

## EAST BETHEL CITY COUNCIL MEETING

NOVEMBER 19, 2014

The East Bethel City Council met on November 19, 2014, at 7:30 p.m. 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

**1.0**                      The November 19, 2014, City Council meeting was called to order by Mayor DeRoche at  
**Call to Order**      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 and under Consent  
Adopt                      Agenda, add I. Supplement Payment Summary. Moegerle, "I'll second." DeRoche,  
Agenda                      "Any discussion? All in favor?" All in favor. DeRoche, "Opposed? Hearing none,  
                                 motion passes." Motion passes unanimously.**

**4.0**                      Commander Shelly Orlando, "Good evening on this nice...November night." DeRoche,  
**Presentation**      "Beautiful night." Orlando, "Beautiful night. Well, at least it's not, you know, 40 below  
4.0.1                      wind chill yet so enjoy it while it's there. Here's your report for October of 2014."

### **Sheriff's Report**

Commander Shelly Orlando presented the October 2014, Sheriff's Report.

**DWI's:** There were three DWI's in October. Two arrests were the result of driving conduct. The third arrest was a personal injury crash where the vehicle had left the roadway and struck a tree. The driver admitted to consuming alcohol, and 'probably' shouldn't have been driving. The driver who sustained only minor injuries, submitted to a blood test. The test results did show a blood alcohol content of .25, which is a little bit over three times the legal limit.

DeRoche, "So, does he get three tickets?" Orlando, "No, it elevates it to a gross misdemeanor instead of a misdemeanor DWI it would then be a gross misdemeanor because of the blood alcohol content." DeRoche, "All right." Orlando, "Typically, those are the ones that end up doing the ignition interlock in order to get a driving license back." DeRoche, "Okay."

Orlando continued presentation of the October 2014, Sheriff's Report.

**Thefts:** There were 19 thefts reported. Three were thefts of vehicles. One theft occurred when the owner went outside and started his vehicle at 5:45 a.m., he then went back inside to return five minutes later and his vehicle was gone. The vehicle was recovered four days later, abandoned. The second vehicle theft occurred at 8:30 p.m. The vehicle was parked outside with the keys in it. The vehicle was last seen eastbound from 217 Avenue NE.  
4.0.1                      Within minutes of a deputy arriving on scene, the report came in of a vehicle in a ditch a

short distance away. This was the stolen vehicle. A K9 was brought up to the area to try and track the suspect but to no avail. The third vehicle theft involved a vehicle that was brought to a home to have an acquaintance put a new engine in it several months ago. The vehicle owner has heard that his acquaintance recently quit his job and is no longer living in the area. The vehicle's location is unknown at this time. There was one financial transaction card fraud report. The victim reported she had taken cash out of an ATM twice in one night. She found that there was a third withdrawal, which she did not make that same night. There were two gas no pays reported. One person returned and paid upon being contacted. The second, there was no license plate information available. There were three reports involving theft of prescription pills. One report resulted in the suspect's arrest, as he had taken his girlfriend's daughter's medication and snorted it. The second report involved prescription pills going missing. The possible suspect was a male that had been doing work around the home. The last report involved several oxycodone pills being taken from a vehicle. There are no suspects. One theft report occurred at a business where the suspect was seen on video surveillance taking the items from the men's locker room. The suspect was confronted and denied involvement. The suspect was arrested. There was a report of three catalytic converters taken off vehicles parked in the driveway. One report involved license plates being taken from a vehicle. There was a report of golf clubs being taken from a vehicle parked in a driveway. That was early October. There was a delayed report of a pressure washer being taken. The victim believes an acquaintance of his took it. One theft report involved money that had been sent to Malaysia, to someone the victim had befriended on the internet. The suspect advised he wanted to send her an expensive watch but couldn't pay the fees for sending it. The victim wired the suspect \$1,345. The suspect will not respond to the victim now.

Orlando, "Don't send money to people. You will never see it again."

**Burglaries:** There was one report of a burglary. A home had been entered through a back window after the screen was cut. Taken from the home were two laptops, a jar of change and a cigarette-rolling machine. The homeowner felt the suspects were friends of his son's whom he believed to have come into the home in the previous week as well, when the door was not locked and eaten some food. The case was investigated and a juvenile male suspect did admit to the burglary. The suspect was taken into custody after confessing.

**Damage to Property:** There were two reports of damage to property. One report involved a motorcycle that was keyed. The victim suspects his ex-girlfriend who had suddenly moved out of the house. The ex-girlfriend denies doing any damage. The second report involved a split rail fence that a male was putting on his property. The next door neighbor felt the fence was being put on her property and eluded to taking it down. The male who had put up the fence decided to move it over a few feet to make sure it was on his property.

**Threat Report:** On October 29<sup>th</sup> a deputy was called to a local elementary school on a threat report. The deputy responded and learned that a young school age child had written on a piece of paper that he wanted to bring a gun and kill people at the school. The school was handling the incident, internally. The deputy did speak with the young man, who advised he was very mad and when he gets mad, he writes things down. He explained he would never follow through on any of it. The parents of the male were contacted as well. The school handled the notification of student's parents as well as media inquiries.

party. Upon arrival, deputies spoke with the renter who was having a party of approximately 300 people. The deputies advised the renter if they received further complaints, they would be back to shut down the party. Approximately one hour later, deputies were called back to the residence. Deputies then cleared the party and cited the renter with allowing a public nuisance.

**Indecent Exposure:** On October 26<sup>th</sup>, at approximately 5:20 p.m., a deputy was called to a report of an indecent exposure. The victim, a 60 year old female, reported she was walking along 229 Avenue and Bataan Street when a young male, approximately 14-17 years old, riding a bike exposed his genitals to her. The male asked her if she wanted to have some fun. The victim told him she was too old and walked away. She did not see what direction the male left. The deputy was in the area within three minutes and was not able to locate the male.

Orlando, "And, just for a follow-up, there have been no further calls of activity in that area and now, it would be pretty cold.

**Arrest Breakdowns:** We had one felony arrest for burglary; gross misdemeanor, we had two; violate an order for protection and obstruct legal process with force, which was the same incident; and, misdemeanor, there were five: two were for theft, one was for disturbing the peace, one was a violation of an order for protection, and one was a disorderly conduct arrest."

Moegerle, "Are the thefts in any one particular area? Or, are they everywhere?" Orlando, "They are not. Like the three vehicle thefts, they were throughout the month and all over. So, not related. Probably where the keys were left in the vehicle or the vehicle was running, that's an opportunistic crime. There's really not any 'rhyme or reason' to where things happened or no pattern that you can point to." Moegerle, "Okay, thank you."

DeRoche, "This party that someone had, was that on the east side of the City? Correct?" Orlando, "Yes."

DeRoche, "And, wasn't there going to be another one the next night or something, Jack? Did that ever materialize?" Davis, "There was a rumor but it never materialized. The people that conducted the original party did not get an Outdoor Entertainment Permit. They were hand delivered a letter approximately a week ago stating what they would have to do to obtain a Permit, what they would have to do as far as a Temporary Liquor Permit. There was some indication that they wanted to try to have one the Wednesday night before Thanksgiving but we've told them they'll have to come in and do several things before any Permits can be issued."

DeRoche, "Well, they must have gotten pretty loud because where that place is at is pretty desolate other than a few animals." Davis, "It was reported to me there were two noise complaints. That's what precipitated the deputies to investigate. The first noise complaint was from Linwood. The second noise complaint was from 209<sup>th</sup> Avenue and National, which is over a mile away. So, the deputies went out there and broke the party up and they said it was very difficult to dispense approximately 400 to 500 people there. It took four of them to do it so we did notify the property owner that they would have to come by and talk to us if they tried to plan another event like that."

**Sheriff's  
Report**

The gentleman lived in East Bethel? Is that a house now that's going to be checked out periodically?" Orlando, "I looked in our report system and I did not have that male living at all in East Bethel. So wherever he was living, I showed the last contact with him, I believe, was in March and he was down in Blaine then. But, it's definitely something that I'll 'keep an eye' on."

DeRoche, "For those of you who didn't hear about it, there was about \$480,000 worth of meth. The State Patrol busted them out on. I think it was 94 or 694, somewhere around there." Orlando, "Yeah, I'm not really sure. It wasn't in Anoka County."

DeRoche, "All right, good, thanks." Orlando, "Thanks."

**5.0  
Public  
Forum**

No one signed to speak at the Public Forum.

**6.0  
Consent  
Agenda**

Item A Bills/Claims

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

Item C 2015 Fee Schedule

The City last amended the Fee Schedule on January 8<sup>th</sup>, 2014. The only changes Staff is recommending for 2015 are under the Utility Operation Fees section. The changes convert all quarterly utility rates to monthly rates (no net increase or decrease) as this will allow for all utility customers to be billed on a unified monthly schedule. Changing the fee schedule at this time will allow the implementation of the monthly billing service to begin on January 1, 2015.

Item D Appointment of Probationary Firefighters

The Fire Chief has recommended appointment of the following as probationary firefighters: Harley Lott, Nathan Fish, James Saenger, Justin Szmanda, Kyle Howard, and Ronald Lammert. Two applicants will be assigned to Station 2 and four applicants will be assigned to Station 3. With these appointments, the Fire Department will have a total of 38 Fire Fighters.

Item E Approve Purchase of Duty Officer Vehicle for Fire Department

As part of the City's Equipment Replacement Program, the 2003 Ford F-250 pickup truck, used as the Duty Officer Vehicle, is scheduled for replacement in 2015. Staff has reviewed the three options for the cab and chassis on state contract from the three major truck manufacturers and has determined that the Ford Explorer provides the best value and the lowest cost. The budgeted amount for this project is \$45,000. The proposed cost for the vehicle with accessories is \$44,669.87.

Item F Resolution 2014-44 Declaring Surplus Property

City Council approved the purchase of a Grass Fire Truck earlier this year. The Ford F-350 has been received, is equipped with the necessary equipment and ready to be placed into service. The replaced vehicle, a 1989 Chevrolet one-ton pickup truck is ready for decommission and has come to the end of its useful service life as a reliable and dependable piece of equipment.

6.0 Item G Pay Estimate No. 9 for Castle Towers/Whispering Aspen 2013 Forcemain Project

Consent  
Agenda

This item includes Pay Estimate No. 9 to LaTour Construction, Inc. for the Castle Towers/Whispering Aspen 2013 Forcemain Project. This pay estimate includes payment for the electrical work, communication system and restoration. Staff recommends partial payment of \$54,433.04. A summary of the recommended payment is as follows:

Total Work Completed to Date	\$ 1,925,533.14
Less Previous Payments	\$ 1,774,823.44
Less Retainage	<u>\$ 96,276.66</u>
Total payment	\$ 54,433.04

Payment for this project will be financed from the bond proceeds. Funds, as noted above, are available and appropriate for this project. A copy of Pay Estimate No. 9 is attached.

Item H November 12, 2014 Special City Council Meeting Minutes  
Meeting minutes from the November 12, 2014 Special City Council Meeting are attached for your review.

Item I Supplemental Bill List

**Ronning, “Move to approve the Consent Agenda as presented with the addition that Mr. Harrington made.” Harrington, “I’ll second.” DeRoche, “Any discussion? All in favor?” DeRoche, Harrington, Koller and Ronning-Aye. DeRoche, “All opposed?” Moegerle-Nay. DeRoche, “Motion passes.” Motion passes 4-1 (Moegerle).**

**7.0** Commission, Association and Task Force Reports  
**New Business**

7.0A None.  
Planning  
Commission

7.0B None.  
Economic  
Development  
Authority

7.0C Davis presented the staff report, indicating the Anoka Soil and Water Conservation District, Anoka Conservation District (ACD), has prepared a Comprehensive Plan in accordance with requirements of the Minnesota Board of Water and Soil Resources. The Plan must be filed with the U.S. Department of Agriculture for the district to receive assistance from the Natural Resources Conservation Service. The Plan provides a framework for overall natural resource management priorities in Anoka County. Future annual work plans will be developed with specific tasks to address the priorities and goals within this Comprehensive Plan. The Anoka Conservation District Comprehensive Plan promotes inter-agency cooperation and coordination for the preservation and conservation of the natural resource base in Anoka County.

7.0C.1 The East Bethel Park Commission has reviewed the Plan at their November 2014 meeting and commented that the document and the ACD are a useful resource for the City for natural resource planning and conservation. They noted that the Plan does not specify future

Anoka  
Conservation  
District  
2015-2019  
Comprehen-  
sive Plan

projects, only general goals and specific projects will be adopted annually. The Park Commission recommends approval of the Anoka Conservation District's 2015-2019 Comprehensive Plan with no further additions.

Staff and the Parks Commission have reviewed the ACD's draft Comprehensive Plan for 2015-2019, have no further additions or changes to the draft plan, and endorse its approval.

Harrington, "I see the Parks Commission did have just one comment on it. I don't know if they caught that, that they would have liked to see more detail of their future plans. They thought their future plans were just general information." Davis, "They are and normally what they do, they do those on an annual basis based on what their budgets are. I don't think the intent of this Comprehensive Plan was to include an itemized list of projects. Those are more reactive than they are proactive. So, this is more of a resource guide and an outline of what they've done, what they hope to do with the projects to be submitted to city councils that are participants on this on an annual basis."

**Moegerle, "I make a motion that we endorse the approval of the ACD 2015-2019 Comprehensive Plan," Koller, "I'll second."**

Moegerle, "I was kind of surprised that it said 'climate change is...' I don't think they used the word 'speculative.' Oh, yes it is, 'climate change is speculative. It does not benefit from consensus.' But, I found that an interesting statement but they do a lot of work. And, I didn't know they had a patent pending, so that's great too."

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

7.0D  
Road  
Commission

None.

**8.0  
Department  
Reports**

None.

8.0A  
Community  
Development

8.0B  
Engineer

8.0B.1  
MSA Street  
Designation

Davis presented the staff report, indicating on March 7, 2012, City Council approved two resolutions, No. 2012-19 which designated certain streets for the Municipal State Aid System; and, a second Resolution No. 2012-18, which removed certain streets that were on the Municipal State Aid System. The new streets that have been designated are as follows in your packet:

- **MSAS 122 185<sup>th</sup> Avenue** - Laurel Road to Lexington Avenue (0.34 existing miles)
- **MSAS 123 Laurel Road** - 185<sup>th</sup> Avenue to Lakeshore Drive (0.53 existing miles)
- **MSAS 124 Lakeshore Drive** - Aspen Road to Laurel Road (0.55 existing miles)
- **MSAS 125 Lincoln Drive** - Aspen Road to Laurel Road (0.51 existing miles)
- **MSAS 126 Aspen Road** - Lincoln Drive to Lakeshore Drive (0.23 existing miles)

8.0B.1

The streets that were removed in the previous resolution and are asked to be given new

MSA Street Designation designations are:

- **MSAS 112 Ulysses Street** - 181<sup>st</sup> Avenue to 187<sup>th</sup> Lane (0.39 existing miles and 0.41 non-existing for a total of 0.80 miles)
- **MSAS 114 Ulysses Street / 233<sup>rd</sup> Avenue** - 229<sup>th</sup> Avenue to Trunk Highway 65 (0.14 existing miles and 0.51 non existing miles for a total of 0.65 miles)
- **MSAS 115 Sims Road** - Trunk Highway 65 to Davenport Street (0.17 existing miles)
- **MSAS 118 241<sup>st</sup> Avenue** - Trunk Highway 65 to Baltimore Street (0.16 non-existing miles)
- **MSAS 119 Baltimore Street** - 237<sup>th</sup> Avenue to 241<sup>st</sup> Avenue (0.51 non-existing miles)

The Minnesota Department of Transportation has assigned the route numbers indicated above to each of these streets and has requested the resolutions be revised to include the route numbers. The revised resolutions also reflect the renaming of Longfellow Drive to 185<sup>th</sup> Avenue for MSA purposes. A copy of Resolution No. 2014-45 and Resolution No. 2014-46 are attached.

Staff requests Council approve of each of these resolutions individually, beginning with Resolution No. 2014-45, which gives the new designation to those streets approved for MSA designation.

**Moegerle, “I move that we approve Resolution No. 2014-45, a Resolution Establishing Municipal State Aid Streets.” Ronning, “Second.” DeRoche, “Any discussion? All in favor?” All in favor. DeRoche, “Opposed? Hearing none, motion passes.” Motion passes unanimously.**

Davis, “Staff requests Council approve Resolution No. 2014-46 with the new designations for street removal from the MSA system.

**Moegerle, “I move the approval of Resolution No. 2014-46, a Resolution Revoking Municipal State Aid streets.” Ronning, “Second.” DeRoche, “Any discussion? All in favor?” All in favor. DeRoche, “Opposed? Hearing none, motion passes.” Motion passes unanimously.**

8.0C  
City Attorney

None.

8.0D  
Finance

None.

8.0E  
Public Works

None.

8.0F  
Fire  
Department  
8.0F.1  
HEARTSafe  
City

Davis presented the staff report, indicating HEARTSafe Communities is a program designed to promote survival from sudden out-of-hospital cardiac arrest. It is a general concept focused upon strengthening the ‘chain of survival’ as described by the American Heart Association; it recognizes and stimulates efforts by individual communities to improve their system for preventing Sudden Cardiac Arrest (SCA) from becoming irreversible death.

8.0F.1

Davis, “Fire Chief DuCharme is here to present some details in what’s required to become

HEARTSafe City eligible for a HEARTSafe Community.”

DeRoche, “Didn’t we talk about that at one time?” DuCharme, “Yes, we have talked about this. Tonight, Troy Lachinski, one of our long-time firefighters is here to talk to you a little bit about the subject. Also, to ask that the Council declare the City’s intention to be a HEARTSafe City.”

Lachinski, “Thank you everybody for your time. I really appreciate it. Before I get started on the topic here, I want to tell you why I feel strongly about this program and why I’m requesting the City declare intention to become a HEARTSafe Community.

I grew up in Coon Rapids. I lived there for about 30 years and a good friend of mine, Bryan Platz, a police officer in Coon Rapids, he was a childhood friend. Throughout the last couple years on Facebook and other social media and in talking to him when I run into him, I’ve heard a lot about what he’s doing in the City of Coon Rapids for HEARTSafe and public awareness. It really inspired me to do the same thing in our community because it’s not so much seeing him get out in the community and do the public appearances, training, and build the awareness, but if you go to their website, you can see actual stories of real survivors. People that literally dropped dead of sudden cardiac arrest. If nobody stepped in and did anything, they literally would have died. With the help of by-standers knowing what to do, grabbing an Automatic External Defibrillator (AED), starting CPR, these people literally lived. And, we’re talking about a real life where they are not laid up in a hospital or stuck in home in bed for three, four, five weeks or months and then they die. These are people who are leading normal lives that literally have survived. East Bethel, I’ve lived here for ten years. This is my community and I feel really strongly that this is something that we need to bring to the people.

Mark and Jack mentioned sudden cardiac arrest. A lot of times in the news, they use the terms ‘heart attack’ and ‘sudden cardiac arrest’. They are kind of the same but they are not the same. Sudden cardiac arrest is caused by an electrical malfunction of the heart

I know that a lot of times, regular bystanders and regular citizens, they’re afraid of CPR and they’re afraid of doing something. They’re afraid that they’ll do something wrong and they’ll make things worse, they’ll break the person’s ribs, or they’re going to sue me. You know, ‘I had CPR certification ten years ago but it lapsed so I don’t feel like I can do something.’ What people are really afraid of, you know, they don’t want to put their mouth on someone. Everybody knows of CPR from what they see in the movies and on TV where you are pushing on the chest for a couple times and then you give a couple breaths, and then you push on the chest, and then you give a couple breaths. The nice thing is that today, with the new regulations, and when we talk about ‘bystander CPR’ you don’t have to do that. It’s all compressions. You have one person start doing compressions, somebody else goes and gets the AED, you connect the AED and at that time, somebody calls 911 and they get somebody that can help here right away.

If they start CPR within two minutes, the person has an 85% chance to live. Every minute that goes by, it decreases by 10%. If nothing happens within ten minutes, there’s only a 2% chance of survival. So, I feel really strongly that we need to make the community aware, get more AEDs out there, train as many laypeople as possible so if the event occurs, somebody will know what to do and somebody will do something.”

8.0F.1

DeRoche, “A couple questions. I guess another one of those A-fib, which you guys know

HEARTSafe  
City

about, as far as the training goes, is that something the Fire Department's willing to take on on a weekend? Have people come in?" Lachinski, "The answer to that is, 'yes.' Actually, our Department has been doing this for three or four years already. It was before we even knew about HEARTSafe. Our Department is involved with some community organizations, namely the Boy Scouts, some Cub Scout Packs. We're involved with the BMX track up in Isanti. A couple of the Fire Department members are also belonging to the Board up there. So, for the Boy Scout Troop #733, once every year we do bystander CPR for all the boys in the Troop. We've also done the same thing for Pack #387 and Pack #521. We've done it for the BMX track. We actually, I helped Hidden Haven, Deanna Lee, called me one day and said, 'You know, I'd really like to get an AED put in. Can you help me figure out where to buy one? And, can you figure out how to help me train my people once we do get one?' And, we did that last year as well. So, this is something that we're already doing and, we plan to continue."

Lachinski, "In order to receive the designation of HEARTSafe, we have to earn some, I think it's 4,000 heart beats. The way that we earn heart beats is by doing public training, the number of people that we train, the number of events that we attend and talk about SCA and AED use. That's exactly what we're going to do. What we're going to do is inform the public on what SCA is and what to do about it, mainly how to do bystander CPR and the use of AEDs."

DeRoche, "Now, I actually have an AED at home. It's a Phillips Heart Starter. But, it's something I've been doing for years. There are different AEDs out there and is that something...how are you going to convince people that, 'Yeah, this may be a Phillips and this may be another one but they're basically all the same?' I mean, they tell you pretty much what to do." Lachinski, "And the beauty of it is they all operate identically. You press a button and it tells you what to do. There're two things that you put on the person. So, that is the beauty of them. There are many different brands and many different varieties but they all work, basically, identical. If you take one off the shelf somewhere, as long as it's functioning, they all operate the same. So, that's the beauty of the training. It's basically universal."

DeRoche, "Now, do you guys also train? Because there's a difference between the adult pads and the child pads." Lachinski, "Yes, we would do the training for both of those. And, mostly the units...well, I haven't seen a unit that didn't have both pads included but they almost always have adult pads and ped pads included right in the unit."

DeRoche, "If you don't have the kid, you can use one adult pad. But, that's, you know, if it's somebody's life." Lachinski, "Yeah. It's better than not doing anything." DeRoche, "Absolutely."

Moegerle, "Troy, the Local Government Official's Meeting in October discussed this. And, I think your friend made the presentation. I recall that it was, like, 45, or 450 points, but it may be the 4,500. Are we going to be able to accumulate those points retroactively? Or, is it starting today and going forward? Have you looked into that?" Lachinski, "I believe it will start today. But, I'm not worried about how long it's going to take. I'm worried about just getting started." Moegerle, "Sure."

Lachinski, "And, this is the big kick off right there. So, this is where it really starts. I mean, even though we've been doing these activities before." Moegerle, "Right. Great."

HEARTSsafe  
City

Lachinski, "I had a bunch of other facts and things in there but basically, that's what we want to do. As far as the City's concerned, the beauty of this is that it's not really going to cost anything. It's going to be a team of volunteers from the Fire Department. If other people from other organizations want to get involved, we'll welcome them with 'open arms' to come and help us out and do this. The only thing that we might need from the City is a little help on the website to develop a page that tells people about our activities with HEARTSsafe. Maybe have a map of the community where the AEDs are located and maybe some videos on how to use them. That's all that we would ask for from the City."

DeRoche, "Are there any grants out there available to purchase AEDs?" Lachinski, "There are grants available to purchase AEDs and there's also, I know that Brian in Coon Rapids, he does a lot of fund raising events so he'll go to the business and they'll have a night where some portion of the proceeds go to purchasing an AED for that location as well. So, you know, we'll do whatever it takes to help the local businesses and organizations to get AEDs in as many places as possible. And, I'm also President of the Relief Association, as you guys know. We also have a plan to put something in place to help businesses purchase AEDs as well, to make sure they're..."

Ronning, "How much do they cost?" Lachinski, "AEDs...Mark?" Lachinski, "We just looked at that pricing recently." DuCharme, "Yeah, they'll range from \$1,800 to about \$3,000 depending on what you, the model that you work with. The one we've got back over here in the Senior Center, that's about a \$2,000 unit. Now, it might have cost a lot more when the seniors bought it, but they've been coming down. You know, what's interesting is when AEDs first were deployed out to the police cars, they were about \$15,000-\$20,000. That was about 20 years ago."

Ronning, "Have you been approached with interest in this yet?" Lachinski, "As far as public wanting training?" Ronning, "Yeah." Lachinski, "Yes. Yes, we have been. And, also, my buddy Bryan has really been pushing me to get this started. It's not that I needed any pushing, but he's been really after me. Coon Rapids did such a great job of becoming HEARTSsafe that Anoka County has approached them to help get all of the cities in Anoka County to be HEARTSsafe."

**Moegerle, "I move that we declare the City of East Bethel as a HEARTSsafe Community and appoint the Fire Department as the lead department of the City to head the program." Koller, "I'll second." DeRoche, "Any discussion? All in favor?" All in favor. DeRoche, "Opposed? Hearing none, motion passes." Motion passes unanimously.**

Lachinski, "Thank you for your time. I really appreciate it." Ronning, "Thank you."

8.0F.2  
October Fire  
Department  
Report

Fire Chief DuCharme, "Next order of business under Item 8.0F.2 is the October Reports. All though October was a little bit quiet on the fire call incidents, we did have some, the return to some of the unauthorized burning or illegal burning that we had to educate some of the public as to what we can burn and what we cannot burn in our recreational fires.

8.0F.2  
October Fire  
Department  
Report

One thing I did want to make note of is that now that we have snow on the ground, our residents can do open burning during the daytime any time there's three inches or more. But, they still need to get a permit. They can come to the City Hall to get a permit or they can go to one of our Fire Wardens.

We had 34 calls in October. Out of those 34, 28 were medical related. Some of the flu viruses are coming back. We're getting into flu season so I encourage everybody, if you haven't had a flu shot, to consider getting a flu shot. Of those 28 calls, 21 were transported by ambulance to hospitals.

As far as fires go, we actually didn't have any fires or car fires. We got called to a couple possible incidents that were canceled en route. So, are there any questions on our monthly report?"

Ronning, "I see on 'shortness of breath' there's one response and one transport by ambulance and with cardiac there's two with two ambulances. Did we lose anybody?" DuCharme, "No, no, it was a good month."

Davis, "Mark, If you'll just go ahead and present the next item also."

8.0F.3  
DNR Surplus  
Equipment

DuCharme presented the staff report, indicating the request is to consider accepting, the boat, motor, and trailer from the Minnesota Department of Natural Resources (DNR).

The Fire Chief has contacted the Federal Excess Property Program (FEPP) Manager of the Minnesota Department of Natural Resources (DNR) regarding the availability of a rescue boat, motor, and trailer for the City of East Bethel. This unit would replace the current rescue boat, motors, and trailer. Our existing rescue boat would be returned to the DNR for re-commissioning to another Fire Department, as it is owned by the DNR and on 'loan' to the City of East Bethel.

Our current rescue boat is a 20-foot inflatable vessel with twin 90 hp outboard motors. It is a surplus item from the Coast Guard via the DNR. It is large and difficult to navigate. The trailer is in need of a new axel and one the motors has experienced mechanical problems with fuel pick up. The Fire Department personnel are not able to launch this boat on our lakes, other than Coon Lake. The City does not own the boat, but uses it on loan from the DNR.

The available boat is a 2003, 17-foot Xpress "Duck Style" boat. The motor is a 2003 Yamaha 40 hp "Tiller" with electric start, trim, and tilt. The trailer is also a 2003 model. The boat, motor and trailer are in excellent condition and have been thoroughly tested and operated by the Fire Chief and DNR personnel.

Although there is no cost for the boat, motor, and trailer, the City would be responsible for the transportation costs to the DNR site in Willow River, Minnesota, of approximately \$2,300. This boat will be owned by the City of East Bethel within two years after being put into service by the Fire Department. So, it's a little different program with this boat.

In the 2015 Equipment Replacement Budget, \$15,000 has been budgeted for a new rescue boat. If Council accepts the available boat, motor, and trailer from the DNR, funds to pay the transportation and delivery cost would be covered from that account.

8.0F.3  
DNR Surplus  
Equipment

Staff recommends accepting the surplus boat, motor, and trailer from the Minnesota Department of Natural Resources (DNR).

DuCharme, "I can answer any questions, if you'd like."

**DeRoche, “I move to accept the surplus boat, motor, and trailer from the DNR. Koller, “I’ll second.” DeRoche, “Any discussion?”**

Koller, “Just one questions. Where’s Willow River and why does it cost \$2,300?” DuCharme, “Well, actually it was \$2,300 to Willow River. Willow River is north of Hinckley, about 30 minutes north of Hinckley off Interstate 35. The reason why it’s in Willow River is that’s where the DNR operates a couple different major activities. That’s one of their main nurseries and it’s also where they have their federal excise property. That’s where it all comes in and it’s kind of the warehouse for it.”

Ronning, “Do they have to flatbed that thing up there?” DeRoche, “I think someone had a question.”

Audience member off mic, “I’ve got a question. Were just purchasing a VW Jetta and it’s coming from New Jersey. And, the transportation charge is \$700 from New Jersey to here. So, how can it be \$2,300 in the same State?” DuCharme, “It’s not necessarily the same State that the boat’s coming from. Okay? Because it’s a federal surplus so it’s coming from whatever State.”

Audience member off mic, “Okay but New Jersey is...” DuCharme, “I don’t have any control on that. That’s what the DNR...” Audience member off mic, “It seems a little high.” DuCharme, “I’d be more than happy to take a look at it. On the other hand, I think the value of the boat is probably right close to \$10,000-\$12,000.” Audience member off mic, “Maybe take a look at the transportation costs. It seems a little excessive, I think.” DuCharme, “Well, I can ask them but, you know, I’ve worked well with the DNR over the years.” Audience member off mic, “I’m just curious.” DuCharme, “I’ve never figured out how they’ve had...issues like that either.” Audience member off mic, “Okay, thank you.”

Ronning, “Mark, do you know who’s liable for the transp...we’ll, we’re liable, who’s doing the transportation of this? And, where’s the origination point that we have to pay from?” DuCharme, “I don’t know where the boat came from. I could find out. It’s already been transported. A lot of the times, the way it works is when they get a piece of equipment in, they call around knowing that we had an older DNR boat. You know, that maybe it’s time to replace it. I’m not quite sure where it comes from. I wouldn’t be surprised if it originated from the US Department of Fisheries or Fish and Wildlife. The boat isn’t a true ‘Duck Boat’ where they now make kind of a cross-over where it’s got a little bit of a ‘V’ on the front. I’ll talk to the DNR tomorrow and if they want to give us the boat for less than \$2,300, I’ll be glad to...” Koller, “I’ll drive up there and pick it up for free.”

DeRoche, “I’m kind of wondering if the \$2,300 doesn’t just cover from Willow River to here but where the boat started from.” DuCharme, “Right.” DeRoche, “And, if the feds paid to have it brought to Willow River, they’re going to want to be reimbursed.” DuCharme, “Right.” DeRoche, “Knowing the federal government, they’ll pay pretty much anything.”

8.0F.3  
DNR Surplus  
Equipment

Harrington, “I don’t have a problem with the boat at all but I’m just curious. For the winter, does the Fire Department have anything for getting out on the lakes during the winter? Because, you guys aren’t allowed to drive any of your vehicles on it. Right?” DuCharme, “We don’t drive vehicles on the ice, period.”

Harrington, “All right, but do you have anything for winter?” DuCharme, “Even with the

ice road. Now, we go through some pretty extensive training for cold water rescue and hard water rescue. And, we have equipment for that. We do experience issues though. Because we don't drive vehicles, pick-up trucks, or anything on the lake. For example, last year there was a possible medical or something like that in the middle of Coon Lake in a fish house."

DeRoche, "There was a fire, wasn't it? Or, a medical?" DuCharme, "Yeah, well, there was a fire there too. And, we ended up, we walk out is what we do. We don't have a snowmobile, we don't have a four-wheeler. And, actually, the Sheriff's Department aren't allowed either. I tell you, how they got out there was there was a fire fighter who was there in his personal vehicle. He said, 'Oh heck, I'll just drive out there.'...with his own vehicle. Those are things that we can't do and we've discussed that. He took the deputy with him too. But, it does become problematic if we have to get out there. Right now we've got, well last Saturday, we had about an inch and a half, two inches of ice. I haven't been out to measure the ice yet. I'll probably do that Friday because I check on it. But, with this thin ice, we would never think of even a snowmobile. We'd walk out."

DeRoche, "Ice is never safe." DuCharme, "No, it's not. It's never safe. I guarantee you of that." DeRoche, "You might be lucky, but it's not safe."

Ronning, "With the potential for questions on \$2,300 charge, we can request an itemized...what makes up the \$2,300? If it's transportation from California to..." DuCharme, "Yeah. You know what, it might have even been transportation from New Jersey to California and then back to Minnesota...I don't know."

Ronning, "The \$2,300 includes moving the current boat up there?" DuCharme, "No, we'll bring, actually, the current boat, there's a couple fire departments and they might come and pick that up."

DeRoche, "All right, with that, I'll call the question. All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, motion passes." **Motion passes unanimously.**

DuCharme, "Thank you." Moegerle, "Thank you."

8.0G  
City  
Administrator  
8.0G.1  
Schedule  
Hearing for  
Administrative Decision  
Appeal  
553  
Lakeshore

Davis presented the staff report, indicating the Council is requested to consider approval of and a date for an administrative appeal hearing for 553 Lakeshore Drive.

Heidi Moegerle and Gary Otremba were directed by City Staff to correct City Ordinance compliance issues relating to 553 Lakeshore Drive on June 11 and August 20, 2014. The required date for compliance for this matter was October 21, 2014. As a result of this directive, Ms. Moegerle and Mr. Otremba requested the Planning Commission review the matter, not as a variance request, but as to a continuance of a non-conformity during the process of building demolition.

8.0G.1  
Schedule  
Hearing for  
Administrative Decision

The Planning Commission reviewed this matter at their September 23, 2014, meeting and unanimously voted to uphold the decision of the City Attorney, City Staff, and the directives in the letter of August 20, 2014.

While Ms. Moegerle and Mr. Otremba are basing their appeal on the section of the City Code that relates to the decisions of the Building Official and Building Code issues, all decisions on this matter have been those of the City Administrator and the Planning

Appeal  
553

Commission with the concurrence of the City Attorney.

Lakeshore

The request by the appellants to appeal under Chapter 14, Article II, Section 14-23, does not apply in this situation as the Building Official never rendered any opinions or made any decisions on the zoning, legal, and/or land use matters or participated in the decision to deny any future building permits until the compliance matters were resolved. Therefore, the process for appeal is subject to City Code Chapter 2, Article X, Section 2-590.

This appeal has been initiated by a written notice from the appellants dated November 10, 2014.

The appeal would be conducted under the normal process of a Public Hearing where the appealing party would have the opportunity to submit their written basis and reasons for the appeal and offer an oral presentation. At the conclusion of their presentation, Council would discuss the matter. The appealing party would not engage in debate with the Council during this phase of the hearing and would respond only to questions by Council. At the conclusion of the Council discussion, Council would provide direction to Staff based on Council findings and rulings for the disposition of this matter for separate adoption at the following meeting.

Staff recommends that City Council set a date for the requested appeal on December 3, 2014, or at a date that is convenient to Council.

**Moegerle, "I make a motion to table this matter at this point."** Vierling, "I think you may have a conflict in it Councilor." Moegerle, "Well, Richard Lawrence was told the same thing and then later learned that he didn't have one." **DeRoche, "Motion dies for lack of a second."**

**DeRoche, "I move that we schedule this administrative appeal for December 3, 2014."** Harrington, "I'll second."

DeRoche, "Any more discussion?" Moegerle, "Yeah, I think that it should be determined whether the appellants can be there. The other thing is that it seems to me very clear if you looked at the correspondence, the correspondence was strictly related to Section 14-23 because it is the Building Official that's responsible for making these decisions. And, the correspondence, the jest of it was, that the appeal is under 14-23, the Building Official is making these decisions, number one." DeRoche, "All right, we're not going to hear this tonight."

Moegerle, "But, no..." DeRoche, "We're going to schedule a hearing. You're more than welcome to bring that in. Could I get a legal opinion?" Moegerle, "No, this is inappropriate to proceed."

Vierling, "I understand there is a dispute with Ms. Moegerle and Mr. Otremba on what they think they want to proceed with procedurally. However, at this stage, we're setting the hearing. They can certainly bring forth their issues both procedurally and substantially when they get to the hearing on the third." Moegerle, "But, we've just been told that we won't be able to speak."

8.0G.1  
Schedule  
Hearing for  
Administra-  
tive Decision

Vierling, "No, you've been told that you will be able to provide a written statement, your side of the issue." Moegerle, "But, this Council has already indicated its view with this

Appeal  
553  
Lakeshore

with regard to the Local Board of Equalization when they tried to raise the taxes with this. There is no way that this is going to be a fair appeal.” Vierling, “The Council will rule on the issues that are presented by your appeal. I’m sorry. You can certainly provide a written notice and you have all the opportunity to set forth, in your written document, whatever your positions are to the issues.”

Moegerle, “Again, the notice was with regard to 14-23. We reserve the right to appeal to this Council when it’s more likely to be a fair one, which would be in January. And, so, frankly...”

Ronning, “What was that? Would you repeat that please?” Moegerle, “I said we’d get a more fair hearing in January. And so, that’s why we did not appeal according to Section 10. We appealed to 14-23 because we want an independent ...”

DeRoche, “We’re not going to argue the point. I’m going to call the question. You are more than welcome to bring whatever evidence you want to the hearing. This has cost the City thousands of dollars and uncountable staff time. Now, you can bring it to the hearing. I call the question. All in favor?” **DeRoche, Harrington, Koller and Ronning-Aye.** DeRoche, “All opposed?” **Moegerle-Nay.** DeRoche, “Okay, motion passes. Thank you.” **Motion passes 4-1 (Moegerle).**

**9.0 Other**  
9.0A  
Staff Report  
Outdoor Rink

Davis, “The outdoor rink at the City Arena will probably be ready for use sometime the first week in December, about three weeks earlier than normal, weather permitting. Keep a check on the web site and we’ll have that announcement on the date of the opening of the outdoor ice rink.”

DeRoche, “Now, we have a warming house up there too? Correct?” Davis, “No, there is no warming house. There’s a trailer there but it was destroyed by a windstorm last year and we elected not to replace that.”

DeRoche, “What would it take to get a warming house?” Davis, “It just depends on what we want to put there. We could have another trailer in there for, you know, \$3,000 or \$4,000 or a more elaborate structure. At this time, the Parks Commission approved some improvements to the Arena outdoor rink, which will start next year. They’re also discussing and we’ll make recommendations for a warming house at a later date.”

DeRoche, “So, can people then use the Arena? If they’re skating the outside rink, they can go into the Arena to warm up, correct?” Davis, “The Arena should be open during all hours that the outdoor rink is open with maybe the exception of some late afternoons on the weekends.”

DeRoche, “Okay. Is that lighted?” Davis, “Yes, it is. It will be opened to 10 o’clock every night, or opened upon request, or reservation with the Ice Arena Manager.” DeRoche, “Now, does our Public Works flood that? Or...” Davis, “They do.” DeRoche, “All right.”

9.0A  
Staff Report  
Outdoor Rink

Ronning, “Do they maintain the...if it gets rough, do they go back out and re-skin it?” Davis, “They maintain it as time permits. If there’s a lot of snow it may be a day or two after a snowfall event before they can get to it but they do maintain it, re-flood it, and try to resurface it as best as possible.”

DeRoche, “All right. Hear that folks? Get out and skate. Yes?”

Audience member, "I have a question. When the trailer went down in the damage from the storm last year, was anybody on the Council informed of it at all?" Moegerle, "I don't recall hearing about it." Davis, "To my knowledge, I think that they were."

Audience member, "They were notified of it?" Davis, "It was because we discussed some things on an insurance claim. I don't think it was discussed as a Council item directly on an agenda." Audience member, "Was it one of those things where it was just destroyed and that was the end of it?" Davis, "It was destroyed and it was also something that was, we'd had a lot of problems with vandalism with it. I didn't feel it was really efficient to replace the unit as is so we did initiate some talks with the Parks Commission. The Parks Commission came up with a plan for some improvements to the outdoor rink that were approved by the City Council. They're also working on a recommendation for a warming house for that facility." Audience member, "Thank you Mr. Davis."

9.0B  
Council  
Report –  
Member  
Moegerle  
Council  
Member  
Ronning

Moegerle, "No comment."

Ronning, "I don't have anything."

Council  
Member  
Harrington

Harrington, "I've got a couple here. We've got Road Commission and Planning Commission openings. If anybody's interested come to the City Hall and get a hold of Jack or whoever. And, tomorrow night's the Town Hall meeting, 6 o'clock over at the Senior Center and then over here at 7 for questions and answers." Ronning, "Please attend."

Council  
Member  
Koller

Koller, "Well, about the only thing I had to do last week was come to our meeting to vote on approving the votes. And, that took four minutes. So, that's about it."

Mayor  
DeRoche

DeRoche, "I don't have much. Good to see we're going to do that HEARTSafe thing. It would be nice to have some of them out, find out, you know, you going to put them like in the Senior Center, we already have one. But, I think there's one in City Hall also. How are we going to determine where those are going to go? The Ice Arena, do you know if they have one?" DuCharme, "I think the Ice Arena does have one. We'll check that. We now have it on our inspection forms so as we go out and do our business inspections, we'll be able to track those and able to layer those that have GIS, layer those on the maps. As far as, you know, the plan isn't necessarily for us to buy for the businesses. The businesses will buy their own but we'll help them as far as fund raising or anything like that. You know, there are some public areas that we think should have them."

Mayor  
DeRoche

Koller, "Is there an annual maintenance or inspection of these?" DuCharme, "Yes, the Fire Department has four of them that we operate and then we take care of the one up here and go through them. The biggest expense on them are the batteries. The batteries should be replaced every two years or so. Or, depending on the use. The ones we carry on the trucks are a little bit different, a little bit more high-tech, a little bit more charge to them."

Ronning, "Between you and Jack, do you know if the City can act as a purchasing agent and distribute those at cost?" DuCharme, "That's something that we could talk about. We

haven't gotten that deep into the plan. Certainly we can help identify vendors. We don't want to necessarily endorse one versus the other. That has to be..."

Lachinski, "Being that we have declared our intention to become a HEARTSafe Community, any business owner in East Bethel and the City of East Bethel will be able to buy them directly from Allina at the best possible price." Moegerle, "Thank you." DeRoche, "All right."

DuCharme, "It's remarkable to see these work. I mean, the first time ever I saw it was a gentleman who had, we had a call where he was bleeding from the head and passed out. We got there and sure he had fallen down and hit his head but he went down because of sudden cardiac death. Twenty minutes later, after putting him on the AED, he sat up and couldn't figure out where he was and carried on a conversation just like we are having. It's just remarkable."

DeRoche, "Well, heart issues don't have any boundaries. It doesn't matter how old you are, you're big, small, they just happen. Well, that being said, you know again, like Mark said, I know the ice out in front of my house is still pretty thin. You can still see trails that look like veins going through. So, I don't know, people have this 'necessity' to get out and fish in the channel every year but, that's all right. Other than that, I'll entertain a motion to adjourn."

9.0C None.

Other

**10.0**

**Adjourn**

**Moegerle, "I make a motion we adjourn. Koller, "I'll second."** DeRoche, "Any discussion? All in favor?" **All in favor.** DeRoche, "Opposed? Hearing none, motion passes." **Motion passes unanimously.**

Meeting adjourned at 8:28 p.m.

Submitted by:

Carla Wirth

*TimeSaver Off Site Secretarial, Inc.*