

EAST BETHEL CITY COUNCIL MEETING

JANUARY 7, 2015

The East Bethel City Council met on January 7, 2015, at 7:30 p.m. for the regular City Council meeting at City Hall.

MEMBERS PRESENT: Steve Voss Ron Koller Tim Harrington
Brian Mundle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
Mark Vierling, City Attorney
Craig Jochum, City Engineer

1.0 The January 7, 2015, City Council meeting was called to order by Mayor Voss at 7:30 p.m.

Call to Order

2.0 The Pledge of Allegiance was recited.

Pledge of Allegiance

3.0 **Harrington, “I’ll make a motion to adopt tonight’s agenda. Under the Consent Agenda, I’d like to add Q. Supplemental Payment Summary.” Mundle, “I’ll second.”**
Adopt Voss, “Any other discussion? All in favor?” **All in favor.** Voss, “All opposed? Motion passes.” **Motion passes unanimously.**
Agenda

4.0 Davis presented the staff report, indicating at the November 4, 2014 General Election, Steve Voss was elected Mayor. Tim Harrington was re-elected to the City Council and Brian Mundle were elected to the City Council.

Council Actions

4.0A

Oath of Office Statutes require that each re-elected and newly elected official be installed by taking the Oath of Office. At this time, Mayor Voss, if you would recite the oath of office provided for you.

Voss, Harrington, and Mundle each recited the Oath of Office in full.

Davis, “Thank you and welcome to the new Council. If you would sign those Oaths of Office and return those to me at the end of the meeting.”

5.0 None.

Presentation

6.0 John Kysylyczyn, “If anybody’s curious, it’s Ukrainian on my Dad’s side of the family, going back about 100 years, about 120 years in the United States here. I’m the owner and publisher of the legal newspaper *Anoka County Record* and later on your agenda, here on your Consent Agenda, you have a choice of selecting a legal newspaper. Actually, the way the Statute reads, you have to select a legal newspaper, or you have to take a vote at the very first meeting of the year, every single year. Actually, the Attorney General has said after that, you can vote to change as many times as you want just as long as you at least cast a vote at the first meeting of the year.

Now we wanted to announce that the Anoka County Board has appointed us as their official legal newspaper for 2015. We want to thank Commissioner Braastad for her ‘yes’ vote on that and so *Anoka County Record* will now be exclusively publishing all of the County’s legal notices for 2015. Also, we’re happy to announce that Ham Lake to your south

6.0

selected us as the legal newspaper on Monday and then next Monday Oak Grove is scheduled to. From talking with the Mayor, we'll be selected as their legal newspaper next week.

Also, we've had a couple of businesses in East Bethel that we wanted to recognize. That would be one called Flyers Development Camp, Rehbein Tax Prep, The Silly Parrot, Glass by Des, All That More Events Minnesota, and Sledhead Marketing for publishing their legal notices with us. Those are local businesses based here in East Bethel.

Now, you have two proposals that are before you today. We're both locally owned papers. Both of our papers have more people that read it on-line than read it in print. That's just kind of what we see in metropolitan areas and everywhere. We're a small business. I personally handle all of the legal notices. We don't ship them out to any third parties or anything like that.

Now, in reading the staff report, I guess I wanted to make sure the Council understood that East Bethel's kind of become an 'island' of sorts in the legal notice publication area because to your north is the *Isanti County News*, to your east is the *Forest Lake Times*. Now, *Anoka County Record* is bordering you on your south and your west sides. So your only connection to the other paper before you here today, I guess, would be through Bethel or the edge of St. Francis, which, really, *The Courier* is kind of the major newspaper in that area. Now, Anoka County will be publishing all of their legal notices in our newspaper.

When we talk about circulation, neither paper has much of any circulation in East Bethel. We're talking in a City with a population of 12,000 people, there may be 100 copies 'floating' around of the newspaper, 50, 20. But, regardless, we're talking a percent or two, not anything that is statistically significant.

So, we have to get back to the issue of the next point, it would be cost. We provide our newspaper; we would provide it to City Hall here, the Senior Center, as many copies as you want, no charge. That's for print advertising, we print copies, and of course on line we don't charge either. Now the staff report didn't go into cost. But any cost is important. Our paper is one-tenth the price, approximately, versus the other option. There's a ten times difference between them. The other paper charges \$10.75 a column inch. We charge \$10 per legal notice. So legal notices tend to be three, four, five, six, seven, eight inches in length. We charge \$10, flat rate.

What is interesting is for the last two years, you have been, in a sense, subsidizing the County's legal notices because you've been paying \$10 a column inch the last two years while the price offered to Anoka County actually has been \$6 a column inch. So there's also the issue, too, of 'Is it appropriate for you to be subsidizing another government?' We think not. The price we want to charge you, we're going to guarantee it's the lowest price we can give you. We don't like to play favorites. It's taxpayer money.

Now, there is a question of familiarity and that was raised. I would say, 'We would like your business and take the money that you would save and use that on putting out another one or two City newsletters.' City newsletters are a great communications tool and they're familiar to 100% of your residents. That, I think, is a far better investment of public funds than investing a lot of money into publishing legal notices in a newspaper that may be reaches 2, 3, 4% of your population.

6.0 And, then the question of, 'Well, are the residents going to be concerned about it?' In 2013,

and I'll just close with this, in 2013, Councilmember Mike Wylie out in Oak Grove raised the same questions. He raised the question of familiarity with the newspaper. So, he did not vote for us. We did get their legal notice contract and we published their legal notices in Oak Gove in 2013. In 2014, January, he changed his vote and he voted for us. The reason why is he said, 'I learned after a year of publishing legal notices, I didn't get one phone call. I didn't get any communications from anybody saying that they couldn't find out what was going on at City Hall.' That convinced him. I suspect that if you made the switch to our newspaper, I'd be very shocked if you got dozens of phone calls telling you, or demanding that they want you to pay ten times more to publish in a different newspaper. But, the choice is yours.

You have the choice of choosing how you want to spend your public funds and you have the choice of what priorities you have on communications to your citizens. I just wanted to bring forward our option and I will stand for any comments. Thank you very much for the time."

Voss, "Thank you. Is there anyone else that didn't sign in who would like to speak at Open Forum? If not we'll move on."

**7.0
Consent
Agenda**

Item A Approve Bills

~~Item B December 17, 2014, Council Meeting Minutes~~

~~Item C Resolution 2015-01 Designation of Official Newspaper~~

Item D Resolution 2015-02 Setting Meeting Dates for 2015

City Council adopts a resolution annually setting the meeting dates for City Council, EDA, Planning, Road and Park Commission meetings. Resolution 2015-02 establishes those dates.

Item E Resolution 2015-03 Establishing Bank Depositories

Resolution 2015-03 identifies official depositories for City funds. These agencies or institutions are the approved depositories for City funds to include checking, money market or investments.

Item F Resolution 2015-04 Establishing Check Signatory Authority

Resolution 2015-04 provides for the City Administrator, Mayor, and one Council Member to be the official check signers for the City. The City Administrator and Mayor will primarily sign checks with the one Council Member acting as a backup in case of an absence. Staff requests that the designated Acting Mayor be named as the alternative check signer in addition to the Mayor and the City Administrator.

Item G Resolution 2015-05 Setting Local Board of Appeals and Equalization Meeting Date

Anoka County has advised the City that the Local Board of Appeals and Equalization (Board of Review) must meet between April 13, 2015, and May 8, 2015, to consider property valuation for taxes payable in 2016. Staff proposes that the Board of Review be scheduled on April 15, 2015, at 6:00 p.m. Resolution 2015-05 establishes this date. The County requires an alternate date be submitted and staff proposes that the alternate date be May 6, 2015, at 6:00 p.m.

Item H 2014 Pay Equity Report and 2015 Compensation Plan

Local Government Pay Equity Act, M.S. 471.991-471.999 and Minnesota Rules, Chapter 3920 requires local jurisdictions to submit a pay equity report to the State of Minnesota every three years. Based on Council direction, the Pay Table for 2015 includes an across-the-board increase of 2% from 2014. Also, the Cafeteria Contributions will increase from \$904.69 to \$917.00. Again, both these items are represented as stated above in the approved 2015 budget.

Item I East Bethel Fire Relief Association Duties

At their December 22, 2014, meeting, the East Bethel Fire Relief Association approved an audit engagement with Abdo Eick and Meyers. Also, in an effort to complete the EBFRA OSA reporting requirements in a more efficient manner, City Staff has agreed to complete various schedules throughout the year to enable a more timely method of reporting. This results in minimal time to the City and reduces accounting costs for the EBFRA.

~~Item J Appointment of Planning Commission Members~~

~~Item K Appointment of Road Commission Member~~

~~Item L Appointment of Parks Commission Member~~

~~Item M Appointment of EDA Members~~

Item N Animal Control Contract Renewal

Gratitude Farms proposes to continue their agreement for animal control services for the City in 2015. Their service includes patrol services, pickup and impound of dogs and other agreed upon domestic animals other duties as may be assigned by the City related to the animal control activity. Gratitude Farms has provided exceptional service to the City and has performed our animal control since 2010. There is no increase in the proposed fees for this service from 2014 to 2015. Staff recommends approval of the attached contract for 2015.

Item O Confidential Employee Designation

Staff recommends the designation of Jackie Campbell, Finance Coordinator, as a confidential employee. This reclassification is necessary as a result of Wendy Warren's resignation and the reassignment of her duties. Jackie has access to payroll, benefit, personnel records, and closed session recorded media files including those that involve bargaining discussions and decisions. For these reasons that have to do with data sensitive and restricted information, we need to reclassify her position to that of a "confidential employee." As a result of this classification, Jackie would move from a union to a non-union employee.

The union representing those eligible East Bethel employees, Minnesota Public Employees Association, has been informed of this action but has not responded. There is nothing in our current Labor Agreement that restricts us from this action.

Item P Approve 2015 Tobacco License – Route 65 Pub & Grub

Owner, Bradley A. Slawson, has applied for a cigarette license for the Route 65 Pub & Grub (a separate license has already been issued for the Route 65 Discount Liquors). All forms have been completed and fees have been paid. A background check has been completed. Staff is recommending approval of the new cigarette license for Route 65 Pub & Grub, 18407 Highway 65 NE, East Bethel, MN 55011.

Item Q Supplemental Bill List

Ronning, "I'd like to pull B, J, K, L, and M." Koller, "And, I will pull C." Voss, "Any others? I will entertain a motion to approve the remaining items on the Consent Agenda."

Harrington, "I'll make a motion to approve the Consent Agenda with B, J, K, L, M, and C removed." Ronning, "Second." Voss, "Any discussion? All in favor say aye?" All in favor. Voss, "Opposed? Motion passes unanimously.

7.0B
December 17,
2014 Council
Meeting
Minutes

Ronning, "It was made known to me, I guess, that December 17th we had different voting people. We do have three people who were at the meeting. Is it proper for you guys to vote on something you didn't participate?" Vierling, "Yes, it is." Ronning, "Okay."

Ronning, "I recommend we approve B." Voss, "Motion to approve. Is there a second?" Mundle, "I'll second."

Voss, "Discussion? I will abstain just for the fact that I wasn't there. Then for secondly, too, and perhaps we can discuss this later on, is some of the format in terms of the quotes that are in there. I'll discuss that later. But, purely for the fact I wasn't part of the Council then, I'm not going to vote." Ronning, "Personally, I wasn't aware but Mr. Vierling cleared it up. I don't know what the obligation is or isn't if you're not a part of something you're voting on. But, for clarification." Voss, "All right. All in favor say aye?" **Harrington, Koller, Ronning, and Mundle-Aye. Voss, "Opposed? Abstain?" Voss-Abstain, motion passes.**

7.0C
Resolution
2015-01
Designation
of Official
Newspaper

It was noted the *Anoka County Union* and the *Anoka Record* have requested that they be named as the official newspaper for the City for 2015. Staff recommends that Council consider Resolution 2015-01, designating the *Anoka County Union* as the official newspaper for 2015. While there would be savings with the designation of the *Anoka County Record*, the *Anoka County Union* is known to our residents, associates East Bethel with the other cities in the coverage area, has a larger circulation than the *Anoka County Record*, and may be more accessible due to the limited number of households in East Bethel with internet access.

Koller, "Yes, this is in the Consent Agenda but we have two companies vying for it and there was not discussion on it. So, we can't just approve it when there is nobody chosen."

Voss, "Staff's recommendation was?" Davis, "Staff's recommendation was to go with the *Anoka County Union*. There is an issue of cost here and I do appreciate John's comments on that. It was something that we considered very heavily. From staff's concern, we have some issues because East Bethel has probably one of the lower rates for people that have internet access so my concern is for a newspaper that bases most of its subscribers or its readers to those who have electronic access, I'm just wondering how many people we are going to reach. The *Union* does have 4,300 circulation. They currently sell the paper at the River County Coop and are looking to work out something with Cooper's Corner to make the paper available. Again, in the resolution that we presented you, we left it blank. It is a Council decision. The thing that I would ask you to weigh is the familiarity with the paper to the City and also to what extent do people have enough internet access to be able to read an on-line newspaper."

Koller, "So, right now we only have the gas station. It's the only place supplying the paper?" Davis, "That is correct." Koller, "In the whole City?" Davis, "That's correct." Ronning, "There's that little convenience store over in Ham Lake, I think. But, I don't know who. Some of it's delivery as well."

Voss, "Do we know what the subscriber base is in the City for them? Or either?" Davis, "Midcontinent serves approximately 25% of East Bethel. So, if you have those people that take internet access with that, there's one-quarter of the City. The rest of it's either served by the phone companies, DSLs, or dish. So, we have no information on that. It's always been stated that we do have a lower percentage of people that do have internet access; however, we don't have numbers to verify what that percentage is."

Voss, "I guess my question was for the *Anoka County Herald*. Do we know what their circulation is?" Davis, "4,300 is their circulation, total circulation." Voss, "But, do we know..." Davis, "In East Bethel, no we don't know what it is." Voss, "Okay."

Ronning, "Seems to me I've read some, the City has an obligation to reach 40% of the residents. Is there anything as far as that?" Vierling, "Certainly there are guidelines for the qualification to become a legal publication in terms of minimum circulation that they have to achieve." Davis, "I think that circulation is 400 in order to meet State Statute. The only thing that we have that we know actually gets into everyone's hands is the City newsletter and that's mailed directly to every resident in the City."

Voss, "John, do you have a quick answer to that question?" Kysylyczyn, "Yes Mayor, if I have the opportunity. To the question of how many are circulated in your City, generally most newspapers will only give you the zip code analysis. In Ham Lake, City Attorney Dorn had informed the Council there that he believed they had approximately 300 copies of the other newspaper in their City. So, I would presume if you take the number I think that's advertised as 4,300, if I'm correct, and there's 1,300 that are Coon Rapids because there was a merger of the two papers that occurred. So, when you back that out, it comes down to about 3,100, which is what they put in their last statement in 2013. That's divided by nine cities. And so when you do the math work, I don't know how City Attorney Dorn came up with the number of 300, approximately. But I would presume that number would be reflective here. Now the question about the number of copies a newspaper has to produce, State Law says that every newspaper has to designate a service area and it describes a service area as being a city, school district, county, or other local government entity. As far as I know, every newspaper in Minnesota selects 'county' as their service area. Then they have to put out 400 print copies of their newspaper in that service area. What we've seen in the Twin Cities is most people are getting the newspaper on line. But what we've done, we would provide print copies to be available here. And, actually, there's some out in the hallway that we have here and then also at the Senior Center next door, or whatever you need. Thank you."

Ronning, "Is there another means to circulate to the...how many people go through here on an average month, daily? Fifty? One Hundred?" Davis, "We probably have 400-500." Ronning, "For the month?" Davis, "Yes." Ronning, "Okay, thank you."

Kysylyczyn, "Mayor, there's this bigger question of, 'Is the Statute outdated?' There's a lot of argument at the State that it is because when you do public hearing notices, a lot of times you have to advertise by mail to people within 350 feet of a particular project. So you're doing that type of notification. You've got your bulletin board here, cable tv, all of

those different options that are out there. The law's the law. And, what we've seen happen in like Minneapolis/St. Paul, Ramsey County, Hennepin County, and I can tell you Anoka County is publishing more material so we're talking 20, 30, 40, 50,000 thousand dollars worth of material. Anoka County recognizes there is no paper in Anoka County that reaches any sizeable percentage of the population. The only newspaper that comes the closest is the *Star Tribune*. *Star Tribune* reaches, probably, more people in East Bethel than any other newspaper does. But, the *Star Tribune* probably wants about \$40 a column inch rather than the \$10 or our \$10 per notice so it's cost prohibitive. It's the nature of the question of where are you best off spending your money."

Voss, "Thanks John. Any further discussion? Is there a motion to select our official paper?"

Voss, "Before we get a motion, can I ask one question? Jack, the cost we're talking about for publishing, these are the notices the City is required, these are not costs that are passed on to developers or applicants? These are things the City itself are required?" Davis, "That's correct." Mundle, "So it's a straight City cost then." Davis, "And these generate primarily from Planning & Zoning activities and they can vary depending on how many legal notices are required to file in a year. I think last year we spent about \$1,200. But, depending on the activity going around, it could be double that."

Ronning, "I'll make a motion to approve *ABC Newspaper* which includes *ABC Newspaper, Anoka County Shopper*, they're a division of ECM Publishers, Inc., located at 4101 Coon Rapids Boulevard, Coon Rapids, Minnesota 55433." Voss, "Is there a second to that motion?" **Mundle, "I'll second."** Voss, "Is there any discussion? All in favor say aye." **Harrington, Mundle, Ronning, and Voss-Aye.** Voss, "Opposed?" **Koller-Nay.** Voss, "**Motion passes.**"

Voss, "Thanks for your time John."

7.0J
Appointment
of Planning
Commission
Members

It was noted that Glenn Terry and Eldon Holmes, current Planning Commission members whose terms expire on January 31, 2015, have requested to be reappointed to another three-year term on the Commission. The Planning Commission at their December 16, 2014, meeting endorsed their reappointment request and recommend that City Council reappoint Glen Terry and Eldon Holmes to the Planning Commission. The Planning Commission also interviewed two applicants, Sherry Allenspach and Robert DeRoche, for the vacancy created by Brian Mundle's resignation. The Commission by a 5-2 vote recommend that City Council appoint Sherry Allenspach to fill Brian Mundle's term, which will expire on January 31, 2017.

Ronning, "J, K, L, M at the same time. We changed a little bit about how the interviews go but we haven't changed. We're still responsible for the appointments. And, at least one of those, all the applicants aren't even in the package. So for that matter, I'd like to make sure how many of, and I think I'll probably have some questions for some." Davis, "Which ones in particular do you have in mind Tom?" Ronning, "Well I know there's the issue with Jay, the Planning Commission. I'm not certain about the others, not to single one out."

Voss, "Are these all the applicants for Planning Commission?" Ronning, "No." Davis, "For the Planning Commission there were two applicants for one position. Two of the members requested to be reappointed. The Planning Commission recommended their reappointment and two applicants were interviewed for the vacant position that was created

7.0J

by Mr. Mundle's moving to City Council. For the other Commissions, there were no applicants."

Ronning, "For the answer to the question though, is there were two for the new opening."

Voss, "Well, I was thinking about applications. Was there a formal application that was submitted for Mr. DeRoche?" Davis, "There were formal applications. What it was, the formal application is the letter indicating they would like to apply with a resume." Ronning, "And, they were interviewed." Davis, "They were interviewed, that's correct."

Voss, "So, based on your write up, Glenn Terry and Eldon Holmes were standing members, their terms expired, they were recommended to be reappointed. Correct?" Davis, "That's correct and the Planning Commission endorsed their request for reappointment. And, the vacancy that was created by Brian's departure from the Planning Commission, there were two applicants for that and they were interviewed at the Planning Commission in December and the Planning Commission's recommendation is included in your write up as to their preference for the appointment."

Ronning, "Well, that's a good explanation for...they don't make our decision. They don't vote on anything, they don't approve anything." Mundle, "They just made a recommendation to City Council like anything else that the Planning Commission would do for City Council." Davis, "Right." Ronning, "Yes." Mundle, "That's all." Ronning, "Right." Mundle, "That was the instruction that was given to Planning to do." Ronning, "I believe that's exactly what you conducted at that...it doesn't seem to be exactly what came before us."

Voss, "As I read the rest of Jack's write up, there were two applicants for the vacancy. Sherry Allenspach and Bob DeRoche and they were interviewed and the Planning Commission, on a 5-2 vote, recommended that the City Council appoint Sherry Allenspach to the term. So, I guess how I..." Ronning, "I guess I've got questions for one of the current ones. I don't know that I'm going to vote to approve to reappoint anybody."

Voss, "Well, basically, just to surmise this, the Planning Commission made a recommendation to Council. There's technically three positions: Glen Terry, Eldon Holmes, and Sherry Allenspach to the Planning Commission. So that's their recommendation to us. And, you're absolutely correct. It's Council's appointment."

Ronning, "I'm going to move to table J until the next meeting. I'd like to have some conversation with these people. I have some questions, I think, that matter." Voss, "There's a motion on the table." **Harrington, "I'm going to second that on J."** Voss, "Okay. Discussion?" Ronning, "I withdraw the rest. Discussion?" Voss, "So, you want to interview all four applicants at Council? Is that the intent?" Ronning, "Yes."

Mundle, "Doesn't that kind of default a recommendation from Planning Commission? I realize that this is a new thing that we haven't done before in the City. So would your interpretation be that you'd like the other Commissions to interview and then have the applicants available for questioning at this time during our meetings? Is that what you'd like?" Ronning, "Yes, I'd think so. That's what it's been as long as I know."

Voss, "Well, the history, it used to be, basically, how it is now. The Commissions interview, they make a recommendation to Council, and then Council obviously has to

make the appointments. I'm not sure how many years ago, it was brought back that Council did all of the interviewing. I think it's when we started, actually, kind of enforcing terms. For the longest, it wasn't terms on these Commissions. And then I think, well in the past year or so, the last Council changed it back to Commission appointments, or Commission..." Ronning, "It was recommendation that was...the recommendation still isn't an endorsement."

Davis, "No. The new procedure was adopted, I believe, back in October or September." Voss, "Of last year." Davis, "Of last year. So this is the first time we've put this into application." Voss, "Okay. And what, I mean for those that were on the Council, what was the intent of changing the policy then?" Koller, "Well, it was to give the Committees a chance to do some interviewing and see who they wanted. Then they would put their findings to the City Council." Harrington, "Yeah. And then wasn't it with people being nervous, too, being in front of tv and in front of everybody? That's why they went to let the Commissions do their interviewing."

Voss, "Was there, at that time, was there discussion also? I'm not disagreeing with you. I didn't see...what was the intention back in October? To have them come to Council? Or, was it just read the packet and..." Koller, "It was originally to kind of prescreen when they're not on tv and in front of a bunch of people." Ronning, "Some of this recollection comes back. I think it was in part to give the Commissions a chance to find people that were inclined to be able to work on the Commission."

Davis, "Correct me if I'm wrong, but the reason we considered this was for, number one, to encourage more people to apply for the positions. We felt that some people were very uncomfortable coming before a Council setting to be interviewed. Also to give the Commissions a chance to talk to the applicants too, to find out firsthand what their positions were on things that referred to their activities."

Voss, "So, this sounds like sort of a, like you said, prescreen, or first interview with the Commission. The Commission presents their recommendation and then I guess the next question is, was the intent to have those that were recommended come to Council? Or to have all the applicants come in front of Council?" Davis, "No, I think the intent was that the Commissions would then make a recommendation as to their preference of who they'd like to see for appointment. Then Council would be the final approver of those recommendations, just as a safety valve in case there was, say, you appointed 'Osama bin Laden.' An extreme example I must admit, but that was the intent, I believe, at that time. So, here again, this is the first time we've put this application into process so this is where we are."

Voss, "Okay. So, the motion to table that was seconded on Item J was just the Planning Commission positions?" Ronning, "Yes." Mundle, "Okay. And would our next meeting be before Planning Commission's next meeting?" Davis, "Yes. Planning Commission is the 27th, I believe." Ronning, "This is supposed to be concluded in the month of January." Voss, "We'll have a meeting in two weeks so that will be before the Planning Commission meets so there's time. Is there any other discussion? All in favor of the motion to table Item J?" **All in favor.** Voss, "Any opposed? Okay, that motion passes." **Motion passes unanimously.**

7.0K Appoint Road Commission Member
 It was noted that Denny Murphy and Lori Pierson-Kolodzienski, current Roads Commission members whose term expires on January 31, 2015, have requested to be reappointed to another three-year term on the Commission. Approval of the reappointments is requested by City Council. There is still one vacancy on the Roads Commission.

7.0L Appoint Parks Commission Member
 It was noted that Stacy Voelker, current Parks Commission Member whose term expires on January 31, 2015, has requested to be reappointed to another three-year term on the Commission. Approval of the reappointment is requested by City Council.

7.0M Appoint EDA Members
 It was noted that Dan Butler and Brian Bezanson, current EDA members whose terms expire on January 31, 2015, have requested to be reappointed to another term on the Authority. Approval of the reappointments is requested by City Council

Ronning, “Then withdraw any hold on K, L, and M and recommend approval. In fact, I’ll make the motion to approve.” Koller, “I’ll second K, L, and M.”

Voss, “And that’s for Roads, the Parks, and EDA positions that are open?” Ronning, “And you said that those are the only ones. I mean the applicants that are in those?” Davis, “There were no new applicants.” Ronning, “Okay.”

Voss, “Is there any discussion to that? All in favor say aye?” **All in favor.** Voss, “Any opposed? Motion passes.” **Motion passes unanimously.** Voss, “That concludes items pulled from the Consent Agenda.”

8.0 New Business Commission, Association and Task Force Reports

8.0A Planning Commission
 None.

8.0B Economic Development Authority
 None.

8.0C Park Commission
 None.

8.0D Road Commission
 None.

9.0 Department Reports
 Davis presented the staff report, indicating the City of East Bethel has contracted with Flat Rock Geographics to provide our Geographic Information Systems (GIS) services since 2005. Due to the needs to upgrade this service, staff requested that interested providers submit Request for Proposals (RFP) for GIS services. On November 20, 2014, staff reviewed proposals from three firms. These firms being: Flat Rock Geographics, Hakanson Anderson, and WSB.

9.0A.1 Community Development
 GIS Contract
 Staff evaluated each proposal and WSB received the highest rating both in terms of their product and cost.

9.0A.1
GIS Contract

By notice of Flat Rock Geographics, effective January 31, 2015, they will no longer be providing the City of East Bethel with GIS services and they have withdrawn their proposal from consideration.

In addition to improving our GIS system, this is an opportunity to update and link PermitWorks to the system. PermitWorks is the software used for our Building Department's records of permits and property files. Updating PermitWorks would enable us to integrate these two systems at lower cost and provide a significant enhancement in the tracking of septic system compliance and code enforcement activities.

Our existing GIS is hosted by a dedicated computer in City Hall and does not have the capacity to service multiple users other than staff. WSB's GIS product is hosted off site, is web based, and can be linked to our website. Although residents have access to the County's GIS, this site is limited essentially to aerial photos and property information. Having the ability to link our GIS to the City's website would provide additional tools and layers of information that are not available on the County site.

The need to address this matter after the 2015 budget discussion was precipitated by issues that weren't addressed to our satisfaction by the current contractor. Both parties attempted to work through the differences but in the end, it was in the best interests of both parties to terminate the relationship.

The first year of a contract with WSB for GIS for 2015, would be \$11,600. The projected second and third year cost for this service would be \$6,600 for each year, or a potential savings of \$10,000 for a three-year contract. The 2015 Budget includes \$11,510 for these costs.

The addition of the PermitWorks upgrade would cost \$12,445 for the first year and \$2,990 for the second and third year of the contract. The difference in these costs is reflected in the one-time training and module cost of \$9,455. In addition, there is a 10% contingency cost included in the event there is a need to convert and merge the codes for existing files.

The total cost for this consideration is \$26,499.50. \$11,510 is budgeted for this service for 2015 and the balance of the cost, \$14,039.50, could be covered from the EDA 2015 Project Budget. Going forward to 2016 and 2017, the costs for the service would be reduced to \$9,598 for each year.

Staff recommends that Council consider contracting with WSB for GIS services and PermitWorks for a cost not to exceed \$26,499.50.

Ronning, "For discussion sake, so we can have discussion, I'll move to adopt staff recommendation." Voss, "For WSB?" Ronning, "Yes." Voss, "Is there a second to the motion?" Koller, "I'll second." Voss, "Okay, discussion?"

Ronning, "We had three on this one, one withdrew, where's the other one?" Davis, "It's WSB and Hakanson Anderson." Ronning, "Yes." Davis, "We did not put their proposals down. This service was the least expensive and offered us the best alternative. I can provide you with those numbers if you'd like to see them." Ronning, "Okay."

Ronning, “I’ll amend my motion to approve WSB. Would you accept the amendment?” Koller, “Yes.”

Voss, “Jack, last week when you and I were talking about this, the GIS issue, one of the questions I had was whether we can make it available to the public on our website. You know we’ve got the Anoka’s GIS which is strictly just property information. Are we going to be able to interface this new GIS on our website?” Davis, “We can and we could use that. There may be a small cost for them to upgrade or merge some stuff but we can make this available on our website. There would be a few things that we’d want restricted. Like we probably wouldn’t like people to generate mailing lists from our website information. We’d have to define that but we could offer most everything we have now, which would be all the layers that shows wells, flood planes, zoning, all the planning tools that we have and could make that available on our website.”

Voss, “I think having that available is not only important to the public, our public, but also to perspective businesses or developers who are looking into the City. It’s common, for the smaller towns I know, it’s actually one of the most common web pages people go to are the GIS pages.” Davis, “It is. And, the other things that would be available would be information from Public Works, like locations of signs, utilities, fire hydrants, coverage of that, and road plans. So, we could offer a lot of stuff for people to access.” Voss, “Okay, good. But, that’s not in this proposal right now? To interface?” Davis, “No, but they said they can link it and it would be a very small cost because they didn’t think there would be much to do to make sure we could interface that with our existing website.” Voss, “Is that something that has to come back to Council? Or, is this something that...” Davis, “If it’s more than a \$1,000 I would bring it back to Council. If not, it will be covered under the contingency cost. Also, the training cost that are in your breakdown, we don’t feel like we’ll have to utilize all of that money for that. So, there should be some potential savings involved in that too.”

Voss, “Okay. Is there any other discussion? If not, all in favor say aye?” **All in favor.**
Voss, “Opposed? The motion passes.” **Motion passes unanimously.**

9.0B
Engineer
9.0B.1
185th Avenue,
Laurel,
Lincoln Road
Project Report

Davis, “At this time our Engineer, Craig Jochum, will review the status of those projects and answer any questions you may have.”

Jochum presented the staff report, indicating this project includes reconstructing 185th Avenue, Laurel Road, and Lincoln Drive to State Aid Standards. The limits of the project are shown on attached Sheet 1 of the plan set. The new road will include one 12-foot wide travel lane in each direction along with a 6-foot paved shoulder on each side of the road. The proposed construction is shown on attached plan sheets 23-30.

In order to meet current storm water standards, two new ponds will be constructed and one existing pond will be expanded. The pond construction is shown on attached sheets 33 and 34.

Right-of-way for eight parcels needs to be secured for this project. With the exception of two parcels, the City’s offers have been agreed upon. The owner of one of the parcels has not responded to the City’s offer or requests for a meeting. The owner of another parcel is in the process of obtaining an independent appraisal. As of to date, this property owner has not provided a counter offer. Staff will continue to work with the City Attorney to secure the right-of-way.

9.0B.1 This project will be financed with Municipal State Aid Construction Funds. Funds are available in the account and are appropriate for this project.

185th Avenue,
Laurel,
Lincoln Road
Project Report

Voss, "Craig, this is in our packet for informational purposes. Right?" Jochum, "Right." Voss, "So, where's the next steps on this?" Jochum, "For the most part, it's in pretty good shape except the right-of-way. Soon or later, and maybe Mr. Vierling can add to this, we'll have to decide what we want to do with the person that's not responding. Maybe City staff knows of him. I haven't talked to Jack in detail at all about...I've stopped out there a couple times but haven't caught him home. I've called him a couple times and sent some letters. There just seems to be no interest in dealing with this on their behalf. So from there, we'd have to decide if we're going down the condemnation route. I don't know if Mr. Vierling has heard any more from the Loch property. They've been getting an appraisal for, I don't know, a couple months now."

Vierling, "I did talk with their counsel. They have secured legal counsel. He has given me an oral report of what their appraisal is. I can tell you it's significantly above the City's appraisal that the engineer secured. I had reached out to them to see whether or not there was any effort, any consideration, to modifying their position on that. For the lack of response back, I assume there is none. So, on that particular property what we had talked about with Council was if we needed to do an eminent domain acquisition, it seems to me they are willing to agree to the acquisition but reserve the issue of the claim on damages."

Voss, "Is the intent to implement this project in 2015?" Jochum, "Correct." Voss, "So then at what point do these right-of-way issues need to be resolved to make sure the project gets let?" Jochum, "Probably around June 1st." Voss, "So we've got six months to get the right-of-way?" Jochum, "About that."

Vierling, "Well, if we're into that level, certainly at your next meeting you can expect we are going to have a recommendation that Council authorize acquisition by eminent domain. For benefit of the Council, if we have to acquire by eminent domain, the law requires that we proceed the actual service of the pleadings with a copy of the appraisal and give the property owner at least 60 days to review it before we're allowed to bring the action. Depending upon whether or not the affected property owners are...damages are one issue but whether or not they're willing to concede the acquisition to allow the passage to avoid the unnecessary consumption of time, normally they are but sometimes not. So, I don't want to be in a position where you guys are ready to order a contract in June and we don't have property owners lined up yet, at least as far as the acquisition rights are concerned. So you can expect that at your next meeting we'll be here with a resolution authorizing acquisition by eminent domain, if we need to do so.

Voss, "So if I heard you right, one property owner may be amenable to...?" Vierling, "Certainly amenable, I believe, to allowing us to acquire the rights to get in there but reserving his claim on damages."

Voss, "Now, the second property owner, we don't have a clue." Jochum, "It's really a fairly minor parcel that's at the beginning, right at the intersection." Voss, "And so you'll continue the..." Jochum, "But possibly, I guess, with Mr. Vierling's information, maybe we want to have a Closed Session next session to talk about that offer. If the design has to change because of it, if it's that significant, I don't know, maybe that might be appropriate too. I don't know."

9.0B.1
185th Avenue,
Laurel,
Lincoln Road
Project Report

Vierling, "I think you and I will talk off line on that matter but it seems to me if we are getting zero response from a critical property owner, then we need rights too. We need to start moving on this thing." Voss, "I agree that if we're going to try and make this happen this year, these are things that will hold things up."

Jochum, "Yeah, I guess I was meaning more of a Closed Session on the offer that was provided. If it's significantly more than what we're offering."

Ronning, "A question for Mark and then one for Craig please. Could you explain this withhold for damages?" Vierling, "Sure. There's really two issues with every acquisition of land rights that you have. One is the right of the condemning authority, the local government unit, to actually get the rights to physically go on the property and make the improvement. Usually that is somewhat of a separate process from the process to determine what the damage is and to compensate the property owner as a result of that. It's fairly common in eminent domain that the actual rights to enter the property to make the improvement are secured long before the value of the property, by way of a commissioner's hearing or something, is actually ascertained and the payment is made. So, usually we separate those, although they are talked about in tandem. Practically speaking, the right to get in the property and make your improvement is usually always in advance of the actual compensation."

Ronning, "What if no one's damages are identified?" Vierling, "Damages will always be identified on any form of acquisition." Ronning, "I'm sure they will, but..." Vierling, "Whether they be temporary or permanent taking, there's no such thing as a zero damage award in eminent domain."

Ronning, "And, could you explain, we have some differences on the appraisals, what we do compared to what they did? If you know?" Jochum, "I don't know." Vierling, "I think we would discuss those with you in Closed Session. But, I can tell you the one that I'm aware of, we're talking at least ten times different." Ronning, "A thousand percent's not bad." Jochum, "That's your downside of going forward. You'd both sign a right of entry, is what we typically call it. And then you can go ahead and build it but you've got to keep in mind that would be your upper limit that you could be paying in damages when it's all 'said and done.'"

Voss, "That's what I was going to ask, in terms of timing. If that's the route that's taken, are we going to know what those damages are before we proceed? Because in extreme cases, and maybe that is what this one may be, we may say, 'Is it really worth the project if someone is asking for \$10 million for a quarter acre of land.'" Vierling, "I can tell you we are not that high but we'll certainly give you a reasoned estimate as to what we think the upper limit is. Keep in mind that given the current status of the law, certainly there's the damage award, there's the opportunity for the property owner to claim beyond the actual cost per square foot, that there's a severance damage that is a damage to the remainder, and then by Statute, if the actual commissioner's award varies by a given percent from what the City originally offered, there's the opportunity for the property owner to claim right of attorney's fees in addition to that. So, we have to take a look at what the potential is there for the actual acquisition, the severance award claimed, and the possibility of attorney's fees. Beyond that, you have to know that when you get into litigation, the City always pays for the commissioners to have the hearing. So, you end up paying for the three commissioners appointed by the court to conduct the hearing and their fees for that time."

9.0B.1
185th Avenue,
Laurel,
Lincoln Road
Project Report

That's why acquisitions are usually very expensive and you want to consider them carefully before you go ahead."

Voss, "I guess my question boils down to is with the timing of the project, are we going to be able to have that matter resolved before we let contracts?" Vierling, "In terms of the damage award, it's unlikely." Voss, "So that's something that we'll just have to consider when we get to that point." Vierling, "Correct."

Harrington, "Say Craig, I've got one for you on the utilities. Is there a lot of utilities that are going to have to be moved on that? Lincoln and Laurel?" Jochum, "No, not too bad." Harrington, "Because both of them are going to need some time and if you're shooting for June, you know." Jochum, "We actually had a meeting with them eight months ago already. So they're on board and aware. There are some utilities on Lincoln that need to be pushed off the road." Harrington, "Okay. Because I know there's gas on one side and electric on the other. Just so, you know, they get their time if they're still shooting for June." Jochum, "So most of June will be, probably, moving utilities and things like that."

Voss, "I've got two, I'll call them technical questions. One is, obviously, this is the major route into the Beach and there's one other route into there. With the construction that you're planning, are we keeping this roadway open during this reconstruction?" Jochum, "Correct. We don't have, that's probably the one thing left to do, but we need to do some phasing such that this road will stay open. Correct." Voss, "Okay. I think, obviously, that's going to be important to everyone who lives in the Beach, knowing that they're not going to have to rely on a dirt road to get in there." Jochum, "We've been holding a little bit in that, just trying to resolve this big right-of-way issue yet before we final it. Correct, this road will stay open."

Voss, "Then the other question I have, and I know it's early, but in looking at the drawings, the intersection of Lincoln and Laurel, that curve as it comes in, I assume there's a technical reason as to why it doesn't come in as a right angle? The intersection is not really a right angle." Jochum, "Well, technically, the dashed line that's close to the center line comes in at a right angle. As you move to the north, that starts a 300-foot curve, which is required on the curves. We could kind of push that to the north and west but we were trying to not have to get additional right-of-way on that parcel."

Voss, "Well, my only concern is, and you'd have to look at the drawing to really envision it, if you're going west, which then turns north Lincoln, and you're going to continue on Laurel, it's almost just like a 'cane.' You're going to go around that curve pretty fast." Jochum, "Oh, I see what you're saying. West." Voss, "Yeah. If they're going west and they're going north on Laurel, it's still almost a straight road. Because I assume there's going to be a stop sign there at Laurel now, but it's not going to calm that traffic. I know Laurel is going to be a problem with speeding and..." Jochum, "So if you're heading west on 185th then north on Laurel and then taking that right on Laurel again?" Voss, "Well, what I'm saying is you're going north here, and this is Laurel, they're almost going straight here. If this road went more like this?" Jochum, "Yeah, correct." Voss, "So, I'm just thinking of slowing down traffic but not Lincoln. For the ones who are going on Laurel." Jochum, "Right. But, just to keep in mind, again, that curve there that's 300 foot. We can push that to the north but it pushes the road also to the north, which we're really tight on right-of-way up in that corner. But, it's not saying we can't. We can try to acquire some of that right-of-way." Voss, "Okay. Any other questions?"
Informational; no action required.

9.0C None.

City Attorney

9.0D None.

Finance

9.0E Davis presented the staff report, indicating the Minnesota Department of Oral Health and Drinking Water Protection Section have awarded the City, for the second consecutive year, the Center of Disease Control (CDC) and Prevention's 2013 Water Fluoridation Quality Award. The CDC initiated this award in 2002 to recognize outstanding performance in fluoridation management by public water systems. In 2013, only 119 out of 960 systems in Minnesota received this award.

9.0E.1

2013 Water

Fluoridation

Quality

Award

Davis, "I would personally like to thank our Public Works Department for their fine work in being able to duplicate this again. It is quite significant and shows we're doing, I think, a pretty good job in our water system supply."

Voss, "Good." Mundle, "Is this only the second time it's been awarded to us?" Davis, "That's correct."

Informational; no action required.

9.0F None.

Fire

Department

9.0G Davis presented the staff report, indicating Commission/Committee appointments are made by the Mayor and approved by City Council for Council liaisons, Commission, Committee, and Authority assignments for 2015. The following are the Commission, Authority, and Committee appointed positions for consideration: Acting Mayor, Planning, Parks, and Roads, Fire Department, Police Department liaison, Economic Development Authority, the appointment of two City Councilmembers, the Water Management Organization of Upper Rum River and Sunrise, Committee assignments for the Sandhill Crane Committee, the Finance Committee, the Booster Days Committee, and also there is an assignment for the Anoka County/Blaine Airport Advisory Commission.

9.0G.1

Commission/

Committee

Assignments

for 2015

Davis, "There is one Committee assignment that I would recommend that we do not fill at this time and that's the Cedar Creek Joint Advisory Committee. There's a Memorandum of Understanding (MOU) that expired and the City and Cedar Creek are working on. They'll probably have a new MOU and at that time, we can consider appointment of a Committee member once that's completed."

Voss, "Jack, on that issue, the Cedar Creek, does it make sense to appoint a Councilmember so they can be involved with that negotiation?" Davis, "Well it could but what we had done up to this point was we've had several meetings with the people at Cedar Creek. The director there left last March. They haven't filled that position so this whole process has kind of in..." Voss, "Might take a while?" Davis, "Might take a while. And, I don't know if this is going to be that involved. What we'd like to do is bring it and present it to the Parks Commission, let them have some involvement in it and look at it. It basically just involves the issue of the horse backing riding, there's two parts to that contract. One of them is the long-term agreement that we entered into. Those will be renegotiated every 25 years so we're not at that point. The other MOU expired in 2014. It was a ten-year agreement."

9.0G.1
Commission/
Committee
Assignments
for 2015

Voss, "I've been away for a couple years, but are we still maintaining ski trails?" Davis, "We are." Voss, "Does the current agreement allow us to continue to do that?" Davis, "It does."

Voss, "Okay, good. Well, the Commission appointments that I've recommended, and there's a couple that I haven't made recommendations yet, is for Acting Mayor – Tom Ronning; Economic Development Authority – myself and Brian Mundle; Parks Commission – Tim Harrington who's the current liaison; Planning Commission – Ron Koller; Roads Commission – Tom Ronning; Sunrise and Upper Rum WMOs – Ron Koller; Finance Committee – myself and the other to be determined; Booster Day Committee – Brian Mundle and one to be determined; Sandhill Crane – I've not made an appointment; Anoka County/Blaine Airport Commission – Ed Fiore, who's been that liaison for a couple years now and he's a citizen appointment; Fire Department liaison – Brian Mundle; and, Sheriff's Department liaison – myself. I just want to say first, consider them as suggestions and we can discuss any of these. I guess my first question is for the ones that I've suggested as appointments, is anyone adverse to any of those appointments?"

Ronning, "No." Harrington, "**No but I'd, on that Acting Mayor, I'd like to make a motion to change that from Acting Mayor to Vice Mayor because there were a lot of questions in this last year about the title of Acting Mayor. Other cities do use Vice Mayor.**"

Voss, "Mark, can you comment on, I don't even know what the difference would be." Vierling, "The nomenclature is such, there really isn't any difference. So if you want to change the title, it's not a big issue one way or another. We might have to do an ordinance amendment just to reflect it properly within the framework of your ordinances. But whether you call it 'Acting' or 'Vice' it doesn't really make any difference."

Ronning, "Looking back at my experience, if you put a term like 'Vice' on, it almost goes on the ballot. Is that any connection with this?" Vierling, "There's no Statutory provision for that and your ordinance will control it."

Voss, "Looking at that last example, I guess the terminology doesn't matter to me. But, the concern is if you call it 'Vice' you draw the analogy to the presidency, right?" Harrington, "Right." Voss, "President, Vice-President. When the President is gone the Vice-President automatically becomes President and that's not the rule of the Acting Mayor."

Harrington, "Okay, like I said, there were just a lot of questions in this last election about Acting Mayor. You know, when the individual running was not Acting Mayor, a lot of questions from people why that was in there. So that's why I'm trying to change it to, like, Vice Mayor so there's no..." Ronning, "Food for thought for what Steve just said, if the Mayor happens to be gone, it's the Council's responsibility to, you know, and by titling it as 'Vice' it's kind of like 'next.'"

Voss, "It's almost like a succession thing if you call it 'Vice.'" Running, "Yeah, and it's Council's responsibility to make that selection." Voss, "Right. That's my only concern with calling it 'Vice' because then I think it would be more confusing because people will think that, if I 'fly the coop' whoever's the Vice Mayor automatically becomes Mayor and that's not going to be the case. I think people will have more expectation of them being the Vice Mayor. I know that was, in watching the meetings from the time before, when it all

happened I think that was one Councilmember's opinion. That the 'Acting' just automatically assumes the position. But to me, 'Acting' sounds like you're just there temporary."

Ronning, "Mayor Pro Tem is what?" Vierling, "The Mayor Pro Tem acting, fundamentally the Statute calls for, it's a protocol issue in terms of managing the meeting. You're correct in the sense that it's not an automatic succession. It's a meeting management function and management function until the Mayor's spot is filled."

Voss, "Is that position then, not that it's a huge issue, but signing checks and things like that?" Vierling, "No. With signing checks, you have a Resolution tonight in terms of authorized signors. You can have five authorized signors on checks if you wish to do so."

Voss, "So, how strongly do you feel about that?" **Harrington, "I'll take the motion back.** Like I said, there was a lot of questions in this last election and I just don't want to get into that problem again."

Mundle, "It might be something that we'll have to educate the community about." Harrington, "Yeah, the residents about when the election comes around." Voss, "Well I think, most importantly, the five of us understand what it means." Harrington, "Right, correct. But I mean, I just want that...okay."

Voss, "So, everyone's fine with these selections?" **The Council indicated assent.** Voss, "So then for Finance Committee, who's interested joining Jack and I on the Finance Committee? Ronning, "I would be interested in that myself. Anybody else have interest?" Voss, "Is there anyone else that's interested? Okay."

Harrington, "And, if you need Booster and Sandhill Crane, I can volunteer for those. If you need another person?" Voss, "Booster Day and what else?" Harrington, "Do you need another Booster Day?" Voss, "Yeah, one more." Harrington, "I'll volunteer." Voss, "Is there anyone else interested in Booster Day?" Ronning, "I'll go with him. I've done it for the last three years." Voss, "Well, he's got Brian. Brian expressed interest." Ronning, "Okay, well that's good. Sure." Voss, "We can only have two." Ronning, "I'll withdraw any consideration." Voss, "So Tim? All right."

Voss, "And then Sandhill Crane?" Koller, "I can take that one if you don't want it." Harrington, "Well I just, with the Parks, I thought it would be kind of with, when you're with the Parks Commission." Koller, "I don't know. How often do they even meet?" Davis, "Sandhill Crane Committee can meet anywhere from once every two years to six times in a year. It's dependent on what's going on. Currently we do have a grant application that we're working on. We should have some word on that in the next couple of months. I would suppose that most of the work has already been done. There is an advisory committee that used to meet once a year. They've been kind of inactive now. The role's been taken over more by the City, the County, the DNR, and the PCA. So those meetings are infrequent and, like I say, it can vary from once a year to six times a year. And, they're in the daytime."

Voss, "Yeah, I don't know if it's changed much but I was on for many years and DNR and MPCA, Anoka County, there was another entity involved." Davis, "The City, DNR, PCA, and Anoka County are the four entities involved." Voss, "And it was almost high-level stuff. We were more, I don't want to call it 'observers,' but we had a 'horse in the race'

too. At that time, that's when we were fighting to open up Sandhill Crane because it used to be completely closed off." Davis, "I think all that served as groundwork too. This thing really resurfaced back in 2013 when the proposal was made to do the clear cutting. As a result of that and Council's actions and activities, that resulted in a real compromise with the DNR where the DNR actually is exchanging some land in another DNR area. So it gets it out of the school trust land so they're not obligated to do their fiduciary requirements. That was a huge undertaking and there were several meetings involved with that. Then the PCA stepped up and said, 'Look, there's some insurance money we have from some of these closed out landfills that we can probably use for some development activities,' which they had proposed and the grant application was submitted back in November. The County took the lead in developing that. Mr. DeRoche was the Council liaison. He and I met with them several times so that application has been submitted and the PCA's reviewing it now. Like I say, we expect some word on it within the next couple of months. How many meetings there'll be from here on out, I suspect will probably go down. The only other thing that I can see involves some meetings would be possibly some of the rezoning and the integration of how the current landfill here in East Bethel is going to fit in with the Sandhill Crane because they are contiguous and join each other. I don't foresee as many meetings as we've had in the past year."

Voss, "The only other thing I'd add, too, is they almost exclusively met during the day." Davis, "That's correct." Koller, "It's yours." Voss, "That's what I wanted to say, is that it may be an issue for you. So Tim? All right. And then that completes that. The only thing I'll add about the Commission appointments is if there's ever a time where the liaison cannot be at a meeting, please let Jack know and I think one of the rest of the Council so someone else could be there. I think it's important that someone from City Council be at the meetings so if you can't make it for some reason, you know, give me a call or give Jack a call."

Davis, "I want to thank Ron for attending the Upper Rum River WMO meeting last night. So, thanks Ron. We will need to vote to approve those appointments."

Voss, "Unless someone wants me to read them all again, I'll entertain a motion." Mundle, "Why don't you read them all, just for the record." Voss, "Okay."

Voss, "Acting Mayor – Ron* *NOTE: this was corrected to Tom Ronning; Economic Development Authority – myself and Brian Mundle; Parks Commission – Tim Harrington; Planning Commission – Ron Koller; Roads Commission – Tom Ronning; Sunrise and Upper Rum WMOs – Ron Koller; Finance Committee – myself and Tom Ronning; Booster Day Committee – Brian Mundle and Tim Harrington; Sandhill Crane – Tim Harrington; Anoka County/Blaine Airport Commission – Ed Fury, a citizen appointment; Fire Department Liaison – Brian Mundle; and, Sheriff's Department Liaison – myself.*

Davis, "Who was the Acting Mayor appointment again?" Voss, "Tom." Ronning, "Thank you." Voss, "Didn't I say that?" Davis, "You said 'Ron.'" **Mundle, "I'll make a motion to approve the Commission and Committee assignments for 2015 as read for the record."** Voss, "Is there a second?" **Koller, "I'll second."** Voss, "Any discussion? All in favor say aye?" **All in favor.** Voss, "Opposed? Motion passes." **Motion passes unanimously.**

Davis presented the staff report, indicating Mayor Steve Voss has proposed for discussion changing the City Council meeting date from the 1st and 3rd Wednesdays of the month to the 1st and 3rd Mondays of the month. Staff has no objection to the change and from our standpoint favor the move. Changing the meeting date to Monday would allow staff more time during the week to respond to matters that originate at Council meetings and would allow more flexibility in preparation of the Council packet and Council update reports.

It is also proposed that we schedule a standing work meeting for the 2nd Monday of each month. If there are no items for discussion then the meeting could be cancelled. The scheduled work meeting would allow Council members to further define their itineraries for their personal planning use. Additional work meetings at other dates could be scheduled as needed.

Staff has checked with the City Engineer, City Attorney and Anoka County Sheriff liaison, Michele Orlando, and the East Bethel Fire Department as to compatibility of schedules if this change of date were to occur. There would be no conflicts of any consequence with these entities. There would be a conflict with EDA, which has its regular meeting on the 3rd Monday of the month. Staff polled the EDA members and they had no objection to changing their meeting to the 4th Monday. The East Bethel Fire Department also would arrange its schedule to move training dates from Mondays to Tuesdays if the change should occur.

If you wish to consider changing the meeting date, we might add changing the time of the meeting from 7:30 p.m. to 7:00 p.m. to the discussion. The earlier start would not appear to be a hardship to residents who desire to attend the meetings and would allow Council members, who attend approximately 50-60 meetings a year, the opportunity to finish a meeting a half hour early.

Should approval of this item eventually take place, the new Council meeting schedule would not occur until we had ample time to advertise the meeting change in the City Newsletter, Senior Newsletter, designated City newspaper, *The Courier*, Channel 10, City Website, Reader Board and notices at Council meetings. Staff is seeking direction from Council on this proposal.

Voss, "Since I suggested it, the reason I brought it up is that several years ago the Council discussed this and there were conflicts with Councilmembers so we didn't carry it any further. But, the reason I'm suggesting it now for consideration is the fact that we're in the middle of the week and for me, personally, it's not a conflict, it just makes scheduling easier if we meet at the beginning of the week than in the middle. I suspect for others, that could ease some issues too. Years ago when we talked about it, staff had the same sort of view on it. It gave them more time to not only prepare for the next meeting but to respond to direction that Council had given during that week, so before the next week. So, my concern was making sure there were no conflicts with anything else, if there was. And, certainly with any of us, I wouldn't endorse it at all. So, I just want to bring it up."

Koller, "Well, I talked with the Fire Chief Monday, Mark DuCharme, and they have all their training on Mondays. He said if he had to he could reschedule all the firemen to come in Tuesdays. But, they have their fire training on the first and second Monday of the month and their medical training is on the third Monday of the month. So, we would have to have all the firemen switch to another day. I don't know what kind of conflicts that would cause with them."

9.0G.2
City Council
Meeting Date

Voss, "Other than having the Fire Chief at meetings when we need to, what's the issue to have them on the same nights?" Davis, "Generally the Fire Chief presents his report on the second meeting of the month. His report can be changed up and it could also be scheduled, too, if it was going to be a problem with him. He did indicate to me that they could change the meetings to Tuesdays. But, we could also work him in where he wouldn't have to be here for the whole meeting. He could come, perhaps give his presentation first thing, and then go back to his duties for his training schedules."

Voss, "And, I share that concern too of having the whole Department shift." Koller, "I think the medical training is only, like, every other month on the third Mondays. I don't know if he needs to be at that training. You'd have to discuss that with him so he could probably show up here."

Voss, "I don't know why we would want the Fire Department to move their meetings. I mean, that's 30-some people." Davis, "No, and again, you're correct. I think we could accommodate his schedule with the Council agenda to get him where he can present early. We could also check and see what times they start. You know if we moved the meeting up, maybe that would help. I think in my discussions with Mark, it's something he said he could coordinate and work out. We did check with other alternate dates. Again, I do think that from a staff's standpoint, it's more advantageous to have it earlier in the week. We did check Tuesdays. The City Attorney has a conflict on the first and third Tuesdays of the month. So, that date would be out. It's either Monday or we leave it as it is."

Koller, "And as far as the start goes, I'm all for that." Voss, "Well, tonight was a good example of that, right?"

Mundle, "Right now, when are we getting our packets? Our informational packets?" Davis, "You get your informational packets on Friday afternoons." Mundle, "Okay, and what would that change to? What kind of timeline would we have for getting our packets if it was changed to Monday?" Davis, "You would get your packets on Wednesdays. We still want to give you at least five days, four to five days, to review it."

Ronning, "In consideration for both Monday and Friday, is that, or the weekends, and a lot of people, I don't know about, it doesn't affect me a whole lot. I think Ron has some weekend activities that carry over...not to put 'words in your mouth.'" Koller, "Yeah, I stay up north Mondays but I can get back by then. I'm usually back by then anyway on a Monday." Voss, "I tear my packet open as soon as I get it so it doesn't matter what date it is."

Harrington, "Well, I guess I'm like Ron. See, I, with the time I have, usually Sunday, Monday, Tuesday I'm up north and I don't come back until Tuesday afternoon or Wednesday morning. So that's the only conflict I've got. The starting time's fine. My only other question is, is this going to be okay with the EDA because don't they meet the third Monday of the month too? I mean, you'd have to get okays from all of them?" Davis, "We polled the EDA members and they said they would not object to moving their meeting to the fourth Monday."

Voss, "Part of the, and Jack alluded to it too, is part of the issues we had in years past is with actually scheduling work meetings. If we move our meetings to the first and third, we create a standing meeting on the second Monday. Then EDA, which takes two of us, on a

fourth Monday. Two of us are going to know where we are at every Monday. In terms of that standing work meeting, at least we have in our minds that second Monday of every month we're going to have a work meeting. Now, we may not have one. Like right now, I don't see us having a work meeting right now. But at least we'd have something..." Mundle, "Penciled in." Voss, "Yeah and it's kind of regimented to make us think about it."

Ronning, "As food for thought, all these things sound one way now but as time goes on and you start thinking, 'I can't do that the second Monday, we've got to leave that open. I can't go up north. I can't go fishing, or go on vacation.' Vacations are different. But, it's something to think about before you commit to the whole works."

Voss, "I think the work meeting was just a throw in kind of thing. We may not have that many work meetings." Ronning, "What I'm suggesting is that people will tend to keep those days open and then have it canceled, I don't know about last minute, whenever it would be canceled. Eventually they'll think, 'I wish I would have known that earlier. I had things.' Those things happen."

Voss, "Well then I think maybe we just look at it as if we know there's a work meeting coming up that would be our target. If it doesn't work, it doesn't work. I'm more concerned with your schedule. On the Council meetings, if we move to the first and third Mondays, does that create a conflict for you Tim? Because you said you're out of town a lot."

Harrington, "Well, I just, you know with being retired, I usually like to go up north during the week and come back on the weekends. You know, I'll come back for Council meetings on Wednesday mornings for Wednesday night. I like being up north and nobody around. It's nice to be up north when it's quiet. So that's why I'm not really in favor of a Monday night Council meeting. I guess my other one, too, is a lot of people, the residents are kind of used to the Wednesday meetings. Is this going to be...are they going to be turning their tv on for Wednesday and there's no Council meeting? Has there been any feedback? Have you heard of people against a Monday night meeting?" Davis, "We've never floated this out to the public. If this were a consideration, this would be something, let's say we adopted it, I think it would take at least three months before we'd even implement it. We'd want to make sure it got out once in a newsletter and we'd have to do quite a bit of advertising to make sure the people were aware of it."

Ronning, "This isn't because Wednesday's bingo night, is it?" Voss, "Is it?" Ronning "Ask the man in the..."

Voss, "So Tim, you're not supportive of it then?" Harrington, "I'm not in support but, I mean, I'm just one vote so it's up to you. Whatever you guys decide, I'm going to have to..." Voss, "Well, in my mind, and I'm not saying this to put any pressure on you at all, but if we're not all endorsing a change, then, I mean you ran last fall knowing your meetings were on Wednesdays."

Koller, "Well, I prefer Wednesdays myself too, but if it switches to Mondays, I'm okay with it." Voss, "Okay. Well, maybe we just leave it as it is and if you want to consider it again, we'll let Tim bring it back to switch the meetings."

Harrington, "I know how you feel about it. How's Brian feel about Mondays, or Wednesdays? Is it a big deal to you?" Mundle, "Whatever happens happens. If we're

going to have a meeting, I'll do my best to be there." Voss, "Honestly, I think in terms of personal schedules, you've got your...for me, and I don't travel as much as I used to, and usually when I'm traveling it's usually a one day thing, maybe two days. But if it's a three-day thing and it's a Council week, then I have to change. It's for work and I'd have to change my travel plans, that's all." Harrington, "Right."

Voss, "Like I said, I haven't been traveling as much in the past year. But, it gives me more flexibility in travel plans. That's all it does, really for me. Being I sat here for a long time on Wednesday nights so I'm used to Wednesday nights too. I thought this would be a good meeting to bring it up if we wanted to make that change."

Ronning, "I remember a lot, well not a lot, but I remember some meetings when you came in straight from the airport." Voss, "Many times, and it doesn't change my commitment to being here for the meetings. I will schedule around it. I have that flexibility too."

Harrington, "Like I said, I am not in favor but if you guys want to do it, you know, I guess I'll have to make it work. But, like I said, I'd like the 7 o'clock earlier start time. I tried to get Jack to 6 p.m. or 6:30 p.m. but he said he didn't think that would fly."

Voss, "My concern on the start time was some of you who work in the city. I can make it but for the public to make it if they want to be at a meeting. If we do it at 6:00 p.m., that's way too early. 7 p.m. is a fair time. 7:30 p.m. is almost too late, I think."

Mundle, "And, the possibility of having a penciled-in work meeting date?" Ronning, "We could try it." Voss, "Well what we always did in the past was, it would be the middle Wednesdays. We tried to keep the Wednesday." Ronning, "Try it and see how it goes. It's not a, these aren't commitments, I don't think."

Koller, "I know last year we had quite a few work meetings." Ronning, "Yeah." Voss, "That's part of the thought of having a set work meeting, to minimize how many you have in a month. You know, it kind of forces you. Jack's usually the one who knows if we're going to need a work meeting coming up."

Davis, "And, I'm going to recommend we have one when we give the staff reports. One good thing about having the scheduled work meeting is then everybody realizes it's on the schedule. One of the problems about scheduling a work meeting on an impromptu basis is that people have already made plans so you're trying to accommodate five different schedules. If we have a designated meeting, it makes it, I think, a lot easier for everyone then. You know it's going to be there and if there's nothing on the agenda, we'll just cancel it." Koller, "Yeah, I like that."

Voss, "Perhaps, let's do this. Take the easier one first. Is there a motion **to change the meeting start time from 7:30 p.m. to 7:00 p.m.** regardless of what date it is?" Koller, "I'll make that motion." Harrington, "I'll second that." Voss, "Is there any discussion?"

Voss, "How soon do you want to change the meeting time?" Davis, "I would like to have a couple of months just so we can get it in the newsletter and we'll constantly roll it on Channel 10, we'll have it on the website, the readerboard." Voss, "So, right now it's just a standing motion to change the time and we'll wait for staff to recommend when we want to change that?" Davis, "We'll see when we get the first edition of the newsletter out, which will probably go out around the first or second week of February. Perhaps maybe we can

look at like some time in March. But we can evaluate that as we get the advertisement out for it.” Voss, “Okay. Any more discussion? All in favor say aye?” **All in favor.** Voss, “Opposed? None opposed. That motion passes.” **Motion passes unanimously.**

Voss, “How about on the concept of having a standing work meeting, not necessarily setting a date right now until we...we’re all in consensus of doing it?” Ronning, “Try it at least. If it conflicts some time then revisit it.” Voss, “Right, we can always reschedule it.”

Voss, “Back to switching it from Wednesday to Monday. Really, Tim, I think it’s up to you whether you want to do it or not.” Harrington, “Like I said, I’m just one. If you guys want to do it, you know, I’m just going to tell you now that I’m going to vote ‘no.’ But, it’s up to you four. I mean, I’ll just have to change my schedule.” Voss, “Like I said, I don’t want to push it if it’s, if you’re not...” Harrington, “No, if you other four want to do it, I’ll just go along with it.”

Voss, “Is there a motion to change the meeting date? That fails, no motion. Is there a motion then to create a standing day for work meetings?” **Koller, “I’ll make that motion.”** Voss, “For which day do you want to set it?” Koller, for the second Wednesday.” Mundle, “As long as that doesn’t conflict with any Commissions.” Davis, “We’d have to do the fourth Wednesday because the Parks Commission meets the second Wednesday. The fourth Wednesday is open.” **Koller, “Okay, I’ll make it the fourth Wednesday.” Mundle, “I would second that.”** Voss, “Any discussion? All in favor say aye?” **All in favor.** Voss, “Opposed? All right.” **Motion passes unanimously.** Voss, “That concludes that discussion.”

10.0 Other
10.0A
Staff Reports

Davis, “There will be free open skating at the Ice Arena on January 8th and 15th from noon to 2 p.m. So, if we have any skaters out there, come on down to the Arena and enjoy skating inside. We’ll try that out and see how it works and see if we get enough numbers to continue that. We did have an open skate on New Year’s Eve and there were about 20 people that came and participated in that. Keep that in mind if you’re looking for some indoor skating on the 8th or the 15th of January from noon to 2 p.m.

In regard to work meetings, I would like to schedule a work meeting or bring up the possibility or proposal of a work meeting. We’ll do it the fourth Wednesday and the subject of the work meeting is to discuss the future of the Ice Arena, management options, where we go with that facility for 2015, 2016.”

Voss, “I should have asked during the motion, but are going to set work meeting times then? Are we going to still do it at 7 p.m.?” Koller, “7 p.m., yeah.” Voss, “I’m fine with 7 p.m.” **It was the consensus of the Council to start work meetings at 7 p.m.**

Harrington, “That would be January 28th, right?” Davis, “Correct. That’s all I have.”

10.0B
Council
Report –
Member
Harrington

Harrington, “Well, during this long holiday weekend, I talked to some of the residents of East Bethel. They were kind of concerned about City ordinances. They say that the City is not enforcing its ordinances. That if they are not going to be enforcing them, why should we have them. I just polled them and I thought the City was enforcing them but I’d like to find out what your view is.”

Davis, “Well we are enforcing them. Code Enforcement, as we all know, is a very labor-intensive operation. There are certain things that we’ve worked through. We’ve got a few

that have been taken care of. There's a few more that we're going to address as we proceed so if those individuals have any particular ordinances that they are concerned about or any complaints, please let us know and we will proceed with those."

Harrington, "Yeah, they didn't bring up anything specific. They just said they thought some of the ordinances weren't being enforced. I said as far as I know, they were." Davis, "We try to enforce them all and our enforcement is based on a complaint driven method of enforcement. We don't actively go out and look for issues. We do have a few ordinances that have some issues that we're trying to work out some stuff on now. There's a current one that involves some RV issues, which we're working on with the property. We've also had a meeting with some neighbors that have complained about that. That's one that we're currently working on. Any others, please bring them to our attention. We'll take care of them."

Voss, "Jack, on that subject, do we have something on our website that allows residents to easily lodge a complaint? Or even do it anonymously?" Davis, "We do. We have a complaint page that you can lodge or put down what your issue is. It's generally related, most of the things we've had, are road issues, potholes, and things like that. But, they can use it for any function that they would like to." Voss, "Okay. But, it's complaint driven." Davis, "That's correct." Voss, "Okay."

Council
Member
Ronning

Ronning, "A comment on that. People aren't going to want to think they are living in a 'Who's watching my back yard stuff,' and it should be complaint driven. No criticism Tim, but that reminds me of somebody who wants you to deliver the message instead of them. Those things work. If somebody doesn't say what ordinances we're not enforcing, it's kind of a message, just might be.

Otherwise, welcome to the new people. First meeting goes well, hope they all go as well. With the weather, I'm one of those crazy people that pick up hitchhikers if somebody's walking in a day like we've had. I believe we are our brother's keeper and if...keep an eye out for each other, please." Voss, "That's a good point."

Council
Member
Mundle

Mundle, "Oh, nothing besides I look forward to working with everybody for the next few years."

Council
Member
Koller

Koller, "Well, Monday I had my last meeting at the Fire Department. It's all yours now." Mundle, "Thank you."

Koller, "Working on more intensive training for all the firemen. They go through a lot of training and they're keeping it up. They have some newer people on the Fire Department now and they're coming along quite well. Yesterday was my first night at the Upper Rum River Watershed. We're just getting things organized. The reports from last year were delivered and we're setting up what we're going to be doing this year. They were talking about possibly having an audit done on the accounts but that would cost about 20% of what we have in the budget because they only write out about 12 checks a year. So, we're going to discuss that some more. That's about it."

Mayor Voss

Voss, "On the subject of fire, the City had three significant house fires over the last two months. Two of those fires were complete losses. I don't remember us having that many fires in that short of time, significant fires. So, if anything, it's a message to all of us just to

keep careful. One was from a heat lamp and what was the other major house fire?" Davis, "There was a garage on 215th Avenue that spread to the home. The cause of that, I don't think, has been determined. There was one fire that was caused by a heat lamp for an outside cat enclosure. The other one, I don't recall what the cause of it was."

Koller, "I think that was a car in the garage. He had come home and parked his car in the garage and when he went to lock the door later on, the garage door was hot. I think that's what it was. Voss, "This time of year, people are having fires and I know my daughter's candles, which drives me nuts." Koller, "The garage fire was people working on a snowmobile next to a wood stove." Davis, "Yeah."

Ronning, "One of them was charging batteries, lithium ion batteries. Must make a lot of heat or something." Davis, "That was previous to these three. We had two instance of those batteries that had some issues and caused fires and caused severe burns to an individual." Voss, "It kind of messages that little small fires that start can be devastating, devastating people."

Voss, "On January 17th, on Coon Lake CLEA, I guess they're called the Friends of Coon Lake, is sponsoring an ice fishing contest. It's open to the public. We have it on our website, the information. It's actually fairly reasonable registration fees. I know they've got some prizes and this is the second year, I believe, they are doing this. So if you have any interest there. I do know it's also Take a Kid Fishing Day. So, for those that don't have licenses, like me, I'm sure I'll be taking my daughter out there."

Voss, "On our Commissions, with our appointments we have, are all the positions filled? Or, do we still have openings?" Davis, "We still have one vacancy on the Roads Commission." Voss, "Okay, and are we still actively..." Davis, "We're still actively recruiting someone to fill that." Voss, "Okay, good, good." Koller, "I saw it on the sign." Voss, "It's good to have our Commission's filled."

Voss, "The only question I have, kind of back to the issue of the P&Z applicants, so are we going to invite them to the next Council meeting then? I don't think we really resolved it. Are we inviting all four applicants? That was your intent, right?" Ronning, "Yes." Voss, "Okay, so we'll invite them to the next; that will be on our agenda for our next meeting."

Voss, "Then on a personal note, glad to be back at the table after a couple years absence. One thing that I think is important for all of us, and I'll put it out as a challenge for the residents, certainly for us, for our City staff, if you ever have suggestions to make improvements, and these suggestions don't have to be monumental, they can be small, is to make those suggestions. I think we've got kind of a duty, really should have a duty, to do that and to make improvements and to keep looking at ourselves to constantly try and improve things. So, I encourage residents and they don't have to come to Public Forum, they can e-mail any of us, they can send Jack a note, whatever it is, communicate. Sometimes these little things make a difference and many times they don't but, you know, it's how we improve. So I encourage and challenge all of us to do that."

10.0C
Other

None.

11.0
Adjourn

Koller, "Motion to adjourn." Voss, "Is there a second?" **Mundle, "I'll second."** Voss, "Any discussion? All in favor say aye?" **All in favor.** Voss, "Opposed? All right, meeting adjourned." **Motion passes unanimously.**

Meeting adjourned at 9:07 p.m.

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial, Inc.