

EAST BETHEL CITY COUNCIL MEETING

JULY 16, 2014

The East Bethel City Council met on July 16, 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
 Mark Vierling, City Attorney
 Mark DuCharme, Fire Chief
 Craig Jochum, City Engineer

1.0 Call to Order The July 16, 2014 City Council meeting was called to order by Mayor DeRoche at 7:30 p.m.

2.0 Pledge of Allegiance The Pledge of Allegiance was recited.

3.0 Adopt Agenda **Harrington made a motion to adopt the July 16, 2014 City Council agenda. Moegerle seconded. All in favor, motion carries unanimously.**

4.0 Presentation Davis, "We had a hearing scheduled for tonight for an issue with a potentially dangerous dog. In contact with the owner and the complainant, the owner has indicated that the dog was placed in an animal rescue. I informed the owner that if they can provide documentation for that, then we could recommend that this be dismissed. Without that documentation, it would be my recommendation we table this until the next meeting."

4.0A. Dangerous Dog Hearing
DeRoche made a motion to table consideration of the Dangerous Dog Hearing to the August 6, 2014 City Council meeting, pending documentation that the potentially dangerous dog owned by Gayle Murphy, 814 South Lakeshore Drive NE, Wyoming, MN 55092, has been placed in an animal rescue. Moegerle seconded. All in favor, motion carries unanimously.

4.0B Sheriff's Report Commander Shelly Orlando presented the June 2014 Sheriff's Report.

DWI's: There were three DWI arrests in June. Two arrests were the result of driving conduct. One suspect was driving at 91 mph in a 65 mph zone. This suspect refused to take the test, resulting in a gross misdemeanor test refusal charge as well as the DWI charge. The third arrest was the result of driving conduct being called in. The male driver failed field sobriety tests and tested at a .11 blood alcohol content (bac).

Thefts: There were 19 theft reports. Three reports were for financial transaction card fraud. Two incidents involved internet purchases being fraudulently made. One report involved a fraudulent charge to a realty company. There were five gas no pays. Two were resolved. Three are inactive due to lack of suspect or vehicle information. There was one reported identity theft. This involved a fraudulent tax return being filed. Three reports involved the theft of license plates, and we do see a rise in those when gas prices start to go up. Typically, one license plate is stolen off your vehicle, either the front or the back. So, just be aware if you are parking out in your driveway or out in a business. Walk around your vehicle before you get back in. One victim became aware of his license plate being

4.0B

stolen after receiving a letter regarding a gas drive off. He then noticed he was missing one of his license plates. There was a theft of a bicycle from a garage, a theft of prescription medicine, and two reports of cell phones being taken from a party. There was one report of copper tubing and wiring being taken from a house under construction.

Burglaries: There were four reports of burglary. One report involved a home that was entered with no forced entry. No items were missing from the home but a potted plant had been tipped over and dirt spread throughout the home. The victim suspected an acquaintance of hers. The second report involved the victim's grandson breaking into his locked room and taking items, as well as taking and forging a check to gain money. The suspect confessed to doing these things as he is addicted to heroin and was trying to get money. On June 19th, a male came to the Sheriff's Office to report a burglary/vehicle theft from September 2013. The male reported that he had been in a crash and hospitalized for two months. The male stated he had several thousand dollars of high-end electronics property stolen from his house. The vehicle he tried to report as stolen did not register to him so he was not able to report that as stolen. The last report involved a juvenile male who was left home for the weekend, while his parents went out of town. When the parents came home, they found several items taken from their residence and damage. The son reported having parties on Friday and Saturday night with a lot of people he did not know. Coin cases were taken out and emptied of their contents. Paint was opened and walked through in the garage, leading into the home. The case is pending any suspect information.

Damage to Property: There were five reports of damage to property. One report involved a home that is in foreclosure having eight windows broken by someone throwing rocks. There are no suspects. One report involved a mailbox being smashed. The homeowner heard what she thought were shots and it turned out to be her mailbox being struck. One report involved water being put into a mail drop slot in a building. The mail that had been placed there was wet. Juveniles were suspected. The other two reports involved damage to homes that were reported under the burglary category.

5th Degree Controlled Substance: There was one arrest for 5th degree controlled substance. The arrest was a result of a traffic stop on a vehicle that had left a residence known for narcotics activity. The male passenger had a warrant for his arrest and during a search, a baggie containing a white powdery substance was located on his person. The substance did test positive for methamphetamine. A pipe was also located in the vehicle.

Disorderly Conduct: There was one arrest for disorderly conduct that was the result of a property damage crash. A male attempting to pass four cars and a school bus on Viking Boulevard ended up striking the school bus on the driver's side. The male then got out of his vehicle and began hitting the bus, yelling, and swearing. The school bus was filled with children. No one was injured. The male did not have a valid driver's license or insurance. The male was charged with disorderly conduct, driving after suspension, illegally passing, and driving without insurance.

Fatal Crash: Deputies were called to a crash on Highway 65 at 237th Avenue. A male traveling northbound fell asleep while driving and struck a commercial vehicle that was stopped waiting to turn westbound. The vehicle then spun around and struck another vehicle. The male driver suffered critical injuries and died at the hospital. The male's wife suffered minor injuries.

one for burglary. We had 13 misdemeanor arrests, one incident resulted in a damage to property, possession of stolen checks, possession of hypodermic needle, which was three charges. One incident resulted in a burning prohibited materials and having an unattended fire, which was two charges. There was an additional burning of prohibited materials arrest, one fifth degree assault, one minor consumption, one RV trespass, which is when you take your vehicle and drive it off the road onto somebody's property and you don't have permission to be doing that. Just in case you were wondering what that charge would be. One for disorderly conduct and then one incident that resulted in three charges: possession of a small amount of marijuana; possession of drug paraphernalia; and, possession a dangerous weapon, which happened to be brass knuckles.

Moegerle, "I have a question, Shelly." Orlando, "Okay." Moegerle, "You said that there were 13 misdemeanors and then you listed out things including possession, burning permits, minor consumptions. Was that an itemization of those misdemeanors? Or, were those in addition to the misdemeanors?" Orlando, "That was an itemization of the misdemeanor arrests." Moegerle, "Okay."

Moegerle, "When we get to the point where we have budget review, I think I've asked this question every year. Of those cases where we have thefts and those kinds of things, what percentage of those cases result in closure through charges being filed?" Orlando, "Well, all of the arrests that take place typically are charges. If it's a misdemeanor, a citation is issued." Moegerle, "Sure, but when there is a report, somebody, I have a B&E, how many of those reports of a crime turn around and result in charges? What's your closure rate on files? Do you know?" Orlando, "That I don't know. We don't track that. A lot of times with something like that, it would depend, obviously, if there is any kind of suspect information or if there is evidence left at the scene to be processed. Like with that juvenile house party, the coin cases were taken to be finger printed and there was some other evidence that was collected in hopes of gaining suspect information that way. That's not really something that we track or that would even be easy to track."

Moegerle, "How many of these things are getting resolved and people are serving their time?" Orlando, "once we do our portion of it and then turn it over to the City Attorney or County Attorney, that's pretty much the end of our involvement of knowing what happens with it. Obviously, if it goes to trial then the Deputies go in to testify, or things of that nature, but we typically don't know the ending result of, say if they were charged with three different counts or charges, we don't know if they do a plea agreement where they plead guilty to one and they dismiss the other two, or what that final end result is."

Moegerle, "Right, and I'm really interested in those end results. So far, I've come up against a blank wall on that in a variety of different ways. But, I think that residents are very interested in that kind of knowledge because they feel more secure, 'Oh, gee, they've got this guy.' You brought up about the party. Is that where the medication was stolen?" Orlando, "No, that was a completely different, the medication one was a gal who thought her acquaintance had taken medication from her."

Moegerle, "The other thing is that you sent me an e-mail, may have gone through Jack, with regard to the trending down of the number of crimes. I think in 2005 there were 6,100 reports and for last year, it was down to 4,438." Orlando, "The calls for service?" Moegerle, "Yes, the calls for service. So, that's very encouraging news." Orlando, "Yes, that is significant decrease." Moegerle, "Yes, nearly 30%. I think that is reassuring for all of the residents. Thank you." Orlando, "That's the result of having more Deputies visible

and deterring. Unfortunately, that's something that you can't really measure, like, 'Did you not commit a burglary because you saw a squad down the road?' You know, that's something that's very difficult to measure."

Moegerle, "It's a nice trend." Orlando, "Yes, and it's a good trend to have. Yes, we hope to continue." Moegerle, "Very good, thank you."

DeRoche, "Shelly, just a quick question." Orlando, "Yes." DeRoche, "How many police departments do you suppose even bother to track things? If it's like a paramedic trying to track a patient they pick up. They just don't. They go out, they do their job, and they move on to the next one. Isn't that pretty much the way it is?" Orlando, "I don't know if maybe Mark would be a better one to answer how to track it."

DeRoche, "I'm not interested in tracking it. If you guys do your thing and it's turned over to them, I don't see why the Sheriff's Department should be busy tracking what happens to what. You're out trying to get the next one." Orlando, "I don't really have a good answer for that. I know that with some cases we do get, with some of the felony cases or where evidence is being held, we will get a disposition that this was, you know, 'He pled guilty and this was his sentence and you can dispose of any evidence.' We do get those kinds of things but those are on an individual case-by-case basis."

DeRoche, "Can we get the legal opinion first?" Vierling, "Well, it's going to be very difficult to track because they don't go in one direction. Once the Sheriff does their report, as the officer indicated, it could go to the County Attorney, it could go to the City Attorney, it could go to the Court Administrator. The person could come to the window and try to pay a fine, which would involve neither legal department of the County or of the City." Orlando, "Right."

Moegerle, "I understand that and what happens is that with all of the criminal procedurals on TV, everyone wonders. 'Well, does Anoka County have cold cases?' So, it's derived from that." Orlando, "Yes, we do have cold cases."

Moegerle, "Is it from the B&E that occurred in East Bethel on such and such a day?" So, it's a question that comes up from time-to-time because people just wonder after they see those procedurals." Orlando, "Sure."

Moegerle, "It's an interesting statistic for them to know." Orlando, "Right," Moegerle, "I appreciate it is difficult for a Sheriff to do that. But, I'm sure you know where your cold cases are and those kinds of things."

Ronning, "If an officer is involved with something like that, unless they report to court to be available to testify or to testify, would there be any follow up of any kind?" Orlando, "No, not once it's...you know if it's the initial arrest is made, or..." Ronning, "Your part's done." Orlando, "Yeah, once our part's done we're pretty much done with the majority of whatever we've handled." Ronning, "Thank you."

DeRoche, "Thanks Shelly." Orlando, "Thank you."

**5.0
Public
Forum**

Denise Lachinski, 22286 Vermillion Street, "I'm here to talk about our favorite time of the year, East Bethel Booster Days. The 'weather gods' have been on our side, I put our order in right, it's going to be 80 and sunny on Saturday. Friday night there's not supposed to be

East Bethel
Booster Days

any rain. Our movie in the park for Friday night is, 'The Lego Movie.' The East Bethel Fire Department Explorers are going to do a water ball event so that should be a good time. Saturday, we've got our turtle races. We've got 22 turtles recruited and there will be a dollar charge per race this year, per person racing because there was food purchased to keep these turtles going. And, then, they will be released after the races. We've got a karate association coming in to do a live demonstration. Tribute for the Troops contacted me today. They'd like to do a little booth and hand out some information. They've got a motorcycle they are raffling off for some troops' child's education, that's what they use the donations for.

Of course, we've got our big parade. The kiddy parade is before the parade. We've got the 5k, the 1k, Dan Dobbs working on our car show, a vintage snowmobile show with people coming all the way from Duluth to attend. We've got vendors, food, Minnesota Fresh is going to be doing a farmer's market on Saturday. So, we're looking forward to it. I don't think you guys will have any questions. You'll all be there, I'm sure, at some point.

The dance, we have 'Uncle Chunk' coming in to do the music. Once again, the Lions will be doing the beer and plenty of people are going to be attending. The community has been good to us this year. We have been hearing some good things. We got a lot of large donations this year from a couple of, the Lions Clubs and also the Ham Lake Chamber have given us a huge donation this year to keep us going. So, we are really looking forward to it.

The East Bethel Chamber will also be having a golf tournament on Friday. I don't know if they are still accepting teams or not, but they were trying to get some." Harrington, "Yes, there are still openings."

Lachinski, "So, they will be at Viking Meadows. Even if you don't want to be part of a team, I think they are looking for sponsors for holes and also this year they want people to come out and enjoy the day. So, that's what we've got going this year at East Bethel Booster Days. So, I hope everyone can attend and like I said, it's going to be a beautiful day."

DeRoche, "Great, it sounds like a good time." Lachinski, "So, we look forward to seeing you all there." Moegerle, "Thank you for your work." DeRoche, "Thanks Denise."

Route 65
Update on
Tent Sale

Brad Slawson, Route 65, 18407 Highway 65 NE, "I was approved for a permit about a month ago for a tent sale at my discount liquor store and a permit at Route 65, at the restaurant, for bands. I just wanted to give a report on how it went. The tent sale at the liquor store went great. Our goals were to attract some new customers and we did just that. There was a lot of traffic from Andover, we heard from Ham Lake, from Centennial, from way up north. So although there were some people in the store to just see the store, it was a good event for us. I was very pleased with it.

At the bar and restaurant, we had a band called 'Good for Gary' on Friday. I'd say at about 11 p.m. that night, 80% of the customers that were still there were all first-time customers. So, for us, that was a nice change of venue and there wasn't any problems there, that night, with the new faces. Saturday was a band called 'Austin Healy.' Some of you may have heard of that band, it's a band that has been around for a lot of years. There was a nice turnout there as well. Sunday we had our bike show. It went from 11 a.m. to 3 p.m. and the band started at 1 p.m. that day.

Route 65
Update on

So, all in all, the weather was great, there were no problems, there were no issues. There was just a great event. If you drove past, you saw that we were pretty full for three days. If I had a tent party every weekend, I can pay for the sewer and water.” Moegerle, “That’s a persuasive argument.” Slawson, “Right.

Slawson, “So, it was a great event. I do know that the Sheriff’s [Deputies] stopped out on Friday. They were just in the area and wanted to see how it was going. It was good to have them there. They did say that they had two calls on Friday that it got noisy. Saturday night they had a few calls too, they said. Our goal isn’t to disrupt people’s lives at home, and that’s why we are trying real hard to have just one a year. That way, if they do get phone calls, it is one time a year. We try to do it where we’re not disrupting everyone’s lives at home. If you did get some calls on that, we apologize for that but heard that it was just a few calls. I live two miles away and my wife said that she could hear it on Friday night but not on Saturday. So, maybe it’s the wind directions. Either way, it was a great weekend and hopefully everyone can understand that we tried to, we don’t ask for tent parties all the time to disrupt the Council and the Sheriff’s Department. It was a great event, though.

I just wanted to show up here and say, “Thank you.’ I put in for a permit, you said ‘yes’ to it, and as a result we got some new customers and faces. It helps the whole process work. My message is, “Thank you and I appreciate it.”

Moegerle, “Thank you.” Ronning, “Thanks for the offer on the sewer and water too.” Koller, “We’ll forward the bill.” Moegerle, “Thanks for the report.” Harrington, “Thanks Brian.”

Property
Compliance at
103 Sims
Road

Steve Eliason, 103 Sims Road NE, “I’ve got a problem with compliance with my property. Nick Schmitz said this is an on-going situation for over two years. It is not. I’ve got documentation here from my lender. I tried to get a reverse mortgage so I can continue with my business of used cars out on the corner of Sims and Highway 65. I keep getting all these little notes that they send over to the City Attorney for prosecution. They came by on the 2nd of July and nothing had been done. Well, I’ve got news for them, it has been done and it’s ready for a re-inspection for about the last month. All I keep getting is these threatening letters from all different sides, through Nick. One of them here says that, ‘It’s been turned over to the City Attorney. Also spoke to the City Administrator upon ordinance violation and it is being pursued as not being resolved as of 7-2 of this year.

All you have to do is come out and look at it and get off my case. This has been going on for two years. I did have a lot of cars there and I did end up going to court and I got a small fine for it. It’s been cleaned up. It started getting back to a point where I was showing my cars there. I’m done with that. I’m all done with that. But, I want to get this reverse mortgage straightened away.”

Property
Compliance at

DeRoche, “Right, I was going to ask you about that. I’m not quite sure, what’s the reverse mortgage and can you kind of...” Eliason, “FHA has involvement in the backing of the mortgage. DeRoche, “Okay.” Eliason, “They have to have the property in compliance, which means the City has got to pass on whatever their ordinances are. My problem is, I had some tires stored there, which are all gone. I had barrels of drain oil there, which are all gone. I had about 30 cars there and I’m down to a minimum number. I’ve got a motor home there that is not moveable. The motor is apart. It’s just small things like that. Nick keeps telling me he’ll work with me but it never happens. Now I get this thing saying that he was out there on the 2nd of July, which he wasn’t or he would have seen. I don’t know

what to do about it.

DeRoche, "I would suggest, Jack?" Davis, "How many cars do you have on your property now?" Eliason, "Do what?" Davis, "How many cars are on your property now?" Eliason, "probably five or seven." Davis, "You can't keep more than five." Eliason, "Right, but two of them are storage facilities. It's a van." Davis, "As far as that, we'll send somebody out for a re-inspection and I would like to add that I think we have tried to work with you and we've been very patient. You have made progress on occasion on cleaning things up and we certainly appreciate that."

Eliason, "I can't hear you." Davis, "I said we have worked with you. This has been a problem for quite a while. You have made progress on certain occasions on getting things cleaned up. We really appreciate that but, you know, to say point blank that the Building Official is not working with you, I don't think that is an accurate statement because..."

Eliason, "Do you think that is fair that you hold my mortgage back because of the fact that I've got a couple extra cars there?" Davis, "If you are not in compliance..." Eliason, "Your ordinance doesn't agree with what the FHA says?" Davis, "If you are not in compliance with the ordinance, that's what we are supposed to uphold. We did refer this matter to the City Attorney because it has been an on-going issue for over a year and a half."

Eliason, "It has been on-going and I've made tremendous progress." Davis, "That's true but you haven't got the issue straightened up yet. And, we will continue to work with you. Like I said, if everything is done, I'll send them out for a re-inspection tomorrow and if everything is fine, then you can get cleared and you'll be good to go."

Eliason, "The inspector wants to come out there to view the property again, not the inspector, but the appraiser for the mortgage wants to come out and look at it again. But he keeps getting told that it's in non-compliance and that there are 30 cars in the driveway. I called the other day and talked with Ronnie Braastad and said that there's...I've still got 50 cars in my driveway. What? I don't know what his problem is, if he's got a vendetta to pick on me or what it is. There's a lot of other people that's got the same, too many cars and junk in their yard. It's not just me. I'm being singled out and I don't appreciate it."

Davis, "I disagree with that. I will have him out there tomorrow to do a re-inspection to see if everything is taken care of. If it is, then we'll notify you immediately either way and we'll continue to work with you to resolve the issue."

Eliason, "So, when is it all going to be covered on this end? Is it going to be re-inspected?"

Davis, "They'll be out there tomorrow." Eliason, "Tomorrow?" Davis, "That's correct."

Eliason, "Okay, sounds good." Davis, "All right. Thank you."

Ronning, "I'd kind of like to know when it is. I would like to go out there as well. His mortgage was turned down, was rejected, because of Nick's communications."

Moegerle, "Jack, it seems to me that, I'm not finding it in the Municipal Code, off hand. Isn't there a requirement that all outdoor stored or parked vehicles have to have an active registration?" Davis, "They have to be licensed, that's correct."

Property

Compliance at

Moegerle, "And doesn't the registration have to be up to date?" Davis, "That's correct."

Moegerle, "Where is that located because I'm not finding it under 'zoning.'" Davis, "Are you looking under motor vehicles?" Moegerle, "No, I'm looking at off-street parking and loading requirements." Vierling, "Look under nuisance."

DeRoche, "Is this something that we can discuss because it's not on the agenda right now." Vierling, "We have an on-going prosecution in place here too. So, Nick is coordinating with our office on the matter. After they do the re-inspection tomorrow, we'll certainly take a look at it. All these pieces have got to come together."

Ronning, "Well, I know we work with people on their problems." Moegerle, "And, we do a good job of it so I'm kind of surprised that there is this concern. But, he did state that some of them were not registered or up-to-date on that, I think, licensed."

Ronning, "I hope we are enforcing that somewhat universally." Davis, "We enforce everything universally and if there is ever an issue, that will be dealt with immediately by me."

DeRoche, "All right, let's move on. We are not going to go down this 'road' right now."

**6.0
Consent
Agenda**

Item A Bills/Claims

Item B Meeting Minutes, June 25, 2014, City Council Special Meeting
Meeting minutes from the June 25, 2014, City Council Special Meeting are attached for your review and approval.

Item C Meeting Minutes, June 25, 2014, City Council Work Meeting
Meeting minutes from the June 25, 2014, City Council Work Meeting are attached for your review and approval.

Item D Meeting Minutes, July 2, 2014, City Council Meeting
Meeting minutes from the July 2, 2014, City Council Meeting are attached for your review and approval.

Item E Approve Andover Raffle, Resolution 2014-21
Staff is recommending that Council adopt Resolution 2014-21 approving the application with no waiting period for Andover Center Ice Club to hold a raffle on Saturday, September 27, 2014.

Item F Resolution 2014-22, Night to Unite
The Council has traditionally adopted a resolution recognizing Night to Unite.

Item G Pay Estimate #2, Lift Station No. 1
Staff is recommending authorization of partial payment of \$255,413.92 to LaTour Construction, Inc. for the Lift Station No. 1 Reconstruction Project.

Item H Pay Estimate #7, Whispering Aspens Castle Towers Forecmain
Staff is recommending authorization of partial payment of \$90,225.78 to LaTour Construction, Inc. for the Castle Towers/Whispering Aspen 2013 Forecmain Project

**6.0
Consent
Agenda**

Item I Recording Secretary One Month Contract Extension
Staff is recommending that Council extend the existing contract for Recording Secretary

of the matter. This average time is based on a minimum of four hours of a Building Officials/Inspector's and Administrative Assistant's time and in certain cases an undetermined amount of the City Administrator's and/or City Planner's time.

Since April 2, 2014, we have received 40 complaints of Code violations, which have required 59 hours of inspection and report time. A minimum of 30 re-inspections will be needed to resolve these violations.

Since August 2012, we have investigated 136 Code complaints and have resolved 56, or 41% of the total. Of the 136 complaints, 16 were, upon investigation, found to involve no Code violations and 4 citations have been issued or are pending. The 60 remaining cases are in varying phases of completion as the City is attempting to work with the property owners to rectify these matters.

The number of complaints between August 2012 and the end of March 2014 was 96 or an average of 4.8 per month. The number from April 2014 to June 2014 was 40, or an average of 13.3 per month. We will continue to monitor the increases of reports of Code violations to determine if this recent increase is an anomaly or is an emerging pattern of concerns for unkempt properties.

Davis, "In your packet, attached, is the report of all Code violations that have occurred since August 2012. Those highlighted in yellow are the ones that have occurred since April 2 and there is a list in there. We have redacted the addresses so that those are kept private at this time. If you have any questions on any of them, I'll be glad to attempt to answer those."

Moegerle, "I have a question on the very first page because I called you and said, 'What does the highlighted information mean?' You explained to me that those have occurred this year. The highlighted report for Quincy Street, that shows date of first inspection as October 23, 2012, I don't see that it was reported in 2014. I went through and there are quite a few that don't seem to have been initiated in 2014. I was wondering if maybe you want to refine what that means. I'm looking at Page 3, there's still, in 2013. On Page 4, they start with complaints starting in 2014. I'm sure it's highlighted for, because they are important. And, some of them in 2014 are not highlighted. So, I was puzzled." Davis, "I'm not sure. I would have to look at that again. But, they were supposed to denote those that were instituted after April 2, 2014. But, I see there are a few prior to that."

DeRoche, "Well, is this something that we could do in a Workshop? Just kind of go over them and try and have Nick there and whoever else is involved with Code violations? And, just say what are we doing, what's going on? Anybody else got any ideas? Ron?"

Moegerle, "Frankly, I think this is something that should be resolved in a Regular Meeting, or discussed in a Regular Meeting. The fact that this came up on the agenda this time is kind of coincidental because I got a report from a resident who was very concerned that Councilmembers and City employees were 'patrolling,' looking for violations. I was asked, 'Is this what happens? Is this true and I said, 'Well, you know what you saw. I don't know what you saw, but that's not how violations are handled. That's not how they are reported and Councilmember's 'patrolling' is really not within our responsibility or jurisdiction.' So, I think it would be helpful for Jack to explain to the residents now, how violations are reported, how they are investigated, who reports, and so forth. I think that would go a long way."

Ronning, "I would like to make a comment on that. Unless there is some better information to come out on that, I have strongly objected to this type of 'insult' of the entire Council. If you want to campaign, get some banners and go outside."

Moegerle, "No, you know, this is not a campaign. This is a..." Ronning, "We asked for this information and we have it." Moegerle, "Residents have this question. They are..." Ronning, "Who?" Moegerle, "I will tell you." Ronning, "How many?" Moegerle, "One. When residents call me with this question, I bring them up here so they can be resolved because I just don't think that one resident would have this question. And, since it is, I don't think that this has happened. I think it is a perfect time for Jack to 'clear the air' so people understand that does not happen. I don't believe it happens."

DeRoche, "All right, I received...hey Tom, Heidi." Moegerle, "Because residents believe it happens and we don't want that kind of rumor to grow and become a real problem."

DeRoche, "All right, I received a call from staff yesterday with that concern because they were driving around with Kate from Anoka County doing the parts for the CDBG (Community Development Block Grant) funds and their concern was, 'Don't be surprised if you get calls because we're going to be out in the neighborhood driving around.' If that's the case, then the residents do need to know that. If you're going to make accusations that people are 'patrolling,' which you have directed at me in the past, then you need to have some better facts behind you."

Moegerle, "I follow Mr. Vierling's advice and I repeated what was said to me by a person that said, 'I believe this happened and is this true.' You have just supplied the information to say that there was kind of a 'patrol' but it was in..." DeRoche, "No, it was not a 'patrol.' Moegerle, "...by Anoka County with regard to the grant." DeRoche, "No, no, no, no." Moegerle, "It just goes to show..." DeRoche, "You know what..." Moegerle, "There is a little bit of truth in this and it's time to clarify it."

DeRoche, "Yes, absolutely. You call a staff person and an Anoka County representative going around talking to people trying to get these grants filled out as 'patrolling,' then that's a real issue. That is an issue."

Moegerle, "You know what, no, it's not because I'm repeating what was reported to me and I said that very clearly in the preface to my argument that this is what was reported to me. I didn't see this."

Ronning, "If I was approached like that, I wouldn't use this avenue. I would do it a little more quietly and a little more, I would ask some questions before throwing an accusation out." Koller, "What would you have done?"

Moegerle, "I didn't, I did not make any..." Ronning, "What would you do Tim?" Moegerle, "I did not make any accusations, I asked staff to clarify what happens."

DeRoche, "All right, Heidi, you've had more than enough time, let someone else speak. What would you do Tim?" Harrington, "As far as?" DeRoche, "In this situation, would you be a little more discrete or would you just bring it to Council?" Harrington, "I would be more discrete. I'd get more information."

DeRoche, "Ron?" Koller, "I would probably be more discrete."

Moegerle, "Again, my view is to put an end to gossip."

DeRoche, "Jack, can you explain, now, please, the process for the residents to call in, what kind of happens?" Davis, "City staff does not go out and look for Code violations. Number one, we don't have the time nor the resources to do so. Code violations are complaint driven. The only time we go out for Code violations is when we receive a call from a resident or, if somebody does drive by and see, in a particular case, somebody's got 30 vehicles parked in their yard, we will stop for that. But, 99% of the things we do are based on call ins. The Building Official, the Building Inspector will go out and investigate the complaint. As I said previously, sometimes they go out and investigate the complaint and there is no violation. After that's done then the Building Official or Inspector will contact the property owner and inform them of what violation there is and give them a certain compliance time to get the matter cleared up and also tell them that we'll work with them and be very understanding in their problem. You know, sometimes the time of year is going to dictate too on what we can do. If somebody has a Code violation, it occurs in November, we'll be particularly sensitive to that because there is going to be weather issues. It may prevent them from doing anything until Spring. Again, we're not here to act as the 'Gestapo' on this. We're going to work with people and be very understanding of their situations. As long as they are willing to work and make progress in the situation, we're going to work with them."

Moegerle, "Thank you. That is exactly the answer I expected. I think that will allay the fears of a lot of residents."

DeRoche, "Anyone else have any comments they'd like to put in?"

Harrington, "I've driven through the Beach over there but I've been looking at the playground equipment, things like that. So if they've seen that, I'm just looking at the equipment. But, I have driven through a couple times."

Moegerle, "And, I drove down Jackson Street and talked to a couple people as well. But, you know, the way that the complaint was said to me with the 'patrolling' aspect of it, I think that's something we need to squelch right away. It's our duty to go and look at these things, absolutely."

Ronning, "Did you ask what kind of vehicle they were driving?" Moegerle, "Yes." Ronning, "What was it?" Moegerle, "I'll say that, I'll tell you privately." Ronning, "You will." Moegerle, "Yes, I will." Ronning, "Is it pertinent at all?" Moegerle, "You asked the question." Ronning, "I did ask the question and you're withholding it because it isn't us." Moegerle, "It was a pick-up truck." Ronning, "Well, there are a couple pick-up trucks out there." Moegerle, "Yeah, and the colors were some that they thought it was the Mayor's truck. I said I don't know."

DeRoche, "So what. I drive around the neighborhood every day." Moegerle, "Okay." Ronning, "He lives there." DeRoche, "That's where I live." Moegerle, "Well, you know what? I can only tell you what I was told." DeRoche, "Yeah, well." Moegerle, "And people, the reporter was a very nervous person."

8.0A.1
Code
Enforcement

DeRoche, "You know what, enough of the campaigning. We're done with this subject. All

you're doing is putting things out there that you're not validating. Sorry about that, but..." Moegerle, "I will tell you privately who it was because you yourself said we don't use names up here."

Ronning, "I do respect that. I don't expect you to say that but I will ask the question. You'd do the same thing." Moegerle, "I'll send it to you right now."

8.0B
Engineer

None.

8.0C
City Attorney

None.

8.0D
Finance
8.0D.1
2015 Budget
Discussion

Davis presented the staff report, indicating Council and Staff met on July 9, 2014, for a Work Meeting to discuss the 2015 proposed budget. Staff presented the overall 2015 budget and levy. Each department was represented by their respective department heads to answer any questions from the Council.

The goals and objectives that were set during this budget process included maintaining the current level of City services, maintaining an adequate General Fund Balance, maintaining transfers to the Capital Project Funds, and funding the Debt Service Levies that ensures current and future needs are met.

The City General Fund and Debt Service Funds are proposed to increase from \$5,126,950 to \$5,175,600 or a 0.9% increase. The EDA levy is proposed to remain the same as the 2014 level, which was \$123,022. The preliminary budget / levy is set to be approved at the September 3, 2014, Council meeting for submission to Anoka County. It is important to note that the preliminary levy will then be the maximum levy for 2015 and no further increases can be considered for the Final Levy, which will be submitted to Council for approval on December 3, 2014.

Davis, "Staff is recommending that Council consider confirming the proposed 2015 Budget Levy as their Preliminary 2015 Budget or provide direction to staff as to budget modifications."

Moegerle motioned to confirm the proposed 2015 Budget Levy as the Preliminary 2015 Budget Levy. Harrington seconded for discussion.

8.0D.1
2015 Budget
Discussion

DeRoche, "Well, my comments would be I did a lot of calling around to different cities and looked at different things, I still have issues with this \$43,000 in Contingency for the EDA. I think if the EDA needs money, they can come to the Council. But, to just have it there in Contingency doesn't make any sense. I checked Oak Grove, I checked Ham Lake, I checked Forest Lake, I checked Blaine. None of them have it so why do we need \$43,000 in Contingency?" Davis, "My recommendation would be to leave that because we have a different and unique set of situations than those cities do. Also, we're going to be in a position where we may get requests to do certain special projects or activities to recruit or retain new business. One of the things that we've discussed recently is trying to see what we can do about getting a redetermination of some of our flood plain maps, which would require some expenditure and some potential survey work. This could be something that we could use to pay for that. It will also be very valuable if we get a prospect or a project in here and get them started and find out, all of a sudden, from the Corps of Engineers, 'It's going to take us two years to give you a permit' and they say, 'We're going to go

somewhere else.’ So, hopefully, if we can get some things done like that to get some information straightened up beforehand, it will certainly help us in our efforts to recruit and retain business. If there’s a concern with the Contingency, and I’m sure there is and I understand there is a certain matter of perception about that, I would recommend that if you retain it, you could put a cap on this.’ If it rolls over into next year, then we won’t increase it any at all. But, I think it would be advantageous on our part to at least have something there to draw upon should we have the need for it to attract a major prospect, any prospect, or retain an existing business.”

DeRoche, “Well, we already have \$133,000 in the EDA.” Davis, “We do but most of that is designated for a transfer to the General Fund to support staff’s salaries for EDA activities.” DeRoche, “I, my personal opinion, I don’t think it’s a good idea to have \$43,000 in Contingency.”

Moegerle, “My personal opinion with regard to this is that while the EDA budget is associated with the Economic Development Authority, as a practical matter, this Council retains the right of approval on spending of those dollars. So, you know, the statement to that, ‘We don’t want them to spend that money.’ Well, there is no ‘them.’ The spenders of those dollars, if at all, is this Council. So, it’s not like there is a ‘throttle’ on the spending. That ‘throttle’ is in our ‘hands.’ If we’re going to argue about spending as if it’s uncontrolled, then we need to look at this Council. We have the ability to control that and respond to needs and requests of businesses coming to the City.”

Ronning, “I’m like this. With regard to the approval by the Council, probably 99.9999% of the time, we approve money that’s already been spent. Not future money. So, I don’t have an opinion one way or the other but I don’t see how we’re going to be able to say that none of this is going to be spent until we say so. We approve stuff after the fact.”

Moegerle, “Jack, would you address that please?” Davis, “You’re correct in a certain part of that Tom. We approve those things that have been budgeted for, line items for operation and maintenance in departments. For any project or services, we always bring that to the Council for approval and that would be one of those things that would have to come before you before we expended any dollars. Also, because of the sensitive nature of the budget of this department, we would never expend anything without Council approval. I wouldn’t even order a box of pencils without bringing it before you.”

Moegerle, “And, we have not done that.” Ronning, “If that’s the case, I stand corrected.” Moegerle, “And, we have not done that.” DeRoche, “Ms. Moegerle, will you let other people talk?” Moegerle, “Nobody was speaking when I...” DeRoche, “Jack finished, Tom was trying to talk and...”

Ronning, “I just say, Jack, if that’s the case, I stand corrected. I’m in error.” Davis, “I would have no objection if you wanted to make it policy that any EDA expenditures, whether it was a dime or a thousand dollars, come before the Council for approval.”

Moegerle, “Hasn’t that been, in fact, what’s happened though?” Davis, “The monies that we have spent, all of them have been approved before Council prior to contracting for services.”

8.0D.1
2015 Budget
Discussion

DeRoche, “But if that’s the case, then why do you need the money in the Contingency? If the EDA is going to come before the Council anyway and ask for the money, then why do

you need it in the Contingency?" Davis, "You could roll it over into the General Fund."

DeRoche, "Which would make more sense but then what would that put the EDA budget at?" Davis, "That would cut it to approximately \$80,000. The only issue with that is the EDA is a separate levy. So, if you reduce that levy and you find out you need to increase it in the future for some reason, whatever it is, it is much harder to do, to add that addition back in. But, again, I would recommend that you consider, and this is something you don't have to decide tonight, I mean this budget can be adjusted downward until we approve the Final in December. As a starting point, that we do keep a certain amount, whatever it is, whatever you feel comfortable with, as a Contingency in the EDA budget. Put a 'cap' on it to say, 'we won't exceed this unless we approve raising it.' If it rolls over next year and we don't spend any of it, then we'll reduce the next year's budget appropriately. If you want to make certain that any expenditures, no matter what they are, be brought to Council before anything is contracted or purchased, we can add that in there also."

Moegerle, "That's an excellent idea."

Ronning, "It seems very inefficient to have to do that all the time. The point I was making is that we don't always, most of the money that comes through here is already spent." Davis, "That's true but it's essentially for different purposes. It's for budgeted items that you've already approved. A Contingency is something that would be only specific upon the time of purchase and that way you would need to approve the whole thing." Ronning, "The Contingency is contingent on the contingents." Davis, "That's true."

Ronning, "Being the second year with this budget stuff, that just makes me a second year rookie. Last year we were into this until the end of September, was it? Or, October?" Davis, "Well, we had several meetings before our Preliminary Budget approval and then we discussed bits and pieces of it until the Final Budget approval in December."

Ronning, "As we are discussing this, this is by no way a 'done deal' to just go to December? If there's no approval, there's no action." Davis, "No, we don't have to do anything at all tonight. What we would like, if you want to give us some direction to go back and look at things, we can do that and have another meeting. Or, if you like what's been presented to you, we can say this is the Preliminary Budget and unless somebody comes up with some changes before September 3, then this is what we'll consider presenting to the County."

DeRoche, "Other than the EDA Contingency, I didn't have any issues. I know there were some comments made about Police and Fire before, but I think if people do some digging around, we're getting the best 'bang for the buck' here. You just can't cut it."

Moegerle, "Well, I'll reserve comment."

Ronning, "There is a motion on the table. The second was described as for discussion purposes." DeRoche, "Well, if we're not going to do anything with it, then why make a motion to accept it?" Ronning, "The motion is still there." Vierling, "The motion is to allow it as the Preliminary Levy. Now remember, as these levies go forward Council, you can always reduce them, you just cannot increase them."

8.0D.1
2015 Budget
Discussion

Moegerle, "Right. That sends a strong message that, a good sign on the future levy." Ronning, "Would you phrase, for clarification, would you phrase that as we recognize this

as the Preliminary?”

Moegerle, “I used the exact terms taken from the Council, or, I’m sorry, the staff recommendation to, I made a motion to confirm the Proposed 2015 Budget Levy as the Preliminary 2015 Budget Levy. So, that covers that, I believe. And, the affect of that is we can’t raise the Levy from this amount.”

Ronning, “Oh, is it?” Moegerle, “No, we can’t.” Davis, “We can until September 3. Once the Preliminary Levy is passed, we cannot increase it any further but we can decrease it.” DeRoche, “Right, in September.” Davis, “Yeah.”

Ronning, “What’s the ‘lock date’ on action in either direction? More or less?” Davis, “The ‘lock date,’ and I think the deadline for submission to the County is September 15. Although this year, I think it’s been pushed back to September 30. I don’t see any point in deliberating past the 3rd. We have a meeting on the 3rd and the 17th. If everybody is confident that we’re in good shape on the 3rd, we just ought to go ahead and pass the Preliminary Levy on the 3rd. On the Final Levy, the date due from the County is actually, probably December 30th. Traditionally, we’ve always done that the first meeting in December. Last year, we had some considerations about carrying it forward. But, we should be able to reach our Preliminary and Final by that September 3rd and December 3rd goals, in my opinion.”

DeRoche, “I would recommend taking the Contingency and putting it into the General Fund. That’s what he said, right?” Davis, “Well, my recommendation is to leave it in the Contingency but put a ‘cap’ on it.”

Harrington, “Could we reduce that \$43,000? Then put a ‘cap’ on it of whatever amount?” Davis, “Whatever amount.”

DeRoche, “What’s Mike’s thoughts on that? I mean, he’s the Accountant.” Davis, “Well, this really isn’t an accounting question. This is more of a policy question.”

DeRoche, “Well, I don’t know. The question in my mind, why doesn’t any other city do a Contingency?” Davis, “Again, the only answer I would have to that is we are in a little more unique position than they are. You know, each city is different. Again, we don’t have to do the Contingency. If there’s things you want to keep some extra, or just take it from the General Fund should something come up. Sometimes, it is much more difficult to take it from the General Fund. If it’s already in the EDA budget, when you need something, if something comes up, it’s already ‘earmarked’ for that purpose. For the General Fund, it’s ‘earmarked’ for a multitude of uses and it may be that somebody may have issues with taking money from the General Fund for a certain project.”

DeRoche, “Well, I guess in light of what I saw happen prior to coming in to this office and the way some of the decisions were, the political climate can change at any time. And, if it does, that’s just my concern. There’s four other people here.” Davis, “And I appreciate all those and they’re all legitimate. Sometimes it’s just a matter of what you want to call it or where you want to put it. It’s my opinion that it may be better left there. But, again, I just make the recommendations and you do the vote.”

8.0D.1
2015 Budget
Discussion

Koller, “I wouldn’t have a problem leaving the money there. It’s still under the control of the Council so it can’t be spent without our approval.”

Moegerle, “We’re in a really unique situation where we’re trying to get businesses here. If we have to use that money to secure a major business, it’s better to have it than to get a loan from the General Fund and then do the shifting of monies later. I’d rather have that buffer that lets this Council welcome in a new businesses if it has to give some kind of incentive or whatever. There are so many potential ways that the money could be used. I think it just provides us extra options that we need at this time.”

Ronning, “Mr. Vierling, would it be fair to say that we’ve kind of ‘beat this to death’ and we can talk about this as many times as we want in the future?” Vierling, “I think the Council, if you find value in the discussion, certainly that’s fine I think, in many respects. Your total budget line item is going to be the same whether you have it there or someplace else. It’s a good discussion for your purposes in terms of what you want to do. Some people would say it’s a difference without a distinction. You can certainly call it where you will.” Ronning, “Yes, thank you.”

DeRoche, “That being said, I call the question.”

Harrington, Koller, Moegerle, and Ronning-Aye; DeRoche-Nay, motion carries.

8.0E
Public Works

None.

8.0F
Fire
Department
8.0F.1
June Report

DuCharme, “Good evening Council, Mayor. Tonight I’ll go over the, excuse my pager, my firefighters are talking. Tonight I’ll go over the June 2014 report. Actually, as far as fire goes, it was a rather busy month for our Fire Department.

On June 30th, I think I reported this last week also at our budget Workshop, we had a pole barn fire. Unfortunately, the pole barn was a total loss. About \$30,000 in building and probably about \$70,000 in contents, is what we’re estimating. That fire was actually started, we believe, by the property owner’s son doing some cutting on some metals and some sparks actually got into some combustibles and started that fire. Actually, we were at three or four other fires on a Mutual Aid-type situation. The most serious was in Oak Grove where a structure was a total loss. We had one other fire in East Bethel, which was a shed fire, about 10’ by 20’ shed. Probably had a loss of about \$20,000 in building and contents there.

A couple other fire calls that would be worth noting. We did go out on what I call a hazardous materials investigation and it was reported of possible dumping of meth lab materials. Although taking a look through it, we didn’t think that it necessarily was that of a meth lab.

We had one serious accident with a motorcycle crash that we actually air lifted one patient out. As far as I know, the injuries were non-life threatening. In the month of June, we had a total of 46 calls and 24 of those were medicals. Of those 24 medical calls, 21 of those were actually patients that were transported to the hospital. We continue our inspections of buildings. We did get through six of them in June.

8.0F.1
June Report

Then, of course, the Fire Department is, as Ms. Lachinski stated, working on the Booster Day Celebration this weekend. Starting Friday for us, Friday evening, we’ll have the

Explorers out there. They are going to challenge Bethel Fire Department in a water ball contest. I think Linwood might show up also. Are there any questions?"

Ronning, "One of these fires involved a guy that had a couple GTOs or something?" DuCharme, "Yeah." Ronning, "Which one was that?" DuCharme, "That was the pole barn fire. He had two GTOs inside the pole barn that he was working in." Ronning, "And they were good and now they're gone?" DuCharme, "They were going to be good and now they're gone. I think they were works in progress." Ronning, "What street was that on?" DuCharme, "Durant."

DeRoche, "I guess I'd like to sit down with you and kind of chat about, I watched the Oak Grove Council meeting regarding the fire that went on." DuCharme, "Yes. I actually attended the Oak Grove Council meeting this past Monday night. Is that the one you are talking about?" DeRoche, "Right." DuCharme, "And, neighboring Chiefs did help out the Oak Grove Chief as far as information to present and things like that."

DeRoche, "There's just some things that I saw that I'd like to 'bounce' off you. Listening to some of the residents, I don't think they really understand that all the cities around here are volunteer fire fighters. Unfortunately, the media didn't put out everything that really happened." DuCharme, "No and it was sad that Channel 5 reported that there might have been a jurisdictional issue, which was totally false."

DeRoche, "And, I guess, one thing that I did get out of it was the Deputies did, in fact, kick out the doors and the windows in the hope that maybe if someone or something was in there, it could get out." DuCharme, "Exactly. And in talking to the Deputies, when they went to the back of that house, and this house was totally engulfed in fire when the fire units showed up, when the Deputies went to the back of the house and kicked in that door, they were calling for the dogs. There were four dogs in the structure that, unfortunately and sadly, did not make it but they did call for the dogs. They could hear the dogs, but they couldn't get to the dogs."

DeRoche, "Right. And, I guess I wouldn't have expected them to go in there and look around." DuCharme, "No." DeRoche, "Maybe they have training, maybe they don't, but they sure as heck didn't have the equipment." DuCharme, "Not only that, Mr. Mayor, the Incident Commander had made the decision that was going to be a defensive fire fight from the start." DeRoche, "Right." DuCharme, "Which means there was going to be no one entering that structure until things got under control. That decision was made after everybody was accounted for." DeRoche, "Okay."

DuCharme, "Okay? And, the one thing that gets lost in the story, also, is that second house, the neighbor's house actually caught fire and was burning. That house was saved. They had very, very little smoke damage as far as inside. Now, the outside of the house, the siding, was burnt. But, the firefighters did an excellent job in protecting that exposure." DeRoche, "Right, and another thing I don't think people understand that came up, was the protocols. Certain things that have to happen, I would encourage anyone to watch that Council meeting. If nothing else, just that part because there's a lot of questions that can be answered."

8.0F.1

June Report

DuCharme, "And, I would encourage everybody to watch that second Council meeting that happened Monday night where we actually went through, helped the Fire Chief prepare a presentation. It was unfortunate, very unfortunate. Our residents, hopefully, are getting the

message that when you have a fire in a fireplace or in a fire pit, don't put those ashes in a plastic garbage can, especially right next to a house. We've had this happen in our City also." DeRoche, "Yes." Moegerle, "Yes." DuCharme, "It is just so dangerous."

DeRoche, "Thanks Mark." DuCharme, "No problem, thank you." Moegerle, "Very good, thank you." Harrington, "Thanks Mark."

8.0G
City
Administrator

None.

9.0 Other
9.0A
Staff Reports

Davis, "The Anoka County Commissioners are holding their annual tent at the 3M Championship Tournament July 31 through August 3. If anyone wants tickets to their hospitality tent, they will have some agendas and presentations and programs going on that involve economic development activities, let me know and I'll get you registered for that."

9.0B
Council
Report –
Member
Koller

Koller, "Well, not a whole lot there. I attended the Fire Department's meeting Monday and we ended up going out and watching them flush hydrants out. They had a little problem with reaching some of them because of the high water and tall grass. Hopefully, the City took care of some of the grass." Davis, "We can't do anything with the water but the grass issue has been taken care of."

Koller, "There's a couple of them with plenty of water around them. We went to the Booster meeting yesterday and you all heard from Denise. It's this weekend and she put in a lot of work and so did the other people. I think it should be pretty good. The weather's going to be nice. That's about it."

Council
Member
Moegerle

Moegerle, "Thank you. I have quite a few things. Last week, I attended the Upper Rum River Water Management Organization (WMO) meeting. It's the second one I attended. At both of the meetings, a representative from the Board of Water and Soil Resources (BWSR) was there, mainly with regard to the review of the WMO's progress on the March 2007 Plan. The representative of BWSR was diplomatic but not satisfied with the progress that the WMO has been making and, in fact, has suggested that the Upper Rum River WMO disband and, perhaps, join with the Lower Rum River WMO. So, while this is not the final result, it was a cautionary tale, to be diplomatic, and there's much concern that if we don't follow the Plan that the Upper Rum River WMO could be disbanded and be replaced by a District, which is extremely costly, as we were advised. So, something to keep in mind. I will be following. Basically, no work was done because I think the long-term members were a bit stunned by that news."

Council
Member
Moegerle

On Friday, I attended the DNR's Northeast Groundwater Advisory Committee meeting. Last year, Minneapolis indicated that it wanted to tack 30 wells into the Mount Simon aquifer as a backup water supply to water that it takes from the Mississippi. It was also organized because of White Bear Lake's problems with its low water levels. This was the first time I attended the meeting and there's some progress to making a plan but what was clear was it's still possible, probable, that, and this comes from Kathy Tingelstad from Anoka County who's attended all the meetings, that Minneapolis will pay for those wells itself as opposed to seeking other monies. Since water seeks its own level and flows downhill, if those wells go on line and not kept as back up, it's going to affect our water resources as well. As a practical matter, the area covered by this Northeast Groundwater Advisory Committee goes to the western border of Columbus. So, that affects people in the Coon Lake Beach area but, again, this was rather arbitrary."

I think that this is going to be something that we really need to follow because as the Twin Cities area increases in population and they need more demand for water, they are going to want to tap those wells. We only have water from lakes and groundwater. So, if they take our groundwater, our wells are going to be deeper. There's lots of consequences, which are costly to us. I think this is another cautionary tale of pay attention to what's going on outside of the City's limits.

I had not been at Coon Lake for the previous two 4th of July celebrations and it was spectacular. If you weren't there, you missed the flotilla out on the lake, fireworks were going off from the lake, fireworks were going off on Lakeshore Drive, and it went on for hours, thousands and thousands of dollars of fireworks. Spectacular. Don't miss it. The boat parade was a great event as well and lots of people got wet and had a great time. The only thing that would have made it better was actually a street fair-type of blocking off of Lakeshore so the celebration could continue.

The EDA meeting for Monday has been canceled; however, it's my understanding that members of the EDA will be at Booster Days and will be there to answer questions. If any resident has any questions, feel free to come up, ask me questions, and we'll try to set straight gossip and rumor and get some facts. So, that's all I have."

Council
Member
Ronning

Ronning, "I don't have a whole lot. I was at that meeting with Ron last night with Booster Days. We all know this, but it doesn't hurt to bring it up again and just repeat it. These people do a lot of work. It was a Fire Department guy going through my subdivision last and it's all on their own time. It's all on their own time and there's a lot of dedication to it. There was some changes, almost last minute changes, and they responded to it really well, I thought. I figure we at least owe them a hand for all the work they've done, because they want to."

Council
Member
Harrington

Harrington, "I've got a letter I'd like to read. It's from Holly Schoephoerster, I hope I didn't 'butcher' that last name. It was sent Tuesday, July 8th, to Karen White. Subject: Thank you Bob DeRoche.

It says: 'Hi Karen, I'm not sure what's the best way to send out my thanks would be, but I thought I would start with you. I wanted to say thank you to you, the Mayor of East Bethel Bob DeRoche. A few weeks ago, the motor went out on my car while I was driving down Highway 35 enroute to visit my family. Bob immediately pulled over in front of my car to see if I needed help. He patiently and knowledgeably assessed the damage and told me he would help tow my car off the freeway. He got my car safely off the freeway after back-towing it two miles. My family wasn't answering their phones so he stayed with me and helped me make arrangements to keep my car at a nearby gas station.

He had shown me his credentials and was honest, kind, generous, helpful, throughout the whole stressful endeavor. He even offered to drive me 45 minutes to a cabin my family was staying at. In the end, I got a hold of my family and they picked me up. But, I could not have been more impressed and thankful for the wonderful Mayor of East Bethel.

Council
Member
Harrington

I'm not sure if you'll be able to post my thanks to a community site, newspaper, etc., but I want to make sure Bob is able to know how appreciated his civil service to me was. You just don't meet many great genuinely good, kind folks these days. Thank you. Holly Schoephoerster.

Mayor
DeRoche

Moegerle, "Campaign speech." DeRoche, "No, actually I think it's kind of nice for the City of East Bethel because it shows that maybe there are people up here that are kind and generous." Moegerle, "There's never been a question of..." DeRoche, "Your Council Report is done." Moegerle, "Were you starting your Council report? I'm sorry I didn't understand that." DeRoche, "Is that all right?"

DeRoche, "I'm not going to do a long, drawn-out Council report. This weekend is Booster Days, there's quite a bit planned. I plan on being there, I know. I plan on being in the parade. Never done it, not quite sure what to do. I plan on being, at least initially, the MC at the Pageant Scholarship Program. Then I'll turn it over to Jack because I think he probably has a little more experience with that stuff. I think it would be kind of nice, though, if the Mayor introduces the City, thanks them. I think they do a great job. From what I hear, it's quite a bit of work. I think the one night that they were doing the applications is one night we had a meeting and I think they wound up staying even longer than we did. So, it's quite the process.

Fourth of July, yes, it was a good time. A lot of fireworks and as far as I know, no one got hurt.

I think the ATV situation in the neighborhood has somewhat been addressed. Don't see quite so many of them racing around with kids any more. I hate to be a killjoy but, you know what, all it's going to take is when there's three or four little kids on a 4-wheeler that's bigger than all of them, and something happens. As a matter of fact, today there was one call that I'm not going to say the city but there were three young kids on a 4-wheeler that went off and two of them wound up going to the hospital in an ambulance. They were under age, no helmets. I don't know, you've got to wake up parents. You can't be letting your kids do that. That's all I got."

Ronning, "One quick thing. For what it's worth, that communication came from, I'm not going to pronounce her last name, Holly something, from Proctor & Gamble Target Team, 33 South 6th Street, Suite 4030. Hey, that's a nice comment. It's a very nice comment. It's not unique. A lot of people, everybody I know would stop and help somebody. And, it's nice that you were able to do that Bob."

DeRoche, "I think anybody would. I would hope. In this day and age, some people are afraid to." Ronning, "Yes." DeRoche, "Some people are in too big of a hurry. But, whatever."

9.0C

None.

Other

9.0D

Closed
Session

Vierling, "We'd note for the benefit of the record and for the public at this time that the Council is about to go into Closed Session, under authority of Minnesota Statutes 13D.05, to discuss possible acquisitions by purchase of two real properties within the City of East Bethel. For the purposes of the record, we would note the properties to be identified for purposes of the discussion are those identified by Anoka County Property Identification Numbers 36.33.23.13.0015 and 36.33.23.33.0019. Council will go into Closed Session and after having concluded the Closed Session will come back out into Open Session and

9.0D

Closed
Session

announce or summarize any actions that have been taken during the course of the Closed Session. The Closed Session will be recorded as is required by Statute with the tape for a period of two years. With that being said, Mr. Mayor, I would suggest that you entertain a motion to close the Session for the purposes indicated in the announcement.

Moegerle made a motion to go into Closed Session at 8:51 p.m. for the purposes indicated by Attorney Vierling. Koller seconded. All in favor, motion carries unanimously.

Reconvene
Open Session

Vierling, "For the members of the public and for the record, we would note that the City Council is back into Open Session after having concluded the Closed Session meeting under Minnesota Statutes 13D.05. The City Council's Closed Meeting was attended by all members of the Council including the Mayor, was also attended by staff members Jack Davis, City Administrator, Craig Jochum, City Engineer, and myself, the City Attorney. Council reviewed issues with two properties for possible acquisition by purchase. They are parcels 36.33.23.13.0015 and 36.33.23.33.0019. Council reviewed matters with staff on strategies and issues with regard to the parcels, took no specific motions, or made any specific actions but gave staff direction with regard to continued negotiations and discussions with the property owners. With that being said, Mr. Mayor, that concludes the summary report required by Statute."

DeRoche, "We have to make a motion to do the warranty deed." Vierling, "No, we do not."

**10.0
Adjourn**

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

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial, Inc.