



AGENDA
Nowthen City Council
May 11, 2021
@ 6:15 PM

6:15 pm – 6:45 pm

1. Interview - Planning & Zoning Candidate

7:00 pm

2. Call to Order
 - Roll Call
 - Approve Agenda
3. Consent Agenda
 - Approve April 13, 2021 City Council Meeting Minutes
 - Approve Treasurer's Report and Claims dated April 7, 2021 thru May 10, 2021.
 - Resolution 2021-22 Accepting a Donation from the Elk River Youth Hockey Association
4. Financial
 - a) 2020 Audit Report – Mike Pofahl
5. Fire Department
 - a) RCA – SCBA Compressor & Fill Station
 - b) Inventory needs
6. Planning & Zoning
 - a) 19745 Nowthen Blvd-FX Auto Repair – Conditional Use Permit
 - b) Draft Ordinance Regarding Grading/Landscape Escrows
 - c) Discussion of Architectural Design Guidelines for Commercial/Industrial Districts
7. Recycle Center
 - a) RCA – Recycling Center Employee
8. For the Greater Good of the Council
9. Adjourn

City of Nowthen
City Council Meeting
April 13, 2021, 7:00 PM

1. Meeting Called to order at 7:00 PM.

Members attended: Mayor Pilon, Councilmember Greenberg

Members attended via phone: Councilmember Alders, Councilmember Greenberg,
Council Member Rainville

Also in attendance: Sheriff's Commander Wayne Heath

Council Member Rainville suggested that the Council goes back to meeting via Zoom until things are looking better due to the pandemic and members currently having COVID, but she will go with what the majority of Council votes. Council Member Greenberg, Blake, Alders and Mayor Pilon stated that they are all comfortable meeting in person moving forward.

The intent of this meeting is to get through the pertinent information needed and recess the meeting to Tuesday, April 20th at 7:00 pm.

The following items will be recessed until Tuesday, April 20th:

9. Public Works

- a) Purchase of Capital Equipment-Mack Truck, continued
- b) Resolution 2021-11 Approving the 2021 Crack Seal Plan
- c) Resolution 2021-12 Approving the 2021 Proposed Gravel & Dust Control Plan
- d) RCA – Seasonal Park/Recycle Center & Seasonal Truck Driver

10. Recycle Center

- a) Clerk's Presentation – History & Recommendations
- b) RCA – Council Member Rainville

11. Administration

- a) RCA – City Facebook Page
- b) Resolution 2021-07 North Metro Animal Control Contract, continued

MOTION BY ALDERS TO APPROVE THE REVISED AGENDA TO INCLUDE CONSENT AGENDA, FLOOR ITEMS, SHERIFF'S CONTRACT, ENGINEERING ITEMS & FIRE DEPARTMENT JOINT POWERS AGREEMENT, AND COTE LOT SPLIT 2ND BY GREENBERG; ROLL CALL VOTE: AYE – ALDERS, GREENBERG, RAINVILLE, PILON, NAY – BLAKE; MOTION CARRIED.

MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED BY GREENBERG, 2ND BY RAINVILLE; ROLL CALL VOTE: AYE – ALDERS, BLAKE, GREENBERG, RAINVILLE, PILON; MOTION CARRIED.

FLOOR ITEMS

Anthony Schlegel, Zimmerman, Minnesota

Mr. Schlegel explained that in years past, the Elk River Youth Softball Association used the Nowthen softball field and the field at Twin Lakes Park, and in lieu of payment, have maintained them during their softball season. They would like to know if that could still be an option this year. Their season is May 1st thru July 31st, Mondays, Tuesdays and Thursdays.

Anthony will contact City Clerk Streich and ask to be added to the meeting agenda for Tuesday, April 20th.

SHERIFF'S REPORT

Commander Heath is in attendance to discuss the 2022 Law Enforcement Contract. This is an unfortunate time to have to discuss law enforcement contracts since we have a lot of difficult issues facing our communities and our nation, especially when it comes to law enforcement – there's a lot of concerns. One of the things that Commander Heath wanted to remind the council of when talking about law enforcement, specifically the Anoka County Sheriff's Office is the relationship and the history that they have with the city. At the Sheriff's Office, their mission statement is to protect and serve the community in a manner that preserves the public trust. Those are not just words put down on a piece of paper. That is the expectation of their Sheriff as to how they provide service to their communities. That is their guidepost and what they use to decide what they are doing is the right direction to go.

The Anoka County Sheriff's Office provides law enforcement services to all 21 communities in Anoka County, from the very south end of Anoka County in Columbia Heights, bordering Minneapolis, all the way up to Nowthen. They are the exclusive law enforcement provider for 8 of the communities in Anoka County, which means they are basically their police department. Those include the cities of Nowthen, Oak Grove, Bethel, East Bethel, Linwood Township, Columbus, Ham Lake and Andover.

Their office has been present with Nowthen, (formerly Burns Township), since 1869 and they have been providing the law enforcement contract services since 2012.

Commander Heath is recommending a proposal of a 12 hour contract and having a deputy specifically assigned to Nowthen for that 12 hours. Looking at the calls for service over the past couple of years, the best time of the day is between 2:00 pm and 2:00 am. This would be 365 days per year. Nowthen currently pays for a Sheriff's fleet car and the Sheriff's Office would look at doing a dedicated car to the city to give a little bit more identity.

Heath also talked about a possible work station and a place to park their car for the deputy working in the city.

Commander Heath will provide an updated contract with exact numbers to Clerk Streich that she can forward to Council to provide any questions that the Commander can answer at a work session or future meeting.

6. Engineering

- MS4 Permit Updates

A number of things have changed regarding the MS4 Permit. In the past, the Engineer has handled the majority of the duties. With the new requirements, the Engineer worked with the Public Works Supervisor and Clerk Streich to identify who would be doing which of the responsibilities.

MOTION BY PILON TO AUTHORIZE STAFF TO SUBMIT THE MS4 PERMIT APPLICATION TO THE MPCA, 2nd by RAINVILLE; Unanimous. Motion Carried.

- Resolution 2021-13 Approving Plans and Specifications and Ordering Advertisement for Bids for Ebony & Garnet Street NW.

MOTION BY GREENBERG TO MOVE FORWARD WITH RESOLUTION 2021-13 APPROVING PLANS & SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR EBONY & GARNET STREET NW, 2ND by ALDERS; Unanimous. Motion Carried.

- Resolution 2021-14 Approving Plans and Specifications and Ordering Advertisement for Bids for the Roger's Lake Area.

MOTION BY RAINVILLE APPROVING PLANS AND SPECIFICATIONS, (INCLUDING 185TH LANE), AND ORDERING ADVERTISEMENT FOR BIDS FOR THE ROGER'S LAKE AREA, 2ND by BLAKE; Unanimous. Motion Carried.

- Resolution 2021-15 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment and Notice of Assessment Hearing.
Assessment Hearing date proposed – Thursday, May 13th at 7:00 pm.
Discussion continued regarding the total cost of \$880,000 or \$863,000 with the 2 amounts being shown, which one is correct, and does one include the upgrade to 185th.
Engineer Nelson stated that the correct number is \$863,763 and includes 185th. The resident's portion would be \$423,688. The city will cover a little more than half because of the culvert improvements that were made in the fall of 2020.

MOTION BY GREENBERG APPROVING RESOLUTION 2021-15 DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT AND NOTICE OF ASSESSMENT HEARING ON MAY 13TH AT 7:00 PM WITH THE AMENDED AMOUNT OF \$863,763 FOR 2021-15, WITH THE CITY'S PORTION BEING \$546,163 (WHICH INCLUDES THE CULVERTS AND SUB GRADE PREP WORK DONE IN 2020), AND THE RESIDENT'S PORTION BEING \$317,600, 2ND by Rainville; Unanimous. Motion carried.

- Resolution 2021-16 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment and Notice of Assessment Hearing.

MOTION BY GREENBERG TO APPROVE RESOLUTION 2021-16 DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT AND NOTICE OF ASSESSMENT HEARING, DATE THURSDAY, MAY 13TH AT 6:00 PM, 2ND by Alders; Unanimous. Motion carried.

- Resolution 2021-17 Declaring the Official Intent of the City of Nowthen to Reimburse Certain Expenditures from the Proceeds of Improvement Bonds to be Issued by the City

MOTION BY RAINVILLE TO APPROVE RESOLUTION 2021-17 DECLARING THE OFFICIAL INTENT OF THE CITY OF NOWTHEN TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF IMPROVEMENT BONDS TO BE ISSUED BY THE CITY, 2ND by Alders; Unanimous. Motion carried.

- Resolution 2021-18 Declaring the Official Intent of the City of Nowthen to Reimburse Certain Expenditures from the Proceeds of Improvement Bonds to be Issued by the City

MOTION BY ALDERS TO APPROVE RESOLUTION 2021-18 WITH THE AMENDED AMOUNTS, DECLARING THE OFFICIAL INTENT OF THE CITY OF NOWTHEN TO REIMBURSE CERTAIN EXPENDITURES FROM THE

PROCEEDS OF IMPROVEMENT BONDS TO BE ISSUED BY THE CITY, 2nd by Blake; Unanimous. Motion carried.

7. Fire Department

a) Joint Powers Fire Protection Agreement to Terminate

Mayor Pilon stated that the City of Ramsey is requesting this and they are also voting on this at their City Council meeting tonight as well. Attorney Ruppe agreed to the signing of this with the provisions that it would not go into effect if by chance the Governor fails to sign our legislation or the legislature significantly changes our legislation. This termination is in effect as of April 26, 2021.

Council Member Rainville asked if there was a revised agreement sent out that she is not seeing in the packet. And it would have been nice to know that in advance.

Council Member Alders also agreed that it would have been nice to know in advance.

Pilon said that is correct. He didn't know that this information wasn't communicated to staff. Attorney Ruppe's original statement was not to sign the agreement, but it was causing heartburn with our neighboring city, so he revised the agreement saying that it was fine to sign it but with the thought that if the legislature and governor have not done their part, it is null and void.

MOTION BY RAINVILLE TO APPROVE THE AGREEMENT TO TERMINATE, 2ND by Blake; Unanimous. Motion carried.

7. Planning & Zoning

a) Cote Lot Split

This involves 58.47 acres, splitting off 10 acres as Parcel A and keeping the remaining 48.47 acres as Parcel B. A single family home is proposed for each parcel. On Parcel A, the clarification is that the driveway that is to be constructed is to be centered on the 33 foot flag lot access. There is to be a 20 foot buffer on each side of the county and private ditches. These easements are for maintaining the ditch so there will be no utility easements, simply drainage easements. The driveway on Parcel B is to be a minimum of 15 feet from the west property line understanding at the easement on 201st, the county will designate where that driveway enters into that property and once it enters into the property, it needs to be at least 15 feet away from the west and needs to have proper drainage since the Tiger Street Development does drain through this property into the county ditch.

MOTION BY ALDERS TO APPROVE THE LOT SPLIT RECONFIGURATION AND CONDITIONAL USE PERMIT BASED ON THE FINDINGS AND RECOMMENDATIONS OF THE PLANNER AND THE PLANNING & ZONING COMMISSION, 2ND by Greenberg; 4 in favor, Rainville abstained. Motion carried.

MOTION TO RECESS UNTIL TUESDAY, FEBRUARY 20TH AT 7:00 PM TO ADDRESS THE REMAINING ITEMS ON THE AGENDA BY GREENBERG, 2nd by Rainville; Unanimous. Motion carried.

Respectfully Submitted,

Lori Streich, City Clerk/Treasurer

Jeff Pilon, Mayor

Unofficial

**CITY OF NOWTHEN
ANOKA COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2021-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NOWTHEN,
AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE ELK RIVER
YOUTH HOCKEY ASSOCIATION TO THE CITY OF NOWTHEN**

WHEREAS, the City of Nowthen from time to time receives donations from businesses, service clubs, nonprofit organizations and individuals; and

WHEREAS, these donations supplement and enhance existing city amenities; and

WHEREAS, the Elk River Youth Hockey Association wishes to donate \$14,237.09 to the City of Nowthen and asked that the funds be used for ice rink improvements; and

WHEREAS, the City Council wishes to publicly acknowledge the receipt of such donations.

NOW, THEREFORE, BE IT RESOLVED that the Nowthen City Council hereby accepts the donation of \$14,237.09.

PASSED, APPROVED AND ADOPTED by the Nowthen City Council at its regular meeting held this 11th day of May, 2021.

Jeffrey Pilon, Mayor

ATTEST:

Lori Streich, Clerk



CITY OF NOWTHEN

REQUEST FOR COUNCIL ACTION

Agenda Item #	Department: Fire	Requested Council Meeting Date: May 11 th , 2021	Submitted By: Dave Schmidt- Fire Chief
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TITLE OF ISSUE:

Purchase and installation of SCBA Compressor and Fill Station

BACKGROUND AND SUPPLEMENTAL INFORMATION:

The fire department is in need of a compressor and fill station for filling our SCBA's with breathing air. Under the past JPA, the fire department was able to fill SCBA's at the Ramsey Fire Stations or via a mobile compressor trailer, which is currently housed at the Nowthen Station, but is owned by Ramsey. Ramsey has agreed to loan the trailer to Nowthen until we are able to purchase and install our own compressor. The fire department has two quotes for compressor systems. MacQueen has quoted a system at \$34,387.69 and Fire Safety USA has quoted a system at \$33,427.00. We would anticipate an additional cost of electrical service upgrades to run the compressor at about \$1500.00.

SOURCE OF FUNDING:

The Council has set aside \$28,000.00 for a compressor and fill station. Leaving a budget short fall of \$6927.00. Staff believes we can identify other funding sources within city budget to cover the overage.

REQUESTED COUNCIL ACTION:

The fire department requests City Council approval to purchase an SCBA compressor and fill station through Fire Safety USA in the amount of \$33,427.00 with an additional amount of \$1500.00 for any electrical service upgrades that may be needed for project completion, for total project cost of \$34,927.00.

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:	Aye	Nay	
	_____	_____	Alders
	_____	_____	Blake
	_____	_____	Greenberg
	_____	_____	Pilon
	_____	_____	Rainville

SUPPORTED DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Plan Map

Other (specify) _____

Administration Department Use:

	Consent
	Regular

	Refer to: _____
	Tabled Until: _____
	Other: _____



FIRE SAFETY USA, INC.

3253 19TH STREET NW
ROCHESTER, MN 55901

TOLL-FREE: 1-877-699-3473
WWW.FIRESAFETYUSA.COM

ARCTIC COMPRESSOR AND FILL STATION TURNKEY SYSTEM

Includes:

- 6000 PSI 7.5HP 3 stage compressor
- Double fill Station with controls
- Four (4) 6000 PSI UN Cascade cylinders with piping, hose, and accessory hardware.
- Shipping and in-service setup
- First air sampling
- 5 Year Gold Extended Warranty

6000 PSI 7.5HP 3 Stage Compressor Features:

Magnetic starter, Hour meter

Auto drain, Auto pressure switch

Gauge panel and filter to process 24,000 cubic feet of air

Sound suppressing cabinet with CO monitor

Class II Containment Fill Station with Cascade Control Panel Features:

Manual locking pin for safety

Fill hoses with bleed valves and SCBA fill adapters

Plastic slides to protect from scuffing

Venting back and bottom for operator safety

4 bank controls and 4-1/2 inch bank gauges

0-6000 PSI input/output adjustable regulator

4 inlet connections from cascade

1 inlet connection for compressor

1 auxiliary outlet with valve



Package Price:

\$33,427



2021 MAKO COMPRESSOR PACKAGE QUOTE

PREPARED FOR:

NOWTHEN FIRE DEPARTMENT

QUANTITY:	DESCRIPTION:	UNIT PRICE:	TOTAL:
	COMPRESSOR CONFIGURATION:		
1	<p>MAKO MODEL BAM06X BREATHING AIR MODULE SINGLE OR TRIPLE PHASE ELECTRICAL MOTOR COMPRESSOR PACKAGE INCLUDING:</p> <ul style="list-style-type: none"> - FOUR STAGE, AIR-COOLED COMPRESSOR (10.2 CFM @ 6000 PSI) - 7.5 HORSEPOWER ELECTRIC MOTOR (230V/60HZ SINGLE OR TRIPLE PHASE) - UL LISTED ELECTRIC PANEL - DIRECT ONLINE IEC STARTER PACKAGE - PLC CONTROLLER - INSTRUMENTATION / CONTROLS: <ul style="list-style-type: none"> o HIGH AIR TEMPERATURE SWITCH o START/STOP AIR PRESSURE SWITCH o LOW OIL PRESSURE SWITCH - GAUGE PANEL INCLUDING: <ul style="list-style-type: none"> o HOUR METER o HIGH AIR TEMPERATURE WARNING LIGHT o HIGH AIR PRESSURE LIGHT o LOW OIL PRESSURE WARNING LIGHT o EMERGENCY STOP BUTTON o POWER ON/OFF LIGHT o FINAL STAGE PRESSURE GAUGE - MK2C PURIFICATION SYSTEM (PROCESSES 34,200 CF W/ AN 70 F INLET) - CO/MOISTURE INDICATOR KIT - AUTOMATIC CONDENSATE DRAIN WITH MUFFLER RESERVOIR - ENCLOSED, INSULATED, VERTICAL CABINET - HINGED ACCESS DOOR IN FRONT - REMOVABLE, HINGED ACCESS DOORS ON SIDES - 1/4" JIC MALE OUTLET FITTING <p>WEIGHT: 1,160 LBS.</p>	\$23,599.72	



MACQUEEN EMERGENCY

MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

OR	OR	OR	OR
1	<p>MAKO MODEL EA06X ECONOAIR SINGLE OR TRIPLE PHASE ELECTRICAL MOTOR COMPRESSOR PACKAGE</p> <p>INCLUDING:</p> <ul style="list-style-type: none"> - FOUR STAGE, AIR-COOLED COMPRESSOR (10.2 CFM @ 6000 PSI) - 7.5 HORSEPOWER ELECTRIC MOTOR (230V/60HZ SINGLE OR TRIPLE PHASE) - UL LISTED ELECTRIC PANEL - DIRECT ONLINE IEC STARTER PACKAGE - PLC CONTROLLER - INSTRUMENTATION / CONTROLS: <ul style="list-style-type: none"> o HIGH AIR TEMPERATURE SWITCH o START/STOP AIR PRESSURE SWITCH o LOW OIL PRESSURE SWITCH - CONTROL PANEL INCLUDING: <ul style="list-style-type: none"> o HOUR METER o HIGH AIR TEMPERATURE WARNING LIGHT o HIGH AIR PRESSURE LIGHT o LOW OIL PRESSURE WARNING LIGHT o EMERGENCY STOP BUTTON o POWER ON/OFF LIGHT - FINAL STAGE PRESSURE GAUGE - MK2C PURIFICATION SYSTEM (PROCESSES 34,200 CF W/ AN 70 F INLET) - CO/MOISTURE INDICATOR KIT - AUTOMATIC CONDENSATE DRAIN WITH MUFFLER RESERVOIR - 1/4" JIC MALE OUTLET FITTING - WEIGHT: 560 LBS. <p>*PLEASE NOTE: A CO MONITOR IS RECOMMENDED PER NFPA 1989</p>	\$18,575.44	

	FILL STATION OPTION(S):		
1	<p>MAKO MKBSCH2C4 MODEL SCFS2-4HP TWO POSITION, CONTAINMENT FILL STATION INCLUDING:</p> <ul style="list-style-type: none"> - <u>TWO POSITION</u>, FRONT LOADING, CONTAINMENT FILL STATION - LATCHING FRONT DOOR WITH SAFETY INTERLOCK - <u>TWO FILL WHIPS</u> WITH ISOLATION VALVES, BLEED VALVES AND SCBA FILL ADAPTERS- CGA THREADED - FILL PANEL INCLUDING: <ul style="list-style-type: none"> o REGULATOR COMPLETE WITH PUSH ACTION VALVE 	\$7,988.33	



MACQUEEN EMERGENCY

MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

	<ul style="list-style-type: none"> ○ INLET AND OUTLET GAUGES ○ COLOR ZONED GAUGES ○ SAFETY RELIEF VALVE ON OUTLET OF REGULATOR SET AT 4700 PSI ○ ONE FILL CONTROL VALVE AND GAUGE ○ <u>FOUR BANK CASCADE CONTROL</u> WITH "TO" AND "FROM" VALVES ○ BYPASS VALVE ○ REGULATED AUXILIARY OUTLET WITH VALVE AND HIGH PRESSURE MALE COUPLER ○ EMBEDDED SILK SCREEN AIR FLOW SCHEMATIC <p>WEIGHT: 877 LBS.</p>		
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AIR STORAGE OPTION(S):			
1	<p>SCBAS INC. MODEL SSS-460-B AIR STORAGE CYLINDER SYSTEM (WITH STORAGE RACK)</p> <p>INCLUDES:</p> <ul style="list-style-type: none"> - FOUR (4) 6000 PSI ISO/UN STORAGE CYLINDERS - FOUR (4) CGA-347 NUTS AND NIPPLE HARDWARE - FOUR (4) #4 JIC MALE ELBOWS - FOUR (4) POSITION STORAGE RACK <p>*DOES NOT INCLUDE INTERCONNECTION HARDWARE AND HOSES- SOLD SEPARATELY*</p>	\$6,278.92	

MACQUEEN EMERGENCY GROUP ON-SITE INSTALLATION AND SET-UP:			
1	<p>MACQUEEN EMERGENCY GROUP MAKO COMPRESSOR STANDARD SITE INSTALLATION AND SET-UP PACKAGE</p> <p>INCLUDES:</p> <ul style="list-style-type: none"> - STANDARD SITE COMPRESSOR LOCATION AND INSTALLATION - ALL INTERCONNECTING HARDWARE AND HOSES - STANDARD CONNECTION AND PRODUCT AIR LEAK TESTING - (1) INITIAL AIR QUALITY SET-UP TEST AND EVALUATION <p>*DOES NOT INCLUDE ELECTRICAL HOOK UP- TO BE PERFORMED BY YOUR LOCAL LICENSED ELECTRICIAN AND/OR THE COST OF EQUIPMENT REQUIRED TO MOVE/LIFT EXISTING AND NEW COMPRESSOR ITEMS*</p>	\$750.00	

MacQueen Emergency Group

4817 Viking Blvd. NE Ste 102, East Bethel, MN 55092
Phone 651-464-1010



MACQUEEN EMERGENCY

MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

1	ESTIMATED FREIGHT TRUCK DELIVERY COST(S): *THIS ESTIMATE DOES NOT INCLUDED THE ADDED COST OF LIFT GATE SERVICES IF REQUESTED* **THIS IS AN ESTIMATE ONLY AND CANNOT BE CONFIRMED UNTIL ACTUAL DATE OF DELIVERY**	\$795.00	
		PURCHASE TOTAL:	\$TBD
	MACQUEEN EMERGENCY GROUP'S RETURN POLICY:		
	*ALL RETURNS ARE SUBJECT TO MACQUEEN EMERGENCY GROUP'S RETURN POLICY - SPECIAL ORDER ITEMS CAN NOT BE CANCELLED OR RETURNED		

Date of Quotation: April 8th, 2021

Quote Expires in 30 Days

We appreciate the opportunity to earn your Business!

MacQueen Emergency Group

4817 Viking Blvd. NE Ste 102, East Bethel, MN 55092

Phone 651-464-1010

**CITY OF NOWTHEN
ANOKA COUNTY, MINNESOTA**

CITY COUNCIL

**FINDINGS & DECISION
CONDITIONAL USE PERMIT - Auto Repair
VARIANCE – Parking on Gravel Surface**

APPLICANT: Rene Perkins and Mark Froehlich, 19745 Nowthen Boulevard

APPLICATION: Request for approval of a Conditional Use Permit (CUP) to allow auto repair in the C-1 District within an existing commercial building and a VARIANCE to allow parking of vehicles on gravel surfacing within the outdoor storage area in the rear yard.

CITY COUNCIL MEETING: May 11, 2021

FINDINGS: Based upon review of the application and evidence received, the City Council of the City of Nowthen now makes the following findings of fact:

Whereas, the legal description of the subject property is as follows: THAT PRT OF LOT 2 AUDITORS SUBDIVISION NO 146 LYNG SLY OF N 11 FT OF W 162 FT, & LYG NLY OF S 20 FT OF W 175 FT THEREOF

Whereas, the property identification number is: 21-33-25-33-0021;

Whereas, the property at 19745 Nowthen Boulevard contains an existing building which was built around 1939;

Whereas, the property owner utilizes the property and buildings for his construction/excavating contracting business and leases space to the applicant for the auto repair business;

Whereas, the auto repair business encompasses 1,200-1,300 square feet of the existing building;

Whereas, the auto repair business is conducted wholly within the structure at the present time;

Whereas, the Planning Report dated April 20, 2021 prepared by the City Planner, The Planning Company LLC, is incorporated herein;

Whereas, the Nowthen Planning and Zoning Commission held a public hearing, preceded by a published and mailed notice, and considered the request at their regularly scheduled meeting on April 27, 2021. The Commission voted 4-0 in favor of the request (3 vacant seats).

DECISION: Based on the foregoing information and applicable ordinances, the City Council APPROVES the Conditional Use Permit and Variance to allow an auto repair business at 19745 Nowthen Boulevard subject to the following conditions:

1. Hours of operation are 8am-5pm Monday-Saturday.
2. All automobile parts, equipment and materials are stored within the building or behind the existing six foot screening fence per Section 11-3-8.C.2.f of the Nowthen City Code.
3. The sale of parts and accessories are limited to items related to vehicles as may be accessory to the principal auto repair business as allowed by Section 11-3-8.C.2.g of the Nowthen City Code.
4. Parking requirements are as follows:
 - a. Inoperable or unlicensed vehicles awaiting repair shall be parked behind the screening fence (9-10 vehicles) or inside the building(s). The City Council makes a finding that the Variance criteria have been met to allow the parking of vehicles on gravel in the rear yard as indicated in Exhibit E.
 - b. Operable and licensed vehicles parking on a short-term basis may park in one of the six (6) spaces on the south side of the building.
 - c. The existing gravel parking areas at the front of the building and behind the house are paved since they are being utilized on a regular basis.
 - d. Vehicles may not block the fire lane or gate on the south side of the principal building.
 - e. Specific direction is provided regarding parking of the collector vehicle with the FX Auto logo.
 - f. No vehicles of any kind may be parked on the City of Nowthen Historic Town Hall property across Nowthen Boulevard without approval of the City Council and a written agreement prepared by the City Attorney.

5. All existing pervious areas which serve to allow stormwater to infiltrate into the ground shall be maintained and impervious surface areas shall not be increased.
6. The pretreatment and infiltration basins are restored to reflect the approved site plan dated 4/22/15 and the area shall not be used for outdoor storage.
7. Plans for any changes or additions to on-site signs are submitted to the City Planner and City Building Official for review and approval as required in Section 11-7 of the Nowthen City Code.
8. The emission of odor by a use shall be in compliance with and regulated by the Minnesota Pollution Control Standards, Minnesota Regulation APC, as amended (Section 11-3-8.C.2.d of the Nowthen City Code).
9. All flammable materials, including liquids and rags, shall conform to the applicable provisions of the Minnesota uniform fire code as required by Section 11-3-8.C.2.e.
10. If any exterior lighting is changed or added to the site, the City Planner and Building Official must be notified so that compliance with ordinance standards can be verified (Section 11-4-19 of the Nowthen City Code).
11. The house has been converted to an allowed commercial use at the present time (office use) in conformance with the requirements of the C-1 District; the residential use shall not be re-established, per Section 11-3-8.D.5.c of the City Zoning Ordinance.
12. Per Section 11-10-5 of the Nowthen City Code, the City Council may hold a public hearing to revoke a conditional use upon the happening of any of the following events, whichever occurs first:
 - a. Upon violation of conditions under which the permit is issued;
 - b. The use or operation is discontinued for a period of one (1) year;
 - c. If a conditional use approved by the City Council is not exercised or put into effect within **one (1) year of the date of approval**, by fulfilling each and every condition attached thereto, it shall terminate unless a request is submitted to the City in writing no less than thirty (30) days prior to the deadline. The City Zoning Administrator may approve an extension which shall not exceed ninety (90) days where after reapplication and approval of the interim use by the City Council will be required.

13. The applicant is responsible for all costs associated with the City's review and processing of this request.

MOTION BY:

SECOND BY:

ALL IN FAVOR:

THOSE OPPOSED:

ADOPTED by the City Council of the City of Nowthen this 11th day of April 2021.

CITY OF NOWTHEN

By: _____
Jeff Pilon, Mayor

Attest: _____
Lori Streich, City Clerk

**CITY OF NOWTHEN
ANOKA COUNTY, MINNESOTA**

PLANNING & ZONING COMMISSION

**FINDINGS & RECOMMENDATION
CONDITIONAL USE PERMIT - Auto Repair
VARIANCE – Parking on Gravel Surface**

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PLANNING AND ZONING COMMISSION MEETING: April 27, 2021

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Whereas, the Planning Report dated April 20, 2021 prepared by the City Planner, The Planning Company LLC, is incorporated herein;

Whereas, the Nowthen Planning and Zoning Commission held a public hearing, preceded by a published and mailed notice, and considered the request at their regularly scheduled meeting on April 27, 2021.

RECOMMENDATION: Based on the foregoing information and applicable ordinances, the Planning and Zoning Commission recommends that the Conditional Use Permit and Variance to allow an auto repair business at 19745 Nowthen Boulevard be **approved** subject to the following conditions:

1. Hours of operation are 8am-5pm Monday-Saturday.
2. All automobile parts, equipment and materials are stored within the building or behind the existing six foot screening fence per Section 11-3-8.C.2.f of the Nowthen City Code.
3. The sale of parts and accessories are limited to items related to vehicles as may be accessory to the principal auto repair business as allowed by Section 11-3-8.C.2.g of the Nowthen City Code.
4. Parking requirements are as follows:
 - a. Inoperable or unlicensed vehicles awaiting repair shall be parked behind the screening fence (9-10 vehicles) or inside the building(s). The City Council makes a finding that the Variance criteria have been met to allow the parking of vehicles on gravel in the rear yard as indicated in Exhibit E.
 - b. Operable and licensed vehicles parking on a short-term basis may park in one of the six (6) spaces on the south side of the building.
 - c. The existing gravel parking areas at the front of the building and behind the house are paved since they are being utilized on a regular basis.
 - d. Vehicles may not block the fire lane or gate on the south side of the principal building.
 - e. Specific direction is provided regarding parking of the collector vehicle with the FX Auto logo.
 - f. No vehicles of any kind may be parked on the City of Nowthen Historic Town Hall property across Nowthen Boulevard without approval of the City Council and a written agreement prepared by the City Attorney.

5. All existing pervious areas which serve to allow stormwater to infiltrate into the ground shall be maintained and impervious surface areas shall not be increased.
6. The pretreatment and infiltration basins are restored to reflect the approved site plan dated 4/22/15 and the area shall not be used for outdoor storage.
7. Plans for any changes or additions to on-site signs are submitted to the City Planner and City Building Official for review and approval as required in Section 11-7 of the Nowthen City Code.
8. The emission of odor by a use shall be in compliance with and regulated by the Minnesota Pollution Control Standards, Minnesota Regulation APC, as amended (Section 11-3-8.C.2.d of the Nowthen City Code).
9. All flammable materials, including liquids and rags, shall conform to the applicable provisions of the Minnesota uniform fire code as required by Section 11-3-8.C.2.e.
10. If any exterior lighting is changed or added to the site, the City Planner and Building Official must be notified so that compliance with ordinance standards can be verified (Section 11-4-19 of the Nowthen City Code).
11. The house has been converted to an allowed commercial use at the present time (office use) in conformance with the requirements of the C-1 District; the residential use shall not be re-established, per Section 11-3-8.D.5.c of the City Zoning Ordinance.
12. Per Section 11-10-5 of the Nowthen City Code, the City Council may hold a public hearing to revoke a conditional use upon the happening of any of the following events, whichever occurs first:
 - a. Upon violation of conditions under which the permit is issued;
 - b. The use or operation is discontinued for a period of one (1) year;
 - c. If a conditional use approved by the City Council is not exercised or put into effect within **one (1) year of the date of approval**, by fulfilling each and every condition attached thereto, it shall terminate unless a request is submitted to the City in writing no less than thirty (30) days prior to the deadline. The City Zoning Administrator may approve an extension which shall not exceed ninety (90) days where after reapplication and approval of the interim use by the City Council will be required.

13. The applicant is responsible for all costs associated with the City's review and processing of this request.

MOTION BY: Kelly Pearo

SECOND BY: Harold Jorgensen

ALL IN FAVOR: 4

THOSE OPPOSED: 0

ADOPTED by the Planning and Zoning Commission of the City of Nowthen this 27th day of April 2021.

CITY OF NOWTHEN

By: _____
Dale Ames, Chairman

Attest: _____
Lori Streich, City Clerk



REQUEST FOR COUNCIL ACTION

Agenda Item #	Department: Public Works-Recycling	Requested Council Meeting Date: May 11, 2021	Submitted By: Lori Streich
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TITLE OF ISSUE:
Recycling Center Attendant

BACKGROUND AND SUPPLEMENTAL INFORMATION:
 City Council and staff have agreed that the Recycling Center operates at it's best when there is an employee staffing the building. The hours that are recommended are 20 hours per week, with Saturday being one of them. The duties for this position would include, but not limited to, accepting payment for recyclables, assisting residents with disposal of recyclables, organizing and sorting recycling items into their proper bins, breaking down cardboard boxes, running the bailer, & keeping the recycle center clean.
 I would recommend this position be posted for the following hours:
 Tuesdays 12:00 pm – 8:00 pm
 Thursdays 12:00 pm – 8:00 pm
 Saturdays 9:00 am – 1:00 pm
 at the rate of \$15.00/hour not to exceed 20 hours per week.

SOURCE OF FUNDING:
Wages would be paid out of the Recycling budget.

REQUESTED COUNCIL ACTION:
I would like to request Council's consideration in approving the posting of the position for the Recycling Center, at the rates and hours listed above.

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

Aye	Nay	Alders
_____	_____	_____
_____	_____	Blake
_____	_____	Greenberg
_____	_____	Pilon
_____	_____	Rainville

SUPPORTED DOCUMENTS ATTACHED				
Resolution	Ordinance	Contract	Minutes	Plan Map
Other (specify) _____				

Administration Department Use:

	Consent
	Regular

	Refer to: _____
	Tabled Until: _____
	Other: _____