

**INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION MEETING
MONDAY, FEBRUARY 6, 2023 - 6:00 P.M. - 8150 BARBARA AVENUE**

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, February 6, 2023, in person. Mayor Dietrich called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present In-Person: Mayor Dietrich, Council Members: Murphy, Gliva, T’Kach, Scales; City Administrator Kris Wilson, City Attorney Bridget McCauley Nason, Deputy City Clerk Katie Malott, Environmental Specialist Ally Sutherland, Community Development Director Heather Rand

3. DISCUSSION ITEMS:

A. Proposed 2023 Environmental Advisory Commission Work Plan

Environmental Specialist Ally Sutherland stated she is also the staff liaison to the Environmental Commission. She discussed the proposed 2023 Environmental Advisory Commission Work Plan:

- Collect feedback from the Council
- Incorporate the feedback into the work plan
- The updated work plan would be brought before Council on Monday, February 13th on the Consent Agenda

She stated that her role is within the Community Development Department working on environmental initiatives. Other city departments also work on environmental programming:

- Public Works: Works on stormwater and water conservation community outreach
 - Smart Salting awareness
- Parks and Recreation: In control of all park’s natural spaces. Sometimes recreational has environmental programming.
- Building Operations: Facilities maintenance and operations staff oversee some energy efficiency projects for city facilities

2022 Community Development Highlights:

- Landfill Abatement Programming.
- Community Waste Abatement Program. Looks at city facilities and encourages waste reduction within the community.
 - Funded/supported by Dakota County
 - In 2022 received the annual Dakota County Community Water Abatement Grant in the amount of \$52,000, funding the following:
 - 4 special collection events hosted by the city. Promotes local recycling opportunities that are subsidized for residents. Includes the annual cleanup day in which nearly 600 vehicles attended.
 - 5 multifamily developments requested recycling assistance through Dakota County’s multifamily recycling program. (Newer program created by the County).
 - 800 residents received in person home recycling information. People attended various in person events such as Food Truck Days and Inver Grove Heights Days.
- IGH Energy Action Plan/Xcel Energy Partners in Energy
 - The Environmental Advisory Commission recommended the city consider this program. The city applied, was selected, and went through a stakeholder engagement process.
 - City Council approved the Energy Action Plan in 2021. Staff has been working on implementation.
 - Engaged 600 residents at in person events such as workshops.
 - Home Energy Squad experts attend and educate at no charge.
 - 200 residents received free LED light bulb kits, given by Xcel Energy at no cost.
 - Hosted a Solar Power Hour in City Council Chambers. 50 residents attended.

- Questions were about roof top solar, and ground mounted solar.
- 13 residents received free home energy audits.
 - This number has increased due to program continuation into 2023.
 - 50 more residents received audits in January.
- Dakota Electric also participates.

Environmental Advisory Commission (EAC):

- Ally Sutherland is the Staff Liaison, Environmental Specialist
- Commission duties and functions are defined by City Code
 - Wetland Replacement Applications
 - Local Landfill matters
 - Aircraft noise
 - Promote public awareness and understanding of local environmental topics

Proposed 2023 EAC Work Plan:

New. Staff believed it was a good way to define what the EAC priorities are going forward.

- Attainable goals:
 - Aligned with regional trends
 - Support existing programming
 - Respond to received community requests
 - Highlights existing residents/businesses already taking action
- Staff requests Council:
 - February 6, 2023: Staff discusses what the EAC would like to work on. Requesting City Council review and feedback.
 - February 13th, 2023: If the Council is supportive, consider approval of the work plan to initiate next steps for each goal. (This is not approval of each item in the final state; this would be approval to begin the next steps with the Commission).
 - Staff will prepare a subsequent request for Council action (RFCAs) for each item for final approval.
- 2023 EAC Work Plan Goals:
 1. Xcel Energy Partners in Energy MOU extension.
 - Extension of the existing MOU. No cost to the city. Provides Xcel Energy facilitator assistance to help the city at events. Facilitators help make flyers, answer questions, and help with social media content.
 - An extension could help support subsequent items listed.
 2. Work with Dakota County on the Organics Drop Site Program.
 - Fully funded program the County started several years ago.
 - 8 locations throughout the County. Food scraps are brought in a compostable bag to a site in an enclosed space. The hauler is funded by Dakota County. Items are brought to a commercial compost site in Rosemount.
 3. Join SolSmart. Supports solar development.
 - Planning staff has stated that solar is not called out in the Code. This can be confusing if someone wants to develop solar on their property.
 - Process to streamline solar development for anyone wanting to install solar.
 4. Create a Business and Resident Sustainable Recognition Program.
 - Creating a program for businesses/residents who have already created sustainable actions.
 - Examples: Installing solar, creating a raingarden on their property, businesses recently starting to recycle or collect organics.
 5. Explore EV Readiness. Related to electric vehicles.
 - There have been a lot of inquiries.
- 2023 Environmental Advisory Commission Work Plan includes:

- Goals. There is an EAC Representative for each goal.
- Action items allowing for completion of a goal within the 2023 timeframe.
- Technical support available outside of city staff.
- Listing an existing program supported by the goal.

Councilmember Murphy asked if the goals listed were in any particular order.

Environmental Specialist Sutherland replied they were not in any order. At one time they were placed in an order that would take the least amount of time to complete.

Councilmember Gliva referred to the current MOU (Memo of Understanding) and asked if it was the same thing.

Environmental Specialist Sutherland replied the document is updated. Xcel Energy is the author. Staff made it clearer and more specific to this work plan. It separates out what Xcel would help with and what the city would help with. The item is not in tonight's review but would be on a future City Council meeting. If Council was supportive of this work plan, she would include it on the Monday, February 13th City Council Consent Agenda.

Councilmember Gliva mentioned there were a lot of items that have municipal leadership such as business schools and non-profits. She asked if there was a measuring tool with where they were at and if it would change.

Environmental Specialist Sutherland replied the MOU and the next MOU are tied to the Energy Action Plan. That document was created with the stakeholder group. Staff does not have data available at this time. Tonight, she wanted to share details and data on what staff has been doing out in the community. The numbers requested would be available in March. She said the information can be shared through a Friday update, or if the Council would like more information, it could be brought to a Work Session. The first half of the year is available and shows how many individuals joined subscription programs through Xcel such as renewable energy programs and energy squad visits. There was baseline data collected prior so they can compare. The upcoming MOU is much more refined.

Councilmember T'Kach said when thinking about this work for the city, she likes to see a more comprehensive look at our work around the environment. She would like to see a full-time staff person working comprehensively across the city even if that meant finding more help for the Environmental Specialist, interns, or others to get the city thinking at a higher level. She did not feel they were looking at the big picture and big environmental issues of the day. She said climate change and species extinction are the two biggest concerns. She would like to see them think more comprehensively, holistically, for staff and the Environmental Commission to see what it likes and takes, and then come back to the Council in 6-8 months. She suggested that be thought about and worked into next years budget. She felt things were all over the map without priorities or clear outcomes. She questioned how many people put solar on their homes, if this was about EV readiness, public charging stations, helping homeowners understand EV, or if it was about utilities or the city fleet. She said it felt like there was a lot of good energy with this, the public is very interested, and having measurable outcomes was important.

Environmental Specialist Sutherland replied Xcel Energy will be providing that data. It includes information about how many people have installed solar since the baseline data was collected. She said she experiences some of the same challenges described. There are a lot of individuals at the city working on this. She mentioned if this was something the City Council requests staff to work on, it could be something they could look into. She said it can be challenging because certain divisions have different responsibilities. She learned that engineering is taking on some of these environmental programs. She said she would meet with them next week to start an internal green team to explore these topics. She said it was challenging because the city's

guiding programming comes from regional influences such as the GreenStep city programming created by the State of Minnesota and the Minnesota Pollution Control Agency. There are 29 Best Practices and nearly 200 actions. She agreed there were a lot of things the city could work on. Staff is currently picking and choosing based on the outside resources available. She commented that there is only one of her, when Xcel Energy began offering outside help to the city, staff opted to take advantage of the opportunity.

Councilmember T'Kach said one of the reasons why she felt a more comprehensive plan made sense and that the City Council should set priorities is because the city would have to start investing money in these programs over time. A plan would help in the decision making.

Councilmember Gliva referenced SolSmart and solar development and asked if there were associated costs and what was provided.

Environmental Specialist Sutherland replied SolSmart provides free technical assistance. She was interested in the program because there is staff available that work with hundreds of local governments. They can look at the City Code and provide model language that staff can look at and change as needed. She said she looked at it as an expedited way to get an ordinance in front of the City Council for review. Burnsville and South St. Paul have both taken advantage of the program. The only requirement is to bring forward a memorandum stating the city would be joining SolSmart.

Councilmember Gliva questioned if this was more for ordinances, not questions about the installation of solar panels.

Environmental Specialist Sutherland replied it helps work on City Code; updating it to be more streamlined. Solar is not currently called out in the City Code. Staff needs to be creative with a plan to regulate it. She said it would be helpful if a Code was called out so a solar developer could look it up. It is supposed to save costs for installing solar because it reduces the amount of time spent going through the permitting process with a contractor.

B. Overview Regarding City Landfills

City Attorney McCauley Nason presented the following Landfill Overview. She stated that all landfills do not accept all of the same types of materials.

Definitions:

1. Construction debris: Demolition debris such as waste from demolition, construction, and remodeling projects.
2. Mixed municipal solid waste: Garbage, trash, refuse from businesses or homes.
3. Industrial waste: Solid waste from industrial, manufacturing, service, or community activity that is managed as a separate waste stream. (Not hazardous)

History of Landfills in the Metropolitan Area - 1900 to 1949

- Over 1,800 garbage and burning dumps within the State of Minnesota
- All types of wastes were disposed in dumps
- Refuse was openly burned
- Limited regulatory control

History of Landfills in the Metropolitan Area - 1950's

- Minnesota just began getting into the regulatory business relating to landfills
- Authorized certain cities within 25 miles of the Minneapolis City Hall to create a sanitary dumping authority
- There was limited household waste at this time (plastic containers did not exist)

History of Landfills in the Metropolitan Area - 1960's

- State and Federal governments took a more active regulatory role
- 1965: First Federal Act: Federal Solid Waste Disposal Act
- 1967: MPCA was created

- 1967: Metropolitan Council was created
- 1969: Solid waste regulatory authority was granted to the MPCA and the Metropolitan Council
- MN Solid Waste Act was adopted

History of Landfills in the Metropolitan Area - 1970's

- Open dumps were closed. Sanitary landfills were established
- 1973: Approximately 1,500 open dumps were replaced by 140 permitted landfills

History of Landfills in the Metropolitan Area - 1980's

- Waste Management Act was established
- Established waste management hierarchy
- 1982: The first resource recovery facility was established
- Minnesota Superfund program was created
- Solid waste planning continues

Introduction and Background:

- 1980: Adoption of the Waste Management Act (Minn. Statute 115A)
- The goal of the act was to protect Minnesota's land, air, water, other natural resources, and public health by improving waste management in the state

History of Landfills in the Metropolitan Area - 1990's

- Solid waste planning continued
- Waste Management Act amendments that focused on restricting the types of materials that could be disposed in landfills. For example: No batteries, mercury, lead paint.
- 4th Metro Regional Solid Waste Plan was adopted
- MPCA received approval from the Federal EPA for solid waste permitting programs
- State created the closed landfill program
 - 106 landfills were closed
 - Ownership of the properties were transferred to the State
 - This left 27 MSW landfills in the State of Minnesota

History of Landfills in the Metropolitan Area - 2000's

- Additional Legislative changes
- Revisions to solid waste disposal goals:
 - Focus on "waste disposal hierarchy"
 - Transition from waste management to resource efficiency

Role of the Minnesota Pollution Control Agency (MPCA):

- Prepares the Metropolitan Solid Waste Management Policy Plan
 - Current plan is the 2016-2036 plan
 - Establishes a plan for managing all municipal solid waste within the Twin Cities
 - Guides the establishment of the County specific Master Plan
- Issues a Certificate of Need (CON)
- Issues solid waste permits to landfills

Role of Dakota County:

- Establishes a detailed County Master Plan
- Adopts and enforces Dakota County Ordinance 110
- Issues permits to landfills in the County
- Host Community Agreements with landfills in the County

Role of the City:

- The city's primary role regarding landfills is the exercise of its planning and zoning authority. City Staff involvement includes Community Development, Environmental Specialist, Barr Engineering (provides detailed environmental review services on behalf of the city), and Legal.

Where municipal solid waste goes:

- A resource recovery facility and the landfill.

- Waste can only be sent to landfills if resource recovery facilities are unable to process it.
 - A resource recovery facility is a processing facility that burns the trash/waste and recovers some of the energy. (Ash is created and disposed of). Materials sent to an incinerator do not end up in the landfill.
- Dakota County has the only permitted and operating sanitary landfill in the seven-county metro area. (Inver Grove Heights and Burnsville)

Minnesota's Solid Waste Hierarchy in order of preference:

- Reduction
- Reuse
- Recycling
- Composting
- Waste to Energy
- Landfilling

This hierarchy was established to achieve the following goals as provided in Minn. Stat. 115A.02(a):

1. Reductions in the amount and toxicity of waste generated
2. Separation and recovery of materials and energy from waste
3. Reduction in indiscriminate dependence on disposal of waste
4. Coordination of solid waste management among political subdivisions
5. Orderly and deliberate development and financial security of waste facilities including disposal facilities

State MSW Goals:

- When this plan was adopted in 2015, the maximum amount of refuse going to landfills was 23%
- Current goal heading into 2025 is 1%
 - The State is not there yet; those numbers have not been achieved

Solid Waste Hierarchy: Resource Recovery:

- Resource recovery means the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste.
 - State would like to see this before things go to the landfill
- One of the energy recovery facilities in the Twin Cities Metropolitan Area closed in 2019.
 - The Elk River facility (Great River Energy Resource Recovery Facility) represented 33% of the seven-county metro's waste-to-energy (WTE) compacity. Because this facility closed, there's more waste with no place to go except a landfill.
- In the first quarter of 2020, all waste energy facilities operated at full capacity within the metropolitan area. This results in more trash going to landfills.

State Solid Waste Management Policy Goals. Objectives:

- Have 60% of materials recycled with 5% source reduction
- Expansion of organics recovery to 15%
- Landfill, 1%

Waste not otherwise disposed of per the solid waste hierarchy goes to landfills.

Mixed Municipal Solid Waste Landfills (MMSW):

- There are only two mixed municipal solid waste landfills in the Twin Cities Metropolitan Area (TCMA): Burnsville and Pine Bend
- Two other Minnesota landfills receive a significant amount of TCMA mixed municipal solid waste: McLeod County and Sherburne County
- Transfer of waste not disposed of in those metropolitan landfills goes to out of State facilities.

Non-MMSW Landfills:

- The TCMA is served by nine landfills that accept construction and demolition debris, industrial wastes, or other non-MSW
- There are several different types of waste that can be accepted by the non-MSW

Forecast for mixed municipal solid waste:

- Will continue for quite some time
- The TCMA generates approximately 60% of Minnesota's MSW
- If current trends continue, nearly 8 million tons of additional waste would be sent to landfills from 2016-2036
- Minnesota State Statute establishes a goal of recycling for metropolitan counties
 - 75% by weight of total solid waste generation by December 31st, 2030. (This has not happened yet; the goal has not yet been met).
 - Additional waste streams being prepared and needing to be disposed of in a landfill here or somewhere else.

Landfill Expansion: Certificate of Need (CON):

- Landfills are only allowed to expand when receiving a Certificate of Need pursuant to the Minnesota Landfill Abatement Act
- State Statutes say that no new landfills or no additional capacity, is permitted within the Twin Cities Metropolitan Area unless there is a CON issued by the MPCA
- The MPCA can only certify CON to the extent that there are no feasible and prudent alternatives to landfill disposal
- CON is the process by which the MPCA offers landfills in a county the opportunity to expand their existing capacity
- In 2020 the MPCA notified landfills they were going to accept applications for additional CON
- By the 2021 deadline, the MPCA received applications from four (4) different landfills for CON:
 - Dem-Con Landfill in Shakopee
 - Republic Services, Pine Bend Landfill, Inver Grove Heights
 - Waste Connections, Rich Valley Landfill, Inver Grove Heights
 - Waste Management, Burnsville Sanitary Landfill

To note: Rich Valley and Shakopee Landfills currently accept only industrial waste and demolition debris. They are not accepting mixed municipal solid waste.

- The MPCA made their preliminary determinations of how waste would be allocated to the different landfills. They based the issuance of capacity and CON on the estimated seven-year tonnage disposal requirements for the metropolitan area.
 - CON was granted to four landfills; two are in Inver Grove Heights. One of them is the Rich Valley Landfill that currently does not take that type of waste.

Role of the City: Existing City Regulations. The city's primary role is the exercise of its planning and zoning authority.

History of City Regulations relating to Landfills:

- In 1991 and 1995 the city made significant zoning ordinance amendments.
- Required a Conditional Use Permit (CUP) for certain solid waste uses.
- Non-Conforming Use Certificates were established that could be issued to landfills or other non-conforming uses legally established as of the date of the change in zoning regulations.
- Host Community Agreement with all three existing landfills.

Current City Code Provisions:

- Landfills are not an allowed use within the city. Existing landfills are legally established non-conforming uses (allowed to continue within the city).
- No new landfills are allowed to be established within the city with a few exceptions:
 - Under the city's Integrated Resource Management Overlay District, there is some ability to establish very small landfill uses on acres/sites of 10 acres or less
 - Pine Bend Landfill is 253 acres
- Existing landfills may not be expanded, with a few exceptions.

With solid waste related uses, the city created the Integrated Resource Management (IRM) Overlay District.

- Applicable in areas zoned I-1 and I-2; encompasses existing landfills and areas immediately adjacent to the landfills.
- Intent of the IRM includes the prevention of the expansion of mixed municipal solid waste landfills by encouraging industrial development for related uses on adjacent properties.
- Conditional Uses Include: Composting facilities, energy recovery facilities, recycling facilities, resource recovery facilities, and transfer stations.
- Prohibitive Uses Include: Processing of hazardous or infectious waste, incineration of wastes, new sanitary landfills, open dumps, and waste combustors.

Conditional Use Permits:

- In addition to zoning
- Describes and limits uses on the site
- Places reasonable conditions on the conditional uses allowed

Nonconforming Use Certificates:

- Identifies existing legally established non-conforming uses on the site
- Describes and limits existing non-conforming uses

Host Community Agreements:

- All three landfills have a Host Community Agreement with the city
- This establishes the principles of association between the city as the Host Community to the landfill and the owner and operator of the landfill
- Requires compliance with existing MPCA-issued permits
- Requires regular communication with the city
- Outlines the payment of Host Community Fees

City Administrator Wilson stated the statements that say the zoning code prohibits landfills and then issues non-conforming use certificates may sound somewhat contradictory. She questioned if a non-conforming use certificate is only available to a landfill that already existed in the city when the ordinance was passed prohibiting landfills.

City Attorney McCauley Nason replied that was correct.

City Administrator Wilson commented that no new landfills could come in and get a non-conforming use certificate. These are the way uses from a landfill are grandfathered in.

Host Community Fees:

- Collected from all three landfills
- May be used for any public purpose by the city

A benefit of being a host community for a landfill is Host Community Economic Development Grants:

- Legislation adopted in 2013
- This Grant was established by DEED for host communities
- Authorizes Burnsville and Inver Grove Heights to receive grants for the capital costs of eligible projects
- The city has received over \$2,000,000 in grant funds

Dawn Way Demolition Landfill:

- Located in Inver Grove Heights and South St. Paul
- Accepts demolition debris (no mixed municipal solid waste)
- History with the issuance of a Non-Conforming Use Certificate (NCUC) and a Host Community Agreement
- Scheduled to close on December 31, 2027 per Host Community Agreements

City Administrator Wilson asked if demolition landfills like this one also need a Certificate of Need from the state.

City Attorney McCauley Nason believed they were also regulated but would check further.

CKB Demolition Debris Landfill:

- Comprised of several parcels
- Located in Inver Grove Heights and Rosemount
- Accepts industrial waste and demolition debris (no mixed municipal solid waste)
- Subject to the NCUC and Host Community Agreement
- The MPCA has awarded CON for mixed municipal solid waste disposal
 - Not something that could happen without zoning ordinance and other revisions
 - To date the city has not received any applications
 - If the landfill sought to accept a different waste stream, some changes would need to be made to the Host Community Agreement and to the City Code

Pine Bend Landfill:

- Located solely in the City of Inver Grove Heights
- Operated since 1971 under an MPCA Solid Waste Permit
- Accepts mixed municipal solid waste and certain industrial wastes
- Subject to EPA response action
- Subject to NCUC and Host Community Agreement
- Host Community Agreement was originally executed in 1995, amended three times since
- Limited by CUP and NCUC in height and airspace capacity
 - Airspace capacity has been increased (side slope expansion)
- Received additional CON and applied to the MPCA for a major amendment to the existing solid waste permit
- Landfill scheduled to be closed by December 31, 2030
- Republic Services owns Pine Bend Landfill and 100 acres to the west of the railroad tracks establishing the boundary of the landfill site
 - The west 100 acres are not currently used for landfill purposes
 - There is a CUP for the storage of clean soils
 - Zoning ordinance and Host Community Agreement prohibit construction of a new landfill on the west 100 acres
- Other IRM related uses may develop on the west 100 acres
 - No action has been taken by the city to date
- In 2015 Pine Bend applied to the MPCA for side slope capacity expansion
- In 2017, three applications were submitted to the city:
 - Zoning Ordinance Amendment
 - CUP for side slope expansion of 4.1 million cubic yards of waste
 - NCUC Amendment
- In 2018 the city approved the three applications that were submitted
- In 2021 the MPCA issued final approve for the expansion request (CON)
- City staff has been advised that Pine Bend Landfill submitted an application on June 3, 2022 for major modifications to its existing solid waste permit
- Addendum was submitted on September 15, 2022
- The application submitted to the MPCA, proposed to develop, and permit a vertical expansion called Phase 7 over the existing Phase 5 and 6 areas to increase the permitting capacity of the existing landfill. This increases the permitted capacity by approximately 8.1 million cubic yards.
 - This would increase the highest point of the landfill to 1,105 feet from 1,020 feet
- If approved, increases the lifespan of the landfill for an additional 13 years
- EAW will be required for this project
- MPCA still in the process of reviewing the application

- No city applications have been submitted

Looking Forward - Potential Landfill Related Activities:

- SKB may seek to add MMSW disposal at its landfill
- Pine Bend is seeking a vertical expansion
- On the west 100 acres there is the potential for additional waste related uses in other areas located within the IRM Overlay District

Councilmember Gliva questioned the additional 13 years for Pine Bend Landfill asking if that was 13 years from the projected closing.

City Attorney McCauley Nason replied the projected closing date per the Host Community Agreement was the end of 2030. The application submitted by Pine Bend to the MPCA indicated if approved, it would increase the lifespan of the landfill for 13 years. It didn't state what the start date was, she was unsure of the timeframe.

Councilmember Murphy asked if 100 feet is 13 years' worth of waste.

City Attorney McCauley Nason replied if the vertical expansion is granted, it would keep the landfill open for an additional 13 years past when it would be anticipated to be full without the expansion.

Councilmember Gliva asked with Elk River closing if it was a life cycle of landfills causing the increased capacity on the rest of the metro area.

City Attorney McCauley Nason replied she didn't know why the Elk River Landfill closed.

City Administrator Wilson replied it was not a landfill that closed, it was the waste to energy facility. She was also unsure why that facility closed.

Councilmember Murphy responded according to MPR, it was financially unsustainable for years due to low electricity prices and less garbage coming in.

Mayor Dietrich asked what the projected year by the state was to have the facilities open.

City Attorney McCauley Nason replied the plan runs through 2036 with the intent to get down to 1% of waste going into landfills. The County helps the State achieve these goals.

Mayor Dietrich asked if there was an actual percentage that has been met.

City Attorney McCauley Nason replied she would get that information.

Councilmember T'Kach asked if it was known the type of work Dakota County was doing through their environmental services department to improve on the numbers more significantly than they have in the last five years.

City Attorney McCauley Nason replied the County has had grants to try to increase recycling.

Environmental Specialist Ally Sutherland replied the Dakota County Solid Waste Community Solid Waste Abatement Grant is an example of how the county is trying to support waste reduction in communities. She believed Dakota County was at a 53% recycling rate. The County is funding cities to support residential recycling. There are also recycling programs for businesses and schools.

Councilmember T'Kach commented when groundwater contamination, road traffic, and other issues with landfills fall to the local community, there isn't a lot of city control. She said there is significant groundwater contamination. She asked if the city would have conversations with the county to look into resource recovery or anything else in the hierarchy that is significant. She asked if the county would take control of their waste the way other counties in the metro area have so, they can designate waste going to a particular facility.

City Attorney McCauley Nason replied the county has statutory authority to do quite a bit. She was not aware of any plans the county may have.

City Administrator Wilson replied that she was not aware of any conversations. She stated the city can ask for a presentation from the County's Solid Waste Management staff. The Council could direct Staff to draft letters and approve the language of the letter. She mentioned staff could work through the members of the County Board that specifically represent the shared constituents in the city. These items need to be directed from the Council; staff needs an understanding of what it is that Council may want to communicate. She said that staff would help pick an avenue to communicate the message to the county.

Environmental Specialist Sutherland said one example she was aware of that the county was working on was the Organics Drop Site Program. This prevents all food scraps from going to landfills; they are brought to a commercial compost facility.

Councilmember T'Kach asked what was expected in terms of landfill expansion this year.

City Attorney McCauley Nason replied applications would be made for four different city approvals:

1. Amendment to the zoning ordinance to permit the requested vertical expansion
2. Amendment to the existing non-conforming use certificate
3. Amendment to the existing Conditional Use Permit (CUP)
4. Amendment to the Host Community Agreement

She stated that the landfill sought city approvals that were contingent upon the final issuance of CON. When this was previously done it took a couple of years before it took effect. She anticipates the applications to come in some time this year. When they are received by the city, they would go through the typical process of a review by the Planning Commission and Council.

Councilmember T'Kach asked how much money was received from the Host Community fee.

City Administrator Wilson replied based off the budget documents, last fall it was estimated to receive almost \$3 million dollars from Pine Bend. A majority, \$2.8 million, comes from tonnage fees. It is based on the quantity they bring in. \$225,000 is in fixed fees. The Dawn Way Landfill has a fixed rate and pays a Host Community Fee of \$25,000 a year. The city is not projecting any Host Community Fee revenue from the SKB Landfill as they are not currently trucking anything into the site.

Councilmember T'Kach questioned if SKB wasn't taking any waste or if they were not taking any mixed municipal solid waste.

City Administrator Wilson replied they were not taking any mixed municipal solid waste.

Councilmember T'Kach asked if there was opportunity for staff to negotiate a different Host Community Agreement.

City Attorney McCauley Nason replied that would be on the table if/when the applications went through.

4. ADJOURN:

Motion by Gliva, second by T'Kach, to adjourn the meeting at 7:15 p.m.

Ayes: 5

Nays: 0 Motion carried.

Minutes prepared by Recording Secretary Sheri Yourczek