

EAST BETHEL CITY COUNCIL MEETING

JUNE 18, 2014

The East Bethel City Council met on June 18, 2014 at 7:30 PM for the regular City Council meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Tim Harrington
 Tom Ronning

MEMBER ABSENT: Heidi Moegerle (with prior notice)

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

1.0 Call to Order The June 18, 2014 City Council meeting was called to order by Mayor DeRoche at 7:30 PM.

2.0 Pledge of Allegiance The Pledge of Allegiance was recited.

3.0 Adopt Agenda **Harrington made a motion to adopt the June 18, 2014 City Council agenda including the supplement bill list as item G. on the Consent Agenda. Keller seconded. All in favor, motion carries unanimously.**

4.0 Presentation Commander Shelly Orlando presented the May 2014 Sheriff's Report.

4.0.A Sheriff's Report **DWI's:** There were four DWI arrests in May. Two of the DWI arrests involved suspected narcotics, charges are still pending the blood test results. In one incident a female was at a local store while the deputy was present. The female was "acting high." The deputy followed the female outside and she drove away. The deputy stopped her and she admitted to smoking marijuana the night before and doing meth three days earlier. She did consent to a blood test. The second suspected narcotics DWI involved a property damage crash where a male attempted to pass another vehicle and crashed into a truck pulling a trailer. The male failed field sobriety tests but did not have any alcohol in his system. The male consented to a blood test after consulting with an attorney. There was one refusal to test DWI that arose as a result of several calls on driving conduct. The male suspect ended up driving over his garbage can, while trying to enter his driveway and got stuck. The male failed field sobriety tests and decided not to take a test to determine his blood alcohol content (bac). The last DWI was again a result of driving conduct. This call was at 0926 a.m. The deputy located the vehicle as it was pulling into a driveway. The male smelled of alcohol and said it had been several hours since he had anything to drink. The male was unable to perform field sobriety tests, but did take a pbt test, which indicated the male was under the influence. The male did agree to test and ended up having a .28 bac.

"So, no matter what time of the day it is, if you see someone driving goofy, they could be under the influence. Please call in if you do see that."

4.0.A **Thefts:** There were 13 thefts reported. One theft involved a suspect described as a black male, approximately 5'7" tall, skinny build, who was able to short change a business. He was seen leaving in a silver mustang, unknown license plate. There were two gas no pay thefts reported. One was resolved by a citation being issued to the registered owner. The second is still pending. A Pace enclosed trailer was taken from a driveway of a home. The trailer was filled with construction tools and estimated value is over \$20,000. There was not a license plate associated with the trailer, as it has the permanent registration sticker on

the tongue. A male called to report the theft of metal from his property. His renter and her boyfriend are suspects. There was a theft of license plates reported from a vehicle parked in the driveway. A male patronizing a local business had his trailer ball and hitch stolen from his vehicle. A male reported an engine block for a Chevy and a transmission were taken from his property. The male suspects his son. There was a theft of a 2005 Chevy work truck. It was unknown if the keys were left in it. A report was made of a golf cart being taken from a golf course. The owner of the golf cart saw a male take it and followed the tracks in the grass to a home, where the golf cart was parked. The deputy was not able to make contact with anyone at the home but was advised that the male had been drinking in the bar prior to taking off in the golf cart. The golf cart was recovered. Lastly, there was a male who called to report the theft of his vehicle. He advised that the vehicle had been taken the night before and was located by Isanti County after having crashed. The male stated he had the keys to the vehicle and did not have any suspect information. The deputy contacted Isanti County and spoke with the deputy handling the incident. The deputy advised that they believed the person driving had been the registered owner, as he fit the suspect description and there was an iPhone left in the vehicle (which belonged to the owner). The Anoka County deputy went to the tow yard and observed that the ignition had not been punched and there was an open alcohol container also in the vehicle. The male, after being contacted by the Isanti County deputy, admitted to drinking and crashing the night before. He fled the scene, as he didn't want to get a DWI. He was issued a citation for filing a false police report in Anoka County.

"Isanti County would, obviously, have their own charges to follow up on."

Burglaries: There were three burglaries reported. Two were residential, one was a business. The business burglary involved the theft of auto parts. An employee was locking up for the night and saw a suspicious vehicle in the parking lot. The employee did not see anyone near the vehicle but did photograph the vehicle and license plate. The next day, on surveillance video, the vehicle is seen coming into the yard with an empty trailer and leaving with a full trailer. The case is under investigation. In one of the residential burglaries, a screen was cut and access gained through a window. Missing were a wedding ring, a camera, and a W-2 tax document. The last case involves a Playstation and tablet that went missing. Entry was believed to have been made through an unlocked door.

Damage to Property: There were three reports of damage to property. One report involved the damage of a mailbox. The damage occurred between 2 to 4 a.m. There were unknown suspects. The second incident involved a dirt bike being driven by a juvenile male upon a neighbor's property, causing a rut in the yard. The neighbor requested the juvenile be trespassed from her property, which was done. The third report was an egging of a residence. No suspect information available.

5th Degree Controlled Substance: There was one arrest for possession of a controlled substance. A male who was wanted on a probable cause pickup for felony domestic assault was located driving in a vehicle. Deputies stopped the vehicle and took the driver into custody. The passenger had a warrant for his arrest as well, so he was taken into custody. In conducting an inventory search of the vehicle a pill container was located, containing oxycodone. The passenger did not have a prescription for the pills and they are considered a controlled substance. The passenger is facing charges.

Disorderly Conduct: Deputies received a call of an intoxicated male who was inside a residence. Upon arrival, the homeowner and male were outside. The homeowner advised

he awoke to this male, unknown to him, standing inside his home. The homeowner advised the male was intoxicated. The male had come in through an unlocked door into the garage, then entered through the unlocked service door into the house. The male had recently moved into a house that was near this residence. The male thought he was in his house that he was in. The male was transported to the home he resides in and issued a citation for disorderly conduct.

Arrest Breakdowns:

Felony Arrests: 1

Controlled Substance – 1

Gross Misdemeanor Arrests: 2

False Information to Peace Officer – 2 (separate incidents)

Misdemeanor Arrest: 7

Theft – 2

Falsely Reporting a Crime – 1

Possession of a Hypodermic Needle – 1

Small Amount of Marijuana in Motor Vehicle -1

Possess Drug Paraphernalia – 1 (same incident as small amount)

DeRoche, "Anything happening on the water? As far as the lake?" Orlando, "We do have our summer time patrols out and our recreational deputies are out on the lakes. I haven't had any reports back of anything going on much anywhere. But, I don't see those reports now so much because I'm in a different division. But, they are out there and if you have any issues going on, be sure to call in. You can either, if you want to leave a message for the recreational deputies it's Deputy Tim Sink or Deputy Justin Alderink. Those are our two full-time deputies. Then we also have deputies that do extra patrols on the weekends as well. So, if you call and leave messages for those two, one of those two, the word will definitely...or you can let me know and I can pass it along to them as well."

DeRoche, "Sure. Anybody got any questions?"

Koller, "The .28 blood alcohol was 9:30 in the morning?" Orlando, "Uh-huh." DeRoche, "Must have gotten thirsty." Orlando, "It can be at any time. It's just a really good reminder that, just because it's that early in the morning, you wouldn't think, but there are people out there."

DeRoche, "All right, thank you Shelly."

Roger Virta, 18921 University Avenue NE, "I hope it's okay, my statement's a little bit longer than three minutes." DeRoche, "Absolutely, go ahead."

**5.0
Public
Forum**

Virta, "Thanks, I appreciate it. My name is Roger Virta. I live at 18921 University Avenue NE. I'd like to make some additional comments about Council Items 7.0D.1., Consider Approval of 2015-2019 Street Capital Improvement Plan.

Public Forum

As some of you know, I'm a member of the Road Commission and I want to emphasize that I'm not here tonight representing the Commission. But, I'm here instead as a resident of East Bethel. I was kind of reluctant to come before you tonight but decided to do so given

the importance of this decision that you're going to be facing with this Commission item.

Although the Road Commission recommended using MSA funds for construction of 189th and Buchanan to provide a connection from the commercial park to Jackson Street, the vote was not unanimous. I voted against the proposal, which passed 5 to 1. The Commission was in full agreement that another entry/exit point into the Classic Commercial Park is needed for safety reasons. I agree that we need to make another entry point into this area. I disagree about where this entry point should be. I think that the access should continue out to Highway 65 rather than out to Jackson Street. The other members of the Commission opted for the less expensive solution, which was to put the entry/exit point on Jackson Street instead.

Here are some things I think that you might want to consider as you make your decision about the Jackson Street entry/exit point. Although Jackson Street is designated as a major collector, it is also a residential area containing several houses directly on Jackson Street. It's an older East Bethel neighborhood and this road will have a significant impact on that neighborhood. Creating an exit point from the commercial park to Jackson would generate significant heavy truck traffic on Jackson Street. This might include both side- and belly-dumps from an existing tenant. It is the truck traffic that is my main concern for this residential area.

The traffic will originate from one of the existing tenants, as I said, and I had also expected additional heavy traffic possibly to be truck traffic to be generated due to the Council's recent re-designation of properties in the area to industrial. If it's an industrial area, it kind of opens it up, I think, to more heavy duty types of stuff. So, that is a risk as you go forward.

The consequences of dumping the road out onto Jackson are first it's going to reduce the quality of life for the residents of Jackson. They will be subject to the noise and vibration from regular truck traffic from now into the foreseeable future. Second, it's going to reduce property valuations for the residents of Jackson. I would expect the heavy truck traffic resulting from the road to depress existing real estate valuations for these homes. The third point is probably the most important one. It's going to cause increased safety risks on Jackson. Mixing heavy truck traffic and pedestrians and bicyclists together creates a potential, I think, for future accidents in that area. Doing that, I don't think, is a good idea. Since the area is residential, school bus traffic might also be at risk from the truck traffic.

Exiting out to County Road 22 would eliminate all of these downsides. It would provide a solid industrial-scale frontage road with entry/egress to a major highway. Other than cost, that's a key factor, there are no downsides to this option.

When I'm faced with a decision like this on the Road Commission, I always place myself in the position of the residents that are effected by that decision and ask myself, 'How would I like it if the City did this to me?' And, my answer in this case is, 'I wouldn't like it at all.' And, I don't know if any of you would either.

This project comes at a once-in-a-decade or more point in time. The City has additional money left over from the canceled frontage road on 221st from last year. That plus the MSA money provides a large sum that won't be available, probably, at any point in the future. If you decide to finish this road out to Jackson, there is no going back. Right? There will never be enough money in the budget to complete the frontage road out to 22.

At least not at any time that I can see out into the future.

So, the question is, "how much more would it cost and where are you going to get the money from?" I believe it is a little bit more expensive to complete the road out to 22. You might consider the possibility of using future year's MSA money to help fund this project. This is a legitimate use for the MSA money to basically spend ahead. Just an information point, Ham Lake is apparently unwilling to cost-share resurfacing 181st Street, fearing that the project has more benefit to East Bethel than to Ham Lake. East Bethel could possibly use that future funding to help cover the cost of extending the road out to 22.

So, that's my thoughts on the matter. I appreciate your time, and thanks."

DeRoche, "Thanks Roger."

Paul Gott, 291 St. Francis Avenue NW, Bethel, "Good evening. I have a question about a billboard sign. I actually live in the City. I recently purchased a property on roughly 237th and Johnson Street and my property backs up to 65. There is a billboard sign on my property. My question is, the previous owner had mentioned something about the City wanting to condemn that sign or take it down. I was unsure about that, but there hasn't been a leasing agreement between the property owner or the sign company in the last 18-20 years, something like that. I'm kind of in the process of researching that and figuring out what to do. But, I was wondering, what the Council's point of view was on that billboard sign and whether or not..."

DeRoche, "I'll refer you over to Jack. Jack, you know anything about that billboard?"
Davis, "There's been no discussions about condemning the sign. If you did do something to erect a new sign or replace it, you just have to meet the requirements of the Sign Ordinance."

DeRoche, "I think you're looking to take it down?"

Gott, "Well, the previous owner has gotten something like \$200 a year for this sign and it really blocks the view of the lot so if that's all the investment that's there, then I'd just like to see it go away. I don't know that the sign company wants to cooperate. They haven't been returning my calls or anything. So, I've hired an attorney and I'm trying to figure out what direction to go with that. But, I just wanted to see what the Council's point of view was on it."

DeRoche, "Well, I would recommend you maybe come in and talk with Jack and possibly Colleen before you put out a lot of money in attorney's fees. At least we can figure out how it's there, if somebody ever did have a, would anyone ever of had a contract with the City?"

Vierling, "Probably not." Davis, "Not unless it was on City right-of-way, and that's Mn/DOT's right-of-way there. So, I'm assuming there's no contract with the City. There is none that I know of that exists."

Gott, "There hasn't been one with the prior owner either. So, this was all done, I haven't researched at the County yet, but this has been, that's sign got to be 30-40 years old, at least 30 years old."

Public Forum DeRoche, "What's it advertising?" Gott, "I think the National Guard's on the one side and

Lamar Sign, just their own advertising on the other side. But, it's on the northwest corner of 237th and 65."

Davis, "And, what is your property address Paul?" Gott, "I don't have an address but it's Lot 7, Block 2, Wargo Pond. I made a picture of the lot and you can see the billboard sign." Davis, "Do you have a phone number so we can contact you and let you know what's going on with this?" Gott, "Yes." DeRoche, "You don't have to say that over the air. You may want to just give it to Jack." Gott, "Okay, thank you."

Davis, "I'll have somebody get in contact with you tomorrow and we'll see what we can find out about this." Gott, "Thank you." DeRoche, "Thank you Paul."

DeRoche, "Anybody else even if you didn't sign up and maybe want to come up and say a few words?"

6.0 Consent Agenda

Item A Bills/Claims

Item B Work Meeting Minutes, May 21, 2014 City Council Work Meeting
Meeting minutes from the May 21, 2014 City Council Work Meeting are attached for your review and approval.

Item C Meeting Minutes, June 4, 2014 City Council Meeting
Meeting minutes from the June 4, 2014 City Council Meeting are attached for your review and approval.

Item D Approve Hire of Website/Office Support Item
Staff is recommending to hire Website/Office Support.

Item E Liquor License Renewals
Staff is recommending approval of Liquor License renewals.

Item F Approve Special Meeting – June 25, 2014
Staff is recommending scheduling a Special Meeting on June 25, 2014.

Item G Supplemental Bill List

Ronning motioned to approve A, B, C, D, E, F, and G, with Item B indicating 'Work Meeting Minutes, May 21, 2014 City Council Work Meeting.' Koller seconded.

DeRoche, "The only thing I had was a correction to the June 4, 2014 Council Meeting Minutes, top of Page 25, "DeRoche, "Anybody else? No? Thanks Greg Craig." Ronning, "Yeah, thanks Greg Craig." You okay with that Tom? Changing that?" Ronning, "Yes."

Ronning and Koller accepted this friendly amendment.

DeRoche, "I'll figure out where it's at, kind of scrolling here but it's hard to multi-task up here. All right, any more discussion?"

All in favor, motion carries unanimously. All in favor, motion carries unanimously.

7.0

Commission, Association and Task Force Reports

New Business

7.0A None.

Planning
Commission

7.0B None.

Economic
Development
Authority

7.0C None.

Park
Commission

7.0D Mr. Davis presented the staff report, indicating the Streets Capital Improvement Plan was developed by the Roads Commission to prioritize street improvement projects over the next five years. The Roads Commission adopted the 2015-2019 Streets Capital Improvement Plan at their June 10, 2014 meeting. The Plan is presented in the attachments to this report.

7.0D.1

Capital
Improvement
Plans
(2015-2019)

The recommended street maintenance projects for 2015 are estimated to cost \$669,900 and include the chip seal of those City streets listed in the attachment and the overlay of 7th Street, Isanti Street, Rochester Street, and Leyte Street.

For 2015, the Road Commission is recommend using the Municipal State Aid (MSA) fund for the construction of 189th Avenue and Buchanan Street in the Classic Commercial Park to provide a connection from the commercial park to Jackson Street. Currently, the commercial park only has one access location at 187th Avenue and TH 65. The additional access could help alleviate some of the stacking issues that occur at 187th Avenue, provide additional access for emergency vehicles and open up additional property for development in the municipal services area. The proposed road is currently designated as an MSA route and has been part of the City's street plan since 2005. The estimated cost of the project is approximately \$1,000,000 and would be funded through monies the City receives from the State of Minnesota for construction and maintenance of the State Aid road system. The City is permitted to advance fund, essentially borrow from future allocations, up to four times the annual construction allotment or \$3,000,000 whichever is less. The current project estimate would require advance funding of approximately \$154,452 from the 2016 annual allotment of \$557,291. The extension of water service along a portion of this improvement, at a cost estimated at \$300,000, is also recommended as part of the project. The City will also apply for Cooperative Agreement Grant from Mn/DOT to offset the costs of this project.

The Road Commission also recommended the City look at the possibility of a connection from 189th Street to Viking Boulevard at some point in the future adjacent to the property currently owned by Our Saviors Church.

Commitment to this plan requires the dedication of funding for 2015 only. Projects beyond 2015 are identified and prioritized by the Roads Commission to provide Council with recommendations for 2016 through 2019 as part of the overall capital project planning for major street improvements. Commitment to projects beyond 2015 will be considered for approval as part of each year's subsequent budgets.

7.0D.1

Capital
Improvement
Plans
(2015-2019)

The estimated cost of the Street Capital Projects in 2015 is \$669,900. This amount is available from dedicated sources in the Street Capital Fund. The estimated cost of the MSA Capital Projects in 2015 is \$1,000,000 along with an additional \$300,000 for the water extension. This amount would be available in the Municipal State Aid Fund with the possibility of advance funding an amount to be determined from 2016. Funding for the water portion of the project could come from excess bond or other internal City funds.

The Road Commission recommend approval of the 2015-2019 Streets CIP and recommend this to City Council for approval.

DeRoche motioned to approve the 2015-2019 Streets Capital Improvement Program. Ronning seconded (for discussion purposes).

DeRoche, "First question I would have, number one, I'm not in favor of it. I'll just come right out and say that. Reason being, I don't think we should be dumping that kind of traffic onto Jackson Street. Not only for the residents that are right there. I mean, we just redid Jackson and we've got, you know, we just went through and rezoned it Industrial/Commercial. So, that's the kind of traffic that's going to be going up and down that road. Why create a safety issue? The last time that I recall even discussing this, and I guess I had hoped it would come up at a Workshop, and it wouldn't just be this one option but that we would be looking at a couple different options. I understand that it would be nice to have a way out of there but, at what cost? I wouldn't want it directed down my road. I realize that something has to be done and if it's strictly the cost factor, I think that if we can't dump it out onto 22...I just don't think it's a good idea."

Koller, "Well, I have a problem there, since I live on Jackson. It is a north/south street, the only one around that area that isn't Highway 65. Therefore, it's used by pedestrians, joggers, bicyclists, and horseback riders all day long. There is a lot of pedestrian traffic there. I would hate to see all those trucks on that street because there will be people hurt. And, if they head south on Jackson to 181st, they're right back out on Highway 65, half a mile south. As you know, 181st is a bad intersection too. We've had some fatalities there. I'd hate to dump more traffic on that. I think the simple thing would be to go up to 22, which is a County road. It doesn't have the bicycle traffic and the pedestrians. Just for safety."

DeRoche, "Just for the sake of argument, can we, anyhow, anyway, pull this segment of this off, approve the rest, and then bring this up in a Workshop? Because, this is one of those things that I just, again Jack, I had hoped would have been at a Workshop so we could have discussed it and got ideas out. To just come up to the Council, and well, we have to make this, this is what the Road Commission wants to do. I don't know if they understood the Council's thoughts, well, there's no way they could have because we didn't have that conversation."

Davis, "Again, if this portion is an issue, I would recommend pulling this portion and approving the Streets Capital portion of it. That's the one we really need to do for our budgeting for next year. We can go on and discuss this later. This issue was presented in two, maybe three different Road Commission meetings. There were several alternatives that were looked at but it is something that can be considered as we go along. And, you can definitely pull this one and we can work on it and see if there are other acceptable alternatives."

Ronning motioned to amend the motion to remove the Jackson Street/22 access from the current CIP and approve the remainder of the 2015-2019 Streets Capital Improvement Program. Harrington seconded.

DeRoche, “We’re legal on that?” Vierling, “You can go ahead and vote, if you wish, on the amendment.”

All in favor, amendment motion carries unanimously.

Vierling, “Now you can take a vote on the main motion as amended.”

All in favor, main motion as amended carries unanimously.

Harrington, “If we do have a Work Meeting, can we invite Shaw Trucking and Classic Construction? I’ve talked to some of their truck drivers and they will not go across 187th. They go up to 181st then go back north. Maybe we should at least get an idea from them.”

Davis, “And, there’re a number of things we had discussed too about even if the road to improve 189th to Jackson were done, we could limit truck traffic to go north on Jackson and not permit any to go south. That way, it would route them to 22 and a traffic light. The other option is, as Roger mentioned and discussed at the Road Commission, to do a partial construction of 189th and then go north adjacent to Our Savior’s Church and come out on 22. That would probably double the project cost but it is an option. We did talk to Mn/DOT about extending 185th Avenue, which would be just a short section of about 1,000 feet, and connect to Highway 65, into a right-in/right-out only. But, they said, ‘No way would they approve that.’ The other option would be to go north on Buchanan or Ulysses Street, across the wetlands. But, I don’t think that’s really an option. So, what we’d need to do is probably refine the cost a little bit better on going north across the church’s property. Here, again, that may have some benefit to them and we can talk to them more about the senior housing thing and see how it could tie in with that. We can go back and still talk with Mn/DOT even though they did say, ‘No.’ There can be other reasons, maybe, to justify that as an extension as part of the way in and out of there.”

DeRoche, “I’ve been against the Jackson Street since it first came up in a conversation quite a while back. I wouldn’t dump that into a residential area. Then again, even if you tell trucks, ‘Well, you can only go north,’ now you got an enforcement issue. Are we going to hire a deputy to sit there and make sure nobody goes south? You can’t. I just think going up, and if it’s a cost factor, we’re not doing Johnson Street to 221st so I think we should look at other options here...”

Ronning, “This thing is flawed for a number of reasons, in my mind. All the ones that Roger mentioned, the safety issue on Jackson, if there is one kid that gets out of a school bus there, I’ll vote against it for that reason. When we talk about putting water in for, what \$300,000? If we’ve got a hole in the ground, we should be doing sewer. If we can’t afford to do it right, when can we afford to do it over?”

Davis, “The reason we wouldn’t do sewer is because we would already have sewer service to all those developable properties there. And, the properties on the far end of it would be served whenever the extension comes up for the church. So, the sewer extension is not necessary. The water would be, so we wouldn’t have to tear the road up at a future date.”

7.0D.1

Capital
Improvement
Plans
(2015-2019)

Ronning, "When do you anticipate that church connection?" Davis, "We haven't heard anything back from them. I think they are still waiting on some favorable improvements in some of their market study results."

Ronning, "That's the point about having a hole in the ground. There's no firm belief that there will be anything to the church." Davis, "The other thing, too, if we did this street along this alignment, is that we would off-set the street within the right-of-way so we would have ample room on one side so we could go back and add the utility at a later date and not have to disturb the pavement."

Ronning, "The last thing about this, it's wishful thinking that all this traffic that goes on 65 is going to go out the way we want them to. They will go with whatever is easiest. That's the way people go, that's the way it will keep going. And, to put it on Jackson doesn't fix any problem, it moves the problem but doesn't take care of the problem. The problem is getting onto 65 south. That's the trucks that want to do that, it's about 840 feet on 185th."

DeRoche, "What did you say it was Jack? Less than 1,000 feet?" Davis, "It's less than 1,000 feet, just a short distance." Ronning, "Yes, but it's about 140 feet by my...would be a lot less money and people would use it."

Koller, "Also, if you have the trucks come out on the dirt road and head north on Jackson, you're still going to run into the bicycles and horses and the joggers." Davis, "Yes, the only thing that would do, it would reduce the exposure on that by two-thirds of the road. It's a mile from 189th to 181st and it's a half-mile from 189th to CR 22."

Koller, "Jackson is the only north/south road that the bicyclists can use without being on the freeway, or Highway 65. There's nothing else around. So, where do you divert all those people? Because, they are not going to want to go there if there are semis cruising up and down all day long."

DeRoche, "All right, we'll set up a Work Meeting." Davis, "again, we have plenty of time to look at this. I would recommend, we do have a Work Meeting we want to try t sometime in July or August. We don't have to make a decision on this immediately. That will still give us plenty of time to take a look at some other options, prepare some more costs, so we can take a closer look at them."

DeRoche, "All right."

Ronning, "I was at that last Road Commission, as Jack said, and heard that man from Mn/DOT speaking. 'Disappointed' is a gross understatement. He has no understanding of what he was even talking about, I don't believe. Roger can nod or shake, but he was upset that we turned down that service road, 221st to 219th. And, they couldn't believe we would do that and it's as though, 'You did that, we're not doing anything for you ever again.' They didn't say that, but that's..."

Harrington, "That's the impression I got too."

Ronning, "Yeah. It wasn't hard to come up with that impression."

7.0D.1 Capital Improvement Plans (2015-2019)	
8.0 Department Reports	None.
8.0A Community Development	
8.0B Engineer	None.
8.0C City Attorney	None.
8.0D Finance 8.0D.1 2015 Budget Work Meeting	<p>Davis presented the staff report, indicating Staff, based on direction from the Finance Committee, prepares and provides City Council with a proposed budget for the coming year each July. At this meeting, each department budget is submitted for review by Council. The City Administrator will present each budget and the department heads will be available to answer questions.</p> <p>Staff will take the direction from Council and make budget adjustments for the preparation of the preliminary budget, which must be approved by Council and sent to Anoka County by September 15, 2014. Consideration for approval of the 2015 Budget by Council is tentatively scheduled for December 3, 2014.</p> <p>Staff recommends that City Council schedule a Work Meeting for July 9, 2014 at 6:30 p.m. to receive presentation of the 2015 proposed budget.</p> <p>DeRoche, "At what time?" Davis, "6:30 p.m. or whatever time is convenient for you." Ronning, "It's the second Wednesday." DeRoche, "That's fine. How is everybody else looking?" Ronning, "As good a time as any. It has to be done." Koller, "Looks okay to me. July 9th at 6:30 p.m." DeRoche, "Okay, so be it."</p> <p>Vierling, "You'll need a formal motion and a second on that one so you can have a posting."</p> <p>Harrington motioned to approve scheduling a Work Meeting for July 9, 2014, at 6:30 p.m., to receive presentation of the 2015 proposed budget. Ronning seconded. All in favor, motion carries unanimously.</p>
8.0E Public Works	None.
8.0F Fire Department	<p>Fire Chief DuCharme, "Good evening Council. Before I get into the run report, the Firefighter Dance is coming up in conjunction with Booster Days. The Dance will be July 19th. So, it's one month and one day away from us. Tickets, if you buy them from a firefighter right now, are \$3. If you buy them at the gate the night of the dance, it's going to</p>

be \$7. Firefighters have told me they will have tickets at City Hall also for residents to buy. There will be a silent auction, again, at the dance. They will have food via the food trucks. And the fireworks, they are scheduled to be at dusk. All in all, it looks like it's the same band that we had last year, they're going to start at 8:30 p.m., and we'll finish up at 12:30 a.m. So, we invite all the residents out.

One thing about fireworks, I just want to remind Council and our residents that if you light a firework and it goes 'bang,' or if you light a firework and it goes flying, that's illegal. That's not a legal fireworks in Minnesota. I realize that a lot of people have fireworks and it is a very hard law to enforce. But one thing you've got to remember, even the sparklers that are legal in Minnesota, a lot of times they'll let kids play with. They burn at 1200 degrees and they can really burn you so we've got to be really, really careful on that.

The last thing is burning. I just want to remind everybody that we're in a season where a lot of people like to have recreational fires at night and campfires over the weekend. Remember, recreational fire is no more than three feet wide and no more than three feet high. Although you are not allowed to burn grass clippings and leaves and yard waste, we see a lot of that and sometimes people get confused with that. The best thing to do if you have a recreational fire, is to let your neighbor know because that would save a lot of issues.

Now I'll get into some of the numbers for May of 2014. We ran 46 calls and of those 46 calls, 27 were medical related. We're actually at 212 calls for the end of May. That's pretty much where we were a year ago. So, I don't really anticipate too much of a difference that what we consider our normal amount of calls.

We did have a couple of interesting calls that I'm just going to let you know about. When you look at the call response, the list of calls, it talks about on May 8th, about a windstorm tornado assessment. That wasn't because we had a windstorm or tornado. What it was is the possibility of severe weather moving in and myself and an inspector stopped at one of the mobile home parks to check out their shelters, their weather shelters, and to make sure they were open and available.

And, we also had something that's marked 'arcing, shorted electric equipment.' Somebody's water pump in the house went out and smoked up the house. We did have a CO detector and that's not a misprint, those two addresses being the same, right next to each other, on call 171 and 170. We went there and handled the situation and the people called us back because the alarm went off again. They were advised to, we didn't find any, what we would call 'dirty air' so we advised them to maybe look at a new detector.

On May 31st we did have some weather that moved through our area. We did go to two building fires, both mutual aids and although our City did have one lightning strike that we checked out, we didn't have any fire there.

We continue our Inspection Program and did get through a number of businesses in May. Actually, that Program moves pretty well and is pretty well received. All this data that we have here is very shortly going to be moved to the new County records management system. We will be uploading a lot of the data that we keep including business names, list of businesses, that the City has. That's going to make our record keeping a lot easier once the system is up and running.

As of right now, if I could talk a little bit about the record management system, which will

be called the Public Safety Data System, that's the system that's in cooperation with law enforcement in the County of Anoka. It looks like we're going to be fully live on that about a year from now. So, we're moving very closely, which is good because I can tell you that our computer aid dispatch that Anoka radio has, is having issues. So, they are rapidly moving to correct those issues with the new system. Any questions?"

DeRoche, "Mark, Another Man's Treasure, I don't think this is the first time that emergency lights have come up for them? Do they just not fix them or what?" DuCharme, "Well, I think what happens is they have a number of exit lights. We're talking about exit lights like this one up here. What we prefer is the emergency lights that go with that so if the power goes out, the emergency lights come on. We have had conversation with them, you know, on having a system where they can service all of them at one time instead of piecemeal, so to speak. We've also had discussion, making sure we have aisle ways that are open, and things like that. It has many different rooms to it so we're also, that's why the exit lights are so important to us there." DeRoche, "It's an interesting place."

Ronning, "On the 27 medical calls, the bottom of the page, there is one DOA. What category was that in?" DuCharme, "That would be a cardiac. We actually, Counselor, we had two cardiac issues that the people were in a condition that was not survivable and were not transported." Ronning, "What age? Not that it really matters. Middle age?" DuCharme, "Yeah, about my age."

DeRoche, "Thanks Mark."

Informational; no action required.

8.0G
City
Administrator
8.0G.1
Code of
Ordinance,
Chapter 10,
Article V –
Farm Animals

Davis presented the staff report, indicating the Council is asked to continue the discussion of amending City Ordinance, Chapter 10, Article V, Farm Animals as it relates to the keeping of chickens on lots less than 3 acres

The City has received a number of requests from residents to keep chickens on residential properties under three acres. Currently our ordinance only allows chickens on lots larger than three acres. City Staff has researched the practices of other cities and provided a list of this in your attachments for comparison.

In addition, we also present two other ordinances. One from the City of Forest Lake and one from the City of Norwood-Young America as to how they handled the issue. Of particular importance of these two ordinances, is the one from Forest Lake Shows that there was a lot of discussion that went on with theirs before they finally enacted the ordinance that they adopted. The one from Norwood-Young America was one that's extremely restrictive. So, we're just presenting these to you so you can have these as a basis of comparison.

While many arguments can be made in favor of relaxing our current standards for keeping chickens, keep in mind that on certain lots this could have unintended consequences, primarily with neighbors. Council may wish to discuss this as part of this agenda item tonight or consider tabling this matter and adding this discussion to the Work Meeting that is scheduled for June 25, 2014.

DeRoche, "How long do you think it will take, the one on the 25th is also going to be on

8.0G.1
Code of
Ordinance,
Chapter 10,
Article V –
Farm Animals

lowering the acreage for development so that could be a really long meeting. I'm sure we'll be..."

Ronning, "Often times, it is a relatively small group that asks for a big change like that. Do we have a number of how many?" Davis, "I don't have a precise number. All I know is that occasionally, over the years, people said, 'Can I keep chickens?' Our response is, 'Is your lot bigger than three acres?' 'If it isn't then the answer becomes, 'No.' We know that there are many instances, probably, where people either ignore or don't know it and keep them anyway. So it gives us an opportunity to take a real hard look at this and decide if it's something we want to act on."

DeRoche, "You know the impression some got of the last meeting was, it was a motion to have a public hearing on it. And, I guess I voted against that and the reason being, before you have a public hearing I think we need to have a Workshop. I think we need to sit down and, again after perusing through some of these ordinances and I went in and sat down with the City Administrators from four other cities and said, 'Okay, what do you guys do with chickens?' And, then they started relating their situation. So, it's pretty obvious that it's not just a quick, 'Hey, let's have some chickens. Pass something. Let's go.' There's an awful lot of concerns from people from a health standpoint, from a predator standpoint. You bring in chickens, now you're going to have fox. There's just a lot of stuff to discuss. With that being said, I would make a motion to move this topic to a Work Meeting. It would be nice to have this on the 25th but I don't know how much time we're going to be on that other project. Anybody got any ideas?"

Koller, "I would agree with that. We could put it on there and if we have the time to do it, we could do it." Davis, "It doesn't all have to be done at one Work Meeting." Koller, "Well let's put it on that Work Meeting and if we don't get time to finish it up, we'll add another Work Meeting."

DeRoche motioned to table consideration of Code of Ordinances, Chapter 10, Article V – Farm Animals, to the June 25, 2014, Work Meeting. Ronning seconded. All in favor, motion carries unanimously.

Ronning, "Just as general information. Not everybody understands why we do this in work meetings. We're really quite limited by what kind of conversation you can have about these matters. There has to be a motion, it has to be seconded, then you have limited conversation. Somebody can call for a question and end the conversation. I know I've been asked before, 'Why do you put so many things in a Work Meeting? Why don't you just do it?' And, in my mind, that is what the reason is." Davis, "That's a very good point Tom and, also, too, Work Meetings are open to the public and we encourage you to attend them."

8.0G.2
Temporary
Clerical
Employee

Davis presented the staff report, indicating the Council approved the hiring of a temporary clerical assistant on April 16, 2014. This hire was approved through June 6, 2014, to compensate for the absence of our Deputy City Clerk. Our Deputy City Clerk will not be able to return to work at this time and will be out until at least August 4, 2014. City Council is requested to consider approval of the extension of the temporary clerical employee through October 1, 2014.

Koller motioned to extend the temporary clerical employee through October 1, 2014. Harrington seconded. All in favor, motion carries unanimously.

9.0 Other

9.0A

Staff Reports

Schedule

Special

Meeting on

June 25, 2014

Davis, "The only thing that I have to add for Staff Reports is we did approve a Special Meeting for next Wednesday at 6:30 p.m. to consider a final liquor license application. This involves the new ownership of Hunter's Inn. And, as a result, this individual was not able to get all of the submissions in by tonight's meeting. He will have them ready for the 25th and the Special Meeting will be scheduled from 6:30 p.m. to 6:35 p.m."

DeRoche, "Do we need a motion for that Mark?" Vierling, "It would be best."

Koller motioned to call for a Special Meeting next Wednesday, June 25, 2014, at 6:30 p.m. to consider a final liquor license application for Hunter's Inn. Harrington seconded.

Ronning, "Can we take action in a Work Meeting?" Davis, "This will be a Special Meeting. We actually approved that in the Consent Agenda. Do we need a motion for it?" Vierling, "I'm sorry, if it was approved as part of Consent, no you're fine."

The motion was withdrawn.

9.0B

Council

Report –

Member

Ronning

Ronning, "I just have a couple comments, really. I thought this chicken thing would be a non-event. I've been approached about that. One individual is in a denser populated area. It says there are five chickens next door on less than an acre. I suppose somebody has to go look at them.

And, the other thing, is Buchanan between 212th and about 208th, there's some complaints about speeding. There's a speed limit sign but that doesn't do a whole lot. Those radar things that tell you how fast your are going, in my mind, it works a little bit better. It would be 'better' if people did their speeding on the highway, then Shelly can handle them. Maybe we can talk about that a little more. Thank you."

Council

Member

Harrington

Harrington, "Last week we had our bus tours for the Road Commission and the Parks. We looked over CIPs for 2015 through 2019. That went real well. There's a flyer out about the First Annual East Bethel Chamber of Commerce Golf Outing, July 18, Viking, 1 o'clock, if anybody's interested in getting a foursome. That's all I have."

Council

Member

Koller

Koller, "I really don't have much. We have a Booster Days meeting tomorrow at 6:30 p.m. here. That's coming up soon, Booster Days. I think they were looking for someone to help with the car show. That's about all I have."

Council

Member

Moegerle

No report as Member Moegerle was absent.

Mayor

DeRoche

Roche, "First thing, I would like to personally thank the Fire Department for a goodwill gesture. They went over to a day care/preschool today with the trucks and the kids had a great time. Sounds to me like the firefighters had a pretty good time. Just, you know, for the record, I don't know if people really understand what the Fire Department does. I happen to, watch the call, up on Cooper's Corner last week. Very professional. Everybody seemed to know what they were doing. Very well orchestrated. If I'm going to have an accident, might as well be here because they definitely, it was obvious the training pays off. You hope you never have to use it but if you do, it's kind of nice that you can just watch people do whatever they do and stay out of their way.

Mayor
DeRoche

The golf tournament, firefighters are welcome, deputies are welcome. Prerequisite is that you can't be a golfer, you just have to like us, a 'hacker.'

Little note to the people on the Beach, especially with the ATVs. State law is if you are under 18 you must wear a helmet. So, I stopped a couple people today. I know the kids weren't even old enough to be on there legally. And, I plan on approaching the parents, which really goes over big. But the thing is, we worked pretty hard to get that ATV Ordinance passed and for parents to just give their kid an ATV and say, 'go ride it.' Our snowmobile/ATV club did a class out of Polaris last weekend again. Some of these really small kids were showing up on 500s and 700s. Legally, they have to be able to sit flat on the seat, feet have to touch the foot rests, and when they stand up, they have to have between three and six inches. They have to have both hands on there and be able to control this thing. I think it's insane for a parent to give a kid a 500 who's just a little bitty kid and say, 'here, go have fun. Don't worry about the helmet.' What I usually tell them is, 'look, these are the rules to the game and if the deputies catch you, I hope they take your ATV away.' We've been pretty lucky and fortunate that most of the deputies over on the Beach, when they do stop people, they educate them. It's not, let's just ticket, ticket, ticket. It's, 'look, this is the law.' That was one of the reasons, because I had talked to a few deputies before we passed it and they said, 'Well, it's on the books, you can't ride them so, you need to put something in place so people can ride.' I don't quite get the mentality. You know, legally, the Ordinance is set up that you have to be a resident of East Bethel, 16 years of age, a driver's license, on the right-hand side of the road, 20 miles per hour and not from another city driving down the roads 60 miles an hour acting like a fool. I don't know what it's going to take because unfortunately, if we have some accidents happen, I know it's going to be, that ATVs are bad. We have to do something about it.' It's not the machine. It doesn't move without someone doing it."

DeRoche, "So, with that said, I know the royalty thing is coming up pretty quick, Jack?"
Davis, "The Pageant will be on Booster Day, July 19th, and you will probably be the emcee of the event or at least provide the opening comments for it."

DeRoche, "Do they have all the girls that registered for the event?" Davis, "It's for the East Bethel Royalty. They are still, probably, taking applications for that. They have started their practice and their rehearsal. We have a stage set up for them in the Ice Arena, for them to perform these activities now. I met with Doug Meyenburg this morning and he says everything is going well with the preparations for the Pageant. So, it's only a month and a day away."

9.0C

None.

Other

9.0D

Closed
Session

Vierling, "For the benefit of the public and for the record, we note that the City Council is about to go into Closed Session at the present time. Under the authority of Minnesota Statute 13D.05, first with regard to a performance review requested by the City Administrator, it's going to be closed under Section 3(a) at his request. Secondly, under Section 2 with regard to the Council's opportunity to review records that are classified as non-public or private. With that said, Mr. Mayor, I recommend that a motion be made to go into Closed Session for the purposes indicated."

Ronning made a motion to go into Closed Session at 8:35 p.m. for the purposes indicated by Attorney Vierling. Koller seconded. All in favor, motion carries unanimously.

Reconvene
Open Session

Vierling, “For the benefit of the public and for the record, we note that the Council is coming back into Open Session after having completed a Closed Session under Minnesota Statute 13D.05, conducting part of a performance review as requested by the City Administrator. For the benefit of the public, you should note that all members of the City Council were present with the exception of Councilperson Moegerle who was absent tonight. City Administrator Jack Davis was present as well as myself as City Attorney. Council requested that our office receive their reports that the City Administrator asked them to fill out so that we can tabulate and collate those responses and return them to the Council and to the Administrator for their review.

Council also then conducted a review of private, nonpublic records under the same Statute that have to be reviewed in Closed Session. During the entirety of the Closed Session, the Council did not take any formal votes and no formal motions were made.

With that being said Mr. Mayor, that is the report and summary for the benefit of the record as is required by Law.”

10.0
Adjourn

Ronning made a motion to adjourn at 9:10 p.m. Harrington seconded. All in favor, motion carries unanimously.

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial, Inc.