MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
MONDAY, JULY 12, 2010 – 7:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Chair Crespo at 7:30 p.m.

PRESENT: Chair Crespo, Commissioners, Gardner, Phillips and Triplett.
STAFF: Recording Secretary Scipioni, Planner Kaltsas.
VISITORS: Steve Lindholm, Lyle & Sharon Olson, Cathy Sallas, Jan Gardner, Kris & Marshall Ginther, Joe & Wendy VanLoy, Richard Merz, Gene Purdy, Brad Spencer, Doug Hoskins, Linda Berg.

2. APPROVAL OF THE JUNE 14, 2010 MEETING MINUTES.

Motion by Phillips, second by Gardner, to approve the minutes as written. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: None. MOTION DECLARED CARRIED.

3. PUBLIC HEARING. STEVE AND MARY JANE LINDHOLM, OWNERS OF THE PROPERTY LOCATED AT 3212 INDEPENDENCE ROAD (PID NO. 12-118-24-22-0002 AND 12-118-24-33-0003), REQUEST A MINOR SUBDIVISION TO ALLOW THEIR PROPERTY TO BE SPLIT INTO TWO (2) PARCELS.

Kaltsas stated the applicants have are proposing to create a second buildable lot. In addition to the minimum size required for subdivisions, the ordinance requires a minimum of 2.5 acres of buildable upland, a minimum of 200 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each lot. The applicant has approximately 6 acres of useable upland and over 500 lineal feet of frontage on Independence Road. The proposed lot depth to lot frontage ratio is 1:4. Staff has worked with the applicant to create a buildable parcel that fits into the surrounding area with minimal impact on the surrounding properties. The proposed subdivision would create a buildable area to accommodate a home site that would fit with homes in this area while maintaining the required setbacks. The driveway for both parcels would be shared and a driveway easement will be required for the existing property. The newly created parcel will be required to pay the City's Park Dedication requirement. For this property the requirement is $3,500. This fee will need to be paid prior to recording the subdivision. The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance. The lot being created will fit into the surrounding area and have minimal impacts on the surrounding properties.

Crespo asked if the new lots would be serviced by the new sanitary sewer line on Independence Road.

Kaltsas responded the lots would be serviced by the new sewer line. He noted the survey does not show primary and secondary septic sites because the property would be connected to City sewer.

Public Hearing
Steve Lindholm, applicant, was present to answer questions.

Gardner expressed a concern about the lack of primary and secondary septic sites on the survey.

Lindholm responded the properties will connect to City sewer.

Kaltsas explained the Council has awarded the sewer project. The proposed subdivision meets the minimum acreage requirements, so it would in theory have enough space for two septic sites. The soil on the property has not been tested for septic sites.

Crespo asked if the proposed dwelling footprint was within the setbacks.

Kaltsas responded the proposed dwelling footprint is within all necessary setbacks.

Motion by Gardner, second by Phillips, to close the public hearing. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: None. MOTION DECLARED CARRIED.

Phillips asked if there should be a condition that the properties connect to City sewer service if the subdivision is approved.

Kaltsas responded the Commission could recommend a condition requiring connection to City sewer.

Gardner asked the applicant what he intends to do with the two lots.

Lindholm responded he plans to sell the properties once they are subdivided.

Motion by Phillips, second by Triplett, to recommend approval of the requested Subdivision with the following findings and conditions:

1. **The proposed subdivision for a lot combination meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.**
2. **Both properties shall provide plans for connecting to City sanitary sewer service or proof of two viable septic sites before building permits shall be issued.**

Ayes: Crespo, Gardner, Phillips, Triplett. Nays: None. MOTION DECLARED CARRIED.

4. PUBLIC HEARING. TWIN CITY POLO CLUB IS REQUESTING A VARIANCE FROM THE SIGN ORDINANCE TO PERMIT A TEMPORARY DIRECTIONAL AND INFORMATION SIGN THAT EXCEEDS THE MAXIMUM SIZE PERMITTED, TO BE LOCATED AT THE NORTHWEST CORNER OF COUNTY ROAD 90 AND TURNER ROAD.

Kaltsas stated the applicant's property is located at 6755 Turner Road. The Twin City Polo Club is seeking a variance from the zoning ordinance to permit the installation of a directional sign with information pertaining to events being held at the polo club. The proposed location of the sign is 1235 County Road 90. The ordinance allows up to three directional signs to be located on or off premises. The maximum size permitted for each sign is (4) four SF. The proposed sign is 8' x 5' for a total of 40 SF. This size is much larger than that which is permitted by the ordinance. The ordinance prohibits off-premise signs to be located anywhere in the City. A portion of the proposed sign has information pertaining to the dates and times of events being held at the club. Due to the proposed location of this sign, it could be considered an off-premise sign. A variance is required to locate this sign at the proposed location. The applicant has stated that the sign could be taken down during the off-season of the club. In

the future the applicant is requesting that the sign be relocated to another intersection after construction on Highway 12 has been completed. This would make the sign seasonal rather than a permanent sign.

Kaltsas stated it is not clear that this request is unique to this situation and property. It could be argued that the Twin City Polo Club is not a business that is advertising a certain service or product and therefore is different to other similar properties in the area. The size requested and the proposed off-premise location would make it easier for the club to advertise the events occurring and direct visitors to the location. If the requested variances are recommended for approval by the City, it may make sense to consider amending the ordinance to allow similar applications similar allowances. Ultimately, the City needs to consider whether or not there should be provisions for allowing off-premise signs anywhere in the City.

Crespo asked if the Polo Club has a sign on its property.

Purdy, resident and Polo Club member, responded there is not a sign on the Club's property.

Crespo asked for clarification on the location of the sign and Kaltsas explained where the proposed sign would be located.

Kaltsas stated there are directional signs in the City, but there are not other directional signs that also include the ability to change information on the sign to advertise for events.

Crespo asked if the sign would be located on private property.

Kaltsas responded the sign would be on private property and the property owner has given permission for the sign to be located on his property.

Public Hearing

Purdy was present on behalf of the applicant to answer questions. He stated the proposed sign would be seasonal and in place May 1 through September. He noted Polo Club is a non-profit organization and would place information on the sign about charities the Club is raising money for. Long-term, the Polo Club would like to place a sign at Highway 12 and County Road 90 or County Roads 6 and 90. Purdy stated he has seen other off-premise signs in the community that have not been approved by the City.

Gardner asked if the proposed sign is 8 feet by 5 feet and Purdy confirmed the size. Gardner asked what the City allows for sign size.

Kaltsas responded the City allows 32 square feet for temporary agricultural and construction signs.

Crespo noted that churches have had their on-premise signs exceed the sign limitations.

Gardner expressed a concern about the size of the sign and asked if the sign could be changed to 32 square feet.

Purdy responded the proposed sign size is not large based on its surroundings. He added the Polo Club could probably make the sign 32 square feet if necessary. He noted the sign was made to match the size of other signs in the City.

Kaltsas noted that written comment regarding the proposed variance had been received and distributed to the Planning Commission.

Motion by Gardner, second by Phillips, to close the public hearing. Ayes: Crespo, Gardner, Phillips, Triplett. MOTION DECLARED CARRIED.

Phillips expressed a concern about approval of the variance creating a precedent for other variance applications.

Kaltsas stated the ordinance does not specify rules for temporary signs unless they are for the seasonal sale of agricultural products.

Phillips noted that the Polo Club does good work for the community, but he is uncomfortable with the size of the sign.

Crespo asked if the ordinance has a provision for seasonal signs.

Phillips suggested rewriting the City Code to address signs like the one being proposed.

Kaltsas stated the current request is not clearly addressed in City Code. He noted the variance request is for the size of the sign and the type because it includes information about Polo Club activities.

Motion by Phillips to recommend denial of the variance request. Motion dies due to a lack of a second.

Kaltsas explained if the Planning Commission does not vote on the request the default assumption is that the Commission essentially recommended denial.

Motion by Gardner, second by Triplett, to recommend the City Council initiate a text amendment to the sign ordinance to address sign applications from non-profit organizations for off-site informational signs. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

No motion was made on the variance request.

5. PUBLIC HEARING. LYLE AND OLSON, 3434 LAKE HAUGHEY ROAD (PID NO. 08-118-24-32-0005&6), REQUEST A CONDITIONAL USE PERMIT TO ALLOW RETAIL SALES, ON A SEASONAL BASIS OF AGRICULTURAL AND HORTICULTURAL PRODUCTS GROWN ON THE PREMISES BY A PERSON WHO OCCUPIES THE PREMISES AS A PRINCIPAL RESIDENCE ON THE SUBJECT PROPERTY.

Kaltsas stated the applicants would like to sell honey crisp apples from their orchard on the property for 3-4 weekends during the fall. Retail sales of seasonal products are permitted as a conditional use in the ordinance. The applicants have provided a proposed site plan which indicates how and where the sales, parking and picking will occur on the site. Staff visited the site to confirm that the proposed operation could be handled as indicated on the property. The property has adequate parking space and access and appears to be able to accommodate the seasonal sale of the apples on the property.

Phillips asked if the applicant would host any events on the property.

Kaltsas responded there would not be any events on the property, just apple sales.

Public Hearing
Lyle Olson, applicant, was present to answer questions. He stated there are about 1,000 trees on his property.

Gardner asked if anything else is grown on the property.

Olson responded there is nothing else grown on the property.

Motion by Phillips, second by Gardner, to close the public hearing. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

Gardner asked if a Conditional Use Permit was necessary for this request. He expressed a concern about the cost of CUPs.

Kaltsas responded City Code requires a CUP for this type of use because of the potential nuisances it could create for neighboring properties.

Crespo noted the fee for a CUP is $500.

Gardner stated the City wants retail sales of agricultural products in the community and asked for background information on why the City requires a CUP.

Motion by Triplett, second by Gardner, to recommend approval of the request for a Conditional Use Permit with the following findings and conditions:

1. **The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.**
2. **The Conditional Use Permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.**
3. **The Conditional Use Permit is for the sale of apples grown on the property only.**
4. **The Conditional Use Permit shall limit the time of the apple sales to no more than 4 weekends. Weekends shall be Friday, Saturday and Sunday.**
5. **Hours of operation shall be permitted between the hours of 8:00 am to 6:00 pm.**
6. **Dust will be monitored both on the Lake Haughey Road and on the premises and if directed by the City, mitigation measures will be the responsibility of the applicants.**

Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

6. PUBLIC HEARING. JOE AND WENDY VANLOY, 136 BIRCH LANE WEST, WAYZATA, MN, ARE REQUESTING A CONDITIONAL USE PERMIT TO ALLOW A KENNEL ON THE PROPERTY LOCATED AT 1925 HIGHSTEAD DRIVE (PID NO. 20-118-24-31-0002).

Kaltsas stated the applicant is seeking a Conditional Use Permit to allow a dog kennel on the subject property. The proposed breeding facility would not be a typical commercial dog kennel. The proposed facility would not operate like a commercial kennel and would not service the general public. Rather, the

proposed kennel would be a breeding facility for a specific bloodline of St. Bernard dogs. The applicants have a relationship with the successful breeder of the Montana Mountain Saints. It is their intent to relocate the breeder and her dogs to the property in Independence. The applicants would live on the subject property along with the breeder and would be the primary care providers for the dogs. The applicant is requesting the ability to accommodate 50 dogs on the property in addition to the dogs that are less than six months in age. The request for 50 dogs stems from the number required to continue the bloodline as stated in the applicant's letter to the City. The dogs that will be housed at the kennel will be owned by the breeder and applicants.

Kaltsas stated the property is somewhat isolated from the surrounding properties given the existing trees, wetlands and orientation. The applicants are proposing to construct a new barn facility to accommodate the dogs. The facility would be set up with an indoor room for each dog and then a series of outdoor spaces that are connected to the main building. All of the outdoor spaces would be fenced. The proposed building would be located in the center of the 40 acre parcel to provide the most buffering from the surrounding properties. The applicants have stated that they will be the primary care providers for the breeding facility. It is intended that there will be additional support staff that helps with operation. The number of additional employees is unknown at this time and will need to be further defined in the Conditional Use Permit. The applicants do not intend having more than some part time help at this time. Deliveries and pick up of other supplies associated with the facility will be limited and should not be more than a similarly sized agriculture parcel in the City.

Crespo asked if the livestock setback is the same for kennels.

Kaltsas responded the livestock setback does not apply to kennels, but the site plan submitted by the applicant shows all the buildings centrally located on the property.

Public Hearing
Wendy VanLoy, applicant, was present to answer questions.

Gardner asked VanLoy what they do with the puppies that are bred on their property.

VanLoy responded their breeding operation exists to make a better breed of St. Bernards. They keep most of the dogs they breed to watch how they age and what traits they develop. They are requesting permission for 50 dogs because they need that many to maintain a healthy bloodline.

Sallas, resident, asked how often the dogs are bred and how many litters are planned for next year. She expressed concern about the number of dogs on the property and they noise they would create.

VanLoy responded their dogs breed once or twice during their lives. Puppies that are not kept are sold to colleagues or people who own show dogs. Their puppies never go to puppy stores. VanLoy stated they plan to have no more than 4 to 5 litters next year and those litters are typically bred one-at-a-time. She added the proposed operation is meant to breed puppies for their traits, not for the purpose of selling them. Puppies generally leave the property between 8 and 10 weeks, so there is never a large number of puppies at the facility at one time.

Crespo asked if equipment would be used to prevent barking.

VanLoy responded they would not use any equipment to prevent barking, but the dogs would be kept inside at night. She added St. Bernards are not a high-energy dog and do no typically engage in continuous barking.

Gardner asked VanLoy if they had experience with the proposed operations.

VanLoy responded they have worked for 10 years with a breeder in Montana who has 20 years of experience.

Sallas asked if the VanLoys would be purchasing the property.

VanLoy responded they would purchase the property and would live on the property with the breeder.

Ginther, resident, asked if the proposed kennel is considered a hobby and noted the State Legislature is considering a bill that would define a hobby farm.

VanLoy responded the proposed kennel would be a hobby.

Merz, resident, expressed a concern about the traffic impacts of the proposed kennel and the potential noise from the dogs.

VanLoy responded there would be two people living on the premise. Employees of the facility would not be there every day and would be trained to come in on an as-needed basis. There would be weekly waste pick-up and possibly a monthly food delivery.

Motion by Gardner, second by Triplett, to close the public hearing. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

Phillips expressed a concern with the number of dogs being requested.

Crespo asked what size of the largest kennel in Independence is currently.

Kaltsas responded the largest kennel in the City currently has 20 dogs. He noted that the proposed kennel is distinct from other kennels in that its operations are not focused on breeding dogs for sale. Kaltsas stated the City is not sure what to expect from this facility because there are not other facilities like it in the City. In the recommended conditions, there is a 6-month probationary period to allow the City to make adjustments to the CUP.

Phillips stated the City cannot completely control noise from the dogs.

Kaltsas responded the City could require the dogs be kept inside during certain times.

Gardner stated if the property creates too many nuisances, the City can withdraw its CUP. He added the City has withdrawn CUPs in the past for violations. Gardner stated the applicant would be investing money into the kennel and would not want to create nuisances that would cause them to lose their CUP.

Phillips suggested limiting the number of dogs for a certain timeframe and then allowing 50 dogs at some point after the kennel has been in operation.

Triplett expressed a concern about the noise level on the property.

Motion by Gardner, second by Phillips, to recommend approval of the Conditional Use Permit with the following findings and conditions:

1. **The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.**
2. **The conditional use permit will be granted and initially reviewed by the City after six months. The City will determine if additional conditions or restrictions need to be applied to the approval of the permit. Following the initial six month review, the Conditional Use Permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.**
3. **The operation of a commercial, publically accessed dog kennel is prohibited on this property.**
4. **Only the breeding and housing of Montana Mountain Saints St. Bernard's will be permitted on this property. No other species of dogs will be permitted to be breed or housed in the breeding facility.**
5. **The number of dogs permitted on the property shall be limited to 40, not including dogs less than six months of age. The City will review the number of dogs at 6 months from the date of building permit issuance for the facility. If no violations of the CUP's conditions have been found, then the City will consider granting permission for an additional 10 dogs for a total not to exceed 50.**
6. **The number of employees staffing this facility shall not exceed 3 at any time on the property.**
7. **The proposed breeding facility is permitted as shown on the approved site plan. Any expansions, additions or other changes to the proposed site plan will require an amendment to the Conditional Use Permit.**
8. **Sanitary waste generated by this facility will be picked-up and taken off-site on a regularly scheduled basis as necessary to minimize odor and reduce any impacts on the surrounding properties.**

Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

7. PUBLIC HEARING. A PROPOSED TEXT AMENDMENT TO THE CITY OF INDEPENDENCE ZONING ORDINANCE PERTAINING TO SECTION 530.03, SUBD. 2, RURAL VIEW LOT DENSITY AND SECTION 530.07, SUBD. 4 LOT AREA DIMENSIONS.

Kaltsas stated the Land Use Planning Act requires communities to make changes to official controls following the adoption of the Comprehensive Plan. The City has nine months from the date of adoption to bring official controls into compliance with the plan. The City recently completed the process of updating the Comprehensive Land Use Plan. As a part of this update there were recommendations made relating to various zoning and land use requirements in the City. One of the recommendations made pertains to the size of a property needed to subdivide a Rural View Lot in the Agriculture Zoning District. The Planning Commission reviewed a second draft of possible ordinance changes at its last meeting. Commissioners had a discussion and made recommendations pertaining to the proposed changes. The ordinance has been drafted to incorporate the recommended changes from the last meeting.

Phillips asked how many quarter-quarter sections exist in the City.

Kaltsas responded there are 19 quarter-quarter sections in the City that have not been subdivided.

Public Hearing
Kaltsas noted the City had received one letter regarding the proposed text amendment.

Motion by Phillips, second by Triplett, to close the public hearing. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

Motion by Phillips, second by Triplett to recommend to following text amendments to the Independence City Code:

530.03. Physical Standards. Subdivision 1. Subdivisions within the agricultural district shall be limited to lot line rearrangements and creation of rural view lots, according to the standards and procedures of subsection 500.09, subdivision ordinance.

Subdivision 2. Rural view lot density. A lot of record as of November 9, 1999 may be subdivided into the following maximum number of rural view lots, in addition to the original dwelling or dwelling site on the lot of record:

Area of Lot of Record	Maximum Number of Rural View Lots Permitted
~~49.99 acres or less~~	~~Zero~~
39.99[b] acres or less	Zero
~~50.0 – 79.99 acres~~	~~One~~
40.0[b] – 79.99 acres[a]	One
80.0 acres	Two, plus one additional lot for every 40 acres of additional land

[a] The city council may consider a density transfer option for non-contiguous 40 acre tracts that are under single ownership. (For example, a non-contiguous ~~50~~ 40-acre lot and an undeveloped 40-acre lot could be combined to yield two new rural view lots plus the original parcel for a combined total of three lots.)

[b] For the purpose of determining the number of rural view lots that can be created, the area of a lot of record shall be measured to the center of bounding road right of ways. Furthermore, a lot of record that was originally subdivided into a quarter-quarter section and has not been further subdivided shall be deemed a 40 acre parcel for purposes of determining rural view lot eligibility. For properties within the jurisdiction of the Shoreline Ordinance (Section 505), submerged lands within the boundaries of any waterfront parcel that are located waterward of the ordinary high water mark shall not be used to compute the area of the lot.

530.07. Physical standards. Subd. 1. All construction in the rural residential district must meet the following physical standards:

(a) Minimum lot area [a] 2.50 acres buildable land

(b) Minimum lot frontage on an improved public road or street:

Lot area	Minimum frontage
2.50 – 3.49 acres	[b] 200 feet
3.50 – 4.99 acres	[b] 250 feet
5.00 (plus) acres	[b] 300 feet

[a] A lot must be a minimum of 2.50 acres buildable land with a demonstrated capability to accommodate two on-site waste disposal systems. Buildable land must be contiguous and not separated by streams, wetlands, slopes in excess of 10% or other physical impediments.

[b] Lots must have no less than the specified minimum frontage respectively on a right-of-way, provided that the city council may waive the requirement if the following conditions are met:

(1) The applicant submits and the city council approves a development plan encompassing all land under the control of the applicant.

(2) The development plan must demonstrate that vehicular and pedestrian access, as well as emergency and public vehicular access can be provided to each lot in the development plan.

(3) The applicant must enter into a private road agreement that meets the criteria of subsection 510.05, subdivision 70 of this code as well as additional conditions deemed necessary by the city council to protect the health, safety and welfare of the occupants of the lots within the development plan.

(c) The ratio of lot frontage to lot depth must be no more than 1:4.

~~Subd. 2.~~ (d) Height. The maximum height of all buildings must not exceed the lesser of two and one-half stories or 35 feet. This height limitation does not apply to farm buildings, grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smoke-stacks, church spires, or electric transmission lines.

~~Subd. 3~~. Subd. 2 Setbacks. All buildings and structures, including houses with attached garages, must meet or exceed the following setbacks: [a]

(a) Front yard setback	**[b] 85 ft. from centerline of road**
(b) Side yard setback	**[b c] 30 ft. from side lot line.**
(c) Rear yard setback	**[b] 40 ft. from rear lot line.**
(d) Setback from lakes, rivers and streams	**[b] 100 ft. from ordinary high water mark.**
(e) Setback from wetlands	**25 feet from delineated wetland boundary**

(f) Fences, trees, shrubs, or other appurtenances are not allowed within any road right-of-way.

[a] Substandard lots of record in the shoreland district, as defined in subsection 505.25, may be allowed as building sites provided they meet or exceed 60% of the setback requirements of this subdivision.

[b] Except buildings housing livestock which may not be located closer than 150 feet from an existing residential structure on all adjacent property.

[c] Except detached garages and other accessory buildings, which may be 15 feet from the side lot line.

~~Subd. 4. Lot area and dimensions.~~

~~(a) Lot area must be adequate to provide for all expected improvements and for the installation of two on-site sewage treatment systems, but in no case may lot area be less than two and one-half acres.~~

~~(b) Two and one-half and five acre lots must have no less than 200 and 300 feet of frontage respectively on a right-of-way, provided that the city council may waive the requirement if the following conditions are met:~~

~~(1) The applicant submits and the city council approves a development plan encompassing all land under the control of the applicant.~~

~~(2) The development plan must demonstrate that vehicular and pedestrian access, as well as emergency and public vehicular access can be provided to each lot in the development plan.~~

~~(3) The applicant must enter into a private road agreement that meets the criteria of subsection 510.05, subdivision 70 of this code as well as additional conditions deemed necessary by the city council to protect the health, safety and welfare of the occupants of the lots within the development plan.~~

~~(c) The ratio of lot frontage to lot depth must be no more than 1:4.~~

Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

8. OPEN/MISC.

Minnesota Supreme Court variance decision
Kaltsas updated the Planning Commission on a recent Minnesota Supreme Court decision regarding variances.

9. ADJOURN.

Motion by Phillips, second by Triplett, to adjourn the Planning Commission meeting at 9:25 p.m. Ayes: Crespo, Gardner, Phillips, Triplett. Nays: none. MOTION DECLARED CARRIED.

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Respectfully submitted by Christina Scipioni, Recording Secretary