

Wrenshall City Council

March 9, 2017, 7:00 PM-Regular Meeting

Attendance: Donna Mae Weiderman, Jeff Kimmes, Gary Butala, Duane Ziebarth, Melvin Martindale, Alieca Johnson, Renae House, Mike Gravelle, Randy Wolf, Stephanie Merrill, Jen Smith, Jeff Bloom and two city residents.

Motion by Ziebarth; seconded by Martindale to approve the Agenda as presented. Motion carried.

Motion by Weiderman; seconded by Kimmes to approve the Consent Agenda including checks as follows: Pre-paids-#27331 - 27345....\$11,034.62; Payroll-#27346 - #27362....\$5,030.78; March bills-#27363- #27381 and 03/09/17-1 thru -3....\$13,706.64; and Electronic Transfers-DC02/17-1 thru -3, 02/06/17-1 thru -3.....\$5,853.95. Motion carried.

Jen Smith from Wipfli gave an overview of the recent audit. Motion by Ziebarth; seconded by Martindale to accept the 2016 Audit as presented. Motion carried.

Jeff Bloom is looking into the possibility of using his property behind the Wrenshall General Store for other business ventures. Specifically he is exploring the idea of moving Lots4bid into Wrenshall. Zoning requirements will be researched with the League of Minnesota Cities and the city attorney.

Fire Chief: There were 7 calls in February; 5 medical/2 fire. Motion by Butala; seconded by Ziebarth to allow the fire chief to move forward with plans to purchase a new first responder/personnel carrier vehicle. Total cost not to exceed \$35,000; \$5,000 of which will come from funds donated by US Solar. The townships served by the department will be asked to share in the cost based on the formula used for fire protection. Motion carried.

Water Operator: The Variable Frequency Drive (VFD) has been installed and is working. It is still recommended that the City budget for the drilling of a new backup well within the next few years.

Clerk: There will be a public hearing on the new WLSSD I&I Ordinance on Wednesday, March 22, 2017, at 5:00 PM. An I & I exceedence took place on February 20, 2017, and city staff has been looking for sources. Unfortunately, the DNR grant for playground equipment will not be an option for the City at this time. Certain requirements of the grant would add additional cost to the project that would not make the grant feasible.

Planning Commission: A Comprehensive Plan Public Workshop will take place March 23, 2017 at 6:30 PM.

Motion by Kimmes; seconded by Weiderman to accept the written request for an extension to get rid of chickens. The March 1, 2017 deadline was extended until April 30, 2017, as the resident has indicated that she will be moving out of city limits. No additional exceptions or extensions will be considered. Motion carried.

The Capital Improvement Plan was reviewed and projects discussed. Estimates on the costs of the projects will need to be verified and actual quotes/bids received.

Motion by Weiderman; seconded by Martindale to deny payment of the Carlton Ambulance billing in the amount of \$4,321.48. It remains the council's opinion that ambulance service fees should be paid by the users and not be subsidized by local governments. Motion carried.

Motion by Weiderman; seconded by Martindale to send a letter to the DNR requesting repair of the washed out section of the Alex Laveau Memorial trail and completion of the trail running south from DelZotto to Parkwood Drive. Motion carried.

Motion by Martindale; seconded by Kimmes to adopt Resolution 17-02, as follows:

RESOLUTION INCREASING FIRE RELIEF BENEFITS

WHEREAS; the Wrenshall Fire Relief Association has requested an increase in the annual benefit from \$650 to \$700 per year of service, and

WHEREAS; the increase will be funded by investments and will not increase the City portion of funding; and

WHEREAS; the Relief Association has stated that they will monitor and lower the benefit level if necessary to maintain a positive fund balance.

NOW, THEREFORE, BE IT RESOLVED that the Wrenshall City Council approves an increase in the annual benefit of the Relief Association from \$650 to \$700 per year of service effective February 2, 2017.

This Resolution is made to provide more detail to the motion previously made on February 2, 2017. Weiderman-YES, Kimmes-YES, Ziebarth-YES, Martindale-YES Motion carried.

Motion by Martindale; seconded by Ziebarth to adopt Resolution 17-03 as follows:

AMENDED RESOLUTION IN SUPPORT OF MP CSG 1 LLC'S APPLICATION FOR AN INTERIM USE PERMIT:

WHEREAS, MP CSG 1 LLC has applied for a 30-year Interim Use Permit to install a 1MW solar garden on a site of approximately 9 acres (Parcel #27-140-1380), currently zoned R-2, located within the city limits;

WHEREAS; the Wrenshall City Council has considered the facts, reviewed the application and received public comments at a public hearing on Thursday, August 25, 2016;

WHEREAS; the Wrenshall City Council believes that granting an Interim Use Permit to MP CSG 1 LLC would be compatible with development permitted on lands in the vicinity of the proposed development; and

WHEREAS; the interim use will not be injurious to the use and enjoyment of other properties in the vicinity or substantially diminish or impair property values in the area and will provide a source of clean, renewable energy.

NOW, THEREFORE, BE IT RESOLVED that a 30-year Interim Use Permit (IUP) shall be granted to MP CSG 1 LLC upon the following conditions:

1. Payment of IUP Permit fee: \$400 (5-year permit) x 6 consecutive renewals: \$2,400.00 paid prior to construction;
2. Application, approval and payment of the required building permit and state fees: \$2.1 Million x .005 = \$10,500.00 –(city building permit)
\$2.1 Million x .0005 = \$1,050.00 –(state fee);
3. A one-time donation of \$5,000 to the Wrenshall Fire Department paid prior to construction; and
4. Installation of landscape screening and satisfaction of allowances for decommissioning the project as outlined in the original IUP application.
5. The 30-year term of the IUP shall begin at commencement of the commercial operations of the project as determined by the date of the Permission to Operate (PTO) given by the Minnesota Power, the interconnecting electric utility.
6. Notwithstanding the provisions of Minn. Stat. Section 462.3597, subd. 2 (2016), as amended, to the extent allowed by law, the City agrees not to adopt any change in zoning ordinances or regulations which would terminate or adversely affect the IUP or the permitted use prior to the end of the 30 year term of the IUP. In the event of a zoning regulation change whose effect is to no longer allow the permitted use, in whole or in part, the permitted use shall be deemed a legal nonconforming use subject to the provisions of Minnesota Statute Section 462.357 Subd. 1e. or any successor statute, and the permitted use may continue. In the absence of any such zoning regulation change, conditions or rights of termination other than items 1-4 specifically enumerated above exist which would allow termination of the IUP.

Weiderman-YES, Kimmes-YES, Ziebarth-YES, Martindale-YES; Butala-YES Motion carried.

Motion by Weiderman; seconded by Kimmes to adjourn the meeting at 9:32 PM. Motion carried.