

EAST BETHEL TOWN HALL MEETING

APRIL 19 2016

The East Bethel City Council met on April 19, 2016, at 7:00 p.m. for the Town Hall Meeting at City Hall.

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

ALSO PRESENT: Jack Davis, City Administrator
Mike Jeziorski, Financial Director
Nate Ayshford, Public Works Director
Craig Jochum, City Engineer
Nick Schmitz, Building Official
Colleen Winter, Community Development Director
Karen White, Receptionist
Shelly Orlando, Anoka County Sheriff's Department Liaison
Mark DuCharme, Fire Chief

1.0 The April 19, 2016, City Council Town Hall Meeting was called to order by Mayor Voss
Call to Order at 7:00 p.m. Voss welcomed all to the Town Hall Meeting and invited Fire Chief DuCharme to address safety issues relating to the meeting room.

Welcome and
Introductions Chief DuCharme introduced himself and described the layout of the room. He explained the room is a little over capacity so fire fighters will assure the three exits remain open and unobstructed.

Voss introduced himself and the Councilmembers. He explained Town Halls are held twice a year to get information out to the community and receive feedback from residents. He stated after the first session, he and the Council will be available for questions and answers. Voss introduced East Bethel Royalty Karley and Tori who are the City's ambassadors.

Voss stated the first Town Hall meeting was held 12 years ago, which also attracted a large crowd as there were several controversial issues at that time. He stated he is glad there is a large crowd of residents tonight who are engaged in East Bethel.

Voss pointed out the location of Mn/DOT information relating to design concepts to improve Highway 65 intersections and the attendance of East Bethel resident and Mn/DOT Engineer Sheila Kauppi. He explained there will also be future opportunities to discuss these concepts with Mn/DOT, Anoka County, and the City. Voss stated representatives from Mid-Continent Communications are also available to answer questions about cable and internet services as well as area of coverage.

Voss welcomed Anoka County Sheriff Commander Orlando who has served as the City's liaison for the past eight years and provides monthly reports at Council meetings. In addition, Commander Orlando is an East Bethel resident. He described the patrol services provided by Anoka County Sheriff Deputies.

Voss stated there is also information about the Cedar Creek Eco System and City staff is available to provide information and answer questions.

**Project
Updates**

Voss provided an update on projects started in the last six months including:

- A new backage road behind the East Bethel Theater from Our Saviors up to Viking Boulevard will address safety concerns at 187th and Highway 65. In addition, it will open some property for development and hopefully senior housing. This road will start construction this year with completion in 2017.
- CST has been informally discussed at Council meetings though a formal application has not yet been completed. It had been anticipated CST would be before Planning in April; however, it is likely the application will not be prepared in time so chances are it will be considered in May with a recommendation to Council. The Planning Commission is an advisory body to the City Council who makes the decisions. The earliest it may get to Council is the end of June. The Council has received a lot of feedback from the public.

**Mn/DOT
Presentation of
Reduced
Conflict
Intersection
(RCI)**

City Administrator Jack Davis introduced Sheila Kauppi, Mn/DOT Area Representative.

Kauppi thanked all for coming. She explained she has lived in East Bethel since 1999, always commuted to work, and noticed the increase in traffic volume and that the signals are not correctly timed so it results in long queuing lines at intersections. She thanked the City and Chamber of Commerce for being open to conversations on new ideas. Kauppi introduced Mn/DOT staffers Brian Kerry, Todd Sherman, and Kent Bernard.

Kauppi explained how the conversations started with municipalities bordering Highway 65 and decision to embark on an 18-month study in March of 2015 to identify areas of traffic problems, potential development, frontage road system, poor soils, lighting and traffic signals, and increased volumes. She stated early on, they heard from the freight community, cities, and stakeholders about signal timing. The study also addressed how immediately identified problems could be addressed in the next five years.

Kauppi commented on the difficult in obtaining highway funding and consideration of what could be done in the interim. Through that effort, a Reduced Conflict Intersection (RCI) concept was developed and constructed in Blaine to prevent right-angle crashes. Since that time, there have been no bad crashes with incapacitating injuries or fatalities. She explained that is not an uncommon outcome when looking at national RCI statistics, as it reduces 70% of the crashes, fatal crashes, and crashes with incapacitating injuries so they decided to look at additional high-volume intersections where this or other concepts may be an option.

Kauppi explained the traffic movements through the RCI in Blaine at Highway 65 and 169th Avenue and how a signalized RCI would spread out the intersection a little farther and reduce the 'red time' of the signal. She stated they have embarked on a journey to consider a signalized RCI design at Highway 65 and Viking Boulevard and this is a great forum to educate the public prior to receiving funding and commencing construction.

Kauppi reviewed how this concept was developed, purpose of traffic modeling, and resulting shorter queuing times. She used a drawing to describe traffic movements through a signalized RCI intersection as well as access from a frontage/backage road. Kauppi stated the study last year, the East Bethel Council adopted a resolution of support for Mn/DOT to further study this as one of the concepts for this location. The Federal Highway Administration is willing to fund its construction, it could be implemented fairly quickly, and Mn/DOT is fairly confident it could be a solution but want to make sure it also accommodates future development and does not adversely impact other intersections.

Kauppi stated as part of the analysis, they are also developing a video to address actual traffic volumes and movement.

An audience member asked whether the other cities with RCI intersections are similar to East Bethel. She also asked whether the intersections would be wide enough to accommodate all types of vehicles, even those pulling trailers. Kauppi stated some locations also get a lot of snow and the benefit of the 65/Viking location is that the median is wide enough to accommodate movement of all vehicle types including semitrailers and trucks pulling a horse/cattle trailer. In addition, this would have a signalized intersection at the J-turns.

An audience member stated with east/west traffic if more than five cars were allowed through, it would greatly reduce the dead time. He stated he has had to wait four cycles. He described how he used to plow Highway 65 and east, and the difficulty with plowing the proposed CRI. He stated another issue is the dead time that should be cut down by adjusting the signal timing to let a few more cars across Highway 65, especially on Sunday when church lets out. Kauppi stated snow plowing is a concern that will be addressed and the comment about signal timing is a valid point and will be looked into.

Mercer Englund, 229 Avenue, asked whether a stop light will be placed 1,000 feet before the RCI intersection, noting Highway 65 is notorious for running red lights and this may encourage that danger. Kauppi agreed that no matter the traffic control, drivers can run it but it is hoped they don't. She stated the intersection would have street lighting and signage to alert the driver there is something different with this intersection.

An audience member stated there are no turn lanes on Viking Boulevard and asked if the problem can be fixed by constructing two left turn lanes, both east/west and north/south. The signals could be timed to let through two to three times as much traffic turning the corner. Brian Kerry stated they are still modeling this intersection concept. He stated turn lanes are still on the table so they have hired a consultant to conduct traffic analysis to compare a traditional intersection improvement with something like this. That analysis will include a computer simulation and comparison of costs to build, which may be comparable. Mr. Kerry explained you would still have some of the existing 'dead time' with the added turn lanes whereas with the RCI concept, you lose that and gain efficiencies and more green time.

An audience member asked how many crashes were on 169th Avenue in Blaine before it was changed. Todd Sherman, Study Project Manager, stated there were pre-2012 fatalities at that intersection that are not reflected on the crash data from 2012 to 2014. Kauppi stated there were either two or three fatalities prior to the RCI and they will provide that information to the City.

Audio System An audience member commented on the need for the Community Center to have a better microphone/speaker system so all can hear what is being said.

RCI An audience member stated if traveling on Highway 65 from the eastbound or westbound and wanting to turn southbound, with the RCI she will have to first turn right and go north to access the J-turn. She questioned whether other vehicles will let her safely cross those lanes to access the J-turn. Kauppi explained a signal will stop that traffic as well. The audience member asked if either way she has to sit at a light, not saving any time. Kerry explained how that turning movement would be made and accommodated by the timing of

the signal to eliminate multiple stops.

An audience member stated this seems like a 'band-aid' and asked why a bridge isn't being considered. Kauppi stated transportation funding is currently a challenge so projects underway are to preserve pavement and improvements are focusing on high crash locations. She estimated a bridge at this location would cost \$20 million and the signalized RCI would cost \$1.2 million. She stated if this solution serves the City for 10 to 20 years, during that time they can find money for an interchange, and it may actually take that long. Kauppi reviewed the other locations that have been waiting 15-20 years for interchange improvements. She noted that after the 18-month study, people may not be supportive of any change but the signalized RCI would allow an immediate benefit to all motorists of Highway 65 and businesses.

An audience member stated a lot of cars travel northbound on Highway 65 and turn left or right on County Road 22. He noted that if stopped at the 1,000-foot mark, the cars will be backed up to Crosstown on fishing opening day when a lot of drivers are heading up north. He stated that issue will have to be overcome. Kauppi stated that will feed into their questions about what happens at 187th or 181st and whether something different is needed for those intersections as well.

An audience mentioned the option of a roundabout, which received a negative audience reaction.

An audience member stated he has 46 years of transportation with CDLs, big trucks, and taught the last 16 years. He stated St. Cloud has added a lot of roundabouts that do not have enough room to accommodate big trucks so the truck has to straddle the roundabout to avoid a sideswipe. He encouraged Mn/DOT to be careful with the design of J-turns to assure it can accommodate big trucks. Kauppi stated some of their outreach is with the freight and CDL drivers to make sure the design can accommodate them.

An audience member asked whether the cost of \$1.2 million for a signalized RCI includes all the studies, models, consultants, videos, and labor. She asked what the total price is and whether it isn't easier to use a plan for an already designed bridge that everyone knows how to operate. She asked if that would not be cheaper in the long run rather than building this and then in 15 years doing another study on something different. She encouraged Mn/DOT to spend the money up front and do the project right the first time rather than constructing a 'band-aid.' Kauppi stated the cost for pre-design and public outreach is typically 8% on top of that and right-of-way would be an additional cost. She noted that an interchange would definitely involve purchasing right-of-way, which is more expensive than this concept. Kauppi stated it cost \$60,000 for the modeling consultant and the Federal Highway Administration has worked with a University of Minnesota grad student who is doing it as part of a thesis study, which free to the State of Minnesota. Kauppi stated it could be 12% for pre-design if they hired a consultant so that cost is exponential based on the project cost.

Joe Anderson, Durant Street, asked if crossing on Viking Boulevard, he can still make a free right on a red. Kauppi stated she believes so. Mr. Anderson asked if the northbound on Highway 65 and the light is red, can that vehicle still make a free right turn onto eastbound Viking Boulevard. Kauppi stated the intent would be to stop all lanes at that location.

Neis Manual, 21150 Eveleth Street, asked if federal funds will be used to pay for the \$1.2 million. Kauppi stated there is potential to utilize \$1 million of federal funds. Manual asked if Mn/DOT utilizes these funds, is there an obligation to follow their rules. Kauppi stated the \$1 million is for the signalized RCI concept and while there would be requirements, it would not include anything related to high-density housing.

City Administrator Davis thanked Mn/DOT staffers for their presentation and indicated the gathering of information will continue.

**Mid-
Continental
Presentation**

City Administrator Davis introduced Mid-Continental (Mid-Co) representatives Dan Nelson and Jason Sachs.

Dan Nelson thanked the City for this opportunity and welcomed the citizens. He explained Mid-Continent provides cable, internet, and phone service in East Bethel. Mr. Nelson asked customers to call their 800 number if they are having a problem, as it may be something specific to their house, the town, or a bigger issue.

Nelson reference a map depicting their coverage area in East Bethel, noting it does not cover the entire City, as there is too great a distance between homes in some areas. He noted that on the video side, some residents use satellite but most people's interest in Mid-Co today is because of its data services for fixed-wire internet. He described the expected future trend away from cable or satellite devices for video service.

Nelson stated they offer residential service with no contract but in areas that are not served, they may offer a commitment (lease) or other options so Mid-Co is able to recover its investment. He stated last year, they added 50 homes and 48 lots so they will expand services where the market makes it advantageous to do so. Mr. Nelson described their internet product as one of the best in the country and how it will be expanded beyond what current devices can handle.

An audience member asked if they use copper. Nelson stated they are a fiber deep architecture with hi-bred co-axial for the last portion of the service delivery. The typical legacy telephone providers use copper but they do not.

Nelson thanked all for their attention and talking with them tonight.

**Questions &
Answer
Session**

Cole Robertson, 23462 Goodhue Street NE, stated I just was wondering how CST fits into the Comprehensive Plan and how their tax revenue will affect the City.

CST

Voss stated as we talked about, that is one of the issues that Council and Planning Commission will consider. Right now, the property that CST is proposing to build on is zoned Light Industrial. It has been zoned Light Industrial for a while. One of the questions that the City will be asking more of ourselves is whether their application and what they want to do fits that zoning. So I think that answers your question on the Comprehensive Plan. So that is one of the questions we will be answering, or asking ourselves and answering. It's really fundamental to whether that goes through or not. In terms of tax revenue, I think we've done some rudimentary investigation in how it affects taxes. Obviously, they would increase the tax base for that property. It's a factor in the consideration of the whole application process but we don't have answers for that right now. And as I said earlier, Planning Commission and Council, we have not seen a formal proposal yet.

CST

Sandy Dankert, 23416 Baltimore Street, stated I just want to say I'm totally opposed to CST coming over there. I live right across the street from it so I'm not too happy about having a trucking company in my back yard. I guess I'm just wondering why we're at this point. Why we're having Town Meetings. Why you would even think that would be acceptable for us residents living right across the street from there.

Voss stated to be clear, the purpose of the Town Meeting, the whole CST issue really has nothing to do with the scheduling of the Town Meeting. This Town Hall meeting, we have these twice a year and so it's an opportunity, obviously, with the timing to discuss that issue. But that's not the purpose despite what may have been told to residents. That's not the purpose of tonight's meeting. And to your question, I think, and any other Councilmembers can answer this too, but just as any resident that has a proposal before the City, we have to respect the businesses as well that want to come into our City. So they deserve a due process. They have rights too. Again, the City is not even, the Council or Planning Commission has even considered this yet. The fact that there's been so many opportunities for residents to learn about this business that's proposing to come in and wants to come into our City is incredibly unique. You know, there's some past Councilmembers that are in the audience here and I think I can say with a great deal of confidence, we've never had this much discussion about something we haven't even considered yet. And I don't say that lightly. I say that it's a very good thing that the residents are interested in their community and interested in what's going on and communicating to the Councilmembers. I probably got two dozen calls today and I don't know how many calls over the past few months. So I think we're hearing the message from the neighbors very clearly.

Mundle stated absolutely clearly.

Voss stated the issues and a lot of the questions you're bringing up, and I say it collectively from the neighbors, are very good questions to ask. They are questions that we'd be asking and some of the questions and maybe things that we wouldn't think to ask. So we do appreciate the feedback. We do appreciate your position and in particular for those who live near this area. I think we're gaining appreciation of your concern over what that potential impact could be.

Ronning stated one more thing about that. Unless somebody can show me something different, we do not have the authority to review every property sale, every home sale. We have no business in there anyhow. If a resident wants to sell a piece of property, they contact a realtor, not us, and if that property sells, they go through whatever process that is, not us. So you know as far as just telling people that, 'No, you can't be here.' We can't do that to them any more than we can do it to you.

Proposed Shade
Tree Ordinance

Heidi Moegerle, 179 Forest Road NE, stated on tomorrow's agenda you have a Tree Commission Ordinance in which it is stated that, 'No person shall intentionally damage, cut, carve, transplant, remove any tree, attach any rope, wire, nails, advertising poster, or any other contrivance to any tree, allow any gaseous, liquid, or solid substance which is harmful to come into contact with any tree, or set fire or permit any fire to burn where the heat could injure any portion of any tree or top any tree by severely cutting back the tree canopy to a stub.' My question is, will we be able to trim our trees? Will we be able to pluck fruit from the trees? Or, do we have to go to this Forester that you're proposing to create in tomorrow's meeting?

Proposed Shade Tree Ordinance Voss stated what Heidi's referring to is tomorrow night on the agenda there's a proposed ordinance that I believe came from DNR. Davis explained it's a recommendation from the DNR, that's correct. Voss stated so tomorrow night it's on our agenda to consider. Council has had no discussion on that. So I think we'll take those questions into consideration tomorrow night when we have that discussion.

An audience member asked does that mean I couldn't cut down a little tree in my yard and make it my own Christmas tree? Voss stated I don't believe that is but that's one of the things that we're going to talk about. The Council needs to have an understanding fully of what this proposed ordinance is about. We haven't had that discussion. We haven't asked questions of staff yet.

An audience member asked and does the DNR, their recommending it, does that mean you have to follow it? Voss answered no. From my understanding, and Jack or Nate Ayshford, our Maintenance Supervisor, can clarify but what I understand is the DNR has proposed this ordinance to us in regard to our Tree City designation that we had last year. And so it's something they asked us to consider. And again, we haven't had any discussion on it at all.

Ronning stated this wasn't some 'creative monster.' It's something that came, there's a Tree Ordinance that's in effect. I don't know what it is right now. This came up before the Park Board about a week and a half, two weeks ago, something like that. If I'm wrong, I apologize, but it was pretty well presented to them that this is what we expect you to do. And, I don't know what's in this thing. It looks like a big mess but it's not really going to, your trees are your trees.

An audience member asked do we have to be a Designated Tree City? Voss stated this is not, again, this is really premature because we're going to have that discussion tomorrow night. From my understanding, this is not private property trees. Is that correct Jack? This is trees on public properties. So, trimming your own trees, I don't think we'd ever try to regulate that other than perhaps oak wilt and that's more of an educational thing. I believe discussion is on the right-of-way and trees that are publicly owned. I know that's what we'll be discussing tomorrow night.

CST Mike Matzke, 241st Avenue, stated I'll be living about a quarter mile away from this CST north. The main concern I've got is why are they operating in a gravel pit right now? I've just been kind of, make everybody think, why are they operating in a gravel pit. There's going to be a lot of noise and pollution and dust. I'm totally opposed. Voss stated thank you.

Bud Flagstad, 3200 229th Avenue, stated my concern is they're going to do studies for pollution as far as ground water or Cedar Creek runoff? Junk yards right now, we're taking junk yards out and putting down rubber mats and everything else with four feet of dirt over them because they've been polluting the ground waters and soils impregnation and all that. So, are they going to do a study here because we're going to have salt, right? Open salt with rain running down? It's not going to be enclosed. I'm concerned about Cedar Creek and our groundwater.

Voss asked Jack can you, it's one of the questions we had early on was those types of studies and I know Jack's been working with the rest of staff on that issue. Davis stated

the water quality issues are a concern and they will be addressed. From what we have been presented, there is no open storage of salt. It's all done inside of a building. But the water quality issues are being addressed. We're getting information as to the content of it, whether it's organics or not organics. It's been referred to the City Engineer so he'll give us some information on that. But it is a very important question. One we'll have answers for prior to the Council.

Flagstad asked a question relating to insurance bonds should there be pollution. Davis stated that will be up to them. Ronning stated that's not an internal process, that's the MPCS, the DNR, and the rest of them. Yes, that's a good question but it's out of our control. That would be something that's done by the agencies that have experts.

Amendment to
Met Council
Agreement

Jerry Lancette, 356 196th Avenue NE, Cedar, stated I have a question. You may have covered this at some previous Council Meeting. I may have missed it and that is, back in February, there was an article in the Minneapolis paper regarding the Met Council coming to an agreement with the City of East Bethel regarding sewer and water tower over here, or the water tower. And that they were going to forgive like \$28 million of that loan and the City was only going to be responsible for \$2 million. I want to know if that's the case. Or, what that's going to do for the property tax picture. I noticed that mine went up like 19% or 16% this year and I didn't know if you guys are going to take that into consideration going on down the line for the next year and year after that so we're not seeing these huge increases.

Voss stated your synopsis is pretty close in terms of the agreement with Met Council and it was a process that was started a year and a half ago, two years ago, the discussions with Met Council. In sort of a nutshell, the contract that the City has with Met Council was amended such that in short, for a portion of the work, the greatest liability we have will be \$2 million and that's if no development happens. The net effect is, as you said, a potential savings of \$20-\$30 million over the life of the whole project. So it is an important negotiation between the City and Met Council and it was a drawn out negotiation and I think all parties benefited there.

Property Tax
Increase

Voss stated in terms of your question on the taxes, and you raise a good point, tomorrow night is your opportunity at the Board of Adjustment, at 6 p.m., City Council Chambers. There's many of us, I included, whose taxes are going up significantly and it has to do with the evaluation of your property. It has nothing to do with the tax levy from the County or from the City or Schools. It's the evaluation of your property. Tomorrow night's meeting, our contracted tax assessor will be there and it's your opportunity to meet with him, meet with City Council to talk about your evaluation. Because for many of us, that's what's affecting the increase in taxes on your property that's happening this year. So don't wait until December when you get your tax statements. You need to do that now on your evaluation.

Ronning stated may I add something. Jack was involved with this and it was two years ago, January 18 of two years, that we started this thing. But the newspaper article was not quite 'on the money' with that. There's no forgiveness. What Jack and Mike and the rest of the administration and who was able to work on that was able to work out and convince them that was not good for them and it's not good for us. By doing that, they don't forgive the money, what they've done is, it's just been capped. There was no end before that. It's been capped to a certain level and we can pretty well deal with that, I think.

Lancette asked whether the value that went up on the City portion of his taxes has to do with the increase in the property itself and nothing to do with the sewer and water? Voss explained the statement received in the past few weeks is solely due to the evaluation of the property. Lancette stated the breakdown of taxes by jurisdiction shows the City's portion of taxes from 2015 and 2016 and there's a huge difference. In his case, it is 16%. Davis stated last year's City levy was 1.5%. Voss stated the reason for the 16% is an increase in the property's market value. Davis encouraged Lancette to come to the Board of Review Meeting tomorrow night, bring the tax statement, and review it with the Tax Assessor to determine if an adjustment can be made.

Harrington explained with the tax statement, it will depend on the School District you live in, noting Forest Lake passed a levy this year of \$144 million so those taxes will go way up this year.

CST

An audience member stated I just have a quick question. You said, you know, when you sell land and everybody goes to a realtor and you guys have no say in what we get to do or bring in for that land. I'm just wondering, Light Industrial, I guess, how does this company, CST, fit into that category?

Ronning stated what we've seen of it is they receive material, they process material, they package it, they pallet it, and they move it out as a wholesaler the same as if somebody was processing a piece of steel. It's not the same as steel, I apologize. But if you process a raw material and you package it and move it out, to my knowledge, that's Light Industrial. I don't think it's defined in there, unless I'm, something else.

Davis stated the entire issue is under lots of consideration. There's still lots of questions that have to be answered. These are some of the things we're looking at. As was previously stated, there's been nothing submitted yet to the Planning Commission nor the Council. I want to encourage all of you to keep attending these meetings. I've learned a lot from your questions. I've heard a lot of questions I hadn't thought to ask and we're getting those answered. So we're completing the process and this is part of the things we're looking at.

Harrington stated I'd just like to add on. Like Jack said, we're waiting for the DNR, we're waiting for the State, Mn/DOT, if they have to do something on 65, the County, and the PCA. So, there's a lot of 'hurdles' to go through yet.

Proposed Shade
Tree Ordinance

Moegerle stated earlier I had a question about the trees and you mentioned that it would only be public trees. Well, most of us here own right-of-way and the trees in them and this says that they could enforce this with regard to trees in the right-of-way. I have a question about this \$95,000 audiovisual issue that's coming up tomorrow. Isn't that a little bit 'gold plated' for East Bethel to have a \$95,000 audiovisual system in the Council Chambers?

Audiovisual
System

Voss asked what do folks think about our sound system in the Council Chambers? Or our video system? We're patched together and it's much more than just the audio system we're working with this consultant with.

Harrington stated Heidi, we're just trying to bring this system up to the 20th Century. The stuff we've got back there is ancient. Moegerle asked isn't any of it under warranty? Voss stated it's 15 to 20 years old some of it. Harrington stated the City staff gets calls

every meeting that they can't hear, the picture's bad. We're trying to bring it up to the 20th Century. Voss stated we even heard it tonight.

CST

An audience member stated I'll make this quick. It's regarding CST specifically. I don't condone it whatsoever. I don't want to see it go in. This is regarding access to the land to the north. We have put a road in there between their property and it was listed on the plat drawings that the City has. So I would assume that is part of the plan, that we have to put that road in through their property. Otherwise, we're going to have no access through there. Voss stated that's part of the discussion that's going on right now, is that road. The audience member stated the other part of it is that land to the north of there, what's going to want to go in there with a wood processing/semi-truck plant there? Voss stated again, that's definitely part of the discussion.

Kathryn Morris-Echols, 23615 Goodhue Street, stated I live 1,200 feet away from the proposed property. My question for the Council today is you say you can't deny companies, you know for legal reasons and stuff like that, up front. I understand that. However, what are codes and ordinances for? Aren't they there to protect the people from companies such as this that want to come in here and build something that's absolutely not accepted, condoned, wanted, from the City? So what as a City Council are you doing to protect the citizens, the residents, in the future, you know, from companies like this? Mold, fungi, air quality, draining our wells, all of that? Property values, all of that? So, what are you guys doing to improve the Codes and Ordinances going forward is my questions.

Ronning stated that's a good question and I think it's important to understand that much of what's being done there is by outside agencies. We don't have the resources and we don't have the training and authority to do some of that. The Minnesota Pollution Control Agency, DNR, will be reviewing their well. Minnesota Pollution Control Agency will review their business plan, what the impacts are, what their control plan is, pretty much everything. The County, unless I'm mistaken, the County will mandate that they upgrade that road toward the weight. Joe, what's that, like a 7? An audience member stated no it's 9-ton in the summer but I think it's 7-ton in the winter, or spring. Ronning stated okay, so he says it's 9-ton in the winter, 7 in the summer and fall and they have to bring it up, I think, to 9-ton per axel or something. The audience member stated 7-ton in the spring when the road restrictions. I think it's a 9-ton road in there. County trucks can go on any County road except in the spring and they're 9-ton so it's a 9-ton road. Ronning stated the County, at any rate, is reviewing if the traffic pattern and what the load limits and all that is. What the CST would be required to do.

Morris-Echols stated and I understand that. I'm asking about City Code. Mundle stated I'll get that. As far as City ordinances, there's a large book of them. Honestly, we, a lot of the changes that get made to them are reactionary when we find that there are issues to them. To go through and review them, ordinance by ordinance, can take an awful lot of staff time. So, unfortunately, it's not a perfect system but that's one of the ways we use to monitor the ordinances. As far as the Comp Plan, we review that about every ten years, isn't it? And so another Comp Plan is coming up. When that area up there was designated as Light Industrial, I believe the intent was to put a large land mass together to put a lot of Light Industrial. Now when, about eight years ago, when they did that Comp Plan, nobody foresaw that a mulch distributor would come in under these exact terms and apply for that area. We can't foresee every company that could come in and every kind of industry and outlaw the ones we don't like. We can try to do it with the best we can.

Obviously, we don't want landfills or toxic waste dumps. We don't want any of that but as far as some of these, that's where we want public opinion when we review the Comp Plan. And we'll be having another one coming up.

Voss stated to echo Brian's comment on what the vision was for that area. And, I'm someone who was involved. I've been involved with the City for a long time and was involved during the last Comp Plan. As Brian said, there's things you don't envision and can't envision everything that comes in or happens. That's kind of the nature of ordinances. But as I said early on, one of the questions we're going to have to, the fundamental question we're going to have to ask ourselves, is whether this application truly fits the Light Industrial zoning as we have it defined right now and the use as we have it defined right now. That hasn't been answered yet. We haven't had that discussion. The Council, the Planning, haven't had that discussion yet. So that's very fundamental. So right now, I think everyone's premise is that it's a permitted use and we have to allow it.

Voss stated personally, and I'm not trying to start a discussion here at the table, but personally I think that's really in question and we have to discuss that. I can say from my own aspect that when we did work on the Comp Plan years ago, when we established this Light Industrial zoning, this absolutely wasn't our vision for that area. I've said that from day one. I've talked to many residents and have said that too. It's something that we have to fundamentally get to but again, you know, we need to treat the businesses as applicants just as any resident that would be proposing something. There's a due process. This one has been taking a little bit longer because it's a little bit more complex. It's got a lot of issues so we're taking great care to try to be as extensive and thorough as we can before this gets to the decision makers, which is, again, first the Planning Commission who will make a recommendation to Council and then Council consider the whole application.

Theresa Martin, 1132 133rd Avenue, stated what I'm hearing here from the Councilmembers, you guys are saying that you don't have the right to reject businesses. Okay, from your standpoint I absolutely agree with that. Everybody has the right to do that. But there's also a community that you guys represent and you're listening to your community. And as time unfolds, you'll see a bit more and more. But I've been in other cities where they've tried to bring in things and the residents have not been onboard with it. So my question is, as any kind of business coming into a city, wouldn't you want the support of your residents to support you so you can grow? So eventually, that would come to the point as the business. Do they want to be in a city that they're not wanted? So for that sake, that's one question, one thought I had. So I agree with your point on that Councilmembers. But we as residents and you guys as residents have the right to support or not support something. So, in the end, I would like to hear your personal opinion since you represent us, our City. I would like to hear each one of you guys up there. What is the benefit or what is your, are you wanting this business to come in?

Voss stated I just want to clarify. My statement was they have a right to apply. Not a right to be a business in the City. A right, they need due process. They need their opportunity to present their case. And I think, any of the Councilmembers can answer how they want, but it's definitely premature, definitely not fair for us to make decisions tonight on something we haven't even, we haven't even seen plans yet. We haven't seen the documents. We hear we've got hearsay. We know what's going on with staff. But we've seen a site plan. We've seen one drawing. But until we see a complete package, just

as if you were proposing to put a pole barn. We can't just say, 'no.' What are you trying to do? What are you trying to propose? What are the effects? We have to be thorough. We have to be fair and we have to follow this process. There's a legal aspect of this but there's also the fairness and, we need to be fair to everyone. Fair to the residents. Fair to the applicants. So that was my point on making sure that we understand what they're proposing to do. We're still early in the process.

Ronning stated I'm the one that made the comment about the ability to determine who can buy something and who can't. When we were living in Michigan before moving back here and we put our house up for sale, you sign a document saying that you will not refuse or reject any person for any reason other than inability to pay. So if somebody that you can't stand or you don't want your neighbors to deal with buys it, too bad. There's nothing you can do about it. Now with this sort of thing, you have a seller. There's a seller that has the right to sell his property. They hire a realtor and the realtor sells to whoever it might be. In this case, I think we have to be very cautious because if we cause harm to something that we're wrong in causing harm for, there's potentially \$6-\$10 million tied up in this. It's not something to take lightly. We, with the staff, Jack is excellent with this and their ability to make information available and make sure the 'I's are dotted, the T's are crossed,' and everything. It's much more complex than just saying, 'We don't like them.' That's not the answer everybody wants to hear but I think that's what reality is.

Mundle stated and to refer to your questions, I absolutely would love the support of the residents with anything that the Council does. Unfortunately, that won't happen a whole lot. Well, I shouldn't say that. It may not happen with some things because on the flip side, we also have to represent the City itself and keep it off any potential lawsuits just by doing what we want. So we have to follow ordinances, codes, and processes to come to conclusions.

Pastor Mike Pearson, St. Andrew Lutheran Church, 1450 237th Avenue, right on Cooper's Corner, stated our concern as a church is that we have a responsible City Council that upholds its ordinances that have been written in support of the people that have voted them to be on City Council. Our concern for a church is to support ethical, responsible business and if that is what CST wants to do, wonderful. All the more power to them. What we have done is we have created a list of four expectations that we hope the business can meet. As someone that's directly across the street from the business, we have great concern over noise. We record our services. Do we want large trucking, beeping, to be interfering with our worship services, Wednesday services, weddings, funerals, other events that happen at the church? By the way, everyone is welcome to come. You are all invited. We have concern about pollution, light, sound, water. We have concern about property value. We do not want to see residents moving. We are a force for good in the community and we will be staying here for as long as it takes. And, we don't want people from the community moving away because they feel their property values are going to go down.

Peterson stated so we have addressed that specifically and in a recommendation, we hope that CST will abide by. We have concerns about the hours of the business, two-shift operation, does that fit into a residential community? That's something the Council should think about and see. Is that something you want to live with next to or support? You have a power as a Council to create ethical business, ethical ordinances that will be supportive for the community. I think everyone wants to see the best possible solution

happen. And we hope that you take a look at our four recommendations that we made and we'll look forward to hearing back from you. Thank you. Voss stated thank you.

An audience member stated my question is, do you guys have guidelines for Light Industrial businesses here that we could take a look at? Do you have a guideline? A form or something for guidelines for Light Industry? Voss stated it's just described both in our Comprehensive Plan and within our Codes.

The audience member stated just one other question is, is there any way you can change that area from Light Industry to something else on a whim? Or, is it just stuck there? Voss stated well I think the key word there was 'on a whim.' No City can do things on a whim. The audience member asked so you can't flip it to High?

Voss stated nothing happens on a whim for the City for one. But we are starting, I think this month actually, the process of reviewing our Comprehensive Plan, as mentioned earlier. We're required by our Met Council to update our Comprehensive Plan every ten years. We're in about year eight right now, so we're starting that process. The zoning of that property, and the zoning of any properties can and likely will be reviewed and that's a very public process. We don't have a framework yet for the public outreach on that but I'll say from the last time we went through this, we had close to 50-60 meetings total that we discussed the Comp Plan. I don't think it will be that extensive this time but there certainly will be opportunities for the public to interact. Because, just like tonight, you know, how these documents are created is from the community and the community's views. In terms of your question, whether we can change it now with this application coming before us... The audience member stated (*inaudible*) on the process. If something happened where all of a sudden (*inaudible*) Heavy.

Ron Anton, 2412 225th Avenue, stated I really appreciate what the church just said because they had some really key points. But the one thing that I would add to that is the Council needs to be good stewards of the land. We have to understand what we're going to do to the earth, to the air, to the surroundings that we all live in. And, the last thing I would say there is we need to also look at what is the values of East Bethel and what do we want our City to be. We don't want to be just a revenue generator to do big things to the City. That's not how we grew. We want to do ethically responsible things so we all can have a good life. Voss stated very good comment, very good comment.

An audience member stated I just wonder why are we required by the Met Council to do a Comp Plan? Is that a law? Is it a State law that we have to do that? Voss stated I believe so, yeah. Every community, was there 87 communities I think? Davis stated in the seven county metro. Voss stated in the seven county metro, every community is required to do it. The audience member asked required by law? Voss stated required by law, yeah. The audience member stated okay. Voss stated and it's a good thing, really, when it comes down to it, to review what you're doing every so often.

The audience member stated oh definitely, I agree. You need to have a plan or you don't, what is that, you fail to plan, you plan to fail? Yeah. I get that part. I just wonder why the Met Council is requiring it. So anyway, the second part, and this is not to be controversial in any way. I just wondered on the Board here, who is up for re-election this next go around? And, could I get a name with a face? I just wondered.

Ronning stated Tom Ronning. The audience member stated Ronning okay, Councilmember. Mr. Voss the Mayor. Koller stated I'm Ron Koller but I'm not going to run again. The audience member stated oh, okay, all right. Just curious, just curious. Voss stated there's your newsbreak for tonight. That's news to me.

Dave Landis, 1747 237th Avenue NE, stated I happen to be next door to the proposed facility. What the folks need to understand and I don't know if the Council has had the opportunity to explain this, but the real problem is our deficient code and zoning ordinances. That's the reason this facility was even able to make this proposal. Compared to any other cities around here, this facility would fail every test to get into any of their zones. Blaine, Andover, Cambridge, anywhere around here, this wouldn't even be before you. So the folks need to understand that the emphasis has to be on fixing this code. Now what I'm wondering, can't a moratorium be put in place while the City is given more time to consider, possibly? Just a thought and I don't know. But it's clear that this is a problem for everybody and no one intended, as was said, but it's here.

Landis stated the other thing I want to be sure to point out is, as of a fairly recently, health issues have come to the fore on this type of facility. I would like you folks to commit to reading some materials that have been provided to you along health issues. This is even more serious than noise and all the other things that have been mentioned that we've griped and complained about already. But these health issues are a big thing and I equate it to something like asbestos. A few years ago, people handled asbestos like they didn't have any fear of it whatsoever. Now they, everybody wears haz-mat suits. Well this has, wood mulch is known for now causing issues that are similar to that. I want a commitment from you folks that you will look at the materials. We can furnish it. It's already been, I have printed out copies enough for you all to take a look at and I would appreciate you commit to that.

Ronning asked Dave is it? Thanks for the comments. You mentioned several cities. Could you provide what specifics? What ordinances and what regulations that they have that would not allow this in their community? Landis stated if you were making use of the information, it's already been made available to you. Ronning stated I missed it, I'm sorry. Landis stated oh, you want more? Ronning stated with the wood mulch, all the talk about the wood mulch, how can you buy it if it's so toxic and poisonous? How can you go to Menards and buy this stuff? Landis (*inaudible off mic comment*).

Ronning stated the toxicity and the noise, that's a good one. Most of the people making these claims, I would bet anything, have not been there. If you had been there, I've taken people out there and their comments have flat out been, 'This is nothing like they've been telling us. Nothing like they've been telling us.' We stuck our head right in the dog-gone machine that puts the dye on. There's a door at the bottom end of it and you can see the stuff come down, you can see it being processed, there's no smell. There's no, you know, 'walk away dead.' As far as noise, there is no piece of equipment they have there that's as loud as any Harley Davidson, and I have a Harley, you have a Harley. There's no piece of equipment they have that's as loud as a Harley going down 65. You really have to have a first-hand knowledge. You can't let somebody else make up your mind for you.

An audience member stated it sounds like you have your mind made up. Ronning stated we don't have the material before us to allow a decision. But we can't just make it on anger.

CST

Mundle stated Mr. Landis, if you would provide that information you were just talking about to Jack, Jack will make sure to get it to us and we will review it. Landis stated let's, I know, this is getting a bit tough. It's all there. Okay? You'll have it. You have it already but you'll have it again.

Koller stated Mr. Landis, I read on-line several things about the wood chip mulch and the dust and it will be brought up when we discuss it. I believe you're right on that. Landis stated at least acknowledge you have it. Acknowledge that you have it.

Voss stated everything, I will assure you, Jack has been diligent about, anything that's been provided to Jack from the residents he's provided to the Council. So, we are reviewing things. Mundle stated the information that I requested you provide us is the first new piece of information that you brought up tonight. Not the other city codes and ordinances. The stuff that you wanted us to commit to look at. If you provide it, we will look at it. Ronning stated and what specifically are the ordinances and such and how are they prevented from putting some business like that in.

Voss stated Mr. Landis, to finish answering your questions. You asked the question about the moratorium. That city, I don't know what the legality of it is, particularly when there's an application before us, but I think it's always a consideration of a city to do. There is a lot of considerations that have to be put into it. There are a lot of unintended consequences that come from that. And so it's a good point to bring up, to consider. Perhaps it is a tool and perhaps it is not.

An audience member stated I believe it's been made clear this evening that the application is not in front of you yet. Is that correct? Voss stated no. The application is in to City staff. It has not been presented to Council nor Planning Commission. The audience member stated so you're saying... Voss stated it's in process. The audience member stated okay.

Doug Meyenberg, 2301 224th Avenue, stated I guess I'd just like to caution the Council. I spent time on the Council and as Mayor during the time we were bringing in cable TV and natural gas. And, the people that bring this stuff in have got rights. I'm not for or against because I haven't really looked into the process. But I remember when I was on the Council, that we had to hire special attorneys so that we didn't 'stub our toe' and make a quick, rash decision that all of a sudden, you're in a multi-million dollar lawsuit that will bankrupt the City. My expectation is that the City Council and staff move forward and make sure you don't 'sub the toe.' And I'm hearing all of the residents, and I probably have to side with them if I were sitting in your place. But, if sitting in your place, I also would expect you to protect my pocketbook because companies can 'take you to the cleaners.' I worked for the City of Coon Rapids and they were threatened with lawsuits from major garbage haulers just over organizing the garbage a little bit more. So, that's all I got to say. Just as you're going through, and I'm sure you won't, don't 'stub your toe' so we don't end up in the middle of a major lawsuit. Voss stated that's a good point.

Joe Anderson, Durant Street, stated I might be the odd man out here but as you go through your Comprehensive Plan, I would like to see, do everything you can to draw some more businesses, commercial, industry to our City. I've been a life-long City resident and I've sat through many, many, many referendums for the schools, bond issues for schools, budgetary problems in the City, and the biggest reason is because houses don't pay much

in taxes in comparison to big businesses. We can't afford to go along and keep saying, 'Keep this a bedroom community.' I sat through those arguments 40 years ago. Our schools are suffering, our kids are suffering, we have all these people talking about that we've got to do stuff for the City, I mean for our students, you know, do things for our City but yet when time comes to bring in some tax dollars, the first person stands up and says, 'I don't want it across the street from me.' And they come up with, sometimes, a far-fetched way off, just like politicians on the far left and the far right. Sometimes the truth is way kind of off center from what the reality is. It's kind of true and I've sat through it many, many times. I would like to see some, not tax relief because I want to see the City go forward. I don't think my taxes are necessarily all that high when I compare it to other places. But I'd like to see some City growth and a big part of that is taxes. When I get that statement, when it says ISD 15, or whatever Forest Lake is, that's a big chunk of our taxes. And, if when we keep out businesses, they don't put one student into the classroom but they pay a chunk of taxes to our classes, towards the City, towards the County. And, if we want to progress, to me that's what you've got to do. You can't sit back and say, 'We're going to stay a bedroom community. We're going to keep these farm fields as farm fields.'

Anderson stated progress is going to come someday and I think we should have a very good Comprehensive Plan that this Highway 65 corridor should be industry. It should be commercial. It should not be housing. I used to sit at these meetings when I used to attend before I got so frustrated, people would at the same meeting complain about their taxes after they talked about keeping business out and the traffic on Highway 65. But we don't want jobs here to go to. Keep them down in Hopkins, keep them down in the City, keep them down in Blaine. But we're going to complain about the traffic. We've got a traffic proposal here. Maybe if we, Isanti, had some jobs and we had jobs and Ham Lake had more jobs we wouldn't even be talking about this 65 and 22 interchange. But I've been listening to it for, I'm 65 years old and I was born in East Bethel. I've been listening to this for 40 years with the school and budgetary and everything else. I think it's time we start to change some attitudes in our City and be a little progressive and try to figure out a way to enhance it. Voss stated thanks Joe. I hope to see you at the Comprehensive Plan meetings. So, I'll get your number.

Theresa Gohl, 23620 Goodhue Street, stated we live kitty-corner across from the proposed CST and I would like to comment on Dave's comment about the health issue. I had a kidney transplant five months ago and I've done a lot of research on environmental things. John Hopkins has a study out, which I think you've seen or should have seen, because it was sent to each one of the Councilmembers. I went to my nephrologist yesterday at the University of Minnesota and she agreed to write a letter to the Council stating that this is not a good place for people with CST there across from us. I would have to wear a mask every time I went outside.

Landis stated a couple things. You asked about some examples. I'm surprised you would ask this frankly but there's so many examples. I'll furnish the whole thing to you. But Blaine, for example, has two sentences that would take care of this whole problem. 'No outdoor storage in Light Industrial. No more trucks than are bays in their building.' Now, Light Industrial is defined in our code and everybody knows that's the problem. A lot of folks haven't been involved in this but it's been talked about. As far, sir, on your concern with industry coming in for our tax base, you need to see the numbers about this one. The problem is, again, the code, this business would furnish 'peanuts' compared to what this piece of property should if it were properly occupied in a Light Industrial. And again,

these numbers can be furnished. They'll 'knock your socks off' if you see the difference. That property would hold six Aggressive Hydraulics in the comparable land usage. And the numbers would 'blow you away' when you see the comparisons. And, those are available and will be furnished to the Council and any of the public that wants it as well. And you would say, 'This would rob the residents of East Bethel of future revenue that cannot come there because of this.' This proposal would fail in anywhere around here. Now that makes East Bethel what, the 'armpit' of Anoka County? We just bring in types of things that nobody else would want. Nobody else wants this type of thing in close proximity to residents like this. Why should East Bethel even have a code that would allow it to be considered?

Voss stated Jack, before we go forward, thanks Dave. We're getting close to 9 o'clock. Why don't we do this first? Are there any comments or questions for any other issues other than CST? I want to make sure we cover everything tonight. Is there anyone else that has questions other than CST issues?

An audience member asked what is the next step that you guys go through? Voss stated no, other than CST right now. I want to make sure that we cover everything. Jack, there's a question up front.

Accessory
Building
Ordinance

An audience member stated I just want to say thank you for (*inaudible*) building. I appreciate that. Voss stated I'm sorry? The audience member stated you changed the rules for, you have 2 acres you have this much of an outbuilding, you have 5 acres you have this much. You guys changed that. I appreciate that. Voss stated okay, the comment was that recently the City made some changes and tweaks to the Accessory Building Ordinance to allow accessory buildings, larger buildings on smaller lots is a nice way to put it. So we did make some changes and that was as, I think, the result of residents coming before the Council.

Voss asked any thing else? Davis stated we have one more question here.

Business
Friendly

Jennifer Klasons, 23591 Washington Street NE, stated I have lived here 20 years and I've always heard that we are not letting any big business in. We're tax poor. We want to keep it rural. And sometimes I am a little bit disgusted about the businesses that we do allow in. But, that's my comment. So in problem solving, I understand the person that owns the property has been trying to sell the property for maybe four years. I'm thinking isn't there anyone else that would want to buy this property and is that a possibility? That would be like even a homebuilder or something. Is there a chance that someone else can purchase the property besides this company that we don't want? And, I don't think changing the zoning is a big deal because when I lived in Coon Rapids, they tried to change the zoning on some property to put some storage in and it didn't go through. So I think that shouldn't be a big issue. That's a question mark.

Voss stated I don't know if the City's ever not allowed big businesses to come in. That's I think, it's the reputation the City's had. Many cities have had it, not 'business friendly.' I think over, particularly over the last several years, with the formation of the East Bethel Chamber of Commerce, the EDA getting more active in economic development, there's a lot of programs to support not only new businesses coming in but the existing businesses that we have. We're not forgetting about the existing businesses.

Mundle stated really, I've been a long-time resident too and I have heard all the past Councils say, 'Well, we want to keep it a bedroom community. We've been against business.' We are absolutely trying to change that. We are doing whatever we can to bring businesses in and keep our businesses, improve our businesses, help them improve, help them expand, anything that we can do.

Mundle stated one of these processes was the Business Retention and Expansion Program, which was an extensive program that was done over the past year and had many, many, many volunteers. Essentially what they did, it's a Program that's developed by the University of Minnesota and questions are developed and tailored for East Bethel. We had a group of at least 50 people to go out interview businesses in the City with those questions. Say, 'What do you like? What don't you like? Are there any red flags?' I don't know how many questions. It's at least an hour's worth of questions. This information is then sent down to the U of M. They analyze it, put together in ways that non-economic experts can understand it and we can start to see a picture of what the City needs and what the businesses need. That's further tailored down to what are the three biggest projects the City can take on to help support our businesses and attract new businesses. So, over the past year, over the past two years, over the past three years, the City has been doing a lot to try to change that image. Businesses won't, unfortunately, come overnight unless somehow we have an oil boom or something. So, our economic 'engine' is just starting up. It takes some time to grab hold but it is absolutely starting up and we are focused towards large businesses, any businesses that want to come in. And, there was a second part of that statement, but I can't recall.

Klasons stated changes to the zoning and someone else purchasing the property. Mundle stated someone else purchasing the property, sure maybe but the City has absolutely nothing to do with other people purchasing the property. One thing that the City has been trying to do is promote East Bethel, promote the properties that are for sale. But we can't control any buyers. We can't control what the sellers do. You want to take changing the zoning?

Voss stated I think to change the zoning comes back to discussion of the Comprehensive Plan. And, the discussion of changing the zoning, right this minute, it has been alluded to by several people. There's, I think, significant legal issues that would have to be considered and discussed if that was even attempted. But that may be something that will happen during the Comprehensive Plan process, which is starting.

Voss stated Dave, I see your hand but can we get questions of anyone who hasn't asked a question? I want to make sure we get to everyone.

CST

An audience member stated I live in Bethel on Dewey Street and we saw the signs so there are some people living there that are concerned. I came down here to hear what's going on. I just had a question when you were discussing the codes and whatnot and deciding whether they would fit with the ideal you would have for that. I seen a flyer that there's only like one job per acre with this company and there should be, with Light Industrial, like five to ten jobs per acre. So is that something you can include when you come up with your idea of what a company should fit into? Can you mandate a minimum number of jobs per acre?

Ronning stated you might be able to do something like that but you'd limit yourself extremely on what would come in. For a place this size, my experience and that's all I'm

relying on, is you primarily would have something like a warehouse, which does not hire a lot of people. Unless you had a number of smaller businesses that would go in there together, you'd probably end up with a warehouse-type business, maybe a (*inaudible*) implement or something.

The audience member from Bethel stated I was just thinking if the community was willing to go through it, are they going to want to make sure that there's enough jobs to make it worth it to them to have the company there. If there's only going to be a few and they feel like they're giving up a lot, is it going to be worth it to the community to have that company there? Voss stated the issue you're bringing up about jobs per acre is something we, that you discussed early on, at least in informal discussions, and certainly will be something that will be discussed formally when it goes to Planning and comes to City Council. I like the idea of having that as a guideline with, when we redo our Comp Plan.

The audience member stated okay and the -- someone said -- the Fire Chief, he cleared everything with this company? Voss stated if someone told you that, it's hearsay. The audience member stated okay because I want to know how much experience does the Fire Chief have with this product. Voss stated you're asking the Fire Chief how much experience he has with wood, okay. The audience member stated with mulch production and its combustibility. Voss stated that has not been presented to Council yet. And the flyer you're speaking of hasn't even been presented to Council either. So, if anyone has an extra one, I'd love to see it too.

Brian Weidenfeller, 23440 London Street NE, stated I'm down the road in the new development from where CST has applied for an application for. I was wondering, as far as the lights at 65, what impact? Is there a study that's brought for the traffic that's going to be increased? With the truck traffic trying to cross those lights, such as 22 and 65? Are we presenting a new problem for us residents trying to get across the street? And, are we going to be able to extend the length of time on the lights for the bigger trucks to get through? And secondly, I was curious if you truly believe this is a Light Industrial proposal, would you live across the street from it?

Voss asked Jack, can you answer the question on the traffic? Because, I know you talked with the County. Davis stated the traffic question at that intersection is a Mn/DOT issue. The City has no control over that at all. I'm sure they do traffic studies but they have to have a certain volume before they do things. They will do requests for re-examination of the timing of the lights but this would have to be something that's submitted to Mn/DOT. The other issue with the transportation is it's a County road so when it comes to roads and streets, we have to go to Mn/DOT and Anoka County to get those results.

Weidenfeller asked will it be a new problem presented to the community with the lights? Davis stated the issue with the trucks, I see that as something they would have to address. That's another intersection too where traffic backs up significantly, especially in the evenings and in the mornings. So I'm sure they would have to address the timing of the lights to increase more green time on the side streets and you have to reduce it somewhere, which is on the through lines. So that would be an issue Mn/DOT would have to address and we would give that to them if this came about.

Weidenfeller asked and do you truly believe this is Light Industrial, Commercial? Voss stated the question, that question whether it's truly Light Industrial, I think I've said a few times tonight, is one of the things we'll have to consider in the process. And, Planning

Commission will need to consider it and the City Council will need to consider it. Because if it doesn't pass that hurdle and it doesn't, if there's a determination by City Council that it doesn't meet, then it's not a permitted use. Then it's a different 'ballgame.' That's one of the fundamental questions that needs to be answered, which we will do once we have a formal application in front of us.

Troy Strecker, 23673 Baltimore Street NE, stated my wife and I live right across the street. Obviously, I've spoke before. I just wanted to allude, quick, to the question about one of the Councilmembers saying they had visited it, it's pretty quiet, this and that. We're not so much, myself personally, I'm not so much concerned about the equipment itself making the noise. I'm concerned, as many residents have said here, with the trucks backing up, the beeping. And the problem I have right now with you saying that you visited it, you've not visited it in July or August when it's 90 degrees out and the wind is blowing and my whole yard and my wife and her day care kids can't be outside because the dust is so bad and stuff's covered, and that kind of thing. So I guess that's more my concern. I understand that you visited it. We've had a few other people that have visited but we also know it kind of sits down in a valley. If anybody, and I don't know how many countless times people have come to my house and said, 'It's like a frickin' wind tunnel here coming across that field and stuff.' That's going to come right in our yard, Matt's yard, Jim's yard, everybody's. It's going to come right across that and I guess that's my only comment is we're not looking at July or August or June here. That's more what I'm concerned about. Thank you. Voss stated it's a good point and something we all need to consider is to extrapolate back to summer. Because you're right, we did, I think all of us visited in spring or late spring.

Corey Kessel, 23213 Buchanan Street, stated I'm about a half mile away, a quarter mile away from Cooper's Corner. You know your question, I guess, really comes back to the beginning where we, you talked about the process. You know the application, if you guys have the application or don't have a formal application, can you kind of run us through that process again? Obviously, this is going to go before Planning Committee, the Council, then where does it go from there once you guys have discussed it. Do we have another community meeting or how's that process wrap up to approval or deny the application. Voss asked Jack, you want to answer that?

Davis stated thank you Steve. The applicant in this case, which is CST Companies, has to submit a site plan review to the City. In that Site Plan Review, the applicant has to answer a number of questions and address the issues relating to compliance with all the City ordinances that relate to this business in that zone. This process began in March, they submitted an application, which was incomplete. City staff then addressed the issues that were incomplete. They resubmitted it, there were still issues that were incomplete. We met with them last week and there were approximately seven major issues that they still need to address relating to dust, noise, odor, water quality, the access road.

Davis stated so there's a process that has to be followed. Once they get this application in and it's deemed complete, then it can be submitted to the Planning Commission. The Planning Commission will then review the application and they will either recommend approval or denial of it. They will recommend that to the City Council. Once City Council gets it, then they will react to the Planning Commission's recommendations and it's up to City Council for final approval. As was previously stated, the Planning Commission's recommendation is only a recommendation. So City Council takes their recommendations very seriously and once it comes out of there, the Council will act on it.

The reason for this is they need this approval before they can ever get a building permit.

Davis stated so, that's the process. Currently we have given them a deadline of Thursday morning to submit their application. If it's complete at that time, it could be submitted to the Planning Commission on April the 27th. And if it's not, it would go to the Planning Commission in May. After it goes to the Planning Commission, then it would be forwarded to the City Council. The City Council could request an additional two weeks. The City has 60 days to act on the application and the City can extend that period for an additional 60 days, if needed.

Voss stated one thing to add to that as well, just so everyone appreciates. With everything that Jack's explained in this process, because it's a Site Plan Review and it's a permitted use. There is no public hearing. And I think, hope, everyone here will agree that the City Council has obliged, very well, of getting the feedback from the neighborhood and the residents. It's not something that the City normally does. Certainly not something that we're required to. But, and I'll speak for all five of us, that we appreciate the fact that you are here, that you are active, you are giving us these comments because there is no formal process to allow that. We're obviously listening so that's a good thing.

Upcoming
Events

Denise Lachinski, 22286 Vermillion Street NE, stated I just have a couple of announcements for the City of East Bethel. There's no requirements of the City Council. April 24th there will be an Arbor Day Celebration here in Booster Park East where we will do some, April 23rd, sorry, Saturday, at 10 a.m. We will be doing a tree planting for the Arbor Day Celebration with the local Cub Scout Troop. Tomorrow night is the Booster Day Celebration Meeting and we have that every third Thursday of the month. We're looking for some volunteers to help with our seniors. They need some help with their bingo and auction and I don't know. What else Ken? Ken Langmade stated the pancake breakfast, our noon lunches. Lachinski stated so if you know of any groups or even yourselves, if you could come help us out, that would be fabulous. That's it.

Volunteer
Opportunities

Voss stated to Denise's last comment, Denise has been one of our volunteers for several years heading up our Booster Day Committee. It's a volunteer process. As with any volunteer organization, it's sometimes difficult to get volunteers to come out and I know many of us enjoy and participate in Booster Day over the year. It's a great City celebration. If anyone has that spare time, it doesn't take a lot, it just takes a little bit of commitment particularly between now and July when Booster Day occurs. The Committee will be very appreciative of any help that you provide. And you can contact Denise, you can go through Jack, to get Denise's contact information.

CST

Steve Bloom, 2657 226th Lane NE, stated if CST takes up 20% of the industrial zone and gives roughly \$17,000 in taxes to the City of East Bethel, who will pay for sewer, water in the rest of the industrial park?

Davis stated there are no plans currently to extend water and sewer service to that area. It's over three-quarters of a mile away. It's not feasible for extension. We anticipate that any extension would be developer or user driven so really that's not anything that's on the 'table' at this time. In terms of the taxes, the valuation of that would come from the County. So what you've seen, \$17,000, is an estimate and it could be higher. But until the County gives a valuation on that and we know what the total investment is, predicting exactly what the taxes are just a guess at this point.

CST

An audience member stated from what I've heard, CST is, it sounds overwhelming like they're not wanted. Are they aware of that? Has anyone contacted them and said? Voss stated I'm sure they're hearing it. The audience member stated okay, I just want to make sure they know the strife that's. Voss stated I don't call it strife.

Landis stated one thing, you mentioned that there would be a new Comp Plan worked on. I'd like to make a suggestion that in the future, when zoning changes are made that can impact residents to the degree they have in the past, that you give a little consideration to some of that to the affected parties. We bought in 2005. We were zoned Residential and unbeknownst to us, as we were moving in, this was being under consideration. And I didn't know until a few weeks ago that we're zoned Light Industrial. Low and behold, our home is Light Industrial. And it was just done arbitrarily with no, any specific information. You folks, I'm not being personal here, but you come around to my house and ask for my vote. I don't think it's too much to ask to come and tell me my property's being rezoned to something that's got a huge impact on me. So I just suggest in the future that you take the time and effort to advise people. I know you say the agenda's on City Council and so on but, you know, we've all got lives and we aren't necessarily looking over our shoulder to see what the City might be doing to us. And so it's just a consideration.

Voss stated and that's very good because like I said early and have said many times, it's difficult to communicate with the residents. It's even more difficult to get them to engage or even read the things that we send. And I'll say from probably one of the few people that are here that was involved in the last Comp Plan, even then, we did our best to communicate to the residents through newsletters, postings, news articles, and direct mailings to every resident in the City, every resident. And one thing we can't do, Dave your timing may not have been right, Mr. Landis. Not everyone reads their, especially when you get something from the City. Usually that kind of goes in the trash some times. But that was the attempt that the City made was to make sure we contacted everyone. And there was, some of the, a few people here that were involved back then. You know we had quite a few people that were involved in the Comp Plan.

Landis stated Steve, when I inquired about what was done to inform residents, I was told because it was a Citywide rezoning, and specifically over five acres, apparently, that there is no notice given or required. Voss stated whether it was required Dave... Mr. Landis stated no one could find any record of any notice of that kind being done. If the record is there, I requested it and didn't get it. So I'd appreciate seeing how I was advised because I don't think I was. I read mail and I'd suggest that if you send a direct mail out and say on the outside, 'You better read this because it will affect you,' it would get read. Voss stated you know, it might have said that. Honestly, it might have.

Voss asked anyone else? We're running late but this is, as long as you want to stay and have discussion, I think we're here.

An audience member stated you talked about notification. Two things on the zoning and with CST too, with the notification, couldn't it be as simple as, and I know other cities and counties do it when something's up for a deal like CST is, is make a sign and put it on the proposed property so everybody driving by knows what's going on there and they can, they don't have to check weekly for agenda meetings to find out about them?

CST

Voss asked is there a concern that your neighbors don't know CST? The audience member stated they don't know because of you. They know because of everybody in the room. Voss stated I agree and cut me a little bit of tread because Dave was at the very first meeting where we talked about CST. And Dave had the same kind of comment and I encouraged Dave and any other resident to let our neighbors know because when that news first came out, it was the first time anyone in the City even heard about it. And for as large of a City as we are, expansive, what to me is the most impressive is the fact that so many people know about this issue without the City sending out formal notices. You know, so this has not been a secret to anyone. It's not.

The audience member asked if that one person hadn't found out, where would we be right now? Voss stated that's the challenge we have. The audience member asked don't you think that a sign in the 40 acres saying, 'This property is proposed for such and such' would have been a good idea? Voss stated that is something that we've discussed years ago and I'm not sure where it's at. I think we still have signs like that because we've done that in the past for rezoning. But that's a very good point to make. That's one way of communicating and other cities do that.

The audience member stated disregarding all the ordinances and stuff like that and what the book reads, and I don't care what Tom has to say, would you guys want to live next to this? Honestly? Voss stated I'll share. No, if you want my answer. No. The audience member stated I want to hear from all four of you. Not five because we know where Tom sits.

Ronning stated I don't mind answering that. I probably shared your opinion until I was out there and saw what it was. And, I've taken a resident or two out there just so they can make up their own mind rather than what is being presented to them. And I live over by Polk Street by the schools. It's not going to be in my back yard, it wouldn't be. If it was across Polk Street from me and what I know about it now, I don't think I would care. I really don't.

The audience member asked 22 hours a day? Trucks? Would you want to listen to a Harley 22 hours a day? Ronning stated no but I do get to do that. When Fatboys was open, they'd go to 2-3 o'clock Saturday morning, or Sunday. But I think the number of trucks is exaggerated. The audience member asked seriously? Ronning answered yes. How many trucks do you expect? How many trucks do you think they have? The audience member asked how do you think they get their product there? (*Several overlapping inaudible off mic audience comments.*) Ronning stated okay but how many of those are going to be coming every hour? Voss stated Tom, folks, we've gone three and a half hours with very cordial discussion. Let's not ruin our evening.

The audience member asked the other three, can I have their honest opinion? Would you want to live next to this? Harrington stated when I get all the information, I'll let you know. I haven't gotten all the information. That's all I want. Before I make a decision, I want to know all the facts and I think everybody should get all the facts before any decision is made.

Koller stated well, right now I live right behind the brand new sewer treatment plant.

Mundle stated of any of the Councilmembers, I believe I live the closest to it. So I can just about see that site from my house. The audience member asked what site is that?

The proposed? Mundle stated the CST site.

Voss stated so I'll tell you what, it's 9:30. Is there question or comment we haven't talked about or anyone hasn't discussed tonight? Okay, on behalf of Council, we're going to adjourn.

**Closing
Comments**

Voss stated on behalf of the Council, I want to thank everyone for being here tonight, being patient, being cordial. Please continue the discussion and thank you all for being here at our Town Hall Meeting.

Adjourn

Harrington stated I'll make a motion to adjourn. Ronning stated I'll second. Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Meeting adjourned. **Motion passes unanimously.**

Town Hall Meeting adjourned at 9:27 p.m.

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial, Inc.