

EAST BETHEL CITY COUNCIL MEETING

JUNE 3, 2015

The East Bethel City Council met on June 3, 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
Craig Jochum, City Engineer

1.0 The June 3, 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 tonight's agenda. Koller stated I'll second.** Voss stated any discussion? All in favor say aye?" All in favor. Voss stated opposed? Motion passes. **Motion passes unanimously.**
**Adopt
Agenda**

4.0 Voss stated I noticed a couple folks signed up for Public Forum and you're both with Brown-Wilbert. I think what we'll do is wait until we get to that part on the agenda rather than Public Forum. *Inaudible audience comment off mic.* Voss stated no, I mean you want to speak so it's good to know. But, if there's anyone else in the audience that wishes to speak, this is your time. If not, we will move on.
**Public
Forum**

5.0 Item A Approve Bills

**Consent
Agenda**

Item B ~~_____~~ May 20, 2015 City Council Meeting Minutes

Ronning stated I'll make a motion to approve the Consent Agenda as written. Mundle stated I'd like to **pull item B.** Voss stated we've only got two items and you want to pull one of them? Okay. Mundle stated I know. Voss asked is there a second to the motion? **Koller stated I'll second.** Voss stated okay without Item B, all in favor say aye?" All in favor. Voss stated opposed? Motion passes. **Motion passes unanimously.**

5.0B Mundle stated I've just got two correction in the minutes. Page 3 of 28, at the top, second sentence: 'Koller asked with the warmer weather...' It should say: 'Mundle asked with the warmer weather...' Voss asked you're fine with that Ron? Koller stated I'm fine.
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Minutes

Mundle stated and Page 7 of 28, near the bottom, about the middle of the paragraph: "Mundle stated okay, so if it stayed there for three years it wouldn't be...okay.' I'd like to change 'wouldn't' to 'would be okay.' Ronning asked where are you? Mundle replied Page 7 of 28, last paragraph, about mid-way through the paragraph. Ronning stated oh. Voss asked do you want to make a motion with those corrections?

5.0B **Mundle stated I'll make a motion to approve these meeting minutes. Koller stated I'll**
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second. Voss stated any other discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Motion passes. **Motion passes unanimously.**

6.0 Commission Association and Task Force Reports
New Business

6.0A Davis presented the staff report indicating at its May 26, 2015 Meeting, the Planning
Planning Commission recommended the following items for City Council consideration:

6.0A.1
May Report

1. Endorsement was given for two Administrative Subdivisions applications, the Jeffrey Medelberg Estate and Tom Carlisle/Lonesome Dove Angus, Inc. These recommendations will be presented to City Council at the June 17, 2015, meeting for consideration.
2. A change to City Code, Appendix A, Zoning Code to include taprooms, breweries, micro distilleries and food trucks as permitted uses in Business and Industrial Districts. This proposed ordinance change will be presented to City Council at the June 17, 2015, meeting.
3. A CUP for Brown-Wilbert, which will be presented to Council on tonight's agenda.

Voss stated Jack, I've got a question on the first one with the Administrative Subdivisions. Even though I almost opened a Planning Meeting tonight, I don't recall what the Ordinance states but I thought the reason we set up the Administrative Subdivision so it wouldn't have to go to Planning & Zoning, it wouldn't have a public hearing, and it wouldn't have to go to City Council. Jack stated it doesn't have to but I think there was one particular thing in one of these that they just wanted to run it by the Planning Commission just for their consideration. So, these don't have to go to the Planning Commission. Voss stated okay and it's at staff's discretion. Davis stated that's correct. Voss stated okay.

Informational; no action required.

6.0B Davis presented the staff report indicating at the May 18, 2015, EDA meeting, Doug Welter
Economic presented an update on the Business Retention & Expansion Program and staff provided the
Development following report that outlines current economic development efforts to date:

Authority
6.0B.1
May Report

- Staff has assisted Brown-Wilbert on a potential location of their corporate headquarters to East Bethel. Brown-Wilbert has applied for a Conditional Use Permit and this request will be presented at tonight's City Council meeting.
- Staff assisted three businesses in their participation in the Open to Business Program through Anoka County.
- Staff has contributed to the efforts to establish a Leadership Team for the Business Retention & Expansion Program and met with the University of Minnesota representative assigned to this activity.
- Staff is assisting an individual who is interested in opening a micro brewery. This item has been discussed at the Planning Commission. Ordinance changes are in preparation to permit this use in Business and Industrial Zones.
- Staff is assisting an individual who is considering the location of an Event Center in the City.

6.0B
Economic

- Staff has met with two owners who are interested in developing their property for residential use in the Rural Residential areas.

- Staff is assisting two existing businesses who are planning on expansion at their existing locations.

Informational; no action required.

6.0C
Park
Commission

None.

6.0D
Road
Commission

None.

**7.0
Department
Reports**

7.0A
Community
Development
7.0A.1
Brown-
Wilbert CUP

Davis presented the staff report indicating Brown-Wilbert, a septic tank manufacturer and distributor, is interested in purchasing a 26 acre site located at the southeast corner of 221st Avenue and Highway 65. This property is owned by the Genevieve Sylvester Family LP. The site is zoned B-2 with an attached Business Overlay District as part of the zoning. Brown-Wilbert has indicated that they are interested in relocating their headquarters from Roseville/St Paul to a site in the North Metro Area within three to six years. The relocation of their corporate headquarters and manufacturing facility to East Bethel would result in approximately 25-30 jobs. Should their relocation fail to materialize, the site would then become a storage yard with one to three employees.

At the May 26, 2015, Planning Commission Meeting a public hearing was held to consider an application for a CUP for the purpose of permitting Brown-Wilbert to operate a business that would allow the storage, distribution, and manufacturing of septic tanks and other concrete products at this location. While a storage activity by itself is not permitted in a B-2 Zone, exterior storage associated with retail sales and services is permitted. Other types of uses, not listed as permissible, in Appendix A, Zoning, Section 46, can be allowed as determined by City Council. In addition, the Business Overlay District allows additional zoning flexibility if uses are compatible with the objectives of the City Comprehensive Plan and the use promotes an integrated mix of residential, industrial, office and commercial development. In order to support these zoning interpretations, the Planning Commission was of the opinion that is essential that Brown and Wilbert locate their corporate headquarters on the site within a timeframe as agreed upon by both the City and the Company.

At the same meeting, the Planning Commission discussed the following concerns regarding the CUP:

1. The major issue with the proposed use for the site is the existing access. The site is currently accessed by a driveway entrance adjacent and north of PVS Auto. This entrance is located only 270 feet from the east concrete edge of Highway 65 and only 16 feet from the eastern end of the concrete median at the intersection of 221st Avenue and Highway 65. The location of the entrance may pose stacking and maneuvering conflicts as vehicles enter and exit the site. The Anoka County Highway Department has provided comment on the entrance in the attachment of a letter from Jane Rose and these are summarized as follows:
 - An additional 27 feet of right-of-way along the south side of County Road 74, which is 221st Avenue, will be required for future reconstruction purposes.

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- The Anoka County Highway Department would permit the existing entrance to be

used for the site as long as it remains for storage use. Should issues arise or it be deemed necessary as a result of additional development, an east bound right turn lane would be required to be installed at the owner's expense.

- The Anoka County Highway Department will not permit the removal of the existing concrete median. It is possible that the median may be extended in the future. Should the extension occur, the entrance to the site would become a right in right-out access.
 - The Anoka County Highway Department is supportive of an alternative access and supports the site being served by the City's proposed service road that would eventually connect 221st Avenue to 215th Avenue.
2. As part of the conditions for the CUP, Brown-Wilbert is requested to dedicate the right-of-way for the proposed service road that would be located on their property and are required to provide secondary access to the site should a right-in right-out restriction be placed on the existing entrance.
 3. The Planning Commission recommends that exterior display of up to eight units be permitted in an area that would be visible from Highway 65. The City Administrator has concerns relating to Brown-Wilbert's proposal for exterior display of their product. Brown-Wilbert requests that their product be permitted to be exhibited in a prominent location along the route. The City Administrator is of the opinion that is a conflict with the overall goals of the Business Overlay District and provides minimal benefits in terms of advertising. The City Administrator recommends that no exterior display be permitted as a condition of the CUP.
 4. Staff requests that Brown-Wilbert enter into a pre-development agreement that addresses the existing access and service road matters and other issues of concern to the City as they relate to overall development plan for the site.

Brown-Wilbert is seeking approval of the CUP prior to their purchase of this property.

The Planning Commission has recommended that Council consider approval of a Conditional Use Permit for the Genevieve Sylvester Family Limited Partnership as the owner and Brown-Wilbert, Inc. as the applicant for the property identified by PIN #08-33-23-12-0006, subject to the following conditions:

1. Comply with the City of East Bethel applicable Codes and regulations.
2. Repair the existing fence to an appearance that replicates new installation.
3. Obtain commercial building permits that will be needed and issued for existing buildings for purposes of remodeling and repair.
4. Obtain a Special Well Permit from the Minnesota Department of Health.
5. Obtain a Septic System Permit that will need to be sized for existing and future development.
6. Provide Certificate of Survey.
7. Obtain all appropriate permits from Anoka County Highway Department.
8. Enter into a Pre-Development Agreement with the City of East Bethel.
9. Be required to connect to future City utilities when they become available.
10. Brown-Wilbert would be required to locate their manufacturing and corporate headquarters to this location within six years or their CUP will become void and the use of the site as a storage and distribution facility would be terminated within 30 days of failure to comply with this term unless extensions would be approved by the City.
11. Conditional Use Permit would be for six years commencing on the day that it is

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- approved by the City Council.
12. Applicant would be allowed to store septic tanks in a neat and well-organized manner inside the existing fenced in area. Screening must be provided for storage yards outside the existing fenced area or storage yards must be located in areas that are shielded in view from Highway 65. The applicant will be allowed exterior display as recommended by the Planning Commission if approved by City Council.
 13. Should a right-in right-out limitation be placed on the existing entrance to the site or for any Anoka County Highway Department restrictions that limit access on said entrance, Brown-Wilbert will provide an alternate access entrance that allows left turns onto 221st Avenue within one year or other term approved by the City.

Koller stated I'll make a motion to approve the CUP for Brown-Wilbert on the property near 65 and 221st subject to the regulations listed. Voss asked or recommendations? **Koller stated the ones listed down below.** Voss stated you said 'regulations.' **Ronning stated second.** Voss stated discussion?

Voss stated I think the first question I have is we have a lot of material in front of us, being able to read it, and there's folks here from Brown-Wilbert. If one of you wouldn't mind coming up to answer a few questions? Or, two of you? If you could state your name and address please.

Bruce Bratton, President of Brown-Wilbert, 2280 North Hamlin Avenue, Roseville.

Jack Ashman, 2280 North Hamlin Avenue, Roseville, that's the business address.

Voss stated the first question I have is more of a fundamental question. Is what Jack has read and what was discussed at Planning & Zoning, there are a series of conditions that staff's proposed to put onto the CUP. I guess I'd like to know from your perspective, I mean, you've seen them, I assume. Are there any concerns that you have right 'off the bat' with staff's recommendations?

Mr. Bratton stated the only odd thing that popped out is that we had asked for the display and it sounds like they don't, they want to deny that product display. Voss stated okay, well, it's a recommendation and it's something to discuss.

Davis stated actually the recommendation of the Planning Commission is as written. It does recommend approval subject to Council's approval. I just wanted to bring that to Council's attention that I perceive that as an issue and it's up to Council to make that decision though.

Voss stated I think, Jack, I understand your view on it and I think I can understand why you'd want your product out there for display. I share Jack's concern to the extent that long-term, the City has a vision for this, that whole area and outdoor display of products like this is not in the long-term vision. I'm wondering if there isn't a middle ground. Whereas, for these first six years that part of the CUP, that that be allowed. Because, the idea is, hopefully within six years, that we'll be doing something else in that area that's going to change the use. When that use changes, the CUP is up in six years anyway if this passes the way this is. It would have to be renewed. Correct?

Davis stated the CUP would expire in six years and basically what that does, it allows Brown-Wilbert the opportunity to sell their existing facility and relocate their headquarters and manufacturing operations to the City of East Bethel, which is what we hoped would be

achieved. Should that fail to happen, then this would still be just a storage and distribution yard and at that time, the CUP would become void unless it's extended by the Council, that use would go away.

Voss asked do you have any concern if there's a 'sunset' on how long you can display outdoors? Or, is it something that's integral to what you do as a business? Mr. Bratton stated well, I would argue with 'integral' but we understand the conditions under the six-year time window. But, if you could give us that display in that time window, I would like that. Then I would like the opportunity at the end of the six years to come back and make a successful argument for why it should stay.

Voss stated you certainly can and certainly it may get passed by an entirely different Council, a different view on how things are done. Things change. Davis stated and again Bruce, this isn't meant to be adversarial. It's just a point that I wanted to bring out to the Council. I don't know how at length it was discussed by the Planning Commission but they're the ones that approve it and it is something for consideration. To me, it's not a 'deal breaker' but it is a concern.

Mundle stated I do have a question on this. It states, 'Brown-Wilbert is required to locate their main manufacturing and corporate headquarters to this location within six years or their CUP becomes void.' So, would that imply that if they do, if their headquarters does locate up here, would the CUP still become void after six years? Or, would it stay in place? Davis stated if they locate their headquarters, then that would fit this operation within the existing zoning and the CUP would not be necessary. Mundle stated okay.

Ronning asked did you by chance bring any kind of visual, pictures or anything, or what the display could look like? Mr. Bratton stated no, I'm sorry, I did not.

Voss stated I think, was that in the Planning & Zoning Minutes? (*inaudible*) pictures of it? Did you send some pictures out Jack? Davis stated there are some pictures in your packet that show an aerial photograph of one of their locations and then a front photograph of a different location. Voss stated I thought I saw some pictures.

Ronning asked what would the setback be? Mr. Bratton stated you need to tell us. Obviously, I'd like to have it as close as possible but I'm assuming there's already setback rules for billboards or items like that.

Voss stated you can't be in the right-of-way so you're already quite a ways back. Right Craig? Off 65? Jochum stated it varies all over but probably at least 180 feet from the center line.

Ronning asked 180 feet from what? Jochum stated the center of the median. Ronning stated oh. Voss stated it's pretty wide. Ronning asked that's the minimal setback? Jochum answered correct.

Harrington stated I've got one question. What was it, six or seven you guys wanted to put out front? Or, was it more? I was at the Planning Meeting but I didn't catch a number. Mr. Bratton stated yeah, we originally said seven and they actually said eight. Harrington stated eight, okay.

stated yeah, we understood we can't just go out there. It's not going to look like a used car lot. Voss stated I'm seeing more than eight in your picture of your existing. Mr. Bratton stated well, what you're seeing is the actual organization of the storage that would be behind the fenced area and that's 300 feet off Highway 65.

Harrington stated I guess I've got a question for Jack. Are road restrictions going to play into this in the Spring when road restrictions come on? Davis stated I don't know. We brought that up. I know your busy season is essentially, probably, I'm assuming May through October. This street out in front of here, if this should ever become a right-in right-out access where you'd have to come down here to turn around, this is a 7-ton street, the whole thing up to the intersection even though the first quarter of a mile has been designed to be a 9- or 10-ton. You'd probably need to get a variance from the Highway Department. Past the first quarter mile, it becomes a 7-ton street during road restrictions. We were just wondering what kind of traffic that you had with your trucks between, say, March and the first of May, generally when road restrictions would apply.

Mr. Ashman stated basically, there's hardly any septic tanks going in and out of there other than the last few houses they've got to finish up or anybody that's septic tank failed. So, basically, we can almost operate underneath the pumper truck where they have to pump in emergency cases. So, that's really what you're doing during the road restrictions.

Davis stated also, too, we recognize that with these you may have to haul smaller numbers or have a truck with more axles to comply. You can get them in and out. But, I just wanted to make you aware that this is a 7-ton street when road restrictions are applied.

Mr. Ashman asked where does the 9- and 10-ton road stop then? Davis replied the Highway Department designed the first quarter mile, that was reconstructed when the traffic light was installed, to either a 9- or a 10-ton standard. But, they post it as 7-ton so you'd have to work out something with the Highway Department to make sure you are clear to operate over that restriction in that one section. Mr. Ashman stated okay.

Davis stated but it is the first quarter mile of street so it does go down to Sandy Drive. Mr. Ashman stated the only problem there is a right-in and a right-out. I have to go out with a left during road restrictions. I can't come right unless I want to back across the Highway. Davis stated here again, that's something you have to work out with the Anoka County Highway Department. And, there are ways to get around it. You can use a truck with more axles or instead of hauling two tanks maybe you have to haul one. I'm assuming that you're weights for your trucks are probably going to be what, around 40,000?

Mr. Ashman stated our trucks with the big septic tank booms weigh about 37,000 empty. Davis stated okay. So, you've got to have five axles if they're empty then. Mr. Ashman stated I could never get the weight off the back axles because of where the booms are at, limited to 45,000 on the back three axles. So, you start figuring 45,000 across three axles empty, you know what I mean, not even loaded.

Davis stated but again, I just wanted to make you aware of the road restrictions that do apply here. As you know, road restrictions can go on as early as the first of March and can sometimes extend up through the middle of May. That is something you'd have to deal with the Anoka County Highway Department on since this is a County road and not a City street.

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Ronning asked what did you say the 35,000 pounds was? That's the empty weight? Mr. Ashman stated that's the empty weight of the truck, our quad truck. It's a tandem with a pusher axle and it's front steer axles. Basically, I suppose they weigh 59,500 divided by four so you can figure out where we're at with axle weight.

Davis stated again, one of the things that we'll be discussing, and we discussed with you too, is the potential access of this property via a service road from the rear. If something like that can be worked out, then I'm sure that we can convince the County to post the first one-quarter mile at 9- or 10-tons. The service road would also be designed and constructed to those same standards so you wouldn't have that issue.

Voss stated I think the City would want that to happen for other uses that are going to be on that road. Davis stated yeah.

Mundle asked where approximately would the entrance to the site be? Would it be about straight across from the residents? Davis stated yes, almost directly across from Dick Cable's driveway entrance. Mundle stated okay.

Harrington stated as far as these displays, are they going to be put on cement pads? I mean, you're going to make it look nice if you put them out there? They're not going to be just thrown out on the... Mr. Bratton stated a septic tank has to set on level ground so we're anticipating you'd actually build up, probably it wouldn't be a circle pad, but a circular pad and then use some kind of decorative block on the base to dress it up. Harrington stated okay.

Ronning stated it would be nice to see some pictures. I kind of, myself, hate to penalize somebody from at least showing what the product is.

Voss asked Jack, we have a proposed service road that goes through this property, correct? Davis responded correct. Voss stated one thing I didn't see within the recommendations is, shouldn't we be getting this right-of-way at this point? Davis stated we are requesting, that's part of the recommendation, that they are requested to dedicate the right-of-way across the portion that they are buying.

Voss asked did I miss that, is that part of the recommendations? Sorry. Davis stated if you'll look on the last page of your packet, there's a rough map that shows the approximate location of that. Voss stated no, I understand the location. I'm just looking at the recommendations as part of the motion. Unless I missed it, I didn't see specific recommendations. Can we make that a condition? Davis stated yes, you can add that. That was supposed to be in there. It's listed in the part of the thing, under #4 Anoka County Highway, that we had requested that they dedicate that. If it's not in there, I would definitely recommend that be one of the conditions that's added.

Voss stated it's in the staff write up, I understand that, but it wasn't in the conditions of the CUP. Mundle stated I believe the Pre-Development Agreement was in it. Davis stated the Pre-Development Agreement was but I would recommend that we make that a separate condition that we request Brown-Gilbert to dedicate the portion of that service road right-of-way that's on the property they are considering purchasing.

7.0A

Voss asked and you're clear on that? What we're talking about with the right-of-way? Mr.

Bratton stated we've seen a preliminary map and now Jack just gave us this sketch. We had met with Jack to discuss routes. Voss stated okay, I just wanted to be sure it wasn't a surprise. Mr. Bratton stated no surprise. Voss stated because that's pretty important to have that. Mr. Bratton stated we want that future access to the property. Voss stated yeah, that will be your future access so you've a vested interest in that right-of-way too.

Davis stated I might add that Jack and Bruce were gracious enough to meet with Colleen and myself the morning before the Planning Commission meeting. We reviewed many of these items and then they had a good discussion at the Planning Commission Meeting on them.

Ronning asked you'll acknowledge you're familiar with the Planning Commission recommendations? There are 13 of them. Do you want to review to make sure that we're all talking the same thing? (*Ronning handed the list of recommendations to Mr. Bratton for their review.*)

Voss stated I'd like to make a motion to add an additional condition to the motion which would be:

14. Express dedication of right-of-way as presented in the plans for the proposed service road.

Koller stated I'm fine with that. Mundle stated yeah, I'll second it.

Ronning asked, could you repeat that? Voss stated basically, that the service road right-of-way be part of the condition. The dedication of the right-of-way for the service road be part of the CUP itself. Ronning stated for clarification, is that something they have the power and authority to do? Voss stated yeah, they'll own the property. They're purchasing the property. Ronning stated okay. Voss stated according to Mark, that is allowable. We can require that.

Mr. Bratton asked can we make sure what you as the Council or Jack, the City Administrator, means by the last phrase in #13? What does it mean by, 'provide an alternate access that allows a left turn?' Davis explained what I'm trying to get at there is that if Anoka County ever extended that median and made that a right-in right-out only, then we would want you to provide an alternative entrance that provided a left turn onto 221st so that you didn't have to come down to 221st and find another place to turn around.

Mr. Bratton asked where would that happen? Davis stated that would happen with that service road or with the property that's immediately adjacent to PVS Auto on the south, which is not really a suitable soils condition for building a road. Mr. Bratton stated yeah. I guess as long as it's understood that that left turn really comes via working with the City to get the service road in.

Voss stated also, as we've mentioned, it's a County Road. We don't have jurisdiction on the road. We have a certain amount of influence with the County on what they do there. Davis stated one other item is that we have another session tonight that we'll be talking about this service road as part of the Closed Session matter. Voss stated not this service road. Davis stated a portion of it, correct, as it relates to property acquisition. Voss stated okay.

discussion?

Ronning stated I would make clear on what we're voting on. Is there 13, now 14 conditions? Vierling advised the first vote will be on the motion to amend, which is to add the 14th condition requiring dedication of the right-of-way following the recommendation of the Anoka County Highway Department. Voss stated so that should have been clear.

Vierling stated if that succeeds, then your next vote will be on all 14 conditions. Voss stated so right now, we're only discussing the 14th. Ronning stated exclusive of anything else. Vierling stated yes. Voss stated so it's just the addition of the right-of-way issue.

Voss asked so is there any other discussion on adding the right-of-way as a condition? Hearing none, all in favor say aye?" **All in favor.** Voss stated opposed? Okay, that amendment motion passes to add #14 to the conditions. **Motion to amend passes unanimously.**

Voss stated now back to the original motion of the entire CUP. Is there any other discussion on that? Ronning stated I just want to verify what my understanding of the 14. Voss asked the 14th addition? Ronning stated no, no, the 14th is clear. Voss stated okay.

Ronning stated #12, 'Applicant is allowed to store septic tanks,' and a vote for one is a vote for all. "Applicant is allowed to store septic tanks in a neat and well organized manner inside the existing fenced area. Screening must be provided for storage yards outside the existing fenced area or storage yards must be located in areas that are shielded in view from Highway 65. The applicant will be allowed exterior display as recommended by the Planning Commission if approved by the City Council.' Ronning stated so #12, put it behind the fence. Vierling stated the stock is behind the fence.

Davis stated the inventory would be behind the fence or screened from view. Then unless you decide to alter the Planning Commission's recommendations of allowing them eight units to be displayed for advertising at the edge of the Mn/DOT right-of-way, that's your choice. But, the Planning Commission recommended that they be allowed eight units for advertising display.

Voss asked and Bruce, you're comfortable with eight units for display? Mr. Bratton indicated in the affirmative.

Voss stated just to clarify, I move that we amend Condition #12 to be explicit to eight display units. Ronning stated I'll second to that. Voss stated any discussion? All in favor to the amendment say aye?" **All in favor.** Voss stated opposed? Amendment passes. **Motion to amend passes unanimously.**

Mundle asked is there any discussion on the life of the exterior display? Voss stated the fact that when we discussed before, in six years if their plant doesn't pan out, this is going to expire anyway. Davis stated the reason for the CUP is that this does not qualify as a permitted use in that zone. The CUP allows them to operate for six years. Within that six year period, they have plans to move their business headquarters and their manufacturing facility here. That would make them permissible within that zone so, therefore, the CUP is no longer needed if they perform that activity. If they don't, then the CUP becomes void unless the Council decides to extend it further.

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Mundle asked if the CUP is no longer needed, is there any, what will happen to the exterior display? Davis stated then they would fall under the regulations of whatever the zoning is for the B-2, or whatever that winds up being once the Comprehensive Plan is redone in 2018. So, it would be just subject to zoning regulations at that time.

Voss stated we could have a whole new set of rules by then. Ronning stated we could have a whole new 'set of faces' here. Voss stated yeah, that could be too.

Jochum stated Mr. Mayor, I'd just like to add, although it would be difficult that they'll ever get access to 65, but if we ever went after a grant fund for that service road, it would be helpful that, they typically want some kind of an agreement that their access control be given up along 65. So, I guess I'd like to add that they would consider working with the City if we did go after a grant at some time, that their access control be given up along 65.

Vierling stated we can make that part of the Development Agreement. As part of the funding mechanism from the State of Minnesota, they're willing to give the money to build the road if you're willing to waive direct access to the highway. Mr. Ashman asked are you talking about coming in off 219th then? Vierling stated no, Highway 65. You'd waive your rights to have a direct access to 65 as opposed to coming out on 219th and 221st.

Voss stated fundamentally, it probably won't affect you because Mn/DOT's never going to give you a driveway anyway to go off Highway 65. And so, what we're talking about is, what Craig's talking about, is when we do these agreements with the State, the State likes us to give up things, and basically is the way to put it and access is their big thing. They're trying to streamline 65.

Jochum stated for example if you platted that lot, you'd have to give it up anyways. They have that as a condition of the plat. But, these are all metes and bounds plats so technically, the State doesn't have access control on 65. Although, it again would be very difficult to permit a driveway for you. But, if that's an agreement if we got some grant money to build the service road, you'd have the service road and wouldn't need the access anyways.

Mr. Bratton stated I don't see a problem with that.

Voss stated I would suggest that we just defer it to the Development Agreement, like you suggested, rather than making it an amendment to the CUP.

Ronning asked does that include what you were saying Craig? Jochum stated yeah. Voss stated they'll work it out in the Agreement. But, the Development Agreement is going to come back to the Council too, isn't it? Jochum stated it will. Voss stated so we'll see it again. Okay, anything else? Anything you'd like to add Bruce? Jack?

Harrington stated I just want to say thanks to Bruce and Jack for picking East Bethel. Thanks for bringing your business here. Voss stated we're excited about it. Mr. Bratton stated thank you. Voss stated so I don't know if you heard my joke but I thought it was ironic that a septic tank company is coming up to East Bethel where we're trying to put in sewers. Despite all that, I'm excited. Mr. Bratton stated life is full of contradictions, isn't it?

7.0A

Voss stated okay, if no further discussion, all in favor say aye?" **All in favor.** Voss stated

any opposed? Motion passes. **Motion as amended passes unanimously.**

Voss stated welcome to East Bethel. Ronning stated like Tim said, thanks for, when I see some of the permitting process that contractors have to do, it's mind boggling. I don't think any, including myself, anybody had any clue about how much work you go through to get those things. Thanks for your effort and thanks for coming. Mr. Bratton stated thanks to you for your help.

7.0B
Engineer
7.0B.1
Castle Towers
WWTP
Decommission
Bid

Jochum presented the staff report indicating the plans and specifications for the Castle Towers Wastewater Treatment Plant Decommissioning Project have been prepared and are attached for Council review. This project will include removal of all site buildings, biosolids, underground piping, and the lagoon liner. Upon completion of this project, the property could be considered for other uses. It is anticipated that mass grading of the site would be required to prepare the site for other uses in the future. This project will be financed from the remaining Sewer and Water Bond funds. The estimated cost of this project is \$200,000.

Staff is recommending approval of Resolution 2015-33 Approving Plans and Specifications for the Castle Towers Wastewater Treatment Plant Decommissioning Project and Direction to Solicit Bids.

Voss stated staff has presented a resolution. Is there a motion? **Koller stated I'll make the motion to submit for bids.** Voss asked Jack, you want that as proposed? You want the resolution moved, right? Davis stated please. **Ronning stated second.** Vierling stated the motion would be to **approve Resolution 2015-33.** **Koller stated yes.** Voss asked is that clear Tom? **Ronning replied yes.** Voss stated any discussion?

Voss asked Craig, is there much material removal anticipated? Jochum stated yes, about 6,000 cubic yards. Voss stated what I'm thinking about is truck traffic driving by Brian's house. It's a pretty tight neighborhood to have a lot of truck traffic. So, are their considerations in the bids for haul times? Jochum stated actually yeah, the typical working hours are 7 to 7. That's something we could modify. Voss stated okay. Ronning asked how about midnight to 4 while Brian's sleeping? Voss stated then you're giving the public your phone number so at 2 o'clock in the morning. Koller stated we'll allow jake brakes. Voss stated yeah, no jake brakes.

Jochum stated the wastewater lagoon is pretty full. Voss stated yeah, I remember that. Ronning asked is there anticipated or known hazardous waste that we have to consider with this? Jochum answered no, it's been tested and I guess our hope is that the contractor finds a land application spot. Or, our \$200,000 budget is going to go 'out the window.' That's why we're giving them, I think, until July 10th. Some time to look for application areas and work with area farmers to get this land applied. It does qualify for that with the tests we've done. Voss stated it's a big quantity to get rid of.

Voss stated when you prepare the detailed specs, I guess my suggestion would be at least for the hauling, is make those hours a little bit more restrictive like 9 to 3. It avoids breakfast time. It avoids dinner time. That's when the kids are out too. Okay, any other discussion?

7.0B.1

Harrington stated I'm sure this is included Craig, but all that fencing will come down too?

Castle Towers
WWTP
Decommission
Bid

The fencing in front where they have the gate? Jochum stated as of right now it is not, no. Harrington stated not, okay. Jochum stated but it could. Harrington stated after they're done grading and everything, pull that fence where they have the gate there right now. I mean, if you ever go to sell that land. Voss stated well, I think we still want security afterwards, somehow. Jochum stated just to reiterate, we did not do much mass grading on this project because we don't know what it will be used for in the future and I think the type of contractor that's going to bid this work won't give us very good bids on grading dirt. It's kind of two different contractors. I think we get it cleaned up, be done with the PCA, and you'll have more flexibility to do what you want with whatever you want to do with the land.

Voss stated and it shouldn't reduce the marketability of the land for future use if it's just cleaned up and not graded flat. Jochum stated correct. The only thing we'll do is open up the lagoon so it doesn't fill up. We want that draining.

Ronning stated for the benefit of people that might be watching, could you explain why we're doing this, do we own it, and what happens afterwards. We're doing it for a reason. Jochum stated correct. The City has owned this plant since about 2004. The plant was built in the early 1970s and is at or near the end of its life. The lagoon is full. So, a lot of this cost would have to be done one way or the other. Last year, in July, we got the forcemain system running that takes this wastewater down to the new Met Council plant. So this plant is no longer needed so no need to rebuild it. Probably looking at a cost of \$2 to \$3 million to rebuild this thing and clean it up with really no need to do that. So, we're in the process now and this project would basically clean that site up and decommission it and provide, I think it's about 7.5 acres of land for some other use.

Ronning stated and we're doing this because we own it and we have the responsibility. Jochum replied correct. Ronning stated thank you.

Voss stated any other discussion? Hearing none, all in favor of the motion say aye?" **Harrington, Koller, Ronning and Voss-Aye; Mundle-Abstain.** Voss stated motion passes. **The motion passes.**

7.0C
City Attorney

None.

7.0D
Finance
7.0D.1
2016 Budget
Meeting
Schedule

Davis presented the staff report indicating it has been City Policy that staff submits the preliminary City Budget for the coming year to Council in the first week of July. Staff is proposing that the 2016 draft budget be presented to Council at a Work Meeting prior to the regularly scheduled Council meeting on July 1st, or at a Work Meeting on July 8th, or other time as desired by Council.

Staff will present the requests in the draft budget and will be prepared to answer Council questions concerning the proposal.

Staff requests Council to set a date for the 2016 Draft Budget presentation and provide direction as to any changes in the format of the discussion.

7.0D.1

Ronning asked is a Work Meeting in June scheduled yet? Davis stated there's one for the end of June. The reason we didn't propose it for that time is usually the Sheriff's Department is the very last one to get their budget numbers in and it will be even, maybe pressing, by July the 1st. We anticipate we should have that but we may not have it by the

end of June. Since that constitutes about 20% of our budget, I want to have some good numbers in there.

Voss asked is the Sheriff planning to present their budget to the Council? Davis answered the Sheriff will be here to present. Voss asked at the Work Meeting? Davis responded at the Work Meeting and they generally present it at the Work Meeting when we present the Budget.

Mundle stated so you'd like the Work Meeting after July 1st? Davis stated that's entirely up to you. If we do it prior to the Regular Council Meeting, we need, probably, at least two hours for the first session by the time we go through it and the Sheriff's part of it, makes their presentation. But, I just wondered if July the 8th is too early, if anybody had any vacation plans, or if you even want to wait until the scheduled Work Meeting at the end of July.

Ronning stated in as much as it is a Work Meeting, we can do that with or without Council action, can't we? Voss stated you can't have Council action. Ronning stated no, no, we don't need Council action to meet regarding those subjects. Davis replied no.

Vierling stated I would certainly recommend there be Council action to establish the Work Meeting because you do have to post it. Voss stated our Work Meetings are set. Davis stated correct. Voss stated at the last, the fourth Wednesday. Davis stated yeah, the fourth Wednesday of the month. Voss stated so those are set. So, you're saying that June one will be too early. Davis stated the June one will probably be too early because we may not have the Sheriff Department information on there. You know, we can get some verbal from them but it may be, you know, a half a percent or a percent off either way. In their case, that's a substantial number.

Ronning stated you can schedule multiple, spread it across two meetings, I assume. Davis stated if you want to do it at the end of June, we can go ahead and try that. Ronning stated I was thinking about moving for the Work Meetings in June and July and just leave it open to that extent.

Voss stated what my suggestion would be is have the Budget presentation at our scheduled Work Meeting in June. Then have the Sheriff actually at the Council Meeting on the 1st and have them make the presentation at the Council meeting. I don't think it has to be the same night as the Work Meeting because the Work Meeting is pretty much just presentation by staff. I don't anticipate a whole lot of back and forth. Davis stated no, not really. Actually, you know, there really are only two budgets that there's generally only questions on of significance: the Fire Department and Public Works. So, we would go over all the Department budgets for the General Levy and then go over the bond proposals for that financing part of it and the Enterprise Funds. So, we can definitely break the Sheriff's Department out and have it on the 1st and then combine them and talk about everything again the end of July.

Voss stated to me, I mean, the Sheriff's Budget is a million dollar budget and I think it's important for the public to see it and Sheriff Stuart usually represents himself. That would be my suggestion.

the Work Meeting? Mundle stated that would be the June 24th, the last Wednesday, I would not be able to make that.

Koller asked what about July 8th? Voss stated I'm fine with July 8th. Mundle stated as far as I know I am. Koller stated I'm open. Voss stated I'm just checking with Tim. Koller stated he's retired. Voss stated you said it. I wasn't going to. He's listening, these guys, they don't have time for anything anyways. Ronning stated I was better off working. But yeah, I'm open. Thank you.

Voss stated if the Sheriff wants to present at the July 1st meeting, I think that's fine. Davis stated I'll check with him and that will give him two dates to do it. Voss stated even if it's the second Regular Council Meeting, I mean, do you agree to have the Sheriff at a City Council meeting instead. The Council indicated their agreement. Voss stated okay.

Harrington asked another Work Meeting on the 8th? Voss stated the 8th, July 8th. Harrington stated okay. Voss stated I'd suggest that, hopefully, it's in lieu of the regularly scheduled one the end of July. The worst month to have four meetings in.

Mundle asked what time do we want to set? Voss stated 6. Koller stated 6 o'clock. Mundle stated 6 o'clock on the 8th.

Vierling advised you will want to take action by motion to establish that Work Meeting at that time. **Mundle stated make a motion to establish a Work Meeting on July 8th at 6 p.m. Harrington stated I'll second.** Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? None opposed. Motion passes. **Motion passes unanimously.**

7.0E
Public Works

None.

7.0F
Fire
Department

None.

7.0G
City
Administrator
7.0G.1
Ice Arena
Management
Contract

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

Davis presented the staff report indicating staff requests direction from Council as to selection of a contractor for the Ice Arena or a decision to operate the Arena under City management. If there is a change of management of the facility to City supervision, staffing needs will need to be addressed immediately and the transition of management duties and scheduling will have to be coordinated with the outgoing vendor.

Staff requests that Council approve a private vendor for the Arena Management Contract. This is one of those activities that outsourcing of the duties will result in more efficiencies and economies than the facility operation by the City.

The City's budget is \$79,000 for this service for the 2016 Budget. Both proposals that we've received 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 for two years.

7.0G.1 Should the City operate the Arena, staffing costs alone could exceed this budget amount.

These staffing costs do not include the extra time the Public Works and City Hall staff would be required to train, supervise, and provide administrative support for an Arena Manager and undetermined number of part-time employees.

Staff recommends that Council consider approval of a contractor to provide management services for the City Ice Arena and vote for that approval at this meeting tonight. Should Council approve this recommendation to select a contractor, it is recommended that Council direct staff to negotiate a contract for these services with the contractor and present a negotiated contract for consideration of approval at the June 17, 2015, City Council Meeting.

Mundle stated make a motion to select Gibson Management for contractor for the East Bethel Ice Arena. Voss asked is there a second to the motion? **Ronning stated I'll second.** Voss stated discussion?

Voss stated it's a two-year contract, it said in the staff report, right? Mundle stated yes, I believe so. And, I believe when staff proposed negotiation that I believe those problems at the last Work Meeting that we offered as a one year with a one-year option. Davis stated we have no objection to that.

Harrington stated so let me clarify this. You want to go two years? Or, one year? Mundle stated as it was, overall it would be two years but it would be one year with a one-year option. Davis stated I think as we discussed, it could be up to two years. The contract would be negotiated for one year and then upon completion of a successful performance review, staff would make a recommendation to Council to consider extending the contract for another year.

Ronning asked and this recommendation is to enter into negotiations? Mundle replied yes. Ronning stated and whatever contract might be arrived at would come back for a second look. Voss stated yeah, we'll see it again. Davis stated we're just requesting that you approve the contractor so that we can begin the negotiations with them and we would bring you that contract back at the next Council meeting. Voss stated any other discussion?

Ronning stated yeah. I've been opposed to this for a long time. I don't think that we've had any 'teeth' to have any type of benchmarks or things to really go back and say that, 'This hasn't been done. That hasn't been done.' Maybe it would be something you can complain about but it wouldn't have any, there's no 'teeth.' So, I'd like to see staff add some benchmark requirements or something to bring back for us to look at. Mundle stated I'd be open to that.

Davis stated staff has been working on that. Mr. Ronning dropped by the other day and he and I had some discussions and what we'll be focusing on are some of the major issues that we've had in the past and address issues of facility cleanliness, maintenance, and communications.

Voss stated all right, any other discussion? Hearing none, all in favor of the motion say aye?" **All in favor.** Voss stated opposed? None opposed, that motion passes. **Motion passes unanimously.**

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

8.0 Other

Davis stated staff has no updates at this time.

8.0A

Staff Reports

8.0B

Council
Report –
Member
Koller

Koller stated well, I was at the Planning Commission and we already went over all of that. I was at Sunrise Watershed. We're working on budgeting and starting the plan for future projects. Some of our projects are in the process right now on carp traps along Sunrise River. The contractor is pouring cement right now, I believe. That's about it.

Council
Member
Mundle

Mundle stated nothing official but I have been to a couple of the City parks over the last month and they're looking very good. I'd like to thank Public Works for all their work on all the City parks. If anybody in the community hasn't been out or do not know where the City parks in the community are, visit East Bethel's website and there are pages dedicated just to the City parks and what amenities they provide to the community. That's all I have.

Voss stated I imagine they are mowing constantly right now.

Council
Member
Ronning

Ronning stated I don't have very much. I filled in at the Booster Day Meeting this past time and everything is pretty much 'on target.' There's a couple interesting things, I think, that would be a nice thing to advise people of. Jack was there. Is that firm? That exhibit type thing in the back of Booster West?

Booster Day

Harrington asked the airplanes? Ronning responded yeah. Davis stated yes, I was informed that the Anoka County Radio Controlled Airplane Club would be having demonstrations there from, I think, 2 to 5 o'clock on Saturday afternoon over in Booster East. Ronning stated oh, Booster East. Davis responded correct.

Ronning stated there's a number of things they're trying to include. I don't know what they all are but certainly invite everybody to come out and celebrate the Booster Day event.

Voss asked was there discussion about the waterball tournament? Davis stated I wasn't at the meeting so I don't know if that invitation has been extended to Ham Lake or not. Voss asked a challenge to their City Council? Ronning stated it was a pretty small meeting and not very much conversation. Davis stated I'll check with Mark tomorrow and make sure he's aware of that. He can talk to their Fire Chief. Voss stated yeah, I can call Mayor Van Kirk too and make that challenge. Ronning stated that's all I have.

Council
Member
Harrington

Harrington stated I'd just like to remind everybody that Highway 22 is going to be closed from University to Flamingo from now, June 2nd until August 7th. I don't know what the detour is but it's going to be closed for a couple months. Voss stated it's a pretty broad detour. It's a big detour.

Tours

Davis stated I did have one thing. This is for Council. The Parks Commission meeting for June 10th will be held at the Cedar Creek Ecosystem and Scientific Reserve Headquarters and they'll be doing some tours and have some vehicles there. So, we will post that as a Council meeting. Also, the Roads Commission is having their roads tour on June 9th so if any one of you would like to go on that, let us know and we can post that as a meeting also.

Harrington stated that's it.

Business
Retention &
Expansion
Program

Voss stated a question I have on the EDA, with the BR&E Program, I know, at least the last I heard, they're still looking for task leaders. Have they filled those slots yet for task leaders? Davis stated Colleen went down and talked to a group at Coon Lake, she talked to CLIA and I think there's three or four potential prospects there that are going to volunteer. Doug Welter is still working on trying to secure other volunteers. I think they needed six more so I think there's probably three from the CLIA group that may be willing to serve on that.

Voss stated I thought June was kind of critical on that timing to get at those tasks. Davis stated it is. They need to get everything done by the end of June on that membership. And again, the fallback plan on that is if they don't then we'll draft some people. Voss stated okay.

Star of the
North
Academy
Commence-
ment
Service

Voss stated I was contacted by the Director of the Star of the North Academy, which is our newest charter school that is in the old Our Saviour's building on Viking Boulevard. And, originally I was invited to be at their commencement, basically, on Friday, for their school. Unfortunately, I'm out of town. I think that the Chief is going to be there, is what I heard. Davis responded that's correct.

Voss stated so for those that don't know, this is their first year. I did go meet with them today and toured the school, which was quite interesting. I was surprised at how many students they have there. I mean, it's pretty full. They have a lot of classes there already. And, it sounds like it was kind of a struggle to start but they're finishing strong on their first year and they're very happy. So, I was honored to be asked to be at the commencement but I'm not going to be there. That's good that, it's one of our newest community members. I think a lot of the public don't even know that they're there. So, I encouraged them to be involved. I know they're working with Jack and Colleen and Mark and Nick on building issues.

Rural
Residential
Lot Size

Voss stated the last thing I have is a questions because I saw it was discussed at P&Z again. The status of resolving the conflict we have on the 2.5 acre residential lot size. Where are we at with that Jack? Davis responded from a resolution or getting this resolved at the Met Council level, we're still essentially where we were. They've changed their representative to us again so we're starting back over from 'square one.' Our previous planning rep, Anna Liekerts, resigned about six weeks ago. So, we're setting up a meeting with the new individual to try to rectify that error that was made, somehow, when the new Comp Plan was submitted to Met Council. We're still working with two individuals who have an expressed desire to subdivide some areas in the Rural Residential Zone. They're not ready to move just yet but as soon as we get that next meeting set up with the Met Council rep, we hope to at least get some resolution to the matter or direction on what our next step is. The Planning Commission has indicated, too, that all this was news to them. They were never part of any process to change our Rural Residential zoning to 1 in 10.

Voss stated yeah, I'm convinced of that. Everyone is clear that no one expected this. The question I'd have is I don't want to see this drag out any longer. It needs to be, I mean, with out legal muscle right away, I would think we would have some recourse legally just to push this through. Right now we're trying to do this with discussions and negotiations. And, my thought is I don't want to sit and ask for permission to get this changed. I think we need to be a little bit more forceful and say, 'This is what it should be. We don't know what happened. How does the Met Council fix this problem.'

Rural
Residential
Lot Size

Mundle asked do we know any of the history of why it was changed yet? Because, I know no one knew. Voss stated there's no 'why.' Davis agreed there is no 'why.' We've gone back and researched everything that's in the previous Comp Plans and Planning Commission minutes and discussions and this was never brought up. It just appeared on a map that shows densities for the Rural Residential Zone. It was somehow included in the Comp Plan, showed 1 in 10, back in 2008. Apparently the reason this was never caught is because there were no plats filed after 2008 so it hasn't been a subject of issue up until recently. It was, strangely enough, incorporated in our Zoning Ordinance standards as to what densities were and I don't know how that happened. That was prior to my time in dealing with this.

Mundle asked didn't a previous Council have to approve this to make it happen? Davis stated it was approved when the Comp Plan was approved in 2008. Mundle stated okay.

Voss stated I was on Council and I can say very clearly the other four people that were on Council would say the same exact thing. There was no way that we changed that. No way was it a Council action. Mundle asked somehow just got through? Voss stated maybe it was a Council action because we had to approve the document at some point. But, we didn't make any kind of furtive movement on that particular issue. That's the whole basis of everything, keeping the rest of the City the way it was.

Davis stated the Planning Commission adamantly insist that they never discussed this, it was never brought to them about changing the density requirements. Voss stated that Comp Plan never would have been passed, would never have gotten a single vote, with that. So, there's something fundamental that happened there.

Voss stated my point is we shouldn't be negotiating a change. It's like we need to lay it out to them and say, 'This was wrong.' Davis stated with the previous representative that's, even though we did it as tactfully as possible, we told him this was incorrect and we showed them how we related to other cities and what their density standards were and we're out on an 'island.' I mean, even Linwood Township has lower densities. Oak Grove does. They have a couple places where they have 1 in 10 but that's in their MUSA District and that was required by Met Council to keep that area essentially undeveloped until services came there. Most of the rest of the City is 2.5 or 1 in 5. St. Francis is the same way. Ham Lake is less than us. So, by doing this, by incorporating these standards on us, that places us on an 'island' and places us in an even worse situation of trying to get development. It's counter productive to what they need for us to succeed in meeting our growth goals for the City. Voss stated okay. If at the next Council Meeting you can bring back a short report on where we're at on that too. That is all I have.

8.0C
Other
Aggressive
Hydraulics

Harrington asked Steve, can I add one more? Voss replied sure. Harrington stated from the City Council and Mayor, I'd like to say congratulations to Aggressive Hydraulics for their USA Small Business Award. Voss stated absolutely.

8.0D
Closed
Session
Property
Acquisition

Vierling stated for the members of the public and for the benefit of the record, we note that the Council is about to go into Closed Session to review issues of property acquisition and authorize for Closed Session under Minnesota Statutes 13.D.05, Subd. 3(c). Council will go off record and review matters, coming back into Open Session following the completion of that Closed Session and then we'll announce any action that has been taken during that Closed Session. Mayor, I request a motion be made to go into Closed Session for the purposes I have indicated.

Move to Closed Session **Mundle stated I'll make a motion to go into Closed Session at 8:12 p.m. Koller stated I'll second.** Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Motion passes. **Motion passes unanimously.**

Reconvene Open Session Vierling stated we will note that the Council has come back into Session. It's approximately 9:41 p.m. They did go into Closed Session to review issues of property acquisition as it affects Property Identification Number 29-33-23-33-0002 within the City of East Bethel. Closed Session was attended by all Members of the Council and the Mayor. It was also attended by City Administrator, Mr. Jack Davis, City Engineer Craig Jochum, and myself as the Attorney. There were no specific motions taken or made by the Council during the Closed Session. Staff was given instruction on strategy and direction relative to the issues that were presented. Thank you.

Voss stated thanks Mark.

9.0 Adjourn **Koller stated I'll make a motion to adjourn. Mundle stated I'll second.** Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? Motion passes. **Motion passes unanimously.**

Meeting adjourned at 9:42 p.m.

Submitted by:
Carla Wirth
TimeSaver Off Site Secretarial Inc.