

City of East Bethel

City Council Agenda

Regular Council Meeting – 7:30 p.m.

Date: January 8, 2014



Item

7:30 PM 1.0 Call to Order

7:31 PM 2.0 Pledge of Allegiance

7:32 PM 3.0 Adopt Agenda

7:34 PM 4.0 Public Forum

7:55 PM 5.0 Mayor's Residency Determination

Page 3-4

8:05 PM 6.0 Public Hearing for Off Sale Liquor License Route 65 Discount Liquor

Page 5-10

8:15 PM 7.0 Appointment of Applicants for Commissions

Page 13-15

Page 16-17

Page 18-19

- A. Park Commission
- B. Planning Commission
- C. Road Commission

8:25 PM 8.0 Consent Agenda

Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration

Page 23-27

Page 28-45

Page 46-69

Page 70-74

Page 75-79

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Page 82-86

- A. Approve Bills
- B. Meeting Minutes, December 4, 2013, Regular Meeting
- C. Meeting Minutes, December 18, 2014, Regular Meeting
- D. Resolution 2014-01 Designation of Official Newspaper
- E. Pay Estimate No. 4 for Castle Towers/Whispering Aspen 2013 Forcemain Project
- F. Approve Tobacco License for Route 65 Discount Liquor
- G. Approve Optional 2AM Liquor License Renewal for Route 65 Pub & Grub
- H. Renew Animal Control Contract

New Business

9.0 Commission, Association and Task Force Reports

A. Economic Development Authority

B. Planning Commission

8:35 PM

Page 97-93

- 1. Ordinance 48, Second Series Amending Appendix A, Zoning, Section 1, General Provisions of Administration and Section 14. Detached Accessory Structures
- C. Park Commission
- D. Road Commission

10.0 Department Reports

A. Community Development

B. Engineer

C. Attorney

8:45 PM

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D. Finance
1. 2014 Fee Schedule

E. Public Works

F. Fire Department

9:00 PM

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Page 125 -138

G. City Administrator

1. Commission/Committee Assignments for 2014

2. MCES Meeting Agenda

9:15 PM

11.0

Other

A. Staff Report

B. Council Reports

C. Other

9:30 PM

12.0

Adjourn



City of East Bethel City Council Agenda Information

Date:

January 8, 2014

Agenda Item Number:

Item 5.0

Agenda Item:

Mayor’s Residency Determination

Requested Action:

As per Council direction, the tabled matter of the Mayor’s residency has been continued to the January 8, 2014 meeting for consideration.

Background Information:

The question of the residency of Mayor Lawrence was discussed in lengthy detail at the December 18, 2013 City Council meeting. There was no resolution on this subject and the matter was tabled until January 8, 2014.

The City Attorney has provided the procedure to address the matter of reconsideration of this issue and his direction is as follows:

“Following the meeting of December 18th and based on actions taken, it is apparent that the issue of the Mayoral position may arise at the next meeting. You may recall that immediately prior to adjournment of the December 18 meeting a Motion was made and passed to table the issue”until January 8, 2014 as the first item on the agenda”.

Based on that action, the Agenda will be prepared and have the issue posted as an item. Should a Motion be desired to be made to reconsider the issue the rules require that anyone making such a Motion to reconsider must have voted on the prevailing side of the issue or matter being reconsidered. Consequently should one of you desire to reconsider the Motion of December 18 that addressed ...” that Lawrence is domiciled within the City of East Bethel for the purposes of being a resident and an elected official”, then that motion will need to be made by either council persons DeRoche or Ronning since that action failed at the December 18th meeting and they were on the prevailing side. Similarly should one of you desire to reconsider the Motion of December 18 that addressed...” to declare a vacancy of the Mayor’s seat”, then that Motion will need to be made by either council persons Koller or Moegerle as they were on the prevailing side of that vote.

Any council person may second either such Motion whether or not they voted with the prevailing side at the December 18th meeting.”

Fiscal Impact:

Recommendation(s):

The City Attorney's advice is recommended as the procedure to address this subject should Council reconsider the tabled item of the Mayor's residency.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel City Council Agenda Information

Date:

January 8, 2014

Agenda Item Number:

Item 6.0

Agenda Item:

Public Hearing – Off Sale and Liquor License for Slaw Industries Inc. dba: Route 65 Discount Liquor and consideration of approval of license.

Requested Action:

Conduct Public Hearing and consider approval of an Off Sale Liquor License for Slaw Industries Inc. dba: Route 65 Discount Liquors located at 18453 Highway 65 NE, East Bethel, MN 55011.

Background Information:

Staff is recommending that Council conduct a public hearing to take comments from the public regarding an Off Sale Liquor License for Slaw Industries Inc. dba: Route 65 Discount Liquors located at 18453 Highway 65 NE, East Bethel, MN 55011 as required by East Bethel City Code, Article III, Intoxicating Liquors, Section 6-55. This was also published in the Anoka County Union.

The process should be that the Mayor opens the Public Hearing and invites members of the audience to step forward and provide comments. When there are no additional comments, a motion to close the hearing should be offered followed by a second and a vote on the motion.

Once the hearing is closed staff is recommending Council consider approval of an Off Sale Liquor License for Slaw Industries Inc. dba: Route 65 Discount Liquors located at 18453 Highway 65 NE, East Bethel, MN 55011 provided no reasons for denial come forth at the public hearing. All application materials and fees have been submitted for the Off Sale Liquor License. The Building Official had inspected the building and has found there to be no issues.

License needs to be contingent on the following:

1. Certificate of Liquor Liability be provided prior to issuance of the Off-Sale License.
2. Approval of State Commissioner of Public Safety

Attachments:

1. Off Sale Liquor License Application
2. Off Sale License Form
3. Public Notice

Fiscal Impact:

None at this time

Recommendation(s):

Staff recommends conducting the public hearing to receive comments on the Off Sale Liquor License for Slaw Industries Inc. dba: Route 65. Once the public hearing is closed and there are no reasons to deny the license, staff recommends Council consider approval of an Off Sale Liquor license for Slaw Industries Inc. dba: Route 65 Discount Liquors located at 18453 Highway 65 NE, East Bethel, MN 55011

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar St., Suite 222, St. Paul, MN 55101-5133
 (651) 201-7507 FAX (651)297-5259 TTY(651)282-6555
 WWW.DPS.STATE.MN.US



APPLICATION FOR OFF SALE INTOXICATING LIQUOR LICENSE

No license will be approved or released until the \$20 Retailer ID Card fee is received

Workers compensation insurance company. Name SFM Risk Solutions Policy # 053107.802
 Licensee's MN Sales and Use Tax ID # 2836883 To apply for a MN sales and use tax ID #, call (651) 296-6181
 Licensee's Federal Tax ID # 46-1665989

If a corporation, an officer shall execute this application If a partnership, a partner shall execute this application.

Licensee Name (Individual, Corporation, Partnership, LLC) <u>Slaw-Industries Inc.</u>	Social Security # .	Trade Name or DBA <u>Route 65 Discount Liquors</u>
License Location (Street Address & Block No.) <u>18453 Hwy 65</u>	License Period From <u>2-1-13</u> To <u>6-30-13</u>	Applicant's Home Phone # <u>763-242-1984</u>
City <u>East Bethel</u>	County <u>Anoka</u>	State <u>MN</u>
		Zip Code <u>55011</u>
Name of Store Manager <u>Brad Slawson</u>	Business Phone Number <u>763-242-1984</u>	DOB (Individual Applicant)

If a corporation or LLC state name, date of birth, Social Security # address, title, and shares held by each officer. If a partnership, state names, address and date of birth of each partner.

Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
<u>Bradley Adrian Slawson</u>	<u>5-2-1971</u>	<u>52-12-1971</u>	<u>President</u>	<u>51%</u>	<u>18453 Hwy 65 NE East Bethel, MN 55011</u>
<u>Bradley David Slawson</u>	<u>1-1-1971</u>	<u>1-1-1971</u>	<u>Officer</u>	<u>49%</u>	<u>18453 Hwy 65 NE East Bethel, MN 55011</u>
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code
Partner Officer (First, middle, last)	DOB	SS#	Title	Shares	Address, City, State, Zip Code

- If a corporation, date of incorporation 1-2-13, state incorporated in Minnesota, amount paid in capital _____. If a subsidiary of any other corporation, so state no and give purpose of corporation N/A. If incorporated under the laws of another state, is corporation authorized to do business in the state of Minnesota? Yes No
- Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state.
1 level building
- Is establishment located near any state university, state hospital, training school, reformatory or prison? Yes No If yes state approximate distance. _____
- Name and address of building owner: Douglas Osborne 18453 Hwy 65 NE East Bethel, MN 55011
Has owner of building any connection, directly or indirectly, with applicant? Yes No
- Is applicant or any of the associates in this application, a member of the governing body of the municipality in which this license is to be issued? Yes No If yes, in what capacity? _____
- State whether any person other than applicants has any right, title or interest in the furniture, fixtures or equipment for which license is applied and if so, give name and details. NO
- Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota?
 Yes No If yes, give name and address of establishment. Route 65 Pub + Grub Slaw-Industries Inc. 18407 Hwy 65 NE East Bethel, MN 55011

8. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment? Yes No
9. State whether applicant has or will be granted, an On sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises. Yes No Will be granted
10. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License. Yes No Will be granted
11. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality. N/A
12. State Number of Employees 4
13. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)? Yes
14. If this license is being issued by a County Board, is it located in an organized township? **If so, attach township approval.**

1. State whether applicant or any of the associates in this application, have ever had an application for a liquor license rejected by any municipality or state authority; if so, give dates and details. No
2. Has the applicant or any of the associates in this application, during the five years immediately preceding this application ever had a license under the Minnesota Liquor Control Act revoked for any violation of such laws or local ordinances; if so, give dates and details. No
3. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere, including State Liquor Control penalties? Yes No If yes, give dates, charges and final outcome.
4. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. Yes No If yes, attach a copy of the summons.

This licensee must have one of the following:

(ATTACH CERTIFICATE OF INSURANCE TO THIS FORM.)

Check one

- A. Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.
- or
- B. A surety bond from a surety company with minimum coverage as specified in A.
- or
- C. A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant & title <u>Brad Stawson - President</u>	Signature of Applicant <u>Brad Stawson</u>	Date <u>12-9-13</u>
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REPORT BY POLICE/SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any violation of laws of the State of Minnesota or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department

Title

Signature

PS 9136-(2009)

County Attorney's Signature

IMPORTANT NOTICE

All retail liquor licensees must register with the Alcohol, Tobacco Tax and Trade Bureau.
For information call (513) 684-2979 or 1-800-937-8864

No. _____

Fee \$ _____



City _____

County _____

OFF SALE LIQUOR LICENSE

THIS CERTIFIES THAT:

LICENSEE _____

TRADE NAME _____

STREET ADDRESS OR LOT AND BLOCK NO _____

Is authorized to sell intoxicating liquor at off sale subject to the laws and regulations of the State of Minnesota and municipal ordinances for the period beginning _____ to _____

THIS LICENSE IS APPROVED

Mayor or President

Given under my hand and the Municipal Corporate Seal

City of _____ Date _____

Alcohol & Gambling Enforcement Director Date

PS9008-03 (3/05)

CLERK or Recorder



**CITY OF EAST BETHEL
ANOKA COUNTY, MN**

NOTICE OF PUBLIC HEARING

OFF-SALE LIQUOR LICENSE

NOTICE IS HEREBY GIVEN of a public hearing to be held on Wednesday, January 8, 2014, at 7:30 P.M. at City of East Bethel City Hall, 2241 221st Avenue NE, East Bethel, MN 55011, before the East Bethel City Council as required by City Code for Slaw Industries, Inc. dba Route 65 Discount Liquors in conjunction with an Off-Sale Liquor License for the facility located at 18453 Highway 65 NE, East Bethel, MN 55011. At said hearing all persons shall be heard who wish to speak for or against the proposed license.

Contact City Hall at 763-367-7840 if you have any questions about the public hearing.

Jack Davis
City Administrator/Clerk/Treasurer

Dated: December 20, 2013

Published: December 27, 2013 and January 3, 2014 Anoka County Union



City of East Bethel City Council Agenda Information

Date:

January 8, 2013

Agenda Item Number:

Item 7.0

Agenda Item:

Appointments for Commissions

Requested Action:

Consider the re-appointment of Commission Members to the Parks, Planning and Road Commissions

Background Information:

The Parks, Planning and Roads Commissions are each composed of seven citizen members appointed by City Council for three year terms. The members of these Commissions, whose terms which are set to expire on January 31, 2014, are as follows:

Parks Commission

- Tim Hoffman
- Sue Jefferson
- Denise Lachinski

Planning Commission

- Tanner Balfany
- Brian Mundle

Roads Commission

- Kathy Paavola
- Al Thunberg

These positions were advertised on the City’s Website and Reader Board as well as noticed at the November 21, 2013 Town Hall meeting for new applicants. Applications for the positions closed on January 3, 2014 at 2:00 PM as advertised. An application for the Parks Commission was deposited at City Hall at approximately 4:30 PM on January 3, 2014 by Mr. David Behm, 24230 Pierce St, NE. The application was past the deadline and Staff is recommending that the application not be considered at this time. Mr. Behm’s application will be held on file in the event that Parks or other Commission openings become available.

All of the above members, whose terms are set to expire on January 31, 2014, have requested to be re-appointed and were interviewed for these positions in 2011.

Attachments:

Members Letters of Interest for Re-Appointment

Fiscal Impact:

Recommendation(s):

Staff recommends Council consider the re-appointment of Sue Jefferson, Tim Hoffman and Denise Lachinski to the Parks Commission; Tanner Balfany and Brian Mundle to the Planning Commission; and Al Thunberg and Kathy Paavola to the Roads Commission for three year terms to expire on January 31, 2017.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

Tim Hoffman
2736 225th Lane NE
East Bethel MN, 55011

December 11, 2013

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

Dear City Council Members,

As a current member of the East Bethel Park Commission, I am interested in continuing my service to the community by serving another term and would appreciate your consideration for the position.

Sincerely,


Tim Hoffman

Sue Jefferson
P.O. Box 20
East Bethel MN, 55011

December 11, 2013

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

Dear City Council Members,

As a current member of the East Bethel Park Commission, I am interested in continuing my service to the community by serving another term and would appreciate your consideration for the position.

Sincerely,

A handwritten signature in cursive script that reads "Susan Jefferson".

Sue Jefferson

Denise Lachinski
22286 Vermillion St. N.E.
East Bethel MN, 55011

December 11, 2013

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

Dear City Council Members,

As a current member of the East Bethel Park Commission, I am interested in continuing my service to the community by serving another term and would appreciate your consideration for the position.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise Lachinski", with a long horizontal flourish extending to the right.

Denise Lachinski

Wendy Warren

From: Colleen Winter
Sent: Tuesday, December 03, 2013 10:08 AM
To: Jack Davis; Wendy Warren
Subject: FW: Planning Commission

Here is Tanner's letter.

Colleen Winter

Community Development Director
City of East Bethel
Direct: 763-367-7855
Cell: 763-286-9657
colleen.winter@ci.east-bethel.mn.us

From: Tanner Balfany [<mailto:tbalfany@gmail.com>]
Sent: Friday, November 22, 2013 1:18 PM
To: Colleen Winter
Subject: Planning Commision

Dear Mayor and City Council Members -

I, Tanner Balfany would like to continue my service to the City of East Bethel by serving as a member of the Planning Commission for the term 2014 – 2016. If you have any questions please feel free to call me at 651-755-9126.

Thank you for your time and consideration.

Sincerely,

Tanner Balfany

November 19th, 2013

Dear Mayor and City Council Members,

I, Brian Mundle, would like to continue my service to the City of East Bethel by serving as a member of the Planning Commission for the term 2014 – 2016. I was appointed in 2011 for a three year term. In those three years I was selected by my peers on Planning to act as Chairperson in 2012 and have not been absent for any Planning or work meeting.

My entire grade school education was at ISD 15, graduating from St. Francis High School. I received a Bachelors of Science in Construction Management from Minnesota State University, Mankato. At MSU I was a member of the Construction Management Student Association, Vice President of it my senior year. I interned at Orrin Thompson as a Construction Coordinator during college. Upon graduation I went to work as a Construction Manager for BDM Construction, managing the construction of new homes and remodeling projects. I have passed the Builders Licensing test and participate in Continuing Education every year for it. I am a Certified Aging in Place Specialist, I have been trained in lead renovation for pre 1978 homes, and I have a Certificate in Web Development.

I am currently involved with East Bethel Boy Scout Troop 733. I attend all of the Eagle Scout Court of Honors, and as an Eagle Scout I am a selected person the Troop can call on to help conduct Eagle Scout Board of Reviews. I also volunteer with the East Bethel Seniors to help with the Booster Day Silent Auction.

I am dedicated to this City, it is my home and part of my family history since East Bethel was founded. I would like to continue to contribute and serve on the Planning Commission.

If you have any questions please feel free to contact me.

Thank you for your time and consideration.

Sincerely,

Brian Mundle

763-227-0120

BrianMundle@Live.com

Monday December 9, 2013

Mayor, Council Members:

I have served on the Roads Commission for the past three years, finding it interesting and learning a lot about the city roads. I have served eight years on East Bethel city council, also. I would like to continue serving on the Roads Commission if at all possible. I am also very active in the Coon Lake Community Center and what happens in the neighborhood. Please except this as my letter of interest .

Sincerely,

Kathy Poavola

Al Thunberg
22965 3rd St. NE
East Bethel MN, 55005

November 5, 2013

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

Dear City Council Members,

As a current member of the East Bethel Road Commission, I am interested in continuing my service to the community by serving another term and would appreciate your consideration for the position.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Al Thunberg', with a stylized flourish at the end.

Al Thunberg



City of East Bethel City Council Agenda Information

Date:

January 8, 2014

Agenda Item Number:

Item 8.0 A-H

Agenda Item:

Consent Agenda

Requested Action:

Consider approving Consent Agenda as presented

Background Information:

Item A

Bills/Claims

Item B

Meeting Minutes, December 4, 2013 Regular City Council

Meeting minutes from the December 4, 2013 Regular City Council Meeting are attached for your review and approval.

Item C

Meeting Minutes, December 18, 2013 Regular City Council

Meeting minutes from the December 18, 2013 Regular City Council are attached for your review and approval.

Item D

Resolution 2014-01 Designation of Official Newspaper

The Anoka Union has requested that they be named as the official newspaper for the City for 2014. The rate for public notices per column inch is \$10.25 (electronically submitted) and has remained unchanged for many years. The Anoka County Union is a locally owned, weekly community news source. Total paid circulation for the Anoka County Union is 3,550. This does not include counter sales at local businesses. Public notices are also available free online and the public notices often rank in the top 10 most read news items of the paper. The Anoka County Union is published every Friday.

It has been suggested that we look into other options for the official newspaper. The Anoka County Record charges \$4.50 per column inch for public notices. This newspaper is published every two weeks on a Thursday. The primary distribution of this newspaper is online, with distribution of 450 print copies throughout Anoka County. Public notices are available free by e-mail. U.S. Mail subscriptions are available at \$50 per year or \$2 each copy.

Staff recommends Council adopt Resolution 2014-01 Designating the Anoka County Union as the official newspaper for 2014. The Anoka County Union is well known to our residents as the official newspaper and has a much larger distribution than the Anoka County Record. While there would be a savings with the designation of the Anoka County Record, there could be issues with meeting publication deadlines for public hearings with this paper as it is only published every other week.

Item E

Pay Estimate No. 4 for Castle Towers/Whispering Aspen 2013 Forcemain Project
This item includes Pay Estimate No. 4 to LaTour Construction, Inc. for the Castle Towers/Whispering Aspen 2013 Forcemain Project. This pay estimate includes payment for turf establishment, erosion control, storm sewer construction, dewatering, lift station construction, gravity sewer construction and forcemain construction. Staff recommends partial payment of \$122,542.22. A summary of the recommended payment is as follows:

Total Work Completed to Date	\$1,595,302.71
Less Previous Payments	\$1,392,995.35
Less Retainage	<u>\$ 79,765.14</u>
Total payment	\$ 122,542.22

Payment for this project will be financed from the bond proceeds. Funds, as noted above, are available and appropriate for this project. A copy of Pay Estimate No. 4 is attached.

Item F

Approve Tobacco License for Route 65 Discount Liquor
Slaw Industries Corp. dba: Route 65 Pub & Grub at 18453 Highway 65 NE, East Bethel, MN 55011 has applied for a tobacco license for the Off-Sale Liquor store. All forms have been completed and fees have been paid. Anoka County Sheriff's Office completed the background check and insurance has been provided.

Staff is recommending Council approve the Tobacco licenses for the Off-Sale Liquor store, Slaw Industries Corp dba: Route 65 Pub & Grub at 18453 Highway 65 NE, East Bethel, MN 55011. The only contingency staff recommends is the owner working with the Building Official to complete any recommendations he has made regarding any improvements to the building with a final inspection being completed prior to the opening to the public.

Item G

Approve Optional 2AM Liquor License Renewal for Route 65 Pub & Grub
Slaw Industries, Inc dba Route 65 Pub & Grub at 18407 Highway 65 NE, East Bethel, MN 55011 has submitted their renewal form for an Optional 2AM Liquor License. This license needs City approval before being submitted to the Alcohol and Gambling Enforcement. Staff has not received any complaints regarding Route 65 Pub & Grub's 2AM license and recommends that Council approve the renewal.

Item H

Renew Animal Control Contract
The proposed agreement provides for animal control services in the City that includes patrol services, pickup and impound of dogs and other agreed upon domestic animals and for other duties as may be assigned by the City related to the animal control activity.

Services under this agreement will be billed at \$50.00 per hour in one quarter hour increments. .
By contracting for this service, the city has realized a savings by not having to board animals at

city facilities, paying city staff on weekends to stand by until the animal was retrieved and any liability issues associated with boarding animals in the public works garage.

Emergency Veterinary services will be provided to injured animals only to the extent necessary to keep them from suffering and to provide humane conditions while boarding the animal. These charges are the responsibility of the owner. Should the owner fail to claim the animal within six days, the animal becomes the property of Gratitude Farms.

The fee schedule in the attachment is in addition to the \$50.00 hourly rate for call out services. There are other animal control options that have less expensive upfront costs but they provide less service, longer response times and add additional costs due their reliance on the City to provide some of the functions that are provided by Gratitude Farms.

There is no increase in the proposed fees for this service from 2013 to 2014.

Fiscal Impact:

As noted above.

Recommendation(s):

Recommend approval of the Consent Agenda as presented.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



Payments for Council Approval January 8, 2014

Bills to be Approved for Payment	\$882,120.08
Electronic Bond Payments	\$1,345,000.00
Electronic Payroll Payments	\$75,220.84
Payroll City Staff - December 19, 2013	\$36,845.84
Payroll City Staff - January 2, 2014	\$32,713.42
Total to be Approved for Payment	\$2,371,900.18

City of East Bethel

January 8, 2014

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
2005A Public Safety Bonds	Bond Interest	801505100	US Bank	301	30100	\$28,756.25
2005A Public Safety Bonds	Debt Srv Bond Principal	801505100	US Bank	301	30100	\$85,000.00
2005B 207th Serv Rd SA Bonds	Bond Interest	801505200	US Bank	303	30300	\$3,147.50
2005B 207th Serv Rd SA Bonds	Debt Srv Bond Principal	801505200	US Bank	303	30300	\$55,000.00
2010 GO Water Revenue Note	Bond Interest	010214	MN Public Facilities Authority	309	30900	\$297.95
2010A GO Water Utility Rev Bnd	Bond Interest	803001700	US Bank	310	31000	\$383,536.25
2010B GO Utility Revenue Bond	Bond Interest	803001800	US Bank	311	31100	\$188,281.25
2010C GO Bond	Bond Interest	803001900	US Bank	312	31200	\$20,866.25
215-221st 65 Service Rd	Architect/Engineering Fees	32502	Hakanson Anderson Assoc. Inc.	402	43125	\$451.25
Arena Operations	Bldgs/Facilities Repair/Maint	101951	Rogers Electric	615	49851	\$379.30
Arena Operations	Bldgs/Facilities Repair/Maint	122613	Wright-Hennepin Coop Electric	615	49851	\$21.32
Arena Operations	Electric Utilities	121813	Connexus Energy	615	49851	\$3,943.33
Arena Operations	Gas Utilities	394917472	Xcel Energy	615	49851	\$2,276.47
Arena Operations	Refuse Removal	599958	Walters Recycling, Inc.	615	49851	\$146.66
Arena Operations	Repairs/Maint Machinery/Equip	W169066	Herc-U-Lift	615	49851	\$144.62
Arena Operations	Repairs/Maint Machinery/Equip	351528	Jorson & Carlson Co., Inc	615	49851	\$119.21
Arena Operations	Repairs/Maint Machinery/Equip	352420	Jorson & Carlson Co., Inc	615	49851	\$90.72
Assessing	Professional Services Fees	122713	Kenneth A. Tolzmann	101	41550	\$12,820.38
Building Inspection	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	42410	\$145.41
Building Inspection	Motor Fuels	2305399	Lubricant Technologies, Inc.	101	42410	\$176.01
Building Inspection	Motor Vehicles Parts	1539-260097	O'Reilly Auto Stores Inc.	101	42410	\$30.40
Building Inspection	Motor Vehicles Parts	1539-260122	O'Reilly Auto Stores Inc.	101	42410	\$80.04
Building Inspection	Motor Vehicles Parts	1539-260635	O'Reilly Auto Stores Inc.	101	42410	(\$37.41)
Building Inspection	Telephone	332373310-145	Nextel Communications	101	42410	\$21.73
Central Services/Supplies	Office Equipment Rental	72717052-DC13	Pitney Bowes	101	0	\$151.32
Central Services/Supplies	Office Supplies	14468	Norseman Awards	101	48150	\$16.03
Central Services/Supplies	Office Supplies	685092266001	Office Depot	101	48150	\$77.93
Central Services/Supplies	Office Supplies	689889794001	Office Depot	101	48150	\$74.72
Central Services/Supplies	Telephone	11567935	Integra Telecom	101	48150	\$222.66
City Administration	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	41320	\$127.28
City Administration	Telephone	332373310-145	Nextel Communications	101	41320	\$9.29
City Administration	Travel Expenses	123113	Jack Davis	101	41320	\$122.61
City Administration	Travel Expenses	122313	Karen White	101	41320	\$9.32
City Clerk	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	41430	\$62.55
Engineering	Architect/Engineering Fees	32501	Hakanson Anderson Assoc. Inc.	101		\$412.48
Engineering	Architect/Engineering Fees	31161..32500	Hakanson Anderson Assoc. Inc.	101	43110	\$516.43
Engineering	Architect/Engineering Fees	32509	Hakanson Anderson Assoc. Inc.	101	43110	\$126.16
Engineering	Architect/Engineering Fees	32509	Hakanson Anderson Assoc. Inc.	101	43110	\$612.42
Engineering	Architect/Engineering Fees	32509	Hakanson Anderson Assoc. Inc.	101	43110	\$230.86
Engineering	Architect/Engineering Fees	32509	Hakanson Anderson Assoc. Inc.	101	43110	\$802.15
Finance	Auditing and Acct g Services	319422	Abdo, Eick & Meyers, LLP	101	41520	\$5,000.00
Finance	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	41520	\$141.91
Fire Department	Bldgs/Facilities Repair/Maint	165901	Northern Sanitary Supply Co	101	42210	\$24.18
Fire Department	Bldgs/Facilities Repair/Maint	122613	Wright-Hennepin Coop Electric	101	42210	\$5.32
Fire Department	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	42210	\$76.45

City of East Bethel

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Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Fire Department	Clothing & Personal Equipment	143854	Aspen Mills, Inc.	101	42210	\$209.00
Fire Department	Electric Utilities	121813	Connexus Energy	101	42210	\$768.88
Fire Department	Gas Utilities	394917472	Xcel Energy	101	42210	\$1,187.99
Fire Department	General Operating Supplies	153309	Clarey's Safety Equipment Inc.	101	42210	\$513.00
Fire Department	Lubricants and Additives	1292	Chief's Choice Fire & Rescue	101	42210	\$171.70
Fire Department	Motor Fuels	2305398	Lubricant Technologies, Inc.	101	42210	\$591.18
Fire Department	Motor Fuels	2305399	Lubricant Technologies, Inc.	101	42210	\$279.99
Fire Department	Motor Fuels	2309961	Lubricant Technologies, Inc.	101	42210	\$466.85
Fire Department	Refuse Removal	599958	Walters Recycling, Inc.	101	42210	\$39.03
Fire Department	Repairs/Maint Machinery/Equip	10840	Betz Mechanical, Inc.	101	42210	\$528.61
Fire Department	Repairs/Maint Machinery/Equip	220760	PTL Tire & Automotive Ctr	101	42210	\$770.85
Fire Department	Repairs/Maint Machinery/Equip	29977	The CAD Zone, Inc.	101	42210	\$109.00
Fire Department	Shop Supplies	4042099254	BlueTarp Financial, Inc.	101	42210	\$389.95
Fire Department	Small Tools and Minor Equip	288916	OSI Batteries	101	42210	\$593.28
Fire Department	Telephone	11567935	Integra Telecom	101	42210	\$139.19
Fire Department	Telephone	332373310-145	Nextel Communications	101	42210	\$42.59
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	41470	Menards Cambridge	101	41940	\$74.79
General Govt Buildings/Plant	Electric Utilities	121813	Connexus Energy	101	41940	\$946.23
General Govt Buildings/Plant	Gas Utilities	394917472	Xcel Energy	101	41940	\$516.03
General Govt Buildings/Plant	Refuse Removal	599958	Walters Recycling, Inc.	101	41940	\$28.36
MSA Street Construction	Architect/Engineering Fees	32501	Hakanson Anderson Assoc. Inc.	402	40200	\$2,976.59
MSA Street Construction	Architect/Engineering Fees	32503	Hakanson Anderson Assoc. Inc.	402	40200	\$324.96
MSA Street Construction	Architect/Engineering Fees	32505	Hakanson Anderson Assoc. Inc.	402	40200	\$1,743.56
Park Maintenance	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	43201	\$201.93
Park Maintenance	Clothing & Personal Equipment	1182854676	G&K Services - St. Paul	101	43201	\$19.46
Park Maintenance	Clothing & Personal Equipment	1182866003	G&K Services - St. Paul	101	43201	\$19.46
Park Maintenance	Clothing & Personal Equipment	1182877332	G&K Services - St. Paul	101	43201	\$19.46
Park Maintenance	Electric Utilities	121813	Connexus Energy	101	43201	\$161.86
Park Maintenance	Equipment Parts	P14038	MN Equipment Solutions	101	43201	\$3.09
Park Maintenance	Equipment Parts	P14107	MN Equipment Solutions	101	43201	\$66.87
Park Maintenance	Lubricants and Additives	02-63442	Lano Equipment, Inc.	101	43201	\$24.00
Park Maintenance	Motor Fuels	2305398	Lubricant Technologies, Inc.	101	43201	\$1,136.88
Park Maintenance	Motor Fuels	2305399	Lubricant Technologies, Inc.	101	43201	\$239.99
Park Maintenance	Motor Fuels	2309961	Lubricant Technologies, Inc.	101	43201	\$897.80
Park Maintenance	Other Equipment Rentals	72158	Jimmy's Johnnys, Inc.	101	43201	\$52.86
Park Maintenance	Telephone	11567935	Integra Telecom	101	43201	\$51.02
Park Maintenance	Telephone	332373310-145	Nextel Communications	101	43201	\$70.08
Payroll	Insurance Premiums	01 2014	NCPERS Minnesota	101		\$128.00
Planning and Zoning	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	41910	\$97.28
Police	Professional Services Fees	11 2013	Gratitude Farms	101	42110	\$250.00
Recycling Operations	Bldgs/Facilities Repair/Maint	101959	Rogers Electric	226	43235	\$110.00
Recycling Operations	Electric Utilities	121813	Connexus Energy	226	43235	\$142.28
Recycling Operations	Gas Utilities	394917472	Xcel Energy	226	43235	\$183.66
Recycling Operations	Other Equipment Rentals	72158	Jimmy's Johnnys, Inc.	226	43235	\$52.87
Recycling Operations	Professional Services Fees	01 2014	Cedar East Bethel Lions	226	43235	\$1,000.00

City of East Bethel

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Department	Description	Invoice	Vendor	Fund	Dept	Amount
Recycling Operations	Refuse Removal	599958	Walters Recycling, Inc.	226	43235	\$245.00
Risk Management	Property Ins	C0026173	League of MN Cities Ins Trust	101	48140	\$227.18
Sewer Operations	Bldgs/Facilities Repair/Maint	51729	General Repair Service	602	49451	\$430.21
Sewer Operations	Bldgs/Facilities Repair/Maint	122613	Wright-Hennepin Coop Electric	602	49451	\$24.53
Sewer Operations	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	602	49451	\$13.15
Sewer Operations	Electric Utilities	121813	Connexus Energy	602	49451	\$951.49
Street Capital Projects	Architect/Engineering Fees	32504	Hakanson Anderson Assoc. Inc.	406	40600	\$28.71
Street Capital Projects	Architect/Engineering Fees	32506	Hakanson Anderson Assoc. Inc.	406	40600	\$7,739.37
Street Maintenance	Bldgs/Facilities Repair/Maint	1182854676	G&K Services - St. Paul	101	43220	\$9.80
Street Maintenance	Bldgs/Facilities Repair/Maint	1182866003	G&K Services - St. Paul	101	43220	\$5.70
Street Maintenance	Bldgs/Facilities Repair/Maint	1182877332	G&K Services - St. Paul	101	43220	\$5.70
Street Maintenance	Bldgs/Facilities Repair/Maint	122613	Wright-Hennepin Coop Electric	101	43220	\$21.29
Street Maintenance	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	101	43220	\$254.98
Street Maintenance	Clothing & Personal Equipment	1182854676	G&K Services - St. Paul	101	43220	\$18.92
Street Maintenance	Clothing & Personal Equipment	1182866003	G&K Services - St. Paul	101	43220	\$18.92
Street Maintenance	Clothing & Personal Equipment	1182877332	G&K Services - St. Paul	101	43220	\$18.92
Street Maintenance	Commissions and Boards	2013	Al Thunberg	101	43220	\$140.00
Street Maintenance	Commissions and Boards	2013	Dennis Murphy	101	43220	\$180.00
Street Maintenance	Commissions and Boards	2013	Jeff Jensen	101	43220	\$100.00
Street Maintenance	Commissions and Boards	2013	Kathy Paavola	101	43220	\$160.00
Street Maintenance	Commissions and Boards	2013	Lori Pierson-Kolodzienski	101	43220	\$180.00
Street Maintenance	Commissions and Boards	2013	Tim Harrington	101	43220	\$140.00
Street Maintenance	Electric Utilities	121813	Connexus Energy	101	43220	\$1,572.16
Street Maintenance	Gas Utilities	394917472	Xcel Energy	101	43220	\$590.29
Street Maintenance	Motor Fuels	2305398	Lubricant Technologies, Inc.	101	43220	\$2,819.48
Street Maintenance	Motor Fuels	2305399	Lubricant Technologies, Inc.	101	43220	\$103.99
Street Maintenance	Motor Fuels	2309961	Lubricant Technologies, Inc.	101	43220	\$2,226.56
Street Maintenance	Motor Vehicle Services (Lic d)	19760	Central Truck Service, Inc	101	43220	\$90.00
Street Maintenance	Motor Vehicle Services (Lic d)	8107	The Graphics Guys	101	43220	\$213.75
Street Maintenance	Motor Vehicles Parts	10125408	Aspen Equipment	101	43220	\$25.77
Street Maintenance	Motor Vehicles Parts	FP153200	Crysteel Truck Equipment	101	43220	\$222.79
Street Maintenance	Motor Vehicles Parts	1539-260097	O'Reilly Auto Stores Inc.	101	43220	\$53.26
Street Maintenance	Motor Vehicles Parts	1539-260636	O'Reilly Auto Stores Inc.	101	43220	\$16.22
Street Maintenance	Motor Vehicles Parts	1539-260881	O'Reilly Auto Stores Inc.	101	43220	\$48.67
Street Maintenance	Motor Vehicles Parts	1927484613	Rigid Hitch Inc.	101	43220	\$151.48
Street Maintenance	Refuse Removal	3583	PC Tree Service	101	43220	\$801.56
Street Maintenance	Refuse Removal	599958	Walters Recycling, Inc.	101	43220	\$222.30
Street Maintenance	Street Maint Materials	71070033	North American Salt Co.	101	43220	\$3,704.64
Street Maintenance	Street Maint Materials	71070033	North American Salt Co.	101	43220	\$3,696.92
Street Maintenance	Telephone	11567935	Integra Telecom	101	43220	\$51.02
Street Maintenance	Telephone	332373310-145	Nextel Communications	101	43220	\$171.86
Water Utility Capital Projects	Architect/Engineering Fees	32507	Hakanson Anderson Assoc. Inc.	433	49405	\$1,108.71
Water Utility Capital Projects	Architect/Engineering Fees	32508	Hakanson Anderson Assoc. Inc.	433	49405	\$38,938.66
Water Utility Operations	Bldgs/Facilities Repair/Maint	101952	Rogers Electric	651	49401	\$110.00
Water Utility Operations	Bldgs/Facilities Repair/Maint	122613	Wright-Hennepin Coop Electric	601	49401	\$26.67

City of East Bethel

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Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Water Utility Operations	Cafeteria Contribution	01 2014	Dearborn National Life Ins Co.	601	49401	\$13.15
Water Utility Operations	Chemicals and Chem Products	1333007	LaMotte Company	601	49401	\$77.22
Water Utility Operations	Electric Utilities	121813	Connexus Energy	651	49401	\$1,028.17
Water Utility Operations	Gas Utilities	121713	CenterPoint Energy	651	49401	\$263.49
						\$882,120.08
Electronic Bond Payments						
US Bank	GO Public Safety Bond Series 2005A					\$1,345,000.00
						\$1,345,000.00
Electronic Payroll Payments						
Payroll	PERA					\$11,616.14
Payroll	Federal Withholding					\$12,271.36
Payroll	Medicare Withholding					\$3,099.94
Payroll	FICA Tax Withholding					\$12,623.40
Payroll	State Withholding					\$4,871.02
Payroll	MSRS/HCSP					\$30,738.98
						\$75,220.84

EAST BETHEL CITY COUNCIL MEETING

December 4, 2013

The East Bethel City Council met on December 4, 2013 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Richard Lawrence
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Mark Vierling, City Attorney
 Mike Jeziorski, Finance Director
 Colleen Winter, Community Development Director

Call to Order **The December 4, 2013 City Council meeting was called to order by Mayor Lawrence at 7:30 PM.**

Adopt **Moegerle made a motion to adopt the December 4, 2013 City Council agenda. Koller**
Agenda **seconded.** Lawrence asked to have the Supplementary Bill List added to the Consent
 Agenda. **Moegerle amended her motion to add the Supplemental Pay List to the**
 Consent Agenda. Koller seconded the amendment; all in favor, motion carries.

2014 Budget Davis explained that Minnesota Statute 275.065 requires cities to conduct a hearing where
– Public residents are offered the opportunity to provide input to City Council on proposed budgets
Comment and tax levies. The State requires that each City announce the date, time and place of the
Period meeting where residents can provide City Council feedback on proposed budgets and tax
 levies. The date selected must be done at the meeting when the City Council adopts the
 preliminary budget and levy in September. This meeting date was also listed on the parcel-
 specific notices for proposed 2014 taxes that the taxpayers received in November from
 Anoka County.

Council directed that December 4, 2013 as the regular meeting for this opportunity. City Council has afforded a number of occasions during the budget development process to residents for this input including a special meeting on October 10, 2013 devoted solely to discuss the 2014 Levy.

The 2014 Preliminary Budget has been available on the City's website and a paper copy has been at the City Hall receptionist area since its adoption on September 4, 2013.

As part of this agenda, Council will have the opportunity to consider tax levies and budgets for 2014.

Staff is recommending that Council consider input from residents on the 2014 Tax Levies and the 2014 budget.

Michael Beason, "I own three properties in East Bethel and I have my proposed tax increases. They range from 7% on one property, which is the one on 190th, 7.7% on Viking Boulevard and the one that I purchased on Lake Minard for my daughter and it went up 16.6%. I guess I am really wondering why? My neighbors across the street on Viking Boulevard is 4%, my neighbor next door to me on 190th is 5%. And I go from 7% to 16.6%." Lawrence, "You know that the percentage raised is based on the value of the

property and that comes from the County. We have a water and city sewer project that came in, a big bond due.” Beason, “I realize that, we have been here since 1979, we have been a long time resident. I realize the problem of the money not coming in for the water. But, if you look at the value for the properties, how can one be 7% and one be 16%, I don’t understand that.”

Davis, “Mr. Beason, if you can come in, we can sit down and look at your property statements and try to find an answer to that. We can also talk to the assessor and see if there is any reason for the undue change in market values. But, without being able to see those.” Beason, “I have the market values right here and you have them also, because you are the City. And it doesn’t make sense.” Davis, “If you can come by and we can probably give you an explanation on those.” Beason, “So basically what you are saying is we will give you an explanation of why one is 7% and one is 16%. And, that is just the way it is? Or what?” Vierling, “It is largely a factor of computation based on how the County computed your parcels. And, really, the City is not in a position to go through the Counties software and breakdown the Counties computation of each lot.” Lawrence, “One thing I have seen in the past is you have to make sure you check with the City assessor, because they do make mistakes.” Moegerle, “The other thing is we do have that hearing in the spring where you can challenge your assessment. That you be part of your ability to if we can’t figure out what the issue is.” Beason, “I guess I am frustrated and it shows. The property I purchased by Lake Minard, the property value in 2013 was \$151,000 and in 2014 it is \$138,000 and that is 16.6%. The property I have had since 1979 was valued at \$214,000 in 2013 and in 2014 it is \$200,000, it went down \$4,000 and it is 7%. You take the figures and it doesn’t add up.”

DeRoche, “In March is when the actual taxes come out.” Vierling, “The property values come out.” DeRoche, “The levy has to be put out by law by September. We have until December to figure out what we need to levy to meet the budget. That hasn’t happened yet.” Beason, “But if that comes out in March, right?” DeRoche, “What you got was a preliminary statement; the actual statement will come out in the spring.” Beason, “But if you make your decision in December, by the time spring comes around.” Vierling, “Understand that the City Council has to determine tonight is how many dollars we tell Anoka County they have to collect and spread across all the properties. The methodology by which they make the individual computation parcel by parcel is done at the Anoka County treasurer’s office. If there is a valuation issue in terms of the property values, there is a Board of Review that is in the spring. Basically for anyone that wants to say, “My property value is too high.” But, if you want to know how the County computed your lots, you really need to sit down with them, they have an entire program they go through to compute it and it is very complex.” Lawrence, “I recommend meeting with Jack.” Davis, “If you can give us a call and we will meet with you and get you in contact with the people that can help you at the County too.”

Jeff Martin of 1130 233rd Avenue NE, “My value went down 3%, County tax is going down, school looks about the same, but the City is going up about 20% on mine. Is that only because of the bond?” Davis, “That is solely because of the bond.” Martin, “And is that being spread throughout the City?” Lawrence, “Yes. The City levy was going to drop, but the bond made us kick it up. But, 20% is more than what the bond is going to be.” Davis, “The proposed levy on the City side is proposed to go up 17.5%, that doesn’t mean your taxes will go up that much. They can actually go up more. It is all a function of market values and the process that Mr. Vierling described to Mr. Beason. And again, if you have your statement and can drop it by or sit down with us we can give you further information.”

Mike Jeziorski, Finance Director, "I can give you more of a general description on this. The proposed levy was 17.5% so in a static world where everybody's market value stayed the same, your taxes would have went up 17.5%. What you said, was your value went down about 3%, but, the City as a whole went down about 7%. So you are going to actually pick up their additional dollars. So, your 17.5% is because the levy went up and then the other 3% is because your market value went down at a slower clip then the rest of the City's." DeRoche, "And Jack, in the last three years hasn't our general levy gone down about \$1,000,000?" Davis, "Yes, in the last four years the general fund levy went from almost \$5,000,000 to \$4,000,045." DeRoche, "And with the sewer and water project, that is what it did." Martin, "What do you foresee for the future? For 2015 and beyond. Is this going to continue, will it level out?" Davis, "No one has a crystal ball, but Council has discussed what resources we have and to keep from having another spike in the taxes or a tax increase through the year 2018. There may be some minimal increases; we can't say for sure that there won't be. But, there should be no more increases like the one we are going to experience for this year."

Jerry Potts of 23015 Durant Street NE (30 year resident of East Bethel), "What I was wondering is, I thought the sewer and water was going to be covered by all the people that you got into the City like businesses and stuff. All at once it is to the residents? I don't understand that." Lawrence, "That would have been true if they would have purchased the correct bonds for that. They bought general obligation bonds, which means the City is responsible for paying the bonds." Potts, "Are you getting any more people in here, businesses or anything?" Lawrence, "We are working on it." Potts, "Will that reduce our taxes?" Lawrence, "Yes." Potts, "So when do you expect this?" Moegerle, "On the agenda tonight we have 60 new homes." Potts, "Businesses." Moegerle, "They are in the business district. And, we have Minnesota Fresh Farms. All of those things help."

Potts, "With the City going up, the school going higher, and the County about the same, I don't understand where it is going to end." Lawrence, "The more we can draw in, the less impact it will have." Potts, "I voted for a lot of you guys up there. And, I thought by getting out the old people up there that were running it, that you would hold the line on taxes. In other words it still goes up." Moegerle, "We couldn't stop what they had put in place. If we would have stopped what they had put in place on February 19, 2011, instantly everybody would have had to pay \$1,200 to \$2,500 and not gotten anything for it. And then we would have been out of it. That is not what happened. The thought was we can go forward and get businesses, and keep it off our back." Potts, "So when is this going to get paid off?" Moegerle, "2027?" Davis, "2040."

Matt Jasper of 225 186th Lane NE, "I live in Bear Hollow, I have been there about three years. I realized I am preaching to the choir a little bit, but, I was doing some looking online. A \$380,000 home in Edina pays \$4,400 per year. I am well under that by \$100,000 for value and I am paying \$4,500 for taxes. So, I am wondering what East Bethel has to offer me to be paying \$4,500 in taxes." Lawrence, "Well, one of the reasons your taxes are higher is Edina has a much higher commercial base, where the businesses pick up a lot of the tab. Otherwise they would be looking at the same type of a deal. For a long time East Bethel said they didn't want businesses all we want is homes. That means the taxpayers with homes, have to cover the taxes. Because we didn't have a business base, we have no business base to draw from to make your taxes go down."

Moegerle, "Commercial property pay a higher tax rate. They pay a higher portion, and right now, I think it is 3% of East Bethel's property taxes come from commercial properties. So,

once this project went in, and yes it was promised once they come they will pay and that just wasn't the way it was working from the very beginning. And they knew that three years ago. So, the big push is let's get the right development along Highway 65, and when we attract those and secure that, then their taxes will start paying for this. They will kick in and the rest of us will start paying less. The big push is to be able to afford to attract them and bring them in." Jasper, "I understand that the commercial businesses are going to pick up most of the tab. And, I don't want to speak on everyone's behalf but the reason I moved up here is because I like having two acres and being more spaced out. If I wanted Wal-Mart, Target or Cub foods, I would have moved five miles down the road to Ham Lake or Andover. I know it wasn't on you, it was on the previous Council, but it is frustrating being a 28 year old guy living in my own home. I have one whole month worth's of work to pay for my taxes."

Moegerle, "We want to attract the right mix of businesses here. And we hear a lot of "I want a Wal-Mart and I don't want a Wal-Mart." So, you are looking at five people that are going to have to make those decisions of who we attract once they come here. So, please be part of that dialogue. And, knowing that if Target comes, (there is no inkling of that, this is all hypothetical) if a big box comes, that reduces your taxes. Does that change your mind on whether you want them here or not? And, remember it is just the corridor, $\frac{3}{4}$ of a mile on the east side of Highway 65." Lawrence, "Essentially what that means, is right now we are looking for the more industrial/commercial, not so big type of companies. Big enough, we now have the sewer and water and before they didn't want to come because we didn't have sewer and water. We brought in Aggressive Hydraulics and they needed a water suppression system for their building. We couldn't provide that without the water tower." Jasper, "I know that was a big problem with Fat Boys and other businesses, having to get their septic pumped every Friday. I understand that, but it seems like there are a lot of ifs and buts, we can't guarantee that these people are going to come up here. So, I hope you try to explore some other avenues besides just putting it on the residents. It is frustrating to live in East Bethel and pay \$4,500 in taxes here." Lawrence, "What else we have done is started up an Economic Development Authority (EDA). And, what that does is it goes out and looks for businesses to come here and set up shop. And we are putting our efforts there to facilitate lowering your taxes." Jasper, "Another thing to look at is, if you are looking at getting young people like me to come up here and build and start families. They aren't going to want to if they see they are going to have to pay this much in taxes." Ronning, "Did you say what your taxes were before they went to \$4,500?" Jasper, "My taxes jumped up 27%, 21 or 27 on my proposed tax statement. It went from \$3,300 to \$4,400." Moegerle, "Are you in the St. Francis school system?" Jasper, "Yes, but that went up very minimal and I have no issue paying for education. That is the future of America. My house was appraised at a low \$280,000 and I think it is fair and it jumped up to \$4,400. Just for what East Bethel has to offer. I know we have Hunter's Inn and Another Man's Treasure, but."

Moegerle made a motion to close the public hearing on the 2014 Budget. Koller seconded; all in favor, motion carries.

Public Forum	Lawrence opened the Public Forum for any comments or concerns that were not listed on the agenda. There were no comments so the Public Forum was closed.
Consent Agenda	Moegerle, "I want to pull items B) Flat Rock Geographic LLC Contract Renewal 2014; C) City Administrator Vacation Accrual Payout."

Moegerle made a motion to approve the Consent Agenda including: A) Approve Bill;

~~B) Flat Rock Geographic LLC Contract Renewal 2014; C) City Administrator Vacation Accrual Payout; D) Pay Estimate No. 3, LaTour - Castle Towers/Whispering Aspen Forcemain; E) Pay Estimate No. 2 for Whispering Aspen Street Surface Improvement Project and the Supplemental Pay List. Koller seconded; all in favor, motion carries.~~

Moegerle, "Item B) Flat Rock Geographic LLC Contract Renewal for 2014. I wasn't satisfied with the agenda write-up which the public will look at. It says services for \$65 an hour for 144 hours. I did get supplemental information on this, and at that time I didn't have specific information on what they were going to do. At this point, I don't have a complete statement of what they have done for us past year. I am really reluctant to sign a contract for continued work when we have no way of measuring if the citizens have gotten any value for this. My concern for this, is as much as the write-up as the contract. I don't know if anybody else had a concern about approving a contract where we didn't have any record of what was achieved, other than staff saying they were satisfied with the services."

DeRoche, "Jack do you or Colleen have anything to add?" Davis, "I sent out an e-mail at about 6:00 p.m. This is just a standard service contract. A lot of it is service driven, like a lot of our other contracts such as legal, engineering, Sheriff's Department; we don't specifically list goals to attain. It is driven by staff and issues that come up. There are a few general items we do include in there to address. I will say that the GIS Rangers have worked for the City for seven to eight years. For the last four years they haven't raised their rates. They did raise their rates from \$60 to \$65 this year. We do know from our City Engineer that if we contracted this out to others we would be paying in the \$70 to \$90 range. It is an important tool for functioning of City business. It has all of our maps and geographical data, property information, environmental data, planning and zoning, they will prepare maps for the Comp Plan, maps for the website, utilities maps; there is a lot of work they do. They come here twice a month. I appreciate Ms. Moegerle's concerns, but staff is very satisfied with their work and we feel like we get a good value for their service."

DeRoche, "It is already in the budget, isn't it?" Davis, "That is correct, it is in the budget." Moegerle, "We have these consent agendas, it is public information, people should know what we are getting for these services. Subjective satisfaction, I understand in some cases that is what you have to have. But, if you have standards and goals to be achieved, I would like to see then a year from now that we have achieved these goals." Ronning, "Within this proposed agreement, Item 5. Termination. With or without cause, if we are not satisfied, we don't have any problem getting out of it. So, if they are good they stay, if not, we get someone else. I personally don't see anything wrong with the agreement when you have that kind of protection." Moegerle, "I agree, but if we aren't getting a report that we are making suitable progress except that every year we approve this contract. That is my concern." DeRoche, "Didn't you e-mail that out as to what they have done?" Davis, "Yes." DeRoche, "Is there anything that Colleen can add?" Davis, "She prepared the information that was sent out. I am totally satisfied with what they do, it is like a lot of other service contracts, and they are service and staff driven for needs as they come up."

DeRoche made a motion to approve Item B) Flat Rock Geographic LLC Contract Renewal 2014. Ronning seconded. Lawrence, "Do you want to contact Colleen?" Colleen Winter, Community Development Director, "The only comment I want to make is we work in this every day. Three to four people in our department utilize this constantly. And when citizens come in, there are three things on the agenda tonight, and I sat down with at least two of these folks and they physically came to my office and we take a look at this program."

So, it is necessary to have, it is serving not only our needs, but also the needs of the citizens.
All in favor, motion carries.

Moegerle, "I pulled Item C) City Administrator Vacation Accrual Payout because that chart standing alone didn't make sense. I have since received an e-mail from the finance director and I know understand that, but it is not particularly meaningful to the citizens. But, the real reason I pulled this was in regard to Resolution 2013-30, on page 18. At that time we suspended the rules? My question to you is do we need to suspending the rules or have the major duties associated with the infrastructure project abated and we can go back to the regular personnel plan?" Davis, "We do and what we also approved was anything that was carried over could be carried over at the end of the year. That was also part of the personnel policy adjustment so we are in good shape there." Moegerle, "So, did we actually suspend the personnel policy and how do we go about normalizing after this exception?" Davis, "After this exception, this whole thing goes away and it addresses the situation." DeRoche, "Wasn't this for the City Administrator and Public Works Supervisor?" Davis, "It was, but the City Administrator at that time was Mr. Sell."

Moegerle made a motion to approve Item C) City Administrator Vacation Accrual Payout. Ronning seconded; all in favor, motion carries.

Joseph & Jane
Morgan –
Variance for
setbacks at
3710 Edmar
Lane NE

Davis explained that the applicants, Joseph and Jane Morgan are requesting two different variances (both side yard setbacks) to construct a new home and septic system on their property. Mr. and Mrs. Morgan purchased the above reference property and tore down an old cabin on the property. They now wish to construct a new home and install a new septic system that will replace a non-compliant system. Because this property is located in the Shoreland Management District, they are required to have the house constructed 75 feet from the ordinary high water mark on Coon Lake. They are also required to have the house setback a minimum of 20 feet from the septic system. However in this case, the garage is located on the front of the house, and that portion of the structure is allowed to be located 10 feet from the septic system. In addition, the City requires that a proposed septic system be setback from the front property line a minimum of 10 feet. Mr. and Mrs. Morgan are complying with all of those setbacks.

However, due to the need to meet those standards, they need to request variance on both sides of the property. Normal side yard setback requirements are 10 feet and the Morgan's home will be located 5 feet from the west property line, and the proposed edge of the drain field will be located 8 feet from the east property line. This lot is very narrow and long, and due to the unique geography and the location of where the septic needs to be put on the property because of the design, there is no other appropriate location on the lot for the septic, so therefore the following are the variance requests:

- 5 foot variance from the normal side yard setback of 10 feet on the west side of the property for construction of a home
- 2 foot variance from the normal side yard setback of 10 feet on the east side of the property for the construction of a drain field.

The Planning Commission voted 7-0 to approve the variance requests at their November 26, 2013 meeting.

The Planning Commission recommends that the City Council approve Mr. and Mrs. Morgan's variance requests as outlined above.

Moegerle made a motion to approve the request of Joseph and Jane Morgan for a variance at 3710 Edmar Lane NE, East Bethel, MN 55092 (PIN 35-33-23-21-0012) Lot 12, Block 1, Edwards Beach for a 5 foot setback from the normal side yard setback on the west side of the property for the construction of a home and a 2 foot setback from the normal side yard setback on the east side of the property for the construction of a drainfield. DeRoche seconded.

Moegerle, "With regard to the plat map, within the proposed house drawing it says elevation 913.9 and then it says "Caution". It is immediately to right of proposed house on page 29 of our packet." Winter, "What that refers to is that they have to have a three foot separation, whether it is from the flood plain, ordinary high water mark, or whatever the mottled soil is." DeRoche, "Is that your fence or the neighbors?" Mr. Morgan, "They have a well there and it is there for safety." DeRoche, "I don't see much else they can do with it, but what they have planned." **All in favor, motion carries.**

Bruce &
Sharon
Johnson/Minn
esota Fresh
Farm– Interim
Use Permit
(IUP) to
operate an
Agri-tourism
activities
business

Davis explained that the applicants, Bruce and Sharon Johnson owners of Minnesota Fresh Farm would like to open up an agri-tourism business on their family farm located at the northeast intersection of Klondike Drive and Highway 65. In 2014 they propose to offer services which would include U-pick strawberries and raspberries, a Pumpkin Patch, a child's Corn Maze, and other family agricultural activities. Their long term plans include renting out space for weddings, renovation of an existing barn to accommodate a small retail area, cooking and food preparation classes.

The current zoning designation on the Johnson property is R2 (single and two family residential). Portions of the property are also designated as a significant natural environment overlay district. The type of use that the Johnson's are proposing is not permitted in this zoning designation unless an Interim Use Permit (IUP) is approved for the activity. Permitting an agri-business would not be un-compatible with the Highway 65 commercial zoning that is immediately north and south of the Johnson's property. The issue and rezoning of the Johnson's property could be addressed as part of the comprehensive review for updating the zoning along the entire Highway 65 corridor that will be conducted in 2014 to reflect the development potential and the requirements in this area. In order to address the Johnson's needs for their business plan, consideration of an Interim Use Permit could be an alternate that would permit them to operate their business until other land use decisions are finalized.

The Planning Commission voted 5 to 2 to recommend approval of the Johnson IUP at their November 26, 2013 meeting and is requesting the City Council consider the approval of an IUP for Bruce and Sharon Johnson for the operation of an Agri-tourism business subject to the following conditions:

1. An Interim Use Permit Agreement must be signed and executed by the property owner and the City.
2. Property owner shall provide access and parking from the second driveway entrance from Klondike Drive NE.
3. That all parking shall be located on site and not on Klondike Drive.
4. Property owner shall obtain appropriate permits for signage as outlined in the Sign Ordinance Section 54-8 Central Business District.
5. Property owner shall obtain all appropriate building permits and comply with applicable building and fire code requirements.
6. Interim Use Permit shall be granted for a period of 2 years, beginning on the date the

IUP is approved by City Council.

7. Permit shall expire when:
 - a. The property is sold, or
 - b. Non-compliance of IUP conditions
8. Property will be inspected and evaluated annually by City staff.

DeRoche made a motion to table the Bruce and Sharon Johnson Interim Use Permit until the City Council can hold a work meeting to discuss some zoning issues regarding this. Moegerle, “Can I have more information on what the issue is?” Lawrence, “There is a motion to table.” Vierling, “There is a motion to table, if there isn’t a second, it fails, if there is a second then you go straight to the vote with no discussion.” **Ronning seconded.** Ronning, “Request to clarify, is it tabled to a work meeting and then after we hold the work meeting and those issues are resolved it will be addressed?” DeRoche, “Yes.” **Koller, Moegerle and Lawrence, nay; DeRoche and Ronning, aye; motion fails.**

Moegerle made a motion to approve the Interim Use Permit (IUP) as requested by Bruce and Sharon Johnson at 20241 Highway 65 NE (PIN 20-33-23-13-0001 & PIN 20-33-23-14-0001 for the operation of an agri-tourism business subject to the following conditions: 1) An Interim Use Permit Agreement must be signed and executed by the property owner and the City; 2) Property owner shall provide access and parking from the second driveway entrance from Klondike Drive NE; 3) That all parking shall be located on site and not on Klondike Drive; 4) Property owner shall obtain appropriate permits for signage as outlined in the Sign Ordinance Section 54-8 Central Business District; 5) Property owner shall obtain all appropriate building permits and comply with applicable building and fire code requirements; 6) Interim Use Permit shall be granted for a period of 2 years, beginning on the date the IUP is approved by City Council; 7) Permit shall expire when: a. The property is sold, or b. Non-compliance of IUP conditions; 8) Property will be inspected and evaluated annually by City staff. Koller seconded.

Ronning, “We looked at some of these before, some of it is swamp, some of it is sod field. An example I can give for certain is the Old Our Savior’s Lutheran Church was zoned as religious and it was turned over to commercial so you couldn’t sell it or use it. The whole point is there is a history to all of this. Is there some way we know what the zoning was prior to R1 and R2?” Winter, “The zoning prior to R1 and R2 was probably agricultural. I can check on that. But, the significant environment overlay has been on that property, whether or not the R1 and R2 has been underneath. The key to this property is that significant natural overlay district. It doesn’t make sense for it to be R1 and R2 because you are not able to build that high density of housing in this area because of that overlay that is there is on top of it. There is something about this area that either needs to be preserved for recreation; we are not sure what all it is. I don’t know if there are protected species out there. I did made a call today to Anoka County to see if they knew why the designation was put on top out there. Is it just because it was agricultural for a long time and sod fields. But, the R2 here, in my mind it doesn’t make sense to be zoned R2. There are better places for it to be R2. If anything it should be zoned like the recreational or business zoning so it matches with the other two zonings north and south of it.”

Ronning, “My curiosity is whether there is a prior history, I don’t know that there is or that I find any intent or purpose for changing it. I suspect the change was when they were working with the Met Council on the sewer and water project and rezoning a lot of R1 and R2. But, I

don't know if we will know that."

DeRoche, "My reason for wanting to table this is we had no reason why the zoning is the way it is and how it got there. However, there has always been talk about the comp plan; we have to redo the comp plan. People spoke tonight about their taxes being too high because we need to bring in businesses and we are in a situation where we only have a certain amount of area to put businesses that are going to get enough commitment to have enough ERUs to pay for this thing. I think it is a bad precedent that every time something comes up, we change the zoning without looking at our comp plan. It is like a Sims Game, except it is a serious Sims Game here because we only have a portion of the Trunk of 65 that can be developed. Anything farther than 3/4 s of a mile is going to be at the City's cost or the developers if they decide to come in. Secondly, if someone puts a lot of money in this and down the road it is decided that this really isn't fitting into the situation here, it really puts the City in a bad situation. And, don't get me wrong, I think a pumpkin patch and berries, is fine. But, I also look at what has been preached for the last three years about what we need to do, we need to bring in businesses and bring in connections. Because if we don't have the connections, then the 17% could just be a start. At what point do we say, hey we really need to take a look at this. Again, I hate to be a killjoy, by wanting to table it, but there is an awful lot of information that I still don't have and maybe some other people have, they have had meeting or whatever. But, I am not privy to that and that is just the way it is."

Sharon Johnson, 20241 Highway 65 NE, "I am the property owner, I am surprised. When Jack read the information, you said the Planning Commission approved it 5 to 2, it wasn't 5 to 2 it was 7 to 0. To know the Planning Commission that we have gone to two meetings, they think it is a good idea. It is not a Sims Game, this is serious to us. It has been a family farm for four generations and it will be a family farm for four more generations. I can assure you that there will not be a housing development on that property. It is a farm and will always be a farm. We want to bring the type of businesses that the people want, not Target and Wal-Mart, a family agri-tourism business like Shakopee, Apple Orchards like they have. If we table this, we can't plan for next year, we have to get a well permit, and we have to start thinking about our planting. We are dealing with Met Council with areas they are using right now that we want to use."

Davis, "Sharon, I apologize for that. It was 7 to 0; I got it confused with the one coming up. Thank you for making that correction for me." Moegerle, "The big picture, Ms. Johnson came to the EDA and spoke to us. One of the most important considerations for us is the property is in the Significant Natural Overlay District. The property is not going to be able to be used for any other type of business and I am excited for this to come in." DeRoche, "To table this was probably going to be for ea week. I have seen a lot of decisions made on lack of information and it has put us in a bad spot. I was looking for more information. . Whatever is in the packet is in the packet. I haven't had the luxury of talking to you and going on some history of things that have happened in the past, I owe it to the rest of the residents to at least understand what I am going for. Once the decision is made it is made and ti is not to stop someone's business. If you were up here or anyone else in this room, I would hope that you would sit down and make sure you have enough information that you could make a common sense choice and say, "Okay we are going to do this." Because if something doesn't work, then we are into other issues."

Johnson, "And, I respectfully say that we have given you a nine-page plan of what we plan to do with the property. For now and into the future. This is a business that is going to be attractive for the City." Lawrence, "The information we have been given from Colleen is

that this property is only suitable for farming. Not suitable for building as it has been rezoned for. It is an interim permit and only good for two years. When you get down to the two year mark, get in here to renew it. According to Colleen this is a good fit. I think I have to respect her opinion. With that I will call for the vote.” **All in favor, motion carries.**

Viking
Preserve –
Preliminary
Plat –
Residential
Development
at Viking
Blvd. and
Jackson St.
NE

Davis explained that Don Shaw dba: Shaw Trucking hereafter referred to as “The Developer” is proposing to build a single family residential development. The property is zoned three different ways – City Center, R2 and R1 with a Planned Unit Development overlay in the R1 and R2 districts.

The primary purpose of the planned unit development (PUD) provisions is to allow flexibility and variation from conventional ordinance standards in exchange for higher standards of development design and creativity, architectural control, natural resource protection, landscaping, public parks, public and private open space protection, pedestrian access, and multi-use corridor opportunities. The PUD provisions are also intended to promote the efficient use of land and promote cost-effective public and private infrastructure systems.

The Planning Commission reviewed the Concept Plan of this property at the regular meeting in October and based on Planning Commission feedback, the Developer proceeded with the preparation of the Preliminary Plat.

The preliminary plat was presented to the Planning Commission at their November 26, 2013 meeting and they approved the preliminary plat as presented in your packet by a 5-2 vote.

This development has the potential to produce \$336,000 in City SAC and WAC fees and be a stimulus for further development along Highway 65 and Viking Boulevard.

Staff requests Council consider approving the Viking Preserve Preliminary Plat as approved by the Planning Commission with the exception that Taylor Street, as shown on the preliminary plat, not be connected to the existing section of Taylor Street that terminates at the northern property line of the East Bethel Water Treatment Plant at this time. It is further recommended that Taylor Street, as indicated on the preliminary plat, to be constructed to serve the development, terminate in a temporary cul-de-sac at the south property line of the East Bethel Water Treatment Plant with the details of the cul-de-sac design to be provided in the final plat.

Moegerle, made a motion to approve the preliminary plat for the Planning Unit Development for Viking Preserve/Don Shaw with the comments as listed in the write-up in the December 4, 2013 packet. Lawrence seconded.

DeRoche, “It is listed in there that Taylor Street will not go through. Jack and I discussed my concerns.” Moegerle “Can you give us reasons for Taylor Street not going through?” Davis, “There are a number of reasons for that. Number one, we don’t feel that it is needed for emergency services access. There will be two entrances to the development, one on Jackson Street and the other off of County Road 22. If the Taylor Street access was connected, that would not necessarily improve the access because if you come down Taylor you would have to go off Polk, make a 90 degree turn on an unpaved street and then another 90 degree turn and it is not going to get you in there any quicker. Also, we don’t need all that additional traffic through an existing neighborhood, nor do we need it by the water treatment plant. We can put a curb cut in the cul-de-sac if emergency vehicles have to come in that way for some reason, they can still access it without the street. Also, it will save the

filling of additional wetlands on the street by the water treatment plant.”

Moegerle, “Under recommendations it says, “Will terminate at a temporary cul-de-sac at the south property line. Temporary to me says that something more permanent will succeed that temporary cul-de-sac. So do we know what that is going to be? Or why is it a temporary cul-de-sac?” Davis, “Not necessarily. The City has approximately 37 temporary cul-de-sacs now that are designed for some time in the future. They are there for a reason, by design. To access vacant property sometime in the future if it is needed. In this case at some time it may be desirable to make the connection. There may be some changes on Taylor in the neighborhood and they may want that paved. At this time we don’t see a need, but the temporary cul-de-sac can be extended if needed some time in the future.” Lawrence, “I think we have some residents that are here and want to give some comments.” Ronning, “I think there were comments at the Planning Commission from residents that were not favorable about extending the street. They will probably say the same thing, there is unlimited speed right now and there are kids down there.”

Roger Geist of 918 197th, “I do believe in what you are saying. I was out of town last week and unable to attend the meeting. Due to the fact, exactly as Jack stated, the emergency status to bring a road through there is ridiculous. To the fact that the road is now gravel so in order for you to service it, I would presume you would be upgrading it to pave it. And with that you bring the speed. We have a number of children and pets living on that street. I see no reason for it when you have the access from Jackson and 22 already. And Jack alluded that you have to go backwards to go forward to get from Polk to Taylor. That would only serve the purpose of our volunteer fireman that are coming from the north. And, raise the dust.” Lawrence, “Do we have anything on MIDS to control the dirt and dust during construction?” Winter, “There is in our engineering manual and our engineer will be addressing that.” DeRoche, “Are you talking about during construction or after construction?” Geist, “Both. When they were moving dirt out of there it looked like the sandstorm of the 1930’s. I wasn’t there, but I saw pictures.”

Geist, “I do have something else. Do we have any layout of berms from the existing properties?” Winter, “The berms are on the south side of the property, on 22.” Geist, “Why would you put a berm next to the Highway, when we have residents next to the Outlot C within 30 feet? Which one of you folks would like to live next to that when you have been there for 30 years. We know we aren’t going to stop this project. We are trying to work for the best for Shaw, for you, for the residents. I am hoping the Council will listen to us residents, instead of pushing us off like the previous Council did.” DeRoche, “Then come in here and talk to Jack and Colleen.” Lawrence, “We can try to address that.” Winter, “If I can address that, and it is not a map I have right now. But as part of the tree preservation plan, it is the intent of the developer to minimize the loss of the trees there. I am not sure that requiring the developer to go above and beyond, that is up to the Council. Lot 16, that is an Outlot now, originally that was planned to go all the way back and now that is there as somewhat of a protection to the property of the north. The developer does understand the concerns of the residents. As far as the berm goes, it does make sense on the County Road side, but it is up to you. If you have them put a berm on that side, you do have to consider if that negatively impacts the drainage. It could negatively impact how that drainage happens. Right now we have a grading and drainage plan that is draining that appropriately to all the storm sewers in the development. So I want to ask that when you approve the preliminary plat, that you make it subject to all internal staff requirements. Whether it be our engineer, our attorney, our TEP. We can try to address the concerns of the residents. But there is a section in our ordinance that addresses tree preservation.”

DeRoche made an amendment to the motion as follows: approval is subject to all internal staff requirements. Ronning seconded the amendment. Moegerle, "If we approve the amendment, when will we get to see these requirements and make comments on them?" Winter, "The next process is we have a staff meeting tomorrow. The Technical Evaluation Panel which is the City, Anoka County Conservation District and Bowser, (TEP) I believe is meeting Friday to talk about the wetlands. With Council giving the go ahead with Taylor Street being a cul-de-sac versus a through street, that will change how the wetlands are going to be delineated. There will be a little less wetlands delineated. But, that still comes under the rules of the TEP. In January a Final Plat will go before the Planning Commission and which will include the comments of staff and the TEP. At the same time we are doing that, we will be meeting with the developer and they will be made aware of any concerns or any points of clarification we have with him so we can start those discussions internally. And, this will be addressed through the final plat and through the developer's agreement, which we will begin negotiating with the developer, all the things we have talked about this evening."

Ronning, "Can you explain what the does to the developer's timeline for them to proceed?" Winter, "It is the same timeline that we have been looking at. When I met with him, I let him know that we would address the final plat at the January Planning Commission meeting and then approval would be at the February Council meeting, along with negotiating a developer's agreement. It should fit with the same timeline he has been looking at."

Moegerle, "I have a question about windbreaks and trees along the perimeter. Is that possible and would that help with the drainage and would that address some of the concerns of the residents?" Winter, "If you are referring the request of a property owner that a solid line of trees is put along this line, I am not sure that this is something we can have the developer do. I guess if the Council wants they can do it. I just keep going back to the fact that one of the things they will be doing is, they will be staking all those trees. It is the intent of the developer to minimize the number of trees that is coming out of that area and the impact to the residents in that area. Plus the drainage is set up to come back here on this Outlot."

Moegerle, "Those Outlot's are going to be your MIDS or drainage areas?" Winter, "There are three outlots. Outlot A is a wetland, Outlot B will be developed in the future and will be commercial and Outlot C serves two different purposes. One is as a break between where this development occurs to minimize the impact and if in the future it were to develop there is a ghost plat here. And there are two or three other ponds for drainage."

Moegerle, "What does exceptions mean?" Jason Rudd, Ham Lake resident, "Exceptions, there are a handful of exceptions, and they are exceptions to what we own. They are City property. Parcel that is northeasterly of the pond and the other parcels that are exceptions are also owned by the City. The other questions about the north line of Lot 15, Doreen had asked me to meet with her and look at these four trees and see if we could save them. I really think we can save these four trees. This is the layout of the house footprint and how we can fit it in there and save the trees. It would work better than a berm. The reason for the berm on the County Road 22 is it provides a buffer for future residents in Block 1, that is a busy road. Don plans on planting trees along that entire buffer which will run the entire length of County Road 22 and provide a nice buffer for those residents. It will be a nice buffer and the majority of those trees will be saved as well. And, we are providing a nice screening there as well. I won't take offense to the gentlemen asking, "Would you like to live here? I do personally think it will be a nice development. We are providing nice paths and other things where they will reside."

Doreen Murray, "I am right next door to Outlot C. I don't think a berm will work there either. What I want is more trees and I have always questioned those trees there. If there is any way to put any extra trees or bushes. It is going to be a big change for us to have all this next door. That is really what I was requesting."

Koller, "I have had a lot of residents talk to me about this. And, all of them have told me they don't like that small of a lot. Because of that, I have to vote against it." Winter, "This is in a Planned Unit Development. It is in an area that was planned for higher density, it has the sewer and water. It actually was planned for three units per acre. These lots are a little bigger than that. The smallest lot size is 8,400 and it goes up to 11,000 in some cases. So they actually are bigger. The residents from their prospective, they are not used to this type of development, because we have never had this type of development before. Because we have never had urban services before. This is truly at an urban density level. In order to maximize the use, this is an appropriate lot sizes for this area." Koller, "We have Whispering Aspen, that is similar and after about nine years there are still ten open lots there. People move up here because they want room." Winter, "There could be a number of factors of why that may be. What the developer is seeing is number one they can make it work from an economic standpoint. These are the types of lots that are being sold. Looking at Blaine, there is the higher end on a smaller lot for the empty nesters, and single family starter homes." Koller, "I am doing what the people ask me to do."

Ronning, "I had an opportunity to speak with Mr. Shaw after the last Planning Commission meeting and he has done a fairly extensive survey and the people the he is appealing to don't want to do yard work, they don't want to do maintenance, they want a comfortable home to come into. And no offense, but we aren't buying them and that is the customer." Moegerle, "When we had Ady Voltedge out here, I spoke with David their planner. And he spoke to having smaller lots and reserving the back yards as public areas. That was a trend that was being looked at so everyone could have access to those areas. So, I was going to ask why are they so large if the trend is that they are smaller?" Winter, "What you are referring to Heidi is common interest community platting, and that is really what you see with Townhomes and those other types of concepts. Again, I feel the developer has done their research and this is what they feel is going to work in this area."

Halstruck of 852 197th Avenue NE, "I appreciate the recognition of what the residents spoke on and what we are looking for on this development. As Roger spoke to is we are going to be dealing with it one way or the other. And what we are looking forward to is working with it, instead of against it. Looking at the map, we are just to the north of Outlot C. And, while it is probably unrealistic, it would be great to have #15 included in Outlot C there. It would be nice to have keep the trees, have the trees. It would be nice to have some privacy trees planted there as well as having the trees saved there in the best interest of the residents there."

Lawrence called for the vote on the amendment. **All in favor, motion carries.**

Lawrence called for the vote on the preliminary plat. **Koller, nay; DeRoche, Lawrence, Moegerle and Ronning, aye; motion carries.**

2014 Budget
Discussion

Davis explained that at the September 4th 2013 City Council meeting the City of East Bethel approved a preliminary General Fund/Debt Service Fund levy of \$5,230,742 or a 17.5% increase over 2013. The reductions, as described below, have since been incorporated and have resulted in a reduced levy figure of \$5,126,950 or a 15.1% increase over 2013.

At the September 4th 2013 City Council meeting, the City of East Bethel approved a preliminary EDA levy of \$133,022 or a decrease of 8.1%. The EDA levy has been reduced by \$10,000 since that time and the proposal for the final 2014 EDA Levy is \$123,022 or a 15% decrease from the 2013 amount.

The Levy amounts must be submitted to the County Auditor by no later than the close of business on December 30, 2013. Staff recommends, that unless there is a new proposal for budget reductions, the 2014 Budget and Levy and Resolutions 2013-66 and 2013-67 be approved at the December 4, 2013 City Council Meeting.

Staff recommends Council consider approval of the 2014 Budget and Levy and consider separate and individual approval of Resolutions 2013-66 and 2013-67. Should Council desire to continue 2014 Budget deliberations, Staff requests direction as to other adjustments for the 2014 Budget.

Ronning made a motion to adopt Resolution 2013-66, General Budget and Levy.

DeRoche seconded. Moegerle, "I have made suggestions throughout this discussion and it hasn't gained traction. I am going to restate my concerns and objections, but they stand here as if I repeated them at length. So, I object to this budget." DeRoche, "I guess we could always shut down the government. We have to have a budget, or we go back on last years." Moegerle, "That was never my suggestion. I think there are additional cuts that could be made and are not damaging." DeRoche, "Anything that hasn't come up in the last 20 meetings?" Ronning, "Attachment four?" Davis, "It is the resolution." Ronning, "Resolution 2013-66 General Fund Levy and Budget – attachment #4. That confused me. What are the results of this?" Davis, "This will reduce it to 15.1%." Ronning, "This is what we discussed last week?" Davis, "We have outlined a general plan on how to address the General Bond Issue 2010C which comes due in 2016 & 2017. And, to address the first principal payment in 2018. This increase that we are having now will probably be with us always. This is what we need to do to pay the interest on the bonds. Our challenge to date is to find ways to reduce this. And to find ways to make sure we don't have another huge spike in the tax increase." Ronning, "After the Town Hall Meeting, we have to keep in mind that the Met Council seemed like they were certainly willing to listen. Everybody has inherited this, so it will take everybody to fix it." Davis, "That is true. With the Met Council, whatever we can negotiate with them, will have no effect on this budget. Because the bonds are separate from what our obligations are to Met Council." DeRoche, "I know what we said at the Town Hall Meeting, we were threatened with a lawsuit. The fact that he has stated he has had several meetings with the Council on working this out. I would be curious to know who he had meetings with. Was he just talking or are they saying, "We really do need to look at this." Most people I have talked to have said they wouldn't want to be up here, but, work on paying the bill and move on." Ronning, "Work on fixing this instead of crying." DeRoche called the question." **Moegerle, nay; DeRoche, Koller, Lawrence and Ronning, aye; motion carries.**

Lawrence, "I agree with Heidi, we could have probably dug a little deeper and made more cuts." Davis, "And in order to cut the levy 1% we have to come up with another \$45,000 in cuts. This is probably the best balance you can do to retain services and address the issue. This is probably the 20th meeting on the budget. This is overall a good effort to minimize the increase." Ronning, "We have control of the expenses. If we are able to trim anything during the course of the year, we are able to reduce it."

Moegerle made a motion to adopt 2013-67, EDA Budget and Levy but amending it to the original amount of \$133,022 as originally set forth by staff. Lawrence seconded.

Lawrence, "The reason I seconded this is the EDA is going to be one of the tools we use to solve the issues. And with no funds, or lack of funds, we will be completely powerless if someone comes in wanting some help. So it is crucial that we get the EDA budget in place." Moegerle, "I made the motion because I see that the EDA is charged with bringing businesses to East Bethel. I see an analogy with that budget with our capital improvement budget and our equipment replacement budget. The EDA is for investing in our future and that investment often is intangibles. But, it is no less important than saving money for buildings or equipment. And that \$10,000 if we need that, it will come out of the general fund. I don't think that is the place we should do it. If this year a budget of \$133,022 is not expended, it will roll over. We don't have money from 2013 to roll over. For that reason I see the investment in our future is worth it." Ronning, "At the last meeting, one of my questions was this would work up to \$413,000 overall. Over the total of three years this comes up to over \$400,000 and what do we have to show for it. The priorities I heard was to help for a grant so we would have air support and we opposed that for \$133,000. My priority was having safe fire fighters." DeRoche, "I would like to cut another \$10,000." Ronning, "We will have to turn it down and take another \$10,000 out."

Lawrence, "You are taking all the money from the EDA. Why don't you just take it all away." DeRoche, "We are not taking it all away. Why don't you call around and see what other cities have. This is a lot more than other cities have." Moegerle, "Are those cities in the same boat as us? Just starting up from nothing?" DeRoche, "I have been asking for the last three years, with over \$400,000 what has the EDA done with it? Because I get asked the question." Moegerle, "We have a website that we didn't have before, we have a reader board. We have the information from Ady Voltedge that we use. We have to update the comp plan. Unfortunately it is not always going to be a tangible. Getting our zoning up-to-date. Dealing with Met Council. Getting a contractor in here to help with the comp plan update. To help with the agri-business, those people are directly affected by this. Going forward there will be more and more momentum of the tangibles. It is a lot of paperwork." DeRoche, "As far as the zoning goes and the comp plan, I don't know why we would do it. Because every time someone comes in here, we are just going to spot zone." Ronning, "I misspoke, it is \$401,016." Moegerle, "Remember, the EDA can't spend any money." Lawrence, "The Council spent all this money." DeRoche I call the question. Ronning seconded the question. Davis, "In reviewing this, everyone's individual budgets have taken reductions. I think we can operate effectively with the \$10,000 reduction that was proposed. I would appeal to not reduce it anymore than proposed." Lawrence, "With what Jack has said, do you want to change your motion?" Moegerle, "No, because that is not what he told me this afternoon." **Moegerle, aye; DeRoche, Koller, Lawrence and Ronning, nay; motion fails.**

DeRoche made a motion to adopt Resolution 2013-67, EDA Budget and Levy as written. Koller seconded; all in favor, motion carries.

Staff Reports

Davis, "I have some tentative dates from Met Council to hold some meetings in January to discuss our situation with them. I will be sending those out this week to get some feedback, see how we want to approach that and see if we want to set a specific date to meet with them."

Council
Reports – Bob
DeRoche

DeRoche, “I thought we were going to talk about some kind of Code of Conduct earlier, but apparently that didn’t work. I don’t know why it is that when things come up and someone wants information there seems to be hostility. Because questions are being asked, and it is not questioning anyone’s research, it is not questioning anything else. It is because I am looking for more information. And, again, it is not our job to sit up here, we are not going to make everyone happy. We are five individuals that the people put up here. Whether they thought we were going to do what we said or not, that is what we said we were going to do so that is why we are here. Some people have a little different approach, but, with that being said, I think it is important that there is a certain amount of decorum that goes on in here. And to get upset with somebody because maybe they are touching the wrong cord, doesn’t work. What it does is it creates a lot of animosity. And, then things start building and building and now we aren’t getting anything done. It is only 9:15 and we are doing Council reports, that is pretty good. And that should happen more. As far as I am concerned, staff gets a packet, we get it delivered, we look at it, and hopefully we have time to look through it, we come here looking for any added information there is. We make a motion, second it, and there should be very little discussion and move on. The time for lobbying is not here.” Lawrence, “I agree.” DeRoche, “It is look that is what I think and I thought 20 meetings ago. Everybody is taking a hit. We have a bill to pay and we can’t walk away from it.”

“Otherwise, the snowmobiles are out on the ice. Good luck.” Lawrence, “How much ice?” DeRoche, “Some of the guys I am talking to say there is 68 inches. But, the ice is never safe. Fish underneath could be keeping it open. Ducks, bad things could happen.”

Council
Report – Ron
Koller

Koller, “I talked to Fire Chief and last Wednesday they were called to a house. The people were ripping up the floor tiling and they were dissolving the glue with acetone. The furnace must have kicked on and it flashed. Sent three of them to the hospital. The two sons are out of hospital, but the father is going to need skin-graphs. You have to be careful.”

Council
Report – Tom
Ronning

Ronning, “We had a Planning Commission last Tuesday and most of this stuff came up before the commission. A lot of discussion about it. I think this is relevant, we talked about a code of ethics. We have been elected to do our job, without legislating what you are supposed to do in your chair. It is our responsibility to do something. What I would like to see and propose in the form of a non-binding resolution is a show of support for a time limit. If we can’t get our business done in two or three minutes then you are pretty much self regulated. Someone will notice if it is more or less. It is not formal or an official policy, but two to three minutes and we should be able to express what we want to say. End of story. I would ask our Mayor to canvass for this.” Lawrence, “We will do that at a later date. We are in Council reports now.” Ronning, “And this deals with the Council. Do I have to make a formal motion for this?” DeRoche, “This needs to be dealt with, sooner rather than later.” Lawrence, “We can deal with this at another time, we are doing Council reports right now.” Ronning, “Postponing this is imposing.” Lawrence, “Heidi, what do you got?”

Council
Report –
Heidi
Moegerle

Moegerle, “I would like to see year-end reports from all of our contractors. What they did in 2013, what we got for our money. Obviously, more details better than some. We are here to make sure that our residents get good value for their dollars and without some report we don’t know. Part of this is brought up with the fact of the GIS contract. Until I asked we didn’t get a list of what people are doing and they are getting paid \$65 an hour, that is pretty rich. For 2014, I hope we will take advantage of using interns, because that was a good value for the website. I notice that for the past two Council meetings we have had supplementary bill lists. I wanted to know if this is something we can expect in the future,

or is this something extraordinary that we had two back to back?" Davis, "it is something that will be a regular procedure. These are larger providers that do not respect our policies and have their own due dates. Such as Connexus Energy and if we don't make the payment on time they charge us a late fee. We don't pay late fees, but we have to call them and clear it up, which takes a lot of staff time. Sometimes we have to write a letter. These come in after the packet is done." Moegerle, "The other thing, when I have to call and get information about the packets that is not a good thing. When I have questions, I am sure the residents have questions. I don't get packets delivered, but, I get them off the website, so I see exactly what the residents do. In regard to a conduct policy, I have thought we needed one since we took office, especially with the issue of absences last year. I think the guidelines of Cambridge are good. I also think debate and discussion of these ideas may not be persuasive to each of us up here, but, it is a way of educating residents that we are all very thoughtful of the positions we take and willing to listen to different points of view and whether we are willing to consider the other point of view. And I think that is very important and it shows that we are not just a bunch of people that shoot from the hip and just go home.

Ronning, "I had asked for a survey, and we had an informal survey so you don't need to bring it up in the future." Lawrence, "I hope that didn't involve three or more Council Members, that would be a violation of law." DeRoche, "Now stay on task here."

Council
Member
Report –
Richard
Lawrence

Lawrence, "We as a Council, have been reviewing a Code of Conduct and time limits. We have to work something out that is really functional and something that will really hold. To be wishy washy is not going to work. I like to hear from people and what they have to say. If you have information that you want to present to Council, especially if you have taken the time to type it up, send it to Jack so we can all see it before the Council meeting. It is not fair to staff to make them wait for us to look through your paperwork. Let's get it out and get it evaluated so we can make an intelligent decision on it. We have been working with this issue here, and worked very hard on the budget and not all residents are going to be happy. Something we have to live with right now. The work with the EDA will be crucial. The more businesses we bring in, the less the taxpayers will have to pay. We have stuff in the works right now. But, we really worked at trying to get budget down. We can't fight off the bond budget we have to pay, it was not possible to return the money and have everyone in the City have to pay to do that. The budget is concluded, hope it is not too painful."

DeRoche, "Again, my concern in the past has been about people setting up meetings, people talking to people outside of here." Lawrence, "State names, state who is doing this." DeRoche, "I remember when this agri-business came in and a statement being made, I will get with you tomorrow and we will take care of it. Then it came to light tonight that there were two meetings on the EDA with it. I was curious, who put that on the EDA agenda, or was that at the request of the Council person? How did that come to be, it caused some bad feelings because I had requested more information?" Winter, "That was at an EDA Meeting that we did not have a quorum, so we did not have a meeting. There was a couple EDA members and staff members that had an informal discussion, they had just happened to be there. It was never formally on the EDA Agenda. Something like that would have had to be on the Planning Commission. Discussion that happened at the EDA was not during a formal meeting." DeRoche, "I know that and I am not throwing stones at you. But, it troubled me that an informal meeting went on at the EDA with these people, in chambers and if we would have had more information. Now when they come in here and it comes before us, and I will take the bad guy fall. It was brought up about the comp plan and that was why I commented why bother? In my mind if I knew, it was stated that it was on the EDA meeting. And, I wondered how were they able to get on the agenda without a formal public

meeting where the public could address this?” Winter, “It was not on the EDA agenda. They were told in order for them and the process they had to follow was to get on the Planning Commission agenda so a public hearing could be held.” Ronning, “I have questions about that. How can an EDA meeting be held without a quorum?” Lawrence, “Let’s close the meeting and they can have their own discussion.” DeRoche, “We don’t want any facts getting out.”

Adjourn **Moegerle made a motion to adjourn at 9:31 p.m. Lawrence seconded; all in favor, motion carries.**

Attest:

Wendy Warren
Deputy City Clerk

DRAFT

EAST BETHEL CITY COUNCIL MEETING

December 18, 2013

The East Bethel City Council met on December 18, 2013 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Richard Lawrence
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Mark Vierling, City Attorney
 Craig Jochum, City Engineer

Call to Order **The December 18, 2013 City Council meeting was called to order by Mayor Lawrence at 7:30 PM.**

Adopt Agenda **Moegerle made a motion to adopt the December 18, 2013 City Council agenda with the amendment of removing 7.D the December 4, 2013 City Council Meeting Minutes, striking it from the agenda. Lawrence and I would also like to add to the agenda the Supplemental Payment List which includes the December Insurance Premiums. Koller seconded.**

DeRoche, "I am wondering are we going to do an addition to the agenda?" Lawrence, "Can you explain that addition?" DeRoche, "Well it has to do with the residency of a Council Member. I would like to put that under New Business for discussion later. I am sure everyone has received the e-mail on this." Moegerle, "I have not received the e-mail. The agenda has already been approved." DeRoche, "I have a copy here that it went out to Tom Ronning, Heidi Moegerle, Ron Koller and Mark Vierling. It is a copy of an e-mail that I had sent to Richard because of questions I was getting out in the public." Moegerle, "Who was the original author on this?" Davis, "The e-mail was sent by Bob. Richard replied to it and Richard gave me permission to send it out to the Council Members." Moegerle, "And when did this go out?" DeRoche, "It was sent on Thursday, December 12th. And, it was answered on Saturday, December 14th." Davis, "It was sent to the Council on Tuesday, December 17th." Moegerle, "I got "Hey a couple questions." DeRoche, "That would be it." Lawrence, "Do you want to address it right now?" DeRoche, "I want to put it under new business. I think it has to be discussed and it will take time to discuss." Lawrence, "Typically that would go under other. Do you want to discuss it before it gets that far?" DeRoche, "It can go under other." **DeRoche made a motion to amend the agenda to add 10.0 D Discuss Council Member Residency. Lawrence seconded the amendment; all in favor, motion carries.**

Bond Sale Update Davis, "Stacie Kvilvang contacted me and explained that due to the increasing interest rates and the uncertainty of some bidders and the unavailability of some bidders at the time, they are recommending that we table this to January 22nd. If we go ahead and do this now, we won't be satisfied with the results. She has indications that hopefully the market will improve after the first of the holidays and January 22nd would be a better date to consider this.

Moegerle made a motion to continue to discuss the content of the documents included with the Bond Sale in our packet, not the numbers but the content of the documents. Moegerle, "There are issues in these papers that I think we need to continue to discuss." **Lawrence seconded.** DeRoche, "Shouldn't we have our financial person here if we are

going to be asking questions?" Moegerle, "The discussion is about (And Richard you may want to be getting in on this too) but some of the documents are in there say that we own the sewer system. There are things that I brought up the last time Stacie was here where it indicates we will levy for 105% more than what we actually owe. I think that needs to be discussed because that affects the financial forecast of what we actually get on these things." Lawrence, "It also makes the statement too that this is a fluid thing. It doesn't allow us to raise City taxes to pay for it." Ronning, "Do we discuss this again? At a later date?" Moegerle, "The point is, when we get something back it should have these things deleted in there that are non-factual." Ronning, "I don't disagree. But, would it help to send to them your concerns and then they could have an answer when they return?" Moegerle, "Some of these were already addressed and they were back here again without it being changed. So, maybe I was speaking too quietly, which I doubt, but, it seems a problem." Ronning, "Without knowing exactly what the intent is. When you take a loan out of for a car, they ask if you rent or own your home. I don't own my home, but I feel that I own my home." Moegerle, "It is not that kind of question." Ronning, "It might be. That is the point of rather than making a point without an answer, defensible or undefensible." Lawrence, "According to this we can't raise the levy to pay for it." Vierling, "I don't know that is necessarily correct, but, from an efficiency standpoint. If there is problem with a drafting of a document it would seem that you would want the draftsman here to address those issues." Moegerle, "But, I do think when she comes back she should be prepared to answer the issues. Because otherwise when I brought this up last time, it was oh yes, we will take care of it. Clearly it hasn't been done." Vierling, "And that is fine. Certainly we can memorialize those issues and forward them on. I don't know that Council can have a productive discussion on the issue without the draftsman here to deal with it. For example, I appreciate the comments with regard to 105%, but I think you are going to find that is statutory language under 475.61 that has to be in every bond issue on that matter." Moegerle, "It wasn't in the documents for the prior RZED and BABs bonds." Vierling, "Those weren't general levy bonds." Moegerle, "But they were." Vierling, "In any event, that is just the point. We can have a discussion back and forth." Moegerle, "One of the things it says in here is that we have agreed that the net revenue will pay for the principal and interest. And we as a Council currently have no reasonable expectation that is going to occur for at least five years. So, how can we sign something that has a representation that we know for a fact that isn't true?" Ronning, "You can't ask for money on a borrow situation and say, "I will pay you back when I get a chance if that happens. You have to make a comment in there about what you intention for the money is." Moegerle, "There are plenty of times in here that it says we will pay for it with ad valorem taxes. Why do you need to lie and say we are going to pay for it with net revenues?" Ronning, "What will this be other than a bitch session?" Moegerle, "It is constructive." Ronning, "In what regard?" Moegerle, "Because the accuracy is that we are going to pay for this bond first from net revenues and then from ad valorem taxes. Why can't we tell the truth?" Ronning, "The accuracy will be one person's viewpoint. It won't be anything that can be responded to. I don't care for this idea myself." Moegerle, "The point is that she has a list so she is prepared to address this when she comes forward so we can get some work done. That is the point." Lawrence, "I would like to see some numbers and percentage points. When they call them out there are blank numbers we are signing off on. Can we get some data on that?" Davis, "They will provide that once the bids are taken. And then that is when those are filled in, because those are unknowns at this time." Ronning, "There is a request to postpone this until January 22nd that wasn't acted on and there is another motion to discuss it." Moegerle, "There was no motion. The request is from staff and that is not binding."

DeRoche made a motion to table the Bond Sale until January 22, 2014. Koller

seconded. Moegerle, nay; DeRoche, Koller, Lawrence and Ronning, aye; motion carries.

Sheriff's
Report

Commander Orlando gave the November 2013 report as follows:

DUI's: There were four arrests for DUI in the month of November. All four stops were the result of driving conduct. One stop which occurred at 8:06 p.m. involved a female driver who tested at a .33 BAC. A second arrest involved a male driver who tested at a .27 BAC at 3:00 p.m. If you see people driving erratically during the day, we would request that you call 911.

Thefts: There were twelve theft reports. One involved a laptop that went missing overnight from a residence. One involved the theft of catalytic converters that the owner had taken off of vehicles and had stored on his driveway. There was a report of a package that had been left on the porch for the mail carrier that was stolen. One report involved batteries for a semi tractor being stolen. A business reported the theft of a 600 pound metal ramp that they use for unloading and loading all terrain vehicles. There was one report of a cell phone that was left in a friend's vehicle. The owner did not want to pursue charges but claimed that the friend used up all the minutes then threw it out. There were three no pay gas theft reports. Two of the suspects thought they had paid for their gas but had not been charged, they went back and paid. The third report had no vehicle or suspect information to follow up on.

Burglaries: There were three reports of burglaries. One report involved a business that was broken into and scrap metal and welding tools taken. One report involved a table that had its legs broken and put in four different rooms in the house. Nothing else was taken or damaged. The last report involved a home where no one is living that had locks cut off and window air conditioners taken.

Damage to Property: There were five reports of damage to property. One report involved Christmas lights that were broken. One report involved a patio door that had been pried open, however no belongings were found to be missing. One report involved a window broken on a foreclosed upon home. One report involved a window on a vehicle that appeared to have been shot out.

Possession of a Controlled Substance: Deputy Rakotz was requested by another law enforcement agency to check an address for a male who was reported to have stolen a purse. Deputy Rakotz made contact with the male who immediately confessed to stealing the purse. Deputy Rakotz was then given items from the purse, including five oxycodone pills. The male suspect advised he had thrown the purse and the empty pill bottle out the window as he drove. Deputies were able to recover the purse but not the pill bottle.

1st and 3rd Degree Possession of Controlled Substance/ Possession of Stolen Firearm / Warrant Arrest: Deputy Kvam was sitting in a business parking lot filling out paperwork when he saw a vehicle pull into a gas station by a gas pump and sit for approximately five to ten minutes. The driver then got out dressed in a black hoodie with the hood pulled up. After some suspicious moving around the vehicle, the driver then got back into the vehicle and left traveling south on Highway 65. Deputy Kvam began following the vehicle and the vehicle was traveling between 40 mph and 74 mph. Deputy Kvam put on his lights and the vehicle pulled over into another gas station. Upon approaching the vehicle, Deputy Kvam could smell the odor of marijuana. The female driver said she did not have identification. The female gave Deputy Kvam a name and date of birth that did not come back as valid.

Deputy Kvam asked the female and she gave him a different name and date of birth that did not come back as valid. Deputy Kvam had her step out of the vehicle and asked a third time. The female gave another name which again did not come back as valid. As Deputy Kvam was going to take her into custody for false info to a police officer, the female began to struggle with him. Deputy Kvam was able to handcuff the female and upon searching her, found a baggie containing methamphetamine in her pocket.

Deputy Kvam put the female into his squad and began searching the vehicle. Deputy Kvam located 30.8 grams of marijuana, 24 grams of mushrooms, and approximately \$4,000 in cash in the vehicle. There were two firearms located in the vehicle, one which came back as stolen. Upon arriving at jail, the female admitted to having "more" in her bra. There was an additional 125 grams of methamphetamine and \$17,000 cash located during a subsequent search. The female also had a warrant for her arrest out of Wisconsin. This is an example of really nice work on the part of Deputy Kvam!

Reckless Discharge of a Firearm: Deputies were called to a residence on a report of shots being fired in the home. Upon arriving, deputies were setting up a perimeter when the garage door opened and a car left the driveway. The male suspect was inside the vehicle and was arrested a short time later. The male had become upset and started damaging items in his home, to include firing a loaded gun into the ceiling after finding his wife with another male inside a bedroom in the home. No one was injured and the male was charged with reckless discharge of a firearm.

2nd Degree Assault: Deputies responded to a report of a juvenile male pointing a gun at another juvenile male. Upon arriving, deputies learned that three juvenile males had run away from the Bar None treatment facility. One of the juvenile males had a relative that lived in East Bethel. The three males went to that residence and hid out in a shed. Once the unsuspecting relatives left the home, one male (whose was related to the homeowner) went inside. A second juvenile male wanted to go inside as well, but could not gain entry and threw a rock breaking a window. The male who was inside took out a rifle and threatened the other juvenile with it. All three juveniles were taken into custody. The rifle was not loaded and there was not any ammunition for it located.

Arrest Breakdowns:

Felony: 7

1st Degree Controlled Substance – 1

3rd Degree Controlled Substance – 1

5th Degree Controlled Substance – 1

Possess Stolen Property -1

Possess Stolen Firearm – 1

Reckless Discharge of Firearm – 1

2nd Degree Assault – 1

Gross Misdemeanor: 1

False Information to Officer - 1

Misdemeanor: 5

Damage to Property – 2

Small amount of Drugs in Motor Vehicle – 1

Small amount of Marijuana – 1

Possession of Drug Paraphernalia - 1

Moegerle, "When is that going to come up in court so we can be sure and follow it. Officer Kvam's case?" Commander Orlando, "I am not sure. I can check and let you know." Moegerle, "That will be a felony and handled by our City Attorney? And it won't be pled down?" Commander Orlando, "That is several felonies. The more controlled substances you have the higher the penalties." Moegerle, "It would be expensive for the City to do that." Commander Orlando, "The County Attorney will take care of that." Ronning, "What part of the City was this?" Commander Orlando, "This was on Highway 65, by Coopers Corner and ended up by River County Coop." Lawrence, "Is this typical for this time of the month?" Commander Orlando, "Not really." Lawrence, "I almost called you this morning, someone in front of me was going 40 mph and then got in the turn lane." Commander Orlando, "You can definitely call 911. Sometimes there are reasons for this, such as medical issues."

Moegerle, "Could we talk about the trending we are seeing, radio calls, and looks like we are breaking about even. Felony arrests are those for warrant arrests or are those East Bethel residents?" Commander Orlando, "Those are felony arrests that take place in East Bethel. Like the 2nd degree assault, that happened at an East Bethel residence. And with the felony arrest, that is four or five different charges so that shows up as four or five different arrests. It can be a few incidents that because of the number of charges make the number look large." Moegerle, "Is there a way to show there were 32 arrests, but only five incidents. Because that would very helpful to know what kind of trends we are looking at." Commander Orlando, "When I do the arrest breakdowns, I can further break it down and say that three of these felony arrests were related to one incident if that would be helpful to you." Moegerle, "Yea, that would be helpful. I am looking at extra patrols that are up by 20%. Before that was a coding issue between some people." Commander Orlando, "Extra patrols is usually when someone is going on vacation and calls our office tells us and asks us to drive by and check when they are gone. Or there is when we have complaints of speeding or say kids driving recklessly in certain neighborhoods, then we put out the information for the deputies and community service officers to spend extra time in those neighborhoods." Moegerle, "Is aid to the agency, or assistance to agency, it seems to have decreased. Is that the CSO?" Commander Orlando, "That is more of a CSO issue. Some of them take an aid to the agency as when they are doing something for the City of East Bethel. Some CSOs when they do something for the City call that an aid to the public. So, that is more of a coding issue with the CSOs and how they are marking down in their logs what they are doing." Moegerle, "So we are down a little bit." Commander Orlando, "Overall a little bit. The numbers are pretty even if you add the numbers together. Down a couple hundred if you add the numbers together. For some reason there are no radio calls from 2012."

Public Forum The public forum was opened for any comments not listed on the agenda. There were no comments so the Public Forum was closed.

Consent Agenda Davis, "We received the final information today from the last vendor on the garbage haulers license list. So, you have an updated list to consider for license approval."

Moegerle, "I would like to pull the following items: B) November 4, 2013 City Council Meeting Minutes; C) November 18, 2013 City Council Meeting Minutes; E) Probation Completion for Finance Director; F) Res. 2013-69 Declaring Windows and Doors Purchase for Old School House Surplus Property; H) Res. 2013-71 Establishing Bank Depositories and I) Approve 2014 Garbage Haulers.

Lawrence made a motion to approve the Consent Agenda including: A) Approve Bills; B) ~~November 4, 2013 City Council Meeting Minutes; C) November 18, 2013 City Council Meeting Minutes; D) December 4, 2013 City Council Meeting Minutes; E) Probation Completion for Finance Director; F) Res. 2013-69 Declaring Windows and Doors Purchase for Old School House Surplus Property; G) Res. 2013-70 Setting Meeting Dates for 2014; H) Res. 2013-71 Establishing Bank Depositories; I) Approve 2014 Garbage Haulers; J) Approve 2014 Tobacco Licenses; K) Res. 2013-72 Approving CDBG Grant Application and the Supplemental Bill List as submitted. Ronning seconded; all in favor, motion carries.~~

Moegerle, "Item B) November 4, 2013 City Council Meeting Minutes and C) November 18, 2013 City Council Meeting Minutes. We are still having problems with these. I don't think they are being proofread. I don't think this is the transcriptionist complete issue. In Item B specifically we have misspellings using English spelling as opposed to the American spelling. However, there is one change that is very important, I am trying to find it. On page 3 of 26, at the very bottom, Harley Hansen says, "I am a little sympatric. Sympatric is a word that talks about two species that occupy the same area and come in contact with each other. I think he meant SYMPATHETIC. And I think we would be doing him a favor by changing that word. There is also a repeated discussion in these minutes about verbatim, and I am looking at page 4, paragraph beginning with Ronning, second to last, my comment is very clear, These are NOT verbatim minutes. It is very clear that these are not verbatim minutes. Then on the following page in the paragraph, seconded under the boldface beginning with DeRoche jst should be GIST. There are others, but those are ones in particular I would like to have amended."

Ronning, "Did you have any trouble understanding the meaning of those, to bring those up to everybody's attention?" Moegerle, "The purpose of this is 1) This represents who we are, attention to detail. And when they make for comedy I think that or it puts a resident in a bad light, or certainly the word not changes the complete meaning, I think it would be clear in context and subsequent comments from you and Mr. DeRoche would indicate that. But, I do not think that we should sacrifice accuracy for expediency. I think it is an unforced error on our part that effects how we are viewed in the community by anyone who reads this." Ronning, "Okay so that is the philosophical answer. Was there anything you didn't understand when you read it?" DeRoche, "Let's not turn this into a review of an employee." Moegerle, "I am not. I don't think this is a transcription error. It is very hard to review your own documents." DeRoche, "I guess everybody just isn't perfect." Moegerle, "And that is why they are proofread by other people. But, I didn't understand why Harley would be talking about something sympatric. Because it wasn't about other species, he was talking about men and industries or something. Again, I want to make those corrections. So, if someone wants to make a motion to approve these, that is fine. I will not be joining in that vote."

DeRoche, "Did someone call and inquire about these corrections?" Ronning, "You mean before the meeting?" DeRoche, "Yes. Do we get calls during the day, "I think that would be sympathetic, or that they can't understand what that word is? Or that they can't understand what the minutes mean?" Davis, "No we have received no calls of that nature." Moegerle, "And what it is, (I have talked to a lot of people from a lot of different jurisdictions), it is how you present the City to the rest of the world. These are the kind of things that people snicker about, and say, yes, just like East Bethel. I have been hearing that a lot, East Bethel in a dismissive tone. And, I think that we work very hard as a staff and a Council to be friendly to our businesses and residents and put our best foot forward. And, I don't think we should slough off on this. It requires another person to get involved and re-read these. I am

seeing the same things on the EDA minutes and the Park minutes.” Ronning, “Why wouldn’t you be do this before you come to this meeting? This is grandstanding.” Moegerle, “No it isn’t.” Ronning, “Yes it is. It is look at me, I found this.” Moegerle, “My point is we should be doing a better job.” DeRoche, “You say that you are concerned about the image. I am wondering do these other entities come up to you and say, “You know Heidi, I think East Bethel’s minutes are really bad. You folks really need to have your staff proofread these. Or is it something that Heidi brings up and says, “You know I have been trying to get these summary minutes and they are supposed to be verbatim and this is the way it goes. Every time you go off on your little spiel, you make the City look worse.” Moegerle, “Why do you keep asking me questions? It only prolongs it. I want to get in and get out, get to the meat of the meeting. But you know I am not going to vote to approve these minutes. I am never going to vote to approve them.” Lawrence, “I have gotten e-mails from other people that have asked for us to go to summary minutes.” DeRoche, “Bring in the e-mails, bring in the names.” Moegerle, “I thought you didn’t want names of residents out here. I am getting confused. I need consistency.” DeRoche, “When there are statements made that residents want summary minutes, how many want them? There are 12,000 people in the City.” Lawrence, “One person. And, I have only had two that have said leave it like it is. That they want verbatim.”

DeRoche made a motion to call the question. Ronning seconded; all in favor, motion carries.

Moegerle made a motion to adopt Item B) November 4, 2013 City Council Meeting Minutes with the amendments as made by Council Member Moegerle. Lawrence seconded. Lawrence, aye; Moegerle, nay; DeRoche, Koller and Ronning, abstain, motion fails.

DeRoche motion to approve Item B) November 4, 2013 City Council Meeting minutes as written. Ronning seconded. Ronning, DeRoche, Koller and Lawrence aye; Moegerle, nay; motion carries.

DeRoche made a motion to approve Item C) November 18, 2013 City Council Meeting minutes as written. Koller seconded. Ronning, DeRoche, Koller and Lawrence aye; Moegerle, nay; motion carries.

Moegerle, “Item E. We are the employers of the staff. That is a big responsibility, we have had a lot of legal fees over employment issues. I genuinely like all of our staff. I am concerned about the financial director for a couple of reasons, it may be newness in those situations. He did not detect or bring to our attention the fact that we had co-mingled funds which our attorney in fact admitted we had done at our October 23rd meeting. We have been getting charts and descriptions that quite frankly are not as informative as I think they could be. And, I think they could be much more informative to our residents. At the last Council meeting we had the issue of paying the accrued benefits for Jack. It was supposed to provide us with information on all of his hours and it was 600 and some hours and then three lines. I said, “This makes no sense to me, what are you adding up here?” The response was I got the same thing back. I really think there is some more work that could be done there. For that reason, **Moegerle made a motion to table the completion of the probation of the Finance Director for three months, until after the completion of the bond issues.**

Ronning, “Have you spoken with Mike about these things?” Moegerle, “That is not my job.” Ronning, “Did you speak to Jack about this?” Lawrence, “This is a tabling issue.

We are looking for a second. When an issue is tabled there is no more discussion.” Moegerle, “So, I want to clarify what this is about. Jack and I had an exchange, it is not personal, it is the development of an employee to the best of their ability. And, it is made out of kindness, but it is also we have to be sure that our residents get good value.” DeRoche, “There is no discussion.” **Lawrence, “Motion fails for a lack of a second.”**

DeRoche made a motion to approve Item E) Completion of Probation of Finance Director. Koller seconded. DeRoche, “Is there any employee that you haven’t publicly torn down?” Moegerle, “I haven’t publicly torn anybody down.” DeRoche, “Heidi that is not true. If there are issues, there is a means to take care of it through Jack. If it is not getting handled, you need to do it through Jack. To do it publicly, I think you are basically doing a review of these people publicly and if it were me I would probably slap a lawsuit on the City.” Moegerle, “And, what I have said to you is I think we didn’t get important information that we needed from the employee. And that is a concern, because you and I know and Richard know it is very difficult, these public employment law issues. And, I think there should be no doubt. In my mind Mike is a 97% employee, but in my mind I have what is called a reasonable doubt in my mind. I think he has to be nurtured and he will be a fine employee. But, I think until that nurturing and growth occurs, I think the probation should continue.”

DeRoche, “Personal opinion, I think you are grandstanding. It is always look at what I am pointing out, I am doing it for the residents. No one on Council does this but me, look at me. And you know Heidi, that really damages the City.” Lawrence, “Why don’t we get Jack’s input on his performance.” Davis, “Heidi and I have had a discussion and I respectfully disagree with her position. Mike has completed satisfactorily the terms of his probation. The issue that Heidi brings up about co-mingling of funds, that has to be dropped and we need to make clear that these bond funds were not co-mingled with any other funds. They were set up in a distinct and separate construction account by which they can be tracked and they can be separated into the 2010 A and B bonds. Mike was appraised of this at his hire, this was not an issue with him. This was also looked at by Ehlers, Springsted, Dorsey and Whitney, Eckberg, Lammers, our current accountants Abdo, Eich and Meyers and our previous accountants HLB Taugtes and nobody had an issue with this. To call this co-mingling, I think we need to be very careful because co-mingling suggests some impropriety or wrongdoing and this is not the case here.” Moegerle, “Andy Pratt said those words.” Davis, “That may be, but maybe he didn’t have the information. This was apparent, Mike was told about this from the beginning. It wasn’t his duty to investigate this. He has done his job very well. It is my recommendation he be promoted and get his full-time employment status.”

Ronning, “LMC Role with It. Council versus Individual Authority. I. Role of individual Council Member. Council member statutory duties are to be performed as a whole. For example, it is the council and not individual council members that supervise administrative officers, formulate policies and exercise city powers. II. Council Members and City Employees. Relationships between the council and city employees can create situations where the council members may overstep their proper role, causing potential liability for the council member and the city. Use of an employment scenario may be helpful in understanding an individual Council Members role with employee discipline and termination.”

Moegerle, “I have not said anything about discipline, what I have talked about was in terms of nurturing an employee and I don’t see it as disparaging at all. I have a reasonable doubt.” Ronning, “The bottom line is we are not going to hire him. Maybe later, that is

what you are saying.” Moegerle, “After we get through this very important determination of the bonds.” Ronning, “Are you saying anything different than that? We should wait until you are ready.” Moegerle, “No, what I am saying is, we should get through this very important and critical bond issue. I have talked to Richard about what we looked at in these documents in the bonds. That is a very critical step that the City is taking as a whole and I think that we should wait until that is completed to make this final decision. My opinion, I was elected to give my opinion, you are going to give your opinion, we are all here to give our opinions, it is all good.” Lawrence, “I call the question.” **Moegerle, nay; DeRoche, Koller, Lawrence and Ronning, aye; motion carries.**

Moegerle, “Item F) Resolution Declaring the Windows and Doors for the Old Schoolhouse Surplus Property. I pulled this because I wanted to say thank you to all those people that helped us get these items donated to us. There are some refunds going out. It is too bad that we weren’t able to make this turn into something special and thanks for the effort.”

Moegerle made a motion to adopt Resolution 2013-69 Declaring Windows and Doors Purchased for the Old School House Surplus Property. Koller seconded; all in favor, motion carries.

Moegerle, “Item H) Resolution 2013-70 Establishing Bank Depositories, Item I) Approve Garbage Haulers Licenses for 2014. I understand that Items I and J are on here because they take effect January 1st and our first meeting isn’t until January 8th. With regard to establishing the bank depositories, I had an e-mail with Mark Vierling in 2010 when that was done in December, and the response was it was unusual that was done in December instead of the first meeting of the year. Are you still in agreement with that e-mail?” Vierling, “The agenda that was under discussion at that time had 12 items for approval on it, from newspaper to responsible authority to various things of that nature. My comments at that time were to all of those collectively, not to one of them. I don’t have any issue with bank depositories being approved anytime of the year. Most cities do it in January, some do it the last meeting in December.”

Moegerle made a motion to adopt Resolution 2014-70 Establishing Bank Depositories. Ronning seconded; all in favor, motion carries.

Moegerle made a motion to approve Item I) Approve Garbage Haulers Licenses for 2014. Ronning seconded; all in favor, motion carries.

Lincoln Drive Speed Limit

Davis explained that at the November 6, 2013 City Council Meeting, a proposal was presented to Council to post a 25 mph speed limit for a section of Lincoln Drive between Lakeshore Drive to just east of Hawthorne Road. The matter was tabled until staff obtained input from residents in the Coon Lake Beach Neighborhood.

The issue was initially presented to the Roads Commission at their May 14, 2013 meeting. Resident’s complaints concerning lack of a posted speed limit were discussed at this time and the Roads Commission recommended that an Urban District designation was appropriate at this location for a 30 mph speed limit posting. To qualify as an Urban District, the road must contain businesses, homes or other access points at intervals less than 100 feet and can be posted with a speed limit of 30 mph.

Staff has since received calls with concerns that the 30 mph speed limit needs to be further reduced for this street segment. The 30 mph posting is the lowest statutory limit that the City can post. However, it is possible to set up a special 25 mph zone on residential streets

if adopted by the Road Authority having jurisdiction over the Residential Roadway. The road segment cannot exceed ½ mile in length. The road segment on Lincoln Drive under discussion is .39 miles.

Due to the high density of homes, narrower streets and more numerous intersections in Coon Lake Beach, the Road Commission is of the opinion that the 25 mph residential roadway designation is warranted. The issue was discussed at the November 25, 2013 Coon Lake Beach Community Center monthly meeting. Of the sixteen persons in attendance at the meeting, four were supportive of lowering the speed limit and two had reservations concerning the effectiveness of the proposed lower posting. Based on meeting the qualifications for the 25 mph posting, public input from the November 25, 2013 meeting and individual discussions with residents in this area, the Road Commission, at their December 10, 2013 meeting, voted to recommend the 25 mph designation for the segment of Lincoln Drive, as described above, to City Council for their review.

If approved, the existing 30 mph signs would be reused and the two new 25 mph signs would cost \$26.00 each.

The Road Commission recommends designating this portion of Lincoln Drive as a 25 MPH Residential Roadway and requests City Council consider approval of this recommendation.

Moegerle made a motion to table the Lincoln Drive Speed Limit Reduction

indefinitely. Moegerle, “Only four of the people were in favor of this, which is less than 1% of the population of Coon Lake Beach. This argument being an allegiance to the arguments made against the water park discussed earlier this year.” Ronning, “I would like to discuss this, but I am not going to second this.” **Lawrence, “Motion fails for lack of a second.**

DeRoche made a motion to post a 25 mph speed limit for a section of Lincoln Drive between Lakeshore Drive to just east of Hawthorne Road in Coon Lake Beach. Koller seconded.

DeRoche, “I think some of these commissions are getting tired of this. Going through the research, the paperwork, and then it gets thrown back, time after time after time. I don’t know why there is all this negativity, everything that comes up, certain people just seem to vote against it. I was at the meeting and unless you want to hire a firm to go out and independently survey every household, I don’t think that is plausible. These people on the Road Commission, one lives out there and the rest of them are pretty smart, they are smart enough to figure this stuff out. That is why we hire staff, and bring people on these commissions, not to take the information and cut it apart and second guess anything they say. But, to put it with what we use and some common sense. This is the second time it has come up. I just don’t see it.”

Moegerle, “Mr. Mayor, may I speak?” Lawrence, “Yes, go ahead.” Moegerle, “My argument is based upon the intellectual integrity, based upon what happened from the survey from 2012 of the EDA where 40 people wanted a water park. It was derided, the efforts of the EDA on this was being less than 1% of the entire population of the City wants this so we shouldn’t even consider this. So, I am arguing by the analogy used at the water park by EDA members who gave this responsible consideration and apparently were derided based upon the analogy to the Road Committee. Apparently the EDA wasn’t derided but by me doing the exact same thing with the Roads, it is a derision. So, I don’t understand that folks, you figure it out.”

“But, I attended that meeting, and I am not sure if the 16 included you, me and Jack. But,

four of the 16 which is less than 25%, this was brought up as the meeting with regard to the CDBG was breaking up so not everyone heard this. So, it wasn't a valid discussion in my opinion, nor were alternatives like speed bumps which a resident I spoke with yesterday suggested and stop signs. I didn't believe it then, but I am going to argue it right back at your Bob, the reasoning that you used about the water park, I am using the same reasoning with regard to the 25 mph with the addition that next year we are going to be changing that curve through there. And, in fact, the purpose of it is so that we can move faster through that area. So, I think it will be very difficult to have the 25 mph posting enforced. And, finally throughout Coon Lake Beach it is posted as 15 mph, it is bogus and it isn't enforceable. What we are doing is letting parents train their children that the 15 mph posting is what's effective. And, how they are behaving on their bicycles, and how they walk and that leads them into a complacency of thinking that anyone follows that 15 mph. So, I think the solution is different. I think the 15 mph signs should be replaced with 25 or 30 mph, but I don't think the solution is from Hawthorne to Lakeshore at 25 mph."

Ronning, "With regard to the intellectual integrity, what I am hearing is you are comparing a potential multimillion water park to a safety matter with this speed limit? Do you agree that it is a safety matter with the speed limit?." Moegerle, "The whole issue that was argued at that point was based upon the percentage of people in favor. It was irrespective of the purpose." Ronning, "Did anybody speak against it?" Moegerle, "The point was the issue was purely on numbers. So, I am making purely a numbers issue as my first issue. But, I have these others, so." Ronning, "Did anyone speak against this?" Davis, "Yes, two did." Ronning, "And four spoke in favor of it?" Davis, "Yes." Ronning, "Is that democracy?" Moegerle, "And 10 others had no opinion. So it fails! It fails! It failed so why are we even considering it?" Ronning, "How did it fail?" Moegerle, "Because four out of 16 were in favor?"

Lawrence, "Would you like to say something about this Brian?" Brian Bezanson of 223rd and Quincy, "I am an EDA member. It is inaccurate to say that the water park had support in the EDA committee. (I have the floor) It never got out of committee and it has been a damaging issue in my opinion to have brought it to Council to further look at it. I would be willing to wager some serious money that if it had a vote at EDA it would have failed. It is not that we didn't think it had any merit, it was just that ship had sailed." Moegerle, "I am not talking about the EDA. I am talking about the discussion that was held here at the Council specifically about the survey that was done and the discussion that was held about the 40 people that supported concept of a water park. I am not talking about the EDA. I am talking about what was discussed here at the City Council about the 40 people that were surveyed in 2012 out of 11,626 being .004 of the entire population and therefore it shouldn't be given credence."

Bezanson, "I appreciate your efforts in how you put the survey together and had it at Booster Days. I know this year, we would have liked to see it at EDA before it went out. I am pretty sure if I put together a survey and asked people if they wanted to have a Nascar Track or a Game Farm, it is all how you structure and ask the questions. The only way I got through that one room school house that my grandmother was a teacher in was I was able to guess the multiple choice questions pretty well. My point being, when you have choices to put there, and you need some ranked voting as well. If you have an unlimited number of votes, people are going to vote for all sorts of things. You have to use a rifle instead of a shotgun." Moegerle, "I understand and that is not even the issue, we are not discussing the water park. We are talking about the numeric standards that were used at this Council to deny moving forward with something. And, specifically, it was the percentages, I am using the same argument here plus an additional argument. I am not arguing for the water park."

Bezanson, "I understand that, to tell you the truth Heidi, I don't see where there water park discussion is relevant to a speed study." Moegerle, "Here is what I am saying. The decision to not go forward with it was based on a numerical issue. We have less than 1% of the residents in Coon Lake Beach that were in favor of it. Less than say 25% of the people that attending this meeting were in favor of it." Lawrence, "Even though we have a guideline that was set forth by a minor percentage of the community, it is up to the four of us or five of us, to decide how it is done and we are far less than 11,000 people." Bezanson, "I totally agree. We are a representative of a democracy, we are a City government, this is not a Township government. Frankly as a citizen that doesn't have a skin in Coon Lake Beach, the only argument I have heard that makes any sense in my opinion, (and I have had considerable experience sitting up there) is that if you are going to be rebuilding the road in the future, that is something maybe you should be talking about. Rather than the statistical of how you got to the votes." DeRoche, "A couple points for record. If your analogy is you couldn't get a water park that didn't get through the EDA, so you brought it to Council, it got turned down. And now you are talking that versus a safety situation. Slowing cars down where it can be enforceable. And I don't think our intent is to straighten out Lincoln Avenue so that people can drive faster. I don't think that is the way it was designed? Am I wrong Jack?" Davis, "The new curves will have a little higher speed, I think they are 40 mph. But, there will be a transition zone between the last curves and where the 25 mph speed zone starts. That is on another segment of road, on Longfellow and Laurel, with a small segment on Lincoln." Moegerle, "The other thing is the last time this was brought up, I asked the administrator has there been a speed study been done here. And the answer was, "Oh no, it probably would have a speed limit that is higher." I am all for safety, I just don't think this is the solution. I think there are other solutions. I wish the full 16 could have heard all the solutions. I have heard speed bumps, I am not convinced what was stated at the meeting is particularly of the four of the 16 is persuades to me that this is something that the community wants." **DeRoche called the question. Ronning seconded.**

Lawrence, "All in favor of the speed reduction?" **Moegerle, nay; DeRoche, Koller, Lawrence and Ronning, aye; motion carries.**

Storm Water
Pollution
Prevention
Program
(SWPPP)
Permit
Reauthori-
zation)

Jochum explained that the City of East Bethel has prepared a Storm Water Pollution Prevention Program; otherwise known as a SWPPP, which authorizes the City of East Bethel to discharge storm water. The goal of the SWPPP, when implemented, is to reduce the discharge of pollutants into receiving waters to the Maximum Extent Practical.

The Minnesota Pollution Control Agency issued coverage under the Permit to the City of East Bethel on January 9, 2008. This permit is due for renewal on December 30, 2013. A copy of the SWPPP Application for Reauthorization is attached. The application is a 14 page permit form that summarizes the current programs that are in place and establishes a schedule for implementing the new permit requirements. There are many new permit requirements that are summarized in your packet. In general the main ones include: Ordinance changes, both revisions to current ordinances and several new ones, additional recordkeeping procedures, a requirement for no net increase in volume, Total Suspended Solids (TSS) and Total Phosphorus (TP), and determining the treatment effectiveness of existing ponds based on depth of sediment and drainage area (surveying existing ponds and modeling).

Staff recommends Council approve the SWPPP Permit Application and direct staff to submit the application to the Minnesota Pollution Control Agency for review and comment.

Moegerle made a motion to adopt the Storm Water Pollution Prevention Program Permit Application as written and direct staff to submit to the Minnesota Pollution Control Agency for review and comment. Koller seconded. Ronning, “Since this is a reauthorization, are we engaged with this right now? This is not a new thing?” Jochum, “This is a reauthorization of a permit you are already engaged in. It is due every three years.” Ronning, “Are the conditions any different than the original?” Jochum, “Yes. The bullets items in the packet, those are the summaries of the new requirements.” All in favor, motion carries.

2014 Fee Schedule

Davis has mentioned that explained that staff has reviewed the 2013 fee schedule and proposes the following changes for 2014 fees]:

Proposed 2014 Planning and Zoning Fee Schedule Changes:

Tax Increment Financing Application Fee

Current: \$3,000 Application Fee + Consulting Fees; \$10,000 Escrow

Proposed: \$3,000 Application Fee + Consulting Fees; \$12,000 Escrow

The fee is comparable to what other Cities charge for TIF Escrows.

Proposed 2014 Building Fee Schedule Changes

Non-residential and Non-standard Septic System Review*

Current: No fee is listed for non-standard septic system review

Proposed: \$300 plus actual cost of contracted plan review/inspections

*The MPCA has new septic system regulations that require an advanced level of septic system inspection. The new requirement has to do with alternative type systems and larger systems with a sewage flow greater than 2,500 gallons per day. These systems require that the inspector have an advanced SSTS inspector’s certificate to conduct plan review and inspections. Since there are so few systems that require an advanced inspector certification, we hire out this service when required. To date, the City has contracted for this service only once this year.

Proposed 2014 Cemetery Fee Changes

Summer and Winter Infant Plot Digging

Current: Regular Plot Digging Costs Apply; \$600 Summer/\$800 Winter

Proposed: \$450 Summer/\$550 Winter

These fees are comparable to charges by other Cities for this service.

Staff requests Council consider the proposed 2014 Fee Schedule for approval.

Ronning made a motion to approve Resolution 2013-71 Adopting the 2014 Fee Schedule. DeRoche seconded. Moegerle, “Can you explain why the infant plot digging has changed? One of the things I have learned here is that mobilization is almost everything on some of these things. So, has there been a request for these things? What is the source of this?” Davis, “This is getting our fees in line with what it costs to do this. We didn’t have a fee for some of these. Say for an infant plot, we were changing the same as for a regular plot because we didn’t have a fee in place. It takes less labor and time it is a smaller grave.”

Moegerle, “With regard to pawnbroker/secondhand goods does One Man’s Treasure or Crashed Toys pay those fees?” Davis, “Currently they do not pay those fees. One Man’s Treasures may be subject to paying those fees. We will have a report to you in the next couple months on that.” Moegerle, “What about Crashed Toys, those are also secondhand goods?” Davis, “They do not pay the fee.” Moegerle, “Are they exempt from them, \$5,000

is a good chunk of change we shouldn't be leaving on the table." Davis, "It is and I think it has been interpreted that they do not qualify for that." Moegerle, "What has been interpreted?" Davis, "Their business type does not demand that they pay the fee for the pawnbrokers." Moegerle, "Mark is there a statute on that definition?" Vierling, "There is, but there is more than likely also a provision in your code on that. Certainly in regard to pawnbroker, it is a statutory definition. Secondhand is more than likely in your code. I will see if I can locate it for you." Moegerle, "I have another question in regard to nuisance abatement. I notice this at the beach, and I know that there are efforts by the staff to deal with this in a friendly way and get some movement on it. But, by the time this gets to court to get some action on it, they have spent a lot of time, effort and good energy on this. And I was thinking that \$150 for all that time and effort seems kind of low. I was wondering if we should look at increasing that and should we get staffs input on that, because people work really hard on getting people up to code. Similarly I have a question on building inspection fees, window fees, roofing fees, for residential and commercial. With what experience I have had in the building field, a roof repair of a commercial building is many times larger than a residential. Projects similar are windows and siding, although they are less frequent. And I was wondering if we shouldn't have a different schedule for commercial permits. Because certainly the time involved for staff to inspect these is going to be greater I believe. The same on down the line from full building inspection fees." Davis, "We had discussed the possibility of a two-tiered system and it is still in the discussion stages. We would like to keep things uniform, but in some cases it does involve more work." Moegerle, "When will we get something back on this discussion?" Davis, "We can bring it back on January 8th." Moegerle made a motion to bring this back on January 8th. Ronning, "We are in a motion." Moegerle, "Can we do a motion in a motion?" Vierling, "Not a motion on top of a motion."

Vierling, "To go back to the issue that you raised, it is statutory, it references junk 608.195. Junk and secondhand dealers. Also I would note that the business at issue deals with motor vehicles, they have always had a separate definition. They would not be under the revision for junk or secondhand goods." Lawrence, "Does that also include like trailers and such?" Vierling, "Trailers, anything that is licensed under the 168/169 sections would be under the motor vehicles as opposed to the other sections, so they would not be under secondhand junk or pawnbroker. The clerk reminded me that they have an active license under the Department of Motor Vehicle Sales, so it is covered under that."

Vierling, "Staff did a great job putting the resolution together. Statutes now require that fees schedules are adopted by ordinance as opposed to resolution. So when you get around to adopting this, just make a motion to adopt it in a form of an ordinance and staff will have it prepared and it will be codified with that."

Moegerle, "With regard to the Ice Arena, and this is probably Ron's question, it shows that the rates are \$185 through March 2013. When will we adopt the 2014 fee schedules for the Ice Arena?" Davis, "This is a misprint and it should be through March 2014." Moegerle, "When do we adopt the fall season?" Davis, "We will do that at a later time in January." Ronning, "I don't see commercial rates. Could you point out where they are?" Davis, "They are not included in this fee schedule. We just considered including them in there." Ronning, "What is the difference between hot roof membranes, a flat roof, is one easier than the other?" Davis, "Probably it just takes a little more time to do the inspection. Mainly because of the area. Maybe because of the time to access it is a little more. I don't think it would be an extraordinary amount than what is proposed for residential. But, it does take a little more time to do those."

Ronning amended the motion to adopt the Fee Schedule in ordinance form and direction to publish. DeRoche seconded; all in favor, motion carries.

Davis, "Is there direction to come back again with a tiered section for residential and commercial fees in the schedule?" Moegerle, "I would like to have the building inspection fees for a two-tiered system looked at." Ronning, "When you bring that back can you bring back can you give some examples of what our neighbors have? We are competing for businesses."

Fire
Department
Report

Davis stated the Fire Chief is here to report on statistics for the prior month.

Chief DuCharme, "This past month, November 2013, our department answered 48 calls for service. Of those calls, 22 were medical related. Some interesting calls, November 1st shorted electric cord was a heating element on an electric stove and wasn't shutting off. We had some very high winds on November 5 and 6th and power lines were down, so we went out and controlled traffic until the power companies were able to send out crews. The power line that went down on November 9th was also weather related. Then we also had an interesting call at Cedar Creek Elementary school, the maintenance people notice a strong odor and requested we come out. We took air samples and found that the air wasn't dangerous. We determined that there was construction going on and sealant was being put down and cement came in through the air intake. There was a watercraft rescue on Coon Lake. Those were hunters, they were very cold and very lucky to be alive. They got back to shore on Breezy Point Drive and they were not hospitalized or injured. Just a reminder, don't overload our boats and make sure we have life jackets on. We had a call at Castle Towers, arching shorted electrical equipment. What that was a satellite was installed and they had not called Gopher One and the installer came in contact with an underground electrical cable. And also on the 27th, three of our residents were seriously injured in their home using acetone to take up tile on their basement floor. It gave off a flammable vapor and ignited their house. One of the parties is still in the hospital with major burns.

Fleet Policy

Davis explained that a Fleet Safety Program, as prepared and recommended by the League of Minnesota Cities Insurance Trust, was approved by City Council at the November 6, 2013 meeting. One of the conditions of the approval was to review and modify parts of the Policy at the November 20, 2013 Council meeting.

At the November 20, 2013 City Council Meeting, proposed modifications to the Fleet Safety Program Policy were tabled due to issues regarding the proposed changes that were presented to Council. As a result of these concerns, Council scheduled a Work Meeting for December 4, 2013 at 6:30 PM to continue discussion of this matter.

There were concerns with the proposed changes that were discussed at the December 4, 2013 Special Meeting and the attached revision dated December 18, 2013 attempt to address these issues noted by Council.

The majority of the revisions to the Fleet Safety Policy were offered by Councilperson Moegerle but her changes, that have been incorporated in the policy, are eliminations of internal inconsistencies and improvements in the structure of the narrative. There have been no material changes in the substance of the most recent revision and the original draft presented to Council on November 6, 2013.

Staff requests Council consider approval of the revised policy dated December 18, 2013.

Moegerle made a motion to adopt the Fleet Policy as written and proposed in our packet. Koller seconded. Ronning, “When I see that there has been no material changes in substance, (we spoke about this quite a lot last time) I think there were 40+ changes up to a certain point where they stopped. It was employee, driver, to fleet operator. Are they classified as fleet operators? Or are they classified as drivers for their pay grade and structure in the City?” Davis, “Their pay grade doesn’t differentiate in that. In this they would be classified as fleet operators.” Ronning, “There were references to fleet operators riding on the floor boards, some of that stuff is silly.” Moegerle, “That is what it was with the League.” Ronning, “No, that is what it was changed to. It was fine in its original form. I was opposed to it then, I am still opposed to it.” Moegerle, “My understanding and the whole point of what I did was to regularize it said. To my understanding the substance hadn’t changed, and this is now before us to look at substance.” DeRoche, “The policy is already in place, and there is no sense going into another big discussion on this.” Lawrence called the question. **Ronning and DeRoche, nay; Koller, Lawrence and Moegerle, aye; motion carries.**

Staff Reports
– City
Administrator

Davis, “Staff is attempting to organize a legislative forum in which we will invite our state representatives, representatives from MnDOT, Met Council and County officials to meet with us prior to February 25th to discuss City issues. Primarily issues related to the sewer and water project. We will keep you posted on possible dates to see what fits in with everyone’s schedules.”

City Attorney

Vierling, “I wanted to clarify a matter since there was an earlier commentary in the meeting that Mr. Pratt from my office was quoted on co-mingling with the implication that there were something wrong with that. I contacted Mr. Pratt and asked him, his response back to me is, “No, I said the Federal Tax Regs allow issuers to allocate bond proceeds to one issue or another. There is certainly a timeframe to make that allocation. There was a special meaning given that the RZED and BABs proceeds must be used for specific purposes, for the refunding. If I was Bond Council I want to make it clear what that allocation was so that unused proceeds could be used conservatively and allocated to the BAB issue. But, the City is allowed to have the proceeds in one construction fund. The allocation is just a record keeping matter, co-mingling is okay.” I didn’t want the public or the press to think that there had been anything wrong with the City’s bookkeeping relative to those bonds proceeds because that is not what is being said.” Moegerle, “That is not what I intended.” Vierling, “I assume that, but, I didn’t want the public to go out further with it and have it go on.” Moegerle, “We don’t have the October 23, 2013 minutes in front of us.” Vierling, “I think you are referring to written commentary by Mr. Pratt, that is why I wanted him to clarify.” Moegerle, “Thank you, you are correct.”

Council
Member
Report –
Lawrence

Lawrence, “There are some issues about my residency in the City that will be coming up shortly. Currently my residency is in question. I have a place that I rent on County Road 22. That is a seasonal things, I am there for 7-8 months out of the year at least. I am waiting for the snow to break to return. We don’t have anything better in East Bethel to rent in that area except extremely expensive homes. That works for me, if that works for the people of East Bethel, that shouldn’t be a problem. I don’t think Jack has seen a reduction in my duties. That is the way I need to do it for now.”

Council
Member

DeRoche, “Pass.”

Report –
DeRoche

Council
Member
Report –
Koller

Koller, “Not really.”

Council
Member
Report –
Ronning

Ronning, “There was a Planning Commission meeting last night and I wasn’t able to make it. One of the things on there was the KOA. Do you have information on the interest on that?” Davis, “There was information on a proposal from a property owner that was discussed at the Planning Commission last night. I don’t know if it was a KOA, or just a campground. The address is 4904 217th Avenue. This is the last piece of property before you get into Linwood. From what I was informed the Planning Commission didn’t have any positive input on that, it is in an area that is zoned R1 and there are no facilities to support that type of activity. As far as I know they tabled that item.”

Council
Member
Report -
Moegerle

Moegerle, “Last week was the Park Commission meeting. The discussion was on the Anoka County Parks and Trails Plan, which East Bethel is not a part of and we cannot receive Met Council funds which would have to be a discussion by East Bethel to go forward with trails. And, they it because apparent that we don’t have a current up-to-date trail inventory. This is something that our GIS people will complete with us. Apparently that is going to be a project, the motion has to come before Council.”

“The EDA discussed the possibility of moving forward with a legislative meeting, prior to the 2014 legislative session. So, that is going forward. Also there was discussion about the importance of millennia’s and the next generation. People and their opinions and where the City should be going and planning for their needs, not our wants and needs. I had another conversation today with a resident about kids that are 13 and 15 and no recreation availability nearby. So, I think it is a good thing to further explore. The minutes have obviously come up once again and when you look at the minutes of the surrounding areas and compare ours I think the disparity is clear and obvious and it does not show East Bethel in the excellent light it which it should be. And how wonderful the City is. That is an important issue to keep in mind that there are comparisons that are made by many individuals that read minutes from the surrounding cities as well as East Bethel. On January 10th the long awaited meeting with Met Council will occur. That is a Friday, will Metro Cities be in attendance at that meeting?” Davis, “That is tentative on who would like to attend. Richard has indicated that he would like to attend, but he is not available on that date. We can reschedule that . One of the things we would like to do is see how would like to attend and then depending on who is going to attend, we might have to post that as a meeting and perhaps reschedule an alternate date. But, January 10th is available.”

Moegerle, “I would like to attend and I am currently available for that date. We just currently passed some minutes and looking at page, here is your penny, you said you would bow out. Here is your penny, I hope I am the first taker. I wanted to report that we got our proposed taxes for 2014. Our estimated market value and tax market value went down 1.2% and the estimated increase in our taxes was 18.9%. And the overall increase was 5.9%. People want to criticize, but we have very important responsibilities with regard to staff and making good decision, because a poor decision is very costly. I like Mike, I think he is going to work out in the long-term. I just have some concerns about things. I am not heartbroken. I think this is an employee like all employees that need to be nurtured. I also

wanted to make the point tonight that there are moving standards on decision making and it is very hard to find out what the standards are. Apparently, they don't apply across the board. I am with you guys trying to figure it out."

Residency of
the Richard
Lawrence,
Mayor

DeRoche, "As I said earlier there is a lot of talk in the community, questioning about the residency of Richard. I sent him an e-mail (it was more of a personal one) which I will read: the Subject Line was: Couple Questions; then the e-mail read: Hey Richard, I am trying to dispel some rumors' that are out and about. It deals with as to whether you still live in the City. I tell people that as far as I know you do (which is the truth). I am pretty sure you don't live at 445 Sims (it is listed as owned by a financial institution). I felt it was better to bring up the question in an e-mail rather than at a Council meeting, I think as Council we have come too far to have a lot of controversy bestowed upon us. The next question is, when Heidi brought up the property tax issue were you still a resident? I realize your health has been an issue. I think transparency is crucial in this matter. I know some people preach it, but don't follow it. I know what I would do in the same situation, but, everyone is different. Just food for thought. Thanks. Bob."

"On December 14th I received the following response: Hi Bob, thanks for asking, you are the first person to ask anything about my residency. Obviously our house at 455 Sims is now owned by the bank as of November. Long story, if you want more information we can chat. I have looked for something to rent in East Bethel with no success. There are no rentals in East Bethel except houses that rent for \$2,000 a month. I am not doing that. The only available rental was a RV Park on Coon Lake. We have our trailer down on Coon Lake and we will be living there when the weather permits, this should be approximately seven to eight months out of the year. At present time, we have no residence established other than our RV at 4126 Viking Boulevard. You can check with the League of Minnesota Cities and they will direct you to the City Attorney. Mark told me there are no hard and fast rules for residency, it is solely up to the Council on what they expect all Council Members to adhere to on residency. My honest feelings are that living at 4126 Viking Boulevard for a minimum of six months plus would establish residency. We looked really hard to find something in East Bethel, but this is the best East Bethel has to offer. If you have any more questions feel free to ask. Richard."

"That came about because over the last four to five months maybe, people have asked and as far as I knew, Richard lived here. Whatever has gone on in his life, I know he has had the heart problems and that is a lot of stress to say the least. But, the question was, are you a resident or not. I asked Mark Vierling to check on some things. I went on the League of Minnesota Cities (LMC) and I got what their definition was. And, I got their ruling on it. It referred to Minnesota Statute 351.02. I would like our City Attorney to touch on these."

Lawrence, "Before Mark goes on with this, maybe I should excuse myself so that you can all discuss this without me." DeRoche, "I don't want you to go. It is something that has to be discussed. With so many issues that have come up in the City about transparency, the last thing we need is a bunch of controversy in the newspaper. And there has been to my knowledge three people that have stepped out of office for different reason, but residency is one of them. We need to make sure what is going on here. If there isn't a precedent I don't know if setting one is such a good idea. But, Mark could you please explain some of this?"

Vierling, "As Jack indicated at the very beginning of the meeting, this exact e-mail had been exchanged and then forwarded out to the Council earlier on, prior to today's meeting. This morning I sent out to Council a brief summary from excerpts from the League, from statutes, from the cases that we were able to locate that deal with the issue of residency so

that the Council would be aware at least of what the principals are that deal with this. First and foremost, the concept of residency in terms of its determination is a fact driven issue that the Council must resolve. Residency is principally determined based upon a physical presence within the community as well as intent to reside. There are times when someone cannot reside within a community such as when someone's house burns down, someone gets ill, things of that nature and they are gone for a period of time. So, the Council would have to look at the facts, and circumstances and background issues to determine whether or not residency is met in whether or not we have a Council Member that is intent on declaring this City as his domicile. And, whether or not he has enough contacts and plans to support that. No doubt that the Council is the final determiner of what that residency is going to be. Or make that call in regards to residency and it does come down to a judgment call. So, with that said, we forwarded the information to all Council Members and everybody should have received that today."

Moegerle, "Where are you residing today? When you go home tonight, where will that be?" Lawrence, "Outside of East Bethel." Moegerle, "And you will be back sleeping in East Bethel in March?" Lawrence, "Hopefully in March, it could be April." Moegerle, "Are you still looking for a house in East Bethel?" Lawrence, "One of the main problems I have with a house is there is nothing really available to rent in East Bethel and so that leaves buying. Unfortunately, buying will take 6 months minimum to qualify. Nobody will touch me for at least six months. Then once you find something and close, that is November or December. Those are the parameters I am stuck with. This is the lemonade we are making out of the lemons we have. It is our intention to return to East Bethel as soon as possible. That is part of the intent Mr. Vierling was looking for. East Bethel is where my home is, I have been here for 20 years, I don't plan on leaving." DeRoche, "For the record, Minnesota Statute reads: A vacancy occurs when a Council Member ceases to be a resident of the City. Residence is a factual issue Council must determine in each case. LMC, which we follow, "Every office shall become vacant upon the happening of the following events before the expiration of a term of such office: the incumbents ceasing to be an inhabitant of the state or if the office is local or district, county or city for which incumbent was elected or appointed in which duties of the officer need to be discharged." My question is, how long have you been a non-resident?" Lawrence, "Well, since the home was turned over in the middle part of October." DeRoche, "The property was turned over to the bank on August 30th."

Moegerle, "I did my property tax search in October and his name was still on it. They are slow on doing that. Mark did you say that it is the intent to return that also determines residency?" Vierling, "It doesn't determine, it is a fact weighing test. Weighing all the facts and circumstances. Does someone have a presence in the community, and/or with that an intent to domicile. People have looked at where they vote, where their driver's license is at, where they get their mail, a judgment test of is it apparent that they intend to domicile in the community and they have enough contacts in the community to verify that, to substantiate it."

Moegerle, "Richard, do you have intent to have a post office box for your mailing?" Lawrence, "I have always had a post office box for my mailing." Moegerle, "And you are getting your packets electronically so we don't have to have a CSO drive outside of the City borders to deliver your packets?" Lawrence, "Yes, I have just electronic packets."

Moegerle made a motion that we find that Lawrence domiciled within the City of East Bethel for the purposes of being a resident and an elected official." Koller seconded. DeRoche, "Just out of curiosity, was anyone else on the Council aware of this fact prior to this evening?" Moegerle, "No. I wasn't. I didn't log onto my mail until I got here. I very

seldom check my City e-mail.” Ronning, “I didn’t. I have been asked a number of times as well and it was a lot easier to say I didn’t know then to ask otherwise. If you read the mere intention to acquire a new residence is not sufficient. Moving to a new location is not sufficient. This is that, Piepho vs. Bruns.”

Vierling, “The issue there was whether or not a person seeking candidacy could establish residency for purposes of getting on the ballot. The gentlemen in the background of the case, had a rental place secured. There was a holdover tenant. He had secured a lease. They declared he had sufficient contacts to declare residency. It is a fact driven issue.” Ronning, “Is this a court case appealing a previous issue?” Vierling, “The lower courts determined he was ineligible. But, the Supreme Court overruled it.”

DeRoche, “The statement in here about there are no rentals in East Bethel except houses that rent for \$2,000, I am not doing that. That to me says you are not going to. I understand where Heidi is coming from, but that doesn’t surprise me. However, I feel there was deception, he has been out of the place for three months and nothing has ever come before Council. And I am asking a real serious question. Had I not asked the question, when was it going to come up that he was not living in the City. All we ever hear is we have to be transparent, we have to be honest with our residents, we have to watch out. And, now here we are looking at a situation where someone is a non-resident. Can he become one again? Probably. But, what happens if he doesn’t? I see it as we are going to be the laughing stock of the media. And, I think there is going to be some fallout from this that people are going to say, “Look, you don’t even have to be a resident to be the Mayor in East Bethel.” And we are supposed to be building the image of East Bethel. However it shakes out, I am good with it. But you know what, there are going to be a lot of questions from people saying, you know what we voted for him because he lived in the City. Now he doesn’t and he is still in here. I think it is our duty and as Heidi says, I would be curious to know what they think.”

Lawrence, “I have rented this place on County Road 22 since April. Anticipating this would be the move we would make.” DeRoche, “So you plan on living in that RV Park permanently?” Lawrence, “Right now that is the best I have got. There is the time frame, which it takes to get your credit repaired. The time frame to buy something, it is all closing. You can’t buy a house in one day unless you have cash, and I don’t have cash.” DeRoche, “And, I understand that. By the time you become a permanent resident, how much time will pass? I represent the residents. If it was me, I know it would come up. If it was me, personally I would have to say you know what I don’t live here, I am out.”

Moegerle, “I didn’t find out about this until today. But, I had inklings this might happen. I think there is transparency. I see that he has a place to stay, that he intends to stay in and plans to stay in, in March. I personally understand the financial burdens of trying to find a place to stay in within this City. Nothing he has ever said or done in any way in the intervening time has indicated to me that he is less than in his determination to remain as Mayor here. And show that he is loyal to this City. And, furthermore, I think as embarrassing of anything for a person to stand up and volunteer their financial situations and their medical situation. There was a lot of brouhaha about the tax matter, and I think this matter is much more intensely personal and I think to find a way to bring this up in front of God, country and city is extremely embarrassing. I haven’t discussed this with Richard. But, it has been discussed here and I think he has been forthcoming. I am absolutely convinced of his veracity and he intends to move here permanently as soon as he can find a house and he will be living in his RV. This is not the determining factor of my reasoning but should the Mayor be found not to be a resident and not on this Council, we

will be locked in a lot of two to two votes, three to one vote maybes, but there will be a lot of two to two votes and this City will be gridlocked worse than Congress. And, that does a disservice to the residents, worse than this interim time while Resident gets his ducks in a row.”

DeRoche, “For the record Heidi, there you go saying things that are not true. It would not be a two to two vote locked in because if Richard or anyone on this Council is a vacancy, then there is an appointment made and the spot is filled. Get your facts straight.” Moegerle, “Get your law straight, if a person has less than two years left on their term, they do not stand for election and it gets filled. There is not an election.” DeRoche, “It is determined by the current City Council.” Moegerle, “It is, but.” DeRoche, “A vacancy is found if a person is taken off Council then a vacancy is declared on the Council person and then that person’s position is appointed. I am very well aware of what the law is.” Moegerle, “The point is, as long as that is going to take? And the controversy that is going to create. That is not healthy for the City.” DeRoche, “The amount of time it will take is probably 20 minutes. You are dressing it up and grandstanding.” Moegerle, “Let’s talk about ideas. EDA, Road, Park Commission vacancies, how many applications do we have?” Davis, “None.” DeRoche, “And what does that have to do with his residency?”

Ronning, “We are encouraged to look at facts, but, I believe Richard has had a very tough year. Did you have intent to tell anybody at any time what the situation was? And, what you were trying to do about it.” Lawrence, “It is not something you volunteer. I told Jack. He knew for quite a while. The city attorney knew from Jack. This is extremely important and we can’t rush these issues because we have to make something that works for everybody. Because we are going to set precedent. And, the intent, what my intentions are, I have told you what they are.” Ronning, “I fully believe your intentions. But, we are still stuck with a miserable job. We don’t always agree up here, but I don’t think anybody should say that we are all enemies or something. We might not all be friends, but, the intention, I don’t know that just asking a question like that can establish the intention to conceal.”

Moegerle, “Have you changed your driver’s license?” Lawrence, “Sharon has, I haven’t yet.” Moegerle, “But you still have a post office box in East Bethel?” Lawrence, “Yes, but that doesn’t mean anything I could have a post office box anywhere.” Moegerle, “But obviously you are still coming back there to pick up your mail.” DeRoche, “As to the comment, “I wouldn’t stand up and tell people that I don’t live here.” I am sorry I don’t agree with that. If you don’t live in the City that you represent, this is a moral issue. If you are not living in the City then you are not a resident. I think it is important that people know that Richard doesn’t live in the City.” Lawrence, “One thing you have to consider, most states, six months and a day, you are a resident. If I am not a resident here, then I am a resident nowhere. What does it take to be a resident?” DeRoche, “I am being real nice. There were some other things that were making my decision and you probably don’t want me to bring them out.” Moegerle, “I think residency and where you sleep at night don’t necessarily interchange. There is enough evidence that he has contacts here, intent to move back here, and sleep here. I dealt with this when I moved from Indiana, at what point could I stand to be on the Planning Commission? So, I have thought about this outside the context of this. I think he is a resident, he has intent to return, I think if he is a resident he has to disclose that he is spending the night outside of the City for a short period of time.” **Moegerle called the question. Moegerle, aye; DeRoche, Koller and Ronning, nay; motion fails.**

Ronning, “When I was settling grievances or settling certain things, we used to call that the

kneepad crying towel. We are encouraged to look at facts and I didn't hear one fact. You called the question before we got to talk about a little more facts. We didn't get to ask Mark what the six months and a day was. Does that meet the requirement, it does speak to intent?" Vierling, "Minnesota doesn't have any time deadline for residency. It does speak to intent. It can be one day, it can be 364 days, it is all based on the sequence of events, presence on the community, the intent to declare domicile. Clearly, statutorily, before you can put your name on the ballot you have to be here for at least 30 days. All your affidavits of candidacy indicate that. But aside from the affidavit of candidacy under section 204, really there is no time requirement in terms of being a resident if you have all the background elements that support that."

Moegerle, "Mark, what is the next step? And if he ends up spending nights in East Bethel can he stand for that vacancy? And, is that vacancy for the Mayor or Council Person?" Vierling, "First off, the issue is here at the board tonight. You have a motion to declare that he is a resident. If that passes then all that becomes academic. If on the other hand, there is a motion to declare a vacancy in any position and that passes, then that position is vacant. There is no opportunity to re-qualify. You can run again for that position." Ronning, "You said Minnesota Law doesn't have a definition of time limit, what about non-resident?" Vierling, "Not that I am aware of. Residency is the legal term of art." Ronning, "Speak to inhabiting. Requires the residency within the community 30 days before the general election. You put a big squeeze on without allowing conversation."

Moegerle, "I am looking at the Minnesota Department of Revenue and state residency. Part time resident definition, Richard meets that." Vierling, "Understand that is a definition for taxing. And Minnesota is in favor of taxing people." DeRoche, "Whatever decision comes out of here, it sets precedent." Ronning, "But, the next group can set their own precedent." Moegerle, "I want to understand your stand, because Richard doesn't sleep in East Bethel, he is not a resident. Is that a fair summary of your position?" DeRoche, "Because Richard stated he is not a resident right now, he didn't want to spend \$2,000 on a house. He can't find anywhere to live. He plans on moving in his trailer in March. If you want to say that go ahead folks you don't want to live here other than 30 days before you take office and then you can go to another City and hold office. That sets precedent. I am not an attorney and I realize you are." Moegerle, "A Council Member is hit by a car and is in rehab care for three months, is he still a resident. Isn't there a parallel here? He has had health issues and moves to Isanti. It wasn't his choice." Ronning, "If he was in the hospital, I don't think we would be talking about this." Vierling, "In essence, it is almost a gut feeling." Ronning, "Is the ruling clear and ambiguous? It looks like it is almost a coin toss?" Vierling, "In some aspects it becomes almost an individual opinion. Every case is fact driven. If their house burned down and they are out of the community while they are rebuilding, you have to look at that. Do they have enough contacts in the City?"

Lawrence, "I have always considered myself a resident of East Bethel." Moegerle, "You go to EDA meetings, what other meetings do you go to?" Lawrence, "EDA is the only meetings I go to now." Ronning, "Do you go to church in the City?" Lawrence, "No." Moegerle, "Have you been meeting with residents with regard to City issues?" Lawrence, "Today I did."

Ronning, "Understanding the law. That is why I am asking the questions and it almost boils down to a coin toss." Moegerle, "Wherever you spend the night, do you come back to East Bethel in the morning?" Lawrence, "My shop is in Isanti." Ronning, "What address did Sharon put down for her license?" Lawrence, "4126 Viking. Whether I am here or not, that is what it will be. I have to establish something. I want to do what is best for the City, you

have to decide what is and what isn't residency. I am fine either way." Vierling, "In all honesty, there is not a lot of case law in this area. Most of the cases are on elections in terms of who can vote or can you be a candidate for office. There are issues with regard to someone getting redistricted. They all come down to being a fact driven type of result." Moegerle, "Have you been going to the pancake breakfast within the City of East Bethel?" Lawrence, "No, it is on Sunday when I work."

Ronning, "Everyone has to live with it, whether a voting member. One way or another, you have to live with yourself, how you vote. If no one else criticizes you, you can criticize yourself." DeRoche, "It is not personal, and it should not be personal. If Richard is a non-resident and holds office, then that is what East Bethel standards are going to be. Because we can't pick and choose what our interpretation of things are, even though some people may like to. Everybody says there has to be standards, there has to be this, well you are right. If he stays in, he stays in and so be it. It is nothing personal. For crying out loud, we have been up here three years and he went through a hard time, I understand that, he went through heart surgery, I understand that. And, it is nothing vindictive. I have been on hard times. It is what do the people of the City expect to happen? Are we going to be on emotion or facts. How are we going to do things?" Moegerle, "I think the law is clear. The facts of residency are clear. If he is a non-resident that is fine. I am just not satisfied that during this period of time, with health difficulties and financial difficulties, plus all of the other facts with the residence at Viking add up to not being a resident. Just how I weigh the facts, just my opinion. It is independent of your opinion."

DeRoche, "Health can't be part of it and financial can't be part of it. If we are dealing with the facts, forget the emotion. What his situation is, is between Richard and his wife. You deal with the facts that are here. Forget the emotion. If you go to court what happens? You try to get the facts out." Moegerle, "If there weren't the financial and health, it would be a different case. If he had just decided to just go buy a house in Minnetonka and to drive back and forth between Minnetonka and East Bethel so I can be on Council and call myself Mayor, that is a different case than what this is, substantially. This is not what he wanted, any of this. My expectation he lives within a mere distance of the City limits. It is not like he is living in Minnetonka. I think probably that decision was driven by he has an intent to return. He does have those contacts. If we are talking about where you are sleeping at night, what if you had a girlfriend in Minnetonka? So you are spending six nights a week in Minnetonka, are you still a resident?" DeRoche, "I have a residential address that I have had for 30+ years. It is not as if I am spending the night with some girl down in Minnetonka. It is not the same, you keep trying to blow things up and get away from the facts. This isn't a court hearing, this isn't a trial and you don't have to convince anyone of anything. This is just about the facts."

Ronning, "You can't be kind of pregnant, you either are or not." DeRoche, "He hasn't been sleeping here for three months, the LMC and State Law say you should be a resident living in the City. To me he should be a resident living in the City. And, if his house burned down, that would be a different scenario. But to say he has had hard times and he moved to a different City and it was all beyond his control." Moegerle, "It was all beyond his control. That is what they have in common." DeRoche, "If it was me, I would have resigned. I would have said I am not there and I cannot do these things. It's been fun and when I come back I will give it another go." Moegerle, "I don't think it has been proven he is not living here." Ronning, "What is the value of intent, versus action." Vierling, "The commentary in the case is intent doesn't carry the day. But it is a factor to be weighed with the other factors. If you are going to get in a balancing test you are going to look at all the contacts he has in the community." Koller, "He is using a seasonal campsite as a permanent

resident. And, I have a friend who has lived like that for ten years. It is his permanent residence and they head south for the winter, our Mayor headed north.” Lawrence, “I do plan on running for Mayor again.” Koller, “It is his house now and I am sure he will look for a house when his financial situation improves.” Ronning, “Have you lived in your address to date?” Lawrence, “Yes, just off and on a little bit. We paid for this year and for all of next year.” Lawrence, “If someone calls for the vote, it should be Heidi, she is the Acting Mayor.” Ronning, “Please clear up something. We all have the same vote, right? We have a Mayor that chairs the meeting, we have a weak Mayor system, we are all level, same/same, no more authority, no less authority. I think there is some misunderstanding on this sometimes, not on Richard’s part on how those things go.” Roll call will be taken.

DeRoche, nay; Koller, aye; Ronning, nay; Moegerle, aye; Lawrence, abstain; motion fails.

DeRoche made a motion to declare a vacancy of the Mayor’s seat. Ronning seconded. DeRoche, nay; Koller, aye; Ronning, nay; Moegerle, aye; Lawrence, abstain; motion fails.

Moegerle made a motion to table the Residency of the Mayor until January 8, 2014 as the first item on the agenda. Koller seconded. DeRoche, nay; Koller, aye; Ronning, nay; Moegerle, aye; Lawrence, abstain; motion

Adjourn

Moegerle made a motion to adjourn at 10:17 p.m. Koller seconded; DeRoche, nay; Koller, Lawrence, Moegerle and Ronning, aye; motion carries.

Attest:

Wendy Warren
Deputy City Clerk

**ABC Newspapers and
Anoka County Shopper**

Division of ECM Publishers, Inc.



4101 Coon Rapids Blvd., Coon Rapids, MN 55433

P. O. 99, Anoka, MN 55303

December 5, 2013

Jack Davis
City Administrator
City of East Bethel
2241 221st Avenue NE
Cedar, MN 55011

Dear Jack:

It is with great pleasure that we ask to serve as the official newspaper for the City of East Bethel in 2014. As we continue to implement new changes in the newspaper to improve readership, we feel it's important to provide readers with the city's public notices in addition to news stories, features and photographs of local events we cover each week.

We would like to publish your public notices in the Anoka County Union. The legal publication rate for the Anoka County Union as of January 1, 2014, will be \$10.75 per column inch. The rate for electronically submitted legal publications will be \$10.25 per column inch. You may want to note that this rate remains unchanged from prior years. As a newspaper published in the County of Anoka, we meet the requirements to qualify as an official legal newspaper.

We have appreciated your business over the past years and hope that we can be of service to you in 2014 as a credible, locally-owned, weekly community news source. If you have any questions, please feel free to call me at (763) 712-3532 or email me at jill.donahue@ecm-inc.com. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Donahue", with a long horizontal flourish extending to the right.

Jill Donahue
Business Manager

Anoka County RECORD

Legal Advertising
Government Contract Rates
\$4.50/column inch (.50/line)

Column width:
 (inches): 1.58
 (points): 114
 (picas): 9 1/2

Lines: 9 per column inch
 Font: Arial
 Point size: 7 / 8
 Bold Heads: 8 / 8

Publication Date:
 Thursdays bi-weekly
 (see reverse side for calendar)

Legal advertising deadline:
 Wednesday Noon, day
 before publication date

**Display advertising and
 Assumed Name legal notices:**
 Monday before
 publication date

NOTICE OF PUBLIC HEARING
CITY OF OAK GROVE
COUNTY OF ANOKA
STATE OF MINNESOTA

NOTICE IS HEREBY GIVEN that the Oak Grove City Council, at their Regular Meeting of April 8, 2013, will be conducting a Public Hearing at or around 7:00 p.m. in the Oak Grove Council Chambers, 19900 Nightingale St NW, Cedar, MN 55011 to consider a variance for Robert and Andrea Funk to construct a new home on a 40 acre parcel off of a cul-de-sac with less than the required frontage. The parcel is legally described as NE 1/4 of NW 1/4 of Sec 23-33-24 further described by PID #23-33-24-21-0001. All written and oral comments will be heard. Hearing impaired persons planning to attend who need an interpreter or other persons with disabilities who require auxiliary aids should contact City Hall at (763) 404-7006 no later than Tuesday, April 2, 2013.

Assumed Name Publication
\$40.00 (flat fee)

Our **flat fee** includes two consecutive publications of your Assumed Name legal notice as required by state statute. Please see our separate instruction sheet for more information about publishing your Assumed Name legal notice.

SAMPLE AD
3 inches = \$13.50

FLAT FEE ADVERTISING	
\$600 Notice of Mortgage Foreclosure Sale (six publications) <i>(Single lot/homestead, additional by quote)</i>	\$40 Notice of Filing Assumed Name (two publications)
\$250 Notice of Dissolution (three publications)	Notice of Child in Need of Protection or Services (one publication)
\$75 Notice of Probate of Will (two publications) Notice of Appointment of Representative (two publications)	Notice of Sale of Stored Property (three publications)
Petition for Determination of Descent (two publications)	Notice of Termination of Parental Rights (one publication)
Petition for Summary Assignment or Distribution (two publications)	\$20 Notice of Auction (one publication)
	Notice of Order for Protection (one publication)
	\$15 Notice of Postponement of Mortgage Foreclosure Sale <i>(\$15 per postponement per publication)</i>

Call or e-mail for a quote if your ad is not listed on our price list

All legal notices are pre-paid. Affidavit of publication and receipt for payment provided one week after final publication.
All commercial display ads are billed at \$4.50/column inch

Anoka County Record PO Box 21014 Columbia Heights MN 55421-0014 Phone (763) 220-0411
 E-mail: editor@anokacountyrecord.com All editions are online at www.anokacountyrecord.com
 A LEGAL NEWSPAPER SERVING THE ANOKA COUNTY AREA

Anoka County RECORD

Filing an Assumed Name: a 2-step process.

The **first step** is to file the Assumed Name with the Secretary of State's office in person, by mail or online. To comply with Minnesota Statute 333.01, you need to take a **second step** and have the notice published in a legal newspaper in the county in which you will be doing business under the Assumed Name.

Tip: You can save \$20 on your filing with the Secretary of State's office by using U.S. Mail. Processing time varies, however it can be as little as one week. Online filings are immediate, but come at a higher fee.

The Anoka County Record publishes bi-weekly on Thursdays (see our publication schedule).

Your Assumed Name ad will be published in two consecutive editions as required by state statute. Failure to publish may invalidate your filing.

- Send us a scan or a photocopy of your certificate, or if you filed online, we need the certificate filing receipt that was given to you as a PDF file from the Secretary of State.

- You can send us the certificate copy and/or the online filing receipt by either U.S. Mail or e-mail it to the addresses below. For fastest service, please send by e-mail.

- We need to receive payment before your ad is published.

Our flat fee is \$40.00, the lowest price for an Assumed Name publication in Anoka County.

We do not accept credit cards; your check is good with us.

Please make your check out to "**Anoka County Record LLC**" and mail it to the address below.

- After your ad has been published twice, you will receive a notarized affidavit of publication and receipt by e-mail or by U.S. mail.

All editions of the newspaper are available on our website as well as a separate PDF file of the legal ads only.

SAMPLE

OFFICE OF THE MINNESOTA SECRETARY OF STATE CERTIFICATE OF ASSUMED NAME MINNESOTA STATUTES, CHAPTER 333

The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable consumers to be able to identify the true owner of a business.

1. List the exact assumed name under which the business is or will be conducted:

Assumed Name here

2. Principal Place of Business:
Address in Anoka County here

3. List the name and complete street address of all persons conducting business under the above Assumed Name, OR if an entity, provide the legal corporate, LLC, or Limited Partnership name and registered office address:

Name and/or entity name and street address

4. I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

FILED: [Date], #[file number]

/s/ **John Doe, Authorized Agent**
(Published Date #1, Date #2,
Anoka County Record)

Anoka County Record PO Box 21014 Columbia Heights MN 55421-0014 Phone (763) 220-0411
E-mail: editor@anokacountyrecord.com All editions are online at www.anokacountyrecord.com

A LEGAL NEWSPAPER SERVING THE ANOKA COUNTY AREA



2014 PUBLICATION SCHEDULE

JANUARY

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
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FEBRUARY

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MARCH

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APRIL

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JULY

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AUGUST

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SEPTEMBER

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NOVEMBER

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DECEMBER

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**CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA**

RESOLUTION NO. 2014-01

**RESOLUTION DESIGNATING THE ANOKA COUNTY UNION AS THE OFFICIAL
NEWSPAPER FOR 2014**

WHEREAS, State Statute requires that the City publish its official notices in a newspaper that has general distribution throughout the City; and

WHEREAS, Minnesota State Statute requires the City to designate an official newspaper where legal notices will be published; and

WHEREAS, the Anoka County Union has requested designation as the official newspaper for the City as it meets the publication and circulation requirements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City Council hereby designates the Anoka County Union as the official newspaper for the City for 2014.

Adopted this 8th day of January, 2014 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator

PAY ESTIMATE #4
CITY OF EAST BETHEL
Castle Towers/Whispering Aspen 2013 Forcemain Project

December 20, 2013

City of East Bethel
 2241 - 221st Avenue N.E.
 East Bethel, MN 55011-9631

RE: Castle Towers/Whispering Aspen 2013 Forcemain Project
 Contractor: LaTour Construction, Inc.
 Award Date: July 11, 2013

The following work has been completed on the above-referenced project by LaTour Construction, Inc.

Base Bid Schedule "A" - Removals

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Clearing	0.80	ACRE	\$4,200.00	1.06	\$ 4,452.00
2	Grubbing	0.80	ACRE	\$4,200.00	1.06	\$ 4,452.00
3	Clearing	32	TREE	\$105.00	24	\$ 2,520.00
4	Grubbing	32	TREE	\$105.00	24	\$ 2,520.00
5	Remove Sidewalk	51	SQ YD	\$6.25		\$ -
6	Remove Watermain and Forcemain	60	LIN FT	\$5.00		\$ -
7	Remove Concrete Curb and Gutter	85	LIN FT	\$5.05	14	\$ 70.70
8	Remove Bituminous Pavement and Bituminous Curb	749	SQ YD	\$4.00	1,182	\$ 4,728.00
9	Cap Existing Forcemain Pipe	1	LUMP SUM	\$630.00		\$ -
10	Sawing Bituminous Pavement (Full Depth)	312	LIN FT	\$3.25	276	\$ 897.00
11	Mill Bituminous Surface	81	SQ YD	\$10.45		\$ -
12	Salvage Metal Flared End Section and Gate	1	EACH	\$130.00	1	\$ 130.00
13	Salvage Storm Sewer	20	LIN FT	\$7.50	20	\$ 150.00
14	Salvage Signs	20	EACH	\$90.00	5	\$ 450.00
15	Salvage Chain link Fence	141	LIN FT	\$6.25	141	\$ 881.25
16	Salvage Gate	3	EACH	\$128.00		\$ -
17	Salvage Valve Box	2	EACH	\$90.00		\$ -
Total Bid Schedule "A"						\$ 21,250.95

Base Bid Schedule "B" Forcemain and Gravity Sewer

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
18	Stabilizing Aggregate (LV)	100	CU YD	\$36.00		\$ -
19	Granular Borrow (CV)	400	CU YD	\$16.50	98	\$ 1,617.00
20	Aggregate Backfill (CV)	550	CU YD	\$36.50	67	\$ 2,445.50
21	Geotextile Filter Type IV	2,200	SQ YD	\$2.45	134	\$ 328.30
22	Ductile Iron Fittings	3,330	POUND	\$5.60	3,518	\$ 19,700.80
23	8" PVC Sanitary Sewer - SDR 35	38	LIN FT	\$78.50		\$ -
24	10" PVC Sanitary Sewer - SDR 26	20	LIN FT	\$98.00	20	\$ 1,960.00
25	12" PVC Sanitary Sewer - SDR 26	92	LIN FT	\$114.00	75	\$ 8,550.00
26	12" DIP Sanitary Sewer - Class 52	20	LIN FT	\$173.00		\$ -
27	10" PVC Plug	1	EACH	\$185.00		\$ -
28	12" PVC Plug	1	EACH	\$190.00	1	\$ 190.00
29	4" PVC Sewer Forcemain (DR 18)	22	LIN FT	\$24.00		\$ -
30	6" PVC Sewer Forcemain (DR 18)	1,590	LIN FT	\$19.00		\$ -
31	8" PVC Sewer Forcemain (DR 18)	6,997	LIN FT	\$20.50		\$ -
32	10" PVC Sewer Forcemain (DR 18)	9,133	LIN FT	\$24.25	9,043	\$ 219,292.75
33	Steel Casing Pipe - Jacked - 8" Carrier Pipe	120	LIN FT	\$264.00		\$ -
34	Steel Casing Pipe - Jacked - 10" Carrier Pipe	120	LIN FT	\$282.00	120	\$ 33,840.00
35	6" PVC Sewer (DR 18) - Directional Drill	70	LIN FT	\$51.75		\$ -
36	8" PVC Sewer (DR 18) - Directional Drill	1,869	LIN FT	\$45.75		\$ -

**PAY ESTIMATE #4
CITY OF EAST BETHEL
Castle Towers/Whispering Aspen 2013 Forcemain Project**

Base Bid Schedule "B" Forcemain and Gravity Sewer - Continued

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
37	10" PVC Sewer (DR 18) - Directional Drill	400	LIN FT	\$57.30	490	\$ 28,077.00
38	Meter Manhole -4" Meter	1	EACH	\$12,150.00		\$ -
39	Meter Manhole -8" Meter	1	EACH	\$19,400.00		\$ -
40	Forcemain Cleanout Type 1 - 8" Forcemain	2	EACH	\$8,755.00		\$ -
41	Forcemain Cleanout Type 1 - 10" Forcemain	3	EACH	\$9,775.00	3	\$ 29,325.00
42	Forcemain Cleanout Type 2 - 8" Forcemain	1	EACH	\$8,345.00		\$ -
43	Forcemain Cleanout Type 2 - 10" Forcemain	1	EACH	\$10,500.00	1	\$ 10,500.00
44	Air/Vacuum Release Valve Manhole - 8" Forcemain	6	EACH	\$11,100.00		\$ -
45	Air/Vacuum Release Valve Manhole - 10" Forcemain	3	EACH	\$12,125.00	3	\$ 36,375.00
46	8" Gate Valve and Box	7	EACH	\$1,610.00		\$ -
47	10" Gate Valve and Box	8	EACH	\$2,285.00	8	\$ 18,280.00
48	Tracer Wire	21,959	LIN FT	\$0.35	18,639	\$ 6,523.65
49	Access Boxes For Tracer Wire	22	EACH	\$91.00	7	\$ 637.00
50	Passive Electronic Markers	122	EACH	\$26.50	40	\$ 1,060.00
51	Marker Posts for Access Boxes and Structures	22	EACH	\$130.00		\$ -
52	4" Polystyrene Insulation	504	SQ FT	\$6.00	256	\$ 1,536.00
53	Connect to Existing Manhole	1	EACH	\$2,000.00		\$ -
54	Connect to Existing Pipe	8	EACH	\$1,500.00	3	\$ 4,500.00
55	Clean and Video Tape Pipe Sewer	112	LIN FT	\$5.25		\$ -
56	Construct Sanitary Structure Design 48-4007	6	LIN FT	\$450.00		\$ -
57	Construct Sanitary Structure Design 48-4007 - Drop Manhole	28.5	LIN FT	\$465.00		\$ -
58	Casting Assembly - Sanitary Sewer	2	EACH	\$860.00		\$ -
59	Dewatering	1	LUMP SUM	\$176,000.00	1	\$ 176,000.00
Total Bid Schedule "C"						\$ 600,738.00

Total Base Bid Schedule "C" - Lift Station No. 2 Construction

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
60	Fiber Optic Cable With Schedule 40 Conduit	1,650	LIN FT	\$18.00		\$ -
61	Tracer Wire for Buried Fiber Optic Cable	1,680	LIN FT	\$0.01		\$ -
62	Access Boxes For Tracer Wire	4	EACH	\$0.01		\$ -
63	Marker Posts for Access Boxes and Structures	3	EACH	\$129.00		\$ -
64	84" Diameter Valve Manhole Structure and Appurtenances	1	EACH	\$21,000.00	0.5	\$ 10,500.00
65	96" Diameter Sanitary Sewer Lift Station Structure and Appurtenances	1	EACH	\$62,300.00	0.90	\$ 56,070.00
66	Portable Davit Crane With Power Winch	1	EACH	\$3,350.00	0.75	\$ 2,512.50
67	Trash Basket With Ladder	1	EACH	\$3,850.00	0.6	\$ 2,310.00
68	Submersible Lift Station Pump and Discharge Elbow	2	EACH	\$12,250.00		\$ -
69	Pump Rails, Chains, Guide Brackets and Appurtenances	1	LUMP SUM	\$3,075.00		\$ -
70	Control Panel, Level Floats and Transducer	1	LUMP SUM	\$38,600.00		\$ -
71	Generator	1	LUMP SUM	\$29,000.00	0.13	\$ 3,770.00
72	Electrical and Startup	1	LUMP SUM	\$16,000.00		\$ -
73	Dewatering	1	LUMP SUM	\$50,000.00	1	\$ 50,000.00
Total Bid Schedule "C"						\$ 125,162.50

**PAY ESTIMATE #4
CITY OF EAST BETHEL
Castle Towers/Whispering Aspen 2013 Forcemain Project**

Base Bid Schedule "D" - Site Work and Storm Sewer

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
74	12" RC Pipe Sewer Design 3006 CL V	91	LIN FT	\$44.30	90	\$ 3,987.00
75	15" RC Pipe Sewer Design 3006 CL V	41	LIN FT	\$53.00	41	\$ 2,173.00
76	15" RC Pipe Apron	1	EACH	\$640.00	1	\$ 640.00
77	Construct Drainage Structure Design H (27")	1	EACH	\$1,400.00	1	\$ 1,400.00
78	Construct Drainage Structure Design 48-4020	1	EACH	\$1,900.00	1	\$ 1,900.00
79	Aggregate Base Class 5	490	TON	\$26.00	404.3	\$ 10,511.80
80	Bituminous Material for Tack Coat	77	GALLON	\$4.15		\$ -
81	Type SP 9.5 Wearing Course Mixture (2,B)	179	TON	\$100.00		\$ -
82	Type SP 12.5 Non Wearing Course Mixture (2,B)	148	TON	\$97.00	34.1	\$ 3,307.70
83	Concrete Curb & Gutter Design Surmountable	71	LIN FT	\$18.25		\$ -
84	Concrete Curb & Gutter Design B618	205	LIN FT	\$18.75		\$ -
85	4" Concrete Walk	459	SQ FT	\$5.25		\$ -
86	6" Concrete Pavement	846	SQ FT	\$5.75		\$ -
87	Bollard	12	EACH	\$562.00		\$ -
88	Coniferous Tree, 6' HT B&B	20	EACH	\$236.00		\$ -
89	Deciduous Tree 2.5" CAL B&B	20	EACH	\$300.00		\$ -
90	Random Riprap Class II	3	CU YD	\$190.00		\$ -
91	Floatation Silt Curtain Type Moving Water	200	LIN FT	\$16.25	50	\$ 812.50
92	Silt Fence Type Machine Sliced	5,000	LIN FT	\$1.60	3,000	\$ 4,800.00
93	Temporary Rock Construction Entrances	10	EACH	\$810.00	4	\$ 3,240.00
94	Topsoil Borrow (LV)	2,000	CU YD	\$13.35	98	\$ 1,308.30
95	Turf Establishment	27	ACRE	\$3,050.00	31.2	\$ 95,160.00
96	Erosion Control	1	LUMP SUM	\$3,600.00	0.75	\$ 2,700.00
Total Bid Schedule "D"						\$ 131,940.30

Bid Schedule "E" - Watermain

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
97	Ductile Iron Pipe Fittings	376	POUND	\$4.65		\$ -
98	6" Watermain Ductile Iron Class 52	60	LIN FT	\$37.25		\$ -
99	6" Gate Valve and Box	1	EACH	\$1,370.00		\$ -
100	Connect to Existing Watermain	2	EACH	\$945.00		\$ -
101	Polystyrene Insulation	32	SQ FT	\$4.00		\$ -
102	Hydrant	1	EACH	\$4,105.00		\$ -
Total Bid Schedule "E"						\$ -

Base Bid Schedule "F" - Mobilization, Traffic Control and Allowances

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
103	Mobilization	1	LUMP SUM	\$61,400.00	1	\$ 61,400.00
104	General Construction Allowance	1	LUMP SUM	\$40,000.00	0.35	\$ 13,982.41
105	Private Utility Allowance	1	LUMP SUM	\$50,000.00		\$ -
106	System Integrator Allowance	1	LUMP SUM	\$50,000.00		\$ -
107	Traffic Control	1	LUMP SUM	\$9,300.00	1	\$ 9,300.00
Total Bid Schedule "F"						\$ 84,682.41

**PAY ESTIMATE #4
CITY OF EAST BETHEL
Castle Towers/Whispering Aspen 2013 Forcemain Project**

Alternate Bid No. 1

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Connect to Existing Lift Station	1	EACH	\$4,500.00	1	\$ 4,500.00
2	8" PVC Sanitary Sewer - SDR 35	547	LIN FT	\$72.00	549	\$ 39,528.00
3	8" PVC Sanitary Sewer - SDR 26	965	LIN FT	\$73.00	959	\$ 70,007.00
4	10" PVC Sanitary Sewer - SDR 26	125	LIN FT	\$77.50	105	\$ 8,137.50
5	Clean and Video Tape Pipe Sewer	1,637	LIN FT	\$1.30		\$ -
6	Construct Sanitary Structure Design 48-4007	142.9	LIN FT	\$211.00	165.2	\$ 34,857.20
7	Construct Sanitary Structure Design 48-4007 - Drop Manhole	25.9	LIN FT	\$314.00	25.9	\$ 8,132.60
8	Casting Assembly - Sanitary Sewer	8	EACH	\$860.00	8	\$ 6,880.00
9	Dewatering	1	LUMP SUM	\$46,100.00	1	\$ 46,100.00
Total Alternate Bid No. 1						\$ 218,142.30

Alternate Bid No. 2

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	10" PVC Sewer Forcemain (DR 18)	6,997	LIN FT	\$24.00	6,947	\$ 166,728.00
2	Steel Casing Pipe - Jacked - 10" Carrier Pipe	120	LIN FT	\$182.00	120	\$ 21,840.00
3	10" PVC Sewer (DR 18) - Directional Drill	1,869	LIN FT	\$56.75	1,919	\$ 108,903.25
5	10" Gate Valve and Box	7	EACH	\$2,300.00	6	\$ 13,800.00
4	Meter Manhole -8" Meter	1	EACH	\$20,100.00		\$ -
5	Forcemain Cleanout Type 1 - 10" Forcemain	2	EACH	\$9,835.00	2	\$ 19,670.00
6	Forcemain Cleanout Type 2 - 10" Forcemain	1	EACH	\$10,445.00	1	\$ 10,445.00
7	Air/Vacuum Release Valve Manhole - 10" Forcemain	6	EACH	\$12,000.00	6	\$ 72,000.00
Total Alternate Bid No. 2						\$ 413,386.25

Bid Schedule "A"	\$ 21,250.95
Bid Schedule "B"	\$ 600,738.00
Bid Schedule "C"	\$ 125,162.50
Bid Schedule "D"	\$ 131,940.30
Bid Schedule "E"	\$ -
Bid Schedule "F"	\$ 84,682.41
Alternate Bid No. 1	\$ 218,142.30
Alternate Bid No. 2	\$ 413,386.25
TOTAL WORK COMPLETED TO DATE	\$ 1,595,302.71
Less 5% Retainage	\$ 79,765.14
Less Pay Estimate #1	\$ 160,298.01
Less Pay Estimate #2	\$ 614,735.88
Less Pay Estimate #3	\$ 617,961.46
WE RECOMMEND PAYMENT OF:	\$ 122,542.22

**PAY ESTIMATE #4
CITY OF EAST BETHEL
Castle Towers/Whispering Aspen 2013 Forcemain Project**

APPROVALS:

CONTRACTOR: LATOUR CONSTRUCTION, INC.

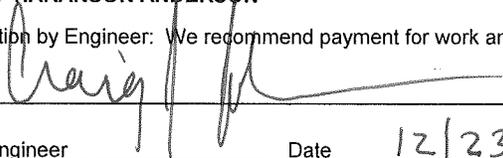
Certification by Contractor: I certify that all items and amounts are correct for the work completed to date.

Signed: _____

Title: _____ Date _____

ENGINEER: HAKANSON ANDERSON

Certification by Engineer: We recommend payment for work and quantities as shown.

Signed:  _____

Title: City Engineer Date 12/23/13

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____

CITY OF EAST BETHEL

LICENSE APPLICATION TO SELL AT RETAIL

TOBACCO, TOBACCO PRODUCTS AND TOBACCO RELATED DEVICES

DATA PRACTICES ADVISORY: The data supplied in this application will be used to assess the qualifications for a license. Some of this data is not legally required but the City will not be able to grant the license without it. If a license is granted, the data will constitute a public record. The data is needed to distinguish this application from others, to identify this application in City license files, to verify the identity of the applicant, to contact the applicant if additional information is required and to determine if the applicant meets all ordinance requirements.

Application is hereby submitted for a license to sell at retail tobacco, tobacco products and tobacco related devices within the City of East Bethel in accordance with the Ordinances of said City.

Enclosed with this application are the following:

- the \$200 license fee,
- a completed and notarized Indemnification Agreement form,
- a completed worker's compensation insurance coverage form,
- a completed Minnesota & Federal business tax I.D. form. and
- a completed Background Check/Release form.
- If the establishment is a corporation, please submit with this application a list of all current stockholders, their resident addresses, and the number of shares held by each. If the business is to be conducted under a designation, name or style other than the full individual name of the applicant, attach a copy of the trade name certificate, as required by Chapter 333, Minnesota Statutes, Secretary of State's Office.

APPLICANT/OWNER INFORMATION:

SLAWSON BRAD ADRIAN
Last Name First Name Full Middle Name

Address of Applicant/Owner

HAM LAKE MN 55304
City State Zip

Date of Birth Home Telephone No.

BUSINESS INFORMATION:

SLAW INDUSTRIES INC.
Corporation or Trade Name

ROUT 65
Doing Business As / Business Name

18453 HWY 65 NE
Address of Business

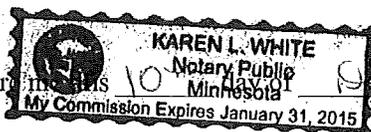
EAST BETHEL MN 55011
City State Zip

N/A AT THIS TIME
Business Telephone Number

I hereby certify the following:

1. I am over the age of 18.
2. I have not been convicted of any violations of federal, state or local law or other provision relating to tobacco, tobacco products or tobacco related devices within the past five (5) years.
3. I have not had a license to sell tobacco, tobacco products or tobacco related devices revoked within the preceding twelve (12) months of the date of this application.
4. I am not prohibited by federal, state or local law from holding such a license.

Brad Slawson
Applicant's Signature



Subscribed and Sworn to before me this 10 day of December, 2013.

Karen L. White
Notary Public

Date Approved

Receipt No.

License No.

Date

REV 11/10



Renewal Application for Optional Liquor 2AM

License Type: 2AM-YR

Expires On: February 1, 2014

ID Number: 37009

DBA

Slaw-Industries Corp.
Route 65 Pub & Grub
18407 Hwy 65 NE
East Bethel MN 55011

Business Phone: 7634133550

If any of the above licensee information is not correct, please make corrections as necessary.

Licensee must report previous 12 month on sale alcoholic beverage gross receipts by checking one of the boxes below. Next to the box you check is your 2 AM license fee. Make check payable to: Alcohol and Gambling Enforcement Division (AGED). Mail this application and check to : AGED, 444 Cedar St., Suite 133, St. Paul, MN 55101-5133.

- \$300 2 AM license fee - Up to \$100,000 in on sale gross receipts for alcoholic beverages
- \$750 2 AM license fee - Over \$100,000, but not over \$500,000 in on sale gross receipts for alcoholic beverages
- \$1000 2 AM license fee - Over \$500,000 in on sale gross receipts for alcoholic beverages
- \$200 2 AM license fee - 3.2% On Sale Malt Liquor licensees or Set Up license holders
- \$200 2 AM license fee - Did not sell alcoholic beverages for a full 12 months prior to this application

Yes No Does the city or county that issues your liquor license allow the sale of alcoholic beverages until 2 AM?

City Clerk/County Auditor Signature _____ Date _____
(I certify that the city or county of _____ approves the sale of alcoholic beverages until 2AM)

Licensee Signature Brian Adams Date 12-16-13
(I certify that I have answered the above questions truthfully and correctly)

Licensee Minnesota Tax ID Number (Required): 2836883

Licensee: Prior to submitting this application to the Alcohol & Gambling Enforcement Division you must have this form signed by your local city or county licensing official

Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
444 Cedar Street, Suite 133, St. Paul, MN 55101-5133
Telephone 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
www.dps.state.mn.us

ANIMAL CONTROL CONTRACT

THIS AGREEMENT made this _____ day of _____, 2014, by and between Gratitude Farms (hereinafter referred to as the "Contractor") and the CITY OF EAST BETHEL, a municipal corporation, located within the County of Anoka and State of Minnesota (hereinafter referred to as the "City").

WITNESSETH: In consideration of the covenants and agreements hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

1. This Agreement shall be effective as of January 1, 2014, and shall continue in effect until December 31, 2014 unless otherwise cancelled pursuant to paragraph 14 hereof.

2. **Patrol.** Contractor agrees to patrol the public streets of the City in a vehicle designated for transportation of animals in accordance with the schedule agreed to by both parties. The Contractor shall provide services in accordance with the attached schedule (Animal Control Proposal) and shall be directly responsible to the City. The vehicle operated by the Contractor shall have proper identification displayed on two sides and the back including the words "animal control", and Contractor further agrees to ensure service and maintain said equipment in good working order. There will also be available leashes and a snarem at all times in the vehicle. Gratitude Farms agrees to insure service and maintain said equipment at its own expense.

3. (a). **Place of Impoundment.** All animals collected and impounded shall be kept at 22359 Bataan St, East Bethel, MN 55011. Contractor agrees and warrants that all animals impounded shall be kept in a comfortable and humane manner for the period required by City Ordinance or state statute as appropriate. Contractor may temporarily board at an emergency facility if access and/or treatment are not immediately available at our facility.

The vehicle used will have at least one kennel designed for animal transportation along with being equipped with leather leashes and a snarem.

(b). **Callout.** Contractor shall respond immediately to any callout if directed by an authorized City representative. Acknowledgment of the call will be made within 15 minutes of the time of the call and will provide an estimated time of arrival at the location of the problem. Response to the site will not exceed two (2) hours from the initial call for service. Gratitude Farms will provide the City with current contact information, including but not limited to office, cell and pager numbers.

4. **Insurance.** The Contractor shall provide liability insurance on her automobile and shall provide her own automobile for purposes of supplying the services provided under the terms of this contract. The Contractor shall also provide comprehensive general liability insurance for herself to perform the services of animal control for the City as provided for within this Agreement. That a true and correct copy of the Certificate of Insurance for both automobile and general liability coverage will be filed of record with

the City offices by the Contractor as of the date of execution of this contract.

5. The City authorizes the Contractor to apprehend and retain dogs and other animals and/or issue citation tags for violations of the City ordinances related thereto. However, the Contractor shall not invade private property contrary to the wishes of an owner of said property nor forcibly take an animal from any person without the approval and assistance of a peace officer of the City.

6. **Impoundment, Boarding and Related Charges.** Animal Control Services to the City of East Bethel: \$250 per month, in addition to call out, patrol and boarding fees. Issuance of city dog license shall be done by appointment by the contractor at no additional cost to the city. Daily boarding fees are charged for any and all portions of a calendar day that an animal is boarded. Any and all other fees charged must be approved by the City. The attached fee schedule is incorporated by reference herein as **Exhibit A**.

7. **Reporting.** The Contractor shall provide periodic reports to the City at intervals requested which indicates the hours patrolled, the number of animals impounded, warning tags and violation notices issued, and other such information as requested by the Animal Control Commissioner for the City.

8. Prior to the release of any dog impounded by Contractor at the City's request, Contractor will request that the owner provides a valid City animal license (if applicable), owners' driver's license and/or a state issued identification card, and will obtain a copy of the current rabies vaccination certificate. Copies of drivers' licenses and rabies certificate along with animal license information can be requested by the City.

9. In the event an animal is impounded and boarded by order of the City, a court of competent jurisdiction or the City Council, or is placed under quarantine by statute or ruling of the State Department of Health, Contractor shall board such animal as required by this order or ruling plus an additional six days. At the end of such period, the City shall release all of its interest, right and control over the animal that may then be disposed of at the discretion of Contractor. In the event that any dogs, cats or other impounded animals are unclaimed after five (5) days, they shall become the property of Contractor and shall be surrendered to Contractor to be disposed of or sold at their discretion. All proceeds from the disposition of such animals may be retained by Contractor including any proceeds from any animals disposed of in accordance with Minnesota Statutes 35.71 as an offset to costs incurred.

10. The City shall furnish to Contractor any special forms or receipts specified in City Ordinances or by the City's record keeping/accounting procedures and Contractor shall keep records of all animals impounded together with description of the same.

11. The Contractor shall assume all liability for all harmed animals due to her negligence, or that of her employees, in not properly caring for same and agrees to defend all lawsuits arising therefrom. The Contractor agrees to defend and indemnify and hold

the City harmless, including its officers, employees or agents, from any and all claims, suits, losses, damages or expenses on account of bodily injury, sickness, disease or death and of property damage including injury to animals as a result of, or alleged to be as a result of, the Contractor's animal control operation.

12. The Contractor agrees that during the period of time of this contract it will not, within the State of Minnesota or elsewhere, discriminate against any employee, or applicant for employment, because of race, color, creed, sex, national origin or ancestry and will include a similar provision in all subcontracts entered into for the performance hereof. This paragraph is inserted into the contract to comply with the provisions of Minnesota Statute 181.59.

13. Notices pursuant to this Contract shall be addressed as follows:

a. To Contractor: Tammy Gimpl
Gratitude Farms
22359 Bataan St NE
East Bethel, MN 55011

b. To City: City Administrator
City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

14. **Independent Contractor.** It is understood and agreed that the Contractor is not an employee of the City but is an independent contractor solely responsible for her own payment of federal, state and social security withholding taxes. Further, the Contractor provides her own equipment with the exception for some equipment that may be made available for her use by the City in its discretion. The Contractor at no time shall hold herself out as an employee of the City, but will always identify herself as an independent contractor. No tenure or any rights or benefits, including Workers' Compensation, Unemployment Insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available to City employees, shall accrue to the Contractor or employees of the Contractor performing services under this Agreement.

15. **Default and Cancellation.**

A. If the Contractor fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute default.

Unless the Contractor's default is executed, the City may, upon written notice,

immediately cancel this Agreement in its entirety.

B. This Agreement may be cancelled with or without cause by either party upon thirty (30) days written notice.

16. **Subcontracting and Assignment.** Contractor shall not enter into any subcontract for performance of any services contemplated under this Contract without the prior written approval of the City and subject to such conditions and provisions as the City may deem necessary. The Contractor shall be responsible for the performance of all subcontractors.

17. **Records – Availability and Retention.** The Contractor agrees that the City or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the Contractor and invoice transactions relating to this Agreement.

Contractor agrees to maintain these records for a period of three (3) years from the date of termination of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF EAST BETHEL

CONTRACTOR

By: _____
Mayor

By: _____
Tammy Gimpl
Gratitude Farms

By: _____
City Administrator

EXHIBIT A
SCHEDULE OF ADDITIONAL FEES

The following fee schedule is in addition to the \$250.00 fixed monthly rate for services.

Animal Owner Charges if Animal is claimed:

\$50.00 one time administrative handling fee per animal
\$25.00 daily board fee, statutory veterinary services at cost

City Charges if Animal is unclaimed:

\$50.00 one time administrative handling fee per animal
\$25.00 daily board fee, statutory veterinary services at cost

Call out and Patrol service fee:

\$60.00/hr. for call out or patrol services between the hours of 8 am. – 6 pm.

\$80.00/hr. for call out or patrol services between the hours of 6 pm. - 8 am.

(Call out and patrol services shall be billed in quarter hour increments.)

Contractor Consulting Services:

\$75.00/hr.



City of East Bethel City Council Agenda Information

Date:

January 8, 2018

Agenda Item Number:

Item 9.0 B.1

Agenda Item:

Amendment to the Zoning Code

Requested Action:

Review and Consider Approval of Ordinance 48, Second Series Amending the Zoning Code Relating to Accessory Structures in the City

Background Information:

On September 25, 2013 City Council adopted Ordinance 46, Second Series amending the Zoning Code relating to accessory structures. Council also directed staff to have Planning Commission look at some additional items in the zoning code relating to Section 14. Detached Accessory Structures.

Planning Commission discussed this item at their October 22, 2013 meeting and **Mundle made a motion to approve the changes as follows to the Zoning Code Section 14: 2A, add back in “without prior approval of the City Council”, 2.J add Fish Houses under the definition of Temporary Structures, 2.E define Pole-Type, 2.L include language that states stairs should be located in a side or rear yard, and 4.A remove R2 from the table with 12 foot sidewalks. Cornicelli seconded; all in favor, motion carries.**

A public hearing was held at the November 26, 2013 Planning Commission meeting for the Zoning Code changes and the motion that was made at the October 22, 2013 Planning Commission meeting was reaffirmed.

Attachments:

1. Ordinance 46, Second Series, Amending Section 14. Detached Accessory Structures
2. Proposed Ordinance 48, Second Series, Amending Appendix A, Zoning, Section 1, General Provisions of Administration and Section 14. Detached Accessory Structures

Fiscal Impact:

Recommendation(s):

Consider the approval of Ordinance 48, Second Series, Amending Appendix A, Zoning, Section 1, General Provisions of Administration and Section 14. Detached Accessory Structures and direction to publish.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

ORDINANCE NUMBER 46, Second Series

An Ordinance Amending Appendix A, Zoning, Section 14. Detached Accessory Structures

The City Council of the City of East Bethel ordains:

Section 14. Detached Accessory Structures is amended to provide as follows:

1. Permit regulations.

All accessory buildings and/or structures over 120 square feet in size require a building permit prior to construction, unless specifically exempt under this ordinance. Accessory structures less than 120 square feet shall not require a building permit unless otherwise required by any other ordinance or state requirement. Accessory structures less than 120 square feet shall comply with all provisions of this section and zoning district regulations.

2. General regulations.

- A. No accessory building or structure shall be constructed on any lot prior to construction of the principal structure.
- B. Accessory structures located on lots that are subsequently subdivided shall be modified accordingly to maintain compliance with zoning districts and/or acreage requirements.
- C. Every exterior wall, foundation, and roof of accessory structure(s) shall be reasonably watertight, weather tight, and rodent proof, and shall be kept in a good state of maintenance and repair. Exterior walls shall be maintained free from extensive dilapidation due to cracks, tears, or breaks of deteriorated plaster, stucco, brick, wood, or other material.
- D. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and from decay by painting or other protective covering or treatment. A protective surface of an accessory structure(s) shall be deemed to be out of compliance if more than 25 percent of the exterior surface area is unpainted or paint is blistered or flaking. If 25 percent or more of the exterior surface of the pointing of any brick, block, or stone wall is loose or has fallen out, the surface shall be repaired.
- E. Pole-type, steel frame, or any other accessory structure(s) that contain exterior siding or roof of sheet metal must be on lots with more than three acres
- F. No accessory building or detached private garage shall be located nearer the front lot line than the principal building except when the lot is three acres or greater and the existing principal building is located a minimum of 200 feet from the front lot line. Then the accessory building or detached private garage may be located closer to the front lot line than

the principal dwelling, but not closer than 50 percent of the principal dwelling's setback. In the case of a corner lot, the front lot line shall be located on the side on which the principal building is addressed. The remaining lot side with street frontage shall meet the minimum front yard setback.

- K. No cellar, garage, tent, or accessory building shall be at any time be used as a residentially occupied space, independent residence or dwelling unit, either temporarily or permanently.
- L. For purposes of accessing storage, accessory structures may have exterior stairs to a second story and six foot by six foot (6' x 6') landing at the top of the stairs.

4. Size and number of accessory structures.

A. Size of accessory structure:

- 1) All accessory structures greater than 120 square feet districts must comply with the following regulations:

Parcel Size	Maximum Square Feet	Maximum Sidewall Height RR & A Districts	Maximum Sidewall Height R-1 & R-2 Districts
1.0 acre or less	580 square feet	10 feet*	10 feet*
1.01 to 2.0 acres	960 square feet	12 feet*	10 feet*
2.01 to 3.0 acres	1,200 square feet	12 feet*	10 feet*
3.01 to 4.99 acres	1,800 square feet	14 feet*	10 feet*
5.0 or more acres	2,400 sq. ft., plus an additional 240 sq. ft., or increment thereof, for each additional acre	14 feet*	10 feet*

*Maximum height is measured from the floor surface to the underside of the ceiling member.

- a) Roof pitch shall be the minimum required by the International Building Code and shall not be the focal point of the property.
 - b) Accessory structures shall be of similar design and building materials as the principal building.
 - c) Accessory structures less than 120 square feet in all districts shall be limited to a sidewall height no greater than eight feet.
- C. Fire escapes, landing places, open terraces, outside stairways, cornices, canopies, eaves, window protrusions, and other similar architectural features that extend no more than two (2) feet into the required front, side, and rear yard setback are exempt from the detached

accessory structure square footage calculation.

Adopted this 25th day of September, 2013 by the City Council of the City of East Bethel.

For the City:

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator

Adopted: September 25, 2013
Published: November 8, 2013
Effective: November 8, 2013

ORDINANCE NUMBER 48, Second Series

An Ordinance Amending Appendix A, Zoning,
Section 1, General Provisions of Administration and Section 14. Detached Accessory
Structures

The City Council of the City of East Bethel ordains:

Section 1. General Provisions of Administration is amended to provide as follows:

9. Definitions

Add after Platted area: A parcel of land described by block and lot.

Pole building. A building with no foundation and with sides consisting of corrugated steel or aluminum panels supported by poles set in the ground typically at eight-foot intervals.

Section 14. Detached Accessory Structures is amended to provide as follows:

2. General regulations.

A. No accessory building or structure shall be constructed on any lot prior to construction of the principal structure **without prior approval of the City Council.**

~~J. Fish houses shall be included in the calculation of the gross maximum square footage for detached accessory structures. No more than one fish house shall be permitted on a lot. Fish houses must meet all required accessory structure setbacks.~~

L. For purposes of accessing storage, accessory structures may have exterior stairs to a second story **in a side or rear yard** and six foot by six foot (6' x 6') landing at the top of the stairs.

4. Size and number of accessory structures.

A. Size of accessory structure:

1) All accessory structures greater than 120 square feet districts must comply with the following regulations:

Parcel Size	Maximum Square Feet	Maximum Sidewall Height RR & A Districts	Maximum Sidewall Height R-1 & R-2 Districts
1.0 acre or less	580 square feet	10 feet*	10 feet*
1.01 to 2.0 acres	960 square feet	12 feet*	10 feet*

2.01 to 3.0 acres	1,200 square feet	12 feet*	10 feet*
3.01 to 4.99 acres	1,800 square feet	14 feet*	10 feet*
5.0 or more acres	2,400 sq. ft., plus an additional 240 sq. ft., or increment thereof, for each additional acre	14 feet*	10 feet*

*Maximum height is measured from the floor surface to the underside of the ceiling member.

- a) Roof pitch shall be the minimum required by the International Building Code and shall not be the focal point of the property.
 - b) Accessory structures shall be of similar design and building materials as the principal building.
 - c) Accessory structures less than 120 square feet in all districts shall be limited to a sidewall height no greater than eight feet.
- C. Fire escapes, landing places, open terraces, outside stairways, cornices, canopies, eaves, window protrusions, and other similar architectural features that extend no more than two (2) feet into the required front, side, and rear yard setback are exempt from the detached accessory structure square footage calculation.

Adopted this the day of, 2013 by the City Council of the City of East Bethel.

For the City:

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator

Adopted:
Published:
Effective:



City of East Bethel City Council Agenda Information

Date:

January 8, 2014

Agenda Item Number:

Item 10.0 D.1

Agenda Item

2014 Proposed Fee Schedule

Requested Action:

Consider adopting a revised Fee Schedule for Building Inspection Fees

Background Information:

At the December 18, 2013 meeting, Council approved the 2014 Fee Schedule and directed Staff to prepare this in the form of an Ordinance with directions to publish. This has been completed and the Fee Schedule is effective as of January 3, 2014.

There was discussion concerning a two tiered system of Building Inspection Fees with one for residential and one for commercial. Staff had discussed presenting this in the form of an itemized alternative to Council but instead of listing separate commercial fees, the calculation of Building Permit Fees is proposed to be based on valuation per the 1997 Uniform Building Code (UBC), Table 1-A-Building Permit Fees , unless otherwise specified in the fee schedule.

This creates the two tiered system for fees and bases uniform rates on charges established by the UBC which are based on valuation of the improvements. This schedule is incorporated in the Minnesota State Building Code and is consistent and utilized by most Cities in the Metro Area including Ham Lake, Oak Grove, Columbus, Isanti and Cambridge.

Attachment(s):

1. Proposed 2014 Fee Schedule
2. 1997 UBC Table I-A, Building Permit Fees
3. Fee Schedules for Neighboring Cities

Fiscal Impact:

Licenses and fees income represent approximately 1% of the total General Fund Budget exclusive of Building Permit Fees.

Recommendation(s):

Staff recommends adoption of Table 1-A, Building Permit Fees, 1997 Uniform Building Code and changes as noted as the fee schedule for all Building Inspection and Permit Fees unless otherwise specified in the Fee Schedule.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

City of East Bethel

Proposed BUILDING PERMIT FEES FOR 2014

Building Permit	Calculated based on improvement valuation per state 1997 UBC Table 1-A
All other required permits not requiring a plan review	\$50 + \$5 state surcharge
Fine for failing to obtain required permit	Equal to the calculated fee amount
Re-inspection/Administrative Fee	\$65 per inspection \$47.00 per hour 1997 UBC Table 1-A
Building Demolition or Removing Fee	\$50 + \$5 state surcharge
Building Moving Fee	\$100 + \$5 state surcharge
Certificate of Compliance for a Fence Permit	\$50
Deck	\$150 + \$5 state surcharge
Driveway Permit	\$50
Electric Inspections Permit Fees	
Minimum Inspection Fees	\$35 per trip
Single Family Residential (up to 200 AMPs and 30 circuits – new or remodel)	\$150 maximum (for 3 inspections); no maximum if over 200 AMPs; additional trips \$35
Multi-family Units (service and house wiring are separate)	\$70 per unit
Swimming Pool	\$35 per trip
Change Out, upgrade service or repair	\$50
0 – 400 AMP	\$14 each
Each additional 100 AMPs	Plus \$3 per reconnected CB
Each Circuit or Feeder 0 – 30 AMPs	\$8 each
Each Circuit or Feeder 31 – 100 AMPs	\$10 each
Each Additional 100 AMP	Add \$5 per 100 AMP
Street Lights	\$4 each
Standard Traffic Signal	\$7 each
Transformer	
0-10 Kilovolt-Amperes	\$10
11-76 Kilovolt-Amperes	\$40
Over 76 Kilovolt-Amperes	\$80
Fire Alarm and Energy Management Device	\$10 for first 10 openings or fixtures; \$6.50 for each addl. 10
Lighting Retrofit/Remote Control/Signals	
Investigation Fee	\$100 minimum or double the permit fee
Cancelled Permit Handling Fee	\$35
Re-inspection Fee	\$35
<i>Circuits and feeders: The inspection fee for the installation, addition, alteration, or repair of each circuit, feeder, feeder tap, or set of transformer secondary conductors.</i>	
Fire Alarm	Calculated based on improvement valuation per state-1997 UBC Table 1-A
Fireplace Permit	
Residential	\$75 per home + \$5 state surcharge
Commercial	\$75 per fireplace + \$5 state surcharge

Manufactured Home Installation Permit	\$100 + \$5 state surcharge
Mechanical Permit	\$80 or 1.5% of valuation, whichever is greater + \$5 state surcharge
Plan Check	65% of the Building Permit fee
Plumbing Permit	\$30 or \$10 per opening, whichever is greater + \$5 state surcharge
Residential Roofing Permit	\$100 + \$5 state surcharge
Septic Installation Permit	\$300
Septic Pumping Permit	\$5
Septic Tank/Holding Tank Permit	\$100
Residential Siding Permit	\$80 + \$5 state surcharge
Special Inspections Hourly Rate	\$50
Sprinkler Installation	
Commercial	Calculated based on improvement valuation per state 1997 UBC Table 1-A
Residential	Calculated based on improvement valuation per state 1997 UBC Table 1-A
Verification of State Contractor License	\$5
Residential Window Permit (if no changes to sizes)	\$50 (If changes, based on valuation) + \$5 state surcharge

EXTRACTED FROM 1997 UNIFORM BUILDING CODE

TABLE NO. 1-A – BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500	\$23.00
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours	\$47.00 per hour*
2. Reinspection fees assessed under provisions of Section 305.8	\$47.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge – one-half hour)	\$47.00 per hour*
4. Additional plan review required by changes, additions or revisions to plans	\$47.00 per hour*
5. For use of outside consultants for plan checking and inspections, or both	Actual costs **

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

** Actual costs include administrative and overhead costs.

Memorandum

To: Jack Davis, City Administrator
cc: Colleen Winter, Community Development Director
From: Nick Schmitz, Building Official *NS*
Date: 12/26/2013
Re: Proposed changes in fee schedule

I have looked into the permit fees for roofing, siding, and windows for other local municipalities.

The **City of Columbus** has a flat fee for residential roofing, siding and windows.

- a. Residential roofing permit fee \$75.00 + \$5.00 surcharge = \$80.00.
- b. Residential siding permit fee \$75.00 + \$5.00 surcharge = \$80.00.
- c. Residential window replacement (existing openings only) permit fee. Base fee \$25.00 plus \$5.00 per window or door, plus surcharge \$5.00.

Commercial roofing, siding and windows are all based on valuation of work.

The **City of Cambridge** has a flat fee for residential roofing, siding and windows.

- a. Residential roofing permit fee = \$105.00.
- b. Residential siding permit fee = \$105.00.
- c. Residential window replacement (existing openings only) permit fee. \$50.00 - \$105.00.

If the residential roofing, siding and window permits are issued by the same contractor or homeowner, the fee is reduced to \$150.00. Commercial roofing, siding and windows are all based on valuation of work.

The **City of Oak Grove** has a flat fee for residential roofing.

- a. Residential roofing permit fee \$100.00 + \$5.00 surcharge = \$105.00.
- b. Commercial roofing permit fee is based on valuation of work.

I spoke with the City Administrator for Oak Grove; he told me that the City of Oak Grove is going to look into changing their siding and window replacement permit fee by having separate fees for residential and commercial work.

The **City of Ham Lake** has a flat fee for residential roofing, siding and windows.

- a. Residential roofing permit fee \$60.00 + \$5.00 surcharge = \$65.00.
- b. Residential siding permit fee \$60.00 + \$5.00 surcharge = \$65.00.
- c. Residential window replacement (with structural or mechanical changes)
permit fee \$60.00 + \$5.00 surcharge = \$65.00.

The fee schedule for Ham Lake doesn't have a separate fee for residential or commercial; when I called they told me that commercial fees are all based on valuation of work.

City of Oak Grove

Building

Basement Finish (Includes Mechanical and Plumbing)	\$150.00
Building Permit (new residential, new commercial, remodel, additions, acc. bldgs.)	1997 UBC Table 1-A Fee Schedule
Building Plan Review Fee (new residential, new commercial, remodel, additions)	65% of Building Permit Fee
Building Plan Review Fee (identical plans)	25% of Building Permit Fee
Deck Permit	\$150.00
Demolition Permit	\$100.00
Driveway Escrow	\$2,500
Fence Permit	\$50.00
Fireplace Permit	\$100.00
Inspection Fees (after hours, special requests)	\$60/hr (minimum 1 hr)
Irrigation System Permit (vacuum breaker verification)	\$50.00
Landscaping/Turf Establishment Escrow	\$2,500
Mechanical Permit (New Residential)	\$100.00
Mechanical Permit (Existing Residential)	\$75.00
Mechanical Permit (New Commercial)	1.25% of Job Cost
Mechanical Permit (Existing Commercial)	1.25% of Job Cost
Moved-In Building	Cost of pre and post move inspection
Plumbing Permit (New Residential)	\$100.00
Plumbing Permit (Existing Residential)	\$75.00
Plumbing Permit (New Commercial)	1.25% of Job Cost
Plumbing Permit (Existing Commercial)	1.25% of Job Cost
Plumbing Permit (Water Heater)	\$50.00
Re-Inspection Fee (following 2 nd insp)	\$60/hr (minimum 1 hr)
Re-Roofing Permit (Residential)	\$100.00
Re-Roofing Permit (Commercial)	1997 UBC Table 1-A Fee Schedule
Re-Siding Permit	\$75.00
Window Replacement Permit	\$75.00
Septic System Permit (Residential)	\$150.00
Septic System Permit (Commercial/Other)	\$200.00
Septic Pumping Permit	\$5.00
Swimming Pool Permit	\$100.00
Fee for Work Performed without Permit	2X the Permit Fee

Fire Department

Copy of Fire Incident Report (must pick up at City Hall)	\$0.25
Fireworks Permit	\$50.00
House Burn Permit	By agreement
Safe House Rental (includes delivery and pickup)	\$150.00
False Alarm Charge (after 3 instances in 12 months)	\$75.00

City of Cambridge

Handicapped Parking	Per citation	\$200.00
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Title IX – General Regulation Fees

90.28 E (1)	Fire Department Coverage for Events held by Organizations Outside Cambridge's Fire Service Area	Per Hour	\$100.00
95.02	Dog and Cat with Metallic Tag Duplicate tag/lost tag	Life	\$20.00 \$5.00
95.06	Dog Kennel License (Required for Five (5) or More Dogs)	Per Year	\$50.00
95.12	Dangerous Dog Certificate of Registration Fee (MSS 347.51)	Per Year	\$150.00
91.03	Alarms – false alarms	Per false alarm after second false alarm at the same address	\$50.00
95.05	Animal Impound Fees: Boarding Fee per day/animal Pickup & Delivery Fee The pickup and delivery fee for animals that are picked up more than once from the same owner will be doubled Medicine Euthanasia/Disposal	Per Day During regular hours Each Way Outside animal control contract hours Per Day Each	\$25.00 \$60.00 \$90.00 \$5.00 \$35.00
94.58	Right-of-Way Permit Fees	Application Fee Per 100 feet of right-of-way	\$35.00 \$7.50
99.03	Rental Housing Inspection Fee (to be paid by the person requesting the inspection). If violations are found the \$40 fee is refunded and all fees are charged to the property owner. If violations are found during the inspection, the fee will be charged to the property owner and the fee will be the number of hours needed to conduct the initial inspection, research and prepare the corrective action letter, and inspect corrective measures taken. If legal action is necessary, legal costs will be added to the inspection fee.	\$40 per inspection unless violations are found \$40 per hour plus the City's legal costs	

Title IX – Section 96.21 – Building Permit Fees

Subd. 1. Permits, inspections, and fees: the issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, Section 16B.62, Subdivision 1, and as provided in this Ordinance. The minimum fee for any building permit is \$50.00.

Total Valuation	Fee
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000	\$25.00 for the first \$500 plus \$3.50 for each additional \$100.00, or fraction thereof, to an including \$2,000.00
\$2,001 to \$25,000	\$75.00 for the first \$2,000.00 plus \$15.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001 to \$50,000	\$400.00 for the first \$25,000 plus \$12.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00

\$50,001 to \$100,000	\$650.00 for the first \$50,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001 to \$500,000	\$1,000.00 for the first \$100,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001 to \$1,000,000	\$3,250.00 for the first \$500,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001 and up	\$5,650.00 for the first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof

Subd. 2. Plan Review Valuation Determination: valuation shall be determined by the Building Valuation Data established by the State of Minnesota Department of Labor and Industry printed annually and/or as determined by the Economic Development Director and the Building Official. For circumstances not listed by the State of Minnesota Department of Labor and Industry or in this ordinance, it is the discretion of the Economic Development Director and the Building Official to establish the value of a specific job.

Subd. 3. Plan checking fees: Plan checking fees for all buildings shall be sixty-five percent (65%) of the building permit fees as set forth in Subdivision 1 of this Section.

Subd. 4. State surcharge on building permit fees: In addition to the permit fees established in Subdivision 1 of this Section, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statutes, Section 16B.70.

Subd. 5. Permit Refund Policy: Permit refunds may only be granted if the work permitted for has not started and the applicant has written a formal request for said refund. The permit fee may be refunded minus staff time and/or plan review time. The Minnesota State Surcharge may also be refunded.

Title IX – Section 96.21 – Mechanical Permit Fees

ONE AND TWO FAMILY DWELLINGS (THREE STORIES OR LESS & TOWNHOMES)		
New	Includes HVAC system, mechanical ventilation system, and clothes dryer	\$75.00 / unit
Replacement	HVAC (air exchanger, furnace, air conditioner, ventilation system separately or complete system)	\$50.00
Additional Permit Fees	Fireplace	\$50.00
	Garage Heater	\$50.00
	Miscellaneous Mechanical Appliance	\$50.00
ALL BUILDINGS EXCEPT ONE AND TWO FAMILY DWELLINGS (THREE STORIES OR LESS) & TOWNHOMES		
Mechanical Permit Fee	All Permits	2% of value

Title IX – Section 98.04 – Plumbing Permit Fees

ONE AND TWO FAMILY DWELLINGS (THREE STORIES OR LESS & TOWNHOMES)	
New Construction	\$150.00
Lawn Sprinkler System – including backflow protection	\$50.00
Association / Multi-Family Irrigation System	2% of value
Miscellaneous Plumbing Fixtures	\$50.00
Replacement/Remodeling:	
Bathroom Remodel	\$50.00
Water Heater	\$50.00
Gas Piping	\$50.00
Lawn Sprinkler System – including backflow prevention	\$50.00
ALL BUILDINGS EXCEPT ONE AND TWO FAMILY DWELLINGS (THREE STORIES OR LESS) & TOWNHOMES	

Plumbing Permit Fee	2% of value
Fire Suppression System	2% of value
Initial Storm Drain	2% of value
Septic System Permit (new or replacement)	\$600.00
Septic System Repair	\$300.00
Commercial Plumbing Plan Review	1% of value
RPZ REBUILD	\$50.00

Title IX – Section 97.02 – Electrical Inspection Fees

All Services Residential Service Change \$100.00, this includes 1 inspection. Or the below rates.		Circuits and Feeders The inspection fee for the installation, addition, alteration, or repair of each circuit, feeder, feeder tap, or set of transformer secondary conductors:	
0 to 300 amp	\$50.00	0 to 30 amp	\$8.00
400 amp	\$58.00	31 to 100	\$10.00
500 amp	\$72.00	101 to 200 amp	\$15.00
600 amp	\$86.00	300 amp	\$20.00
800 amp	\$114.00	400 amp	\$25.00
1000 amp	\$142.00	500 amp	\$30.00
1100 amp	\$156.00	600 amp	\$35.00
1200 amp	\$170.00	700 amp	\$40.00
Add \$15.00 for each additional 100 amps		Add \$5.00 for each additional 100 amps	
Minimum permit fee		\$50.00	
Minimum fee for rough-in inspection and final		\$100.00	
Maximum fee for single family dwelling not over 200 amps Maximum of 2 rough-in inspections and one final inspection		\$150.00	
Apartment Buildings: Maximum fee per unit of an apartment or condominium complex is This does not cover service and house wiring. A separate permit must be issued for house wiring.		\$100.00.	
Swimming Pools:		\$100.00 this includes 2 inspections	
Traffic Signals:		\$10.00 per each standard	
Street Lighting:		\$5.00 per each standard	
Transformers/Generators:		\$10.00 per unit + \$0.50 per KVA	
Retro Fit Lighting:		\$0.75 cents per fixture	
Sign Transformer:		\$10.00	
Remote Control/Signal Circuits:		\$1.00 per device	
Re-inspection Fees:		\$50.00	
Breaker Re-hook Fee		\$3.00 each breaker	
*Fees may be doubled if the work starts before the permit is issued			

Title IX – Section 96.21 – Other Permit Fees

Residential Demolition	\$100.00
Commercial Demolition	\$100.00
Structure Moving	\$50.00
Underground Storage Tanks	2% of value
Inspections outside of normal business hours	\$50.00 /hour Minimum charge two (2) hours
Re-inspection Fees	\$50.00/trip
Inspections for which no fee is specifically indicated	\$50.00/trip
Additional plan review required by changes, additions, or revisions to approved plans	\$50.00/hour

Special Investigation Fee	\$50.00
Residential Roofing	\$105.00
Residential Siding	\$105.00
Residential Window/Door New Installation	\$105.00
Residential Window/Door Replacement	
1 – 5 windows/doors	\$50.00
5+ windows/doors	\$105.00
Residential Roofing, Siding & Window Replacement Permits obtained at the same time by the same contractor/owner in any combination thereof	\$150.00
One and Two Family Dwellings (three stories or less) & Townhomes above ground or below ground swimming pool permit	\$105.00
All Buildings Except One and Two Family Dwellings (three stories or less) & Townhomes above ground or below ground swimming pool permit	Based on value of work plus state surcharge
Any state license or bond verification Fee	\$5.00 each verification
Sewer Connection Permit	\$50.00
Water Connection Permit	\$50.00
Grading Permit	\$50.00
Manufacture Home Permit (foundation and connections)	\$150.00 or as determined by the Building Official or their designee
Building Plan Copies	\$10.00 per Page
Permit Transfer/Reissuance	Based on value of work
Fire Inspections	30 minutes = \$50.00 60 minutes = \$100.00
Fire Alarm	
New/Replacement Alarm	\$150.00
Additional Alarm	\$50.00
Solar Energy Systems	\$150.00

Title XI – Business Regulation Fees

Code Section	Type of License/Fee	Term	Fee
111.001	Carnivals, Circuses, Tent Show Fees	Per Day	\$25.00
111.040	Fireworks Sales & Display Fees		
	Fireworks Display	Per Display	\$34.00
	Fireworks Sales Fee		
	Indoor Sales	Per Year	\$50.00
	Outdoor Sales	Per Year	\$350.00
114.102	Liquor Setups	Per Year	\$200.00
114.018	Non-Intoxicating Malt Liquor License		
	Regular On-Sale	Per Year	\$400.00
	Temporary On-Sale	Per Day	\$25.00
	Off-Sale	Per Year	\$400.00
114.043	Wine On-Sale License	Per Year	\$400.00
114.043	Liquor On-Sale License	Per Year	\$2,500.00
114.043	Special Club License	Per Year	\$650.00
114.043	License Sunday	Per Year	\$200.00

2013 FEE SCHEDULE
CITY OF COLUMBUS
Ordinance 12-08 effective January 2, 2013

BUILDING PERMITS

Building permit/Plan Review/Surcharge Fees	Based on Valuation	See Exhibit A	
Fireplace	Base Fee	\$95.00	Residential and Commercial
		\$5.00	Surcharge
Mechanical - Commercial (HVAC)	1.5% of the Valuation (work & labor) + Surcharge. Minimum mechanical Fee = \$95.00 + \$.50 Surcharge		
Mechanical - Residential (HVAC)	Base Fee	\$95.00	
	Surcharge	\$5.00	
Plumbing - Residential/Commercial	Base Fee	\$30.00	
	Per Fixture	\$10.00	
	Surcharge	\$5.00	
Roofing - Residential Permit	Base Fee	\$75.00	
	Surcharge	\$5.00	
Septic System	Tanks/Drain Field	\$300.00	
Septic System	Holding or Septic Tank only	\$50.00	
Siding - Residential - Permit	Base Fee	\$75.00	
	Surcharge	\$5.00	
Window Replacement - Residential	Base Fee	\$25.00	
	Per window/door	\$5.00	Existing openings only - additional per Window or Door
	Surcharge	\$5.00	
Same permit fee for one or more fireplaces up to 3 units provided; (1). All installed at the same address or unit (2). All installed by the same contractor (3). All installed at the same time.			

FIRE MARSHAL PERMITS

Fire Marshall Inspection	Per hour	\$47.00	
Fireworks Retail Sales	Base Fee	\$350	
	Surcharge	Mn Statue 326B.148	https://www.revisor.mn.gov/statutes/?id=326B.148
Tent/Canopy	Per tent	\$50	
	Surcharge	Mn Statue 326B.148	https://www.revisor.mn.gov/statutes/?id=326B.148
Hazardous Material Storage Tank	Per tank	\$100.00	
Fireworks Display		\$200	
	Per event	Mn Statue 326B.148	https://www.revisor.mn.gov/statutes/?id=326B.148
	Surcharge		
Fire Sprinkler Permit	Based on Valuation	See Exhibit B	
Fire Alarm Permit	Based on Valuation	See Exhibit B	

LICENSES

Garbage Hauler License	Yearly	\$125.00	
Event License Application Fee/Public Hearing		\$50.00	
Event License		\$20.00	per day

**2013 FEE SCHEDULE
CITY OF COLUMBUS**

LIQUOR LICENSE FEES

Preliminary Investigation Fee - In state		\$500.00	
Comprehensive background check Fee		\$500.00	
Comprehensive background check - outstate		\$10,000.00	
(A) 3.2 percent malt liquor on-sale		\$6,000.00	
(B) 3.2 percent malt liquor off-sale license.		\$2,700.00	
(C) Temporary 3.2 percent malt liquor		\$100.00	per day
(D) Off-sale intoxicating liquor licenses		\$240.00	
(E) On-sale intoxicating liquor		\$6,000.00	
(E) Club licenses	The annual license fee for an on-sale intoxicating liquor license issued by a municipality to a club must be no greater than: (1) \$300 for a club with under 200 members; (2) \$500 for a club with between 201 and 500 members; (3) \$650 for a club with between 501 and 1,000 members; (4) \$800 for a club with between 1,001 and 2,000 members; (5) \$1,000 for a club with between 2,001 and 4,000 members; (6) \$2,000 for a club with between 4,001 and 6,000 members; or (7) \$3,000 for a club with over 6,000 members		
(F) Sunday on-sale intoxicating liquor licenses		\$200.00	
(G) Temporary on-sale intoxicating liquor		\$100.00	per day
(H) On-sale wine licenses		\$3,000.00	Not to exceed 1/2 on sale intoxicating fee
(I) One day consumption and display permits		\$100.00	per day
(J) Approval of the issuance of a consumption and display permit		\$250.00	
(K) Culinary class limited on-sale		\$6,000.00	
(L) Temporary off-sale wine		\$100.00	per day
(M) Brew pub on-sale intoxicating liquor or on-sale 3.2 percent malt liquor		\$6,000.00	
(N) Brewer off-sale intoxicating liquor		\$2,700.00	
(O) Brewer temporary on-sale intoxicating liquor		\$100.00	per day
(P) Sales after 1:00 a.m.	See rates in Statute § 340A.504.		

PARK

Tournament	Reservation Fee	\$250.00	Friday, Saturday and Sunday
	Damage Deposit	\$500.00	
Portable Toilet	Rental and Pumping	See Exhibit C	
	Athletic Field Reservation	League Use	\$10.00 per field per 4 hours
Picnic Shelter Rental- Columbus Residents	Per Day	n/c	4 hours maximum/day
	Non Resident only	Per Day	\$40.00 4 hours maximum/day
Picnic Shelter	Clean up/Damage	\$25.00	groups of 25 or less per day
	Deposit	\$50.00	groups of 26 - 50 per day

PLANNING AND ZONING

Agricultural Zoning Permit		\$50.00	
Comprehensive Plan Amendment		\$150.00	plus associated costs *
Concept Staff Meeting		\$1,500.00	plus associated costs *
Conditional Use Permit & Public Hearing		\$200.00	plus associated costs *
Conditional Use Permit & re-open Public Hearing		\$100.00	plus associated costs *
Excavation Permit	Administrative	\$50.00	plus associated costs *
Excavation Permit	City Council	\$200.00	plus associated costs *
Interim Use Permit & Public Hearing		\$200.00	plus associated costs *

**2013 FEE SCHEDULE
CITY OF COLUMBUS**

PLANNING AND ZONING (continued)

	Escrow	\$500	
	IUP Fee	\$200	plus associated costs*
Interim Use Permit & Public Hearing - Kennels			
	Commerical	\$762.50	per lot
	Residential	\$1525.00	per lot
Parkland Dedication Fee			
Pumping Permit for Private Sewer System			
		\$10.00	per permit, plus postage
Rezoning			
		\$150.00	plus associated costs *
Sign Permit			
	Application Fee	\$200.00	
Site Plan Review			
		\$50.00	plus associated costs *
Subdivision			
	Deposit	\$2,000.00	plus associated costs *
	Application Fee	\$100.00	
	Public Hearing	\$200.00	
Vacation of streets, easements, etc.			
		\$150.00	plus associated costs *
Variance - re-open			
		\$75.00	plus associated costs *
Variance & Public Hearing			
		\$150.00	plus associated costs *
Watershed Permit (Sunrise)			
		\$100.00	
Watershed Permit (Sunrise) & Public Hearing			
		\$200.00	
Zoning Code Amendment			
		\$150.00	plus associated costs *

* Associated costs include: Attorney, Engineer, and Planner service charges

PUBLIC UTILITIES

Sewer - Local	Availability Charge (LSAC)	\$385.00	per SAC unit as determined by MCES , minimum 1 unit
Sewer - Metropolitan Council	Availability Charge (SAC)	\$2,435.00	per SAC unit , minimum 1 unit
Sewer	Permit- Commercial	\$75.00	
Sewer	Permit- Residential	\$50.00	
Sewer	Usage Fee	\$6.15	per 1000 gallons
Water Availability Charge	(WAC	\$1,370.00	per equivalent Residential Unit (ERU)
Water - Commercial (pipes)	Permit	\$75.00	
Water - Residential (pipes)	Permit	\$50.00	
Water - Usage Fee		\$3.90	per 1000 gallons
Water Meter Rental	\$1,000 deposit plus \$25 flat fee plus water usage fee as indicated above		

SERVICES AND RESALE

CD or Disk Copy of Ordinances		\$20.00	
Culverts		See Exhibit D	
Data Practices Compliance Official Services		\$15.00	per hour and/or material costs
Filing Fee for Elections		\$2.00	
Gopher Feet	Per pair	\$1.25	Residents only, \$50.00 maximum/person/year
Maps - black & white		\$0.25	
Maps - Color		\$1.00	
Maps - Aerial (photo quality) (8-1/2" x 11")		\$2.00	
Maps - large city		\$2.00	
Mailboxes	Box and post	\$67.00	
Paper Copy of Subdivision Regulations	Chapter 8	\$10.00	
Paper Copy of Zoning Code Regulations	Chapter 7 & 8	\$20.00	
Paper Copy of Code Ordinances Book		Reimbursement of costs	
Photo Copies (8-1/2" x 11")		\$0.25	per side
Topographical Mapping Paper - Electronic		\$10.00 to	per net benefited acre
All prices include sales tax			

**2013 FEE SCHEDULE
CITY OF COLUMBUS**

EXHIBIT A

TABLE NO. 1-A - BUILDING PERMIT /PLAN REVIEW/SURCHARGE FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.00
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof
Other Inspections and Fees:	
Surcharge	See Mn Statute 326B.148 https://www.revisor.mn.gov/statutes/?id=326B.148
Inspections outside of normal business hours	\$47.00 per hour *
Re-inspection fees	\$47.00 per hour *
Inspections for which no fee is specifically dictated	\$47.00 per hour * (minimum charge – one-half hour)
Additional plan review required by changes, additions or revisions to plans	\$47.00 per hour *
For use of outside consultants for plan checking and inspections, or both	Actual costs **
* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
** Actual costs include administrative and overhead costs.	

CITY OF HAM LAKE
PERMIT FEES AND SERVICE CHARGES
AS OF NOVEMBER 5, 2012

An Ordinance amending Ordinance No. 09-01
 (which includes Ordinance No. 10-13, Emergency Ordinance 11-02,
 11-03, 11-06, 11-12, and 12-06)

ALCOHOLIC BEVERAGES

Club license	\$ 300.00
Off-Sale 3.2%	\$ 50.00
Off-Sale Liquor	\$ 380.00
Off-Sale Liquor Investigation fee	\$ 500.00
On-Sale 3.2%	\$ 100.00
On-Sale Liquor	\$ 4,600.00
Sunday On-Sale Liquor	\$ 200.00
Temporary On-Sale 3.2%	\$ 25.00
Temporary On-Sale Liquor	\$ 10.00
Wine On-Sale	\$ 700.00

BUSINESS

Amusement and Vending Machine License (excluding food- food is licensed by Anoka County)	\$ 15.00 per location plus 15.00 per machine
Cabaret License	\$ 200.00
Fireworks Sales	\$ 350.00
Hotel/Motel License	\$ 250.00
Motor Vehicle Sales Lot License	\$ 100.00
Pawn Shop License	\$ 10,000.00
Public Kennel License	\$ 25.00
Recycling/Refuse Hauler License	\$ 500.00
Sexually Orientated Businesses	\$ 10,000.00
Tobacco License	\$ 75.00
Transient Sales (Peddler) License (6 month term)	\$ 30.00

COMPENSATION FOR REPRESENTATIVES/COMMISSIONERS

Commissioner attendance at a City Council meeting	\$ 20.00 per meeting
Planning and Park Commissioners	\$ 30.00 per meeting
Planning Commissioner Inspection Compensation	\$ 20.00
Representatives to:	
Coon Creek Watershed	\$ 30.00 per meeting
Twin Cities Gateway	\$ 30.00 per meeting
North Suburban Consumer Advocates for the Handicapped	\$ 30.00 per meeting
Rum River Watershed Management Organization	\$ 30.00 per meeting
Sunrise Watershed Management Organization	\$ 30.00 per meeting

CONSTRUCTION

The permit fee schedule for the Building Department shall be as follows:
2007 MN Dept of Labor & Industry data with lesser amended fees:

NEW CONSTRUCTION - VALUATION RESIDENTIAL

1 st and 2 nd floor	\$	75.00	per sq. ft.
Crawl space	\$	15.00	per sq. ft.
Deck	\$	12.00	per sq. ft.
Finished basement	\$	40.00	per sq. ft.
Garage/Attached or Detached	\$	28.00	per sq. ft.
Porch	\$	20.00	per sq. ft.
Unfinished basement	\$	25.00	per sq. ft.

(PLEASE NOTE: The Plan Review Fee for residential property is 65% of the Building Permit fee.)

NEW CONSTRUCTION - COMMERCIAL

(Please see Planning & Zoning - Planning & Zoning Comm. deposit)

(PLEASE NOTE: The Plan Review Fee for commercial property is 65% of the Building Permit fee)

Building Permits (additional)

****NOTE - State surcharge will be charged in addition to most permit fees**

Air Conditioning - Commercial		based on valuation
Air Conditioning - Residential	\$	60.00
Air to Air Exchanger	\$	60.00
<u>Existing residential valuation</u>		
Garage Addition	\$	28.00 per sq. ft/valuation
Deck	\$	12.00 per sq. ft/valuation
Remodel	\$	10.00 per sq. ft/valuation
Basement Finish	\$	10.00 per sq. ft/valuation
Addition	\$	75.00 per sq. ft/valuation
Building demolition	\$	75.00

PLUS an escrow equal to 150% of the estimate provided
by contractor to complete the project, including clean-up

Electrical (Residential)

New Home or Associated Structure

Single family dwelling up to 400 Amp Service and up to 30 circuits	\$	135.00	for (up to 2 rough - ins and 1 final inspection)
Single family dwelling 401-800 Amp Service and up to 30 circuits	\$	160.00	for (up to 2 rough - ins and 1 final inspection).
In addition any circuits above 30 will be charged at	\$	6.00	each
Any additional inspection trips to above at	\$	35.00	each

New Multi-Family Dwelling:

Each Multi-Family Dwelling with up to 20 circuits	\$	70.00	each (for 1 rough in and 1 final inspection)
Any additional circuits above 20 will be charged at	\$	6.00	each
0 to 400 Amp Service/Power Supply	\$	35.00	each
401-800 Amp Service/Power Supply	\$	60.00	each
Over 800 Amp Service/Power Supply	\$	100.00	each
Additional circuits for house wiring at	\$	6.00	each
Any Additional inspection trips to above at	\$	35.00	each

Existing Home/Structure Remodel or Addition

New service up to 400 Amp	\$	35.00	
New service 401 - 800 Amp	\$	60.00	
New/extended circuits up to 200 amps first 15 at	\$	6.00	each
16 - 30 circuits	\$	100.00	
more than 30 circuits	\$	6.00	each
Reconnected circuits	\$	2.00	each
Detached Garage or Other Associated Structure			
New service up to 400 AMPS	\$	35.00	
New circuits	\$	6.00	

Electrical (Commercial)

0 to 400 Amp Service/ Power Source	\$	35.00	each
401 to 800 Amp Service/Power Source	\$	60.00	each

Over 800 Amp Service/ Power Source	\$	100.00	each
0 to 200 Amp Circuit or Feeder	\$	6.00	each
Over 200 Amp Circuit or Feeder	\$	15.00	each
Reconnect Circuit or Feeder	\$	2.00	each
Separate Bonding Inspection	\$	35.00	each
0 to 400 Amp Service/ Power Source over 600V	\$	70.00	each
401 to 800 Amp Service/ Power Source over 600V	\$	120.00	each
Over 800 Amp Service/ Power Source over 600V	\$	200.00	each
0 to 200 Amp Circuit/feeder over 600V	\$	12.00	each
Over 200 Amp Circuit/feeder over 600V	\$	30.00	each
Reconnect Circuit/feeder over 600V	\$	4.00	each
Manufactured Home Park Lot Supply	\$	35.00	each
Recreational Vehicle Site Circuits	\$	6.00	each

Additional charges

Street, parking and outdoor lighting standards	\$	5.00	each
Transformers for light, heat and power (0-10KVA)	\$	15.00	each
Transformers for light, heat and power (over 10KVA)	\$	30.00	each
Power supplies for signs & outdoor lighting	\$	5.00	each
Technology system devices under 50 volts	\$	0.75	each
Center Pivot Irrigation Booms	\$	35.00	each
Center Pivot Irrigation Drive Units	\$	5.00	each
Luminaire Retrofit or Modification	\$	0.25	each
Inspection of Concrete Encased Electrode	\$	35.00	each
Inspection Hourly Rate	\$	80.00	each

Inspection Mileage Rate per mile	\$	0.50	each
Minimum Inspection Fees	\$	35.00	each
Supplemental Inspection Fee	\$	35.00	each
Re-inspection Fee	\$	35.00	each

Investigation Fee (minimum of \$70, or equal to the total inspection fee, whichever is greater, not to exceed \$1000)

Total Inspection Fees will be either the calculated items above, or \$35 multiplied by the number of required inspection trips, whichever is greater

Fireplace	\$	60.00	
Fuel Tank Installation	\$	100.00	
Fuel Tank Removal	\$	50.00	
Heating - Commercial		based on valuation	
Heating - Residential	\$	60.00	
Manufactured mobile home	\$	60.00	
Plumbing - Commercial		based on valuation	
Plumbing - Residential minimum fee	\$	60.00	
Plumbing: rate per opening	\$	10.00	
Pool - above ground	\$	60.00	
Pool - in-ground	\$	125.00	
Roofing	\$	60.00	
Screen Porch	\$	35.00	per sq. ft.
Septic Tank Installation	\$	100.00	
Septic Tank Removal	\$	50.00	
Sewer system - Commercial	\$	200.00	
(All, including Performance and Other)			
Sewer system - Residential	\$	150.00	
(Includes: trenches, beds, chambered, mounds or at-grades)			
(for Performance or Other only)	\$	200.00	
Septic System Repair	\$	60.00	
Siding	\$	60.00	
Water Softener	\$	15.00	
Windows (with structural or mechanism changes)	\$	60.00	

Contractor's Licenses & Permits

Contractor's License (required for: general, heating, ventilating, air conditioning, cement & masonry, roofing, plater, lath stucco, blacktopping moving & wrecking, signs & billboards)	\$	50.00
Verification of State License	\$	5.00

Escrows & Filing Fees

Accessory Bldg. Driveway Escrow	\$	2,250.00
Accessory Bldg. Driveway Agreement filing fee	\$	46.00
Driveway Escrow - (24' X 43')	\$	2,600.00
(Additional escrow for concrete curb and gutter removal)	\$	900.00
Turf Escrow	\$	2,500.00
(Note: Escrows for completion of Building Permits are equal to 150% of estimate provided by contractor to complete the items.)		

Other Misc. Permits

Fence Permits	\$	25.00
Moving-in of buildings:		
pre-inspection fee	\$	75.00 hourly
garage (minimum)	\$	300.00
house (minimum)	\$	500.00
Semi-Trailers in Industrial Park	\$	25.00
Sign Permits	\$	1.00 per square foot
(required for signs over 32 sq. ft).		
Sign - Temporary Permit	\$	15.00
(only for 30 days, maximum 3 annually)		
Temporary Commercial Structure/Tent Permit	\$	60.00
(For up to six weeks in a calendar year. May be divided into up to 3 separate usages, each of which must be separated by at least 30 days)		

Special Inspections

Fire Suppression Inspection	\$	100.00
Hourly Inspection fee	\$	75.00
Re-inspection fee	\$	75.00
Sewer System (Performance only) - Annual renewal	\$	10.00

PLANNING AND ZONING

Special Meeting of the Planning Commission	\$	500.00 (or actual cost)
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THE FOLLOWING ARE DEPOSITS:

Flood Zone Map Amendment	\$	100.00
Metes and Bounds Conveyance/Courtesy Combination (no new lots are created, actual costs only)	\$	100.00
Planning Commission Review Deposit (includes staff review fee-\$100, inspection fee-\$20, other actual costs)	\$	200.00
Planning Commission Review Deposit for Commercial Bldg. Permit (includes staff review fee-\$100, inspection fee-\$20, costs for City Engineer and/or City Attorney and any additional costs)	\$	750.00
Public Hearing Deposit - New CUP (includes staff review fee - \$100, actual postage inspection fee - \$20, publication, CUP - \$200, land use change sign -\$25, and any additional costs)	\$	400.00
Public Hearing Deposit - Rezoning or Private Kennel License (includes staff review fee-\$100, inspection fee-\$20, publication, actual postage, land use change sign-\$25, Private Kennel License-\$30 and other actual costs)	\$	250.00
Public Hearing - Excavation Permit (includes staff review fee-\$100, inspection fee-\$20, publication, actual postage, land use change sign-\$25, Excavation Permit -\$50, other actual costs)	\$	1,000.00

RESOLUTION NO. 2012-275

A RESOLUTION ADOPTING FEES WITHIN THE CITY OF ISANTI

WHEREAS, the City Council by Ordinance sets forth a fee table for the City of Isanti;
and

WHEREAS, the City Council has determined that it is in the best interest of the residents
of the City that all fees within the City are established by resolution; and

WHEREAS, these fees shall represent the fair and equitable cost of the services
identified; and

WHEREAS, the following fee schedule shall be effective December 26, 2012.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of
Isanti, Minnesota

1. Set forth the following fee schedule:

Administration

Agenda Packet Subscription	\$150.00
Affidavit of Candidacy	\$2.00
Agenda Subscription	\$25.00
Copies	\$.25 per page, plus tax
Dog Boarding (at Impound)	\$22.00 per day plus tax
Dog Impound 1 st Time	\$65.00 plus tax
Dog Impound 2 nd Time	\$70.00 plus tax
Dog Impound 3 rd Time	\$80.00 plus tax
Additional Fee for Pick up (7pm-8am & Holidays)	\$20.00
Unlicensed Dog Impound Fee	\$10.00
Euthanasia / Disposal	\$50.00
Dog Bite Incident (if applicable)	\$90.00
Dog License (Fixed)	\$10.00
Dog License (Not)	\$15.00
Dog License (Duplicate)	\$5.00
Dog License Lifetime	\$50.00
Dog License Late Fee	\$5.00
FAX - in	\$ \$.25 per page plus tax
FAX - out	\$ \$.25 per page plus tax
Returned Checks	\$30.00
Peddler Permit	
Day	\$25.00
Month	\$75.00
Seasonal (6 months or less)	\$200.00
Application Investigation Fee	\$75.00
Street Block Party Deposit	\$50.00 (Refundable)

Adult Use Fee	\$1,175.00
Adult Use Investigation Fee	\$300.00
Pawnbroker/Shop	\$1,500.00
Pawnshop Investigation Fee	\$1,500.00
Initial Application Only, does not apply to Renewal	
Pawnshop Transaction Fee	\$1.30 plus pass through costs per transaction
Retail Fire Works Permit – Application Fee	\$15.00
Retail Fire Works Permit – Permit Fee	\$25.00
Non-Compliance Fee	\$25.00
Secondhand Goods Dealer	\$1,500.00
Secondhand Goods Dealer Investigation Fee	\$1,500.00
Initial Application only, not for renewals	
Secondhand Goods Dealer, Temporary	\$750.00
Secondhand Goods Dealer Transaction Fee	\$1.30, plus pass through costs per transaction
Special Meeting Request	\$250.00
Gambling Permits – Application & Investigative Fee	\$50.00
Kennel License (Residential)	\$50.00 per year
Kennel License (Commercial)	\$100.00 per year
Notary	\$1.00 per document
Meeting Minutes – Copy of CD	\$10.00
Special Assessment Fee	\$30.00 per assessment
Unpaid Utility Bills, Code Enforcement Violations, Etc.	
Staff Time (not specified elsewhere)	Actual hourly wage multiplied by 145%
Lawn Sprinkling 1 st Violation	\$20.00
Lawn Sprinkling 2 nd Violation	\$35.00
Lawn Sprinkling 3 rd Violation	\$50.00

Building Inspections

Building Permit	\$Per 1997 and Building Valuation Data provided by Minnesota Department of Labor and Industry
Basement Finishes Permit	\$Per 1997 and Building Valuation Data provided by Minnesota Department of Labor and Industry
Deck Permit	\$Per 1997 and Building Valuation Data provided by Minnesota Department of Labor and Industry
Lawn Irrigation Permit	\$40.00
Mechanical Permit	\$40.00 per unit
Mechanical Permit – Commercial/Multi-Family	1.5% of project value
Plumbing Permit	\$40.00 and \$5.00 per unit
Plumbing Permit – Commercial/Multi-Family	1.5% of project value
Re-Roof Permit	\$80.00
Re-Siding Permit	\$80.00

Septic Permit	\$200.00
Swimming Pool Permit	\$40.00
Window/Door Replacement Permit	\$40.00
Fence Permit	\$80.00
Minimum Permit Fee	\$40.00
Plan Check Fee	65% of calculated permit fee, when applicable
State Surcharge	Applied to all permits
Excavation Permit Fee	
a. Hole	\$125.00
b. Emergency Hole	\$55.00
c. Trench	\$40.00
Curb Cut Permit	\$75.00
Grade Survey Check	
a. Commercial	\$30.00
b. Residential	\$50.00
Residential Driveway Escrow	\$2,000.00 (Refundable)
Residential Landscape Escrow	\$6,000.00 (Refundable)
Commercial Landscape Escrow	\$5,000.00 per site (Refundable)
Residential Rental License Fee	
1 Unit	\$150.00 for the first two inspections \$50.00 for each additional inspection
2-4 Units	\$175.00 for the first two inspections \$50.00 for each additional inspection
5-12 Units	\$225.00 for the first two inspections \$50.00 for each additional inspection
13-20 Units	\$240.00 for the first two inspections \$50.00 for each additional inspection
21+ Units	\$250.00 for the first two inspections \$50.00 for each additional inspection
Rental License Late Fee	100% of rental license fee
Demolition Permit	greater of \$100.00 or 1.27% of contract price
Fire Suppressant Permit –	1.5% of project value
Commercial/Multi-Family	
Replacement of Air Conditioner Permit	\$40.00 per unit
Replacement of Air Conditioner Permit –	1.5% of project value
Commercial/Multi-Family	
Replacement of Furnace Permit	\$40.00 per unit
Replacement of Furnace Permit –	1.5% of project value
Commercial/Multi-Family	
Replacement of Water Heater Permit	\$40.00 per unit
Replacement of Water Heater Permit –	1.5% of project value
Commercial/Multi-Family	
Replacement of Boiler Permit	\$40.00 per unit
Replacement of Boiler Permit –	1.5% of project value
Commercial/Multi-Family	
Plan Check Fee – Duplicate Plans	Duplicate plan fees reduced to 25% of calculated permit fee

Investigative Fee	100% of permit fee
Parking Permit per §227-10 F	\$45.00
Grading Permit	\$150.00
License Verification Fee	\$5.00
Water/Sewer Line Repair Inspection Fee	\$40.00

Economic Development Authority

TIF Development Agreement	\$2,500.00 plus costs
Tax Abatement Application Fee	\$1,000.00 plus costs
Assignment & Assumption Agreement	\$1,000.00 plus costs
Issuance of Conduit Debt	1/4% of the proposed issuance amount, \$3,000 minimum, \$25,000 maximum escrow
Host Approval of Conduit Debt	\$3,000 escrow
Revolving Loan Fund Application Fee	1% origination fee

Liquor/Beer

Beer Off-Sale (3.2)	\$150.00
Beer On-Sale (3.2)	\$250.00
Club License (Max dictated by MN State Statutes)	\$500.00
Intox Liquor On-Sale	\$2,500.00
Intox Liquor Sunday On-Sale	\$200.00
Temporary On-Sale Beer	\$50.00
Temporary On-Sale Liquor	\$50.00
Wine	\$300.00
Setups	\$200.00 per year
Background Check & Investigation Fee	
For Partnership – Corporation – Association	\$300.00
For Individual	\$100.00
Initial Application only, does not apply for Renewals	
Temporary One-Day On-Sale Liquor License	\$25.00
Temporary On-Sale Liquor (2-4 Days)	\$50.00
Temporary On-Sale 3.2 Beer License (1-4 Days)	\$50.00
Temporary On-Sale 3.2 Beer License (1-4 Days)	\$50.00
Multiple Events	\$500.00
Temporary Consumption and Display Permit	\$25.00

Parks Department

Copy of Comprehensive Park Plan	\$10.00
Park Dedication Fee (Residential)	\$1,500.00 per unit
Park Dedication Fee (All Others)	\$1,500.00 per Commercial/Industrial Acre
Park Shelter Fee – Non City Resident or Business	\$10.00 plus tax
Park Shelter Electric Box Deposit	\$50.00
Special Event Cleanup Deposit	\$100.00
Unity Park Softball Field Usage	\$25.00 plus tax per day Non-Resident \$15.00 plus tax per day Resident

Tennis Court Usage

Resident (Individual)

1 court No Charge

2 courts \$6 plus tax

Non-Resident (Individual)

1 court \$6 plus tax

2 courts \$12 plus tax

Civic Group, Youth Organization, League,
Business, Industry, Church or School

Per court, per reservation \$15 plus tax

Per season (1 or 2 courts) \$250 plus tax

Planning & Zoning Department

Annexation/De-Annexation	\$100.00 plus costs
Comprehensive Plan Amendment	\$325.00 plus costs
Conditional Use Permit	\$325.00 plus costs
Conditional Use Permit Amendment	\$275.00 plus costs
Copy of Comprehensive Plan	\$50.00
Copy of Maps	\$.50 black and white
Copy of Zoning Map	Fee based on size & type of map
Copy of Zoning Ordinance	\$25.00
Copy of Engineer Design Standards	\$35.00
Development Agreement for Subdivisions	\$2,500 escrow plus costs
EAW & EIS Review	\$600.00 plus costs
Interim Use Permit	\$325.00 plus costs
Administrative Subdivision	\$275.00
Final Plat	\$325.00 plus \$10.00 per lot/unit plus costs (\$1,500.00 escrow)
Preliminary Plat	\$500.00 plus costs (\$1,500.00 escrow)
Minor Subdivision Plat	\$325.00 plus costs (\$1,000.00 escrow)
Rezoning Request	\$325.00 plus costs
Sign Permit (permanent)	\$75.00
Sign Permit (temporary)	\$50.00
Site Plan Review	\$325.00 plus costs
Text Amendment	\$275.00
Vacation Request	\$275.00 plus costs
Variance Request	\$325.00 plus costs
Easement Application	\$200.00 plus costs
Wetlands Replacement Plan Review	\$500.00
Signal Light Fee	\$119.00 per residential unit \$.10 per sq. ft. of usable Commercial lot platted
Administrative Permit	\$75.00
Administrative Appeals	\$200.00 plus costs
Planned Unit Development – General Plan	\$500.00 plus costs (\$1,500.00 escrow)
Planned Unit Development – Final Plan	\$325.00 plus costs (\$1,500.00 escrow)

Police Department

Chemical Disposal (small amount)	\$500.00
Chemical Disposal (large Amount)	\$2,000.00
Cleaning of Crime Scene	\$750.00
Copy of Photo	\$5.00
Copy of Police Report	\$.25 per page, plus tax
Copy of Video/Audio/DVD	\$20.00
Fee for Returned Check listed under Administration	
Parking Ticket	\$20.00
Police Records Search	\$35.00
Professional Hire of Police Office	\$45.00 per hour
Storage Fees	\$20.00 per day
Alcohol Screening	\$3.00 per time or \$75.00 per year
Fingerprinting	\$5.00 per non-resident or non-Isanti business
Administrative Citation	\$60.00
Reschedule Hearing on Administrative Citation	\$50.00
Unjust Hearing	150% of cost of hearing
Towing	As per towing contract fee schedule

Sewer and Water Department

Meter	\$225.00 for 5/8 * 3/4 inch meter
Meters (larger diameter)	Cost plus \$25.00
Sewer Access Fee (SAC)	\$4,059.00 per unit based on REC assessment
Trunk Utility Charge	\$1,000.00 if more than one unit based on REC schedule
	\$2,050.00 per Commercial/Industrial acre
Unpaid Water and Sewer	\$5.00 per month
Water Access Charge (WAC)	\$3,466.00 per unit based on REC assessment
Water Turn Off	\$50.00
Water Turn On	\$50.00
Private Metered Water Sales	
a. Meter Deposit	\$1,200.00 (refundable deposit)
b. Backflow Preventer Deposit	\$800.00 (refundable deposit)
c. \$10.00 minimum and up to 1 st 1000 gallons; as per rate study per/1,000 thereafter	
Private Well Water Testing	\$90.00
Water Meter Testing	1 Hour Public Works Staff plus Costs
Meter Replacement Administrative	
Fee for Non-Compliance	\$75.00/month
Delinquent Posting Notice Fee	\$15.00

Street Department

Collector Street Fee	\$9,000.00/Usable Acre in Area in NE quadrant of CSAH 5 and TH 65
Street Cut Permit	\$1,200.00
Labor	\$50.00 per Hour
Mow Charge with Operator	\$90.00 per Hour

Weed Whip Charge with Operator \$75.00 per Hour
 Bobcat/Tractor Charge with Operator \$100.00 per Hour
 Sidewalk Snow Removal \$30.00
 Magikist Line Thawer with Operator \$100.00 per Hour

MINNESOTA WARN RATES- Equipment Charges Are Per Hour with Operator

	<u>Business Hours</u>	<u>Non-Business Hours</u>
Single Axle Truck, Street Sweeper, Single Axle Dump Truck with Snowplow, Brush Hog	\$125.00	\$145.00
Road Grader with Wing, Dump Truck with Snowplow and Wing, Wheel Loader	\$160.00	\$180.00
Self-propelled Broom, Air Compressor with Accessories and Pickup, Pickup, One Ton Trucks, Rollers, Tractors	\$90.00	\$110.00
Six Inch Pumps with Engine	\$75.00	\$95.00
Sewer Jet Rodding Machine, Vactor with Pickup (Each Requires Two Operators) There is an additional charge of \$.35 per lineal foot for sewer cleaning.	\$135.00	\$145.00
Skidsteer, Self-propelled Mower/Snow Blower/ Broom Attachment, Small Trencher	\$90.00	\$105.00
All Other Equipment Such As Chain Saw, Push Mower, Snow Blower and Weed Whips	\$75.00	\$95.00

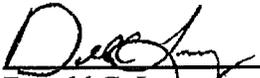
Fire

Fire Extinguisher Service Deposit Fee \$25.00 (refundable)
 Fire Extinguisher – Administrative Fee \$3.00

This resolution was duly adopted by the Isanti City Council this 18th day of December 2012.


 Mayor George A. Wimmer

Attest:


 Donald C. Loising
 City Administrator/City Clerk

(SEAL)



City of East Bethel City Council Agenda Information

Date:

January 8, 2014

Agenda Item Number:

Item 10.0 G.1

Agenda Item:

Commission/Committee Assignments 2014

Requested Action:

Appointments by the Mayor with the approval of City Council for Commission/Committee assignments for 2014

Background Information:

Attached is a spreadsheet with the Commission/Committee assignments for 2010-2013. The following are the Commission, Authority, Committee and appointed positions for consideration.

Acting Mayor

The Acting Mayor performs the duties of the Mayor in his absence.

Commission Assignments

The Planning, Parks and Roads Commissions have traditionally had a Council Member assigned as a liaison non-voting member. The purpose is to provide guidance and historical perspective to issues and items that come before these Commissions.

Fire Department: Traditionally, a member of the City Council is assigned as the liaison to the Fire Department and attends at a minimum the quarterly informational meetings.

Police Department: Traditionally, a Council Member is assigned as the liaison to the Anoka County Sheriff's Department.

Economic Development Authority: Two Council members are appointed to this Commission. Mayor Lawrence and Council Member Moegerle were appointed to a two year term on January 9, 2013. Their appointments to the EDA expire on December 31, 2014.

Water Management Organizations (WMO's)

Sunrise River and Upper Rum River WMO: The City is statutorily required to participate in the watershed management organizations (WMO's) to develop water management plans for the watershed area. These organizations have authority to review surface water discharge plans as proposed by developers to ensure they comply with WMO plans. These organizations are contractually managed by the Anoka Conservation District (ACD). The City belongs to both the Upper Rum River WMO and the Sunrise River WMO.

The WMO's meet quarterly with notices provided in advance of the meeting with agenda materials.

Committee Assignments

Cedar Creek Joint Advisory Committee: This is a committee of City and University of Minnesota representatives that meet periodically to discuss uses of Cedar Creek Ecosystem and Scientific Reserve Property as part of the Memorandum of Understanding between the City and the University. The City and University appoint three members each to serve as representatives on this Committee.

Sandhill Crane Committee: This is a joint powers organization with Anoka County, DNR and MPCA. The group collectively plans for public uses within this area. Traditionally, one City Council Member is appointed to this Committee.

Finance Committee: This committee meets in April or as is necessary to provide recommendations for budget development. From the guidelines set by this Committee, the preliminary budget is developed for presentation to City Council by the first Council meeting in July of each year. In the past two Council Members have been appointed to this Committee but Council may desire to have the full Council comprise this Committee.

Ordinance Committee: This Committee is composed of two appointed Council Members and meets as required to review City Ordinance revisions or new proposals with City Staff for recommendation to the full City Council.

Website Committee: This Committee was created on June 6, 2012 and is composed of two Council Members, a member from the EDA, a member from the Planning Commission and two citizen members. There were no terms associated with these appointments. Staff is requesting direction from Council for appointments and terms to this committee.

Booster Day Committee: Traditionally, two Council members have been assigned as the liaisons to the Booster Day Committee to assist with coordination of the annual event. The full committee consists of members of several organizations and residents interested this event.

GRE Work Group: The GRE Work Group was created on September 1, 2010. The Work Group's responsibility was to meet with GRE, the applicant for a CUP, to review the proposed project and alternatives for the proposed locations of an electric transmission line. By Ordinance, Section 74-Article VI/ Permits for Transmission Lines, the work group must consist of the applicant, city planner, one council member, one member of each of the city's commissions, and up to two city residents appointed by the City Council.

The GRE Work Group was originally appointed as follows: Council Member Bill Boyer, Planning Commission Chair Eldon Holmes, Parks Commission Member Tim Hoffman, Roads Commission Member Tanner Balfany and Lou Cornicelli and Jeff Criswell as Citizen Members. Jeff Corney, Cedar Creek ESR Executive Director, served as an advisory member. Councilperson Moegerle and Mayor Lawrence joined the group in 2011. Ex-Councilperson Boyer is no longer included in the group.

The Work Group has completed its directed duty and Council may wish to consider the de-designation of GRE Work Group.

Anoka County-Blaine Airport Advisory Commission

The City is a member of the Anoka County-Blaine Airport Advisory Commission. Membership on the Commission enables the City to keep abreast of developments at the airport as they relate to economic development through access to general aviation facilities and as part of the overall transportation element. The Commission is advisory only and there are no dues or costs to the City to belong. Current municipal members on the Commission include Circle Pines, Blaine, Mounds View, Lexington, Lino Lakes and Anoka County.

City Council appointed Jack Davis as an alternate member to this commission and Ed Fiore as the official City member with a term of two years or as amended by the Commission. Mr. Fiore's appointment is set to expire on January 18, 2014 and he has expressed a desire for re-appointment.

Attachment(s):

- 1. Worksheet-Commission/Committee Assignments

Fiscal Impact:

Payments to Commission members approved for reimbursement are included in the 2014 Budget.

Recommendation(s):

Staff requests the Mayor to recommend Commission/Committee assignments for 2014 to City Council for discussion and approval.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

Commission/Committee Assignments for 2014

Commission/Committee	2010	2011	2012	2013	2014
Acting Mayor	Council Member Voss	Council Member Moegerle	Council Member Moegerle	Council Member Moegerle	
Road Commission	Council Member Paavola	Council Member DeRoche	Council Member DeRoche	Council Member DeRoche	
Park Commission	Council Member Boyer	Mayor Lawrence	Council Member Voss	Council Member Moegerle	
Planning Commission	Council Member Voss	Council Member Moegerle	Council Member Moegerle	Council Member Ronning	
Watershed Mgmt Organizations	Mayor Hunter	Council Member Voss	Mayor Lawrence	Council Member Koller	
Cedar Creek Committee	Council Member Boyer	Council Member Boyer	Council Member Boyer	Council Member Moegerle	
Sandhill Crane Committee	Mayor Hunter	Council Member Boyer	Council Member Moegerle	Council Member Moegerle	
Fire Department	Council Member Channer	Council Member DeRoche	Council Member DeRoche	Council Member Koller	
Police Liaison	Council Member Paavola	Council Member Voss	Council Member Voss	Council Member DeRoche	
Booster Day Committee	Mayor Hunter	Mayor Lawrence	Mayor Lawrence	Council Member Koller	
Booster Day Committee	Council Member Channer	Council Member Voss	Council Member Voss	Council Member Ronning	
Finance Committee	Mayor Hunter	Council Member DeRoche	Council Member DeRoche	Mayor Lawrence	
Finance Committee	Council Member Boyer	Council Member Boyer	Council Member Boyer	Council Member DeRoche	
EDA Commission		Council Member Boyer	Mayor Lawrence	Mayor Lawrence	Mayor Lawrence
EDA Commission		Council Member Moegerle	Council Member Moegerle	Council Member Moegerle	Council Member Moegerle
Ordinance Committee				Council Member Moegerle	
Ordinance Committee				Council Member Ronning	
Website Committee			Council Member Moegerle	Council Member Moegerle	
Website Committee			Council Member Voss	Council Vacancy*	
			EDA Member-Conner	EDA Member- Mike Conner	
			Planning Comm. Member-Balfany	Planning Comm. Member-Balfany	
			Citizen Member-Mundle	Citizen Member- Mundle	
			Ciitizen Member-Plaisance	Citizen Member-Plaisance	
Anoka County-Blaine Airport Comm				Citizen Member- Ed Fiore	
		Attachment #1			



City of East Bethel City Council Agenda Information

Date:

January 8, 2013

Agenda Item Number:

Item 10.0 G.2

Agenda Item:

January 10, 2014 MCES Meeting Agenda

Requested Action:

Review the January 10, 2014 MCES Meeting Agenda and designate Council Representatives for the meeting

Background Information:

As part of the plan to address the City’s financial obligations for the Municipal Utilities Project, a meeting with Pat Born, MET Council Regional Administrator, and Jason Willet, Financial Manager with the Metropolitan Council Environmental Services (MCES) has been scheduled for 11:00 AM on January 10, 2013 at the MET Council Office in St. Paul. The purpose of the meeting will be to determine the interest and desire of the MCES to explore ways to address our financial obligations to and the Cooperative Construction Agreement with the MET Council. The topics which the City is proposing for discussion are as follows:

- 1.) Restructuring the document to adjust the dates that have been changed due to project delays;
- 2.) Language revisions as appropriate;
- 3.) SAC rates and minimum flow charges;
- 4.) Reserve Capacity Loan;
- 5.) Developing Community Standard;
- 6.) Transfer of MCES infrastructure; and
- 7.) Growth Forecast Clause.

Jack Davis and Mike Jeziorski will represent Staff at this meeting. It is Staff’s recommendation that Council be represented by no more than two Councilpersons and preferably one. Council should designate the representative(s) at our January 8, 2014 meeting. Should more than two members of Council wish to attend, Staff need notification no later than Monday, January 6, 2014 so we can post this as a meeting.

Staff has been notified by Mayor Lawrence that this date was a conflict for his schedule. If this date will not work, please let me know immediately, so we can reschedule this meeting. Councilperson DeRoche, Moegerle and Ronning have indicated an interest in attending the meeting.

The Cooperative Construction Agreement, with areas of concern highlighted, which was previously forwarded to you, is also attached for your further review.

Attachments:

- 1. Proposed Agenda Statement and Agenda Items
- 2. Cooperative Construction Agreement of November 3, 2010

Fiscal Impact:

Recommendation(s):

Staff requests the City Council to designate representatives for this meeting.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

Proposed Agenda Statement and Agenda

City of East Bethel/MCES Meeting

January 10, 2014

It is the current East Bethel City Council's opinion that the Cooperative Construction Agreement that was entered into on November 3, 2010 did not consider the total affects of the economic environment that was existing prior to and at the time of the entering of this Agreement.

Northern Anoka County is still suffering from the aftermath of the "Great Recession of 2009-2010." As a result, the City of East Bethel's growth potential has been significantly diminished and shows slower signs of recovery than the rest of the region. Since the pro forma for this project was based upon continuing and sustainable levels of growth to generate the fees to amortize project bonds and obligations to the MCES, and the fact that this assumption is no longer valid, the City has been placed in a position that makes it extremely difficult to pay off both the project bonds and MCES required charges.

Due to the current economic climate coupled with the fact that this venture is essentially a demonstration project that will have benefits for the MCES that are not shared by the City; recent population projections by the MET Council which indicate that population growth is projected to be at a level that can not meet the number of required connections necessary to meet the SAC goals as outlined in the Reserve Capacity Loan Program; and MET Council's "TOD" (Transportation Oriented Design) Policy will shift emphasis and resources away from Rural Growth Areas, it is apparent that the financial model upon which this project was based is unworkable.

Therefore, the City of East Bethel will appeal to the MCES to examine the terms of the Cooperative Construction Agreement and modify the Agreement to the extent that the City of East Bethel will not be unduly and disproportionately burdened by the financial obligations imposed in the terms and conditions of the Construction Cooperation Agreement.

Cooperative Construction Agreement Agenda Items Proposed for Discussion

- 1.) Restructuring the document to adjust the dates that have been changed due to project delays
- 2.) SAC rates and minimum flow charges (1.01) ;
- 3.) Reserve Capacity Costs and Loan (1.02 and 1.03);
- 4.) Developing Community Standard (1.03 d.):
- 5.) Transfer of MCES infrastructure (2.01);
- 6.) Growth Forecast Clause (3.03); and
- 7.) Language revisions and other changes as appropriate;

++++
+++++ **WASTEWATER SERVICE AGREEMENT**
Between
City of East Bethel
and
Metropolitan Council

THIS AGREEMENT (“Agreement”), effective on the date of execution by both parties, is made and entered into by and between Metropolitan Council, a public corporation and political subdivision of the State of Minnesota (“Council”) and the City of East Bethel, a Minnesota municipal corporation (“City”).

RECITALS

1. Pursuant to Minnesota Statutes § 473.517, subd. 1, the Council shall allocate current costs of operation, maintenance, and debt service (“Current Costs”) among and paid by all local government units which discharge wastewater directly or indirectly into the metropolitan disposal system. For purposes of this Agreement, the above described payments are referred to herein as municipal wastewater charges (“MWC”). The Council’s wastewater treatment plant, interceptor and effluent pipes to serve the City will be a part of the metropolitan disposal system.
2. Pursuant to Minnesota Statutes § 473.517, subd. 3, the Council shall allocate the reserved capacity portion of the costs of acquisition, betterment, and debt service of the interceptors and treatment works (“Reserved Capacity Costs”) among and paid by all local government units through a sewer availability charge (“SAC”) for each new connection **or increase in capacity demand to the metropolitan disposal system.**
3. Pursuant to Minnesota Statutes § 473.517, subd. 6, the Council may provide for the deferment of payment of all or part of the allocated costs pursuant to Minnesota Statutes § 473.517, subd. 3, **repayable with interest at the Council’s average rate of borrowing.**
4. The Council’s 2030 Water Resources Management Policy Plan (“Policy Plan”) provides for Council ownership and operation of wastewater facilities to serve rural area communities that want to accommodate growth, for which the planning designation Rural Growth Center has been provided in the Policy Plan. The City has requested, and the Council has approved, the City’s designation as a Rural Growth Center (“Rural Growth Center”).
5. The Council’s Policy Plan provides wastewater service to the City through wastewater treatment facilities to be constructed specifically to serve the City initially, and that are also planned so that these facilities may serve a portion of the city of Oak Grove or other communities in the future. The City has submitted, and the Council has approved, the City’s 2030 Comprehensive Sewer Plan.

6. The Council's Policy Plan policy on rates and charges provides that: (a) municipal wastewater charges will be allocated to communities uniformly, based on flow; and (b) sewer availability charges for a Rural Growth Center shall be based on the reserve capacity of the wastewater treatment facility and the Council's debt service specific to the Rural Growth Center.
7. The Council is currently designing the East Bethel wastewater treatment facility, MCES Project 801620 to serve the City. Construction is scheduled for 2011-2012.
8. Council and City have determined that it is in their best interests to enter into this Agreement in order to specify SAC matters for the City and to specify the terms for contingent loans for part of the reserve capacity charges and other related matters.
9. The Council has authorized its Regional Administrator to enter into this Agreement pursuant to Business Item No. 2010-355 passed by the Council on October 27, 2010. The City has authorized its Administrator to enter into this Agreement pursuant to a motion passed by the City Council on November 3, 2010.

NOW, THEREFORE, for valuable consideration, the receipt of which is acknowledged by both parties, the parties agree as follows:

ARTICLE I Financial Terms and Conditions

1.01 Municipal Wastewater Charges (MWC).

a. Allocation. Council shall measure the City's wastewater flow and allocate current costs consistent with the methodology used throughout the metropolitan disposal system to allocate Current Costs among and charge local government units in the form of MWC, as may be amended from time to time. The Council's regular MWC billings to the City shall begin for the calendar year 2014 based on the wastewater flow for the period July 1, 2012 – June 30, 2013. Prior to that regular cycle, the Council's MWC billings to the City for the calendar year 2013 shall be based on the estimated number of SAC units served prior to June 30, 2012, flow estimates/SAC and the duration of such usable connections within the subject period. Council shall invoice the City monthly. City shall pay Council within thirty (30) calendar days of each billing.

b. City Obligation - Charges. The City acknowledges its obligation under Minnesota Statutes, including, but not limited to, § 473.519, to adopt and maintain a system of charges for the use and availability of the metropolitan disposal system located within the City which will assure that each recipient of wastewater treatment services within or served by the City will pay its proportionate share of the Current Cost charges allocated to the City by the Council under Minnesota Statutes, § 473.517, as required by federal law and regulations.

c. On or before December 31, 2011, the City shall submit to the Council, for review and approval, a proposed ordinance implementing a system of volumetric charges for the use and availability of the metropolitan disposal system, and shall make modifications in such system if notified by the Council, as needed to comply with the provisions of Minnesota Statutes § 473.519, the Council's Waste Discharge Rules and federal law and regulations. Upon approval, the Municipality shall maintain such system of volumetric charges in accordance with section 473.519.

d. City Obligation – Connections. The City agrees that within twelve (12) months of service being available, the City shall mandate connections to the metropolitan disposal system and will pay the Council SAC for connections in the business district described as Project 1 Phase One.

e. Reservation of Rights. Nothing in this article shall be deemed to limit the Council's rights to add-to, amend or change its method of allocating and/or collecting costs under Minnesota Statutes, section 473.517, subdivision 1.

1.02 Sewer Availability Charges (SAC).

a. City Obligation. The City acknowledges its obligation under Minnesota Statutes, including, but not limited to, § 473.517 subd. 3, to pay Reserved Capacity Costs allocated to the City by the Council under § 473.517, subd. 3. These costs are currently allocated to cities by the Council through the Sewer Availability Charge (SAC) system, based on the number of residential equivalent SAC units which become connected within the City either directly or indirectly to the metropolitan disposal system. City acknowledges and agrees that SAC and reporting for it will be due beginning twelve (12) months prior to startup of the wastewater treatment facility. The City acknowledges and agrees that it is liable for SAC whether or not it collects, or is able to collect, such amounts from any property owners or other third parties.

b. Implementation of SAC System. Under the current SAC system, the City shall be responsible for monitoring, reporting of connections, and other duties in accordance with Council's policies and procedures for collecting SAC charges. If under the current SAC system, the City chooses to collect charges from the owners of the property connected to City sewers which are connected to the metropolitan disposal system, it shall be solely responsible for billing and collecting such charges from the property owners.

c. Reservation of Rights. Nothing in this article shall be deemed to limit the Council's rights to add-to, amend or change its method of allocating and/or collecting costs under Minnesota Statutes, section 473.517, subdivision 3 as it pertains to the SAC rate and general SAC collection requirements and procedures.

d. East Bethel's City-Specific SAC (hereafter "East Bethel SAC"). Council shall establish the East Bethel SAC pursuant to the Council's policies and SAC procedures. The East Bethel SAC shall initially be based on the wastewater treatment facility debt service specific to the City, as estimated in Exhibit A. The estimated capital costs described in Exhibit A, and the East Bethel SAC based on the associated debt service, may be adjusted after final project costs have been determined and if needed for additional project costs should they occur prior to the end of the designation of the city of East Bethel as a Rural Growth Center. Adjustments, if any, to the SAC rates will not be retroactive.

Council and City agree that the East Bethel SAC has been determined, based on the following factors: (1) debt service and/or capital costs on City-specific capital costs based on financing over a term extending to 2030 at an interest rate based on the actual rate(s) of financings used by the Council to fund the project costs, currently estimated at 3.0% for the initial facility and 4.5% for the future expansion; (2) 2030 Comprehensive Plan forecast of 5,500 SAC units; (3) a constant SAC unit growth rate of approximately 10.6% annually from 2012 through 2030; (4) reserve capacity determination using cumulative SAC units as forecasted for the currently used portion of total capacity; (5) fixed East Bethel SAC rate increases of 3% annually; and (6) East Bethel SAC computed to recover the present value of reserve capacity of debt service as determined in (1) hereinbefore.

Council and City agree that the East Bethel SAC based on the capital costs in Exhibit A and the above factors, shall be \$3,300 in 2012, increasing 3% annually to \$5,600 in 2030. East Bethel SAC may be adjusted if the final capital costs and interest rates are materially different than expected.

e. Nothing in this Agreement prohibits or restricts the sewer, SAC or other related charges that the City may or may not charge to property owners within the City.

1.03 Reserve Capacity Loans.

a. Amount. If at the end of each calendar year, starting with the year 2012, the SAC units attributed (either i), actually paid, or ii) loaned as described in this paragraph) to the Council by the City on an annual basis, are below the estimate of growth for the year based on the 2030 Comprehensive Plan forecast for the City used to set the rates as described herein, the deficiency shall be considered a Reserve Capacity Loan ("Reserve Capacity Loan") from the Council to the City, pursuant to M.S. 473.517 subd. 6. Interest shall accrue on the prior year-end balance at 3.6% APR annually. In years where the actual SAC paid by the City to the Council exceeds the estimate, the surplus SAC shall be considered a payment against any then outstanding loans. If such a surplus occurs and no loan balance is then outstanding, no rebate shall occur, however, the amount of units paid over the cumulative forecast shall be available to offset a future year shortage (that is, to reduce the required loan in a future year when the annual SAC units paid are less than forecast).

b. Payment. If a Reserve Capacity Loan balance is outstanding at any year-end, the City shall pay, at a minimum, an annual amount set by the Council which shall be an amount not greater than the ordinary municipal wastewater charge to be charged to the City in that same calendar year based on the community's annual flow volume in the metropolitan disposal system. The payment shall be applied first to interest accrued and the remainder against the cumulative outstanding principal on the loan. During the first five years of the Loan, the Council may require a lesser payment to allow the City to gradually adjust its retail sewer charges or other revenues to cover the Loan payments.

Comment [W1]: It's my understanding that Dan has shown that this won't work in EB where there is no existing customer base and the thus the MWC will be very little in the early years. What do you think about this which they would be allowed to raise in any manner they chose (perhaps from a developer??)

Minimum payments on the loan shall be determined by the Council in January of each year and included on monthly bills, provided however, that the Council may estimate the loan payment requirements for the first two months of each year and reconcile the difference in the March bill of each year.

c. Prepayment. The City may prepay all or part of the loan at any time to avoid additional interest accrual.

d. Developing Community. The Council agrees that if: a) the City meets the conditions of the Council to become a Developing Community as determined by the Council; or b) another city is provided sewer service through the East Bethel wastewater treatment facilities; or c) the City reaches its current 2030 Comprehensive Sewer Plan population forecast, or d) at the conclusion of the 2030 Water Resources Policy Plan (*i.e.* at the end of the year 2030), the East Bethel SAC rate may be frozen by the Council at the then current rate and retained at that rate, even though that rate is a higher rate than the urban SAC until such time as the outstanding loan is entirely repaid. This term shall survive the Agreement until the entire Loan is repaid, or the condition in Section 1.03(e) occurs:

e. The parties agree that the terms of the Agreement are intended to handle the short or medium term problem that planned growth is deferred from the expectations of the Comprehensive Plans. However, if 30 years after the first Loan is recorded, substantial planned growth has not occurred and expectations at that time are that it may continue to be below 2030 forecasts, the parties agree to renegotiate in good faith to provide for an end to the Loan that does not require an unreasonable burden on the sewer rates of the still small City.

ARTICLE II

Conveyance of Interceptor Ownership to City

2.01 Transfer.

If the Council determines that the interceptor constructed along Viking Blvd. and STH 65 no longer serves a regional benefit, the Council will transfer to the City and the City

agrees, without payment from the Council, to accept title and ownership of that portion of the aforementioned interceptor within the City. Such transfer may occur at any time after determination in the sole discretion of the Council that the aforementioned interceptor no longer serves a regional benefit and certification by the Council that the interceptor to be transferred is in good operating condition.

ARTICLE III Compliance with Council Rules and Policies

3.01 Infiltration and Inflow.

The City shall comply with the Council's policy and procedures on Infiltration/Inflow and its standards for allowable peak hour to average daily wastewater flow. On or before June 30, 2012, the City shall submit its proposed Infiltration/Inflow program to the Council for review and approval and shall adopt and follow any recommendations of the Council regarding inflow and infiltration into the City's sewage collection system.

3.02 Waste Discharge Rules.

The City acknowledges that all discharges to the City's sewage collection system are subject to the Council's Waste Discharge Rules and any other rules or requirements adopted by the Council relating to the metropolitan disposal system. The City shall adopt a sanitary sewer use ordinance which ensures City compliance with Council's policies and Waste Discharge Rules, however amended. The City agrees to cooperate with the Council in enforcement of Council's rules and enforcement requirements. Nothing in this Agreement prohibits or limits the Council's right to make general changes to the Waste Discharge Rules.

3.03 Comprehensive Plan.

The City has prepared and adopted its 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan, in accordance with Minnesota Statutes §§ 462.355, subd. 1a and 473.864, subd. 2. The Council has approved the City's Tier II Comprehensive Sewer Plan and authorized the City to put its 2030 Comprehensive Plan Update into effect.

In accordance with Minnesota Statutes, section 473.858, subd. 1, and section 473.865, subd. 3, upon approval and adoption by the City of the comprehensive plan, the City shall adopt or amend official controls to ensure planned, orderly, and staged development consistent with the comprehensive plan and so as not to conflict with the comprehensive plan. The City shall submit copies of such official controls to the Council in accordance with Minnesota Statutes, section 473.865, subd. 1.

Nothing in this agreement shall modify the City's obligations under the referenced statutes or in the Comprehensive Plan.

ARTICLE IV
Notices

Any notice or demand which may or must be given or made by either party to this Agreement, under the terms of this Agreement and any statute or ordinance, shall be in writing and shall be sent by certified mail, return receipt requested, or delivered in person, to the other party addressed or delivered as follows:

General Manager
Environmental Services
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101

City Administrator
2241 221st Avenue NE
East Bethel, MN 55011

ARTICLE V
General Provisions

5.01 Successors and Assignment.

The Covenants of this Agreement shall be binding upon and inure to the benefit of the parties, their successors, and assigns. The City may neither assign nor transfer any rights or obligations under this Agreement without the prior consent of the Council and a fully executed Assignment Agreement, executed by authorized representatives of the parties to this Agreement.

5.02 Amendments.

The terms of this Agreement may be changed only by the mutual agreement of the parties. Such changes shall be effective only upon execution of written amendments executed by authorized representatives of the parties to this Agreement.

5.03 Non-Waiver.

If the Council fails to enforce any provision of this Agreement, that failure does not waive the provision or any other provision or the Council's right to enforce it at a later date.

5.04 Contract Complete.

This Agreement contains all negotiations and agreements between the Council and the City related to the matters included herein. No other understanding regarding this Agreement, whether written or oral, may be used to bind either Party.

5.05 Construction of Agreement.

This Agreement is intended to assist in implementing the Council's policy plans and system plans and shall be interpreted consistently with the provisions and intent of such plans.

5.06 Severability.

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts which are void, invalid or otherwise unenforceable shall substantially impair the value of the entire agreement with respect to either Party.

5.07 Liability.

Except as provided elsewhere in this Agreement, each Party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other Party and results thereof. The liability of the Council and the City shall be governed by the provisions of Minnesota Statutes, chapter 466, and other applicable law. Nothing in this Agreement shall constitute or be construed as a waiver by the Council or the City of any statutory limits on or exceptions to liability.

5.08 Council Audits.

In accordance with Minnesota Statutes, section 16C.05, subd. 5, the City's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the Council and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

5.09 Government Data Practices.

The City and Council must comply with the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, as it applies to all data provided by the Council under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the City under this Agreement. The civil remedies of Minnesota Statutes, section 13.08, apply to the release of the data referred to in this clause by either the City or the Council.

5.10 Conformance to Law.

The parties to this Agreement acknowledge and agree to the following:

a) This Agreement addresses certain of the rights and obligations to the parties under Minnesota Statutes, chapter 473, but this Agreement is not intended to be a complete description of all rights and obligations of the parties with respect to each other that may exist under such chapter or other provisions of law.

b) Future changes in Minnesota Statutes, chapter 473, and other applicable law may modify the rights and obligations of the parties with respect to each other and such changes in law shall take precedence over any provisions of this Agreement that may be inconsistent and irreconcilable with such changes.

5.11 Venue.

This Agreement shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

5.12 Recitals.

The Recitals are hereby incorporated into and made a part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

METROPOLITAN COUNCIL

Approved as to Form:

Office of General Counsel

By: _____

Its: Regional Administrator

Date: _____

MC Contract 10I024

FOR THE CITY OF EAST BETHEL

By: _____

Title: Mayor

Date: November 3, 2010

ATTEST:

By: _____

Title: City Administrator

Date: November 3, 2010

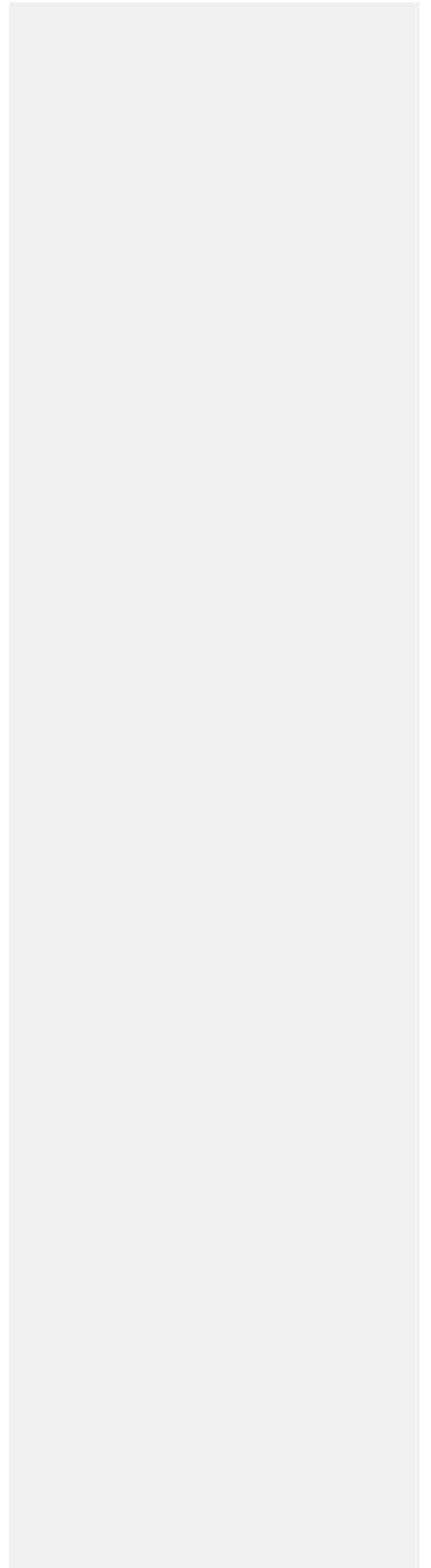


EXHIBIT A
ESTIMATED CAPITAL COSTS FOR
EAST BETHEL WASTEWATER TREATMENT FACILITIES

Component	Est. Cost (1)
Initial Project	
Influent Storage (2)	\$ 600,000
Wastewater Treatment Plant (3)	9,500,000
Treated Water Distribution System (4)	5,700,000
Land Application Facilities (5)	1,600,000
Land Acquisition (6)	600,000
Total - Initial Project	\$18,000,000
Future Facility Expansion (3)	
Plant Expansion	\$10,000,000
Treated Water Distribution	2,000,000
Land Application Facilities (incl. land)	<u>2,000,000</u>
Total-Expansion	\$14,000,000

Notes:

1. Estimated cost includes construction, engineering, inspection, and administration.
2. Incremental cost of increasing size of influent interceptor sewer from STH 65 to treatment facility from 24-inch diameter to 60-inch diameter. This option is being used in lieu of providing storage within the wastewater treatment facility.
3. Plant will be constructed in phases. Initial phase has 0.41 mgd capacity. Future facility expansion (approx. year 2020) will increase capacity to 1.22 mgd.
4. Pipeline to convey treated water from wastewater treatment plant to the two initial land application facilities.
5. Facilities designed to distribute treated water such that it infiltrates through the soil and recharges the groundwater.
6. Cost of acquiring two land application sites (\$60,000 for one; free long-term use of second site) and two-thirds of the wastewater treatment plant site, which is planned to serve portions of Oak Grove, and potentially Ham Lake, in the future.