

City of East Bethel

City Council Agenda

Regular Council Meeting – 7:30 p.m.

Date: March 19, 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 Special Presentation
Leon Mager - SRWMO 2015 Budget

7:54 PM 5.0 Sheriff's Report

8:04 PM 6.0 Public Forum

8:20 PM 7.0 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 12-15 A. Approve Bills
- Page 16-24 B. Meeting Minutes, March 5, 2014, Work Meeting
- Page 25-40 C. Meeting Minutes, March 5, 2014, Regular Meeting
- D. Finance Committee Meeting
- E. Approve Completion of Probation for Community Development Administrative Technician
- Page 41-45 F. Pay Estimate #5 Castle Towers Forcemain Project

New Business

- 8.0 Commission, Association and Task Force Reports**
 - A. Planning Commission
 - B. Economic Development Authority
 - C. Park Commission
 - D. Road Commission

8:25 PM 9.0 Department Reports

- A. Community Development
 - 1. Manufactured Home Ordinance, Section 34-183; Section 38-19; Section 38-20

- 8:50 PM**
 - B. Engineer
 - C. City Attorney
 - D. Finance
 - E. Public Works
 - 1. 2014 Street Maintenance JPA Projects
 - 2. Lions Recycle Fees
 - F. Fire Department
- Page 60-64
Page 65-67

Page 68-71
Page 72-74
9:10PM
Page 75-77
Page 78-105

- 1. February Report
- 2. Request for Equipment Purchase
- G. City Administrator
 - 1. URRWMO 2015 Budget
 - 2. Recording Secretary Services

9:25 PM 10.0 Other

- A. Staff Report
- B. Council Reports
- C. Other

9:30 PM 11.0 Adjourn



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 4.0 A

Agenda Item:

Sunrise River Water Management Organization (SRWMO) Budget Presentation

Requested Action:

Discuss and provide comment to the SRWMO as to the 2015 SRWMO Draft Budget

Background Information:

The SRWMO's draft 2015 budget is attached for your review. Any requests to modify the budget must be presented to the SRWMO prior to their May 1, 2014 meeting. After that date, and absent any comments or direction from East Bethel, our portion of the budget can be considered approved at the level indicated for 2015.

The proposed 2015 SRWMO Budget is \$47,010 as compared to the 2014 budget of \$48,464, a proposed reduction of \$1,454. The City's share of this budget for 2014 is \$15,571 and is proposed to be \$15,003.80 in 2015, a reduction of \$567.20.

There is a proposed change to the 2015 draft budget under consideration that is not reflected in the attached 2015 Budget Summary. Unapproved, but proposed at this point in time, the SRWMO at their February 6, 2014 meeting discussed reductions for the Lakeshore Landscaping Marketing and Aquatic Plant Education. The proposed changes (final approval of these changes would be made at the 5/1 SRWMO meeting) would result in reducing the 2015 budget from \$47,010 to \$45,000, depending on the option chosen. This change would result in a reduction of 7% from the current 2014 budget and reduce our share by a proportionate amount.

Mr. Leon Mager will be present and provide a budget overview and a summary of the SRWMO activities.

Attachments:

Draft 2015 SRWMO Budget

Fiscal Impact:

As noted above

Recommendation(s):

Staff is seeking comment from City Council regarding the SRWMO Draft Budget.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

2015 Draft Budget

For the

Sunrise River Watershed Management Organization

Notes:

This proposed budget must be ratified by member communities. The SRWMO will adopt a final 2015 budget at their May 1, 2014 meeting.

| 2015 SRWMO Budgeting Summary | | | | | |
|-------------------------------------|------------------------------------|-------------|-------------|---------------------------------|-------------------|
| Draft Jan. 30, 2014 | | | | | |
| Category | Type | 2013 Budget | 2014 Budget | In Watershed Mgmt Plan for 2015 | 2015 Draft Budget |
| ACD Proposal | Operating Expenses | \$1,500 | \$2,850 | \$2,800 | \$2,910 |
| | Non-Operating Expenses | \$41,620 | \$41,314 | \$43,835 | \$41,000 |
| Other Expenses | Operating Expenses | \$3,350 | \$3,300 | \$4,400 | \$3,100 |
| | Non-Operating Administrative Costs | \$1,425 | \$1,000 | \$1,650 | \$0 |
| | Non-Operating Costs - Other | \$0 | \$0 | \$0 | \$0 |
| TOTAL | | \$47,895 | \$48,464 | \$52,685 | \$47,010 |

| 2015 Cost Breakdown By Community | | | | | |
|---|-------------------------|-------------------------|-----------------------------|-----------------------------|-------------|
| Draft Jan. 30, 2014 | | | | | |
| Community | % of Operating Expenses | 2015 Operating Expenses | % of Non-Operating Expenses | 2015 Non-Operating Expenses | 2015 Total |
| Linwood | 25% | \$1,502.50 | 46.40% | \$19,024.00 | \$20,526.50 |
| East Bethel | 25% | \$1,502.50 | 32.93% | \$13,501.30 | \$15,003.80 |
| Columbus | 25% | \$1,502.50 | 16.72% | \$6,855.20 | \$8,357.70 |
| Ham Lake | 25% | \$1,502.50 | 3.95% | \$1,619.50 | \$3,122.00 |
| Total | | \$6,010.00 | | \$41,000.00 | \$47,010.00 |

ACD PROPOSAL

| TASK | SITES/ELEMENTS | In Watershed Plan for 2015 | 2015 Estimate |
|---|---|----------------------------|-----------------|
| Operating Expenses (costs split equally among member cities per the SRWMO Joint Powers Agreement) | | | |
| Administrator (on-call, limited) | 25 hrs of in and out of meeting assistance. | \$1,700 | \$1,875 |
| Annual Report to BWSR and Member Communities | Report must meet MN Rules 8410.0150. Distribution includes digital copies to 15 communities, board members, and others. 20 color hard copies must be distributed to our four member communities (5 each). | \$800 | \$735 |
| Annual Financial Report to State Auditor | Must be completed online using the Auditor's SAFES website. The SRWMO is responsible for providing a financial summary. | \$300 | \$300 |
| SUBTOTAL OF OPERATING EXPENSES | | \$2,800 | \$2,910 |
| Non-operating Expenses (costs split by unique percentage outlined in SRWMO joint powers agreement) | | | |
| Non-operating Administrative | | | |
| Grant Search and Applications | Prepare 1 grant application, typically to BWSR or DNR grant programs. | \$1,000 | \$1,000 |
| Water Condition Monitoring | | | |
| Lake Level Monitoring | | \$750 | \$1,250 |
| | Coon Lake | | |
| | Linwood Lake | | |
| | Martin Lake | | |
| | Fawn Lake | | |
| | Typo Lake | | |
| Lake Water Quality Monitoring | | \$4,300 | \$3,250 |
| | Fawn Lake | | |
| | Linwood Lake | | |
| Monitoring of Water Quality Improvement Project Effectiveness - Lake Water Quality Monitoring | | \$1,000 | \$3,250 |
| | Martin Lake | | |
| | Typo Lake | | |
| Stream Water Quality Monitoring | | \$2,100 | \$2,800 |
| | W Branch Sunrise River at CR 77 | | |
| | S Branch Sunrise R at Hornsby St | | |
| Stream Hydrology Monitoring | | \$1,075 | \$1,250 |
| | W Branch Sunrise River at CR 77 | | |
| | S Branch Sunrise R at Hornsby St | | |
| Reference Wetland Hydrology Monitoring | | \$1,710 | \$1,725 |
| | Carlos Reference Wetland | | |
| | Carlos 181 st Reference Wetland | | |
| | Tamarack Reference Wetland | | |
| Studies and Investigations | | | |
| | Fawn Lake curly leaf pondweed mapping and assess control needs | \$3,300 | \$675 |
| Water Quality Improvement Projects | | | |
| Discretionary Water Quality Projects | To be determined based on grant secured, committed partners, studies and monitoring results. | \$10,000 | \$8,000 |
| Coon Lake Area Stormwater Retrofits | As determined in stormwater retrofit study. | \$15,000 | \$15,000 |
| SRWMO Cost Share Grant Fund | | \$2,000 | \$0 |
| Education and Public Outreach | | | |
| Website – Annual Operations | | \$400 | \$490 |
| | Hosting fee = \$110 | | |
| | Domain name fee = \$10 | | |
| | Maintenance fee = \$250 | | |
| | Posting minutes x 6 = \$60 | | |
| | Posting agendas x 6 = \$60 | | |
| Lakeshore Landscaping Marketing | | \$700 | \$1,810 |
| | Option 1 - Competition for the best native plant lakeshore project. \$1,650 | | |
| | Option 2 - Homeowner guide distribution to lakeshore properties. \$1,810 | | |
| | Option 3 - Premium sponsor at CLIA annual golf outing. \$1459 | | |
| | Option 4 - Hole sponsor at CLIA annual golf outing \$1209 | | |
| | Option 5 - Postcard mailing to lakeshore residents about cost share grant availability \$487 | | |
| SRWMO Annual Education Publication/Newsletter Article | Topic TBD. Distribution in member city newsletters. | \$500 | \$500 |
| SUBTOTAL OF NON-OPERATING EXPENSES | | \$43,835 | \$41,000 |
| TOTAL ACD PROPOSAL | | \$46,635 | \$43,910 |

OTHER EXPENSES

| TASK | In Watershed Plan for 2015 | 2015 Estimate |
|---|----------------------------|----------------|
| Operating Expenses (costs split equally among member cities per the SRWMO Joint Powers Agreement) | | |
| Secretarial or Other Administrative | \$1,500 | \$1,000 |
| Liability Insurance | \$2,600 | \$2,000 |
| Administrative Assistance – City of East Bethel | \$300 | \$100 |
| SUBTOTAL OF OPERATING EXPENSES | \$4,400 | \$3,100 |
| Non-operating Administrative Costs (costs split by unique percentage outlined in SRWMO joint powers agreement) | | |
| Legal | \$1,200 | \$0 |
| Financial Audit | \$350 | \$0 |
| Advertise Bids for Pro Services | \$100 | \$0 |
| SUBTOTAL of Non-Operating Administrative Expenses | \$1,650 | \$0 |
| Non-operating Costs (costs split by unique percentage outlined in SRWMO joint powers agreement) | | |
| None | \$0 | \$0 |
| SUBTOTAL of Non-Operating Expenses | \$0 | \$0 |
| TOTAL OTHER COSTS | \$6,050 | \$3,100 |



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 5.0

Agenda Item:

Sheriff's Department Report

Requested Action:

Information Item

Background Information:

Commander Shelly Orlando will present the February 2014 Sheriff's Report.

Attachments:

February Report

Fiscal Impact:

Recommendation(s):

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

Anoka County Sheriff's Office Report February 2014

DWI's: There was 1 DWI in February. A deputy located a vehicle in the ditch with a male standing outside of it. The male advised he had lost control of his vehicle and went into the ditch, he then had locked himself out of the vehicle. The male failed field sobriety tests and tested with a .19 bac.

Thefts: There were 15 reported thefts. Three thefts involved financial transaction cards being fraudulently used – one suspect involved a family member the other two had unknown suspects. Two thefts involved license plates being stolen. One theft involved prescription medications being delivered to the wrong address. There was one vehicle theft reported and a trailer theft reported (not related). There was a report of identity theft where a victim had learned her tax return had been filed in Dallas Texas. There was one theft for shoplifting and two gas drive offs (one of which was resolved).

Burglaries: There were 3 reports of burglary/attempted burglary. The first report involved a business which was closed for the winter. The business had been broken into and had several thousand dollars worth of merchandise taken. The business owner winters in Florida and came back to conduct an inventory of all missing items. This case is currently under investigation. There was a report of a home that is not occupied being broken into and a washing machine and drill being taken. Entry into the home was made through a basement window. The last report involved a cabin that is under construction. The front door was damaged as a result of someone attempting to kick it in. No entry was made but a power line had been cut.

Criminal Vehicular Operation: Deputies responded to a personal injury accident at Hwy 65 and Viking Blvd. Upon arriving it was determined that a suspected intoxicated driver had rear-ended a driver stopped at a red light. The driver failed field sobriety tests and a search warrant was obtained for a blood draw. The other driver had sustained pain in her back and was transported for medical care. Test results showed a bac of .24.

Disorderly Conduct: Deputy responded to a road rage incident where a suspect had broken out a window on a vehicle while stopped at a red light. The victim advised the driving conduct began around 221st Ave on Hwy 65. An independent witness had witnessed the driving conduct and then the

smashing of the window and was able to supply a license plate number on the suspect vehicle. The witness reported both vehicles were passing one another on Hwy 65 from Viking Blvd, heading north. At the intersection of 237th, one male got out of his vehicle, walked over to the other vehicle and hit the window (which shattered). The driver then left heading north on 65, while the victim and witness stopped to report the action. The deputy was able to follow up with suspect driver who advised the other driver was irritating him by going 45 mph in the passing lane and then slamming on his brakes. He advised he did go over and hit the window, not thinking that it would actually break, but to voice his frustration. The suspect was cited for disorderly conduct and damage to property.



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 7.0 A-F

Agenda Item:

Consent Agenda

Requested Action:

Consider approving the Consent Agenda

Background Information:

Item A

Bills/Claims

Item B

Meeting Minutes, March 5, 2014 City Council Work Meeting

Meeting minutes from the March 5, 2014 City Council Work Meeting are attached for your review and approval.

Item C

Meeting Minutes, March 5, 2014 City Council Meeting

Meeting minutes from the March 5, 2014 City Council Meeting are attached for your review and approval.

Item D

Approve Date for Finance Committee Meeting

Staff is recommending that the Finance Committee meet at 9 AM on April 1, 2014 at City Hall to discuss and provide Staff direction for the preparation of the 2015 Budget.

Item E

Approve Completion of Probation for Administration Support I – Community Development

Carrie Frost began her new position as Administration Support I – Community Development within the City on 10/23/13. Since that time, she has performed in an exceptional and exemplary manner. Staff is recommending her appointment as a regular employee based on the satisfactory completion of the six month probationary period required of all new or promoted employees. This recommendation is based on the observations and evaluations of the Community Development Director and the City Administrator.

Item F

Approve Pay Estimate #5, Castle Towers/Whispering Aspen Force Main Project

This item includes Pay Estimate No. 5 to LaTour Construction, Inc. for the Castle Towers/Whispering Aspen 2013 Forcemain Project. This pay estimate includes payment for the lift station generator and miscellaneous items. Staff recommends partial payment of \$26,295.61. A summary of the recommended payment is as follows:

| | |
|------------------------------|---------------------|
| Total Work Completed to Date | \$1,622,982.30 |
| Less Previous Payments | \$1,515,537.57 |
| Less Retainage | <u>\$ 81,149.12</u> |
| Total payment | \$ 26,295.61 |

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. 5 is attached.

Fiscal Impact:

As noted above.

Recommendation(s):

Staff recommends 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 March 19, 2014

| | |
|--|-----------------------|
| Bills to be Approved for Payment | \$48,448.48 |
| Electronic Bond Payments | \$6,162,760.42 |
| Electronic Payroll Payments | \$3,946.99 |
| Payroll City Staff - March 13, 2014 | \$31,520.89 |
| Payroll City Council - March 14, 2014 | \$2,282.31 |
| Payroll Fire Department - March 14, 2014 | \$6,398.56 |
| Total to be Approved for Payment | \$6,255,357.65 |

City of East Bethel

March 19, 2014

Payment Summary

| Department | Description | Invoice | Vendor | Fund | Dept | Amount |
|--------------------------------|--------------------------------|--------------|------------------------------|------|-------|-------------|
| 2005B 207th Serv Rd SA Bonds | Fiscal Agent s Fees | 3617282 | US Bank | 303 | 30300 | \$425.00 |
| 2008A GO SEWER REV BONDS | Fiscal Agent s Fees | 3618557 | US Bank | 308 | 30800 | \$450.00 |
| Arena Operations | Motor Fuels | 1080537198 | Ferrellgas | 615 | 49851 | \$20.00 |
| Arena Operations | Motor Fuels | 1081019195 | Ferrellgas | 615 | 49851 | \$327.40 |
| Arena Operations | Motor Fuels | RNT5370913 | Ferrellgas | 615 | 49851 | \$12.00 |
| Arena Operations | Motor Fuels | 030414 | Gibson's Management Company | 615 | 49851 | \$38.01 |
| Arena Operations | Professional Services Fees | 67 | Gibson's Management Company | 615 | 49851 | \$7,150.27 |
| Arena Operations | Refuse Removal | 11165588 | Ace Solid Waste, Inc. | 615 | 49851 | \$204.75 |
| Arena Operations | Telephone | 022814 | CenturyLink | 615 | 49851 | \$118.35 |
| Building Inspection | Conferences/Meetings | 022814 | Steve Lutmer | 101 | 42410 | \$220.00 |
| Building Inspection | Electrical Permits | 030114 | Brian Nelson Inspection Svcs | 101 | | \$323.25 |
| Building Inspection | Travel Expenses | 030314 | Nick Schmitz | 101 | 42410 | \$136.64 |
| Central Services/Supplies | Information Systems | B140306J | Anoka County Treasury Dept | 101 | 48150 | \$225.00 |
| Central Services/Supplies | Office Equipment Rental | 589869 | Metro Sales Inc. | 101 | 48150 | \$321.04 |
| Central Services/Supplies | Office Equipment Rental | 248845083 | US Bank Equipment Finance | 101 | 48150 | \$269.50 |
| Central Services/Supplies | Office Supplies | 694375748001 | Office Depot | 101 | 48150 | \$34.84 |
| Central Services/Supplies | Telephone | 022814 | CenturyLink | 101 | 48150 | \$243.98 |
| Economic Development Authority | Professional Services Fees | 031314 | Jill Anderson | 232 | 23200 | \$45.00 |
| Finance | Auditing and Acct g Services | 323097 | Abdo, Eick & Meyers, LLP | 101 | 41520 | \$10,000.00 |
| Fire Department | Motor Fuels | 2336543 | Lubricant Technologies, Inc. | 101 | 42210 | \$399.20 |
| Fire Department | Motor Vehicle Services (Lic d) | 1921-159711 | O'Reilly Auto Stores Inc. | 101 | 42210 | \$127.59 |
| Fire Department | Refuse Removal | 11165588 | Ace Solid Waste, Inc. | 101 | 42210 | \$54.29 |
| Fire Department | Small Tools and Minor Equip | 49123 | Menards - Forest Lake | 101 | 42210 | \$92.34 |
| Fire Department | Telephone | 022814 | CenturyLink | 101 | 42210 | \$358.03 |
| General Govt Buildings/Plant | Bldg/Facility Repair Supplies | 47688 | Menards Cambridge | 101 | 41940 | \$13.95 |
| General Govt Buildings/Plant | Bldg/Facility Repair Supplies | 47812 | Menards Cambridge | 101 | 41940 | \$129.00 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 10971 | Betz Mechanical, Inc. | 101 | 41940 | \$195.00 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 15025 | GHP Enterprises, Inc. | 101 | 41940 | \$345.00 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 84492 | Minnesota Conway | 101 | 41940 | \$144.00 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 455408-02-14 | Premium Waters, Inc. | 101 | 41940 | \$27.84 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 123647 | Robert B. Hill Company | 101 | 41940 | \$18.00 |
| General Govt Buildings/Plant | Refuse Removal | 11165588 | Ace Solid Waste, Inc. | 101 | 41940 | \$56.80 |
| Legal | Legal Fees | 133982 | Eckberg, Lammers, Briggs, | 101 | 41610 | \$7,974.29 |
| Legal | Legal Fees | 133982 | Eckberg, Lammers, Briggs, | 101 | 41610 | \$1,392.00 |
| Mayor/City Council | Professional Services Fees | 031314 | Jill Anderson | 101 | 41110 | \$355.00 |
| Park Maintenance | Clothing & Personal Equipment | 1182180240 | G&K Services - St. Paul | 101 | 43201 | \$18.21 |
| Park Maintenance | Clothing & Personal Equipment | 1182191670 | G&K Services - St. Paul | 101 | 43201 | \$18.21 |
| Park Maintenance | Equipment Parts | 02-105941 | Lano Equipment, Inc. | 101 | 43201 | \$180.38 |
| Park Maintenance | Motor Fuels | 2336543 | Lubricant Technologies, Inc. | 101 | 43201 | \$767.70 |
| Park Maintenance | Motor Vehicles Parts | 49053 | Hydraulic Specialty Co | 101 | 43201 | \$64.55 |
| Park Maintenance | Motor Vehicles Parts | 8580 | Plow World, Inc. | 101 | 43201 | \$58.29 |
| Park Maintenance | Motor Vehicles Parts | 8580 | Plow World, Inc. | 101 | 43201 | \$543.28 |
| Park Maintenance | Other Equipment Rentals | 73275 | Jimmy's Johnnys, Inc. | 101 | 43201 | \$52.00 |
| Park Maintenance | Professional Services Fees | 031314 | Jill Anderson | 101 | 43201 | \$170.00 |
| Planning and Zoning | Office Supplies | 694375748001 | Office Depot | 101 | 41910 | \$44.47 |

City of East Bethel

March 19, 2014

Payment Summary

| Department | Description | Invoice | Vendor | Fund | Dept | Amount |
|--------------------------|-------------------------------|--------------|------------------------------|------|-------|--------------------|
| Planning and Zoning | Professional Services Fees | 801 | Flat Rock Geographics, LLC | 101 | 41910 | \$780.00 |
| Planning and Zoning | Professional Services Fees | 031314 | Jill Anderson | 101 | 41910 | \$165.00 |
| Police | Professional Services Fees | 02 2014 | Gratitude Farms | 101 | 42110 | \$250.00 |
| Recycling Operations | Other Equipment Rentals | 73275 | Jimmy's Johnnys, Inc. | 226 | 43235 | \$52.00 |
| Recycling Operations | Refuse Removal | 11165588 | Ace Solid Waste, Inc. | 226 | 43235 | \$204.75 |
| Sewer Operations | Bldg/Facility Repair Supplies | 47791 | Menards Cambridge | 602 | 49451 | \$477.50 |
| Sewer Operations | Chemicals and Chem Products | 3565817 RI | Hawkins, Inc | 602 | 49451 | \$90.00 |
| Sewer Operations | Professional Services Fees | 85500 | UC Laboratory | 602 | 49451 | \$437.00 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 1182180240 | G&K Services - St. Paul | 101 | 43220 | \$5.33 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 1182191670 | G&K Services - St. Paul | 101 | 43220 | \$9.17 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 455408-02-14 | Premium Waters, Inc. | 101 | 43220 | \$27.83 |
| Street Maintenance | Cleaning Supplies | 214893 | Unlimited Supplies, Inc. | 101 | 43220 | \$320.00 |
| Street Maintenance | Clothing & Personal Equipment | 1182180240 | G&K Services - St. Paul | 101 | 43220 | \$17.96 |
| Street Maintenance | Clothing & Personal Equipment | 1182191670 | G&K Services - St. Paul | 101 | 43220 | \$17.96 |
| Street Maintenance | Equipment Parts | H90226 | H&L Mesabi | 101 | 43220 | \$2,248.98 |
| Street Maintenance | Equipment Parts | H90414 | H&L Mesabi | 101 | 43220 | \$640.68 |
| Street Maintenance | Lubricants and Additives | 7698 | DB Kopyy | 101 | 43220 | \$77.64 |
| Street Maintenance | Lubricants and Additives | 1539-273220 | O'Reilly Auto Stores Inc. | 101 | 43220 | \$129.95 |
| Street Maintenance | Motor Fuels | 2336543 | Lubricant Technologies, Inc. | 101 | 43220 | \$1,903.91 |
| Street Maintenance | Motor Vehicles Parts | F-240630133 | Allstate Peterbilt North | 101 | 43220 | \$24.16 |
| Street Maintenance | Motor Vehicles Parts | F-240640003 | Allstate Peterbilt North | 101 | 43220 | \$16.84 |
| Street Maintenance | Motor Vehicles Parts | F-240650007 | Allstate Peterbilt North | 101 | 43220 | \$32.72 |
| Street Maintenance | Professional Services Fees | 031314 | Jill Anderson | 101 | 43220 | \$95.00 |
| Street Maintenance | Refuse Removal | 11165588 | Ace Solid Waste, Inc. | 101 | 43220 | \$81.43 |
| Street Maintenance | Repairs/Maint Machinery/Equip | 29238 | Data Panel Corporation | 101 | 43220 | \$525.00 |
| Street Maintenance | Safety Supplies | 4041055795 | BlueTarp Financial, Inc. | 101 | 43220 | \$259.90 |
| Street Maintenance | Street Maint Materials | 47791 | Menards Cambridge | 101 | 43220 | \$143.76 |
| Street Maintenance | Street Maint Materials | 71140251 | North American Salt Co. | 101 | 43220 | \$1,952.29 |
| Street Maintenance | Street Maint Materials | 71141660 | North American Salt Co. | 101 | 43220 | \$2,028.82 |
| Street Maintenance | Street Maint Materials | 52258 | Plaisted Companies, Inc. | 101 | 43220 | \$446.55 |
| Street Maintenance | Telephone | 022814 | CenturyLink | 101 | 43220 | \$73.17 |
| Street Maintenance | Tires | 150029093 | Pomp's Tire Service, Inc. | 101 | 43220 | (\$131.00) |
| Street Maintenance | Tires | 150030140 | Pomp's Tire Service, Inc. | 101 | 43220 | \$572.81 |
| Water Utility Operations | Telephone | 022814 | CenturyLink | 601 | 49401 | \$306.92 |
| | | | | | | \$48,448.48 |

City of East Bethel

March 19, 2014

Payment Summary

| Department | Description | Invoice | Vendor | Fund | Dept | Amount |
|------------------------------------|--|---------|--------|------|------|-----------------------|
| Electronic Bond Payments | | | | | | |
| US Bank | Taxable GO Utility Rev Bond, Ser 2010B | | | | | \$6,162,760.42 |
| | | | | | | \$6,162,760.42 |
| Electronic Payroll Payments | | | | | | |
| Payroll | PERA | | | | | \$5,563.80 |
| Payroll | Federal Withholding | | | | | \$5,239.15 |
| Payroll | Medicare Withholding | | | | | \$1,699.28 |
| Payroll | FICA Tax Withholding | | | | | \$7,265.48 |
| Payroll | State Withholding | | | | | \$2,197.29 |
| Payroll | MSRS/HCSP | | | | | \$3,946.99 |
| | | | | | | \$25,911.99 |
| | | | | | | |

EAST BETHEL CITY COUNCIL WORK MEETING

March 5, 2014

The East Bethel City Council met on March 5, 2014 at 6:00 PM for a work meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Tim Harrington
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Mark Vierling, City Attorney

Call to Order **The March 5, 2014 City Council work meeting was called to order by Mayor DeRoche at 6:00 PM.**

Adopt Agenda **DeRoche motioned to adopt the agenda with no additions. Koller seconded; all in favor, motion carries unanimously.**

Emergency Fire Chief Mark DuCharme presented the City's Emergency Management Plan to Council
Operations for review and comment. Additional meetings may be required for completion of the
Plan review prior to submission to Council for adoption.

DuCharme, "I would like to update the Council concerning a chimney fire on 214th Avenue. Although the fire was minor in damage, it comes up every now and is a message to keep our chimney's clean. We also have to be careful with the ashes. In this case the chimney liner was cracked. They will have to work with their insurance company. This is to remind people to be a little more alert, especially after the long winter."

"I would like to switch over to the presentation on the screen, the Emergency Operations Plan Succession. This is the second time we have discussed the Emergency Operations Plan for East Bethel. There are things that have to be changed for grammar and spelling and staff directories have to be updated. In April of last year was when we last talked about the plan. Tom Ronning had asked how we put this plan together. The plan is a consortium of a lot of templates that come together from neighboring cities, to ones far away, even the Federal government. We try to make it unique to the City"

"This is a disaster flow chart. This is made to address an emergency. The Mayor is at the top of the chart and is responsible for the plan. The Emergency Management Director is an assistant to the Mayor. The City Administrator should be up a tier. As you can see, City Council and Mayor are going to be at the Emergency Operations Center. They are doing the supervision and the contact jobs. At this point, of preparing the plan, we are open to all kinds of discussion. If I don't have the answer, maybe collectively we will have to find an answer."

"This is right out of our ordinance, Chapter 2, Article XI, Sections 602-603. It also talks about the possibility of the City being struck with a natural or manmade disaster. This discusses the succession of key government officials. The Mayor, City Council and City Administrator shall be notified by anyone and any means available. If a tornado comes through and wipes out the cell tower, the Mayor, Council and City Administrator should meet at the City Hall, unless that isn't a safe location. If the Mayor is present, they will call the meeting. If the Acting Mayor is not present, the Acting Mayor will call the meeting. If

neither is present, the Council members present will elect a chair. They will review the incident, and no matter how many are there, they will fill all the emergency operations positions. They will elect them. Those present elect a chair person and a secretary.”

DeRoche, “How much time lapse are we talking? I think the City Administrator should be farther up.”

DuCharme, “I do contact Davis about things that should be notified. I would rather have him hear it from me than see it on television. I don’t foresee people being at the City Hall in two minutes. In case of an emergency or disaster, there are functional things going on in the field. If you haven’t gotten together, that doesn’t stop emergency services. We will still be asking, for mutual aid from other resources.”

DeRoche, “I notice the emergency sirens can’t be blown through East Bethel, what if something comes through?”

DuCharme, “Anoka County has the County split into sections. If there is a storm, they will sound the sirens. Every time there is a storm warning or watch, we are also notified of that. We cannot go and flip a switch and turn on a siren, we can communicate with our dispatch center and ask them to start it.”

DeRoche, “If you’re not around can Davis call them and tell then this has happened.”

DuCharme, “We can make sure he has the number 427-1212. Our deputies are very good in their judgment and they would also request that sirens or warnings be given out. This is what we have set up. It doesn’t call out for a time period. It is set up for a considerable a reasonable amount of time. Direction and control, this is important. The emergency response is by executive order of the Mayor or the acting Mayor. That position is the only one that can declare the emergency. I am going to tell you right now, 99% of the time we aren’t going to use that plan. At some time we will have to activate this plan. Remember I told you, you were all going to be at the emergency operations center. We need to define where that is going to be. We are going to use Fire Station 1. The main reason we are going to use it is that it has a backup generator. We will have electricity. 80% of that building will be powered. We don’t have that at City Hall or the Senior Center. Here is the concern I have..... our computer network is at City Hall. So I have concerns about not having backup power at that location. If we lose power there, we don’t have our computers or telephones. That will affect Station Number 1 as we are on the city computer network and phones. We do have two analog lines that service Station Number 1. One is the fax and one is for emergency operations. If the Fire Station was substantially destroyed, the next place we could move to is City Hall, Coon Lake Community Center, Fire Station 3, Our Saviour’s Church or Cedar Creek Elementary.

DeRoche, “Has anyone thought about getting 5K generator?”

Davis, “We have looked into that. I had an electrician come in and look at it. He sized a 60K generator to power. The cost would be \$36,000, plus the cost of the pad and also the gas connection. That is what it would cost to power the whole building.”

DeRoche, “We powered a whole area in the bush, with a 10K.”

Davis, “We could probably get a generator with low hours in fairly good condition, for less

cost. The above figures are for a generator sized for the peak electrical demand of City Hall.”

DuCharme, “We went with a surplus generator out of Willow River. We have received several things from the military. The boat, with the big twin 90s, that came from the DNR. It is a vibrant program. We know the people up there pretty well. I have talked with the program coordinator about the need for a generator. I think it is more realistic. FEMA is not in tune on the local level for building a facility.”

Moegerle, “Could we get one that would operate our water tower?”

Davis, “We have a permanent one there and one at new Castle Towers/Whispering Aspens lift station. The cost for a 60kw, was \$27,500. Hopefully we could find a surplus property one for a lot less.”

DeRoche, “We do have one for the lift station by Castle Towers and the water tower.”

DuCharme, “If Coon Lake Beach, our first two choices are wiped out, the third choice might have power.”

Moegerle, “It will depend on if it wipes out the entire city or is localized.”

DuCharme, “We will have to do a MOU with these organizations, just in case we need it. That is important. We have 123 pages in the plan, but we also have to make sure everyone will do it. We are trying to do that with the staff. That is an internal thing.”

Ronning, “Do we know if the land lines that the computers go through would not be operational without City hall?”

DuCharme, “Yes, because it is voice over internet. That is why I have two phones in my office, one is analog and one is digital.”

Ronning, “Will there be a signal, you power up your computer, when you power it up, will it be there.”

DuCharme, “If the connection is down here, then we won’t have connection at all.”

Davis, “We might have redundancy with the Anoka County Broadband.”

DuCharme, “I will check with the IT people on that.”

Ronning, “If the building was up and running here, would we be able to have contact.”

DuCharme, “We might be able to.”

Ronning, “The phone line has juice, stick your finger on it and find out. If we prepare for these things, will it be there for us at all.”

DuCharme, “That is why we go two three deep. For example, everyone is having a drink of water. It isn’t far fetched that our water system would be contaminated. You guys could become incapacitated like the bird flu pandemic scare that was being circulated a couple of

years ago. There were a lot of businesses that wanted to take a look at the continuity of government. It could be difficult to keep our City services going under those conditions.”

DeRoche, “Further down in the packet, is there a supply of water, bottled water, C rations in inventory.”

DuCharme, “There is and it’s through our mutual aid, State, National and local. We deal with mutual aid on a daily basis. If we need bottled water we know where to get that resource. If we need tankers of drinking water brought in, we know how to work up the chain of command to get the Governor to order out the National Guard for water. That is all in the training our Fire Department has gone through. We took all of our officers and have had all the NIMS and Blue Card certification. They have incident command of multiple incidents. That was 120 hours in school. The Blue Card shows they can handle a large scale disaster.”

DuCharme, “This is the concept, we do have an idea what to look for. One other thing about emergency operations center, out at Coon Lake Beach, if we would have had large-scale power outages, we could have two command centers going at one time. Somebody has to run and make sure the emergency operation center is open. I have a formal agreement with the retired fire fighters. If I called one retired fire fighter, they will call the rest and open the center. If I am not there, I put in charge the Fire Marshall/Inspector. This person goes through all the buildings once a year, and knows the buildings. The third choice would be the Deputy Fire Chief. If we know officers are going to be out of town, we raise our level of alertness.”

DuCharme, “Also the communications and warnings are what we need to talk about. Fire Station number 1 is there for communications. We have a communication center there. That is where we get our CADD dispatch. We have a fax machine there that is analog. If dispatch gets overwhelmed with calls, they will declare a major event. They will fax those to us. We will do self-dispatch, like a kind of triage. We will send our units to the most important. If Station 1 is knocked out, we go to 2, and if that is knocked out we go to 3. If that is knocked out we go to a mobile unit. The County has a mobile unit, and so do some of our neighboring cities.”

DuCharme, “The Deputy Fire Chief is the one that will handle the event. The Fire Duty Officer is next in line and the Highest Ranking Fire Officer is the backup. Although it seems like we are deploying all the fire department people for administrative functions, once we assess the situation, we call in mutual aid fire departments. We would call in Anoka County Emergency Management, Anoka County Sheriff’s Department and other mutual aid.. The County brings a great amount of resources.”

DeRoche, “Is there any means to work with Ham operators?”

DuCharme, “Your Ham units, if you don’t have any phones, cell phones they can still communicate. They are a great resource. I just don’t have a list of those people. That is a list of people we are going to need. If something happened tomorrow Deputy Chief Anderson is going to have make sure the radios and communications gear are working. If they aren’t working, we would have to talk to the Ham groups. They would be able to get us running quick.”

DuCharme, “We have taken care of everything down from the Mayor to the functional

items. Keep in mind that Nate and Public Works are available. We will just direct them to the areas that need immediate cleanup. They will go and do it. If Nate doesn't feel they have the resources to do it, he will make a call to ask for help. Keep in mind, the control is above that line and rests with the Mayor and Council."

DuCharme, "I want to apologize to the Community Development Director that I have put them as the City Planner in the Plan. We need to make sure we get clear, concise information out to the public. We have to make sure it is what we get out to the Council and law enforcement. The Community Development Director would be a good person to do this work. It is not that the Community Development Director would be releasing press releases whenever they want. They would be doing it at the direction of the Emergency Operation team. Any information that is going out there is approved by the Council and Mayor. If the Community Development Director isn't there, then it would be the City Administrator and the backup would be the Fire District Chief."

DuCharme, "Damage assessment is a big one. If we have a moderate tornado, Nick and his crew will probably help out with assessment. The City Engineer and Nate's team will be able to help with this. They will get the intelligence from the field. The Building Official would be the person to assess building damage. Most of this would be done in relatively short order to complete the initial assessment. We will want to know how much damage we have and then get more specific on what the damage is."

DuCharme, "Law enforcement, is the Sheriff's department. They have the County's plan, their own plan and they fit into ours. On a large scale, we would have a liaison right with us at the emergency operations center. The sheriff would assign the three deep people depending on staffing. They are a big player with us."

DuCharme, "Fire and rescue, there is still emergency functions that have to go on. Between fire, law enforcement and public works that is going on from the beginning of a disaster."

DuCharme, "Emergency resources supply.... This is the person that has to keep the records. It is quite chaotic when these things start out. It is not uncommon during the first twelve, eighteen or twenty four hours until we have control of the situation. If we have to go out and spend some money, or bring in volunteers, we need to have clear and concise records to qualify for FEMA reimbursement. This is three deep this function is the longest lasting function of an emergency plan. There are disasters from five or six years ago that are still going on in terms of sorting through the reimbursement."

DeRoche, "Does the Finance Director or Community Development Director know what they are to do?"

DuCharme, "They will be going through training, and also NIMS training. There are resources that are going to help them and step in and show them how to do the reports. There will be outside resources that will help us through it. We have to identify who is responsible for the function."

DeRoche, "I think our Finance person can do it."

Davis, "He has already had some of that training through Centerville."

DuCharme, "We have all these functions and they work together. The Council and Mayor are at the top."

DuCharme, "If the Public Works Director isn't on scene should be the City Engineer be in charge of this part of the plan."

DeRoche, "I think the City Engineer."

DuCharme, "The lead people are really trained in operating the equipment."

Moegerle, "It seems the Public Works Director has a couple of hats they are wearing."

DuCharme, "I am not trying to spread us thin, sometimes we will have to do that."

Moegerle, "I think if we looked at it a different way, if we didn't look at it individually, it might be separated. We should look at all the duties. The City Engineer might be over qualified for this position. It might be something you might want to call at the time, depending on the disaster."

Moegerle, "You have to make a decision. I know the value of having it set in stone."

DuCharme, "It isn't going to be against the law to deviate from the plan."

Moegerle, "Where does the City Engineer live? Where does Nate live?"

DuCharme, "If something happens here, it might also be affecting their home area. We have to also be aware their thoughts might be with their families and properties

Moegerle, "For folks that are coming, how do they get past security. Do they have a pass card that says who they are?"

DuCharme, "Everyone has an ID card, this year Anoka County is going to issue ID's."

DeRoche, "There was one case where one of the Mayors got turned down and couldn't get in."

DuCharme, "The new cards will have the pictures printed right on it."

Moegerle, "Who else has this document?"

DuCharme, "When we have the final edits, we will have personal information in there. That part is not public. It will be kept at the vaults in City Hall and the Fire Station 1 vault."

Moegerle, "Will Anoka County and Ham Lake have it?"

DuCharme, "I have a copy of Ham Lake's and it doesn't have the personal information in it."

DuCharme, "Evacuation, if there is a decision made to evacuate, mandatory, or non-mandatory, who will start that process. The Sheriff will use the manpower. The Deputy

Chief will make that decision. The Fire District Chief will replace him in his absence.”

DeRoche, “So will they make the determination if they are going to evacuate?”

DuCharme, “No, the Mayor and Council will. What will happen, if there is an emergency, if we need to move people right now we do that. If someone has a major gas leak, we will do that. If it is large evacuation, you will be consulted right away about it. If we see a vapor cloud, moving around, by 5:00 p.m. it will be right here, and it is 3:00 p.m. The Council will have to make the decision. We may activate emergency operations center, but not fully. Much like when I talked to you about the possible blizzard coming in.”

DuCharme, “In an in place shelter situation, most people won’t evacuate, they will stay in home. If they are going to do that, we have to get the word out, we have to be sure we know who is staying in what houses much like in the forest fires out west. They will want to know how many people are there in the case the house is destroyed. In place shelter is important and the Fire Marshall/Inspector would be the responsible party. If they are not able to be there, it would be the Deputy City Clerk. In this area when it was bitter, bitter cold, we would have elderly people staying there with no power or heat.”

DuCharme, “Reception care would be handled by the Deputy City Clerk and their backup would be the Receptionist. In the event that neither is available, it would be the Fire Lieutenant. Their duties would be contacting the Red Cross. ”

DuCharme, “Anoka County Health Department would help with a biological agent/virus. They wouldn’t take care of emergency medical services.”

DuCharme, “Emergency medical services is a responsibility of Fire Department, mutual aid partners and Allina.”

DuCharme, “Terrorism, if it is suspected, would be the responsibility of the Sheriff’s Department as the local lead agent. They would bring in the other resources such as FBI or BCA.”

DuCharme, “That is all the functional things in the plan. When you put those all together it is the same flow chart. You’re not going to do the functional stuff, you will direct policy to us. What are your comments?”

DeRoche, “I think it looks good to me and should have been done a year ago.”

Moegerle, “If a disaster happens tomorrow, are we ready?”

DuCharme, “Yes we are prepared.”

Moegerle, “Does Anoka County have this plan?”

DuCharme, “We will be trading plans with Anoka County. Your staff is capable.”

Moegerle, “We could walk through what we have.”

DuCharme, “The biggest thing is understanding the succession. If the bird flu would have hit like we thought it would, half of us wouldn’t be here. We are fully ready for a

emergency response.”

DeRoche, “We need to focus on an emergency generator.”

Ronning, “Is there a flow chart that we can follow?”

DuCharme, “If an emergency or disaster situation occurs, we would activate the emergency operations center. If you can’t get there, we would come in. Fire isn’t going to wait for you to convene. Should our field commanders say we need more resources? We would go ahead and do that. We might have people saying it might go on for a while. We might need food, portable toilets. You will get a briefing, the briefing will tell you what happened, what the situation is, where we are now, and where we will be in 8-12 hours.”

DeRoche, “I would expect there wouldn’t be any micromanaging. It would be nice to know what it is going on.”

DuCharme, “It might take two – three hours to get an emergency operations center up and running.”

Ronning, “The functions will all be in place, and this group comes together.”

DuCharme, “You will come together and make sure we are on the right track.”

Ronning, “How much time did you spend on this?”

Davis, “What do you want to see to go forward to get approved?”

DeRoche, “Grammatical errors, names changed, etc. I don’t want to see names in stone. I would like to see the City Engineer involved.”

Davis, “Craig Jochum and myself did the NIMS training. Nate, Nick and Mike have had it at their previous employment. From staff point, we have been through the training. We did go through a simulated emergency drill. From a staff stand point, we need to have council and staff go through this annually.”

DeRoche, “Are there refreshers? You know if there isn’t something going on, things can go be forgotten and when it comes time for something to happen your skills are not at their peak.”

DuCharme, “We will review the plan on an annual basis and that will be the continuing education.”

Ronning, “People on the list could be part of the casualty list.”

DuCharme, “They could be.”

Davis, “Flexibility is imperative.”

DuCharme, “I will start the edit process. Please email him the changes.”

Moegerle, “Can you forward it to me in Word?”

DuCharme, “Yes, I can. Does anyone else want it in Word?”

DeRoche, “No, I am fine with it in PDF.”

Adjourn

DeRoche made a motion to adjourn at 7:15 p.m. Koller seconded; all in favor, motion carries unanimously.

Submitted by:

Jill Anderson
Recording Secretary

DRAFT

EAST BETHEL CITY COUNCIL MEETING

March 5, 2014

The East Bethel City Council met on March 5, 2014 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Tim Harrington
 Heidi Moegerle Tom Ronning

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

Call to Order **The March 5, 2014 City Council meeting was called to order by Mayor DeRoche at 7:30 PM.**

Adopt Agenda **Ronning motioned to adopt the agenda with no additions. Koller requested to add the supplemental bill list and a request for a gambling permit for the Cedar Creek Community School PTO to the agenda. Ronning withdrew motion. Koller motioned to add the bill list and the Cedar Creek School PTO request to the consent agenda. DeRoche seconded; Moegerle, “where would they be added”. Koller said G is the supplement payment and H for application for gambling. All in favor, motion carries unanimously.**

Public Forum No public comments.

Consent
Agenda

Item A
Bills/Claims

Item B
Meeting Minutes, February 19, 2014 City Council Meeting
Meeting minutes from the February 19, 2014 City Council Meeting are attached for your review and approval.

Item C
Resolution 2014-07, Declaring 2006 Jacobsen HR 6010 Mower Surplus Property
The 2006 Jacobsen HR 6010 mower has outlived its useful scheduled service life. Because it often requires numerous repairs and the difficulty associated with obtaining replacement parts, the mower is no longer a reliable and efficient piece of turf maintenance equipment. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund.

Staff recommends adoption of Resolution 2014-07, Declaring Jacobsen HR 6010 Mower Surplus Property and directing the equipment to be used as trade-in value.

Item D
Purchase John Deere 1600 Mower-Equipment Replacement Schedule
As part of the City’s Equipment Replacement Program, the 2006 Jacobsen HR 6010 wide area mower is scheduled for replacement in 2014. This is a regular replacement for this item. This piece of equipment has reached the stage in its service life where the maintenance costs of this mower are becoming excessive and are approaching the value of the machine. Due to the lack of a local dealer, replacement parts are expensive and take longer to receive compared to other models. Due to higher maintenance costs, increased down time and lower productivity of this

machine, City staff recommends that we replace the 2006 Jacobsen HR 6010 wide area mower.

This mower is the main piece of equipment for maintaining the City’s parks and public grounds.

Staff has checked state contracts for wide area mowers with a minimum specification of an eleven-foot mower deck. This is consistent with our needs and similar to the replaced piece of equipment. From a review of the State Contracts for this type of mower, we have identified the John Deere 1600 as the unit that best matches our requirements. With numerous local vendors, access to parts and service is also the best match for the City’s needs.

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at \$44,000 for replacement of this mower in 2013. Staff decided to push the replacement date out an additional year to 2014. The salvage/trade in value of the Jacobsen HR 6010 is \$5,000. The cost for the new John Deere 1600 is \$48,913.60 on the state contract. The total cost for this machine less the trade in of \$5,000 is \$43,903.60. Funding is available from the City’s Equipment Replacement Fund.

Staff recommends the purchase of the John Deere 1600 wide area mower. This equipment will meet our current and future needs and has a projected service life of ten years.

Item E

Resolution 2014-08 Declaring April 26, 2014 Arbor Day in East Bethel

The Park Commission and staff are continually working on ways to improve the City’s park system. The Park Commission has recommended applying for a Tree City USA award. One of the requirements for the award is to have an Arbor Day resolution from the City Council and an event held to celebrate the occasion. Applying for the award would not require any additional funding or City resources with the exceptions of staff time to fill out the application and the cost of a tree to plant on Arbor Day.

The Park Commission and staff have discussed holding an Arbor Day celebration in Booster Park on April 26, 2014 at 10:00 am, which is also the Spring Recycle Day. The local scout group that has adopted Booster Park would be invited to attend and help with a tree planting to replace trees that have been lost to disease and wind within the park.

Staff recommends adoption of Resolution 2014-08 Declaring April 26, 2014 Arbor Day in East Bethel.

Item F

Fee Increase for Prime Ice Time for the City Ice Arena

Even though the Arena Fund is now in a positive cash position as a result of the cell tower lease fees and improved management, revenue from the Arena has declined over the past three years. Revenues, excluding concessions and tower lease payments, have fallen from \$224,824 in 2011 to \$209,382 in 2012 and to \$202,102 in 2013 while hourly rates for ice rental have remained constant at \$185/hr. for prime time rental and \$140 for non prime time rental.

The rates for arenas in neighboring Cities are as follows:

| <u>City or Entity</u> | <u>Prime Rate</u> | <u>Non-Prime Rate*</u> |
|-----------------------|-------------------|------------------------|
| Isanti | \$190/hr. | \$140/ hr. |
| Andover | \$192/hr. | \$145/hr. |

| | |
|------------------------|-----------|
| Forest Lake | \$200/hr. |
| National Sports Center | \$200/hr. |

| |
|-----------|
| \$140/hr. |
|-----------|

*Non-prime rate hours vary but generally cover the times between 6-8 AM to 2-4 PM on Monday through Friday.

Due to the need to generate additional revenue to cover expenses at the Arena, Staff recommends the adoption of Resolution 2014-09, which would increase the prime time hourly rate for ice rental to \$192/hr.

Items pulled:
 Moegerle requested B and C be pulled.
 Ronning requested F be pulled.
 Koller requested D be pulled.

DeRoche made the motion to approve the consent agenda with items B, C, D and F pulled for separate discussion. Ronning seconded, all in favor, motions carries unanimously.

Item B: Meeting Minutes, February 19, 2014 City Council Meeting

Moegerle, "I pulled B, because I didn't vote on one of the motions. It is page 28 right before the Council reports. I didn't vote to recognize the appointment of Tim Harrington and I wanted that to be noted. **I ask that the minutes be adopted as amended.**"

Koller seconded. All in favor, motion carries unanimously.

Item C: Resolution 2014-07, Declaring 2006 Jacobsen HR 6010 Mower Surplus Property

Moegerle, "I pulled C for the purpose that, this is an expenditure of 1% of the operating budget of the City. Why has a 2006 mower come to the end of our useful life. Why we are going to spend 1% of our budget on this piece of equipment?"

Davis, "This piece of equipment was purchased in 2006. It was never suited for the application or the conditions that we have here. It is generally used for finer turf but we mow sandburs and weeds. The mower was slated for replacement in 2013 but we extended it out to 2014 to get another years life. Another reason we want to replace it this year is there will be new emissions requirements in 2015 which will, as reported by the manufacturer, increase the cost by up 22%. By purchasing this year we can save approximately \$10,000 over next years price increase. In addition we've spent approximately \$10,000 on maintenance on this machine over its 8 year lifespan."

DeRoche, "I looked at the equipment last year. Parts availability is tough. This mower was not made for rough cutting and to keep this machine is going to be putting good money after bad. You get what you pay for"

Ronning, "Reel type mowers are for golf greens."

DeRoche, "They also use it on nice fairways."

Moegerle, "Who made the motion?"

DeRoche, "You did."

Ronning, "It is like taking a Cadillac through the Grand Canyon. It should never been purchased."

Harrington, "I went over and looked at it Monday. It has to be serviced in Chanhasseen. The parts are obsolete. Tom says it is a mower for golf courses."

DeRoche motioned to approve to approve C. Koller seconded. All in favor; motion carries unanimously.

Item D: Approve Purchase of John Deere 1600 Wide Area Mower

Ronning, "I think that is a ridiculous amount of money for a lawn mower."

Davis, "The 2006 Jacobson was almost the same price. It is a wide area mower. It mows 9 feet. It has a larger horsepower engine and will mow at higher speeds. It is a rugged constructions and was bid on the State Contract. That is the going rate for these types of machines. This will mow much more property more efficiently and has a much higher productivity than the 60 and 72" ZTR's that we use in conjunction with the wide area mower.

DeRoche motioned to approve the purchase of John Deere 1600 wide area mower. Ronning seconded.

DeRoche, "We have to get a mower. Is this a commercial grade mower?"

Davis, "Yes, it is."

DeRoche, "Some of the lighter weight John Deere machines are not commercial grade. What is the life expectancy? Will we be able to change the oil? Change the blades."

Davis, "We do the maintenance.

Ronning, "Is this a diesel?"

Davis, "Yes."

Koller, "Does it have a cab?"

Davis, "No."

DeRoche, "You get what you pay for. You can buy something not so good and you get what you pay for it."

Ronning, "Ron what did you pay for the 3000 series with the loader?"

Koller, "\$18,000."

Harrington, "The cost for emissions requirements are going to go up next year, so the amount will increase next year."

Davis, "There is no argument that it is a lot to spend on a mower. We will get a lot of life out of it."

Ronning, "How and when are we going to pay for it?"

Davis, "We have an equipment replacement fund to pay for this. It won't have an impact on the general budget. We won't have to increase the levy for this."

Ronning, "Do you see any impact on this budget or future ones?"

Davis, "No this will not impact this budget or future budgets as we have the funds already set aside".

All in favor, motion carries unanimously.

Item F: Amending the 2014 Fee Schedule

Ronning motioned to approve Resolution 2014-09 Amending the 2014 Fee Schedule. DeRoche seconded.

Ronning, "This has to with the Ice Arena and fee. Are we comparable with the other ice arenas?"

Davis, "We are the cheapest in the area. Some of the other facilities are nicer, such as the National Sports Center. On your update on Friday, you will get some options on the Ice Arena. One of things we have to do is raise our rates to make it current with other areas. There will be other recommendations in the report. We can have it be a discussion item at a later meeting. Currently we allocate the revenue for the tower to the arena fund. We want to separate that from the arena fund

And use some of that for the sewer and water bonds. The assignment of this money is what is keeping the arena in the black. We need to make sure it breaks even. I will have it in a report for you Friday."

DeRoche, "I don't have a problem raising the rates. It has been a thorn in my side since we bought it. I thought it was always making money when I came on the Council. I didn't know the cell tower was keeping it in the black."

Davis, "We would propose to raise the rate by \$7.00 per hour from \$185/hr. to \$192/hr."

Ronning, "We aren't pricing ourselves out of the game. It would be nice to know who is using the rink."

Davis, "We aren't. We are providing the facility for use for people in other cities, such as Oak Grove, St. Francis. We don't need to subsidize this function for use for others outside of the City."

Moegerle, "I am fine with raising the rates once, but not raising them twice. Now you are raising fees on it twice. I would like it to be more streamlined and do it once. We are also talking about the RFP. Does the rate matter to the folks with the RFPs?"

Davis, "I am sure whoever we will contract with will want to see the cheapest ice rink times, so these times will be easier to sell. We want to raise it for one time. Please read my report and we can discuss it. They are totally separate issues. We need to raise the rate now, so we are in ball park with the other areas."

Moegerle, "What type of rate will you suggest later?"

Davis, "If we move the cell tower revenue, we need to look at what we need to balance this."

DeRoche, "We gave the concessions up, because that wasn't doing any good. It's not that I don't want kids to skate but If we are subsidizing so the kids around us can skate then we need to take another look at it."

Davis, "Everyone here would like to see it stay open. But we can't afford to subsidize it any longer."

Moegerle, "I just have a problem with raising it twice."

Davis, "We need to raise the rates to generate the revenue. We are looking to stay competitive."

Ronning, "Are we looking at different management?"

Davis, "Yes, I am not as concerned with price they submit to do the management as long as we are guaranteed enough income to at least break even. We want to make sure they generate x dollars of revenue to make up the cost of running the arena."

All in favor, motion carries unanimously.

New Business
Traffic and
Motor Vehicle
Ordinance,
Section 70-111

Background Information:

On October 2, 2013 Becky Knisley, 23250 Sunset Road, requested City Council to consider amending Traffic and Motor Vehicles Ordinance, Section 70 to address noise and hours of operation of dirt bikes. The City has received previous complaints from residents in other areas regarding this same issue. This Ordinance was discussed at an Ordinance Committee meeting on October 28, 2013, but no consensus was reached at that meeting. Staff has looked at this Ordinance and is recommending the following changes:

70-110 Definitions

- Changed Motorized dirt bike to Off Highway Motorcycle (OHM) – this is to make the language the same as the Off Highway Vehicle regulations of the MN DNR.
- Added definition for race track

70-111

- Under No. 1 – proposal to change lot line setback from 50 ft. to 100 ft. and dwelling units from 100 ft. to 200 ft.
- Under No. 3 – added language for non residents
- Under No. 4 – Added No at the beginning of sentence
- Under No. 6 – Left two (2) hours of operation unchanged, and changed language from one (1) hour to two (2) hours of no operation
- Under No. 8 – Added language regarding race tracks

- Other considerations - The Council could look at adding language for an Interim Use permit (IUP) for race tracks

Staff recommends Council consider the changes, and if approved, directions to publish.

DeRoche motioned to table this to a work session. Ronning seconded.

Moegerle, “Wanted to know if the motion to table could be clarified and why do we need to come back again to discuss this.”

DeRoche, “There is a motion to table and a second and therefore there is no discussion”.

All those in favor, DeRoche, Koller, Harrington and Ronning-Aye; Moegerle-Nay; motion carries.

Manufactured Home Ordinance, Section 34-183

City Council received a request from Nancy Krueger, owner of property at 18467 Lakeview Point Dr. to consider amending the Ordinance regulating recreational camping vehicles. The Ordinance Committee discussed this matter at a meeting on October 28. This property is zoned R-1 and has a property tax classification of seasonal recreational residential-non C. The property is 0.2 acres. Ms. Krueger is requesting the Ordinance be amended to allow the placement of her recreational camping trailer on this site.

We have references to Travel Trailer and Recreational Vehicles in several places in our code. Any modifications that are done in one section of the code should carry forth into other relevant sections of the code also.

Under Article 34 – Floods, we address the placement of Travel Trailers. However, that is only in those areas that are on the general flood map. This should be changed so that it applies and should also be included in Article II, Chapter 38-20 as additional items. The proposed language in Article 34 and Chapter 38-20 should be the same. We should also include the same language in Appendix A, Zoning under General Development Regulations. This will keep the information consistent from one section of the code to another. The Changes in Article 34 could be as follows:

Article 34, (3) a. 3 – Additions provided by the City Attorney

Article 34, (3) b. 1 – Additions proposed by City Attorney with the Staff addition of Property Tax Classification status as Seasonal Recreational – vacant and improved as a condition.

The definition of Recreational Vehicle/Travel Trailer should be included in Definitions section of Zoning Code Appendix A, Article 34 and Chapter 38.

Attached are maps that locate all the properties in the City that have a tax classification of Seasonal Recreational. Even though there are sanitation requirements in the proposed amendment to this Ordinance, allowance of placement of recreational camping vehicles on these properties could create consequences that have a greater impact than simply addressing the situation of an individual property owner.

Staff recommends Council consider the changes, and if approved, direction to publish.

DeRoche motioned to table this issue and discuss it in a workshop. Ronning seconded.

All in favor, DeRoche, Koller, Harrington and Ronning-Aye; Moegerle-Nay; Motion carries.

Johnson
Street Service
Road

As discussed at the January 22, 2014 City Council Meeting, MnDOT was in the process of reviewing the eligibility of the grant for the service road project. Initially, the City received notice that a maximum grant amount of \$702,000 was awarded for this project.

The attached memo dated February 27, 2014 from Phillip Bergem provides a summary of MnDOT’s final decision on the grant award. MnDOT considers only the segment of service road from 219th Avenue to 221st Avenue to be eligible. The eligible cost is estimated to be \$574,000. The City can secure the remaining \$128,000 in grant funds by providing access control along Trunk Highway 65. Access control would restrict access to Highway 65 from the adjacent parcels. Once the access control documents were executed by the landowners, they would be deeded to MnDOT.

If the project is to move forward it must be awarded before June 30, 2014. Staff is requesting direction on how the Council wants to proceed on this project. Three possible options would include:

- Option 1 – Notify MnDOT that the City will not be moving forward with the project.
- Option 2 – Obtain access control along Trunk Highway 65 to maximize the grant amount of \$702,000 and proceed with the project as originally planned.
- Option 3 – Accept the \$574,000 in grant money and construct the service road from 219th Avenue to 221st Avenue only.

The current estimated total costs for this project are as follows:

| | |
|--------------------------------|---------------------|
| Construction Cost | \$ 1,089,036 |
| Easement Acquisition Costs | \$ 203,500 |
| Overhead and Contingency Costs | <u>\$ 160,000</u> |
| Total Project Cost | \$ 1,452,536 |

If only the segment of service road from 219th Avenue to 221st Avenue is constructed at this time. The total cost of \$1,452,536 would be reduced approximately \$530,000 or to a total of \$922,536. To date a total of \$262,397 has been spent for easement acquisition and preparation of plans and specifications.

Fiscal Impact:

As of February 2, 2014 the City’s Municipal State Aid Construction Fund balance was \$1,451,072.93. Whether the project moves forward or not, the current expenditures of \$262,397 are reimbursable from the City’s Municipal State Aid Construction Fund. If the City moves forward with Option 2 or Option 3 the amount that would be financed from the Municipal State Aid Construction Fund would be \$750,536 and \$348,536 respectively.

Staff is requesting direction from Council regarding moving forward with this project.

Ronning motioned to suspend all activity and try to recoup easement cost. Koller seconded.

Moegerle, "Can you explain?"

Ronning, "It would be two blocks and this is an expensive cost."

Jochum, "It is based on engineers estimates and these two blocks are the most expensive segment of the project."

Ronning, "There are two residents to get signed on."

Jochum, "MnDOT Is trying to get access control. They are trying to get signatures. That \$128,000 cost is gone for sure, if we don't get them signed."

DeRoche, "How much is in the easements?"

Jochum, "\$203,500 was for easement acquisition."

DeRoche, "No matter what happens with the project, we own the property."

Davis, "The only way we can recoup the costs if we discontinue the project and then we would have to have all the property owners agree to sell back. However retaining the right of way is investing in the future road. If the property owners refuse to do it, we are left in the cold. I'll try to tell how this process happened. Originally the MnDOT regional office awarded the project and we proceeded based on that award from their Regional Office. The central office didn't agree with how it relates to the cooperative agreement grant. When it got kicked upstairs, they changed the rules of the game and denied funding for the southern half of the project long after we had incurred costs."

DeRoche, "I haven't been in favor of this from day one. I would rather to see us focus on the sewer and water district. Maybe do something along 189th."

Davis, "The only thing we could apply would be on the east side, to make a right in or right out. 189th wouldn't apply to the cooperative agreement grant?"

Jochum, "That would not be eligible for the cooperative agreement."

Ronning, "If we go with the lease agreement, we forfeit the easement and get the access. We get the extra change at the end of the deal if they sign over the easement. We pay for the easement and deed it to MnDOT."

Davis, "If we want the cooperative agreement grant, we must get the deeded agreement that will not allow or request access to Hwy 65."

Jochum, "MnDOT is trying to get the City the remaining money. It will happen naturally."

Ronning, "The cost is higher."

Jochum, "That includes all the removal on Hwy 65, the storm water, it is already stubbed to go to the south. Even though the distance is not the same, and a lot of Hwy 65."

Davis, "This includes the connection and turn lanes, and also extra grading."

Ronning, "A comparison is you go to Vegas, and you keep investing and you don't get any place. The future we want to plat it. The future is from now to 3000."

Moegerle, "It opens area for development. Municipal State Aid money is not always there. You can't use it for repairing roads. If we use MSA funds on the south side of the corridor by Black Bear. That is an area we need redevelopment. This is valuable. It has great appeal with future development."

DeRoche, "We have the easements, it could be developer driven. I was at the Roads Commission meeting when it came through, when we have so much more to focus on in the sewer and water area. It's the build it and they will come proposition again. If we have the easements, we don't have to purchase them again. Maybe a developer will want to put in the roads. We would have the easements for it."

Moegerle, "Isn't going to be more expensive in the future? Are they use it or lose it?"

Jochum, "They don't want your funds to go to a certain level. We have Lincoln, Laurel and Longfellow on the schedule. We have enough to do both projects."

Koller, "We have the easements and there is no interest in development. At this point in time, no."

Ronning, "This is 90% is farm land. If we didn't sell it back to them, it goes down the middle of the field. They might be interested in renting our land for their crops. What would be cost for the City?"

Jochum, "It's the engineers estimates and they are based on comparable projects and current bid prices. I am usually fairly close on my estimates."

Ronning, "How close is this to what we had to increase the levy?"

Davis, "The price is twice the levy increase."

Ronning, "This is a road to nowhere. Especially now that we know it is double what the assessment was. I don't know anyone who will pat us on the back."

All in favor, DeRoche, Koller, Harrington and Ronning-Aye; Moegerle-Nay; Motion carries.

DeRoche motioned to select Option 1 - Notify MnDOT that the City will not be moving forward with the project, Koller seconded. All in favor, DeRoche, Koller, Harrington and Ronning; Moegerle-Nay; Motion carries.

Ronning, "We are all in favor of growing the City, but there is no use for this."

provided to the City Council. We will have a presentation in April or May by Abdo, again the main function of an audit is to ensure the financials are fairly stated and that there are no material weaknesses in our internal controls.

Jeziorski, "2013, the general fund had a surplus of \$360,000, that was driven by better than anticipated building inspection revenues. What happens to the surplus? Does it get refunded? No. It goes into the fund balance. It is a governmental term that describes the City's net position or simply assets minus liabilities. The City's fund balance was roughly \$2.9 million dollars at the end of 2013, which is 62% of our 2014 budgeted expenditures. This is roughly a \$1.3 million dollar excess from the City Council target fund balance of 35%. Other funds I wanted to take a look at are the Equipment replacement fund which has \$1.2 million, HRA \$770,000, Street Capitol \$730,000, Trail fund \$144,000. These are not funded through direct levies but are rather transfers from the General fund".

DeRoche, "Can the fund be used to pay for overtime, salt?"

Davis, "We would transfer the money from the general fund."

Jeziorski, "These funds are generally looked at undesignated, and can be transferred anywhere."

Jeziorski, "As for 2014, in order to balance our budget we raised the levy by 15.1% and will use \$20,000 in fund balance. Also in 2014, we have had our bond rating upgraded to AA from AA-. It is cited, within their rating criteria. The rating reporting cited strong management and staff's monthly reports to council. They also look at the Macro environment of our State and drill down to the nuts of bolts of our financials and internal controls. We have also initiated a levy to pay for the 2010A and B debt service. They are now built into the levy. We have refinanced the 2005A and 2010B debt issues.

We have settled the union contract for 2014/2015/2016 and also renewed the medical insurance. Given the whole Obama care issue, we had the opportunity to renew our medical insurance and did so at a significant cost savings and better plan. Finally, we are now seeing market values trending upwards. 2013/2014 we had a market value of 709 million and for 2014/2015 had a market value of 788 million.

2015 timeline – April 1, we will look to have a finance committee meeting. Key points of discussion will be reserves, levy tolerance and the debt management plan. April/May Staff will submit their budget requests and will be incorporated into the budget model. July, the proposed budget will be presented to the City Council at which time Council can ask specific questions to department heads. September 3, we will set the preliminary budget and levy and on December 3 final budget and levy will be offered for consideration.

I don't have any actions items for you."

Ronning, "December 2013 financial statement and analysis, the second paragraph under assets. 712, delinquent fund balances \$84,000. How much of this property just haven't been paid on, how many are foreclosures, can you answer?"

Jeziorski, "The county doesn't break it down that way. We just get a statement telling us what it is."

Ronning “Is there a way to find out how much the banks are sitting on. If they are sitting there holding on to our money, I want it back.”

Jeziorski, “As you go up the years, it goes up each year.”

Davis, “One remarkable statistic, is our receivables on tax payments are 97%.”

DeRoche, “How long does the County to foreclose, I know someone who is delinquent on three properties. If they are delinquent to the County, that is how we get paid.”

Davis, “The County does work with property owners. As long as they are making payments. As far as when they will declare it for Sheriff’s sale. I don’t know.”

DeRoche, “If they have a payment plan with the County, how long does that extend?”

Davis, “The County tracks that.”

Jeziorski, “There are fees and penalties that area tacked on. The City and taxpayers need to be made whole. It is a lengthy process.”

Moegerle, “Do we get the money?”

Attorney, “It is prorated among the taxing authorities.”

Ronning, “It is a one way street, there is no advantage to us. Perhaps if it is the same value as all the neighborhood. Who owns those properties? Does US Bank or Wells Fargo have a bunch? Let’s send them hate mail.”

Vierling, “They would have to have people making payment to be a in deferment. By statute if there is no payment in three years, in the fourth year it goes to Sheriff’s sale.”

Ronning, “Can we get foreclosures?”

Vierling, “The tax auditor wouldn’t know which ones are in foreclosure.”

Davis, “Depending on where they are in the system, they may charge us for us getting the information.”

Vierling, “The property owner has the right to buy it back from the bank. They won’t advance payments on taxes they will wait it out. For every year of non-payment there is penalty and interest. It has to be paid. You will get the principal and the penalty and interest.”

Ronning, “So we will get it one way or another. It is reasonable to ask what makes this approximate.”

Vierling, “They would be able to give you the property identification number.”

Ronning, “I would like to look at the numbers. Could they print out a master list of the properties in the City.”

Jeziorski, “I have seen that report before.”

Ice Arena
Management
Contract RFP

Prior to 2006 the City of East Bethel managed the operation of the City Ice Arena. Due to the labor-intensive nature of the operation of this facility, a decision to outsource this service was the option selected for management of the Arena. Beginning in the 2006, the City contracted with the National Sports Center for management services under an agreement that ended in June of 2008. The National Sports Center did not exercise their option to extend the contract for another two-year period due to decreased demand for ice time.

The City solicited management proposals and contracted with Gibson Management Company, LLC for a one-year period ending July 31, 2009 and extended by City Council for the term of 2009 to 2011 and then from 2011 to 2014. Gibson Management's contract will expire on July 31, 2014.

As with all professional contracts, the City solicits proposals for services on a 3 to 5 year basis to ensure that full value is received through these agreements.

The City explored the potential for the sale of the Arena as a rink facility, but while there was interest among the current users, there were financial limitations with these groups. There also appears to be a diminished value in the secondary market for this building as a use other than an ice arena.

The building and property have a tax valuation \$953,800 and an estimated market value based on a cost approach of \$918,100. As there is currently no excess income above expenses, an income approach to valuation was not considered. The arena building is approximately 34,000 s.f. and the two parcels that compose the property are 6.29 acres. The property is encumbered by a MnDOT park and ride agreement that comprises one acre of the site. There is also a 0.11-acre cell tower site on the property.

Even though the Arena Fund is now in a positive cash position due to improved internal management and cell tower lease income assigned to this fund, the net revenue from the Arena has declined over the past three years. Revenues, excluding concessions and tower lease payments, have fallen from \$224,824 in 2011 to \$209,382 in 2012 and to \$202,102 in 2013 while hourly rates for ice rental have remained constant.

In addition to the basic scope of responsibilities, the proposed RFP would address maintenance standards, requirements for an active and maintained website and a message response policy. Upon the selection of a contractor, the City would negotiate incentives for the sale of non-prime ice time and advertising above a base threshold.

Gibson Management, St. Francis Youth Hockey and the National Sports Center have expressed an interest in submitting a RFP for the management contract. Upon approval of authorization to advertise for an RFP, we will post notice on the City's Website, Minnesota Ice Arena Management Association, the Anoka Union and any other source that markets to the management of ice arenas.

Other options, other than a management contract, could include leasing of the facility to a current user or the City's direct use of a contract manager to operate the facility. These options would be alternatives for consideration in the event an acceptable proposal for a management

contract for the facility is not approved. Staff is also evaluating proposed rate increases and their impact on potential sales as a means of increasing revenue and reducing the City subsidy to the facility.

Staff is recommending Council consider approval to authorize the solicitation of RFP's for an Arena Management Contract for the East Bethel Ice Arena.

DeRoche made the motion to consider approval to authorize the solicitation of RFP's for an Arena Management Contract for the East Bethel Ice Arena. Koller seconded.

Ronning, "When this goes out, can we get comparison as management fees. We aren't in the same ball park as Columbia Heights."

Davis, "We can check with other sources. We will check what we are going to get what they are paying for."

Koller, "Would it be a possibility to have them only manage during ice time?"

Davis, "That would be something we could do. We need to get more dry floor events. We recognize we have a hard time doing it. If we have the right person in there, we might be able to do that. We could sell more ads and signage space. We might look back at our agreements with the schools. We will look at other sources of revenue to make it break even or hopefully, even better. If we get proposals back and say they don't want to deal with dry floor events, we could have it fall into effect during ice rental availability only. The City of Andover keeps ice all year long. We might want to keep ice for another month, but we can't do it all year because we don't have cooling capabilities."

Ronning, "Could we make this a gun range?"

DeRoche, "Ramsey did it."

Davis, "14,000 square feet is taken up in lobby, locker room, concession, etc. The usable area is only 20,000 square feet so we may be limited as to our options for other uses both in terms of size and costs for conversion. We need to ask what is the value to the City of East Bethel as an ice rink? It does bring people in. Hopefully there will be a place for them to spend money in the City. Depending on how we answer that question is how we deal with the issue."

Koller, "When my daughter played hockey there, people said it was the dirtiest rink around."

Davis, "St. Francis Youth hockey and the high school are our prime users and we need to make that facility as clean as possible."

Koller, "Gibson is made up of three people and we usually only have one person show up."

Davis, "The utility rates are lower this year, than any other year. We did a conversion to a more efficient lighting system a couple years ago. ."

DeRoche, "How old is the Zamboni?"

Davis, "It is the original one."

Koller, "The government is going to require replacement of the refrigerant."

Davis, "Fortunately we have a different system and the new requirements don't affect us. Most systems will take \$20,000 to \$30,000 or more to make the replacement."

Harrington, "It could mean more business for us."

Davis, "I don't know what Forest Lake or Isanti have."

Ronning, "I don't want to sound like a grumble on this thing. I believe that is the object of the question."

Moegerle, "What is the expected life of the Zamboni?"

Davis, "We don't have anything on the equipment replacement fund for the ice arena. The estimated construction cost for the building was \$1.5 million dollars. Whether we want to recover the costs. We could write off the costs for capital improvement. Hopefully we can get another three years on it. The Zamboni is a \$60,000 to a \$120,000 piece of equipment."

All in favor, motion carries unanimously.

SRWMO 2015
Budget

The SRWMO's draft 2015 budget is attached for your review. Any requests to modify the budget must be presented to the SRWMO prior to their May 1, 2014 meeting. After that date, and absent any comments or direction from East Bethel, our portion of the budget can be considered approved at the level indicated for 2015.

The proposed 2015 SRWMO Budget is \$47,010 as compared to the 2014 budget of \$48,464. East Bethel's share of the budget, as presented in the attachment, is proposed to be \$15,003.80. The City's share for 2014 is \$15,571.

There is a proposed change to the 2015 draft budget under consideration that is not reflected in the attached 2015 Budget Summary. Unapproved, but proposed at this point in time, the SRWMO at their February 6, 2014 meeting discussed reductions for the Lakeshore Landscaping Marketing and Aquatic Plant Education. The proposed changes (final approval of these changes would be made at the 5/1 SRWMO meeting) would result in reducing the 2015 budget from \$47,010 to \$45,000, depending on the option chosen. This change would result in a reduction of 7% from the current 2014 budget and reduce our share by a proportionate amount.

Staff requests the City Council review and provide comment on the SRWMO 2015 Budget.

Davis had requested Leon Majors to address the Council. He can come to the March 19th meeting. We can keep discussing this.

Davis, "We are working on alternatives for the ice arena and they will come out Friday."

March 5, 2014
Council
Member Heidi
Moegerle

Moegerle, "The taxable market value has gone up and that is good. That is a solid gain. I like the minutes and wanted to point out that it is a positive change and wanted to point that out. When will the comp plan be coming forward?"

Davis, "Winter will be back and we anticipate this will be on the next Planning Commission agenda. For those that live in the Forest Lake School District there will be a new bonding limit issue on the ballot on May 20th. I've followed up with legislature with the traffic education programs that are being doing throughout the state. There are five live bills. There is a punitive program for those that gathered in all the fees. There are four other bills that address the education programs. They are differentiating on how much is being put to the different educations areas. Within two weeks we should know. It could be a way for us to get more income."

Council
Member Tom
Ronning

Ronning, "Ron, were you going to comment about Booster Day? One of the biggest problems the Booster Day people have is coming up with funds. They have put a lot of effort into it. If anyone has ideas on how to come up with extra money they would welcome the input."

Council
Member Ron
Koller

Koller, "They are planning an event at the ice arena. They are going to have a beach party with volleyball and games. It will be posted when things are set. Denise Lachinski has done a really good job. She puts in a lot of hours. On Monday I attended the Fire Department meeting for their harassment training. Today the fire department responded to a chimney fire. Let this be a reminder to clean your chimney."

Council
Member Tim
Harrington

Harrington, "I stopped by the maintenance to introduce myself. Next week I will meet with Park Commission. Day light savings time begins this weekend."

Council
Member Bob
DeRoche

DeRoche, "I went to the East Bethel Royalty dinner. The Royalty was glad to see someone there. There are a lot of snow banks and I can see where they are removing a lot of them. It looks like all the ice shacks came off the lake. I would hope there isn't a lot of staff time devoted to the ticket diversion program. Council has said where they are at on this. I would hope that no one is burdening staff to look into things unless it is brought up before Council to direct staff. People are saying the meetings are going better and quicker. There was a nice article in the paper about Tim. I am looking forward to meeting again with Met Council and pick their brains."

Adjourn

Moegerle made a motion to adjourn at 9:00 p.m. Koller seconded; all in favor, motion carries unanimously.

Submitted by:

Jill Anderson
Recording Secretary

PAY ESTIMATE #5
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 | 1.00 | \$ 29,000.00 |
| 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" | | | | | | \$ 150,392.50 |

PAY ESTIMATE #5
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 | 0.41 | \$ 16,432.00 |
| 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" | | | | | | \$ 87,132.00 |

PAY ESTIMATE #5
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" | \$ 150,392.50 |
| Bid Schedule "D" | \$ 131,940.30 |
| Bid Schedule "E" | \$ - |
| Bid Schedule "F" | \$ 87,132.00 |
| Alternate Bid No. 1 | \$ 218,142.30 |
| Alternate Bid No. 2 | \$ 413,386.25 |
| TOTAL WORK COMPLETED TO DATE | \$ 1,622,982.30 |
| Less 5% Retainage | \$ 81,149.12 |
| Less Pay Estimate #1 | \$ 160,298.01 |
| Less Pay Estimate #2 | \$ 614,735.88 |
| Less Pay Estimate #3 | \$ 617,961.46 |
| Less Pay Estimate #4 | \$ 122,542.22 |
| WE RECOMMEND PAYMENT OF: | \$ 26,295.61 |

**PAY ESTIMATE #5
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 _____

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 A.1

Agenda Item:

Traffic and Motor Vehicles Ordinance, Section 70

Requested Action:

Consider Amending Division 2 Use, Sections 70-109 to 70-113

Background Information:

On October 2, 2013 Becky Knisley, 23250 Sunset Road, requested City Council to consider amending Traffic and Motor Vehicles Ordinance, Section 70 to address noise and hours of operation of dirt bikes. The City has received previous complaints from residents in other areas regarding this same issue. This Ordinance was discussed at an Ordinance Committee meeting on October 28, 2013, but no consensus was reached at that meeting. Staff has looked at this Ordinance and is recommending the following changes:

70-110 Definitions

- Changed Motorized dirt bike to Off Highway Motorcycle (OHM) – this makes the language consistent with the Off Highway Vehicle regulations of the Minnesota DNR.
- Added a definition for race track

70-111

- proposal to change lot line setback from 50 ft. to 100 ft. and dwelling units from 100 ft. to 200 ft.
- added language for non residents
- Added No at the beginning of sentence
- Left two (2) hours of operation unchanged, and changed language from one (1) hour to two (2) hours of no operation
- Added language regarding race tracks

Other considerations:

- Council could look at adding language for an Interim Use permit (IUP) for race tracks
- Council could prohibit circular race courses in certain residential zones
- Council could prohibit exhaust modifications to dirt bikes operated in the City

Attachments:

Chapter 70 Redline Copy

Recommendation(s):

Staff recommends Council consider the changes provided in discussions in the March 19, 2014 Work Meeting for decision, and if approved, directions to publish.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

- CODE OF ORDINANCES
Chapter 70 - TRAFFIC AND MOTOR VEHICLES
ARTICLE IV. - OPERATION OF OFF-ROAD VEHICLES, MOTORCYCLES AND ALL-TERRAIN VEHICLES

DIVISION 2. USE

DIVISION 2. USE

[Sec. 70-109. Purpose.](#)

[Sec. 70-110. Definitions.](#)

[Sec. 70-111. Use of all-terrain vehicles and off-road motorcycles.](#)

[Sec. 70-112. Exemptions.](#)

[Sec. 70-113. Penalty.](#)

[Secs. 70-114—70-139. Reserved.](#)

Sec. 70-109. Purpose.

It is the purpose of this division to regulate the use of all-terrain vehicles and motorized dirt bikes in the city.

(Ord. No. 197, § 1, 9-7-2005)

Sec. 70-110. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

All-terrain vehicle (ATV) (Class 1) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of less than 1,000 pounds.

All-terrain vehicle (ATV) (Class 2) means a motorized floatation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of less than 1,000 cubic centimeters and total dry weight of 1,000 to 1,800 pounds.

Established riding area means a course, track, or other area on a residential property for use of an all-terrain vehicle and/or a motorized dirt bike.

~~*Off Highway Motorcycle (OMH/M, commonly called dirt bikes) - Motorized dirt bike*~~ means a vehicle traveling on two wheels and capable of cross-country travel on natural terrain without benefit of a road or trail.

~~*Race Track - (Motor Racing) a circuit or course, esp an oval one, used for motor racing, speedway, etc. riding or racing off road vehicles.*~~

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Residential property means real property used for residential purposes, including all parcels of real property located within the RR residential district under the city's zoning ordinance, set forth in Appendix A to this Code.

(Ord. No. 197, § 2, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

- CODE OF ORDINANCES
Chapter 70 - TRAFFIC AND MOTOR VEHICLES
ARTICLE IV. - OPERATION OF OFF-ROAD VEHICLES, MOTORCYCLES AND ALL-TERRAIN VEHICLES

DIVISION 2. USE

Sec. 70-111. Use of all-terrain vehicles and off-~~road~~ highway motorcycles.

An off-highway vehicle may be used on residential property within the city, but only on the condition that the operator adheres to the following:

- (1) An off-highway vehicle may be used on an established riding area only if it is no closer than ~~50~~ 100 feet from any lot boundary line and no closer than ~~100~~ 200 feet from any dwelling unit.
 - (2) Article III of chapter 26 establishes the noise standards that apply to the operation of off-highway vehicles in the city.
 - (3) ~~No non-resident can operate an ATV or OHM without the written permission of the property owner on a private residence where they will be riding. Written permission is required to be carried on the person operating the ATV or OHM.~~
 - (4) ~~No~~ more than two persons who are not residents of any particular residential property may simultaneously use off-highway vehicles on the residential property. It is the responsibility of the owner of that residential property to enforce this restriction.
 - (4~~5~~) An all-terrain vehicles and off-road motorcycles may be operated on residential property only during the following hours: Monday through Fridays, 9:00 a.m. ~~though~~ through 8:00 p.m., and Saturdays and Sundays, 10:00 a.m. through 5:00 p.m.
 - (5~~6~~) After ~~two two~~ consecutive ~~hours-hours~~ of operation of one or more all-terrain vehicles and off-~~road-highway~~ motorcycles on any residential property ~~(or operation thereof for any part of two consecutive hours)~~, there must be at least ~~one- two~~ hours during which there is no operation of ~~an~~ all-terrain vehicles and off-road motorcycles on the residential property.
 - (6~~7~~) Operation of an all-terrain vehicles and off-road motorcycles is not allowed on either a primary or secondary individual sewage treatment system site.
 - (8) ~~Race tracks are prohibited on private residences in areas that are zoned R1 (Single Family) Residential, and R2 (One and Two family residential). Race tracks can be located in RR (Rural Residential) areas on lots over 5 acres in size and complying with all other regulations related to ATV and OHM.~~
- ALTERNATIVE LANGUAGE (Ham Lake example) "motocross tracks", "dirt bike courses", motocross or dirt bike "jumps", "ramps" or "trails" shall be prohibited in or within 1000 feet of areas zoned residential.

Field Code Changed

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(Ord. No. 197, § 3, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

Sec. 70-112. Exemptions.

The use of any all-terrain vehicle and/or off-road motorcycle by any officer, employee, or agent of the city or of any other governmental unit in the course of official governmental business is exempt from this division.

(Ord. No. 197, § 4, 9-7-2005; Ord. No. 33, Second Series, § 1, 12-21-2011)

- CODE OF ORDINANCES
Chapter 70 - TRAFFIC AND MOTOR VEHICLES
ARTICLE IV. - OPERATION OF OFF-ROAD VEHICLES, MOTORCYCLES AND ALL-TERRAIN VEHICLES
DIVISION 2. USE

Sec. 70-113. Penalty.

Any person who violates any provision of this division shall be guilty of a misdemeanor, and upon conviction thereof may be punished as provided in [section 1-14](#), and may be required to complete eight hours of community service for each violation. Violators will be responsible for all costs of prosecution.

(Ord. No. 197, § 5, 9-7-2005)

Secs. 70-114—70-139. Reserved.

Field Code Changed



City of East Bethel City Council Agenda Information

Date:

March 19 2014

Agenda Item Number:

Item 9.0 A.2

Agenda Item:

Manufactured Home Ordinance, Chapter 34 Floods, Article VII; Section 38-20; and Under Appendix A Zoning Ordinance

Requested Action:

Consider amending ordinance related to recreation vehicles, and travel/trailers.

Background Information:

City Council received a request from Nancy Krueger, owner of property at 18467 Lakeview Point Dr. to consider amending the Ordinance regulating recreational camping vehicles. The Ordinance Committee discussed this matter at a meeting on October 28. This property is zoned R-1 and has a property tax classification of seasonal recreational residential. The property is 0.2 acres. Ms. Krueger is requesting the Ordinance be amended to allow the placement of her recreational camping trailer on this site.

We have references to Travel Trailer and Recreational Vehicles in several places in our code. Any modifications in one section of the code should carry forth into other relevant sections of the code. The recommended changes address these matters.

Article 34 – Floods, the placement of Travel Trailers is addressed, however, that is only in those areas that are on the general flood map. This should be changed so that it applies and be included in Article II, Chapter 38-20 as additional items. The proposed language in Article 34 and Chapter 38-20 should be the same. We should also include the same language in Appendix A, Zoning under General Development Regulations. This will keep the information consistent from one section of the code to another. The Changes in Article 34 is recommended as follows:

- Article 34, (3) a. 3 – Additions to the Ordinance as provided by the City Attorney
- Article 34, (3) b. 1 – Additions proposed by City Attorney with the Staff addition of Property Tax Classification status of Seasonal Recreational, vacant and improved, as an additional condition for exemption.

The definition of Recreational Vehicle/Travel Trailer is recommended to be included in Definitions section of Zoning Code Appendix A, Article 34 and Chapter 38.

Attached are maps that locate all the properties in the City that have a tax classification of Seasonal Recreational. Even though there are sanitation requirements in the proposed amendment to this Ordinance, allowance of placement of recreational camping vehicles on these

properties could create consequences that have a greater impact than simply addressing the situation of an individual property owner.

Attachments:

Map of Seasonal Recreational Residential Properties

Proposed changes to ordinances-red line copy

Recommendation(s):

Staff recommends Council consider the changes, and if approved, direction to publish.

City Council Action

Motion by: _____

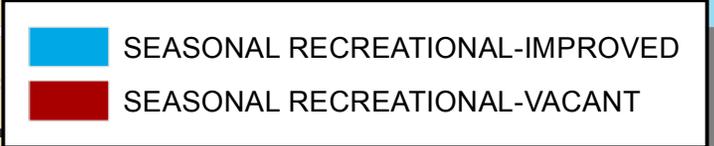
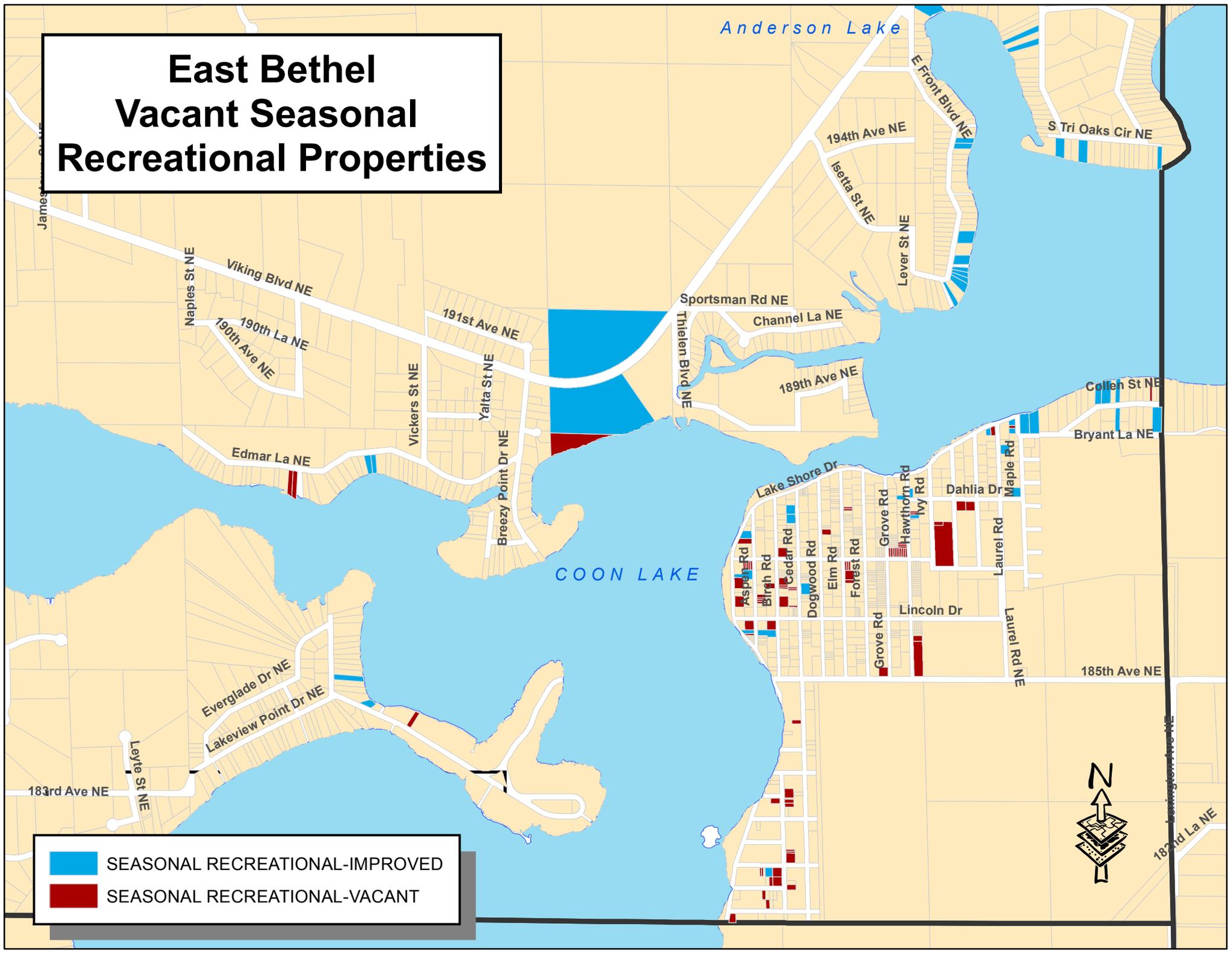
Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

East Bethel Vacant Seasonal Recreational Properties



Under Appendix A – Zoning Ordinance

Manufactured home: A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; the term includes any structure which meets all the requirements and with respect to which the ***manufacturer*** voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under Minn. Stats. ch. 327.

Recreational vehicle: Any device having wheels and capable of supporting overnight sleeping accommodations and designed for uses in addition to normal travel.

UNDER ARTICLE 34 – FLOODS,

Sec. 34-183. - Manufactured homes and manufactured home parks and placement of travel trailers and *travel vehicles***.**

The following standards shall apply to manufactured homes, manufactured home parks, travel trailers, and travel vehicles:

- (1) New manufactured home parks and expansions to existing manufactured home parks shall be subject to the provisions for subdivisions in article VII of this chapter.

- (2) The placement of new or replacement manufactured homes in existing manufactured home parks or on individual lots of record that are located in floodplain districts will be treated as a new structure and may be placed only if elevated in compliance with article V of this chapter.

If vehicular road access for preexisting manufactured home parks is not provided in accordance with section 34-113(1), then replacement manufactured homes will not be allowed until the property owner develops a flood warning emergency plan acceptable to the city. All manufactured homes must also be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.

- (3) Travel trailers and travel vehicles that do not meet the exemption criteria specified in section 34-183(3)a shall be subject to the provisions of this chapter, including those specifically spelled out in section 34-183(3)c.
- a. Travel trailers and travel vehicles are exempt from the provisions of this chapter if they are placed in any of the areas listed in section 34-183(3)b and comply with the ~~following~~ criteria set forth in paragraphs 1 and 2 or paragraph 3 as follows:
1. Have current licenses required for highway use, **and**
 2. Are highway ready, meaning on wheels or the internal jacking system, are attached to the site only by quick disconnect type utilities commonly used in campgrounds and trailer parks, and the travel trailer/travel vehicle has no permanent structural type additions attached to it.
 3. **Is located on an individual lot/parcel of record owned by the record owner of the travel/recreational vehicle, meets setback requirements from property lines as measured to the travel trailer, has a lawful on site or other MPCA allowed disposal facility for the disposal and treatment of human waste and does not permit or allow any nuisance condition as defined in Sec. 26-63 to exist on the site.**
- b. Areas exempted for placement of travel **trailers**/recreational vehicles:
1. Individual lots or parcels of record **owned by the record owner of the travel/recreational vehicle. Subject to Sec 34-183(3)b.3 above and under the Property Tax classification status as SEASONAL RECREATIONAL-VACANT**
 2. Commercial recreational vehicle parks or campgrounds in operation prior to the adoption of the ordinance from which this chapter is derived.
 3. Condominium type associations in operation prior to the adoption of the ordinance from which this chapter is derived.
- c. Travel trailers and travel vehicles exempted in section 34-183(3)a shall lose their exempt status when development occurs on the parcel exceeding \$500.00 in value for a structural addition to the travel trailer/travel vehicle or an accessory structure. The travel trailer/travel vehicles and all additions and accessory structures will then be treated as a new structure and shall be subject to the flood protection requirements of this chapter.
- d. New commercial travel trailer or travel vehicle parks or campgrounds and new residential type subdivisions and condominium associations and the expansion exceeding five units or dwelling sites of any such use in operation prior to the

adoption of this chapter shall be subject to the following:

1. A travel trailer or travel vehicle will be allowed in the floodway or flood fringe districts provided said trailer or vehicle and its contents are placed on fill above the regulatory flood protection elevation and proper elevated road access to the site exists in accordance with [section 34-114\(1\)](#). No fill placed in the floodway to meet the requirements of this article shall increase flood stages of the 100-year or regional flood.
2. A travel trailer or travel vehicle not meeting the criteria of subsection (3)a of this section may, as an alternative, be allowed as a conditional use. The applicant must submit an emergency plan for the safe evacuation of all vehicles and people during the 100-year flood prepared by a registered engineer or other qualified individual or agency acceptable to the city. The applicant shall demonstrate that adequate time and personnel exist to carry out the evacuation. All attendant sewage and water facilities for new or replacement travel trailers or other recreational vehicles must be protected or constructed so as to not be impaired or contaminated during times of flooding.

(Ord. No. 156, § 7(7.04), 5-6-1992)

Article II, Chapter 38

Sec. 38-19. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Doublewide unit or multiple unit means two or more segments constituting one manufactured home designed to be transported separately and attached to each other at the manufactured home park to form one home.

Lot means a section of ground in a manufactured home park of not less than 7,800 square feet, excluding any street right-of-way, of otherwise unoccupied space designated as the location of one singlewide unit, and all other necessary improvements required by this article.

Manufactured home means a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term "manufactured home" includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under Minn. Stats. § 327.31 et seq.

Manufactured home park means any site, lot, field or trace of land upon which two or more occupied manufactured homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle enclosure used or intended for use as part of the equipment of such manufactured home park.

Recreational camping vehicle means any of the following:

- (1) *Travel trailer* means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "travel trailer" by the manufacturer of the trailer.
- (2) *Pickup coach* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- (3) *Motor home* means a portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.
- (4) *Camping trailer* means a folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

Singlewide unit means one self-contained manufactured home designed to be a complete dwelling unit.

Special width lot means a section of ground in a manufactured home park of not less than 11,700 square feet, excluding any street right-of-way, of otherwise unoccupied space designated as the location for one doublewide unit.

(Ord. No. 142, § 2(subd. 1), 3-4-1987)

Sec. 38-20. Location of manufactured homes and manufactured home parks.

- (a) *Parking and placement prohibited.* It shall be unlawful within the limits of the city of East Bethel for any person to park any manufactured home on any street, alley or highway or other public place or on any tract of land owned by any person, occupied or unoccupied.
- (b) *Emergency parking permitted.* Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than 24 hours subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.
- (c) *Placement outside a manufactured home park prohibited.* No person shall park or occupy any manufactured home on either the premises of any occupied dwelling unit or on any lot which is not a part of the premises of any occupied dwelling which is situated outside of an approved manufactured home park unless it meets the architectural standards and other regulations as stated in the city's zoning ordinance, set forth in Appendix A to this Code, and

amendments thereof. The parking of no more than three unoccupied recreational camping vehicles is permitted in an accessory private garage building, side yard or rear yard provided no living or sleeping quarters shall be maintained nor any business conducted in said recreational camping vehicle while such vehicle is so parked or stored. A recreational camping vehicle is permitted on owner's property for storage purposes provided the property has a single-family residence on it connected to a sewer and well, and may not be occupied for more than three weeks within any two-month period.

- (d) *Conditional use permit required.* No person shall construct, locate, operate or maintain a manufactured home park within the city without first obtaining a conditional use permit and all such other permits and licenses as shall be required and described herein.
- (e) *Zoning.* No person shall construct, locate, operate or maintain a manufactured home park in the city unless the proposed area is zoned for B-1 business commercial district as stated in the city's zoning ordinance.



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 E.1

Agenda Item:

2014 JPA Bid Results and Final Quantities

Requested Action:

Consider approving the 2014 JPA Street Maintenance Project Bids

Background Information:

The following projects were recommended to bid as part of the 2014 JPA Street Maintenance program by City Council approval on January 22, 2014. These projects have been identified in the 2014-2018 Street Capital Improvement Plan (CIP) and include:

1. Seal coat 65,000 sq yds of City streets including Washington St and 7th St, Monroe St and 238th Ln, 235th Ave, 231st Ln, Buchanan St, Taylor St, 229th Ln, Goodhue St, and Davenport St
2. Crack-seal 100,000 LF as part of the annual street maintenance program. Crack sealing will be performed prior to any seal coating applications.
3. 150,000 LF of striping to be determined.

Bidding these items does not obligate the City to accept the bid. The bid for individual items can be rejected or amended as to quantities to accommodate the project budget should bid costs exceed the estimates.

The estimated budget for seal coating, crack sealing and striping the above listed streets was \$299,000. These projects will be funded from the Street Capital Fund as identified in the 2014-2018 Capital Improvement Plan and the 2014 Street Maintenance Budget.

The bid costs for our portion of the JPA project were as follows:

| | |
|-------------------------------------|--------------------|
| Trap rock, 65,000 SY @ \$0.81/SY | \$52,650.00 |
| CRS-2 Oil, 18,200 Gals @ \$2.12/Gal | \$38,584.00 |
| Crack Sealing, 100,000' @ \$0.66/LF | \$66,000.00 |
| Striping, 150,000' @ \$0.058/LF | \$ 8,671.88 |
| Contingency (5%) | \$ 8,295.25 |
| Inspection Services | \$ 2,000.00 |
| Administrative Cost (1.5%) | <u>\$ 2,613.00</u> |

Total Project Cost

\$178,814.13

As additional item, Staff recommends the contracting of inspection services for the seal coat portion of the contract. The estimated cost of this service is \$3,000.

The total project cost is \$120,185.87 less than the project estimate. This amount will remain in the Street Capital Fund and be available for other street improvement purposes.

Attachments:

Bid Results

Bid Summary

Project Location Map

Fiscal Impact:

As noted above

Recommendation(s):

Staff and the Road Commission have reviewed the bids and recommend acceptance of the 2014 JPA Street Maintenance Agreement bids in the amount of \$178,814.13 and authorization to submit a letter of concurrence to the City of Coon Rapids indicating our participation in this project.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**2014 STREET MAINTENANCE MATERIALS
SUMMARY OF BIDS**

| <u>Sealcoating</u> | <u>Base Bid</u> | <u>Alternate</u> |
|------------------------------|-----------------|------------------|
| Allied Blacktop Company | \$1,236,842.58 | \$1,214,389.08 |
| Pearson Bros. | \$1,254,520.00 | \$1,241,047.90 |
| Asphalt Surface Technologies | \$1,398,583.75 | \$1,353,676.75 |

Pavement Markings

| | |
|-------------------------|--------------|
| Sir Lines-A-Lot | \$176,182.20 |
| AAA Striping Service | \$188,630.46 |
| Traffic Marking Service | \$196,380.00 |
| Warning Lites of MN | \$226,119.72 |
| Fahrner Asphalt Sealers | \$248,860.08 |

Street Sweeping

| | |
|-------------------------|-------------|
| Pearson Bros. | \$59,550.00 |
| Allied Blacktop Company | \$59,932.00 |

Crack Sealing

| | |
|------------------------------|--------------|
| Allied Blacktop Company | \$244,377.00 |
| Fahrner Asphalt Sealers | \$336,096.00 |
| Asphalt Surface Technologies | \$394,427.50 |



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 E.2

Agenda Item:

Lions Club Recycling Fees

Requested Action:

Consider approving an increase in the fees for the Lions Club services for the operation of the City Recycle Center.

Background Information:

The Cedar/East Bethel Lions have provided the personnel to operate the City Recycle Center at 2761 Viking Boulevard for the past 10 years. In exchange for their services the City has paid the Lions Club \$1,000 per month for their assistance. There has been no change in the fee during the term of this agreement.

The basic services provided by the Lions Club at the Center include:

- Sorting , crushing and storing cardboard bales
- Sorting and separating tin and aluminum
- Crushing and loading glass
- Collecting and storing those items left after hours
- Cleaning and maintaining the exterior and interior of the facility
- Monitoring the used oil collection site

It is estimated that the Lions spend approximately 40 labor hours per week to conduct these activities. The City’s cost to staff and operate the facility for the same number of hours would be an estimated cost of \$1,200 per week or \$4,800 per month to perform the same functions.

Attachments:

Request for additional reimbursement

Fiscal Impact:

The City is the recipient of a SCORE Grant in the amount of \$64,198 for 2014 from Anoka County to operate the Recycle Program. Included in this amount is the base cost of \$1,000 per month and the additional request of \$200 per month for the Lions Club for their facility staffing payment. No City funds would be used for the proposed fee increase for the Lions Club reimbursement. Should this increase be approved it would only be for 2014 and continuation of the new rate would be dependent on future funding at this level through the SCORE Grant beyond the current year.

Recommendation(s):

Staff requests the City Council consider approving the fee increase from \$1,000 to \$1,200 per month to the Lions Club for the operation of the Recycle Center effective April 1 and continuing through December 31, 2014.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

The Cedar-East Bethel Lions are requesting future payments of \$1200 per month for their work at the East Bethel Recycling Center. This is based on the Anoka County Reimbursement cost of \$12.00 per hour for workers and the fact that we are working an average of 100 hours per month. Currently we are receiving \$1000 per month. The Cedar-East Bethel Lions is a community based organization that cycles the money back into the community.

Thank you very much.

Signed Ruth Larson
Cedar East Bethel President
Date 03/04/2014

Office Held President



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 F.1

Agenda Item:

Fire Department Report

Requested Action:

Informational only

Background Information:

The Fire Chief has provided reports of Fire Department emergency calls, fire inspections, and emergency medical calls from the previous month.

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

**East Bethel Fire Department
February 2014 Response Calls**

| Incident Number | Incident Date | Alarm Time | Location | Incident Type |
|-----------------|---------------|------------|------------------------------|--------------------------------------|
| 076 | 02/27/2014 | 22:47 | Fillmore and 181 AVE | Smoke in area |
| 075 | 02/27/2014 | 15:46 | 121 Bryant LN | EMS call |
| 074 | 02/27/2014 | 11:01 | 18755 Greenbrook DR | EMS call cancelled en route |
| 073 | 02/26/2014 | 21:38 | 1005 197 AVE NE | EMS call |
| 072 | 02/26/2014 | 07:51 | 20465 Monroe ST NE | EMS call |
| 071 | 02/26/2014 | 02:44 | 18164 HWY 65 | EMS call |
| 070 | 02/24/2014 | 21:10 | 18164 HWY 65 | EMS call |
| 069 | 02/22/2014 | 18:23 | 3602 Edmar | EMS call |
| 066 | 02/21/2014 | 21:49 | 313 Dogwood RD | Power lines down and sparking |
| 068 | 02/21/2014 | 21:13 | 18425 Lakeview Point DR | EMS call |
| 067 | 02/21/2014 | 16:25 | Hwy 65 and 209 th | Motor vehicle accident with injuries |
| 065 | 02/20/2014 | 09:33 | 4922 229 AVE NE | EMS call |
| 064 | 02/17/2014 | 18:57 | 715 Lakeshore DR | Possible fire on lake; rec fire only |
| 063 | 02/15/2014 | 19:08 | Hwy 65 and Viking Blvd | Motor vehicle accident with injuries |
| 062 | 02/14/2014 | 22:12 | 22421 Tippecanoe ST | EMS call |
| 061 | 02/13/2014 | 23:31 | 2452 216 AVE NE | Gas leak (natural gas or LPG) |
| 060 | 02/12/2014 | 14:24 | 21108 Polk ST NE | EMS call |
| 059 | 02/11/2014 | 22:22 | Breezy Point Dr and Viking | Motor vehicle accident with injuries |
| 058 | 02/11/2014 | 17:34 | 18164 HWY 65 | EMS call |
| 057 | 02/11/2014 | 00:05 | 36 221 AVE NE | EMS call cancelled en route |
| 056 | 02/10/2014 | 17:01 | 1203 237 AVE NE | Fire Alarm |
| 055 | 02/09/2014 | 13:38 | 19863 University AVE NE | EMS call |
| 054 | 02/09/2014 | 04:45 | 412 Dahlia DR | EMS call |
| 053 | 02/08/2014 | 17:58 | 229 LN | False alarm or false call |
| 052 | 02/07/2014 | 08:23 | 1253 237 AVE NE | EMS call |
| 051 | 02/07/2014 | 07:31 | 22435 NE Palisade NE | EMS call |
| 049 | 02/05/2014 | 23:46 | 3425 190 LN NE | Lift Assist |
| 050 | 02/05/2014 | 02:16 | 24355 Hwy 65 | EMS call cancelled en route |
| 048 | 02/04/2014 | 15:11 | 1253 237th AVE NE | EMS call |
| 047 | 02/04/2014 | 11:10 | 1046 181 LN NE | EMS call |
| 046 | 02/03/2014 | 10:48 | 19418 W Tri Oak CIR | EMS call |
| 045 | 02/01/2014 | 02:28 | 1046 181 LN NE | EMS call cancelled en route |
| Total | | | | 32 |

**East Bethel Fire Department
Type of Medical Calls**

February, 2014

Number of Medical Calls 22

| Type | Number | Transport by Ambulance |
|------------------------|---------------|-------------------------------|
| Medical Complications | 0 | 0 |
| Short of Breath | 2 | 2 |
| Cardiac | 3 | 3 |
| Bleeding | 0 | 0 |
| Illness | 6 | 5 |
| Trauma | 1 | 1 |
| Assist | 2 | 1 |
| Other | 6 | 5 |
| Cancelled Medical Call | 2 | 1 |
| Totals | 22 | 18 |



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 F.2

Agenda Item:

Fire Department Report

Requested Action:

Use of Equipment Replacement Funds to Purchase Equipment for new Fire Trucks

Background Information:

In 2013, the City of East Bethel replaced two front line Fire Engines. One of the replaced Fire Engines was sold as surplus equipment for \$50,000. The other Engine is in service and is used as a backup Engine to the fleet. The proposed purchase presented in the attachment is to provide the additional equipment that is not available from our current inventory to outfit the new truck.

The Fire Department is requesting \$ 29,518 of the funds derived from the \$50,000 dollar sale to be used for purchase of those items necessary to equip the new Engine. Fully equipped Fire Engines have the benefit of potential reductions in ISO ratings, provide tools and equipment essential for effective fire and rescue operations, and furnish the necessary safety equipment for emergency operations. A spreadsheet itemizing the proposed purchases is attached for your review. The prices that are shown have been bid by three different Fire Department Suppliers. The prices represent the lowest price on each item from of the three vendors.

Fiscal Impact:

The City received \$50,000 from the sale of the surplus engine. This amount was deposited in the Equipment replacement fund. This is an appropriate expenditure and funds are available for this purpose.

Recommendation(s):

Staff recommends that Council approve the recommendation of the Fire Department to purchase the items provided in the attachment at a cost not to exceed \$29,518.

City Council Action

Motion by: _____

Second by: _____

Vote Yes:_____

Vote No:_____

No Action Required:_____

**East Bethel Fire Department
Loose Equipment
Proposed Purchase List**

**City Council
March, 2014**

| Items | | | | Quantity | Price |
|--------------------------|---------|--------|--|----------|---------------|
| Adapters | | | | 1 | 500 |
| Axes | | | | 2 | 100 |
| Hooligan Tool | | | | 2 | 380 |
| Bolt Cutter | | | | 1 | 70 |
| Brooms | | | | 2 | 40 |
| Chain Saw | | | | 1 | 800 |
| Water Extinguisher | | | | 1 | 105 |
| Power Fan | | | | 1 | 2,200 |
| Box Lights | | | | 3 | 360 |
| Gas Monitor | | | | 2 | 2,000 |
| Safety Gas Cans | | | | 2 | 140 |
| MDT and Radios | | | | 2 | 7,800 |
| Hose: | | | | | |
| | | 1 3/4" | | 400 ft | 840 |
| | | 3" | | 300 ft | 1,200 |
| | | 5" | | 500 ft | 2,875 |
| Hose Wrenches | | | | 2 | 220 |
| Hydrant Wrench | | | | 4 | 120 |
| Mallets | | | | 2 | 20 |
| Medical Bags | | | | 1 | 250 |
| Nozzles: | | | | | |
| | 1 3/4" | | | 4 | 1,920 |
| | 2 1/2" | | | 1 | 600 |
| | Monitor | | | 1 | 2,400 |
| Gated Wye | | | | 1 | 235 |
| Hydrant Gate | | | | 2 | 1,180 |
| Butterfly Valve | | | | 1 | 780 |
| Potable Scene Light | | | | 1 | 345 |
| Portable Generator Light | | | | 1 | 1,700 |
| Rescue Rope Bags | | | | 2 | 148 |
| Shovels | | | | 2 | 100 |
| Trash Pail | | | | 1 | 50 |
| Salvage covers | | | | 2 | 40 |
| | | | | | |
| Total | | | | | 29,518 |

MDT= Mobile Data Terminal



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 G.1

Agenda Item:

Upper Rum River Water Management Organization (URRWMO) 2015 Budget

Requested Action:

Review and comment on the proposed URRWMO Draft Budget

Background Information:

The URRWMO is in the process of developing their 2015 budget. As part of this work, they are requesting our review and comment on the attached draft budget. Line items within the draft budget may be subject to change by the URRWMO but the total expenditures are proposed to remain unchanged and be the same as the 2014 Budget.

The draft budget attached is for discussion and recommendation purposes. Revisions are anticipated for line items after comments are received but there is no proposal to change the budget total. A final budget for your consideration will be provided in early May.

This proposed draft budget is the same budget that was approved for 2014. We need to provide comments before May 1, 2014.

In 2016-17 the URRWMO will be required to update its 10-year comprehensive plan. The completion of this process may create a noticeable change in budgets beyond 2015.

Attachments:

Proposed URRWMO 2015 Budget

Fiscal Impact:

There is no change between the 2014 and the proposed 2015 Budget. The impact on our Budget will be neutral in terms of the amount budgeted for this activity in 2014 compared to 2015.

Recommendation(s):

Staff recommends providing any comments appropriate to the URRWMO proposed 2015 Budget.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

March 19, 2014

Agenda Item Number:

Item 9.0 G.2

Agenda Item:

Recording Secretary Services

Requested Action:

Consider Contracting for Recording Secretary Services for City Council Meetings

Background Information:

Wendy Warren, Deputy City Clerk, has been responsible for the recording, preparation and submission of City Council minutes. Ms. Warren is out on an indefinite medical leave and at this time we are not certain when she will be able to return to work. In Ms. Warren’s absence, Jill Anderson, the Recording Secretary for the EDA, Parks, Planning and Road Commissions, has filled this position. Ms. Anderson willingness and availability to substitute for Ms. Warren has been invaluable to the City and her efforts are greatly appreciated.

Ms. Anderson volunteered to perform Ms. Warren’s function on a provisional basis but due to Ms. Anderson’s other personal and professional commitments, it has become necessary to consider other options for recording services for City Council Minutes. City Staff recommends that the recording secretarial duties be outsourced until Ms. Warren’s situation is resolved. City Staff has researched these types of services and have found one provider, TimeSaver, that appears to meet our requirements.

TimeSaver would provide off site recording functions from City’s website streaming video broadcast and DVD of the Council meeting and provide a 5 day turnaround for the minutes. The City has the capability and would have to make the video available in an MP3 or Wave file. TimeSaver currently provides this service to 22 municipalities including the Cities of Anoka, Blaine and Coon Rapids. Staff checked their local references and received a positive endorsement from the Cities listed above.

TimeSaver could perform this service on a temporary or set time basis and could be available for the April 2, 2014 meeting. Should the services of TimeSaver be considered as an option for recording secretarial services, Council may wish to exclude Work Meetings from their contract to save costs.

Attachments:

- TimeSaver Prospectus
- Proposed Contract for TimeSaver Services
- Sample TimeSaver Minutes

Fiscal Impact:

The expense of a 20 page set of minutes from a 2 hour City Council meeting using Timesaver would cost approximately \$350 (See attached contract for itemization of charges).

Historically we have spent 10-12 hours of staff time to prepare Council minutes at a cost of approximately \$480 per meeting. This cost is covered in the Deputy City Clerks annual budget for wages and benefits.

Assuming there are 6 Special Meetings, 2 Town Hall, 1 LBAE and 24 Regular City Council meetings in a year, the estimated annual cost for utilizing a service such as TimeSaver for minutes preparation would be approximately \$12,000 per year.

Should TimeSaver be retained for minutes preparation for April through December 2014, the estimated cost for their time is projected to be \$9,100, assuming an average set of minutes of 20 pages and the average meeting time of 2 hours.

There would be a minimum of \$8,900 in Deputy City Clerk's budget to cover this cost.

Recommendation(s):

Staff recommends that the City contract with TimeSavers to provide transcript-type minutes on a temporary basis until Ms. Warren's leave and/or subsequent return to work conditions are resolved.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

TimeSaver

Off Site Secretarial, Inc.

March 3, 2014

Mr. Mike Jeziorski, Finance Director
City of East Bethel
2241 – 221st Avenue NE
Cedar, MN 55011

Dear Mr. Jeziorski:

Thank you for contacting *TimeSaver Off Site Secretarial, Inc.* regarding your interest in our services to transcribe City Council meeting minutes. I have reviewed the meeting minutes from the City's webpage and would like to submit the following proposal with the understanding that the highest rate will prevail:

Base Rate: One Hundred Thirty-One and 00/100 dollars (\$131.00) for any meeting up to one (1) hour (billable time) plus Thirty-Two and 50/100 dollars (\$32.50) for each thirty (30) minutes following the first one (1) hours; **or**

Unit Rate: Twenty-nine and 00/100 dollars (\$29.00) per hour for length of meeting, and fifteen (15) minutes prior to Call to Order and fifteen (15) minutes following Adjournment with a one and one-half (1.5) hour minimum; and Thirteen and 50/100 dollars (\$13.50) for each page of minutes prepared from shorthand or machine notes of the recording secretary as draft minutes for submission to and the review and comment of the City of East Bethel for their preparation of final minutes.

The above quoted rates are based on the assumption that the meeting minutes will be completed via the City's webstream, formatted in Times New Roman, 12 point, one-half inch margins (average), with a one-line header. The draft meeting minutes, formatted in MSWord, will be submitted via e-mail for the review and correction by your staff for their preparation of final meeting minutes.

Enclosed are an Introduction to *TimeSaver* that lists our meeting minute clients and several municipal references. We are very flexible in meeting the needs of City Councils, Commissions, and staff, and encourage you to call our references. Letters of recommendation and meeting minute samples are available upon request.

Please feel free to call me at: 612-251-8999 if I can be of further assistance or provide you with additional information. I look forward to your response.

Sincerely,

Carla Wirth

Carla Wirth
Owner

Enclosures

TimeSaver

Off Site Secretarial, Inc.

Introduction

Since 1985, *TimeSaver Off Site Secretarial, Inc.* (formerly Northern Counties Secretarial Services) has been providing a wide variety of office support services to individuals and businesses. We are word processing specialists who provide professionally prepared documents.

TimeSaver's secretarial support services are used by companies and corporations throughout the metro area. We are an economical alternative to temporary help, full-time, or part-time employees, especially for companies that do not want to invest in additional equipment, furniture, and office space.

Of special interest to municipalities and watershed districts is our recording secretarial service. *TimeSaver* has developed a special niche market for providing recording secretaries to municipalities, private corporations, and volunteer organizations. This service is especially attractive to clients who do not wish to become involved in the time-consuming process of replacing and/or retraining recording secretaries. *TimeSaver* designates a primary secretary for each account who then, if needed, is able to retrain a new secretary in the future. This system has been successful because it provides the client with consistent **long-term** service without added expense in the event of employee turnover.

TimeSaver is currently responsible for providing recording secretaries to 30 accounts, which includes 22 municipalities (Andover, Anoka, Arden Hills, Blaine, Brooklyn Center, Champlin, Coon Rapids, Edina, Fogerty Ice Arena, Long Lake, Maple Grove, Medina, Mounds View, North Branch, Osseo, Roseville, Ramsey, St. Anthony, St. Louis Park, Vadnais Heights, Victoria, and Wayzata), in addition to Achieve Services, Lower Rum River Watershed Management Organization, the Minnesota Government Finance Officers Association, Nine Mile Watershed District, Northwest Hennepin Human Services Council, Quad Cities Cable Communications Commission, Ramsey-Washington Watershed District, and the Rice Creek Watershed District. *TimeSaver* also provides recording secretaries to the city of Minnetonka on an as-needed basis. Desired minute content varies for each client, ranging from minutes that are almost verbatim to summary minutes.

Because of *TimeSaver's* extensive municipal and watershed district experience, our staff is familiar with *Robert's Rules of Order*, municipal meeting procedures, topics of discussion, use of language, motions, etc. Our municipal clients can attest to our longevity in providing for their meeting minute needs.

Our twenty-nine year history of quality work reflects the value we place on our clients.

TimeSaver

Off Site Secretarial, Inc.

Municipal References

City of Andover

1685 Crosstown Boulevard
Andover, MN 55304
Michelle Hartner, City Clerk
(612) 755-5100

City of Blaine

10801 Town Square Drive
Blaine, MN 55449
Jane Cross, City Clerk
(763) 784-6700

City of Champlin

11955 Champlin Drive
Champlin, MN 55316
Roberta Colotti, City Clerk
(763) 421-8100

Positive - used since 2004 - City Council

City of Edina

4801 West 50th Street
Edina, MN 55424
Deb Mangan, City Clerk
(952) 826-0408

City of St. Anthony

3301 Silver Lake Road
St. Anthony, MN 55418
Barb Suci, City Clerk
(612) 782-3313

City of Anoka

2015 First Avenue North
Anoka, MN 55303
Amy Oehlers, City Clerk
(763) 576-2700

Good / Timely - used since 2000. City Council Meetings

City of Brooklyn Center

6301 Shingle Creek Parkway
Brooklyn Center, MN 55430
Sharon Knutson, City Clerk
(763) 569-3306

City of Coon Rapids

11155 Robinson Drive
Coon Rapids, MN 55433
Cathy Sorensen, City Clerk
(763) 767-6493

City of Maple Grove

12800 Arbor Lake Parkway
Maple Grove, MN 55369
Stevie Koll Anderson, City Clerk
(763) 494-6004

City of Wayzata

600 Rice Street
Wayzata, MN 55391
Heidi Nelson, City Manager
(952) 404-5309

RECORDING SECRETARY SERVICE AGREEMENT

THIS AGREEMENT is made between TIMESAVER OFF SITE SECRETARIAL, INC. (“TOSS”) and the CITY OF EAST BETHEL, (“EAST BETHEL”).

EAST BETHEL wishes to retain the services of TOSS to act as recording secretary for all regular City Council meetings during the term of this Agreement, and such special meetings as EAST BETHEL shall request of TOSS from time to time.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Recording Secretary. TOSS shall provide a competent, experienced and professional recording secretary to transcribe and submit minutes of all EAST BETHEL City Council meetings and, as requested of TOSS by EAST BETHEL from time to time, special meetings of its Subcommittees. Minutes of each meeting shall be prepared and submitted via e-mail within five (5) weekdays after each meeting to such officer as the City Administrator may designate from time to time.
2. Equipment. EAST BETHEL shall provide for each meeting at the meeting site all tape/digital recording equipment required to record the minutes of the meeting. TOSS shall provide all equipment and materials necessary to transcribe and prepare the minutes.
3. TOSS Charges. TOSS shall be paid for its services as recording secretary for each meeting (the highest rate will prevail), as follows:
 - a. Base Rate of One Hundred Thirty-One and 00/100 dollars (\$131.00) for any meeting up to one (1) hour (billable time) plus Thirty-Two and 50/100 dollars (\$32.50) for each thirty (30) minutes following the first one (1) hours; **or**
 - b. Twenty-nine and 00/100 dollars (\$29.00) per hour for length of meeting, and fifteen (15) minutes prior to Call to Order and fifteen (15) minutes following Adjournment with a one and one-half (1.5) hour minimum; and Thirteen and 50/100 dollars (\$13.50) for each page of minutes prepared from shorthand or machine notes of the recording secretary as draft minutes for submission to and the review and comment of EAST BETHEL for their preparation of final minutes.
4. Billing. When TOSS submits the minutes of each meeting, TOSS shall bill EAST BETHEL on TOSS' standard invoice form, which itemizes length of meeting and the number of pages of draft minutes prepared by TOSS of each meeting. EAST BETHEL agrees that it will submit each TOSS invoice with the next bill list or other applicable expense authorization list to be considered by the EAST BETHEL City Council or the authorizing official of the Council.
5. Term. This Agreement shall become effective on __, 2014, and shall continue in force until December 31, 2014. Either party may cancel this Service Agreement with or without cause upon thirty (30) days written notice; otherwise the contract shall remain in force.

6. Delegation. TOSS may, from time to time, appoint one or more persons and delegate its duties as recording secretary hereunder to its employees.
7. EAST BETHEL agrees that during the term of this Agreement and any extension to it, and for a period of six (6) months thereafter, it will not employ, hire, subcontract with, or otherwise engage as a recording secretary a person or an entity formed by a person who has acted as a recording secretary of TOSS for East Bethel meetings.
8. At the end of the term of this Agreement or any extension of it, the parties may make a new Agreement or extend or modify the terms of this Agreement in writing.
9. Independent Contractor. The parties of this Agreement agree that TOSS is an independent contractor. TOSS is not an employee of the City and is not entitled to the benefits provided by the City to its employees, including but not limited to, health, worker's compensation and employment insurance, and pension or employee benefit plans. TOSS will supply an executed W-9 form to the City Finance Department upon request.
10. Indemnification. TOSS shall indemnify the City against all liability and loss in connection with, and shall assume full responsibility for, payment of all federal, state and local taxes or contribution imposed or required under employment insurance, social security and income tax laws, with respect to TOSS' employees engaged in performance of the agreement.
11. Compliance with Applicable Regulations. TOSS shall, pursuant to performance, comply with all applicable rules, regulations, statutes or ordinances of any other unit or agency of government, including but not limited to those relating to non-discrimination in hiring or labor practices.
12. Worker's Compensation. TOSS shall obtain and maintain for the duration of this Contract, statutory Worker's Compensation Insurance and Employer's Liability Insurance as required under the laws of the State of Minnesota.

Dated: _____, 2014

CITY OF EAST BETHEL

By _____
 Jack Davis
 Its _____
 City Administrator

Dated: _____, 2014

TIMESAVER OFF SITE SECRETARIAL, INC.

By: _____
 Carla Wirth
 Its: _____
 President & CEO

Maple Grove City Council Meeting

Meeting Minutes

November 19, 2012

Call to Order

Pursuant to call and notice thereof, a Regular Meeting of the Maple Grove City Council was held at 7:30 p.m. on November 19, 2012 at the Maple Grove Government Center/Public Safety Facility, Hennepin County, Minnesota. Members present were Mayor Mark Steffenson and Councilmembers LeAnn Sargent, Karen Jaeger, Phil Leith, and Erik Johnson. Absent was none. Present also were Al Madsen, City Administrator; Ken Ashfeld, Public Works Director/City Engineer; Dick Edwards, Community Development Director; Peter Vickerman, City Planner; and George Hoff, City Attorney.

Mayor Steffenson called the meeting to order at 7:30 p.m. and led the City in the Pledge of Allegiance.

Additions or Deletions to the Agenda

Mayor Steffenson asked if there were any additions and/or deletions to the Consent Agenda to which Al Madsen stated the following:

Item Amended to the Agenda

None

Item Amended to the Consent Agenda

3C. Maple Grove Crime Free Multi-Housing Ordinance Amendment to the Rental Housing Ordinance Amendment to the Fee Schedule – Ordinance Nos. 12-11, 12-12, 12-13

Item Added to the Consent Agenda

3H. Proclamation for Greg Moore

3I. Approve New Firefighters

Item Removed from the Consent Agenda for Discussion

3C. Maple Grove Crime Free Multi-Housing Ordinance Amendment to the Rental Housing Ordinance Amendment to the Fee Schedule – Ordinance Nos. 12-11, 12-12, 12-13

3I. Approve New Firefighters

Consent Items

The following Consent Items were presented for Council's approval:

MINUTES

A. Regular Meeting – November 5, 2012

SCHOOLS AND CONFERENCES

No Items to Present.

PERSONNEL ITEMS

B. Police Officer Appointment

Motion to approve the hiring of Aaron Schonning to the position of Police Officer (2012 Contract Wage Schedule; starting salary step, \$48,474.40 annually), effective on, December 4, 2012, subject to a 12-month probationary period. All required screenings and background checks have been successfully completed.

COMMUNITY DEVELOPMENT ITEMS

C. Maple Grove Crime Free Multi-Housing Ordinance Amendment to the Rental Housing Ordinance Amendment to the Fee Schedule – Ordinance Nos. 12-11, 12-12, 12-13

This item was removed by City Administrator Madsen for discussion.

ENGINEERING ITEMS

D. Sureties

Motion to approve the surety actions as identified on the Council Action Form.

E. Special Assessment Deferment on MXD Property – Resolution Nos. 12-108 and 12-109

Motion to adopt Resolution No. 12-108 establishing the deferment of special assessments (principal payments) for certain Mixed Use guided properties for tax year 2013.

Motion to adopt Resolution No. 12-109 establishing the deferment of special assessments (principal and interest payments) for certain Mixed Use guided properties for tax year

2013.

ADMINISTRATIVE ITEMS

F. Agreement with Metropolitan Council for Metro Transit to Operate Maple Grove Transit Bus Service

Motion to authorize the Mayor and City Administrator to enter into an agreement No. 12R034 with the Metropolitan Council allowing Metro Transit to operate Maple Grove Transit bus service for the period of January 1, 2013 through December 31, 2015. Motion is contingent upon review of agreement by the City Attorney.

CLAIMS

G. Motion to approve the claims as listed:

City: \$1,941,531.84

Purchasing Card: \$0

H. Proclamation for Greg Moore

Motion to approve a Proclamation for Greg Moore.

I. Approve New Firefighters

This item was removed by Councilmember Sargent for discussion.

Motion by Councilmember Sargent, seconded by Councilmember Leith, to approve the Consent Items as amended, adding Item 3H (Proclamation for Greg Moore) and removing items 3C (Maple Grove Crime Free Multi-Housing Ordinance Amendment to the Rental Housing Ordinance Amendment to the Fee Schedule – Ordinance Nos. 12-11, 12-12, 12-13) and 3I (Approve New Firefighters). Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Consideration of Items Pulled from the Agenda

The following items were pulled from the Consent Agenda.

Regarding Item (3C Maple Grove Crime Free Multi-Housing Ordinance Amendment to the Rental Housing Ordinance Amendment to the Fee Schedule – Ordinance Nos. 12-11, 12-12, 12-13), Community Development Director Edwards

discussed the proposed Crime Free Multi-Housing Program explaining this was a partnership between law enforcement and rental property managers to provide a safer living environment while reducing crime within rental properties. He indicated there were three main proponents of this program, which required landlords to conduct criminal background checks on prospective renters, to attend a Crime Free Multi-Housing seminar, and to add an addendum to all leases regarding Crime Free Multi-Housing provisions.

Councilmember Leith stated this was a great program and he was pleased the City of Maple Grove was moving in this direction.

Councilmember Johnson requested further information on the definition of a “Disorderly Use” or “Disorderly Manner”. Police Chief Jess commented he worked with City Attorney Hoff’s office on this language. City Attorney Hoff provided further comment on this matter noting substantial evidence would provide for a first strike against a tenant and would require more than probable cause.

Larry McGough, 6181 Eagle Lake Drive, explained he was a rental property owner in Maple Grove. He supported the program but questioned why no discussion was held between the City and the rental owners. Mr. McGough found the language within the Ordinance to be heavy-handed. He would be in favor of the rental owners providing input to the City on this matter prior to approval.

Lisa Pelan, Minnesota Multi-Housing Association, noted she met with Todd Strege, Crime Prevention Officer, regarding this matter and her suggestions were taken into consideration within the City’s Ordinance. She thanked the City for hearing her concerns.

Motion by Councilmember Jaeger to adopt Ordinance No. 12-11 amending City Code Chapter 10, Article XI to add the Crime Free Rental Housing Ordinance.

Councilmember Johnson stated he was a fan of the Crime Free Multi-Housing. However, he felt Mr. McGough’s concerns should be addressed and that the City should speak with the rental owners prior to approving the Ordinance amendments.

City Administrator noted the City has been working on this

Ordinance for several years and the Police Department has met with apartment owners, and rental management companies. It was his opinion that the City has had a great deal of communication with rental owners.

Councilmember Johnson understood this has been in the works for several years but still had concern that some voices had yet to be heard on this matter.

Councilmember Sargent commented there was also concern with the language on Page 6 of the Ordinance and requested the City Attorney provide further clarification of Step 1 and Step 2. City Attorney Hoff commented he could make the necessary revisions and have this before the Council at a future meeting.

Mayor Steffenson recommended the matter be tabled for 30 days and be addressed at the second meeting in December to allow for this matter to be clarified.

Councilmember Leith agreed with this recommendation.

The motion failed for lack of a second.

Motion by Councilmember Jaeger, seconded by Councilmember Leith, table action on the Crime Free Multi-Housing Ordinance Amendment. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Special Business

Open Forum

There were no open forum issues brought before the Council at this meeting.

Approve New Firefighters

Motion by Councilmember Sargent, seconded by Mayor Steffenson, to approve the hiring of new firefighters for the City of Maple Grove Fire Department effective November 20, 2012. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Introduction of New Firefighters

Fire Chief Anderson introduced the new firefighters to the Council and presented them with their badges. The Council offered a congratulatory round of applause.

Mayor Steffenson thanked the families for allowing their family

member to serve the City of Maple Grove as a firefighter.

**7:30 p.m.
Public
Hearing
On
Sale/Sunday
Liquor
License
WBTC, LLC
dba
WhirlyBall
Twin Cities**

City Administrator Madsen explained WhirlyBall Twin Cities was requesting an On Sale/Sunday Liquor license from the City. He indicated all necessary background checks have been completed and all fees have been paid. Staff recommends approval of the liquor license.

Nick Lambrecht, Whirly Ball representative, introduced himself to the Council and thanked the Council for considering his request.

Mayor Steffenson discussed the significance of holding a liquor license in the City of Maple Grove. He encouraged Mr. Lambrecht to have each of his staff members attend the free training provided by the Police Department to assure there were no liquor sales to minors at WhirlyBall. He indicated compliance checks would be completed several times a year to assure WhirlyBall remained compliant.

Motion by Councilmember Sargent, seconded by Councilmember Leith, to open the public hearing. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Mayor Steffenson opened the public hearing at 8:01 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Sargent, seconded by Councilmember Leith, to close the public hearing at 8:01 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Sargent, seconded by Councilmember Leith, to approve the On Sale Intoxicating/Sunday Sale Liquor License for WBTC, LLC dba WhirlyBall Twin Cities, 13644 80th Circle North, Maple Grove, Minnesota, subject to compliance with liquor license requirements in Chapter 4, Article I of the City Code, with said license to expire June 30, 2013. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**7:30 p.m.
Hearing
Liquor**

City Administrator Madsen commented El Rodeo failed a recent compliance check. This business has waived its right to a hearing. El Rodeo had a previous liquor license violation in 2010 and 2012.

Violation

**Rochoas, LLC
dba El Rodeo
Mexican
Restaurant**

Mayor Steffenson expressed frustration that this was the restaurant's third violation in the past three years. He made it clear there were several ramifications if a fourth violation were to occur.

John Murphy, attorney assisting Rochoas, LLC, commented his client understood the seriousness of this matter.

Jose Rochoas, 13572 80th Circle North, explained he has been working very hard to assure his restaurant would remain in compliance. He knew the responsibility rested solely on him and he apologized to the City of Maple Grove for this failure.

Mr. Murphy indicated this was an intimidating forum for his client and he recommended Mr. Rochoas further train his employees. He stated his employees had attended the most recent training sponsored by the City, along with purchasing card readers. He explained the employees that failed the compliance checks were fired. He further discussed the measures that have been taken by Mr. Rochoas to assure the restaurant remained compliant.

Mayor Steffenson recommended Mr. Rochoas offer a reward to his employees for successfully completing compliance checks or for foiling sales to minors.

Councilmember Sargent was pleased that Mr. Rochoas had purchased card readers, as this would greatly assist the business in remaining compliant. She suggested all patrons purchasing alcohol have their ID's scanned. She wanted to be assured El Rodeo Mexican Restaurant could remain in Maple Grove.

Councilmember Johnson stated it was unfortunate Mr. Rochoas was before the Council again, as he had been here just five months prior. He thanked Mr. Rochoas for his honesty in this situation but he commented he supported the civil fine and 10 day suspension for this case.

Motion by Councilmember Sargent, seconded by Councilmember Leith, to approve directing staff to prepare appropriate findings of fact and conclusion in support of the decision to suspend or revoke the On Sale/Sunday Sale Liquor License for Rochoas, LLC dba El Rodeo Mexican Restaurant, 13572 80th Circle N., Maple Grove, Minnesota, imposing a civil penalty of \$2,000 and suspending their liquor license for 10 continuous days for consideration at the next Council meeting. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion

carried.

**7:30 p.m.
Hearing
Liquor
Violation
3D Liquors
Inc. dba 3D
Liquors**

City Administrator Madsen commented 3D Liquors failed a recent compliance check. This business has waived its right to a hearing. He noted this was their first violation.

Luan Huynh, 2224 Laramie Trail, Brooklyn Park, apologized for the event. He indicated he was at fault and promised to do better in the future.

Mayor Steffenson stated this was a serious offense. He expected that this would not occur again in the City of Maple Grove. He encouraged Mr. Huynhn to train himself and staff members to assure that sales were not made to minors.

Councilmember Leith recommended all employees from 3D Liquors attend the next City sponsored training.

City Administrator Madsen explained this training was mandatory and not optional. The training was necessary in order to receive liquor license renewal.

Councilmember Leith stated a second violation would require a civil fine and liquor license suspension.

Motion by Councilmember Sargent, seconded by Mayor Steffenson, to approve directing staff to prepare appropriate findings of fact and conclusion in support of the decision to suspend or revoke the Off Sale Liquor License for 3D Liquors Inc. dba 3D Liquors, 9651 63rd Avenue N., Maple Grove, Minnesota, imposing a civil penalty of \$2,000 per violation for consideration at the next Council meeting. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**7:30 p.m.
Hearing
Liquor
Violation
Granite City
Restaurant
Operations,
Inc. dba
Granite City
Food &**

City Administrator Madsen commented Granite City Food & Brewery failed a recent compliance check. This business has waived its right to a hearing.

Jim Gilbertson, Granite City Brewery, apologized for this event.

Amy Kneeling, Granite City Brewery Managing Partner, also apologized for the incident.

Matt Forsgen, attorney for Granite City Brewery, explained the managing partners for Granite City Brewery understood the seriousness of this offense. He stated a training program had been conducted in house. Mr. Forsgen explained each employee must receive 100% on the testing prior to being allowed on the floor. He indicated Granite City has recently invested in a

Brewery

copyrighted program called Serve Safe, which involved four and one-half hours of additional training for each employee. Granite City deeply apologized for the violation.

Mr. Forsgen questioned when the suspension would be implemented. City Administrator Madsen commented he would work with officials from Granite City on this issue.

Motion by Mayor Steffenson, seconded by Councilmember Sargent, to approve directing staff to prepare appropriate findings of fact and conclusion in support of the decision to suspend or revoke the On Sale/Sunday Sale Liquor License for Granite City Restaurant Operations, Inc. dba Granite City Food & Brewery, 11909 Main St. N., Maple Grove, Minnesota, imposing a civil penalty of \$2,000 per violation and a two day suspension for consideration at the next Council meeting. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Community Development Items

Grove South Cambria Second Addition Short Plat

City Planner Vickerman explained that the applicant is requesting a Short Plat for the Cambria Second Addition. He reviewed the property line adjustment with the Council. He indicated the Planning Commission recommended approval.

Motion by Councilmember Sargent, seconded by Councilmember Leith, to approve directing the City Attorney to draft a Resolution approving the Preliminary and Final Plat of Grove South Cambria Second Addition.

The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent Board Action. Board meetings are held on the third Thursday of each month.

Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

HighGrove 3rd Addition PUD Concept

City Planner Vickerman stated the applicant is requesting a PUD Concept Amendment and Development Stage Plan approval for HighGrove 3rd Addition. He provided a quick history on this neighborhood stating the developer has proposed

**Amendment
and
Development
Stage Plan**

a change in density from the original plans. The plans were discussed in detail and the only concern was with Outlot A. He indicated the Planning Commission recommended Council approval.

Councilmember Jaeger asked if the pond near Outlot C was for runoff. Mr. Vickerman indicated this pond would have an outlet added through the development and grading of this property.

Councilmember Jaeger questioned if the architecture for the proposed townhomes had been discussed. Mr. Vickerman reviewed the plans noting the townhomes would have two main urban row styles.

Councilmember Jaeger asked if the townhomes would have a patio area. Tom Wolter, 2721 Hickory Ridge Drive, Elko, MN, explained the patios were a variety of sizes and would accommodate furniture and grills.

Councilmember Sargent indicated the back of the townhomes should look as impressive as the front and this was not the case with the row townhomes. Mr. Wolter stated the buildings would be completed in a variety of colors to break up the building façade.

Councilmember Jaeger proposed making changes to the proposed building designs. She was not thrilled with the second option for the townhomes.

Mayor Steffenson questioned how the Council would like to proceed.

Councilmember Johnson asked if the developer had considered building the urban row townhomes throughout the entire development. Mr. Wolter proposed the two different styles to provide variety in the neighborhood. He indicated he has had great success with the traditional row townhome.

Councilmember Johnson questioned if the developer had another model that could be used to add architectural interest to the development. Mr. Wolter stated he did not have another townhome product. He explained the siding would be different on each traditional townhome building, along with the gable ends and window wraps being varied. Mr. Wolter commented each community that these products have been developed in has had great success.

Councilmember Jaeger did not find the traditional row townhome product appealing. She explained these townhomes

would buffer Central Park.

Councilmember Sargent approved of the front of the traditional row townhome, but the back of the units were lacking. She asked if additional interest could be added. Mr. Wolter stated breaks could be added.

Motion by Councilmember Johnson, seconded by Mayor Steffenson, to table action on this item recommending Staff work with the applicant on the building facades. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Report On
Upcoming
Community
Development
Items**

Community Development Director Edwards stated there was nothing to report.

**Report on
Upcoming
Engineering
Items**

Director of Public Works/City Engineer Ashfeld updated the Council regarding the following:

- The City received a water fluoridation quality award from the Center of Disease Control and the United States Department of Health.

**7:30 p.m.
Hearing**

**Liquor
Violation**

**Maple Grove
Lodging
Investors LLC
dba Hilton
Garden Inn
Maple Grove**

City Attorney Hoff commented the Hilton Garden Inn of Maple Grove has requested a hearing on whether or not a liquor violation occurred on their premises. This evening would serve as an evidentiary hearing. He further reviewed the process for the hearing and requested the Council hear evidence from both sides and make a decision on the alleged sale of liquor to a minor. Once a decision was made, the Council was to direct Staff on how to proceed.

Michael Severson, 2711 94th Way, Hilton Garden Inn General Manager, stated he was present this evening to give testimony on the event.

Curtis Wilcox, 6018 2nd Street NE, Assistant General Manager, was present the evening in question and could give testimony on the event.

Detective Laurel Slawson was present to give testimony as the City's witness.

Mayor Steffenson swore in those giving testimony in this evenings hearing.

City Attorney Hoff asked for the name, title and rank of the

witness speaking on behalf of the City. Detective Laurel Slawson introduced herself to the Council. She was a police officer with the City of Maple Grove assigned to investigations.

City Attorney Hoff asked if Detective Slawson was on duty the night of October 18, 2012. Detective Slawson answered in the affirmative.

City Attorney Hoff asked if she had any special assignments on that day. Detective Slawson answered in the affirmative.

City Attorney Hoff requested further information on the special assignment. Detective Slawson answered she was conducting liquor compliance checks.

City Attorney Hoff asked if Detective Slawson had been involved in liquor compliance checks in the past, and if so how many. Detective Slawson answered in the affirmative stating she had conducted 40 compliance checks in the past.

City Attorney Hoff inquired where Detective Slawson conducted liquor compliance checks on October 18, 2012. Detective Slawson stated she was at numerous locations throughout the City.

City Attorney Hoff asked if a compliance check was conducted at the Hilton Garden Inn. Detective Slawson answered in the affirmative.

City Attorney Hoff asked what time she arrived at the Hilton Garden Inn. Detective Slawson stated she arrived approximately at 20:45 or 8:45 p.m.

City Attorney Hoff inquired if anyone accompanied her to the compliance check at the Hilton Garden Inn. Detective Slawson stated she was accompanied by her decoy, Mr. Harrow.

City Attorney Hoff asked the age of Mr. Harrow. Detective Slawson explained he was 20 years old.

City Attorney Hoff asked if Mr. Harrow was in fact 20 years old. Detective Slawson indicated this was his age as noted on his driver's license.

City Attorney Hoff asked if this was standard operating procedure for the decoy, to verify his or her driver's license. Detective Slawson answered in the affirmative.

City Attorney Hoff handed four sheets of paper to Detective Slawson. He then discussed Exhibit 1 and asked if this was in fact a copy of Mr. Harrow's driver's license. Detective

Slawson answered in the affirmative.

City Attorney Hoff offered Exhibit 1 and requested that a copy be forwarded to the representatives from Hilton Garden Inn. Mayor Steffenson received Exhibit 1.

City Attorney Hoff asked if there were any noteworthy indicators on Mr. Harrow's driver's license that would indicate the person was under 21. Detective Slawson stated aside from his date of birth there was an "Under 21" stamp above his photo on the left side of the license.

City Attorney Hoff asked if Mr. Harrow was given any instructions prior to entering the Hilton Garden Inn. Detective Slawson answered in the affirmative.

City Attorney Hoff requested further information on these instructions. Detective Slawson explained all decoys were briefed and told not to bring any other personal property into the establishment aside from their Minnesota driver's license and the \$20 they were given to buy alcohol.

City Attorney Hoff asked what time the decoy entered the Hilton Garden Inn. Detective Slawson stated approximately 8:45 p.m.

City Attorney Hoff questioned if during the time Mr. Harrow was at the Hilton Garden Inn if he was constantly in Detective Slawson's line of sight. Detective Slawson answered in the affirmative.

City Attorney Hoff asked if Detective Slawson observed everything that occurred between Mr. Harrow and the Hilton Garden Inn staff. Detective Slawson answered in the affirmative.

City Attorney Hoff inquired if Detective Slawson and Mr. Harrow entered the bar area. Detective Slawson answered in the affirmative.

City Attorney Hoff requested Detective Slawson to describe the general bar area. Detective Slawson stated there was a small bar area to the left of the entrance, approximately six feet across.

City Attorney Hoff asked what happened when Detective Slawson and Mr. Harrow entered the bar area. Detective Slawson explained Mr. Harrow sat down on the left corner of the bar area and she stood to the right.

City Attorney Hoff inquired if Detective Slawson could observe

everything from her position at the bar. Detective Slawson answered in the affirmative.

City Attorney Hoff requested Detective Slawson to describe what happened next. Detective Slawson indicated Mr. Harrow asked what type of beer they had to drink. The bartender opened a small refrigerator, showed him the beer. Mr. Harrow then asked for a Heineken. The bartender handed him the beer bottle with the cap off, set it down along with a glass. Then asked for his identification. He gave her the identification, which was his Minnesota driver's license. She looked at it, said you look older, and handed the license back to him and started to turn away.

City Attorney Hoff asked if she made any effort, after looking at the identification, to remove the beer so Mr. Harrow could not consume it. Detective Slawson stated she did not.

City Attorney Hoff questioned what led Detective Slawson to the conclusion that the bartender unlawfully furnished alcohol to Mr. Harrow and that she was not going to retrieve it from Mr. Harrow. Detective Slawson commented she served the beer first and then asked for the ID. Once she was given the ID, she never took it back, noting it said under 21. She turned away from Mr. Harrow.

City Attorney Hoff asked if there were other customers in the bar area. Detective Slawson answered in the affirmative.

City Attorney Hoff asked if it was Detective Slawson's impression that the bartender would be helping the other customers. Detective Slawson answered in the affirmative.

City Attorney Hoff questioned if during this time there were any management or supervisory staff in the bar area that observed the event. Detective Slawson stated she did not observe any management or supervisory staff in the bar area.

City Attorney Hoff asked what then happened after Detective Slawson concluded that there had been an unlawful furnishing of an alcoholic beverage. Detective Slawson stated she identified herself as a police officer to the bartender and asked her to step aside. I grabbed the beer from the counter and asked her to step aside.

City Attorney Hoff inquired what happened next. Detective Slawson indicated she went to get the manager, Mr. Wilcox.

City Attorney Hoff commented a discussion ensued between Detective Slawson and Mr. Wilcox. He asked if a citation was

then issued. Detective Slawson stated Mr. Wilcox was told he would be notified in the mail whether or not the City would be having a hearing. As for criminal charges for the bartender, she told the bartender she would be notified.

City Attorney Hoff indicated the criminal matter has been handed over to the City Prosecutor. Detective Slawson answered in the affirmative.

City Attorney Hoff referred to Exhibit 2 and asked if this was the bottle of Heineken that was provided to Mr. Harrow. Detective Slawson answered in the affirmative.

Mayor Steffenson received Exhibit 2.

City Attorney Hoff asked for the name of the bartender. Detective Slawson stated her name was Allison Bugle.

City Attorney Hoff had no further questions and rested his case.

Councilmember Jaeger asked if any money was transferred and if the sale was considered complete. Detective Slawson stated no money was transferred. The beer was handed to the minor and the bartender turned away. She stated this was not an uncommon practice in a bar as a tab could have been started.

Councilmember Jaeger questioned if the money transfer had to be complete in order for the violation to occur. Detective Slawson indicated this was not the case.

Mr. Severson presented his case. He explained the bartender, Ms. Bugle, asked Mr. Harrow what he wanted to drink. Ms. Bugle proceeded to grab the bottle, opened the bottle, and placed it on the bar for Mr. Harrow to drink. She asked Mr. Harrow for his ID.

City Attorney Hoff objected to this presentation on the base it was hearsay.

Mayor Steffenson indicated this meant the information was coming second hand to the Council.

Mr. Severson presented the Council with a DVD of the event stating it took place at 7:43 p.m. He noted the report from Ms. Bugle indicated Detective Slawson was standing near the pillar away from the bar. He noted Ms. Bugle carded the individual. His biggest concern was that Ms. Bugle made some operational mistakes. She should not have opened the alcohol. She did deny the service. All patrons under the age of 30 are carded.

City Attorney Hoff objected again to this testimony as it was

coming from a third party.

Mayor Steffenson questioned what the Council would see on the video. Mr. Severson stated the event that took place was on the video. He indicated the hotels security system recorded the event.

Mayor Steffenson asked if the video had voice recording. Mr. Severson explained there was no voice recording.

Mayor Steffenson requested Mr. Wilcox speak on behalf of the event as he was present that evening.

Mr. Wilcox stated he was in his office the night of the event. He explained he spoke to the detective, had a friendly conversation. At the time, she was not sure if the City could charge on this. He indicated she would notify the City of the offense and the hotel would need to wait for a letter. A letter was then received by the hotel. Mr. Wilcox explained he wasn't going to argue with the Detective, he wasn't present for the event. However, he had a witness statement from someone at the bar stating Allison carded and refused Mr. Harrow.

City Attorney Hoff objected to this statement, as it was hearsay.

Mr. Wilcox indicated this paperwork could be provided to the Council.

Mayor Steffenson asked if Ms. Bugle still worked for the hotel. Mr. Severson stated Ms. Bugle was still employed by the Hilton Garden Inn.

Mayor Steffenson questioned why Ms. Bugle was not present this evening. Mr. Severson was not aware that she would have to be present.

Mr. Severson commented the Hilton has high standards for training and has been in good standing in the City of Maple Grove.

Mayor Steffenson asked if Mr. Severson would like to Council to accept the DVD as Exhibit 3. Mr. Severson requested this be done.

City Attorney Hoff commented there was no audio on the video and did not know how the video could be viewed this evening. He questioned where Mr. Wilcox's office was in relation to the bar. Mr. Wilcox indicated his office was located behind the kitchen.

City Attorney Hoff asked who retrieved him after this event occurred. Mr. Wilcox believed it was somebody from the front

desk.

City Attorney Hoff asked if that staff member said a police officer wanted to speak with him, or if they elaborated on the event. Mr. Wilcox indicated the staff member did not elaborate, he came immediately.

City Attorney Hoff asked if Mr. Severson was working the night in question. Mr. Severson answered he was not.

City Attorney Hoff questioned Mr. Severson's position with the hotel. Mr. Severson explained he was the general manager.

City Attorney Hoff continued stating Mr. Wilcox would have been the manager on duty. Mr. Wilcox answered in the affirmative.

City Attorney Hoff commented Mr. Wilcox had a conversation with Detective Slawson regarding this matter. Mr. Wilcox stated the conversation was pleasant.

City Attorney Hoff indicated Detective Slawson made it clear the matter would be sent to attorneys to determine if the matter would proceed. Mr. Wilcox stated this was the case.

Mayor Steffenson commented the DVD was a visual of the event. He questioned how the video was obtained. Mr. Severson indicated he had downloaded the event.

City Attorney Hoff asked if Detective Slawson was made aware a video of the event was available. Mr. Severson stated this was not made available to Detective Slawson. He commented the hotel had a brand new system.

City Attorney Hoff asked if this was the first video downloaded from the system. Mr. Severson stated this was the case.

City Attorney Hoff questioned if Mr. Severson was able to verify if the video is an accurate depiction of the events that took place, when he was not present at the event. Mr. Severson stated this was the case, however, the video was date stamped.

City Attorney Hoff objected to the video.

Mayor Steffenson admitted the video as evidence.

In a final statement, Mr. Wilcox found it to be unclear when an alcohol sale was complete and if this involved the exchange of money. He did not feel a sale was made in this case. He encouraged the Council to review the video for further clarification.

City Attorney Hoff objected to this statement.

City Attorney Hoff requested Detective Slawson come forward for two questions. He asked if Detective Slawson made it a practice to write a report following an incident like this. Detective Slawson answered in the affirmative.

City Attorney Hoff questioned if this report was completed in short order, and if one was completed for this incident. Detective Slawson answered in the affirmative.

City Attorney Hoff referred to his Exhibit 3 asking if this was the report prepared regarding this matter. Detective Slawson stated this was her report.

City Attorney Hoff asked when the report was prepared. Detective Slawson indicated the report was completed the next morning.

City Attorney Hoff inquired if the report was an accurate recitation of the events that occurred. Detective Slawson answered in the affirmative.

City Attorney Hoff offered Exhibit 3.

Mr. Wilcox objected to the report stating Detective Slawson stated she was uncertain if a sale was completed.

Mayor Steffenson received Exhibit 3.

City Attorney Hoff requested further information from Detective Slawson on the discussion held the night of the event with Mr. Wilcox. Detective Slawson stated she informed him this was a fail and the decision to charge was out of her hands, it was determined by the City Prosecutor.

City Attorney Hoff asked if this was consistent with the comments made in her report. Detective Slawson answered in the affirmative.

Mayor Steffenson then requested the Council take the time to view the DVD presented by Mr. Severson.

City Attorney Hoff made it clear again, that he objected to the video.

Mayor Steffenson noted the objection but proceeded with the showing of the video. It was noted the disk was incompatible with the City's video system. A staff member retrieved a laptop for the DVD viewing.

The Council took a short recess from this item at 9:31 p.m.

The Council returned to this item at 9:33 p.m.

The DVD of the event was then viewed by the Council.

City Attorney Hoff still objected to the video.

Mayor Steffenson overruled the objection and received the video.

Mr. Severson noted he did receive a sworn email affidavit from a patron that was present at the bar the evening of this event.

City Attorney Hoff objected to this email as being hearsay.

Mayor Steffenson sustained this action.

City Attorney Hoff requested he be able to offer a brief rebuttal to the video. Mayor Steffenson allowed him to proceed.

City Attorney Hoff asked Detective Slawson if she came in at the same time as Mr. Harrow and then stood behind a pillar. Detective Slawson answered in the affirmative.

City Attorney Hoff asked if Detective Slawson had a clear view of Mr. Harrow, the bar, and the bartender from behind the pillar. Detective Slawson answered in the affirmative.

City Attorney Hoff indicated he had nothing further and requested the Council allow for closing arguments.

Mr. Severson stood behind the fact that a sale was not completed to a minor.

City Attorney Hoff stated the information presented this evening clearly meets the preponderance of evidence standard, which was obligated for this case. He commented payment was not necessary in this matter. He commented a violation occurs if an individual furnishes or gives a minor alcohol. He stated the video clearly shows the bartender furnished alcohol then looked at the ID. She did not remove the furnished product from the minor, which conducted the act. It was his position that the City sustained its burden and that the Council should direct staff to prepare the appropriate findings of fact.

Mr. Wilcox stated the bartender reaches to grab a menu when Mr. Harrow reached for his ID. She then denied him the beer at that time.

Mayor Steffenson commented the case has been submitted. He requested the Council now discuss how to proceed with the matter, to determine if alcohol was furnished or not.

Councilmember Sargent indicated this was an unusual case.

She was frustrated that the bartender was not present this evening.

Mayor Steffenson agreed it was unfortunate the bartender was not present; however, the Council had to act on the evidence provided this evening.

Councilmember Jaeger asked if Mr. Harrow drank the beer served by the bartender. Mayor Steffenson stated the decoys never drink if they are served alcohol at a compliance check.

Councilmember Johnson struggled with how the Council was to resolve this violation.

Mayor Steffenson stated it was obvious the beer was opened and provided prior to the bartender reviewing the ID. However, the Council needs to determine what happens after this point. Given the testimony provided by Detective Slawson and the video, he thinks the decoy was provided with alcohol. It was unfortunate the bartender was not in attendance to speak to the matter. He indicated the bottle was not removed by the bartender.

Councilmember Leith agreed with the Mayor stating the video corroborated the Detective's comments. It was his opinion the minor was served.

Councilmember Johnson requested the Council be allowed to watch the video one more time. Staff started the video.

Mayor Steffenson indicated the bartender had the opportunity to remove the bottle after viewing the ID and did not.

Councilmember Johnson stated after viewing the video again he believed the minor was furnished with alcohol and the transaction was complete.

Councilmember Sargent understood that employees at the Hilton Garden Inn had completed training and should have known better than to open the alcohol prior to reviewing a patrons' identification.

Motion by Mayor Steffenson, seconded by Councilmember Sargent, to approve directing staff to prepare appropriate findings of fact and conclusion in support of the decision reached following the evidentiary hearing requested by liquor licensee Maple Grove Lodging Investors LLC dba Hilton Garden Inn – Maple Grove, 6350 Vinewood Lane N., Maple Grove, Minnesota, with respect to alleged violation Maple Grove Ordinance Code Section 4-24 and Minnesota Statutes Section 340A.415, furnishing alcohol to a minor and

imposing a \$2,000 civil fine and two day liquor license suspension. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Al Madsen,
City
Administrator**

Mr. Madsen explained that the Council has his Monday report if there are any questions. He noted there would be no Planning Commission meeting on December 10th. He requested the Council speak with him regarding the Annual Police Reserve Recognition that would take place in January or February. He wished the entire Council and Staff a Happy Thanksgiving.

**Items Added
to the Agenda**

Mayor Steffenson congratulated Councilmember Sargent and Councilmember Johnson on their reelection.

Adjournment

Motion by Councilmember Sargent, seconded by Councilmember Jaeger, to adjourn to the regular City Council meeting on December 3, 2012 at 7:30 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

The meeting was adjourned at 9:59 p.m. by Mayor Steffenson.

Respectfully submitted,

Alan A. Madsen
City Administrator

This is an addendum to the
March 19, 2014 City Council
Meeting. It was added on
March 18, 2014.

City of East Bethel
March 19, 2014
Supplemental Payment Summary

This is a supplemental listing of invoices that were received after the creation of the Council packet. Due to the invoice deadline and the timing of the next Council meeting, they could be deemed as late payments which could possibly accrue late fees and/or finance charges if not paid by the due date.

| Department | Description | Invoice | Vendor | Fund | Dept | Amount |
|-----------------|-------------------|--------------|--------------|------|-------|-------------------|
| Payroll | Insurance Premium | 5457883 | Delta Dental | 101 | | \$352.80 |
| Payroll | Insurance Premium | 140760002432 | PreferredOne | 101 | | \$7,492.31 |
| Fire Department | Telephone | 030114 | CenturyLink | 101 | 42210 | \$58.97 |
| | | | | | | \$7,904.08 |