

ZONING AND PLANNING MEETING
Regular Meeting
January 17, 2008
7:00 P.M.

Roll call: Merritt, Beiser, and Cowell

Absent: Olson and DeMars

Also in attendance: Amber Kniefel

Meeting called to order by Pat Merritt at 7:08 p.m.

Minutes from the December 17, 2007 meeting were read.

Motion by Beiser, seconded by Merritt to accept the December minutes as read.
Carried unanimously.

Old Business

After further lengthy discussion that was directed by the City Council to discuss the recommendation about the variance that was acted upon at the December 17, 2007 public hearing, the Zoning Board consensus was that the variance that was requested should not be granted.

Reviewed the Rezoning Proposals on various properties in Medford to present to the City Council. Consensus was reached as will be presented.

New Business

Motion by Merritt, seconded by Cowell to table the appointments until next meeting.
Carried Unanimously.

Next regular meeting is February 11, 2008 at 7:00 PM.

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

ZONING AND PLANNING MEETING
Regular Meeting
February 11, 2008
7:00 P.M.

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

Absent: None

Also in attendance: Amber Kniefel, John Anhorn, John Schlichter, and Darren Hagen

Meeting called to order by Pat Merritt at 7:01 p.m.

Minutes from the January 17, 2008 meeting were read.

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

Old Business

Motion by Olson, seconded by Cowell to elect Merritt as Chairman, DeMars as Vice Chairman, and Beiser as Secretary of the Zoning Board for 2008. Carried unanimously.

New Business

John Anhorn had intentions of presenting an application concerning Ordinance 182. He would like to purchase the driveway that leads back to his property located at 427 S. Main. Mr. Merritt was informed by Dan Kaiser that the Council had already acted on this request. Mr. Merritt informed John Anhorn to be put on the next council meeting agenda and present the application directly to the City Council.

Rezoning Proposal—See Attached. Ten properties on the west side of the downtown railroad tracks were discussed. Consensus of the Zoning Board is to present these ten to the Council as written.

Ten properties on the east side of the downtown railroad tracks were discussed. Consensus of the Zoning Board is to present these ten to the Council as written.

John Schlichter's properties 406 1st Ave SE (#11 & #12) were discussed. Mr. Schlichter addressed the board. He requested of the Zoning Board to leave his properties zoned industrial so the value of his property would not decline. He commented that the entire area is designed for industrial use, large storage yard, tin shed, next to the railroad tracks, on a dirt road. He felt there would be no commercial

value and that he was currently being taxed as industrial. He is currently looking at industrial businesses that would fit in that location.

Darren Hagen's properties (#13-#18).

Mr. Merritt abstained. Meeting was turned over to Drew DeMars.

Mr. Hagen was fine with the property located at 406 E Central Ave being zoned multi-family.

He requested of the Zoning Board that the properties located at 202 E Central, 408 E Central, 106 E Central, 414 E Central, and 405 1st Ave SE stay zoned industrial. He stated that he purchased these properties for the express purpose of leasing the properties for industrial businesses and he needs them to stay zoned industrial. He stated that he was being taxed industrial. It would be a large financial hardship if the properties were zoned commercial. He felt he would lose his businesses that were currently leasing from Darmel Properties.

Motion by Olson, seconded by Beiser to recommend consulting legal issues before properties #11-#18 are rezoned due to reluctance of property owners. 4 ayes, 1 abstain. Carried.

Meeting turned back over to Chairperson, Pat Merritt.

Pat Merritt informed the Zoning Board that the Council requested the board to take another look at the section of the Land Use about recreational vehicles, trailers, etc. needing to be parked on a hard surface. This discussion was tabled until next meeting. Amber Kniefel will research other communities' ordinances and will present at the next meeting.

Next regular meeting is March 17, 2008 at 7:00 PM.

Motion by Cowell, seconded by Olson to adjourn the meeting at 7:57 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
March 18, 2008
7:00 P.M.

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

Absent: None

Also in attendance: Amber Kniefel, John Schlichter, and City Attorney, Mark Rahrck

Meeting called to order by Drew DeMars at 7:02 p.m.

Minutes from the February 11, 2008 meeting were read.

Motion by Merritt, seconded by Olson to accept the February minutes as read. Carried unanimously.

Old Business

Mark Rahrck explained the rezoning process from the City of Medford perspective. He also presented a possible change for the Land Use that consists of 3 commercial zones and 2 industrial zones.

Motion by Merritt, seconded by Cowell to recommend to the City Council to set up 3 commercial and 2 industrial zones per Mark Rahrck's presentation. Carried Unanimously.

Motion by Merritt, seconded by Olson to table the rezoning proposal until we have more direction from the City Council on previous motion. Carried Unanimously.

New Business

Discussed signs on the sides of construction trailers. No action taken.

Next regular meeting is April 21, 2008 at 7:00 PM.

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

ZONING AND PLANNING MEETING
Public Hearing – Wencil Old School Property
April 21, 2008
7:00 P.M.

Roll call: Merritt, Olson, DeMars and Cowell – Beiser arriving late

Absent: None

Also in attendance: Amber Kniefel, Joan Pirkl, Irvin Jenó, Paul Wencil, Todd Kavitz, Brad Meier, Brent Kavitz, Ruth Dempsey, and Glen Meger

Meeting 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 the preliminary/final plat request for the Wencil Old School Addition 104 2nd St NE.

Irvin Jenó asked if there would be a new storm sewer that would run towards Central Avenue. Todd Kavitz answered, “No.” Jenó then asked if there were currently any problems with the old storm sewer and drainage of storm water. Kavitz answered that the entire property would be curb and gutter and that should take care of any drainage problems.

Merritt asked if the sidewalk on the west side (2nd St) would be replaced. Kavitz answered, “No.” Merritt was concerned about snow removal from the street being placed on that sidewalk and the property owners having to clear it off. He felt it should be moved back at least 6 ft. to give room in the boulevard for the snow to go.

Motion by Cowell, seconded by Merritt to recommend to the City Council to approve the preliminary/final plat request for 104 2nd St NE. Ayes 2, Nays 3. Motion Fails.

Motion by DeMars, seconded by Beiser to adjourn the public hearing at 7:19 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING

Regular Meeting

April 21, 2008

7:20 P.M.

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

Absent: None

Also in attendance: Amber Kniefel and Brad Meier, Owatonna Chamber of Commerce

Meeting called to order by Pat Merritt at 7:20 p.m.

Minutes from the March 18, 2008 meeting were read.

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

Old Business

City Council approved of the Zoning Board to use the information given by Mark Rahrlick to proceed with updating the zoning map and zoning districts throughout the City of Medford.

Zoning Board and Amber Kniefel looked at the definitions of 3 commercial zones and 2 industrial zones. Using those definitions and the sample list of uses and designated zones, the Board placed and reclassified as a draft the, properties throughout the City. See list attached.

Motion by DeMars, seconded by Olson to recommend to the City Council to accept the following modifications to the zoning map (See attached). Carried unanimously.

New Business

None.

Next regular meeting is May 19, 2008 at 7:00 PM.

Motion by Beiser, seconded by Cowell to adjourn the meeting at 8:20 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Public Hearing – Land Use Regulations and Zoning Map
May 19, 2008
7:00 P.M.

Roll call: Merritt, Olson, DeMars and Cowell – Beiser arriving late

Absent: None

Also in attendance: Amber Kniefel, Kym Christiansen, Karen Schaefer, John Anhorn, Cindy Anhorn, Melanie Hagen, Darren Hagen, Andy Colwell, Dave Nelson, Arlen Concannon, Anita DeGroot, Kathy Reb, Ed & Marge Strohschein, Mona Kaiser, Tony Durand, John Schlichter, Marie Sexton, Thomas Southworth, Philip Heim, Wayne Maas, Brad Meier, Vernon Strusz, Carol Strusz, Brenda DeMars, Sarah Booe, Lois Nelson, Mark Rahrick, and Clare Kennedy

Meeting called to order by Pat Merritt at 7:06 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions concerning the City of Medford proposed Land Use Regulations and Zoning Map.

Mark Rahrick explained the grandfathering language and the new proposed break down of the zoning districts. The proposed districts would be C1: Commercial Use close to residential property, C2: Main Street businesses, C3: Regional Economy, mainly west of I35, I1: Light Industrial, I2: Heavy Industrial, R1: Residential, and R2: Multiple Family.

Briefly explained the differences on set back requirements, building height, etc.

Open the floor to public input.

Tom Southworth of Precision Autobody, was concerned with the wording of the definition of a C1 district. His interpretation was that he would not be able to draw customers from outside the community. He draws customers from Owatonna, Faribault, Waseca, the Cities.

Wayne Maas was concerned about non-conforming set back requirements of a structure. He would like to see that the Land Use would allow adding onto a structure as long as there is no further encroachment into the set back area.

Melanie Hagen was concerned with the grandfathering provision and how that follows with the property. She explained that all the properties are owned by Darmel Properties. Darmel Properties is a leasing company. They bought the properties as industrial and would like to see them remain as industrial. She spoke with Mike Nelson, Steele County Building Inspector, and felt it would be a hardship to convert the industrial use buildings into commercial use buildings. The taxidermy at 406 E Central has a history of industrial use such as a welding shop, furniture store, Hagen would like to see it remain industrial. The Carwash and Hagen Excavation at 202 E Central has history of being used as a restaurant and a welding shop, Hagen would like it to remain industrial. Medford Self Storage was built that way to conform to the way it is zoned. It was built with front fascia that has all the capabilities of being turned into a small strip mall or welding shop. Darmel Properties purchases these buildings and leases them out as they are zoned. Empty lot on that property would be used for expansion. Tiger Town, at 408 E Central, original use was the school bus storage. It's a metal building with overhead doors and cement floors. Currently proposed as being C1, Hagen wants it to stay industrial. Maybe looking at expansion or vacating the building. That would leave Darmel with a building that is almost entirely surrounded by industrial zoned properties. Turkey Store, at 414 E Central, and Straight River Enterprises. Straight River Enterprises is the same parcel as Tiger Town. The proposal is to have two different zones on the same parcel. We conformed our buildings to fit with the zone that was set at the time of purchase. Hagen asked about the grandfathering clause and comparing it to Owatonna's. Also, felt that they have been provided with partial information.

Mark Rahrlick explained that the City of Medford did not mirror Owatonna's grandfathering clause. Also, that this process is about hearing the concerns and that there will be a second meeting because everyone deserves to be heard.

John Anhorn has concerns about the definition of a C2 district and limiting his business. He draws customers from all over also. He also asked about building height.

Mark Rahrlick explained that nobody is going to track where customers are coming from. The definition is a guide for the zoning designations.

Anita DeGroot, at 502 Central Ave, asked about her duplex being zoned either R1 or R2.

Mark explained that a duplex can be zoned either a R1 or R2 so she would be fine.

Marge Strohschein was fine with the zoning of her property, but was concerned with the neighborhood. Where is the pride?

Arlene Concannon wanted to make sure that nothing would change for her property being zoned from industrial to residential.

Brad Meier encouraged the City to work with the property owners.

Vern Strusz wanted to know how many homes were in the flood zone. Thought the flood plain map needed to be updated.

John Schlichter commended the work done and the progress of the Zoning Board. He would like to see that under the use section, that open and outdoor storage be listed as a permitted use, not a conditional use.

Lois Nelson spoke about the Union Pacific Railroad area and the properties being kept as they have been in the past. Also, to look at the area west of the freeway. Making sure it is not just zoned one specific zone. Multiple use for that area.

Mark Rahrlick commented that the property would be zoned when a developer approached the City and during the annexation process.

Vern Strusz asked who decides what's in a flood zone?

Brenda DeMars answered that FEMA is who decides.

Melanie Hagen questioned Pat Merritt about abstaining from Darmel Property discussions.

Mark Rahrlick spoke that the question was not part of the Public Hearing and he would be available after the meeting to talk about it.

John Anhorn asked about maximum building height and the Semstone Building. Pat Merritt answered that the Semstone Building is outside of city limits.

Darren Hagen questioned set back requirements and whether they would be grandfathered in.

Mark Rahrlick answered that a change of ownership will not affect grandfathering.

Sarah Booe addressed the issue of Straight River Enterprises needing to be expanded. Also asked whether 1st Avenue SE was a city street.

Mark Rahrlick responded that you would not be able to expand a non-conforming use. You can only make conforming changes.

Melanie Hagen asked the question about Tiger Town and Straight River Enterprises being on one parcel being proposed as two zones. She stated that it would be a conflict with future expansion if the parcel had two zones.

Mark Rahrick said that issue has to be looked at.

Mark Rahrick suggested tabling the meeting and making sure that the people requesting a full copy of the proposed Land Use gets a chance to read it.

Motion by Olson, seconded by Cowell to table the public hearing at 7:56 p.m. for one month. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
May 19, 2008
7:59 P.M.

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

Absent: None

Also in attendance: Amber Kniefel and Clare Kennedy, Owatonna Peoples' Press

Meeting called to order by Pat Merritt at 7:59 p.m.

Minutes from the April 21, 2008 meeting were read.

Motion by Olson, seconded by Cowell to accept the April minutes as amended.
Carried unanimously.

Old Business

None.

New Business

Received a draft of a new sign section to the Code.

Next regular meeting is June 16, 2008 at 7:00 PM.

Motion by DeMars, seconded by Cowell to adjourn the meeting at 8:02 p.m. Carried
Unanimously.

ZONING AND PLANNING MEETING
Public Hearing Variance Request for Wayne Maas
June 16, 2008
6:30 P.M.

Roll call: Merritt, Olson, Cowell, and Beiser

Absent: DeMars

Also in attendance: Amber Kniefel, John Anhorn, Melanie Hagen, Darren Hagen, Wayne Maas, Stan Frank, and Marie Sexton

Meeting 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 concerning a variance request by Wayne Maas. The request is for a 7 foot variance of the south boundary at the property located at 209 2nd Ave SE.

Wayne Maas described his request. He would like to add a deck entrance on the west side of the house and a sidewalk from the garage to the deck. He would remove the non-conforming deck from the east side. The house itself is approximately 12 feet from the property line. The new deck on the west side would be 18 feet from the property line.

Motion by Cowell, seconded by Beiser to recommend to the City Council to grant a 7 foot variance to the south boundary of 209 2nd Ave SE to build a new deck entrance onto the house. Wayne would be adding a concrete sidewalk, removing the east non-conforming deck, and cleaning up the NW corner by removing the old shed and garbage. Carried unanimously.

Motion by Beiser, seconded by Cowell to close the public hearing at 6:42 PM. Carried unanimously.

ZONING AND PLANNING MEETING
Public Hearing Continuation of Land Use Regulations and Zoning Map
June 16, 2008
7:00 P.M.

Roll call: Merritt, Olson, Cowell, and Beiser

Absent: DeMars

Also in attendance: Amber Kniefel, Melanie Hagen, Darren Hagen, Marie Sexton, John Anhorn, Stan Frank

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

This is the continuation of the Land Use Regulations and Zoning Map Public Hearing from May 19, 2008. The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions concerning the City of Medford proposed Land Use Regulations and Zoning Map.

John Anhorn voiced again his concerns with the definition of a C-2 district. Has there been any update on the verbiage? The Board told Mr. Anhorn that the definition has been discussed with the City Attorney and that he would be considering the verbiage of the definition. The City Attorney is on vacation and we would be getting another updated copy of the Land Use when he returns. John would like to make sure it does not say anything about restricting business just to the community.

Darren Hagen. We would like to know what are we zoning to? Is it the same that is on that sheet? Is that what we are discussing? Pat Merritt – Yes. Did they figure out a way of splitting the lot, zoning one half one way and the other half another? Has that been decided? Pat Merritt – No, that has not, this board cannot do it, it would have to be a question for the City Council. Hagen – so the Council is going to want to converse with Rahrck? This is going to be finalized tonight, voted on tonight? And then it goes to Council? Merritt – we don't vote on anything tonight. Hagen – when do you give it to Council? Merritt – at the next meeting, but I do not think they will be taking it up at the next meeting, I could be wrong, I don't know that, the only person that could answer that is the Mayor.

Melanie Hagen. What our concerns are Pat, is that you are having two meetings, you are taking up a great deal of your time and our time. So you want to get the verbiage down and have a pretty professional, polished looking thing that you can take to the Council suggesting how you think the zoning in this community should be. We're telling ya, that you got one parcel of land that's zoned two ways. We brought is up last month, and we thought when we came back here today that you guys would have

gotten together and said, “hey, when we turn this proposal into the Council we better get this right.” It think it was simple as the left hand not knowing what the right was doing, someone didn’t know that was one parcel. So we thought that home work would have been done between last months meeting and tonight’s meeting. You say take it up with the Council. I’m going to show up at a city council meeting bring this same question up and their going to say, that’s something for the Zoning. And I’ve been in this town long enough to know that rat race is frustrating.

Merritt – I don’t believe the Council will react that way. I would hope they wouldn’t. I hope you understand this, in the end, this board, will not make the final decision.

Hagen – you’re making a recommendation to the council and your recommendation has parcel zoned industrial and one other part of the parcel zoned... it’s conflicting.

Merritt – That is why we have brought that up with the attorney.

Darren Hagen – That is why we would like that zoned industrial.

Merritt – I fully understand that, and that is a legal question.

Darren Hagen – I see, now how do we go about that?

Merritt – You are going to have to bring it up to the City Council. So that the attorney and the City Council can answer it.

Melanie – So you don’t have a completed proposal to take to the Council on that property Pat.

Darren – You do, or you don’t.

Merritt – Yes, yes we do.

Darren – So that already been voted on.

Melanie – So you guys want it split?

Kniefel – My understanding between these two meetings was not to make decisions on the questions and comments that were made at the last meeting. The last meeting was for you guys to do all your questions and concerns, there was not a special meeting held by the Zoning Board to go over that stuff. This was a continuation hearing to give you more time to read through the Land Use and bring back more questions and concerns on the Land Use. Now if the Council decides that the Zoning Board needs to

have another meeting to finalize everything after all the public hearings and everything else, then they can have another meeting. Other than that, it will probably be another joint meeting between the council and zoning board to go over everything that was said here and the meeting before and make a decision from there. That is my understanding.

Darren – Oh, so there will be another joint meeting between the council and zoning.

Merritt – I am 99% sure that what the council will do, and Marie can correct me if I am wrong, will call for a joint meeting.

Melanie – I understand that. When you go to that council meeting, do you understand, that's my concern. There's properties in this community that are not being addressed, but maybe should be, not included on your list. Properties that are being changed from one zoning to another without even paying a fee, a \$100 fee for the damn hearing. Your taking zoning away, and there are a lot of questions to go through that they are going to be addressed, but how can they if you as a zoning board aren't quit getting it. And by what I mean by getting it, is when you know this is one parcel, how can you make a proposal and take that to the council then, with a proposal that it is incomplete? You know you are proposing something that you cannot do.

Merritt – The attorney has already told us that.

Melanie – So to me, if I had a job, and I had to go to my supervisor with something I would feel inept. If I go to my supervisor and say I know this is wrong, you already told me it's wrong, but this is what we are doing, it's frustrating for me, Pat. I have other things to do with my time. I thought when we came here today, you guys would have addressed that.

Merritt – we have not had any zoning meetings since that last meeting

Melanie – I see that; that's clear. The second thing that I am concerned about is will you put in your minutes the things that are said here today, or will you pick and choose.

Merritt – Oh, no. That is why the recorder is on so that we can record every word that you say.

Melanie – I'm still concerned, Pat, that at a public meeting of the zoning board, you abstained from voting on talk about the Hagen's property, when I addressed it at the last meeting, a month ago, your attorney, the City Attorney, told me, you need to take that up privately with us. There's some conflicts I have about that. You initiated it, publicly, which brings it to the public, and then the attorney says we can't discuss it in

public. I have concerns about that. I would like it reflected in the minutes and I have a few concerns about your involvement and get it straight that you have abstained from voting on Hagen Properties, and now you are saying, I have talked to the Attorney, I do not need to abstain.

Merritt – No, I did not say that.

Melanie – Well, you abstained, and now you are not abstaining, so something took place.

Merritt – No, but that is not a question to be brought up in a public hearing. I would be glad to talk to you about that outside.

Melanie – I don't want to talk with you privately. We bring up our dirty underwear in public meetings because that's how we have to and it's a question that, since you brought it up in a public forum...

Merritt – I did not bring it up, you brought it up

Melanie – No, no, no Pat, you did, Amber and I went through the meeting minutes.

Merritt – No, you brought up the question of abstaining.

Melanie – Can I read back past meeting minutes? Cause we can easily look them up, do you want to show them Amber?

Merritt – We got them right here.

Kniefel – I myself feel that when you have a public hearing, and there is a certain agenda item for say, for a public hearing which is the verbiage of the Land Use and the verbiage of the Zoning Map, you don't bring other situations in like that, same as when Vern asked about the flood map. It's not part of this Land Use. The flood map is part of the code and part of everything else for the City of Medford, so that has to get discussed at a different meeting.

Melanie – It is Amber, if somebody abstains because they feel like ethically or morally they shouldn't be involved in the conversation. Public figures often have to step out during discussions when there is what we call a conflict of interest. They step out and come up when that discussion is over. And you guys face that a lot. Pat, you especially with your experience, know what I am talking about. But, when Pat initiated the conversation several months ago in a Zoning Board meeting, "hey you guys, I don't feel comfortable talking about this, I think I need to remove myself." And then later

comes back into the discussion, I go, hugh, that is just conflicting to me. Is there a conflict, or isn't there? And do we need to look at like. It wasn't brought up by me. Your suggesting that I'm bringing up something that shouldn't be discussed here, but if there's a conflict, then Pat shouldn't be here.

Kniefel – There aren't any decisions to be made at these public hearings though.

Merritt – We're not making any decisions here.

Melanie – But it's a discussion. Right?

Kniefel – Not anything that Pat would need to discuss.

Merritt – I have to vote on it one way or another.

Melanie – Ok? So what happened when you gave me this proposal on how each business is going to be zoned, there was a vote. And then you said, "well it wasn't really a vote, it was a consensus of sorts."

Kniefel – Motions and consensuses are different, yes.

Melanie – Right, OK, and in that consensus, he was involved in that discussion. I'm uncomfortable with that. And I want it reflected in the meeting minutes and then it's dropped, but I want it written thing that I am objecting to that. And I would like an answer about that. And I will take that to the next City Council meeting and say, "I've brought this up twice, here's the meeting minutes where Pat abstained, here's you know... and we will see where that goes. That's all I'm asking for.

Kniefel – Ok. We will get it in there.

Merritt – We've got no problem with that. Anything else?

Melanie – The second thing that I wanted is could you put, your not changing anything now, this goes to Council, right?

Kniefel/Merritt – Correct/No.

Melanie – If your not changing anything, then why are saying any input?

Kniefel – Because it's going to be talked about at the next meeting.

Beiser – There's going to be a meeting when the decision gets made.

Melanie – I'm still concerned about the grandfather clause and non-conforming structures. I think that the City is under the understanding,

Merritt – What page are you on?

Melanie – I'm not on any, I didn't bring that with me. When you talk about non-conforming structure, some people believe that that means I can use Tiger Town as Tiger Town, but if Tiger Town moves, then it goes to the proposed new changed, the C1, but the logistics of it, and I wish that your attorney was here as he was explaining is that it actually follows the building throughout the life. Until the building is destroyed by fire or something and more than 50% of its value is damaged or you do an expansion that goes up over face value. There seems to be, I think, different people interpret things different. How that follows the property with the zoning is important to us. So in other words, we don't want to deal with 5 years down the line and that goes back to zoning guys, and they say this is zoned C1, that's a non-conforming structure... No, we can continue to use our property as we are using it according to those state statutes.

Darren – On that too, the use, ok, say this will go through and we end up with commercial zoning on an industrial building, and you're grandfathered in, ok, whatever, that's worthless as a sheet of paper, but if you don't use it like that for 6 months, does that stay the same or does it change? What business is classified? So, if it's one business making bow ties and it's not used for 6 months making bow ties, and somebody else comes in 4 months later and wants to make something else, is that...

Merritt – Is it still grandfathered?

Darren – Yeah, is it still grandfathered in?

Merritt – If I understand you right, you're saying...

Darren – Are you going to grandfather that? Is that clause still going to be, how's the verbiage going to be on that, is going to be, so it has to be the identical business? Or does it have to be a business that has to be zoned, per zoning?

Merritt – Does it have to be an existing business, or...

Kniefel – Yes, I understand what you are saying, and we did talk to him a little bit about that because I absolutely agree, it was conflicting, and I think that ordinance is actually conflicting. It's not very clear.

Darren – There's hardly anything about it.

Beiser – From what I understand, if the building isn't materially changed at all, it's still going to be grandfathered.

Melanie – But, we're wondering, how that is going to follow?

Kniefel – The actual use.

Beiser – How the use follows.

Darren – Because there are values here that are going to be voted and there huge and they go with us. We bought them zoned the way they were. This board has voted to change them. A few of them. And we don't want that, there's a value loss that we are going to lose. And we can bring those values in and if the City wants to just cut us a check we can just walk away and you can zone it whatever you want, we don't care. But it's our values, our necks on the line, and we want them zoned industrial. We want them zoned just the way they were. We never came to this zoning board or this meeting to have anything rezoned. We are here trying to keep what we have, not get it taken away. And make sure that's in the minutes too. This is not for us to lose, this is wrong.

Melanie – What's interesting about this you guys is that you are paralleling, according to you Amber, you are following what you have read and you have learned about how Owatonna does their zoning. Go talk to Owatonna right now. Looking at their zoning and they are going to reorganize it and restructure it to be welcoming to businesses. In other words, they find, in these hard economic times that they would do far better, it would behoove the city to be more welcoming and opening to small businesses in using non-conforming structures and allowing changes of use, they are going back to open developments and stuff. When Medford, who's suppose to be helping them, really I'm telling you guys...

Merritt – Remember the words that Mr. Mark Rahrck used, “we are not mirroring Owatonna.”

Melanie – Ok, but sometimes, Pat...

Merritt – What you are asking are good questions don't misunderstand that, but they are legal questions and obviously this board cannot answer them.

Melanie – Yeah, and we don't have an opportunity to talk to you guys. All we can do is call each one of you personally and say “Hey, Ross, can I take you for a tour to see

what we have done in this town?” But if I get more than how many of you, then it’s a public dang hearing. It feels very ugly and unapproachable to us. You know. It’s like you having to bring someone into your house to ask them if you can have grandma live there. When you bought your house, you could have her there if you wanted to, it’s frustrating and I feel angry, and hateful, I’m mad at the City. I wish we would have invested someplace else. And every other town, my sister owns businesses in Medford, our friends own businesses in Owatonna, everybody shakes their head, we’re embarrassed about it and it does start here. And when we go to the Council, they say go to you guys, and we go to you guys and you guys say go to Council and everybody says it’s Pat... “Oh, it’s Pat, that’s what Pat wants.” It’s frustrating. I’ve just had it. I’m not talking thousands, or tens of thousands, or hundreds of thousands, Darren and I are past million, more than a million and a half, our livelihood is in this and you people, I don’t even know you and you are making decisions that affect my life, my pocketbook, my child, where am I going to get to go to college. Yeah, we’re ticked. And then to find out that you proposed this stuff. And then we bring it up that it’s one lot and you say, “Oh, really”. Oh we use that for our Hagen Excavation. It’s like their shocked, oh we didn’t know that. How come you never called us? Simple put, I would have loved to take you through and show us our buildings. Oh, this is the wrong quorum. Who am I suppose to talk to? You guys are the ones who make the proposal. Who the hell am I suppose to talk to man? You get a door shut every place you go. People call us that want to lease buildings. You got the EDA, in Medford, you know what we tell them, no. Why? Because the people who come to the EDA also have money invested and they want to lease their building. Dan Kaiser wants to rent his out, Marie, I’ve had to compete against her and she’s on the City Council, you know, it’s a conflict of interest and we just frustrated. We have done nothing wrong, I thought we kind of did things nice. Day Care Center, Car Wash, Cabelas, Turkey Store, a Self Storage, what the hecks wrong with it?

Beiser – There’s nothing wrong with your businesses.

Darren – You have an EDA board that brags about how they attract businesses and want to bring business into town, and then they take the zoning away, you have more work and more people, if you want to downsize the zoning, it does not make no sense to us.

Melanie – You roll your eyes and make a face, but how are you suppose to get a renter in a tin shed for the way you guys... you got to look at these buildings. We would be more than happy to line up at 8, 9, 10, 11 and take each one of you guys individually down there.

Cowell – You said it right there, you got to look at the building...

Darren – Some people don't even know what they are talking about. We would be more than happy....

Beiser – Are you going to lose a business because any one of these is rezoned? At this point?

Darren – When the grandfather deal goes away, when we want to sell it, or something happens, yes, we possible could.

Melanie – Like by some of the proposals you have in the ordinance, you're changing some zoning and things that allow us not to be able to expand and absolutely. The contract I have with the state, most people don't make the max at three to ten years of business, this is extremely lucrative to us, we put our life savings into this. Cabelas, that's no small shake, there's lions, and tigers, and bears, and elephants. It's great, you guys are going to have to stop and check it out.

Beiser – I've been in there.

Melanie – There's things that we need to be able to do as far as expanding and changing. The Car Wash, that is a hard sell as a C1. Or did they move it to a C3? It's a hard sell, we have our shop behind there. So now you're saying, just the way it's zoned, you take away, with big overhead doors, they are industrial properties.

Darren – With 14 foot doors and 18 foot ceilings, you want this to be a commercial building?

Melanie – Go into Dan Kaiser's commercial building. Dan Kaiser's building has porcelain tile, I mean, go into Marie's, they are fancy, beautiful, nice retail buildings. Ours are warehouse structures, we have floor drains, lifts, hoists, you name it, you know, and some how that turns into a C1. We took these buildings and bought them, and went, ok, we read your guidelines, what can we go and solicit to get us renters and we put these buildings as we felt we had use in them. Now somebody is pulling the rug out from the bottom and if you had questions about it, like I said, we would have probably go show you. But to make these decisions regarding our life, our family, our business without even a phone call. People that have known us all our lives, or his life. It's frustrating and you have to say to yourself, why? Why? We as a single family in this town have brought more businesses, more jobs.

Darren – We never use the EDA any more.

Melanie – We never could.

Darren – We did use the EDA twice when it first started, but it was only for a little bit and then we got the door shut. Almost all these have been done without an EDA help for the City of Medford.

Melanie – And that is a dang shame.

Beiser – I won't disagree

Melanie – You say why are you harping on this conflict of interest with Pat. Because it's hittin us in the pocketbook.

Cowell – Melanie, I have heard you tell, it's not that I want to get upset or anything, but I have heard you several times tonight say, "Pat's brought this, Pat this, Pat that". No, there's 5 guys on this board, when we make a decision, it's the 5 guys who make the decision, so it ain't just Pat who is railroading this. So if you want to be mad, you can be mad at all 5 of us, not just Pat.

Melanie – You know, but I don't know you.

Darren – Oh, we are so don't worry about that. But Pat happens to be at the head of the table.

Melanie – Yes, and also has been involved in this since the get go guys.

Darren – This whole deal started when everything was going to be on a conditional use permit so the zoning board and the city could control the whole works. So they can give us a conditional use permit for every business that went into town. Do you know what that would be like?

Melanie – We had to pay \$100 once to have a public hearing to have Tiger Town zoned what it was already zoned because Pat pulled up and told us, that when we bought the school property that it was going to be zoned residential, you know. So we paid our \$100 bucks thinking he is the guy he knows, so we pay our \$100 and then there's door knocking going on. People from the community come to us and say, "Hey, did you know guys on the Planning and Zoning are knocking on doors telling people to show up at this hearing?" I said, "What do you mean, what guys?" I don't know you guys like Darren does, I know Pat, and Pat was the name that was brought up and if it makes you feel uncomfortable, I'm sorry, but how do you think I feel? Why, well we got our \$100 back real quick when we brought it up to Dan, you know. We didn't have to have that hearing anymore, that was a mistake. This has been ongoing as long as we have owned the property. The minute we bought it, Pat, you pulled up and told us, "You got zoning problems." And we have, we've had them for 4 years, so if it feels like I'm

focused on him, he's the only person who has had a personal conversation with me apart from a professional group that comes to me and whispers "Hey, guess what?.....this is going to happen." And boy it follows through, 4 years later we are dealing with the same issues.

Darren – And we started this, a while back, a long time ago, with conditional use permits on everything and here we sit today.

Cowell – We have been working on this a long, long time.

Darren – It is a control issue and the City is working it and working it and working it so they can control it right to a tee if they want.

Melanie – But 4 years, I can't understand why nobody asked, how does this affect you and your business?

Darren – Can we take a look at your properties, is there something that we don't see?

Cowell – As far as Tiger Town, I will just use that for an example, that's my biggest concern, an industrial property, with a day care, no. There ain't no way I'm going to vote for that at all.

Melanie – I understand that, but you also don't understand that the building is owned by Darmel Properties, that's a use, when that was approved by the state, it needed to be zoned that way. I have a letter from you guys, signed.

Cowell – Not from me, not from me.

Melanie – Were you on the board?

Cowell – You can say what you want, but if I know that was industrial, you did not get a letter from me.

Melanie – Were you on the board at the time?

Cowell – I might have been on the board.

Melanie – I have a letter from you guys, I guess it could have been the council.

Beiser – It must have been the council, we do not have that authority.

Darren – If you go to other towns, that's where they put them, in industrial parks.

Melanie – And actually, in a lot of them, go to that Kinder Berry, \$2000 a month for one kid. Best Buy the corporate office, up in Minneapolis, zoned industrial, the day care center's right in the buildings. What's frustrating, Ivan, is there are ? to business. I can remember years ago having a conversation with John Anhorn after we had a big meeting down here about the Barta Property. John and I were standing outside John's gas station and he said, "You know I just don't think that's right mixing that housing and that business like that." I said, "Well, John, look across the street, look to the side of ya, houses, businesses, that's the small stores." They didn't want the Qwik Trips...economies and the price of gas. There's different trends that change. What's frustrating is when you have a person that says like this, I've had a people say to me that they don't know the difference between an in home daycare and a commercial daycare, Ivan.

Darren – It's all state licensed, state approved.

Melanie – I'm full. We're going to be moving and I got to lease that tin shed to somebody else and maybe you didn't like it and didn't vote for it, but it went through. When I move, I have to be able, as a owner of Darmel Properties, to lease a tin shed, with cement floors and it's an industrial building. It's not an in home daycare, it's licensed by the state of Minnesota and they approved by the Department of Health. And I got a group of 5 guys on the Planning and Zoning and I got one guy telling me, "I don't think it should be zoned that way." The building is being leased, I pay rent to Darmel Properties, when I move out cause I'm full I'll have to look for another building to move to, you know, which will probably be another building that we own, you know, that's larger. Then I lease Tiger Town, that's where conditional use permits or whatever, but somebody at that time it will all go through, but now you're saying I don't agree with it, we will take it all away. So you get off the board, a new guy comes in, then he, you know, it's frustrating.

Darren – There's a 12 foot door opening in there, 16 foot ceilings in that building. All you have to do is take out 2 walls and put in an over head door and you have a shop instantly. Why can't it stay? That's why we need it that way.

Melanie – Ordinances say that we don't want an in home or a group home or a day care center within so many feet of an industrial zoning or this and that. People write ordinances. If you look at other cities, they have it written how many licenses they are going to give out for liquor sales, no strip bars, they write ordinances, but when you change the zoning on something, it's significant.

Beiser – This has taken a long time.

Darren – And then you have a car wash and then you are going to put an apartment in the front just because my mother lives there on a conditional use permit. What if Lisa Full moved out of hers next month and, say her son or somebody moved in there. Now would that be a conditional use permit? Or, how would that work? Who's going to pick up her mail? Make sure that her mail goes there and she lives there? How does that work?

Melanie – The whole ordinance doesn't make sense to me. Dennis Burgess can have an apartment to the side, Lisa Full can have it because it's behind, we can't have an apartment in front of the Car Wash because it's ahead. It feels unwelcoming. It feels like that old Catholic School marm that's going, you know, I got the ruler of you Mr. Hagen and oh, Mrs. Sexton, I will give you an apple.

Cowell – No, no. This board, especially myself, has not picked on the Hagen's. When we went through this, we went through property after property and we voted on which way we felt that property should be.

Darren – Your voting on the business, a particular business that's in that property, that property is owned by Darmel Properties which leases out properties to businesses. We could care less if it's Joe Shmoo making blue ribbons in there. We don't care.

Melanie – You have a sign ordinance in this town and I came up to Claire from the paper and I said, "Ok, I'm going to take Tiger Town Kids' signs and I'm going to go and put them down at the guy, the city guy or whatever who has that blue one on the corner that's in violation of the sign ordinance, I'm going to go and put one next to the flaming green one up by the school and one out by the interstate. And I said within two weeks, do you want to do this with me, excellent newspaper coverage, watch how fast all of a sudden it is illegal to have these signs up." These signs have been sittin there and I came name them, but the minute a Hagen puts a sign out you'd be on us. That is goofy. You may feel you're voting fairly, but what I am saying is, how does Jim Dempsey go from residential to industrial? So you are accommodating him and his business because he shouldn't be selling trailers on his house property. So we go ok, shhh, let's give him the zoning he needs, but you're out there taking away zoning we need. How does that work? How does a guy sell commercial trailers off of city property? Unlicensed trailers sit on city property and they are sold, on your property. And it's been like that forever. And I brought it up to a few of you guys, it's a city dang street, but no, let's just take Darmel Properties and pull the rug out from under them. This is goofy. You guys in a house painting cars...

Darren – How long can you park a trailer on the street?

Ross – I think it's 24, isn't it?

Kniefel – 48.

Darren – How can they sit on there for four years straight?

Melanie – Don't tell me that this doesn't look ugly, or that I don't have a reason to be angry.

Darren - They sit on the street, they've been there for years and years.

Melanie – But I have industrial zoned property and we got cops going by....

Merritt – I agree with you Darren, it's not right.

Darren – You have an unlicensed car in the lot and somebody complains about it, you get a ticket and we told people about that, we called the City Hall, you know that previous gal who moved out of state knew about it. When we called to complain about it and nothing every got done. How can things not get done? How can you tell us not to be mad? Everybody says it's not their fault. How are we suppose to talk to? It is frustrating, you guys, and I'm mad. Do you want to buy a car? Hell no! Do you want to buy a plot of land? Hell no! Do you want to get a bb gun and blow away Pat's house? Yeah! Too bad Pat. I want to erase it. I want to talk. I talk to Amber about it, how can talk? She says, "Oh, comes to these meetings." You come to these meeting and you tell us to shut up.

Merritt – I don't think I've every told you to shut up.

Melanie – No, no I got to get a hold of you, I've had the gavel thrown at me once, and had the attorney say, "This isn't the appropriate forum to discuss this." And you're going, ok, now we are going back to whispering in the halls and that's not appropriate either, you know.

Darren – This is nerve racking for us.

Melanie – It is.

Merritt – Everything that you have said tonight is right there, and Amber will do her very utmost to type it word for word and that will be passed onto the city council. And you are absolutely right about those trailers there. They are unlicensed, they are on city property.

Darren – They've been there for years.

Merritt – I know that.

Melanie – And then you guys go and make this proposal and you give him a zoning, you give this guy permission to, instead of a ticket or talking to him and telling him to move this stuff, you go in and him zoning that makes it ok.

Merritt – Not on the street.

Melanie – No, not on the street, but on his home property. But when we're doing stuff ok, according to the way it's done now, you take it away. Now tell me how that doesn't feel you're getting picked on? I mean think of your kids, your grandkids, you know how that is one skittle for you, one skittle for you, but in Medford it may not be that way, it may be 5 skittles for you and only 2 for you. And it's frustrating and that's what generates all the talk, that's what people say. Wayne Maas in here tonight, you know, he says look the local makes sense this the two don't always make sense then, you know, why can't we work together. People who live here, people on the boards...

Merritt – That's why we are here tonight. We are trying to take all of your concerns, Melanie.

Melanie – But a month ago, I thought that's what it was and you guys just initially said to me this isn't the appropriate forum, we haven't changed anything, it goes to our council, it's not our fault, you know.

Merritt – We're going to record everything as you say it and we will give it out to the city council and they are the people with the authority to either buy it or sell it.

Melanie – When I went to school, they taught me business etiquette. If an employee comes to me, an employee comes to me and they are upset, I say, "You know what, I'm going to try to help out, let me go to the appropriate people, let me see if I can propel some kind of community meeting between the council and us and maybe you guys. Let's work this out, nobody should feel bad like this, let's make this nice. There's no warm fuzzies. You get, oh that will be dealt with, but Pat, it's been 4 years.

Merritt – We've been working on this for 5 years.

Melanie – I understand that. And we've been going like this for 5 years.

Darren – And actually what you got now, some of the rules and all that, probably make more sense because a lot of it is already in black and white. Some of your verbiage is/are very unclear like your C1, C2... and that's why we want to know what the

grandfather clause is. If it would go the way you guys have it wrote, there's a lot of things that we are pretty apprehensive about this zoning issue as it is now.

Merritt – I don't blame you, but only an attorney can answer those questions. Ross cant' answer them, I can't, nor Paul, or Ivan.

Melanie – But you as a group went through these properties,...

Merritt – And did the best that we could do.

Melanie – You did the best that you could do. You looked at them and said, “Well, this is a day care center,” and one guy says, “I just don't think it should be next to industrial.” The next guy might say I don't think that should be next to the road cause those guys might run over the kids. The next guy might say that I don't think there should be toilets in there cause they could drown in the water. And how do you ever get anywhere, you know?

Beiser – That's why it's taken 5 years.

Melanie – Maybe it would behoove ... during the next 5 years you probably will have different names on the buildings. It would probably behoove a person ... this is governed by the Department of Health and the Department of Services covers this. A lot of your concerns about that day care would be probably annihilated. If you know that day cares are everywhere in industrial areas and they do take precautions. I do get that State license, but you don't know that because you've never asked me. You have concerns, how come I don't know about them? You know.

Beiser – I guess to answer Darren's question, what's going to happen 5 years from now, if one of your properties is changing zoning, it's not like we're trying to run a business out of town, I don't think there's anybody on this board or the city council that every wanted to run any business out of town.

Darren – Well, you do a good job of it.

Melanie – We've had businesses run out of town. Pat can tell you stories about that.

Beiser – I guess I'm not aware of it, I mean, as a business man myself, I would not want my business ran out of town. And what happens with one of your buildings, if it gets rezoned and you want to bring in business X whatever it is and nobody knows right now, it's in the future, I guess, one of Ivan's concerns and a lot of people's concerns is, you don't want little kids next to a foundry that could blow up. And obviously as business owners, you don't want that either.

Darren – No, I mean, but you know, properties are, stuff like that isn't even comprehensible coming back in. You don't want a junk yard, ok, fine, you have an ordinances that say, don't have junk yards.

Beiser – There's ways to keep certain businesses out of town

Darren – You can't just go, cut it off and go, no you're never going to have a junk yard here because we're going to just undo the zoning so you can never have one, you can't do it that way. It doesn't work that way.

Beiser – I agree with you.

Melanie – And you may not have been on the board, but we have a beautiful letter that of oh, we welcome Tiger Town, it was never a concern at the time. So that's this, ok, the up and down, the changing of people's minds, or maybe you weren't at the meeting, maybe you didn't write the letter, or maybe it wasn't the planning and zoning I have the letter it could have been the council. It was a requirement of the State for me to get licensed my City had to give me the nod. My city that I live in and invested in, gave us the nod. Now, city members that are the fathers that are sort of running it are saying, "I have concerns about that." Look at all the gas tanks that are at Anhorn's with the houses across the street. Intermixed uses has been going on forever and the requirements that the State makes John do, the gas tanks have to be buried in the ground, you got to do this, you got to do that. It may behoove a board to check into those questions, they're excellent. But then find out how do you protect these children, who governs this, there has to be more than just the local planning and zoning people, you know. Businesses are run by licensed people and all other stuff, you know, but I mean the communication...

Merritt – Some of them are regulated by the State too. Like gas stations...

Melanie – So, I mean, you know, you could say that... Look at CJ's, he's got houses all around him. So now, let's go back to the skittles, CJ can be zoned a C3, Tiger Town, Oh, CJ lives by kids and disabled people that can't run, you know, disabled people are in wheelchairs who can't run away if the tanks blow, but let's worry about you know, you gotta have apples to apples. But it doesn't work that way.

Beiser – I agree.

Darren – That's why we want it left the way they were prior to, we didn't come here to ask to change, we want it to stay the same. That's it. That's all it is.

Melanie – Then again...

Merritt – We understand that, it will be recorded and passed to the council

Beiser – The council may vote to keep it as is.

Melanie – You have an ordinance that's written, I can't have a strip bar,

Merritt – We have an ordinance that says you can't have a junk yard too.

Melanie – You can't have a junk yard, you know you guys have, within the existing industrial there's...

Beiser – Certain things you can do and certain things you can't.

Melanie – Right. And when it says clearly, I can't have a lye manufacturing plant, but I mean, to me, go with those concerns. Yeah, your right foundry's are gone, we don't want that either.

Merritt – One of the things that I don't know for sure you realize that this board was instrumental in, before we had industrial and commercial, that was it. It made our job tremendously tough to look at your properties and say, ok, we got to zone it one or the other or residential. But now, you have 2 industrial zones and 3 commercials, without that your particular property would have caused, I don't even know where the council would have gone with it. And luckily that was presented to the city council, recommended, and they informed us, that was good, go with that. So we had to go back and relook at all the properties using 2 industrial and 3 commercial.

Darren – Well, the one industrial...

Merritt – But no, before we just had one industrial, Darren, and one commercial. And this board was instrumental in getting that for and basically for Darmel Properties. I don't know if you're aware of that.

Beiser – And a couple of other properties in town too.

Merritt – But basically it was..., Schlichter was another one, but I believe that was it. I don't know if you were aware of that or not, we did hear what you said.

Melanie – So your telling me that you heard what we said, there was one encompassing industrial zoning...

Merritt – And now there's two.

Melanie – How's that going to affect me, it makes no difference to me. I was zoned industrial, and if you want to divide them into a heavy and light, that's not to my benefit, industrial is all encompassing. I appreciate it but,...

Merritt – Well, if we would have left it that way, the council...

Melanie – It behooves everybody to have light for your concerns, what we are talking about.

Merritt – And it will still work for you folks too. If that's the way the council...

Melanie – We are not arguing that Pat. What we are arguing is should, say the Cabelas building where the taxidermy is, if that stays zoned commercial, the Car Wash, we have industrial buildings, we developed them to fit the guidelines of industrial. Mike Nelson, our building code inspector, comes in and say I find someone who wants to open, let's turn it back into a restaurant like it used to be, the Car Wash, ok, that would fit into the C whatever you proposed and that would be fine, but he's going to come in and he's going to and say, this isn't going to work because we have new building codes and you have to do this and you have to do that. Change them. And they say grandfathered in. No matter what we get to steep hole what they are, but I think it needs to be clear that they stay that way as long as that building is there, because we could sell it, and it doesn't change when we sell it to a new owner. I might sell that whole lot, Tiger Town, Straight River Enterprises, you know, they're all shared lines and stuff, and some day somebody might want to buy that and contract, it's lucrative and maybe we want to retire and move away. It wouldn't all of a sudden go to different zoning had you guys changed that, but what I think is that people don't get that and they don't understand that how does that transpierce time? So 20 years from now, somebody looks at it and goes, you can't put that proposed business in here, you know.

Merritt – That's why we are trying to work on this right here.

Melanie – So we're saying, you wouldn't even have to ask if you just left it light industrial, I'm not opposed to that. We're not going to want to do anything that is a concern, why would you want to put kids, and your customers aren't going to put kids next to a lye manufacturing plant.

Merritt – When we get done with this, it will have over 100 sheets in it, and eliminate roughly 30 of our old ordinances. And like we say, I've been working in it for 5 years and it was being worked on 1 year prior to me.

Melanie – I don't think it's a bad thing, and Darren and I don't feel it's a bad thing. It just feels like we've been left out of the circle, you know. We're like, we're most affected by it, and you hear through grape vines, you better get down to City Hall... And I was like, no, no, and then yes. It's frustrating and I think that a lot of that could be alleviated is that as a community there is better talk.

Merritt – Well, I hope that you feel that you had the right to express yourself at the zoning meeting.

Melanie – I do, I appreciate it, you know. It was frustrating last month when the attorney told me that's not the right forum, it's like, well, what is? I do feel a little bit like it's not right if I call Ross at home and say, "Hey, you wanna go for a cruise? It almost feels kinda sneaky, but I understand that so many of you guys or more constitutes, that's been explained to us...

Beiser – A quorum, or whatever, yeah.

Melanie – And that would be something that would be good to do, you know. We could do it in a matter of days if you guys felt open to it. Maybe it's too late to revise the proposal, but there is conflicts...

Olson – I agree with you guys....

Darren – It's frustrating on our part, it's a money thing. You know when you get down to it too.

Merritt – Like I say, I'm sure at some point, I don't think it will be at the next council meeting, the council will go over this, and they will have a tremendous amount of reading, but I am sure that they will then set up the meeting, and you folks can certainly be in attendance, to where the zoning board would be meeting with the council. We have had 2 of those meetings already concerning this ordinance and this particular board. This is how it works, just so you're aware of it, the mayor will read criteria for putting a PUD in Darmel Properties, are you in favor, are you in favor, he will poll all 10 people. And the zoning may be 3-2 in the favoring way and the council may be 3-2 in the opposing way and the council will over ride us.

Melanie – I understand that. Our concern is what happens when you get to the Tiger Town property that shares the greenhouse, SRE, ok, so what's your proposal to the council? Ok, you're telling me now you have to back through time and you're gonna go through the same...

Merritt – No, I cannot answer for the City Council.

Beiser – The property that's split definitely has to get looked at again because...

Melanie – That's what I mean...

Merritt – And that's going to be a legal question. It will be a legal question and the attorney will have to answer that.

Melanie – We're wondering, when you look at that, we're going, these guys at the City don't even know...

Beiser – Well, I can tell you, when we were here, I didn't know it was...

Kniefel – No, we all knew it was all one parcel, I made it very clear...

Melanie – I had that discussion down at the City and you didn't know.

Kniefel – No, one parcel for that whole piece, the reason why it had to be looked at differently as in 2 pieces, in my mind, was the use and you have a list that you are trying to go by, so if you want a day care center in an industrial zone, you need to write day care center under permitted use in industrial zone. I don't see anyone doing that.

Darren – It's a grandfather thing.

Kniefel – It can be grandfathered if it's a permitted use, but a day care center is not a permitted use in an industrial zone. It's just not.

Darren – According to?

Kniefel – According to the ordinance now, not according to your letter, we talked about this.

Melanie – I understand, but what I'm saying is maybe people need to look at that because across the State, many day care centers, and I'm not talking in home, you wouldn't have an in home in town with a day care that was zoned industrial, but across the state, corporate, large factories, gambling casinos, have on site, that is the trend, in the very building where manufacturing is going on.

Kniefel – I absolutely can see that.

Melanie – They got day care centers on site or on location... It is not unusual to have an adjacent building in an industrial zoned area with day care in it, it's very good, they also have fitness centers, you know look at Federated, you know, that's not uncommon.

Kniefel – So as a zoning board they could propose that.

Melanie – ... City Clerk, and I don't mean that diminutively, but you're going, I don't think this day care fits in an industrial zoning. And I'm saying possibly, maybe, we should check into it and find out. You know what I am saying. I have to write this college paper...

Merritt – No, no, and I want to assure you of something else too, when we do start to discuss something, and we find something that is very controversial, we do a tremendous, this young woman, does a tremendous amount of research. She'll call Faribault, Owatonna, Waterville, Janesville, Claremont, Ellendale, New Richland, Kenyon. We look at a lot of different ordinances and then we try to see if there is anything in them that fit Medford. And sometimes the City Council agrees with us and sometimes they don't agree with us.

Melanie – But I mean even as close as Faribault, you have a day care center...

Merritt – We have that in Owatonna too, it's not that we are not aware of these things, it's not that we are not aware of these things, Melanie.

Melanie – I'm just responding to what she said, when she goes down in her mind, she's thinking day cares shouldn't be in industrial, but in reality in a lot of places they are.

Kniefel – Right, but if you're just going by the ordinances that you have to follow, the definition does not fit. It just doesn't.

Merritt – It does not fit, right now, unless it's changed. It may be changed and may not be changed.

Melanie – That's just what I am saying, if I could ask for the biggest thing in my life that would make my relationship with this city foster and grow it would be communication. It would be Amber, when she's sitting down and she's writing this stuff out, and I know you put in tons and tons of work into this, I'm not unappreciative of it. Darren and I realize that we need to do rezoning. But most of all when someone says, hey, this is what I have been assigned, this is my job duty, I'm not clear as to what you guys got going on, can we get together, and go through them, now I'm not going to try and hog tail you into what I think, you know, I would show you and I think clearly, when you walk through them, you'd go, oh, you know, because to us to conform these buildings into commercial is a significant investment if we'd ever have to change anything. If I'd bought them and they were zoned commercial, I would have went out and solicited people to lease from me to do as they were zoned, but we didn't

buy them that way. So that's why we are asking, can't we just leave good as it is? But, I do think that, industrial, you're right, you would never want someone to do something, you know, that's for more private areas. So the light industrial...

Merritt – So I'm going to tell you something that the City Council will probably tell you, just because Owatonna does it, doesn't necessarily mean Medford's going to do it. You may or may not like any of us, you may not like any of the people on the City Council, but in the end they will try to do what they feel is best for the City. We hope in most cases that will be in your best interest, but sometimes...

Melanie - Pat, conflicts of interest are bounding. You have to take a look at, ok, if a guy does it this way and he wants to restrict your use of a building that you've put lots of money in and there's somebody on the council competing for the same state contract. We've had that, with Marie. That will never happen again, I was green, I didn't realize that I couldn't do that. That 8 year lease we have with the state of Minnesota, we actually were in competition with someone of the City Council for, and they had privilege to certain information that they could provide to the State that would have varied it for us, and it was a very tenuous situation. I will never encounter that again and that's why I pushing the conflicts of interest. It is hard, Amber and I talked about this once, she said in a small town, you pretty much know everyone, I bowl with him, I do this and that, but to me a conflict would be somebody who has a commercial building, that sits empty, and I got somebody who comes to me and wants to lease mine, and he wants and EDA loan and that guy sits on the EDA board, do I go to them and say, gosh, Cabelas wants a taxidermy and we have to do extensive remodeling, but it's going to be really good for the community, we think, that guys gonna possibly, I'm not saying he's gonna, but maybe he'd go to Cabelas on the side and say, hey, why don't you just use my building? You know? You have to go shhh, nope, no EDA, we don't have one our town. We have had to do goofy things like that and that makes us feel mad. So, we would prefer to see people abstain and say if they even feel the slightest element that there is a conflict of some sort that they would abstain. And the reason that I bring it up is because, Pat, a while back you had abstained. You said I'm not going to talk about Hagen Properties and you sited conflict of interest and that is in meeting minutes. Then the next time I come to a meeting, you're there talking about them. I'm thinking, ok, if you thought it was a conflict before, how come there isn't now? And that's why I'm bringing it up. And then you come to a meeting and oh, that's the wrong forum. How can it be when you brought it up in a public forum? You know, it's very difficult for us to sort through all this political stuff. We just want to be business people. We work hard, that's all we want to do, I want to be home giving my kid a bath and getting ready for bed, not pleading my case, you know. I never thought I'd have to, you know, it's weird. I appreciate your time and we've bored you long enough, but when we go to the council meeting you can bring those things up.

Merritt – Well, rest assured... How it works, Amber will type this and it will be in Marie's packet, Dan's packet, Corbin's packet, Danny's packet and Brenda's packet.

Melanie – So then it will come out into the CAST and it will be public? Right?

Merritt – All the minutes,

Kniefel – No, the zoning minutes aren't in the CAST.

Merritt – No, the zoning minutes aren't, but they are public information for anyone who wants to read them.

Kniefel – I put them on the internet.

Melanie – Cause that is the criticism a lot of times that something that happens in a meeting may or may not be in the minutes. And then Amber explained to me the process of the minutes and it's kind a...

Kniefel – That very well can happen, yes.

Merritt – That's why we're recording them to make sure that we do have hopefully have everything possibly written down and Amber will do her best to type it. So that every comment you have will be on paper, and if it takes 10 sheets so be it and Marie will have it in her packet before next Monday.

Kniefel – And you can absolutely stop in and check. I will type it up as much as I can.

Melanie – I feel a lot less heated obviously, but it is frustrating and I just want it to be over. It's like a 4 year fricken nightmare. And then we get all this gossip, I can't even go to the Medford Muni without listening to people. And they talk about you and they talk about you and they talk, hey, I heard Pat down here at the Muni talking about this, and I heard this, and you try blow it off and you say to yourself, ah, no, then all of a sudden you get a little, public hearing will be held, and oh my gosh, maybe I should have been doing something, you feel like, oh, you know. You just can't blow it off and that's when you come in and put your stake in the ground and say we're gonna fight this one out.

Merritt – I don't think anyone on this zoning board has been going around knocking on doors, talking to anybody. Am I right Ross, I certainly have not.

Melanie – You did, I've got several people who are willing to testify...

Merritt – That I have gone to their door to talk to them?

Melanie – Yeah, back when we paid the \$100 for the public hearing when we bought the school property.

Kniefel – Back in 04.

Merritt – Oh, that was some time ago, yes.

Melanie – It was some time ago, but you did it Pat, and I've got people to have signed, they've got statements ready, if we have to push it.

Merritt – Oh, yeah, that I agree.

Melanie – So that is in violation of what you are suppose to be doing and that...

Merritt – That's in no violation.

Melanie – Excuse me?

Merritt – It's our job to try to get as much information as possible before we vote on anything.

Melanie – Well, these people are saying that you came to them to alert them that we were going to put industrial businesses in their neighborhood and that there was a public hearing being scheduled, the one we paid \$100 for, and that they should show up.

Merritt – Well, they also got a notice I am sure.

Melanie – The notice, yeah, but that was separate from your door knocking and your right I don't think anyone else on this board has done door knocking. It is and it has been you and that is one of the conflicts. So if we go to court, those statements get brought up and we are willing to go, I mean, this is lots of money to us, if we lose certain zoning.

Merritt – Whether the city will do that or not, I have no idea.

Melanie – Whether the city will do what?

Merritt – Take it to court.

Melanie – No, I’m talking that we may have to, you know, you can’t be going on like that.

Merritt – I have no idea whether the city will do that or not.

Darren – We can challenge anything...

Melanie – I’m not talking about the city, I can, it’s my right, its America...But I’m saying you guys want to know where the conflict is, it is right there, 4 years ago when you knocked on doors, so we’re going, what’s your personal interest in the Hagen Property? You know, there is one, it’s been identified, you yourself identified it and now we are asking if you would step away, quit doing it, quit talking to people about our business. Let the other people on the board decide what they want to do, maybe you should step out of it, you did violate that, you know.

Merritt – Anything else, that you would to...?

Melanie – No.

Merritt – Darren do you want to add anything?

Is there a motion that this hearing be closed then?

Beiser – I will make the motion.

Merritt – Is there a second?

Cowell – Second.

Merritt – Motion made and seconded, close the hearing at 8:00 PM. All those in favor signify by saying “I”, opposed? Motion Carried. Hearing is closed at 8:00 PM

ZONING AND PLANNING MEETING
Regular Meeting
June 16, 2008
8:01 P.M.

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel, Darren and Melanie Hagen

Meeting called to order by Pat Merritt at 8:01 p.m.

Minutes from the May 19, 2008 meeting were read.

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

Old Business

None.

New Business

Councilmen Thomas asked that the Zoning Board discuss the issue of set back requirements for non-conforming structures. Zoning Board consensus is that if a resident wants to add a conforming addition to a non-conforming structure, it should be allowed. A non-conforming addition would need a variance.

New Sign Ordinance. Zoning Board consensus was to keep the 5 sq. ft. of signage per front foot of lot abutting public right of way.

Consensus of the board to take the advise of the Chamber's suggestion to add verbiage of giving a business that is leaving to take their sign down in 30-60 days after closure instead of the 1 year that is in the proposed ordinance.

Motion by Beiser, seconded by Olson to recommend to the City Council to change the Sign Ordinance as discussed. Carried unanimously.

Discussed the next step for the Land Use.

Next regular meeting is July 21, 2008 at 7:00 PM.

Motion by Olson, seconded by Cowell to adjourn the meeting at 8:59 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Special Meeting – Public Hearing
June 19, 2008
7:00 P.M.

Roll call: Merritt, Beiser, and Cowell

Absent: DeMars and Olson

Also in attendance: Amber Kniefel and Joyce Krall

Meeting called to order by Pat Merritt at 7:01 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions concerning a variance request by Joyce Krall at the property located at 406 5th Ave NE. Joyce Krall is requesting to place a fence on the east property line. The fence would also go approximately 24 feet around the back corner. The ordinance states that fences need to be placed at least two feet from the property line.

There is a 15 foot jog at the backside of the house (east to west). All the property pins have been located. The total length of the fence would be 146 feet. The distance between the house and the east lot line is 10 feet. The jog at back lot line is 10 feet from the house.

Joyce Krall believes that both properties would gain value if the fence is installed. The neighbor thinks the fence is a good idea. The neighbor's dogs use the property regularly.

Motion by Beiser, seconded by Cowell to recommend to the City Council to grant the variance based on the fact that the plight of the landowner is due to circumstances unique to the property not created by the landowner; that the back lot line at the corner of the house should have been 25 feet from the house.

Motion amended by Cowell, seconded by Beiser to also request that the fence be at least 5 inches from the ground so there is room to cut her own weeds along the fence line. 2 ayes, 1 nay. Carried.

Motion by Cowell, seconded by Beiser to close the public hearing at 7:25 PM. Carried unanimously.

ZONING AND PLANNING MEETING
Public Hearing
July 14, 2008
7:00 P.M.

Roll call: Merritt, Beiser, Olson and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel

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

Public Hearing scheduled for the citizens of Medford to voice their concerns and ask questions regarding the proposed Sign Ordinance.

Motion by Olson, seconded by Cowell to recommend to the City Council that all zoning permits expire after 1 year. Carried unanimously.

Discussed home for sale signs and election and/or seasonal type signs.

Motion by Olson, seconded by Beiser to discuss the issue with City Council at next joint meeting. See page 10, Subd. 3 L. Carried unanimously.

Motion by Beiser, seconded by Cowell to recommend to the City Council to accept the Sign Ordinance as discussed. Carried unanimously.

Motion by Olson, seconded by Beiser to adjourn the public hearing at 7:17 p.m.
Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
July 21, 2008
7:04 P.M.

Roll call: Merritt, Beiser, and Cowell

Absent: Olson and DeMars

Also in attendance: Amber Kniefel, Kym Christiansen, Mark Rahrck, Dan Kaiser, Marie Sexton, Darren and Melanie Hagen

Meeting called to order by Pat Merritt at 7:04 p.m.

Minutes from the June 16, 2008 public hearing minutes concerning Wayne Maas were read.

Motion by Cowell, seconded by Beiser to accept the Wayne Maas Public Hearing minutes as read. Carried unanimously.

Minutes from the June 16, 2008 public hearing minutes concerning Land Use Regulations and Zoning Map were read.

Motion by Cowell, seconded by Beiser to accept the Land Use and Zoning Map Public Hearing minutes as read. Carried unanimously.

Minutes from the June 16, 2008 regular meeting minutes were read.

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

Minutes from the June 19, 2008 public hearing minutes concerning Joyce Krall were read.

Motion by Cowell, seconded by Beiser to accept the Joyce Krall Public Hearing minutes as read. Carried unanimously.

Old Business

None.

New Business

None.

Next regular meeting is August 18, 2008 at 7:00 PM.

Motion by Cowell, seconded by Beiser to adjourn the meeting at 7:06 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
August 18, 2008
7:00 P.M.

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

Absent: None

Also in attendance: Amber Kniefel, John Schlichter, Darren and Melanie Hagen, Marie Sexton, Rick Dempsey, Ruth Dempsey, and Brenda DeMars

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

Minutes from the July 14, 2008 public hearing and the regular meeting minutes from the July 28, 2008 meetings were read.

Motion by DeMars, seconded by Olson to accept the July minutes as read. Carried unanimously.

Old Business

None.

New Business

Discussion on 9 foot wall height restrictions for garage walls.

Motion by Olson, seconded by Cowell to recommend to the City Council to take 9 foot wall height limit requirement out of the garage standards of the new ordinance. Carried unanimously.

Next regular meeting is September 15, 2008 at 7:00 PM.

Motion by Beiser, seconded by Cowell to adjourn the meeting at 7:04 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Special Meeting
August 26, 2008
7:00 P.M.

Roll call: Merritt, Beiser, Olson and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel

Meeting called to order by Pat Merritt at 7:05 p.m.

Special Meeting of the Planning and Zoning Board was called to discuss the proposed sign ordinance.

Discussion of the maximum size limit of one sign within each zoning district.

Motion by Beiser, seconded by Cowell to recommend to the City Council to remove the maximum size limit of 650 sq. ft. for a single sign on pages 11 and 12 within the C3 and I 2 zoning districts. Carried unanimously.

Discussion of the maximum size of a single sign in the I1 and C1 zoning districts.

Motion by Olson, seconded by Beiser to recommend to the City Council to allow the maximum size for a single size in the I1 and C1 zoning districts be 64 sq. ft and 68 sq. ft. for the total of all signs plus 2 square feet per front foot of lot abutting a public right-of-way in excess of 100 feet. Carried unanimously.

Discussion of using the words parcel versus premises.

Motion by Olson, seconded by Beiser to recommend to the City Council to use the word parcel throughout the sign ordinance to be consistent. Carried unanimously.

Motion by Beiser, seconded by Cowell to adjourn the public hearing at 7:37 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
September 15, 2008
7:00 P.M.

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: None

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

Minutes from the August 18, 2008 regular meeting and the August 26, 2008 special meeting were read.

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

Old Business

A lengthy discussion was held about digital display signs about where they should be allowed and how they should be enforced.

Motion by Beiser, seconded by Cowell to recommend to the City Council that digital display signs be allowed in C-3 and I-2 zoning districts. Carried unanimously.

New Business

None.

Next regular meeting is October 20, 2008 at 7:00 PM.

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

ZONING AND PLANNING MEETING
Public Hearing
October 20, 2008
7:00 P.M.

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel, Ernie and Audry Landon

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

Public Hearing scheduled for the citizens of Medford to voice their concerns and ask questions regarding two variance requests from Ernie and Audry Landon. The property address is 406 S Main Street.

Discussion of the first variance request was for an eight foot porch to be built on the front of the house. The variance would be for three feet on the west side. The house sits back approximately 74 ½ feet from the center of main street. The Zoning Board discussed four questions concerning variance requests:

1. Is asking for an eight foot deck (three foot variance) on the front of Mr. Landon's house a reasonable request? Consensus of the zoning board, YES.
2. Is the plight of the landowner due to circumstances unique to the property? Consensus of the zoning board, YES.
3. Would granting the variance alter the essential character of the neighborhood? Consensus of the zoning board, NO.
4. Pursuant to the Zoning Ordinance, would granting the variance have a material effect upon the health or safety of persons residing or working in the neighborhood? Consensus of the zoning board, NO.

Motion by Cowell, seconded by Olson to recommend to the City Council to grant the three foot variance request for the front porch/deck. Carried unanimously.

Discussion of the second variance request for the property located at 406 S Main was for a two foot variance on the south side of the property for installation of a fence. Mr. Landon has approximately 39" from the south side of his house to the property line. He is requesting a chain link fence to be built close to the property line in order to have

enough room to mow the lawn. Mr. Landon's intentions are to build a chain link fence now, and in the future, change the fence to a wood, privacy fence.

The Zoning Board discussed four questions concerning variance requests:

1. Is asking for a two foot variance on the south side of Mr. Landon's property for installation of a fence a reasonable request? Consensus of the zoning board, YES.

2. Is the plight of the landowner due to circumstances unique to the property? Consensus of the zoning board, YES.

3. Would granting the variance alter the essential character of the neighborhood? Consensus of the zoning board, NO.

4. Pursuant to the Zoning Ordinance, would granting the variance have a material effect upon the health or safety of persons residing or working in the neighborhood? Consensus of the zoning board, NO.

Motion by Beiser, seconded by Cowell to recommend to the City Council to grant the variance request for installation of a fence to be built no closer than 2 inches from the property line. Carried unanimously.

Motion by Beiser, seconded by Cowell to adjourn the public hearing at 7:23 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
October 20, 2008

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel

Meeting called to order by Pat Merritt at 7:24 p.m.

Minutes from the September 15, 2008 regular meeting were read.

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

Old Business

None.

New Business

Discussion of code enforcement and how Steele County Law Enforcement could help.
No action taken.

Next regular meeting is November 17, 2008 at 7:00 PM.

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

ZONING AND PLANNING MEETING
Public Hearing
November 17, 2008
7:00 P.M.

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel, Dalton and Hailey Beiser, Harry Buerman, and Paul Borash

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

Public Hearing scheduled for the citizens of Medford to voice their concerns and ask questions regarding the conditional use permit at the Medford Township Hall.

Harry Buerman, representing Medford Township, asked the Zoning Board to consider removing condition #3 from the conditional use permit. Condition #3 states that Medford Township cannot rent out the building to any others.

Motion by Beiser, seconded by Olson to recommend to the City Council to grant the renewal of the conditional use permit with the change to eliminate condition #3 for the Medford Township Hall. Carried unanimously.

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

ZONING AND PLANNING MEETING
Public Hearing
November 17, 2008
7:00 P.M.

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel, Dalton and Hailey Beiser, Harry Buerman, and Paul Borash

Meeting called to order by Pat Merritt at 7:09 p.m.

Public Hearing scheduled for the citizens of Medford to voice their concerns and ask questions regarding the conditional use permit at the Medford Funeral Home.

There were no comments or questions from the public.

Motion by Cowell, seconded by Beiser to recommend to the City Council to grant the renewal of the conditional use permit for the Medford Funeral Home. Carried unanimously.

Motion by Beiser, seconded by Olson to adjourn the public hearing at 7:16 p.m. Carried Unanimously.

ZONING AND PLANNING MEETING
Regular Meeting
November 17, 2008

Roll call: Merritt, Beiser, Olson, and Cowell

Absent: DeMars

Also in attendance: Amber Kniefel, Dalton and Hailey Beiser

Meeting called to order by Pat Merritt at 7:16 p.m.

Minutes from the October 20, 2008 public hearing were read.

Two changes need to be made to the public hearing minutes: 1. Adding the property address to the second variance request. 2. Add the specifics that the fence can be built no closer than 2 inches from the property line.

Motion by Olson, seconded by Cowell to make the 2 corrections to the public hearing minutes from October 20, 2008. Carried unanimously.

Minutes from the October 20, 2008 regular meeting were read.

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

Old Business

None.

New Business

None.

Three public hearings will be scheduled for December 15, 2008.

Next regular meeting is December 15, 2008 at 7:00 PM.

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

ZONING AND PLANNING MEETING
Public Hearing
December 15, 2008
7:00 P.M.

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

Absent: None

Also in attendance: Amber Kniefel, Danny Thomas, Jerome and Marie Sexton, Andrew Miller

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

Public Hearing scheduled for the citizens of Medford to voice their concerns and ask questions regarding the recording and conveying of real property located at 505 S Main St, Medford. The request is for a lot split of an existing lot to make a new buildable lot.

Amber Kniefel presented a Certificate of Survey received from Danny Thomas's attorney. Section 4.51 of the City Code outlines the requirements for recording and conveying real property. The Zoning Board needs to determine if the lot split creates a buildable lot.

Danny Thomas stated that he has no intentions of building on the lot at this time.

Andrew Miller requested to see the survey. He had no concerns with the lot split.

The public input portion of the public hearing was concluded.

Discussion of the Zoning Board was that the lot split will create a buildable lot.

Motion by Cowell, seconded by Olson to recommend to the City Council to approve the request made by Danny Thomas to record and convey the property to create a new buildable lot. Carried unanimously.

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

ZONING AND PLANNING MEETING
Regular Meeting
December 15, 2008
7:07 P.M.

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

Absent: None

Also in attendance: Amber Kniefel, Chad Merritt, Jerome and Marie Sexton, Danny Thomas

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

Zoning Board began with a discussion of the process for reviewing Conditional Use Permits. Conditional Use Permits do not expire. They are to be reviewed and the Zoning Board's job is to make sure they are still being used as they should be. CUP's stay with the property, not with the owner of the property.

Discussion of the Medford Auto Sales Conditional Use Permit.

Motion by Cowell, seconded by Beiser to inform the council that the CUP for Medford Auto Sales has been reviewed and all conditions are being met. Carried unanimously.

Discussion of the Straight River Cable Conditional Use Permit. Jerome and Marie Sexton were in attendance and commented that the nothing has changed with the conditions on the permit.

Motion by Cowell, seconded by Olson to inform the council that the CUP for Straight River Cable has been reviewed and all the conditions are being met. Carried unanimously.

Minutes from the November 17, 2008 meeting were read.

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

Next regular meeting will be January 12, 2009 due to a holiday on the regular Zoning Board meeting date.

Motion by Beiser, seconded by DeMars to adjourn the meeting at 7:31 p.m. Carried Unanimously.