

**CITY OF HANOVER
CITY COUNCIL MEETING
JANUARY 7, 2020 – OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance:

Mayor Chris Kauffman called the regular meeting of Tuesday, January 7, 2020 to order at 7:01 p.m. Present were Mayor Chris Kauffman, Councilors Ken Warpula, Jim Zajicek and MaryAnn Hallstein. Also present were City Attorney Jay Squires, City Planner Cindy Nash, City Engineer Nick Preisler, City Administrator Brian Hagen, Public Works Supervisor Jason Doboszanski and Accountant Jackie Heinz. Guests included Claudia Pingree, Dave Malewicki, Mike Christenson, Nicole Christenson, Ed Hunter, Brian Gronsberg, Pat Meister, Ed Sjolín, Gary Fehn, Scott Dahlke, Linda Berg, Dean Hiller, Dean Kuitunen, Terry Johnson, Jacob Gardner and Doug Voerding from the Wright County Journal Press. Absent was Councilor Doug Hammerseng.

Approval of Agenda:

Hagen added Resolution No 01-07-20-07 – Approving Fire Department Officer Positions as item 6b2.
Hagen added Summary of Brian’s Review as item 8a.
Hagen added Closed Session – Preliminary Consideration of Matters Involving an Employee as item 8b.
MOTION by Warpula to approve the amended agenda, seconded by Zajicek. **Motion carried unanimously.**

Consent Agenda:

Hagen added Resolution No 01-07-20-08 – Supporting Crow Hassan Park Reserve Master Plan as item e.
MOTION by Hallstein to approve the consent agenda as amended, seconded by Warpula.

a. Approve Minutes of December 17, 2019 City Council Work Session Meeting

b. Approve Claims as Presented:

➤ Claims	\$ 192,299.36
➤ Payroll	\$ 14,738.38
➤ P/R taxes & Exp	\$ 4,345.01
➤ Other Claims	<u>\$ 2,602.32</u>
➤ Total Claims	<u>\$ 213,985.07</u>

c. Res No 01-07-20-01 – Designating 2020 Elections Absentee Ballot Board

d. Res No 01-07-20-02 – Approving 2020 Solid Waste Hauler Licenses

e. Res No 01-07-20-08 – Supporting Crow Hassan Park Reserve Master Plan

Motion carried unanimously.

Citizen’s Forum:

Kent Melcher – 1050 Mallard Street NE

Stated he is not in favor of the mining expansion which borders 2 sides of his property. He inquired what the residents / City will gain from the mine, what will happen to property values if the mine is approved and is the mine for the good of the City as a whole.

Dean Hiller – 1283 Irvine Drive

Hiller stated he is against the mining project, the current permit has not been enforced with regards to the reclaiming process, the property will not be usable when complete and a trail / walkway is needed. Hiller inquired who is responsible for monitoring permits, what the new road life expectancy is and what the City of St. Michael thinks of the mine.

Terry Johnson – 10655 Prairie Lane

Johnson stated he is having issues with his neighbor cutting down trees and dumping compost items in his yard.

Joe Peterson

Peterson stated he lives along the mine property and is against the proposed permit. Peterson stated the mine will depreciate house values and there will be increased noise. Peterson inquired what house values were in the past, would there be compensation to residents living along the mine and wants to know what the mine will do for the City.

Public Hearings:

None

Unfinished Business:**Mahler Mine IUP Application – 15th St. NE Improvements**

Preisler stated the estimated cost to do a full depth reclamation of 15th Street, bringing it to a 10-ton road, with turn lanes and adding a trail at \$600,000. The existing power poles on the South side of 15th street are 13' off the gravel shoulder, not leaving enough area for the trail, boulevard and vegetative strip. The enclosed estimate is assuming the trail would be done in conjunction with the road. Kauffman inquired what the current tonnage of the road is, Preisler stated 9 ton. Kauffman inquired when maintenance was last performed on the road, Preisler stated that is not known.

Hallstein went through the background of the project, discussion of possible cost sharing with the City of St. Michael and the change of Hanover council to pay for future road projects with cash, thus saving money on the bonding process and interest. Nash stated the haul route must be the shortest route to a county road. Currently not operating on a 10-ton road, the road improvements need to be approved for IUP approval and St. Michael has stated they won't pay for a deteriorating road. Brian Gronsberg stated the Dehmers pit was running years ago. Kauffman stated the City of St. Michael collected the money and has spent it.

Jeff Martenson stated he previously lived one mile out on county road 20, he had problems selling due to the road noise, the road was upgraded to 10 ton and was still loud. Martenson also stated traffic is backing up at the County Road 19 and 15th Street intersection, he inquired if Wright County will get involved. Kauffman stated to contact Mike Potter with County Road 19 concerns. Martenson inquired if a sound barrier would be installed, Kauffman stated it's not in the proposal. Preisler stated a sound study was completed for the mining operation, not for 15th street traffic. Hallstein stated she would share the contact information for Mike Potter for residents to contact him.

Dave Malewicki inquired if 15th Street would be shifted to the North, Preisler stated yes. Hallstein inquired about burying the power lines, Preisler stated they reached out to Xcel Energy, they won't give a concrete number but roughly \$200,000 - \$300,000 to bury the power lines.

Linda Berg stated she is having a hard time understanding the benefit. The mine is taking over the comfort of the citizens, the trucks are loud and she is unable to enjoy her property, she is concerned she won't be able to sell in the future. Kauffman stated there's no win / win. Residents don't want the mine, with the pit last year residents didn't want more houses.

Jacob Gardner – 1012 Mallard Street NE – stated he moved to Mallard Street 5 months ago, he wasn't aware of the mine at the time. He feels his children's lives will be interrupted, had he known about the

mine he wouldn't have moved. Kauffman stated the buffer is 200' from the property line. Hallstein asked Hagen to state where project information can be found. Hagen stated on the City website which is www.hanovermn.org, on left side click on City Projects, this is where all forms that come in are posted. Nash stated the old permit or IUP had few permissions, if the permit is not worded correctly, then enforcement is difficult. Nash further stated the Duinick pit land was left in bad condition, this causes more work for the developer. The proposed IUP now is a dozen pages long of conditions the City and miner can work with. Kauffman stated the same amount of trucks would be hauling, no more would be added. Preisler stated the noise heard now is caused as the trucks drive over the cracks and potholes, there is also exhaust and engine noise, the road improvement would reduce the noise. Linda Berg stated more than 100 trucks travel 15th Street per day. Jim Mahler stated he is a life-long resident of Hanover and there are two other gravel pits in St. Michael. Mahler further stated the road hasn't been redone in over 30 years and the Industrial Park traffic and Havel pit traffic also use the road. Scott Dahlke stated per the traffic study which was done, the amount of trucks is 10% of the overall traffic. Dahlke further stated the study was completed during peak season and peak times.

Nash stated tonight's objective is to get feedback regarding a 10-ton road, turn lanes and a trail. Nash further stated there will be no approval tonight but rather recommendations on both items pertaining to the mine. Squires stated the City has the authority to impose reasonable conditions. Construction of the road must be 10 ton to a collector road. Regarding the construction of the trail, if there is harm or negative effects that cause the need for the trail, that is the connection to the condition. Squires further stated turn lanes are required if deemed necessary for traffic safety and the City can make the proposer / developer pay. Squires stated their work, meaning the mine, is creating the need for the construction. The gravel tax payments will create a fund to be used at the cities discretion to fix future damage. Kauffman stated the \$100,000 the City currently has should be used for current construction costs, not to fix the road 20 years from now. Hallstein stated she is okay with the money being used either way, a trail is needed, 8th street is an option, but much more expensive. Zajicek stated a trail and turn lanes are needed. Kauffman suggested having a meeting with Hanover and St. Michael council members.

Discussion continued regarding widening of County Road 19, the speed of traffic on County Road 19 and a traffic light at the intersection of County Road 19 and 15th Street.

Dahlke stated the mine project isn't causing the need for road improvements, if the project didn't happen the improvements are needed regardless. Dahlke inquired if Park Dedication fees could be used for the trail, or find grant funding. Kauffman stated Park Dedication fees have a priority list they will be used for. Squires stated the current project is being proposed and those are the impacts, it's unfortunate but this project is tipping the scale and the improvements are needed.

Council consensus for improvements of 15th Street to include a 10-ton road, turn lanes, trail on the south side and using the \$100,000 towards the project cost.

Mahler Mine IUP Application – Review of Planning Commission Recommendation

Nash presented a slideshow, on screen is a simplified version showing the five phases. Phase one will stay partially open. The material processing set back is 250' from property line and 500' from any house. Mining operations set back is 100' from the property line and 200' from any house. Nash further stated the berm will be constructed in phases, the south and east sides of the mine are ag or undeveloped. Preisler stated the land in the middle of the mine is currently 900 – 924' with end use being roughly 898'. Preisler further stated street connections will be 8-10% on the west side and there could be an abundance of top soil. Nash stated the land can be redeveloped, current City ordinance is written to not have lift stations in that area, however one will be needed whether developing today or in the future due to current topography.

Nash referred to a possible end use concept plan, showing lots larger than the adjacent neighborhood and ponds under the power lines.

Discussion continued regarding the current mining permit and reclamation. Nash stated the proposed permit calls for an annual review showing what has been completed and plans moving forward to help ensure guidelines are followed with a physical inspection done by City staff. Hallstein stated if Fehn does not reclaim the site, the City would have money set aside to finish the process. Nash stated the developer has requested different hours of operation to include Saturdays when weeks have been rainy. Hallstein stated staff gathered information about surrounding mines, all were in an agricultural area where this is residential. Nash stated the hours of operation don't comply, the developer would like the City to amend its ordinance, the process would require a public hearing at the January Planning Commission meeting and then to the February Council meeting. Nash further stated Planning Commission recommended in favor of hauling only on Saturdays. Squires stated the matter of hours of operation are not before you tonight, it must go through Planning Commission and the developer must request to amend the hours.

Nash stated a draft of potential conditions has been started, the permit would expire after 10 years. Kauffman inquired if the conditions were in line with the recommendations, Nash stated yes. Warpula asked if the developer is following the current terms, Gary Fehn stated yes, they are about 75% mined. Warpula asked what length the developer would like, Gary Fehn stated 20 years due to the amount of the investment, it will take one year to get going.

Ed Sjolín inquired about the pit grinding concrete and the air quality from silica dust. Nash stated there is a dust management plan and will have to meet OSHA standards. Nash further stated crushing and grinding will be done periodically once there is enough material and will only occur in phase one.

Discussion continued regarding height of the berm and vegetation on top of the berm. Squires stated there will be no decision made tonight, the decision will be presented at the first council meeting in February. Hallstein inquired if information could be provided regarding a 10 year versus 20-year permit length with pros and cons. Nash stated when the permit is renewed, they would go through the same process as now but no EAW would be completed.

Discussion continued regarding not following permit guidelines, action taken and how it would be resolved. Squired stated the City has a right to revoke if conditions are not met. Hagen stated the Planning Commission will review on Monday, January 27th, if approved will then go to Council on Tuesday, February 4th.

Res No 01-07-20-07 – Approving Fire Department Officer Positions

Hanover Fire Chief Dave Malewicki stated he is requesting the department move to having three captains and 3 lieutenants from four captains and two lieutenants. Malewicki further stated this will better structure for department responsibilities. Each Lieutenant will report to a Captain for 4 months and then rotate. Hallstein stated this will provide a better opportunity to cultivate leadership and duties will be shared more. Hagen stated a Lieutenant Job Description is included with the resolution, there will also need to be slight adjustments to the remaining Captain positions and duties. Malewicki stated Captain 1 will be in charge of all items off the trucks but inside the station, Captain 2 will be in charge of all trucks and items on the trucks and Captain 3 will be in charge of Fire and Medical Training for the department. All Captains will share in training duties.

MOTION by Hallstein to approve Res No 01-07-20-07, seconded by Warpula. **Motion carried unanimously.**

Res No 01-07-20-03 – Approving 2020 Appointments

Hagen stated the appointments for 2020, there has been some adjustment since the previous meeting. One Planning Commission spot is left vacant for further review of the applicants. Hagen read through the 2020 annual appointments and further noted the Fire Department Officer appointments as Chief 2 being Toby Heinz, Captain 2 being Adam Lange and Lieutenants being George Diaz, Robert Waldorf and Brett Slaney.

MOTION by Zajicek to approve Res No 01-07-20-03, seconded by Hallstein. **Motion carried unanimously.**

New Business:

Res No 01-07-20-04 – Approving Fire Department Wage Adjustments

Hagen stated when the 2019 budget was being prepared, Chief Malewicki made adjustments to his budget to increase the officer pay but no resolution was brought forward. Malewicki stated Officers are attending more meetings and have more duties and should be fairly compensated. Kauffman inquired if the increase could be backdated. Squires suggested tabling the resolution due to miscommunication and the time that has lapsed.

MOTION by Warpula to table Res No 01-07-20-04, seconded by Hallstein. **Motion carried unanimously.**

Res No 01-07-20-05 – Approving EDA Matching Grant Request

Hagen stated the EDA has reviewed an application by River Inn for a matching grant for the installation of a grease trap. The idea has been brought up, discussed and supported by staff and is also supported by the EDA. The extra jetting that is being done at the Mill Pond Lift Station has been traced back to the River Inn. Hagen further stated River Inn will receive \$1,230 in grant proceeds with the River Inn paying for 75% of the job.

MOTION by Hallstein to approve Res No 01-07-20-05, seconded by Zajicek. **Motion passed 3:1**

Aye: Warpula, Zajicek, Hallstein

Nay: Kauffman

Res No 01-07-20-06 – Approving Purchase of Bobcat Toolcat

Hagen stated in 2019 the CIP was reviewed, in that plan the purchase of a Toolcat for \$65,000 was included for 2020. Quotes came back at \$55,446.33, there are funds available in equipment capital. Warpula inquired if the price included a grapple, Doboszanski stated yes and a standard bucket.

MOTION by Warpula to approve Res No 01-07-20-06, seconded by Hallstein. **Motion carried unanimously.**

Coffee with Council Events

Hallstein stated lots of communities do similar events but go to different businesses, she feels it's worth trying for a quarter, if no big turnout was still beneficial. Hallstein further stated having a day and night option. Kauffman suggested trying the event for one month, Hallstein stated one month is not long enough of a trial timeframe. Warpula stated it's not a bad idea, be sure to not put out misinformation. Zajicek suggested with one time per quarter and adjust from there. Hallstein stated to start with two per month and can cut back. Council consensus to try Coffee with Council Events for one quarter.

Reports

Doboszanski

- No Engine Braking Signs were ordered, received within three days and installed. There is a sign on the "Speed Limit 40 Ahead" sign as you're driving west into town.

Preisler

- The 2020 Pavement Improvement Plan is nearing completion, will be presented at the February Council meeting with bids going out at the end of February.

Nash

- A concept plan for Mercantile Pass will be coming soon as well as a plat for Riverside Estates.

Hagen

- Big Bore BBQ plumbing application was approved by the state and will be going to Metro West, work continues to progress.

Summary of Brian's Review

Kauffman stated Brian's review was discussed and approved, he met the standards to stay employed.

Closed Session – Preliminary Consideration of Matters Involving and Employee

MOTION by Warpula to close the meeting at 10:15 pm, seconded by Hallstein. **Motion carried unanimously.**

Present during the closed session were Mayor Kauffman, Councilors Warpula, Zajicek, Hallstein, City Administrator Hagen and the employee.

The regular meeting was reopened at 10:48 p.m.

Adjournment

MOTION by Hallstein to adjourn at 10:49 p.m., seconded by Warpula. **Motion carried unanimously.**

APPROVED BY:

Chris Kauffman, Mayor

ATTEST:

Brian Hagen, City Administrator