

City of East Bethel

City Council Agenda

Regular Council Meeting – 7:00 p.m.
Date: May 20, 2015



| | <u>Item</u> | |
|---------|-------------|--------------------------------|
| 7:00 PM | 1.0 | Call to Order |
| 7:01 PM | 2.0 | Pledge of Allegiance |
| 7:02 PM | 3.0 | Adopt Agenda |
| 7:03 PM | 4.0 | Presentations |
| | Page 3-8 | 1. Sheriff's Department Report |
| 7:10 PM | 5.0 | Public Forum |
| 7:20 PM | 6.0 | Consent Agenda |

Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration

| | | |
|------------|----|--|
| Page 11-14 | A. | Approve Bills |
| Page 15-34 | B. | Meeting Minutes – May 6, 2015 City Council |
| | C. | Completion of Probation Term - Community Development Administrative Assistant |
| Page 35 | D. | Res. 2015-29 Accepting Donation from Hakanson Anderson for Family Fun Night |
| Page 36 | E. | Res. 2015-30 Accepting Donation from Eckberg Lammers for Family Fun Night |
| Page 37 | F. | Res. 2015-31 Acknowledging Adopt-A-Park, Norseland Manor Park |
| Page 38 | G. | Approve Optional 2 AM Liquor License Renewal for Moonshine Whiskey |

New Business

| | | |
|---------|-----|--|
| 7:25 PM | 7.0 | Commission, Association and Task Force Reports |
| | | A. Planning Commission |
| | | B. Economic Development Authority |
| | | C. Parks Commission |
| | | 1. Commission Report-May 2015 |
| | | 2. Parks 2016-2020 Capital Improvement Plan |
| | | D. Road Commission |
| | | 1. 209 th Avenue Temporary Closure |

| | | |
|---------|-----|---|
| 7:40 PM | 8.0 | Department Reports |
| | | A. Community Development |
| | | 1. Rental Ordinance Proposal |
| | | 2. Farm Animal Ordinance Amendment |
| | | 3. Greystone Contract |
| | | 4. Interim Use Permit-Greg and Diane Bayard, Kennel License, 23001 Hwy 65 NE |
| | | B. Engineer |
| | | 1. MnDOT Cooperative Agreement Grant |
| | | C. City Attorney |

- Page 79-81
 - D. Finance
 - E. Public Works
 - 1. Cemetery Policy Amendment
 - F. Fire Department
 - 1. Fire Department Report
 - G. City Administrator
 - 1. May 27 Work Meeting Agenda
 - 2. Ice Arena Management Contractor Selection
- Page 82-85
- Page 86
- Page 87-88

- 9:00 PM**
 - 9.0 Other**
 - A. Staff Report
 - B. Council Reports
 - C. Other

- 9:10 PM**
 - 10.0 Adjourn**



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 4.0

Agenda Item:

Sheriff's Report

Requested Action:

Information Only

Background Information:

Commander Orlando will present the Department's report for April 2015.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: X

**Anoka County Sheriff's Office Report
April 2015**

Custodial Arrests / Significant Events

DWI's: There were 6 DWI arrests made in April. One arrest was the result of an impaired driving being called in. This arrest occurred at 12:01 p.m. The driver was located in his vehicle, sitting in his driveway, with damage to his garage from his vehicle hitting it. The suspect admitted to drinking and said he was having "a bad day" but he hadn't hit any people with his vehicle. The driver ended up testing a .24 bac. Two arrests were the result of vehicles that had flat tires stopped on the road side. One arrest was the result of a domestic incident where the deputy was looking for the suspect who was intoxicated and had left in a vehicle. Two arrests were for driving violations. In one of those arrests, a motorcycle passed a marked squad car at over 100 m.p.h. The suspect, upon stopping, advised his speedometer only showed him traveling at 85 m.p.h. The suspect was intoxicated and tested at a .13.

5th Degree Controlled Substance:

On 04-08-15 deputies were called to a report of a gun pointing incident, with some males who were arguing out on a roadway. A witness called in stating that there were four males arguing and one male had pointed a gun at two of the males, who then got into a tan colored Lincoln and fled the area. Deputy Nelson was almost struck by a tan colored Lincoln as he was driving towards the location. Deputy Nelson stopped the vehicle and identified the driver and passenger. The passenger had a clear plastic baggie sticking out of his front shirt pocket, which appeared to contain a white powdery substance. This was later confirmed to be methamphetamine. Both driver and passenger denied having a gun pointed at them. They said they had left as they thought they were going to be assaulted, but stated there was not any gun threatened. The suspect who had methamphetamine in his pocket was arrested and taken to jail.

At the suspect residence, the homeowner stated nothing had happened and there was no gun pointing incident. The homeowner would not consent to have deputies check his residence. The homeowner then stated that he had to leave to go to work and wanted to put his trash can out. The deputies advised him that he could. After putting his trash can on the curb the homeowner left with a male and female. Deputies did check inside the container and found three small plastic bags which contained a small amount

of a substance later determined to be methamphetamine. A search warrant was drawn up for the residence and approximately 3 grams of methamphetamine were found, as well as a sawed off shotgun. The controlled substance case (from the home) has been turned over to the DTF for further investigation.

Disorderly Conduct:

On 04-12-15 a deputy responded to a call of atv's driving recklessly on a roadway. Upon arriving the deputy met with the complainant who advised that there were three atv's driving on the street in a reckless manner. The deputy could see the tire marks indicating the atv's were driving back and forth across the road. The complainant advised when he asked a male to slow down and quit driving like that the male swore at him and sped off, kicking rocks onto him. The deputy went to a nearby residence and made contact with the suspect. The suspect was very belligerent and told the deputy that it is legal for them to be on the road. The deputy advised that they couldn't be driving in a reckless manner on the road. The deputy did cite the male for driving after revocation and disorderly conduct.

Unauthorized Use of a Motor Vehicle / 5th Degree Controlled Substance:

On 04-17-15 deputies were called to a report of a male following his brother's truck which was stolen on 04-16-15, traveling north on Hwy 65. The caller advised that the truck had turned off on 229th Ave and he had lost sight of it. One of the responding deputies did locate the truck, abandoned in a parking lot on 229th. The deputy confirmed that it was the pickup truck that had been stolen. Inside the truck was a sweatshirt that did not belong to the owner and several hypodermic needles. The caller had seen the male and female who were in the stolen truck get into a black pickup truck with a red spray painted bumper, but had lost sight of them. A responding deputy knew that vehicle description and advised other deputies of the suspect who owns it and that he is known to carry firearms. Other responding deputies began checking the area where the truck was last seen. One of the deputies located a female and two males on foot and stopped to detain them. Methamphetamine was discovered on one of the males. All three were transported to jail. The female suspect who had been driving the stolen truck claimed that she was just "test" driving the pickup and the black truck was following them and she did not know who was in the black truck. One of the males who was in the stolen truck with a female denied being in the truck or knowing anything about it. The third suspect claimed he had just met this couple and they were having car trouble and had asked him to

follow them in-case they broke down. When confronted with the facts of the case, this male did admit they were taking the white pickup to an address in Isanti where the truck would be “parted out”. All three went to jail.

Arrest Breakdowns:

Felony: 5

Possess Stolen Vehicle – 2 / Vehicle Theft – 1 / 5th Degree Controlled

Substance – 1 – all from above incident

5th Degree Controlled Substance – 1

Misdemeanor: 6

Disorderly Conduct – 1

Damage to Property – 1

Possess Drug Paraphernalia – 1

Possess Small Amount of Marijuana – 1

5th Degree Assault – 1

Violate No Contact Order - 1

CITY OF EAST BETHEL

APRIL 2015

| ITEM | April-15 | March-15 | YTD 2015 | YTD 2014 |
|-------------------------|----------|----------|----------|----------|
| Radio Calls * | NA* | NA** | NA** | 1,066 |
| Incident Reports | 299 | 323 | 1,270 | 1,179 |
| Burglaries | 1 | 4 | 11 | 10 |
| Thefts | 11 | 13 | 49 | 43 |
| Crim Sex Conduct | 1 | 1 | 4 | 8 |
| Assault | 1 | 2 | 9 | 6 |
| Damage to Property | 4 | 4 | 15 | 7 |
| Harass Comm | 2 | 8 | 16 | 9 |
| Felony Arrests | 5 | 2 | 20 | 16 |
| Gross Misd Arrests | 0 | 0 | 0 | 2 |
| Misd Arrests | 6 | 7 | 31 | 37 |
| DUI Arrests | 6 | 3 | 18 | 19 |
| Domestic Arrests | 1 | 4 | 10 | 7 |
| Warrant Arrests | 1 | 6 | 15 | 19 |
| Traffic Arrests | 55 | 88 | 276 | 388 |

* Total Radio Calls for the month and YTD are the sum from City of East Bethel and Community Service Officer pages.

** Calls for Service not available at this time.

CITY OF EAST BETHEL – COMMUNITY SERVICE OFFICERS

APRIL 2015

| ITEM | April-15 | March-15 | YTD 2015 | YTD 2014 |
|-------------------------|----------|----------|----------|----------|
| Radio Calls | 37 | 38 | 134 | 147 |
| Incident Reports | 32 | 39 | 122 | 138 |
| Accident Assist | 2 | 2 | 8 | 17 |
| Vehicle Lock Out | 1 | 4 | 14 | 17 |
| Extra Patrol | 35 | 19 | 85 | 108 |
| House Check | 0 | 0 | 0 | 0 |
| Business Check | 0 | 0 | 1 | 14 |
| Animal Complaints | 8 | 10 | 22 | 15 |
| Traffic Assist | 1 | 1 | 8 | 21 |
| Aids: Agency | 36 | 55 | 141 | 134 |
| Aids: Public | 17 | 18 | 61 | 81 |
| Paper Service | 0 | 0 | 0 | 0 |
| Inspections | 0 | 0 | 0 | 0 |
| Ordinance Violations | 3 | 2 | 8 | 3 |



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 5.0 A-G

Agenda Item:

Consent Agenda

Requested Action:

Consider approval of the Consent Agenda

Background Information:

Item A

Approve Bills

Item B

May 6, 2015 City Council Work Meeting Minutes

Meeting minutes from the May 6, 2015 City Council Meeting are attached for your review.

Item C

Probation Completion by Community Development Administrative Assistant

Amy Norling began full time employment with the City on December 1, 2014 as the Community Development Administrative Assistant. Since that time, she has performed in an exceptional and exemplary manner. Staff is recommending her appointment as a regular employee based on the satisfactory completion of the six month probationary period required of all new employees.

Item D

Resolution 2015-29 Accepting Donation from Hakanson-Anderson

The City of East Bethel has received a donation of eight Minnesota Twins Tickets valued at \$199.00 from Hakanson-Anderson. These tickets will be given away in a drawing as part of the Booster Days Family Fun Night scheduled for Friday, July 17, 2015.

Item E

Resolution 2015-30 Accepting Donation from Eckberg Lammers

The City of East Bethel has received a donation of four Minnesota Twins Tickets valued at \$166.00 from Eckberg Lammers. These tickets will be given away in a drawing as part of the Booster Days Family Fun Night scheduled for Friday, July 17, 2015.

Item F

Resolution 2015-31 Adopt-A-Park Norseland Manor Community Park

The City has received an application for the Adopt-A-Park Program to adopt the Norseland Manor Community Park from the East Bethel Scholarship Program.

Staff recommends adoption of Resolution 2015-31 recognizing the commitment from the East Bethel Scholarship Program to help keep the Norseland Manor Community Park clean as part of the City of East Bethel's Adopt-A-Park program.

Item G

Approve Optional 2AM Liquor License Renewal for The Moonshine Whiskey

Skyota Properties #2, LLC dba The Moonshine Whiskey at 21383 Ulysses St NE, East Bethel, MN 55011 has submitted their renewal form for an Optional 2AM Liquor License. This license needs City approval before being submitted to the Alcohol and Gambling Enforcement. Staff has not received any complaints regarding The Moonshine Whiskey's 2AM license and recommends that Council approve the renewal.

Fiscal Impact:

As noted above.

Recommendation(s):

Staff recommends approval of the Consent Agenda as presented.



Payments for Council Approval May 20, 2015

| | |
|--|---------------------|
| Bills to be approved for payment | \$97,747.99 |
| Electronic Payroll Payments | \$29,309.17 |
| Payroll - City Staff, May 7, 2015 | \$34,722.20 |
| Payroll - City Council - May 15, 2015 | \$1,775.99 |
| Payroll - Fire Department - May 15, 2015 | \$8,300.43 |
| Total to be Approved for Payment | \$171,855.78 |

City of East Bethel

May 20, 2015

Payment Summary

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|--------------------------------|-------------------------------|--------------|--------------------------------|------|-------|------------|
| Arena Operations | Bldgs/Facilities Repair/Maint | 042815 | Wright-Hennepin Coop Electric | 615 | 49851 | \$29.95 |
| Arena Operations | Refuse Removal | 790123 | Ace Solid Waste, Inc. | 615 | 49851 | \$204.75 |
| Building Inspection | Electrical Permits | 050115 | Brian Nelson Inspection Svcs | 101 | | \$273.75 |
| Building Inspection | Motor Fuels | 441533 | Mansfield Oil Company | 101 | 42410 | \$212.08 |
| Building Inspection | Permit Refund | 051415 | Electric City Corp | 101 | | \$40.00 |
| Building Inspection | Travel Expenses | 042915 | Amy Norling | 101 | 42410 | \$41.75 |
| Central Services/Supplies | Information Systems | B150505J | Anoka County Treasury Dept | 101 | 48150 | \$225.00 |
| Central Services/Supplies | Information Systems | 220185 | City of Roseville | 101 | 48150 | \$2,388.67 |
| Central Services/Supplies | Information Systems | 05 2015 | Midcontinent Communications | 101 | 48150 | \$1,283.00 |
| Central Services/Supplies | Office Equipment Rental | 278147467 | US Bank Equipment Finance | 101 | 48150 | \$269.50 |
| Central Services/Supplies | Office Supplies | VF99075 | CDW Government, Inc. | 101 | 48150 | \$23.73 |
| Central Services/Supplies | Office Supplies | IN0784668 | Innovative Office Solutions | 101 | 48150 | \$11.04 |
| Central Services/Supplies | Telephone | 042815 | CenturyLink | 101 | 48150 | \$92.91 |
| City Administration | Professional Services Fees | 67450 | Ehlers & Associates | 101 | 41320 | \$337.50 |
| City Administration | Professional Services Fees | M21273 | TimeSaver Off Site Secretarial | 101 | 41320 | \$1,535.88 |
| Economic Development Authority | Professional Services Fees | 108 | Susan Irons | 232 | 23200 | \$40.00 |
| Engineering | Architect/Engineering Fees | 34359 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$1,410.75 |
| Engineering | Architect/Engineering Fees | 34362 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$226.20 |
| Engineering | Architect/Engineering Fees | 34362 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$643.52 |
| Engineering | Architect/Engineering Fees | 34362 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$1,092.46 |
| Engineering | Architect/Engineering Fees | 34362 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$115.88 |
| Finance | Conferences/Meetings | 051315 | Jackie Campbell | 101 | 41520 | \$25.00 |
| Finance | Travel Expenses | 051315 | Jackie Campbell | 101 | 41520 | \$19.50 |
| Fire Department | Conferences/Meetings | 154840 | St. Cloud Technical College | 101 | 42210 | \$5,525.00 |
| Fire Department | Motor Fuels | 441533 | Mansfield Oil Company | 101 | 42210 | \$337.38 |
| Fire Department | Motor Fuels | 441534 | Mansfield Oil Company | 101 | 42210 | \$343.73 |
| Fire Department | Motor Vehicles Parts | 1539-368985 | O'Reilly Auto Stores Inc. | 101 | 42210 | \$204.78 |
| Fire Department | Personnel/Labor Relations | 2546171504 | First Advantage LNS | 101 | 42210 | \$250.00 |
| Fire Department | Printing and Duplicating | 1267A | Print Plus, Inc. | 101 | 42210 | \$268.50 |
| Fire Department | Refuse Removal | 790123 | Ace Solid Waste, Inc. | 101 | 42210 | \$64.30 |
| Fire Department | Software Licensing | 15-025 | Anoka County Fire | 101 | 42210 | \$942.00 |
| Fire Department | Telephone | 042815 | CenturyLink | 101 | 42210 | \$114.59 |
| Fire Department | Telephone | 042815 | CenturyLink | 101 | 42210 | \$170.02 |
| Fire Department | Telephone | 042815 | CenturyLink | 101 | 42210 | \$58.97 |
| Fire Department | Telephone | 042815 | CenturyLink | 101 | 42210 | \$56.17 |
| General Govt Buildings/Plant | Bldg/Facility Repair Supplies | 519154 | Ham Lake Hardware | 101 | 41940 | \$18.96 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 5 | Metro Plus Turnover Cleaning | 101 | 41940 | \$380.00 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 455408-04-15 | Premium Waters, Inc. | 101 | 41940 | \$67.80 |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 125791 | Robert B. Hill Company | 101 | 41940 | \$18.00 |
| General Govt Buildings/Plant | Cleaning Supplies | IN0784668 | Innovative Office Solutions | 101 | 41940 | \$22.32 |
| General Govt Buildings/Plant | Refuse Removal | 790123 | Ace Solid Waste, Inc. | 101 | 41940 | \$51.10 |
| Legal | Legal Fees | 04 2015 | Eckberg, Lammers, Briggs, | 101 | 41610 | \$8,192.99 |
| Legal | Legal Fees | 04 2015 | Eckberg, Lammers, Briggs, | 101 | 41610 | \$6,423.67 |
| Mayor/City Council | Other Advertising | 71597 | The Courier | 101 | 41110 | \$30.00 |
| MSA Street Construction | Architect/Engineering Fees | 34356 | Hakanson Anderson Assoc. Inc. | 402 | 40200 | \$2,282.13 |
| MSA Street Construction | Architect/Engineering Fees | 34383 | Hakanson Anderson Assoc. Inc. | 402 | 40200 | \$6,819.24 |
| Park Maintenance | Bldg/Facility Repair Supplies | 71606124 | John Deere Landscapes | 101 | 43201 | \$6.90 |

City of East Bethel

May 20, 2015

Payment Summary

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|-------------------------|--------------------------------|----------------|-------------------------------|------|-------|------------|
| Park Maintenance | Bldg/Facility Repair Supplies | 7160619 | John Deere Landscapes | 101 | 43201 | \$180.38 |
| Park Maintenance | Bldg/Facility Repair Supplies | 71619956 | John Deere Landscapes | 101 | 43201 | \$42.23 |
| Park Maintenance | Bldg/Facility Repair Supplies | 71641753 | John Deere Landscapes | 101 | 43201 | \$92.86 |
| Park Maintenance | Bldg/Facility Repair Supplies | 90801 | Menards - Forest Lake | 101 | 43201 | \$194.02 |
| Park Maintenance | Bldg/Facility Repair Supplies | 91137 | Menards - Forest Lake | 101 | 43201 | (\$86.97) |
| Park Maintenance | Bldg/Facility Repair Supplies | 91149 | Menards - Forest Lake | 101 | 43201 | \$390.68 |
| Park Maintenance | Bldg/Facility Repair Supplies | 83685 | Menards Cambridge | 101 | 43201 | \$94.96 |
| Park Maintenance | Cleaning Supplies | 9733192703 | Grainger | 101 | 43201 | \$35.14 |
| Park Maintenance | Clothing & Personal Equipment | 1182849842 | G&K Services - St. Paul | 101 | 43201 | \$19.00 |
| Park Maintenance | Clothing & Personal Equipment | 1182872608 | G&K Services - St. Paul | 101 | 43201 | \$19.00 |
| Park Maintenance | Clothing & Personal Equipment | 1182883987 | G&K Services - St. Paul | 101 | 43201 | \$19.00 |
| Park Maintenance | Equipment Parts | 71629331 | John Deere Landscapes | 101 | 43201 | \$12.24 |
| Park Maintenance | Equipment Parts | P43998 | MN Equipment | 101 | 43201 | \$278.37 |
| Park Maintenance | General Operating Supplies | 518206 | Ham Lake Hardware | 101 | 43201 | \$7.47 |
| Park Maintenance | General Operating Supplies | 275360 | S & S Industrial Supply | 101 | 43201 | \$2.68 |
| Park Maintenance | Motor Fuels | 441533 | Mansfield Oil Company | 101 | 43201 | \$289.18 |
| Park Maintenance | Motor Fuels | 441534 | Mansfield Oil Company | 101 | 43201 | \$661.02 |
| Park Maintenance | Other Equipment Rentals | 87926 | Jimmy's Johnnys, Inc. | 101 | 43201 | \$1,047.71 |
| Park Maintenance | Park/Landscaping Materials | 20128 | Bjorklund Companies, LLC | 101 | 43201 | \$198.00 |
| Park Maintenance | Personnel/Labor Relations | 2546171504 | First Advantage LNS | 101 | 43201 | \$44.50 |
| Park Maintenance | Professional Services Fees | 108 | Susan Irons | 101 | 43201 | \$48.00 |
| Planning and Zoning | Escrow | 34355 | Hakanson Anderson Assoc. Inc. | 101 | | \$69.60 |
| Planning and Zoning | Professional Services Fees | 108 | Susan Irons | 101 | 41910 | \$64.00 |
| Police | Professional Services Fees | 135841 | Gopher State One-Call | 101 | 42110 | \$29.00 |
| Police | Professional Services Fees | 04 2015 | Gratitude Farms | 101 | 42110 | \$250.00 |
| Recycling Operations | Other Equipment Rentals | 87926 | Jimmy's Johnnys, Inc. | 226 | 43235 | \$70.00 |
| Recycling Operations | Refuse Removal | 790123 | Ace Solid Waste, Inc. | 226 | 43235 | \$256.77 |
| Sewer Operations | Bldgs/Facilities Repair/Maint | 042815 | Wright-Hennepin Coop Electric | 602 | 49451 | \$22.95 |
| Sewer Operations | Chemicals and Chem Products | 3719844 RI | Hawkins, Inc | 602 | 49451 | \$35.00 |
| Street Capital Projects | Street Maint Services | SP 002-596-015 | Anoka County Hwy Dept | 406 | 40600 | \$1,628.89 |
| Street Maintenance | Auto/Misc Licensing Fees/Taxes | 4719CGT | DVS Renewal | 101 | 43220 | \$14.50 |
| Street Maintenance | Auto/Misc Licensing Fees/Taxes | 935174 | DVS Renewal | 101 | 43220 | \$16.00 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 1182849842 | G&K Services - St. Paul | 101 | 43220 | \$5.33 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 1182872608 | G&K Services - St. Paul | 101 | 43220 | \$9.17 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 1182883987 | G&K Services - St. Paul | 101 | 43220 | \$5.33 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 455408-04-15 | Premium Waters, Inc. | 101 | 43220 | \$67.80 |
| Street Maintenance | Chemicals and Chem Products | 71660822 | John Deere Landscapes | 101 | 43220 | \$822.00 |
| Street Maintenance | Clothing & Personal Equipment | 1182849842 | G&K Services - St. Paul | 101 | 43220 | \$17.96 |
| Street Maintenance | Clothing & Personal Equipment | 1182872608 | G&K Services - St. Paul | 101 | 43220 | \$17.96 |
| Street Maintenance | Clothing & Personal Equipment | 1182883987 | G&K Services - St. Paul | 101 | 43220 | \$17.96 |
| Street Maintenance | Equipment Parts | F-251270053 | Allstate Peterbilt North | 101 | 43220 | \$107.45 |
| Street Maintenance | Lubricants and Additives | 1539-366959 | O'Reilly Auto Stores Inc. | 101 | 43220 | \$98.61 |
| Street Maintenance | Lubricants and Additives | 1539-366963 | O'Reilly Auto Stores Inc. | 101 | 43220 | \$5.19 |
| Street Maintenance | Motor Fuels | 441533 | Mansfield Oil Company | 101 | 43220 | \$125.31 |
| Street Maintenance | Motor Fuels | 441534 | Mansfield Oil Company | 101 | 43220 | \$1,639.35 |
| Street Maintenance | Motor Vehicle Services (Lic d) | R241048166 | I State Truck Inc. | 101 | 43220 | \$756.20 |
| Street Maintenance | Motor Vehicles Parts | 1539-368252 | O'Reilly Auto Stores Inc. | 101 | 43220 | \$37.48 |

City of East Bethel
May 20, 2015
Payment Summary

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|------------------------------------|--------------------------------|-------------|-------------------------------|------|-------|--------------------|
| Street Maintenance | Personnel/Labor Relations | 2546171504 | First Advantage LNS | 101 | 43220 | \$44.50 |
| Street Maintenance | Professional Services Fees | 108 | Susan Irons | 101 | 43220 | \$48.00 |
| Street Maintenance | Refuse Removal | 790123 | Ace Solid Waste, Inc. | 101 | 43220 | \$81.90 |
| Street Maintenance | Safety Supplies | 9729817685 | Grainger | 101 | 43220 | \$44.88 |
| Street Maintenance | Sign/Striping Repair Materials | TI-0285326 | Newman Signs | 101 | 43220 | \$670.11 |
| Street Maintenance | Street Maint Materials | IN00008750 | City of St. Paul | 101 | 43220 | \$1,036.86 |
| Street Maintenance | Street Maint Services | CD201515118 | EnviroTech Services, Inc. | 101 | 43220 | \$4,867.66 |
| Street Maintenance | Street Maint Services | 58364 | Plaisted Companies, Inc. | 101 | 43220 | \$33,543.51 |
| Street Maintenance | Telephone | 042815 | CenturyLink | 101 | 43220 | \$69.48 |
| Street Maintenance | Tires | 050515 | Jeremiah Haller | 101 | 43220 | \$5.88 |
| Street Maintenance | Tires | 1-52127 | Steve's Tire Inc. | 101 | 43220 | \$120.00 |
| Street Maintenance | Tires | 1-52165 | Steve's Tire Inc. | 101 | 43220 | \$47.50 |
| Water Utility Capital Projects | Architect/Engineering Fees | 34360 | Hakanson Anderson Assoc. Inc. | 433 | 49405 | \$712.50 |
| Water Utility Capital Projects | Architect/Engineering Fees | 34361 | Hakanson Anderson Assoc. Inc. | 433 | 49405 | \$2,905.70 |
| Water Utility Operations | Bldg/Facility Repair Supplies | 9729817685 | Grainger | 601 | 49401 | \$121.56 |
| Water Utility Operations | Bldgs/Facilities Repair/Maint | 042815 | Wright-Hennepin Coop Electric | 601 | 49401 | \$26.67 |
| Water Utility Operations | Chemicals and Chem Products | 3719843 RI | Hawkins, Inc | 601 | 49401 | \$60.00 |
| Water Utility Operations | Telephone | 042815 | CenturyLink | 601 | 49401 | \$176.93 |
| Water Utility Operations | Telephone | 042815 | CenturyLink | 601 | 49401 | \$121.76 |
| Water Utility Operations | Telephone | 042815 | CenturyLink | 601 | 49401 | \$71.94 |
| | | | | | | \$97,747.99 |
| Electronic Payroll Payments | | | | | | |
| Payroll | PERA | | | | | \$6,204.52 |
| Payroll | Federal Withholding | | | | | \$5,619.76 |
| Payroll | Medicare Withholding | | | | | \$1,907.98 |
| Payroll | FICA Tax Withholding | | | | | \$8,158.20 |
| Payroll | State Withholding | | | | | \$2,304.86 |
| Payroll | MSRS/HCSP | | | | | \$5,113.85 |
| | | | | | | \$29,309.17 |

EAST BETHEL CITY COUNCIL MEETING

MAY 6, 2015

The East Bethel City Council met on May 6, 2015, at 7:00 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

1.0 The May 6, 2015, City Council meeting was called to order by Mayor Voss at 7:00 p.m.

Call to Order

2.0 The Pledge of Allegiance was recited.

Pledge of Allegiance

3.0 **Harrington stated I'll make a motion to adopt the agenda and under the Consent Agenda, I'd like to add line item K, Supplement Payment Summary. Vierling stated we would also note to Council that we're asking to add an item for Closed Session, put it in 8.0D, relative to land acquisition on the Loch property. Harrington accepted this friendly amendment. Mundle stated I'll second. Voss stated any discussion? All in favor say aye?" All in favor. Motion passes unanimously.**

4.0 Voss asked is anyone here tonight for the Public Forum? Last chance? I'll right, we'll move on.

Public Forum

5.0 ~~Item A Approve Bills~~
Item B April 22, 2015 City Council Work Meeting Minutes
Meeting minutes from the April 22, 2015 City Council Work Meeting are attached for your review.

Consent Agenda

Item C April 15, 2015 City Council Meeting Minutes
Meeting minutes from the April 15, 2015 City Council Meeting are attached for your review.

Item D April 15, 2015 Board of Appeals and Equalization Meeting Minutes
Meeting minutes from the April 15, 2015 Board of Appeals and Equalization Meeting are attached for your review.

Item E April 23, 2015 Town Hall Meeting Minutes
Meeting minutes from the April 23, 2015 Town Hall Meeting are attached for your review.

Item F Resolution 2015-26 Accepting Donation from the Coon Lake Beach Community Center

The City of East Bethel has received a donation of \$ 2,000.00 from The Coon Lake Community Center for the East Bethel Fire Department Heart Safe Program.

Item G Resolution 2015-27 Declaring the 2004 F-550 Surplus Property

The 2004 Ford F-550 light duty truck has outlived its useful life as a dependable vehicle for

5.0
Consent
Agenda

the City’s maintenance needs. With increases in repairs, the cost to maintain the vehicle has exceeded its value. After 11 years of snow plowing parking lots and cul-de-sacs, pulling trailers, hauling material it has reached the end of its useful service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund.

Staff recommends adoption of Resolution 2015-27, Declaring the 2004 Ford F-550 Surplus Property and directing the vehicle be traded in on a replacement vehicle or sold at auction.

Item H Resolution 2015-28 Declaring the 2003 F-150 Surplus Property

The 2003 Ford F-150 light duty pickup truck has outlived its useful life as a dependable vehicle for the City’s maintenance needs. With increases in repairs, the cost to maintain the vehicle has exceeded its value. After 12 years of service, including use as a building inspection vehicle and a public works utility truck, it has reached the end of its useful service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund and was originally planned for replacement in 2014 but has been pushed back to extend the service life.

Staff recommends adoption of Resolution 2015-28, Declaring the 2003 Ford F-150 Surplus Property and directing the vehicle be traded in on a replacement vehicle or sold at auction.

Item I Approve Purchase of Light Duty Truck with Dump Box and Snowplow

As part of the City’s Equipment Replacement Program, the 2004 Ford F-550 light duty truck is scheduled for replacement in 2015. This is a regular replacement for this item. This piece of equipment has reached the stage in its service life where the maintenance costs are becoming excessive and are approaching the value of the truck. Due to higher maintenance costs, increased down time and lower productivity of this vehicle, City staff recommends that we replace the 2004 Ford F-550 light duty truck.

Staff has checked State contracts for light duty trucks with minimum specifications of a one-ton frame, diesel engine, dual rear wheels and the ability to have a dump box and hoist mounted. This is consistent with the vehicle that will be replaced. Staff has reviewed the three options for the cab and chassis on State contract from the three major truck manufactures and has determined that the Ford F-450 provides the best value and the lowest cost. The following information provides pricing data for the cab and chassis portion of the replacement program.

1.5 ton Light Duty Trucks – Cab and Chassis

| Model | Dealer | Cost |
|-----------------|-------------|----------|
| 2016 Ford F-450 | Midway Ford | \$41,055 |

Staff researched truck components on the State contract that included a 9-foot dump body with hoist and front snowplow. From a review of many different manufacturers, the quote provided by Aspen Equipment best fit the city’s needs at the lowest price. The quote includes a 9-foot Henderson box with fold down sides, corrosion resistant bed material, strobe lights, and a Western snowplow.

Dump Body and Plow

| Model | Dealer | Cost |
|-----------------------|-----------------|----------|
| Henderson and Western | Aspen Equipment | \$21,203 |

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at \$55,000 for replacement of the Ford F-550. The trade-in value of the 2004

5.0
Consent
Agenda

Ford F-550 has been quoted at only \$3,500 so staff will offer the truck up for auction on MnBID. The total purchase price of the completed truck after the trade-in would be \$62,258. All prices are directly from the State Contract for 2015-2016.

Staff recommends the purchase of the Ford F-450 from Midway Ford with box and plow equipment from Aspen Equipment for a total cost of \$62,258. This equipment will meet our current needs and provide a reliable snowplow and light duty truck with a projected service life of 12 years.

Item J Approve Purchase of Light Duty Pickup Truck with Snowplow

As part of the City’s Equipment Replacement Program, the 2003 Ford F-150 light duty pickup truck is scheduled for replacement in 2015 after originally scheduled for replacement in 2014. This is a regular replacement for this item. This piece of equipment has reached the stage in its service life where the maintenance costs are becoming excessive and are approaching the value of the truck. Due to higher maintenance costs, increased down time and lower productivity of this vehicle, City staff recommends that we replace the 2003 Ford F-150 light duty pickup truck.

Staff has checked State contracts for light duty pickup trucks and reviewed the options from the three major truck manufacturers and has determined that the Ford F-350 provides the best value and the lowest cost. The larger suspension, engine and towing capacity of the F-350 model makes the vehicle a much more useful piece of equipment for the Public Works Department with the ability to pull a heavy trailer and plow snow at an increased cost of only \$2,700 over the F-150 option. Staff is also recommending the addition of a Western snowplow to help increase snowplow response times.

| <u>Model</u> | <u>Dealer</u> | <u>Cost</u> |
|-------------------------|-----------------|-----------------|
| 2016 F-350 Pickup Truck | Midway Ford | \$28,801 |
| Western Snowplow | Aspen Equipment | <u>\$ 5,947</u> |
| | Total Cost | \$34,748 |

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at \$30,000 for replacement of the Ford F-150. The trade-in value of the 2003 Ford F-150 has been quoted at only \$500 so staff will offer the truck for auction on MnBID. All prices are directly from the State Contract for 2015-2016.

Staff recommends the purchase of the Ford F-150 from Midway Ford with the snowplow from Aspen Equipment for a total cost of \$34,748. This equipment will improve our current snowplowing service and provide a reliable light duty pickup truck with a projected service life of 12 years.

Item K Supplemental Payment Summary

Koller stated I will make a motion to approve the Consent Agenda. Harrington stated I’ll second. Ronning stated I want to **pull A.** Voss stated any discussion? All in favor say aye?” **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

5.0A
Approve Bills

Ronning stated on the bills, we get itemized bills, there's 10, 15, whatever the number is, utilities, electric utilities, and gas utilities. Usually it's identified as 'Fire Station' or this building, that building. I'm kind of curious to have a breakout of what the power usage is on the utilities, our utilities, sewer, water. Davis stated we can certainly do that and generally they're listed as to Fire Department, Streets and Roads. Streets and Roads, for example, cover a variety of usages. It can cover everything from the traffic signals to the Public Works building to parks and things of that nature. So, we can definitely break them out to any degree you want them. Ronning stated put them in parentheses next to it, or something, maybe. Davis stated sure.

Voss asked aren't they listed under the Departments that they're charged to? Davis stated that's correct but they are not listed principally as to what use in that Department. For Streets and Roads, like I said, it could be traffic lights, it could be Public Works.

Ronning stated move to accept Consent Agenda A. Koller stated I'll second. Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? That motion passes. **Motion passes unanimously.**

6.0
New Business

Commission Association and Task Force Reports

6.0A
Planning
Commission
6.0A.1
April Report

Davis presented the staff report indicating at their April 28, 2015, Meeting the Planning Commission reviewed a proposal by Brown-Wilbert, the largest septic tank manufacturer and supplier in Minnesota, regarding an interest in relocating their headquarters from St Paul to a location in the Northern Metro area. They are interested in property at the southeast corner of 221st Avenue NE and Highway 65 as a potential site for their business. The site under consideration is zoned B-2, Central Business District, capped by a Business Overlay District. The purpose of the Overlay District in this zoning classification is to:

- To promote a planned environment for integrated residential, industrial, office, and commercial which features design continuity;
- Encourages orderly development of property;
- Encourages patterns of development in harmony with the objectives of the City's comprehensive plan;
- Encourages more attractive and enduring commercial and industrial districts; and
- Provides a uniform set of standards to be applied equally to all owners and developers in this district.

The Planning Commission will conduct a Public Hearing to consider a Conditional Use Permit for this business at their May 26, 2015 Meeting. This subject will be also be discussed at the May 18, 2015 EDA Meeting.

Craft Breweries

There was a discussion of potential ordinance changes or the drafting of a new ordinance that would address the permitting of craft breweries and local distilleries within the Commercial and Light Industrial zoned areas within the City. The City is currently working with a small brewer who is looking at locations in the City for their business operation. We currently do not have anything in our Code of Ordinances that addresses the particular needs of this type of business. Staff is in preparation of a proposed ordinance or ordinance change, whichever is appropriate, to address this matter.

City Ordinance Chapter 10, Article 5

The Planning Commission reviewed a request to amend the City Ordinance that regulates the raising and keeping of chickens. After discussion of the issue, the Planning Commission recommended to consider changing the current ordinance to allow a maximum of six chickens on

6.0A.1
Planning
Commission
April Report

lots of less than three acres with the provisions that no roosters be kept, proper enclosures be provided, and sanitation standards maintained. The proposed ordinance change will be submitted to the City Council on this matter at their May 20, 2015 Meeting for consideration.

Davis asked are there any questions about the items discussed by the Planning Commission?

Mundle asked the craft brewery, would that be open then to serve alcohol to some extent. Davis answered yes, it would be, that's correct. Mundle stated okay, not just producing and bottling and shipping away. Davis stated that's correct. That's why we have to look at doing an ordinance to accommodate this and probably also amending the section of our ordinance that pertains to our liquor laws.

Ronning asked what's a microbrewery? Davis stated a microbrewery is a brewery that produces a small amount of beer as compared to a large brewer like somebody that sells regionally. They may produce like a couple thousand gallons a year. They sell it mostly for local distribution.

Voss stated they're getting quite popular. There's a lot of them in the cities now. Davis agreed stating they are and they're popping up all over the place. We do have one person that's exploring East Bethel as a location for that. Voss stated good.

Harrington stated so it's a small brewery. What kind of square footage is he looking for? Davis stated it would probably be like about, maybe, 1,500 square feet. It's a very small operation. 2,000 square feet. It doesn't take much room. Voss stated I forget the size of the vats they use but it's not, a couple thousand gallons. Davis agreed, stating it's not huge and they would have a tasting room. They wouldn't actually sell their product for local consumption.

Voss asked they're not planning to have a taproom? Davis answered not at this time. Voss asked any other questions for Jack?

Davis stated one other item I'd like to mention is this proposal for this septic system site, there are some issues that they will have to address as far as access goes. So, they've been notified that they will need to contact the County to see what they can do for an intersection application. Currently, the point at which they wish to access this property may not be permissible because it's too close to 65, doesn't allow for stacking of traffic, and even with a turn lane there may be some right-of-way issues that they would have to address with Mn/DOT. So, we'll see how that progresses.

Voss asked did we not have those same discussions with the previous users a few years ago? Davis stated no because that was an existing entrance and their actual entrance is farther away. It's down past that concrete median. If you'll look at the aerial photograph of what the site is, their proposed entrance would be directly across from Dick Kable's driveway. If you'll recall, that concrete median there was shortened 60 feet to accommodate Dick's need to have a left turn in there. You can see where the right-of-way is at a 45-degree angle on that line. That's Mn/DOT right-of-way. So, the Mn/DOT right-of-way goes a little farther in toward the County right-of-way than it normally would on a straight line, off set from the road. So, they are going to be looking at those issues to see if that's going to be a consideration for them.

6.0A.1
Planning
Commission
April Report

Mundle stated well there'd be possibilities of having it to the east side with there being ponding there. Davis stated that may be a County requirement. If it is, it would be a very expensive entrance because there're wetland issues and ponds that would have to be dealt with.

Voss asked right now, that's a lot of record? Or, is this a split? Davis stated it is a lot of record. Voss stated so I don't think the County can deny an access though. Davis stated they may be able to, for that type of use, if there's going to be safety concerns. And, I've asked for a meeting with Jane Rose for some clarification on that.

Voss asked isn't that, the piece on the east side, what we looked at years ago for alignment of the frontage road? Davis answered it is but the frontage road entrance to there would have come actually east of Sandy Drive. In this area right here. *(Davis pointed to an area on a map.)* And, when that road is put in, if there's development of that property across the street, then we would require those roads to line up at that point. Voss asked any other comments or questions?

Informational; no action required.

6.0B
Economic
Development
Authority
6.0B.1
BR&E
Task Force
Appointment

Davis presented the staff report indicating the Council is asked to consider the appointment of a City Councilperson as the City Liaison to the Business Retention and Expansion Task Force.

The East Bethel Economic Development Authority and Chamber of Commerce have partnered with the University of Minnesota to develop a Business Retention and Expansion Program to assist eligible businesses in the City.

The purposes of the program are to:

- Help existing business solve issues that directly impact their firms;
- Assist businesses in identifying and utilizing resources that designed to assist them to become more competitive;
- Develop plans to long-range and sustaining retention and expansion activities; and,
- Build community capacity and a stronger business environment to sustain growth and development.

A Leadership Team has been formed by the EDA and Chamber and they are seeking Task Force volunteers to assist in the development and implementation of the project goals. Anyone that would be willing to assist in this effort can call City Hall for contact information.

The Leadership Team has also requested that a City Councilperson be appointed as a Liaison to the group. This appointment would create a link between the Council and the program managers and provide a direct avenue of communication to the Council.

At this time, Council is requested to consider the appointment of a City Councilperson as City Liaison to the Business Retention and Expansion Leadership Team and Task Force.

Voss stated so we've talked about this briefly before. Is there any volunteers? Mundle stated Doug came to me and asked me if I would. Voss asked does that mean you're volunteering? Mundle stated I did volunteer, yes. Voss stated that's good. I didn't know what kind of power Doug had. Mundle stated if there's anybody else that would have an

6.0B.1
BR&E
Task Force
Appointment

interest. Voss stated hearing none, do we want to make a motion to appoint Brian?

Harrington stated I'll make a motion to appoint Brian as the City Council Liaison for the Business Retention and Expansion Leadership Team. Koller stated I'll second. Voss stated and you fully understand your responsibilities as Liaison? Mundle indicated in the affirmative. Voss stated okay, I don't want you to take on too much. Any discussion? Thank you Brian. All in favor say aye?" All in favor. Voss stated opposed? Hearing none that motion passes. **Motion passes unanimously.** Voss stated I'm glad to see that moving forward.

6.0C
Park
Commission

None.

6.0D
Road
Commission

Davis presented the staff report indicating the Council is asked to consider approval of 2016-2020 Street Capital Improvement Plan (CIP)

6.0D.1
Street Capital
CIP 2016-
2020

The Streets Capital Improvement Plan was developed by the Roads Commission and staff to prioritize street improvement projects over the next five years. The Roads Commission adopted the 2016-2020 Streets Capital Improvement Plan at their April 14, 2015 meeting.

The recommended street maintenance projects for 2016 are estimated to cost \$870,900 and include the overlay of Rendova Street, Okinawa Street, Tippecanoe Street, 209th Avenue, Austin Street, and 204th Avenue.

For 2016, the Road Commission recommends that funds for an MSA project be approved for the construction of a service road that would link the Classic Commercial Park area to Viking Boulevard. Currently the commercial park only has one access location at 187th Avenue and Trunk Highway 65. The additional access would alleviate some of the stacking issues that occur at 187th Avenue, provide additional access for emergency vehicles, and open up additional property for development in the Municipal Services Area. The proposed route is currently designated as a MSA street and has been part of the City's Street Plan since 2005. The estimated cost of the project is \$2.4 million and would be funded through MSA funds and a Highway Safety Improvement Grant. The City will also apply for a Cooperative Agreement Grant from Mn/DOT to offset the costs of this project.

Commitment to the Capital Improvement Plan requires the dedication of funding for 2016 only. Projects beyond 2016 are identified and prioritized by the Roads Commission to provide the Council with recommendations for 2017 through 2020 as part of the overall capital project planning for major street improvements. Commitment to projects beyond 2016 will be considered for approval as part of each year's subsequent budgets.

The estimated cost of the Street Capital Projects in 2016 is projected to be \$870,900. This amount is available from dedicated sources in the Street Capital Fund. The estimated cost of the MSA Capital Projects in 2016 is \$2.4 million. Funding for this portion is available through MSA funding, Highway Safety Improvement Grants, and a Mn/DOT Cooperative Agreement Grant.

The Road Commission and staff recommend approval of the 2016-2020 Streets Capital Improvement Plan.

Harrington stated I'll make a motion for approval of the 2016-2020 Streets Capital Improvement Plan. Ronning stated second. Voss stated any discussion?

6.0D.1
Street Capital
CIP 2016-
2020

Ronning stated yes, Jack, on that MSA, could you explain? MSA is Minnesota Street Assistance? Davis answered Municipal Street Aid. Ronning asked how much is there and are we pulling ahead from future funds? Davis stated we receive approximately \$780,000 a year from that fund and \$180,000 is designated for maintenance purposes, which is put in our General Fund budget, which goes into the Streets and Roads budget. The remainder, approximately \$603,000, is dedicated to improving our MSA designated streets. Currently, we have approximately 24 miles, I believe, of MSA streets within the City. These are major arteries and thoroughfares. At the beginning of 2016, we should have approximately \$800,000-some in that account. We'll get another transfer from Mn/DOT of \$600,000 so we'll have \$1.4 million in that account. We can advance fund projects from these monies up to, I believe, it's four times our annual allotment. This projection that we have does allow for three phases of our Street Improvement Program. Two other MSA projects, through 2020, if this is done in the way it's presented, we would be advance funding in 2020 so we couldn't do a project in 2021. We'd be caught up and in 2022 or 2023 we could continue with our MSA projects. We still could continue but we'd have to advance fund and borrow money against our future allocations. So, there are funds here. This won't involve any City levy portions of the budget. MSA funds are directly from Mn/DOT. The Highway Safety Improvement Grants would be a Federal/State grant that we could receive and the Cooperative Agreement Grant would be from Mn/DOT.

Ronning stated I think you've probably already answered, but what potential impact could you anticipate as far as East Bethel funds? Davis stated East Bethel funds aren't planned to be utilized at all in any of these projects. Ronning stated for a City of our size, this \$2.4 million is kind of a 'spooky' number. That's, we'll be able to do that without? Davis stated that's correct. Of that \$2.4 million, beginning in 2016, we would have \$1.4 million in our MSA Fund. We've been told by Mn/DOT that we would qualify for a \$500,000 Highway Safety Improvement Grant. We'd also apply for a \$500,000 Mn/DOT Cooperative Agreement Grant to finish out the funding. So, we wouldn't be using any of our Street Capital Funds or any levied funds for this portion of the project. Ronning stated thank you.

Voss stated any other discussion? Hearing none, all in favor say aye?" **All in favor.** Voss stated opposed? Motion passes. **Motion passes unanimously.**

6.0D.2
April 14,
2015 Minutes

Informational; no action required.

**7.0
Department
Reports**

None.

7.0A
Community
Development

7.0B
Engineer

None.

7.0C
City Attorney

None.

7.0D
Finance

None.

7.0E
Public Works
7.0E.1
Amendment
to Cemetery
Policy

Davis presented the staff report indicating the Council is asked to consider approval of an amendment to the Cemetery Policy that would require cremation burials be placed inside a suitable vault.

The City of East Bethel Public Works Department maintains three cemeteries including the locating, marking, opening, and closing of the burial plots. One problem the staff consistently encounters is the locating of cremation burials without a vault. Many times the urns are too small to locate or are made of a material that breaks down or collapses. Two cremations are allowed on a single plot, so accurately locating the existing urns is a necessity before opening the plot for an additional cremation burial. By requiring the urns to be placed in an approved vault, they can be accurately located and not disturbed.

Most cemeteries in the metropolitan area require vaults for cremation burial. The cost for these vaults to the family ranges from \$100 to \$300 depending on the vault style.

Davis stated you have in your attachments our Cemetery Policy and under Burial Rules, under #3, we would add one line that states: *'Cremation burials require a vault constructed of cement, steel, or other suitable material, not degrade, and be able to withstand the weight of the soil.'*

Mundle stated make a motion to approve the amended Cemetery Policy. Harrington stated I'll second. Voss stated any discussion?

Ronning stated #3 addition, whose responsibility is that? Davis stated that would be the responsibility of the person who actually has the burial plot. Whenever a burial is done, we do the excavation, or we open the grave. I think if done through a funeral home, they would have to supply the vault before the burial could be completed. So, it would be the responsibility of the person who was having the funeral.

Ronning stated if somebody should ask, if they don't, what are the requirements of a vault other than cement, steel, or other suitable material? It's some kind of a structure, sounds like. Davis stated in all probability, I read that and it was a question I had. It should have been, and we can add this at your direction or come back the next time, there should have been a little bit more definition as to the specifications of that at least relating to a certain manufacturer or style. That can be added. If you want to table that, I can bring it back next time and give you some specifications that actually spell out what is required.

Voss asked couldn't we simply say 'commercially available' or 'commercially manufactured.' Davis stated we can do it either way or we can do it upon, all the major funeral homes have people they deal with that provide these products. Even the vaults that you have for a direct burial. We can add that type of language to further define what the type of vault should be.

Ronning stated for comparison, most cemeteries in the metropolitan area require vaults, range from \$100 to \$300. Would that get near this change in #3? Davis stated yes, and what we're talking about are the urns for cremation burials. All those have to be dug is 30 inches deep by 30 inches wide so it's a very small opening. These are not very large structures required. One of the problems that we had, when we have to locate them, is we use a probe and we don't want to disturb anything. A lot of times, the probe will go through the urn and you won't be able to discern the difference between that and the soil.

Ronning asked what was your, I don't know if it was a suggestion or a hint, sort of, table it

7.0E.1
Amendment
to Cemetery
Policy

for what information? Davis stated we can come up with more precise specifications or we can add a statement that says, ‘what is commercially available and acceptable.’ That’s kind of vague but if you want more specs, we can certainly bring it back.

Voss stated well, the kind of ‘double-edged sword’ with being very specific is you’re being very specific in making sure we’re correct and standards don’t change and everything else. Ronning stated people’s final resting place is, you don’t want to guess about it or wonder too much. Voss stated that is one of the purposes of the vaults.

Davis stated what we do is we rely upon the funeral homes to take care of all this and if we say there is a vault required for cremation burial, then they take care of that. They have access to all the products and can direct the family of the deceased as to what’s available and what should be put in.

Ronning stated move to table for further information to be brought up when the information’s available. Ronning asked would that be the next meeting? Davis responded yes. Ronning stated **until the next meeting.** **Koller stated I’ll second.** Voss stated all in favor say aye?” **All in favor.** Voss stated opposed? **Motion passes unanimously.**

7.E.2
Coon Lake
Invasive
Species
Treatment

Davis presented the staff report indicating the Council is asked to consider direction to participate in the Aquatic Invasive Species Control Program or approval to opt out of the Program.

At the Annual Meeting of the Coon Lake Improvement District in July of each year, members at the meeting vote to approve and fund the District’s activities for the coming year. An annual fee is determined and will be charged to eligible District properties via collection of fees by the County on the following year tax statements. These fees are currently used to fund the cost of herbicide treatments in areas identified as moderate- to heavily-infested with Curly Leaf Pondweed or Eurasian Water Milfoil. This is determined by means of a delineation to locate and document sites to be re-inspected and/or approved by the Minnesota DNR for treatment by a State-licensed applicator contracted by the Coon Lake Improvement District. The chemicals normally used to control these are Endothall, Triclopyr, and 2-4-D.

Signatures for herbicide control of invasive species are not currently needed for Coon Lake as the Minnesota DNR has waived the signature requirement as allowed by State Statute. This is documented as an amendment to the Lake Vegetation Management Plan through April of 2015. The following, with the distribution of this letter, fulfills the requirement as stated in Subd. 3c. State Statute above.

Early season herbicide treatment for Curley Leaf Pond Weed is expected to take place from mid- to late-April depending on variables such as ice-out date, water temperature, approval of permit, and herbicide applicator availability. This will be done by using the chemical Aquathol K, at dosage rates of .75 – 2 parts per million. Nuisance control of Eurasian Water Milfoil should follow in mid-May to mid-late June and areas would be treated with a 2-4-D or Triclopyr herbicide and be applied at the rate of .75 – 2.5 parts per million depending on the applicator’s recommendation.

It is the owner’s right to request treatment not be done in front of their property. In this case, it is identified as an area that needs to be treated, but please be mindful that this is a collective effort funded by each owner and non-treated areas may diminish the quality of control and affect. The goal to reduce the quantity of control of Aquatic Invasive Species

7.E.2
Coon Lake
Invasive
Species
Treatment

with each year's successful results. Should the City desire to Opt Out, they need to fill out the form "Request to be Excluded From Herbicide Treatments" and mail a copy to each of the recipients listed on the form. A decision to opt out would only include non-treatment of City frontage property and not that of the entire Lake. The City has participated in this program in the past.

Staff is seeking direction from Council as to the desire to participate in the Aquatic Invasive Species Control Program for Coon Lake.

Voss stated just so we're clear, it's only in front of the properties that the City owns. Davis stated that's what we're dealing with on our decision for treatment or to opt out. That's only for City owned properties. Most of the City owned property on Coon Lake is south of Lincoln Drive down to the Ham Lake corporate limits.

Voss stated there are four of them along East Front Boulevard right-of-way. Davis stated those are just small accesses. This is probably an area of about, maybe, 1,000 feet or so.

Koller stated I'm on the Sunrise River Watershed and we work on the same projects and the City funds the Watershed. So, are we 'fighting' with each other? Davis stated no, actually the funds for this come from the Coon Lake Improvement District and those funds are collected by tax levy by the County.

Voss stated all the waterfront riparian properties, they pay a tax on it. Mundle stated so we're not actually paying for the Program. We're just saying yes, we want the treatment or no we don't. Voss stated that's correct. We are selecting to participate in the treatment program or opt out of the treatment program. Everyone's in unless you opt out. Davis stated correct.

Koller stated I'll make a motion to stay in the Program. Mundle stated I'll second. Voss stated any discussion? Yeah, it's a good Program to stay in. Ronning stated one question, I'm sorry. If somebody opts out, are they taxed anyhow because they're on part of the property? Voss answered yup, that doesn't change. Anything else? All in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

7.0F
Fire
Department

None.

7.0G
City
Administrator
7.0G.1
Ice Arena

(At this point, Koller left the Council Chambers.)

Davis presented the staff report indicating the Council is asked to consider approval to select a Management Contractor for the East Bethel Ice Arena

The City of East Bethel managed and operated the City Ice Arena with City staff until 2006. From 2006 to 2008, the City contracted with the National Sports Center for management services for this facility. The National Sports Center declined to exercise their option to extend their contract at the end of the 2008 season. As a result, the City solicited other management proposals for operation of the facility and awarded a contract to Gibson Management Company, LLC for the work. Gibson Management has operated the Arena for the past seven years.

7.0G.1
Ice Arena
Management
Services
Contract

The City Ice Arena operates as an Enterprise Fund. The Fund had a cash balance deficit of \$134,835 in 2011 but currently has a positive cash balance of \$134,254. City levies are not used to support the Arena; however, revenues from the cell tower on site were allocated to the Arena Fund prior to and through 2014. The goal of the City, at minimum, is to operate this facility with all costs paid through user fees.

Aside from the outsourcing of the management of the Arena to an independent contractor as we have done since 2006, the City could consider the following alternative options:

- Leasing the facility outright; or,
- Hiring a contract manager and operate the facility under the umbrella of the City.

The major issue with leasing is protecting the City's investment in the facility and establishing responsibilities for maintenance and use of the equipment and property. Directly contracting the management as a City function, while a consideration, could create a position and a role that has the potential to expand well beyond its anticipated purpose and produce an additional level of management and possible expense. Staff is of the opinion that contracting with an independent management company is the most efficient and economical means to operate the facility at this time.

A Request for Proposals for the Arena Management Contract was advertised in the *Anoka Union*, City Website, and with the League of Minnesota Cities. There were two submittals for the Management Services Contract. Those were:

Gibson Management, LLC – Rochester, Minnesota; and,
Victory Management – Isanti, Minnesota

The City Council received and reviewed presentations of the management proposals from these two firms at a Work Meeting on March 25, 2015. This matter was considered by City Council on April 15, 2015, but was tabled and additional discussions were conducted at a Work Meeting on April 22, 2015.

The City has budgeted \$79,000 for this service for the 2016 Budget. Both of the proposals exceed this amount and it is recommended that the contractor selected be open to negotiation for their quote for services. Staff recommends that a contract award be provided for a term of not less than two nor more than three years.

Staff recommends that Council consider approval of a contractor to provide management services for the City Ice Arena and direct staff to negotiate a contract for these services with the selected contractor and present the negotiated contract for consideration of approval at the May 20, 2015, City Council Meeting.

Voss stated okay, we've had, this is the fourth meeting now on this subject. Davis responded yeah. Ronning stated well, we don't have a motion. Mr. Attorney, we don't have a motion to hold discussion under. Vierling stated it would be preferred procedurally that you have a motion and a second and then do discussion of it.

Voss stated I'll move that we contract for the Arena with Gibson Management. Mundle stated I'll second. Voss stated discussion? There's a pause. Ronning stated a pause that refreshes.

Ronning stated I went back and looked at the Management Contracts from 2010 through. 2010 was \$85,898; 2011 was \$86,398; 2012 was \$90,000 with an actual of \$80,556; 2013

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Ice Arena
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was \$86,000 with an actual of \$86,072. 2014 was \$84,000 but I think reduced to \$79,000 after the budget numbers were reviewed. Personally, I'm not worried about, I think we need to be conscious of costs. But, I don't think as long as we can get some 'wobble room' someplace, we don't have to take the cheapest one. We're not required.

Voss stated well, it's a professional contract, right? Vierling explained a service contract so you're not required to do competitive bidding.

Ronning stated as far as the cost goes, I went through some of the expenses and just the numbers I have, budget and the actual, motor fuel is \$2,500 budgeted 2012 and 2013. 2012 actual was \$1,742. 2013 was \$1,800. And, it reflects that way pretty much all the way through. Building repair \$5,000 for 2012; \$5,000 for 2013 and 2014. In 2012 was \$2,898; 2013 was \$2,049. Telephone goes the other direction. \$1,300 for 2012 and 2013. I think that's what it was for 2014. But, the actual was \$1,349 or \$49 over for 2012. 2013 was \$1,504 or \$204 over. Electric utilities \$33,000 for both 2012 and 2013. The numbers are 'eye openers' for what it cost to run that place. Electric utilities actual for 2012 was \$31,103 and 2013 was \$33,163, or \$163 over. Gas utilities 2012 was \$24,000, 2013 was \$22,000. It's mid-\$50,000 range to keep the doors open with lights and heat for the most part. The actual for 2012 was \$14,652. The actual for 2013, with the \$22,000 budget, was \$16,537. It goes on like that but the point is that on most lines, I can say almost every one, but on most lines, the actual is less than the budget. Jack and Mike do a heck of a job putting a budget together for us to look at. So, it's well planned, very well planned. But, there's room to 'play' on our side too. Although, you have to come to some kind of a mid-point.

Voss stated I'm having a hard time. Overall, what's your point? Ronning stated I wouldn't go for the lower one just because it's lower. We have prior experience from that and it's been said in the past that last year, we went with a one-year agreement. What's the name of the other one? Not the St. Francis. Davis stated St. Francis Youth Hockey Association? Ronning stated that bigger outfit? Davis stated Rink Management. Ronning stated Rink Management, so we ended up going with a one-year agreement to see how things went. That's my recollection. And, they pulled, they said, 'We can't do it. The shortest we can go is two years.' I think. And then once it was too late they said, 'We can go a year.' But, don't be hung up on the lowest price.

Voss stated personally, for me, I'm not. That wasn't a driving decision on it. Ronning stated this is a motion to allow discussion. Voss stated no, this is a motion to approve Gibson Management. There is no motion to allow discussion. Ronning stated well, that's what it started with and came my way. My mistake. Voss asked anything else? Ronning replied no, thank you.

Mundle stated I'd recommend a two-year contract. Not a three year. Voss asked the current proposal is three years? Davis stated the current proposal they're operating under now is one year but on the award, we would recommend a minimum of two or a maximum of three. I don't think we want to go beyond three years with the contract and I don't think we want to be back here next year doing this either. Voss stated right and in discussion with both bidders, two years was acceptable. Correct? Davis stated that would be negotiated as part of the contract. They are both aware that is the proposal of the City.

Voss stated I'm accepting of the **two year as a point of negotiation for the contract, as a two-year contract**. Ronning stated a **friendly amendment**. Voss stated you're okay with

it because you made the second? Mundle stated yeah, I'm okay with re-seconding. Voss stated any other discussion? Hearing none, all in favor say aye?" **Mundle and Voss-Aye; Harrington and Ronning -Nay (Koller absent) motion fails.**

Voss asked other motions? **Harrington stated I'll make a motion to offer Victory Management.** Ronning stated it's not necessary. Voss stated yes it is. This item is still on the table. Ronning asked is it? Voss answered yes. Ronning stated I thought once it failed it was. Vierling stated this particular motion that was offered failed. That doesn't mean that other motions can't be offered relative to other providers. Ronning stated okay. **Harrington repeated I'll make a motion to offer Victory Management a two-year contract. Ronning stated second.** Voss asked any discussion? All in favor say aye?" **Harrington and Ronning-Aye; Mundle and Voss -Nay (Koller absent) motion fails.**

Voss asked what's the current contract run to? Davis stated the current contract runs through July 31st of this year. Voss stated okay and with the way the current contract is written, it has to be renewed? Vierling stated it will be renewed. There's always opportunities, presumably, theoretically, to do it a month after that. Voss asked is there a continuation on the contract? Vierling answered no. That would have to be discussed with them. Voss stated so if nothing gets resolved by that time, we have no one to run it, theoretically. Vierling stated you have no contract.

Voss stated I'm open to suggestions. Ronning asked when would somebody like to bring it up again? That's probably a reasonable question. Mundle asked are you referring to bringing it to another Work Meeting? Ronning stated that was a second thought. Maybe have a little further discussion. Voss stated we've had about two and a half hours total. Ronning stated yes, I know.

Harrington stated I like Victory because she's a little more enthusiastic. We've had some problems with Gibson that people have complained. I think it's time maybe for a little change and some new 'blood' over at the Ice Arena. She's got a lot of good ideas. I think we should give her an opportunity.

Ronning stated you know, on that line, last year we had the three. The people that were going to come and present a proposal from St Francis Hockey Association didn't make it. And, the lady that spoke a couple meetings ago, just 'cold turkey,' went off the cuff, and all but one, it was four that was in favor of it and one was against. They did back out but the point, I guess, is that there was, the discussion revolves around the ice. Putting the ice in, caring for it and stuff and at that time, correct me if I'm wrong Tim, there was no question, no mention, no anything about the ice of the St. Francis Hockey group. There was no concern about being able to do it or have somebody to do it. So, to me, it's pretty much like Tim said. You're going to go for more of the same or you going to try to improve things. And, only the future tells if it's improved or more of the same. But this year that's concluded is, for the most part, more of the same, I think.

Voss stated on that point, that's one of the things we discussed at the Work Meeting was getting an understanding of what last Council, for this current contract, what some of the concerns were and the expectations on improvement and unless I'm mistaken, I think pretty much all those things were shown improvement. Maybe not to the extent that the Council was hoping for at the time. Ronning stated if they did, I'd like to know what they are.

Voss stated I'm saying it because you are the two that were involved and what I recall of that discussion. Ronning stated I don't know if this helps or not, when we had the Work

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Ice Arena
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Contract

Meeting, the first one when they were here, Gibson Management did a presentation, a nice presentation, but there was no talk of accomplishments. It was all, 'We're going to do this. We're going to do that.' I don't have my notes with me right now to recall what all the subjects were but, I asked the question, 'Was this future?' And, 'Well, what do you mean?' So, the language they're using is future, not that, it's the plans for the future and it was the same plans for the future the last time was. I really don't believe we got there. Voss stated okay, I'm just recalling differently from our last discussion, I guess.

Ronning stated this was the meeting you weren't able to attend. Voss stated I'm saying the last Work Meeting we had this discussion and my question was, 'What was Council's expectations a year ago?' That was part of the reason why to go to the one year. I remember asking that question.

Davis asked would there be any interest in a compromise in which one of the vendors would be responsible for the management of the ice part of the Arena and the other would be responsible for dry floor events? Mundle stated I'd be open to something like that.

Voss asked that's something we can do Mark? Vierling answered if it's capable of being negotiated out with the vendors. Ronning stated that would require new proposals, I would think. Voss asked would it? Vierling stated it certainly would require some degree of negotiation with the vendors in terms of what they are willing to do within those areas. Voss stated but we wouldn't have to go out for bid again, would we? Vierling answered no, you're not required to bid.

Voss stated so Jack, you're suggestion is to meet with both parties? Davis answered and to see if there's interest in pursuing it in that direction. If Council is so inclined to consider that as a compromise and if something can be worked out between both vendors and come back and present that at the next meeting as an alternative to having the one sole vendor that performs both functions. Voss stated I'm fine with that in the aspect of I don't think we're going to get too much further on this tonight. So, that's a new idea.

Ronning stated and to support Jack's idea, we should have some concurrence that that's what we'd like to see. Otherwise, there's no real incentive to change anything. You know what I mean? Voss stated my suggestion is let staff work with both parties and maybe that's not even an option for them? At least make a proposal. Ronning stated I agree.

Voss stated we've had three, now four meeting on this subject. Ronning stated I'm talking about something that pushes discussion and pushes to a conclusion. Voss stated I don't know what that means. Ronning stated it means that we concur that we support Jack's idea, not in a motion form, but just in support. Mundle stated I hear him saying give staff direction. Voss stated that's just direction to staff. We can do that. Mundle stated give staff direction to go and do something. Ronning stated and we're interested in doing that particular thing.

Voss asked you're okay with that Brian? Mundle asked with giving staff direction? Yeah, you want me to give the direction? Voss stated well, it's just a consensus. We'll send it back to staff and see what you can come up with.

Davis stated we'll contact the two parties involved and arrange a meeting with them individually as soon as possible and see if they're interested in exploring this. Voss stated okay and if it's ready for next Council and if not we'll wait until the June meeting. Would you like to come forward?

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Ice Arena
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Nicole Koller, 1865 297th Avenue, Isanti, stated I was contacted by the St. Francis, the place they're setting up, trying to get a rink going in St. Francis as well. And, St. Francis is kind of leaning both ways right now, they're on the border here. If they're going to make a push for St. Francis to build an Ice Arena, if they don't get the way they want.

Voss stated that's kind of a rude statement. I know it didn't come from them. N. Koller stated I don't mean to be rude. I was contacted not by the Hockey Association but I was contacted by a party looking to build the ice arena and they were looking for management services there as well. And, they were looking for is more like a feasibility and I just want to let everyone know because I feel it's kind of a, we've been at this for long enough and we've come to enough meetings and stuff and I kind of understand where everyone's at. I want the Ice Arena to succeed no matter which party. I just know they want change and their scheduling sometimes they end up, they've been taking over Isanti's rink because they can't get the hours they want here. And, I know that there's just been complications, scheduling issues. The current Zamboni driver text scheduling back and forth with some of the Hockey Association and they don't always get messages and things get mixed and there's not really a foundation.

Voss stated I think, a lot of this we've had discussion on in the past. Ronning stated yeah, and we should like to take that under advisement. With that, I would volunteer. Brian, would you be interested in meeting with the St. Francis group and let them speak for themselves? Voss asked with the Hockey Association? Ronning stated I think that's what it is. Voss asked have they not already been in front of Council?

N. Koller stated it's not the Hockey Association that's pushing for an ice arena. They're trying to make a community center that has two ice arenas in it. That's being, they're doing feasibility studies. From what I understand, they're looking for a management company or they're looking to maybe get a YMCA-style. They've just been asking for questions and stuff and I just want to let you guys aware. If we lose the Hockey Association, it makes no point in having a rink. Even if we have to team up together to make the thing successful, it would be worth it. You've got the Community Center. We've got heroin outbreaks left and right in Anoka County. How do you get rid of drug issues and stuff like that? You keep kids occupied, keep them involved. If you can find, even like a YMCA camp at the Ice Arena. It's something that's feasible.

Voss stated you're not going to find a bigger supporter of youth sports than I. I understand what you're saying.

N. Koller stated I just feel that even, there's a community organization called 'For Jake's Sake' in East Bethel from a former student of St. Francis High School that passed away from a heroin overdose. I'm thinking that if we can get that community center and get it involved, even ice, dry land, all these activities, if you can turn it more into a YMCA style where you're keeping kids involved, you have less chance of them having issues. I just wanted to let everyone know.

N. Koller stated I know we talked about it a few weeks ago, or probably a couple months ago now, but that St. Francis was interested and the Hockey Association said they wanted to stay with East Bethel if they could. They made that clear. Well, if, I mean, they want to be happy and they want to have their scheduling accurate, and they want everything to flow smoothly. If they're not happy, they're like the biggest customer for East Bethel. What's stopping them from going to a nice new rink?

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Ice Arena
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Voss stated the direction we've given now is for staff to meet with you and Mr. Gibson. Are you amenable to meeting with Mr. Davis? N. Koller responded yep. Voss stated good, okay, so let's take that step. I appreciate the information.

Mundle stated and let's wait. Ronning stated can I catch you later on that? We don't have to have a full discussion here. Mundle stated yeah, we can wait until later, after something is, if we can't reach something next time then maybe talk about. Yeah, we can talk about it later.

Harrington asked is there, ice arena at St. Francis, did things change over there? I heard one arena and a community center and now I hear two? Davis stated I don't know. I've heard all kinds of rumors and I don't know where they stand on that. The latest that I heard was that it's doubtful that was going forward but I don't think anything official has ever been announced by the city. I do know they were doing a feasibility study and that's official all that I know.

Ronning stated what it boils down to is money. Didn't they build a new Police Department, City Hall, and whatever all things there were for however many million dollars, 10, 12 or something? Davis stated they built a new Public Works building, Police Department. They also have some issues with water and sewer improvements that they have to address. So, again, I don't know what their finances are. Ronning stated yeah, how far they're willing to go out as far as that kind of expense.

Voss asked any other discussion on this? If not, we'll take a moment and go on to the next item.

(At this point, Koller returned to the Council dais.)

7.0G.2
Insurance
Agent of
Record

Davis presented the staff report indicating the Council is asked to consider approval of the insurance agent agreement for the City's workers compensation and property/general liability insurance.

The League of Minnesota Cities Insurance Trust is a cooperative, member-owned organization founded during 1980 that provides property, liability, workers' compensation and employee benefit needs to Minnesota cities. Members contribute premiums to a jointly owned fund rather than paying premiums to buy insurance from a private company. The funds are used to pay for members' claims, losses and expenses. The City of East Bethel utilizes the League of Minnesota Cities Insurance Trust as its insurance carrier. A condition for program participation is the requirement to retain a licensed insurance agent to perform the following functions:

- Assist the City in requesting League of Minnesota Cities Insurance Trust Contract Review Services for evaluating municipal agreements and City contracts for insurance concerns;
- Advise and assist the city with assembling the underwriting data, for the renewal rating process;
- Advise and assist the city on evaluation and selecting among coverage alternatives such as deductibles, limits, optional coverages, alternative coverage forms, etc.;
- Review coverage documents and invoices to assure coverage has been correctly issued and billed;
- Advise the City on potential gaps or overlaps in coverage; and,
- Assist the City in identifying risk exposures and developing appropriate strategies to address those issues.

7.0G.2
Insurance
Agent of
Record

The City's current contract for this service is with the Bearence Management Group. Their contract expires at the end of the year. At the March 18, 2015, Council Meeting, the Council directed staff to solicit proposals for an insurance agent to ensure that the City is receiving the best value for its investment. The City received three responses to their request for proposals, which are summarized below:

| <u>Vendor</u> | <u>Annual Cost</u> |
|------------------------------------|--------------------|
| Northern Capital Insurance Group | \$5,000 |
| Gallagher Risk Management Services | \$6,000 |
| Bearence Management Group | \$6,500 |

All the credentials and requirements of these groups appear to be very equal. They're all very reputable firms.

Bearence Management Group has provided the City with excellent service but submitted the highest cost proposal. Although continuity is important in these types of professional services, there is only a small scope of services provided and transitioning to a new agent should not pose any problems.

Staff recommends that Council consider approval of 2016 - 2018 Insurance Agreement with NCIG given that the transition to change to a new insurance agent is minimal, they provided the lowest cost proposal, and their reference check came back positive. City staff conducted an interview with NCIG on April 27, 2015, and has no reservations in the recommendation of their approval for our insurance agent of record.

Mundle stated I'll make a motion to approve Northern Capital Insurance Group. Ronning stated I'll second. Voss stated discussion?

Ronning asked is there a, kind of a history behind these? Who all do they service and what size are they? I don't know them from a number in a phone book. Voss asked do you know any of them? Ronning stated well, I went to school with Rick Gallagher but they were in the trash business at the time. That's when Wyatts were in the cement business. Voss stated I'm surprised. I didn't think you'd know any of them. Ronning stated I don't know this Rick there's probably more than one. Voss stated all right.

Davis stated I don't have it at my fingertips but all three of these firms have a fairly long list of city clients within the metro area. They're included in your report. Voss asked so it's an 'apples-to-apples?' Davis responded yes. And, this is one reason that we didn't select firms for interview because we felt the credentials were essentially the same and equal for all of them and it's such a low amount that we'd spend more time in an interview process and negotiation process than we'd gain in anything back in value. Voss stated yep, that's understood.

Voss stated is there any other discussion? All in favor to the motion say aye?" **All in favor.** Voss stated opposed? That motion passes. **Motion passes unanimously.**

8.0 Other
8.0A
Staff Reports
Seasonal
Employee
Opening

Davis stated City Council approved the hiring of two seasonal employees. One of the employees that we'd made the job offer to had found a better job. We re-advertised for that position and we're going to close those applications on Friday. They've been re-advertised now for two weeks. So, if anyone that's 18 or older is interested in a seasonal position with our Public Works crew, please submit your application to City Hall by close of business on Friday, May 8. Mundle asked what time is close of business? Davis responded 4 o'clock.

May 9, 2015
 Craft Show
 Cancelled

Davis stated the craft show that was scheduled for the Arena for May 9th has been canceled. Apparently, many of the vendors that were going to be there decided also to participate in the Lions garage sale and decided that only one trip up here was going to be all they would do. So, due to lack of vendors, the craft show for May 9th at the Arena has been canceled.

8.0B
 Council
 Report –
 Member
 Harrington
 Council
 Member
 Ronning

Harrington stated I don't have anything for Council Reports but I just want to wish all the mothers out there Happy Mother's Day this Sunday.

Ronning stated that was my report. I don't have anything.

Council
 Member
 Mundle

Mundle stated last Thursday had the second meeting of the Fire Fighter's Joint Powers. Where at the first meeting a budget had been approved, at this meeting, essentially, the big item they talked about was that they're probably going to have to approve making an amendment to that budget and approve something more because of unforeseen. This is their first year setting up the budget, some stuff did not go as they had planned, one of the employees that they were relying upon to conduct some services quit, so that is one of the causes. The Fire Chief would know more. I believe before the next meeting, the next meeting is probably about three months away, or at the October meeting, I believe a new budget would be proposed. I believe we would have that and be able to discuss that before I attend that next meeting.

Voss asked you realize all these cities make their budgets long before October? In fact, we send them to the County before then. Mundle stated yeah. Voss stated so no one's going to be able to adjust their budgets unless we know what it is. Right? Mundle stated Mark will have more information on this.

Davis stated Mark spoke to me about this and identified that too as a problem. He says that he doesn't anticipate that their budget request will vary much from what's projected. The current one is going to be, probably around \$3,000 for this year. So, he says he has made that known to them that is an issue and they're going to have to change their dates in the future for completing their budget work.

Mundle stated yeah, and that was another discussion of how can we avoid this in the future to have a proper budget put together and approve it at the proper time. So, that was my update.

Council
 Member
 Koller

Koller stated I was at the Upper Rum River Watershed meeting last night. We worked on finishing up the budgets. We are getting estimates for an audit that BWSR's requiring. Our next year's budget was ratified by all cities except Ham Lake. I have no idea why. That's about it.

Mayor Voss

Voss stated we're going to start having budget meetings in June. Right? Davis stated we have the preliminary budget prepared. Staff has sent their request in. Mike and I went over all their line items this afternoon. We'll be meeting with them individually and we can have a budget meeting any time you want to after May 20th. Generally, the policy has been to submit the preliminary budget to Council the first week in July. One of the major items that we won't probably know definitely until the end of June is what the Sheriff's increase is going to be. Voss stated or decrease, sorry, they're not here.

Mayor Voss Davis stated we sent them a notice today that we needed their information as soon as possible. But, generally, it's the middle of June to the end of June until they come up with whatever their costs are for the next year. Voss asked historically, they make a presentation to Council as well, right? Davis stated that's correct.

Voss stated the only thing I had is, just because I keep getting questions, yes the fire ban is still on. And, all this rain just missed us again so I don't know if we'll ever get rain here. But, I asked Mark, the other night and he said it's still on. I see it's still on, posted on the door, so until further notice, we still have a fire ban. Mundle stated yeah, that's for permits. Voss stated it's for permits for burning. You can still have campfires. Mundle stated yeah, recreational fires.

Ronning stated since you mention that, it might not hurt to mention the oak wilt, June 1st to July 15th, or something, on trimming. Voss stated until July 15th, right? Davis stated yeah, and it could start even earlier than that. To be on the safe side, you probably ought to look at the first to the middle of May. Ronning stated right now. Voss stated well, it's April 1st to July 15th, that's the dates. Davis stated okay.

8.0C None.

Other

9.0D

Closed
Session

Vierling stated for the members of the public and for the benefit of the record, we'll note that at the present time, the Council's been requested to go into Closed Session to meet with the City Administrator and the City Attorney with regard to matters of land acquisition authorized under Minnesota Statutes Chapter 117 and 595 also dealing with Chapter 13.D in Minnesota Statutes on closed meetings. We'll be discussing the acquisition of property located on what is right-of-way, Plat 3, Parcel 3, as filed in Anoka County. With that being said Mr. Mayor, I'd entertain a motion to close the meeting for the purposes indicated.

Move to
Closed
Session

Harrington stated I'll make a motion for Closed Session at 8:08 p.m. Mundle stated I'll second. Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Hearing none motion passes. **Motion passes unanimously.**

Reconvene
Open Session

Vierling stated that Council reviewed the issues, discussed options and gave direction to communicate offers in this matter. No specific motions were made.

Harrington made a motion to adjourn the meeting. **Mundle** seconded. Vote to adjourn was unanimous. Meeting adjourned at 8:58 PM

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial Inc.

**CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA**

RESOLUTION NO. 2015-29

**RESOLUTION ACKNOWLEDGING THE DONATION FROM
HAKANSON ANDERSON**

WHEREAS, the City of East Bethel has received a donation of eight Minnesota Twins Tickets valued at \$199.00 from Hakanson Anderson to be used towards the Family Fun Night scheduled for Friday, July 17, 2015.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City Council of the City of East Bethel acknowledges and accepts the Minnesota Twins Tickets valued at \$199.00 from Hakanson Anderson.

BE IT FURTHER RESOLVED THAT: the City Council of the City of East Bethel expresses its thanks and appreciation to Hakanson Anderson for the Minnesota Twins Tickets for Family Fun Night.

Adopted this 20th day of May, 2015 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator

**CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA**

RESOLUTION NO. 2015-30

**RESOLUTION ACKNOWLEDGING THE DONATION FROM
ECKBERG LAMMERS**

WHEREAS, the City of East Bethel has received a donation of four Minnesota Twins Tickets valued at \$166.00 from Eckberg Lammers to be used towards the Family Fun Night scheduled for Friday, July 17, 2015.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City Council of the City of East Bethel acknowledges and accepts the Minnesota Twins Tickets valued at \$166.00 from Eckberg Lammers.

BE IT FURTHER RESOLVED THAT: the City Council of the City of East Bethel expresses its thanks and appreciation to Eckberg Lammers for the Minnesota Twins Tickets for Family Fun Night.

Adopted this 20th day of May, 2015 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator

**CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA**

RESOLUTION NO. 2015-31

**RESOLUTION ACKNOWLEDGING THE EAST BETHEL SCHOLARSHIP PROGRAM FOR
THEIR ADOPTION OF NORSELAND MANOR PARK**

WHEREAS, the City of East Bethel is responsible for the overall maintenance of the East Bethel Park System; and

WHEREAS, the Adopt-A-Park Program provides an opportunity for community organizations, residents, and businesses to become involved in a commitment to their City park system; and

WHEREAS, the City of East Bethel recognizes the extraordinary efforts required from the community organizations, residents, and businesses and the potential economic savings to the City based on these efforts.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City Council of the City of East Bethel expresses its thanks and appreciation to the East Bethel Scholarship Program for their commitment to help maintain the Norseland Manor Park as part of the Adopt-A-Park Program.

Adopted this 20th day of May, 2015 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator



Renewal Application for Optional Liquor 2AM License

License Type: 2AM-100K

Expires On: June 2, 2015

ID Number: 41248

DBA

Skyota Properties #2 LLC
The Moonshine Whiskey
21383 Ulysses Street
East Bethel MN 55011

Business Phone: 7637724174

If any of the above licensee information is not correct, please make corrections as necessary.

Licensee must report previous 12 month on sale alcoholic beverage gross receipts by checking one of the boxes below. Next to the box you check is your 2 AM license fee. Make check payable to: Alcohol and Gambling Enforcement Division (AGED). Mail this application and check to: AGED, 445 Minnesota St., Suite 222, St. Paul, MN 55101-5133.

- \$300 2 AM license fee - Up to \$100,000 in on sale gross receipts for alcoholic beverages
- \$750 2 AM license fee - Over \$100,000, but not over \$500,000 in on sale gross receipts for alcoholic beverages
- \$1000 2 AM license fee - Over \$500,000 in on sale gross receipts for alcoholic beverages
- \$200 2 AM license fee - 3.2% On Sale Malt Liquor licensees or Set Up license holders
- \$200 2 AM license fee - Did not sell alcoholic beverages for a full 12 months prior to this application

Yes No Does the city or county that issues your liquor license allow the sale of alcoholic beverages until 2 AM?

City Clerk/County Auditor Signature _____ Date _____

(I certify that the city or county of East Bethel approves the sale of alcoholic beverages until 2AM)

Licensee Signature [Signature] Date 5-12-15
(I certify that I have answered the above questions truthfully and correctly)

Licensee Minnesota Tax ID Number (Required): [Redacted]

Licensee: Prior to submitting this application to the Alcohol & Gambling Enforcement Division you must have this form signed by your local city or county licensing official

Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
445 Minnesota Street, Suite 222, St. Paul, MN 55101-5133
Telephone 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
dps.mn.gov



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 7.0 C.1

Agenda Item:

May Park Commission Report

Requested Action:

Information Item

Background Information:

At the May 13, 2015 Parks Commission Meeting, the Commission discussed a request to install a City operated boat dock/marina at Lakeview Point. The proposal was presented by East Bethel resident Jeff Wunderlich who lives in the neighborhood and would like a place for residents to rent a dock slip for boats. The Park Commission listened to the proposal along with comments from members of the Coon Lake Improvement Association who were concerned about developing the shoreline at the proposed location and how it would affect protected shoreline vegetation. Other concerns discussed were the cost of the project, parking location, suitability of the site to support a dock, maintenance responsibilities, and storage of the dock. The Park Commission thanked Mr. Wunderlich for the proposal, but unanimously voted to deny the proposal as presented. They requested that Mr. Wunderlich seek support from the MN DNR, CLIA, and other groups along with a cost estimate and funding proposal for future consideration.

The Park Commission approved the final draft of the 2016-2020 Park Capital Improvement Plan that they have been working on over the past three months and recommended it to the City Council for 2016 budget planning.

The commission agreed to hold its regularly scheduled June 10 meeting at the Cedar Creek Ecosystem and Scientific Reserve. The meeting will include a presentation and tour of the facilities and are inviting other public representatives who are interested to attend as well.

Attachments:

- 1.) Proposed Lakeview Point Access Restoration

Fiscal Impact:

None at this time

Recommendation(s):

Informational Item

Proposed Lakeview Point Access Restoration

Jeff Wunderlich

18405 Everglade drive.
East Bethel, MN 55092

Lake Access address: **18698 Lakeview Ave NE**

I have spent most of my life in East Bethel. I love the small town atmosphere and close proximity to the metro. The Lakeview Point community or "The Point" has always had a great sense of community in its purest form, neighbors always helping each other and watching out for each other. The other great benefit is Coon Lake! That's right our entire neighborhood sticks out into one of the best recreation lakes around. To those of us who don't live on a lake lot that great benefit can sometimes be forgotten.

I was inspired by councilman Mundle's story of Booster Park and its origin how the neighborhood pulled together to create a great park. I'm proposing a similar opportunity. At the end of our point we have a neglected lake access. Unfortunately it's completely unusable for summer lake activities such as boating, fishing, swimming and lake watching. It's currently grown over by weeds and really only somewhat useable in the winter for driving small vehicles onto the ice. I'm proposing the city help in an effort to enhance the access and bring it back to a condition to make it more usable. By installing some docking and creating a small neighborhood marina of sorts it could be a great asset to the community. Including some lake viewing benches for everyone to enjoy. Similar things exist around Coon Lake's shores in other neighborhoods. An annual fee for assigned boat docking would help to repay the costs of the project and eventually begin to make the city a profit.

I love this place I call home and hope to someday start a family here. Boating is a huge recreation of mine and many others of our state. I hope we can work together to find a way to help more families and friends of Lakeview Point and East Bethel a way to make memories on our great lake.

Image of proposed site





City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 7.0 C.2

Agenda Item:

2016-2020 Parks Capital Improvement Program (CIP)

Requested Action:

Consider approving the 2016-2020 Parks CIP and direction to proceed with 2016 improvement projects as presented.

Background Information:

The City of East Bethel Parks Commission adopted a Parks Capital Improvements Plan for 2016-2020 at their May 13, 2015 meeting. This plan identified a number of capital projects that should be completed at numerous City parks. From this draft of projects, funding recommendations and revenue projections were developed to produce a prioritized schedule for improvements for the planning period.

A significant portion of the funding required to complete a number of these projects are generated by the Park and Trail Dedication Fees charged as a part of the development process. Minimal funds from these fees are anticipated through the remainder of 2015 and into 2016.

Projected revenues are based on the assumption that the City of East Bethel will provide a minimum of \$50,000 per year to the Parks Capital Fund and that the City will continue to collect park dedication fees for new residential and commercial development.

Park Projects

The following projects are not identified by specific funding source. They are simply identified by project year, project type and project location. These projects will be funded from the Park Acquisition and Development Fund and the Park Capital Fund.

Recommended 2016 Project Priorities and Anticipated Costs

| | |
|--|------------------|
| a.) Replace worn and outdated playground equip. – Rod and Norma Smith Park | \$ 35,000 |
| b.) Additional skateboard equipment for Booster West Park | \$ 25,000 |
| Total | \$ 60,000 |

Recommended 2017 Project Priorities and Anticipated Costs

| | |
|---|------------------|
| a.) Baseball field at Booster West | \$ 90,000 |
| b.) Pavilion at Norseland Manor Park | \$ 30,000 |
| c.) Irrigation system at Norseland Manor Park | \$ 30,000 |
| Total | \$150,000 |

Recommended 2018 Project Priorities and Anticipated Costs

| | |
|--|------------------|
| a.) Fence at Norseland Manor Park | \$ 30,000 |
| b.) Playground equipment at Booster East Park | \$ 45,000 |
| c.) Cedar Creek Park/Fish Lake Trail Additions | \$ 30,000 |
| Total | \$105,000 |

Summary and Recommendation

Commitment to this plan requires the dedication of resources only for 2016. Projects beyond 2016 are identified and prioritized by the Parks Commission to provide Council with recommendations for improvements in 2016 through 2020. Commitment to the 2016 projects is required as part of the 2016 budget process finalized in 2015. Projects beyond 2016 will be addressed in future budget years. This provides the necessary lead time to prepare final plans, specifications and presentations before Council for the following years improvements.

Attachment(s):

1. Park and Trail CIP Funds 2016-2020 Funding Analysis

Fiscal Impact:

Adoption of this plan for improvements would result in expenditures estimated at \$60,000 for 2016. Funds are available for these projects from Park Capital Funds, Park Dedication Fees and General Fund transfers for 2016.

Recommendation(s):

The Park Commission and staff are recommending the approval of the 2016-2020 Parks CIP and the projects as listed for 2016 implementation.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**Parks CIP
2016-2020
Funding Analysis**

| PARK ACQUISITION AND DEVELOPMENT FUND | Beginning Balance | Sources (Revenues) | Uses (Project Costs) | Ending Balance |
|---|-------------------|--------------------|----------------------|----------------|
| 2016 Beginning Balance | \$26,028 | | | |
| Park Dedication Fees | | \$0 | | \$26,028 |
| Skateboard Equipment Booster West | | | \$25,000 | \$1,028 |
| 2016 Ending Balance | | | | \$1,028 |
| 2017 Beginning Balance | \$1,028 | | | |
| Park Dedication Fees | | \$60,000 | | \$61,028 |
| Pavilion at Norseland Manor Park | | | \$30,000 | \$31,028 |
| Irrigation system at Norseland Park | | | \$30,000 | \$1,028 |
| 2017 Ending Balance | | | | \$1,028 |
| 2018 Beginning Balance | \$1,028 | | | |
| Park Dedication Fees | | \$60,000 | | \$61,028 |
| Fence at Norseland Manor Park | | | \$30,000 | \$31,028 |
| Cedar Creek Park/ Fish Lake Trail Additions | | | \$30,000 | \$1,028 |
| 2018 Ending Balance | | | | \$1,028 |
| 2019 Beginning Balance | \$1,028 | | | |
| Park Dedication Fees | | \$80,000 | | \$81,028 |
| New Park Development | | | \$75,000 | \$6,028 |
| 2019 Ending Balance | | | | \$6,028 |
| 2020 Beginning Balance | \$6,028 | | | |
| Park Dedication Fees | | \$80,000 | | \$86,028 |
| New Park Development | | | \$75,000 | \$11,028 |
| 2020 Ending Balance | | | | \$11,028 |
| TOTAL PARK ACQUISITION AND DEVELOPMENT | | | | |
| FUND SOURCES AND USES | | \$280,000 | \$295,000 | |
| <p>Park Dedication Fees- Residential = up to 6 units/acre: 10% of land or cash equal to market value of land; 6 or more units/acre: 10% of land +1 % for each unit above 6 units/acre or cash equal to market value of land. Commercial = 5% of land or cash equal to market value of land</p> | | | | |

**Parks CIP
2016-2020
Funding Analysis**

| PARK CAPITAL FUND | Beginning Balance | Sources (Revenues) | Uses (Project Costs) | Ending Balance |
|---|----------------------|-----------------------|-------------------------|-------------------|
| 2016 Beginning Balance | \$36,934 | | | |
| Transfer From General Fund | | \$50,000 | | \$86,934 |
| Playground Equipment- Rod and Norma Smith Park | | | \$35,000 | \$51,934 |
| 2016 Ending Balance | | | | \$51,934 |
| 2017 Beginning Balance | \$51,934 | | | \$51,934 |
| Transfer From General Fund | | \$50,000 | | \$101,934 |
| Baseball field @Booster West Park | | | \$90,000 | \$11,934 |
| 2017 Ending Balance | | | | \$11,934 |
| 2018 Beginning Balance | \$11,934 | | | |
| Transfer From General Fund | | \$75,000 | | \$86,934 |
| Playground Equipment Booster East | | | \$45,000 | \$41,934 |
| 2018 Ending Balance | | | | \$41,934 |
| 2019 Beginning Balance | \$41,934 | | | |
| Transfer From General Fund | | \$75,000 | | \$116,934 |
| Playground Equipment Anderson Lakes | | | \$45,000 | \$71,934 |
| 2019 Ending Balance | | | | \$71,934 |
| 2020 Beginning Balance | \$71,934 | | | |
| Transfer From General Fund | | \$75,000 | | \$146,934 |
| Skateboard Equipment Maynard Peterson | | | \$40,000 | \$106,934 |
| 2020 Ending Balance | | | | \$106,934 |
| TOTAL PARK CAPITAL FUND SOURCES AND USES | | \$325,000 | \$255,000 | |



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 7.0 D.1

Agenda Item:

209th Ave Closure

Requested Action:

Discuss the need for closure of 209th Ave west of TH 65

Background Information:

The City of East Bethel constructed a service road in 2005, Johnson Street, between 211th and 207th Avenue which is connected to Hwy. 65 by 209th Avenue. This 0.7 mile section of road was financed by the 2005B General Obligation Bond. Funding for the bond payments is provided by assessments to benefitting property owners and the final bond payment will be made in February 2016. The road services five properties all which are undeveloped. . There are no outlets from this road to other streets and no buildings or residences that currently require the road for access.

At the April 14, 2015 Road Commission Meeting, the Commission and staff discussed a request to close 209th Ave west of TH 65. This request was reviewed due to issues with dumping of appliances, tires and garbage at the ends of this road. There have been no dumping incidents since last Fall but the main concern is not the frequency of illegal dumping but the attractiveness of the area for the potential disposal of hazardous materials or other dangerous types of waste. The proposed closure would be temporary and would be in effect until the time development takes place along these streets.

Closing the road would require blocking access with concrete barricades or other access control measures. The most effective location for barricades would be approximately 300’ west of the intersection of 209th and Hwy 65 to block street access. However, permission to extend barriers onto two properties adjoining 209th Avenue would have to be secured to prevent vehicles from driving around the street barricades. Agreements with the five property owners served by this road would need to be executed to insure the means and terms of access to their lands.

The Road Commission unanimously voted to recommend that Council consider some form of closure of the road.

The City Attorney has provided the following information on this matter as to the legal basis for this request:

“Cities may use their police powers to temporarily close streets for public safety purposes. The general rule is that cities act only as “trustees” for the public concerning

the ownership and maintenance of city streets. As a result, cities have no authority to permit or allow obstructions to city streets that interfere with the right of the public to travel upon the street. However, the Minnesota Attorney General has ruled that cities may use their police powers to close streets temporarily to protect the safety of the public. A.G. Op. 396-C-3 (November 23, 1949). Streets belong to the public until they are vacated or abandoned by the municipality. The entire public has a right to use the street, subject only to the reasonable regulation of them by the municipality. Minnesota case law dealing with road closures allows cities to temporarily close roads to the public, and courts have found permanent road closures/restricting public access to be a taking (even though in our case the property owners would condone the road closure). I was able to find several city ordinances outlining the procedure for closing a public street, none of which are in Minnesota.

State law grants cities the authority to regulate access to city streets regardless of whether the city has adopted a local street access ordinance. Cities are not required to regulate access to city streets through a comprehensive local ordinance, but may choose to complement their authority in state law to do so. Minn. Stat. § 160.18; *C & R Stacy, LLC v. County of Chisago*, 742 N.W.2d 447 (Minn.2007); MNDOT Model Access Management Overlay Ordinance.

Through its police power, the state may, without compensation, regulate traffic by imposing restrictions governing all motorists, such as establishing one-way streets, placing median strips, and restricting U-turns and left and right turns. *Hendrickson v. State*, 267 Minn. 436, 441, 127 N.W.2d 165, 170 (1964).

Benson Hotel Corp. v. City of Minneapolis, 290 Minn. 14, 187 N.W.2d 610 (1971): The Supreme Court held that neither Municipal Housing and Redevelopment Act nor agreement entered into by city of Minneapolis and Housing Authority deprived city of Minneapolis of its exclusive jurisdiction conferred on it by charter to supervise and control directional flow of traffic in streets within urban renewal area including the right to change what had formerly been a two-way street into a one-way street”.

Attachments:

- 1- Aerial Photo
- 2- Location Map

Fiscal Impact:

The material cost for street barricades is estimated to be \$250.00

Recommendation(s):

Staff and the Roads Commission are seeking Council’s direction on this matter.

Possible Closure of 209th Ave



1 in = 752 ft

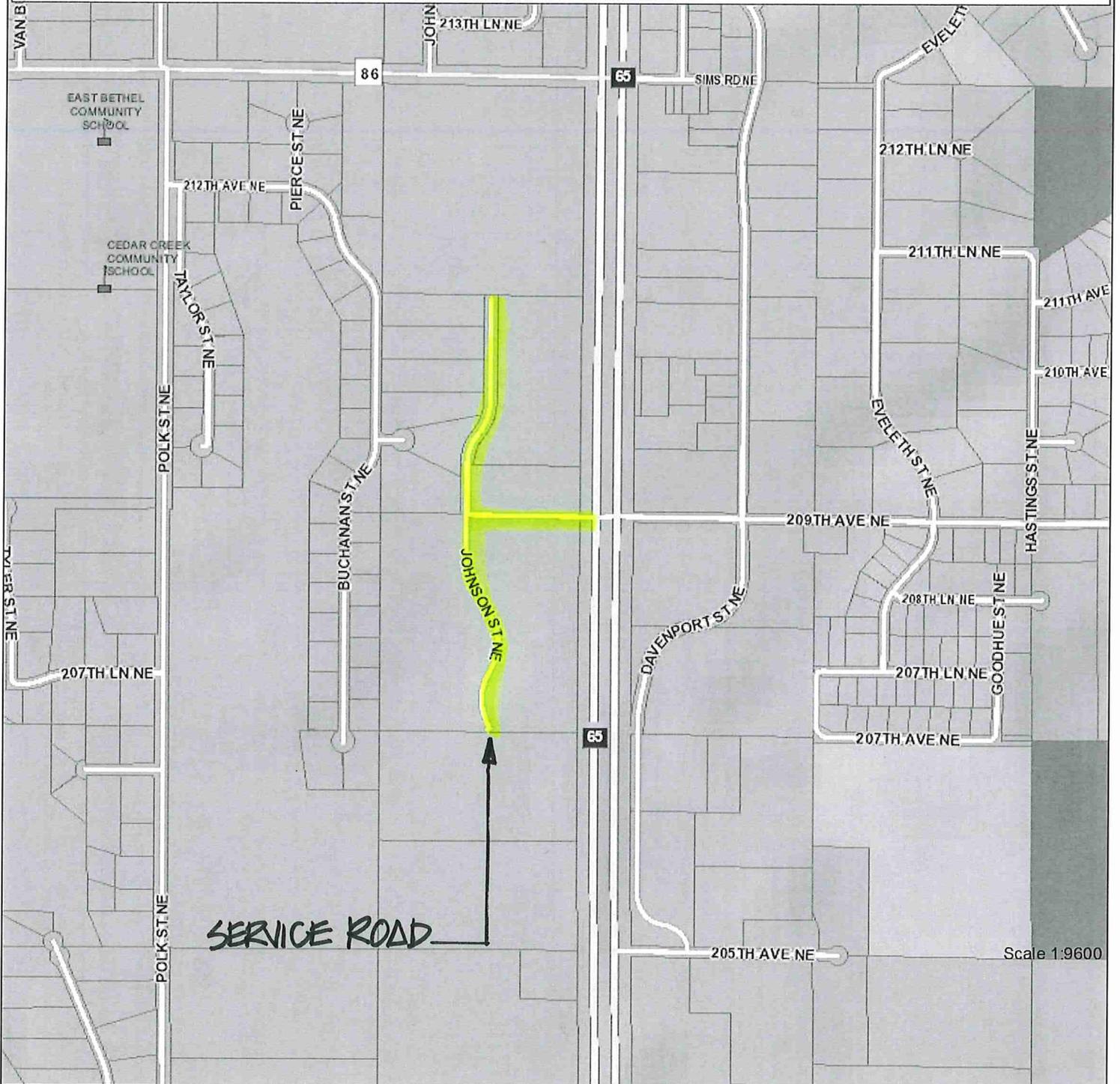


April 8, 2015

Map Powered by DataLink
from WSB & Associates



<Title>209th Service Road



Aerial Photo: Flown Spring of 2014



Scale 1:9600



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 8.0 A 1

Agenda Item:

Rental Ordinance Discussion

Requested Action:

Consider approval of a City Rental Ordinance

Background Information:

Council has previously discussed and reviewed the need for adoption of a Rental Ordinance. As more rental properties have become available instances have arisen that may require an ordinance that would cover issues of the concerns and protections of both renters and lessees.

The adoption of a Rental Ordinance would help ensure a safe and sanitary dwelling to renters and address matters of substandard property that has been offered for rental.

If a Rental Ordinance is approved, Staff recommends a rental registration fee of \$25 per unit and this fee would be waived for the initial registration if the owners of rental property register with the City within 45 days of adoption of the Ordinance. After the initial inspection, rental units would be inspected every two years using the Residential Rental Housing Inspection Guide as a basis to identify those life/safety issues for compliance.

Attachments:

1. Proposed Rental Ordinance with EDITS
2. CLEAN VERSION of Rental Ordinance
3. Residential Rental Housing Inspection Guide

Fiscal Impact:

To be determined

Recommendation(s):

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

PROPOSED ORDINANCE NO. XX

AN ORDINANCE REGULATING RENTAL PROPERTIES IN THE CITY OF EAST BETHEL

The City Council of the City of East Bethel, Minnesota ordains as follows:

INTENT: The Rental Housing Ordinance is intended to protect the public welfare and improve the City's housing stock ~~by inspecting rental dwellings. The inspection will not only be of the inside and outside of the rental building, but also any accessory buildings and the rental property. If the property has a septic system, the septic system shall pass a compliance inspection and be current on the pumping of the septic tank. Septic tanks must be pumped every three years.~~ The purpose of this Ordinance is to address health and safety issues and insure that renters have a safe dwelling for occupancy. This Ordinance is further designed to ensure that rental housing in the City is sanitary and operated and maintained so as not to become a nuisance to neighboring properties.

Section 1. - License required; definitions.

- (a) License. No person shall allow to be occupied or let to another for occupancy a unit or units in a rental dwelling for which a license has not been granted by the city.
- (b) Definitions. Unless otherwise expressly stated, the following terms shall, for the purposes of this article, have the following meanings:
 - a) Rental dwelling means any structure or portion thereof which is designated or used for residential occupancy by one or more persons who are not the owner or a member of the owner's family. For the purpose of this ordinance, family is defined as follows: Family means those persons legally related to each other in a linear relationship such as spouses, grandparents, parents, children, grandchildren and siblings. Family does not include branching relationships such as aunts, uncles or cousins.
 - b) Rental dwelling includes commercial living facilities, not governed by state licensing requirements.
 - c) A permanent rental is never used as living quarters for the owner or any dependents he/she claims on his/her federal tax return. A permanent rental is a house, duplex or apartment complex that serves full time as a rental and is not used by a nonprofit organization. (IRS definition)

Section 2. - Application.

- (a) Before any license shall be issued or renewed, the owner of the rental dwelling shall complete an application. The following persons shall be authorized to sign and submit the application:
 - (1) If the owner is a natural person, by the owner thereof.
 - (2) If the owner is a corporation, by an officer thereof.
 - (3) If the owner is a partnership, by a partner thereof.
 - (b) The application shall be made on a form prescribed by the city and shall include:
 - (1) The name and address of the owner of the rental dwelling.
 - (2) The name and address of any operator or agent actively managing the rental dwelling.
 - (3) If the operator or agent is a business entity, the application shall include the names, telephone numbers and addresses of individuals who will be involved in such management, together with a description of the scope of services and manner of delivering these services by the manager.
 - (4) If the applicant is a corporation, the name and address of all officers.
 - (5) If the applicant is a partnership, the name and address of all partners.
 - ~~(6) If the rental dwelling is being sold on a contract for deed, the name and address of the vendees. — by definition this is still a rental property. Notice would go to vendor and vendee.~~
 - (7) The legal address of the rental dwelling.
 - (8) Owner, agent or manager that notices or violations should be directed to pursuant to this

article.

Section 3. - License issuance.

(a) The city may issue a license ~~in its discretion~~ if the building and the application are found to be in compliance with the provisions of this article, applicable State and City Building Codes and with the Property Maintenance Code, Article VI set forth in the East Bethel City Ordinances and provided that all real estate taxes and municipal utility bills for the premises have been paid. Real estate taxes will not be considered to be unpaid for purposes of this section while a proper and timely appeal of such taxes is pending.

~~(b) No license shall be issued or renewed for a nonresident owner of a rental dwelling, unless such owner designates in writing to the city inspector the name of such owner's resident agent, who is responsible for maintenance and upkeep and who is legally constituted and empowered to receive service of notice of violation of the provisions of the city ordinances, to receive orders and to institute remedial action to effect such orders and to accept all service or process pursuant to law. The city inspector shall be notified in writing of any change of resident agent. This requirement may be waived if, in the city inspector's determination, the owner not living in one of the above specified counties is nonetheless sufficiently accessible for the purposes of this article.~~

Section 4. - Term of license.

Licenses will be issued for a two year period, and the license term shall commence on January 1, XXX or the date issued and expired on December 31, XXX

Section 5. - License fees.

(a) The license fees shall be established by resolution. The license fee shall be collected for each building and unit in a rental dwelling.

(b) Except in the first year of the program, if an application for a license is made after January 1, XXX a late fee as established by resolution, will be added to the initial license fee. For each subsequent 30-day period an additional late fee will be imposed.

Section 6. - Posting of license.

The licensee shall post a copy of the license in the dwelling in the kitchen or garage or other place that can be viewed at the time of inspection.

Section 7. - Transfer of license.

A license is transferable for a fee to any person who has actually acquired legal ownership of the rental dwelling. The transfer shall be effective for the unexpired portion of the license period, provided that a transfer application is filed with the city prior to the actual change of legal ownership and that the transferee is not disqualified from holding the license. A license shall terminate upon an owners failure to apply for a transfer prior to change of legal ownership. The fee for the license transfer shall be established by resolution.

Section 8 – Prior to Issuance of Residential Rental License

1. The septic system must pass a compliance inspection.
2. The septic tank must have been pumped in the past three years.
3. A permit application must be completed by the owner or owner's agent.
4. The permit fee must be paid.
5. The house, accessory buildings and the property must pass the residential rental inspection that is conducted by the City of East Bethel Building Department and meet all applicable State and City codes.

Section 9 – Inspections on Rental Units

The City will conduct rental inspections every two years prior to the renewal of a license. Fees for re-inspection and violations will be set by City Council on an annual basis and be listed in the City's Fee Schedule. Inspections will be scheduled within 60 days of the expiration of the license.

~~Section 10 – Conduct on licensed premises.~~

~~(a) Disorderly premises. The licensee shall be responsible for ensuring that persons occupying or present at the rental dwelling conduct themselves in such a manner as not to cause the premises to be disorderly as regulated under Minnesota Statutes.~~

~~— Notice of violation. Upon determination by the city that a rental dwelling was deemed to be a disorderly premises, notice of the violation shall be given to the licensee or designee. The notice shall include a directive for the licensee to take steps to prevent further violations. All notices given by the city under this section shall be served on the licensee or designee, sent by mail to the licensee's last known address, or, by posting the notice in a conspicuous place at the rental dwelling.~~

~~(b) Evidence of disorderly premises. A determination of disorderly premises shall be made upon substantial evidence. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly premises. Moreover, a dismissal or acquittal of any such criminal charge will not operate as a bar to license action under this article.~~

~~(b) Council action not exclusive. Enforcement actions provided in this article shall not be exclusive. The city council may take any action with respect to a licensee, a tenant, or the licensed premises as is authorized by the City Code or state law.~~

Section ~~11~~10. - Suspension, revocation, denial, nonrenewal.

~~(a) Hearing. Suspension, revocation, denial and/or non-renewal are the last step for any enforcement matters. All reasonable efforts will be made to resolve any enforcement or violation issues within a progressive system of notifications and provisions of reasonable times allowed for corrections. Should the process to achieve compliance be unsuccessful, action to deny, revoke, suspend, or not renew a license under this article shall be initiated by the city by giving written notice to the licensee of a hearing before the city council to consider such denial, revocation, suspension or nonrenewal. A written notice shall specify all violations and shall state the date, time, place and purpose of the hearing. The hearing shall be held no less than ten days and no more than 30 days after giving the notice. In such hearing the city council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply with city requirements. Following the hearing, the city council in its sole discretion may deny, revoke, suspend, or decline to renew the license for all or any part or parts of the rental dwelling, or may grant a license upon such terms and conditions as it deems necessary to accomplish the purposes of this article. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this article may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further instances of disorderly use. The city council shall issue its decision upon written findings.~~

~~(b) Reason for action. The city council may revoke, suspend, deny or decline to renew any license issued under this article upon appropriate grounds ~~it deems appropriate~~ including, but not limited to, the following:~~

- ~~(1) False statements on any application or other information or report required by this article to be given by the applicant or licensee.~~
- ~~(2) Failure to pay any application fee, penalty, re-inspection, or reinstatement fee required by this article and resolutions.~~
- ~~(3) Failure to correct deficiencies noted in notices of violation in the time specified in the notice.~~
- ~~(4) Any other violation of this article.~~

- (c) Reinstatement of license. Upon a decision to revoke, deny, or ~~for-not~~ non-renewal of a license, no new application for the same rental dwelling will be accepted for a period of time specified in the written decision of the city council, not to exceed~~ing~~ one year. Any such new application must be accompanied by a reinstatement fee, as specified by resolution, in addition to all other fees required by this article.
- (d) No new rentals. A written decision to revoke, suspend, deny, or not renew a license shall specify the part or parts of the rental dwelling to which it applies. Thereafter, and until a license is reissued or reinstated, no rental units becoming vacant in such part or parts of the rental dwelling may be re-let or occupied. Revocation, suspension or nonrenewal of a license shall not excuse the owner of a rental dwelling from compliance with the terms of this article for any other unit or units in the rental dwelling which remain occupied.
- (e) Failure to comply. Failure to comply with any term of this article during a period of revocation, suspension, or nonrenewal is a misdemeanor and is also grounds for extension of the term of such revocation or suspension or continuation of nonrenewal, or for a decision not to reinstate the license, notwithstanding any limitations on the period of suspension, revocation or nonrenewal specified in the city council's written decision.

Section ~~1211~~. - No retaliation.

No licensee shall evict, threaten to evict, or take any other punitive action against any tenant by reason of good faith calls made by such tenant to law enforcement agencies relating to criminal activity, suspected criminal activity, suspicious occurrences, or public safety concerns. This section shall not prohibit the eviction of tenants from a dwelling unit for unlawful conduct of a tenant or invitee or violation of any rules, regulations or lease terms other than a prohibition against contacting law enforcement agencies.

PROPOSED ORDINANCE NO. XX

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Section 1. - License required; definitions.

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 - b) Rental dwelling includes commercial living facilities, not governed by state licensing requirements.
 - c) A permanent rental is never used as living quarters for the owner or any dependents he/she claims on his/her federal tax return. A permanent rental is a house, duplex or apartment complex that serves full time as a rental and is not used by a nonprofit organization. (IRS definition)

Section 2. - Application.

- (a) Before any license shall be issued or renewed, the owner of the rental dwelling shall complete an application. The following persons shall be authorized to sign and submit the application:
 - (1) If the owner is a natural person, by the owner thereof.
 - (2) If the owner is a corporation, by an officer thereof.
 - (3) If the owner is a partnership, by a partner thereof.
- (b) The application shall be made on a form prescribed by the city and shall include:
 - (1) The name and address of the owner of the rental dwelling.
 - (2) The name and address of any operator or agent actively managing the rental dwelling.
 - (3) If the operator or agent is a business entity, the application shall include the names, telephone numbers and addresses of individuals who will be involved in such management, together with a description of the scope of services and manner of delivering these services by the manager.
 - (4) If the applicant is a corporation, the name and address of all officers.
 - (5) If the applicant is a partnership, the name and address of all partners.
 - (6) The legal address of the rental dwelling.
 - (7) Owner, agent or manager that notices or violations should be directed to pursuant to this article.

Section 3. - License issuance.

- (a) The city may issue a license if the building and the application are found to be in compliance with the

provisions of this article, applicable State and City Building Codes and with the Property Maintenance Code, Article VI set forth in the East Bethel City Ordinances and provided that all real estate taxes and municipal utility bills for the premises have been paid. Real estate taxes will not be considered to be unpaid for purposes of this section while a proper and timely appeal of such taxes is pending.

Section 4. - Term of license.

Licenses will be issued for a two year period, and the license term shall commence on January 1, XXX or the date issued and expired on December 31, XXX

Section 5. - License fees.

- (a) The license fees shall be established by resolution. The license fee shall be collected for each building and unit in a rental dwelling.
- (b) Except in the first year of the program, if an application for a license is made after January 1, XXX a late fee as established by resolution, will be added to the initial license fee. For each subsequent 30-day period an additional late fee will be imposed.

Section 6. - Posting of license.

The licensee shall post a copy of the license in the dwelling in the kitchen or garage or other place that can be viewed at the time of inspection.

Section 7. - Transfer of license.

A license is transferable for a fee to any person who has actually acquired legal ownership of the rental dwelling. The transfer shall be effective for the unexpired portion of the license period, provided that a transfer application is filed with the city prior to the actual change of legal ownership and that the transferee is not disqualified from holding the license. A license shall terminate upon an owners failure to apply for a transfer prior to change of legal ownership. The fee for the license transfer shall be established by resolution.

Section 8 – Prior to Issuance of Residential Rental License

1. The septic system must pass a compliance inspection.
2. The septic tank must have been pumped in the past three years.
3. A permit application must be completed by the owner or owner’s agent.
4. The permit fee must be paid.
5. The house, accessory buildings and the property must pass the residential rental inspection that is conducted by the City of East Bethel Building Department and meet all applicable State and City codes.

Section 9 – Inspections on Rental Units

The City will conduct rental inspections every two years prior to the renewal of a license. Fees for re-inspection and violations will be set by City Council an annual basis and be listed in the City’s Fee Schedule. Inspections will be scheduled within 60 days of the expiration of the license.

Section 10. - Suspension, revocation, denial, nonrenewal.

- (a) Hearing Suspension, revocation, denial and/or non-renewal are the last step for any enforcement matters. All reasonable efforts will be made to resolve any enforcement or violation issues within a progressive system of notifications and provisions of reasonable times allowed for corrections.

Should the process to achieve compliance be unsuccessful, action to deny, revoke, suspend, or not renew a license under this article shall be initiated by the city by giving written notice to the licensee of a hearing before the city council to consider such denial, revocation, suspension or nonrenewal. A written notice shall specify all violations and shall state the date, time, place and purpose of the hearing. The hearing shall be held no less than ten days and no more than 30 days after giving the notice. In such hearing the city council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply with city requirements. Following the hearing, the city council in its sole discretion may deny, revoke, suspend, or decline to renew the license for all or any part or parts of the rental dwelling, or may grant a license upon such terms and conditions as it deems necessary to accomplish the purposes of this article. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this article may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further instances of disorderly use. The city council shall issue its decision upon written findings.

- (b) Reason for action. The city council may revoke, suspend, deny or decline to renew any license issued under this article upon appropriate grounds including, but not limited to, the following:
 - (1) False statements on any application or other information or report required by this article to be given by the applicant or licensee.
 - (2) Failure to pay any application fee, penalty, re-inspection, or reinstatement fee required by this article and resolutions.
 - (3) Failure to correct deficiencies noted in notices of violation in the time specified in the notice.
 - (4) Any other violation of this article.
- (c) Reinstatement of license. Upon a decision to revoke, deny, or for non-renewal of a license, no new application for the same rental dwelling will be accepted for a period of time specified in the written decision of the city council, not to exceed one year. Any such new application must be accompanied by a reinstatement fee, as specified by resolution, in addition to all other fees required by this article.
- (d) No new rentals. A written decision to revoke, suspend, deny, or not renew a license shall specify the part or parts of the rental dwelling to which it applies. Thereafter, and until a license is reissued or reinstated, no rental units becoming vacant in such part or parts of the rental dwelling may be re-let or occupied. Revocation, suspension or nonrenewal of a license shall not excuse the owner of a rental dwelling from compliance with the terms of this article for any other unit or units in the rental dwelling which remain occupied.
- (e) Failure to comply. Failure to comply with any term of this article during a period of revocation, suspension, or nonrenewal is a misdemeanor and is also grounds for extension of the term of such revocation or suspension or continuation of nonrenewal, or for a decision not to reinstate the license, notwithstanding any limitations on the period of suspension, revocation or nonrenewal specified in the city council's written decision.

Section 11. - No retaliation.

No licensee shall evict, threaten to evict, or take any other punitive action against any tenant by reason of good faith calls made by such tenant to law enforcement agencies relating to criminal activity, suspected criminal activity, suspicious occurrences, or public safety concerns. This section shall not prohibit the eviction of tenants from a dwelling unit for unlawful conduct of a tenant or invitee or violation of any rules, regulations or lease terms other than a prohibition against contacting law enforcement agencies.



RESIDENTIAL RENTAL HOUSING INSPECTION GUIDE

Date of Inspection _____ Time of Inspection _____

Address _____

Owner _____ Phone _____

All items will be noted as (not apply, acceptable, needs repair or hazardous)

BASEMENT

Stairs, Handrails and Guardrails (not apply, acceptable, needs repair or hazardous)

Mold (not apply, acceptable, needs repair or hazardous)

Egress Window or Door & Condition (not apply, acceptable, needs repair or hazardous)

Other _____ (not apply, acceptable, needs repair or hazardous)

Note _____

BUILDING INTERIOR

Mold (not apply, acceptable, needs repair or hazardous)

Stairs, Handrails and Guardrails (not apply, acceptable, needs repair or hazardous)

Smoke Detector(s) (not apply, acceptable, needs repair or hazardous)

An approved Fire Extinguisher (not apply, acceptable, needs repair or hazardous)

Other _____ (not apply, acceptable, needs repair or hazardous)

Note _____

BEDROOM(S)

Mold (not apply, acceptable, needs repair or hazardous)

Egress Window Sizes and Condition (not apply, acceptable, needs repair or hazardous)

Smoke Detector inside & outside each bedroom (not apply, acceptable, needs repair or hazardous)

C/O Detector within 10 feet of each bedroom (not apply, acceptable, needs repair or hazardous)

Other _____ (not apply, acceptable, needs repair or hazardous)

Note _____

BATHROOM(S)

GFI Outlets in Hazardous Locations (not apply, acceptable, needs repair or hazardous)
Mold (not apply, acceptable, needs repair or hazardous)
Condition of Windows and Doors (not apply, acceptable, needs repair or hazardous)
Floor Condition (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

KITCHEN

GFI Outlets in Hazardous Locations (not apply, acceptable, needs repair or hazardous)
Mold (not apply, acceptable, needs repair or hazardous)
Floor Condition (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

ELECTRICAL

Electrical Service Installation/Grounding (not apply, acceptable, needs repair or hazardous)
GFI Outlets in Hazardous Locations (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

PLUMBING SYSTEM

Water Heater (not apply, acceptable, needs repair or hazardous)
Sanitary Conditions (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

HEATING SYSTEM

Heating Unit (not apply, acceptable, needs repair or hazardous)
Mechanical Exhaust (not apply, acceptable, needs repair or hazardous)
Combustion Venting (not apply, acceptable, needs repair or hazardous)
Clothes Dryer Vent (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

SOLID FUEL FIREPLACES or WOODSTOVES

1. The fire box may not contain missing or loose fire brick or mortar.
2. The hearth extension shall be noncombustible and extend a minimum of 16 inches to 20 inches from the fireplace opening.
3. Combustible mantles are not permitted within 12 inches of fireplace opening.
4. An operable damper is required. Check for signs of smoke back-drafting around fireplace openings, screens, and through finish joints.

Note _____

ENERGY INFORMATION

BUILDING EXTERIOR

Foundation (not apply, acceptable, needs repair or hazardous)
Drainage (grade) (not apply, acceptable, needs repair or hazardous)
Open Porches/Stairways and Decks (not apply, acceptable, needs repair or hazardous)
Gutters & Downspouts (not apply, acceptable, needs repair or hazardous)
Chimneys (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

ACCESSORY STRUCTURE(S)

Slab Condition (not apply, acceptable, needs repair or hazardous)
Garage Opener(s) (not apply, acceptable, needs repair or hazardous)
Other _____ (not apply, acceptable, needs repair or hazardous)
Note _____

SEPTIC SYSTEM

Septic [ANI] System Compliance Inspection (Pass or Fail)
Septic System Pumped In the Past Three Years (Yes or No)
Note _____

THIS AREA TO BE USED BY CITY STAFF

_____ The **House and property** have **Passed** inspection.
_____ The **House and property** have **Failed** inspection. All corrections must be corrected by _____.
_____ The **House** is **Hazardous** to human life and must be vacated by _____.

Comments

Building Inspector _____



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 8.0 A.2

Agenda Item:

City Ordinance, Chapter 10, Article V, Farm Animals

Requested Action:

Discuss amending City Ordinance, Chapter 10, Article V, Farm Animals as it relates to the keeping of chickens on lots of less than 3 acres

Background:

Staff was requested by Council to develop a proposal for consideration to amend City Ordinance, Chapter 10, Article V, Farm Animals as to the keeping of chickens. Currently our ordinance only allows chickens on residential lots larger than 3 acres. City Staff has researched the practices of other Cities regarding this matter and the City Council has had a number of discussions regarding chickens since July 2014. Although not required as a land use review, the Planning Commission was requested to review and comment on this issue. The Planning Commission discussed this matter at their April 28, 2015 Meeting and offered the following recommendations:

- On lots less than 3 acres up to 6 chickens could be allowed.
- No Roosters would be allowed on lots less than 3 acres

Should Council desire to amend the Ordinance, Staff recommends Council consider additional requirements for the keeping of chickens to include but not limited to the following:

1. The use of the property shall be single-family residential;
2. The property shall contain one (1) detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;
3. Chickens shall not be kept inside the principal structure;
4. No person shall slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties;
5. Chicken coops and attached exercise pens shall be provided for all chickens;
6. Coops and pens shall be fully enclosed and constructed of durable weather resistant materials;
7. The floor area of the coop shall be a minimum of 2 sq/ft in area per chicken;
8. The floor area of the attached pen shall be a minimum of 6 sq/ft in area per chicken;
9. Coops and pens shall meet all setback requirements required of accessory structures;
10. Coops and pens shall be located in rear yards only;
11. Coops larger than 200 sq/ft in area shall meet all accessory structure requirements of the City Code including those pertaining to location, size, number, height, use and design.
12. Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards

- while under supervision;
13. All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings; All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;
 14. Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of City of East Bethel
 15. The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the Certificate of Compliance and the City Code.
 16. No more than 6 chickens can be kept on lots between 0.5 acre and 3 acres in size.
 17. No roosters shall be allowed on lots between 0.5 acre and 3 acres in size.
 18. No chickens will be permitted on lots less 0.5 acres
 19. An Interim Use Permit would required for this use unless the property complies with Section 10-151, (j), (2)
 20. All chickens shall be of the subspecies *Gallus gallus domesticus* and tolerant of local climate conditions

This amendment, if approved, would be added under Article V, Section 10-151 (j) Exceptions, as (3).

Attachments:

- 1.) Section 10-151 with red-line amendment

Recommendation:

Staff is seeking direction from Council on this matter

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

- **Sec. 10-151. - Interim use permit (IUP) and acreage requirements for domestic farm animals; nondomestic animals prohibited.**

- (a) Nondomestic animals are not allowed to be kept within the city.
- (b) An IUP is required for the keeping of domestic farm animals as regulated by this article in the city. The procedure for the issuance of an IUP will be in accordance with the City Code.
- (c) No animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three acres. Provided further, that if 80 percent of the lots within a platted subdivision are larger than three acres, an IUP for keeping a regulated animal may be issued for any of those lots larger than three acres.
- (d) Upon the transfer of the title of a parcel for which parcel an IUP is in effect on the effective date of this article, the new owner may apply for an IUP for the keeping of such animals if the existing permit is in effect and in good standing at the time the title to the property is transferred.
- (e) Meeting the acreage requirements set out in this section does not in and of itself entitle an applicant to an IUP.
- (f) IUPs in existence on the effective date of this article for parcels not in compliance with these acreage requirements will be allowed to continue but only as legal, nonconforming uses.
- (g) It is a requirement for all IUPs issued under this article that a minimum of one fenced acre of pasture land plus any indicated fraction thereof must be provided for each animal unit described below as the animal equivalent for the animal to be kept pursuant to the IUP.
- (h) The following equivalents will apply when determining the animal units defined below:

| Animal | Animal Units Per Acre |
|-----------------------------|-----------------------|
| 1 swine | 0.4 |
| 1 goose or duck | 0.2 |
| 1 goat or sheep | 0.5 |
| 1 turkey | 0.10 |
| 1 bovine | 1.4 |
| 1 equine | 1.0 |
| 1 chicken or pheasant/quail | 0.01 |
| 1 emu or ostrich | 1.0 |
| 1 alpaca or llama | 1.0 |

- (i)

Animals may graze within shoreland and bluff impact zones provided permanent vegetation is maintained and a plan has been submitted that is consistent with the technical guides of the Anoka Conservation District.

(j)

Exceptions.

(1)

Youth development organizations may apply for an IUP in accordance with section 10.157. The IUP shall cover individual groups and members of the youth development organization; IUP application fees shall be waived. The IUP shall expire five years from the approval date at which time the organization must reapply for the IUP. In conjunction with the organization's approved IUP, individual members shall comply with the following:

a.

Each member of the organization must complete a youth development project permit application prior to farm animals being kept on the property. The permit will be reviewed by city staff within two weeks of submittal of a completed application.

b.

It is a requirement for all permittees to have a minimum of one acre of pasture land to accommodate the farm animals.

c.

Permittee must comply with all other farm animal regulations set forth in the code.

d.

Approved farm animals must be removed from the property within 30 days of the expiration of the permit.

e.

In the event a permittee would like to keep the farm animals after the expiration of the project permit, an individual IUP must be applied for and approved. The permittee must meet requirements of the code.

(2)

Domestic farm animals with an animal unit of 0.01 or less per acre are permitted without an IUP with the following conditions:

a.

A maximum of ten animals may be kept on a parcel with a minimum of one acre of pasture land without an IUP so long as all other requirements set forth in the code are met.

b.

The keeping of 20 plus animals requires an IUP and must meet all requirements set forth in the code, including acreage.

(3)

The use of the property shall be single-family residential;

1. The property shall contain one (1) detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;
2. Chickens shall not be kept inside the principal structure;
3. No person shall slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties;
4. Chicken coops and attached exercise pens shall be provided for all chickens;
5. Coops and pens shall be fully enclosed and constructed of durable weather resistant materials;
6. The floor area of the coop shall be a minimum of 2 sq/ft in area per chicken;
7. The floor area of the attached pen shall be a minimum of 6 sq/ft in area per chicken;
8. Coops and pens shall meet all setback requirements required of accessory structures;
9. Coops and pens shall be located in rear yards only;
10. Coops larger than 200 sq/ft in area shall meet all accessory structure requirements of the City Code including those pertaining to location, size, number, height, use and design.

11. Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards while under supervision;
12. All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings; All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;
13. Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of City of East Bethel
14. The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the Certificate of Compliance and the City Code.
15. No more than 6 chickens can be kept on lots between 0.5 acre and 3 acres in size.
16. No roosters shall be allowed on lots between 0.5 acre and 3 acres in size.
17. No chickens will be permitted on lots less 0.5 acres
18. An Interim Use Permit would required for this use unless the property complies with Section 10-151, (j), (2)
19. All chickens shall be of the subspecies *Gallus gallus domesticus* and tolerant of local climate conditions



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

8.0 A.3

Agenda Item:

Mobile Home Park Agreement with Greystone, LLC

Requested Action:

Consider entering into an agreement with Greystone, LLC regarding their Park operations.

Background Information:

The City of East Bethel through Chapter 38 of the East Bethel City Code of Ordinances regulates Manufactured Homes and Manufactured Home Parks. This Chapter, which was adopted in 1987, was designed primarily for new manufactured home parks and its applicability for existing manufactured home parks is in question. Greystone, previously doing business as Castle Towers, has been in existence since 1970 and at the time of their approval by the City, there were no defined regulations regulating manufactured home parks.

City Staff has been streamlining the approval process for permits and discovered that our existing process did not address any State guidelines related to manufactured home parks and requirements, primarily those that were in existence prior to 1987. After discussions with Greystone, we determined that the application of the existing code in relation to setbacks would unreasonably restrictive for the lot plan for Greystone, LLC. City Staff met with the owners of Greystone, LLC and discussed a compromise that would meet the State requirements and allow them to operate within their existing lot sizes. This compromise outlines the new standards through contract and not through ordinance. This approach was recommended and prepared by the City Attorney.

Attachments:

- 1.) Manufactured Home Park Agreement

Fiscal Impact

Recommendation(s):

Staff is recommending consideration of approval of the Manufactured Home Park Agreement between Greystone, LLC and the City of East Bethel.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**MANUFACTURED HOME PARK AGREEMENT
GREYSTONE MANUFACTURED HOME PARK**

This MANUFACTURED HOME PARK AGREEMENT – GREYSTONE MANUFACTURED HOME PARK (the “Agreement”) is made this ____ day of _____, 2015, by and between the CITY OF EAST BETHEL, a municipal corporation and political subdivision of the State of Minnesota (the “City”) and GREYSTONE LLC, a Minnesota limited liability company (the “Owner”).

WHEREAS, the Owner is the current owner of four parcels of property, located in and around 24345 Pierce Path Northeast in the City (the “Property”), upon which are located approximately 140 manufactured homes, which are rented to tenants through leases with the Owner; and

WHEREAS, the Property is zoned as R-2 (Single Family & Townhome Residential) under the City’s zoning ordinance, and is guided as Medium Density Residential (4-6 per acre) under the City’s current Comprehensive Plan; and

WHEREAS, the parties to this Agreement understand and acknowledge the Property has been used and operated as a manufactured home park since at least 1970; and

WHEREAS, the City has imposed manufactured home and manufactured home park regulations at Chapter 38, Article II of its City Code, through the adoption of Ordinance No. 142, on March 4, 1987 (the “Ordinance”); and

WHEREAS, Section 38-44 of the City Code provides that manufactured home parks in existence as of the effective date of the Ordinance, such as the Property, may continue to operate as such for a period not to exceed two years from such effective date, and upon such time, must meet all requirements of the Ordinance; and

WHEREAS, Section 38-44 of the City Code exempts manufactured home parks from various restrictions, even after the expiration of two years from the effective date of the Ordinance; and

WHEREAS, manufactured home parks existing on the effective date of the Ordinance are not subject to the following regulations: (i) 30-foot minimum distance between manufactured homes in all directions; (ii) 30-foot front setback from the curb face; and (iii) 20-foot setback from the rear lot line; and

WHEREAS, the parties to this Agreement have negotiated in good faith to allow the imposition of various regulations on the Property, despite the Property not being subject to various restrictions of the Ordinance as described above, with the intent to provide for the public health, safety and welfare of the City and the Property.

NOW, THEREFORE, the parties to this Agreement agree as follows:

1. General Building Setback. There shall be no less than 20 feet between manufactured homes in all directions on the Property.

2. Front Setback. The front setback of each manufactured home on the Property shall be no less than six (6) feet from the curb face. On corner lots the setback shall be observed on both frontages.

3. Rear Setback. The rear setback of each manufactured home on the Property shall be no less than six (6) feet from the rear lot line.

4. Decks/Landings. The placement of a deck or landing on a manufactured home lot shall not count against the setback requirements described in Sections 1 through 3 of this Agreement, as long as the deck or landing does not exceed six feet by six feet in area.

5. Storage Sheds. The storage shed located on each manufactured home lot shall have the same siding appearance and color as the manufactured home. If a storage shed is located within eight (8) feet of the manufactured home, it shall be insulated up to industry standards for manufactured home parks.

6. Default. If the Owner permits a use of the Property to occur in violation of this Agreement, the City will provide notice to the Owner to correct the violation, and a reasonable time in which to do so. If the default remains uncured, the City may suspend or terminate this Agreement and take whatever action, including legal, equitable or administrative action, which may appear necessary or desirable to enforce compliance with this Agreement.

7. No City Liability. No officer, official, or employee of the City shall have any personal financial interest, direct or indirect, in this Agreement, nor shall any such officer, official, or employee participate in any decision relating to this Agreement which affects his or her personal financial interests, directly or indirectly. No officer, official, or employee of the City shall be personally liable to the Owner, or any successor-in-interest, by reason of this Agreement or by any use, damage, or injury incurred as to any manufactured home, personal property, or persons in and among the Property.

8. Indemnification. The Owner agrees to protect and defend the City and its governing body members, officers, agents and employees, now and forever, and further agrees to hold the aforesaid harmless from any claim, demand, suit, action or other proceeding whatsoever by any person or entity whatsoever arising or purportedly arising from this Agreement or use of the Property.

9. Amendment/Termination. This Agreement may be amended or terminated only upon the express written consent of each party to this Agreement.

10. Binding Effect. This Agreement shall bind the parties hereto, including their successors and assigns, and run with the Property. This Agreement shall further be recorded at the Anoka County Recorder's Office.

IN WITNESS WHEREOF, the parties to this Agreement have hereunto affixed their signatures on the date and year above written.

CITY OF EAST BETHEL, MINNESOTA

By: _____
Its: Steven R. Voss, Mayor

By: _____
Its: Jack Davis, City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Steven Voss and Jack Davis, the Mayor and City Administrator, respectively, of the City of East Bethel, Minnesota, a municipal corporation and political subdivision under the laws of the State of Minnesota, on behalf of the City.

Notary Public

(Signature page of the City of East Bethel, Minnesota to the Manufactured Home Park Agreement)



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

8.0 A.4

Agenda Item:

Interim Use Permit for a Private Kennel License

Requested Action:

Consider Granting an Interim Use Permit (IUP) for Diane Bayard for a Private Kennel License

Background Information:

Owner/Property Location:

Diane Bayard
23001 Highway 65 NE
Bethel, MN 55005
PIN 32-34-23-43-0013

Mrs. Diane Bayard is requesting an IUP for a private kennel license for the keeping of three (3) dogs on the 7.32 acre parcel she owns. Currently, she has two (2) German Shorthairs and one (1) Border collie mix. The dogs are not kenneled outdoors; rather they are housed in the basement of the home. The parcel is not fenced, but the dogs are only allowed outside if they are leashed or controlled. All dogs have proof of rabies vaccination and two are currently licensed with the City. She will acquire the third license if the Private Kennel IUP is approved.

East Bethel City Code Chapter 10, Article II. Dogs, allows up to six (6) dogs on parcels five (5) acres or more but less than ten (10) acres with an approved private kennel license. Code requires dogs be confined to the property, outdoor housing facilities must not encroach on any setbacks, housing and shelter must be provided, feces shall be removed in a timely manner, and accumulation of feces must not be located within 200 feet for any well.

The Bayard's property meets the requirements set forth in City Code for the keeping of dogs, and the conditions for issuance of a private kennel license.

Attachments:

- 1. Location Map
- 2. IUP document

Fiscal Impact:

Not Applicable

Recommendation(s):

At their regular meeting on April 28, 2015 the Planning Commission approved the kennel license and requests City Council approve an IUP/Private Kennel License for no more than three (3) dogs

for Mrs. Bayard, located at 23001 Highway 65 NE, Bethel, MN 55005, PIN 32-34-23-43-0013 with the following conditions:

1. Housing enclosures shall be located as not to create a nuisance and shall not encroach upon any setback area.
2. Dogs shall be confined to their own property by a provable means.
3. Housing and shelter must be provided which will keep animals comfortable and protected from the elements.
4. Accumulations of feces shall be located at least 200 feet from any well.
5. All accumulations of feces shall be removed at such periods as will ensure that no leaching or objectionable odors exist, and the premises shall not be allowed to become unsightly.
6. All dogs shall have access to indoor housing from the hours of 10:00 p.m. to 6:00 a.m.
7. The city council reserves the right to issue additional conditions on a case-by-case basis in order to maintain the public repose.
8. Kennels shall be considered an accessory structure for setback purposes.
9. An Interim Use Permit Agreement/Private Kennel License must be signed and executed by the applicants and the City.
10. Applicants must comply with City Code Chapter 10, Division II, Dogs.
11. Permit shall expire when:
 - a. The property is sold,
 - b. The IUP expires, or
 - c. Non-compliance of IUP conditions
12. Property owner shall have thirty (30) days to remove dogs upon expiration or termination of the IUP/Private Kennel License.
13. The IUP shall be for a term of three (3) years at which time the applicant will be required to re-apply for an IUP.
14. Property will be inspected and evaluated annually by city staff.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

23001 Highway 65 NE



1 in = 376 ft



April 24, 2015

Map Powered by DataLink
from WSB & Associates

CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA
INTERIM USE PERMIT (IUP) AGREEMENT

Dated: April 28, 2015

Property Owner: Diane Bayard
23001 Highway 65 NE
Bethel, MN 55005

Applicant: Diane Bayard

Parcel Location: 23001 Highway 65 NE
Bethel, MN 55005

Parcel Number: 32-34-23-43-0013

Present Zoning District: R1 – Single Family Residential

IUP REQUEST: approval of a Private Kennel for 3 dogs at 23001 Highway 65 NE, Bethel, MN 55005

PLANNING COMMISSION ACTION

A public hearing was held on April 28, 2015 at which all interested parties had the opportunity to be heard. Planning Commission recommended approval of the IUP request.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on _____ and approved the IUP request with conditions.

DECISION

The City Council hereby grants the IUP for a Private Kennel located at 23001 Highway 65 NE, Bethel, MN 55005, Lot 1 Block 1 Cedar Creek Meadows, PIN 32-34-23-43-0013 subject to the following conditions:

CONDITIONS AND REQUIREMENTS

- 1.** The private kennel shall meet the specific Private Kennel standards set forth in the City Code Chapter 10. Article 2. Division 2. Section 10-55. The following conditions are mandatory for the issuance of a private kennel license:
 - a.** Housing enclosures shall be located as not to create a nuisance and shall not encroach upon any setback area.
 - b.** Dogs shall be confined to their own property by a provable means.
 - c.** Housing and shelter must be provided which will keep animals comfortable and protected from the elements.
 - d.** Accumulations of feces shall be located at least 200 feet from any well.
 - e.** All accumulations of feces shall be removed at such periods as will ensure that no leaching or objectionable odors exist, and the premises shall not be allowed to become unsightly.
 - f.** All dogs shall have access to indoor housing from the hours of 10:00 p.m. to 6:00 a.m.
 - g.** The city council reserves the right to issue additional conditions on a case-by-case basis in order to maintain the public repose.
 - h.** Kennels shall be considered an accessory structure for setback purposes.
- 2.** An Interim Use Permit Agreement/Private Kennel License must be signed and executed by the applicants and the City.
- 3.** Permit shall expire when:
 - a.** The property is sold,
 - b.** The IUP expires, or
 - c.** Non-compliance of IUP conditions
- 4.** Property owner shall have thirty (30) days to remove dogs upon expiration or termination of the IUP/Private Kennel License.
- 5.** Property will be inspected and evaluated annually by city staff.
- 6.** Violation of conditions and City Codes shall result in the revocation of the IUP.
- 7.** The IUP shall be for a term of three (3) years, expiring _____, at which time, the applicant will be required to re-apply for an IUP.
- 8.** All conditions must be met no later than _____. An IUP Agreement shall be signed and executed no later than _____. Failure to execute the IUP Agreement will result in the null and void of the IUP.



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 8.0 B.1

Agenda Item:

MnDOT Grant Application for Frontage Road Construction from 187th Lane to Viking Boulevard

Requested Action:

Consider approving Resolution 2015-32 Requesting State Participation in Upgrading and Construction of a Frontage Road Along Highway 65

Background Information:

Staff is seeking authorization to apply for MnDOT Cooperative Agreement Funds to finance a frontage road between 187th Lane and Viking Boulevard on the west side of TH 65. This project is consistent with the City's Comprehensive Plan and will provide a secondary access from the commercial area adjacent to 187th Lane.

The final cost of the service road will be dependent on the final alignment. Initial projections for costs at this time are \$2.4 million. Alignments under consideration are Alternatives "A" and "B" on the location map. Staff is currently working with land owners to secure right-of-way. The maximum grant award for any individual project is \$710,000. The remainder of the costs of the project would be funded from a \$500,000 HSIP Grant and MSA Funds.

This request authorizes staff to apply for the MnDOT Cooperative Agreement Grant.

Attachments

1. Resolution 2015-32 Requesting State Participation in Upgrading and Construction of a Frontage Road Along Trunk Highway 65.
2. Location Map

Fiscal Impact:

As noted above.

Recommendation(s):

Staff recommends approval of the request to submit the resolution authorizing the application for MnDOT Municipal Agreement Funds for this project.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA**

RESOLUTION 2015- 32

**RESOLUTION REQUESTING STATE PARTICIPATION IN THE UPGRADING AND
CONSTRUCTION OF A FRONTAGE ROAD ALONG TRUNK HIGHWAY 65**

WHEREAS, the City of East Bethel is proposing to construct a frontage road extension along the west side of Trunk Highway 65 from 187th Lane to Viking Boulevard; and

WHEREAS, the improvements will provide major benefit to traffic operations and traffic safety on and along Trunk Highway 65; and

WHEREAS, these proposed improvements by the City of East Bethel are consistent with the State of Minnesota Department of Transportation goals and policies; and

WHEREAS, the State of Minnesota Department of Transportation may be able to participate in the funding of the above-mentioned projects;

WHEREAS, these frontage road projects are consistent with the City's Transportation Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City of East Bethel hereby requests funding participation for the projects and commits to constructing the improvements should funding be provided.

Adopted by the City Council of the City of East Bethel this 20th day of May 2015.

CITY OF EAST BETHEL

Steven Voss, Mayor

Jack Davis, City Administrator



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 8.0 E.1

Agenda Item:

Amendment to Cemetery Policy

Requested Action:

Consider approval of an amendment to the cemetery policy that would require cremation burials be placed inside a suitable vault

Background Information:

The City of East Bethel Public Works Department maintains three cemeteries including the locating, marking, opening and closing of the burial plots. One problem the staff consistently encounters is the locating of cremation burials without a vault. Many times the urns are too small to locate or are made of a material that breaks down or collapses. The collapsing or breakdown of the urn also causes settling that affects the ground maintenance.

Two cremations are allowed on a single plot, so accurately locating the existing urns is a necessity before opening the plot for an additional cremation burial. By requiring the urns to be placed in an approved vault, they can be accurately located and not disturbed.

Most cemeteries in the metropolitan area require vaults for cremation burial. The cost to the family ranges from \$80-300 depending on the vault style. The vaults are made by numerous companies and constructed from durable materials such as reinforced concrete, steel, or high density polypropylene. The vaults will not be larger than 36" a side to allow up to two per plot and must be able to withstand soil weights resulting from 3' burial depths. Staff recommends the specific style choice be left to the family of the deceased.

Attachments:

- 1) Amended Cemetery Policy

Fiscal Impact:

No fiscal impact to the City

Recommendation(s):

Staff recommends that Council consider approval of the amended cemetery policy.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

City of East Bethel

Cemetery ~~Regulations~~ Policy

The purpose of these regulations is to provide a uniform set of rules for the use and visitation of the public cemeteries within the City of East Bethel. The regulations are designed to help improve the appearance and reduce the maintenance requirements for the cemeteries while maintaining respectful grounds for the deceased.

Management

- 1) Oak Leaf Cemetery, Old Bethel Cemetery, and East Bethel Cemetery are owned and operated by the City of East Bethel.
- 2) The City of East Bethel is responsible for the selling and recording of all plots.
- 3) The City of East Bethel is responsible for the opening and closing of all plots. No person shall proceed to disturb the grounds without the knowledge and consent of the Public Works Manager.
- 4) The City of East Bethel is responsible for the maintenance of the cemetery grounds.
- 5) Prices for plots, plot digging, and other services provided at the city cemeteries are established in the annual fee schedule adopted by the East Bethel City Council.

Visitor Rules

- 1) Cemetery visitors will be allowed in the cemetery from sunrise to sunset. Any person(s) found loitering on the grounds during closed hours will be subject to penalties.
- 2) No pets allowed on the cemetery grounds.
- 3) No motorized vehicles will be allowed off designated roadways at any time with the exception of city maintenance personnel, monument setters, and vault company employees.
- 4) Any person disturbing the tranquility of the cemetery by noise or other improper conduct will be asked to leave the grounds or be subject to penalties.
- 5) All visitors are reminded that the cemetery is considered sacred ground for the deceased, and that a strict observance of all properties due such a place will be required.

Burial Rules

- 1) No interment shall take place without all laws of the State of Minnesota and the City of East Bethel having been complied with.
- 2) 72 hours notification will be required for grave opening services.
- 3) Full Interment will not be allowed unless in a cement or steel vault.
- 3)4) Cremation burials internments require an approved vault ~~up~~ not to exceed 36 inches per side constructed of cement, steel, or other suitable material that will not degrade and able to withstand the weight of the soil. high density polypropylene to protect the urn and prevent collapsing of the soil be capable of supporting soil weight and burial depths up to 3 feet.
- 4)5) Two adult interments in one grave (one on top of another) will not be permitted. An infant child or cremation will be allowed at the foot end of an adult grave.

- 5)6) _____ For record keeping purposes, identification and determent, cremated remains should not be buried on top of a vault. Only two cremated remains may be buried on a burial site. Center of location is to be 2.5' from the side of the plot and 3' from the end.

Monuments (Plots sold before October 3, 2012)

- 1) While reasonable care will be taken to protect monuments and markers, the City of East Bethel is not responsible for the damage done to monuments or property. Stone monuments are considered private property of the deceased relatives and are therefore responsible for their care.
- 2) All monuments must have a cement base with a minimum 4" margin around the headstone and the base shall be inside of the lot line.
- 3) All large headstones are to be set on the west edge of the lot.
- 4) All markers placed on the east end (foot end) of the grave must be flush to the nominal ground level. At no time will above ground markers be allowed on the east end of a grave.
- 5) All monuments shall be of good grade marble, granite, or bronze materials built by reputable companies. All foundations for monuments and other structures must be of sufficient depth into the ground in order to support it.
- 6) All monuments must be set in line with other monuments so far as possible.

Monuments (Plots sold after October 3, 2012)

- 1) All markers, both headstones and footstones, must be flush to the nominal ground level.
- 2) While reasonable care will be taken to protect markers, the City of East Bethel is not responsible for the damage done to markers or property. Stone markers are considered private property of the deceased relatives and are therefore responsible for their care.

Privileges and Restrictions for Plot Owners

- 1) No tree or shrub shall be planted, removed, cut down or trimmed on cemetery grounds without permission of the Public Works Manager.
- 2) All newly placed flowers, whether real or artificial, must be in approved above ground pot stands.
- 3) Grave decorations will be allowed for placement on ground only if kept within on foot of grave markers for the period of two weeks prior to Memorial Day and one week following Memorial Day. Following the final allowed date for such decorations, maintenance staff will remove and dispose of those not in approved stands.
- 4) At no time will jars, tin cans, unsightly plastic containers, fences, retaining walls, or any other objects be allowed in the cemeteries.
- 5) Perpetual care of cemeteries which cover mowing, tree trimming, grass trimming, and leaf removal will be assumed by city maintenance staff only.



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 7.0 F.1

Agenda Item:

Fire Department Report

Requested Action:

Informational only

Background Information:

The Fire Chief present reports of Fire Department calls and emergency medical calls from the previous month.

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



East Bethel Fire Department April 2015 Response Calls

| Incident Number | Incident Date | Alarm Time | Location | Incident Type |
|-----------------|---------------|------------|----------------------------|--------------------------------|
| 200 | 04/29/2015 | 23:08 | 23059 Hwy 65 | EMS call |
| 199 | 04/28/2015 | 21:34 | 18164 Highway 65 NE | EMS call |
| 198 | 04/27/2015 | 13:25 | 22435 Palisade ST | EMS call |
| 197 | 04/26/2015 | 19:38 | 1635 207 AVE | EMS call |
| 196 | 04/26/2015 | 12:31 | 3501 190 AVE NE | Unauthorized burning |
| 195 | 04/25/2015 | 20:23 | 4515 231st AVE NE | Permit Burning |
| 194 | 04/24/2015 | 14:48 | 24425 Durant ST NE | EMS call |
| 193 | 04/24/2015 | 12:26 | 18635 Ulysses ST NE | Unauthorized burning |
| 192 | 04/24/2015 | 11:02 | 21476 Johnson ST NE | Prescribed fire |
| 191 | 04/23/2015 | 17:49 | 4706 229 ST NE | Unauthorized burning |
| 190 | 04/22/2015 | 21:59 | 801 Lakeshore DR NE | EMS call |
| 189 | 04/22/2015 | 17:11 | 24355 Hwy 65 | EMS call |
| 188 | 04/20/2015 | 20:40 | 2660 Fawn Lake DR | EMS call |
| 187 | 04/20/2015 | 17:07 | 3501 191 AVE NE | Unauthorized burning |
| 186 | 04/20/2015 | 10:24 | 4349 Viking BLVD | EMS call |
| 185 | 04/19/2015 | 11:15 | 2633 181st LN NE | Building fire |
| 184 | 04/18/2015 | 23:06 | 1308 Juniper LN | Mutual Aid - Building fire |
| 183 | 04/18/2015 | 21:00 | 1128 NE 216 Ave. | Unauthorized burning |
| 182 | 04/18/2015 | 20:27 | 1218 NE Klondike NE | Unauthorized burning |
| 181 | 04/18/2015 | 23:30 | 18630 Leyte ST NE | EMS call |
| 180 | 04/17/2015 | 20:56 | 18164 Highway 65 NE | EMS call |
| 179 | 04/17/2015 | 12:01 | 775 199 AVE | EMS call |
| 178 | 04/17/2015 | 06:02 | 229 & Bataan | Good intent call |
| 177 | 04/16/2015 | 22:02 | Hwy 65 & 229 th | Vehicle accident with injuries |
| 176 | 04/16/2015 | 18:04 | 19960 Poke ST NE | EMS call |
| 175 | 04/15/2015 | 20:18 | 19630 East Bethel BLVD | EMS call |
| 174 | 04/14/2015 | 12:36 | 990 237 AVE NE | Grass Fire |
| 173 | 04/14/2015 | 12:04 | Hwy 65 NE | Grass Fire |
| 172 | 04/13/2015 | 07:16 | 22078 Wake ST | EMS call |
| 171 | 04/11/2015 | 16:45 | 2735 196 AVE NE | Grass Fire |
| 170 | 04/11/2015 | 16:10 | 2459 224th AVE NE | EMS call |
| 169 | 04/11/2015 | 15:41 | Hwy 65 & Viking Blvd | Vehicle Fire |
| 168 | 04/11/2015 | 15:21 | 19608 Yancy ST | Unauthorized burning |
| 167 | 04/11/2015 | 07:09 | 23616 7th ST NE | EMS call |
| 166 | 04/11/2015 | 06:07 | 1545 209th AVE | EMS call |
| 165 | 04/09/2015 | 22:48 | 20024 Jefferson ST | Gas leak (natural gas or LPG) |
| 164 | 04/08/2015 | 22:00 | 21530 Quapaw ST | Mutual Aid - Building fire |
| 163 | 04/08/2015 | 16:51 | 19140 East Front BLVD | EMS call |
| 162 | 04/07/2015 | 02:04 | 2455 183rd ST NE | EMS call |
| 161 | 04/06/2015 | 00:59 | 20465 Monroe ST NE | EMS call |
| 160 | 04/05/2015 | 21:54 | 314 Dahlia DR NE | EMS call |

| | | | | |
|--------------|------------|-------|--------------------|-------------------------------|
| 159 | 04/05/2015 | 13:55 | 1840 183 AVE NE | EMS call |
| 158 | 04/04/2015 | 19:43 | 616 221st AVE | Authorized controlled burning |
| 157 | 04/04/2015 | 14:06 | 18404 Yancy ST NE | Grass fire |
| 156 | 04/03/2015 | 23:08 | 23705 Hwy 65 NE | EMS call |
| 155 | 04/02/2015 | 10:28 | 23250 Sunset RD NE | EMS call |
| 154 | 04/01/2015 | 17:16 | 312 Laurel RD NE | Medical Alarm |
| 153 | 04/01/2015 | 15:44 | 180 G CT NE | Power line down |
| 152 | 04/01/2015 | 12:35 | 20350 Jewell ST NE | EMS call |
| Total | | | | 49 |



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 8.0 G.1

Agenda Item:

May 27, 2015 Work Meeting

Requested Action:

Direction to schedule the May 27, 2015 Work Meeting

Background Information:

Should Council provide direction to hold the May 27, 2015 Work Meeting an agenda will need to be set. The following items have been previously proposed for or have had discussion:

1. Discuss City Goals for 2015
2. Complete the Discussion of the City role for Booster Day.

Attachments:

Fiscal Impact:

Recommendation(s):

Staff is seeking direction as to scheduling the Work Meeting and items to place on the agenda should the meeting be arranged.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

May 20, 2015

Agenda Item Number:

Item 8.0 G.2

Agenda Item:

Ice Arena Management Contractor Selection

Requested Action:

Consider the selection of a Management Contractor for the East Bethel Ice Arena

Background Information:

The City Council has reviewed and discussed the selection of a Management Contractor for the East Bethel Ice Arena at City Council Regular and Work Meetings on March 25th, April 15th, April 22nd and May 6, 2015.

At the May 6, 2015 Council Meeting, Staff was directed to discuss with both Gibson Management and Victory Management the possibility of a contract division or a sub-contractual agreement between the firms to combine their areas of expertise. Discussions were held with and between both vendors and both indicated a certain degree of interest for the consideration of a subcontract arrangement to maximize efficiencies of Arena operations and marketing. However, beyond the initial conversations, further clarification and refining of positions have indicated that there would be too many issues to resolve to make this an acceptable solution. While Staff acknowledges some benefit to this type of an arrangement, it by no means, is recommending that this be a mandatory requirement of contract negotiations with the selected vendor.

At this time, there does not appear to be acceptable common ground to consider the merger of services as an alternative to a sole vendor contract. Therefore, Staff recommends approval of a single management contractor for the East Bethel Ice Arena and encourages the approved vendor to continue to evaluate the potential of subcontracting any services that would improve the overall operation and use of the Arena. The decision to subcontract portions of the contract should be at the sole discretion of the contractor selected to manage the Arena activities with approval of the City.

Attachments:

Fiscal Impact:

The City has budgeted \$79,000 for this service for the 2016 Budget. Both proposals exceed this amount and it is recommended that the contractor selected recognize the need to negotiate their quote for services. It is proposed that Council consider the contract term for this service be for 2 years.

Recommendation(s):

Staff recommends that Council consider approval of a contractor to provide management services for the City Ice Arena. Additionally, it is recommended that Council direct staff to negotiate a contract for these services with the selected contractor and present the negotiated contract for consideration of approval at the June 3, 2015 City Council Meeting.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

City of East Bethel
May 20, 2015
Supplemental Payment Summary

This is a supplemental listing of invoices that were received after the creation of the Council packet. Due to the invoice deadline and the timing of the next Council meeting, they could be deemed as late payments which could possibly accrue late fees and/or finance charges if not paid by the due date.

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|----------------------|-------------------------------|--------------|--------------------------------|------|-------|------------|
| City Administration | Professional Services Fees | M21317 | TimeSaver Off Site Secretarial | 101 | 41320 | \$326.63 |
| Payroll | Insurance Premiums | 6009322 | Delta Dental | 101 | | \$805.75 |
| Payroll | Insurance Premiums | 151380001788 | PreferredOne | 101 | | \$7,636.93 |
| Recycling Operations | Bldgs/Facilities Repair/Maint | B027205 | Braun Intertec Corporation | 226 | 43235 | \$1,498.00 |

\$10,267.31