

City of Empire Planning Commission Meeting Minutes

April 4, 2023

The City of Empire Planning Commission meeting was called to order by Jared Sachs at 8:00 PM.

Present were: Jared Sachs, Doug Clark, Gina Maunu, Julie Stulz, Elizabeth Haas, Jenni Faulkner, Charles Seipel-Teng, and City Councilmember Marla Vagts.

Tony Jerin was present to talk about activity taking place on his property at 2205 210th Street. Currently he operates with six trucks and employees coming to the property to drive the trucks. Trucks haul ag and non-ag related products.

The Planning Commission noted that home occupations and the hauling of ag related products are permissible in the Ag District, but hauling non-ag related products and bringing employees to the site are considered business activities and not permissible in the Ag District. Mr. Jerin can drive his own truck to the property. There is also a concern about operating a trucking business on a gravel road as the road is not suited to accommodate traffic from a growing trucking firm.

Mr. Jerin asked if the road was paved, would the Commission consider rezoning the property. This would be considered spot zoning. The Ag District section of the ordinance would need to be amended to permit trucking as an interim use.

Mr. Jerin discussed some alternatives that he can look into to accommodate the trucking business and that he already has two trucks removed from the site as they are housed by the drivers of those trucks.

Mr. Jerin and the Planning Commission requested to meet again in at the end of June to discuss updates on the trucking business.

It was reported that the City of Empire has received a request from a consulting engineer that is doing work for an upcoming fiber optic installation project for Hiawatha Broadband to reevaluate the right-of-way permit fees as stated in Ordinance 375-A. The engineering firm indicated that work they are doing in the cities of Hastings and Farmington require permit fees in the range of \$.13 to \$.16 per foot, whereas Empire charges \$.25 and a base charge of \$180 for the first 2,640 feet. The Planning Commission reviewed ROW permit fees from neighboring cities. The Planning Commission would like to see an estimate of what engineering review would cost the city for this type of project from Bolton & Menk to determine if the current fee schedule would cover the City's expense for plan and site restoration review by the City's engineer.

It was reported that a property owner on Clayton Ave. approached the City Council at their last meeting with concerns about activities taking place on the property near the intersection of

Clayton Ave. and 210th Street. The concerns included the butchering of animals, the number of animals on the property, and possible living quarters on the property. After discussion, it was noted that the butchering of animals is permitted in the Ag District and the property is large enough to accommodate a large number of animals. The Planning Commission would be interested in learning more about the campers and trailers on the property and if they serve as living quarters. Staff will send a letter to the property owner requesting more information.

The Planning Commission reviewed the first two policy recommendations in the long term financial plan; franchise fees and special assessments. The commission and staff discussed what these items entail and past practice when it comes to special assessments. These policy items would be other sources of revenue for certain projects and would take some of the burden off of the property tax levy. It was noted that franchise fees would be a revenue source from non-tax paying properties. The 2019 Street Reconstruction project relied on GO Bond revenue and savings and not assessments. Staff will look for examples of franchise and assessment policies other cities in the area have for the next meeting.

It was noted that the public hearings for the Skyview Ranch property and proposed mining operation by Holcim Inc. will be coming up at the April 18th meeting.

On April 18th, an attorney with the League of Minnesota Cities will be attending the Planning Commission Meeting to provide an overview of land use laws and answer questions from the Commission and the City Council. The Planning Commission recommended starting the joint meeting with the City Council at 7:00 PM.

The Planning Commission reviewed a request for comment from the Vermillion River Watershed on the proposed 2026-2035 watershed plan.

Doug Clark made a motion to adjourn. Julie Stulz seconded.

Meeting adjourned at 9:45 PM.