

**ROCKREEK PLANNING COMMISSION  
APPROVED MINUTES  
February 20, 2024**

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***Chair Curt Kubesh called the Public Hearing for Northland Boiler Sales to order at 7:00PM.***

Don Burger: This Interim Use seems appropriate in this situation under Special Home Occupations for Ag. Please examine "Home Occupations" under definitions for amending for clarity related to "retail" in near future. No definition for "Special" home occupations. Please review contradictory language in Sec. 1000-26 (p.141) for clarity in Subd. 1 and 3 in the near future.

Chelsy Lindman: I just have some questions I guess more than anything.

Curt Kubesh: Is this for the boilers?

Chelsy Lindman: Yeah, Um, I just, I was at the last council meeting and I saw the resolution for April Anderson with the horse...

Curt Kubesh: This has nothing to do with boilers.

Chelsy Lindman: I know, I know, I'm just giving some context. I'm just wondering how this is allowed in Ag and something like Ag practices is not allowed in residential? I'm just trying to find the clarification.

Curt Kubesh: April Anderson's has nothing to do with the boilers, so that can't be brought up.

Chelsy Lindman: I'm just asking why it would be allowed. And then, you know, if as a City we're trying to have commercial businesses come in, wouldn't we want those in commercial areas so that way that are taxes appropriately so that we are raising revenues for the City?

Curt Kubesh: If you have a home based business and you have signage, the county does tax you as commercial

Chelsy Lindman: OK

Curt Kubesh: I'm positive.

Dan Saumer: And I mean, you read the zoning in residential and agricultural and it allows a business to go for a permit.

Chelsy Lindman: Ok, just questions I have.

Dan Saumer: I just was wondering if you read it.

Curt Kubesh: Anyone else for Northland Boiler?

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- Craig Saari: I guess I have a question, as to why now?
- Curt Kubesh: Please come up to the seat.
- Craig Saari: Ok, Um, I know you've been selling these boilers for a while, so why now? Why are you looking for an interim permit?
- Ashley Rauschnot: I had a low impact business permit when I first started and then just realizing as I've had more people and it has grown that it has kind of morphed into where I should you know apply and do the right thing and apply for an interim use.
- Craig Saari: I understand the optics yes. There are several other businesses that have no permits that are operating.
- Oliver Rauschnot: So what's the question?
- Curt Kubesh: Yeah, what's what's the question
- Craig Saari: The question is, I guess, why do you think that you have this power over these land owners, when we do live in America and we should be able to use our land freely. Um, we should be able to earn a living. Yeah I guess what is your guys power to think that you can rule over us.
- Curt Kubesh: We are not ruling, we are following what this book says.
- Craig Saari: Yeah you guys also swore an oath to a different book. And
- Curt Kubesh: But this is our governing book for this city.
- Craig Saari: Yeah, I get it
- Curt Kubesh: So we have to follow the rules that are setup for this city to run.
- Craig Saari: Yeah I know, I spent 10 years doing it. And it was the worst 10 years of my life. That book should go right in the garbage. Um a lot of the things we are trying to dictate, is exactly that, a dictatorship. Um.
- Curt Kubesh: So what other comments do you have about Northland Boiler
- Craig Saari: You know, I think it's a great business, it's a great asset for our community. And I've also watched the city chase a lot of businesses out of here, good businesses, because of these rules that
- Chelsy Lindman: And people too
- Craig Saari: Yeah and people too. The um, when you come here for something, it's just always um angry and reactive and there's no compassion left in

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any of this anymore, you know. We live in a community of 1,000 people and we're trying to run it like a big city. You know, uh in 71 when this city was established, it was designed to reserve the farming way of life and what I was told when I moved in here and I couldn't do what I wanted to do because it was going to take away from the presidential look of the area. When I had nothing but farm fields around me. Um. So yeah,

Chelsy Lindman: Just be equitable

Craig Saari: Yeah, we gotta be fair, you've gotta live with these people in this community. And to act like dictators it's ridiculous.

Josh Froelich: I guess I'm not sure what you're referencing. Um, is there something specific that you're referencing because I'm

Craig Saari: I could point out all kinds of things. I could go back in the minutes for many years

Josh Froelich: Well I wasn't hear many years ago

Craig Saari: I know, but I was. I've been watching this crap for 40 years.

Josh Froelich: Yes, but we're here now

Curt Kubesh: Yes, we're here talking about Northland Boiler, we're not talking about past years. We're talking about this right now. So if you have nothing else to put to Northland Boiler.

Craig Saari: Yup, I think Ashley does a great job, The Rauschnots are doing a great job they are a bunch of hard working young fellas, I mean and people, I didn't mean to leave you out of this and I think Ashley is the most proactive thing that has happened to this City in a long long time, but I think it might be time to even look at resolving the city charter because we can't run it like a big city when we're supposed to be a farming community. So that's something for future reference too to kind of look at. I've been trying to have this discussion with the City for 40 years.

Curt Kubesh: Ok, so you have nothing else to add for Northland Boiler?

Craig Saari: Ok, I will yield.

Curt Kubesh: Thank you

Dan Saumer: Thank you.

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Curt Kubesh: Anybody else have comments, concerns?

***Chair Curt Kubesh closed the Public Hearing for Northland Boiler Sales at 7:07PM.***

***Chair Curt Kubesh called the Public Hearing for the Campground Ordinance to order at 7:07PM.***

Curt Kubesh: Come on up

Josh Froelich: Let's hear it.

DB: Um, would recommend, Please recommend review by City Attorney if not already done.

Please post Amendment Text separately from minutes.

Please limit Ag. productive soils from being eligible for this conditional use in this District.

Craig Saari: I guess I have a question of what brought this on? What are we trying to get ahead of...

Oliver Rauschnot: We had a draw in the community of people wanting to, we've actually had a couple and I'm not going to name names, but they essentially set up a campground, but didn't follow... they don't have safety shelters, they don't have sewers things like that.

Craig Saari: Is it a campground or is it just people trying to have a reasonable use of their land?

Oliver Rauschnot: There is a lot a lot of people there.

Ashley Rauschnot: Yeah, it's more than reasonable use.

Oliver Rauschnot: More than reasonable use.

Dan Saumer: And they built shelters over the

Ashley Rauschnot: Over the...

Oliver Rauschnot: With ag permits

Dan Saumer: Shelter over the top of the campers and didn't get permission. Didn't do anything

Oliver Rauschnot: So we're trying to simplify a path for people.

Craig Saari: And this constitutes a campground? Does it have to be for profit?

Ashley Rauschnot: No I think it was

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- Oliver Rauschnot: It does not have to be for profit, it can be a family campground but it's
- Ashley Rauschnot: The definition is on the campground ordinance thing
- Josh Froelich: It would require you to make it ?? because the infrastructure around it would require it to have appropriate well and septic, storm shelter, um, access for emergency vehicles certain size ???, really it's the thought of if we're going to do it and there's going to be a whole bunch of campers out there. You need a bathroom, you need sanitary
- Dan Saumer: Otherwise they're pumping stuff out
- Chelsy Lindman: There are composting toilets
- Craig Saari: There are other options that don't seem like they are being offered. That's why I was just curious. One gentleman is here that's in question. My dad and I talked about this a couple weeks ago. There are some situations where people might just move in and take advantage of him. And uh, the disabled or an older person too. And rather than doubling their fine or whatever, maybe do a welfare check. Maybe they need to be checked on and make sure they're alright. But we sit here and double their fines, thinking this is going to help the situation. I have a problem with that.
- Oliver Rauschnot: Do you have another option to get ahold of these people and get their attention? Because I'm pretty sure the city has spent a lot of time and energy trying to get ahold of these people and it's the only thing that gets ahead of it
- Craig Saari: Yep, I've been battling some of the same issues for the last 10 years. There are some of the same sewer issues that when I was mayor and on the council, they came up and we tried to resolve them and as far as I know they are still not resolved.
- Curt Kubesh: So I have a question, what do these other issues have to do with the campground ordinance. We're going off topic and we have to stay on topic.
- Craig Saari: We have to? We can't have a public discussion with the...
- Ashley Rauschnot: During public forum...
- Curt Kubesh: Well not when you're bringing in other things. You're bringing in other situations that have nothing to do with this. Craig, you are.
- Craig Saari: So I know the one issue is because there was campers there. So are you

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considering that a campground I guess is what I'm asking rather than maybe the gentleman needs some help.

Ashley Rauschnot: If you're referring to who I think you're referring to, that has nothing to, the campground ordinance, was, like this was a long time in the making before a letter was even sent for that.

Dan Saumer: And then partly we're looking at what happens down the road if someone moves 20, 30, 40 of them in on a farm or whatever, do we just turn around and say oh well? I just don't think that 's the right answer either.

Craig Saari: Can I live off grid in Rock Creek? Can I put up a Tee Pee and S\*\*\* in a bucket if I so choose if I had enough acreage.

Dan Saumer: I'm not going to..

Curt Kubesh: We're not going to go down this road.

Dan Saumer: That don't seem like it has any relevance

Craig Saari: To what campgrounds are.

Dan Saumer: I don't know where you're coming from with that

Craig Saari: I'm just saying that we live in America. You know, we're Americans not Americant's and every time we turn around there's something else coming after us.

Oliver Rauschnot: So the biggest thing we're looking at with the campgrounds is we're looking at a property that has temporary dwellings

Craig Saari: Ok

Oliver Rauschnot: And we're trying to prevent, we're not even trying to prevent. We're trying to give a direction for people that if they were to setup and have multiple, you know, I wouldn't say seasonal, but temporary dwellings basically campers, RVs, things of that sort. We're trying to set it up so that there if it is something that they want to do and they want to do it. They have to do it correct. Meaning protect the people that are going to be there. That is what we are shooting for.

Craig Saari: And the neighbors

Dan Saumer: That and then neighbors that live close by so there's not going to be

Oliver Rauschnot: It has nothing to do with we're trying to single anybody out or whatever. But here's the deal, whether it's a family thing or a for profit

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thing, if you're going to have a tract of land and you're going to set out plots for campgrounds, or campers, tents, campers, whatever, you as the land owner and the person that is establishing that. We are trying to give directions so that the people who come there have a storm shelter, have ingress and egress for emergency vehicles. Somebody has a stroke, you never know what can happen.

Craig Saari: I understand

Oliver Rauschnot: And like, one they have no form of sewage remediation at all and yet there's 20 people there every weekend.

Ashley Rauschnot: Double, double that

Oliver Rauschnot: Yeah, their response is "we go to Kwik Trip"

Craig Saari: Are they receptive to setting it up correctly.

Oliver Rauschnot: They have been thus far, and that is the reason for this and the reason we have this at a public hearing right now. It's...

Craig Saari: Ok, yeah I just wish more people would get involved. It was brought us at the last council meeting too.

Oliver Rauschnot: Yeah it's very, like I don't know if you've seen this yet or not, but if you read it, we're not trying to be mean. We're just trying to

Curt Kubesh: Give guidance

Oliver Rauschnot: Give some kind of guidance and set some kind of precedence of what should be expected. You know what I mean?

Craig Saari: Yep, Listen I know the job that you guys do and it's a thankless job. I just did want to point out that there's a lot more issues out there than what we're arguing about here.

***Chair Curt Kubesh closed the Public Hearing for the Campground Ordinance at 7:15PM.***

***Chair Curt Kubesh called the Public Hearing for a Text Amendment to add a definition for Earnest Money to order at 7:15PM.***

DB: Please post Amendment Text separately from minutes. Please recommend City Attorney review or cite that it is the source of the text.

***Chair Curt Kubesh closed the Public Hearing for a Text Amendment to add a definition for Earnest Money at 7:16PM.***

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***Chair Curt Kubesh called the Planning Commission Meeting to order at 7:16PM.***

**Members present:**

Oliver Rauschnot, Dan Saumer, Curt Kubesh, Josh Froelich, Donnie Peterman III,  
Dillon Barton

**Members Absent:**

Stefon Boleen

**Others present:**

Ashley Rauschnot, Don Burger, Chelsy Lindman, Craig Saari, Meggie Olsen, Gordon Campbell, Layton Gunderson, Sanford Greenblat, Unknown Gentleman with Gordon Campbell

**Pledge of Allegiance**

**Public Forum**

Leyton Gunderson spoke briefly about the campers at Gordon Campbells property. He said they usually travel with the campers during the summer months. But they usually end up back here in the fall to work on the maintenance needed for campers. They ended up at his "Uncle Gordy's" house. He wanted everyone to know that they are not living in the campers. Leyton did not want Gordon to receive any fines for their doing. Oliver mentioned to Leyton that Gordon did not represent/handle himself very well at the City Council Meeting.

Chelsy Lindman said that she appreciates the emails that Ashley Rauschnot sends out. But wanted to point out that the emails do not meet ADA requirements. The attachment should get copied and pasted into the body of the email in order for a text reader to read it.

Don Burger spoke up about the new Data Practices tab on our website. He mentioned that he is excited to see the changes.

Gordon Campbell came up to apologize for his temper and behavior at the City Council meeting. He was a little confused and thought that he was at the City Council meeting.



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Planning Commission members thanked him for his apology, but let him know that he still needs to come to the City Council meeting in a couple of weeks.

***Dillon Barton motioned seconded by Oliver Rauschnot to approve the January 16, 2024 minutes as sent. Motion passed with all ayes.***

**New Business**

**Northland Boiler Sales**

Planning Commission members agreed that the IUP is the next step from the Low Impact Business permit.

***Dan Saumer motioned seconded by Dillon Barton to recommend for approval IUP-24-001 to the City Council with the following conditions:***

1. Applicant shall submit Certificate of Liability Insurance on an annual basis to the City and hold the City of Rock Creek harmless of any liability it could incur by issuing this permit.
2. Hours of Operation: Monday -Friday 8am – 7pm by appointment only, Saturday and Sunday by Appointment Only.
3. No additional lighting to impede on neighboring properties.
4. Driveway camera for security, not to point at any neighboring properties.
5. No more than 10 Central Boilers allowed on the property at one time.
6. All conditions of this permit are subject to annual review. It is up to City Staff or the Council to enforce them. Should they not all be met, the Interim Use Permit will be revoked.
7. On or before March 7, 2029, it is the applicant(s) responsibility to submit to the City a Letter of Intent (continued use of this permit or termination of this permit) if continued use, letter must include a request for a five (5) year extension of this permit. Failure to do so will result in this Interim Use Permit becoming null and void.
8. If the Business is discontinued for at least one year, the Interim Use Permit will be terminated.
9. It is the applicant's responsibility to notify the City if the business is discontinued or if there is a transfer of property of ownership.

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*Motioned approved with all ayes, with Oliver Rauschnot abstaining from voting.*

**Old Business**

**Campgrounds**

Members agreed that they've gone over the ordinance well enough so far and if the council did not have any changes, they were good to go forward with it.

*Josh Froelich motioned seconded by Donnie Peterman III to recommend to the City Council for approval the Campground Ordinance as well as update the definition. Motion passed with all ayes.*

**Earnest Money**

*Oliver Rauschnot motioned seconded by Dillon Barton to recommend to council for approval to add a definition for Earnest Money to our Zoning Ordinance.. Motion passed with all ayes.*

**Soil Borings**

After a brief discussion and recap of what was talked about last time, there were some clarifications made. Oliver Rauschnot said that whatever the highest point is on your laser is where you start at, so you build to your worst conditions. It doesn't matter if the soil on the other side of the property is a foot lower and better soil. He said the inspector is not just going to let you take it out of the middle and say this is good and that one is bad. Oliver Rauschnot said he's not sure how it could be written or laid out any better in the book. Members all agreed to stick to what we have and enforce it because it works well.

*Oliver Rauschnot motioned seconded by Donnie Petermann III for Dan Saumer to take this back to City Council and let them know what was decided about keeping the rules the same. Motion passed with all ayes.*

**City Council Notes – N/A**

*Donnie Peterman III motioned seconded by Dillon Barton to adjourn at 7:55 PM. Motion passed with all ayes.*

Ashley Rauschnot  
Deputy Clerk