

EAST BETHEL CITY COUNCIL MEETING

March 19, 2014

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

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

ALSO PRESENT: Jack Davis, City Administrator
 Andy Pratt, City Attorney
 Craig Jochum, City Engineer

Call to Order The March 19, 2014 City Council meeting was called to order by Mayor DeRoche at 7:35 PM.

Adopt Agenda **Koller made a motion to adopt the March 19, 2014 City Council agenda including the supplement bill list as item G. on the Consent Agenda**

DeRoche seconded; all in favor, motion carries.

Special Presentation – Leon Mager – 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, 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 was present and provided a budget overview and a summary of the SRWMO activities.

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

Mager, “I am going to spend the first ten minutes talking about Coon lake and the last ten minutes talking about the budget. I do have some slides here. There is a state standard for mercury content and there is one that has to do with pollution with phosphorus. This is a picture of Typo lake. We have three lakes that are impaired. Coon Lake is not impaired and is in very good shape. 1 lb of phosphorus = 500bls of algae. In 2014, we will be putting \$73,000 into Coon Lake for storm water control. \$43,000 is a grant we received from the government. We applied for this grant in prior years. We didn’t have matching funds then. We have procured that money. There will be twelve rain gardens, four swales, one basin outlet modification, one eroding stormwater discharging pond. We have identified eighteen sources and their watersheds. We have went through the watersheds and looked at the surface. We determined on an average year the pollutants, and also looked at storm water controls and what is the best way to reduce it. We can do the engineering of this. We use rain gardens are. We looked at the solutions to find the most cost effective to the least effective. Why we are targeting four to seven, versus the whole eighteen? Rain gardens to requirement for maintenance. We need a written agreement from the people who have the rain gardens who will do

the maintenance. If we get the four to seven, we will eliminate 4 lbs of phosphorus, which would be 2,000lbs of algae.”

“There are misconceptions of rain gardens.

- They do not affect the lake level. These are not holding ponds, they are not mosquito havens. This is the initial portion of the rainfall. This is the first part of the rainfalls. The rain garden gets returned to the lake through the shallow water tabled.
- If all the 18 solutions would reduce the lake level by 200ths of one inch.

A typical rain garden diverts the water down the road and then directs the water to the lake. The shrubbery is usually dry within a couple hours. Usually the curb cut requires maintenance. There is a filter that needs to be scooped out and washed off. The size of them depends on the physical characteristics of the area.”

“A Rain garden site at the Coon Lake Beach Community Center would be a candidate. This is the run off from the asphalt, shingles, and playground. It would be diverted to a rain garden. I wanted to touch on that so you would understand what we are doing.”

DeRoche, “Being as close to the road as we are, with the plows and the chemicals, how will that affect the rain gardens?”

Mager, “When the numbers came in, the numbers were very low. Except for the northwest end. Along the channel, the majority doesn’t get into Coon Lake. There is a break and all that water goes out into wetland. The numbers were really low. There is still a couple worth going after. It is worth going after the clubhouse there. There is some by the northwest end. The numbers were very low.”

DeRoche, “When the roads at the Beach were redone, did it help funnel and divert the water?”

Mager, “You have nice high crowns on the road, you get the water off the road and getting it strained through the ditches. We can put some swales around the corners. Having the nice big crowns is a good deal.”

Ronning, “Does everyone know what swales are?”

Mager, “It is like a catch basin. The budget, in addition to what we are putting into Coon Lake. 1/3 of our budget is for Coon Lake, it is \$15,000. The next biggest item is the discretionary funds of \$8,000. When we did the 10-year plan, we have problems seeing a project for 10 years in advance. We planned that is the money we will have for ten years. We labeled that fund discretionary fund. We did a storm water study on Martin Lake. It is an impaired lake. We have eleven candidates in there. Some of the money could go back to Martin Lake. About a year ago or so, Linwood Lake exceeded the State water act. Now we have Typo, Martin and Linwood on the impaired waters. When that happens there is a study. Then there is a TMDL study done. It looks at phosphorus. It puts the phosphorus in bib buckets. Once they are done, they will ask what we will do with it. That is part of the \$8,000. We need to do something at ditch 20, the headwaters. Administrative costs are about 1/10th of our budget. We have no staff, cars or office. The biggest part of our budget is insurance. The remaining part of the budget, deals with the monitoring. It has to do with the healthiness of the lakes. It has to do with the lake monitoring. As you go through the list. Coon lake is on the list. We do not do every lake every year. We have a lot more leverage on dollars spent on the impaired lakes. The grant monies are just shy of a half a million dollars. The majority of that will go to impaired lakes. That is pretty impressive with an annual budget a 1/10th of that. The last item I want to talk about, on page three of your packet, on February 6th, the Sunrise people could take off of marketing and education. They did not pass that. If you look on your page six you will see options. The number one I am asking you to pass the budget as it, and let the board figure out what they want to go with. The budget you see in front of you is the budget.”

Davis, "Can I present one thing? The proposed budget is \$47,010, as compared with \$48,000. The cities share is \$15,003 in 2015 and a reduction of over \$500. As presented the budget would be \$47,010 that is for all four participants. "

Ronning, "You have a lot of credibility, do you get a lot of feedback?"

Mager, "I don't attend a lot of those meetings, like MIDS. We usually do pretty well on those things that come up. WATCH what we are doing fine on. We have primary input."

Ronning, "Are they contributing to the improvement, they aren't harming what you have done?"

Mager, "No not at all."

DeRoche, "Where would the carp barriers be installed?"

Mager, "The problems on Martin Lake. They think phosphorus stirred up by the carp. The carp winter up in Martin Lake and then go to Typo. It is a big carp factory. They stir up the bottom and sediments. It puts off phosphorus. What they are doing is putting a carp barrier at Typo, so they don't get into data creek. Same into Martin Lake. They are going to put a carp barrier from Linwood and Typo. They are trying to kill off the nursery."

DeRoche, "What are the state regulations for commercial operators doing yard work. How are they regulated as to the chemicals they are using?"

Mager, "They would have to abide by the rules the residents have to use."

Ronning, "Phosphorus limitations have been a state law since 1982."

DeRoche motioned to approve the City of East Bethel SRWMO budget allocation for 2015. Koller seconded; all in favor motion carries unanimously.

Sheriff's Report

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

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.

Ronning, "What is the highest BAC that you remember?"

Orlando, "There are some chronic that are at a .30? We typically only see people upper 2s."

Ronning, "They should be in a coma."

Orlando, "Yes. we have seen a decline in that."

Public Forum No one signed to speak at the Public Forum.

Consent Item A
Agenda Bills/Claims

Utility Item B
Infrastructure Meeting Minutes, March 5, 2014 City Council Work Meeting
Loan Program Meeting minutes from the March 5, 2014 City Council Work Meeting are attached for your review
Extension 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.

Item G

Supplemental Bill List

DeRoche, "Want to pull B and C, the minutes."

Koller, "Want to pull A."

DeRoche motioned to approve D, E, F and G. Koller seconded; all in favor, motion carries unanimously.

Koller, "Reading through the arena items. I see there are motor fuels for Gibson."

Davis, "There is an explanation for the Ferel gas bill for \$38.00. It is listed as motor fuels because it is for motor equipment."

Koller, "It is paid to Gibson. Because above it is says pay to Ferel. We are paying them too much to begin with."

Davis, "There is a description on the bill."

DeRoche, "This is a lot more than \$38.00."

A Resident asked the City Administrator, "Say Jack did we just go over the public forum. I would like to speak."

Davis, "You'll have to ask the mayor."

Davis (in responding to Mr. Koller's question, "I think that is a coding issue. We can pull the \$38 bill and approve the rest of it.")

Koller motioned to approve A, with pulling the Gibson Management bill for \$38.00. Moegerle seconded; all in favor, motion carries unanimously.

Ronning, "If we link all the items and one fails, they all would fail."

DeRoche motioned to table the meeting minutes for the March 5th work and regular City Council meeting. Ronning seconded; Deroche, Harrington, Koller and Ronning-Aye; Moegerle-Nay, motion carries.

Greg Bayard of 230061 Hwy 65 off of 229th was recognized to speak.

DeRoche, "Are you hear to address the same topic that you have brought up at previous meetings."

Bayard, "I'm here to clarify a question on the City tax increase. I had a phone conversation with Mike and asked if the increase was 16% plus the 3% for the St. Francis school. I was told that the increase would tend to flat line out for next year and may be in the range of 0-4% for next year."

DeRoche, "It was 15.2% of the levy. We can defer you to Jack. There will be a finance meeting on April 1. The goal is to keep the budget flat lined."

Bayard, "My real estate agent told me my real estate taxes went up \$400+ per month. I want to clarify to find out if that is right or wrong."

Davis, "The levy increase is 15.2%."

Resident, "So it was a total of 18% for each home owner?"

DeRoche, "The 15% increase is on the levy. In my conversations with Ken Tolzmann the new valuations have been readjusted upward. \$400 a year is a lot for the difference in the tax bill."

Bayard, "I got that from my real estate agent. I asked Colleen if she could look it up."

DeRoche, "I did some research on League of Minnesota Cities this morning. There is information about fiscal disparities. There are all these formulas. I encourage people to look at the city, county and school. Forest Lake is looking at another bond. Read the article on financial status of East Bethel. I would encourage anyone to read the article. We are doing pretty well. It will give people a better idea of what really goes on. I don't think anyone is up here to stick anyone. If you are looking at going to another City, look at how their bonds and replacement funds are set up. They operate on strictly on their general levy. They will have to go after the taxpayers somehow for future capital expenditures. Make sure you are comparing apples to apples here."

Moegerle, "I have a document, the debt service schedule and it shows what we owe on debt for this year is \$723,000, and we will owe over \$1 million in 2015. That is why we are looking at refunding the bond next year. That will help moderate the debt service and that will be after an election."

Bayard, "I read an article on this, and wanted to know if some of the current board members pushed it (the sewer project) through."

DeRoche, "I voted against it."

Moegerle, "I voted for it. We were told the cost to stop it would cost us more. It would cost more than \$5 million to return it. We would have to levy between \$5 million to \$9 million. That would have been a huge tax increase. Imagine ten times what we currently levied. We were faced with a dilemma. We saved over \$4 million on the water treatment plant. That was the hardest vote I had to make. I didn't know what would truly come from that. I know that everyone of us, we were opposed to this and how could we find the best solution. It was a compromise."

Bayard, "What has gone on to fix this debt, our problem, since a few meetings back?"

DeRoche, "We have refinanced bonds, we got rid of the Federal tax credit that had been reduced to us. I am not going to sit back and go back and forth on the \$5 - \$9 million savings. There was going to be \$2 million in federal rebates. We voted to redo two bonds. That was in the paper. Without going through the whole meeting, I would encourage you to read the article. The finance guy talked at the last meeting. How did we finish last meeting?"

Davis, "We refinanced two bonds. We looked for help from the State. We also looked at future bonding bills. We also looked at a debt management plan."

Resident, "How can all the residents make up a bill and have you guys vote on it for a cap on the City property taxes, so it is not over 3% over the year?"

Davis, "We currently have that, it is levy limits imposed by the State, and outstanding debt is not included."

DeRoche, "Total assessed property value went up 9.8% increase over last year. It is 4% more than what the County assessed from last year. There is nothing we can do about that."

Ronning, "We are watching expenses close. We saved \$700,000 last meeting by cancelling a service road project."

Bayard, "I hope you are not cutting things the residents want."

DeRoche, "I am not going to gut the City. It took certain people to get the City to where it is at."

Resident, "Every time I come here it is like I am negative. This is a big flop. It is making the City big like Blaine. I apologize for the negativity. I was lied to by the old Council members. All the Met Council people were there. This wasn't going to happen until 2050. Can you please call out the street department to plow out 229th? You have your lot plowed."

Davis, "The frontage road is not a City street. That is a MnDOT service road."

Resident, "Congrats on your new position Mr. Mayor."

New Business

9.0A1 Traffic and Motor Vehicles Ordinance, Section 70

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

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 considers holding a public hearing on this matter.

Koller motioned to have a public hearing on this matter and provide adequate information about the meeting before hand. DeRoche seconded.

Davis, "Any dates in mind. The next Council meeting is April 2nd. You could do it as part of that."

DeRoche, "We will need to get it noticed for some time."

Davis, "On the 16th we also have the Local Board on that evening. On the 24th there is the town hall meeting."

DeRoche, "What is everyone else's schedule?"

Moegerle, "We have the LBA meeting, what about the 16th. Do we expect a crowd?"

Davis, "It is a possibility."

DeRoche, "I would prefer to have it be its own meeting so our focus will be on this issue. How about the 23rd?"

Koller, "Ok"

Harrington, "Yes"

Ronning, "Works for me."

Davis, "7:00 p.m."

All in favor, motion carries unanimously.

9.0A2
Manufactured
Home
Ordinance,
Chapter 34
Floods, Article
VII; Section
38-20; and
Under
Appendix A
Zoning
Ordinance

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.

Recommendation(s):

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

Davis, “Nothing was determined at the work meeting, so it is open for discussion as a regular agenda item”.

Koller, “We were talking about if you allow the RVs in there, they could devalue property. But if you don’t allow them they will be parked there illegally.”

DeRoche, “There have been a couple people who have RVs on their properties and they live in them.”

Moegerle, “If they own their property why can’t they leave their property on their real estate? Won’t this create more issues with them pulling them out? If they meet the three requirements – vacant, border the lake and recreational land, isn’t this a limited amount of property.”

Davis, “The parcels in question are shown in the attached map. Some are listed as improved but improved could mean only a storage shed. Ms. Krueger’s property is listed as improved but includes only an outhouse and a garage. If it would be of any value, we could go and check each one of those to see what further impact.”

Moegerle, “That would make sense for enforcement.”

Davis, “There may be only two of them.”

DeRoche, “I expressed a concern before, and will do it again. When an individual comes in, we do a zoning text amendment and it sets a bad precedent. I have concerns about sewer and septage. I also have a concern and complaining about people with stuff in their yard. We let all these trailers in and they don’t have place to put their stuff. The next thing is to let them put up a metal shed and then we have a mess.”

Moegerle, “With words you can limit what has to be done. It has to be a travel trailer owned by the property owner, self-contained. You can require then to pump the septage. Lachinski and whoever pumps can hook up to the trailer. There is a septage dump by the Shell in Wyoming. There is no way, that 100% guarantee would be created that would not care about septage and put stuff in the lake. If we are responsible and circumscribe the ordinance and put in the protections. You cannot eliminate a risk on anything.”

DeRoche, “So someone comes in here, and talks to Colleen about a problem and Colleen tells them to come to City Council and Council will suit their needs.”

Moegerle, “I think that is insulting to Colleen. This is more than everyone coming to Colleen.”

DeRoche, "Colleen was that the impression you got? Don't even go there Heidi."

Moegerle, "You just implied she would send it to us. Sometimes it requires an ordinance change. Sometimes we send Colleen, Jack or building inspector out there. I don't like spot zoning or text amendments. I think it needs to be broad latitude. This is the rare case where something needs to be done to help the property owners."

Winter, "I have never talked to this woman. You asked staff to draft something."

DeRoche," and she was told by a Council person to come talk to that Council person the next day."

Moegerle, "I have never talked to this gal."

DeRoche, "For the record, no one insinuated that Colleen changes ordinance. It was a hypothetical. When Colleen gets something and they insist on something. Can we make a decision, sure? I have seen it time and time again, and an individual triggers an ordinance change. The fact of the matter is, I think this is a bad idea. Everyone has a chance to vote on it. We have other things that we have to worry about. To add another thing, maybe this woman will be very responsible but there may be ten down the road that aren't."

Ronning, "The last concern I heard was the septic Since 1959 as a City, there have been 10's of thousands of opportunities to make those messes. I am sure they did and I don't think there is a problem. It's a valid concern"

Moegerle, "What happens if there is no use for this property? We don't allow people to leave their recreational vehicles on the property. Is that a burden on that land that makes it difficult to sell?"

Pratt, "Sometimes it can lead to a claim from inverse condemnation. Basically just regulations that negate good use of the property. No business or residential use. This is a complicated situation. You restrict travel trailers on the property. As of currently right now, I don't think someone could make that claim."

Moegerle, "I am in favor of making this property usable."

DeRoche, "She redid her outhouse. Why not, if all that was there was an outhouse and she moves in and puts her trailer there. She completely redid her outhouse. She had Connexus Energy put up a pole. It was a lot she put up a long time ago. We can tell anyone else they can take something down and put it back up. There is always ramifications and something down the road and you have to think about the future."

Moegerle, "The problematic sentence is the single family resident, sewer and water and cannot be used for more than three weeks in a two month period. If a person parks something it is for temporary habitation, vacation. It isn't there for storage purposes. It's for habitation."

DeRoche, "What is our ordinance on property that doesn't have a primary structure?"

Davis, "That would be covered under manufactured homes. There are two issues – the storage issues and the habitation issue. The well and septic was interjected to cover the habitation. The manufactured home has to be in a manufactured home park."

Moegerle, "The definition says it is more than 320 square feet. If it is less than 320 square feet she falls between the cracks. How big is this travel trailer?"

Koller, "It is not that big."

DeRoche, "The State changed the variance, it is now five steps. Economics can't be part if it."

Because someone bought a piece of property and put in electric service then say I am going to put my trailer here.”

Moegerle, “In 38-19, it is a recreational travel trailer.”

DeRoche, “What is a home and what is not? That is an actual RV park.”

Davis, “Another part of the ordinance is floods. The structure has to be elevated above one hundred year flood and also has to have anchor and flood strapping.”

Moegerle, “The flood ordinance is the bigger problem.”

DeRoche, “So are we going to change our flood ordinance.”

Winter, “We need to add a section that talks about recreational vehicles. Then we need to determine if a certain size if they can be allowed on seasonal vacation properties. You will have to determine if you want them on certain lots. The other issue you have is the septic. What qualifies for the septic system? Is it self-contained? Those are the points discussed. We as staff could draft something to present at one of your next meetings.”

Moegerle, “I would like that.”

Ronning, “That sounds like a use permit and could be used as leverage.”

Winter, “You could do that.”

Moegerle, “Does it have a current license for highway use?”

Winter, “I don’t know.”

Moegerle, “I don’t understand why she can’t be here.”

Davis, “There are two other areas of code have to be coordinated.”

Moegerle, “There are more ordinances and sections that apply than are in front of us.”

Winter, “This particular issue is in the shoreland area.”

DeRoche, “Isn’t that regulated by the State, Section 158 was East Bethel’s code, 10 or 12 years ago.”

Winter, “What they put in place was the general standards. We can add in additional standards. The state is discussing making changes in it. We can add this under the shoreland management part of the ordinance. Do you want to be able to allow people to park their travel trailers?”

DeRoche, “If this is passed then you can’t single anyone out.”

Pratt, “If you make regulations based on classification and they are reasonable. You can back that up.”

Moegerle motioned that in two weeks we revisit this topic with a proposal from the Community Development Director. Koller seconded; all in favor, motion passes unanimously.

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.

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.

DeRoche motioned accept the 2014 JPA Street Maintenance Agreement bids in the amount of \$178,814.13 and authorize submittal of a letter of concurrence to the City of Coon Rapids indicating our participation in this project. Harrington seconded.

Ronning, "Is there any warranty?"

Davis, "That is why we want to hire the inspector. We would hire the independent inspector if there is a problem within a year, they would have to come back and fix the problem."

All in favor, motion carries unanimously.

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.

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.

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.

Moegerle motioned to approve 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. Harrington seconded.

Ronning, "Do we get any of the recycling benefit?"

Davis, "The Lions clubs gets the monies. Our values come in to meet the tonnage requirements. Our value also comes for our residents."

Ronning, "Does the SCORE grant cover some of this?"

Davis, "It covers all of it. The acronym for SCORE is Select Committee on Recycling and Environment..."

All in favor, motion carries unanimously.

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

DuCharme, "In February, we responded to 32 calls. It has been quiet. A couple things worth mentioning. We had a report of a fire on a lake. It was a recreational fire. We do not take City equipment onto the lake. We don't take \$400,000 fire equipment on the lake. We have had rescues on the lake. We have used personal vehicles to go out there. The Sheriff's policy has the same as we do. We have taken the deputies with in our personal vehicles."

DeRoche, "How would the insurance cover that?"

DuCharme, “Many times the insurance doesn’t cover the vehicle. We were talking about a pick up truck.”

DuCharme, “We did answer 22 medical calls, and 18 were transported by the ambulance. A good deal the residents have to be transferred by ambulance. Our fire inspection program is still going on. We try to get to all the commercial buildings in the City. In the month of February, we made it into ten of them.”

Moegerle, “Nice to see a short list.”

9.0 E2 Request for Equipment Purchase

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.

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.

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.

DeRoche, motioned to use the \$50,000 from the sale of the surplus engine to purchase the items provided in the attachment at a cost not to exceed \$29,518. Koller seconded.

Moegerle, “Do we have the purchasing agreements for the Fire Department.”

DuCharme, “We belong to several consortiums, usually smaller items like this are not included. We price them from three legitimate vendors.”

All in favor, motion carries unanimously.

DuCharme, “Next time I am here, the snow will probably be gone. But if we have residents that want to do burning, now is the time to burn it. It is more controlled. Then will be burning restrictions put into effect until the green up.”

9.0G1 Upper Rum River Water Management Organization (URRWMO) 2015 Budget

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.

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.

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

The City of Ham Lake has approved the budget as submitted.

Ronning, "We are obligated to this right?"

Davis, "Yes, statutorily."

Koller motioned to appropriate to the URRWMO proposed 2015 Budget. Harrington seconded; all in favor, motion carries unanimously.

Moegerle, "The first meeting will be on May 6."

Koller, "Both are run very well and he is very impressed."

9.0G2
Timesavers

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.

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.

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.

Moegerle motion that we enter into a temporary recording secretary up to and including Wendy return or the replacement of her or whatever and to reevaluate the contract at that time. Koller seconded; all in favor motion carries unanimously.

Staff Reports Staff is working to prepare some documentation with Met Council. You will be forwarded some basic information.

Council Member Harrington We had a good informational meeting for the Road Commission. We looked at solutions. We also looked at MSA for the next five years. Parks meeting went really well. We had a discussion on what we are going to do with the outdoor hockey rink. There is suppose to be a question on the website on who is using the rink. We had a discussion on new locations for a cell phone tower.

Council Member Moegerle I attended the EDA meeting. We had a good discussion to secure new businesses. We also discussed the Met Council Thrive 2040 initiative. They are asking for input. They are asking for input. We as council should weigh in on that. I know Davis is going to do something official.

I had an opportunity to review Coon Rapids website. We have passed on the opportunity to get a Laserfische system. I looked for a site plan and building plan. I see where the value is. Particularly where we are looking at a phase to get more building. It will be good to have it in place for new growth. I talked to Jack about the trends. I think it is something we need to get.

Good job on the estimate for the JPA, it is great we came so far under.

I really want to say we do miss Wendy.

Council Member Ronning The Booster day fundraiser is coming up. I have seen the buttons for sale at People’s Bank. Dallas has sold fifty of those things. That is not a fun thing. They do a lot of work. I hope it works out well.

Council Member Koller I could give you all the reports on the water shed. The Booster day fundraiser is Saturday at the ice arena. It will be a beach party. It will beach toys and volley ball nets. Route 65 will supply some food and the Lions will help there.

Mayor DeRoche I had a couple of things. The City received preliminary approval for the CBDG for the septic systems. The grant could be up to \$200,000. It did pay off.

Fat Boys has been sold. The building is undergoing interior renovations and will be opening in 6-8 weeks.

Local Board of Appeals is on April 16 at 6:30 p.m. The current certified board members are Heidi and I. When will they have the other classes? Davis, "They will be between June and November."

If you wish to appear contact Ken Tolzmann. He is not going to be able to answer anything about the levy.

I am going to another meeting once a month, the Community Correction meeting in Anoka County. There are four judges, public defenders, prisons, po's office

Booster Club is having their beach party. Are they selling buttons here?

Davis, "We are selling buttons here."

I have had a few calls where people had anticipated their taxes going up a lot more than what they did. It was a misconception. Unless you're involved in it is hard to understand that kind of stuff.

The Anoka County Union did a good job on their latest articles. It is good to see positive press.

Davis, "We do have an HRA meeting on April 2. We will go over the CBDG. I would also like to mention road restrictions went into effect last Friday. The restrictions are dependent on the weather. Please contact Nate Ayshford on this if you have questions."

DeRoche, "There is an EDA meeting on Monday at 7:00 p.m."

Adjourn

Moegerle made a motion to adjourn at 9:35 p.m. Koller seconded; all in favor, motion carries unanimously.

Submitted by:

Jill Anderson
Recording Secretary