

**JOINT PARK RAPIDS CITY AND
HENRIETTA TOWNSHIP SPECIAL MEETING
MAY 21, 2013, 6:00 PM
Park Rapids Library Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: Mayor Pat Mikesh called the Special Joint Park Rapids City/Henrietta Township Meeting for May 21st, 2013 to order at 6:00 p.m.

2. ROLL CALL: Present: Mayor Pat Mikesh, Councilmembers Dave Konshok, Rod Nordberg, Erika Randall, and Paul Utke. Absent: None. Staff Present: Public Works Superintendent Scott Burlingame, Planner Dan Walker, and Clerk Margie Vik. Henrietta Township Officers: David DeLaHunt, Russell Johnsrud, Dacle Schmid Jr., Gary Nasser, and Dewey Goeden. Others Present: Charlotte Wilson, Mike Hammond, Rose Hannigan, Kathy Anderson, Gene Anderson, Marylee Moorhouse, Eugene Anderson, Deb Anderson, Bill Funk, Cheryl D'Amico, Verna Ronnebaum, Russ Ronnebaum, Sandra Phillips, Ryan Leckner, Ed DeLaHunt, Arnold Leshovsky, Kenneth Pritchett, Ron Pritchett, and Anna Erickson from the Enterprise

3. DISCUSSION:

3.1. Park Rapids City/Henrietta Township Orderly Annexation

Agreement: David DeLaHunt stated the reason we're here is two-fold. It's an annual review that's required under the orderly annexation agreement (OAA) so if we have any issues that come up we can sit down and visit and discuss how it's going. Number two, at our annual meeting our membership asked us to explore the possibility of amending the OAA. If you recall it was one year ago that we did a simple amendment to change the date of when a portion of property was going to be annexed. That was moved up to 2017. In March our residents came to us and asked us to explore with the city the possibility of doing another simple amendment and removing all of the 2017 properties from the OAA. There was lots of discussion on it. There are a lot of people here that will give input on it as to what some of the reasons are.

DeLaHunt stated from the township board's standpoint, there just hasn't been any development that way. It hasn't happened like originally planned. We're not opposed if it does happen to sitting down and relooking at it again. Based on the way the economy has progressed in the last five years I don't see any major development happening for quite some time. Most people would agree with that. That area east of 107 and the Highway 34 junction is still a large area that is completely undeveloped. There's a lot of area inside the area that is already annexed that would have to develop first before people would push farther east, north, or south. That's where we're at.

DeLaHunt stated our residents recommended to us to ask that all the 2017 properties be dropped and that we should discuss it with you. We'd like to see it happen. On a historical note, even since the last amendment, the state statute has changed. The state has allowed via Senate File 1450, and House File 1738, which was enacted in March of 2012, property owners can now go through a detachment process. If it's over

forty acres that is asking to be detached, they just need 75% of the property owners to sign a petition asking for that. Then at that point, the township could get involved if they wanted to and either support or not support the petition. The city could weigh in on the issue. It would go before the administrative law judge on boundaries. They would then have a hearing if necessary and have a ruling on it. That didn't exist before. That's in there now. Based on our annual meeting and what our constituents want, we'd like to sit down with you folks and see if we can come to some agreement on the matter and do it in an easy manner. That would be best for everybody.

McKinney questioned do you know if the detachment language refers to the land that has already been annexed or is yet to be annexed, or both? DeLaHunt stated it could very well be that it has to be annexed first. McKinney stated detachment refers to detaching from the city as opposed to from the agreement. DeLaHunt stated that is correct. But it is a process that they could choose to follow. McKinney stated I suppose we could amend the agreement but detachment isn't the right word. We could amend the agreement to delete property. You're not asking to undo some annexation that has already taken place, you're talking about that which has not happened. DeLaHunt stated correct. My interest in this is to let you know that the game has changed. The property owners now have an avenue to do that which didn't exist before. They could choose to do that if they wanted to after its annexed. You'd hate that from the city's point of view because you're going to spend all the money annexing it.

Mikesh asked if the Council had any questions. Konshok stated this is no real surprise. We talked about this last year. That's why we have these annual reviews. Conditions change. Everybody would acknowledge that the conditions under which the original annexation plan was to develop considerably different than it is today. The request is understandable.

Nordberg stated, aside from the annexation, as it is now the city has zoning control over the area. Do you distinguish between the zoning control and the annexation? Russ Johnsrud stated if this were dropped or amended out we would take over the zoning. We have zoning in our township and we would take that process back by issuing the permits and so on. The way the annexation agreement was written once it was identified the city took over zoning control in those areas. We don't anticipate any changes of any classifications. What is out there should stay the same. If it's commercial it should stay commercial, same with residential.

DeLaHunt stated our concern, by the time the city does grow, we usually want to look out for the best interests of those areas so the classifications aren't changed. It's no different on the Dorset road. We have the same struggles that you do. Some things should be zoned commercial that aren't. The long range objective is to try and do it orderly and have it zoned properly. We have basically the same interests that you would have in controlling the zoning to make sure it's classified properly.

Nordberg questioned do you have any conflicts now that you see? Russ Johnsrud stated no. David DeLaHunt stated not particularly. We have constituents at our annual meeting raise concerns that in some ways your ordinance is more restrictive than our ordinance. An example is mobile homes. People have some mobile homes in a few areas that they would like to replace with a newer mobile home and you can't do it in the city. That would preclude them from any change or they'd have to move. That's a big concern to them. I can see why the city would take that approach. But we're game for any

improvement. If you get a new mobile home in there and they can improve, and it helps improve the township, it's good.

John McKinney stated DeLaHunt and I talked yesterday. This is what we talked about. When you entered into this agreement, the two parties had to decide how zoning would be handled and you named a board. Under the agreement the City Council was named the zoning authority. In a sense they're doing the same thing but they are wearing two different hats at the moment. The implications that impact everyone is that you can't annex until 2017 under this agreement. It's not that you have to by 2017. The phase in is of some consequence to the township if we were to go by the agreement and annex by the 2017 date, then for the next five years, there's a phase in of the tax income. That agreement goes out with the rest of it. If someone were to develop property and petition to be annexed then the township doesn't get the phasing unless you agree to give it to them. They have some skin on the table that they are giving up too.

DeLaHunt stated we understand the original rationality of not wanting piecemeal annexation. That's why we would say having this dialog is important because, piecemeal is not necessarily a good thing. If development comes and starts encroaching on those lines again let's open up the dialog again and have a conversation. Maybe we'd have to do another orderly annexation at that point. But let's not be so rambunctious in the next go around as in the first time. McKinney stated we can use terms like that because most of us weren't here when it was done.

Utke stated we're in the same spot as we were last year when we made the adjustment to the eastern parcel. We're just a year into it. Tonight's a chance to sit around the table and find out what everyone is thinking. 2017 is still quite a ways away. We have a lot of time to work on it. DeLaHunt stated it's a pretty simple process based on the last one we did. It goes rather quickly. 2020 comes along and suddenly things are encroaching on that territory and we get close to it, then let's sit down and do it again.

McKinney questioned is the timing of any urgent nature? Is it because people aren't able to use their property now in the way that they would like? Is there some specific examples? DeLaHunt stated I think that's why a vast majority of people showed up at the annual meeting to voice their concerns. I know a few of them have things that they want to do and they can't do them. Utke questioned all of them are related to zoning? That is the real issue? Johnsrud answered correct. Dewey Goeden stated the building code requirement is one burden that we don't administer in our township. Utke questioned what would be an example of that? Johnsrud stated a replacement of a trailer house, that and as well as you'd have to have a building inspector out there to check things. There's a lot more detail within the City of Park Rapids. There's a much, much higher level of inspection. Utke stated so that's the biggest issue. Johnsrud stated we have a zoning administer who writes a permit and that goes directly to the assessor. Konshok questioned so you don't have an inspector in the middle of the process? Johnsrud answered no.

Konshok stated we kicked the can down the road to 2017. There's also the possibility of modifying the dates of the agreement and pushing it further out still. One of our concerns is, and it's hard to imagine it now with the current economic conditions, someday things are going to turn around, and when they do, from the city-side is if development develops quickly we don't want to get behind the power curve on the annexation. The big thing that follows annexation is, other than zoning, is infrastructure. One of the reasons we go for bid chunks is we're thinking ahead. If we have to put

water/sewer service in there we can't afford to do that piecemeal because that is cost prohibitive. I'm particularly looking at Highway 34. Anywhere there's potential for rapid commercial development would be of a particular concern for us. I'm not really so concerned about residential areas because those tend to develop slower than the commercial stuff.

Johnsrud stated we have a fair amount of agricultural land in some of these areas, as well as forest land. That's one of the reasons postponing it isn't the answer. We're better off removing these as they are residential type settings. They're not going to be commercial. Nordberg questioned do you think they would want city water and sewer? Johnsrud stated we'll ask them. (The gathered crowd answered no.) Konshok stated that's the current residents. The future residents might.

DeLaHunt stated zoning is probably the biggest handicap that has people shackled right now. It's not so much the annexation part. You look at the map, it's mostly undeveloped commercial corridor that's going to take quite a while to develop. That's why we're taking the approach from our constituents and let's just remove that part. It's an easy amendment. When the growth starts to occur then we can sit down and look at the details of where's the growth really going. If we have to do another orderly annexation agreement so you can plan, then that's what we'll do.

McKinney questioned is there any interest in discussing less than the total? The suggestion was take everything that's 2017 out. What about other alternatives like taking out the 2017's other than the part that's the subject of the second amendment, which is where the cost of, and likelihood of infrastructure is more dominate? Johnsrud stated we're getting into a tight area here because at the junction of County Road 4 and Highway 34 on the north side we have an established radio station. Radio stations really don't work well within city boundaries. Utke stated it's probably not so much if it's city or rural, but it's the fact that you don't want a bunch of houses around it. Johnsrud stated right. You need space plus there are other issues. Utke stated the fact is we're not going to run water and sewer out there for one customer because that's not good for the city or the property owner.

DeLaHunt stated I'd rather speak to how it affects the whole township. Our constituents came to us. Does it affect the property where I work? Yes it does. That property is very unique. You start building infrastructure around it and you get into that blanket area of the RF signals, KPRM will be on every toaster, on everything that you can imagine. I've gone out to numerous residents around the area and went in and fixed their phone systems for them. I had to rewire my neighbor's phone wiring throughout the house to get the AM out of his house. It's not conducive to that type of business.

Dacle Schmid stated the concern for the township is even if we back it up ten years, we're still in the zoning problem. Once we started the agreement, from day one, the city took over the zoning. Then we started hearing from the ones who want to update. Konshok questioned is that by requirement or by mutual agreement. Schmid stated mutual agreement I'm sure. I wasn't on the board at that time. Konshok stated the question is can we change that by putting a longer time frame on it. Goeden questioned are you looking at possibly the township taking care of the zoning up to the 2017 point. Konshok stated up to a certain point by writing it into the agreement.

DeLaHunt stated I've seen this since the beginning. Long before I was on the township board, I've given my public input when it happened, it didn't seem like it really mattered much at the time. It seemed like people were hell bent to leather to do this. I've

actually seen regression since then. I'm asking of what's the wisdom of even having it on there and potentially shackling people at all at that point. It's an easy thing to remove. As I've said, if we have to revisit it and do it again, then let's do it again. We'll sit down and redo it. I know for certain if it starts coming down Highway 34, if somebody comes along and offers him (Ed DeLaHunt) decent money he'll be happy to move. It's an old building with old infrastructure. I'm sure he'd love to start new. But until then you have to live within your means and try and make things work the way they are.

Konshok stated I think we can all understand that argument. Keep in mind that if you're asking to back out all of the 2017 properties, there are significant north and south properties right on County 6. To me that's significant residential development right on the west side of County 6. If development kicks up quick, you have twenty to sixty acre farm parcels. Those are the ones that tend to be bought quickly by developers. You could be looking at residential development on the immediate east side of County 6 in fairly short order. Johnsrud stated I don't think you're going to see a lot of that. You have the cemetery and the transfer station there. Plus I know of about fourteen tax-forfeited lots right across the road that have a lot of things to be recouped. Konshok stated how many years did it take this to develop? Wal-Mart came in pretty quickly. Now it looks like it's going to take forever, but that can turn quickly. One of our biggest developments was for twin homes. This is twin home central right here. It's a heavy retirement community. Those went in relatively quickly. Not Minneapolis suburb quickly, but relatively quickly for Park Rapids. Nordberg stated we do have sewer and water down there already so you already have the infrastructure.

Ed DeLaHunt stated there are three things that continually bothered me. What's the population of Park Rapids today? McKinney stated 3,700. DeLaHunt stated when I came here in 1962 it was 3,047. Wow, isn't that an increase. I came here from a radio station in a town of 7,000 people. I kept saying to myself I hope this town grows as fast as I think it's going to grow because the people in this business in towns of 7,000 and above do double the billing that I do. If I could do double the billing, annex it all because then I could afford it. Today I can't because I'm right on the bubble the whole time. The other thing is if you're going to annex then you should have everybody in town with sewer and water, yet you don't. Why bite something else off and not serve the people within city limits. Look at the map, wow. If you'd have gone one notch further out you'd have gotten the Jokelas. You people would have to walk covering your backsides. There's nothing to be gained because we are regulated by the feds. You can say you can't do this or that, but the feds regulate us. If the town gets big enough and it needs to grow, I want it to grow because it would be good for my business. But I think this is a little too fast.

Dave DeLaHunt stated that's the other side of this, these annexed properties come in and there's no guarantee of city services whatsoever, but they are paying the tax rate like there is. Is that right? Does that serve the best interests of your constituents or mine? Konshok stated keep in mind that one of the struggles that we're having with annexation now is we're annexing developments that were outside of the city limits but are now being engulfed by the city as the city grows. That may not be a problem if like on the north side of town they're big enough that they can keep up with water and sewer, septic requirements, but we know, in Discovery Circle, you have properties that were fine thirty years ago with the rules, but now they really struggle because they don't have the physical land to update to modern State of Minnesota septic standards. Now the city is faced with the situation that we're trying to work with the residents, but our concern is

development is popping up outside of the city, then when they come into the city we have to plan retro-infrastructure. We need to find a way to avoid that. I think you're on the same page with us.

Dave DeLaHunt stated I think if you looked at our zoning ordinance you'd see our requirements are closely aligned with yours, if not more restrictive. We require five acres for a residential lot. Johnsrud stated we have down as far as two and a half acres, but nothing below that in rural residential. Its two and a half, or five, or greater than. Commercial is one acre but you cannot reside on that property. DeLaHunt stated being that we have land use zoning now, if we didn't I would agree with you because that would be a big concern. But the fact that we have land use zoning anything that you would end up annexing from Henrietta would probably be real close to fitting your needs.

Utke stated we're working two totally opposite scenarios. The people that are coming into the city, because of the cost of utilities, we need a denser population of homes. Your five acre lots where they do water and septic on their own, which is just fine, but the two aren't going to work well together. This plan needs to be set now so people know. If you have a five acre lot and all of a sudden you get annexed the price for city sewer and water would be huge.

Konshok stated our concern is you end up with this patchwork where you have five acres standing along the road, and beyond that the forty acres of farmland sells to a developer, and now the city is faced with extending the infrastructure out there. That kind of patchwork approach is one of the things that we try to avoid.

Nordberg questioned along 107, it looks like it's platted as residential already? DeLaHunt stated I think it has been for about fifteen years now. Johnsrud stated its residential. Nordberg questioned new homes that might fill in there are currently subject to city zoning, but if you took it back they would not be? They would be subject to your zoning and septic regulations? Johnsrud stated that is governed by statewide statutes whether it's city or township.

Ed DeLaHunt stated one thing that is good about zoning is that it can always be changed. If you run into a brick wall and something needs to be done for the good of everybody you can change it. Dave DeLaHunt stated it can be as simple as creating an overlay district in our ordinance that closely follows yours.

McKinney stated there's another aspect of zoning that is sometimes forgotten. Zoning is not only about the property in question it's about protection and value of the other properties in that same area. Somebody could come in with, from their standpoint, a really good idea. Having no zoning doesn't make any sense at all anymore this close to town. It seems to me as an outsider at the time that we should be on the same wavelength. That doesn't mean that we come up with the same result. Zoning isn't bad. It can be unfortunate, but it isn't bad. The problem now it's got to be either us or you. It's too bad we couldn't come up with a way that it could be us in those areas. As far our concern on the zoning, that's a different matter than the development that might interfere with your use of your property. That may not be a zoning issue. The way it is right now, I don't know if you had zoning at the time, but if you did, it went from your zoning to our zoning. Now we go back to your zoning? It's easy to say that they are the same. If we could take the opportunity to build something into these negotiations that would make it ours for that to be developed properly that would take a lot of the concerns of our planning.

Ed DeLaHunt stated since the time that this agreement was made there has been very little development. That was the whole thing, they talked about big plans, but there's no money. You can't do it. Gary Nasser stated I was on that board, after they promised, the city said we have big development coming in, we got it done, and nothing. Ryan Leckner stated I was on that board too. We had high outlooks on everything. We thought we were doing the best thing for everybody. But it just went downhill. I wish it would have gone the other way.

Dave DeLaHunt stated if the driving force behind the original intent was because of all this development occurring and that is no longer there, than should we even be arguing about other points. It's good to do that, but sitting down today, if we would put that agreement together, you can guarantee that your map would have been everything but the yellow areas. That would have been in today's world a reasonable annexation.

Leckner questioned if somebody petitions to be in the city, is it a big process to do it? If some of these people are out of the area and they petitioned to be in the city? McKinney questioned Walker what is the voluntary annexation process. Walker stated we haven't done any voluntary annexations, so I don't know if it's any more or less cumbersome. There's probably less negotiation. Utke stated I annexed in years ago. From my side it was real easy. I just said I wanted to be annexed in and it was taken care of. Leckner stated for these areas, you guys use that map for planning. If a developer needs to annex they could do it. McKinney stated one of the problems is if it's adjacent to the city. There still would be issues to address. Utke stated where I was I had to be bordering the city. I couldn't have been out in the middle of a forty acre piece. Nordberg stated I do believe you need the permission of both the township and the city, and there are some potential requirements, and I don't think it's enacted yet about how much of the city needs to vote or approve it. It's not a simple approval. It's getting more complicated.

Deb Anderson questioned that would be in the case of a developer you're talking about, correct, by buying forty acres. Logically if he's going to buy forty acres for a development and there's twenty acres in between, he's probably going to buy those twenty acres adjacent to the city from that landowner, so that really isn't an issue. McKinney stated if he can buy it. Nordberg stated the township might choose to not let him go. Leckner stated I'm saying if you had an agreement with boundaries but they're not in automatically.

Dacle Schmid stated I was on the board years before this one was done. We happened to get a hotel. It was not adjacent to the city. Ed DeLaHunt stated we got hosed on that one. Schmid stated some things work and some things don't. If you were to give us back the 2017, could we put something into our zoning that would cover an overlay along County Road 6?

Johnsrud stated in reality we could do the same thing we are just in the process of finishing and that would be to create an overlay district for those areas, and then what we'd have to do is sit down with the city planner and agree on a hybrid zoning. That would be for a specific area. You'd do your corridors, not the full area. We spent almost a year for a closed landfill restriction. That was on the request of the MPCA. We need a public hearing. This could be the same thing. In reality, if we are going to do something this would be the time to do it because we're going to have to open our zoning. It costs money to hold public hearings. This would be an opportune time. We'd put the rest of it on hold for a while and see what happens. McKinney stated that would certainly be a useful tool in coming to some kind of resolve to everybody's satisfaction. Johnsrud stated

there would be a specific area that would be included in this hybrid zoning issue. At this point it could be thirty days after our next meeting, but we'll see what happens before we proceed. We just opened and closed our zoning ordinance last year. We're going to open it up again this year.

Dave DeLaHunt stated if the real concern is protecting those corridors the timing is perfect for us. We could go to work on an overlay area. Ed DeLaHunt stated I don't think anybody's opposed to annexation. As long as we're sitting here in limbo, it doesn't make sense.

Nordberg stated going back to the problems with AmericInn, that's the reason these things exist. Just so your constituents are aware, since then the city is really resistant to extending services to anyone not in the city who is not paying city taxes. Your constituents need to know there is likely not going to be an exception if you find a developer coming in that wants city services after this is retracted. DeLaHunt stated there are already big chunks sitting there waiting to be developed already in that 2009 area. Do we need more big chunks at this point in time? If it starts going we should have time to react to it and sit down and address it.

Ed DeLaHunt stated a lot of people complain about AmericInn and the fact that Henrietta lost Wal-Mart. When Dacle Schmid and I were on the board they had plans in place to have services, but the township didn't have the courage to stick their neck out. If they had the city limits would have been County 6. We would have had Green Acres taken care of. We had all the planning done but the township board didn't have the heart to do it. Dave DeLaHunt stated in most cases the town board probably wouldn't. Having orderly annexation isn't the end of the world.

Nordberg stated the reason that Wal-Mart is there is not because of Dorset. Wal-Mart is there because of Park Rapids. Ed DeLaHunt stated it would not have been in Park Rapids if we would have had the heart to build the system. If we would have had water and sewer they would have stayed in Henrietta. That was six years before Wal-Mart was even a dream. We were going to build it for all the people in Green Acres and on Highway 34. There was a lot of conversation about dissolving the township and becoming the City of Dorset. Dacle Schmid stated there was a lot of discussion, but there was also something that you are neglecting to talk about, and that was the money. Johnsrud stated it would have worked out possibly through a subordinate service district. That's what they would have done for the water and sewer. Nordberg stated that's not cheap. Johnsrud stated no they're not. But in those dollars back then, it would have been a bargain. Schmid stated we'd have been sitting just where Park Rapids is wondering why we don't have any more growth.

Dave DeLaHunt stated we don't want to be in an adversarial position with the city in any way, like maybe it was then. Let's work together. It's a lot easier that way. Mikesh questioned when this was drawn up were any of you on the board at that time? Gary Nasser stated I was. It was a lengthy process. Ryan Leckner stated he was also. It took over a year. This is a totally different atmosphere than when I was first on the board.

Konshok stated that's why we brought up if you'd be open to modification because of the fact that if we do cancel it, it could come back next year. Even if you have two boards that are in agreement it's still going to take time to work through the legal process. There's the cost and time and I'm sure you want to avoid that as much as we do. I think if we have an agreement in place let's modify it first.

DeLaHunt stated my big concern with that is because there's so much property out there the constituents are going to pay and get no services. I don't think that's a logical thing to do to them. That argument was made back then too. Gary Nasser stated most of this is all farmland. Johnsrud stated if you look at this agreement, in reality it states we are to annually meet to discuss this. It didn't happen for a lot of years. The first meeting was last year, and that is really poor. With a modification of this, with an annual meeting, I don't think would be a real major issue to identify issues and prepare for them. Ed DeLaHunt questioned is it good for the city, the township, and everybody? If it is, then slam dunk.

Dave DeLaHunt questioned would you be amiable to the removal of the 2017 if we did an overlay district in the zoning ordinance in the corridors that you are concerned about? Mikesh stated that's something that we're going to need to discuss with everyone here and see what we can come up with, and not just give you an answer. Utke stated we work with another township too and we have to make sure we keep the playing field fair. We'd have to take everybody into account. I fully understand what you are up against. We need to keep it workable for everybody.

Nordberg stated given that zoning is one of our big questions where if I wanted to read your zoning requirements would I see it? Johnsrud stated go on our website. Dan Walker has a copy of it. Anderson stated there's a copy in the library, and one with Hubbard County Environmental Services.

McKinney stated if we wanted to develop a response from the Council who's the source of information in the township? DeLaHunt stated Russ Johnsrud. Mikesh stated we have things to think about on our side.

Johnsrud questioned do you want public input? Mikesh stated I think we can determine what they want otherwise they wouldn't be here. We can take a couple of comments if they are short.

Eugene Anderson questioned are you going to be willing to buy our homes that we are going to move out of? That's what's going to happen to a lot of us. A citizen stated he didn't want to be part of Park Rapids. Nordberg questioned when did you buy your home there? The citizen stated in 1984. Nordberg questioned were you part of the previous discussion? The citizen answered no. I'm in the southeast corner of the annexation area. There were homes for sale in Park Rapids but I didn't buy one. I bought bare land in Henrietta Township because I like it. The rules are reasonable. I put a mobile home on my property. Not all of us are rich. I followed the rules and everything went fine.

Randall questioned is the biggest issue the mobiles home zoning issue? Johnsrud stated there's quite a bit more. There's building inspection. It's at a much higher level in the city and your fee rates are higher. Take a look at the two zoning ordinances and compare them. Randall questioned what fees are you taking about? Johnsrud stated building permit fees. McKinney stated so it's building code as well as zoning. Johnsrud stated we don't have a building inspection process. Randall questioned what is the difference in cost? Johnsrud stated our building fees are \$100.00 flat rate, \$50.00 for a deck, \$50.00 for a garage. Yours is based on valuation.

Deb Anderson stated we've been there for thirty-seven years. We purchased it because we wanted to be out of town. We also have our daughter and grandchildren living in a trailer home which we own. We are one of the first ones to run into the brick wall because we tried to move in a larger, newer mobile home, and we weren't allowed to unless it was a double wide. Obviously that's a lot more money. It would have been much

newer and nicer. Water and sewer is guided by the county. We would have had our sewer upgraded to whatever the county said. We were not able to do it. Also, as Clerk of Henrietta Township I know of two more people who wanted to upgrade their existing trailer homes, but ran into the same wall of having to do a great project or no project. There are people living in trailer homes that are falling apart and under city code we can't even fix those trailer homes without a permit and you will not give us one because they do not meet your code. What are these people supposed to do that have lived there almost as long as we have? They want to live in a better atmosphere but they are not allowed to do that unless they build a home or a double wide. Then the water and sewer have to be upgraded. That would have to be done regardless if we were annexed in. If we are forced to get new sewer and water, not knowing what the city is going to do, it doesn't work.

Anderson stated it isn't just me speaking. This is our neighborhood here. Utke questioned are you all in that southeast corner section? Anderson stated we're spread all over. A citizen stated I was able to move into a nicer, newer mobile home. I worked with Henrietta Township. I did have to upgrade my septic, which is understandable, but it was reasonable. I paid a fair tax rate. McKinney questioned are mobile homes a big percentage of it? Johnsrud stated there are a number of regular homes too.

Schmid stated I'm assuming that trailer homes in the city right now are under the same regulations that you can't put a new one in? So they're just going to go on until they can't go any longer. Anderson stated the city won't let you replace a window without a permit. We can't get a permit to replace the window in the trailer house because it doesn't meet code. What are we going to do? Put a piece of plastic over the window? That's where we're sitting right now. Konshok stated with a building code it's an all or nothing kind of thing. Windows are dictated by state fire code. I understand it's tough on the individual homeowner. A citizen questioned what happened to maintenance? You shouldn't need a permit to do maintenance. If I wanted to paint I'd have to get a permit from the city. To replace the same size window is maintenance. Anderson stated we all need maintenance and none of us can do it because the city won't let us. None of us are in the position to go out and buy new homes.

Dave DeLaHunt stated why subject these residents to that when they get nothing in return. That's the problem with the over reach. Too much was taken at one time. Utke stated if this has been going on for seven years that they haven't been allowed to do maintenance that is not good. Schmid stated no one looked in depth at that in the beginning.

Leckner stated we were cloning this agreement with Bemidji's agreement. Look at what their town has done. It worked out great for them. If you would get rid of part of this, if something else started you'd have time to revisit it. Johnsrud stated that's where the annual review would come in. Nordberg stated I'd like to avoid another issue like Green Acres. There are forty-four homes in a one block radius with no fire hydrant. That's a fire hazard and the septic systems are a public health hazard. Johnsrud stated that development was there in the 70's. It was a bit of a challenge but the city did agree to hook up one house before it was annexed in because we knew the rest of them were going to be annexed. Ed DeLaHunt stated we checked all their wells and septic systems. There were three homes in there that the nitrate levels were up to 10% in their wells. The plan was in place. We spent a ton of money to line up a mound system. The people there

just bucked us. We spent \$40,000.00 trying to put a good plan together. Since they were going to be in the city eventually and if you want to drink that kind of water go for it.

Mikesh stated we'll get together. McKinney stated I'll get staff input and come up with a couple of ways to proceed.

4. ADJOURNMENT: The meeting was adjourned at 7:03 p.m.

[seal]

Mayor Pat Mikesh

ATTEST:

Margie M. Vik
City Clerk