

**CITY OF HANOVER
CITY COUNCIL MEETING
FEBRUARY 4, 2020 – OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance:

Mayor Chris Kauffman called the regular meeting of Tuesday, February 4, 2020 to order at 7:02 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 Administrator Brian Hagen and Accountant Jackie Heinz. Guests included Carol Dixon, Gretchen Barrett, Tami Cardinal, Gary Fehn, Scott Dahlke, Linda Burke, Dean Hiller, Ed Hunter, Tim Filzen, Susie Noto, Joe Peterson and Doug Voerding from the Wright County Journal Press.

Absent was Councilor Doug Hammerseng.

Approval of Agenda:

MOTION by Hallstein to approve the agenda, seconded by Zajicek. **Motion carried unanimously.**

Consent Agenda:

Hagen added Resolution No 02-04-20-18 – Accepting Resignation from Carl Olson as item h.

MOTION by Warpula to approve the consent agenda as amended, seconded by Zajicek.

a. Approve Minutes of January 21, 2020 City Council Work Session Meeting

b. Approve Claims as Presented:

➤ Claims	\$ 32,949.10
➤ Payroll	\$ 10,038.54
➤ P/R taxes & Exp	\$ 4,018.73
➤ Other Claims	\$ <u>2,698.93</u>
➤ Total Claims	\$ <u>49,705.30</u>

c. Res No 02-04-20-11 – Authorize Advertisement for Summer Seasonal Position

d. Res No 02-04-20-12 – Approving Renewal of Consumption and Display Liquor License

e. Res No 02-04-20-13 – Approving 2020 Pay Equity Report

f. Res No 02-04-20-14 – Recognizing Resignation of Rusty Olson

g. Res No 02-04-20-15 – Approving Quote for Portable Toilet Services

h. Res No 02-04-20-18 – Accepting Resignation from Carl Olson

Motion carried unanimously.

Citizen's Forum:

Legislative Preview – State Representative Eric Lucero

Lucero was present to discuss legislative items for the 2020 session. Lucero stated topics for the year will be reduction of taxes, the waste, fraud and abuse of the Department of Human Services, Gun Control, Data Security including college student security, genetic DNA, facial recognition and the Census. Warpula inquired why the state is bonding when there was a surplus, Lucero stated there is a surplus, overcollection and there is a request for another tax. Some believe the taxpayers are a piggy bank, we are overtaxed, people are leaving the state and businesses are not making it. Lucero further stated people are voting with their feet and leaving Minnesota. Warpula stated Firefighters are becoming fewer and fewer, is there anything the state can do. Lucero stated it's an unfortunate challenge, Fire Departments need to go to a paid-on call or increase the hourly wage. Lucero stated tonight is the State of the Union address and if anyone has questions or comments he can be reached at rep.eric.lucero@house.mn.

Public Hearings:

None

Unfinished Business:

Res No 02-04-20-16 – Appointing Additional 2020 City Appointments

Hagen stated there were three applicants for the Planning Commission position. Planning Commission gave their input to appoint Gretchen Miller – Barrett.

MOTION by Warpula to approve Res No 02-04-20-16, seconded by Hallstein. **Motion carried unanimously.**

New Business:

Ord. 2020-01 – Amending Zoning Ordinance Regarding Mining Hours

Nash stated enclosed is a proposed ordinance change regarding mining operation hours, this is a zoning ordinance amendment and not related to the IUP. Nash further stated Fehn is requesting Saturday working hours from 7:00 am to 5:00 pm and time of procedure for extended hours. For example: a highway project on county road 19, the work is generally completed during night hours, Fehn would request for overnight hours. Nash further stated the Planning Commission held a public hearing and are recommending adding Saturday hours of 7:00 am – 2:00 pm of loading and hauling only with no extended hours. Zajicek inquired what the current hour are, Nash stated 7:00 am – 7:00 pm during weekdays. Zajicek inquired if this will affect other businesses, Nash stated this is for mining only, not the Industrial Park.

Hallstein read an E-Mail from resident Darin Sorenson @ 1447 Irvine Drive: Please don't pass the proposal of Saturday hours, he has 2 small children and the road is busy enough. Hallstein further stated other mines don't have residential homes around them making it hard to balance neighborhood and landowners needs. Squires stated the proposed change to the ordinance to add Saturday hours is an enabling authority, when the IUP comes for approval, the council can allow at that time and put added stipulations. Squires further stated Council is not deciding for Mahler specifically tonight. Hagen stated the Planning Commission recommended the ordinance to read its allowed. Squires stated the verbiage ready "may" permit, regulations can vary from case to case. Hallstein the wording gives better options for control.

Zajicek stated Saturdays are sacred, 7:00 am – 7:00 pm during weekdays is ample time, he wouldn't want the road noise and is not in favor of Saturday hours. Hallstein inquired if conditions in the IUP could be revisited. Squires stated he would need to discuss with Nash but can be creative with conditions and develop some standard. Nash stated if the ordinance is denied there's no reason to discuss. Hallstein inquired if other operations were allowed Saturday working hours. Hagen stated development projects, water and sewer and city road projects. Zajicek stated he would like to see what the noise level does with a new road and then discuss Saturday hours. Hallstein inquired why Saturdays weren't a part of the original Ordinance. Nash stated the consensus at the time was Monday through Friday and time wasn't spent looking at other cities Ordinances. Nash further stated most other cities allow Saturday hours. Hallstein inquired if those mines are located in residential areas, Nash stated some have houses around the mine. Hallstein stated she understands from a business perspective, but it's challenging with community members being right there.

Kauffman stated he is okay with allowing Saturday work during an emergency. Zajicek inquired what defines an emergency, the definition would need to be well defined. Hallstein stated different language would be required. Nash stated the language would be broader and come up with conditions, for example, Fehn could work X number of Saturdays with notice, but this would still require an ordinance amendment. Hallstein stated that would be open for consideration. Kauffman stated it's a weather dependent business, having the possibility to work Saturdays but not every week, conditions would be put in the IUP. Zajicek stated if it rains for 30 minutes on Monday, Fehn will state they need to work Saturday, you give an inch and they take a mile.

Linda Burke – 1420 Esterly Oaks Drive – stated it’s not the mining that effects the community, it’s the hauling, I’m giving up my right to use my property. Burke further stated there is no buffer due to the power lines, there are roughly 100 trucks in and out per day.

Tim Filzen – 1485 Irvine Drive – stated his house is located closest to the road, suggests performing seismic tests from the trucks hauling, he has never complained about Monday through Friday work hours but consider the communities personal life. Dahlke stated traffic from the mine in only 10% of the total traffic, the traffic study proves that. Kauffman stated there should be a compromise as the weather kills that industry. Hallstein stated she isn’t inclined to allow work every Saturday, the IUP hasn’t been approved and the council needs to determine what is defined as reasonable and have good limits in place.

Dean Hiller – 1283 Irvine Drive – stated there is no enforcement of the ordinances, who will monitor the hours worked. Filzen stated the mining business helps the community, if Saturday hours are allowed, they need to be strict with crystal clear guidelines. Warpula stated the council needs to either pass the ordinance and discuss the options for the IUP or deny it and stop talking about it. Squires stated the ordinance amendment can be brought back at any time. Kauffman asked for an explanation of the process, Squires stated if the ordinance isn’t adopted, the IUP is granted with Monday – Friday work hours. In one year from now the applicant requests a change in hours which includes a change to the IUP, the process would then start again.

MOTION by Zajicek to table Ord. 2020-01, seconded by Hallstein. **Motion passed 3:1.**

Aye: Warpula, Zajicek, Hallstein

Nay: Kauffman

Res No 02-04-20-17 – Approving Wright County Sheriff Special Event Contract

Hagen stated the resolution includes a contract with the Wright County Sheriff to provide services during certain rental hall events. The City has utilized this service for a number of years. Wright County is requesting formalizing these services with a contract. Hagen noted the service is not required. Kauffman inquired if there has been issues with the renters. Hagen noted not that staff is aware of.

MOTION by Warpula to remove the requirement of a Wright County Sheriff for hall rentals from the policy and the hall contract, seconded by Hallstein. **Motion carried unanimously.**

No action was required on the resolution due to a change to the rental policy.

Reports

Hallstein

- Listed possible Coffee with Council dates
- On January 30th the EDA co-sponsored a business breakfast with the WC EDP, about 20 people in attendance, some Hanover businesses, good discussion
- Would like the Joint Planning Commission and Council Meeting to be effective and asks members to ask questions ahead of time

Zajicek

- The Park Board had their first meeting of the year and welcomed new member Alex
- Skating in the Park is taking place on Sunday from 1-3 pm at all the 3 rinks

Hagen

- Big Bore is having an appreciation event on Saturday February 8th from 6-9 pm, would like an RSVP if you’re able to attend
- The Public Works position will be advertised the last two weeks of February.

Kauffman

- Former Mayor Don Mahler passed away at the age of 97

Adjournment

MOTION by Warpula to adjourn at 8:36 p.m., seconded by Zajicek. **Motion carried unanimously.**

APPROVED BY:

Chris Kauffman, Mayor

ATTEST:

Brian Hagen, City Administrator