



**MONTROSE
PLANNING AND ZONING COMMISSION
AGENDA**

Wednesday, March 13, 2019 – 7:00 PM

**Montrose Community Center
200 Center Avenue South
Montrose, Minnesota 55363**

1. Call to Order
2. Oath of Office
 - A. Oath of Office
 - Mr. Justin Emery
3. Roll Call
4. Pledge of Allegiance
5. Approval of Agenda
6. Approval of Minutes
 - A. December 10, 2018 Planning and Zoning Commission Meeting Minutes
7. Appoint Officers
 - A. Chair
 - B. Vice-Chair
8. Public Hearing
 - A. Consider Amendment to Chapters 1002, 1019, 1071, 1080, and 1081 of the City of Montrose Code
 - Consider Amendments Allowing for Temporary/Overnight Parking of Semi-Trailer Trucks in B-2 Highway Business District, I-1 Light Industrial District and I-2 General Industrial District
9. Old Business

10. New Business

A. Discussion on Allowing Residents to Have Chickens – Mr. Kyle Hoffman

B. City Planner Updates

- The Preserve Housing Development Property
- Solar Farm Proposal

11. Next Meeting

A. Wednesday, April 17, 2019 to be held at the Montrose Community Center - 7:00 p.m.

B. Wednesday, May 8, 2019 to be held at the Montrose Community Center - 7:00 p.m

12. Adjournment

*** * Please note that a quorum of the City Council may be present
at the Planning and Zoning Commission Meeting. * ***



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
 Telephone: 763.957.1100 Website: www.nacplanning.com

TO:	Deb Boelter
FROM:	Myles Campbell
DATE:	3.5.19
RE:	Truck parking ordinance
FILE NO:	273.02 – 18.02
PID:	N/A

BACKGROUND

Staff was previously directed by planning commissioners to draft ordinance language regarding the allowance of temporary truck parking for semi-tractor trucks and trailers. The city currently has an issue with semi-tractor trucks being parked in residential districts. The city desires to create alternatives for those members of the community who work in the commercial trucking industry to park these vehicles in a manner which is less impactful to the overall character of its residential neighborhoods.

During initial discussion with commissioners, the major concern and priority was the creation of standards that were both flexible but rigorous. Flexibility in regard to this being anticipated as a secondary use/revenue source to a primary commercial/industrial use, and rigorous in terms of minimizing any negative externalities such as noise, pollution, and other impacts that could be potentially created.

Staff have revised several sections of existing code: adding temporary semi-truck parking to the definitions section, adding standards for temporary truck parking to Chapter 1019, off-street parking and loading, and amending the language for the I-1, I-2, and B-2 districts. Staff is proposing to allow this use by administrative permit in I-1 and I-2 industrial districts and have given commissioners the option between administrative permit or conditional use permit in the B-2, Highway Business district.

Attached for Reference:

Exhibit A: Proposed ordinance language

Exhibit B: Previous staff report

DRAFT ORDINANCE LANGUAGE

CHAPTER 1002 RULES AND DEFINITIONS

1002-2: DEFINITIONS: The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined:

...

Temporary Semi-truck Parking: the short term storage and parking of any semi-tractor truck and/or a semi-tractor truck connected to a trailer that has a combined length of 21 feet or more. Temporary storage of semi-trucks or semi-truck connected to a trailer shall be for a period of no more than 7 days and will meet the relevant performance standards of this code. This use is separate from a truck stop type use, which includes ancillary services such as food or accommodations.

CHAPTER 1019 OFF-STREET PARKING AND LOADING REQUIREMENTS

1019-10: Temporary Semi-Truck Parking Standards: The requirements and standards listed below will apply to all properties which provide as a private service temporary semi-truck parking, as defined in the City's zoning code, Section 1002-2: Definitions.

- A. Parking will meet the following setback requirements:
 1. Front Yard: 25' from Right-of-Way or the district standard front setback for a principal building, whichever is greater.
 2. Side and Rear Yard: 10' from side or rear lot line.
 3. Side or Rear Yard abutting residential properties: 30' from side or rear lot line.
- B. Property owner shall present a site plan which demonstrates adequate space for truck circulation, entrance, egress in such a way that does not impact the primary function of the property or traffic congestion on abutting public and private streets.
- C. Parking shall be screened from view of abutting residential districts in compliance with Section 1020-5 of this Ordinance.
- D. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Ordinance for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements that are imposed for other uses of the property.
- E. To reduce noise pollution, trucks will not be allowed to idle, run, or be started between the hours of 9pm and 5am.
- F. Any overnight lodging or sleeping accommodations within truck cabs shall be prohibited.
- G. Noises emanating from this use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NCP 7010, as may be amended. In no case shall noise emanations constitute a nuisance as defined and regulated by City Code.
- H. Use shall be consistent with the applicable general performance standards outlined in Chapter 1016.

CHAPTER 1080 I-1, LIGHT INDUSTRIAL DISTRICT

1080-6: USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit in an I-1 District based upon procedures set forth in and regulated by Chapter 1008 of this Ordinance:

...

F. Temporary Semi-Truck Parking as defined by Chapter 1002, Rules and Definitions, section 1002-2 and subject to the performance standards laid out in Chapter 1019, Off-Street Parking and Loading Requirements, Section 1019-10.

CHAPTER 1080 I-2, GENERAL INDUSTRIAL DISTRICT

1081-6: USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit in an I-2 District based upon procedures set forth in and regulated by Chapter 1008 of this Ordinance:

...

G. Temporary Semi-Truck Parking as defined by Chapter 1002, Rules and Definitions, section 1002-2 and subject to the performance standards laid out in Chapter 1019, Off-Street Parking and Loading Requirements, Section 1019-10.

CHAPTER 1080 I-2, GENERAL INDUSTRIAL DISTRICT

1081-6: USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit in an I-2 District based upon procedures set forth in and regulated by Chapter 1008 of this Ordinance:

...

G. Temporary Semi-Truck Parking as defined by Chapter 1002, Rules and Definitions, section 1002-2 and subject to the performance standards laid out in Chapter 1019, Off-Street Parking and Loading Requirements, Section 1019-10.

TWO OPTIONS FOR B-2, HIGHWAY COMMERCIAL

CHAPTER 1071 B-2, HIGHWAY BUSINESS DISTRICT

1071-4: CONDITIONAL USES: Subject to applicable provisions of this Ordinance, the following are conditional uses in a B-2 District and require a conditional use permit based upon procedures set forth in and regulated by Chapter 1005 of this Ordinance. Besides the specific standards and criteria which may be cited below for respective conditional uses, each request for a conditional use permit shall be evaluated based upon the standards and criteria set forth in Sections 1005-3 and 1005-4 of this Ordinance.

....

O. Temporary Semi-Truck Parking provided:

1. Use will meet all standard and requirements laid out Chapter 1019, Off-Street Parking and Loading Requirements, Section 1019-10.
2. Use will be subject to all applicable

1071-6: USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit in a B-2 District based upon procedures set forth in and regulated by Chapter 1008 of this Ordinance:

...

G. Temporary Semi-Truck Parking as defined by Chapter 1002, Rules and Definitions, section 1002-2 and subject to the performance standards laid out in Chapter 1019, Off-Street Parking and Loading Requirements, Section 1019-10.



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
 Telephone: 763.957.1100 Website: www.nacplanning.com

TO:	Deb Boelter
FROM:	Myles Campbell
DATE:	12.12.18
RE:	Truck parking ordinance
FILE NO:	273.02 – 18.02
PID:	N/A

BACKGROUND

The city currently has an issue with semi-trailer trucks being parked in residential districts. The city has received complaints against property owners who have the trucks parked in their driveways or along residential streets. This currently goes against Montrose's zoning ordinance, however, in discussion with the property owners, the city has found that trucks are being parked in residential areas due to having little to no other parking options nearby, public or private.

The city has reached out to existing business owners in and around the city who operate in the vehicle/truck/maintenance fields and has found that a few are interested in potentially providing private overnight truck parking, however, this is not an accounted for land use in the city's code. Staff is submitting the following memo describing the facts of the matter, as well as outlining potential ordinance amendments to allow for private truck parking, and to alleviate the issue of semi-trailers being parked in residential neighborhoods.

Attached for reference:

Exhibit A: Excerpt from *Federal Size Regulations for Commercial Motor Vehicles*

KEY ISSUES

Lack of Alternatives

Having large semi-trailer trucks parked in residential neighborhoods creates a number of issues. For one, they could damage adjacent property values and the overall perception of the residential neighborhood as a whole. And from a practical and safety perspective, a truck cab that can be near 14' tall could have major impacts on sightlines for motorists and pedestrians.

These issues were something that the city had already tried to address in its zoning ordinance, outlawing the parking of these vehicles on or off-street in residential neighborhoods. From Chapter 1019, Off-Street Parking and Loading Requirements:

Section 1019-3.E Restrictions on Parking

2. *Except as may be otherwise allowed by this Ordinance, on- and off-street parking facilities accessory to a residential use shall be utilized solely for the parking of licensed and operable motor vehicles not to exceed twenty two feet (22') in length and eight feet (8') in height; and recreational vehicles and equipment. Exceptions, for cause and in compliance with the intent and purpose of this Ordinance, may be approved by the Zoning Administrator as an administrative permit.*
3. *Semi-Tractor and Semi-Trailer Parking. Semi-tractor and semi-trailers shall not be permitted within residential zoned districts*

While these restrictions make it illegal to park a commercial truck in a residential district, the city still receives complaints directed towards people parking their semi-trailer truck on their residential property. By and large, these property owners, work full or part-time in the trucking industry, and so the trucks are parked at their residences when not on an active trip. What the city has heard from these residents when they have notified them of the complaints, is that they would like to conform with the city's code but that currently there is no public or private alternative for overnight truck parking in the area.

It seems that current ordinance as written is doing half of what would be needed to control truck parking in residential areas, by making it illegal to do so. However, without allowing for alternative parking providers in its zoning code, the city has created a catch-22 for residents who are commercial truckers for a living.

Ordinance Considerations

In order to address the need for truck parking, the city will need to amend zoning ordinance to allow for temporary truck parking. It should be noted here that this potential category would not allow for truck stops and other quasi-lodging/service type businesses that would have much greater impact on surrounding properties. This amendment would solely allow for temporary parking of semi-trailer trucks owned by residents, or truck drivers in the surrounding local area.

Staff has explored the possibility of amending the zoning ordinance for the B-2, Highway Commercial; I-1, Light Industrial; and I-2, General Industrial Districts to allow for temporary truck parking as an allowed land use. These are districts that already allow for automobile repair, which staff sees as the closest comparable allowed land use. The city does have options to consider when amending/adopting temporary truck parking.

1. ***Should truck parking be a conditional use in commercial districts, but permitted in Industrial districts?***

Automobile repair is currently permitted in both industrial districts but requires a conditional use permit (CUP) in the highway business district. This is done to allow the city better control over potential business types and limit any detrimental impact on other commercial or residential properties surrounding them. In all of these districts, truck parking would be held to screening standards as laid out in Section 1020-5 of the city's zoning code.

A. All commercial, industrial, or institutional uses shall provide screening along the boundary of any abutting residential district or when the side or rear of the use (as determined by the Zoning Administrator) is separated from any residential district by a public right-of-way. All screening required by this Section shall be subject to Section 1016-7 of this Ordinance (traffic visibility) and is to consist of a green belt strip as provided below:

- 1. A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be a minimum of twenty feet (20') in width and of a sufficient density to provide a visual screen and reasonable buffer. This planting strip shall be designed to provide visual screening to a minimum height of six feet (6'). The grade for determining height shall be the grade elevation of the building or use for which the screening is providing protection, unless otherwise established by the Zoning Administrator. The planting plan and type of plantings shall require the approval of the Zoning Administrator.*
- 2. A fence may also be installed, but not in lieu of the green belt planting strip. The fence shall be constructed of masonry, brick, or wood, except as otherwise provided herein. Such fence shall provide a solid screening effect and shall be a minimum of six feet (6') in height but shall not exceed eight feet (8') in height. The grade for determining height shall be the grade elevation of the building or use for which the screening is providing protection, unless otherwise established by the Zoning Administrator. The design and materials used in constructing a required screening fence shall be subject to the approval of the Zoning Administrator.*

Screening would be one of the primary conditions for allowing this type of use in the B-2 commercial district, but in all cases would be necessary to diminish visual impacts on abutting residential properties. Another condition for allow this land use in commercial neighborhoods is borrowed directly from the requirements for automobile repair, that is that "Provisions are made to control and reduce noise."

The drawback to requiring a CUP would be that some existing businesses may already have a CUP for automobile repair, and that a second permit and accompanying fee could be seen as just another cost to operating a business in Montrose. Automobile repair and truck parking will have very similar conditions for permitting, and it is more than likely that if a person is abiding by their initial CUP, they would be following the conditions of the truck parking permit. A potential solution to this issue, is to go with the second ordinance option.

2. Should temporary truck parking be an accessory use to automobile/truck repair and maintenance businesses?

Making temporary truck parking an accessory use when the principal use of a property is automobile repair means that an existing business owner will not have to reapply for a second CUP, and any new repair businesses that open in town would be able to operate temporary truck parking as long as they met the rest of the conditions for their business. This would reduce some of the red tape with getting these services in place but could give less flexibility and control long term to the city. For example, a business that only provided truck parking couldn't exist since it would need a principal repair use to be accessory to. And the city would be reliant on the conditions for automobile repair to cover any nuisances created by truck parking.

RECOMMENDATION

This memo is meant to be starting point for discussion. Both of these options for ordinance amendment have their pros and cons, but either would help to address the existing issue of trucks parked in residential areas. Staff is looking for direction as to what Commission would like to see pursued, after which we can draft formalized ordinance language for review at the next commission meeting.

ORDINANCE NO. 2010-_____**CITY OF MONTROSE
WRIGHT COUNTY, MINNESOTA****A ZONING ORDINANCE AMENDMENT ADDRESSING THE KEEPING
OF SMALL POULTRY AND FOWL IN RESIDENTIAL ZONING DISTRICTS****THE CITY COUNCIL OF THE CITY OF MONTROSE
DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Section 1022-5 of the Montrose Zoning Ordinance (Farm Animals) is hereby amended to add the following:

- C. The keeping and maintaining of chickens, pheasants, doves, pigeons and similar small poultry and fowl shall be allowed in all residential districts by issuance of a poultry/fowl keeping license, subject to compliance with the following standards:
 - 1. A maximum of four (4) poultry and/or fowl shall be allowed per property.
 - 2. The keeping of roosters, male peacocks and water fowl shall be prohibited.
 - 3. The poultry or fowl shall be housed within an enclosed accessory building and/or fenced outdoor yard subject to the following requirements:
 - a. The accessory building shall comply with applicable area requirements of the district in which it is located.
 - b. The accessory building or outdoor yard shall be located within a rear yard and shall be subject to the required setbacks for principal buildings within the respective zoning district.
 - c. A minimum separation of fifty (50) feet shall be provided between the accessory structure/outdoor yard and any residential dwelling.
 - d. Outdoor containment areas shall be completely screened from view of adjacent properties and rights-of-way.

4. Fencing used to contain fowl shall comply with applicable provisions of this Ordinance
5. The owner/keeper of the poultry or fowl shall control animal manure and dispose of it properly.
6. If eggs are harvested, they shall not be offered for sale from the premises.
7. Grains and food stored on the premises shall be kept in rodent-proof containers.
8. Slaughtering of poultry or fowl and "cockfighting" are prohibited.
9. The keeping and care of such poultry or fowl is provided as regulated by the City Code.
10. The poultry/fowl keeping license shall apply only to the named applicant, shall not run with the land, and may not be transferred. It shall automatically terminate upon the vacation of the property by the applicant.
11. The fee for the poultry/fowl keeping license shall be as set forth by the City.

Section 2. This ordinance shall take effect and be in full force after its passage and publication.

ADOPTED this _____ day of _____, 2010 by the City Council of the City of Montrose.

CITY OF MONTROSE

By: _____
Andrew Kaufman, Mayor

ATTEST:

By: _____
Barbara Swanson, City Clerk

AYES:

NAYS:

**NORTHWEST ASSOCIATED CONSULTANTS, INC.**

4800 Olson Memorial Highway, Suite 202, Golden Valley, MN 55422
Telephone: 763.231.2555 Facsimile: 763.231.2561 planners@nacplanning.com

MEMORANDUM

TO: Montrose Planning Commission

FROM: Bob Kirmis

DATE: March 8, 2010

RE: Montrose - Zoning Ordinance Amendment - Farm Animals (the keeping of small poultry and fowl in residential zoning districts)

FILE NO: 273.02 - 09.06

BACKGROUND

Attached, please find a draft Zoning Ordinance amendment which would make an allowance for the keeping of small poultry/fowl in residential zoning districts. The amendment has been prepared at the City Council's direction following extensive discussion of the issue this past spring and summer.

In November of 2009, the Planning Commission conducted an informal review of the draft amendment. As part of the Planning Commission's consideration, it was revealed that the majority of Commission Members were not in favor of the proposed amendment and preferred to retain the City's existing requirements related to the keeping of farm animals in residential zoning districts. As you are aware, the Zoning Ordinance (Section 1022-5) limits the keeping of farm animals to sites qualifying as farms. Thus, the keeping of small poultry and fowl in residential zoning districts is currently prohibited.

As a follow-up to the Planning Commission's position on the matter, Staff requested direction from the City Council whether or not to proceed with the formal processing of the amendment. The Council subsequently directed the Planning Commission to hold a public hearing on the amendment.

Attached for reference:

Exhibit A - Draft Amendment

AMENDMENT SUMMARY

As previously mentioned, this amendment has been prepared at the directive of the City Council and would make an allowance for the keeping of small poultry/fowl (including chickens) within residential zoning districts. The amendment represents a change City policy as the Zoning Ordinance presently limits the keeping of "farm animals" (which includes chickens) to farms.

The draft amendment would allow the keeping and maintaining of chickens, pheasants, doves, pigeons and similar small poultry and fowl in all residential districts by issuance of a "poultry/fowl keeping license", subject to compliance with various standards.

The standards, as reiterated below, are based both on input provided at past City Council meetings/workshops and requirements imposed by other area cities which make an allowance for such accessory activities.

1. A maximum of four (4) poultry and/or fowl shall be allowed per property.
2. The keeping of roosters, male peacocks and water fowl shall be prohibited.
3. The poultry or fowl shall be housed within an enclosed accessory building and/or fenced outdoor yard subject to the following requirements:
 - a. The accessory building shall comply with applicable area requirements of the district in which it is located.
 - b. The accessory building or outdoor yard shall be located within a rear yard and shall be subject to the required setbacks for principal buildings within the respective zoning district.
 - c. A minimum separation of fifty (50) feet shall be provided between the accessory structure/outdoor yard and any residential dwelling.
 - d. Outdoor containment areas shall be completely screened from view of adjacent properties and rights-of-way.
4. Fencing used to contain fowl shall comply with applicable provisions of this Ordinance
5. The owner/keeper of the poultry or fowl shall control animal manure and dispose of it properly.

6. If eggs are harvested, they shall not be offered for sale from the premises.
7. Grains and food stored on the premises shall be kept in rodent-proof containers.
8. Slaughtering of poultry or fowl and "cockfighting" are prohibited.
9. The keeping and care of such poultry or fowl is provided as regulated by the City Code.
10. The poultry/fowl keeping license shall apply only to the named applicant, shall not run with the land, and may not be transferred. It shall automatically terminate upon the vacation of the property by the applicant.
11. The fee for the poultry/fowl keeping license shall be as set forth by the City.

To be noted is that the amendment differs from that previously reviewed by the Planning Commission in that a condition requiring written consent of a majority of neighboring property owners has been omitted. Such change was made at the recommendation of the City Attorney to avoid a potentially subjective determination of use acceptability.

RECOMMENDATION

A decision regarding the acceptability of allowing small poultry/fowl in the City's residential zoning districts is considered a policy matter to be determined by City Officials.

c. Barb Swanson
Kris Richter
Andy MacArthur

MEMORANDUM

TO: Montrose Mayor and City Council

FROM: Bob Kirmis, City Planner

SUBJECT: Zoning Ordinance Amendment - Farm Animals (the keeping of small poultry and fowl in residential zoning districts)

DATE: March 18, 2010

INTRODUCTION

At the March 17, 2009 meeting of the Planning Commission, a public hearing was held to consider a zoning ordinance amendment which would make an allowance for the keeping of small poultry/fowl in residential zoning districts. The amendment was prepared at the City Council's direction following extensive discussion of the issue this past spring and summer.

The amendment represents a change City policy as the Zoning Ordinance presently limits the keeping of "farm animals" (which includes chickens) to farms.

Specifically, the amendment would allow the keeping and maintaining of chickens, pheasants, doves, pigeons and similar small poultry and fowl in all residential districts by issuance of a "poultry/fowl keeping license", subject to compliance with various standards as listed in the attached amendment. Such standards are based both on input provided at past City Council meetings/workshops and requirements imposed by other area cities which make an allowance for such accessory activities.

Background information related to this application is provided in our office's memorandum dated March 8, 2010.

DISCUSSION

Prior to taking public testimony, the Planning Commission had no substantial comments or questions regarding the proposed amendment.

There was a significant amount of public testimony at the meeting, both in support and in opposition to the amendment.

Comments offered by residents in favor of the amendment included the following:

- The allowance of small poultry is consistent with the City's desire to be a "green" community.

- The impacts of small fowl are similar to that of dogs and dog kennels which are currently allowed in the City.
- The keeping of small poultry in residential zoning districts provides an educational opportunity for children.
- No evidence exists that the allowance of small poultry in residential districts will have negative impacts.
- Numerous other cities (both nationally and in the State of Minnesota) allow the keeping of small poultry in residential zoning districts.

Comments offered by residents opposed to the amendment included the following:

- Poultry often carry undesirable diseases.
- Farm animals should remain on farms. People often move to cities to avoid farm-related impacts (i.e. odors).
- The keeping of small poultry in residential zoning districts will have a negative impact upon area property values.
- Poultry containment areas and structures are not desirable from an aesthetic standpoint.
- The cost of raising chickens for egg production is not economically viable (as the cost of feed often exceeds the cost of eggs at local supermarkets).
- The City does not have the resources to effectively enforce to proposed ordinance.
- The allowance of small poultry in residential zoning districts would establish an undesirable precedent in regard to the keeping of other types of farm animals in the City.
- The keeping of small poultry in residential districts will create noise and odor issues.
- Small poultry will attract predator animals to the City's residential neighborhoods.

Based on the provided background information and the evidence received at the meeting, the Planning Commission recommended (on a 4-1 vote) that the City Council not adopt the attached amendment which would make an allowance for the keeping of small poultry/fowl in residential zoning districts.

ACTION REQUESTED

Accept the recommendation of the Planning Commission not to adopt the attached amendment which would make an allowance for the keeping of small poultry/fowl in residential zoning districts.

Sincerely,

Bob Kirmis, City Planner

Copy via e-mail:

Barb Swanson, City Administrator, Andy MacArthur, City Attorney

Mr. McCormick stated that the Public Works Department would like to again hire two (2) temporary, part-time employees to assist the Department during the summer months of 2019.

Council Member Johnson stated that in the past the *Help Wanted Advertisement* specified that the applicant had to be twenty-one (21) years of age and have a valid driver's license. Council Member Johnson stated that the Management Coordinating Committee discussed changing the age requirement to sixteen (16) years of age.

Ms. Boelter stated that since the Management Coordinating Committee Meeting, she did inquire about changing the age requirement to sixteen (16) and she learned that the City's insurance through the League of Minnesota Cities Insurance Trust (LMCIT) requires that applicants are eighteen (18) years of age and have a valid driver's license.

The City Council discussed and directed Mr. McCormick to move forward with advertising for the two (2) temporary, part-time summer employees.

Council Member Marszalek motioned to advertise for two (2) temporary, part-time summer employees for the Public Works Department with the requirements that the applicants be eighteen (18) years of age and have a valid driver's license. Council Member Kuehl seconded the motion. Motion carried 5-0.

10. OLD BUSINESS

A. Discussion on Allowing Residents to Have Chickens – Mr. Kyle Hoffman

Mr. Kyle Hoffman, 804 Steamboat Lane, addressed the City Council regarding amending the City's ordinance to allow residents to have chickens within City limits.

Mr. Hoffman stated that he researched ordinances in other cities that allow residents to have chickens and he also asked for feedback on the City of Montrose's Facebook sites. With the information he obtained he presented the following for the City Council to consider:

- Most communities allow residents to have four (4) to eight (8) chickens. He believes that having six (6) chickens is an adequate amount to produce the number of eggs a family would need.
- Mr. Hoffman recommending allowing residents to have three (3) egg laying hens and three (3) chickens for meat.
- Typically, cities do not allow residents to slaughter chickens on their property.
- No roosters would be allowed.
- The city ordinances he researched did not allow residents to sell eggs.
- When chicken coops are cleaned, the feces should be discarded in a sealed container. Mr. Hoffman recommended that the City provide a composting site for the chicken feces.
- Mr. Hoffman stated that he would like the City to allow residents to have free range chickens. This would require residents to have a chicken coop run and their backyard fenced with fencing that is five (5) to six (6) feet tall to contain the chickens.
- Mr. Hoffman provided a description of a chicken coop that can be built to keep predators from entering the coop.
- Mr. Hoffman discussed the DRAFT application he prepared for residents to complete to receive a permit to have chickens. He continued by stating that the application would require that the resident obtain approval signatures from the property owners adjacent to their property.
- Mr. Hoffman stated that other cities have optional fines if a resident does not follow the requirements of the city's ordinance in regards to the structure for the chickens, proper care of the poultry and other violations. He also stated that the ordinances he researched from other cities allow the city to revoke a resident's application to have chickens if they violate any of the requirements of the ordinance.

Mayor Otto asked Mr. Hoffman if he has discussed having chickens with his neighbors. Mr. Hoffman stated that he has only discussed it with one (1) of his neighbors.

Council Member Kuehl shared his concerns requiring the resident being certified to have livestock within the City.

Council Member Marszalek shared his concerns about how City staff would enforce the requirements of an ordinance that would allow residents to have chickens.

Ms. Boelter shared the information she received from the City's former Attorney and City Planner:

- The requirements of the ordinance for residents who would like to have chickens within city limits often make it cost prohibitive for them to have chickens.
- Having chickens has resulted in issues with predators; such as, coyotes, skunks, rats, raccoons and etcetera roaming the city and posing a threat to the safety of resident's pets.

Council Member Moynagh recommended that Mr. Hoffman's proposal be presented to the City's Planning and Zoning Commission.

Mayor Otto shared her concerns of how City staff would regulate the requirements of the ordinances.

Council Member Marszalek asked how many residents have shown an interest in allowing chickens. Mayor Otto stated that an unofficial survey was done on the Montrose Politics Facebook site and thirty-eight (38) persons were in favor of allowing residents to have chickens.

The City Council discussed and directed Mr. Hoffman to present his proposal to allow residents to have chickens to the Planning and Zoning Commission.

11. NEW BUSINESS

A. Discussion Regarding City Assessor Position

Ms. Boelter stated that the City of Montrose's Assessor, Mr. Duane Swenson, gave the City notice last week that he is retiring from his Assessment Contract.

Mr. Swenson has completed all the assessment work for the year 2019 and the information will be available at the Wright County Assessor's *Open Book Meeting* on April 4, 2019 from 3:00 p.m. to 6:00 p.m. at the Wright County Government Center, Assessor's Office.

Ms. Boelter stated that the City Council will now need to decide if they would like to contract with a private party or have the Wright County Assessor's Office complete all assessment work for the City.

The City Council discussed and directed staff to research both options and bring the information to a future Meeting.

B. Discussion Regarding Part-Time Administrative Assistant

Ms. Boelter presented a proposal to hire a part-time Administrative Assistant to work in City Hall and assist primarily with code enforcement. Some of the items discussed included:

- ❖ Employee would take pictures of blighting properties.
- ❖ Employee would prepare code enforcement letters. *(They would be signed by the City Clerk-Treasurer.)*
- ❖ To draw someone with experience the wage would be advertised as \$14.00 per hour to \$16.00 per hour.
- ❖ There is funding in the budget to cover the cost of a part-time Administrative Assistant.
- ❖ The position would be acceptable to the City's Auditors; because, it provides another opportunity for segregation of duties.
- ❖ The Administrative Assistant would be cross-trained to assist in other City departments.
- ❖ The position would be twenty-four (24) hours per week with the following schedule:
 - Monday through Thursday from 9:00 a.m. to 2:00 p.m.
 - Fridays from 7:00 a.m. to 11:00 a.m.
 - Would be a good position for a stay-at-home mother.
- ❖ The position would also include:
 - Picking up the City's mail at the Post Office.
 - Opening and distributing the mail.
 - Greeting customers during the Utility Billing Clerk's lunch.
- ❖ The position would not have benefits and not be part of the Union Contract.