

# EAST BETHEL CITY COUNCIL MEETING

SEPTEMBER 17, 2014

The East Bethel City Council met on September 17, 2014, at 7:30 p.m. for the regular City Council meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Tim Harrington  
Tom Ronning

MEMBER ABSENT: Heidi Moegerle

ALSO PRESENT: Jack Davis, City Administrator  
Andy Pratt, City Attorney  
Mark DuCharme, Fire Chief

**Call to Order** The September 17, 2014, City Council meeting was called to order by Mayor DeRoche at 7:30 p.m.

**2.0** The Pledge of Allegiance was recited.

## **Pledge of Allegiance**

**3.0** **Harrington, "I'd like to make a motion to adopt tonight's agenda." Ronning, "Second." DeRoche, "Any additions or subtractions?" Harrington, "To the Consent Agenda, I'd like to add 6.0 G, Supplement Payment Summary."**

## **Adopt Agenda**

DeRoche, "Anything else? Hearing none, any more discussion? All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, motion passes." **Motion carries unanimously.**

**4.0** Davis reviewed the staff report, indicating the Council is asked to consider approval of Resolution 2014-36, which is, "A Resolution Accepting and Expressing Appreciation for the Donation of a POW-MIA Flag from Ken and Jeanette Langmade." Davis read Resolution 2014-36 into the record as follows:

## **Presentation**

4.0A

Donation of POW-MIA Flag

**WHEREAS,** Ken and Jeanette Langmade have made a donation of a POW-MIA Flag to the City of East Bethel on behalf of all Veterans and active Military personnel ; and

**WHEREAS,** The City of East Bethel recognizes the symbolic nature of this Flag and are forever grateful for those who have sacrificed their lives and have suffered confinement as prisoners of war in service to our Country; and

**WHEREAS,** The City of East Bethel accepts this donation to display the City's support for POW's and MIA's of foreign wars; and

**WHEREAS,** This flag will be prominently displayed at City facilities;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT:** The City Council hereby accepts the donation of the Flag by Ken and Jeanette Langmade and expresses its thanks and appreciation to the donors and those to whom the Flag is dedicated.

Davis, "At this time, I would entertain a motion from Council to accept and support the Resolution."

**DeRoche, "I move to accept the motion and the Resolution and make the motion to accept the MIA-POW Flag from Mr. Ken Langmade." Ronning, "Second."**

4.0A

Donation of  
POW-MIA  
Flag

DeRoche, "Any discussion? All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, motion passes." **Motion carries unanimously.**

Davis, "At this time, I'd like to ask Ken Langmade to step up and be recognized. Ken is our Parks Chairman and also a World War II Veteran and we appreciate everything that he has done."

Ken Langmade, "Mr. Mayor, in honor of Veterans, it gives me great pleasure to present to the City of East Bethel the POW-MIA Flag, which we Veterans are very proud of. I know our Mayor is a Veteran and of course, I am too. Tom is. How about Tim?" Harrington, "I'm not a Veteran, no." Langmade, "Okay, like I say, on behalf of all of us, I will present this to our Mayor."

*At this point in the meeting, Mr. Langmade presented the MIA-POW Flag to Mayor DeRoche. The audience responded with a round of applause.*

Harrington, "Thanks Ken."

4.0B  
Sheriff's  
Report

Commander Shelly Orlando, "Good evening. And, thanks Ken for your service."

Commander Shelly Orlando presented the August 2014, Sheriff's Report:

**DWI's:** There were three DWI's in August. Two DWI arrests were the result of driving conduct stops. One arrest was the result of a motorcycle crash where the driver was going too fast and ran off the road. The driver complained of back pain and was taken to the hospital where he refused to take a test to determine intoxication. The suspect was charged with gross misdemeanor refusal to test.

**Thefts:** There were 13 thefts reported. One theft report involved a boat and trailer that were taken from a backyard of a home. The boat was a 1964 Larson. One report was for a gas no-pay. A male reported a shotgun taken from a shed in his yard. We would ask that you keep your firearms locked in your house, not in an outdoor shed. One theft report involved items being taken from a car that was parked in the driveway. A neighbor came over and asked if homeowners were missing any items as they had found some property in their son's bedroom that did not belong to him. The items missing were returned and the case is still under investigation. A vehicle was taken from a driveway; keys were left in the vehicle. That's not a good place to leave keys to your vehicles. A golf course conducted an inventory on their golf carts and found that three were missing. They were described as being green with a tan top. A John Deere tractor was found to be missing from a field where it had been left. The keys were in the ignition in the tractor as well. A business reported several 17-20 foot long steel beams taken from the yard. That case is under investigation with some DNA evidence hopefully being processed. A report was made of a ring missing, believed to have been taken by a family member. There was one report of a license plate stolen from a vehicle that was parked near the road, for sale.

**Burglaries:** There were three reports of burglaries. One report involved a home under construction where wiring had been taken. One report involved a vacant house that had a furnace, air conditioner, and kitchen faucet taken. The water lines had also been cut. Entry was believed to have been made through a window. A shed was entered and a riding lawnmower, leaf blower, plow blade, and pressure washer were taken as well.

4.0B  
Sheriff's  
Report

**Damage to Property:** The damage to property reports all involve damage to vehicles. The first report was a neighbor that had his tires flattened and eggs thrown at his residence after confronting another neighbor regarding his driving upon a vacant lot. The suspect was intoxicated and belligerent when deputies were dealing with him. The suspect was charged. The suspect did replace the tires the next day. A second report involved two tires found flattened the day after the victim's estranged husband had been at the residence. The suspect denied doing any damage to the tires as he knows that is the only way for his wife to get around with their kids. One report involved an acquaintance damaging the windshield on a vehicle as it was parked on the street. The victim reported watching the acquaintance slow down as he drove past, throwing wrenches out the windows at his vehicle. A citation was issued to the suspect. Lastly, a male called to report tires slashed on his girlfriend's vehicle. The male suspected a neighbor, whom he had been having some issues with at a local establishment. The neighbor denied any wrongdoing and stated he believed the victim may have done it just so he could blame him. The case is under investigation.

**5<sup>th</sup> Degree Controlled Substance:** There were two arrests for 5<sup>th</sup> degree controlled substance crimes. Both arrests were the result of driving violations. The first incident involved a traffic stop where the suspect was very nervous and admitted to the deputy that she had marijuana and a pipe in the vehicle. A small bag containing a powdery white substance was found as well. The substance tested positive for methamphetamine. A contact lens case was located in the trunk that held several prescription medications as well. The second arrest was the result of a speeding violation. The driver and passengers were known to be involved in narcotics-related activity. One of the passengers had an open container of alcohol. The vehicle did not have any insurance on it and when a K9 conducted a sniff test, he alerted to the presence of drugs in the vehicle. A pipe containing a substance that tested positive as methamphetamine was located. The driver was arrested.

**Arrest Breakdowns:** We had five felonies. Three arrests were for 5<sup>th</sup> degree controlled substance. Two are from the same incident. Two felony violations of orders for protection. Twelve misdemeanor arrests. We had one for 5<sup>th</sup> degree assault, one disorderly conduct, one disturbing the peace which was in relation to barking dogs, two for damage to property, one for flee on foot, two for obstruction of legal process which were from the same incident, one for possession of a small amount of marijuana, one for possession of drug paraphernalia, one harassing communications, and one violation of harassment restraining order.

DeRoche, "Busy. How are we doing on the meth stuff? Is that kind of getting under control?" Orlando, "I was just at a meeting this afternoon and we had our DEA agent who helps out in Anoka County. He said heroin has been kind of a big, obviously, has been a big issue but they are seeing more and more kind of meth, single meth lab type dumping incidents and that kind of thing. So, meth is still a popular drug. The thing with meth is you're not going to die if you take it. Whereas, with heroin, that is a chance that you do take. So, some people take meth instead. It is still around and it's still an issue that's out there."

DeRoche, "Any questions? Great, thanks Shelly." Orlando, "Thank you."

**Informational; no action required.**

5.0 Eric Erickson, "I'm here for my Communications Merit Badge. It's a requirement that I

**Public Forum**

had to come to a City Council meeting at the City Hall. I'm not sure what else to talk about."

DeRoche, "How long have you been in Scouts?" Erickson, "Well, I've been with Scouts since the fourth grade and I'm currently First Class and I'm working on my Star Scout."

Davis, "Congratulations." Ronning, "Yes, good for you." Davis, "Hopefully we'll see you back here if you work on your Eagle Badge. We may have a project for you." DeRoche, "There you go." Erickson, "Possibly." DeRoche, "Well thanks for coming Eric."

*The Council and audience responded with a round of applause."*

**6.0 Consent Agenda**

Item A Bills/Claims

Item B Meeting Minutes, September 3, 2014, City Council Meeting  
Meeting minutes from the September 3, 2014, City Council Meeting are attached for your review and approval.

Item C Resolution 2014-37 Setting Public Hearing Date – Delinquent Accounts  
Staff recommends adoption of Resolution 2014-37 setting the public hearing date of November 5, 2014, and certification of amounts remaining unpaid by November 15, 2014.

Item D Pay Estimate No. 3, Whispering Aspen Street Surface Improvement Project  
Staff recommends approval of Pay Estimate No. 3 in the amount of \$71,375.64 to North Metro Asphalt & Contracting for the Whispering Aspen Street Surface Improvement Project.

Item E Amendment to 2014-16 Labor Agreement  
Staff is recommending approval of an amendment to 2014-16 Labor Agreement accepting a set amount increase to the plan of \$12.31 per month per employee, or a 1.4% increase for 2015. This increase matches that which was included for this item in the 2015 City Budget.

Item F Potential Dangerous Dog Hearing, August 6, 2014, Minutes Amendment  
The motion for the August 6, 2014 Potentially Dangerous Dog Hearing shall be amended to reflect this correction.

**Councilperson Moegerle, "I don't think the dog should return and I'll make a motion to the affect that the dog shall not return to the City of East Bethel at any of Ms. Murphy's properties."**

Item G Supplemental Payment Summary

**Ronning, "Move to approve the Consent Agenda as is." Harrington, "I'll second."**

DeRoche, "I'd actually like to pull C, F. We added G. We don't really have to pull that but C and F."

6.0C  
Resolution  
2014-37  
Setting Public  
Hearing Date

Davis, "I'd requested the Mayor to pull Item C. The resolution certifying the delinquent accounts to the County Auditor, there is one date in there that is incorrect and it involves the collection of unpaid emergency services. I would like to go ahead and recommend the resolution be approved with that section deleted and we'll have that at the next Council meeting or by the 15<sup>th</sup> with the corrected dates and notifications."

– Delinquent  
Accounts

Ronning, “**I move to amend my motion** to exclude the, what is it? C for services?” Davis, “It’s the second WHEREAS in that Resolution. It’s the unpaid emergency medical services.” Ronning, “**to pull the unpaid medical services until such time when it can be available.**” DeRoche, “Corrected.” Ronning, “Yeah, that’s good.” DeRoche, “You good with that Tim?” Harrington, “Pardon me?” DeRoche, “Do you second that?” **Harrington, “Yeah, I’ll second that.”**

DeRoche, “All right. All in favor?” **All in favor. Motion carries unanimously.**

6.0F  
Potential  
Dangerous  
Dog Hearing,  
August 6,  
2014, Minutes  
Amendment

DeRoche, “I pulled F and the reason being, it’s our Potentially Dangerous Dog Hearing that we’ve had two on the same instance. Two things. It was asked that part of that meeting be transcribed and the second part is there was a statement made that the deputy had amended the police report. The indication or feeling that I got out of it was that he changed the report to almost say that it wasn’t a potentially dangerous dog, or whatever. However, there was an amendment made to the report. Jack, you want to read that so we can put it in the minutes?”

Davis, “Yes, Mrs. Murphy had indicated that she had talked to a deputy after this to clarify the ownership of the dog. She spoke with Deputy Sorenson on August 27<sup>th</sup> of 2014. Mr. Sorenson quotes: *‘While on patrol, Mrs. Murphy flagged me down and asked me about a report that showed her as the owner of the dog in question that bit someone. Mrs. Murphy said she is not the owner of the dog and she was just watching the dog. She said that the dog owner is Joseph Alvite. I advised Mrs. Murphy I would write a supplement statement stating this. She said all the vet records for the dog list Alvite as the owner.’* This is the statement that the Sheriff’s Office provided us in relation to this incident. We would request that this be an amendment that is added to the minutes.”

**DeRoche, “And, with that being added, I move to approve.” Koller, “I’ll second.”**

DeRoche, “Any more discussion? All in favor?” **All in favor.** DeRoche, “Opposed? Hearing none, motion passes.” **Motion carries unanimously.**

Ronning, “What about G?” DeRoche, “Well, that was added. Oh, we have to make a motion to accept. Correct?” Davis, “I don’t think we approved the rest of the Consent Agenda. We just approved C and F.” **DeRoche, “All right, then motion to approve A, B, D, E, and G.** Those are the things that haven’t been approved, correct?” **Harrington, “I’ll second.”** DeRoche, “Any discussion? All in favor?” **All in favor.** DeRoche, “Opposed? Hearing none.” **Motion carried unanimously.**

**7.0  
New Business**

Commission, Association and Task Force Reports

7.0A  
Planning  
Commission

None.

7.0B  
Economic  
Development  
Authority

None.

7.0C None.

Park  
Commission

7.0D None.

Road  
Commission

**8.0** None.

**Department  
Reports**

8.0A

Community  
Development

8.0B None.

Engineer

8.0C

City Attorney

8.0C.1

Review of  
City E-mail  
and

Harassment  
Policies

Davis, "At this time, we'll request that our City Attorney review the City E-mail and Harassment Policies and he will present the requirements for use of e-mail addresses and give us the distinction between public and non-public data and provide an explanation of harassment and hostile workplace policy in the law as it relates to employee/staff relationships. Andy?"

Pratt, "Thank you. Mr. Mayor, members of the Council, nice to be with you tonight. As Mr. Vierling is enjoying some time off. So, I was asked to put together and what I think you have at your dais is a memo from me and our office on these issues that the City Administrator just discussed. It's a brief memo and we don't have to get too much into it. I'll be brief with my presentation and certainly entertain any questions that you have or discussion as well.

The two areas that we're talking about, e-mail and sort of, I describe it as workplace issues. They are interesting, sort of blurred lines between your members, your roles as Councilmembers, and your relations with the staff of the City and the public, in the public data realm. Now you know that you have a Personnel Policy. There were amendments to that Policy that were adopted earlier this year, from my review of the minutes that you had. You probably also know that those Policies don't apply to you as Councilmembers. You are not full-time or part-time employees of the City. That's what those Personnel Policies are meant for, to govern the day-to-day organization and administration of the City.

However, I think, and I had a talk with our employment attorney, Mike McCain, on this in our office. I think that those Policies are instructive and illustrative of how Councilmembers can act as well. So, it might be worth your time to go through some of those items when certain questions come up. Obviously, the whole Policy is fairly lengthy but it's laid out pretty well. I went through it myself.

I'm certainly not the expert on employee relations but I did pick out a few items here. The first one would be how e-mail is used. Section 3.7 of your Personnel Policy gets into e-mail and technology use by your staff. Now, for Councilmembers, I'm aware that you have City e-mail addresses and that's meant for all sorts of correspondence and communication between staff and amongst yourselves. Packets go through there and all that sort of thing.

8.0C.1

Review of  
City E-mail  
and

Now, you may have your own personal e-mail addresses as well. So, when do you get

Harassment  
Policies

'gray lines,' sort of, for how those e-mail addresses and correspondences are interchanged. I find it interesting. I've sort of become a guru or something on data practice law for the various cities that we work with. There's an interesting section in the law that maybe you should be aware of which states that if you have like a 'cc' box on there that includes a lot of third parties, that if you're on that, you may not even know who they are if they are sent by somebody else. That basically makes any correspondence, it puts it out there, obviously, in the public realm.

Generally, all correspondence between individuals and elected officials is private data. So, if somebody with a, a citizen with an issue or something e-mails the Council or e-mails an individual on the Council, if somebody else wants to get a copy of that, they can't get that. That's private. Unless, it's very easy though, to get it, only one party has to give it up, I guess, or just close it.

But, if someone's cc'd on there, you just kind of have to be careful how you do that because then that automatically lifts the private privilege on it. Sometimes, certainly any communication from our office that's going to be attorney/client privileged. We will put that out in bold, flashing letters for you to not do anything with it, not reply all, not forward it, not copy it, not send it to your personal e-mail. All that sort of thing. I cite the section in the law for you in this memo that says that's a private correspondence between elected officials and individuals unless somebody lifts that private categorization.

On the second page of it, and I kept the memo brief, only two pages, which is hard for me to do sometimes because I keep going on and on. I did run into this issue and I kind of listed examples here of how personal e-mail addresses that are used for City business sometimes causes problems. In this situation, there was a councilmember who set up their city e-mail so it automatically rolled into their personal e-mail account because they didn't check the city e-mail ever. They thought, 'Well, if I'm ever out and about, I'll have it at least.' Well, that person, tragically, died while he was still on the council and then there was kind of a messy battle about who's going to get all of his personal effects and everything. There was even a fight over the laptop and the e-mail account. I'm not sure how that all works, about who possesses that. But, there was a fight over that. His family was fighting on that. And then, of course, there was a data request that was submitted looking for e-mail correspondence between councilmembers and other citizens. So, the city was in a very tough spot in that situation to basically seize the laptop because the city had to comply with that data request. If the e-mail hadn't rolled over to his personal e-mail, then we wouldn't have had that problem because it would have all been on the city server, basically, with the city e-mail domain addresses.

So, that's an extreme example but it's an example of showing that City e-mail should be used for official City business if at all possible and personal e-mail should not. There are some cities, I believe, that have policies to that effect. The policy would probably be two sentences long, just stating what you are using this for and no personal e-mails. So, that would be something you could maybe consider. But, I think as a general practice, cities have sort of an informal policy of that level, to keep it on the city e-mail. And, that's important to know.

8.0C.1  
Review of  
City E-mail  
and

Then I get into, in the memo here, sort of employee relations. In this section, I did run it by Mr. McCain, our employment lawyer. He's more of an expert than I am, certainly. We can answer any questions you have on this. Basically, the term 'harassment' and other terms like that, again, it's a little tricky because you are elected officials. In the Personnel Policies

Harassment  
Policies

that are maintained by the City, there are strict regulations in there prohibiting harassment from employee to employee, from supervisors to employees, etc. Volunteers may even be included in that as well.

Typically, though, if somebody is just being rude or vulgar, or something, that's not rising to the level of harassment. It has to be attack against someone's race or nationality or something like that, a protected class. Then it rises to a level of a law suit, which obviously we want to keep the City out of if at all possible

Now, elected official behavior, that's a different 'ballgame' because you're not subject to that Personnel Policy. You are not personnel of the City. But, you are the decision making body of the City. You have authority, ultimate authority, over your hiring and your firing and salaries and budgets and everything. So, your behavior as a Council might effect the perceptions of staff inordinately. I guess I would say that they could feel a certain way towards your behavior, seeing you as the ultimate bosses. So, that's another thing to keep in mind. I struggled with how to word this in my memo because I can't really ground it in your Personnel Policy. It's kind of a general ethical discipline for you.

Finally, and we've been through this a little bit before, but you as elected officials, there's no way to get you off the Council through a recall vote like there is in some other States. So, it's kind of a self-governing body, which is always a good thing if you can self govern yourselves. I put examples of when you can get dismissed from the Council and those are in there for you but those are rare, as you know. It's not just an easy thing to do. Just keep that in mind as you go along.

I just wanted to briefly go through that tonight. Since this was developed after the packets went out, you can have some time to read it and definitely get back in touch with me or Mark or anybody in our office and we can go through any questions or discussion you have on it. Appreciate the time."

DeRoche, "Any questions?"

Ronning, "I'm not sure I understood what you said about data requests from that private. Could you explain that please?" Pratt, "Sure, and the way I, maybe you're referring to the correspondence between residents or anybody third party with elected officials. The way that I read that Statute, it's basically that if you have some sort of e-mail correspondence, or example, between a Councilmember and somebody in the public, and a third party wants to figure out what was said there, if they have an inclination about something, they could request that but it would be denied because under the law it's private data. But, if the Councilmember wanted to say, 'Okay, fine, I'll send you a copy of the e-mail.' There's really no, the way I read it, no penalty associated with that. They can, like, lift the privilege basically. It's basically if someone, if there was an attorney/client privilege communication that was given to somebody who wasn't supposed to see it, then the privilege is pretty much lost on that. So, that's how I read that."

Ronning, "Is there anything that objects to the practice of that happening? In the form of a Statute or something?" Pratt, "Objects to the...?" Ronning, "To the, let's say I 'roll over' like this person did and I don't die. But somebody wants a copy of my communications. Is there something that addresses, I shouldn't do that? Some kind of standard?" Pratt, "There isn't anything in the Statute. That's why it's so tricky. That's why it's so 'frowned upon' to have a personal e-mail address injected to all of this because then you could have

8.0C.1  
Review of  
City E-mail  
and

Harassment  
Policies

government data, which is subject to the Data Practices Act. It doesn't matter which medium it's stored in. It's subject to it so people would have to go in and, you know, we wouldn't know your password for your personal account and if you don't give it to us, then how can the City comply with the Data Practices Act request? That's where cities get put into 'sticky' situations. That's why the City e-mail address is much easier to deal with because the City has some control of locating those e-mails."

Pratt, "Another thing I didn't put into the memo but I just wanted to mention. There's kind of a new law that was passed in 2014 that's interesting to me. If anyone is on social media, Facebook, Twitter, and all that sort of thing, I see some laptops up here so maybe you are...there is not a violation of the Open Meeting Law if you have discussions on Facebook or conversations with people as long as it's not like a 'locked room' so to speak. If the public has access to see those back and forth discussions, it's not a violation of the Open Meeting Law. Now, I've forgotten my Facebook password myself so I'm not too up on that anymore. I'm not sure how that works, if you can limit your discussions that only certain members can see. Of course, you have 'friends' and everything on Facebook but I think a lot of times, your back and forth is discoverable. That's the important part to know under the Open Meeting Law. So, there's a new law passed on that. That does not cover e-mail so we still have that prohibition, basically, on decisions being made via e-mail by a quorum of Councilmembers at any time, or rolling meetings, and all that sort of thing so that's still there."

Davis, "I have one question Andy. If a Councilmember sends an e-mail to a staff member from their personal e-mail address to the staff member's City address and there is a public data request, then does that data become public data?" Pratt, "Without knowing, you know, without having a factual circumstance, I think it would though because the phrase 'governmental data,' which is subject to the Data Practices Act, which is public, there's a default that it's public data. And so, in situations like that, a personal e-mail of a Councilmember sending to a City staff, that almost in 99% of the cases, I would imagine, would be 'government data' and it's discoverable. The Data Practices Act is so large and hard to comprehend a lot of times, but the default is that all government data, and when I say 'government data' anything pertaining to the operations of governmental entity, all of that data is presumed to be public. You have to find an exception in the law that makes it private. One of the exceptions is the one I've been talking about, correspondence between Councilmembers and non-Councilmembers that's private. But, those are rare exceptions. The default is that it's public. So, it's a 'word to the wise.'"

Ronning, "It's interesting." DeRoche, "Anybody else got any questions? Thanks Andy." Pratt, "Thank you."

**Informational; no action required.**

8.0D  
Finance None.

8.0E  
Public Works None.

8.0F  
Fire Department  
8.0F.1 Fire Chief DuCharme, "Thank you Council, Mr. Mayor. Tonight I'll report on August of 2014. Our response calls for that month, for August, we had 36 calls. You have the list in front of you. A couple interesting ones, if I could. We did have a lawn mower fire and it

Monthly  
Report

was not your average lawnmower. It was a zero-turn one and the person that was using the lawnmower, actually what happened was it was malfunctioning so he stuck his hand into the air intake to adjust the carburetor and it backfired. It set him on fire. He ended up with some pretty severe burns. It's interesting because the call came from a neighbor who said, 'I think there's an illegal burn in their back yard. There's something burning.' And, then she later called back to update us and said, 'No, it's this lawnmower that's on fire and the gentleman that was operating it, you know, has some burns.' So, we did send him off. He was treated for burns and taken directly to a trauma center for treatment. I don't know if they actually transported him back down to Hennepin County Burn Center but his burns were pretty impressive.

We had some mutual aids. Fortunately, they were canceled enroute. One of them was actually a house fire call. I think it was a garage that was reportedly on fire. Ham Lake started us immediately, which is common. And, found that there was no fire or a small fire that they could handle. The other canceled mutual aid that's on that list was to Linwood. Actually, an auto accident where it sounded like it was going to be a pretty severe auto accident and needed some additional resources.

In the month of August, we had 20 medical calls. Kind of a mixture of them. Of the 20 medical calls, 12 of those patients were actually transported. Also, we had three medical calls that were canceled on the way. That dealt with a variety of reasons from someone really not being sick to we actually had a DOA that the Sheriff canceled us on.

We continue with our Inspection Program. In the month of August, especially in the second half of August, there was quite a bit of time that was spent with Star of the North Academy, our Charter School that's off Viking. And, staff here worked with State inspectors to make sure that the School was ready to open and fire alarms and sprinkler systems and everything was in order. They have opened. Actually, I stopped in there after. The building looks really good inside so they are in operation. Are there any questions that I could answer?

I do want to note, if it's all right Mr. Mayor, that this will be the last time before our Open House that I'll be in front of the Council. So, I want to remind Council and I also want to remind the public that Saturday, October 11, will be the Fire Prevention Open House. It's going to be at Station #1, which is 2751 Viking Boulevard. We're going to start at 10 o'clock and we're going to go until 2 o'clock. We'll have hotdogs. We'll have a chili contest again. If anybody on the Council would like to join in on the chili contest, we invite you. North Memorial is going to fly Air Care in. They'll be coming from the Ramsey Fire Department, it looks like. The Sheriff's Department, providing it's a quiet weekend, is going to be represented there. And, we have invited some other agencies that we haven't quite heard back yet. So, always that's a popular time. We hope that the public comes and gets a good 'taste' of what we are going to do. We'll have some water rescue demonstrations set up also. We'll fill up our holding tank, or dump tank. You'll be able to talk to the fire fighters and things like that."

DeRoche, "Great, anybody got questions? No? Good luck Mark."

8.0G  
City  
Administrator  
8.0G.1  
Administra-  
tive

Davis presented the staff report, indicating Wendy Warren resigned the post of Deputy City Clerk on July 21, 2014. Prior to her resignation, she was on medical leave for six months and during her absence the duties of this position were apportioned and shared by staff and contracted services. The temporary reassignment of many of these functions and the subsequent effective performance of City staff and contractual services in the execution of these duties has permitted us to re-examine the requirements of this position.

Coordinator

Hire

We propose to change the position of Deputy Clerk to Administrative Coordinator. The job description would remain essentially unchanged from that of the Deputy City Clerk except the basic responsibilities for taking Council minutes, IT functions, and accounting duties have been removed from the job responsibilities. The changes as proposed would also require that there be a reduction in the pay grade of this position from Grade 8 to Grade 6.

Carrie Frost, the current Administrative Support I for Community Development, has been responsible for many of Wendy's previous duties, including and most importantly, that of Election Supervisor. Carrie has performed these jobs flawlessly and with an exemplary attitude. Carrie has the character qualities, experience, and the skill set that we seek for the position of Administrative Coordinator.

We recommend an internal promotion of Carrie to this position. In addition to Carrie's recommendation for promotion to this position, Staff also wishes to recognize the efforts of Jackie Campbell and Karen White for their performance in general and in particular during Wendy's absence.

We're proposing two different recommendations and two different sets of motions on this. The first recommendation is staff is recommending the promotion of Carrie Frost to the position of Administrative Coordinator with the job description as attached in your packet at the salary of \$49,008.06 and a waiver of any probation requirements. If approved, we also recommend a start date of the promotion would be October 1, 2014.

DeRoche, "That being said, so we're creating the Administrative Coordinator position?" Davis, "That is actually the new position, the Deputy City Clerk with just the job responsibilities redefined." DeRoche, "Okay, do we need a separate motion to create, to change that position?" Pratt, "I think the way you've laid it out, I'm comfortable with the one and two recommendations."

**DeRoche, "Okay. Well, that being said, I move to promote Carrie Frost to the Administrative Coordinator position and to recognize Jackie Campbell and Karen White for their efforts."**

DeRoche, "I don't know if people really understand just how much Wendy Warren did in the City. But, people that did a lot of business here, or came in here quite a bit, she pretty much knew, what was there Jack, 11-12 years of history and elections and getting to know people and knowing where everything's at. When Carrie came in, she kind of came under Wendy's 'wing' or as it were 'wings.' She was a real fast learner. She's a pleasant person, smart. I think she'll do just fine. I mean, she got us through the elections, the primaries. That's kind of a 'trick in itself' I think."

Ronning, "Is this in the form of a motion?" Davis, "Yes." **Ronning, "I'll second."** DeRoche, "Any more discussion? All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, so be it." **Motion carries unanimously.**

8.0G.1

Administra-  
tive

Coordinator

Hire

Davis. "The second recommendation we have regarding this item is we are requesting Council's authorization to advertise for the position of Carrie's former position, Community Development Administrative Assistant at Pay Grade 5, which is currently what it is ranked."

**Ronning, "I move to accept Recommendation 2 as written to hire the position of**

**Community Development Administrative Assistant** with, what’s, do you have an effective date?” Davis, “No, we will advertise for that. We’ll take applications and then come back to you with a recommendation.” **Ronning, “...at such time as somebody is available for that.” Harrington, “I’ll second that.”**

DeRoche, “Any discussion? All in favor?” **All in favor.** DeRoche, “Opposed? Hearing none, that motion passes.” **Motion carries unanimously.**

8.0G.2  
Resolution  
2014-38  
Requesting  
Additional  
CDBG Funds

Davis presented the staff report, indicating the City applied for a \$300,000 Community Development Block Grant for septic system repair in the Coon Lake Beach Neighborhood in January 2014. The County approved our application but the funding amount was reduced to \$200,000. The County has informed Staff that an additional \$100,000 for the program is now available. If approved by Council, this would provide the original funding that was requested by the project. Acceptance of the offer would not require any obligations of City funds other than Staff time for program administration.

Staff is recommending Council consider Resolution 2014-38, Requesting Additional CDBG Funds for the Coon Lake Beach Septic Improvement Program.

**DeRoche, “I move to accept Resolution 2014-38, A Resolution Authorizing the City of East Bethel to Request Additional Community Development Block Grant (CDBG) Funds through Anoka County for the Purpose of Assisting Individual Qualified Home Owners to Repair or Replace their Non-Compliant Septic Systems.” Ronning, “Second.”**

DeRoche, “Any discussion? All in favor?” **All in favor.** DeRoche, “Opposed? Hearing none, motion passes.” **Motion carries unanimously.**

8.0G.3  
Town Hall  
Meeting Date

Davis presented the staff report, indicating the Fall Town Hall Meeting has been held since 2005. The meeting is generally held in November after the General Election and is designed to be scheduled on a date that doesn’t conflict with any other municipal or school district meetings.

There’s only one date on the calendar, at this time, that doesn’t conflict with any meetings, holidays, or City or Independent School District 15 and 831 meetings and that is Thursday, November 20<sup>th</sup>.

The following dates could be alternate options but these dates would have conflicts with City Commission/Authority Meetings:

- Wednesday, November 12<sup>th</sup> (conflict with Parks Commission)
- Monday, November 17<sup>th</sup> (conflict with EDA)
- Tuesday, November 18<sup>th</sup> (conflict with Roads Commission)

We would propose the same format that has been used in the past:

8.0G.3  
Town Hall  
Meeting Date

- Council and Staff members would be available for individual discussions at the Senior Center from 6 p.m. to 7 p.m.
- A Question and Answer Session in City Council Chambers would be scheduled 7 p.m. to 8 – 8:30 p.m. for any City topics for Council.
- A Wrap-up Session at the Senior Center would be scheduled for additional individual discussion with Council or Staff members to conclude at 9 p.m.

We need to set a date for this meeting so we can place the notice in our Fall Newsletter. The newsletter will be sent to the printer tomorrow, September 18, 2014, and will be distributed to City residents by the end of the month.

Staff is requesting that Council set a date for the Fall Town Hall Meeting

DeRoche, "Well, I guess the 20<sup>th</sup> is the only we have." Davis, "Yes, we're really pretty limited. You know, you can go after the 20<sup>th</sup> but then you're into Thanksgiving week and that's kind of a hard week to get people interested in coming out. DeRoche, "The 20<sup>th</sup> sounds fine to me. How does it look for you guys?" Ronning, "Do you want a motion?" Davis, "Yeah."

**Ronning, "I move to accept November 20 as the date for the Fall Town Hall Meeting."  
Koller, "I'll second that."**

DeRoche, "Any discussion? All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, motion passes." **Motion carries unanimously.**

## 9.0 Other

### 9.0A

#### Staff Reports

Davis, "We have our Fall Recycle Day scheduled for this Saturday at the Ice Arena from 8 a.m. to 1 p.m. So, if you have any recyclable items that you want to get rid of, please come. We're taking appliances, tires, electronics, bicycles, batteries. There is a fee for some of the items but if you're looking to recycle some of your things you've been holding on to for a while, we'll be open from 8 to 1 p.m.

The only other item I have to relay is I received a notification of resignation today from Harold Peterson. Harold is our Custodian for the building. He's done the cleaning here ever since I've been here and he's going to resign effective us obtaining a new person for the service. We've checked around. Some cities utilize a contracted service. I'm just trying to see what we want to do here. Do we want to do that? Do we want to see if there's anybody local? I would actually propose that we put something on the website and solicit proposals from people to see what they can do. We'd have to have some insurance requirements, though. But, Mr. Peterson will be leaving us fairly shortly. He's another one that's done a great job and been here for a long time."

Ronning, "You mentioned the recycle. Are you aware of any websites or something that anybody could look up what the recycle class is of some things?" Davis, "For acceptance? Or fees? Or what?" Ronning, "We know that fluorescent lights, CFLs, that sort of thing is a recycle item." Davis, "There is information on our website as to what we will take, which includes a wide variety of those. Also, we have a business in East Bethel that's located on the service road across from the Theater, John Freimuth is the owner and operator, and they do a recycle business. You can take things down there during the week. He's open normal business hours, 8 to 5. If you have any questions about what is recyclable and what can be taken, he's a good resource to check on that if it's not listed on our website."

### 9.0B

#### Council Report – Member Ronning

DeRoche, "Council Reports, Tom?" Ronning, "I'm done. That was it." DeRoche, "That was quick."

Council Member Harrington: Harrington, "There was no Parks meeting this month but on the Roads Commission, we had the neighborhood from Tri Oak Circle come in. They're asking for the installation of a street light for safety concerns. So, I think that will be coming before the Council shortly."

This Friday, absentee voting starts. You don't need a reason this year. I guess you can just vote and you don't need a reason. That's all I have."

Council Member Koller: Koller, "I had nothing happen last week." DeRoche, "It's going to be a quick meeting."

Council Member Moegerle: Member Moegerle was absent.

Mayor DeRoche: DeRoche, "The only thing left that I have is, Mark covered it. November 20, I'm sorry, October 11 is the Open House for the Fire Department, Station #1, it's usually a pretty good time. Chili's good. Had quite a crowd last year. It goes from 10 to 2. So, I would encourage anybody to go down there, bring your kids down. They have that house, kind of like a house, set up in back where they can squirt and shows little flames. On November 20, Town Hall Meeting. I would encourage everybody to plan for that."

We're in the bear hunting season and, you know, goose and whatever, and there seems to be a problem of people leaving carcasses on the side of the road. The biggest problem I see with that is, you know, the Crows and all the other birds are quick but the Bald Eagles aren't real fast and so there's been a couple Bald Eagles hit. They'll be on the side of the road 'chowing down' and so keep stuff off the road. They're pretty massive bird. I've got a couple that hang out in my front yard. Pretty interesting to watch."

Meet the Candidates Meetings: Davis, "Mr. Mayor, could I add one more thing? The City does not sponsor these but there are three Meet the Candidates meetings scheduled. The first one is for October 2, which will be at City Hall at 7 p.m. The second will be on October 16, which will be sponsored by CLIA, which will be held at the Coon Lake Community Center. And, the third one will be held on October 23 at the Coon Lake Community Center and it's sponsored by the Coon Lake Community Center. So, those are the three Meet the Candidates meetings and forums that are scheduled for the Fall." DeRoche, "Fun to be had by all."

9.0C Other: None.

**10.0 Adjourn**: DeRoche, "All right, now I'll entertain a motion to adjourn." **Koller, "Motion to adjourn."** **Harrington, "I'll second."** DeRoche, "Any discussion? All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, we're adjourned."

**Motion carries unanimously.** Motion adjourned at 8:35 p.m.

Submitted by:

Carla Wirth

*TimeSaver Off Site Secretarial, Inc.*