City of East Bethel
City Council Agenda

Regular Council Meeting – 7:00 p.m.
Date: March 16, 2016

		Item	
7:00 PM		**1.0**	**Call to Order**
7:01 PM		**2.0**	**Pledge of Allegiance**
7:02 PM		**3.0**	**Adopt Agenda**
7:03 PM		**4.0**	**Presentations**
	Pg. 3-4	A.	Presentation of POW Flag
	Pg. 5-7	B.	Sheriff's Department Report
	Pg. 8-11	C.	Fire Department Report
7:20 PM		**5.0**	**Public Forum**
7:35 PM		**6.0**	**Consent Agenda**
			Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration
	Pg. 14-16	A.	Approve Bills
	Pg. 17-52	B.	Meeting Minutes, February 24, 2016 City Council Work Meeting
	Pg. 53-70	C.	Meeting Minutes, March 2, 2016 City Council Meeting
	Pg. 71-80	D.	City of Wyoming, Septic Review and Inspection Contract
		E.	Engineering Costs for AV City Hall Project
	Pg. 81-83	F.	Connexus Easement
			New Business
7:40 PM		**7.0**	Commission, Association and Task Force Reports
		A.	Planning Commission
		B.	Economic Development Authority
		C.	Park Commission
		D.	Road Commission
	Pg. 84-86		1. Sims Road Pedestrian Crosswalk
7:45 PM		**8.0**	**Department Reports**
		A.	Community Development
		B.	City Engineer
		C.	City Attorney
		D.	Finance
	Pg. 87		1. Finance Committee Meeting
		E.	Public Works
		F.	Fire Department
		G.	City Administrator
	Pg. 88-90		1. CST Update
	Pg. 91-95		2. City Hall ADA Project

Pg. 96 3. March 23, 2016 City Council Work Meeting

8:00 PM **9.0** **Other**

A. Staff Report
B. Council Reports
C. Other
D. Closed Session, Minn. Stat. § 13D.03, subd. 1 (b), Union Negotiations

8:30 PM **10.0** **Adjourn**

City of East Bethel
City Council
Agenda Information

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Date:
March 16, 2016

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Agenda Item Number:
Item 4.0 A

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Agenda Item:
Donation of POW-MIA Flag

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Requested Action:
Accept the Donation of POW-MIA Flag to the East Bethel Fire Department

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Background Information:
Council is requested to approve Resolution 2016-15, A Resolution Accepting and Expressing Appreciation of Donation of a POW-MIA Flag from Ken and Jeanette Langmade. Upon approval of the Resolution, Ken Langmade, East Bethel resident and World War II Veteran, will be introduced to present a POW-MIA Flag to the East Bethel Fire Department.

Attachments;

1.) Resolution 2016-15

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Fiscal Impact:

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Recommendation(s):
Staff is recommending that City Council consider Resolution 2016-15, Acceptance of POW-MIA Flag and accept the donation from Mr. Ken Langmade.

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City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required: _____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2016-15

RESOLUTION ACCEPTING AND EXPRESSING APPRECIATION FOR DONATION OF A POW-MIA FLAG FROM KEN AND JEANETTE LANGMADE

WHEREAS, Ken and Jeanette Langmade have made a donation of a POW-MIA Flag to the City of East Bethel Fire Department on behalf of all Veterans and active Military personnel ; and

WHEREAS, The City of East Bethel recognizes the symbolic nature of this flag and are forever grateful for those who have sacrificed their lives and have suffered confinement as prisoners of war in service to our Country; and

WHEREAS, The City of East Bethel accepts this donation to display the City's support for POW's and MIA's of foreign wars; and

WHERAS, This flag will be prominently displayed at East Bethel Fire Station # 1;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: The City Council hereby accepts the donation of the flag by Ken and Jeanette Langmade and expresses its thanks and appreciation to the donors and those to whom the flag is dedicated.

Adopted this 16th day of March, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Steven R. Voss, Mayor

ATTEST:

_____

Jack Davis, City Administrator

City of East Bethel
City Council
Agenda Information

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Date:
March 16, 2016

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Agenda Item Number:
Item 4.0 B

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Agenda Item:
February Sheriff's Report

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Requested Action:
Information Only

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Background Information:
Commander Orlando will present the ACSO Report for February 2016.

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Fiscal Impact:
None

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Recommendation(s):
Information Only

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City Council Action

Motion by:_____ Second by:_____

Vote Yes:_____ Vote No:_____

No Action Required: __X

Anoka County Sheriff's Office Report
February 2016

Custodial Arrests / Significant Events

DWI's – There was one DWI arrest in February. The driver was stopped for speeding and showed signs of impairment. The female failed field sobriety tests and tested with a bac of .09.

Motor Vehicle Theft – A report was made to deputies involving a rental car with Nebraska plates that was stolen from a residence. The female victim advised her boyfriend was in an altercation with two male acquaintances and she believed that they had taken the vehicle. She advised that neither male had permission to take the vehicle. A short time later the vehicle was recovered in Ham Lake in a ditch, unoccupied. The vehicle was brought to ACSO Crime Lab for processing. The case is under investigation.

Felony Warrant Arrest / 5th Degree Controlled Substance / GM Introduce Contraband into Jail Facility – A deputy was doing some extra patrol at a known drug house when he saw a male he recognized enter the house. The deputy ran the male and found he had a felony warrant for his arrest. The suspect then got into a vehicle and was leaving. The deputy conducted a traffic stop and took the suspect into custody on the warrant. The deputy located 5 small pills in a baggie in the male's pocket. The male was transported to jail at which time the deputy requested a thorough search of the suspect. Two hypodermic needles and a small baggie containing a crystal substance was located in the groin area. The substance tested positive for methamphetamine.

Current Scams:
Jury Duty Scam – Residents receive a phone call from a male identifying himself as Lt. Brian White and references Hennepin County and Anoka County Courts and the Anoka County Sheriff's Office. The male states that the person receiving the call (or a family member) missed jury duty and they have a warrant out for their arrest. The male demands payment to satisfy the warrant. This is a scam and not a legitimate call!

IRS Scam – Callers receive an automated message from the IRS stating that legal proceedings are being initiated against you. There will be a lien placed on your assets and bank account. A bill collections officer will visit you

soon to complete paperwork. A tax default phone number is then left to contact. Upon calling the number a male with a foreign accent will tell you an amount that is owed. He will say that if payment is not made within 45 minutes all your assets will be frozen and liens placed.

IRS Scam using ACSO Chief Deputy's Name – An individual is calling Anoka County residents and identifying himself as Chief Deputy of the Anoka County Sheriff's Office. The male is telling the caller that they owe money to the IRS and they have a warrant for their arrest as the money has not been paid. The male tells the called to purchase a pre-paid Visa card and to transfer the money to an IRS vendor account. In some cases, a spoofing software is used so that the caller id shows the legitimate number of ACSO. ACSO does not collect IRS debt and no law enforcement agency will demand you make payment over the phone, under the threat of being arrested.

If you get any suspicious phone calls like these, please hang up, call 911 and report the incidents.

City of East Bethel
City Council
Agenda Information

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Date:
March 16, 2016

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Agenda Item Number:
Item 4.0 C

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Agenda Item:
Fire Department Report

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Requested Action:
Informational only

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Background Information:
The Fire Chief has provided reports of Fire Department emergency calls and emergency medical calls from the previous month.

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Fiscal Impact:
None

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Recommendation(s):
Informational only.

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City Council Action

Motion by:_____ Second by:_____

Vote Yes:_____ Vote No:_____

No Action Required:_X___

East Bethel Fire Department
February, 2016
Response Calls

Incident Number	Incident Date	Alarm Time	Location	Incident Type
068	02/29/2016	01:06	18164 HWY 65 NE	EMS call
067	02/27/2016	19:21	20534 Washington ST	Fish House Fire
066	02/27/2016	18:12	1203 237th Ave NE	Fire Alarm
065	02/27/2016	17:28	727 229 LN NE	EMS call
064	02/27/2016	13:49	21823 NE Tyler STS	Grass fire
063	02/26/2016	18:20	18719 Breezy Point DR NE	EMS call
062	02/26/2016	04:53	852 221st AVE NE	EMS call
061	02/26/2016	00:47	1555 Viking Blvd NE	EMS call
060	02/25/2016	13:30	22435 Palisade ST	EMS call
059	02/23/2016	07:48	22761 East Bethel BLVD NE	Fire Alarm
058	02/20/2016	14:40	455 220 AVE	EMS call
057	02/20/2016	13:28	18164 Hwy 65 NE	EMS call
056	02/18/2016	20:30	443 217 AVE	EMS call
055	02/16/2016	17:46	Jackson ST NE and Viking Blvd.	EMS call
050	02/14/2016	20:21	727 229th LN NE	EMS call
054	02/14/2016	21:18	18434 Lakeview Point DR NE	EMS call
053	02/14/2016	15:34	3310 182 LN NE	EMS call
052	02/14/2016	05:05	19395 4th ST NE	EMS call
051	02/14/2016	02:50	222nd LN NE and Bataan	Fire, other
049	02/13/2016	11:48	18405 Everglade DR NE	EMS call
048	02/12/2016	14:39	255 Dogwood RD NE	EMS call
047	02/11/2016	11:45	4904 217th AVE NE	EMS call
046	02/11/2016	02:02	18164 HWY 65 NE	EMS call
045	02/07/2016	15:38	19905 Erskine ST NE	EMS call
044	02/06/2016	09:44	4200 Thielen BLVD NE	EMS call
043	02/06/2016	03:10	20913 Hastings ST	EMS call
042	02/05/2016	21:00	18164 Hwy 65 NE	EMS call
041	02/05/2016	19:45	23034 Sunset RD NE	EMS call
040	02/03/2016	17:11	22416 7th ST NE	Fire Alarm
Total				**29**

East Bethel Fire Department
Type of Medical Calls

February, 2016

Number of Medical Calls 23

Type	Number	Transport by Ambulance
Medical Complications	7	5
Short of Breath	4	4
Cardiac	1	1
Bleeding	0	0
Illness	7	7
Trauma	1	1
Assist	0	0
Stroke	0	0
Other	3	2
Totals	**23**	**20**

City of East Bethel

Subject: Fire Inspector Report

February 1 – 29, 2016

City of East Bethel Fire Inspection List		
Name	**Address**	**Comments**
Coon Lake Market	515 Lincoln Rd	Fire Extinguisher
Smokeys Pub N Grub	522 Lincoln Rd	No Violations
Plan Review	18553 Central Ave	New occupancy
Fire Station 1	2751 Viking Blvd	Monthly fire extinguisher inspection
Fire Station 2/Public Works	2375 221st Ave	Monthly fire extinguisher inspection
City Hall	2241 221st Ave	Monthly fire extinguisher inspection
Fire Station 3	342 Forest Lake Rd	Monthly fire extinguisher inspection
NOTE: First Inspections Unless Noted		

00 Businesses Inspected

Reported by: Mark Duchene
Fire Inspectors

City of East Bethel
City Council
Agenda Information

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Date:
March 16, 2016

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Agenda Item Number:
Item 6.0 A-F

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Agenda Item:
Consent Agenda

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Requested Action:
Consider approval of the Consent Agenda

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Background Information:

Item A

Approve Bills

Item B

February 24, 2016 Council Work Meeting Minutes

Meeting minutes from the February 24, 2016 City Council Work Meeting are attached for your review.

Item C

March 2, 2016 Council Meeting Minutes

Meeting minutes from the March 2, 2016 City Council Meeting are attached for your review.

Item D

City of Wyoming, Septic Review and Inspection Contract

The City of East Bethel contracts with the City of Wyoming for Type 4 and 5 Septic Plan Reviews and Inspections. The current arrangement is by request and it is recommended that an agreement for this service be memorialized by contract. City Inspectors are licensed for systems up to and including Type 3. The Agreement with red line changes by the City Attorney is attached for review.

Item E

Engineering Costs for AV Project Improvements

Nate Elam with EPA Audio Visual presented a proposal to Council at the February 24, 2016 Work Meeting for a system upgrade for our audio visual and broadcast equipment. In his presentation he stated that their engineer would need to prepare quotes for design options. The cost for the engineering of the system would be $980.00. This cost would be applied to the project costs should Council decide to contract the project with EPA.

EPA's initial estimate of costs was $85-95,000. Other comparable proposals ranged from $101,000 to $107,000 but these did not include the Tightrope broadcast equipment for Channel 10.

Staff is requesting authorization to direct EPA to proceed with the engineering required to present Council with design options for the City Hall A-V Project.

Item F

Connexus Easement

Connexus Energy has requested an easement along the entrance drive to the City Public Works Building. The easement would used to install underground electrical service to the Verizon Cell Tower. The proposed easement would not present any issues with access or operation of the Public Works Department. The Easement is attached for review.

City of East Bethel
March 16, 2016
Payment Summary

Payments for Council Approval

Bills to be approved for payment	$50,232.28
Electronic Payroll Payments	$27,018.77
Payroll - City Staff, March 10, 2016	$35,596.55
Total to be Approved for Payment	$112,847.60

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
2005A Public Safety Bonds	Fiscal Agent s Fees	4225836	US Bank	301	30100	$425.00
2008A GO SEWER REV BONDS	Fiscal Agent s Fees	4226056	US Bank	308	30800	$450.00
Arena Operations	Bldgs/Facilities Repair/Maint	022516	Wright-Hennepin Coop Electric	615	49851	$29.95
Arena Operations	Information Systems	B160302J	Anoka County Treasury Dept	615	49851	$75.00
Arena Operations	Motor Fuels	1090836431	Ferrellgas	615	49851	$266.66
Arena Operations	Motor Fuels	1091025102	Ferrellgas	615	49851	$156.45
Arena Operations	Motor Fuels	RNT6339801	Ferrellgas	615	49851	$12.00
Arena Operations	Refuse Removal	1593957	Ace Solid Waste, Inc.	615	49851	$111.97
Building Inspection	Electrical Inspections	030116	Brian Nelson Inspection Svcs	101		$606.75
Building Inspection	Software Licensing	2016-0015	PermitWorks, LLC	101	42410	$2,990.00
Central Services/Supplies	Information Systems	B160302J	Anoka County Treasury Dept	101	48150	$75.00
Central Services/Supplies	Information Systems	B160302J	Anoka County Treasury Dept	101	48150	$75.00
Central Services/Supplies	Information Systems	1332289017895	Midcontinent Communications	101	48150	$650.00
Central Services/Supplies	Information Systems	1235469	Watchfire Signs	101	48150	$200.00
Central Services/Supplies	Office Equipment Rental	INV479809	Metro Sales Inc.	101	48150	$480.56
Central Services/Supplies	Office Supplies	15331	Norseman Awards	101	48150	$17.00
City Administration	Professional Services Fees	M21950	TimeSaver Off Site Secretarial	101	41320	$1,067.50
City Administration	Travel Expenses	030916	Karen White	101	41320	$10.26
Economic Development Authority	Professional Services Fees	2016-0051	PermitWorks, LLC	232	23200	$3,030.00
Elections	Travel Expenses	030916	Karen White	101	41410	$5.13
Fire Department	Bldgs/Facilities Repair/Maint	1015	Bill's Quality Cleaning	101	42210	$84.00
Fire Department	Clothing & Personal Equipment	177642	Aspen Mills, Inc.	101	42210	$45.95
Fire Department	Conferences/Meetings	233090	League of MN Cities	101	42210	$900.00
Fire Department	Equipment Parts	2081	Chief's Choice Fire & Rescue	101	42210	$290.23
Fire Department	Refuse Removal	1593957	Ace Solid Waste, Inc.	101	42210	$66.54
Fire Department	Repairs/Maint Machinery/Equip	5356	Kirvida Fire, Inc.	101	42210	$597.13
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	1012	Bill's Quality Cleaning	101	41940	$380.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-02-16	Premium Waters, Inc.	101	41940	$34.50
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	127175	Robert B. Hill Company	101	41940	$18.00
General Govt Buildings/Plant	Cleaning Supplies	IN1097949	Innovative Office Solutions	101	41940	$42.02
General Govt Buildings/Plant	General Operating Supplies	54111225	Zee Medical Service	101	41940	$106.30
General Govt Buildings/Plant	Refuse Removal	1593957	Ace Solid Waste, Inc.	101	41940	$52.89
Grants & Donations	General Operating Supplies	216-642	Advanced First Aid	227	22700	$2,335.00
Legal	Legal Fees	02 2016	Eckberg, Lammers, P.C.	101	41610	$8,528.91
Legal	Legal Fees	522	Eckberg, Lammers, P.C.	101	41610	$1,989.60
Park Maintenance	Clothing & Personal Equipment	1182563010	G&K Services - St. Paul	101	43201	$19.00

City of East Bethel
March 16, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Park Maintenance	Equipment Parts	P43656	MN Equipment	101	43201	$31.90
Park Maintenance	Equipment Parts	P43776	MN Equipment	101	43201	$43.95
Park Maintenance	Personnel/Labor Relations	2536571602	First Advantage LNS	101	43201	$91.80
Payroll	Insurance Premiums		Delta Dental	101		$766.40
Payroll	Insurance Premiums		PreferredOne	101		$7,382.39
Police	Professional Services Fees	02 2016	Gratitude Farms	101	42110	$455.00
Recycling Operations	Refuse Removal	1593957	Ace Solid Waste, Inc.	226	43235	$172.41
Recycling Operations	Refuse Removal	01 2015	Freimuth Enterprises LLC	226	43235	$788.40
Recycling Operations	Travel Expenses	030916	Karen White	226	43235	$14.80
Risk Management	General Liability Ins	51745	League of MN Cities Ins Trust	101	48140	$4,964.00
Sewer Operations	Professional Services Fees	1052972	Metropolitan Council Env Svcs	602	49451	$1,727.92
Street Maintenance	Bldg/Facility Repair Supplies	10013	Menards Cambridge	101	43220	$5.99
Street Maintenance	Bldg/Facility Repair Supplies	9720	Menards Cambridge	101	43220	$22.96
Street Maintenance	Bldgs/Facilities Repair/Maint	1182563010	G&K Services - St. Paul	101	43220	$5.33
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-02-16	Premium Waters, Inc.	101	43220	$34.50
Street Maintenance	Clothing & Personal Equipment	1182563010	G&K Services - St. Paul	101	43220	$68.95
Street Maintenance	Equipment Parts	7176	Hydraulic Plus & Consulting	101	43220	$14.77
Street Maintenance	Equipment Parts	7182	Hydraulic Plus & Consulting	101	43220	$81.92
Street Maintenance	Equipment Parts	7205	Hydraulic Plus & Consulting	101	43220	$37.81
Street Maintenance	Equipment Parts	1539-436053	O'Reilly Auto Stores Inc.	101	43220	$110.70
Street Maintenance	Equipment Parts	1539-436055	O'Reilly Auto Stores Inc.	101	43220	($18.00)
Street Maintenance	Lubricants and Additives	744750	Lubricant Technologies, Inc.	101	43220	$97.50
Street Maintenance	Motor Vehicle Services (Lic d)	R241051899:01	I State Truck Inc.	101	43220	$291.08
Street Maintenance	Motor Vehicles Parts	7158	Hydraulic Plus & Consulting	101	43220	$288.01
Street Maintenance	Motor Vehicles Parts	1539-433750	O'Reilly Auto Stores Inc.	101	43220	$7.18
Street Maintenance	Motor Vehicles Parts	1539-434830	O'Reilly Auto Stores Inc.	101	43220	$31.55
Street Maintenance	Motor Vehicles Parts	1539-434895	O'Reilly Auto Stores Inc.	101	43220	$15.98
Street Maintenance	Professional Services Fees	6020325	Gopher State One-Call	101	43220	$17.40
Street Maintenance	Refuse Removal	1593957	Ace Solid Waste, Inc.	101	43220	$84.77
Street Maintenance	Small Tools and Minor Equip	10155	Menards Cambridge	101	43220	$7.96
Street Maintenance	Small Tools and Minor Equip	7626	Quality Sales & Service, Inc.	101	43220	$4,895.00
Street Maintenance	Street Maint Materials	63570	Plaisted Companies, Inc.	101	43220	$672.87
Street Maintenance	Tires	1-60000	Steve's Tire Inc.	101	43220	$244.42
Water Utility Operations	Bldgs/Facilities Repair/Maint	022516	Wright-Hennepin Coop Electric	601	49401	$26.67
Water Utility Operations	Chemicals and Chem Products	3842187 RI	Hawkins, Inc	601	49401	$25.00
Water Utility Operations	Chemicals and Chem Products	3842557 RI	Hawkins, Inc	601	49401	$348.69
Water Utility Operations	Chemicals and Chem Products	975855	Indelco Plastics Corporation	601	49401	$150.00
						$50,232.28

City of East Bethel
March 16, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Electronic Payroll Payments						
Payroll	PERA					$6,426.36
Payroll	Federal Withholding					$5,786.83
Payroll	Medicare Withholding					$1,594.52
Payroll	FICA Tax Withholding					$6,818.04
Payroll	State Withholding					$2,316.97
Payroll	MSRS/HCSP					$4,076.05
						$27,018.77

EAST BETHEL CITY COUNCIL WORK MEETING

FEBRUARY 24, 2016

The East Bethel City Council met on February 24, 2016, at 6:00 p.m. for the City Council Work Meeting at City Hall.

MEMBERS PRESENT:	Steve Voss Brian Mundle	Ron Koller Tom Ronning	Tim Harrington (absent from 6:25 p.m. to 7:54 p.m.)

ALSO PRESENT: Jack Davis, City Administrator
Colleen Winter, Community Development Director

1.0 Call to Order

The February 24, 2016, City Council Work Meeting was called to order by Mayor Voss at 6:00 p.m.

Voss stated if there's anyone here tonight that wants to speak later on for the CST relocation discussion, there's a sign-up sheet at the podium. If you could sign in, we'd appreciate it.

2.0 Adopt Agenda

Harrington stated I'll make a motion to adopt tonight's agenda. Ronning stated second. Voss asked we're going to delete Item 5 from the agenda tonight? Davis stated correct, that was an item that was recommended to add to the agenda if we had time but I don't think we're going to have any time to devote to that. We'll concentrate on the other two items. Voss stated okay. Can we amend the agenda? **Ronning stated move to amend the agenda to remove Number 5.0. Harrington stated that's fine.** Voss stated any other discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Hearing none motion passes. **Motion passes unanimously.**

3.0 EPA Audio Visual Presentation

Davis presented the staff report, indicating at the January 20, 2016 City Council Meeting, Staff was directed to develop a report for the upgrade of the City video recording and rebroadcast equipment for the February 24, 2016, Work Meeting. A representative from EPA Audio Visual will present their proposal for the system upgrade. EPA Audio Visual provided the low quote for this service in response to the City's request to vendors for pricing for this project.

Davis stated at this time Mr. Nathan Elam with the EPA Audio Visual will describe what their proposal is for upgrading our service and be able to answer any questions from Council. Voss stated welcome.

Nathan Elam stated I'm with EPA Audio Visual, Sales Manager for EPA. I've been working with Jackie Campbell on this upgrade and we laid out a budget letter to kind of propose costs for the upgrade. It kind of starts with, you know, you start with upgrading one thing from the old analog system, trying to get to the next digital system and it's kind of a 'snowballing' effect. So, basically, we came up with a budgetary letter to upgrade everything from in the Council here for the projectors, screens, the cameras, and then everything in the backbone part of the system as well.

Elam stated being the Tightrope for the digital signage, the cable cast player for the rebroadcast of the meetings, along with new updated control system, to be able to have digital inputs out here for computers, laptops, things like that. We also were kind of proposing to have touch panel located out in this area as well to be able to switch any inputs, adjust volume levels, things like that for program audio sources. There would also be one in the back for the record and things like that. So, those two touch panels would actually mimic each other and kind of

DRAFT

3.0 EPA Audio Visual Presentation

work together to be able to put the system into one.

Voss stated before you get too far, would you mind adjusting that microphone? Elam stated I can. Voss stated that leads to a lot of our issues in here in being able to hear everyone.

Elam stated I don't know, the budget letter, I don't know if people got a chance to read through that but that's basically looking at updating the projection system, the camera recording system, getting a new recorder for both audio and video, and then I think we were going to put in a new audio recorder as well just so you had a back-up copy of that. So, both audio and both audio and video on the recorder.

Voss stated I'm sure you've had quite a few discussions with Jack and Jackie about it but I think from our perspective, if you can present what exactly is going to be replaced. Well, I'm sure they've told you. The issues we have is sound within these Chambers and then the quality of the presentations on the screen. Basically, resolution is an issue.

Elam stated correct so right now you're running at a resolution of 1024 by 768, which is the older 3 by 4 resolution, which is like our old standard def TVs. Everything now that we're putting in for projection is probably 98% wide screen and probably of that wide screen, I would say about 80% is full HD presentation that's capable of doing HD presentations. So, it's at a 1920 by 1200, which is a full 1080 HD level. We would be looking at putting in two projectors. So, a new projector here and a new projector for the back. New screens to match that format and then also three cameras in here that would be HD cameras and still controlled from the back room. Very similar to what you're doing now. We would add a control for the system so you would have a touch panel in here to be able to switch inputs regarding laptops, computers, any of those different sources that we would have. There would be another touch panel in the back to be able to start/stop the recordings of the audio and video. That would also be able to have some audio level adjustments to change microphone levels back there as well.

Elam stated we did update the audio mixers already and those will be able to tie into the new system very easily and work with that. Then it would have a digital video recorder that would be able to either point towards a server, a video server to be able to do that recording and hold those recordings. Or, be able to put them on different flash drives and keep archive of the audio and video from each meeting that way.

Jack stated that we had discussed the possibility or question of scheduling these improvements or upgrades in phases and requested Nate to explain to Council what your answer to that question.

Elam stated essentially we said 'no' because it just kind of, everything works together. Trying to mix the old analog video with things and if we upgrade the projection system in here, then it's taking a digital signal and trying to feed it into an older analog backbone part of the system, which doesn't work. It's almost kind of like putting tires on a really old truck. It can get you by for maybe a little bit but, you know, if the transmission is about ready to fall out and the rust holes are coming through, it's probably time for something different. It really doesn't work that way with the audiovisual side of things. It really needs to basically all be updated or it's still going to be as good as your worst quality going out, which is the far backbone part of the system, is that Tightrope cablecast stuff. That's still an old analog system so even if you change out everything for in here for updating the video side of it to get that recording, even if you get to that far end point, you would have to convert things and it still isn't going to look proper. Voss stated that makes sense.

Davis asked in your proposal, is there anything in there for a wall smart board or podium smart

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board display where we can actively do these types of presentations without having to hook our laptop up and run cords and cables all over the place? Elam stated currently I don't believe we discussed that yet, no. So we didn't get into discussions with anything like that. If there is a need for that, we can certainly look into that though.

Davis stated the Tightrope software is what we're using for our Channel 10 cable broadcast. Elam stated the Tightrope software is digital. And I believe you have a digital signage player so that creates those bulletins, those slides that go out while you're not doing a live broadcast. So, it might have general information of things that are going on within the City. I don't know if you have that capability right now or not.

Elam explained there's two sides of the cablecast. One's going to be to schedule and rebroadcast the meetings through and the other side would be there Carousal package, which is more of a computer web-based generated box that's going to allow you to make different slides. Kind of like a fancy PowerPoint, to be able to push that out through that channel as well.

Davis stated one of the things, too, that the other vendors we contacted with for proposals, did not address the rebroadcast side or the issues we have with Channel 10. That's a very important part of some of the communications that we want to maintain and improve.

Ronning stated you mentioned wide screen. What would that look like on here? Elam stated basically what we would want to do is maintain about that same image height but we're just going to make that screen wider. So, we like to maintain that image height so everyone can see and read what the letters and font size that's up there. But, it would be actually a little bit taller so we would have to maybe move it down just a little bit and try to angle it in there a little more.

Ronning asked would it fill the screen more than it does now? Elam answered yes. Ronning asked and be about the same height? Elam stated yes. Voss asked that would be the same for the rear screen as well? Elam stated exactly. Voss asked so you'd lower the screen? Or, widen it? Elam stated no it would just be wider and we'd kind of have to see measurements from where you guys are sitting too.

Elam explained we haven't fully designed the system yet. We haven't engineered a full system yet. We basically just did a budget letter to say this is about where we're going to be at and we put things together to try to come up with a number. The next step for us would be to say yeah, we're ready to move forward. We've been approved for that amount that we've proposed. Then we would come in and fully engineer a system.

Voss stated one of the, in terms of the projection during the meetings, one of the things I've always wished that we had rather than the big screens was monitors, LED monitors. With what you're proposing in terms of brightness and resolution and clarity, how would that compare to like an 80-inch monitor? Elam stated projection is always a little bit softer than a monitor. The problem that we run into with monitors is they're not big enough. Even an 80-inch TV, you say okay, that's a big image. But from where you're sitting and if it's a 12-point font on that back wall, you're not going to be able to read it.

Voss stated my vision of it is mount it right above you so one faces this way and the other faces the audience. Then everyone's closer to it so it kind of makes up for the spacing. Elam stated sure, which might be doable. My concern then would be the camera angles and how we would catch those recordings. So, some of these cameras, like right there, we're not going to be able to get a wide shot view of the whole Council if we have those monitors right there as well. So, we've got to look at those sight lines and see. But, like I said, we haven't designed anything yet. We went off of what was in here and kind of the same set up but updating it to that next

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step. Input like that would be great if we can sit down and have a meeting with the engineer and myself and kind of brainstorm about some ideas and things as well.

Koller stated we do have a couple wireless headsets for people that come in a little hard of hearing. Can those be used or will they need to be replaced? Elam stated I would have to see what they are. If they're in working order or not. It looks like Jack's got one there. It's a Williams Sound. That looks like it's still a fairly common used device so yeah, it would probably be used.

Voss asked so are we talking about changing the actual sound system in here too then? The microphones? Elam stated we would put in new amplifiers so they're up-to-date. Speakers, I don't think we were looking at replacing the speakers. You know speakers in rooms like this typically don't go bad. They don't have any issues. Things like amplifiers get weak over time and things like that we would be upgrading. Most of it was pretty much, I would say, 95% of everything would be upgraded though.

Voss stated with these mics, if you're not speaking directly into it, it gets a lot quieter. Elam stated yeah, and that's something that we could look at. I think we actually did plan on reusing these microphones but if we do need to look at something different, we can do that. Voss stated if it improves the sound quality, fine. That's the issue.

Mundle asked would the sensitivity of the microphones be the same though? Elam stated it all depends on how we set it up too. There's a box in the back now that we actually replaced that's called the digital mixer. It's a DSP. So each of these microphones have a line that runs into it. We can adjust each microphone independently. If we do put in a control system, we can actually give you a microphone page so if somebody was sitting over off to the side and someone was having a hard time hearing or picking up at the podium, they could actually go to that page and push 'Podium Microphone' and bump up that level being right in the room. So that would be one addition we could do.

Davis stated another thing we'd like to look at too is wireless microphones that can be used by people in the audience. Or, even also the wireless headsets. Could those be integrated into this system? Elam stated sure, we could sure do that. A lot of times even what we do is have a mic stand or another podium. I mean, if you want to pass something around, typically a handheld would be the best for that. Some rooms I've seen it where we've done just a podium-type mic but on a stand where somebody can walk up and answer a question.

Voss stated I think what Jack's getting at with the wireless is a lot of time we'll have a presentations and if there's something, you're restricted in hanging on to that at the podium and making a presentation but if you want to turn, you can't turn to the audience. And, if you had a wireless microphone you could turn to the audience and not only could they hear but then the recording can hear it too. Elam stated that's true too. Yeah, there's all kind of different microphones we can have. Like the same thing like those Williams Sound hearing impaired systems you have. It's like a body pack that you wear that would take batteries. Then there's multiple kinds of headphones that we can use. There's over-the-ear, there's clip-on-lapel, there's collar-type mics. Different things of that nature we could look at.

Voss asked what kind of timeframe are you thinking. Elam stated I would think with engineering, you know if we have a meeting, get it all engineered out, we would be three weeks, probably, after we have that initial meeting. Two to three weeks to be able to get something all put together, get the numbers back to you. Once we get approval for the order, then it takes anywhere from two to four weeks, basically, to get equipment in and then get you scheduled to get in here and get stuff installed. Voss stated so a couple months probably. Elam stated I

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would say, safely, a couple months and it depends upon the time of year. As soon as May hits, middle of May, once schools get out, we do a lot of higher ed business as well. Then we get quite busy for a while. We've been out as far as three months as far as installs. We really try to keep it, from the time we get an order, from about 30 to 60 days though.

Mundle asked what's the life span of this technology? Elam stated you know, that's a hard question to answer, but we really try to kind of build systems that are going to last. We don't, I would honestly say we're probably not the cheapest company in town because we don't use the real low-end equipment. We work with manufacturers that work really well with us and we have good support from them so if we do have an issue, we can take care of the issue and get it resolved quickly. I would say, you know, you're probably in that 10 to 12 year range that you should really be pretty safe for. I would say I don't think resolutions are going to change a lot right at this point. I know people are talking about 4K but a lot of cable companies are still broadcasting in 480 standard def and they're not even to HD yet. So I think that's kind of what drives a lot of this stuff for City Councils. But, I would say you're still pretty safe in that 10 to 12 year range, maybe 15. Somewhere in there.

Davis stated just as a means of comparison this system has been in here for approximately 8 years and it has been obsolete for several years. I think your company also did some work at the new Viking's Stadium. Is that correct?

Elam stated not at the Stadium itself. We did the preview center for them where they sell the pre-sell tickets. Voss stated for the press. I've been in there. That place is impressive. Elam stated yeah, it's pretty neat. We did a tour there one day as well. Voss stated if you're not happy with what you're spending on the Stadium, don't go in the preview center. Elam stated that was something that one of our engineers designed. Since then he's done work for… Voss stated the video and sound in that place is incredible. Elam stated right and they've done, he's actually done work for the Atlanta Braves and now since people have seen that, a few others have talked to him about doing some stuff too.

Harrington stated Jack, I guess the question I've got for you is this budgetary amount; where would that come out of? What fund would that come out of? Davis stated, it would probably come out of the Buildings Capital Fund and then we would pay this back over time from the PEG fees that we collect from our Charter agreement with the cable company. That's our initial means of projecting how to finance it. So we do have funds that we could pay for it and then we'd pay ourselves back with no interest.

Voss asked out of the Capital Improvement Funds? Davis replied yes. Voss stated okay. Any other questions? So, there's no action by Council tonight but what kind of direction are you looking for Jack?

Davis stated what I'd like to do is we'll get back with Nate and ask him t, Jackie and I will, and come back with a proposal at the March 16th Council Meeting and then we can decide if we want to take action at that time.

Elam stated okay, so you'll get back to us at that point and decide if we should come in and do the full engineering? Davis stated correct. We'll be back in contact with you here in a couple of days to get everything ironed out. Then we'll bring that to the Council for authorization to proceed or whatever else their wishes are. Thank you for coming. I appreciate it. Elam stated thank you too. Voss stated thank you, have a good night and drive safe.

This matter will be on the March 16, 2016, City Council Meeting agenda.

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4.0 CST Relocation Discussion

Davis presented the staff report, indicating CST, a producer and distributor of wood mulch and a packager and distributor of water softener salt has selected East Bethel as its preference for a relocation of their facility that's located in Elk River and Rogers. They are proposing to construct approximately 30,000-40,000 square foot office, warehouse and dyeing and bagging space on the Mike Wyatt property at 237th and Highway 65. They require 40 acres for their site, generate 30-plus truck trips per day, and have 55 employees. The majority of the acreage would be used for mulch stockpiles and storage of packaged mulch and salt. They would not process trees into mulch at the site but would ship this material to and dye the mulch on the property.

CST's proposed business use as a production, distribution and warehouse facility is consistent with the zoning for the site at 237th Avenue and Highway 65. However, City Code, Appendix A, Zoning, Section 4, Article 12, requires a Site Plan Review prior to the issuance of any building permits to ensure safe, functional, and attractive development. This plan will be submitted to the Planning Commission and the City Council for approval should CST purchase the site and apply for building permits.

At discussions on Monday night and Tuesday night before the EDA and Planning Commission, questions of concern relating to the relocation CST to East Bethel include but are not limited to the following:

- From a City perspective, the amount of land we have available for industrial sites is limited. We have one contiguous zone on the east side of Highway 65 between 237th and 245th Avenue that contains 308 acres of developable land. There are approximately 25 other parcels ranging in size between 1.5 to 18 acres of undeveloped Light Industrial zoned property throughout the remainder of the corridor. With only this amount of industrially zoned land, it is essential that we attempt to maximize the number of jobs per acre to achieve our growth goals. CST's proposal would generate approximately 1 to 1.25 jobs per acre. Normally, it is reasonable to expect 5 to 10 jobs per acre from a manufacturing facility. CST's proposal to initially purchase 40 acres and potentially acquire an additional 20 acres would constitute 20% of the available property within the area that essentially serves as the City's Industrial Park

Other questions were:

- Visual Impact upon the immediate neighborhood and the consequences that this influence may have on the future location of other Light Industrial facilities in the area between 237th and 245th Avenues on the east side of Highway 65 still needs further discussion and review.
- Environmental issues including but not limited to groundwater drawdown, treatment of dying effluent, stormwater runoff, noise, odors, control of site debris, and matters that still have not been thoroughly addressed should be considered.
- Traffic issues relating to truck impact on 237th Avenue, entrance locations and potential stacking issues, peak traffic concerns, need for by-pass lanes, or need for right-ins right-outs will require additional information and these will be given to us by the Anoka County Highway Department.
- The value of the relocation regarding the number of new jobs, potential for expansion on the site, number of employees that work from the facility, tax revenues, and tax valuation of site improvements need to be included in the benefit analysis of the relocation from the City's standpoint.

Davis stated the owners of CST are here tonight, Chad and Megan Toft, and they will present now an overview and profile of their proposal to the Council. Then they will be available for Council questions. At the end of that, then Mr. Voss will address how we'll handle public comments and then we'll have public comments from the audience. Chad and Megan, if you're ready, please come forward.

(Harrington left the Council Chambers at 6:25 p.m.)

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Chad Toft stated thank you for your time tonight. I was just going to do a quick background of us a little bit. We own CST Transportation Distribution. There's three parts to our company. We have a trucking side, a distribution side, and manufacturing side. I'll give a background of where we started out. I'm a farm kid from southern Minnesota. Everybody grew up, I'm from down there. I bought my first truck at 18 years old, been driving truck. I got into the mulch business in '89. I've been doing mulch since '89 and then we ended up in the wholesale distribution business about the same time with Super America. I've been doing all the distribution at Menards in the Twin Cities and it's just sort of grown from that point forward. So, I've been doing all the miscellaneous businesses from them. I'm just going to give you, I'll start out with the distribution side of it. Do you want to start with the distribution side of it?

Megan Toft stated yes, I've been on staffing and HR basically since I graduated college about 20-25 years. So what I take care of from our perspective, all of our employee's HR, all of our benefits, finances, accounting, and then mostly all of the paperwork and fun stuff with you guys for this. We have currently about 50 employees, most of which are full time. We do have some seasonal employees with our mulch yard, which runs primarily, you know, March through freeze out, which we'll talk further.

Megan Toft stated CST Distribution was the main company that we started. They started as wholesale distribution company. We currently deliver to about 2,500 convenience store locations located in Minnesota, North Dakota, South Dakota, Wisconsin, northern Iowa, and a little bit in Michigan. Primarily they would be Holiday Station Stores, Super Americas, and every smaller convenience store. The main one that we don't deliver to is Quick Trip. We deliver all of their outside softener salt, firewood, palletized water, ice melt, and windshield washer fluid. So that's primarily what we warehouse. That's what would come in during the day, those items. Those are what's stored inside the warehouse that we're proposing. That location is currently at our Rogers facility, which is a 3-acre facility with a 15,000 square foot warehouse/office/mechanics area and some truck parking. That's where all of our trucks are.

Megan Toft stated CST Transportation, they started after. We used a contract with a company that Chad had still worked for to do those deliveries. And, they're going to be primarily flatbeds with forklifts on the back that go into the convenience stores that are primarily all located in busy, some residential areas, small, obviously a gas station.

Chad Toft stated with Transportation, I'll go through the customers we do business with right now. We do Twin City Concrete, Cemstone, a lot with Patio Town, Versa-Lok. We do a lot of residential deliveries for the transportation side of it so I'm very aware of the concerns of customers and trucks and noises and stuff like that. We have all late-model trucks, 2014 or newer. So, we go in residential, that's what our drivers specialize in. We don't make a lot of noise and stuff like that. We don't have a lot of the straight pipes. I know that's a bit of a concern with the noise and stuff like that. Megan added low emission, new trucks.

Chad Toft stated so we're in there every single day doing deliveries for customers like that so that's a big part of the resident's concern. We do that right now and I don't have any complaints and that's an every day business for us. That's what we do is go into residential areas.

Chad Toft stated a lot of our trucks will leave out, they'll go out empty or full. They'll go down and pick up at a different warehouse, say Bloomington or Roseville or St. Paul. Medford's a big location for us. Then we pick up different products at that point and deliver them around the Midwest or Minnesota area and then we come back at the end of the day at that point. In the spring, we'll ship mulch out of here at the same time. There's not a lot of freight coming and

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going out of here during the non-peak season of mulch. Mainly Super America and CUB Foods, we store all the products for them in our warehouse. Every other customers we do with, we store in Roseville and Bloomington at two different warehouses.

Chad Toft stated when we picked the East Bethel site, I looked at it real hard from a mileage standpoint for coming out for trucks. We looked at where all of our customers are, St. Paul, Roseville, Medford, different areas and this was about the best location besides where we are over there in Rogers, where we are right now and Elk River. Elk River's actually a little bit farther to get to all of our customer sites and with logbooks and hours of driving you try to condense down your time. We like this location because we're right on 65 and we can come down to the stoplight. It's right there for safety for crossing and stuff like that. We looked at a few other different pieces but that's the best location.

Chad Toft stated we started this process of picking out land about a year ago and we started with Stock Lumber. We worked with Stock Lumber from last April until October and we couldn't get a clean title with them from who owns it right now. We couldn't get a clean title on their property so we walked away from them. We've been working with a realtor since then and trying to find a piece of property.

Chad Toft stated this is the first piece of property that we've made an offer and bought on. We've had some other options in other places but this is a big enough piece we can condense everything down to one location. I know there's a lot of people that's said I've been rejected from other cities and stuff. I have other options in other cities but then I end up with two locations and that's the part that I don't want to have, is two locations. That's why I looked at East Bethel because I can get the size and quality of land that I need at this point. So, that's why I'm looking up here. We can go through all our, mulch, I know that's everybody's concern here is the mulch side of it and the water and the dye and all that stuff.

Megan Toft stated the mulch side is probably, we have three parts. So, the wholesale distribution is a third of the business, the trucking is a third of the business, and the mulch is a third of the business overall. Mulch, in particular, you know, I know some people have been up to our facility and looked at it. We run things very differently from another mulch companies in here. We don't do the same thing.

Megan Toft stated we do not land clear, we don't bring in any trees, we don't leave our mulch unfinished product on Class V. We don't let it compost into the ground, we don't have the odors. The only mulch odor that you may get is from cedar. Cedar has a great smell, I guess, depending on who, if you like it or not. And, you get the cedar smell sometimes. Otherwise, the wood, we've never had any complaints about smells, especially from our employees. We wouldn't be able to keep them if we did have the odors because they're around it every day.

Chad Toft stated you get a lot of smell, I know they talked about Rivard down there with the smells on their property. We color a little bit differently, how we do our business. You've seen our Site Plan. We're putting a lot of blacktop down and the reason we're putting blacktop down is you don't get all that compost as when you're putting it on gravel and dirt. You're going to keep putting layers and layers on there and then that breaks down and you get composting. That's where a lot of the smell comes from. We like a clean mulch. When you bag it, you can't put rocks or whatever in there. From Home Depot, Menards, they don't think very kindly of that when you send a bag of rocks to somebody when they're supposed to be getting red mulch or something like that. So we put everything on blacktop. We rotate it around it.

Chad Toft stated we met with Jack and Colleen out at our Elk River facility. There's a little concern about pallet, or height of our piles is the biggest thing we had, probably, maybe. And

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that's the reason we need to move. We're in a 13-acre facility so I want to stretch our piles out, stretch out a little bit lower so there's less visibility. On the visibility side, we're proposing to put a 9-foot berm on the south side of the road and it curves around behind the gas station. You'll probably see a little bit of that. There's going to be a 9-foot berm and then we'll put aspens and I can't remember, pine trees, and a whole bunch of different trees inside that berm. It will be a 100-foot wide berm.

Megan Toft stated and we have changed some things on the Site Plan, when the final one was submitted by the end of Monday, to make it a little bit more attractive and to address some concerns that residents had with noise and various things like that. So, we'll speak to that a little bit further then. And, I know coloring.

Chad Toft stated so the berm along the side will be all pine trees, aspens; different trees. I can't remember what other trees we're putting in there. Megan Toft stated we'll have to ask them. There's little groundcover that rustles a little bit. We don't have much noise but it would, I mean it would alleviate any of the noise that we do have.

Chad Toft stated yeah, and we moved our coloring facility. See the round circle up there? *(Chad Toft pointed to a site plan diagram off screen.)* We moved that to the north side of up there and we turned the building a little bit different so everything on the south side is storage, on that side of it closer to the road. You see the round circle? That's where we color, that will be up here at the top side here. And this building got turned a little bit. That way it faces right into that building so then this would be just raw material storage at about, I like to keep my piles at 18 to 20 tall height. And, we're only full at about two months, three months a year. We're finally filled up right about now and then by June we'll be empty out of there. We run down to about 100 truckloads in the summer. So then all this other stuff, this becomes pallet storage. We changed that a little bit around so there's less noise on the south side of the road for all the residents on the south side.

Voss stated you talk about not doing the tree processing but can you kind of walk us through your manufacturing process? How you make your mulch? Chad Toft stated right now I buy all my mulch, I'm sorry, we buy all of our product in here prefinished. I don't get into the grinding and all that stuff as everybody else out there. There's a lot of companies out there that do it so I can get it done cheap from everybody else and it's not my forte. I'm not a logger. I'm not a land clearer. I'm a bagger. I put it in the bag and I truck it. That's what my forte is and that's what I do.

Chad Toft stated there's a company in McGregor, Minnesota, called Savannah Pallets. We buy 20 loads a week of all their waste product when they make pallets from them. We'll bring that down there, we'll pile that up through the year. Then the City of Minneapolis and a few other sites, all the Ash Borer when they cut trees down and grind that up at Ceres in Brooklyn Park. There's a company down there that collects all that and then they grind it and we bring it up here. Bring it into us pre-ground.

Chad Toft stated we pile it on the ground and then we'll run it through the color machine or if it's like cypress and cedar, we'll bag it. Not everything gets ran through the color machine. Some stuff, cypress and cedar, cedar gets bagged here. Cypress gets a blend, a 60/40 mix. Megan Toft stated the cedar comes from British Columbia and it comes down by rail container. Same thing with our cypress. That comes up from Florida.

Mundle stated I'll ask because I know somebody will ask. You mentioned the City of Minneapolis with their Ash Borer trees, bringing that up here. Would that be contaminated stuff? Chad Toft answered no because it all has to be ground down before you move it around

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within the quarantined areas to a two to three size. Then they consider that. We deal with the Minnesota Department of Ag and I don't know what the federal side is, but we deal with that. We sell a lot of firewood, the little bundles of firewood. We sell about seven truckloads a week of that stuff. So, they come into our place, they monitor us every month-and-a-half, check it over. They'll come in there and they bring in sieves to make sure and then sieve the mulch to make sure it's down to the right size for moving it around. I can't move it, there's some really serious fines if you don't do it the right way and keep it the right size of what the feds and EPA want and all that kind of stuff.

Mundle asked so there wouldn't be any risk of bringing that up here? Chad Toft answered nope, and this County is in a contaminated area already. So, like this is considered contaminated already because you're in a contaminated area already. Anoka County is for Ash Borer.

Chad Toft stated the cypress we'll blend down, we'll run it through the bagging line. There's one chute outside. We put it in there. There's a conveyor that goes inside the building. There is one pay loader that feeds it. It goes in there, runs through a bagging machine. I think you've seen a little bit of it, we didn't have our new machine in yet, but we're putting that in right now. Runs through the bagging machine, goes through there. They stack it. It goes through a wrapping machine and off it goes. We're done. It runs, we run a pallet every five to six minutes off the line right now, a pallet of mulch. We move probably 3 million bags a year of mulch. So that's about what we run.

Chad Toft stated we do colors. I don't know what else you can really say about it. Water uses, I know there's a lot of concern about water uses and color and stuff like that. The color going in the ground, it's all, I have MSD sheets that will all be presented with my final plan. It's safe. There's nothing wrong with it. It goes in school playgrounds, it goes around people's houses, it goes everywhere. Your kids play in it, your dogs play in it. There's nothing wrong. I'd give my four-year-old daughter a drink of it and she'd be fine. She'd maybe look funny with a red mouth but it's completely safe. There'll be MSD sheets presented with the final bid so there's nothing to worry about contamination or anything. There's real strict EPA rules with it because it goes around houses and schools and playgrounds and everything like that.

Voss asked is the dying operation indoors? Or, outdoors? Chad Toft answered outdoors. That's the big round circle. Voss asked so you're just spraying? Chad Toft stated it's a trammel system. I don't know if you got that picture with the green? It's a trammel system. We color different than other people. Some people bathe it. I spray it on. Rivard and other manufacturers, they soak it through. They'll make like a pool of it and it runs through the water. I spray it on through a trammel system. It goes right in there, it's that green thing right there. It's about 40 feet long. We'll dump the wood in there, it goes up a conveyor, and then there's literally just like a spray bar in there with a whole bunch of pressure washer jets on it. It just sprays the mulch. We get about 60% coverage when it sprays on right there. Then it just goes down, pile, and just rolls around in the trammel a little bit. Then it goes up a conveyor into one of those bins and it will sit for 12 hours to dry off. Then you can put it in a bag at that point. You can ship it out or anything like that.

Chad Toft stated we don't have any run off, if you're worried about run off of color and stuff like that. If I have run off of water or anything like that, that's bad. That's all my profit going away. So I know, I heard somebody say that, you know, 'Where does the 30,000 gallons of water go?' It all absorbs into the wood, the wood fiber. That's what holds the color into it. So, there's no run off. We don't have any holding ponds behind it or anything like that. I think you were up there and seen it. We don't get run off. There is no run off from it. That's profit lost.

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Voss asked what time of year do you do the dying then? Chad Toft stated it depends on when it warms up. You know last year we started the second week of April. Two years ago with snow… Voss stated so it is during warm weather. Megan Toft answered yeah.

Voss stated I remember the trammels. I used them quite a bit and they themselves can get loud. Chad Toft stated it's all mulch. You can stand next to it and we can fire it up if anybody wanted to see it. You can stand right next to it and talk. It's all rubber-wheeled trammel. It's not like, it's mulch. It's not like a gravel trammel, 'clunk, clunk.' It's all mulch and rubber wheels and trammels. It's real, real quiet.

Chad Toft stated pay loaders that feed it are no louder than a regular semi going down 65. The neighbors are worried, have concerns about noise at night or something like that. I've been up at that property at 9 o'clock at night and I've been in the neighborhoods. We'll be on the north side of our property. You'll hear more traffic from all the trucks going up and down 65 with the stoplights getting going, the old trucks, and old straight pipes and stuff like that than you'll ever hear out of me with the berm and stuff like that coming up.

Chad Toft stated I know there's a lot of safety concerns. People are worried about mulch and stuff like that for run offs and all the environmental issues. You guys can go online and look at the City of Long Beach. They're starting to do some stuff out in California. They're making walls of mulch. You can look it up a little bit. And, they're taking fences, literally it's like a chain-link fence and they're building up 20 feet tall. It's a cheaper way to do it. It's more environmentally friendly. It holds the sound down better than sound walls, like along interstates and stuff like that. And, it decomposes and makes a nicer thing. So, it's actually more environmentally friendly to have like a mulch or something like that than you would with a regular sound wall. You'll see a lot of that starting to come up. I guess they've been doing research out in California, a lot of stuff like that.

Voss stated it's funny you say that because I was in Long Beach last week and I remember, around the airport, I remember seeing them. Chad Toft stated yeah, so they're coming up around there.

Chad Toft stated neighbors are concerned about mulch blowing. Like I heard somebody talking about mulch blowing down. I don't remember who it was, but blowing a couple three-quarters mile down the road. If mulch blew that far, nobody would ever put it in their yard because it would blow into the neighbor's yard. Mulch doesn't blow around like that or anything like that. There's no concern of that. Even on a windy day, if we dump the bucket, you may get a blow of 20-25 feet but that's not ever even going to get close to anybody or anything like that.

Chad Toft stated water use, a lot of people are really concerned about water usage on that site. The numbers were exaggerated very largely. We use about 40 gallons a minute when we're coloring. If you take an average of that times 10 hours a day, which we can't color constantly 10 hours a day, and you take three months of that, we'd use about 1.4 million gallons a season, in the first three months of the season. We shut down, get real quiet in July and August. We don't do much coloring in July and August because we're bidding for next year's contracts. Then we'd fire up again, was it mid-September through the end of October. We fire up again at that point and start going. So maybe we'd use, that's 1.4 million in the first three months and we'd maybe use another, about one-half a million gallons or right around that 2 million gallons.

Chad Toft stated if you go on line, everyone's welcome to do a lot of research on water. The average person uses 80 to 120 gallons of water a day. There's a lot of research done with California and all that stuff. So, I took an average of 100 gallons of water for an average person, a household of four, and it uses about 145,000 gallons a year of water. Then you break

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it down to, so I'd use about the same amount of water as 13.5 houses. There's more people in here than 13.5 houses.

Chad Toft stated and, there's some other options to do. I've talked to Jack. He really wants to get me on City water, which I have no problem with. I prefer to be on City water. If he wants to get me on City water, how soon, I'd have to deal with him on that and it would sort of be up to the City. But we have that runoff pond for the water for rain. We could run a pipe if the neighbors and City are concerned about water usage. We could pipe it all the way down there underneath the ground so when we get rain and it goes in the holding pond, I could pump it back up and use that water. So I'm using less water out of the ground if that would be something you guys want.

Voss asked you're able to use gray water for what you're doing? Chad Toft answered yup. So I can use the rainwater runoff but I'd have to have some kind of return on investment. If you want me to hook up to water within three years I don't know if I'd do that just because the return on investment. I'd have to have something where I'd have to have five or seven years just to do it. But, I don't know how soon you guys want to get water down there or what you really want to do. So that's something you guys would have to decide between each other.

Chad Toft stated that's just my biggest thing. You know, I grew up on a farm and stuff like that and I know there's so much concern about water. You take an average cow drinks 26 to 36 gallons of water a day. I mean 80 cows would be about the same as 1 million gallons. The farmer next to me has a lot of cows and he uses more water than I would even use out of there. So, that's where I am on that.

Ronning asked which aquifer are you in? Do you know? That you're going to? Chad Toft stated I don't know that. My civil engineer would know that or maybe Jack would know. Davis stated they would probably be in the same aquifer that our first well at Whispering Aspens is in It used to be called the FIG but they've changed the name of that aquifer. It's not anywhere related to the aquifer that has the issues over around White Bear Lake. We're not in any of those.

Chad Toft stated I just want to make sure. I want to come to this City as a whole. Our employees are very important to us. They're like family. We have even more family that works for us so we're a family-oriented company. We've talked with a lot of our employees. They live a long ways away, Princeton, Zimmerman, Rogers, Hanover. We've got employees that live out as far as St. Cloud and they're willing to drive in here. We have really good employees. I pay above standard industry wages out there. Most of our drivers make $60,000 to $70,000 a year and plus, we pick up 100% of medical coverage, dental, retirement plans, vacation. And, I think that's something that the City would want. A company that pays their employees well. And, the growth that I'm having down the road and stuff like that. I think it's a good thing to bring in. And, we're a young company. We have a lot of young employees who are under 30. I probably have like six of seven who are going to move with me once I figure out a place to go and stuff like that. So, I think it's a good mix for the City of East Bethel.

Ronning stated I don't think you mentioned or addressed the truck fleet. How many vehicles you expect, roughly now and maybe a couple years if things grow. Chad Toft stated my trucking fleet, I don't grow much on that side of it. I haven't did much. I haven't been looking for a lot of business. I don't have, like a sales force out there that does sales. Everything I've ever grown on is word of mouth. I'm very, I grow with my customers. I don't go looking for more business. I'm sort of a weird company on that side of it. I like to have sort of people come to me because at least I know they're willing to do business and work with me. I look for

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businesses that work with inside my business so it's more efficient and stuff like that. That's how I've sort of got these different things involved. So trucks, I don't see a tremendous amount of growth. And, a lot of trucks don't park here. You'll maybe see a few more in the winter. But in the summer, I probably have five or six trucks at most. The guys take all their trucks home to their houses and stuff like that. I've got five guys that live up there. From once it warms up until it gets real cold where they have to plug in at night, most guys take their trucks home. We have guys that live in Shakopee. I park three, four trucks in Little Canada. So, they're sort of spread out just because I have a lot of trucks I park them in different areas so they're close for employees.

Megan Toft stated with us moving, we would be looking for a space to park trucks up towards the St. Cloud/Buffalo area. We have a number of drivers out that way who we would accommodate parking. We don't want to lose them. Chad Toft stated I don't want to lose my good employees. It's hard to find really good employees now days. So, I would find a spot up there to park some of the guys.

Ronning asked is there a way to gauge the daily truck traffic to and from? A guesstimate? Approximately? Chad Toft stated spring you might have 30-45 trucks coming in and out. In the winter, 10, 15. I know that's not a huge number. I know that piece of property, they've look at dividing up into 10-acre parcels so there could be four different businesses in there with different types of business so you could actually have four different trucking companies or something. There could be a lot more trucking on that piece of property than what I will have. The most thing I need that property for is just outside storage. Just for that pack up at the end of the winter.

Ronning stated 30 to 45, that's, you can't say so many an hour but an average of about 4.5 an hour on a 10 hour day? 3 to 4.5? Chad Toft stated yeah. And, our guys leave at all different hours. Megan Toft stated some we don't see. Chad Toft stated yeah, some we don't even see. Megan Toft stated we may not even see a truck sometimes during the day for four or five hours and then you may have, you know, four that come within an hour, four with another hour. And that's kind of at the end of the day. You get it from like 2:30 to 4:30 and then in the morning when they leave. We kind of accommodate our driver's personal lives as well. We have some that like to leave early in the morning, who like to get out of bed and they like to start early, 6 a.m. Then we have others who like to leave at 8 a.m. and they work later. They have a different family schedule. So we kind of have it staggered. Not everybody leaves at the same time. Chad Toft stated you think of a normal trucking company, a FedEx where everybody sort of rolls out at one time. We're throughout the whole time. You don't get that through us.

Ronning stated I think we're trying to consider what some of the others, some of the questions I've had and I have no answer to, but what others are interested in. And the noise, it sounds like it's very little. Chad Toft stated yeah, and I've been in the neighborhoods. I've been up here at night, listened to it. I mean my payloader running at night on that side of the road, you'll hear more off 65 than off of what I'll have for noise with the barrier.

Chad Toft stated if there's something the City would like different for a sound barrier, or berm, I'm willing to work with whatever it is. And, with the neighborhood, within reason. There has to be some reason with cost but I'm willing to work with whatever. I think I've worked with Jack and Colleen quite a bit and I'm pretty flexible with my layout. I'm not like a hard thing. I've tried to minimize. There's a brick house down at that end of the property, I've tried to use that just for pallet storage so nobody's down there. You'll see us in the fall when we fill it and the spring when we take it out. That's about the only time you'll see us at that end of the property. It's just going to sit empty, probably from May until October and then it will fill back up. Then it will be full of palletized mulch and then in the spring it will disappear out there.

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I'm trying to minimize the impact to the residents around everything.

Ronning asked how many copies Jack? How many copies did we have of this? Or, is it on site? I noticed one gentleman came up and got one. Is there enough for some others? Davis stated yes, there's about a dozen up there in case anybody wants to get a copy.

Megan Toft stated that will change. We changed it a little bit based off some of the concerns that we've heard from residents. So when it comes in final, it's just some of how the mulch is placed and the coloring and the bagging building. Just to alleviate their noise concerns on that south end. Chad Toft stated so we're sitting on the very north side of the property instead of working on the south side of the property for the residents.

Voss asked any other questions? Ronning stated interesting business. Chad Toft stated it's a business. It's a weird business. But it works really well and I've got a good niche inside of it and great employees. My employees are my family. I can't talk highly enough of them. We've gone through quite a bit of stuff with them and stuff like that of where we're going to move to, what it's going to work for. This is sort of our corridor. This is the very farthest north I'm willing to go and then it sort of goes over that way. There's not a lot of options between here and there for a large piece of property in one section. Megan Toft added with good trucking lanes.

Chad Toft stated with good trucking so 65 is important to me coming out of that side of it. I really want to work with the community around here. I think I've made that very well with everybody. If there's anything I can do to help up and be flexible. Whatever the community needs. Ronning stated yeah, it sure sounds flexible. Chad Toft stated I'm looking for a home for long term. I'm not looking for something for five or ten years. I plan on being dead out of this place so I'm looking for someplace that will work with me as a City and as a community.

Megan Toft stated yeah, we'd like to do a retail eventually of some of our products so we would like to work with the community and have them come in. We're being pretty open with what we're doing.

Voss stated that's one of the questions that I have. You've got, on the far west, and area designated as future outdoor retail display area. This is an Industrial area. It's not a Commercial area so it would take a rezoning. Megan Toft stated and that's not something we would be doing now. Voss asked there's no retail right now, right? Chad Toft stated no. Voss stated okay.

Ronning stated like I say, I'm trying to think of some, I know Wyatt's farm north of that and I'm imagining once you have a fresh plowed field, you'll have more dirt moving than you will mulch. Chad Toft stated yes. I grew up on a farm. You'll get more blow off from the top soil than you would of mulch moving around.

Voss stated one of the questions I had from your presentation last night and I think Jack and Colleen have probably talked to you already about it, what's marked as a gravel drive mid-way through the property, which is designated as your entrance basically. That lines up with Davenport. And the City's talked to you, I think, in the past about that being a dedicated right-of-way. Basically the start of our future Service Road system through that side of the road. Chad Toft stated yeah.

Voss stated so that will be a dedicated right-of-way, which is essentially City property then. And, I think the City is being flexible enough to allow it to be used just as an entrance right now but at some point, as the City grows, that will become a road. So, how does that effect what your operations are? So, from a couple aspects, one is you're going to have all your piles on

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one side, assuming this doesn't change. Then I think the bigger issue is this road will sort of divide your property into two.

Chad Toft explained that's why we sort of designed it that way, so that's just storage on that side of the yard. So, we only go over there when we're filling it and then we're done and we don't go over there. So, we'll fence it. If you guys decide to put a road through and you want to, we could berm going up to the north, or south. We could berm both sides of it so we just cross over, probably, in the fall. Pack about eight times a day with a semi. We use a semi to stock the yard when we're putting all the product through so you'd drive across the road eight times a day, which isn't a huge concern, I don't see, on my side. I don't see a super busy road or anything like that.

Ronning asked can you estimate a typical morning start time and a closing time? Chad Toft asked for trucking or packing? Ronning stated anything. Chad Toft stated packaging, the first shift comes in at 6:30 in the morning and all the managers do and then at 7 o'clock the guys show up to start working and stuff like that. That's all done inside the building up there. Trucking you'll start from, if we're doing like Sam's Club deliveries, we may start, we have a lot of 5 a.m. deliveries for that. But most of the drivers come in like at 5-6 a.m. up until 8 o'clock at night. That's the reason we asked for that 4:30 is because we do Sam's Club and we do a lot of appointments at 5 a.m. for Sam's Club deliveries. Ronning stated it wasn't my questions, sorry.

Voss stated so back to the Service Drive issue, and I'm not sure Jack, whether you've discussed with them whether or not, the whole matter of it being a road, a City road. We discussed last night whether or not that triggers this having to be a plat or not. Davis stated I think Colleen had the discussion with you all today regarding what recommendation today from our City Attorney was in that respect. When we had met previously, we had discussed the requirement for the dedication of the right-of-way, and at a minimum, the construction of the subgrade of that to meet our current standards for those roads. Chad Toft stated yeah.

Voss stated okay, but in terms of whether it's platted or not? Megan Toft stated we don't have an answer yet. It was just a couple hours ago. It was just today. Chad Toft stated yeah, so we're talking. Your City Attorney thinks it might be easier to plat it all right now so then it's all done and platted out. Megan Toft stated so we'll address that.

Voss stated so that's an ongoing discussion then. Davis stated that's correct. This came up last night and then we had the discussion with the Attorney today. And, Colleen had a conversation with Chad and Megan this afternoon. So that hasn't been thoroughly resolved at this point. Voss stated okay, any questions?

Mundle asked with your early start times and the second shift that has the potential to go to 2:30 a.m., what are your outdoor lighting requirements? What kind of work will go on? Chad Toft stated that's why we turned the building and I moved the color machine farther to the north. *(Chad Toft pointed to a site plan diagram off screen.)* This building will turn right there, this way instead, so it will sit right about here. So it will be light shining towards my main shop so that doesn't interfere with residents down here. There'll be a light on the back for the hopper. The color machine will sit up here. And then it will be one light off the color machine if I have them coloring, say in the fall, when it gets dark a little bit earlier, shining on the pile. So, there will be no lights shining down towards residents this way.

Voss stated I think along those lines, if we discuss them being downcast LED, that makes a huge difference. Megan Toft stated yeah, they'd be all LED and I know they've addressed that with our lighting plan that they'll submit. Chad Toft stated they'll submit that on March 1st. So

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there's no lights, I know we made it very strong that we didn't want to have any lights down facing this way to the neighbors. That's why we changed a couple things around.

Ronning stated it's nice to hear employment coming with living wage jobs. That's what gets people into the City. That's commendable. Thank you. Chad Toft stated you know, you've got to pay people a decent living out there to work. I'm a big person on my side of the business is, you pay employees well and you don't have to retrain. There's a lot of companies out there that'll pay truck drivers $40,000 and $35,000. Why do you want to go through the work of hiring, retraining, and finding employees? I've never ran an ad for an employee in three years and I know how bad the economy is. It's all word of mouth reference. I have guys, if I want a job, I just tell one of the drivers, 'Hey, I'm looking for another driver.' And I'm up with a guy. I pay well. I take care of my employees. We do a lot of company events.

Megan Toft stated most of our employees are a single-income family with kids and their wives choose to stay at home and they can accommodate that with multiple kids working for us. Chad Toft stated we do a lot of company events and I'm very involved in my employee's lives. A lot of them are just personal friends we hang out with on that side of it. So, it's important for me to make sure my family's taken care of.

Voss asked any other questions? One of the, with what you presented, what we've had over the last week is, last night was the first time I saw a drawing. Drawings always help. So, we just had discussions and descriptions. One of the concerns I have as a whole, and it's nothing you can really do about it, but is the fact that this, you're at the southern end and it goes all the way up a mile to the County line. This is all zoned Light Industrial. When that was zoned that way many years ago, I don't believe, at least in my mind, that having a series of these large land intensive operations was in the vision. It was more of a, what I would call like the manufacturing, well, you're manufacturing too, but take your manufacturing and put it in a 60,000 square foot building. That's kind of the vision we had. That's a long-term vision and you're the second industrial user in the area. Cemstone to the very north was the first one. So that's kind of the struggle, at least that I have is the fact that you're 'chewing up' a big piece of land. And, the number of employees per acre kind of thing is one way to look at it. It's a low density.

Chad Toft stated and we run on a lot less employees. There's a lot of room for expansion in other stuff if we decide to grow. Like, I don't need the full 40 acres right now but you might as well get it in case you ever need it. And, obviously prices go up as everybody knows. Land continually gets more expensive.

Voss stated yes, you've got a point in that the land's not being used right now anyway. And, at some point in the future there'll be more demand for land and for that industrial use. But, you look at a manufacturer and they may have 70-100 employees in a five-acre piece of land, which is a higher density.
Chad Toft stated if you take right now, we could cut the property down to a smaller size so maybe someday if I don't ever, and the land prices go up and they want to put another customer on the right side of the road, towards that brick house, we could sell off at that point. But I figured well, it's all available, you might as well buy it and have it at that point. I don't really need all the land right now but you might as well.

Voss stated that's one of the struggles I'm having. Anything else you want to add? Any staff comments? Megan Toft stated we appreciate it.

Davis stated I have one question. You indicated you'd like to be in operation by August 1st of this year. Do you think that's a reasonable goal that you can obtain with all the things involved

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in the site plan approval process, property closing, engineering and ordering the product? Is that something you're still 'shooting' for? Chad Toft stated 100%. We're actually 'shooting' for, if we get City approval, April 6th I think is what we talked about. We'd order the building, that's eight weeks out, and we'd be working in there in May and we'd be in there, they're talking if we have a nice dry summer, the first building we'd be in there July 1st to July 31st. It depends on how wet a spring it is. Then they'd finish the other one right after that. So we'd be in there 100% by November 1st at the latest. That's what's in our contract.

Ronning stated again, this isn't necessarily my question. There's a berm on the full south side, well most of the south and southeast where that 45 is. What, do you know yet, wetlands will stay wetlands assumedly. Chad Toft stated yeah. Ronning stated the piece next to it, what would be in there or around it. Chad Toft stated that would just be pallet storage. That would be the other part that we really don't, it would just be empty pallet storage and we'd fill it in the fall and take it out in the spring and then it would sit there empty. It's the least amount of impact for this house, this resident down here, for seeing anything.

Voss stated along those lines, the two areas you've got designated 'pallet storage,' is that Class V? Or paved? Chad Toft stated Class V. Megan Toft stated specifically it's palletized mulch that would be delivered to Home Depot or a Menards. So, it's not empty pallets. It's finished product that's ready to deliver. Chad Toft stated so if you go into like a box store, a Home Depot or anything like that, that's where all of that stuff would be sitting right here.

Voss asked how high do you stack them? Chad Toft stated one high. You can't stack them because it falls over, so about five feet tall. Voss stated oh, so it's just one high. Chad Toft stated yeah, all of this is about five feet tall. So that's the problem why you need so much land. If you could stack it, you could go with a lot less but you can't stack it. It tips over and then you've got all kinds of messes. This piece of property, the only thing we did a little different with this is we extended the berm a little bit farther and then made that a green area. So we have good filtration down in the pond if there's anything like that, on the next Site Plan.

Davis asked what are your plans for expansion and what do you project for future employment in say five, ten years? Megan Toft stated as far as expansion with trucking, we normally add one to three trucks per year depending on business. We have some other opportunities, more from a warehousing standpoint that we're at capacity for our softener salt. We can pick up softener salt business. It would be a couple customer service people, adding another accounting person, another warehouse employee, and a couple more forklift employees in particular. Probably about four, two per shift. But the warehousing is the main part that we're looking to grow. For us the importance becomes a rail facility and we'd be looking for a facility to unload that has rail as well.

Chad Toft stated we talked quite a bit that Bethel right over there has rail. So, we'd look at a facility over there and we'd be able to unload over there in that city. Voss stated so train loads then. Chad Toft stated yeah. Since we'd end up with stock, we'd try to buy that stock lumber but it didn't work out so that's why we like rail. You guys are close to rail at the same point.

Chad Toft stated on the mulch side of the production, I don't see anything I run at max capacity right now. And that's sort of what it is. It's never changed. I don't have any more room for production on that side.

Voss stated you talked, when I asked earlier about when you do the dying, obviously you don't want it to be freezing weather because you're using water. Chad Toft stated yeah if it's freezing you can't do it. And, the wood fibers have to warm up or else the dye won't stick to it so it has to get somewhat warm enough to get the dye to stick to the wood fiber. Voss stated I was

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curious as to why you wouldn't take that operation and put it indoors? Chad Toft stated big building and lots of cost. Everybody wants to buy a bag of mulch, Menards, Home Depot, they want to buy it for a buck, I'll just use a number. If you add that, you'll add another thirty cents and you'll put yourself right out of the market. You won't compete.

Voss stated I was just thinking of it from the aspect you could be doing it all winter long and be ready. Megan Toft stated you can't unload the product either in the winter. Sometimes if it freezes coming down from Canada, you can't load it. Chad Toft stated we get pretty quiet in the winter around there. The mulch side is real quiet. There's not much you can do. Megan Toft stated there's nothing.

Ronning stated I think I heard an earlier concern about smell. From what you've described in your market, the smell you're going to have there is what you'd have if you walked through Lowe's or Menards or whatever. Megan Toft stated if you went to Patio Town and walked through their bin area, that's what it smells like. If you go, whatever garden center you shop at. If you go down to Mickman Brothers and walk through their area, that's the smell that you're going to have.

Chad Toft stated that's why I like blacktop. You won't get that compost underneath and that's where a lot of that smell comes from. A lot of different people, at Rivard down there, get that constant buildup. In a compost you get a lot of smell. Obviously you guys know compost makes smell. Megan Toft stated and he does more bulk. We can't put that in the bags because as a consumer buying at Menards, you'd return your mulch with rocks in it. Voss stated I know that too. Okay, any other questions from Council?

Ronning stated Rivard has had, probably gets their stuff put up green, generates a lot of heat and I think the Fire Department's been there once or twice. What's the possibility of that with your? Chad Toft stated in this type of business you always have the possibility of fire but we have on-site, we've dealt with the City of Elk River, we have on-site fire control, water tanks, and stuff like that. Actually, the worst thing you can do if you end up with a big pile, and he does a lot of composting so that makes twice the amount of heat as you're going to get in wood fiber.
Chad Toft stated you come out and see my big wide pile like Jack and Colleen seen, there's not a lot of heat in it. But when you're composting, you're sitting up there and he makes a dark material. It's called, it's like a two-year old hardwood. So you compost it and it makes lots and lots of heat. I don't have no product that sits on the ground that long so I don't make that composting. But, actually water's one of the worst things you could do if you actually had a fire on mulch. You want to snuff it out. You want to actually dump more mulch on it because it will actually put itself back out. Ronning stated smother. Chad Toft stated yup. We do have our own water tanks and trailers if something ever did happen like that. Voss asked anything else?

Davis asked have you had any feedback yet from the Anoka County Highway Department regarding your entrances or any other questions they have relating to 237th Avenue? Megan Toft stated we haven't had anything yet.

Ronning stated earlier this evening, I had a call. One of it was, call it a DNR interaction. Do you have permits or anything you do through the DNR being there's wetland there? Chad Toft stated no. We built a large section of infiltration area so if anything does run off, it runs in there and ponds. I just don't have any like that. I just don't have run off. It's going to be rainwater is my run off.

Davis stated the DNR would require a permit the well. Ronning stated oh, yes. Voss stated a

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Water Appropriation Permit. Chad Toft stated and the well, we talked with our well gentleman and he has full permit for the water to pull it out of the ground and stuff like that.

Ronning asked do you have any idea what aquifer Wyatt's in? Davis stated I'm going to guess he's also in the FIG. The aquifer below that is called the Mount Simon and that's the one that the DNR is saving for the future. In order to get into that one, you have to have special permission and show special hardships. So, most everyone up there, with the exception of the second well that we put in at Whispering Aspens, it's in the FIG. That's the Franconia-Ironton-Galesville. It's changed names now but it's still the same aquifer. The one below that's the Mount Simon. It's a little deeper and it is probably a little better quality water. The DNR will not allow you to tap that unless there are certain thresholds that you meet. Ronning stated thank you.

Voss asked anything else you want to add? Megan Toft stated no, thank you for your time. Chad Toft stated thank you. Voss stated don't go anywhere, have a seat in the front row if you could. Jack, you want to grab the sign-in list? I want to thank the audience for being patient and listening. This, tonight is a Work Meeting for City Council and we're taking a little bit of a 'left turn' on it by allowing the public to address Council on this. This is not a public hearing. I think it's been explained the last two nights, just so everyone's aware.

Voss stated the property is zoned Light Industrial and has been zoned that way since 2008 when the last Comp Plan went through. Basically from three-quarter mile from Highway 65 in and then there's another zoning, kind of a buffer zoning, on the east side. This goes all the way up to the Isanti County line. So, it's a mile stretch. So their application fits the zoning and it fits, so far, all the requirements for a business to come into an industrial area.

Voss stated so, because of that, when a business comes in and meets all the requirements as the City has laid out in ordinance, they're an allowable use. They will have to, what they've shown tonight in the Site Plan is part of what they have to do. Any business has to do a process and a Site Plan Review, the City looks at that pretty carefully. It will go through Planning again. It will go through staff and it ultimately comes back to Council for approval. And so while we cannot technically stop businesses from coming in, what the City does is make sure that as many of the issues as we can identify during this process get addressed. Just as these folks have stated, you know, they want to work within the community and within the neighborhoods there. And so what our job as the City and City staff is to, again, try to make this work. So it's more of a relationship eventually between this business and the area.

Voss stated in this case, obviously, it's an industrial use on the other side of a road with residential use. And there's no real way to avoid conflicts with uses. You're going to have commercial up against residential, you're going to have industrial up against things. Again, you know, the City tires to do their best to try to, I'll call it 'soften the blow.' I don't know what other term to use.

Voss stated so along with that, there is no official public hearing, at least not yet with the way the plan's going through. So technically there isn't a medium for residents to address Council but we are going to allow the public, certainly here tonight, and many of you have been invited by many of us to come to the meeting, to address Council. And, more from an aspect of questions. You know, get your questions answered. I think that's what you want to get tonight. And if there's things that we haven't talked about, please bring them up. What I'll ask is if you signed in, I'll just go down the list. Again, state your name and address for the record so we have it. Please address Council and if it's a question the applicant's can answer, we'll do that. This is a Work Meeting so it's just an informational session.

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David Tuttle, 23640 Davenport Street NE, stated thank you Mr. Mayor and Council. I'm right on the corner of Davenport and 237th so if anybody's going to be impacted by this decision, I think I am probably as much as anybody going to be impacted. And, I appreciate you giving us the opportunity to talk because if you didn't I think that would have been very much a disservice to the residents of that area. Voss stated and I agree too. Tuttle stated so thank you.

Tuttle stated I appreciate the presentation today by Mr. and Mrs. Toft. I also recognize, though, that from a business point of view, their job is to put the best 'smell' on it that they can. And, I think they did that but I also think there's some things that aren't answered. One of the things I don't think he did a good job answering was the, and this came up just tonight, I didn't even think about it until it came up tonight, was the Ash Borer consideration. I have at least a dozen, maybe 15 ash trees on my property and to have a business owner say, 'Well, you're already contaminated, what difference does it make?' doesn't sit well with me. That is not a man that is working with the community. I would like a better answer to that than, 'Well, it's coming whether you like it or not so I may bring it faster. Just get used to it.' I'm sorry, but I wasn't happy with that answer.

Tuttle stated I also have other concerns. One of them had to do with the statement that, 'Well, the business isn't going to grow.' Well according to this that I just printed out tonight, he anticipates growing three to five trucks a year. If you look at that five years down the road, that's 15 to 20 more trucks. Ten years down the road that's 30 to 40 more trucks. So the answer that he gave about expansion saying, 'Well, we don't anticipate more trucks.' I'd like a better answer to that because clearly it says on this thing I printed off of this website indicated something different.

Tuttle stated now in addition, I'll have to admit I'm not as knowledgeable on the topic as I should be. I just heard about this today about 4 o'clock and so I'm learning. I definitely need to get a better education.

Tuttle stated some of the bulleted items that you had, I'd like to address a little bit more in detail. The very first one was about the City's goals. Now, where did it go? The City's goals were to develop that land as Light Industrial and in your own handout you pointed out that this business is only going to create 1 to 1½ or 1¼ jobs per acre. Is that really in the goals of East Bethel? Is that what we set out to do? I don't think so.

Tuttle stated the visual impact, the business seems to feel there'll be a limited visual impact. I'm sorry, I've been around businesses like this, not theirs, but like this. They do have a visual impact. It's very easy to say, 'Well, that's the other guy's, that's not us.' I'm sorry. I would have to see it to believe it. A nine-foot berm doesn't impress me.

Tuttle stated environmental issues. My well is just as close as Mr. Wyatt's. I'm just as concerned. I've heard his name brought up several times. I understand he must be a member that's respected in the community so you're concerned about him. Well, my well's right there as well. I'm concerned about water quality issues. I don't think I've got a good answer on that yet.

Tuttle stated the business owners themselves mention that right now, they don't have to deal with holding ponds in their current business. Well, apparently they're going to be dealing with one now. Are they equipped to do that? Do they have the background and understanding to know what it takes to not contaminate a wetlands? To add a holding pond? These are issues that need to be handled by professionals. Otherwise, it's going to damage my property, my well, and my surrounding neighbors. I'm concerned about environmental issues.

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Tuttle stated odors. Again it's very nice to say, 'Well, the other people have odors. We don't. You know, I'm sorry. He's putting the best 'face' on it he can. That's his job. I'm skeptical. Compost, not compost but mulch storage places have odors in my experience.

Tuttle stated traffic issues. I see a lot of concern about that intersection and there should be, 237th and 65. But I'm sorry, I believe those trucks are going to be going more than right there. They're going to be headed to 35. Well going down 65 isn't going to get them there very quick. Again, I would be concerned about traffic issues, where the trucks actually are going, especially with an increase of three to five trucks a year. Their current fleet, I've forgotten the numbers he gave us is one thing. But, according to this, three to five trucks a year increase, doesn't take too long before he's got quite a fleet coming in and out of there. And, by his own admission, his plan is to expand. That's no secret.

Tuttle stated property values is obviously a concern for anybody that lives there. I am concerned about my property values and I think all of my neighbors would likewise be concerned. I appreciate your giving me a chance to speak. I will, it's probably obvious right at this point, I'm opposed to this project. I don't think I hid that and it's, oh, one more topic. I would just like to make a suggestion. When we're handed a document like this to say, 'This is what we're going to use,' make sure it's accurate. Don't give me this and then say, 'Oh, we decided to change it.' We need accurate information.

Voss stated well, just so you understand on that topic, they changed it based on the discussions that happened 24 hours ago. Tuttle stated okay, and that's partly, I'm not as knowledgeable as I need to be. I wasn't here last night. All I know is I'm sitting here looking at this and then all of a sudden I'm told, well, that's no longer accurate. I'm sorry, I'd like accurate information. Not something that's close, you know. So, I would appreciate some new drawings. Thank you very much. Voss stated thank you.

Mike Langley, 23531 Davenport Street NE, stated my wife and I are new to the neighborhood. We just moved from North Dakota last month to East Bethel. Voss stated welcome. Langley stated thank you. We moved on Davenport and we're more or less worried about the resale on our property and the traffic. We like the area because it doesn't really have much traffic through there. That's about it. Thank you.

Ronning asked where abouts in North Dakota? Tuttle stated northeast part over by Grand Forks kind of. Ronning stated I'm originally from 60 miles southwest of Fargo, probably. Tuttle stated oh really, okay, my wife's family lives in Cambridge so that's why we moved out here. To be closer to them. Ronning stated it's warmer here too. Tuttle stated yeah.

Dwight Spitzer, 23508 Goodhue Street NE, stated I'm real close to the people who have been talking and I guess one thing I have a concern about, is there a buffer zone between a residential and, you know, that plot? I mean, do you just go right across the road when it's residential? I mean, has there ever been a thought to that? A buffer zone between that?

Voss stated Jack is pulling up the zoning. *(Voss referred to a map on display.)* Where he's got the cursor is basically where the applicant is. You can see the wetland. There, that's better yet, to the east where you've got, I don't know if that's orange or light brown, that is R-3. Is that correct? Davis replied R-1. Voss stated R-1, okay. Then it gets into Rural Residential. So that's the buffer going east. The buffer going south is literally 237th Avenue. Spitzer stated right, yeah.

Voss stated one way to potentially look at this is, and again, you always have conflicts between zoning. Cemstone is on the north side. I think you're all aware of where Cemstone is.

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Cemstone literally fits the definition and could have been on this property here. So there's, I know this really doesn't help but there's far more intensive industrial uses that could be on this than what these folks are proposing.

Spitzer stated I guess what I'm talking about is a Light Industrial, is that a semi application? I mean, maybe a cube truck? That would be Light Industrial? Voss stated as maybe a comparison and Colleen will correct me if I'm wrong, but we've got a number of different Commercial districts and they don't allow outdoor storage or very limited outdoor storage. The way that our current ordinances are written for Light Industrial, that's where the outdoor storage is allowed. So this is a good example of a use that has a lot of outdoor storage. Generally if you have outdoor storage, you have trucks. But in a Commercial area you can have just as many trucks going in. If it's a retail, grocery stores, they all have deliveries every day there's trucks there. Retail is going to have trucks. If you really want to talk about trucks, a truck terminal is where you'd really see a lot of trucks and that's something that doesn't fit anywhere around here as far as I'm concerned.

Spitzer stated I've got a couple other questions. So, has anybody for the City planned to be out and visit their current businesses to really know what's going on? Voss stated Jack or Colleen, can you comment on that?
Davis stated Ms. Winter and I visited the facility approximately two weeks ago. They took us on a tour of their warehouse office facility in Rogers and then their bagging, storage and distribution use and facility in Elk River. This was discussed at the Roads Commission meeting with the EDA on Monday night. It was also discussed at the Planning Commission meeting last night. Here are some photos of their operation. The top photo in the upper left hand corner is their office facility and warehouse in Rogers. I have two pictures on their existing site, which are some of their mulch storage piles. Again, as Chad pointed out earlier, this is their dying machine that they use on site. Here's some examples of their storage pallet areas.

Davis stated we looked at this. The issue here is this is zoned Light Industrial and if you look at what our City Code states, these are the permitted uses: manufacturing, medical office, recreation, research, warehousing, distribution, wholesaling. There's even one called adult uses. In fact, just let me point something out here. This is the only area in the City of East Bethel that adult uses can be permitted in. And, this would be up around Cemstone because of the way the ordinance is written there are certain setbacks. But, their use falls within the definition of Light Industrial use so it's like saying the City has complete control and they can say, 'What you can do with your property if it's proper,' which we can't do. Nor do we want to do. So, the issue here is the performance and if something like this comes in and they meet all standards it would be permitted.

Mundle stated so we can't say 'no' even if we wouldn't want it. Spitzer stated right. Ronning stated we don't have the option, well, we'll take A. A is this company, B, C, and D. E is none of the above.

Spitzer stated another question is can this business be run seven days a week? Saturdays? Sundays? Chad Toft stated no we don't. On Saturday, about a month and a half into spring we'll work until noon on Saturday. That's about it during the springtime.

Spitzer stated so, but this could be an option to be a Saturday and Sunday business? Chad Toft stated no. It's still 6 o'clock in the morning on Saturdays sometimes when it's really busy, until noon, for a month, month and a half. That's it. Spitzer asked does the City have a limit on that?

Voss stated to be clear, that's their prerogative. It's not within our ordinances that we restrict

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the weekday uses. There's impacts we have to avoid. Davis stated the only restrictions we have in City ordinance are related to construction activities and then we dictate the times that they can operate within those. But, this doesn't fall in that category.

Spitzer stated okay. The other thing I have, just one last quick question, is do businesses have the opportunity to vote at the City of East Bethel. Davis answered no. Spitzer asked do you have to be a resident? Right? So, we're voting you guys in, you know. Be in our best interest really. So they can't vote you guys in, we do. And, I thank you for being there and doing what you do. Voss stated thanks Dwight.

Ronning stated it's not really my answer to a question, but when you're forecasting the future business thing, there's a lot of Ouija Board in that. So, it's nice to hear what we did here but I wouldn't put any hard numbers to it myself.
Kevin Mullins, 23534 Goodhue Street NE, stated I am neighbors with all these people in the room and we got a pretty good clique down Goodhue Street. I guess everybody's just against this and I just had a newborn born about two weeks ago. Voss stated congratulations. Mullins stated and I've got another two-year-old at home. We moved here about three years ago expecting, you know, a good life away from trucks, I should say. That's the main thing I'm worried about. I don't understand why they have to go down 237th at all and just have like Cemstone has turn lane and everything so they don't have to go down that road.

Voss stated Cemstone's on a separate City street. On two City streets. Mullins stated right but they have a separate turn lane to go in there, right? Voss stated when Cemstone came in and because of the trucks they have, they were required to put in acceleration and deceleration lanes. Yeah. Mullins stated I don't see why they couldn't use that also.

Davis stated one thing we have to remember here is this is not a City street. This is a County road. We have no control over 237th Avenue. That's all the Anoka County Highway Department.

Mullins stated okay, well since I've moved here three years, I've almost seen four or five people die on that intersection. And I know that's like one of the worst intersections. I grew up in Ham Lake and everybody talks about Coopers Corner being the most dangerous intersection and now you're going to put a ton of trucks going down there with people. I don't understand why they can't see people coming or there's just a long stretch but accidents happen at that corner. So, that's all I have to say. I just appreciate you guys listening to me. Voss stated thank you. Ronning stated thanks for your input.

Kathryn Morris Echols, 23615 Goodhue Street NE, stated I live on Goodhue Street along with these folks. That's actually 1,200 feet from the proposed property. I think I can mirror most of their concerns, especially this gentleman, who we just recruited today to come to this meeting who was unaware of this, when I say we're concerned and not looking forward to this coming to our neighborhood. My husband and I, who will also be speaking, came to this town in 2009. We bought foreclosed land and we chose to build here. And, I can say confidently that we would not have come here if that was in the area and I'm seriously considering getting out based on my safety concerns with this business, which I will describe.

Morris Echols stated what the owners did not tell you is that upon a little bit of research, I was able to see that they had a fire, which he said that they had some associations with the Elk River Fire Department. But, they had a fire that took six plus hours to extinguish in August of 2015, which is what they're proposing as the busiest time of their procedure. I think that one of your qualifications on ordinances and, you know, approving this company comes into safety, aesthetics, and all of those things. I think that's a very large concern that really needs further

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investigation. I would like to know what safety procedures and protocols and mitigation plans they have in place to make sure that does not happen in East Bethel, 1,200 feet from my home.

Morris Echols stated I also researched, in August, what the wind normally is in our area and when this fire hit in Elk River, our wind would have been travelling south, which would put that fire blazing and blowing into my yard, which I would be very concerned of and it's also in the area of a church and very close to other houses.

Morris Echols stated the owners also said there was no complaints from the other two locations. In various concerns that we had, you know, noise and smell and so forth, but after looking at Google maps on their other two locations, there's no houses around there. As you said here, there's no buffer. It's only 237th that separates us from them. They're currently located in Industrial parks in Elk River where I would think most of their processing occurs but there's, again, no buffer for us. I'm just saying there's no benefit to me that outweighs the negatives.

Morris Echols stated just like this gentleman said, if they're proposing to add 1 to ¼ jobs per year, I don't really see the benefit that's bringing to East Bethel as a growth opportunity. And, if we have this many residents concerned about this, to their core, and they're here tonight when they, I think that speaks volumes. I, along with all the people here, you know, mirrored our concerns with our wells.

Morris Echols stated I've never had a well before but would be concerned of what they said won't happen. But, run off, I'm concerned about our wetlands. Then I have been told that a lot of companies, Light Industrial or otherwise, have tanks for storage of fuel and gas and oil, etc. Currently, they lease property from another business in Elk River that's licensed with Minnesota Pollution Control Agency that holds 9,500 gallons of fuel, diesel, gas, oil, and I'd be concerned with how they're going to mitigate any risk that those tanks that might come to East Bethel would bring.

Morris Echols stated then one other concern, I have many but I'll only voice a few here, is a proposed berm of nine feet when, you know doing any research and what he previously said, the piles are going to be anywhere from 18 and 20 feet tall. You know, what is a nine-foot berm with a two-foot birch tree or whatever? I mean how is that going to cover up all of the activities beyond there and protect us from the sound and protect us from the smells and all of the other things.

Morris Echols stated then my last concern is just some other research I did on being close to any type of wood processing plant or mulch processing plant. Despite what they do with that, there has been research that link a lot of what you're breathing in to health risks that are associated with that. So, there is a study that was done in 2012 from the John Hopkins University that links people that are even three miles away from these type of operations being exposed to a lot of different health risks. I'll leave that out of it but I would think that a lot of people that work with this stuff have masks on but, you know, we can't have those masks being 1,200 feet away. So I would just like to be protected as much as I can and would like reassurances that would happen. I think that about covers it.

Morris Echols stated another thing is just that the owner had stated that it could have been much worse with that fire and I think that's kind of my hinging point is our safety in the neighborhood. You know, needing the DNR to come out with a helicopter to extinguish those fires and seven other fire departments to kind of put that blaze out. I can only imagine how devastating that would be to East Bethel when we don't have those nearby cities to come in and help us with any type of security issue that would come up. So, that's one of my concerns.

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Morris Echols stated so, as much as I appreciate how much they've said that they're here to work with the community and stuff like that, but I really would like to see them elsewhere. I just hope you guys do everything in your power to deny their request. So, thank you.

Voss stated to address two of the concerns you brought up, one on the fire aspect. I think in most of our Site Plan Reviews, our Fire Chief does review these businesses. It will be something that City staff would be reviewing from that aspect.

(Off mic comment.) Chad Toft stated I had a hydraulic hose blow next to the motor, spray the hydraulic oil on the motor, started the payloader on fire. Hopefully that will never happen again. I put a fire suppression system on all the payloaders so we don't have that type of fire. It's not something we're looking for. With a hydraulic hose, you can have that on a construction site, when you're building, anything. I went ahead and put a fire suppression on all payloaders and stuff like that. And the concern with dust and that, I'm not a processor of mulch. I'm not grinding and stuff like that. She's worried about the dust. I'm not grinding. I'm not making dust that she's worried about from the John Hopkins.

Voss stated I think we understand that too. The other point to make, too, is and this isn't just for this one. We've had this before with the idea of putting berms up. The berms are intended to block people from seeing absolutely everything. But, if you think about it, a nine or ten-foot berm is going to block out, you know, 90% of what they're actually doing, seeing the trucks moving around. You're not seeing a lot of activity. You're going to see a berm with a 20-foot tree on it eventually. The berms aren't intended to hide, it's to help screen. Just so we have that in mind.

Matt Echols, 23615 Goodhue Street NE, stated a lot of my issues have been brought up already but I'm really concerned about the truck rounds per day. You talk about how much business you do, you know, 25,000 or 2,500, or whatever it was. That's a lot of trucks coming in and out plus your trucks for your wood chips, to deliver your wood chips. That seems like an awful lot of trucks tonight in and out off 237th. It seems like there's going to have to be a lot of construction done on 237th just to accommodate that.

Echols stated you talked about other cities. Did you propose this to other cities? Chad Toft responded no. This is the first City I've been in front of. Echols stated okay. And, also on your plan you talk about 30,000 yards, two aisles, what are the sizes of those? Chad Toft stated we're going to; that's 17 feet, it's 125 feet wide by… Echols asked roughly how tall I guess? Chad Toft stated like 400 feet. I spread it out so it's lower. Because I know it's one of the concerns.

Echols stated okay and asked are you with Plaisted's right now? Chad Toft stated no I'm not, not at all. Echols asked are you there though? In their facility? Chad Toft stated no Echols asked is that pretty close to Plaisted's? Chad Toft stated yes. I don't store, like that amount of fuel, 9,500 gallons, I don't have that. Echols stated well you're going to have a fuel barrel though, I would assume, whatever, 6,000. Chad Toft answered yes and I follow all the State and Fire Marshal Codes and that. We have double walled fuel tanks and *(inaudible comment)*. Echols stated but if you're close to Plaisted's, Plaisted's is not residential. It's surrounded by Knife River and surrounded by Barton's and then 169. There's no residents around there.

Voss stated Matt, if you could address Council. Echols stated I'm sorry, I had questions for him and it was just easier. Voss stated again, what the intent is, is to raise the issues to make sure the City addresses them.

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Echols stated at Plaisted's, there's no houses around there. It's Knife River, it's Barton Sand and Gravel, huge gravel pits, and then 169. Now they're going to move into a residential area. Doesn't seem like a good fit for us.

Echols stated then the zoning was brought up. You know, he's meeting the requirements of all the zoning, which I understand. Do you feel that maybe it wasn't zoned correctly to begin with in 2008? That maybe there should have been a buffer zone of some other sort, and then your Light Industrial? Voss stated that's a 'should of' question. I mean I think we're here to talk about the present. Echols stated but we're here now because of the issue. Voss stated it will, actually the discussion is starting again in our Comp Plan and so that will be brought up again.

Echols stated I know we would never have bought, as my wife said, would have never bought our property to build on if they were there. That's not what we're looking for when we moved to East Bethel. I know that 100% and I know a lot of these people feel the same way.

Echols stated you talk about noise at night. Semis are quiet, yeah, I understand that but all semis have back up alarms. All forklifts have back up alarms and all payloaders have back up alarms. And, those are loud, extremely loud. I guarantee you at night I could hear those from my house. I can hear the combine when he's in the field in the fall. But that's only in the spring in the fall when he's tilling and using the combine.

Echols stated you talked about visiting a site too, in the wintertime. He also said that the wintertime was their slow season. Be nice to see what the site was like in their busy season and full production, actually get a grasp of what's going on. You know, snap some pictures and things like that. It looks good but it's a little different in the summer time in full boom. So, that's all I had. I appreciate your listening. Voss stated okay, thanks Matt.

Richard Hart, 23525 Goodhue Street NE, stated for the trucks and everything, I know, like 27-30 trucks make a whole lot more noise than 2 motorcycles in my back yard and I can't have more than 2 motorcycles in my back yard. So, that's kind of a weird concept. You have an ordinance that you can't have more than two motorcycles in your back yard because of the noise. But it's okay to have 27 trucks running up and down the road? It seems kind of weird to me. That's all.

Mike Biljan, 23600 Goodhue Street NE, stated thank you. I live I the best neighborhood in East Bethel and all these people will attest to that, I'm sure. Not much more to say. Most of what I wanted to say was covered. But, the land is in use. They, people still farm that. They might lease it out or whatever, but you said the land is vacant. It isn't vacant. There's always corn or something growing there so that's taken care of.

Biljan stated I know the zoning thing came up and in last night's meeting somebody said, you know, we've changed zoning laws to allow something in. It would be nice if you could change zoning laws to allow something not to come in. Thanks.

Jim Smith, 23620 Davenport Street NE, stated I'm sitting here listening to you guys and my concern is the traffic, the smell. But then when I listen to you too, you basically say as long as they fall within the guidelines, it's a go. So if that's the case, my suggestion is to take Davenport Street all the way to 245th, have them enter from that way to come into their plant instead of putting all the traffic on 237th. You line up two, three, four, five semis at that light, it's going to be a total cluster mess. People are going to get hurt there and, I mean, you've got a church there, you've got a store. Cooper's is really busy with people coming in and out. You've got to really be careful because those big trucks don't stop like a regular vehicle.

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Smith stated I'm also worried about the water issue. They're going to use a lot of water. I mean, that can drop our water level big time. And, you know, the property value is too because now, like I've heard too, the smell is minimal, which I don't know because I don't know a lot about it. I just found out about this 4, 5 o'clock myself. I didn't know anything about this. So I need to research this more too. But, property values will go down big time if they have a mess like it sounds that it could be. A lot of trucks coming in and out.

Smith stated but like I say, if they fall within the guidelines, you guys say that you can't stop them. Well then consider taking Davenport all the way to 245th, take it out that way. There's nothing out there but Cemstone. Not residential close. I mean, it's going to be bad enough if we've got to put up with the smell, if there is one, and the noise that will be there. But, it's an option to get the trucks the hell out of our area, just in case. You know what I mean? We don't need to have any incidents. There's a lot of children and stuff up there in them neighborhoods. We don't want them run over. So, it's just something to consider. Like you say, if they fall within the guidelines you can't stop them. Let's fix it so the trucks aren't going to be right there in our neighborhood.

Tammy Strecker, 23673 Baltimore Street NE, stated I guess my husband and I are directly affected. We are the house right across the street so as we look out our picture window, right now I see farm fields. I'm trying to imagine what it's going to look like when you guys build yours because, obviously, we're going to be able to see over the berm. My kitchen window sits there, I do dishes, you know, whatever. So, I'm trying to envision it and obviously right now I can't. I have this huge plan, and it is huge so obviously there's concerns.

Strecker stated from the City website, it states the City of East Bethel is home to approximately 11,262 residents and offers a unique and very livable location for families who prefer the small town lifestyle. It provides the best of both worlds, convenience to a metropolitan area and adequate separation to be a semi-rural community. It covers a land area of 47.97 square miles.

Strecker stated as a homeowner and licensed childcare provider on 237th and Highway 65, my concerns are with CST building. It affects me greatly as well as my families coming to drop off their children and pick up in the afternoon. I also have two teenaged drivers and that intersection is horrible and I worry every day when I see kids driving it. It scares the heck out of me. Strecker stated I'm concerned about the traffic, noise, odors, and hours of operation. They say they have trucks that make 30 plus trips a day. Obviously, I have children who nap continuously throughout the day so noise for me is a huge issue.

Strecker stated the light at 65 and 237th is already a problem and gets congested on 237th on the east side, which is where we'll be. Will a traffic light have to be installed? I mean there's no way they're going to be able to have more than one or two trucks go out there plus all the residential people coming in and out of there. There's just, it's not feasible. I would really like and wish that Anoka County Highway was out here to explain that because if you guys can't, then I don't know when or how we're going to hear about that.

Strecker stated they say they operate two shifts going until 2:30 in the morning with trucks leaving as early as 4:30 a.m. and arriving as late as 9 p.m. at night. Does the second shift run trucks? Or, will all their work be done inside the buildings with no outside later into the night? According to the Council Work Meeting agenda information, I know the City has some of these same concerns as I do. I am wondering how the City is going to determine if this is the right fit for our community. The visual impact of having acres of stacked pallets and other raw materials stored, the environmental issues such as noise, odors, and site debris.

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Strecker stated as a concerned citizen, I am curious if this is a done deal already, like others have stated. If we even have a choice in the matter. Could this land be rezoned to be Residential and Commercial instead of Light Industrial to attract more individuals and families to move to our City? I am worried that our home values will go down as well as having trouble selling in the future if this company were to be built. I do not think CST fits what East Bethel calls a 'small town living lifestyle. Thank you. Voss stated thank you.

Troy Strecker, 23673 Baltimore Street NE, stated no comment.

Clyde Keehr, 23559 Baltimore Street NE, stated I'm good.

David Landes, 1747 237th Avenue NE, stated I'm what they referred to as the guy with the brick house. I'm going to take the liberty to scold you people a little bit. If it weren't for the coincidence of one person telling me, none of these people would be here. You weren't going to tell anybody that's in the area this was going on. And I think that is totally rotten. Voss stated I think there'll be a few people in the audience who I told to be here tonight.

(Harrington returned to the Council Chambers at 7:54 p.m.)

Landes stated well, everybody I talked to had no clue and how many people said they just heard about it tonight? It was because I got the word spread started out and that's why. And, I'm ticked about that. And, you claim that you had this zoned at a time when everybody knew about it? I don't believe that either.

Landes stated so last night, somebody mentioned the fact that maybe the zoning is a problem. You guys talk like the zoning is the gospel. Well maybe it doesn't fit like some people have said. These are nice folks. There's no question about it and they have a nice business. That doesn't mean it fits next to residents. I've lived here for ten years. There's people who have lived here for 25, 30 years and you're going to steal our equity. Steal it. That's what it is.

Landes stated Mr. Voss, I'm going to get a little personal. Last night, you were telling me about your, you were telling the group about your dream place. What if somebody came along and put a four-lane highway next to your place? Not a dream place any more. Your value would tank and that's what you guys are doing to our property. That to me, you can talk about traffic and all that, the roads are to drive on and they're going to be driven on. That's not so, we don't like it but, you know, that's not the issue. It's what you are doing to residents that have been here for a long time. And, I can get a little emotional about it but I'm holding it as best I can.

Landes stated this is wrong. It has nothing to do with the advisability of bringing business in. It's got to fit. Somebody, you guys didn't, somebody chose to zone that next to residents and you didn't take into consideration what type of thing may have to be considered. And, that's your job. This does not have to be approved and it must not be approved. I've only begun.

Landes asked what can you say about what you would do to people's property? Look at me and tell me that. Ronning asked tell you what? Landes asked what are you going to tell me what it does to my property value? And you, no one is going to tell me that doesn't tank my property to have that next to it. No one's going to come in to buy our property with that there. They've got plenty of places to buy. They aren't going to buy property next to this. I don't care what kind of a pretty picture it is when you see the photos, that's what you're going to see. Architects draw nice pictures of everything. What about it?

Voss stated I'm sorry, what are you asking? Landes stated I'm asking why we should have to put up with you guys stealing our property value. Voss stated as the City develops, you think?

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Landes stated yes, it's your, what, people have lived here all these years and part of what our representatives are to represent people. They don't live here. They aren't even here now. We're here. Watch out for the ones that are here.

Ronning stated I was kind of saving this question for later. That is zoned Light Industrial. It's been that way for 10-12 years or something, 2008, okay. Landes stated okay, my point is then, fix it. Ronning stated I'm not done yet. You don't like this. Nobody likes this. It's Light Industrial. What would you like to see in there? Wal-Mart? There's nothing that can go in there that's going to make you happy. I apologize if that's insulting but that's the fact.

Landes stated it can be rezoned. It was a mistake to zone it something like that next to residents that have been there. Ronning stated we could raise your taxes because they sued us so much for zoning them out of here. We'd be liable. Landes stated you're going to lose more tax values from homes than this is going to gain.

Voss stated the intent of opening this up to the public was not to be confrontational. I think you're communicating your concerns, as everyone else is. Landes stated I'm sorry, the reason I feel confrontational is because I didn't hear you addressing any of the issues I brought up. You said…Voss explained we're not here tonight to address issues. We're here as a listening session.

Landes asked you're not to be concerned about the folks that are affected by it? Isn't that what it's all about? Voss stated sir, we're here to hear your concerns and that's why Monday night I invited you to be here Tuesday night. I invited you to be here tonight, particularly tonight because it's in front of Council. And I encouraged you to let your neighbors know because that's the best way to communicate to your neighbors. Landes stated no one called me to encourage me. Voss stated I encouraged you two nights in a row. I did. Okay? Landes stated after I was here. Voss stated and it worked. Your neighbors are here. That's what we wanted to do. Okay? Landes stated all right, it's not a big issue.

Landes stated but my point is that I don't hear a willingness or an offer of the concern that really affects the people the greatest here. Everyone one of them brings it up but I didn't hear any of you acknowledging it or offering that it was a concern. That bothers me greatly. You don't seem to list that as one of the concerns about what it does to people's, not only the value of their homes, but it destroys what we have as our life. Voss stated okay, thank you. Landes stated thank you very much.

Sherry Landes, 1747 237th Avenue NE, *(inaudible off mic comment).*

Voss stated that completes the list of folks that signed up. Now I know a lot of folks came in. Is there anyone else here that hasn't spoke tonight that wants to speak to the Council? I'm sorry, can you come up to the microphone though?

An unidentified resident stated I'm too shy. I just want to know, are they going to do a traffic count of the cars all day, like for a week on 237th? That's a very busy street. *(Inaudible comment.)* Voss stated traffic has been brought up and I'm sure it's one of the issues that Council's going to discuss.

The unidentified resident stated is the County going to do a count of what kind of traffic we have? Voss stated no one has an answer for you on what the County's going to do but that's a question we'll be asking the County. That will be a question we ask the County. The unidentified resident stated thank you.

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Voss asked is there anyone else? Okay, just a little more on this process. I think we're going to have a little bit more discussion yet tonight about this, to the extent that we want. They will eventually submit a formal Site Plan Review that goes to the Planning Commission, which is another public meeting. The Planning Commission met last night so it will be in front of the Planning Commission a month from now. Davis stated the fourth Tuesday of March. Voss repeated the fourth Tuesday of March, so put it on your calendars now. It will be on our website.

Voss stated the information, or most of the information that they present as part of their Site Plan Review is posted on the website. It will be probably the Thursday or Friday before the meeting. So, it's all the material that they'll be reviewing that night is available to the public to review. You are always welcome to contact any of the Councilmembers any time with any additional concerns you have. Then after Planning, they'll make a recommendation to Council, which will be in mid-April, likely.

Davis stated generally we follow that up with the second meeting. It will be either on April the 2nd or April the 16th when it will come to Council. Voss stated and Planning is an advisory committee to the City Council. Voss stated so last call. Anyone else want to talk tonight? Anything else we haven't considered? Please come up to the microphone.

Richard Hart, 23525 Goodhue Street NE, stated you guys were talking about the well and about the aquifer. How far down can they go? Davis explained that will be determined by the DNR. They'll have to get a permit from the DNR and they'll probably be restricted to the aquifer that most all the other wells are in. Hart asked you don't know how deep that is? Davis stated that's probably going to be, I think it's maybe a couple hundred feet at the most. Hart stated oh, because mine is like 130-140 feet down. Davis stated it will be somewhere in that range. It wouldn't be a shallow well. It would be in the gravel or drift formation. It would probably be in the same formation everybody else is in, which used to be called the FIG Formation but they did change the name. But, nothing else changed.

Hart asked so they'll be taking a million gallons of water, two million gallons of water out of the ground? Davis stated that's what they're projection is. Here again, the City has no control over that. That's solely up to the DNR to issue that permit. You know, we can issue concerns but then they are the ones that issue the permit and say you can drill the well. Hart stated I know one million gallons of water will fill up a football field ten feet deep. Just one million gallons of water.

Voss stated I think I saw one more hand. If you've got a question, if you can come up.

Dave Tuttle, 23640 Davenport Street NE, stated I'd just like to follow up on his question was. You said you can address these concerns so my questions are, are you going to address these concerns to the DNR and the County of Anoka and these people that have authority to oversee parts of this project?

Voss stated I guess what I would suggest, I've got a long list, I think we've all got a long list. We're going to discuss some of these things yet tonight because we want these applicants to understand what the City's concerns are now and their process so they can get their answers, all their 'ducks in a row' if you want to think of it that way, before they go to Planning.

Tuttle stated well I just heard you say that we can. That doesn't mean you're going to. That's my, does that mean you are going to address these concerns with the authority that has jurisdiction? Or, are you just going to… Voss asked what do you think? Tuttle stated I hope so. Voss stated we're going to bring them up here. Tuttle stated I don't think that's a hard

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question to answer. Voss stated there's a list. Tuttle stated thank you.

Harrington stated Steve, I've just got one comment. I just want to apologize to everybody out there that I wasn't here. There was another City function next door, but I will get a copy of this DVD because I want to hear everybody's concerns and I want to hear all the questions. So, I will listen to it.

Voss stated one last time, any one else? Okay, we'll bring this back to the Council dais. Who wants to start? Let's start with water. So they're going to have to go through DNR. Some of the discussions, the concern obviously is draw down and if it effects the residential wells or any other wells in the area. I know we've done water use studies for gravel pits but I don't know, Cemstone's a big water user. I don't recall whether they had a study or not. Can we contact DNR and see?

Davis stated what I would recommend is we send our comments and concerns to the DNR so that they will take those into account when they review the permit for this well. In terms of what is large wells in the area, there are two at Whispering Aspens. There's two 12-inch wells that are owned by the City. There's an 8-inch well at Cemstone. Mr. Wyatt has a large diameter well that he uses for irrigation purposes. And, the Castle Towers Mobile Home Park has a larger diameter well. I'm not sure. In addition to all the individual wells that the residents both around 237th Avenue and everybody on the west side of Highway 65 have.

Davis stated generally, most of these people are in the same aquifer or if they have shallow wells, they're above that but what we had pointed out earlier, that one of the concerns we have is with water withdrawal. Water usage is very important to us. We read the headlines and you see what's happened around White Bear Lake. They're in different aquifers that don't affect this one but, you know, we want to do everything we can and to make sure there's not a repeat of that in our area. So I would recommend from the City's standpoint that we express our concerns with groundwater depletion and ask them to provide us some comments on not only this well application but also the general effect that all the others have so we don't get in the same situation.

Ronning stated through those MID Studies, Minimum Impact Design something, they have the ability and formulas to figure how much of a one-inch rainfall comes off such and such roof surface and hard surface. If that's plumbed somehow to the holding pond, that should take care of a large part of it. Now maybe that's something that can dig into as well. Pardon? Chad Toft stated we're going to put swales on the north side of the property so all the water runs down that way. If the City wants us to, we can use all the gray water from that area first before pulling anything out of the water table. I can get you guys a study that will have *(off mic, inaudible.)*

Voss stated you're required to keep all your storm water on your property. But Jack, in terms of contacting the DNR, I'm not sure what their timing is for the Water Appropriations Permit Application, but is it something we're going to contact the DNR sooner? Davis stated actually, we can contact the DNR tomorrow. We'll inform Kate Drewry and Jason Spiegel who work in this area and just let them know this is a proposal and ask them for their comments on this. Again, they control this from start to finish. All we can do is contact them, which we will do.

Voss stated okay, any other discussion on water use? Any questions we have? Ronning stated that doesn't mean we're done. We may come up with some on our own too. Voss stated that's part of the process. Ronning stated yeah, part of the process.

Voss stated traffic, the County Road, the County has to approve their access. Davis stated the County has to approve their entrance access and also any other things that relate to highway

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safety and efficiency on 237th whether it be by pass lanes, right-ins, right-outs, and I don't know what the design construction or pavement design is for that section of road. They even have the ability to even require reconstruction of a road surface to meet tonnage.

Davis stated one thing on the discussion is the spring load restrictions on that road. We'll see those go into effect fairly soon. All County Roads within the City of East Bethel are posted at 7 tons. However, the County does have the authority and the ability to grant variances in certain applications for certain short distances. I know that they do because it's done several times in Blaine where you have roads that aren't designed to 9-10 ton standards but again, the County will thoroughly review this. They are very thorough in their investigation of what's required at this intersection. They may even have to work with MnDOT too, to see if the length of the deceleration or right-turn lane off 65 onto 237th going east even needs to be lengthened. So, the County will do a very thorough examination and then put forth what their requirements are for necessary improvements.

Davis stated one of the things that was discussed is the distance from their main intersection to Highway 65. Generally, they want those about a quarter of a mile and that's why the proposal for the Service Road was placed in the location that it was, it would be 1,500 feet from 65. The current entrance is 500 feet at the main entrance to the Cooper's Corner BP.

Voss stated and it could be limited to no trucks at all. Davis stated it could be and here again, we'll just have to wait to see what the County says. But again, they are very thorough in their review.

Voss asked process with the County? Davis stated the process with the County is up to the applicant and I think they have had some discussions with the County and some information has been submitted to them. I don't know what kind of timetable they've given them as far as a response. I think it was indicated that the information was needed fairly soon so it could be submitted with their Site Review Plan that goes to the Planning Commission at the end of March.

Voss asked, in terms of the County, will we be conveying the City's concerns with regards? Davis answered we will and are having almost the same discussion with the County now for the proposed entrance of our Service Road on Viking Boulevard. We're going through the same review process so we'll integrate that discussion with the on-going ones we have for the other project. Voss stated okay. A whole list of issues.

Koller stated I've got on comment here. My property is a quarter mile deep and it's all wooded and behind me, kitty-corner, is Shaw Trucking. When they fire their trucks up, it's loud enough but most of their trucks and payloaders have the back-up beepers on them. Even at a quarter mile away, that's loud. And, these people are going to be right across the street. So I see some real problems there. And, I know they're required to have them.

Voss asked do they, and this is my ignorance, is it required on public roads? Or, can they disable them? Koller stated on private property, they're still required to have them. Voss asked they're still required? Koller stated yup. Ronning stated not allowed to back over anybody any more. Koller stated that's the purpose, take all the fun out of it. Voss added 'look before you leap.'

Koller stated if you're living right across the street from those, you're not going to sleep much. Davis stated I think the point about the back-up alarms is probably going to be the most significant source of noise because those are designed to be heard and noticed. Koller stated

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annoying. So I don't know how we address that but it is something we can take a look at and see if there's some solutions too.

Voss asked is it all equipment? Is it the loaders too? Davis replied yes. Koller stated well the loaders are the main ones that have it. Payloaders. Ronning stated I think all commercial vehicles. On vans that deliver stuff, you've got the beepers. Koller stated bobcats now, yeah. Davis stated even the new 1-ton trucks that we just purchased have back-up alarms on them. Ronning stated that's a legitimate concern though. Voss stated I don't know how you deal with that.

Voss asked what else do you want to have staff? One thing that came up tonight I didn't think about was the wood quality, the ash. I see a lot of the, whenever, like SA and some of those places that sell the bundled wood, they're labeled as 'compliant' or whatever it is. It would be nice if we had that kind of information as part of the application so we can understand that better and Planning can understand that better to know what it means.

Ronning asked did you say something about if you brought ash in it would be ground down to such a. Chad Toft stated it is already pre-ground. Ronning asked it is pre-ground to? Chad Toft answered to federal standards. With ash, if you're moving it around, you have to grind it down to a certain size to make it move between areas. It's already ground down.

Voss stated I don't want to contradict what you're saying at all, but what I'd like to have is staff to come, the official aspect come from staff and find out whether it's DNR or USDA or whatever it is.

Chad Toft stated on the backup alarms, all the trucks will back in when they get back in that 2:30 to 4 range so they'll be driving out. There'll be no back ups. All trucks, the gravel trucks that haul out of Shaw when you're on construction sites you're are required to have back up alarms. My trucks do not have back up alarms on them. My payloaders do and you can make options and put an air so it goes 'choom, choom, choom' instead of 'beep, beep, beep.' You have a couple different options with OSHA requirements so that's something I can change around.

Voss asked so you can quiet the alarms? Chad Toft stated yes, so it's an air sound instead of 'beep, beep, beep.' Voss asked is that something we can make as a condition of operation? It's good for you to say that but, you know, if it doesn't happen I think you'll have a couple hundred people calling and saying they hear that back up alarms. I'm not getting into that. Good luck with that.

Koller stated just looking on the internet, I've been finding situations about problems with mold on wood chips causing respiratory problems from the mold. Chad Toft stated my mulch doesn't sit around long enough. I've never had a mold issue or anything like that. Everything doesn't sit around long enough to do that. But you can do compost and you can get, at the bottom of the piles when you compost the hardwood and stuff like that. But I don't do any composting or any thing like that.

Ronning stated maybe you could check and answer if you're dyes have any kind of anti-mold or something to them. If they maybe have it already. That's a good question. Chad Toft stated I have the MSD sheets and all that stuff so, and it's always open to the City or they can get it at any time from me or concerned residents.

Voss stated maybe a question to ask is, you say you bring in the chewed up mulch already and

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then you dye it and you bag it and it leaves. From the time that you bring in the new mulch, the unprocessed mulch, to the time you have it in bags, typically how long does it sit around. Chad Toft stated the longest you may see it on the ground, winter is the longest. Two and a half, maybe three months we'll stockpile a little bit of it. Contractors will take mulch all the time. In the summer we carry very little of it. Once we use it all up, there's not much. You don't stockpile much in the summer and stuff like that. You don't stockpile it because you're getting next year's contracts with the lawn stores so you don't really buy again until you start getting your contract work for next year. Voss stated okay, what else do we want staff to come back with?

Mundle stated I did look into City Code and I do have some questions on how it fits into some of our ordinances. On Section 23, Screen Regulations, General Standards, h., 'all storage of material and equipment related to or located on and used by any business, Light Industrial, or other non-Residential use shall be stored inside a building. Exterior storage in Business Districts that is allowed by other provisions this ordinance shall be screened from public rights-of-way, adjacent properties.'

Mundle asked so does that state that all storage has to be inside? Or, because the, or does the business district allow it? Davis stated this is Light Industrial zone. Mundle stated yes but in the first sentence, it stated Light Industrial. Davis stated we would have to look at it and I think the last sentence you read, too said if it's outside storage it has to be screened. Mundle stated yes, that's, I was kind of confused by it. So it's, which it says Light Industrial allows it? Or, does it actually have to be inside? Davis stated actually, if you look under our Light Industrial zone, it does not address anything regarding outside storage. It just lists some standards for setbacks and permitted uses but it doesn't address outside storage.

Mundle stated Section 24, 4. Industrial District, a., exterior storage shall be limited to an area occupying no more than 50% of the rear yard and shall not be allowed within required setbacks, public right-of-way, etc. areas.' So, does this Site Plan fall into that? Davis answered it would have to reflect the conditions of the ordinance.

Mundle stated okay and asked does the City have a definition on what 'exterior storage' is? Davis answered there may be definitions in other sections. I would look particularly under B-3., or B-2. That's the place that addresses it primarily. Exactly what the definition is, I would have to look and research that. Mundle stated so just see what falls into 'exterior storage,' I would be curious.

Mundle stated I know I have at least one more. Would there be any accessory storage containers? This is under Section 24, 4. g., 'Accessory storage containers as defined in Section 1 shall not be permitted.' And, that definition is, 'Accessory storage container placed outdoors and it's used for storage of goods, materials, or merchandise that is used in connection with the lawful, principle, or accessory use of the lot. The term accessory storage container includes but is not limited to containers such as boxcars, semi-trailers, roll-off containers, slide-off containers, railroad cars, piggy-back containers, and portable moving and storage containers. The term accessory storage container does not include a garage, barn, or storage shed accessory to a dwelling provided such structure is not of a type designed, equipped, or customarily used for over-the-road transportation of goods, materials or merchandise.'

Mundle stated so, I would just have a general question of would there be any accessory storage containers contained within this Site Plan or if there be any planned use for any accessory storage containers. Davis stated from what we've seen that's been presented to-date, there would be nothing that falls within that definition. Again, should there be any use of that type in the future, we'd follow our general Code enforcement procedures to rectify that problem.

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Mundle stated okay, and I just want to bring up, in Section 26, Lighting Regulations, 4., Performance Standards, b.5., Hours of Lighting, 'The City may also limit the hours of operation of outdoor lighting if it is deemed necessary to reduce impacts on surrounding properties.' Davis stated I think that would be one of the things that have to be addressed in detail by the applicant within the Site Review submission. I had a discussion with somebody else earlier today. Sometimes you have to get even photometric studies on the effects of outdoor lighting. They have indicated generally what their intent was but that would be something that would be detailed in the Site Plan Review for us to make certain that there weren't any violations of the City ordinance.

Mundle stated okay, and I'm looking under Section 48, Light Industrial, we have our permitted uses and then conditional uses. There would be more than one structure on this property, correct? Davis answered correct. Mundle asked how would those additional buildings be treated? Would they be treated as a detached accessory structure, any of them? Davis stated I would think they would be treated as two independent structures. One's not really accessory to the other. As shown to us, there would be the dyeing/packaging operation in their warehouse facility.

Mundle asked so there would not be any detached accessory structure? Davis stated again, that would be dependent on how you define it and I haven't looked at it that close. Mundle stated because if there is, then a Conditional Use Permit would need to be applied for. That is something that the City can control.

Ronning stated this is really helpful to give you an idea of what some of the in depth. Everybody had good concerns and everybody's problem is a problem to them. You have to recognize it like that but there's so much more depth that's going to go into this before it gets anyplace. That's just a small example of what City staff is going to have to do as well. And what the regulation agencies and it'll be a pretty deep dive study. That's not just some whim. I don't know if that makes anybody feel any better, I doubt it. But we don't represent one side of anything. We represent everybody.

Voss asked anything else to pass on to staff? Mundle stated I'm sure I'll come up with more but that's it for right now. Ronning stated Brian was on the Planning Commission for what, about four-five years? Mundle answered yeah. Ronning stated so he's got a good background on this stuff. Maybe better than the rest of us. Mundle stated well, I don't know about Steve. He's pretty knowledgeable.

Voss asked anything else? So Jack, it would be nice if we didn't have to wait until the next Planning Commission to get some of this stuff answered. Or, at least understand what processes the staff's going to go through. Particularly in contacting agencies. Is it something that we can be updated on at our next two Council meetings?

Davis replied it is. We'll provide an update at the March 2nd Council Meeting and then should we wish to even schedule another meeting, whether it be independent of Council or just an Open Session that we can advise people what we found out so far prior to the Planning Commission. We're always open to being able to schedule that.

Voss stated so in terms of, for the audience, again, check our website. If it is, it will be on our agenda for City Council. Davis stated as far as the March 2nd meeting, it will be presented as part of the Staff Reports. And then we can have more of a full-fledged update on the meeting on the 16th.

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4.0 CST Relocation Discussion

Voss stated okay, that sounds fair. Anything else on this subject tonight? Again, on behalf of staff and on behalf of Council, we appreciate, honestly appreciate, the input. It's not often we get input like this from the public. It's hard to communicate to the public and it's hard to hear public's concerns considering this is a relatively short time frame since this whole process started. It's good to see we have this much involvement. Again, contact any of us if you have questions or concerns or things we haven't considered yet. Please contact us and staff and we'll continue on this process and see where this leads us.

Ronning asked Jack, any City Council, Commission, Authority, any of those, the agenda's on the internet before the meetings? Davis stated the agenda and the whole Council packets are posted, generally, four to five days prior to the meeting. So, always check the City website if you want to see what's going on. Everything that's going to be presented here is going to be on the website for your review. Ronning stated there's no intent of blindside anybody. Absolutely none. But that, for future reference, you'll know everything that's being discussed at any of the meetings.

5.0 Farm Animal Ordinance Review

This item was removed upon adoption of the agenda and will be considered at a future Work Session.

Voss stated so with that, it brings us to the end of the agenda with one last item, motion to adjourn.

6.0 Adjourn

Mundle stated make a motion to adjourn. Harrington stated I'll second. Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Hearing none motion passes. **Motion passes unanimously.**

Meeting adjourned at 8:32 p.m.

Submitted by:
Carla Wirth
TimeSaver Off Site Secretarial, Inc.

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EAST BETHEL CITY COUNCIL MEETING

MARCH 2, 2016

The East Bethel City Council met on March 2, 2016, at 7:00 p.m. for the regular City Council meeting at City Hall.

MEMBERS PRESENT:	Steve Voss	Ron Koller	Tim Harrington
	Brian Mundle	Tom Ronning	

ALSO PRESENT: Jack Davis, City Administrator
Mark Vierling, City Attorney

1.0 Call to Order

The March 2, 2016, City Council meeting was called to order by Mayor Voss at 7:00 p.m.

2.0 Pledge of Allegiance

The Pledge of Allegiance was recited.

3.0 Adopt Agenda

Harrington stated I'll make a motion to adopt tonight's agenda. Under the Consent Agenda, I'd like to add Item H., Supplement Payment Summary. Mundle stated I'll second. Voss asked any discussion? All in favor to the motion say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

4.0 Presentation
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IUP
William Thompson
18341 Lakeview Point Drive

Davis noting this item pertains to a Home Occupation, Interim Use Permit, for William Thompson doing business as Wandering Cellars. Address: 18341 Lakeview Point Drive NE, East Bethel Minnesota.

Davis stated at the February 17th City Council meeting, the Council considered the IUP recommendation from Planning Commission for Mr. William Thompson at the above address. The Planning Commission's recommendation was for denial of the IUP. The Council asked that more information be provided. We invited Mr. Thompson to attend tonight's meeting. Mr. Thompson has informed us that at this time he is not going forward with the house and, therefore, his request for the IUP has been dropped.

Davis stated the motion by Council was to table this at the last meeting, so if you wish you can reopen this and take whatever action you feel is appropriate. Voss asked do we need a motion to reopen Mark? Vierling stated we need a motion to take it off the table. Voss asked is there a motion to take this off the table?

Koller stated make a motion to take this item off the table. Ronning stated second. Voss asked any discussion? All in favor? **All in favor.** Voss asked opposed? Hearing none, that motion passes. **Motion passes unanimously.**

Voss asked is that just verbal? Davis responded no, there's an e-mail at your desk that was sent to you indicating what his position is. Voss stated okay, so he's officially withdrawn it. Davis replied that's correct.

Mundle asked if he's withdrawn, do we need a motion on this? Vierling advised you can do one of two things. You can either pass a motion for the record acknowledging that he has withdrawn the application or you can still, the matter's still in front of you so you can still deny it or grant it if you wish. The difference with that is if you deny the motion, there may

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4.0A IUP William Thompson 18341 Lakeview Point Drive

be a waiting period under the ordinance before he could ever reapply. If you allow him to withdraw, he can apply at any time.

Ronning stated move to honor Mr. Thompson's statement of withdrawal for his IUP. Koller stated I'll second. Voss stated motion's been made and seconded. Discussion?

Mundle stated and so his withdrawal with this e-mail is now record that he is withdrawing it so he can't come back and… Vierling advised he would not be. With his request, he is officially withdrawing if you acknowledge it as such. Voss asked he'd have to start the process all over? Vierling advised he'd have to start the process over from scratch. He's not going to get an automatic approval under the Statute for non-action. Mundle stated okay.

Voss asked any other discussion? All in favor of the motion say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

5.0 Public Forum

Voss stated we've got quite an audience tonight. There are a few people that have signed up to speak at Public Forum and all have indicated on that sheet that it's about CST Distribution. I'll go through the list and call the folks in order on the list and we'll open it for others who want to speak as well. Just so the audience is aware, there is no action on the agenda for tonight on this topic so there's nothing really new from our perspective but you're more than welcome to speak to Council. First person that signed up is Jim Smith.

Jim Smith, 23620 Davenport Street, stated I found out about this last Wednesday at 4:30 in the afternoon that this CST Distributing was going across the street from us. After listening to the people talk, I talked to a few Councilmembers myself and my opinion, after I started thinking about it and listening to more and more neighbors and stuff, I started a petition against it. I don't agree with anything that they're proposing. I'm asking the Council that they really take a look at all the stuff that they're talking about and to make sure that they fit everything that you guys have laid forward for them to go by. So, I just want you to know that I found a lot of people, a lot more than myself, who are against this. Right now I have 124 people signed against this. I can make copies of these for you and show you. Also, I got more tonight. So, I don't have copies for you but I will get them to you. But, just to let you know on that, that there's a lot of people.

Smith stated I mean, like I had brought up before, there's a daycare on the corner. A lot of people come in and out of there. We've got a lot of young kids coming in and out. It's going to be a lot of truck traffic coming that way. So, and the smell and all the other stuff that's going on in there. What I've seen, Light Industrial, the way I understand it, I don't know if I'm right or not, but from what I've read that most of it is supposed to be contained inside, if I'm right. That's what I've seen when I've researched it. And, a lot of this stuff is going to be outside. There's a lot of stuff that's going to be in the air. The smell. Like I say the truck traffic and all that stuff. So, I'm not the only one concerned. Like I said, I've only been at this a few days. I've got 124 signatures against it. So, I just want you guys to all be aware of that. I'll get you copies of this stuff too. Voss stated okay, I would just have you communicate with Jack. Smith stated okay.

Chad Larson, 23532 Isanti Street, stated I am also here to talk about CST Distribution to relocate to East Bethel. I have a lot of concerns about a type of business directly across the street from a neighborhood. This type of business makes a lot of noise. The hours of operation are between 7 a.m. and 2:30 a.m., from what I've read. So, I'm wondering how

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this would apply to our Noise Ordinance from 10 to 7. And, the people that are directly affected that are right across the street. So that'd be like my neighbor starting a trucking company right across the street. And, I do not agree with that.

Larson stated I understand that it is zoned Light Industrial. I guess I've never, I looked it up too and it's really vague what that means. To me, this is a trucking company. This isn't really a business of the sorts to me that seems to be in that area. We already have a business similar to this with Rivard's and they say they are going to open up a retail shop. We already have Hoffman Sod who sells mulch. That's where I buy all my mulch. And, I do believe they buy it from Rivard's.

Larson stated this is definitely not the right location for a business of this type right across the street from neighborhoods. I don't see any other businesses in this area that have the truck traffic they're going to have right across the street from neighborhoods. And, in this, I don't know of any other industry in our City that is open until 2:30 in the morning, that I am aware of. That seems, that in our City they pretty much shut down 5-6 o'clock, most of those businesses like that.

Larson stated they also were stating that if they had overtime, it would be on Saturdays. Well Saturdays, most people are off and would like to enjoy the outdoors in the summer time. With all these truck noises that this is going to make, how are we going to enjoy our day off if we have to listen to that?

Larson stated to me, a business of that sort is better fit for the southern part of our City where all the other businesses are located of that type. And, there is land. I see it for sale all the way up 65. I don't know if it's because it's too much and this land was cheaper but there's a lot better places for this business to locate in our community.

Larson stated in closing, I do not think this business fits the needs of this community within this area. There are 77 homes that are directly affected on 237th to Gopher Drive that will be affected directly by this business. So that brings another concern of mine. What will this do to impact the value of our homes? If we decide that we don't like this businesses, if it is put in here, can I sell my home for what I, or not? I don't know too many people who will want to buy a home across from a trucking company, with trucks coming in and out 7 in the morning to 2:30 in the morning, Monday through Friday. Or Thursday, I think is what they said. Thank you. Voss stated thank you.

Dave Landes, 1747 237th Avenue NE, stated I'm directly to the east on the property line of the proposed development. Good evening gentlemen. I wasn't intending to say anything tonight because I felt I had pretty clearly stated my own personal feelings about it and the reasons for it and so on but then at the last minute, thought differently and quickly jotted a few things down that are maybe addressing the broader issue than my own personal concerns only, even though they are exactly as I said before. Nothing's changed in that how I feel about it. But, I quickly jotted a few things down that I'd like to mention that should be considered. To me they have such import that most any of them should be given consideration as to a reason to turn this application down.

Landes stated Mr. Davis mentioned on last Monday that the projected, estimated revenue to the City would be around $17,000 per year. That seems like a very, I was actually shocked at the small amount that would be. Seems extremely low. But then you see the reason for it is because there's very little improvement to land values to cause a generation of additional

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revenue. Aggressive Hydraulics has been held up as an example of a successful story of a business moving into East Bethel with a fraction of the amount of land. How much revenue is that generating for the City? I would assume it's considerably more than that. So, if just weighing what is ideal. And, it was stated again by Mr. Davis with the introduction of this, this does not come even close to meeting the goals of what the City has proposed to, what you'd like to have for development. So the improvement ratio to land is very low and due to the majority of the land is going to be used for storage. So, that is just not generating any value.

Landes stated I'll move on to some of their projections, not so much projections but past growth. They've mentioned 20% growth rates since 2011, I believe I saw. So, using a little quick math, if you use 20% growth, it's a pretty aggressive growth rate for any business. I frankly find it a little bit hard but, so pare that down a little bit and use 15% or you can use less than that and in five to six years, you're doubling the business size of this particular business. So, how soon are they going to need more land?

Landes stated Nelson was here last Monday and said his land is not for sale in his lifetime. Okay, so he seems like a pretty healthy guy so that could be a long time, hopefully. But, what if the business does very well and they are able to wave enough money in front of Nelson and Bruce and they decide to sell? That could be the worst thing that could happen for the City's interest because now we have more land generating nothing or very little. Plus, it takes more of the valuable land that's been stated this land is precious to the City. Now you're putting more land into low production of revenue. Not only that but it sets the basis for what else might be attracted to the area of similar things which, again, is just not going to be in the interest of the City in the long term. The long-term prospect of this being beneficial is utterly terrible, if not worse.

Landes stated so some people, a lot of people have concerns about the truck traffic. Like I said, we all know roads are made to drive on so, you know, it's kind of a subject that's maybe not real impressive in some ways. But then if you use the growth again as stated, they say 30+ trucks a day now. Again using the same ratio, you'd be at 60 trucks a day in a short time. Now that seems like a little bit different problem. Would you not agree? It does have a major impact for a lot of reasons.

Landes stated this land is zoned Industrial, true enough, but wouldn't everybody agree that there has to be some kind of a transition from, in this case clearly a residential area into industrial? This does not meet anyone's criteria as a good transition from residents to industrial.

Landes stated I'll just close in saying you folks, I'm confident have campaigned and stated you're here to represent the folks of East Bethel and that means all of East Bethel. We recognize that, including the interests of business and growth. We all recognize the need for growth and that does benefit everyone. However, this one has very little benefit to everyone but at the extreme expense of a few in this residence. And, I would hope you don't minimize or lose sight of the, of what this does to this neighborhood because it will be bad, very bad. And, I and the others intend to do whatever we can to help convince you folks that this is not the right thing to do with this property. Thank you. Voss stated thank you.

Mike Biljan, 23600 Goodhue Street NE, stated still part of the best neighborhood in East Bethel and maybe north Anoka County for that matter. It's getting larger, or a good

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neighborhood, I mean. Let's see here. I've got, and I know you've probably, one this, but contacted the DNR for a Groundwater Impact Study for the wells that CST plans to drill and use. Also talked to the DNR about protected wellhead that would be next to the planned infiltration pond. I'm hoping that you're looking at that. I contacted the MPCA, talked to someone in the surface water area, to see how this will impact area drinking water wells and septic systems due to the increase in surface water coming from the infiltration pond. I talked to the Minnesota Department of Health in wellhead protection and drinking water and asked them if a study has been done on how their drinking water and septic systems will be affected.

Biljan stated when we get down to Section 23 screening regulations, Section H says, 'All storage of material and equipment related to, located on, and used by any business, light industrial, or other non-residential use shall be stored inside a building. Exterior storage in business districts that's allowed by other provisions of this ordinance shall be screened from public rights-of-way and adjacent properties.' So, I'm hoping that that's being taken care of.

Biljan stated let's see here, buffer yards, 'Where buffer yard is required for property.' This is Section 4, buffer yards, 'For property which abuts residentially zoned property, there shall be within the required setback a landscape area at least 20 feet in width, which shall extend along and be adjacent to the entire length of all common property lines shared with residentially zoned property.' That wouldn't be just along 237th, it would also be along the property of Mr. Landes. So I would hope that's been taken into consideration if this actually goes through.

Biljan stated some of our neighbors afforded me a few other things. It says that, businesses, freight traffic should be light enough not to detract from the environment. Dividing light industry in contract with heavy industry relies more on labor and less on heavy machinery, produces finished products from partially processed materials and produces smaller products with higher value per weight unit. Requires less raw materials, square footage, and power, has less environmental impact. One example of light industrial would be wholesale food producers, such as a commercial baker or chocolate factory. Another example would be a final manufacturer of consumer goods such as apparel or home furnishings. Definitions of light industrial vary in local zoning ordinances and statutes; however, land use regulations are less restrictive regarding the placement of light as opposed to heavy industry use. Their proximity to other land uses such as residential and office, generally to locate in a light industrial zone, a business must not produce any loud noises, vibration, noxious fumes, or other hazardous by-products beyond the property line. And, I don't see that happening here. I think this is going to be in our neighborhoods.

Voss stated excuse me Mike, was that from our City ordinances? Or, is that from some other source? Biljan replied this is from another source. Voss stated okay. Biljan stated this is, in general, what light industrial typically involves. No, I didn't get that from you guys. I wish I got it from you guys. I think that will take care of me for now. And, my name is spelled Biljan, for the record.

Voss stated thanks. So, that completes the folks that have signed up. Is there anyone else here tonight that wants to speak to this subject? Please step forward to the microphone and state your name and address please.

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5.0 Public Forum

Matt Echols, 23615 Goodhue Street NE, stated a couple questions that I'm sure they've been brought up before but on the zoning side of it. You said it was rezoned. I couldn't find when it was rezoned. I'm guessing 2007, 2008, with the Cemstone property. Voss stated that's correct. It wasn't related to that but it was part of the Comp Plan.

Echols stated out of your Code, that I looked up, when you rezone something, says, you know, the City needs to look at these things when they rezone something. If there is adequate infrastructure available to serve the proposed action. If there is adequate buffer or transition between a potentially incompatible districts. The proposed type of building development in the best interest for the entire City. Proposed action will not adversely affect the property values and the proposed action is in the interest of the health, safety, and welfare of the public.

Echols stated those last two are big ones. You know, we're worried about our property values, worried about the healthy, safety of the public. That's in the zoning out here, the Code. It also says here, and I, you know, a couple of the neighbors, I'm without of this guideline, they said they were never notified about the rezoning when it went from, I'm assuming Agricultural to Light Industrial. It says, 'Written notice of said hearing shall also be mailed at least ten days prior to the hearing of all owners within 300 feet of the boundary.' I don't know, I'm out of that boundary. I don't know if they were ever notified or not but it would be nice to know.

Echols stated I also looked up at the Planning Commission meeting, December 16, 2014. It talked about the City sewer and water but it says, 'Ms. Winter noted that ideally, the City would like to focus light industrial in the Classic Commercial Park. That is where the City sewer and water is located.' So, that was the main intent of the City sewer and water, was to focus for the light industrial. This business is coming in, they are going to use a great amount of water, that we've talked about, and they're not hooking up to the City sewer and water.

Echols stated those are just a couple points. I'm sure you guys are looking at that and I hope you are. It would be nice to know on that, especially the zoning side of things. Why the light industrial was zoned right next to a residential area. So, thank you.

Voss asked anyone else? Anyone else tonight? Okay, we'll close the public hearing, ah, Public Forum. This issue, obviously, is on going. City staff is working with the applicants quite actively. These comments are getting back to the applicants and I think everything that's been brought up tonight, pretty much everything that's been brought up these last few meetings, are actively being addressed by the City. So, it's in process is probably the best way to put it. But, I think, again, we thank you for your continued interest, involvement, and communication back to the City on this matter. With that we will move forward.

6.0 Consent Agenda

Item A <u>Approve Bills</u>

Item B <u>February 17, 2016 Council Meeting Minutes</u>

Meeting minutes from the February 17, 2016 City Council Meeting are attached for your review.

Item C <u>Resolution 2016-12, Declaring 2009 John Deere 997 Mower Surplus Property</u>

The 2009 John Deere 997 mower has reached its useful scheduled service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund. The trade-in value and current replacement costs make it economical for the City to replace this equipment before repair costs become excessive.

6.0 Consent Agenda

Staff recommends adoption of Resolution 2016-12, Declaring John Deere 997 Mower Surplus Property and directing the equipment to be used as trade-in value.

Item D Resolution 2016-13, Declaring 2010 John Deere 920A Mower Surplus Property

The 2010 John Deere 920A mower has reached its useful scheduled service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund. The trade-in value and current replacement costs make it economical for the City to replace this equipment before repair costs become excessive.

Staff recommends adoption of Resolution 2016-13, Declaring John Deere 920A Mower Surplus Property and directing the equipment to be used as trade-in value.

Item E Purchase John Deere 960M Mower-Equipment Replacement Schedule

As part of the City's Equipment Replacement Program, the 2009 John Deere 997 mower is scheduled for replacement in 2016. This is a regular replacement for this item.

Staff has checked state contracts for zero turn commercial mowers with a minimum specification of a 6-foot mower deck. This is consistent with our needs and similar to the replaced piece of equipment. From a review of the State Contracts for this type of mower, we have identified the John Deere 960M as the unit that best matches our requirements. With numerous local vendors, access to parts and service, it is also the best match for the City's needs.

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at $17,500 for replacement of this mower in 2015. Staff extended the replacement date for this mower an additional year to 2016. The salvage/trade in value of the John Deere 997 is $5,000. The cost for the new John Deere 960 M is $9,751.28 on the state contract and the additional material collection system for picking up leaves and grass clippings is $2,679.32 The total cost for this machine less the trade in of $5,000 and the additional material collection system is $7,430.60. Funding is available from the City's Equipment Replacement Fund.

Staff recommends the purchase of the John Deere 960M mower. This equipment will meet our current and future needs and has a projected service life of seven years.

Item F Purchase John Deere 930M Mower-Equipment Replacement Schedule

As part of the City's Equipment Replacement Program, the 2010 John Deere 920A mower is scheduled for replacement in 2016. This is a regular replacement for this item.

Staff has checked state contracts for zero turn commercial mowers with a minimum specification of a 5-foot mower deck. This is consistent with our needs and similar to the replaced piece of equipment. From a review of the State Contracts for this type of mower, we have identified the John Deere 930M as the unit that best matches our requirements. With numerous local vendors, access to parts and service, it is also the best match for the City's needs.

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at $12,000 for replacement of this mower in 2016. The salvage/trade in value of the John Deere 920A is $3,500. The cost for the new John Deere 930M is $8,473.08 on the state contract. The total cost for this machine less the trade in of $3,500 is $4,973.08. Funding is available from the City's Equipment Replacement Fund.

Staff recommends the purchase of the John Deere 930M mower. This equipment will meet our current and future needs and has a projected service life of seven years.

Item G Resolution 2016-14 Declaring April 23, 2016 Arbor Day in East Bethel

In 2014, the City of East Bethel held its first Arbor Day at Booster Park where a tree was planted

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with help from local Cub Scouts to replace trees that have been lost to disease and wind within the park. The City continued that tradition in 2015. The Arbor Day Celebrations, along with other tree specific criteria the City performs, allowed the City to apply for and be awarded as a Tree City USA.

Staff and the Park Commission propose this as an annual event to promote the benefits of trees and a healthy urban forest. The Park Commission and staff have recommended holding an Arbor Day celebration in Booster Park on April 23, 2016, at 10:00 a.m., which is also the Spring Recycle Day. The local scout group that has adopted Booster Park would be invited to attend and help with a tree planting.

Staff and the Park Commission recommend adoption of Resolution 2016-14, Declaring April 23, 2016, Arbor Day in East Bethel.

Item H Supplemental Payment Summary

Harrington stated I'll make a motion to adopt tonight's Consent Agenda. Ronning stated second. Voss asked any discussion? Hearing none, all in favor? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

7.0 New Business

Commission, Association and Task Force Reports

7.0A Planning Commission

Voss stated before we start, 7.0A.1 is a property I own so if Tom, you could take over, I'm going to step out, or step down. ***Voss recused himself from discussion on this item, stepped down from the dais, and left the Council Chambers at 7:26 p.m. Acting Mayor Ronning presided.***

7.0A.1 Variance Setback 19303 East Front Boulevard

Davis presented the staff report, indicating this item relates to a Variance request for Valhalla Properties, Steven and Lisa Voss**,** 19303 East Front Boulevard NE, East Bethel, Minnesota. The requested action is to consider approval of setback variances for north and east property boundaries at 19301 East Front Boulevard

At their regular meeting on February 23, 2016, the Planning Commission held a public hearing for two variance requests. The owner/applicants are proposing to demolish an existing cabin and build a new single-family home on a lot that is .55 acres in size. The proposed new home has been designed to preserve as many trees as possible and minimize the amount of excavation required for site preparation. The septic system for this property is located to the south of the existing cabin and was replaced in 2012 and designed to accommodate the proposed home. The existing cabin is setback 6.2 feet from the north property line and has a deck that is located within 52 feet of the Ordinary High Water (OHW) Mark on the east property line.

The applicant petitioned the Planning Commission to consider variances that would allow the placement of the proposed house 5 feet from the north property line and 53 feet from the Ordinary High Water Mark. Section 57-8-C-2 of the Shoreland Management Ordinance, allows alterations of structure setbacks with an approved Variance to conform to the adjoining setbacks from the Ordinary High Water Mark, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. This building site is not in an impact or bluff zone and the two properties north of the site are approximately 35 and 31 feet, respectively from Ordinary High Water Mark, and the two properties to the south of

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7.0A.1 Variance Setback 19303 East Front Boulevard

the site are approximately 68 and 43 feet from the Ordinary High Water Mark. The request was forwarded to the DNR and they did not have any comments regarding the variance.

This site is zoned R-1 and is included in a Shoreland Overlay District. Setbacks for side yards in this zoning classification are 10 feet and the setback from the Ordinary High Water Mark is 75 feet. These setbacks can be amended by Variance

Approval of the Variances would allow the applicants to minimize the clearing of trees and grading required to construct the proposed home. The proposal complies with the MPCA's Best Management Practices for preserving shore lands and improving water quality and lake habitats. This Variance requests meets the practical difficulty test as outlined in Minnesota State Statute 394.27, subd. 7.

The Planning Commission unanimously approved the variance request at their February 23, 2016, Meeting and recommends City Council approve a Variance requests for 19303 East Front Boulevard NE with a 5-foot building setback from the north property line and a 53-foot setback from the Ordinary High Water Mark on the east side of the property.

Ronning stated the recommendation is clear and asked is there any action? **Mundle stated I'll make a motion to approve the Variance Request for 19303 East Front Boulevard NE. Koller stated I'll second.** Ronning asked any discussion?

Harrington asked Jack, has there been any other Variances denied over in that area? Jack replied not to his knowledge. There was a recent Variance approved on Edmar Lane. It is also on Coon Lake Beach and in the Shoreland Overlay District. It had some similarities to this one. A Variance was given to setbacks, reducing a side yard setback and also a distance from a septic system setback to enable that owner to build a house on a piece of property. Ronning asked any more discussion?

Mundle asked where is the proposed septic area on this? Is it just not clearly labeled here? Mundle stated okay, I think I see tanks and a field that's just to the left of the garage. Davis stated yes, if you'll look at that first drawing, you can see where it does show the tank and the field just south of the proposed location of the new home and the cabin. Mundle asked would there be any issues with putting a septic area onto this lot with the house? Davis stated no, actually per the application, a new septic system was put in, in 2012 and it was designed to meet whatever the bedroom standards of the new home are. Mundle stated okay, so the current septic is in compliance with everything. Davis stated that's correct. Mundle stated okay.

Ronning asked any more discussion? On the motion to approve the request for Variance recommended by the Planning Commission, all those in favor? **Four in favor (Voss absent).** Ronning asked opposed? The ayes have it. **Motion passes 4-0-1 (Voss).**

Voss returned to the Council Chambers and dais at 7:32 p.m. and presided over the remainder of the meeting.

7.0A.2 Pre. Plat Sauter Comm. Park 2nd Add.

Davis presented the staff report, indicating this item relates to a Preliminary Plat for Sauter's Commercial Park 2nd Addition, T & G Land Inc., 1052 189th Street NE, East Bethel, Minnesota.

7.0A.2 Pre. Plat Sauter Comm. Park 2nd Add.

The Planning Commission conducted a public hearing at their February 23, 2016, meeting to review a Preliminary Plat for T & G Land Inc., Sauter Commercial Park 2nd Addition. The plat includes two lots and an Outlot. Along with the requirements as set forth in East Bethel Code of Ordinances, Chapter 66, Mr. Sauter submitted a Joint Application Form for Activities Affecting Water Resources and completed the wetland delineation. The wetland delineation indicates no impact to existing wetlands. A portion of Lot 1, Block 1, is located in the floodplain and the applicant has been required to complete a Letter of Map Amendment to be submitted to FEMA to accurately define the area within the flood boundary.

This property is zoned Light Industrial. Lot 1, Block 2, will remain a single-family residence at this time. Mr. Sauter has agreed to dedicate the right-of-way, as depicted on the plat, to the City of East Bethel.

The Planning Commission recommends City Council consider approval of the Preliminary Plat for Sauter's Commercial Park 2nd Addition, subject to the following conditions:

1. All required documents must comply with Chapter 66, Subdivisions, East Bethel Code of Ordinances.
2. There must be a completion of Letter of Map Amendment to FEMA.
3. The requirements must be met as outlined in City Engineers Review letter, which is attached in your packet.

Ronning stated move to acknowledge the Planning Commission's recommendation to approve the Preliminary Plat for Sauter's Commercial Park 2nd Addition. Koller stated I'll second. Vierling asked by acknowledging the Planning Commission's are you indicating you are **adopting their recommendation**? Ronning answered yes. Voss asked any discussion? Mundle stated so the **Conditions 1 through 3 goes with this motion also**? Ronning stated the recommendation so it would be proper that it goes with it. Voss stated 1, 2, 3 of the recommendations from the Planning Commission, correct Jack? Davis answered correct. Mundle stated okay, I just wanted to make that clear. Voss asked any other discussion? Hearing none, to the motion all in favor say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

7.0A.3 Planning Commission Report

Davis presented the staff report, indicating the Planning Commissions reviewed the relocation proposal of CST, a producer and distributer of wood mulch and packager and distributor of water softener salt, at their February 23, 2016, Meeting. CST is considering a relocation to East Bethel on a 40-acre site at 237th Avenue and Highway 65. The company has 55 employees with the potential to expand 70 within 3 years.

This was not a Public Hearing but residents in attendance were allowed and encouraged to express their concerns regarding this issue. The Planning Commission discussed the following major topics as brought forth by City staff and expressed by those who spoke at the meeting:

1. From a City perspective the amount of land we have available for industrial sites is limited. We have one contiguous zone on the east side of Highway 65 between 237th and 245th Avenue that contains 308 acres of developable land. There are approximately 25 other parcels ranging in size between 1.5 to 18 acres of undeveloped Light Industrial zoned property throughout the remainder of the corridor. With only this amount of industrially zoned land, it is essential that we attempt to maximize the number of jobs

7.0A.3 Planning Commission Report

per acre to achieve our growth goals. CST's proposal would generate approximately 1 to 1.25 jobs per acre. Normally, it is reasonable to expect 5 to 10 jobs per acre from manufacturing activities. CST's proposal to initially purchase 40 acres and potentially acquire an additional 20 acres would constitute 20% of the available property within the area that serves technically as the City's Industrial Park area.

2. Visual impact upon the immediate neighborhood and the consequences that this influence may have on the future location of other light industrial facilities in the area between 237th and 245th Avenue on the east side of Highway 65 needs to be discussed and evaluated.
3. Environmental issues including but not limited to groundwater drawdown, treatment of dying effluent, stormwater runoff, noise, odors, and control of site debris are matters that still have not been thoroughly addressed.
4. Traffic issues relating to truck impact on 237th Avenue entrance locations and potential stacking issues, peak traffic concerns, need for by-pass lanes or need for right-in right-outs will require additional information and approval by the Anoka County Highway Department.
5. Value of the relocation regarding the number of new jobs, potential for expansion on the site, number of employees that work from the facility, tax revenues and tax valuation of site improvements need to be included in the benefit analysis of the relocation from the City standpoint.

After discussion of this matter, there was no formal recommendation by the Planning Commission but their consensus was that the issues discussed need to continue to be discussed and addressed.

Ronning stated move to refer it back to the Planning Commission for further review. Davis explained there's no need for any action on this unless you want to. This is just information on a report of what they discussed and some of the issues that they considered, many of which mirrored your concerns. So it is being looked at quite thoroughly by all involved up here.

This is an information item that needs no action at this time.

7.0B Economic Development Authority
7.0B.1 MnCAR Expo

Davis presented the staff report, indicating MnCAR (Minnesota Commercial Association of Realtors) hosts an annual meeting for commercial realtors, vendors and those involved in economic development to discuss to current real estate ventures and issues and support business recruitment contacts and interfacing. Last year, there were over 580 people that attended the event and 100 exhibitors with booths to promote and disseminate information on their cities and firms.

Participation in this event will provide exposure and a marketing presence to real estate professionals and site selectors that have proven track records, technology, and networking opportunities to promote the City of East Bethel in our efforts to attract new business. Involvement in these activities should be an integral part of the City's marketing effort to support the City's economic development goals. The cost for a rental space to exhibit at the Expo is $1,000 and as an exhibitor, the City would receive the following:

- 8' x 10' display booth.
- Recognition in all event print and e-mail promotional materials.
- Company name recognition on the MnCAR website.
- Recognition at event on exhibitor banner and Expo program.
- Two complimentary event tickets.

7.0B.1
MnCAR Expo

Additional costs would include:

- Electric - $80
- High speed internet - $100
- Wireless connection - $25

The City would need to provide the exhibit booth and marketing and promotional materials. The City exhibit booth would be staffed by EDA members and City staff. This event is a one-day affair and is scheduled for November 9, 2016.

Staff and the EDA recommend that City Council consider approval to participate in the 2016 MnCAR Expo and that fees up to $3,500 be approved for registration, booth space, and preparation of promotional materials for the event. Funds for this activity are included in the 2016 EDA Budget and are appropriate for the purpose.

Ronning stated move to adopt the City's participation in the 2016 MnCAR Expo and fees up to $3,500 be approved for registration, booth space, and preparation. Harrington stated I'll second. Voss asked discussion?

Voss asked any more from EDA? We've been talking about this for a few meetings at EDA and it's a good opportunity to promote the City in front of the right people. Mundle stated it's one of the first opportunities that we'll actually have to be promoting the City with all the ground work we've been doing for the past couple of years. Now we finally get to start showing off some.

Ronning asked has the City ever participated in something like this before? Do you know? Mundle stated I don't believe so. Voss stated we haven't and it sounded like not too many cities do. Mundle stated I guess Coon Rapids has done it for the past 7 or 9 years. Voss stated so there are some cities that have participated. Davis stated they've been a frequent participant. Last year, Ms. Winter, our Community Development Director, and Julie Lux, a member of the EDA, did attend on the City's behalf. From their experience they strongly recommend that this is something we should be doing also. Voss stated EDA was strongly in support of this.

Ronning asked was it last year, Tim, at the Christmas season you were speaking to a realtor, some realtors, describing the City and they had no idea that such things were here? Property and things? Harrington stated yes, they were amazed at all the property here and that somebody hasn't jumped on a lot of this property. We've got a lot of prime property along 65. Voss stated and that's part of the focus and purpose of being involved in this. Ronning stated I just mention that so, to drive home, we've got to advertise some.

Harrington asked so this Expo now, is this cities and businesses? Or, is it a combination of both? Or, who attends? Davis stated it is cities and business but it is primarily members of the commercial real estate community. These are the people that we deal with in terms of getting out to developers. These are the people that you want to get in front of to let them know what's available here so that they're aware of what's going on and can refer us then to developers or potential projects.

Voss asked any other discussion? Okay, to the motion, all in favor say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

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7.0B.2 EDA Report

Davis reviewed the staff report, indicating the EDA also reviewed the same issues that the Planning Commission did relating to the CST proposal and discussed all of the issues that were brought up before the Planning Commission. After the EDA was presented with these and a lengthy discussion, they concluded that they too needed additional information if they were to make a recommendation to City Council.

The EDA also discussed the draft plan that outlines procedures for business retention and recruitment. Minor changes were recommended and the plan will be presented to the EDA for approval at their March 21, 2016, meeting.

This is an information item that needs no action at this time.

7.0C Park Commission

None.

7.0D Road Commission

None.

8.0 Department Reports

None.

8.0A Community Development

8.0B Engineer

None.

8.0C City Attorney

8.0C.1 CST Platting and Zoning Considerations

Davis stated one of the things that's been discussed with CST was they were notified as part of any approval process they would be required to dedicate right-of-way for a service road. It has been discussed the most appropriate way to do this either by direct deed or platting and in consultation with the City Attorney, it's been determined that platting would probably be the best way and the cleanest way in terms of the City's needs and probably the best way to serve their needs too in terms of cost in addressing all the other easements that would be required. So unless the City Attorney has anything else to add on that, that's all I have to report regarding that matter.

Vierling stated just in general principle, given the site and any type of use on it that would go in because of the road that needs to go through, we're effectively subdividing that site no matter who goes in there. If that be the case, together with the wetlands that are there, the stormwater easements that would have to be located, the drainage and utility easements, the private drives and other things, it would just be a lot easier to plat the property as opposed to try to gather several different easements for the various purposes. So, this is a question of practical use.

Voss stated so Jack, I guess two questions. What does it mean for the application process? Then, how is this officially communicated to the applicant that it needs to be replatted? Davis stated the applicant has been informed this would be part of the requirements for their Site Review Plan and I think their realtor had some questions on that. It think those have been answered but if they haven't, we'll discuss this with them and just indicate from the City's standpoint, this is the requirement that we need to have met and that the right-of-way needs to be done by platting rather than by straight deed.

DRAFT

8.0C.1 CST Platting and Zoning Considerations

Voss stated so process-wise, can we even review Site Plan before it's replatted? Davis stated we would have to have it platted. That would be part of the Site Plan process. And, also, as you well know and I think I know where you're going with this, as part of the platting process, a public hearing would be required. Voss stated there'd be a public hearing and we can't consider a Site Plan until we have lots for it. Davis stated that's correct.

Davis stated at one time, this property was platted. It was platted as Lots 7 and 8. I'm not sure if those were consolidated at some point but at one time, the property was previously platted. Voss asked so it's one property? Davis replied it's one property now, that's correct. Voss stated so either way, it has to be platted. Okay.

Davis stated and essentially what the right-of-way does, it essentially does subdivide the property. It divides it into two parcels. Voss stated okay and this is more of a question when we actually get to it but there's been no discussion of building a road now. So they could plat it and still use it? Vierling stated plat it, dedicate it, they could put in, by agreement with the City, theoretically it could be put in, in terms of the subgrade and gravel on top. Whether or not they wanted to pave it at the present time or pave it at a later date with some security posted, that's something that could be negotiated.

Davis stated that's one of the things that could be required. It would be just like the Sylvester dedication that we accepted last month. The road would not be paved but the subgrade requirements and standards would have to be met. Voss stated okay, and asked so you don't need a Council action for this? Davis answered no. Vierling stated not this time. The applicant will be instructed to that effect.

Voss stated so for the benefit of the audience, what this action does, well not action, but what this matter does is for CST to proceed with their Site Plan Review, which is what's been talked in the last week or two; the property actually has to be divided. It has to be platted and that's a process in itself. It would have to go to Planning and Zoning. There would be a public hearing for the plat at Planning and Zoning. It has to come to Council, get approved, and at that time the Council and Planning and Zoning consider their Site Plan as presented. So that's what this discussion's about. Any other questions?

Vierling advised there is the opportunity for Council, in some of these instances where there's neighborhood concern of adjoining properties, is knowing that we may have an applicant that may be proceeding with additional applications. There's always the opportunity for the Council with City staff to request the applicant to have a neighborhood meeting with neighbors within 500 feet so they can get all their concerns directly addressed by the proposer of the project. And they, likewise, can hear the concerns of the neighbors directly and address them. It's not a City meeting but many times it does have the opportunity to have some of those concerns dealt with directly between the proposed user of the property and neighbors before it gets to a formal process in front of the City. Many times some of those issues get addressed and people take different positions.

Mundle asked can the City facilitate a building for that? Vierling advised the City can certainly provide the facilities. Again, it's not a City meeting. Staff would not moderate it but would make the room available to the applicant and assist, maybe, with addresses of folks within 500 feet to notify. It's an additional opportunity that you have to request the applicant to go through that because there's some opportunity, maybe, to get some understanding with neighbors that might help.

DRAFT

8.0C.1 CST Platting and Zoning Considerations

Voss stated perhaps that can be communicated to CST, that suggestion. Ronning asked there any kind of action to refer to them this? Just passing on information, I assume. Vierling stated I think as long as City staff knows the Council's fine with it because the room would be made available for that, that's what we need to know. Voss stated I have no objection to providing. Ronning stated it works for me. Voss asked any other discussion?

This is an information item that needs no action at this time.

8.0D Finance

None.

8.0E Public Works

None.

8.0F Fire

None.

8.0G City Administrator 8.0G.1 Score Grant

Davis presented the staff report, indicating the Anoka County Department of Integrated Waste Management has notified the City that we are eligible to apply for up to $47,185 in additional funds for drop-off, municipal park, and community event recycling programs. The funds are a 100% reimbursable grant, meaning that the City would only be eligible to receive monies actually spent on these activities. No local matching funds are required. Utilizing this additional funding would enhance our current Recycling Program.

In 2015, our recycling tonnage goal was 1,094 tons and we were able to meet 103% of our goal. Attachment #2 provides a summary of our recycling report of activities and accomplishments for 2015.

Should the County increase the tonnage requirements for this program, these additional monies, over and above the basic grant, would be beneficial in providing a means to achieve any higher goals that may be imposed.

The City will receive a base grant of $30,275 from Anoka County in 2016 to operate the City Recycling Center. These funds are separate from the additional grants that are available and are provided on an annual basis. This is a reimbursable grant program and 100% of the costs are covered by the grant. The City allocates no funds to City Recycling Program.

Staff recommends City Council authorize the approval of application for an additional $47,185 in grant funds that have been made available through this program.

Harrington stated I'll make a motion to authorize the approval of application for an additional $47,185 in grant funds that have been made available through this program. Mundle stated I'll second. Voss asked discussion? I like the program. It continues every year. To the motion, all in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

9.0 Other 9.0A Staff Reports 9.0A.1 CST Update

Davis stated staff has taken very seriously the concerns of the residents on the CST relocation proposal and as a result on items that we presented to the EDA, the Planning Commission, and City Council, and listen to your issues and concerns, we have registered our concerns with the DNR over the approval of a well permit. We will make, as part of the Site Review Plan, the applicant will be required to obtain permits from MPCA for all

DRAFT

9.0A.1 CST Update

stormwater ponds, operation storm water ponds, odor, noise, emission requirements, and any other MPCA permits that are required.

Davis stated the applicant must also obtain a Compliance Agreement with the Minnesota Department of Agriculture to comply with the regulations relating to the Emerald Ash Borer. The applicant will be required to comply with all requirements of the Anoka County Highway Department that relate to transportation improvements should this project move forward. The applicant will be required to meet all City Ordinance standards relating to screening, lighting, architectural requirements, exterior storage, and any other Ordinance requirement that pertains to this. Anything else that comes up, we will take into consideration. Please let us know and we will respond accordingly.

Davis stated so again we thank you for all your comments and we will see that these are addressed in this whole process.

Verizon Monopole

Davis stated the only other item I have to report is if you had the opportunity coming in tonight, if it was still light enough, you'll notice that there's a big 198-foot concrete monopole that's out next to the Public Works building. They set the final section of that yesterday afternoon. From our reports, that will be up and running on or hopefully before the end of the month. They still lack the extension of utility services. Once they get that done, then it won't take but a couple days to hook the generator up and do the testing and provide the service, get that thing fired up. So, it's good to see the pole up and by the end of the month, it'll be operational.

Voss asked and who's the provider? Davis answered Verizon. Voss stated okay so Verizon reception within this building should improve. Not my provider though, unfortunately.

Ronning asked do they, not that it's anything to us, they put the lights up? Davis answered there is no light required on that. If it's less than 200 feet, there's no light required by the FAA. One other thing too, we've also received the lease check for this year, $24,000. So, that's already been taken care of. We look forward to getting more co-locators on that tower and, hopefully, generate some additional revenue from it. Voss stated Sprint, please. Anything else Jack? Davis responded that's it.

9.0B Council Report – Member Harrington

Harrington stated I've got a couple things here. Mark DuCharme, the Fire Chief, called me today. One of the donations they received, they just purchased an AED and put it into the Public Works building today. Then the civil defense siren that was knocked down in the accident has been ordered and it's going to be about six weeks, it will be installed. Finally on March 15th, over at the Senior Center, there's a blood drive. Call for an appointment: 1-800-733-2767. That's all I've got.

Council Member Ronning

Ronning stated I don't have anything.

Council Member Koller

Koller stated I don't have anything.

DRAFT

Council Member Mundle

Mundle stated I had the EDA meeting. We had that covered in the EDA Reports. Tomorrow evening I'll be attending the Business Retention and Expansion (BR&E) Retreat at the Cedar Creek Science Reserve from 5 to 9. Tomorrow we'll be reviewing information that's came back from the University.

Arbor Day

Mundle stated in the Consent Agenda we approved Arbor Day. It will be April 23rd. I was wondering what time, where, and what kind of tree we'll be planting this year. If we know that yet. Davis stated it will be approximately 10 a.m. at Booster East Park and the type of tree planted, I don't know. We can find that out though. Mundle stated fantastic. That's all I have.

Voss stated Brian and I were both there last year and it was interesting, I think Tim, you were there too, to watch the Boy Scouts plant that tree and watch the parents plat a tree. Mundle stated watching the Cub Scouts plant trees is quite an accomplishment. Especially given their attention spans.

Mayor Voss

Voss stated I'll be at the BR&E retreat as well. Is any other Councilmembers plan to be there? You're planning to be there? Harrington stated yeah. Voss asked do we have it noticed? Davis stated posted. Voss stated okay, thank you.

Voss stated the only thing to add is, I think the lakes are going to unfreeze pretty quickly here in the next couple of weeks. I noticed there's still a couple houses on the lake today. So with that, Mr. Vierling.

9.0C Other

None.

9.0D Closed Session Union Negotiations

Vierling stated thank you Mr. Mayor. For the benefit of the public and for the record, we'd note that City Council's about to go into Closed Session authorized under Minnesota Statute 13D.03 to discuss matters relative to union negotiations. Council's Closed Sessions relative to the union negotiations are tape recorded, as required by law. Those tapes are maintained for a period of two years following the execution of the contract. The Council will come back into Open Session following the Closed Session and announce any action that may have been taken during the Closed Session. With that being said, Mr. Mayor, I'd recommend a motion be made to go into Closed Session for the purposes I've indicated.

Move to Closed Session

Mundle stated make a motion to go into Closed Session at 8:00 p.m. for the purposes that City Attorney's indicated. Koller stated I'll second. Voss asked any discussion? All in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

10 Minute Recess

Voss stated for everyone's information, we'll be leaving to another room for the Closed Session. We never know when we get back. I'm not sure how long it's going to take. I suggest we just recess for ten minutes before we start. Is that okay? That way if any of the residents wants to talk to the Councilmembers before you leave, that's fine. That way you don't sit around for an hour to wait for us to get done. So with that, we'll meet in the next room in ten minutes. How's that? Thank you all for being here.

Reconvene Open Session

Vierling stated thank you Mr. Mayor and Council. We'll note we're back in Session at 8:55 p.m. The Council basically recessed at 8 o'clock, took a ten minute break to talk to constituents, and then went into Closed Session. At 8:10, the Closed Session was attended

DRAFT

Reconvene Open Session

by all members of the Council, the City Administrator Jack Davis, myself as the City Attorney. The purpose of the Closed Session was to deal with Union Negotiations under Minnesota Statute 13D.03.

Vierling stated Council reviewed issues with regard to the union negotiations and consulted with City staff on strategy, gave its opinion and some discussions on the various points, but took no formal issues. Thank you.

10.0 Adjourn

Harrington stated I'll make a motion to adjourn. Mundle stated I'll second. Voss asked any discussion? All in favor? **All in favor.** Voss asked opposed? Hearing none, that motion passes. **Motion passes unanimously.**

Meeting adjourned at 8:57 p.m.

Submitted by:
Carla Wirth
TimeSaver Off Site Secretarial, Inc.

DRAFT

Agreement for ~~Individual~~ Subsurface Sewage[FW1] Treatment System Inspection Services

This agreement is made and entered into, by and between the City of Wyoming (hereinafter referred to as the "Wyoming" and the City of East Bethel (Hereinafter referred to as the "City").

WITNESSETH

WHEREAS, the City wishes to contract with the Wyoming to perform individual sewage treatment system inspections within the City's boundaries; and

WHEREAS, the City is relying on the Wyoming's Individual Sewage Treatment System Regulations Ordinance or has adopted an Ordinance which is consistent with and no less restrictive than ~~the Wyoming's Ordinance~~ MN Rules Chapters 7080 - 7083[FW2] ~~-~~ regulating the issuance of ~~individual~~ subsurface sewage treatment system permits; and

WHEREAS, the Wyoming agrees to provide ~~individual~~ subsurface sewage treatment system inspection services under the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized by Section 471.59 of the Minnesota Statutes.

NOW THEREFORE, it is mutually agreed between the Wyoming and City as follows:

SCOPE OF SERVICES

1. The Wyoming agrees to provide, through its Building Inspections Department, ~~individual~~ subsurface sewage treatment system advanced inspection[FW3] services for the City. The Wyoming shall provide an individual(s) who, by qualifications and experience, is qualified to act as the ~~individual~~ subsurface sewage treatment system advanced inspector under the terms of this agreement.

2. Except as otherwise set forth herein, ~~individual~~ subsurface sewage treatment system inspection services shall only include those types of duties and functions customarily rendered by an ~~individual~~ subsurface sewage treatment system advanced inspector under law in connection with the administration of an ~~individual~~ subsurface sewage treatment system ordinance.

3. The standards of performance, method of providing ~~individual~~ subsurface sewage treatment system advanced inspection services and other matters incident to the performance of

services under this Agreement, including personnel to be employed, shall be determined by the Wyoming. The City shall be notified in advance of any proposed changes in standards of performance or methods of providing services.

4. The City shall forward all new applications for Type IV and Type V Septic[FW4] permits to the Wyoming upon receipt. Wyoming shall review all applications for Type IV and Type V septic permits for all projects within the City as required by existing laws, codes and ordinances. The City ~~and~~ shall examine all such applications to determine compliance with existing city zoning ordinances. The City shall indicate to Wyoming that the septic permit request complies with all city zoning ordinances before the Wyoming issues the permit.

5. On all projects requiring a building permit, the City shall not issue a certificate of occupancy prior to final approval of the ~~individual~~ subsurface sewage treatment system by Wyoming and the Wyoming shall issue the Septic Permit only by delivery of the original permit to the offices of the City Building Inspector.

6. All applications for permits which require a variance to existing ordinances or other special permits required by the City shall be acted on by the City prior to engaging Wyoming on the Septic inspection service.

7. Wyoming will provide the necessary application review and septic system plan approval as required by laws, regulations or ordinances and shall provide all job site inspections of projects under permit, as well as such special inspections as shall be deemed necessary to ensure compliance with the ~~Individual~~ Subsurface Sewage Treatment System Regulations Ordinance of the City. Such services shall include clerical support incidental to the performance of this agreement. Upon completion of each project according to the terms of the issued permit, Wyoming shall notify the City of the approved completion of the system installation.

8. The Wyoming will provide and issue all Type IV and Type V septic permits as required by existing City ordinances, laws or regulations and shall maintain records of all such permits. Copies of those records shall be submitted to the City on a monthly basis.

9. The City shall be responsible for the enforcement of the terms and conditions of the City's ~~individual~~ subsurface sewage treatment system permit or the ~~Individual~~ Subsurface Sewage Treatment System Regulations Ordinance.

SCHEDULE OF FEES AND CHARGES[FW5]

1. The City shall pay the Wyoming an hourly rate per the adopted fee schedule for the City of Wyoming for inspections and septic system plan review performed.

2. The Wyoming shall provide the City with a written and itemized billing statement for hourly fees under this Agreement. The City shall submit payment to the Wyoming within 30 days of receipt of such written and itemized billing statement.

~~1. Wyoming shall establish the schedule of fees for its individual sewage treatment system inspection services. Wyoming shall collect, receipt for, disburse and maintain records for all fees and charges collected incident to the administration of individual sewage treatment system inspection services contained herein.~~

~~2.~~1. Fees and charges shall be due and payable by the permittee upon issuance of the permit and will be collected by ~~Wyoming~~ the City from the applicant for said permit.

~~3. For permit fee purposes, the septic permit application and installation fees shall be in accordance with the fee schedule adopted annually by the City and consented to by Wyoming.~~

~~4. At the discretion of the Wyoming, an additional charge, not to exceed actual expenses incurred, shall be assessed to the permittee in such instances where repeated violations of the individual sewage treatment system ordinance necessitate additional compliance inspections. Such charges shall be collected from the permittee by the City.~~

~~5. The City agrees that in payment for the individual sewage treatment system inspection services provided by the Wyoming that the Wyoming shall retain, out of the fees and charges collected incident to this service, an amount equal to _____ percent (_____%) of all permit fees and penalties.~~

GENERAL TERMS AND CONDITIONS

1. The City shall not assume any liability for the direct payment of any salary, wage, or other compensation to any Wyoming employee performing individual sewage treatment system inspection services pursuant to this agreement.

2. The City, its officers, agents and employees will cooperate with and assist the Wyoming in the orderly performance of services provided herein.

3. Wyoming, its officers, agents and employees shall not assume to be liable for any intentional or negligent act by the City or any officer, agent or employee of the City. Subject to the provisions of Minn. Stat. 466.04, the City agrees to hold Wyoming, its officers, agents and employees harmless from any intentional or negligent act of the City or any officer, agent or employee of the City. The City agrees to defend the Wyoming, its officers, agents or employees from any claim for damages resulting from the negligent act of the City or any officer, agent or employee of the City.

4. The City, its officers, agents and employees shall not assume to be liable for any intentional or negligent act of Wyoming or any officer, agent or employee of Wyoming and subject to Minn. Stat 466.04 Wyoming agrees to hold the City, its officers, agents and employees harmless from any intentional or negligent act of Wyoming, or its officers, agents or employees under the terms of this agreement. The Wyoming agrees to defend the City, its officers, agents or employees from any claim for damages resulting from the negligent act of the Wyoming, its officers agents or employees under the terms of this agreement.

5. It is understood that this Agreement contains the entire agreement between the City and the Wyoming and that no statement, promise, or inducements made by any party hereto, or officer, agent or employee of either party hereto which is not contained in this written agreement shall be valid or binding; this agreement may not be enlarged, modified, or altered except in writing signed by the parties and endorsed hereon. It is expressly understood between the parties hereto, and this understanding shall be considered in interpreting the provisions of this agreement, that upon notice given by any party hereto, later negotiations may be undertaken for the purpose of revising, adding to or striking any provision or provisions of this agreement which appear to be unworkable or insufficient to perfect, maintain, and ensure the provision of this agreement. Any mutually acceptable change to the original provisions of this agreement shall be written and attached to the agreement as provided above and any such revision, addition, or deletion shall only apply to the provision revised, added or deleted, and the remainder of this agreement shall remain in full force and effect.

TERM AND EFFECTIVE DATE

1. The effective date of this agreement shall be _____April 1, 2015[FW6], notwithstanding the date of the signatures below.

2. Either party may terminate this agreement upon 30 days written notice to the other.

IN WITNESS WHEREOF, the City has caused this agreement to be signed by its Mayor and attested to by its Clerk, and the Wyoming has caused this agreement to be signed by its Mayor and attested to by its Clerk~~of Washington, by order of its Board of Wyoming Commissioners, has caused this Agreement to be signed by its Chairman and attested to by its Wyoming Administrator~~.

East Bethel, Minnesota

By_____
Steve Voss, Mayor

Date:_____

By_____
Jack Davis, City Administrator

Wyoming, Minnesota

By _____
Eric Peterson, Mayor

Date:_____

By_____
Craig Mattson, City Administrator

Agreement for Subsurface Sewage[FW1] Treatment System Inspection Services

This agreement is made and entered into, by and between the City of Wyoming (hereinafter referred to as the "Wyoming" and the City of East Bethel (Hereinafter referred to as the "City").

WITNESSETH

WHEREAS, the City wishes to contract with the Wyoming to perform individual sewage treatment system inspections within the City's boundaries; and

WHEREAS, the City is relying on the Wyoming's Individual Sewage Treatment System Regulations Ordinance or has adopted an Ordinance which is consistent with and no less restrictive than MN Rules Chapters 7080 - 7083[FW2] regulating the issuance of subsurface sewage treatment system permits; and

WHEREAS, the Wyoming agrees to provide subsurface sewage treatment system inspection services under the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized by Section 471.59 of the Minnesota Statutes.

NOW THEREFORE, it is mutually agreed between the Wyoming and City as follows:

SCOPE OF SERVICES

1. The Wyoming agrees to provide, through its Building Inspections Department, subsurface sewage treatment system advanced inspection[FW3] services for the City. The Wyoming shall provide an individual(s) who, by qualifications and experience, is qualified to act as the subsurface sewage treatment system advanced inspector under the terms of this agreement.

2. Except as otherwise set forth herein, subsurface sewage treatment system inspection services shall only include those types of duties and functions customarily rendered by an subsurface sewage treatment system advanced inspector under law in connection with the administration of an subsurface sewage treatment system ordinance.

3. The standards of performance, method of providing subsurface sewage treatment system advanced inspection services and other matters incident to the performance of services under

this Agreement, including personnel to be employed, shall be determined by the Wyoming. The City shall be notified in advance of any proposed changes in standards of performance or methods of providing services.

4. The City shall forward all new applications for Type IV and Type V Septic[FW4] permits to the Wyoming upon receipt. Wyoming shall review all applications for Type IV and Type V septic permits for all projects within the City as required by existing laws, codes and ordinances. The City shall examine all such applications to determine compliance with existing city zoning ordinances. The City shall indicate to Wyoming that the septic permit request complies with all city zoning ordinances before the Wyoming issues the permit.

5. On all projects requiring a building permit, the City shall not issue a certificate of occupancy prior to final approval of the subsurface sewage treatment system by Wyoming and the Wyoming shall issue the Septic Permit only by delivery of the original permit to the offices of the City Building Inspector.

6. All applications for permits which require a variance to existing ordinances or other special permits required by the City shall be acted on by the City prior to engaging Wyoming on the Septic inspection service.

7. Wyoming will provide the necessary application review and septic system plan approval as required by laws, regulations or ordinances and shall provide all job site inspections of projects under permit, as well as such special inspections as shall be deemed necessary to ensure compliance with the Subsurface Sewage Treatment System Regulations Ordinance of the City. Such services shall include clerical support incidental to the performance of this agreement. Upon completion of each project according to the terms of the issued permit, Wyoming shall notify the City of the approved completion of the system installation.

8. The Wyoming will provide and issue all Type IV and Type V septic permits as required by existing City ordinances, laws or regulations and shall maintain records of all such permits. Copies of those records shall be submitted to the City on a monthly basis.

9. The City shall be responsible for the enforcement of the terms and conditions of the City's subsurface sewage treatment system permit or the Subsurface Sewage Treatment System Regulations Ordinance.

SCHEDULE OF FEES AND CHARGES[FW5]

1. The City shall pay the Wyoming an hourly rate per the adopted fee schedule for the City of

Wyoming for inspections and septic system plan review performed.

2. The Wyoming shall provide the City with a written and itemized billing statement for hourly fees under this Agreement. The City shall submit payment to the Wyoming within 30 days of receipt of such written and itemized billing statement.

3. Fees and charges shall be due and payable by the permittee upon issuance of the permit and will be collected by the City from the applicant for said permit.

GENERAL TERMS AND CONDITIONS

1. The City shall not assume any liability for the direct payment of any salary, wage, or other compensation to any Wyoming employee performing individual sewage treatment system inspection services pursuant to this agreement.

2. The City, its officers, agents and employees will cooperate with and assist the Wyoming in the orderly performance of services provided herein.

3. Wyoming, its officers, agents and employees shall not assume to be liable for any intentional or negligent act by the City or any officer, agent or employee of the City. Subject to the provisions of Minn. Stat. 466.04, the City agrees to hold Wyoming, its officers, agents and employees harmless from any intentional or negligent act of the City or any officer, agent or employee of the City. The City agrees to defend the Wyoming, its officers, agents or employees from any claim for damages resulting from the negligent act of the City or any officer, agent or employee of the City.

4. The City, its officers, agents and employees shall not assume to be liable for any intentional or negligent act of Wyoming or any officer, agent or employee of Wyoming and subject to Minn. Stat 466.04 Wyoming agrees to hold the City, its officers, agents and employees harmless from any intentional or negligent act of Wyoming, or its officers, agents or employees under the terms of this agreement. The Wyoming agrees to defend the City, its officers, agents or employees from any claim for damages resulting from the negligent act of the Wyoming, its officers, agents or employees under the terms of this agreement.

5. It is understood that this Agreement contains the entire agreement between the City and the Wyoming and that no statement, promise, or inducements made by any party hereto, or officer, agent or employee of either party hereto which is not contained in this written agreement shall be valid or binding; this agreement may not be enlarged, modified, or altered except in writing signed by the parties and endorsed hereon. It is expressly understood between the parties hereto, and this understanding shall be considered in interpreting the

provisions of this agreement, that upon notice given by any party hereto, later negotiations may be undertaken for the purpose of revising, adding to or striking any provision or provisions of this agreement which appear to be unworkable or insufficient to perfect, maintain, and ensure the provision of this agreement. Any mutually acceptable change to the original provisions of this agreement shall be written and attached to the agreement as provided above and any such revision, addition, or deletion shall only apply to the provision revised, added or deleted, and the remainder of this agreement shall remain in full force and effect.

TERM AND EFFECTIVE DATE

1. The effective date of this agreement shall be April 1, 2015[FW6], notwithstanding the date of the signatures below.

2. Either party may terminate this agreement upon 30 days written notice to the other.

IN WITNESS WHEREOF, the City has caused this agreement to be signed by its Mayor and attested to by its Clerk, and the Wyoming has caused this agreement to be signed by its Mayor and attested to by its Clerk.

East Bethel, Minnesota	Wyoming, Minnesota
By:_____	By:_____
Steven R. Voss, Mayor	Eric Peterson, Mayor
Date:_____	Date:_____
By:_____	By:_____
Jack Davis, City Administrator	Craig Mattson, City Administrator

Connexus Energy Number (SORD# W15341701T33R23S4SE

E MANENT T T EA EMENT

KNOW ALL MEN BY THESE PRESENTS, that City of East Bethel (herein after called the "Owner") for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto Connexus® Energy, an incorporated cooperative association organized under the laws of the State of Minnesota (hereinafter called "Connexus Energy"), and to its successors or assigns, a permanent easement for the purposes hereinafter provided upon the lands of the Owner situated in the County of Anoka, State of Minnesota, and more particularly described as follows:

Property Description: (P.I.D # 04-33-23-43-0001)
22155 Palisade St NE, East Bethel MN
(Per First American Title Insurance Company Commitment No. NCS-659523-MKE dated April 2, 2014)

The Southwest Quarter of the Southeast Quarter except one acre, more or less, in the Southeast corner thereof, which has heretofore been excluded; and the South 12 rods of the Northwest Quarter of the Southeast quarter of Section 4, Township 33, Range 23, Anoka County, Minnesota.

Description of Easement:

A 10.00 foot utility easement over, under and across the following described property:

Southwest Quarter of the Southeast Quarter Section 4, Township 33 North, Range 23 West, Anoka County. Minnesota.

The center line of easement described as follows:

Commencing at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence easterly along the south line of said Southwest quarter of the Southeast Quarter on an assumed bearing of South 89 degrees 27 minutes 41 seconds East, a distance of 1164.90 feet; thence North 4 degrees 18 minutes 15 seconds East, a distance of 33.10 feet to the northerly right of way of Anoka County Road 74 and the Point of Beginning of the centerline to be described; thence North 4 degrees 18 minutes 15 seconds East, a distance of 121.80 feet; thence North 43 degrees 42 minutes 00 seconds West, a distance of 101.50 feet, and said centerline there terminating.

The side lines of said easement are prolonged and shortened to terminate on the northerly right of way Anoka County Road 74.

Connexus Energy shall be entitled to place, construct, operate, repair, maintain, relocate, and replace thereon, and in or upon all streets, roads, or highways abutting said lands, and electric distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system, and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

Connexus Energy shall also be entitled to use this easement to excavate for, place, construct, operate and maintain underground conduit and/or cable lines for distributing electrical power, including all wires, cable, hand holes, manholes, transformer enclosures, concrete pads, connection boxes, ground connections, attachments, equipment, accessories and appurtenances desirable in connection therewith, under, upon and across the lands of Owners above described.

Connexus Energy shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations, substitutions, and additions in and to its facilities as it may from time to time deem advisable, including the right to increase or decrease the number of poles, conduits, wires, cables, hand holes, manholes, connection boxes, transformers and transformer enclosures.

Connexus Energy shall have the right to keep the easement clear of all buildings, structures, fences, trees, shrubbery, undergrowth, roots and other obstructions that may interfere with or endanger its facilities and equipment.

For the purposes of construction, inspecting, maintaining or operating its facilities, Connexus Energy shall have the right of ingress and egress from the easement over the lands of Owners adjacent to the easement and lying between public or private roads and the easement, such right to be exercised in such manner as shall occasion the least predictable damage and inconvenience to Owners.

The undersigned covenants that it is the Owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following:

IN WITNESS WHEREOF, the Owner's Representative have hereunto set their hands and seal on this
_____ day of _____, 20_____.

_____
Signature of Owner Representative

Jack Davis City of East Bethel Adminstrator
Printed Name of Owner Representative

AC N ED EMENT

STATE OF MINNESOTA)

COUNTY OF_____)

BE IT REMEMBERED, that on this _____ day of _____, 20_____ before me the undersigned a Notary Public, within and for the County and State aforesaid duly commissioned and Jack Davis acting City of East Bethel Administrator to me well known as the owner's representative in the foregoing easement and each stated that they had executed the same for the considerations and purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public this _____ day of _____, 20_____.

_____
Notary Public

(SEAL)

Drafted By:
David Zieglmeier
Land Rights Administrator
Connexus Energy
14601 Ramsey Blvd
Ramsey, MN 55303
r

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2016

* *

Agenda Item Number:
Item 7.0 D.1

* *

Agenda Item:
Crosswalk Request for Sims Road

* *

Requested Action:
Consider approving Resolution 2016-16, a recommendation to the Anoka County Board of Commissioners requesting a crosswalk at Sims Road and Polk St

* *

Background:
City staff has received a request from residents who live in the residential neighborhood north of Sims Road (County Road 86) and the East Bethel Elementary School to install a crosswalk on Sims Road at Polk St. As Sims Road is not a City street, the decision and cost to install the crosswalk would be upon Anoka County. The residents are asking the the City of East Bethel provide this request to Anoka County Board of Commissioners for their consideration.

All of the neighborhoods located around both elementary schools are serviced by scheduled school bus service, but some children choose to walk to school. The City has a crosswalk at Polk Street and 212th Avenue that has flashing crosswalk signs. Anoka County has flashing signs along Sims Road that are active before and after school that display the school zone speed limit and the approaching vehicles speed but do not have crosswalk signs or a zoned area for crossing.

Staff contacted ISD 15 and they are supportive of the request. ISD 15 will be submitting an endorsing resolution on behalf of this proposal.

Attachments:
1) Proposed Project Location
2) Resolution 2016-16

* *

Fiscal Impact: None

* *

Recommendation(s):
Staff recommends Council consider approval of Resolution 2016-16, A Resolution Endorsing the Installation of a Crosswalk on Sims Road to Provide Pedestrian Access to the East Bethel and Cedar Creek Community Schools

* *

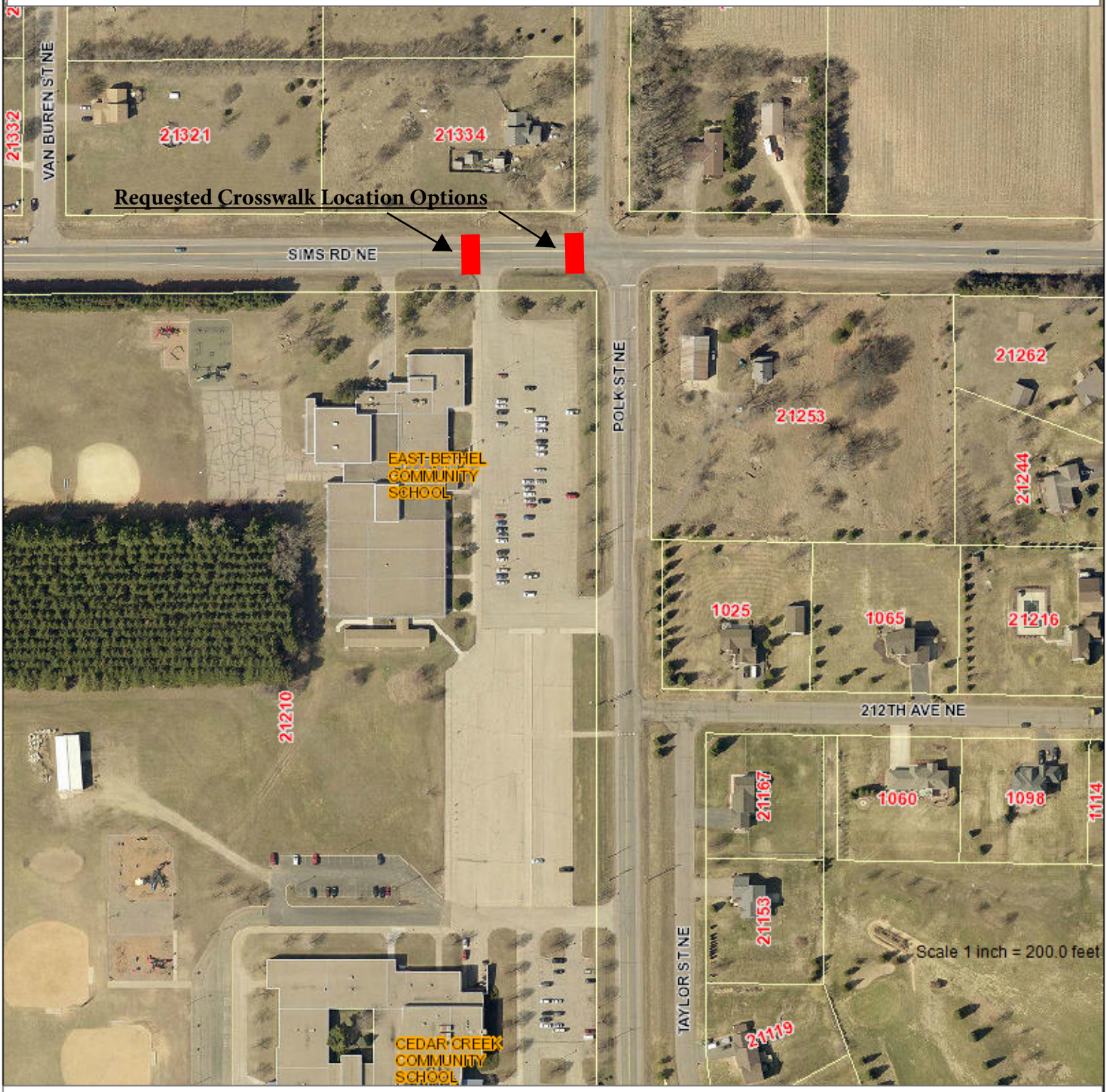
City Council Action

Motion by: _____ Second by: _____

Vote Yes: _____ Vote No: _____

No Action Required:_____

Requested Crosswalk Location



Aerial Photo: Flown Spring of 2014

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2016-16

A RESOLUTION ENDORSING THE INSTALLATION OF A CROSSWALK ON SIMS ROAD TO PROVIDE PEDESTRAIN ACCES TO THE EAST BETHEL AND CEDAR CREEK COMMUNITY SCHOOLS

WHEREAS, the County of Anoka owns and maintains a county road system in the City of East Bethel for the benefit of the traveling public**;** and

WHEREAS, the City of East Bethel wishes to support and provide safe travel routes to schools; and

WHEREAS, the lack of a safe pedestrian crossing from the housing developments north of Sims Road (County Road 86) to the East Bethel and Cedar Creek Community Schools is a concern for the residents of East Bethel;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel supports and recommends the installation of a crosswalk by the Anoka County Highway Department on Sims Road to provide pedestrian access to the East Bethel and Cedar Creek Community Schools.

Adopted this 16th day of March, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Steven R. Voss, Mayor

ATTEST:

_____

Jack Davis, City Administrator

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2016

* *

Agenda Item Number:
Item 8.0 D.2

* *

Agenda Item:
Finance Committee Meeting

* *

Requested Action:
Consider approval of a date for the 2016 Finance Committee Meeting

* *

Background Information:
The Finance Committee is composed of Mayor Steve Voss and Councilperson Ron Koller. Positions to this Committee are appointed by the Mayor and approved by Council at the Council's annual organizational meeting on the first Council Meeting of the year.

The Committee provides direction to Staff as to guidelines for the development of the 2017 Budget. Based on these recommendations, Staff prepares a proposed budget which is presented to the City Council in July for review and modification. The Council and Staff develop the 2017 Preliminary Budget which will be submitted to Council for approval and certification to the County at the September 7, 2016 City Council Meeting. The final 2017 Budget will be presented to Council at the December 7, 2016 Meeting

Staff is requesting that the Finance Committee consider the following as potential meeting dates:
March 17, 2016 at 3 PM
March 22, 2016 at 3 PM or other times as deemed necessary by the Council.

Attachments:

****

Fiscal Impact:

*** ***

Recommendation(s):
As noted above.

* *

City Council Action

Motion by:_____ Second by:_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2016

* *

Agenda Item Number:
Item 8.0 G.1

* *

Agenda Item:
CST Update

* *

Requested Action:
Information Item Only

* *

Background Information:

Staff and City Council have answered a number of e-mails, responded to calls and have met with 2 individuals relating to the proposed CST location at 23805 Hwy. 65 since the March 2, 2016 Council Meeting.

Staff met with CST on March 8, 2016 regarding the concept plan submitted to the City. Staff provided CST with the following information relating to the Site Plan Review Process:

- CST was advised that their timeline for the project was overly optimistic. Any considerations for approval would occur no earlier than June and depending on the need of for additional information those times could be pushed back to a later date.
- CST was advised of the petition opposing their location at 23805 Hwy. 65. The prospect of community meeting to allow CST to address concerns of the project was discussed. CST was advised that the City would have no role in the meeting other than to offer a location for the gathering.
- CST was advised that the submission of their Site Plan was only partial and that City Staff had until March 15, 2016 to provide notification of the additional items required for submittal. Items that were incomplete or not submitted related to environmental issues, wetland delineation, status of permits, signage, fire department review, hours of operation report and general concerns related to traffic, appearance and visual impact.
- CST was advised that the burden of proof relating to noise, dust, particulate matter and other requirements contained in Code must be provided to address the conditions set forth in City Ordinance and CST must clearly demonstrate to the City that these issues do not have any impact beyond their proposed site.
- CST was advised that they must obtain all required permits from the DNR, MPCA, Anoka County Highway Department and any other regulatory or permitting agencies that have jurisdictional authority over these matters before the City could issue any permits relating to this project.

CST is proceeding with their application. The April 26, 2016 Planning Commission Meeting will be next scheduled session that this issue will be discussed as an actionable agenda item.

Updates and reports may be presented at the March 22, 2016 Planning Commission and April 6 and 20, 2016 Council Meetings.

The process for the Site Plan Review per City Code, Zoning, Appendix A, Section 4 is:

Once a concept plan has been reviewed by the city staff, the applicant shall submit an application to the City for site plan review. The site plan review process shall be as follows:

1) The applicant(s) shall submit a completed application and all required site plan review materials to the City;

2) City Staff shall review the application and forward a report and recommendation, including all conditions, to the planning commission;

3) The Planning Commission shall review the submitted site plan review application and recommendation from staff and make a formal recommendation to the City Council. The recommendation from the Planning Commission shall include all conditions or modifications to the site plan review application;

4) The site plan review application shall be placed on the City Council's regular meeting agenda for final decision;

5) The City Council may remove, alter, or impose additional conditions to the site plan review application. A site plan review application shall receive a majority vote by the City Council for approval. If an application is denied by the City Council, the application may not be resubmitted for a period of three months following the date of denial. A vote denying the site plan review approval along with its findings shall be formally recorded;

6) In evaluating its recommendation and approval, the Planning and Commission and City Council shall take into consideration the following:

   a) Consistency with the City Comprehensive Plan;

   b) Compliance with this Ordinance;

   c) The preservation of the site in its natural state, to the extent practicable, by minimizing tree loss, soil removal, and grading;

   d) The harmonious relationships between buildings, open spaces, natural site features, architectural details, and vehicular and pedestrian circulation;

   e) The protection of adjacent and neighboring properties.

* * * *

Fiscal Impact:
None at this time
* * * *

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2016

* *

Agenda Item Number:
Item 8.0 G.2

* *

Agenda Item:
City Hall ADA Project

* *

Requested Action:
Consider a proposal for ADA access improvements for City Hall and the Senior Center

* *

Background Information:
The East Bethel City Hall was constructed in 1980 prior to the enactment of ADA requirements for handicap access. Title III of the Act has application to existing facilities and it speaks to the failure to remove architectural features as a condition of discrimination. This means that even facilities that have not been modified or altered in any way after the ADA was passed still have obligations. The standard is whether removing barriers, typically defined as bringing a condition into compliance with the ADA, is readily achievable and easily accomplished without excessive difficulty or expense.

The front door entry to City Hall and the Senior Center do not meet ADA accessibility standards. These doors require manual operation to open and we have had two complaints within the past year regarding this condition at City Hall. This matter was considered during the City Hall renovation in 2007 but was not included in the plans or the project.

The question of the City's obligation to comply with the Act was reviewed by the City Attorney and his opinion supported Staff's interpretation of the ADA requirements.

In order to address this situation for both City Hall and the Senior Center, Staff developed specifications and received three proposals for automatic door openers for these entrances. The bids ranged between $9,954 and $16,530. RAK Construction of East Bethel was the low bidder. In addition RAK Construction was the only firm that bid the product specified by the City.

Staff met with RAK Construction to discuss the details of their bid and is satisfied that their proposal provides a product and warranty that will address the needs of access into both buildings.

Attachments:

1.) Project Bids

****

Fiscal Impact:

Costs for the proposed project would be $9,954 and funds are available from the Building Capital Fund.

*** ***

Recommendation(s):

Staff recommends that Council consider the approval of the bid by RAK Construction Company of $9,954 to install automatic door openers at the main entrance to City Hall and the Community and Senior Center.

* *

City Council Action

Motion by:_____ Second by:_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

RAK Construction, Inc.

An Affirmative Action, Equal Opportunity Employer

Bid Proposal

DATE February 23, 2016
Bid # 11814A

21435 Johnson Street NE
East Bethel, MN 55011
Phone (763) 434-4210 Fax (763) 434-8380

Customer # 763-367-7844
nick.schmitz@ci.east-bethel.mn.us
Prepared by: Britt

Bid To:
City of East Bethel
2241 221st Ave. NE.
East Bethel, MN 55011
Attn: Nick Schmitz

Job Location: City of East Bethel
2241 221st Ave. NE.
East Bethel, MN 55011

RAK Construction proposes to furnish labor and material to complete the work as follows:

Description	AMOUNT
Door Operators 1. Install (2) sets of operators on (4) doors at (2) entrances. (1) At the main entrance to city hall and (1) at the entrance to senior center. 2. Power for all operators from existing power. 3. Install (1) exterior post at each entrance, with remote control buttons mounted on the exterior post mounted and on the interior wall. 4. Install (1) user sign for each entrance for ADA compliance. 5. (2) buttons per opener for a total of (8) buttons to open the doors.	
TOTAL	$9,954.00

This proposal may be withdrawn or prices may be subject to change if not accepted within 30 days.
If you have any questions concerning this quotation, contact Randy Pederson 763-434-4210.
Yours truly,
RAK Construction Inc.

Randy Pederson

President
randy.pederson@rakconstruction.com

Thank you for the opportunity to quote this work

Acceptance of Proposal
The work described above is approved by:
Signed: _____

Date: _____

STONE
CONSTRUCTION
INC.

2181-107TH LANE N.E. • BLAINE, MN 55449 • 763-784-1950 Office • 763-784-9707 fax www.stoneconstructioninc.com

February 10, 2016

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

Attn: Nick

Re: Proposal for automatic door openers for East Bethel City Hall and Senior Center. Operators proposed are by Horton Manufacturers, see product data attached.

Bid Includes:

- Automatic door openers at main entry to City Hall and entry to Senior Center.
- (2) 7100 Series at exterior doors and (2) 4100LE series at interior doors.
- All push switches at Senior Center to be wall mounted. (3) Push buttons to be mounted on bollard post and (1) wall mounted at City Hall entry.
- There must be a push button at the vestibule so no one can be trapped.
- Finish is dark bronze anodized.
- Includes all electrical wiring and hook ups.
- Electrical permit and fee.

For the sum of: $15,780.00

Not Included:

- Building permit fee.

**Payment due upon completion of work. Past due balances will be subject to a 1 ½% per month finance charge.*
**This proposal may be withdrawn by us if not accepted within 30 days.*

Paul Stone	/		
Submitted By: Print Name		**Signature**	**Date**
	/		
Accepted By: Print Name		**Signature**	**Date**

General Contractor • Commercial Construction
"Building Relationships and Opening Doors Since 1964"
Family Owned and Operated

TAMS
Total Access Management & Security

February 19, 2016

East Bethel City Hall
Attn: Nick Schmitz
2241 221st Ave NE
East Bethel, Mn
55011

Dear Mr. Schmitz,

Total Access Management & Security, LLC (TAMS, LLC) is pleased to provide a proposal for the installation of ADA door openers and push button controllers for the East Bethel City Hall and Senior Center located at 2241 221st Ave NE, East Bethel Mn. 55011.

Scope of Work: (ADA Door Openers)

Have electrician bring necessary power from breaker panel to the four (4) locations to mount the new operators.

Furnish and Install

Four (4) **Falcon 8200** swing door operators.
Stainless steel wall switch actuator two per operator.
Wireless transmitters, companion receivers, mounting enclosures.
Two Bollards Posts for switch actuators.
Door stickers/clings for ADA Access

Dark bronze anodized finish.

Financial Summary: (ADA Door Openers)

Sixteen Thousand Five Hundred Thirty Dollars ***$ 16,530.00 (Tax Not Included)***

TAMS, LLC is an Angie's List "Super Service" award winner 6 years in-a row and the nation's largest Locksmith Company. Please contact me at 612-237-8897 if you have any question

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2016

* *

Agenda Item Number:
Item 8.0 G.3

* *

Agenda Item:
March 23, 2016 Work Meeting

* *

Requested Action:
Set the agenda for the March 23, 2016 Work Meeting

* *

Background Information:
The following items are proposed for inclusion on the agenda for the scheduled Work Meeting on March 23, 2016:

1. Town Hall Meeting Format
2. Amendment to City Ordinance Chapter 70, Traffic and Motor Vehicles, Article V, Section 70-141, Regulating Snow mobiles
3. Amendment to City Ordinance Chapter 10, Animals, Article V, Section 10-151Interim Use Permit and Acreage Requirements for Domestic Farm Animals

* *

Fiscal Impact:

* *

Recommendation(s):
Staff is seeking direction as to setting the agenda for this meeting.

* *

City Council Action

Motion by:_____ Second by:_____

Vote Yes:_____ Vote No:_____

No Action Required:_____