise Circle are intended as common areas for the townhouse developments. 12' by 14' pergolas are permitted adjacent to Lots 6-9, Block 1, Sunrise Circle. No buildings are permitted in this area, unless the PUD is amended. • Any replatting shall be done for single-family detached residential development only or require an amended PUD.
Lot Area	Lots shall be conforming as platted in the Summit Hills Development Plat dated September 2005 or Sunrise Circle Plat dated June 2006. Any replatting must conform to the R-2 Zoning District	
Lot Depth	100 feet or as platted	
Lot Width	Lots shall be as platted in the Summit Hills Development Plat dated September 2005. Any replatting must conform to the R-2 Zoning district.	
Minimum Floor Area	1,004 SF (or 1,600 for split level or 2 story structures)	Building footprint for attached or detached single family units in Lots 1 -12, Block 1, Summit Hills, and Lots 1 -17, Block 1, Sunrise Circle shall conform with the lot lines of the platted lots.
Height Limit	Less than 35 feet	

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Front Setback	Must comply with the setback buildable area as shown in the approved PUD Exhibit A. If Townhome Development is re-platted, setbacks must conform to R-2.	As platted or per the R-2 Zoning District if replatted.
Rear Setback	25 feet	As platted or per the R-2 Zoning District if replatted. The pergolas located on Lot 18, Sunrise Circle, adjacent to Lots 6-9, Block 1, Sunrise Circle, may not be located any closer to the rear lot line than the existing platted rear lot lines of Lots 6-9, Block 1, Sunrise Circle.
Side Yard Setback	6 feet (interior lot) 20 feet for side yards adjacent to the street	
Building Finish	Stucco, Brick, Stone, Wood, or simulated wood siding or permanent siding	
Accessory Structure Size (max)	<p>600 SF and not more than 9 feet side walls. Shall not exceed more than 30% of any rear yard. Not closer than 6 feet from rear lot line, or 16 feet if the rear lot line abuts a public street.</p> <p>Any property owner wishing to purchase a contiguous property must complete a lot combination in order to construct an accessory structure in said adjacent contiguous property. A minor subdivision is required for any property that wishes to be deeded to multiple entities. The accessory structure shall be located at a greater distance from the front lot line than the principal structure.</p> <p><i>Any property purchased with an accessory structure shall have a primary structure constructed on the property within one year.</i></p>	<p>12' by 14' pergolas are permitted adjacent to Lots 6-9, Block 1, Sunrise Circle. No accessory structures are permitted on Lots 4 -12, Block 1, Summit Hills and Lots 1 -18, Block 1, Sunrise Circle.</p>
Garages	Must have a 2 - 4 stall attached garage. The garage shall be a minimum of 22 feet wide.	Must have a 1-2 stall attached garage
Roof	Must have a pitched roof with shingles or tile and eaves of not less than 12 inches. No residence erected on any lot shall have less than 75 percent of the roof surface of gable, nip or gambrel construction and all gabled roofs shall be covered with shingles of wood or composition, or slate or tile. The construction of the gables portion of the roof shall not be less than 5/12. A garage on any such building lot shall be of construction and architectural type similar to the residence of such lot.	
Driveway	Bituminous or Masonry product	

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Construction	Must complete construction within 12 months of commencement. No piered foundations shall be allowed.	
Grading / Runoff	Must control surface water runoff and prevent sedimentation per MPCA stormwater permit. Must perpetuate drainage patterns per original design.	
Variance	Any request to change the requirements or standards for single family or 2-family homes in this PUD must be processed through a variance application.	Townhomes must comply with building footprints as platted.
Outlots	Outlots A, C, D, E, and G as currently platted are not buildable lots. Future development of these lots will require an approved PUD or other development plan and a new plat.	
City Owned Land	The City-owned land described as Lots 1-6, Block 6, and a portion of Outlot G, Summit Hills, is designated for City Park use. The City-owned land described as Outlots B and F, Summit Hills, are designated for stormwater ponding and drainage purposes.	

Council member Weseloh read a statement regarding a concern he had received about the city not processing liquor license applications on a timely basis. After some discussion, the council agreed that going forward all liquor license applications including insurance and license fee must be received by the city a minimum of 30 days in advance of the renewal date of the license. The clerk will send notice to the license holder to find out if they intend to renew the license and place the renewal on the May City Council agenda for approval. The clerk will send a second notice to the license holder to let them know the council has approved the license pending the receipt of all required paperwork and license fee following the approval. It is the license holder's responsibility to submit the application, certificate of insurance and license fee to the city no later than 30 days in advance annually.

The council instructed Clerk Boese to send a letter to Thirsty's Tavern outlining the direction above in regard to their license.

Motion by Carlson, seconded by Bemenderfer to adjourn the meeting at 9:23 p.m. Motion carried unanimously.

ATTEST:

 Ronald Hungerford
 Mayor

 Terri Boese
 Clerk/Treasurer