

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

Call to Order

2.0 The Pledge of Allegiance was recited.

Pledge of Allegiance

3.0 **Harrington stated I'll make a motion to adopt tonight's agenda. Under the Consent Adopt 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 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.

4.0A IUP

William Thompson 18341 Lakeview Point Drive
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 Voss stated okay, so he's officially withdrawn it.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.

4.0A Mundle asked if he's withdrawn, do we need a motion on this?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 be a waiting period under the ordinance before he could ever reapply. If you allow him to

March 2, 2016
IUP
William
Thompson
18341
Lakeview
Point
Drive

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 this would apply to our Noise Ordinance from 10 to 7. And, the people that are directly

5.0

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 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 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 contrast 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.

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 Approve Bills

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

Item C Resolution 2016-12, Declaring 2009 John Deere 997 Mower Surplus Property
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 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 with help from local Cub Scouts to replace trees that have been lost to disease and wind within the

Variance

was forwarded to the DNR and they did not have any comments regarding the variance.

Setback

19303 East

Front

Boulevard

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

The Planning Commission conducted a public hearing at their February 23, 2016, meeting

Pre. Plat
Sauter Comm.
Park 2nd Add.

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 distributor 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 per acre to achieve our growth goals. CST’s proposal would generate approximately 1

7.0A.3

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.**

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.

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.

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

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.

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 plant 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

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.