

EAST BETHEL CITY COUNCIL MEETING

February 19, 2014

The East Bethel City Council met on February 19, 2014 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller
 Heidi Moegerle Tom Ronning

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

Call to Order **The February 19, 2014 City Council meeting was called to order by Mayor DeRoche at 7:33 PM.**

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

Sheriff's Commander Shelly Orlando presented the January 2014 Sheriff's Report.
Department
Report

DWI's: There were 7 DWI's in January. One was the result of a personal injury accident where the impaired driver rear ended another vehicle traveling in the same direction on Hwy 65. One DWI involved a male who went to a residence at 2 a.m. reporting he had been run off the road and needed help getting his vehicle out of the ditch. The homeowner, smelling alcohol, contacted 911. Deputies found the suspect to be impaired. His bac was a .27. (He had not been run off the road). One DWI was the result of being stopped for speeding – driver was traveling 93 in a 65 mph zone. A second driver, also being stopped for speeding (83/55) decided he did not want to cooperate with the deputy and began being uncooperative and trying to get away. The suspect was taken into custody and ended up with a gross misdemeanor obstructing with force charge as well.

Thefts: There were 7 thefts reported. Four of the thefts involved vehicles. An old plow truck was taken from a business. One vehicle had been missing since April 2013, but the owner had not reported it, believing it had been repossessed by a loan company. The owner learned that the company had not repossessed it and reported it stolen. One theft report involved an acquaintance being allowed to use a vehicle then refusing to return it. There was a theft of a pop-up trailer that had been converted into an ice-fishing house. There was also a theft from a business, where the suspects came back to the business later in the day, and were arrested.

Burglaries: There were 2 reports of burglary. One report involved a house that was for sale where appliances and copper pipes had been taken from the residence. There were no signs of forced entry. The second report involved an intoxicated male who had assaulted his girlfriend as she was driving. She kicked him out of the vehicle and he then went to a house and entered into a vehicle that was parked in the driveway. The owner, seeing his brake lights come on, went to confront the male, who was getting out of the vehicle and began heading towards the house. The homeowner went back into his residence and the male suspect barged through the door. The male approached the homeowner in a threatening manner. The homeowner grabbed a baseball bat and threatened to hit the male with it. The male then left the house and was stopped by a passerby on the road. The passerby kept the male there until deputies arrived.

Arrest Breakdowns:

Felony: 6

Possess 5th Degree Controlled Substance -2 people arrested (same incident)

Criminal Sexual Conduct – 2 charges (same incident)

Burglary/Attempted Theft of Vehicle – 2 (same incident)

Gross Misdemeanors: 1

Obstruct Legal Process with Force**Misdemeanors: 11****7 from same incident (3 people arrested) 2 – theft, 3 –receiving stolen property, 2 – possess drug paraphernalia****1 – Assault****3 – Possess marijuana / possess drug paraphernalia/ dar (same incident)**

DeRoche, “Were the two speeding tickets recent?”

Shelly, “I don’t have the exact dates. The one was when the schools were closed. My children told me about all the squad cars parked.”

DeRoche, “I thought maybe they were racing each other? That is kind of fast.”

Shelly, “Yes. Drinking alcohol makes people do things they might not normally do.”

DeRoche, “In January we started with seven new deputies out in this area. They may be more apt to look at traffic, so you might see a change in that.”

Public Forum

Pat Schwartzwald, 4516 Fawn Lake Drive, East Bethel – “I have a few questions to ask here. Davis gave me some information. I would like to ask questions on the contract with Oak Grove. Regarding outsourcing to Oak Grove. Do we have a different agreement with the City of Bethel?”

Davis, “Yes we have a different contract. The one with Bethel started out with assisting them because they didn’t have anyone to do it. We have been doing it with Bethel since 2010.”

Schwartzwald, “When did you take the one on with Oak Grove?”

Davis, “We started it in 2013.”

Schwartzwald, “There is a labor agreement here that you gave me. Is there are any other agreements with the employees, such as a pension. You also told me that it generated about \$150,000.”

Davis, “That is the only agreement with employees. The income generated from Oak Grove was about \$120,000. Bethel was \$5,000. The expense for Oak Grove was about \$67,000. The total amount received was \$187,000.”

Schwartzwald, “In the transcripts it shows it was about \$100,000 annually. There is language in the agreement that talks to the transportation; etc will be responsible for East Bethel. You hired a finance guy, did you include this revenue in a different fund. Is it out of a different fund?”

Davis, “Yes, the Finance Director is paid out of a different fund.”

Schwartzwald, “What other people did you hire?”

Davis, “A receptionist, who replaced someone who was promoted.”

Schwartzwald, “That is under a different fund. I am trying to figure out where we have the money for this and where we keep doing this. I don’t want to see anyone lose their job.”

Davis, “They were all positions that replaced other people who had left. We did cut the replacement costs. These people were hired in at a lesser salary. It was determined that we needed the positions.”

DeRoche, "The Public Works guy was replaced by someone who got a better job. The receptionist was promoted. You need to have a financial person. If you are looking at the budget, over the last three years the general levy has gone down about a million. The City is down three staff people. When you get to a certain point, you start cutting services. There were twenty budget meetings last year. What do you want to cut? Someone said let's cut the overtime on public works. If you don't have someone working overtime, then you won't be able to plow the snow."

Schwartzwald, "I live on a County road, and I am the last one plowed."

DeRoche, "You cut the public works guy and you cut our part time, and we have very little. He would rather pay someone quite a bit less to pay someone full time to do something else. If you didn't have the receptionist, no one would be at the counter."

Schwartzwald, "You cut the inspectors a few years back."

Davis, "We generated more for building permit fees since 2009. We can now keep two employees busy. There are some things you can outsource. You can't outsource a receptionist. You can't outsource a finance position and it's the same with the public works employees."

Schwartzwald, "You have your hands full, and there has to be other ways to generate revenue."

DeRoche, "Before the water and sewer, we are down three people since that was implemented. People are paying for services and most won't get these services. We had talked about outsourcing for building official. Other cities found out it was more of a headache than it was worth."

DeRoche, "If anyone has ideas where to cut, bring them in."

Harley Hanson – "I got an email from Charlie an old resident of the City. You will know who he is after a bit. He would like to share some of the thoughts that he had and some keynotes. There has to be a little humor in this thing. Charlie tells of many early days in East Bethel and we all loved it. The only smoke in East Bethel was from the fireplaces. Met Council came charging into the City and made tracks all over the place with the phantom express that came in with it. The blue smoke had visions with hundreds of houses. It would be a Lakeville north. The smoke got so bad here; so a few years ago we had to replace the cigar smokers here. He didn't know if we replaced the conductor or not. The conductor showed up again, get on board and said sit back and relax, have a lunch, it won't cost you a dime, we'll do a little bonding and the City will take care of your expenses and away we went. We were in a place where we could look down the track and see the inclines and what not. A couple old codgers, like me, we could see how the curves were built, and if they were built to withstand the momentum. The RPM light came on, 1.1 million interest, interesting I should say."

DeRoche, "Are you talking about the sewer and water system?"

Hanson, "The conductor says let's tighten our seatbelts, so we raised the taxes. Anyway he goes on, we will have to ride it out. A lot of us resident's are looking at a crash coming up. There are more curves and more inclines. So anyway, the residents woke up. They thought they were on the Soo Line, boy we were on the sewer line. There is no rip cord on this thing. So where is the Council, they are back in the caboose. They can't reach the throttle. They don't know whom they are signaling. We can't blame the Council. If you recall, many years ago there was a song sung by the Kingston Trio. Under the Streets of Boston. Old Charlie needs help. Anyway, it goes on to say. The Council is not at fault. They have had a headache ever since you got on."

DeRoche, "From the way the story is going, do you think this Council has sat back and let it go in the hopes that it will work out?"

Hanson, "If the shoe fits, wear it. The Council has to bring in a doctor for the extra seat. A real doctor. The City should have their head examined for what they put us through. Last Wednesday morning he gambled and took a chance at the vacant seat. He lost. He might have lost to four good friends in the crowd. He recognized the dealer and the marked cards. He is the guy with the big money, and he is playing the game."

Moegerle, "Who is the big dealer and who has the marked cards? I am looking at the song lyrics. Could you call me up and be direct?"

Hanson, "The story we had in the paper, is not a very good image. I don't respect people who bring up images to me, but I respect them now. The thing that was in the paper was right next to the obituary column. I wonder when the City will disappear."

DeRoche, "Hopefully not."

Council
Interviews for
Vacant Council
Seat,
Appointment
and Oath of
Office

At the February 13, 2014 Special Meeting, the City Council selected three applicants to be interviewed for the Council vacancy. The three applicants invited for interviews on February 19, 2014 are Mr. Randy Plaisance, Mr. Tim Harrington, and Mr. Brian Bezanson.

Interviews will be limited to 20 minutes each. This will include up to five minutes at the beginning of the interview for applicants to provide a brief introduction and overview of their qualifications. The remaining 15 minutes will be designated for City Council questions. Interview times can be extended but if this is considered then all candidates should have an equal time for interviews. Candidates for the position will be sequestered and interviewed individually.

After the interviews are completed, a vote will be taken to select the person to fill the Council vacancy. Per Minnesota Statute 412.02 Subd. 2a, the Mayor may fill the vacancy on Council if the Council vote to fill the vacancy is tied.

Upon the selection of a candidate to fill the vacancy, a motion to appoint the Council member shall be in order. The motion should be in the form of: "I move to appoint _____ to the position of Council member for the City of East Bethel for the term ending December 31, 2014." Upon the receipt of a second, a vote shall be taken on the motion.

The applicant appointed will take their Oath of Office at this time and commence their position as an East Bethel City Councilperson.

Staff recommends City Council interview Mr. Randy Plaisance, Mr. Tim Harrington and Mr. Brian Bezanson and make an appointment to fill the Council vacancy.

First interview – Randy Plaisance:

Randy Plaisance, "Mayor and Council, I appreciate you allowing me to come and interview for this important responsibility. It is a responsibility. I started this when we had this difficulty and trying times for us all. When considering those issues and the needs of the City and I thought long and hard about my responsibility and availability to the City. As being a candidate in the previous election and receiving the votes, it was incumbent upon me to fulfill that promise. Going forward is going to be difficult. My qualifications – all the interviews and demonstrations to go through and state our positions, I have since been a member of the East Bethel Planning Commission. I have also spent time on the Website Committee. I present myself to you for question."

DeRoche, "In light of everything that has gone on the last three years, and the last month or two, why on earth would anyone want to become a Council member in East Bethel?"

Plaisance, "No matter who it lies with, there has to be someone who takes up that mantel. I took

that promise when I ran for Council. Yes it will be difficult. The decisions we will have to make will be difficult. I am not going to shrink from my responsibilities to the people who did vote for me. To the City, I promised I would help. I am willing to step up to the plate.”

Koller, “What would you do to promote economic growth and what is the City’s role?”

Plaisance, “I think we are already going along good in that path. We have hired a Community Development Director, Colleen Winter and we have started an EDA. Even more important is improving our image in the City. The recent events don’t speak so well to that. When we are constantly in the newspapers, that doesn’t want to make people come here. We haven’t had the chance to get away from this. These are things we haven’t been able to control, but we should try. We should continue to try to find new ways to promote our city. We should try to provide access to where we want to go. That may include providing tax incentives for people to come here. We can only do so much. But we should continue to try.”

Ronning, “What are the most important issues facing our community in the next year, or five years?”

Plaisance, “This is one of the most simplest issues and most complex, sewer and water bonds, sewer and water bonds, and sewer and water bonds, will define the City for the next the years. That is the most difficult. Both of the people that came here and spoke at open forum spoke about the financial problems. We should also be looking at our ordinances, we have had a couple instances that have dealt with things we haven’t been able to help the residents with. People who have had sewer issues, and building issues. Those issues we can only help so much. Especially with the Coon Lake Beach area. We have had some people who have had to give up their property and merge it with another.”

Ronning, “Could you elaborate with the ordinances?”

Plaisance, “There was a property, where we were trying to help the resident with trying to put in a septic system. Their system could only be put in at one location. We were not able to say yes to that project because of it.”

DeRoche, “They were told they could put a holding tank in the front. The system that was put on the property was actually on the neighbor’s property. As a Planning Commission and Council member, you are bound by the County, State and MPCA rules. The option was given if the house remains, you can put in holding tank. It isn’t a political issue.”

Ronning, “The one on Maple Street is the one I think you are talking about.”

Moegerle, “What strengths and abilities would you bring to the City Council?”

Plaisance, “My analytical way of looking at things would be a good benefit. I look at them, study them, weigh them, I don’t get upset about things. I don’t let my emotions rule me. My experience in my work life, and dealing with finances and staff, I have learned things. My jobs have always required you to consider other peoples positions. That is what I would bring to the Council.”

DeRoche, “You mentioned the media, how would you suggest controlling what the media does?”

Plaisance, “You can’t, they can do what they want. Looking at our own behavior we should do what we can to control it. There are things that are out of our hands. Working with the media, and doing what you can to have a positive relationship would help. It would not solve all our problems.”

DeRoche, “The microphone is always on and for the last month and half things have gone on. Was it in our control, sure it was. Put your self in that situation. How would you deal with situations like that? You don’t let your emotions get involved, so everything is fact based.”

Plaisance, "I do try to watch my emotions. I don't let them get involved. There would have been some things I would have considered. You can't control the other Council members. We can do what we can to help others."

DeRoche, "Since Heidi, Richard and I came in, there have been a lot of contentious issues. Someone has to make the decisions with common sense, facts and emotions. You are here to represent people. You have to make decisions that may not be popular. What situations have you been in where decisions are important but unpopular?"

Plaisance, "Each situation is different. How you deal with each event will be dictated by the circumstance. Some of these questions are stating that. One example of this was a gentleman who came to the Planning Commission and tore down his house but hadn't come to the City before doing that. You have to consider what the options are, you have listen and then you have to make the decision. We provided the gentleman with multiple choices. He wanted his original option. He brought that on himself. He made the choices. It was hard to feel sorry for him. There is another situation in my family. I had a family member who had an illness. Trying to explain to her that she had to go to the hospital instead of going home. Nothing would be as hard as that. That one was a choice where it was thrust upon you. Sewer and water that was thrust upon you. The choices were limited. You do the best you can with the options you have."

Ronning, "Before we end the interview, do you have any questions for us, or is anything you want to add?"

Plaisance, "I would like to add, I think first and foremost, I am really appreciative when you considered who was going to come back for an interview. Each and every one of you requested I come back for an interview. I want to thank you all for that."

Moegerle, "If you are selected, to be on the Council shortly we will be appointing Liaisons, do you have a particular interest on an assignment and what would they be?"

Plaisance, "First of all, I am willing to do whatever the Council would wish me to do. My hours with my other commitments are three to four days a week. I have three to four days a week to devote to City business. EDA, Planning Commission, Finance, these are all issues I have already talked about. As the person who is coming in, selected by you, I am willing to do what it takes to fill the roles to move the City along."

Moegerle, "I understand that."

Plaisance, "I think I answered that. They all have their own importance."

Davis, "The time is up."

Ronning, "You have offered your help a number of times, the web committee and commissions. You had a conflict with your work schedule to make certain meetings, could you explain. I am sorry I am taking the extra time."

Plaisance, "I work three to four days a week, six a.m. to six p.m. My supervisor would be willing work with me to work other hours. I still do have commitments."

Ronning, "Do the days rotate?"

Plaisance, "Yes they do rotate. I'll get you a schedule if you want one."

Second Interview – Tim Harrington

Tim Harrington, "I live at 4887 201st Avenue NE. I have lived in East Bethel for ten years. I am on

the second year on the Road Commission. I have attended the City Council meetings for the last year and half, the Town Hall meetings, and Planning Commission meetings. I have seen a lot of downs. I think a new voice could help us get through the downs.”

DeRoche, “In light of everything that has gone on the last three years, and the last month or two, why on earth would anyone want to become a Council member in East Bethel?”

Harrington, “I want to find new development, new businesses, get the City going forward. I would like the City to go forward again.”

Koller, “What would you do to promote economic growth and what is the City’s role?”

Harrington, “Well the City has sewer and water along the Hwy 65 corridor. We have businesses along the corridor. We have a couple nice golf courses.”

Ronning, “What are the most important issues facing our community in the next year, or five years?”

Harrington, “I think reducing the levy and trying to pay off the bonds and getting better interest rates. Help to reduce the levy for the residents and businesses in the City.”

Moegerle, “What strengths and abilities would you bring to the City Council?”

Harrington, “Listening to and representing the ideas of the residents of East Bethel.”

DeRoche, “You said you have been to a lot of Council meetings, needless to say there have been a lot of tough decisions. What do you think the best way to deal with those kinds of things? I understand there could be a lot of things that could come up over the next year that decisions might have to be made. Think you could do it.”

Harrington, “I would like to try, a new voice, a little change.”

Koller, “Promoting economic growth, what kind do you think would be the easiest to get in.”

Harrington, “I know some developers that won’t touch East Bethel because of the levy. They would consider it once it was fixed. We would need a big business, a Costco, Home Depot. We need to find some business or manufacturing.”

Moegerle, “How do you suggest we do that? Where are the ideas how we do that, how we explore. Fill out your answer a little more.”

Harrington “Would have to find people to talk to.”

Moegerle, “How do you do that? This is something that is near and dear to my heart.”

Harrington, “Talk to the business and ask them.”

DeRoche, “It was brought up that a newspaper article came out and some thought it was good and some thought it was bad, being honest with people helps, what do you think?”

Harrington, “We need to get rid of the negativity. People read the newspaper articles. Something has to change.”

Ronning, “Do you have any questions for us or is anything you have to add?”

Harrington, “Thank you Mayor and Council for the opportunity to interview. I want you, the City

employees, residents, and business and I will work with everyone to make the City a better city and move it forward.”

Moegerle, “Do you have a particular interest in a committee?”

Harrington, “I like the Road Commission, and I like people on the Commission. The people have a lot of experience. Booster Days, I don’t mind working on that. If I get appointed. I will work hard on whatever I am assigned to.”

Ronning, “What is your work schedule, do you have any conflicts on meeting times and dates.”

Harrington, “I am retired and have the time. I didn’t want to get involved when I was employed. Time isn’t a problem for me.”

Moegerle, “You are Tom’s brother-in-law?”

Harrington, “We are just friends.”

Third interview – Brian Bezanson

Brian Bezanson, “I have spent 35 years living in the City. I have served on every committee that they had back in those days and a couple that are no longer there. We no longer have a Horse Committee in East Bethel. I am interested in doing this because my wife and I had a long and hard discussion about it. I see this as a caretaker position. This is not to get a leg up to run. I know how to pay the money down to file. I have had people offer to pay the money when I didn’t run. We have gone through some tough times both internally and our shots at bad publicity. Both on a situation that created this vacancy and also on our municipal services. I was asked to do this by a few citizens. Maybe we should go back to the old days when things weren’t so complicated. I remember when I voted for the first million dollar budget the City had. In August am I going to file? I don’t think so, but I don’t know. Right now I wish I hadn’t walked away in 2002. If I had paid the money. I had no idea someone was going to get on the Council. In summation, the reason I put my name out here is we need a caretaker for a certain degree and someone to do the right thing for 10 months.”

DeRoche, “The adoption of the City budget is very important. What are the key factors when the Council reviews the budget? We had twenty meetings this year on it.”

Bezanson, “This is want versus needs. You can’t strip City services away. You have to plow the roads, police and fire protection. We are doing a better job now. If we get six inches of snow my road will be plowed by 8 or 9 a.m. It took a long time. Our staff is doing a good job. So to me, the challenge is wants versus needs. Put the money in the right places. We know we have huge nut on that budget. We had it back in the old days, back then we had the bonds for Whispering Aspen (Castle Towers).”

Koller, “What would you do to promote economic growth and what is the City’s role?”

Bezanson, “I am not a build it and they will come. I have a construction background. I have sold jobs. I think we need to be able to sell the good points of the City of East Bethel. Our land is reasonably cheap, we have no soil correction and we have City services. This sounds like a pitch I have given to others. We have a skilled work force for manufacturing. Kids coming out of St. Francis and Forest Lake have manual dexterity skills. They take pride in craftsmanship. We can have light industrial manufacturing. We do have a good transportation arterial in the City.”

Ronning, “What are the most important issues facing our community in the next year, or five years?”

Bezanson, “I think the perception that is being posted that we are an expensive place property tax

wise is something we have to work on. We have to function smoothly as a City Council. We cannot fumble with a possible business owner. We have a fair amount of debt we have to pay off.”

Moegerle, “What are your strengths and abilities that you would bring to this City Council?”

Bezanson, “Experience, leadership, experience, integrity, experience.”

Moegerle, “What experience do you think is so important.”

Bezanson, “187th Lane you when were talking with Senator Benson and Representative Hackbarth, I am not sure we had enough traction on how close we were to being signalized at one time. I have talked with Craig and Larry at that time when that was going in. We were looking at a long, right where the Meadowmore is located. We almost took some land in the back for the whole east side. When you have made the decision that you have, it is nice to know what has been done before because you don’t want to repeat the same mistakes or you want to do the right thing you saw happen before.”

DeRoche, “Some of the actions the City Council and meetings are not always popular, I am actually going to add this in with it, not only City Council but also staff. On some of these keys issues, what are the roles of the Councilperson in directing staff to do? How much do you trust what your staff does?”

Bezanson, “We didn’t have a City administrator when I was on Council, we had a City Clerk. On the day to day, the decision in management is Jack’s job. This is the board of directors. This is not a management team.”

DeRoche, “I would agree with that 100%. If you cant’ trust your staff you shouldn’t have them.”

Bezanson, “What about the real hard question that has to be made. I have been involved with two employee discharges. They both became resignations so they were protected by the Data Privacy Act. One was in the court system. When you take and are dealing with a long time employee of the City, whose wife has long service time and you have cause to discharge them. What was really tough for me, we all knew what this individual had done. He had confessed his crimes or sins to every one of us. When we went around for the Council items, I wanted to see what was going to happen in this situation. When you have to sit up there and want to have someone be put on paid administrative leave with due cause, effective immediately, that gets peoples attention. The next council meeting was a crowded meeting and a very different Council meeting.”

DeRoche, “On January 5, 2011 we went through that situation.”

Bezanson, “We are all meeting on a weekly basis and we all work out a schedule together. I hold people accountable. You are never going to be the most popular guy. If you aren’t the most respected person, you are failing your employer and your subcontractors.”

Koller, “What type of businesses do you think East Bethel should bring in first?”

Bezanson, “A viable one. On EDA we were looking to coin buzz words or a mission statement. Mine was solid, sensible, sustainable solutions. I would like to see what Paul Johnson, Aggressive Hydraulics. What drew him here besides the fact that he is an East Bethel resident. Does he know anyone else in his industry that would move here? I don’t want to see us chew up our developable land with low-density uses. Why would we want to have a use car lot chew up a lot by the movie theater? I would love to see a family type restaurant to come here. Carols would get enough business to put out a satellite store.”

Ronning, “What work schedule do you have?”

Bezanson, "I am a carpenter. I am a retired carpenter. I am at the point that I am retired. I don't have anything coming up. I just got back from a vacation. No conflicts at all."

Moegerle, "At the end of this meeting we will have appointments to committees and commissions, what appeals the most to you to dig into."

Bezanson, "I would like to stay on EDA and as a council member there would be another opening created. I have no preference one way or the other."

Moegerle, "Do you have strengths you could give you any of the Commissions?"

Bezanson, "I think our Commissions are in good shape and I have no preference. I don't have any questions. I just want to thank you all for your consideration."

Follow up questions to Plaisance and Harrington:

DeRoche, "The adoption of the City budget is very important. What are the key factors when the Council reviews the budget? We had twenty meetings this year on it."

Plaisance, "Whenever you are looking at a budget, you need to prioritize what is in the budget. What can we work with what can we get rid of. Then take that and further separate it. We can do anything with these and then study if changes can be made, weigh those and make recommendations and changes."

DeRoche, "Have you looked at the East Bethel budget?"

Plaisance, "Yes, I have. I don't see much room to maneuver at this point."

DeRoche, "The adoption of the City budget is very important. What are the key factors when the Council reviews the budget? We had twenty meetings this year on it."

Harrington, "You look at everything in the budget. I wouldn't touch maintenance, fire and police. Whatever else you look at and if you can cut you can cut and if you can't then you can't."

Moegerle, "What do we need to spend more money on?"

Harrington, "I just want to make sure, I would give the Fire Department whatever they need. The streets department I would give them the same and the same with the maintenance department."

The interviews concluded and the Council voted by ballot on the candidates.

Davis, "Randy Plaisance had one vote, Tim Harrington had two votes, Brian Bezanson had one vote."

Ronning, "This is not an easy thing to do. It is kind of one of those things that you would like to see everyone come out ahead."

Davis, "Tim if you could come up here and take your seat and take your oath of office."

Harrington, "I, Tim Harrington, do solemnly swear or affirm that I will support the Constitution of the United States of America and the State of Minnesota, and faithfully discharge the duties as a member of the City of East Bethel City Council in the County of Anoka and the State of Minnesota, to the best of my ability. So help me God."

Davis, "Tim you are officially sworn in as the new City Council person".

Consent
Agenda

Item A
Bills/Claims

Item B

Meeting Minutes, October 23, 2013, City Council Work Meeting
Meeting minutes from the October 23, 2013 City Council Work Meeting are attached for your review and approval.

Item C

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

Item D

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

Item E

Approve Advertisement for Seasonal Public Works Positions

Increased demands for road and park maintenance in the spring and through the summer have traditionally required hiring of seasonal personnel to support these activities. The increased work load during this time on park and street projects along with scheduled leave time for full time employees creates a situation where seasonal workers provide additional manpower to assist in project and maintenance activities.

These positions are limited to 67 days for each seasonal employee. Funding for one position in the amount of \$5,900 is provided for in the 2014 General Fund under the Parks Department budget. The other seasonal position is the amount of \$5,900 is provided for in the 2014 General Fund under the Street Department. First year seasonal employees are proposed to be paid \$10.00/hr. and seasonal employees with previous employment with the City would be paid \$11.00/hr. There will be no benefits paid for these positions.

Staff is recommending approval to advertise for two seasonal employees for the period of mid-May to the end of August 2014 with each position not to exceed 67 working days.

Item F

Approve Advertisement for Website/Office Intern

Staff is requesting approval to advertise for the position of Website/Office Intern. The City used an intern in this position in 2013 and was able to transfer most of the information from the old to the new website and address some of the functionality and navigation concerns identified by City Council and the Website Committee. This position would provide support service for continued Website update and development. We would need this position for up to 240 hours and the proposed rate of pay would be \$12/hour with no benefits. Funds are available in the City Clerk's 2014 Budget for this position.

DeRoche made a motion to approve A) Approve Bills; B) Meeting Minutes, February 5, 2014, City Council Work Meeting; C) Meeting Minutes, February 5, 2014, City Council Meeting; D) Meeting Minutes, February 5, 2014, City Council Special Meeting; E) Approve Advertisement for Seasonal Public Works Positions F) Approve Advertisement for Website/Office Intern. Ronning seconded.

DeRoche, "In the 2014 supplemental bills, Andover Husky Youth Hockey Association is applying to set up a booth at Route 65 Liquor Store. I had a question on the form. It listed the owner, but Brad had himself listed."

Davis, "That was on the State form. The name of the legal owner is Brad."

There was no further discussion.

Deroche made the motion to approve the Consent agenda with the additions, Koller seconded the motion; DeRoche, Koller and Ronning-Aye; Moegerle-Nay

New Business
Kirkeby IUP
Renewal

Request for an Interim Use Permit RENEWAL in the Rural Residential District (RR) for a pavement maintenance and restoration business, DBA Pavement Resources at 23310 Monroe St

Consider Granting an Interim Use Permit (IUP) to Jeff Kirkeby, DBA Pavement Resources at 23310 Monroe Street NE, East Bethel, MN 55005, for a period of three years.

Property Owner/Applicant
Jeff Kirkeby
23310 Monroe St. NE
East Bethel, MN 55005
PIN 31-34-23-13-0013

The property owner/applicant is requesting a Renewal for his existing Interim Use Permit. The original IUP was granted in December, 2012. The IUP is for an asphalt maintenance/equipment sales business for the parcel located at 23310 Monroe St. NE. This application is similar to a temporary IUP that was granted to Gordon Hoppe at 189th Avenue for an excavation business on February 4, 2004. At the time of approval of Mr. Hoppe's IUP, there were 3 employees, not counting Mr. Hoppe, working from that residence and his business traffic accessed the property through a residential area.

Mr. Kirkeby's business would generate a lower volume of traffic and the traffic from the business would flow directly to Jackson Street, a MSA and a City arterial street. There would be no traffic through a residential area from Mr. Kirkeby's business.

Mr. Kirkeby was unable to find a suitable location for his business in 2013 and is working on finding an alternative location for the majority of his business by this summer. However he would still like to keep his IUP at his residence for purpose of utilizing his accessory building for storage of business equipment. He is currently in compliance with the conditions that were outlined in his original IUP. Mr. Kirkeby employs two full time and five part-time employees at this location. However, upon relocation of the home occupation to another site, the number of employees will be reduced to less than the stipulated amount required by the Home Occupation Ordinance. For this reason, in December, 2012 the City Council granted an IUP to Mr. Kirkeby. Upon relocation to a new site, Mr. Kirkeby proposes to continue to utilize the Monroe Street address for equipment storage inside his existing facility.

Home occupations are a permitted use in the Rural Residential District as long as the applicant can meet the requirements of the City Code and complies with the conditions of the IUP. This proposed home occupation would meet requirements of the ordinance if the IUP conditions were approved. In the event the conditions are not being met, the IUP would be revoked.

Staff recommends City Council consider approval for an Interim Use Permit Renewal in the RR-Rural Residential District for an asphalt maintenance/equipment sales business for the property known as 23310 Monroe St. NE, East Bethel, PIN 31-34-23-13-0013 with the following conditions:

1. Signage must comply with East Bethel City Code, Chapter 54, which states “for home occupations, one identification sign is permitted, and the sign shall not exceed two square feet.” Signs must be placed on the business property as directional signs are not allowed.
2. The structure must be inspected by the Fire Inspector on a yearly basis.
3. Business street parking shall be prohibited and business parking must be on the driveway.
4. The Interim Use Permit shall expire at the time the property changes hands and/or any of the prescribed stipulations have been violated.
5. Conditions must be met and an IUP Agreement executed no later than 30 days from the date of City Council approval of the IUP. Failure to comply will result in the revocation of the IUP.
6. The IUP will be issued for a period of three years from the date of Council approval. The IUP could be renewed for an additional term with the limits and conditions subject to City Council approval.
7. There will be no expansion of the current accessory building on the site.
8. There will be no additional employees utilized in the business from this site.
9. No additional equipment can be stored outside on the property.
10. Outside storage is limited to essential business related material and personal possessions and is to be in compliance with Ordinance, 26-40, 26-52 and 26-110.
11. Business must not emit odors or noise to the extent that surrounding property owners are affected with the exception of vehicle back up alarm systems.
12. Hours of operation shall be from 6 a.m. to 7 p.m.

Davis, “The IUP is listed for three years. There is an issue with the home occupation requirement as it relates to employees. You may want to table this so we can look at changing the ordinance.”

Moegerle motioned to table the request for an Interim Use Permit RENEWAL in the Rural Residential District (RR) for a pavement maintenance and restoration business, DBA Pavement Resources at 23310 Monroe St. DeRoche seconded.

Moegerle, “I want to add to my motion to extend the expired permit for a time period to be determined. How long will it take to fix the ordinance? It could be on the March 5 agenda. That is if we don’t have any hang up with the home occupation ordinance.”

Koller, “Go to 90 days.”

Vierling, “I would say to put a date out there.”

Moegerle, “60 days.”

Ronning, “A lot of this is perception and I like to help everyone. We are looking at changing an ordinance for one. Could there be damage or harm?”

Davis, “The business was looking at closing on a building in the City. Unfortunately he was unsuccessful in finding a location. We want to keep him in the City of East Bethel. He is a very valuable business. His along with all businesses is important to the City. He works in civic activities and represents the City well.”

DeRoche, “There haven’t been any problems.”

Davis, “Mr. Kirkeby has 2 employees and five part time employees.”

Moegerle added to her motion the extension of the existing IUP for an additional 60 days. DeRoche accepted the amendment; all in favor, motion carries unanimously.

Consider approving the recommended 2014 Class 5 projects for advertising for bids

The following streets were resurfaced as Class 5 projects in 2013:

- | | |
|----------------------------------------------|--------|
| 1.) Buchanan St | 3,540' |
| 2.) Quincy St | 3,198' |
| 3.) 216 th Ave | 2,424' |
| 4.) 241 st and London St (second) | 2,500' |

In 2012, we began the repeat cycle of gravel road resurfacing. The previous cycle was completed in 6 years, however, with the increase in material and trucking costs and a budget that has remained the same over that timeframe, the next cycle will need to be extended out to 8+ years unless budgets for this activity are amended to cover the increased costs.

The recommended roads for 2014 Class 5 resurfacing includes:

- | | |
|---------------------------|--------|
| 1.) Naples St | 2,700' |
| 2.) 197 th Ave | 1,886' |
| 3.) 225 th Ave | 1,058' |
| 4.) 245 th Ave | 1,833' |
| 5.) 189 th Ave | 2,656' |
| 6.) 196 th Ave | 2,715' |

\$35,000 has been budgeted in 2014 for gravel road maintenance. The costs for these projects are for material and delivery. The City conducts the grading, compaction and finishing of this material. Prior to the placement of any new Class 5 materials, staff will reclaim the shoulders and reshape the existing road surface.

It is estimated that 3,100 tons of Class 5 materials along with delivery will cost approximately \$11/ton for a total project cost of \$34,100. Attached is a map that lists the streets proposed for resurfacing.

\$35,000 was budgeted for Class 5 gravel road resurfacing projects in the 2014 budget

The Road Commission and staff recommend approving Naples St, 197th Ave, 225th Ave, 245th Ave, 189th Ave, and 196th Ave for Class 5 resurfacing projects in 2014 and to solicit for bids.

The Road Commission and staff recommend approving Naples St, 197th Ave, 225th Ave, 245th Ave, 189th Ave, and 196th Ave for Class 5 resurfacing projects in 2014 and to solicit for bids.

Ronning motioned to approve Naples St, 197th Ave, 225th Ave, 245th Ave, 189th Ave, and 196th Ave for Class 5 resurfacing projects in 2014 and to solicit for bids; Koller seconded the motion.

Moegerle, "Question about 245th Street, is this the one that is in Athens?"

Davis, "This is east of Hwy 65. East Bethel and Athens Township share responsibility. East Bethel maintains 245th east of Hwy. 65 and Athens maintains 245th east of University Ave." This is a road that is separated in three locations in the City"

With no more discussion, Mayor DeRoche called for the vote: All in favor; motion carries unanimously.

Fire
Department
Report

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

We responded to 44 calls, 25 of them were medical. Of those 22 were transported to the hospital. We did have a couple minor fires. One fire loss was an outside boiler. There was also a cooking fire. We did answer a mutual aid call to Linwood.

Koller, "I see there are three checks on burn permits for the same address."

DuCharme, "They were called in by separate people. They were concerned there was a structure on fire. We did send a full contingency on the first call and then the next two just the duty officer went."

Koller, "It must have been a big fire."

DuCharme, "When they are at night, they look really big. He is not saying we are using accelerants we shouldn't be. If you are going to start a permit burn, if you let your neighbor know it helps a bit. With snow on the ground it is a great time to burn up brush permits."

Set Work
Meeting Dates
for Presentation
of the
Emergency
Operation Plan

Chief, "We need the City Council to consider a work session on February 26, 2014 for review and comments on the Emergency Operations Plan (EOP) for the City of East Bethel."

Moegerle, "How long will it take?"

Chief, "An hour and a half to two hours, we will also go over the mitigation plan. We have to get the work done."

Davis, "Can we get it done in one meeting or two?"

Chief, "It might go faster, but a couple of hours."

DeRoche, "That date is fine for me."

Moegerle, "Can we do it before a Council meeting? Like March 5."

DeRoche, "If we think we can get it done in an hour and half. March 5th at 6:00 p.m."

Ronning, "5th is fine"

Koller, "I'm there."

The City Council will have a work session on March 5, 2014 at 6:00 p.m. for review and comments on the Emergency Operations Plan (EOP) for the City of East Bethel.

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

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

Background Information:

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

Acting Mayor

The Acting Mayor performs the duties of the Mayor in his absence. Tom Ronning has been appointed Acting Mayor for 2014.

Commission Assignments

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

issues and items that come before these Commissions.

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

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

Economic Development Authority: Per EDA By-Laws, two Council members are appointed to this Commission. Council Member Moegerle was appointed to a two year term on January 9, 2013. Her appointments to the EDA will expire on December 31, 2014. There is currently one Council vacancy on the Authority.

Water Management Organizations (WMO's)

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

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

Committee Assignments

Cedar Creek Joint Advisory Committee: This is a committee of City and University of Minnesota representatives that meet periodically to discuss uses of Cedar Creek Ecosystem and Scientific Reserve (CCESR) Property as part of the Memorandum of Understanding between the City and the University. The City and University appoint three members each to serve as representatives on this Committee. Of these three appointees, a Council person has traditionally been appointed as a member. The Council has only appointed one of its own members with the other two appointments remaining vacant since at least 2006. Due to a change in CCESR directorship, Council may desire to continue the appointment of only a Council member to this committee and consider the additional members at the time that the Committee becomes more active.

Sandhill Crane Committee: This is a Joint Powers Organization composed of the City of East Bethel, Anoka County, DNR and the MPCA. The group collectively plans for public uses within this area. Traditionally, one City Council Member is appointed to this Committee.

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

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

Website Committee: This Committee was created on June 6, 2012 and is composed of two Council Members, a member from the EDA, a member from the Planning Commission and two citizen members. There were no terms associated with these appointments. Staff is requesting direction from Council as to appointments or continuance of this Committee as it has completed its designated function.

Booster Day Committee: Traditionally, two Council members have been assigned as the liaisons to the Booster Day Committee to assist with coordination of the annual event. The full committee

consists of members of several organizations and residents interested in this event.

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

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

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

Anoka County-Blaine Airport Advisory Commission

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

City Council appointed Ed Fiore as the official City member with a term of two years and Jack Davis as an alternate member. Mr. Fiore's appointment expired on January 18, 2014 and he has expressed a desire for re-appointment.

The Mayor recommends the appointments to the Commissions, Committees and Authorities for Council approval.

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

DeRoche, "I want to abolish the GRE and ordinance committee and here are my recommendations for 2014:

Acting Mayor – Tom Ronning

Planning Commission – Ron Koller

Roads Commission – Tim Harrington

Parks Commission – Tim Harrington

Fire Department – Ron Koller

Police Department – Heidi Moegerle

Economic Development Authority – Bob DeRoche and Heidi Moegerle

Sunrise River WMO – Ron Koller

Upper Rum River WMO – Heidi Moegerle

Cedar Creek Joint Advisory Committee – Heidi Moegerle

Sandhill Crane Committee – Heidi Moegerle

Finance Committee – Bob DeRoche and Tom Ronning

Booster Day Committee – Ron Koller and Tim Harrington

Anoka County-Blaine Airport Advisory Commission – Ed Fiori"

Moegerle, "At the EDA, we have had some discussions on that the website. I can see where there might be some benefit to meeting one more time about those proposed changes."

Ronning, "What does Dan Butler think?"

Butler, "I think there is some improvements that need to be had. Such as linking to the East Bethel Chamber site. The businesses should be on there. There should be a new welcoming photo. I would be more than happy to sit down to make the changes. We could fund it out of the EDA. There are some things that need to be done."

DeRoche, "We always wind up discussing them at the City Council."

Butler, "Too many cooks are going to spoil the broth. If one of the people from the City Council, along with me, and Davis doing it, we could make change."

DeRoche, "Maybe make a liaison for the website."

Davis, "We approved the advertising for a website office intern. We are hoping to convince the one we had to return. Perhaps if we had a small adhoc group as part of the EDA."

DeRoche, "I don't want things to happen which have happened in the past to happen again. Certain suggestions by a person, maybe, it turns into a big thing. If the EDA were to do it, it would hold more credence. It is connected to the Chamber of Commerce and City businesses."

Davis, "The EDA does have ownership, since it is being funded from the EDA budget."

Butler, "No more than 3 people or 4."

Davis, "The EDA could appoint a small group."

Davis, "One other position we didn't make the nomination for is the EDA."

Vierling, "There should be a motion for the appointments to the commission and committees."

DeRoche motioned to approve the following appointments, Harrington seconded.

Acting Mayor – Tom Ronning

Planning Commission – Ron Koller

Roads Commission – Tim Harrington

Parks Commission – Tim Harrington

Fire Department – Ron Koller

Police Department – Heidi Moegerle

Economic Development Authority – Bob DeRoche and Heidi Moegerle

Water Management Organizations (WMO's)

Sunrise River WMO – Ron Koller

Upper Rum River WMO – Heidi Moegerle

Cedar Creek Joint Advisory Committee – Heidi Moegerle

Sandhill Crane Committee – Heidi Moegerle

Finance Committee – Bob DeRoche and Tom Koller

Booster Day Committee – Ron Koller and Tim Harrington

Anoka County-Blaine Airport Advisory Commission – Ed Fiori

Moegerle, "Sunrise is where I live. Ron lives in the Upper Rum River. Maybe we should change so we represent the WMO we live in."

DeRoche, "I had set it up that way for a reason."

Moegerle, "If you know your back yard"

DeRoche, "It is good to go outside your back yard."

With no additional discussion, Mayor DeRoche called for the vote: All in favor, motion carries unanimously.

DeRoche motioned to abolish the website committee and have the EDA choose three people as a subcommittee, to put their suggestions together, Koller seconded.

Moegerle, "There are some other technical remnants that are left to do that could benefit with input from previous members. Maybe the solution is to invite them to be part of that at some point."

With no additional discussion, Mayor DeRoche called for the vote: DeRoche, Koller, Harrington and Ronning-Aye; Moegerle-Nay

Vierling, "When a vote to fill a position is a written ballot, traditionally you conduct a vote to recognize the appointment, welcome the new member and demonstrate unanimity on the issue."

Ronning motioned to recognize the appointment of Tim Harrington to the East Bethel City Council. Koller seconded; DeRoche, Koller, Ronning-Aye; Harrington-Abstain; Moegerle-Did not vote.

Council

Member Heidi
Moegerle

Moegerle, "Parks made some good steps in planning for the trails. Ken Langmade was reappointed as chairperson of the commission. We did have some good discussions with the snowmobile clubs.

We need some more bump signs along Wild Rice Drive.

We were discussing having a dirt bike racing ordinance tweaked. When would that be coming before Council? The snow will be melting and we should be getting in front of that."

Davis, "Considering RVs on recreational property and also the ordinance you were referring to will be on March 5, 2014 agenda."

Moegerle, "Comp plan update, what is the status of it? When will we start working on it?"

Davis, "There have been a number of issues. Hopefully it will be an item on the Planning Commission agenda."

Moegerle, "Thank you to all the candidates that applied for the vacant Council position. Loved it that a lot of women applied. Hope to see you in August. It was very inspiring."

Council

Member Tom
Ronning

Ronning, "No report, today is my wife's birthday and I am here."

Council

Member Ron
Koller

Koller, "Not a whole lot to report. Budgets are in line for next year. The Fire Department had one person who resigned. Booster Day Committee meeting is tomorrow at 6:30 p.m. at the City hall."

Council

Member Bob
DeRoche

DeRoche, "Nice to see the meetings are going more smoothly. Thank you everyone who came in and applied for the Council position. It's a decision you have to make and it is a whole different ball game on this side of the desk. Sometimes the decisions you make up here affect everyone. It is a juggling act. It has to be fact based. You have to have compassion and common sense. People move up here. They like it up here. They sure as heck didn't plan on big development. With the project in, get the corridor developed should mean the rest of the City should remain the same."

Adjourn

Koller made a motion to adjourn at 9:45 p.m. Harrington seconded; all in favor, motion

carries unanimously.

Submitted by:

Jill Anderson
Recording Secretary