

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**January 11, 2010**  
**7:00 PM**

*Roll call: Merritt, Cowell, DeMars, and Olson*

*Absent: Beiser*

*Also in attendance: Bill Goldy, City Administrator*

Regular meeting called to order by Pat Merritt at 7:02 p.m.

Motion by DeMars, seconded by Cowell to approve the agenda as presented. Carried

Minutes from the December public hearing were read.

Motion by Cowell, seconded by DeMars to accept the public hearing minutes as read. Carried unanimously.

Minutes from the December regular meeting were read.

Motion by Cowell, seconded by Olson to accept the regular meeting minutes as read. Carried unanimously.

No concerns from the public.

2010 Zoning Board selection of officers.

Motion by Olson, seconded by DeMars to keep the chair and vice chair the same as 2009, Pat Merritt chairperson and Ivan Cowell, vice chairperson. Carried unanimously.

New Business

Bill Goldy presented an idea to the Zoning Board about developing a possible Central Business District within the City. The Central Business District would help to inspire economic growth in a specific area of town.

Merritt spoke toward the idea. He feels that the city has about a two block wide area of the main businesses in town. He also included the Americana Bank, the Niles-Wiese Building and the Hagen building.

Goldy stated that all the businesses along Main Street are zoned C-2. A Central Business District that would included all the businesses along Main Street would encourage new business development and growth.

Merritt stated that the old KC Hall was granted a liquor license due to an approval of a variance. Merritt does not support changing the ordinance. He would rather require a variance approval which would allow the City to revoke a liquor license if there were too many problems. Merritt is not in support of the concept of a Central Business District.

Discussion of the zoning for the Niles-Wiese property south of town. Goldy informed the board that the property is not zoned. There has been a question about the zoning because there is a possibility that the building will be leased out.

Discussion of the zoning for the Niles-Wiese property and the United Snack Group property was tabled until the February meeting. Goldy will research the area and present his findings at the next meeting.

#### Old Business

Liquor License Code Amendment for school properties.

Merritt recommends that the set back requirement between a school property and a liquor license to be 700 feet.

Cowell and DeMars asked about businesses with liquor licenses being built outside of city limits. Goldy stated that we only jurisdiction over property within corporate city limits.

Motion by Cowell, seconded by Olson to recommend to the city council to amend the liquor ordinances to include a 700 foot set-back requirement between a liquor license and any school property. Carried unanimously.

Goldy reminded the board that the requirement will be measured from property line to property line.

Merritt informed the board that there will be three public hearings at the February 8, 2010 meeting. The 2<sup>nd</sup> Ave SE vacation, Niles-Heyer Subdivision vacation, and the liquor license amendment open public discussion.

#### Additional concerns from zoning board members.

Merritt would like information on the snowmobile ordinance to be published on the Notice to Residents card.

Goldy has instructed law enforcement to watch the trouble spots and issues citations if they notice violations to the City Code.

Cowell asked about the boulevard and whether that is considered private property in the instance of this ordinance.

Goldy will research the ordinance in more depth and report back to the board next month

Next regular meeting will be February 8, 2010 at 7:00 p.m.

Motion by Olson, seconded by Cowell to adjourn the meeting at 7:35 p.m. Carried.

**ZONING AND PLANNING MEETING  
Public Hearing  
February 8, 2010**

**7:00 PM**

*Roll call: Merritt, Cowell, DeMars, Beiser and Olson*

*Absent: None*

*Also in attendance: Bill Goldy, City Administrator and Todd Kavitz*

Public hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding setbacks of churches and schools from establishments serving liquor and in which zone liquor establishments are allowed.

Bill Goldy presented information on the code requiring a setback of 300 feet from any church or school from a liquor license. Goldy summarized the information currently in the code to obtain a liquor license. The Planning & Zoning Board needs to discuss in what zone a liquor license will be allowed. Goldy is recommending liquor licenses be allowed in C-2 and C-3 districts.

Beiser asked what properties are currently zoned C-1. Goldy explained that these are basically commercial properties located around residential districts.

Cowell asked about the C-2 district. Goldy read from the code the definitions of each commercial zone.

Discussion on the setbacks between schools and a liquor license.

Goldy spoke toward the idea of allowing liquor licenses to be issued to our downtown businesses. Potentially this could benefit all the businesses along Main Street encouraging growth and stimulating the economic activity and development.

Beiser feels the more businesses we can get downtown, the better the town is.

DeMars has issues with parking downtown. We do have to deal with what currently exists.

Goldy feels that there are differences between the Muni and a restaurant. He feels people will continue to go the Muni. The Muni is great for the city, it is profitable. The city still needs to be receptive to private individuals to be able to do what they need to do.

Currently the code reads that there is a 300 foot setback between a liquor license and churches and schools. Goldy is recommending allowing a zero foot setback from churches within a C-2 and C-3 district. Goldy feels our code currently is creating an undue burden on our property owners that would like to create new businesses.

Merritt feels that a new restaurant would be wonderful, but he has a difficult time accepting the idea of a liquor license being issued that close to a church.

Kavitz talked about the parking issue and the possibility of the County fixing County Road 45 and possibly adding 45 degree parking. Kavitz also commented on the current wording of the ordinance concerning the tool of measurement for the 300 feet. Whether it be building to building or property

line to property line. The Muni and Celebrations currently are closer than 300 feet from the Catholic Church.

Merritt stated the Council has determined that the code will be more specific and the decision was to clarify that the measurement would be taken from property line to property line.

Kavitz feels a sit down restaurant possibly serving beer or wine is a more family oriented use than a bar, like the Muni where you have to be 21 years old to enter. The ordinance states you have to have seating for at least 30 people to be a restaurant, and that would be the case here.

Merritt concluded the public hearing and asked for additional discussion or questions from the zoning board.

Cowell asked Kavitz if the remodeling of the building would be handicap accessible. Kavitz answered that yes, if this would be moving forward, all state and federal regulations would have to met in order to get a permit.

Motion by Beiser, seconded by Olson to recommend to the city council to change the code to allow a liquor license as a permitted use in a C-3 district. Motion carried unanimously.

Motion by DeMars, seconded by Beiser to recommend to the city council a zero foot setback between churches and liquor licenses in a C-2 and C-3 district. Yes: DeMars, Beiser, Olson, Cowell  
No: Merritt Motion carried.

Motion by DeMars to recommend to the city council a 500 foot setback between schools and liquor licenses. Motion dies for lack of second.

Motion by Beiser, seconded DeMars by to recommend to the city council a 300 foot setback between schools and liquor licenses. Yes: Beiser and DeMars No: Merritt, Cowell, Olson Motion Fails.

Motion by Cowell, seconded by Olson to recommend to the city council a 600 foot setback between schools and liquor licenses. Yes: Cowell, Olson, Merritt No: Beiser and DeMars Motion Passes.

Motion by Beiser, seconded by Olson to adjourn the public hearing at 7:41. Motion carried.

**ZONING AND PLANNING MEETING**  
**Public Hearing**  
**February 8, 2010**

**7:43 PM**

*Roll call: Merritt, Cowell, DeMars, Beiser and Olson*

*Absent: None*

*Also in attendance: Bill Goldy, City Administrator and Todd Kavitz*

Public hearing called to order by Pat Merritt at 7:43 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the vacation of a portion of a utility easement in the Niles/Heyer Subdivision.

Merritt and Goldy gave background information concerning this property. Mr. Niles needed to purchase a sliver of land from Mr. Heyer in order to have a larger driveway. Now, a portion of the utility easement needs to be vacated.

No statements from the public.

Further discussion of the Zoning Board. None.

This concludes the public input portion of the public hearing.

Motion by Cowell, seconded by Olson to recommend to the city council to vacate a portion of the Niles/Heyer Subdivision easement. Carried unanimously.

Motion by Cowell, seconded by Beiser to adjourn the public hearing at 7:45 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING  
Public Hearing  
February 8, 2010  
7:45 PM**

*Roll call: Merritt, Cowell, DeMars, Beiser and Olson*

*Absent: None*

*Also in attendance: Bill Goldy, City Administrator*

Public hearing called to order by Pat Merritt at 7:45 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the vacation of a portion of Second Avenue SE.

Bill Goldy explained the need for this vacation. A portion of the Medford Fire Hall is extended out into 2<sup>nd</sup> Ave SE. To fix the property line issue, a vacation is needed.

Motion by Olson, seconded by Cowell to recommend to the City Council to approve the vacation request of a portion of 2<sup>nd</sup> Avenue SE. Carried unanimously.

Motion by Cowell, seconded by DeMars to close the public hearing at 7:47 PM. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**February 8, 2010**  
**7:47 PM**

*Roll call: Merritt, Cowell, DeMars, Beiser and Olson*

*Absent: None*

*Also in attendance: Bill Goldy, City Administrator*

Public hearing called to order by Pat Merritt at 7:47 p.m.

Minutes from the January minutes were read.

Motion by DeMars, seconded by Olson to approve the minutes as presented. Carried unanimously.

No concerns from the public.

New Business

Discussion of zoning parcels within the city limits that were not zoned during the first zoning process.

There are four properties that the city needs to look at and go through the process to zone these parcels.

The parcel owned by Frank Panos, the Cabinet Shop, needs to be zoned.

Merritt asked if a conditional use permit would work.

Goldy informed the board about an interim use permit. This would be a provisional use that you can add time restraints and other restrictions the board sees fit. Goldy will gather more information and present at the next zoning board meeting.

The parcels south of town on County Road 45 which are currently United Snack Group and Niles-Wiese storage building also need to be zoned.

Goldy feels an I-1 designation would fit for these parcels. Goldy read the definition of an I-1 district. The other designation could be C-1. Goldy read the definition of a C-1 district. Goldy recommends zoning both properties I-1.

Merritt disagrees with the I-1 recommendation. He feels that houses could potentially be built all through that area. Merritt feels it should be a C-2.

Goldy read through permitted and not permitted uses for an I-1 district.

No decisions need to be made tonight.

Olson asked about renewal dates for conditional use permits. Merritt answered that no, we do not need to review properties on a set schedule. Conditional use permits stay with the property.

The last property to be zoned will be the wastewater treatment plant.

All the properties will be discussed later with the proper public hearings and notification to property owners.

Motion by Olson, seconded by Beiser to adjourn the regular meeting at 8:05 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**March 15, 2010**  
**7:00 PM**

*Roll call: Merritt, Cowell,, Beiser, Olson, and DeMars*  
*Absent: None*

*Also in attendance: Amber Kniefel*

Regular meeting called to order by Pat Merritt at 7:02 p.m.

Motion by Cowell, seconded by Olson to approve the agenda as presented. Carried

Minutes from the public hearing involving a proposed amendment to the liquor license were read.

Motion by Olson, seconded by Cowell to accept the public hearing minutes as read. Carried unanimously.

Minutes from the public hearing involving the Niles/Heyer Subdivision easement vacation request were read.

Motion by Beiser, seconded by Cowell to accept the public hearing minutes as read. Carried unanimously.

Minutes from the public hearing involving a vacation of a portion of 2<sup>nd</sup> Ave SE were read.

Motion by Beiser, seconded by Olson to accept the public hearing minutes as read. Carried unanimously.

Minutes from the February regular meeting were read.

Motion by Olson, seconded by Cowell to accept the regular meeting minutes as read. Carried unanimously.

No concerns from the public.

### Old Business

Discussion of the zoning of three properties: Parcel #16-008-2416 Frank Panos' Cabinet Shop property on Central, Parcel #16-016-4401 Property owned by Niles/Wiese Construction south of town on 45, and Parcel # 16-016-4402 Property where the United Snack Group business is located south of town on 45.

Parcel # 16-008-2416 Options could include rezoning the property or granting the property a conditional use permit. Cowell feels a rezone of the property would be appropriate. Beiser agrees that a rezone is appropriate, but sees possible problems with a rezone. Permitted uses in the different zones were discussed. Scenerios for a conditional use permit were discussed.

Motion by Olson, seconded by Cowell to recommend to the city council to zone parcel #16-008-2416 C-1. Carried unanimously.

Parcel #16-016-4401 – The Niles/Wiese property – Permitted uses in the different zones were discussed. Future development of the Girl Scout Camp area was a factor in the discussion.

Motion by Olson, seconded by Merritt to recommend to the city council to zone parcel #16-016-4401 I-1. Yes: Olson, No: Merritt, DeMars, Cowell, Beiser Motion Fails.

Motion by Cowell, seconded by DeMars to recommend to the city council to zone parcel #16-016-4401 C-2. Carried unanimously.

Parcel #16-016-4402 – The property where United Snack Group is located – Permitted used in different zones were discussed.

Motion by DeMars, seconded by Beiser to recommend to the city council to zone parcel #16-016-4402 C-2. Carried unanimously.

A public hearing involving the zoning of these parcels will be held after the council discussed the Zoning Board recommendations.

Liquor License Amendment – The Planning and Zoning Board would like to stay with the previous motions that were made at the February meeting. No further discussion was needed.

#### New Business

Mitigation planning. The Zoning Board would like the city administrator to add the house located at 406 5<sup>th</sup> Ave NE to the mitigation planning list. This house has flooding issues in the basement. Cowell added that proper training for disasters and emergency situations is a must.

#### Additional concerns from zoning board members.

Kniefel asked the Zoning Board what they would consider an attached garage. Consensus was that if the buildings are connected in any way, it would be considered attached.

Next regular meeting will be April 18, 2010 at 7:00 p.m.

Motion by Beiser, seconded by Olson to adjourn the meeting at 7:50 p.m. Carried.

## **ZONING AND PLANNING MEETING** **Public Hearing** **April 19, 2010** **7:00 PM**

*Roll call: Merritt, Cowell, Beiser, and DeMars*

*Absent: Olson*

*Also in attendance: Kevin Sedivy and Ernie Reinhard*

Public hearing called to order by Pat Merritt at 7:03 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed rezoning of parcel #16-016-4401 and #16-016-4402 to C-2.

Staff Presentation – Bill Goldy, City Administrator, addressed the Zoning Board and explained that these two parcels were missed when the town rezone was last done. The City now needs to officially zone these parcels. Zoning Board recommendation is to zone the parcels C-2.

Statements from the public – None.

Conclusion of the public hearing.

Discussion of the Zoning Board. Cowell commented about the Girl Scout Camp.

Motion by Cowell, seconded by Beiser to recommend to the City Council to zone parcel numbers 16-016-4401 and 16-016-4402 to C-2. Carried unanimously.

Motion by Beiser, seconded by Cowell to adjourn the public hearing at 7:05 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Public Hearing**  
**April 19, 2010**  
**7:10 PM**

*Roll call: Merritt, Cowell, Beiser, and DeMars*

*Absent: Olson*

*Also in attendance: Ernie Reinhard*

Public hearing called to order by Pat Merritt at 7:10 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed amendment to Section 4.32, Uses of Medford City Code. The amendment will allow liquor licensing to be a permitted use in C-2 and C-3 districts and a non-permitted use in a C-1 district.

Staff Presentation – Bill Goldy, City Administrator, addressed the Zoning Board and explained that currently, the city code allows for liquor licensing in C-1 and C-2 districts, not C-3 districts. C-2 is basically our downtown district and C-3 is the district west of I-35. C-1 is residential commercial activity. Prior discussions concluded that it would be more feasible to allow liquor licensing in C-2 and C-3 districts.

Statements from the public – Ernie Reinhard asked about the changes that have been presented. Merritt and Goldy explained that there is a possibility that Todd Kavitz would construct a restaurant out of the current building on Main Street and the possibility of a liquor license being granted. Mr. Reinhard asked about sidewalks, parking, and the county road and who would be responsible for addressing these issues. Mr. Reinhard does not agree with the proposed amendment to the code. Bill Goldy explained that no one has officially applied for a full liquor license. The amendments to the code are necessary to prepare the city for when an actual application for a full liquor license is received. The City did a little research in the process to grant a full liquor license. It was found that the granting of a full liquor license can only be given after the question is posed on a ballot. Since the City owns a municipal liquor store, granting another full liquor license has to be approved first by the citizens.

Conclusion of the public hearing.

Discussion of the Zoning Board. No further discussion.

Motion by Cowell, seconded by Beiser to recommend to the City Council to amend the Medford City Code permitted uses, Section 4.32, to state that a liquor license will be allowed in a C-2 and C-3 district and not allowed in a C-1. Carried unanimously.

Motion by Beiser, seconded by Cowell to adjourn the public hearing at 7:25 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Public Hearing**  
**April 19, 2010**  
**7:25 PM**

*Roll call: Merritt, Cowell,, Beiser, and DeMars*

*Absent: Olson*

*Also in attendance: Ernie Reinhard*

Public hearing called to order by Pat Merritt at 7:25 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed amendments to Medford City Code Sections 4.28, 4.29, 6.03, 6.04, 6.05, and 6.07 regarding liquor licensing setbacks from schools and churches.

Staff Presentation – Bill Goldy, City Administrator, addressed the Zoning Board and explained that all these sections reference setbacks from schools and churches. Each section will need to be amended to show a 600 foot setback from schools and a zero setback from churches.

Statements from the public – None.

Conclusion of the public hearing.

Discussion of the Zoning Board.

Motion by Cowell, seconded by Merritt to recommend to the City Council to amend sections 4.28, 4.29, 6.03, 6.04, 6.05, and 6.07 to read a 600 foot setback from schools and a zero setback from churches. Yes: Cowell and Merritt Abstain: Beiser and DeMars No: None

Motion by Beiser, seconded by DeMars to adjourn the public hearing at 7:30 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Public Hearing**  
**April 19, 2010**  
**7:30 PM**

*Roll call: Merritt, Cowell,, Beiser, and DeMars*

*Absent: Olson*

*Also in attendance: Ernie Reinhard*

Public hearing called to order by Pat Merritt at 7:30 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed amendments to section 4.33 of Medford City Code pertaining to the parking of recreational vehicles, boats, campers, and equipment on residential lots.

Staff Presentation – Bill Goldy, City Administrator, read the current code to the board pertaining to the parking of recreational vehicles, boats, campers, and equipment on residential lots. The questionable verbiage in the section is surface. Citizens have challenged city hall staff on the definition of a surface. City staff has determined that we need clearer verbiage to enforce the zoning code. The proposed change would read “continuous surface” meaning one continuous surface under a recreational vehicle, boat, camper, etc., not just a material placed under the tires.

Statements from the public – None.

Conclusion of the public hearing.

Discussion of the Zoning Board. Discussion on the proposed verbiage change.

Motion by Beiser, seconded by Cowell to recommend to the City Council to amend section 4.33, Subdivision 11, Paragraph A to add the verbiage “continuous...surface”. Carried unanimously.

Motion by Cowell, seconded by Beiser to adjourn the public hearing at 7:40 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**April 19, 2010**  
**7:40 PM**

*Roll call: Merritt, Cowell,, Beiser, and DeMars*

*Absent: Olson*

*Also in attendance: Ernie Reinhard*

Regular meeting called to order by Pat Merritt at 7:40 p.m.

Motion by Cowell, seconded by DeMars to accept the regular meeting minutes as read. Carried unanimously.

No concerns from the public.

Chairperson overview of prior council meeting.

Beiser asked about the zoning of the Cabinet Shop property. Council decided to leave the parcel zoned R-1 because the use is currently grandfathered. If the business was to be sold and a new owner would like to run a new business, they would have to come to the City for a rezone.

Old Business

None.

New Business

None.

Additional concerns from zoning board members.

Merritt would like to see a discussion on woodpiles on the next agenda.

Next regular meeting will be May 17, 2010 at 7:00 p.m.

Motion by DeMars, seconded by Cowell to adjourn the meeting at 7:45 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**May 17, 2010**  
**7:00 PM**

*Roll call: Merritt, Cowell, Beiser, and Olson*

*Absent: DeMars*

*Also in attendance: Bill Goldy, City Administrator, Chad Langeslag, Patty and Jim Beucler, August and Shirley Zahn, Ron Schultz, and Jessica Grayson.*

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Motion by Cowell, seconded by Olson to accept the regular meeting and the public hearing minutes as read. Carried unanimously.

Concerns from the public.

August Zahn asked the board about the water tower location. Bill Goldy will sit down with August and Shirley Zahn and go over the water tower plans.

Patty and Jim Beucler would also like to set up a meeting with Bill Goldy and go over water treatment facility plans.

Jessica Grayson is in attendance to hear the discussion on code enforcement, Chapter 4, Section 4.33, Subd 11.A.

Ron Schultz and Chad Langeslag are in attendance to speak towards the discussion on code enforcement, Chapter 4, Section 4.33, Subd. 11. A. Mr. Langeslag stated that he was looking for more explanation on the proposed change to allow recreational vehicles in the back yard.

Patty Beucler asked about the ordinance not allowing storage on empty lots. Bill Goldy answered that this is a common ordinance in many cities. There is no storage or placement of anything without a principal structure located on the parcel. Bill Goldy explained the process of administrative fines. Mr. Goldy and the Beucler's will discuss this when they meet.

Grayson added that the idea to clean up the town is a wonderful idea; however we need to pay attention to green space and the amount of yard that is really appropriate to be covering with a surface. Grayson would like to see something in code that is a little less drastic, but yet has teeth to be able to enforce it.

Grayson also added that drainage could potentially be a problem if someone were to concrete their entire back yard. The water that would have soaked into to the ground will have to run into the neighbor's yards.

Langeslag asked if a possible change could be limiting the number of recreational vehicles on a property.

Merritt answered that it would be harder to explain to residents that they can only store a limited number of recreational vehicles. The challenge is treating everyone the same according to the code. If code says a boat needs to be on a surface, then no matter if the grass is cut or not, the boat has to be on a surface.

Zahn talked with the board about a possible community parking area for recreational vehicles. Associations have places like this and association dues cover the cost of storage.

Merritt gave an overview of the decisions made at the last council meeting.

Proposed changes to Section 4.33, Subd. 11.A. of the Zoning Code – Zoning Board Discussion -

Bill Goldy gave an overview on the current ordinance stating that the entire footprint of a recreational vehicle needs to be on a surface with a minimum setback from property line of two feet. Proposed is an amendment to the code stating that recreational vehicles can be parked in the rear yard at least three feet from the property line or on the side yard on a surface no closer than two feet from the property line. Also, recreational vehicles would be allowed in the front on a surfaced driveway at least 15 feet from the curb or edge of the street. Additional safety regulations are also written in the proposed changes.

Olson asked a question about the parking in a driveway 15 feet back from the curb/edge of street. Goldy answered that this models Owatonna's ordinance. Goldy asked Olson for suggestions to make this section better. Goldy and the Zoning Board would need to look at this more.

The Zoning Board's main concern is that the property stays maintained. The property stays free of long grass and weeds. Goldy stated that city code section 11.20 addresses long grasses and weeds in excess of 8 inches that would mitigate the zoning board concerns.

Goldy stated that the zoning board has two options at this point, make a recommendation to council to amend the code to the proposed changes presented or delete the section entirely. Cowell asked a question about deleting it entirely. Goldy stated that the code gives him different tools to make property owners keep their property looking nice; administrative fines, the public works department can abate the nuisance, certify to property taxes, etc.

Cowell asked about properties with multiple pieces of equipment parked in the rear yard.

Merritt reiterated that we cannot limit the number of recreational vehicles a property owner can have.

Goldy agreed that we cannot limit recreational vehicles, but we do have an ordinance regulating outdoor displays.

Beiser asked Mr. Goldy if he can get the town cleaned up without having this particular section in the code.

Goldy answered that, yes, the other tools in the ordinance will allow him to continue getting the town cleaned up.

Beiser asked if the code was easier to enforce with this section or without it.

Goldy answered, without this section. We have a code for outdoor displays, weed growth, junk vehicles, unlicensed vehicles, etc.

Consensus of the public in attendance is to delete the ordinance and allow Bill Goldy to enforce the code using the rest of the ordinances. This will still accomplish the enforcement of the code and clean up the town.

Motion by Cowell, seconded by Beiser to delete this section of the code completely. Carried unanimously.

Discussion on woodpiles in residential districts. Merritt has heard concerns about rodents living within the woodpiles. Consensus is to allow Bill Goldy use his best judgment on the appearance of woodpiles.

Additional concerns of the zoning board. None.

Next regular meeting will be June 21, 2010 at 7:00 p.m.

Motion by Cowell, seconded by Beiser to adjourn the meeting at 8:00 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Public Hearing #1**  
**June 21, 2010**

**6:30 PM**

*Roll call: Merritt, Cowell, Beiser, and Olson*

*Absent: DeMars*

*Also in attendance: Bill Goldy, City Administrator, Amber Kniefel, Patty and Jim Beucler, August and Shirley Zahn, Lyle Tuttle, and Todd Kavitz.*

Public hearing called to order by Pat Merritt at 6:30 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the Scenic Heights preliminary and final plat for the water tower location and the lot size enlargements.

City Administrator Goldy presented the information to the Zoning Board. The water tower location is referred to Outlot B on the plat. The lots presented on the plat to be enlarged are Block 1, Lot 1, Block 2, Lots 1, 2, and 3.

Statements from the public. The Beucler's, the Zahn's, and Mr. Tuttle all asked Todd Kavitz to explain the location of the lots presented to be enlarged and the need to modify the easement location.

Further discussion of the Zoning Board. None.

This concludes the public input portion of the public hearing.

Additional concerns of the zoning board. None.

Motion by Cowell, seconded by Olson to recommend to the city council to approve the replat of Scenic Heights as presented. Carried.

Motion by Beiser, seconded by Cowell to close the public hearing at 6:37 p.m. Carried.

**ZONING AND PLANNING MEETING  
Public Hearing #2  
June 21, 2010  
6:30 PM**

*Roll call: Merritt, Cowell, Beiser, and Olson*

*Absent: DeMars*

*Also in attendance: Bill Goldy, City Administrator, Amber Kniefel, Patty and Jim Beucler, August and Shirley Zahn, Lyle Tuttle, and Todd Kavitz.*

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the vacation of the utility and drainage easements of the lots to be enlarged in Scenic Heights.

City Administrator Goldy presented the information to the Zoning Board. The vacations involve the lots presented on the plat of Block 1, Lot 1, Block 2, Lots 1, 2, and 3.

Statements from the public. August Zahn asked for clarification of the exact location of the lots and the vacations presented.

Further discussion of the Zoning Board. None.

This concludes the public input portion of the public hearing.

Additional concerns of the zoning board. None.

Motion by Beiser, seconded by Cowell to recommend to the city council to approve the vacation of the utility and drainage easements as presented. Carried.

Motion by Cowell, seconded by Olson to close the public hearing at 6:45 p.m. Carried.

Motion by Beiser, seconded by Cowell to adjourn the public hearings at 6:47 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Public Hearing**  
**July 19, 2010**  
**7:00 PM**

*Roll call: Merritt, Cowell, Beiser, DeMars, and Olson*

*Absent: None*

*Also in attendance: Richard Quiring, and Jim Drache*

Public hearing called to order by Pat Merritt at 7:02 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed amendment to section 4.33 of the Medford City Code pertaining to the parking of vehicles and recreation vehicles, boats, campers, and equipment on residential lots.

Staff presentation – City staff included the proposed ordinance amending Section 4.33, subd. 11 in the Planning and Zoning packet.

Chairperson Merritt gave a copy of the proposed ordinance to the citizens present and gave them a few minutes to read over the information.

Statements from the public – Richard Quiring commented that the proposed ordinance states there is no limit to the number of recreational vehicles on a property and a surface is no longer required. Mr. Quiring asked the board why the change is being presented.

Merritt explained that the zoning board and the city council had a joint special meeting about this section of the code. Some members were for keeping the code as it was written, some were in favor of deleting the section entirely, and some were looking for a compromise between the two. After a lengthy discussion, an idea came out not to require a surface until a nuisance violation occurs.

Mr. Quiring asked for more explanation on the actual reason for the change.

Merritt stated that it was mainly a compromise and the city did not want it to be as tough as Owatonna's.

Mr. Quiring asked for the exact reason it came up for review. Did residents feel they did not have enough space on their property to store their vehicles?

DeMars answered that the cost to residents was a factor. Merritt followed up by adding that members of the council felt it was putting an undue hardship on the citizens by requiring the surface under recreational vehicles.

Mr. Quiring asked how long the original ordinance has been in effect.

Beiser and Merritt answered that it has been about 1 ½ to 2 years when the Land Use Code was approved.

Mr. Quiring adamantly opposes the change to this section of the code. He feels the current requirement will help Medford continue to move toward keeping the town cleaner and more organized.

Mr. Quiring asked about the covenants in effect for the area east of the railroad tracks. He feels the proposed change to the city code is more lenient than the covenants and he would like to know which regulations show precedence.

Merritt answered that the question would have to be answered by the city attorney. Merritt encouraged Mr. Quiring to attend the next council meeting and ask the council about the covenants. Merritt reminded everyone that the Zoning Board only makes recommendations to the council.

Mr. Quiring would like to go on record stating that he would like one ordinance that covers the entire community.

Mr. Drache came to the zoning board with concerns in his neighborhood. A particular neighbor has a trailer and boats and the property is unkept. He is hoping that the ordinance will help with properties like this.

Beiser added that the proposed change affects property owners that do not care for their lawn. If the property owner moves a vehicle every time they manicure their lawn, they are not going to hear from the city.

Merritt concluded the public hearing.

Zoning Board discussion. Beiser clarified that the overall change to the section is that property owners will receive one warning letter, then the original ordinance comes into effect.

Motion by Cowell, seconded by Beiser to recommend to the City Council to approve the proposed changes to Section 4.33, Subd 11 of the Land Use as presented.

DeMars has concerns with the language and that it may possibly confuse citizens. Merritt answered that the language came directly from the city attorney.

Olson asked about a property that is storing two or more recreational vehicles in different areas of the lot. If one of the areas of the property is being maintained under a recreational vehicle, but a different area is not, will the warning letter pertain to just the area not being maintained or will it cover the entire lot.

Zoning Board consensus is that it should pertain to the entire property.

The motion made by Cowell and seconded by Beiser is withdrew.

Motion by Olson, seconded by DeMars to recommend to the city council to change the verbiage in paragraph one of the proposed changes to reflect that one warning letter pertains to the entire property even if one area of the property is the reason for getting a letter also it should be added an amount of time required for abating the nuisance be consistent with the nuisance section of the code. Carried.

Motion by Beiser, seconded by Olson to conclude the public hearing at 7:40 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**July 19, 2010**

*Roll call: Merritt, Cowell, Beiser, DeMars, and Olson*

*Absent: None*

*Also in attendance: None*

Regular meeting called to order by Pat Merritt at 7:41 p.m.

Motion by Olson, seconded by Beiser to approve the agenda as presented. Carried.

Motion by Beiser, seconded by Olson to approve the regular meeting minutes from May 19, 2010 as presented. Carried.

Motion by Cowell, seconded by Beiser to approve the public hearing minutes #1 from June 21, 2010 as presented. Carried.

Motion by Beiser, seconded by Cowell to approve the public hearing minutes #2 from June 21, 2010 as presented. Carried.

Motion by Beiser, seconded by Olson to approve the joint meeting minutes between the zoning board and city council from June 21, 2010 as presented. Carried.

Interim Use Permit – Merritt explained that an interim use permit is another tool for the city to consider when asked for conditional use permits.

Motion by Cowell, seconded by Olson to recommend to the city council to adopt this interim use permit section into the code.

The motion by Cowell, seconded by Olson was withdrew.

Motion by DeMars, seconded by Olson to table the interim use permit discussion until more information is received from the city council. Carried.

Licensing of Adult Establishments – What zone should these establishments be allowed? Merritt is suggesting to only allow adult establishments in a C-3 district.

Motion by Cowell, seconded by DeMars to make a recommendation to city council to only allow adult establishments in a C-3 district. Carried

Additional concerns of the zoning board. None.

Next regular meeting will be August 16, 2010 at 7:00 p.m.

Motion by Olson, seconded by Beiser to adjourn the meeting at 7:53 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Public Hearing – Part One**  
**August 16, 2010**  
**7:00 PM**

*Roll call: Merritt, Cowell, DeMars, and Olson*

*Absent: Beiser*

*Also in attendance: None.*

Public hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed amendment to section 4.83, Subd. 3, A of the Medford City Code pertaining to adult establishments.

Staff presentation – City staff included the proposed ordinance amending Section 4.83, subd. 3 A in the Planning and Zoning packet.

Statements from the public – There are no public in attendance.

Merritt concluded the public hearing.

Zoning Board discussion. DeMars asked where the C-3 district is located. The C-3 district is west of the freeway.

Motion by Olson, seconded by Cowell to close the public hearing 7:05 p.m. Carried unanimously.

Motion by Cowell, seconded by DeMars to recommend to the city council to approve the proposed changes to section 4.83, Subd. 3, A. Carried unanimously.

Motion by DeMars, seconded by Cowell to conclude the public hearing part one at 7:05 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Public Hearing – Part Two**  
**August 16, 2010**  
**7:07 PM**

*Roll call: Merritt, Cowell, DeMars, and Olson*

*Absent: Beiser*

*Also in attendance: None.*

Public hearing called to order by Pat Merritt at 7:07 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the proposed amendment to section 4.32 of the Medford City Code pertaining to permitted uses in commercial districts.

Staff presentation – City staff included the proposed ordinance amending Section 4.32 in the Planning and Zoning packet.

Statements from the public – There are no public in attendance.

Merritt concluded the public hearing.

Zoning Board discussion. No further questions or comments

Motion by Olson, seconded by Cowell to recommend to the city council to approve the proposed changes to section 4.32, permitted uses in commercial districts. Carried unanimously.

Motion by Olson, seconded by DeMars to conclude the public hearing at 7:09 p.m. Carried unanimously.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**August 16, 2010**

*Roll call: Merritt, Cowell, DeMars, and Olson*

*Absent: Beiser*

*Also in attendance: None*

Regular meeting called to order by Pat Merritt at 7:11 p.m.

Motion by DeMars, seconded by Olson to approve the agenda as presented. Carried.

Add DeMars' name to the roll call for the public hearing and the regular meeting held on June 19, 2010.

Motion by DeMars, seconded by Olson to approve the public hearing minutes June 19, 2010 as amended. Carried.

Merritt explained the purpose and intent of an interim use permit.

Motion by Cowell, seconded by DeMars to approve the regular meeting minutes from June 19, 2010 as amended. Carried.

Additional concerns of the zoning board. Cowell has concerns with property owners mowing their grass clippings into the street and possibly blocking storm drains. Merritt suggested adding a notice to the next water bill alerting citizens that this is not allowed and explaining why.

Motion by Merritt, seconded by Cowell to recommend to the city council to add a notice to the next water bill explaining the code on mowing or raking grass clippings into the street. Carried unanimously.

Cowell has a concern with the railroad track weeds. DeMars and Merritt stated that it will be difficult to get the railroad company to come in and clean it up.

Motion by Cowell, seconded by Olson to recommend to the city council to have the city look into cleaning up this area. Carried unanimously.

Merritt has a concern about the eight inch grass and weed growth regulation.

Motion by DeMars, seconded by Olson to recommend to the city council to change the eight inch maximum weed growth regulation down to six inches. Carried unanimously.

Olson asked about the council decision regarding a violation on one recreation vehicle and if it pertains to the entire property or just that area.

Merritt answered that the council decided it was the entire property.

Olson asked about the motion he and DeMars made about the warning letter and the time limitation he wanted in the notice regulating how long citizens would have to come into compliance.

Merritt answered that the notice and time regulation will be at the discretion of the city administrator.

DeMars is requesting to have the city administrator inform the zoning board the time allotted to correct zoning violations.

Next regular meeting will be September 20, 2010 at 7:00 p.m.

Motion by Olson, seconded by DeMars to adjourn the meeting at 7:25 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Public Hearing**  
**September 20, 2010**  
**7:00 PM**

*Roll call: Merritt, Cowell, DeMars, and Olson*

*Absent: Beiser*

*Also in attendance: Amber Kniefel, Mike Corbin, and Lynn Hager*

Public hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the variance request from Lynn Hager at the property located at 220 1<sup>st</sup> St SE.

Staff presentation – Amber Kniefel presented information about the ability of municipalities to grant variances. A recent Supreme Court decision has changed the way municipalities are to determine the approval a variance. In order to grant a variance, a property owner must prove that an undue hardship exists with the strict compliance with city code. The first factor to prove undue hardship is whether or not the property can be put to reasonable use without granting the variance. The current situation shows the property is being put to reasonable use without granting any variances.

Kniefel received a response concerning this matter from the city attorney. The city attorney has advised, at least for the time being, that just about any variance cannot be granted based on the strict interpretation of the current state statute.

Pat Merritt explained to Mr. Hager that with the recent information, the Zoning Board will not be approving variances. Merritt added that Mr. Hager is welcome to attend the council meeting to hear the opinion of the council and the city attorney.

Statements from the public – Mr. Hager talked with the board about the difficulties of the size of his lot and his ability to improve his property.

Kniefel added that legislation could change, but for now, approving a variance would go against the Supreme Court decision.

Merritt concluded the public hearing.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**September 20, 2010**

*Roll call: Merritt, Cowell, DeMars, and Olson*

*Absent: Beiser*

*Also in attendance: None*

Regular meeting called to order by Pat Merritt at 7:13 p.m.

Motion by Olson, seconded by DeMars to approve the agenda as presented. Carried.

Motion by Cowell, seconded by Olson to approve part 1 of the public hearing meeting minutes from August 16, 2010 as presented. Carried.

Motion by Cowell, seconded by Olson to approve part 2 of the public hearing meeting minutes from August 16, 2010 as presented. Carried.

Motion by Olson, seconded by DeMars to approve the regular meeting minutes from August 16, 2010 as presented. Carried.

Merritt updated the board on the last council meeting.

Additional concerns of the zoning board. Cowell has a concern with the use of the exempt railroad tracks. Kniefel informed the board that the Mayor spoke with the City Administrator about the railroad tracks.

The December meeting date will be changed to December 13, 2010 at 7:00 PM

Next regular meeting will be October 18, 2010 at 7:00 p.m.

Motion by DeMars, seconded by Olson to adjourn the meeting at 7:25 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**November 8, 2010**

*Roll call: Merritt, Beiser, DeMars, and Olson*

*Absent: Cowell*

*Also in attendance: None*

Regular meeting called to order by Pat Merritt at 7:11 p.m.

Motion by DeMars, seconded by Olson to approve the public hearing meeting minutes from September 20, 2010 as presented. Carried.

Motion by Olson, seconded by DeMars to approve the regular meeting minutes from September 20, 2010 as presented. Carried.

Merritt spoke to the Zoning Board about the flood damage to the chalet. Merritt would like to find any way possible to save the chalet. Beiser added that first FEMA will determine if the chalet is salvageable. If FEMA says that the chalet needs to come down, then the DNR will get involved in the placement of a new chalet. Merritt would like to see the chalet built south of the parking lot on the hill by the bathrooms.

Beiser does not feel it is feasible to build a new chalet in conjunction with the municipal complex. The chalet needs to be in the park.

Zoning consensus is to remodel the chalet if the building is allowed to remain in its present location. If the chalet is not allowed to stay or not going to be remodeled, then build new up by the bathrooms.

Merritt updated the board on the council action to officially revoke the conditional use permit granted to the property that was being used by Jeff Karow of Medford Auto Sales for an extra lot to sell used cars.

Merritt discussed with the board the option to start using interim use permits in the future.

Additional concerns of the zoning board.

Beiser asked if code enforcement is still being handled.

Merritt answered that he did not think so at this time.

Next regular meeting will be December 13, 2010 at 7:00 p.m.

Motion by Beiser, seconded by Olson to adjourn the meeting at 7:26 p.m. Carried.

**ZONING AND PLANNING MEETING**  
**Regular Meeting**  
**December 13, 2010**

*Roll call: Merritt, Cowell, Beiser, and Olson*

*Absent: DeMars*

*Also in attendance: None*

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Motion by Cowell, seconded by Olson to approve the agenda as presented. Carried unanimously.

Motion by Olson, seconded by Beiser to approve the regular meeting minutes from November 8, 2010 as presented. Carried unanimously.

Merritt updated the board on the last council meeting.

Moving Permit – Wayne Maas – Last November, Wayne Maas was granted a moving permit to move a house into Medford from Janesville. The house would have been placed on the open lot on 3<sup>rd</sup> St SW. The house was not brought in. Mr. Maas stopped by City Hall and informed Kniefel that he did not intend on moving the house because circumstances have changed. If he plans to do this in the future, he will attend the meetings and ask for another moving permit.

Motion by Beiser, seconded by Olson to recommend to the city council to revoke the moving permit granted to Wayne Maas last November. Carried unanimously.

Discussion of the time limitation written in the code for acting on moving permits.

Motion by Cowell, seconded by Beiser to recommend to the city council to amend the city code to state that moving permits will have a one year time limit and if at one year the work is not completed, the permit will expire and a new application will be needed. Carried unanimously.

Discussion about snowmobiles within city limits. Zoning Board agrees that this is a law enforcement issue.

Motion by Olson, seconded by Cowell to recommend to the city council to publish the snowmobile section of the code in the CAST. Carried unanimously.

Discussion on the new water meter installation project. Zoning Board has been receiving complaints about how the city is spending tax payer dollars.

Motion by Merritt, seconded by Olson to publish information in the CAST about the need for the new water meters. Carried unanimously.

Discussion about the pay members of the Zoning Board receive per meeting.

Motion by Olson, seconded by Cowell to recommend to the city council to raise the pay per meeting to \$40.00 from \$35.00. Carried unanimously.

Additional concerns of the zoning board. None.

Next regular meeting will be January 10, 2011 at 7:00 p.m.

Motion by Cowell, seconded by Beiser to adjourn the meeting at 7:39 p.m. Carried.

