

Minutes

Planning Commission Meeting

7:00pm February 14, 2023

Auditorium

Commissioner Sandie Adams-Bruins called the meeting to order at 7:00pm.

Members Present: Commissioner Sandie Adams-Bruins, Commissioner Neil Syvertson, Commissioner Amy Penaz, Commissioner Sarah Kahn, Commissioner Ryan McDonald, Clerk Diane Pedersen.

Members Absent: None

Others Present: Jim & Deb Nowak, Ray Bandas, Mayor Bruce Bebo, Roger & Trevor Posusta, Josh & Nicole Winfrey.

Approve minutes from January 10, 2023

Motion by Commissioner Syvertson second by Commissioner Kahn to approve the minutes from January 10, 2023. Vote For: Unanimous. Motion Carried.

Public Comment - None

New Business

1. Public Hearing regarding the variance for an LED sign at 301 Lane Ave.
 - a. Email received from Sharon Bandas with the following questions:
 - i. The sign could be a distraction to motorists. How much of the sign message will motorists be able to read as they are driving by? This sign will meet all DOT sign specifications, which means the sign cannot be within the line of sight of vehicles. The length of a post can be no shorter than six seconds.
 - ii. Is the donation money for this sign in a separate account and who is in charge of it? (Preferably two people). The sign donations are made out to the City of Silver Lake and the funds are in a city account and as well as being tracked on a spreadsheet. Both the City Clerk and Deputy Clerk are in charge of the funds.
 - iii. If the sign is not constructed, will donors be reimbursed? This issue has not been considered as the plan is to make sure the sign can be constructed.
 - iv. Will donations to this account for this sign be allowable charitable contributions for IRS purposes? Charitable contributions to a governmental unit are tax-deductible under section 170©(1) of the Internal Revenue Code if made for a public purpose.
 - v. Is the city prepared for maintenance expenses? Donations are being collected from non-profit organizations within the city, and with their donation they will receive free advertising. What has not been determined is the amount of advertising per donation level. The plan is to charge an advertising fee to for-profit entities/businesses, and this fee will cover ongoing expenses. Jim will research fees. Daktronics provides a five (5) year warranty for standard parts, but that does not include labor. Jim will check into an extended warranty. Software and training are provided with the sign. Electric lines and lighting up the header will cost around \$2.00 per day or \$730 per year. There is also an annual DOT fee for having a sign by the highway. That fee is currently \$60 but will increase due to the sign being larger than the current sign.
 - b. The question was asked how far off the road the sign must be. DOT says the sign must be 50 feet off the curb way of the highway and 40 feet off the curb way of a boulevard. That is what

the current sign is, so the plan is to put the new sign in the same location. The city currently has a DOT permit, it just needs to be renewed and upgraded.

- c. If the money for the project is just pledged and not received, will the project move forward? How will it be financed? The current quote for the sign is \$58,481. The cost of the sign itself is \$34,221. Broadband is included for the life of the sign. Currently in-hand donations/pledges are \$32,000. The sign will only move forward as funds received allow. Currently there are enough pledged funds to get the sign footings and polls put in and get the electrical running. The cost of the header is \$9800, this can be done later or not at all if that is what is decided based on funds collected.
- d. Trevor Posusta raised a concern about the sign being located so close to his home at 308 Lane Ave NW.
 - i. Concern about the amount of light given off by the sign. The specs sheet says the sign will project 7000 NIT (value of brightness) during the day and 700 max at night. The brightness will be controlled by a 100-step photocell.
 - ii. Concern about the location of sign being so close to the end of his driveway. He currently has light from the Cenex sign projecting into his home and this sign will be closer. Moving the sign further West towards the Lion's Garden will be investigated.
 - iii. Concern about the sign causing his property value to decrease.
 - iv. Concern about being construction of the sign without having the funds to complete it.
 - v. Concern about advertising by businesses not located in Silver Lake.
- e. The city office will be in charge of keeping the sign updated.

Motion by Commissioner Kahn second by Commissioner McDonald to approve the variance request for the LED sign. Vote For: Unanimous. Motion Carried.

2. Planning Commission meeting for March changed to the 7th rather than the 14th as both Commissioner/Councilmember Adams-Bruins and City Clerk will be out of town of the 14th.
3. Variance Application for 813 Main Street.
 - a. Remodel detached garage to create a living unit.
 - b. The recommendation for the public hearing to be set for March 7, 2023, at 7:00pm in the auditorium.

Old Business

1. Zoning ordinance 2.19 for temporary, portable units.
 - a. The Planning Commission reviewed the proposed ordinance again and still concluded that they did not want to move forward with a recommendation to the city council.
2. Right-of-Way Ordinance
 - a. Right-of-Way Ordinance approved as presented. It will be recommended that the city council pass the ordinance.

Open Discussion

Adjourn 8:15 pm

Motion by Commissioner Kahn second by Commissioner McDonald to adjourn the meeting. Vote For: Unanimous. Motion Carried.