

City of Harris
Planning Commission
Regular Meeting
February 6, 2017

Call to Order

Commissioner Carlson called to order the regular meeting of the Planning Commission at 7:03 pm.

Pledge of Allegiance

Everyone joined in the pledge of allegiance led by Chair Rossini.

Oath of Office

The City Clerk administered the oath of office to Don Cardinal.

Roll Call

The City Clerk conducted roll call. The following Planning Commission members were present: Commissioner Still, Commissioner Cardinal, Commissioner Peterson and Commissioner Carlson. Commissioner Rossini was not present. The City Clerk advised that a quorum was present.

City Engineer Chuck Schwartz was also present.

Consent Agenda

Commissioner Still made a motion to approve the December 5, 2016 regular meeting minutes as written. Commissioner Peterson seconded the motion. All in favor, motion carried.

Commissioner Rossini arrived at 7:15 pm.

Regular Agenda

Wes Johnson - TCB Importing - Wes Johnson, Commercial Real Estate Agent with RIC Property Management, was present representing TCB Importing. Kelly Johnson, who is one of the owners of the property, was also present. TCB Importing is considering leasing the property at 5865 433rd Street. TCB Importing imports cars from Canada. These cars must be stored in a secure lot for a minimum of 30 days while they go through the governmental approval processes. Once these processes are complete, they are shipped off to be sold. These vehicles were leased airport vehicles and the only work that needs to be done on them is to change out the speedometers. At this time, they are not sure how many cars will be stored there at any one time.

The property is currently zoned 'general business', so the storage of the cars would require a CUP as that use is a conditional use in the general business district.

The Commissioners were concerned about the number of large car-haulers turning west onto CR 10 from the Frontage Road, which is a hazardous intersection. The Commissioners asked that the City Clerk contact the County and State to see if they have any objections.

Commissioner Cardinal made the motion to accept the proposal for the CUP, contingent on the City Clerk contacting the County & State for their input, with the conditions on the CUP to include the 10 items on the Clerk's information page and to also include a maximum of 300 cars; passenger vehicles only and no salvaged vehicles; and each individual car can only be stored for a maximum of 90 days. Commissioner Petersen seconded the motion. All in favor, motion carried.

Commissioner Petersen made the motion to call a public hearing and special Planning Commission meeting for February 28, 2017 beginning at 6:30 pm. Commissioner Still seconded the motion. All in favor, motion carried.

Jesse Moxness - Subdivision - Jesse Moxness was present representing Gene Pierce, the owner of the property. The property is an 80-acre parcel located on CR 10 and Falcon Ave. They are interested in developing the property with one- to four-acre lots and provided a concept plan of their intentions. Jesse met with Chuck Schwartz prior to this meeting and is aware that the current minimum lot size is 5 acres. He wants to see if the city would entertain this concept. He would not be able to hook up to city sewer and water as it is over a mile from the end of the sewer/water line. He has had the wetlands delineated. The Commission discussed their options for bringing sewer and water out to this property. After additional discussion, the Commission advised that they would have to stick to the 5-acre minimum lot size that is stated in the ordinance.

Commissioner Still made the motion to move the Rezoning of Pinewood Apts up on the agenda. Commissioner Rossini seconded the motion. All in favor, motion carried.

Rezoning of Pinewood Apts - The Pinewood Apartment bldg was built in 1982 and the Clerk has not been able to find any documentation that the property was ever rezoned from R1 to R3 (multiple residential). Commissioner Petersen made the motion to recommend the rezoning of the Pinewood Apartment property, PID #14.00344.00 (6717 Old Sawmill Rd), from R1 to R3. Commissioner Still seconded the motion. All in favor, motion carried. The Commission also requested that the City Clerk set a date for the required public hearing on this matter.

Chuck Schwartz left the meeting at 8:45 pm

Firearms Ordinance - Commissioner Carlson checked with the Sheriff's office to get information on calls that had been made to their office regarding firearms violations. They found that there were nine calls in the last three years and only one of them coincided with the complaints that had been received at City Hall. The Clerk had received eight calls in addition to the nine received by the Sheriff's office. Commissioner Carlson felt that the parts of the ordinance that were already in the State or DNR regulations should not be included in the Harris ordinance.

Commissioner Carlson felt that the portion of the current ordinance that references cemeteries [131.16(A)] should be removed because it is already in the state statutes.

Commissioner Carlson also felt that the 131.16(C) should also be removed because it is also in the state statutes.

The City Attorney had stated that the changes that the Planning Commission had made to 131.16(D) were unenforceable, so Commissioner Carlson felt it should be removed from the ordinance.

Commissioner Rossini asked the Commission if anyone wanted to keep any of the items on the Clerk's draft ordinance. All Commissioners stated 'no'. Commissioner Rossini then asked if the Commission wanted to totally remove 131.16 from the Harris code. The Commission discussed this.

Commissioner Carlson made the motion to remove Section 131.16 from the Harris City Code and rely only on the state code. Commissioner Rossini seconded the motion. Commissioner Still, Commissioner Petersen and Commissioner Cardinal voted against the motion. Motion failed.

Commissioner Still made the motion to recommend to Council that they keep Section 131.16 but remove (A) through (F) and replace it with the wording 'See State Statutes'. Commissioner Cardinal seconded the motion. All in favor, motion carried.

Rental Ordinance - The Commission discussed the draft of the rental ordinance and the City Attorney's comments. Commissioner Rossini made the motion to recommend to Council the following:

120.04(A)(3) - the Commission chose not to accept the Attorney's recommendation, but they do want to include that property taxes are included.

120.04(C)(4) - the Commission wants to add 'for two years' to the end of that sentence.

120.04(G)(1)(b) - the Commission agreed that this date needed to be changed.

120.05(B)(4) - the Commission requested that the Clerk check with the Sheriff's Dept if they can enforce this under current contract. If so, we will move forward with this recommendation. If they cannot, then change the contract. If the contract cannot be changed, then this needs to go back to the Planning Commission. Commissioner Still seconded the motion. All in favor, motion carried.

Comp Plan - Commissioner Petersen made the motion to table this issue until the next meeting. Commissioner Still seconded the motion. All in favor, motion carried.

Adjournment

Commissioner Petersen motioned to adjourn and Commissioner Still seconded the motion. All in favor, motion carried. Meeting was adjourned at 10:00 pm.

City Clerk - Joanne Dargay

Date Approved