

EUREKA TOWNSHIP
DAKOTA COUNTY
STATE OF MINNESOTA

Eureka Planning Commission Meeting of February 2, 2015

CALL TO ORDER

Planning Commission Chair Hansen called the meeting to order at 7:02 p.m. Planning Commission members present: Chair Hansen, Commissioner Lu Barfknecht, Commissioner Carrie Jennings, Commissioner Allen Novacek and Commissioner Phil Cleminson. Supervisor Chair Kenny Miller attended as Town Board liaison. See attached sheet for additional persons in attendance. Deputy Clerk Cheryl Murphy recorded the minutes.

APPROVAL OF THE AGENDA

Commissioner Novacek made a motion to approve the agenda. Commissioner Jennings seconded the motion. Motion carried unanimously.

APPROVAL OF MINUTES

January 5, 2015 – Monthly Planning Commission Meeting. The following changes were made to the minutes:

- Page 3, Paragraph 1 – Change motion carries to “4-1”
- Page 3, B3 - Paragraph 3 – Hyphenate “point-by-point”

Commissioner Jennings made a motion to approve the minutes as amended. Commissioner Barfknecht seconded the motion. Motion carried unanimously.

January 20, 2015 – Planning Commission Special Meeting. The following changes were made to the minutes:

- Commissioner Jennings was absent for this meeting, but would like it recorded that “she was absent because the meeting was scheduled at a time when she could not attend.”
- Throughout the document – Cannon River needs to be corrected (sp)
- Page 1 – Paragraph 3 under Vermillion River Watershed Permitting Process, Line 4, “Change to Storm Water Management Plan – Capitalization of Water”
- Page 2, Paragraph 3, change use to “used”

Chair Hansen made a motion to approve the minutes to the Planning Commission Special Meeting of January 20, 2015 as amended. Commissioner Novacek seconded the motion. Motion carried 4-1. Commissioner Jennings abstained.

LAND USE AND ZONING

- **Justin Friedges– 10396 225th Street -Land Use and Zoning Request Application**

Mr. Friedges' application was to crush concrete for two weeks. Discussion was held regarding the Ordinance performance standards and it was noted that existing mine sites are allowed to crush concrete obtained from within the Township without a permit. After further discussion, it was agreed to forward the application on to the Town Board for review.

Motion was made by Chair Hansen, seconded by Commissioner Novacek to forward the application of Justin Friedges to the Town Board for review. Motion carried by unanimous vote.

AGRITOURISM – It was noted that a public hearing regarding the proposed Agritourism Ordinance was rescheduled for February 17, 2015 at 7:00 PM.

Commissioner Jennings asked if the definitions were reviewed – she feels the Planning Commission still needs to do some work on this. The Attorney's letter came in with some suggested changes (a total of three letters). Chair Hansen commented that one of his letters was sent in regard to roads and parking, but the Planning Commission was already past that. The Attorney had some suggestions regarding what size of kitchens should be allowed, terms used regarding revenue by products grown and raised on the property. There was much discussion on the Attorney's three letters.

Commissioner Barfknecht made a motion to include under Chapter 3 Definitions, Section E, and Non-Agricultural Products what the Attorney is suggesting – *“Products that are not the result of processing animal or plant material and are not edible. This would include, but not limited to clothing, toys, books, DVDs, or any other type of recorded media.”* Commissioner Jennings seconded the motion. Motion carried unanimously.

Commissioner Novacek made a motion to send the Agritourism documents on to the Board as amended. Chair Hanson seconded.

Discussion was held. Commissioner Jennings stated she does not feel the ordinance is ready for review by the Board.

A vote was taken on the motion. Motion failed

Commissioner Jennings made a motion to replace the current line in Paragraph A, Section 2, Chapter 7 with the following verbiage as suggested by the Attorney in both of his letters, *“At least 50% of the sales revenue be generated by products grown or raised on the property”*. Commissioner Barfknecht seconded the motion. Motion carried 4-1 with Commissioner Novacek voting nay.

Commissioner Jennings made a suggestion to address the size of the kitchens and would like to discuss this as mentioned on Page 3, Number 6, and Page 4, Number 6 that was mentioned in two of the Attorney's letter. There was much discussion on the size of kitchens, but no motion was made.

Chair Hansen made a motion to send the document as amended to the Town Board for review. Commissioner Novacek seconded the motion. Motion carried 4-1 with Commissioner Jennings voting nay.

WATERSHED ORDINANCE

Discussion was held regarding the Watershed Ordinance and the proposed application form and attachments, as well as procedures in implementing the ordinance.

Commissioner Jennings requested a change to clarify the chart on page 7 of 17 of the Watershed application. The Deputy Clerk was directed to make requested changes.

Commissioner Cleminson made a motion to change Page 7 of 17 to be modified to ensure that the last three rows of the table are marked or highlighted. Commissioner Barfknecht seconded the motion. A Friendly Amendment was suggested to page 17 and was handed to the Deputy Clerk to make the requested changes. Commissioner Barfknecht accepted the friendly amendment. Motion carried on a 4-1 vote with Commissioner Novacek voting nay

TOWN BOARD UPDATE-Supervisor Miller noted the following:

- The Watershed application is on the Town Board agenda for Monday, February 9, 2015, as well as the review of the Agritourism Ordinance.
- Budget meeting scheduled for Wednesday, February 4, 2015. Will try to set a budget that will be acceptable to all.
- A Road Committee is being proposed.
- Update on office IT issues.

NEW BUSINESS

Setting a Public Hearing for Recodification. Discussion was held regarding the recodification of the Township ordinances.

Commissioner Jennings made a motion to table setting a public hearing until documentation is provided for review by the Commission. Commissioner Barfknecht seconded the motion.

Board Supervisor Miller stated that according to the Township Attorney's definition—the recodification is basically a change in the numbering or retitling. He agreed that the Planning Commission needs to have the documentation requested. Chair Hansen stated

that before a public hearing is scheduled, the citizens are going to want the minutes from Resolution 59, Resolution 64, and minutes from the public hearing.

Board Supervisor Miller suggested that the Commission put together a list of questions to be presented to the Town Board for response either by the Board or the Township Attorney.

Motion on the floor to table the item carried unanimously.

Chair Hansen made a motion to forward to the Board the questions of Resolution 59, Resolution 64, public hearing minutes and 2010 minutes. Commissioner Novacek seconded the motion.

Motion carried on a 4-1 vote with Commissioner Jennings voting nay.

Policies and Procedures. Chair Hansen commented that the draft that provided was never actually adopted by the Commission.

Chair Hansen made a motion to table the Policies and Procedures Manual until the March meeting and asked that everyone come prepared to address the document page-by-page and section-by-section to make changes. Commissioner Jennings seconded the motion. Motion carried unanimously.

Commissioner Jennings made a motion to adjourn the meeting. Commissioner Barfknecht seconded the motion. Motion carried unanimously.

Meeting adjourned at 9:02 PM.

Cheryl Murphy
Deputy Clerk

Minutes approved by the Planning Commission on March 2, 2015.