

City of East Bethel
City Council Agenda
 Regular Council Meeting – 7:00 p.m.
 Date: July 1, 2015



Item

- | | | |
|----------------|------------|--|
| 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 3-4 | | A. SWPPP Public Hearing |
| Page 5-7 | | B. Resolution 2015- 34, Recognition of Aggressive Hydraulics for a Small Business Excellence Award |
| 7:10PM | 5.0 | Public Forum |
| 7:20 PM | 6.0 | Consent Agenda |
| Page 8-9 | | |
| | | <i>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</i> |
| Page 10-13 | A. | Approve Bills |
| Page 14-21 | B. | Meeting Minutes - June 17, 2015 City Council Work Meeting |
| Page 22-53 | C. | Meeting Minutes - June 17, 2015 City Council Meeting |
| | D. | Set Date for July HRA Meeting |
| | E. | Speaker Replacement for Ice Arena |
| Page 54 | F. | Resolution 2015-35, MnDOT Requirements for 185 th Ave. |
| Page 55 | G. | Temporary On-Sale Liquor Permit |
| 7:25 PM | | New Business |
| | 7.0 | Commission, Association and Task Force Reports |
| | A. | Planning Commission |
| | B. | Economic Development Authority |
| | C. | Parks Commission |
| Page 56 | 1. | June Parks Commission Report |
| | D. | Road Commission |
| 7:30 PM | 8.0 | Department Reports |
| Page 57-61 | A. | Community Development |
| | 1. | Larsons Woods Preliminary and Final Plat |
| | B. | Engineer |
| | C. | City Attorney |
| Page 62-70 | 1. | Amending Sections 6-51, 6-52, and 6-63 of the Code of Ordinances of the City of East Bethel, Affecting the Sale of Alcoholic Beverages |
| | D. | Finance |
| | E. | Public Works |

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Page 72-76

- F. Fire Department
- G. City Administrator
 - 1. 2016 Budget Meeting
 - 2. Recycle Report

7:45PM

9.0

Other

- A. Staff Report
- B. Council Reports
- C. Other
- D. Closed Session, Purchase or Sale of Real Property Minn. Statute § 13D.05 subd 3(c).

8:30 PM

10.0

Adjourn



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 4.0 A

Agenda Item:

Storm Water Pollution Prevention Program (SWPPP) Public Hearing

Requested Action:

Conduct Annual Meeting

Background Information:

The City of East Bethel has developed a Storm Water Pollution Prevention Program as required by the National Pollutant Discharge Elimination Program, which authorizes City's to discharge storm water to the public water system. The goal of the Storm Water Pollution Prevention Program is to reduce the discharge of pollutants into receiving waters to the Maximum Extent Practicable. The Minnesota Pollution Control Agency issued coverage to the City of East Bethel on January 9, 2008.

Implementation strategy's that are part of the program include but are not limited to:

1. Sweeping city streets.
2. Inspection of approximately 20 percent of the City's storm water basins each year.
3. Posting City Programs such as the clean-up day on the City website.
4. Conducting the annual meeting.
5. Developing educational pamphlets for distribution to City residents.
6. Investigate any reports of illicit discharge or other non-compliance storm water complaints.

At the annual meeting the City will consider public input, both oral and written, regarding the adequacy of the Program. Based on the public input, the City can modify the Program as the City determines to be appropriate. As required, the meeting notice was advertised in the Anoka Union. Copies of the City's SWPPP are available for public review at City Hall and on the City website.

Fiscal Impact:

None at this time.

Recommendation(s):

Staff recommends that the City Council conducts the annual meeting to consider public input on the City's Storm Water Pollution Prevention Program.

City Council Action:

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 4.0 B

Agenda Item:

Resolution 2015-34, Aggressive Hydraulics for Small Business Excellence Award

Requested Action:

Recognize Aggressive Hydraulics for selection as Small Business Excellence Award recipient

Background Information:

The U.S. Small Business Administration, Minnesota Small Business Development Centers and the SCORE Association presented the 2015 52nd Annual Small Business Awards on Thursday May 7th as part of the National Small Business Week.

Michelle Mueller, Vice President of Minnesota Business Finance Corporation (MBFC) nominated Aggressive Hydraulics, Inc. of East Bethel, MN and they were presented with a Small Business Excellence Award. Criteria for this award is response to adversity, service to their community, growth, longevity and innovation of products and services.

Aggressive Hydraulics was founded 13 years ago by seven skilled industry individuals who believed they could deliver a product that could compete with overseas factories. They engineer, manufacture and repair mobile hydraulic cylinders for heavy equipment in the construction, forestry/logging, mining and energy industries.

The business started with a 14,000 square foot building in Blaine, MN and had expanded into 2 additional buildings. However, efficiency was becoming an issue. The owners took time to design a new state of the art 60,000 square foot facility.

MBFC collaborated with Roger Hamilton from Bank Cherokee and the Metropolitan Consortium of Community Developers (MCCD), and the City of East Bethel to assist Paul Johnson and his partners on the financing for the new 60,000 square foot facility. Construction started in 2012 and the company took occupancy in 2013.

They have 54 employees at their facility in East Bethel and have added employees every year since 2009.

Aggressive Hydraulics creative approach to growth and doing right by their employees and customers has resulted in their sales doubling over the past five years.

Attachments:

Resolution 2015-34

Fiscal Impact:

None at this time

Recommendation(s):

Staff requests Council to consider approval of Resolution 2015-34.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

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

RESOLUTION NO. 2015-34

**A RESOLUTION RECOGNIZING THE ACCOMPLISHMENTS OF AGGRESSIVE
HYDRAULICS AND THEIR CONTRIBUTIONS TO THE CITY OF EAST BETHEL**

WHEREAS, Aggressive Hydraulics was founded 13 years ago by seven skilled industry individuals who believed they could deliver a product that could compete with domestic and overseas competitors;

WHEREAS, Aggressive Hydraulics made a decision in 2012 to relocate their business and construct a state of the art 60,000 square foot facility in the City of East Bethel;

WHEREAS, The Minnesota Business and Finance Corporation collaborated with Roger Hamilton from Bank Cherokee, the Metropolitan Consortium of Community Developers (MCCD) and the City of East Bethel to assist Paul Johnson and his partners with the gap financing for this facility;

WHEREAS, Aggressive Hydraulics opened their East Bethel facility in April 2013 with 46 employees;

WHEREAS, Aggressive Hydraulics has expanded their employment to 54 employees and have increased their employment every year since 2009;

WHEREAS, Aggressive Hydraulics' creative approach to growth and attention to their employees and customers has resulted in their sales doubling over the past five years;

WHEREAS, Michelle Mueller, Vice President of Minnesota Business Finance Corporation (MBFC) nominated Aggressive Hydraulics, Inc. of East Bethel, MN for a Small Business Excellence Award;

WHEREAS, Criteria for this award is response to adversity, service to their community, growth, longevity and innovation of products and services;

WHEREAS, The U.S. Small Business Administration, Minnesota Small Business Development Centers and the SCORE Association selected and presented Aggressive Hydraulics with the 2015 52nd Annual Small Business Awards on Thursday, May 7th as part of the National Small Business Week;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: Aggressive Hydraulics is hereby commended and congratulated for this achievement and recognized for their outstanding contributions as a corporate citizen of the City of East Bethel;

Adopted this 1st day of July, 2015 by the City Council of the City of East Bethel.

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 6.0 A-G

Agenda Item:

Consent Agenda

Requested Action:

Consider approval of the Consent Agenda

Background Information:

Item A

Approve Bills

Item B

June 17, 2015 City Council Work Meeting Minutes

Meeting minutes from the June 17, 2015 City Council Work Meeting are attached for your review and approval.

Item C

June 17, 2015 City Council Meeting Minutes

Meeting minutes from the June 17, 2015 City Council Meeting are attached for your review and approval.

Item D

Set Date for July HRA Meeting

Staff recommends Council set July 8, 2015 at 5:30 PM at the East Bethel City Hall as the date and location of the third quarter City HRA Meeting.

Item E

Speaker Replacement at East Bethel Ice Arena

Volunteers and parents involved with hockey programs at the East Bethel Ice Arena have offered to install a new audio system at the arena. All of the materials and labor for installing the speakers would be donated. The system would consist of 7 powered speakers similar to those used at professional sporting facilities. Each donated speaker has a value of \$1,500. Other donated materials include the mounting hardware, sound processor, and speaker wire. The total approximate value of the donated materials would be \$12,000.

The speakers require an outlet located near where they will be mounted. A licensed electrician offered to volunteer his time to do the installation if the City will cover the cost of the materials estimated to be around \$1,500.

Staff recommends upgrading the audio system in the East Bethel Arena for a total cost to the City of approximately \$1,500.

Should Council choose to proceed with this improvement, the existing Bose speakers can be declared surplus property and sold to assist in recovering the installation costs of the proposal.

Item F

Consider Adoption of Resolution 2015-35 Restricting Parking on 185th Avenue NE, Laurel Road NE, and Lincoln Drive NE.

As you are aware the City plans to upgrade 185th Avenue NE, Laurel Road NE, and Lincoln Drive NE. The intended use of these improvements does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street Project must be conditioned upon certain parking restrictions. The MnDOT state aid office will require City Council approval of the attached no parking resolution which bans the parking of motor vehicles on 185th Avenue NE, Laurel Road NE, and Lincoln Drive NE.

Item G

Temporary On-Sale Liquor Permit

Consider approving a 1 Day Temporary On-Sale Liquor Permit for the Cedar/East Bethel Lions Club.

The East Bethel Lions Club has applied for a 1 Day Temporary On-Sale Liquor Permit to sell beer at the City of East Bethel Booster Day's to be held at Booster Park West located at 22266 Palisade Street NE in East Bethel on July 18, 2015. We have received a signed application and their Certificate of Liquor Liability Insurance. Staff is recommending approval.

Fiscal Impact:

As noted above.

Recommendation(s):

Staff recommends approval of the Consent Agenda as presented.



Payments for Council Approval July 1, 2015

Bills to be approved for payment	\$303,315.81
Electronic Payroll Payments	\$25,475.99
Payroll - City Staff, June 18, 2015	\$33,234.27
Total to be Approved for Payment	\$362,026.07

City of East Bethel

July 1, 2015

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
	Septic Plan Review	2015-27	City of Wyoming	101		\$253.00
2005A Public Safety Bonds	Bond Interest	25385	Bond Trust Services Corp.	301	30100	\$17,625.00
2005A Public Safety Bonds	Fiscal Agent s Fees	26264	Bond Trust Services Corp.	301	30100	\$450.00
2005B 207th Serv Rd SA Bonds	Bond Interest	801505200	US Bank	303	30300	\$1,140.00
2008A GO SEWER REV BONDS	Bond Interest	802318100	US Bank	308	30800	\$19,542.50
2010 GO WATER REVENUE NOTE	Bond Interest	082015	MN Public Facilities Authority	309	30900	\$282.95
2010 GO WATER REVENUE NOTE	Debt Srv Bond Principal	082015	MN Public Facilities Authority	309	30900	\$3,000.00
2010A GO Water Utility Rev Bnd	Bond Interest	25387	Bond Trust Services Corp.	310	31000	\$109,569.44
2010A GO Water Utility Rev Bnd	Fiscal Agent s Fees	26266	Bond Trust Services Corp.	310	31000	\$450.00
2010B GO Utility Revenue Bond	Bond Interest	25386	Bond Trust Services Corp.	311	31100	\$93,837.50
2010B GO Utility Revenue Bond	Fiscal Agent s Fees	26265	Bond Trust Services Corp.	311	31100	\$450.00
2010C GO Bond	Bond Interest	803001900	US Bank	312	31200	\$20,866.25
Anoka County CDBG	Professional Services Fees	060415	Ronnie Bowman Excavating	233	23300	\$10,865.00
Arena Operations	Gas Utilities	460980253	Xcel Energy	615	49851	\$461.68
Building Inspection	Motor Vehicles Parts	89172	Hayford Ford	101	42410	\$302.59
Building Inspection	Professional Services Fees	242921	STS Staffing	101	42410	\$286.02
Building Inspection	Professional Services Fees	244538	STS Staffing	101	42410	\$326.88
Central Services/Supplies	Bldg/Facility Repair Supplies	62315	Timberwoir Commercial Cabinetry	101	48150	\$994.00
Central Services/Supplies	Office Equipment Rental	7217052-JN15	Pitney Bowes	101	48150	\$151.32
Central Services/Supplies	Office Equipment Rental	280971698	US Bank Equipment Finance	101	48150	\$269.50
Central Services/Supplies	Office Supplies	IN0825425	Innovative Office Solutions	101	48150	\$13.54
Central Services/Supplies	Telephone	13070959	Integra Telecom	101	48150	\$211.17
City Administration	Professional Services Fees	M21393	TimeSaver Off Site Secretarial	101	41320	\$744.13
City Administration	Travel Expenses	062515	Jack Davis	101	41320	\$201.83
Economic Development Authority	Professional Services Fees	109	Susan Irons	232	23200	\$72.00
Economic Development Authority	Professional Services Fees	2	WSB & Associates, Inc.	232	23200	\$2,091.00
Finance	Travel Expenses	062315	Mike Jeziorski	101	41520	\$18.49
Fire Department	Bldg/Facility Repair Supplies	528123	Ham Lake Hardware	101	42210	\$28.49
Fire Department	Bldg/Facility Repair Supplies	88070	Menards Cambridge	101	42210	\$318.72
Fire Department	Conferences/Meetings	1281	F.I.R.E.	101	42210	\$800.00
Fire Department	Gas Utilities	460980253	Xcel Energy	101	42210	\$143.45
Fire Department	Shop Supplies	526956	Ham Lake Hardware	101	42210	\$8.54
Fire Department	Small Tools and Minor Equip	33185130	BlueTarp Financial, Inc.	101	42210	\$210.64
Fire Department	Small Tools and Minor Equip	86982	Menards Cambridge	101	42210	\$65.67
Fire Department	Small Tools and Minor Equip	012215	MN DNR Forestry Center	701	42210	\$2,595.00
Fire Department	Telephone	13070959	Integra Telecom	101	42210	\$132.00
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	061815	Jackie Campbell	101	41940	\$42.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	11568	Betz Mechanical, Inc.	101	41940	\$1,585.77
General Govt Buildings/Plant	Gas Utilities	460980253	Xcel Energy	101	41940	\$69.38
Mayor/City Council	Office Supplies	775349706001	Office Depot	101	41110	\$89.99
Park Maintenance	Bldgs/Facilities Repair/Maint	15418	Blaine Lock & Safe, Inc.	101	43201	\$130.00
Park Maintenance	Chemicals and Chem Products	72247094	John Deere Landscapes	101	43201	\$459.84
Park Maintenance	Clothing & Personal Equipment	1182140674	G&K Services - St. Paul	101	43201	\$19.00
Park Maintenance	Clothing & Personal Equipment	1182152107	G&K Services - St. Paul	101	43201	\$19.00
Park Maintenance	Equipment Parts	447832-IN	Beacon Athletics	101	43201	\$586.00
Park Maintenance	Equipment Parts	P34471	MN Equipment	101	43201	\$15.99
Park Maintenance	Equipment Parts	P47189	MN Equipment	101	43201	\$294.18

City of East Bethel

July 1, 2015

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Park Maintenance	Park/Landscaping Materials	63179	Central Wood Products	101	43201	\$1,525.00
Park Maintenance	Park/Landscaping Materials	72299514	John Deere Landscapes	101	43201	\$106.20
Park Maintenance	Professional Services Fees	109	Susan Irons	101	43201	\$64.00
Park Maintenance	Repairs/Maint Machinery/Equip	150050895	Pomp's Tire Service, Inc.	101	43201	\$412.65
Park Maintenance	Shop Supplies	276321	S & S Industrial Supply	101	43201	\$75.64
Park Maintenance	Telephone	13070959	Integra Telecom	101	43201	\$48.39
Payroll	Insurance Premiums	07 2015	Dearborn National Life Ins Co.	101		\$1,260.18
Payroll	Union Dues	06 2015	MN Public Employees Assn	101		\$429.00
Planning & Zoning	Escrow Reimbursement	062315	Diane Bayard	101		\$300.00
Planning & Zoning	Escrow Reimbursement	062315	Robert and Stacy Nicholls	101		\$1,800.00
Planning and Zoning	Professional Services Fees	109	Susan Irons	101	41910	\$88.00
Recycling Operations	Gas Utilities	460980253	Xcel Energy	226	43235	\$25.00
Recycling Operations	General Operating Supplies	IN0825425	Innovative Office Solutions	226	43235	\$215.41
Recycling Operations	Professional Services Fees	07 2015	Cedar East Bethel Lions	226	43235	\$1,200.00
Street Maintenance	Bldgs/Facilities Repair/Maint	1182140674	G&K Services - St. Paul	101	43220	\$5.33
Street Maintenance	Bldgs/Facilities Repair/Maint	1182152107	G&K Services - St. Paul	101	43220	\$5.33
Street Maintenance	Clothing & Personal Equipment	1182140674	G&K Services - St. Paul	101	43220	\$17.96
Street Maintenance	Clothing & Personal Equipment	1182152107	G&K Services - St. Paul	101	43220	\$17.96
Street Maintenance	Conferences/Meetings	200003905	MN Trucking Assoc	101	43220	\$90.00
Street Maintenance	Equipment Parts	F-251670107	Allstate Peterbilt North	101	43220	\$14.28
Street Maintenance	Equipment Parts	10149939	Aspen Equipment	101	43220	\$866.19
Street Maintenance	Equipment Parts	99016-IN	Diamond Mowers	101	43220	\$103.28
Street Maintenance	Equipment Parts	P47303	MN Equipment	101	43220	\$90.06
Street Maintenance	Equipment Parts	1539-376845	O'Reilly Auto Stores Inc.	101	43220	\$62.66
Street Maintenance	Equipment Parts	S38529	Road Machinery & Supplies	101	43220	\$184.02
Street Maintenance	Gas Utilities	460980253	Xcel Energy	101	43220	\$29.53
Street Maintenance	Lubricants and Additives	810173	Gillund Enterprises	101	43220	\$104.48
Street Maintenance	Lubricants and Additives	645712	Lubricant Technologies, Inc.	101	43220	\$1,227.50
Street Maintenance	Motor Vehicles Parts	C241182741:01	I State Truck Inc.	101	43220	\$338.69
Street Maintenance	Motor Vehicles Parts	1921-271474	O'Reilly Auto Stores Inc.	101	43220	\$3.41
Street Maintenance	Professional Services Fees	109	Susan Irons	101	43220	\$24.00
Street Maintenance	Shop Supplies	1539-379024	O'Reilly Auto Stores Inc.	101	43220	\$11.30
Street Maintenance	Small Tools and Minor Equip	276027	S & S Industrial Supply	101	43220	\$46.78
Street Maintenance	Telephone	13070959	Integra Telecom	101	43220	\$48.39
Water Utility Operations	Gas Utilities	061715	CenterPoint Energy	601	49401	\$21.67
Water Utility Operations	Gas Utilities	061715	CenterPoint Energy	601	49401	\$26.13
Water Utility Operations	Utility Maint Supplies	141549	Ferguson Waterworks #2516	601	49401	\$25.00
Water Utility Operations	Utility Maint Supplies	142949	Ferguson Waterworks #2516	601	49401	\$98.98
Water Utility Operations	Utility Maint Supplies	142964	Ferguson Waterworks #2516	601	49401	\$184.99
Water Utility Operations	Utility Maint Supplies	143646	Ferguson Waterworks #2516	601	49401	\$28.97
						\$303,315.81

City of East Bethel

July 1, 2015

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Electronic Payroll Payments						
Payroll	PERA					\$6,032.52
Payroll	Federal Withholding					\$5,437.48
Payroll	Medicare Withholding					\$1,518.58
Payroll	FICA Tax Withholding					\$6,493.26
Payroll	State Withholding					\$2,166.66
Payroll	MSRS/HCSP					\$3,827.49
						\$25,475.99

EAST BETHEL CITY COUNCIL MEETING

JUNE 17, 2015

The East Bethel City Council met on June 17, 2015, at 6:00 p.m. for the City Council Work 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 Call to Order The June 17, 2015, City Council Work Meeting was called to order by Mayor Voss at 6:00 p.m.

2.0 Adopt Agenda **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? That motion passes. **Motion passes unanimously.**

3.0 MCES Contract Modification Proposal Davis presented the staff report, indicating staff initiated negotiations with MCES in January 2014 to request modifications to the Wastewater Service Agreement, the contract that defines the terms and conditions of our financial obligations to the Metropolitan Council for our portion of the debt owed for the sewer treatment facilities. The City's request was the elimination of the provisions of the Reserve Capacity Loan and its associated SAC goals and interest on unmet goals and equalization of the SAC rates and flow charges to that of the urban rates. The first two meetings were with Pat Born, Metropolitan Council Regional Administrator, and his staff. These meetings outlined a process for the City to present our proposals and request to a Metro-Cities Committee appointed to hear this matter and MCES staff.

After six meetings between November 2014 and June 2015, we have a proposal that merits serious consideration by the City. The proposal, which was offered by MCES staff and presented to Mayor Voss and City staff on June 8, 2015, was a response to a similar counter offer made by the City on April 28, 2015, and achieves the majority of our original objectives. Their offer is summarized as follows:

- The modification would set a \$2 million cap on the Reserve Capacity Loan. Once the debt of the Reserve Capacity Loan reaches the \$2 million cap this would trigger the termination of this loan contract and its payback requirements based on annual SAC goals.

The benefit to the City for this provision: It would remove the doubts of renegotiating the Reserve Capacity Loan debt with no conditions or requirements and eliminates the uncertainty of the position of the MCES in regard to this matter at some point in the future. Settling this matter at this time also removes the risk of both the City and the MCES having representatives attempting to resolve this issue that have little or no knowledge of the background and details involved in this extremely complicated matter.

- At the termination of the Reserve Capacity Loan, the City would begin repayment of the \$2 million cap amount over 10 years at an interest rate of 2.73%.

3.0
MCES
Contract
Modification
Proposal

The benefits to the City for this provision: It eliminates the potential of the City facing a debt that has the potential to be in the range of \$20 million to \$30 million in 2032. The cost of repaying the loan cap of \$2 million over a 10-year term would be \$2.31 million with annual payments of \$231,000. This payment could be covered by other City bond debt reduction that will occur in 2022, or with the use of the Reserve Capacity Loan payment, or other non-levied funds. This payment could be structured in a manner that would have a neutral affect on City tax levies. A 15-year term would also be available at annual payment of \$164,278 for a total cost of \$2.46 million.

The City's risk is minimal that we would owe less than \$2 million in SAC goal charges and interest rates at the conclusion of the loan.

- If this proposal is approved by City Council and the MCES, our SAC rates would increase at the urban rate with an additional increment of \$700 for each unit until the \$2 million Reserve Capacity Loan cap is triggered. At that time, our SAC rate would be frozen until the urban rate equals our SAC rate.

The benefit to the City for this provision: It would eliminate the 4.7% to 4.9 % annual increase in our current SAC cost schedule and base this fee on the lesser increase of the urban SAC rate. Even with the \$700 increment, our SAC rate would even out in 2018 - 2019 and be \$3,065 less than the current projected SAC rate in 2032

- The Reserve Capacity Loan payments equal to the annual flow charges would cease once the \$2 million loan cap is triggered.

The benefit to the City for this provision: Assuming the cap limit occurs in 2021, it could save the City potentially \$3 million on future charges for this obligation.

All of the above savings are based on contract obligations of our current Wastewater Services Agreement with Metropolitan Council.

Based on analysis provided by the City and the current growth projections by the Metropolitan Council, the development forecasts needed to meet the SAC requirements of the Reserve Capacity Loan are unrealistic and this Loan balance will increase exponentially and reach the proposed \$2 million cap around 2024. The cap could potentially be reached by 2021 if SAC units continue to progress at their present pace. Savings to the City could potentially reach \$30 million by 2032 if the City accepts the proposed modifications to the Wastewater Services Agreement. This number does not account for the SAC cost increases which would place East Bethel at a competitive disadvantage in relation to other cities or any costs by the City needed to subsidize this increase.

The Metropolitan Council Environmental Services Division is requesting a response from City Council as to this proposal. If the City is agreeable to this proposal, this matter could be scheduled for presentation at the July 28, 2015 Metropolitan Council meeting.

Staff is requesting direction from Council as to a response to the Metropolitan Environmental Services regarding the endorsement of this proposal as a modification to our current Wastewater Service Agreement.

Davis stated in my opinion, this is a really, really good deal.

3.0
MCES
Contract
Modification
Proposal

Koller stated I have one question here. At the very beginning it says, contract and its payback requirement is based on annual SAC goals. Who sets the goals? Davis responded the Met Council sets the goals. If you'll turn to your Attachment. Koller asked can they make the goals unachievable like they are now? Davis stated if you'll turn to the Attachment that says, Rural Growth Center East Bethel, you'll see what the SAC goals are per year through 2032. These increase at an annual rate of 10.9% so the goal for 2015 is 59 units. The goal for 2032, the last year of the Contract, is 841 units. So, these goals are already set in the Contract and they're in this table.

Harrington stated my question on this \$2 million Loan, not this year or next year, but could we pay that off and be done with this completely? Davis answered that would have to be a provision we'd have to work out with them. I think we'd have to wait until this \$2 million cap is triggered first. At that time, we could pay the loan off. I don't think we could do anything to prepay the existing loan if there's a cap trigger on it.

Davis stated just in our loan payments that we have to make on this based on our flow charges, we'll be paying, based on these growth rates, \$3.4 million just as a Loan payment regardless of what's left over if we don't meet these SAC goals. So, from that basis alone, just paying off the cap amount is saving at least \$1 million there. In the worst-case scenario, if we have limited or almost no development, you can see at the end of this term we would owe \$32 million. Again, we expect more development to happen than that. But, we could be faced with the situation where, at the end of the term of the Loan, we haven't met our SAC goals and it comes up to \$20 million, \$25 million, \$30 million. What's going to happen then? Currently, there's no terms or no conditions for the renegotiations. In 2032, I don't think too many of us will still be here, except maybe Brian. And, we're going to be dealing with a situation in which... Voss stated wait, that's 15 years from now. Davis stated I'm sorry, 17. Voss stated some of us may still be here.

Davis stated with two of us here, then, we'll be dealing with a whole different cast of players, probably, from both sides. Also, we don't know what the position of the Met Council will be at that time. In all probability, what will happen is this thing has the potential to be 'kicked down the road' again. So, we do eliminate the uncertainty of that situation. It could be forgiven at that time but no one has a 'crystal ball.'

Ronning stated for the most part, the changes look like positive direction but there's no reference. For instance 1.02, Sewer Availability Charge, c., 'Nothing in this article shall be deemed to limit the Council's right to add to, amend, or change this method of allocation and/or collecting costs under Minnesota Statutes...' I didn't notice anything that would supersede those references.

Davis asked which section of the Agreement was that Tom? Ronning replied 1.02.c. The reason I bring that up is the intentions, probably right now, are honorable and great but the next guy comes along and reads this stuff and says, 'Well, we've got a chance to dip into these pockets.' Davis stated one thing that happens with this is, essentially, this goes away and we fall under the same rules that every other system, with the exception of one in their system of 106 other users, is under for the SAC rates.

Davis explained that once this \$2 million cap is triggered, again, if you'll look at the Reserve Capacity Loan Chart, in this far left-hand column, it shows what the year-end balance of the debt would be. We did this one just to show what would happen if we have

almost limited development through 2021. We would hit this cap at that time, which if we accept these provisions and the Met Council accepts these, then this Reserve Capacity Loan is eliminated. So, we don't have any SAC goals after that. Met Council will get their money as we actually collect the SAC charges. It may be over a period of time but there's no SAC goals to meet or interest to pay on those unmet goals.

Ronning stated in other words, it isn't written in here yet but that would be deleted or replaced by something. Davis stated under Subsection d., of 1.02, Paragraph 2, would have to be substantially revised. Ronning asked 1.02b.? Davis stated under d, which would be the next page. Paragraph 3 would have to be eliminated. Ronning stated I think that was part of the language that Paragraph 3 would be eliminated. Davis stated yeah, and also I had a talk with them yesterday and today about Paragraph 2. That one would no longer be applicable either to this situation. Of the five conditions, there's only two that maybe they still want to keep that in there, that it meets their Comp Plan. Also, under 1.03, there's another section of that, that would be eliminated. All this language would have to go back and be updated to accommodate what the current numbers are. There's also an amendment to this Contract, Amendment 1, that actually changed our SAC rates, which was enacted in 2013. We did this to get a little relief up front but in doing so, we increased the SAC rate increase from 3% a year to essentially 5% a year.

Ronning asked that's the urban charge, isn't it? The one year jumps to like \$3,165, I think, next year? Davis stated if we go with this, we'll be paying the urban rate plus a \$700 increment for each SAC unit until that \$2 million loan cap is triggered. Once that's triggered, then we have no more SAC increases until the urban rate catches up with the East Bethel rate.

Ronning stated this is an example, it isn't an article, section or anything. Davis stated there's a chart that shows the comparisons. That chart that Tim showed you shows what our current rate is. It was \$2,720 last year. It increased to \$2,850 this year. It goes up 4.7% to 4.9% a year. In 2018 to 2019, based on that rate, that catches up with what we do even if they add the \$700 increment. From there on out, we're going to be paying less even until that \$2 million cap is triggered as far as SAC rates go.

Ronning stated and it looks good but it's not enforceable. Summary of current agreement and proposed contract modification, now I don't mean to pick things apart, I'm just. Davis stated no, all that is, is just to show a comparison of what we have now to what's proposed.

Ronning stated they're going to be aware, or are aware, of, there's little 'hooks' in here where they can go back. Somebody new comes along, they can go back and do whatever they want. The one, for instance, that I mentioned. There's two or three like that. 'Nothing in this article shall be deemed to limit Council's right to add to, amend, or change its method of allocating and/or collecting costs.' I know there's at least another one, maybe, I forgot my notes at home.

Davis stated someone correct me if I'm wrong in that interpretation, but I think that's kind of 'boiler plate' language that's applicable to everyone within the system. We are within the system. Even if we weren't under this Reserve Capacity Loan, we would probably still be under those same obligations. Ronning stated that's not the reserve, that's the Sewer Availability Charge, the SAC.

Voss stated the way I read it is it just says they have the right to amend and change the SAC rates. Davis stated correct, whether we're under the urban program or the Reserve Capacity Loan, whatever. Voss stated they're not going to give up that right, obviously.

Davis stated as long as we're in the Met Council system, which we are, we'll be subject to that type of contractual language, in my opinion. Pick different plants or areas that have different rates, correct? If we get to the point, we're under the urban rate.

Ronning stated we would have arbitrarily been picked under different rates the way we were set up. Voss asked right now? Ronning stated yeah. Voss stated that's what the City initially agreed to. Ronning stated if they did it once, they can do it again.

Davis stated but from where we sit, I think this is the end of the negotiations on this. They've come again full circle. This offer was made in the presence of their highest staff level person, Lisa Thompson. This is most of what we originally set out to do. Our original goal was to get this Reserve Capacity Loan eliminated as a requirement of the City. If we approve this, it doesn't get eliminated tomorrow but it will be gone in six to nine years. And, it will be gone at a cost that we can afford. As I had stated earlier, in 2022 the Castle Towers Sewer Plant comes off the books. We're currently paying about \$150,000 - \$160,000 a year on that. Those funds could be used to turn around and pay this off. Also, this year too, as far as our Loan payment goes based on our flow charges, we'll be getting a bill from Met Council in January for \$28,000. This is going to go up as our use increases. Once we hit this trigger, this \$2 million trigger on this Reserve Capacity Loan, the additional flow charges go away. Over the life of this, it could be in the neighborhood of \$3.5 million.

Ronning stated the direction of what's identified looks great. Just the couple little 'hooks' left in there. It was clarified that changed as specified later on in this Agreement or something that would give a lot more comfort to it, for me. Davis stated we can certainly bring that to their attention and get that interpretation done and see if it's something that's unique to this Agreement or if it's standard to the Agreements, they have with all their users.

Voss stated I would agree with Jack, at the meeting is, their about as far out on negotiations as they can, as they dare go, I guess. Meeting them all face-to-face was good just for understanding where they're coming from. Although the meeting started a little bit odd in that we talked about demonstration costs right away and the first they said was, 'Well, actually it's higher than what we told you it was.' To make them look a little better, that they're waiving it. So, we had a discussion about that for a while. But, I think, particularly Jason's worked pretty tough and I think it's at the point where the staff can support it but then it goes to the Committees. If you don't have staff support, going to the Committees, it's not going to get anywhere. They've asked us to be at that meeting too the end of July to help emphasize what our wants and what staff's willing to support.

Ronning stated it won't, probably, affect any of us except Brian, you know, as far as any criticism or something. But, I hope it doesn't sound boisterous or something. I sat through five sets of national negotiations with Ford Motor Company and I had lead responsibility in the last two. And, if it don't say it, or isn't clarified, it isn't there. So, you can't go back, really, later and say, 'Well, I didn't see this before.' 'Well, that's your responsibility to catch these things.'

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Davis stated I certainly understand that if that's something that's unique to us, then perhaps it's something that needs to be addressed. What I can do is find out if it's unique to us or if it's just standard to everybody in the system. If it's standard to everybody in the system, then we're part of the system and they're not going to change that just for us. Voss stated that's just a call to Jason right? Davis replied right.

Ronning stated the guy might be great. If it turns into a Brian Prichard, what's his name, Brian? Davis replied Bryce. Ronning stated Bryce Prichard, hang on. If somebody's told that isn't there, I don't care what you said you'd do. Where am I wrong Mr.?

Vierling stated well, you're right in the sense that the contract, that the 'Devil's always in the details.' Ronning replied yes. Vierling stated I don't think you have the final contract that they're proposing in front of you. Ronning stated hopefully not. Vierling stated I expect that they'll be coming up with that, I'd hope they'll come up with that long before the July meeting so that City, staff, and everybody would have a chance to take a look at it. But, conceptually, under the memorandum that you have there, if they can follow through and do a clean draft of the Agreement that makes the revisions that you want, I think that's where you want to go. Ronning stated that's what I was saying. I think that the direction looks great.

Davis stated essentially, that's what they're requesting now is direction of the City. Are the general terms that they're proposing, are they acceptable so they can go ahead and start the process of getting this before their Committees and the Met Council to get this approved and ratified.

Voss asked are they going to draft a new agreement? Davis answered they are and it just so happens that I have a resolution in case we want to act on this at the regular meeting. One of the phrases in the resolution is that Paragraph 2 will be revised. And, I had the conversation with them yesterday and today about the need for revisions in that. They said they would work on that.

Ronning stated we've got to remember that there's no re-opener identified in there. What you do now is permanent. It's not like three years from now you can talk to them. You can talk to them as much as you want, sure, but they don't have to listen.

Voss stated so I guess I'm not clear. Assuming that we give the indication to Met Council that we're fine with this, they're going to draft a new Agreement soon? Davis replied yes. Voss stated okay.

Ronning stated I don't know if you want to 'toss your hand.' Voss asked what's that? Ronning stated I don't know if you want to 'toss your hand in' until you see what there is. If we say that we're good with this and then they give us their next proposal or language or something.

Vierling stated I think you can certainly indicate that you give it concept approval. Ronning stated absolutely. Voss stated yeah. There's nothing to approve Davis stated and that's all they're asking for. They're asking for direction because they're not going to go ahead if we don't tell them, 'Look, yes we're interested in pursuing this.' If we don't give them some kind of direction on where we stand, then they're not going to bring it further until they get some kind of direction from us as to what our position is.

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Ronning asked what does that for your purposes. We aren't doing any motions or anything, but what kind of concurrence? Mundle asked are you just looking for direction? Davis stated we're looking for direction but really, probably, what we should do is discuss that here and probably it should come in a form of a vote. We could actually add it to the agenda and vote to direct staff to communicate with Met Council that we're interested in pursuing this proposal as generally outlined and that there may be some further discussions needed for contract modification and clarification.

Voss asked do we even need to vote on it if we're just giving staff direction? Vierling stated I think it sends a better message to the Met that you concur with the concept and you want to pursue it. You just, however, want to see the final contract and all the terms. Ronning stated it doesn't go backwards. Voss stated they're not going to have minutes to state to that effect so it's still staff. Ronning stated I bet he goes back without 'empty hands.' Vierling stated I think what Met staff wants to hear is that the City is interested in proceeding. Voss stated okay. Ronning stated I lied, it wasn't the last two it was the last three. Voss asked any other discussion?

Ronning asked do you want to try and throw something together? We going to try to tack that on this evening? Davis stated yeah, we can add that to the agenda and I'll just basically review what we discussed in Work Session and request that you approve direction to staff to communicate with Met Council that we're in conceptual agreement with their offer and we'd like to proceed but we reserve seeing the final contract before we do any formal approval. Voss stated why don't you just bring it up during the Administrator section. Then we don't have to amend the agenda.

Davis asked does anybody have any question about this? Because I've been on this now for a year and a half and been working with this whole project for four years and if we can come to terms with this, this is going to be a real asset in terms of us not being obligated for a large potential debt in the future.

Ronning stated I don't mean to sound like the voice of criticism, just the voice of caution. Davis stated no, and I appreciate those comments and those things should be looked at to make sure we're not overlooking anything. But, just generally, from the broad perspective of this, this is a very, very good deal for the City. Ronning agreed and stated yeah.

Ronning asked have you kind of considered what the potential total savings are? Davis stated a lot of it's based on speculation. If you go worst case scenario it could be \$30 million. If there's 30% growth, it could be \$10 million. But, either way, it's going to be enough to really, really be significant. And, the thing about these SAC goals is, you know, they grow at 10.9% so it's an exponential type of growth rate. So, the goal for this year is 59 units but then how long does it take 59 to double at 10.9% and then how long does it take that to double.

Ronning asked what is it, \$2,280? Instead of \$5,554? Davis stated yes, that goal was reduced too. That would only be in effect if even at this \$2 million cap rate wasn't hit for say 15 years, which would be great also. If we don't ever hit this \$2 million cap, we're succeeding. Voss stated that's a good thing. Davis stated on the other side, which is a good thing. So, whichever way we go with this, it's almost like a win-win situation for us.

Voss stated okay, any other discussion? All right, so Jack will bring it up in Council

Reports. Any other matters to discuss in Work Meeting?

Brown-
Wilbert

Ronning stated I was at a funeral thing in Fargo this week and this, what's it called, something Brown-Wilbert? I saw their operation up there. It's a pretty good place. They must be all over. Davis stated they said they had 17 locations. Ronning stated that was a good sized one up there.

**4.0
Adjourn**

Harrington 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? Hearing none motion passes. **Motion passes unanimously.**

Meeting adjourned at 6:37 p.m.

Submitted by:
Carla Wirth
TimeSaver Off Site Secretarial, Inc.

DRAFT

EAST BETHEL CITY COUNCIL MEETING

JUNE 17, 2015

The East Bethel City Council met on June 17, 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
Mark DuCharme, Fire Chief

1.0 The June 17, 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'd like to make a motion to adopt tonight's agenda. Under the Consent Agenda, I'd like to add Item G, Supplemental Payment Summary. Mundle stated under Presentations, I'd like to add Doug Welter's presentation. Koller stated I'd like to pull Item F on the Consent Agenda. Voss stated we're also going to pull Item E off the Consent Agenda. 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.**

4.0 Doug Welter stated I'll send one of these around each side. This is just a quick informational update from the Chamber. They wanted to share with you what they've been doing as far as trying to market the Chamber and market East Bethel. What you're seeing there is a new marketing piece that they're putting out starting just this week. It's kind of a mixture of a marketing piece and networking tool. You can see on the one there's cards inside of it so you can collect business cards. The intent of this is to help members at meetings, get together, mingle, learn, meet new people, and collect information on the other members and encourage new membership. Voss stated Doug, before we get too far, can you introduce yourself and who you're representing?

Presentation Chamber of Commerce Update

Doug Welter stated I'm representing the East Bethel Chamber of Commerce. So, this is actually going to be part of a larger welcome packet that will include a welcome letter from the City, a welcome letter from the Chamber, it will have a membership application form in it. The intent is to have something that new members or potential members can take away to give them more information about the Chamber and about East Bethel. Any questions I can answer?

Koller asked how many members. Welter answered about 55 right now. I think that was the last count I heard was 55 members. Voss stated and the goal, I think, was 70 by the end of the year. Welter stated I think we're shooting for 65 or 70 before the end of the year, yes. And, the only caveat I'll make before I stop is I do need to get the one back that has my business cards in it because that's my collection.

Welter stated the other thing I should mention is in the slot out there, next to the secretary's office, where the Chamber has information, those and the application forms are actually in there and available.

Voss stated the Chamber's website, what's the address? Welter stated I don't know. Voss stated there's a link on the City's website, how's that. Webster stated there is a link on the City's website and I'm sorry I don't have that one committed to memory. Voss stated it's on Facebook as well, the Chamber is. Any questions from Council for Doug while he's here? Anyone from the audience? All right, thanks Doug.

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Anoka County Sheriff Stuart stated good evening Mayor, Council Members, residents. For the record, my name is James Stuart and it's my privilege to serve as the Sheriff of Anoka County. It's nice to be back up here and see some familiar faces and be able to be seen. I appreciate that.

Sheriff Stuart stated recently, I hope you've all had opportunities to see the 2014 Annual Report released by the Sheriff's Office. We try to make sure we're doing that on an annual basis to improve our transparency and make sure everyone understands the multitude of the services we provide to all 21 communities of Anoka County and to hopefully provide you a real clear oversight on who we are and what we're about as an organization.

Sheriff Stuart stated some quick updates. Within our regional forensics laboratory, we have, about a year ago now, attained the International Accreditation through ASCLD/LAB and our DNA labs, our latent print labs, and our drug chemistry labs are up and running with many success stories that are coming out of those labs as a result and are benefiting our citizens. So, if you ever want to see those, please let me know and we'd be happy to arrange a closer tour of that or any of our operations.

Sheriff Stuart stated last time I was up here I mentioned some of our anti-heroin initiatives including the forums and some of our public informational things we're doing. Since that time, we've added another prescription drug take-back box so we are now up to seven located around the County including the Blaine Police Department, Columbia Heights, Centennial Lakes, Fridley, Ramsey, and St. Francis PD as well as the Sheriff's Office. To date, we are now up to over 7,000 pounds of prescription medications that have been taken off the streets. The reason that becomes very relevant in our world is because it is a distinct and direct correlation to heroin use and abuse. As we all know, the heroin usage is something that's, I cringe to use the word 'epidemic' but it's certainly a major concern for us. Especially because of the purity levels in Anoka County and the number of people who die from using it and certainly overdose.

Sheriff Stuart stated another quick update. You may have seen the article on our mobile digital forensics lab. We have a retired and recycled ambulance that we obtained from Allina that we refurbished and ultimately what its goal is, is to be able to respond to large-scale incidents and events and/or missing person scenarios. We all know in this day and age, everyone has their cell phone on them and we use technology to a degree that we've never used it before. This laboratory will give us the opportunity to quickly respond to a scene, gather whether it's videos or digital footprints, and then ultimately be able to get the electronic devices. In the case of a shooting or something, a lot of people are willing to give us their phone or the video or whatever evidence that might be on there but when we say you'll have it back in two weeks, they go, 'Oh, wait a minute.' Not so excited about that any more. But, if we can say, 'Come on in. You can watch what we're doing and in 20

minutes you'll have your phone back.' Most people would be willing to do that. That's what is a big part of this as well as the example of the two Andover girls that were taken from their home and later found in a southern suburb. The male involved in that, the reason we found those girls, was because of the digital footprint they left behind on their electronic devices. So, that's just some examples of how we are going to use this type of technology.

Sheriff Stuart stated as always, it's a pleasure for us to be a partner with you. I appreciate the opportunity to be able to give you some updates and I know the 'meat and potatoes' of why I'm standing before you tonight is our Law Enforcement Contract. Some of you are very familiar with the process. Some of you are familiar with the process. And, for the benefit of our citizens that are present, if you'd bear with me, I'd like to go over some of the benefits of the Contract services with the Sheriff's Office.

Sheriff Stuart stated the biggest advantage, I shouldn't even say that. It depends on your interpretation. There's a lot of benefits to the Contract with the Sheriff's Office but one of them is our 40-plus years of providing law enforcement services through our Contracts. We have a large pool of professional staff in a wide variety of areas. Again, that's another advantage to us pushing out our Annual Reports because although some people understand we have six Divisions and within each Division there's multiple specialty units, when you really start delving into the complexities of each of those areas, I think most people are quite surprised at the breadth of the Sheriff's Office and the services that we provide. I'm very proud of our staff in every unit and in every Division because of their commitment to excellence. In just about every arena, our staff is receiving recognition and/or awards. So, I'm very privileged to be able to stand before you on their behalf and say, 'We're happy to continue providing those services.' Within the City of East Bethel, we've been here since 1974. We definitely appreciate that partnership and we look forward to it continuing.

Sheriff Stuart stated another benefit, especially as it relates to the City, is there's no unexpected costs. We provide you with a budgetary amount and we adhere to it. There are no hidden surprises. Though insurance increases or gas increases or if something happens, we 'eat' the brunt of it. We try to make sure that our Contracts are very straightforward and represent actual costs. We provided dedicated City patrol as well as any additional Countywide resources that you need, 24/7/365. We will be here. If you need one extra car or if you need a SWAT Team, a K9 Team, a Dive Team, and 40 extra Deputies, you're going to get what you need in order to handle the situation that's unfolding in the City of East Bethel. I (*knocked on wood*) hope we never need that combination in the City of East Bethel, by the way.

Sheriff Stuart stated also within the Contract is the ability to much more rapidly summon some of our specialty units such as the Dive Team, K9 Team, SWAT Team, as well as our Crime Scene Unit and things like that. The investigative services are provided through the Sheriff's Office, through the Patrol Division and their investigations as well as our Criminal Investigative Division. Also, it includes support, which is our Records and Administrative Support. Our Crime Prevention Unit, Victims Services Unit, our Reserves, Explorers, Chaplin Corp, any of those areas as well as our Background Investigators. I know we are used by the City of East Bethel for the fire fighters, as an example. We're happy to help our contract cities wherever we can.

Sheriff Stuart stated we bring to the table an economy of scale and that is really demonstrated through the seamless replacement of whether it's staff, squads, equipment, whatever might break down whether it's a Deputy's knee slipping on the ice or a deer that

runs in front of a squad and takes it out of service. There will be consistent levels of service provided to the Contract without any 'hiccups.' You will never notice those impacts. Part of the reason we're able to successfully do that is because of our infrastructure being supported by 21 communities of Anoka County and the Patrol Division. We're the exclusive law enforcement provider or police department for 8 of the 21 communities of Anoka County. So, with that economy of scale, we're able to make sure that we're able to ebb and flow and provide the services to the absolute best of our ability.

Sheriff Stuart stated in my opinion, a Contract with the Sheriff's Office clearly demonstrates the City leader's knowledge of what effective collaboration and cooperative models look like and adherence to trying to get the best 'bang for your buck' so to speak. In a time when many small PDs are closing their doors across the nation in pursuit of contracting and collaborative models, you are living out the model of what they're trying to pursue. So, again, we appreciate that.

Sheriff Stuart stated I'm not going to go into all the details of the information sharing efficiencies, but I could go on for quite a while just on the crime analysis and the sharing of information. Not just from squad door to squad door but within all the Divisions of the Sheriff's Office. Hopefully, our new Public Safety Data System will also yield some improved collaboration of shared resources, shared information, and crime analysis as we continue to try and look at new ways to attack crime and make sure our citizens are staying as safe as possible.

Sheriff Stuart stated the cost analysis benefit, I touched on it briefly last year but as we had a list of comparable communities, just a reminder, our contract cities pay on average one-half to one-third what comparable cities would pay for a police department or providing their own police services.

Sheriff Stuart stated also, the Anoka County Sheriff's Office retains all liability for any issues related to the services and the law enforcement actions we take. Unfortunately, lawsuits are a very real part of our job on a regular basis, even when we're doing everything right. I like to say, I keep talking about how proud I am of our team and that's because typically they do a lot more things right than they do wrong. I'm very fortunate to field the compliments on a daily basis.

Sheriff Stuart stated we also include with the Contract all HR, Human Resources, union, purchasing, medical, injuries, leaves, training mandates, hiring, firing, disciplines, any payroll, licensing, those kinds of things as well. The multi-level supervision, you're all familiar with Commander Orlando who is your City's liaison. She represents one layer of the multi layers of supervision that are included with the Contract, including multiple patrol Sergeants, the Lieutenant, the Patrol Commander, and well as Commander Orlando, and then of course Chief Deputy Wells and myself are always available for whatever you might need.

Sheriff Stuart stated we talk about local control. I think often times when people talk about the benefit of a police department, they often focus on local control. And, that's really the only thing that I would ever give merit to as a possible advantage over a Contract because of the other reasons I've already cited. The local control, although I still think is a misnomer, in that I stand before you and I know Commander Orlando does as well, your needs are our needs and that's what this partnership is about. So, when we put your placard on the side of the squads, it's because we are here to protect and serve you and your

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citizens. That is because your citizens are our citizens. Commander Orlando, being a resident of East Bethel, me having worked here for many years in the Contract, we definitely have an appreciation for what the City of East Bethel looks like, needs, and desires. We want to continue to improve that.

Sheriff Stuart stated I'm going to go into some of the Contract details. And again, just give me 'the look' if you want me to speed up a little bit. A lot of it is probably, primarily for viewers or the citizens that are present. Our Contracts are based on the previous full year's calls for service numbers. So, as we calculate the 2016 Contract, our last full year to evaluate today would be 2014. So, we're actually looking at the 2014 numbers and then based on our calls for service, or the incidents that we respond to within the community. The Sheriff's Office historically has recommended, previously required, but still recommends a 50% proactive time. Meaning, the Deputies have 50% of their time that they respond to calls, write reports, transport to jail, those kinds of things, conduct actual investigative processes. Then the proactive time, the remaining balance would then be used for your neighborhood patrol, checking businesses, pulling on doors, warrant enforcement, or speed enforcement. Whatever the calls are being generated by the City and/or community saying, 'Boy, we really wish you'd focus more on...whatever it is...that time is then used for.

Sheriff Stuart stated we try to hold all of our contract cities to that minimum proactive time as part of the fairness standard. We want to make sure that everybody's 'at the table' so to speak and no one community shares more than their burden in providing these services.

Sheriff Stuart stated as we've evaluated our services in the past, we have, and you'll hear tonight a couple of things that we've evaluated as well and been able to identify, if there's areas for reductions or cost savings, we will want to continue to be proactive in identifying them too. We stand before you as, I see it as although we are in office, under an elected official, I see us as one of your departments. I want to make sure you are being provided the most efficient and effective services. Again, the best 'bang for the buck' but I think you understand what I mean when I'm talking about our best efficiencies. We want to make sure the citizens are getting the best use of their dollars.

Sheriff Stuart stated so our Contract costs have fluctuated for 2016. Within the City of East Bethel, we're presenting a Contract tonight that represents an increase of .98%. So, less than 1%. As I look historically at some of the numbers we've been encountering, I was actually pleased that we were able to present that number, especially when you consider we have budgeted for a staffing contract increase of 2%. We're looking at some PERA and other insurance increases that, of course, are beyond our control. The Public Safety Data System, I'm sure the Fire Chief has been keeping you apprised of some of those things as they are unfolding. But, those prices currently are coming in a little bit lower than we had anticipated. So, that helped although I'm hearing today that might be a largely moving target that we will continue to try to be proactive in managing.

Sheriff Stuart stated the Ford Interceptors, the new fleet that we've transitioned into and the equipment related to them, those costs have increased. I think you'll really see why we were able to hold it to less than 1% is because as we evaluated the new fleet, the single largest hit for us and it might sound silly, but for an organization like ours, gas is a huge factor over the course of a year. The good news is the new Ford Interceptors are much more fuel efficient and so as we studied them over the past year, we recognized that not only are they more fuel efficient but they are also more durable. They are holding up better

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so we're not going through nearly as many transmissions, brakes, brake pads, all of those other things that we normally with the old Crown Victorias were burning up at a much higher rate. So, we were able to lower the expenses in each of those categories as well.

Sheriff Stuart stated as we look at the actual Contract for the City of East Bethel, we are recommending that we maintain at previous coverage, which is 36 hours coverage per day, that's represented by three overlapping 12-hour shifts, as well as the 24 hours per week CSO coverage. The personnel costs related to that come down to \$832,225. The vehicle and related equipment costs come out at \$147,000.28 and that is providing for one CSO vehicle prorated, and 1.5 squads. Because of the mileage put on them on the 24-hour car, we do replace 24-hour cars annually. Then your other car which is the 12-hour overlapping shift would then be replaced every other year.

Sheriff Stuart stated the administrative cost, tying into the support for the Contract as well as the Public Safety Data System, or our Records Management System and Computer Aided Dispatching (CAD) comes out to \$92,347.45. For a total cost to the City of \$1,071,600. That's before Police State Aid. East Bethel is entitled to \$45,600 in Police State Aid. Actually, that's typically reissued to the Sheriff's Office. Because I said we want to make sure you're costs are actual, we have always had a standing practice of giving that money back to the City in the form of a reduction in the Contract. So, the Police State Aid is represented by the percentage of coverage that you have. In this case, 36 hours of law enforcement coverage to the State is represented through the reimbursement of \$45,600. We take that off. Your 2016 Contract proposal comes in at \$1,026,000.

Sheriff Stuart stated again, any increases that we're looking at were beyond our control and at the end of the day, we're excited to be able to be your partner. The Anoka County Sheriff's Office, our mission statement is to protect and serve the community in a manner that preserves the public trust. When I was elected, I had a lot of people asking, 'Are you going to change the mission statement?' I thought about it long and hard because I didn't want it to be too cliché, to be honest with you. But, I think to protect and serve is the core of who we are.

Sheriff Stuart stated what we've done is refocus our attention not just on protecting. I expect that our Deputies, if needed, will put themselves in harm's way to protect you and your families every day. The service side, I think, sometimes has been lost in our law enforcement community across our nation. I'm proud to say I think that's what sets us apart and why we have such great relationships with our communities. It's because our staff and certainly their Sheriff embraces the role of being an ambassador in the community. We do a wide variety of different outreach efforts to prove that point. That's because it's near and dear to who we are. I think it's important to be able to stand here before you and to tell you that we're not just here because we provide protective services but we're here because we want to be a good partner for you at the table in every aspect. I think our staff delivers on that.

Sheriff Stuart stated gain, I'm privileged to stand before and I hope we can continue a long-standing relationship. If I can be of any help along the way, that's why I'm here. I'll turn it over to you Mr. Mayor if you have any questions.

Voss stated I think with what you just said about the Deputies being more of the community than perhaps people think is, I think, it's very true. I think one of the thoughts when folks talk about having a local police department is having officers that know the community to

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help, not just combat the crime, but be part of the community. And, over the years the one thing I've become very impressed with is the fact that the Deputies that are on the Contract not only know our community really well but they communicate with Deputies in Oak Grove and Ham Lake because crime has no borders. So, it's assuring to hear that the Deputies want to stay with these Contracts and stay in our communities. If you ever sit down and talk with the Deputies that sit in one of our establishments, as they often are, they'll converse with the public. They're part of the community, which is really good. Any questions to the Contract or the services that the Sheriffs provide?

Mundle stated so the increase you had was pretty much in gas costs? That's what you're pretty much factoring it for? Sheriff Stuart stated no. Mr. Mayor and Council Member Mundle, the gas and the repair and maintenance costs actually went down. We've reduced that. The increases, when you kind of throw it all into the 'blender' we come out to just under 1% of an increase. The increases would actually have been within 2% staff increases, slight increases with PERA, and insurance. Things like that. The other areas that we were able to control and actually decrease balanced it out so it comes out to about a .98% increase for the City. Mundle stated okay, it sounded like the increase was because of the gas. Sheriff Stuart stated I apologize, the vehicles themselves have increased as well as the equipment going into them but the gas and the maintenance for the vehicles actually went down. Mundle stated good.

Voss asked any other questions? Anyone in the audience have a question for our Sheriff?

Allan Bender, 1142 243rd Avenue NE, stated I actually have one and I don't know how it relates you just said but when you were speaking you said heroin was epidemic. How does that compare to meth? You know that's higher around the area. Sheriff Stuart stated the questions was how does the heroin relate to the meth? Bender stated yeah, because you said heroin's epidemic. Sheriff Stuart stated I try to avoid that word. Bender stated I know meth is really prevalent. I'm just wondering how do they compare.

Sheriff Stuart stated Mr. Mayor, Council, and Allan, we certainly saw large scales of meth issues in past years. I think in large part because of the legislative changes that were made with what's available behind the counter, meth declined drastically. I think part of that backfired, people started turning towards prescription medications. Prescription medications then quickly lead to heroin use. I don't recall the dollar amounts off the 'top of my head' but it's typically because you can get heroin for about a tenth the cost of what the prescription meds cost. It's so easy to get addicted to these things very quickly. That's why whenever I talk about the 7,000 pounds that were taken off the street, to me those are kid's lives that are saved.

Sheriff Stuart stated the kids now days, and I've talked to literally dozens of them now, who, 'Why would you ever do that? Why would you ever put something like that in your body?' They'll tell you that if you're distracted? You can't sleep? Take a pill. You can't wake up? Take a pill. You're distracted by a butterfly? Take a pill. That's the culture we've created for our kids. To potentially put myself in harm's way I'll say I used to attend these things called 'Whapatoopies' where everyone brought a bottle, a few years back. Now they do that with pills and they literally throw them into a bowl and you grab a handful and see where you end up at the end of the night. To me, that's terrifying and I can't imagine why somebody would do that. So, fast forward, that's part of the heroin issue so we've tried to aggressively go after that.

Sheriff Stuart stated meth declined pretty dramatically after the Statutory changes. Now what we're seeing is a radical resurgence of meth and it's, I can't get high enough on my soapbox to say we need to secure our borders if we want to make a difference because our heroin and our meth are coming across the border. Until we get a handle on that, it's going to keep being something that's pulling our kids in. Heroin's still, I think, the stronger representative right now but meth is definitely on a resurgence and that's because it's all being pipelined from Mexico through Chicago and over to the Twin Cities. The heroin is the same way.

Sheriff Stuart stated the problem we're seeing with our heroin is the purity levels. We have heroin in northern Hennepin and throughout Anoka County that can be 90% pure. So even somebody who's a habitual heroin addict or heroin user, they might try this new stuff and they're used to taking a size of this particular pebble and they catch their high off that. Well now, they take that same pebble and it kills them because they went from 30% pure to 90% pure and they had no clue because there's not a lot of pharmacological help on how much of these narcotics you should use. I don't know how well I answered it but the meth is in a resurgence and both are, unfortunately, destroying a lot of lives.

Mundle asked why would they be producing purer stuff? Wouldn't it seem more cost effective to produce cheaper stuff that you have more product to move? Sheriff Stuart stated I'm not sure I'm tracking the question, sir. Mundle stated you referred to a person who used to take a 30% pure hit that, of the same size now it's 90% pure. Why the difference. Sheriff Stuart stated the difference is just who they are buying it from. The heroin dealers. Basically the Twin Cities, as you look at a national model, we're an untapped market and it's a wealthy area. The reason they usually use higher purity levels, is to get people hooked. Mundle stated okay.

Sheriff Stuart stated and so they just want to get their 'hooks' in it and destroy lives and ultimately they want to get the dollar, right out of the *Good Book*, 'The love of money is the root of all evil.' They do it for the love of money. They don't care about your kids. They don't care about you. They don't care about your community. They don't care about anything except putting money in their own pockets. When it comes down to that, that's what they are doing and they are selling the heroin. The problem we're having is as soon as we identify a key dealer, we grab them and these are direct pipelines to the Mexican cartel by the way, and as soon as we pick somebody off, they're replaced within 24-36 hours by another kingpin. So, we have an uphill battle. That's why I say if we really want to get serious, in my opinion, we need to secure the borders because until we do that, these pipelines of narcotics are going to continue to be infiltrating our community.

Sheriff Stuart stated to take a quick digression, I apologize, but my first National Sheriff's Conference I believe was in 2008. At that time, I ran into Sheriffs from the Texas area and they said, 'We're asking you guys. We know you're up by Canada, but we're begging you to be more vocal about helping us to get control of this because heroin is taking over our communities and rest assured, it will be taking over your communities too.' We listened to them and obviously we tried to support them through making a few phone calls. But now, fast forward to 2014, and I can say I remember the warning and it's here and it's from Mexico. It's pure and it's destroying lives every single day. So, I wish I had a better handle on what the cure looked like, but it is a national problem, collectively, for all the Sheriff's across the country right now. I'm going out to the National Conference at the end of next week and this is going to be one of the breakout sessions, what can we do to be even more effective.

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Ronning stated if you can address this. You've spoken before about human trafficking and drug trafficking. Is there assistance for local law enforcement agencies? Sheriff Stuart stated in sort, not a lot. The human trafficking element of it, and just a real quick 'nickel tour' for our residents who are here and maybe not heard the presentation, I can tell you that even from my own standpoint, I was naïve to how prevalent it is right here in Anoka County. And, it's all over our nation.

Sheriff Stuart stated the average is 11 to 14 year old girls being sold like a can of soup up to 20-40 times a day. To me, it's about as egregious a crime as we can think of and within the State of Minnesota, there is a very limited number of law enforcement professionals able to focus on this arena. I won't go into the details because I know you've heard it but within Anoka County, we're doing a wide variety of things to try and combat it. The State Legislators that I've been able to talk with understand that it is an issue and I think they've done a good job in identifying dollars and creating advocacy homes or support homes and advocacy groups and things like that. But, quite honestly, to finally answer your question, no. Law enforcement is not getting the support we need. That is part of my concern with them. We are doing great things on the advocacy side. But until we've identified these bottom-feeding dirt bags who are selling these kids, arrest them, and help these girls get their lives back, typically they're young ladies, until we help these kids get their lives back, that's when they get into the advocacy groups. It's not until the law enforcement is able to have that proactive time to identify them, hunt them down, and arrest them, that we can actually help them get into the advocacy groups. Unfortunately, there have not been dollars identified for the law enforcement side of it.

Ronning stated I don't envy you any. Sheriff Stuart stated every day is an interesting balance and all I can say is we get up and we try to do the best we can with what we have and make sure we're providing great service. Ronning stated thanks for what you do. Sheriff Stuart responded saying thank you.

Voss asked any other questions for our Sheriff? Sheriff Stuart, appreciate your being here tonight. Sheriff Stuart stated my pleasure, thank you for having me.

4.0B
Sheriff's
Department
Monthly
Report

Commander Shelly Orlando presented the May 2015 Sheriff's Report of custodial arrests and significant events.

DWI's: There were four DWI arrests in May. Three stops were the result of traffic violations. One DWI arrest was the result of a roll over property damage accident. The vehicle had been traveling eastbound when the male driver lost control, passed into the westbound lane and then into the ditch where the vehicle rolled over. The driver and his passenger refused any medical attention, advising that they weren't injured. The male failed field sobriety tests and did provide an intoxilyzer test which showed his blood alcohol content as .14.

Terroristic Threats / Domestic Assault / Violate Domestic Abuse No Contact Order: On May 15th, Deputies were called to a residence on a male assaulting his wife. Upon arrival, Deputy Slavik found the male in the garage. The female was in the driver's seat of a vehicle and the male was standing over her trying to push her into the passenger seat. The female was crying and saying, 'No.' Deputy Slavik was familiar with the suspect as he had been arrested four days earlier on domestic assault charges and had a domestic abuse no contact order with the victim. Deputy Slavik told the male suspect that he was under arrest

and attempted to take him into custody. The male resisted and attempted to pull away from the deputy. Deputy Slavik was able to take the male into custody after a brief struggle. The male was uncooperative. The female victim reported that she had picked up the male this afternoon and brought him to the residence. The male had fallen asleep and she had looked at his phone and saw text messages, which indicated he was buying steroids. She woke the suspect up and questioned him about this at which time he forced her onto the couch, covered her mouth with his hand and told her he was going to 'take her out and then take care of himself.' She stated he forced her out to the garage and into the car. She did not know what he was going to do, but she feared he would run them head on into another vehicle or into a wall. She refused to get into the passenger seat and that was when the deputy arrived. The male was taken into custody.

Burglary: On May 22nd, Deputies were dispatched to a report of a burglary at a home that is under construction. Deputies were advised that a battery and charger had been taken from the home as well as a catalytic converter had been taken off a truck parked at the property. There was a particular shoe print left near the residence as well as a smudged palm print on a window. Deputy Kvam thought he may know of a viable suspect, as the suspect is very familiar with the area and has a past history of thefts and criminal activity. Four nights later, Deputies received a call from an officer with Wyoming PD, who asked if there had been any recent catalytic converter thefts as he had stopped a vehicle and noted a 'freshly cut' catalytic converter in the backseat. There was also a battery and charger, which matched the model stolen from the home under construction. The Deputy asked the officer what type of shoes the suspect was wearing and they matched the type and pattern of the footprint left at the scene. These items were all confiscated. The suspect in the vehicle was the suspect that Deputy Kvam had thought it might be, one of the benefits of having Deputies in the Contract for time. Deputy Kvam did return to the crime scene to take a touch DNA swab of the palm print. That swab was turned into the ACSO forensic lab for processing. The investigation is continuing.

5th Degree Controlled Substance: On May 26th, a Deputy conducted a traffic stop on a vehicle that had no front license plate. Upon the Deputy catching up to the vehicle, the vehicle had stopped and the occupants had gotten out. The driver (a juvenile female) was revoked, the license plate did not match the vehicle and there was drug paraphernalia in plain view. A K9 conducted a sniff and alerted to drugs being in the vehicle. Hypodermic needles were located in a purse, which contained a substance that tested positive for methamphetamine. The juvenile female was taken into custody.

Disorderly Conduct / Indecent Exposure: On May 31st, Deputies were called to a report of a male that was intoxicated, yelling at his neighbors, as well as exposing himself to them. Upon Deputies arrival, the male suspect was inside his home. The victims reported that the suspect was yelling and swearing at them about them not having jobs. The victims reported the suspect repeatedly was exposing himself. The suspect was confronted, who denied exposing himself. The suspect did appear to be heavily intoxicated. The Deputy advised he was going to be cited for indecent exposure and disorderly conduct for his actions. The Deputy advised the suspect to quit yelling at the neighbors and to not go outside anymore for the night. Approximately one-half hour later, Deputies were called to the area again, on the suspect yelling and swearing at the neighbors. The Deputies did take the male into custody and transported him to jail.

Arrest Breakdown: We had 5 felony arrests: 2 were for Possessing a Stolen Vehicle; 1 for Vehicle Theft; 1 for 5th Degree Controlled Substance, and that was all from the above

incident. We had another 5th Degree Controlled Substance arrest. Six Misdemeanor Arrests: 1 for Disorderly Conduct; 1 for Damage to Property; 1 for Possess Drug Paraphernalia; 1 for Possess Small Amount of Marijuana; 1 for 5th Degree Assault; and, 1 for Violation of a No Contact Order.

Arrest Breakdowns: There were 2 felony arrests from the same incident, Stalking/Terroristic Threats; Gross Misdemeanor there were two, one was for Malicious Punishment of a Child and one was Obstruct Legal Process with Force; Misdemeanor there were 10, three were for Disorderly Conduct, one was Indecent Exposure and Disorderly Conduct which were from the same incident; one was a violation of a No Contact Order; one was a Juvenile Alcohol Offender; one was a Flee Officer on Foot and Obstruct Legal Process which were both from the same incident; one was burning prohibited items; and, one was for a barking dog.

Voss asked any questions for Commander Orlando? Anything from the audience?

Commander Orlando stated okay, one more thing before I go. Every August, the Sheriff's Office partners with CAST and we hold a fishing event up at Lake George. The fishing event is made for children who can come out and interact with Sheriff's Office Deputies and go fishing and they have a little fishing contest and lunch. So, to any of the parents or, I'm sure no children are watching this, but to any parent out there, make sure and check out the Anoka County Sheriff's website and look for the CAST fishing event if you're interested in having your kids have a good interaction with the Sheriff's Office.

Voss asked how long has that been going on? Commander Orlando answered it's been a few years. I think we've been doing it for four or five years now so we've gotten it down pretty good now to a science. Usually we've been really lucky and the weather's been beautiful every year so we haven't had to deal with rain and such.

Voss asked when is that again? What date? Commander Orlando stated it's early in August and I don't have the exact date but I'll give it to you next time. It's early August and it's on our website so people can take a look at it and see if it's something they're interested in doing. Voss stated thank you and have a good night. Commander Orlando stated thank you.

**5.0
Admin.
Hearing
Allan Bender**

Davis presented the staff report, indicating Mr. Allan Bender, 1142 243rd Avenue NE, East Bethel, Minnesota has requested an Administrative Hearing under Chapter 2, Article 10, Section 2-590, before City Council to appeal late fee interest charges on his water bill. Staff previously denied Mr. Bender's request to waive this fee.

Mr. Bender is challenging this decision based on the City policy for imposition of late fees on overdue and unpaid invoices. At this time, Mr. Bender will have the microphone to present his case.

Allan Bender, 1142 243rd Avenue NE, stated I guess I wasn't under the understanding it was denied by the Council. Davis explained it wasn't denied by the Council. The staff said we could not approve waving of the fees. Bender asked was it Mike? Davis stated that was with Mike and myself, correct.

Bender stated they said I could have it heard and I don't want to say a 'sob story' or anything like that but just the circumstances and if it doesn't 'fly' it doesn't 'fly.' Last, I

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think it was April 29 of 2014, is the day I started disability. So, I've been on disability since. Because of that, you have to be out of work for an extended period of time before your benefits get approved, if you do get them and that kind of stuff. So, I wasn't paying the water bill, which in my opinion is very high itself but that's a different story.

Bender stated because of that, fees and/or interest, I've heard from a couple people that they're used interchangeably. It's really not interest, it's the same thing as fees. So, once I got things in order and that kind of stuff and I called to pay it, it was a substantial amount. I don't remember the exact amount, I want to say it was like \$1,400 not including the fees. So, I just said am I able to just come in and pay what my usage was since this started last April of 2014, and then be forgiven of the fees, which the fees turned out to be just a little over but what I have here is \$339.52.

Bender stated Mike, when I spoke with him, he said we have worked with people in the past and we have forgiven a month or so, here, there, in the past. But, we've never done it to this extreme. You know, to this level. Then I asked, well, what could I do. Then he had me get a hold of Jack Davis and I talked with him. Jack Davis, in our conversation didn't seem, he said, 'Well, I don't think so but this is not just me, it's more people.' So, that's why I called Steve Voss, the Mayor. He said I could bring this up. So, I talked with Jack again and then he said, well, you need to write this thing up and get it to me and I'll set up a hearing. So, here we are.

Bender stated now, all I'm asking, if it's possible, if it's not you know, life goes on. If it is that would be great. Is if that amount of \$339.52 can be forgiven of what was the past. It wasn't anything to do with usage at all. That's why I'm here.

Voss stated another part of the facts, I think that we need to be sure we're all clear on too, is this isn't the first time that you've been delinquent on the water bills. Bender stated right, yes. And, I have paid the late fees over and been zeroed out.

Voss stated our hope is, and reason why there's late fees, is that bills are late, obviously. Bender stated yeah, it's definitely an incentive. Right? I understand. Voss stated I think as we can consider this, we have to also consider the fact that this isn't the first time that this has happened. So, you're not disagreeing with the facts. Bender stated oh no, I'm not disagreeing with it.

Voss asked Jack, do we have any precedent in terms of waiving the late fees after the fact? Davis stated to my knowledge, we don't. There may have been an instance when somebody was a day late or a week late and had an impeccable credit history that fee may have been waived or a reason that I'm not aware of. But, it's not our policy to waive these fees. And, again, it's not to be punitive or try to collect more money. It's just to make sure that it's an incentive to pay your bill on time because we have expenses that we have to pay to run the water system.

Voss stated it's collections, basically, it's chasing bills that are due. Then the interest charge is just the interest on what's due, right? Davis answered on the unpaid balance, correct. Voss asked Allan, where are you currently in terms of the billings to date this year? Bender stated I think this is all that's left is the \$339.52. Usage is paid up. Voss asked through this year? Bender answered yeah. I came in, I don't know, three weeks ago and I paid up. I didn't get word and this is when I was working this out with Jack and I just thought I'm going to pay everything but the interest or late charges and then I was zeroed

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Hearing

Allan Bender

out except for the \$339.52. Since then, last month, I got a bill so I paid just the usage of last month so it should be to zero except for that late fees and interest.

Voss asked do you concur? Davis stated for the current year, Mr. Bender is current on his bill with the exception of the late fees for 2014. Voss stated okay and then the uses charged for 2014 is already been sent to the County and it's on the County taxes? Davis stated the last certification, that he paid up through 2014 so he's current on that. He got that payment in, in time before the certification went in. Voss stated so the only thing outstanding then is the late fee and interest. Okay, thoughts?

Mundle asked do you see, or do you anticipate having any more issues paying your water bill through the end of the year. Bender stated no, I don't. Mundle asked so you're confident that in the future you will be? Bender replied yes.

Harrington stated I guess the problem I have, Steve, is if we let Mr. Bender do this, is who is going to come forward next in the City. You know, we can't have everybody in the City saying, 'You waived it for one guy, you can waive it for me.' Mundle asked how many people would come before us and say the reason for my hardship is because I am now totally disabled?

Voss stated except for the fact that there's a continued pattern here, year after year, of not paying the bill and having it certified on the taxes. Jack, is it every year its been certified to taxes? Allan, would you be more comfortable sitting at that chair? There's a microphone there. Bender replied I'm fine. Davis responded it was certified to his taxes for five years, a portion or all of it, 2009, 2010 2011, 2012, and 2013.

Voss asked Mark, obviously this is set up as an Administrative Hearing. We already had an Administrative Hearing last March, if I remember right. Are we able to reconsider the fact because we had a hearing that was closed? I just want to make sure we are able to do this legally first. Vierling stated technically, no. Under procedures, no. Motion to reconsider would have had to been made in the meeting immediately following the closure of the first Administrative Hearing.

Voss stated part of my concern is the fact of setting precedent in waiving the fee. My more concerning concern is the fact that we're changing procedure. We had a hearing. It was noticed. It went out certified mail, right? The notices? Davis responded that's correct to those people who were in arrears or had unpaid balances.

Voss stated so we did our due diligence in making sure everyone that was there was noticed and had the opportunity to not just come before us but they could have written us, they could have called City Hall. Davis stated that was their opportunity to present their case for their unpaid bills, balances, or taxes.

Voss stated personally, I'm inclined not to just because of the fact we had this hearing. It was a public hearing and to go back on that is, I'm worried about setting a precedent with that more so than waiving the fees and penalty on it.

Ronning stated if there was consideration, I'd be curious what's changed to make the issue go away. Voss stated you can pull that microphone down. Bender stated I'm up now. What has changed to make the issue go away as far as what has changed for me? Ronning asked what will occur to keep it from happening again? What's changed? Bender stated

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Hearing
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the main thing that's changed is the billing. You guys changed the billing and that's helped tremendously. The monthly billing is great versus the what was it, three times a year? Or, four times a year? And, that is what I think. In the past when stuff would come up with the kids or emergency or this kind of stuff, you just didn't have that there. But if it's a constant thing, I think it's just human nature for most people. It's like a cable bill. If people have cable or satellite, that's what you do. You just pay it. To break it up like that almost not guarantee, but without guaranteeing, that those things will be, you know, addressed and paid. You know, from any aspect of it. For my opinion anyways.

Ronning stated I'm going back through the years. There's a billing unpaid, to me it appears like the payments have been made. Here's one that's off a little bit in 2007. But, those things happen to everybody. Voss stated sorry, your point Tom? I didn't follow. Ronning stated I'm going through what the bills were and what the payments were and trying to correlate the dates. The main question was what's changed to help him avoid this in the future. Voss stated okay.

Voss asked is there any other questions for Mr. Bender? Does anyone care to give direction or make a motion to this request? Ronning asked Mark, what's available?

Vierling stated you're governed under *Robert's Rules of Order* for procedure and the time to have a motion to reconsider is long since passed. The only other available avenue under *Robert's Rules* is for a 4/5ths motion of the Council to suspend the *Rules* so they don't apply. That would technically have to occur first and then you would have a motion thereafter to take action, if you wish to do so.

Voss asked you said that's a 4/5ths vote? Vierling answered yes. Ronning asked said what? Voss explained to suspend the rules, to be successful passing, needs 4/5ths to pass.

Ronning stated I'll move to suspend the rules and see where it goes, I guess, for this event. Voss asked is there a second to the motion? **Mundle stated I'll second.** Voss stated any discussion? All in favor of suspending the rules say aye?" **Mundle, Ronning-Aye.** Voss stated opposed? **Harrington, Koller, and Voss-Nay.** Voss stated that motion fails. **Motion failed.**

Voss stated so there's no other? Vierling stated not that I'm aware of. Voss stated the City stays with their rules so that's it.

Bender stated I just have a question. So, with \$339.52, seeing how they are past late fees, there won't be any interest charged on that amount. Is that correct? Davis answered there is on the unpaid balance that moves forward. Bender asked so we're going to get charged interest on the interest? Davis explained no, you won't get charged. If there's any other unpaid balances going forth, it will be charged on that. The current \$339.52 will remain the same. Bender stated okay, so nothing will gain from that. Davis answered correct. Bender stated all right, that's all I have. Thanks.

Ronning asked how much are the interest charges. Davis replied 10%. Ronning asked 10% over what period? Annual? Davis replied per annum.

Voss stated Mr. Bender, thank you for being here tonight. Bender stated I appreciate (*off mic, inaudible*). Thank you. Ronning stated I don't think it's lack of interest. It's kind of a confined issue to address. By the procedures and rules, it's kind of a confined issue to bring

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back up again. So, for my part, it's not due to lack of interest in what your issue is. But, thank you.

Voss stated we'll close the Administrative Hearing.

**6.0
Public
Forum**

Voss asked I don't think we had anyone sign up but if there's anyone in the audience here that's interested in speaking to Council or staff on something that's not on the agenda, this is your time. Yes, if you'd state your name and address for the record please.

Karl Michael Komec, representing the estate of Jeffrey Douglas Medelberg, stated he's my best friend. He put ten bullets through himself two years ago. Davis stated excuse me sir, you're on the agenda. Voss stated yeah, you're on the agenda tonight. Davis stated you're coming up very shortly. Komec stated that's what I'm told.

Voss explained this is for something that's not on the agenda, the Public Forum. So, you'll be up in about five minutes. Komec stated okay, just tell me when you want me to speak. Voss stated we will. Thank you. Davis stated thank you.

Voss asked is there anyone else? If not, we'll close the Public Forum and move onto the Consent Agenda.

**7.0
Consent
Agenda**

Item A Approve Bills

Item B May 27, 2015 City Council Work Meeting Minutes
Meeting minutes from the May 27, 2015 City Council Work Meeting are attached for your review and approval.

Item C June 3, 2015 City Council Meeting Minutes
Meeting minutes from the June 3, 2015 City Council Meeting are attached for your review and approval.

Item D Approve Application to Conduct Excluded Bingo for East Bethel Seniors – Booster Day, July 18, 2015
The East Bethel Seniors have applied for a one-day permit to conduct excluded bingo on July 18, 2015, Booster Day at the Community Center. The application form has been submitted and is complete. Staff is recommending Council approve the one-day permit for the East Bethel Seniors to conduct excluded bingo on July 18, 2015 at the East Bethel Senior/Community Center.

~~Item E Liquor License Renewals~~

~~Item F Purchase of Fire Truck Tanker~~

Item G Supplemental Payment Summary

Ronning stated move to approve the Consent Agenda with Items E and F pulled and G added. Harrington 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.

7.0E.
Liquor
License
Renewals

It was noted that all of the current City liquor license holders have submitted applications for renewal. Some of the applicants still have information to be submitted as is shown on the spreadsheet attached as of Friday, June 12, 2015. A complete update as to their status will be provided at the City Council meeting. Liquor licenses run for the period July 1 of each year through and including June 30 of the following year. License applications being considered are for the

June 17 2015
7.0E.
Liquor
License
Renewals

period July 1, 2015 through and including June 30, 2016. All approvals will be subject to all forms being received by the City, background checks being completed, the Sheriff's signature and approval from the Liquor Control Board at the State of Minnesota.

Davis stated on Item E you have a little spread sheet that shows the status of the liquor license applicants. As of today, staff would recommend **approval of renewal of the Liquor License for Blue Ribbon Pines, Cooper's Corner, Cooper's Corner Liquor, EJ's Bottle Shop, Go for It, Hidden Haven Country Club, Route 65 Discount Liquors, Route 65 Pub and Grub, Smokey's Pub and Grill, and Wayne's Liquor**, for the approval of the liquor license.

Davis stated staff would also recommend **approval of the liquor license for Hunter's Inn, Moonshine Whiskey, and Viking Meadows, subject to their completion of background check materials and approval from the Department of Revenue.** We expect to have all three of those done before the end of the year. Currently, because of some issues with their applications where, believe it or not for these three, they put a middle initial instead of a middle name, so their background checks were kicked back. We expect to have that approval within the next few days though. So, if we could have the approval of those firms that I mentioned and the conditional approval for Hunter's Inn, Moonshine Whiskey, and Viking Meadows conditioned and subject to their background check completion and approval from the Department of Revenue would be staff's recommendation.

Koller stated I'll make a motion. Mundle stated I'll second. Voss stated any discussion? Hearing none, all in favor say aye?" **All in favor.** Voss stated opposed? Motion passes. **Motion passes unanimously.**

7.0F.
Purchase of
Fire Truck
Tanker

It was noted staff is recommending Council approval to enter into a contract to purchase a fire truck tanker through Houston Galveston Area Council (HGAC) cooperative that the City of East Bethel has joined. The low price for these trucks through the buying Consortium is Rosenbauer of Wyoming, Minnesota.

Pricing for the vehicle is as follows:

Tanker 11:	\$ 266,333.00
Radio and Mobile CAD	3,000.00
Misc. Tools for truck	2,000.00
Total Project Cost for Tanker 11:	\$ 271,333.00

Koller stated the pricing is pretty outrageous and I did a little looking on the internet an I'd just like to table this until we have a little time to go over it with the Chief.

Fire Chief DuCharme stated I agree that the time it will take to do the analysis on what Council Member Koller found versus what we're proposing, I think there's a justifiable answer on the pricing difference. Voss asked there's no, nothing adverse if we wait until the next meeting to deal with it? DuCharme stated I would like to do that if that's all right. Voss stated okay. Koller stated it's like 330 days out anyway. DuCharme stated yeah, it's next year.

Harrington stated you said you had some trouble with the tanker this last weekend? DuCharme stated we did. We're having issues with the air brakes and things like that. They are two different trucks that Council Member Koller has shown me versus what we're doing. They are two different trucks, different equipment on them, and I'm just going to need time to do up an analysis of both. Then we'll have to take a look at that and the Council will have to decide.

7.0F.
Purchase of
Fire Truck
Tanker

Voss stated okay, there's a motion to table. Koller stated I have no problem replacing that old truck. DuCharme stated I understand that, we talked about that. Thank you.

Mundle stated I'll second. Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

**8.0
New Business**

Commission Association and Task Force Reports

8.0A
Planning
Commission
8.0A.1
Jeffrey
Medelberg
Estate
Admin.
Subd.

Davis presented the staff report, stating this is an Administrative Subdivision Request to subdivide a metes and bounds parcel into two lots. The applicant is Karl Komec, Estate Executor. The owner is Jeffrey Medelberg Estate, 20381 East Bethel Boulevard, PID #22-33-23-11-0006.

Mr. Komec, on behalf of the Medelberg Estate, is requesting the subdivision of 20381 East Bethel Boulevard into two separate parcels for the purpose of selling 5.0 acres for a residential lot where the existing home is located. The remaining acreage, 24.53 acres, would remain in its current use. The existing property is a Metes and Bounds parcel and is allowed to divide off one lot from the original through the Administrative Subdivision process.

Staff recommends approval of the Administrative Subdivision request by Karl Komec on behalf of the Jeffrey Medelberg Estate as described in Attachment 1.

Koller stated I'll make a motion to approve the request on property #22-33-23-11-0006. Ronning stated second. Note, this consideration was tabled later in the meeting.

Vierling stated for purposes, question for the record, Jack, how is Parcel B going to get access to a public street? Davis stated that was discussed at the Planning Commission and I'll let Mr. Komec address that. Voss stated if you'd state your name and address, please.

Karl Michael Komec, 352 Swan Lake Lane, Oak Grove, stated just your neighbor across Highway 65. I'm here to answer any questions you have. I've spent five years on the Planning Commission of the City of Oak Grove so I kind of think I know how this works. I would like to give my thanks to your Planning Commission here, Colleen. She kicks butt. She really knows her stuff. I would like to give her a dozen roses but she cannot accept that so, here's virtual roses for her. What a sweetheart. How do I say goodbye to my best friend who put ten bullets through himself? All he had to do is pick up the stupid phone. And, that's not your problem but I stand before you shaking. This is possibly the hardest thing I will ever do, to say goodbye to him. I only I hope I did him justice.

Komec stated let's let the record speak for itself. It's been filed. It's been approved by the Planning Commission. It depends on you folks to approve it. Thirty acres may sound like a lot but when you start carving out the legal requirements and the setbacks and the turn around requirement for a emergency vehicles, and all this kind of wetland stuff, there's really not much to deal with. It was tricky. And if you take a look at this proposed subdivision, it looks a little weird. That's because it is a little weird but it's perfectly legal. I'm no fool, although you may think me a fool. Make your choice gentlemen.

Vierling stated maybe you could address the issue sir, of Parcel B. Just for the record, how is that going to gain access to a public street after the subdivision? Komec asked, can you

ask a little louder? Vierling stated sure. You've got the property being divided into Parcel A and Parcel B. Komec responded correct. Vierling stated Parcel A has frontage on County State Aid 15 and that's fine. But, you're proposing to divide off Parcel B to the east of it and the obvious question that the folks at home may be asking if they're looking at this, would be how was Parcel B going to gain access to a public street, which is required under Minnesota Real Estate Law if there isn't going to be effective condemnation of it.

Voss stated I think if you look at the parcel drawing, it's not the best of copies but it looks like there's 200 feet of frontage. Mundle showed the drawing to Vierling and stated that line right there that comes out like that.

Vierling stated okay, so there is a public street going over it? Voss stated yeah, it's right on 15. Vierling stated I couldn't tell from the drawing. Voss stated until I blew up the drawing, it was hard to see. Davis stated on the north side of the plat you can see there's a strip that accesses East Bethel Boulevard that does provide access then to Parcel B. Koller stated I was at the Planning Commission and they went over that to make sure it has good access.

Voss stated the question I have, and I'm going on history, this is a Metes and Bounds division. I thought Metes and Bounds had to have 300 feet of frontage. Back in my 11 years on Planning & Zoning, that was ten years ago though. I don't think there is. There's a dimension there, that flat part of Outlot B is only 100 feet wide. So, the frontage is probably 200 feet. So the question is, what I recall, was that our Ordinance was 300 feet on Metes and Bounds. Mark, this is still considered Metes and Bounds division if it's an Administrative Subdivision? Vierling replied oh, certainly. It's not a plat it's Metes and Bounds.

Voss stated I'm not bringing this up to obstruction, it's back to what our Ordinance allowed. It made it through Planning & Zoning so I don't know if our Ordinances were changed. Davis stated no, the Ordinance has not changed as far as the Administrative Subdivision process. Voss stated so if it's a 300-foot minimum, I guess I don't understand how this was.

Davis asked Ron, do you recall if this was discussed at the Planning Commission on the frontage of the 300 feet? Koller responded it was never brought up on the 300 feet. Voss stated I'm only bringing it up because that's what I remember from a long time ago, at least ten years ago. I don't know if the ordinance has been changed since then.

Rimma Medelberg stated I'm widow of Jeff Medelberg. Yes, it was all planned with Colleen Winter and she showed me that it's supposed to be not less than 200 feet. That's what we worked with. Voss asked Colleen said it was 200 feet? Medelberg answered yes, yes. Minimum was 200 feet so that's the way we worked it.

Voss asked Jack, so we have a way to find that out real quick? Davis replied yeah, I'm going to look that up. Voss stated how about for the sake of time here, Jack you think we just want to table this for a moment until you get that figured out and go on to the next one? Davis replied yes.

Voss stated so we're going to set this aside for a moment. We're still going to address it tonight yet. Mark, do we need to move on it? Vierling stated you can just pass on it and bring it back up.

8.0A.1 Jeffrey Medelberg Estate Admin. Subd. Voss stated Jack's going to look up the Ordinance to make sure it's right. We don't want this to mess you up later on. Komec stated that's fine. Voss stated we'll move onto the next agenda item and come back to you. Thank you.

8.0A.2 Lonesome Dove Angus, Inc. Admin. Subd. Davis presented the applicant is Tom Carlisle, owner of Lonesome Dove Angus Inc., 79 North Lake Street, Forest Lake MN 55025, Property Identification Number 07-33-23-42-0001.

Mr. Carlisle is requesting the subdivision of his property into two separate parcels for the purpose of selling off 13.63 acres for a residential parcel where an existing home is located. The remaining acreage, 20.54 acres, would remain as is. The existing property is a Metes and Bounds parcel and is allowed to divide off one parcel from the original through the Administrative Subdivision process.

Staff recommends approval of the Administrative Subdivision request by Tom Carlisle, Lonesome Dove Angus, Inc. as described in Attachment 1.

Ronning stated I'll make a motion to approve as recommended. Harrington stated second.

Vierling stated not to be difficult, but I have a question on this one too when you get time. Ronning stated pardon? Vierling stated I do have a question on this one too when you get time. I just note from the drawing that there's a notation on the drawing that Parcel B is to be deeded to the owner of Lot 10, Block 1, Cedar East. Is that correct? A member of the audience stated correct.

Vierling stated the issue I have with that is normally the County will not merge. We would normally require that the abutting property, which fronts the street, which would be the Cedar lot, correct? That would have road frontage. The interior lot would not. The bottom line is you cannot merge those on the County record because one is platted and the other one is Metes and Bounds. So, they would still retain two separate tax numbers and there would be nothing that would preclude the sale or disposition of the one lot even though it's intended to be joined to the other. They would be owned in common but there would be nothing that would prevent the owner from selling the one away and retaining the other. If one is sold away without lot frontage, again under Minnesota Law, without frontage it's an event of condemnation that the City may have to step in and compensate. The only way I'm aware of resolving it, and it is resolvable, is that the owner of Lot 10, Block 1, upon obtaining the deed or at the same time as getting the deed, would have to enter into a development agreement with the City acknowledging that the lots are effectively merged for purposes of development and waiving any building permits unless they comply with the City's Zoning and Subdivision Code in the event of future development.

Voss stated we've done that before, yeah. Vierling stated yes, we've done that before. Voss stated I remember that. Are you here for this? Could you come up to the microphone here and state your name and address please?

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8.0A.2
Lonesome
Dove
Angus, Inc.
Admin.
Subd.

Tom Carlisle, 21501 Humber Street, Wyoming. Voss asked do you understand what the Attorney's saying? Carlisle stated oh, somewhat. Voss stated but it's resolvable by just entering into a development agreement with the City. Correct Mark?

Vierling answered yes, it's just basically an agreement that would acknowledge that both of those lots, being the platted lot and the Metes and Bounds separate lot that's now created by the owner, acknowledging that they would be treated as one for all purposes of future development within the City applicable to the City's Zoning and Subdivision Codes. That agreement would then go on the record for both lots so that in the event, in the future, that there's a request for a building permit or development of something else, the whole entirety of that would be considered as part of any future development that would have to be addressed as part of whatever future application would be made.

Carlisle stated so this document, I would assume I could get from you? Would it be, is it like a deed restriction then? Is that what it kind of is? Vierling responded very much so. It's like a contract. Carlisle stated so it would be recorded with the property? Vierling stated yeah. The City would prepare that and you'd have to pay the cost of obtaining that and recording it. The City would actually have your deeds and make sure they get recorded simultaneously so the recording order is correct going into the County Recorder's Office.

Voss asked Mark, assuming we have no other issues to discuss on this one, are we able to approve this subject to entering into a development agreement? Vierling stated yes and we'd work with Jack to make sure all the agreements come in. They'd bring the deeds in for execution by the City for stamping for approval and then we'd have the restrictive agreement in place so that the owners could sign at the same time and take care of them. Recording both deeds and the restrictive agreement simultaneously.

Ronning stated I'll amend my motion to include legal advise has been given, subject to a development agreement. Harrington stated I'll second.

Vierling stated unfortunately, it would have been a lot easier if the platted lot was not platted and was Metes and Bounds. If they were Metes and Bounds, the County could join them with a single consent signed by the property owner. But because one's platted and the other one's Metes and Bounds, for tax purposes they can't join them. They'll still continue to issue separate tax statements on each one of them going forward.

Harrington asked Ron, at the Planning Commission, didn't they say this 25 can't be developed because it's so wet? Koller stated yeah. Carlisle stated correct, it's all wetland.

Ronning asked do you accept the amendment? Harrington stated yes. Voss stated yeah, he did. Is there any other discussion?

Mundle asked would a developer's agreement be on the title for Lot 10, Block 1, so to any future sale of either property, it would be recognized? Vierling stated they would stay bound forever as together.

Carlisle stated so I understand. Now we're talking about the other parcel? Just the Metes and Bounds parcel that's going to go to the platted parcel. Correct? Vierling stated those two would then be bound together. Carlisle stated yeah. My next question, I'm kind of worried about the timeline. Is it something I can hopefully get the paperwork turned around fairly quickly? Vierling asked what's your timeline? Carlisle stated well, I've actually got

8.0A.2
Lonesome
Dove
Angus, Inc.
Admin.
Subd.

the deeds and everything with me. I need a favor out of the City Attorney, I guess is what I really need. Vierling stated if we can get the deeds from you in terms of the detail of the ownership and what's going to happen, I think we can turn it around fairly quickly for you. Carlisle stated oh thank you, thank you.

Voss stated any further discussion? To the motion as amended say aye? **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

8.0A.1
Jeffrey
Medelberg
Estate
Admin.
Subd.
Continued

Voss asked Jack, you ready to go back? Davis stated I'm not locating that yet. Voss stated I have. So, let's go back to the Jeffrey Medelberg Estate Administrative Subdivision. I'm looking at our Municipal Code, Jack, if you want to find it, it's Section 12 under Metes and Bounds. It defines the Metes and Bounds description and under Eligibility, 'To be eligible for using Metes and Bounds divisions as outlined in this Section, the following conditions must be met: The parcel must be a minimum of 5 acres,' which I think it is. 'The parcel must have a minimum road front of 300 feet. The parcel must contain 23,000 square feet of buildable area.' Voss stated the key there is the 300 feet road frontage. Unfortunately, my memory didn't fail me. It doesn't appear to be changed. Now, that's me looking at it. Staff should take a look at it. Mark should take a look at it too.

Ronning stated for curiosity sake, is there a method to deal with that 200, 300 feet? Koller stated the other lot is 203 feet. Vierling stated through an Administrative Subdivision, the answer is no. From the standpoint of could a person theoretically apply for a variance and go through the variance process, you could. But, the variance process is, of course, a separate Statutory and Ordinance process that the individual will have to go through. It's a public hearing, publication, notice to all adjacent property owners within 500 feet, everything of that nature.

Davis asked is it possible to redraw the proposed plat to obtain the 300 feet frontage and then get the five acres? Vierling stated it may be. Voss stated I think both lots are less than 300 feet. Right? Vierling stated you'd have to have 600 feet there now. Koller stated one is 203. The other one is 206. Vierling stated that wouldn't work. The other thing you could do, I suppose, is plat the property. Then within the plat, obviously, have your single access in. That would take it out of Metes and Bounds. Voss stated it should meet the front because it's 200 feet frontage on plats, right?

Medelberg stated Colleen Winters showed me for City of East Bethel it's the rule that minimum is 200 feet and we worked with her for three months on this. How come she didn't know? I just can't get it.

Voss stated I think what we want to suggest is to have it go back to staff and look at it again. It's possible it was a mistake, an oversight. One of the things that's going on, and I'm not saying it as an excuse, is it reasonable I remember it. Because when I was on Planning and Zoning, we were seeing plats and Metes divisions four or five a month. So, we were seeing it all the time. Because we worked with the regulations so many times, that's why it's engrained in my head. Obviously since 2007, I don't know if we've had two plats.

Medelberg asked wasn't it changed because she showed me and it's suppose to be 200 feet road frontage and 100 feet deep. So, that's the way the division was created. It's not like we just decided to do it 200 feet. That was the requirement. Voss stated no, I can understand, see how it was designed to be that way. The City Attorney is saying one option

8.0A.1
Jeffrey
Medelberg
Estate
Admin.
Subd.
Continued

is a plat. It's a different process to plat it or to go through a variance process. Keep it Metes and Bounds but go through a variance process. But there's also criteria you have to meet on a variance process too. There has to be, basically, a hardship and that's a State Law.

Voss stated so unless Jack or you Mark, have seen something in the Code that's different than at least what I'm seeing, I'm not, I hate to be the voice of what's written, but that is what it states.

Medelberg stated unfortunately we don't have Colleen here today. I think she would clear up the picture. Voss stated yeah, to me, I think the best we can do tonight is to table this, let staff take a look at it, and decide how to bring it forward.

Ronning asked is there a timeline attached to this request? Medelberg stated there is no timeline but if it needs to be another month, but we want to have it done. It's a division between me and my stepson. He's getting the land and I'm getting the house and five acres. It's two years now. We want it to get done.

Mundle stated I don't think there's anybody up here that's saying, 'No, you can't do this' or doesn't want this to be done. It just has to be done by the right rules.

Medelberg stated I understand. The only thing I can't get why Colleen Winter didn't know this. I think she's the person who should know everything. Correct? Because we worked with her on this for a long time.

Voss stated I'm going to move that we table this and have staff look at it. Davis stated we'll work to expedite this just as quickly as possible. Someone will be in contact with you in the morning. We'll see what we can do to get to the bottom of this and find a resolution to this matter. Medelberg stated okay, thank you very much. **Ronning stated second the motion.** Voss stated is there any discussion? All in favor say aye?" **All in favor.** Voss stated opposed? That motion passes. **Motion passes unanimously.**

Voss stated we'll get it figured out. Komec stated thank you gentlemen. Davis stated thank you.

8.0A.3
Zoning Ord.
Amendment
Taprooms
Breweries
Micro
Distilleries &
Food Trucks

Davis presented the staff report indicating this is a proposed amendment to the City Zoning Code to allow breweries, distilleries and food trucks as permitted uses in Commercial, City Center and Industrial Zones.

The Craft Beer and distillery movement has become very popular and with the passage of the Surly Bill into law in 2011, cities are enacting or modifying ordinances that will allow the location of craft brewers in non-residential zones. The Surly Law allows local craft brewers to sell pints of their own beer where the beer or liquor is made. East Bethel is currently working with a small brewer who is looking at locations in the City. In order to accommodate this business and other similar businesses, the City of East Bethel needs to update City Codes that relate to this matter.

The Planning Commission discussed this issue at their May 26, 2015, meeting and approved for Council consideration the addition of the following definitions to the City Zoning Code, Appendix A; Section 1, General Provisions of Administration, Definitions: Brew Pub as outlined in your packet; Craft Brewery as outlined in your packet; Small Brewery as outlined

in your packet; and, Micro Distillery as outlined in your packet.

In addition, the definition of Food Truck as a permissible use would be defined as a mobile food unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed under Minnesota Statutes, Chapter 157 or Chapter 28A. All manufactured food units must operate in compliance with the Minnesota food code.

In addition the Planning Commission recommended to allow Brewers, Distilleries and Food Trucks as permitted uses in the following districts:

- *Appendix A, Section 49* CC – City Center District
- *Appendix A, Section 46* B2 – Central Business District
- *Appendix A, Section 47* B3 – Highway Commercial District
- *Appendix A, Section 48* I1 – Light Industrial District

The Planning Commission recommends City Council consider the changes as noted above for additions to the City Code, Appendix A, Zoning.

Ronning stated I'll move to adopt the Planning Commission recommendation as noted for additions to the City Code, Appendix A, Zoning. Mundle stated I'll second.

Voss stated any discussion? Vierling stated I would just note for the benefit of the Council that although we're changing the Land Use Regulations here, there will be Ordinances coming back in front of you in subsequent meetings relative to your alcohol regulations so that we also bring the brew pub and other alcohol related features into that Ordinance because ultimately, you'll have to license it.

Voss stated so what you're saying is this is the first step in the process. Vierling stated this is the first step on the Land Use issue but not on the liquor regulation issue, which will be coming back in front of you.

Ronning asked are we correct with what we're doing? Vierling stated it's an option available to you. It's a judgment call so it's not a correct or incorrect. Voss stated a lot of communities are doing it. Vierling stated a lot of communities are doing it and very popular and seems to be going over well.

Davis stated as Mark stated, one of the items that I was going to bring up in the staff report was we have a regular scheduled Work Meeting for next Wednesday. As part of the process for getting all these items lined up for this, we will have to look at changing our Liquor Ordinance. Mark is going to be preparing some of those changes for us and I was going to see if we wanted to address this at a Work Meeting or just have it brought forward at another Council meeting.

Voss stated I assume those changes to the Liquor Ordinances are going to be similar, consistent with what's being done in other communities. We're not inventing. Vierling stated no, we're not inventing anything new here. There have been two Statutory amendments that affect beer and alcohol and especially one called Sunday Sales, called the Bloody Mary Law. That's coming in front of a lot of communities. That particular one,

8.0A.3
Zoning Ord.
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Food Trucks

and they're all judgment calls for your community in terms of whether or not you want to do them. This one, obviously, the tap rooms and service in the tap rooms is understood. The other one is the Legislature has now authorized municipal entities, if you desire to do so, to allow your bar restaurants to serve alcohol as early as 8 a.m. on Sunday as opposed to the previous restriction, which was 10 a.m. on Sunday with food.

Voss stated why don't we defer that discussion to Reports, about what we include in our Work Meeting. Voss stated any more discussion on this? To the motion, all in favor say aye?" **All in favor.** Voss stated opposed? That motion passes. **Motion passes unanimously.**

8.0B
Economic
Development
Authority

None

8.0C
Park
Commission

None.

8.0D
Road
Commission

None.

**9.0
Department
Reports**

None.

9.0A
Community
Development

9.0B
Engineer

None.

9.0C
City Attorney

None.

9.0D
Finance

None.

9.0E
Public Works

None.

9.0F
Fire
Department
9.0F.1
May 2015
Report

DuCharme stated in your package is my May, 2015, report. In the month of May, we responded to 46 calls. There were a couple interesting ones. On May 15th we went to a vehicle fire, which is actually a tow truck that was on fire, it's listed as passenger vehicle. The passenger vehicle that it was towing was not on fire, just the tow truck. So, it worked out pretty good. Voss stated somebody had a really bad day then. DuCharme stated they did.

DuCharme stated we did pump out a swimming pool and it was right after the tragedy that was in St. Paul. Obviously in the past couple days, there was another tragedy in Brooklyn Park with a small child drowning. This swimming pool was a vacant house. It was an above ground swimming pool. It was murky water. There had to be at least half a dozen dead muskrats in it and another half a dozen dead squirrels. It was pretty bad. We did pump it out and the pool was pretty much destroyed after that. But, this is something that's becoming more and more prevalent in the metro area.

9.0F
Fire
Department
9.0F.1
May 2015
Report

Voss stated just out of curiosity, how did we find out about the pool. DuCharme stated that came in from, I believe, a neighbor complaint that went to City Hall. Our Building Inspector went out and looked at it. The Building Inspector immediately called me to find out if we had something that we could do to pump it out. So, it's the good communication between the Departments. So, we handled that.

DuCharme stated we also did run on a mutual aid call to Ham Lake and helped them in supplying water with one of our tankers. Throughout the month, those 49 calls, 29 of those were medicals. That report is in your package also. Of those 29, 28 of those were transported to hospitals by Allina. Listed under Other, that was the largest amount. There were a lot of prevailing medical issues with people and medical alarms that we answer.

DuCharme stated our HeartSafe Program continues. I did ask for a report on HeartSafe and Fire Fighter Wade Hoffman is here to present that. He's been one of the instrumental players in the program. He's trained a lot of people and he'd like to present the report to bring you up-to-date.

East Bethel Fire Fighter Wade Hoffman stated our HeartSafe Program has been very busy. We have hosted 28 training classes, training just under 400 East Bethel citizens. We have been in contact with 12 groups of businesses to set up training classes. We have also talked with many businesses about purchasing AEDs for their businesses. Just getting the information more out to more businesses to have them on their properties.

Hoffman stated HeartSafe East Bethel was able to participate in a very exciting event at the Coon Rapids High School. May 20th, all 9th and 10th grade students were trained in bystander CPR and AED use that day. There was roughly 1,200 students. Five members of the East Bethel HeartSafe Team helped: Troy Lachinski, Doug Dolbert, Mike Howell, Zach Lachinski, and myself. There were 40 plus trainers from six different cities, three different HeartSafe organizations, and there were even sudden cardiac arrest survivors that helped with this training, which was really overwhelming and neat to see – the advocates and the reason why we're doing this program standing right next to you helping out with this kind of program. HeartSafe East Bethel has been in frequent contact with the St. Francis High School to bring the same program to St. Francis High School in the fall of 2015. We'd like to duplicate that at the High School this fall.

Hoffman stated here are a couple things that we'll need to do to receive our HeartSafe designation: finish up our Sustainability Plan, we're going to try to visit Mercy Hospital, the Heart Center just to get a feel for different applications for this and what is controlling, to get better knowledge within the Heart Center; attend two more events, we're going to do Booster Day and another Pancake Breakfast; train just over 200 more people, that gets us to 5% of the total population here in East Bethel; and, place two more AEDs in the community, we're actively working on that right now with the theater and with other establishments throughout the City. We're expecting to receive our designation before the summer is over, which is several months ahead of the schedule that we planned on when we started this.

Hoffman stated right now we need to set out more training classes. The training is free to East Bethel groups and businesses. The training can be held at East Bethel Fire Station #1. We do that the fourth Thursday of every month. That's free for anyone to come in. We advertise that. Or, at your business or meeting place. We encourage businesses, people,

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Fire
Department
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May 2015
Report

facilities, if they want us to come to their facility and train their people free, we're more than happy to do that to get the word out and to get this program set up in their business and to show them the effects of sudden cardiac arrest and how beneficial it is to have this Program in place.

Hoffman stated one of the ways that you can get in contact with us is by e-mail at HeartSafeEastBethel@gmail.com. It's also on the City's website. Or, you can call Troy Lachinski at 763-350-9060.

Voss stated Wade, the Council's been very supportive of this Program. Is there anything else that us as a Council or the staff can do more to help support? Hoffman stated you've been great and we do greatly appreciate it. You know, one of the biggest things that we need is just to get that word out there. This Program is such an effective Program, 85% success rate when you're doing the CPR and AED within the first two minutes. 85% is huge. That's the biggest difference between a person walking back to their family, getting back to their family and living with their family than to wait that seven minutes that it takes for us to get there if we're staffing the Station or just happen to be there, or for the Deputies to be there within that seven to nine minute ratio. So, just getting the word out is huge.

Voss stated real short, last week when we were at a baseball tournament for my son, and we came later in the day. Well, it turned out earlier in the day, a woman who was at the tournament had a heart attack and passed. I don't know all the details, but we were in a pretty remote area of central Minnesota and I can't imagine, it would have been a half hour response time there. So, I was reminded of the HeartSafe and the fact that if there's more people that were trained, that perhaps something like that could have been prevented or addressed.

Hoffman stated the motto is, 'Don't wait for the help. Be the help.' It's so important and vital to get that compressions in, the AED in a close time, and just to continue and keep that circulation moving. Where a lot of people are confused by that, what we used to be taught. We just need to focus on training these people so they can be that help. Voss stated for anyone that's watching or listening, the training is very straightforward and the impact you can make as individuals, I'm still just astounded what it could do. Any other questions?

Ronning asked how long have you guys been at this? You've taken monumental efforts with it. Hoffman replied just after the first of the year we really started the 'ball rolling.' So, it's kind of a new Program for us. We got it through the City of Coon Rapids. Coon Rapids was kind of the forefront on it and after the first of the year, we kind of started with our outreach, as you call it, for this Program, the HeartSafe Program. Getting that designation is going to be huge and we really feel that we're so close and we're really looking forward to getting that designation as a HeartSafe Community. I just think it's going to be huge. So, just from the beginning of the year.

Ronning stated for just public information, how far are you along in five plus, five and a half months? Hoffman stated we need 200 more people trained and two more AEDs in businesses. So, we're 'knocking on the door.' We're really close. For the Chief, myself, Troy, the ones that have been part of the Program, we're really excited because it shows that this City cares about its community and its people. What better way to show it than have the people part of it?

Ronning stated it seems like it'd be almost scary to stand to a former dead person and that's about what they were. Hoffman stated sudden cardiac arrest is actually dead. They are dead. It's not they could be dead, they might be dead. They literally are dead and by keeping that circulation going and getting the AED on them, like I said within that first two minutes, 85% success rate. Where I, myself, I've been on several calls where nobody did anything. We got there, we can get them back, but they don't come home. They go to the hospital, they can get their last words to their family, and that's about it. These people are playing hockey again, going back and talking to people like me and you.

Voss stated it's amazing. When I met those survivors, it's just wow. It's real people. It's the ones in the videos we saw. Hoffman stated yeah, Tim Hoffman, and it's just incredible to hear their story and to see that they're standing before us walking, talking, just like it never happened.

Voss stated I assume it's pretty safe to say that once we reach this plateau to be HeartSafe, your training program's not going to cease. Hoffman stated no, absolutely not. No, it's going to be a continued process. This is just a starting goal. Our goal is truly to have everyone involved that's part of this City and to continue. That's sustainability, making sure that the AEDs and the pads are up-to-date. Making sure that new people that come into the community are trained through the same process. Reaching out to them. Coming to their businesses, having them come to our Station, and we're going to continue with this. We believe in it very strongly and we're always going to be after it.

Mundle asked so what's the total amount trained so far? Hoffman stated the total amount is just under 400. Mundle stated so 400 in six months, that's being busy. Hoffman stated yeah, it's very rewarding though.

Ronning stated I don't know what kind of question this might be. Is anybody hesitant to do it? Or, that they are pretty well eager to participate? DuCharme stated we did have a couple individuals that were a little bit hesitant not to do it. Certainly that's a personal decision. Getting back to when HeartSafe was actually approached, we go back to a year, 18 months ago when we were actually notified, contacted by the University of Minnesota and also our County Commissioner had made a phone call saying, 'Mark, you might want to look into this.' Julie called over a year ago and said, you know, we're starting to get a little bit of traction. She had heard about the Coon Rapids Program and things like that.

Ronning asked is this something we could video and put on the City's website somehow? To just let people see? There's no fear, you shouldn't be afraid of any of it. It's so simple and it makes so much difference. Hoffman stated and that's half of the battle, just getting it out there so people can see. It's not putting your mouth on someone else any more. It's literally just doing compressions, finding and getting that AED, but really getting the compressions right away, which is simple compressions on a person's chest. Very un-invasive. It doesn't get into that personal space and the 'icky factor' just goes away.

Voss stated I think those videos, especially the swimmer on the beach, because that was a real time happening. If we can get something like that on our website.

Davis stated Troy and I have also discussed doing the video of the actual demonstration of the training and putting it on our Channel 10 to run it, just continuously over the next couple of months.

Ronning stated there's no legal issue with that, is there? Vierling responded no. Voss stated, again, it's a simple thing that everyone can do that makes just a tremendous impact on their family, their friends, and the community. Ronning stated when we did it, it's surprising how simple it is to make that much difference for somebody. I can't say enough about it.

Voss stated Wade, thanks again and thanks to the Department. DuCharme stated he's pretty good at that, isn't he? Thanks Wade.

An audience member stated I have something. Just a suggestion to maybe advertise that you're covered by the Good Samaritan Law. I know I was trained by the scouts and that was something that they had told us. I think that's a lot of people's fear. Well, if I do this, am I going to get sued. Ronning stated yeah. Voss stated that's a good point.

Hoffman stated addressing that Good Samaritan Law, it is very key that the people are aware of that, that businesses are aware of that, and the people that we do train are aware of that. That is part of our training, it's actually discussed. The Good Samaritan Law does cover basically anything that could possibly happen, broken ribs. But again, a broken rib, the guy's going to not say, 'Why'd you broke my rib?' But, 'I'm alive.' The other thing is death so, you know, that Good Samaritan Law goes a long way. Yeah, keep getting it out there for educational purposes is very key. Voss stated that's a nice point. Thank you.

DuCharme stated just two quick comments. Recreational fires, we're seeing a lot of those and once again. We talk a lot about recreational fires and they can't be garbage and things like that, that we're burning. Throughout the month, this past month, we did have a couple of those. If you're going to burn, it's always better to let your neighbor know so if the smoke bothers them they've got a chance to close their window or they don't think that your house is on fire. Please, if our residents could do that it would be great.

DuCharme stated the last thing is the Fire Fighters are out selling tickets for the dance coming up at Booster Days. They are \$5 pre-sell. So, if you buy tickets, \$5 to get in. If you buy it at the gate, it's going to cost you \$7.

Voss stated for those who are watching, is there any way for them to contact? DuCharme stated you can call the Fire Station. My office, 763-367-7886. We have tickets also up here at City Hall. Voss stated at City Hall, okay, good.

Harrington stated and I think they've been putting them around at business establishments too. DuCharme stated yes the group is just kicking into high gear on it so I just want the residents to know. Yes, this is a real thing that we're out selling tickets. Okay? Thank you Council. Voss stated thanks Chief.

Davis presented the staff report indicating the Council approved the selection of Gibson Management Company as the contractor to provide management service for the East Bethel Ice Arena on June 3, 2015. Council directed staff to negotiate the contract with Gibson Management Company and present the contract to Council for their consideration at tonight's meeting.

Staff completed contract negotiations with Gibson Management Company relating to Ice Arena Management Services for the Arena for the term of August 1, 2015, to July 31, 2016. The basic changes to the previous contract are additions that require reporting of

maintenance and cleaning activities and communications updates. These changes are recommended to monitor contract performance and provide records for complaint issues.

The City has budgeted \$79,000 for this service and Gibson Management has agreed to this amount for the contract. In order to improve communications and provide on-line access for schedules and updates, the contract requires that Gibson upgrade their current software to accommodate these needs. The cost for this upgrade is \$3,650. Staff recommends the City pay the hosting fee of \$1,200 of this portion for the dry floor season and Gibson Management be responsible for the balance of this cost. The total contract amount proposed is \$80,200.

Staff recommends that Council consider approval of the attached Management Services Contract for \$79,000 and \$1,200 for the software hosting costs with Gibson Management Company for the 2015-2016 season.

Mundle stated I'll make a motion to approve the Management Services Contract for \$79,000 and \$1,200 for the software hosting cost with Gibson Management Company for 2015-2016. Harrington stated I'll second. Voss stated any discussion?

Harrington stated Jack, in this e-mail, this is not with the Contract, they were talking about a sound system at the Ice Arena now? Something with the sound system they have to put in? Davis stated yeah, that's not part of the Contract. Harrington stated right, I was just kind of curious. Was that their idea? Or, was that the City's idea? Davis stated they worked with us on that. The actual person that brought that up was Mr. Brad Kaehler and I'll present some details in the staff report on that. Harrington stated okay, thanks.

Mundle stated I do have a couple comments to make. Reading off the redlined copy, under Item 1.2, 'City will be responsible for the following...' The third bullet point down: 'Provide space in the City newsletter, cable access channel, City reader board, for Arena advertising information.' Do we want to include the City website for any of that? Davis stated we already have links on the City website for that. What we wanted to do here was make the same information available and make sure it's available on those. Mundle stated so it's already? Davis stated that's correct. Mundle stated okay.

Mundle stated then the second comment is under 2.1, second paragraph down, discussing 'the contractor is encouraged to utilize the Youth Hockey and/or St. Francis Booster Clubs for advertising, getting advertising sales.' Do we want to include a statement in there of 'and/or Chamber of Commerce?' Davis stated I would prefer to keep it within those two groups, personally. I don't know that the Chamber's going to be as motivated to sell ice ads as these two groups. I think they have a vested interest in not only the sales for themselves but to make sure that there's things up in there. They want to see the walls covered with ads rather than bare spaces. I'm just not sure the Chamber would have that investment that these groups have. Mundle stated okay. Voss stated the Chamber's got a lot on their 'plate' right now. Davis stated they can work with anybody. We're just encouraging them to utilize one or both of these two groups to help them in their ad sales. Mundle stated okay. That was the only comments I had.

Voss stated some of the discussion we had in the past was, mostly from Tom, is creating a list of metrics for Gibson to meet over the next year. Do we have that? Or, is it incorporated within the Contract? Or, what kind of mechanism are we going to track that? Davis stated that is incorporated in those redlined points. I had a conversation with Mr.

9.0G.1

Ice Arena

Contract

Ronning on some of these points that gives us a better recordkeeping of their cleaning activities. They'll have to provide us records with what they do. Also in their communications update, the updates of their website, the new software. They're also required to provide a monitor in the lobby so they can actually show these scheduling changes with their websites. So, unless there's any other things that you wish to add for measurement of performance, these are the things that we recommend. Voss stated I just wasn't sure whether it was going to be an attachment to the contract that's real explicit. I could tell a lot of it was melded to the contract language. All right.

Voss stated is there any other discussion to the motion? Hearing none, all favor say aye?"

Harrington, Mundle, Ronning, and Voss-Aye. Voss stated opposed? **None.** **Koller stated I abstain. Motion passes.**

9.G2.

MCES

Contract

Modification

Davis stated I have one more thing to add. In the Work Meeting tonight, the Council discussed a proposed modification to the City's Waste Water Service Agreement with Met Council. Staff and Council have been involved in negotiations with them for a period of approximately 18 months. At this time, we have an offer that we may wish to consider. This offer would essentially set a cap on the debt for our Reserve Capacity Loan of \$2 million. Once this debt was hit, then this Reserve Capacity Loan would terminate. Also, we would be evening our SAC rates out to the urban rate plus a \$700 increment, which compared with our current rate schedule, we would be even with that in two years and then from that point on, our rates would be less than our current schedule. It would also call for the elimination of the Reserve Capacity Loan payment. Once the \$2 million cap is hit, the Reserve Capacity Loan payment is equal to our flow charges.

Davis stated at this time, staff is requesting authorization from Council to inform the Met Council Environmental Services that the City approves the offer of the proposed Amendment #2 to the Waste Water Service Agreement, subject to the final contract revisions.

Harrington stated I'll make a motion to endorse the proposal as a modification to our current Waste Water Service Agreement. Mundle stated I'll second. Voss stated any discussion?

Voss stated so Jack, basically, what we're directing you to do is they provided the framework of what the Agreement will be, we're in general consensus with what was presented, and what we'll get back is an actual draft Agreement from MCES. Davis stated that is correct. This will be something both parties will have to sign to be effective. Voss stated and we're going to consider, I know there's a meeting at the end of July with their Environmental Committee. But, we're going to review the actual draft Agreement before that meeting? Davis stated we will impress upon them the fact that we need that prior to that meeting. Voss stated okay.

Ronning asked and the meeting's July 28th, I think? Voss stated it's the last week in July. Davis stated July 28th, correct. Voss stated and they've requested Jack and I to be at the meeting. Davis stated that's pending if they have the meeting. Sometimes they cancel those meetings in the summertime. It could actually be August, but that would be the earliest it would be.

Voss stated any more discussion to the motion? Hearing none, all in favor say aye?" **All in favor.** Voss stated opposed? The motion passes. **Motion passes unanimously.**

10.0 Other
10.0A
Staff Reports

Liquor
Ordinance
Amendments

Davis stated as I mentioned before, we have a regularly scheduled Work Meeting for next Wednesday. We have before us some proposed changes that will need to be made to our Liquor Ordinance to accommodate these craft breweries, distilleries, and micro-breweries. Colleen Winter had a conversation with Mr. Vierling today and we're suggesting that Mr. Vierling provide us with these Ordinance changes that will be necessary for us to be in compliance to permit these uses and have them be available to sell alcohol. I'm wondering if we want to do this at a Work Meeting. If we want to do it at a Work Meeting prior to a Council Meeting. When do we want to do this? I'd like to get this on the agenda as soon as Mr. Vierling can provide us with that information.

Cancel
June 24, 2015
Work
Meeting

Voss asked is there anything else that we'd be covering at a Work Meeting? Davis replied not that I have at this time. Voss asked how long do you think you'd need, Mark? Vierling replied I would hope I could get that to Jack by close of business Friday. Voss stated I mean in terms of discussion with the Council. Is it something we could do at the regular Council meeting the following week? Vierling replied I think you could.

Davis stated it just depends on how much you want to do, if it's a Work Meeting thing or if you want to do it at a Council Meeting. I think it will be pretty well 'cut and dried.' Vierling stated the Ordinance changes themselves are not terribly complex. Voss stated okay. I'd just as soon do it at the Council Meeting then, unless we've got a full agenda there. Davis stated unless there's other issues that you wish to address at a Work Meeting, there are none.

Voss stated I think it would be a more efficient use of our time. It's up to everyone though. Ronning stated it works for me. Voss stated so we'll cancel next week's meeting and notice that. Okay.

Ice Arena
Dasher Board

Davis stated I've reported the dasher board installation has been completed at the Ice Arena. I'm wondering if Council would like to set up a tour of the Arena to take a look at that some time in the future. It looks very good. Mr. Kaehler did an excellent job in coordinating that and making sure it happened good. We had great cooperation also from Gibson Management, City staff helped out a lot. It was a cooperative effort but Mr. Kaehler is the one that really deserves the kudos for this.

Voss asked are we missing some glass? Davis stated there were 11 panes that were broken during shipment but Mr. Kaehler is going to take care of that. He's in the process of getting those replaced. Voss stated okay. It looks pretty good. I was there for the gun show. Harrington stated yeah, I stopped by Monday. It looks nice. They are six inches taller, that's nice, the taller boards like that. But, it does look nice.

Arena Tour
July 1, 2015
6:00 p.m.

Voss stated I think it's a good idea. Can we do it before next Council Meeting? Davis replied sure. Voss stated say 6 o'clock. Does that work for everyone. Davis stated 6 o'clock on July the 1st. All right. Voss asked we'll have to notice it, won't we? Davis replied yes.

Mundle stated so do you want to meet at the Arena then? Voss stated yeah, meet at the Arena at 6. Any of the Booster Club or Hockey Club wants to be there too, I think that would be good. Davis stated I'll invite the Booster Club and the Youth Hockey Association. Voss stated we'll dedicate the glass, somebody's done that before so why not us.

10.0B
Council
Report –
Member
Harrington

Harrington stated we still have some openings for the Chamber of Commerce Golf Tournament on July 17th. If you'd like to get in, get a hold of Viking Meadows. Harrington stated this Saturday there's a fundraiser for the East Bethel Royalty at the Ice Arena. They're having a car wash from 10 a.m. to 2 p.m.

553
Lakeshore
Drive
Update

Harrington stated I have a question for Jack. 553 Lakeshore Drive, the status? Davis stated the work on that was postponed due to the contractor not being able to show up. He is to inform us of a date where he can come back there and perform the work. We hope he'll contact us by Friday. If not, we'll contact him to see what alternate dates can be arranged. Harrington stated okay.

Council
Member
Ronning

Ronning stated I don't really have anything. The Road Commission had a tour planned but the bus broke down. Good thing it broke down before we got started. Voss stated you didn't use the same tow truck. Harrington stated the bus didn't break down, they forgot about us, that's what I heard. Voss asked what? Harrington stated the bus didn't break down, they forgot about us. Voss stated oh.

Council
Member
Koller

Koller stated I just had a Planning Commission meetings and we all discussed that tonight already so that's it for me.

Council
Member
Mundle

Mundle stated at the last EDA meeting, we discussed Business Retention and Expansion a little bit. Task Members/Volunteers are still needed. I believe they have seven people committed out of ten positions. So, they're looking for at least three more volunteers. So, if anybody in the City would like to assist with that, they can contact Doug Welter at 612-961-2080 or you can contact Colleen Winter at 763 367-7855. There is a deadline on when we need the volunteers by and I believe it's by the end of July. Voss stated end of July, yes. That's a critical time. Mundle stated yes so please, if you're interested contact us.

Mundle stated then the EDA recognized, Tim brought this up at the last meeting, about Aggressive Hydraulics. The EDA recognized Aggressive Hydraulics for receiving a Small Business Award and the EDA would like Aggressive Hydraulics formally recognized at a Council Meeting for this. So, I believe it was discussed that they would be on the agenda at our next Council Meeting. Voss stated perhaps you can talk to Paul Johnson. Davis stated we'll invite him and do a resolution then. Voss stated okay, that's a good idea.

Mayor Voss

Voss stated I don't have much other than just to remind folks that Booster Days is going to come up sooner than later. I think they're still looking for floats in the parade, that's what I heard. Davis stated they're always looking for floats. Voss stated so hope it will be a good day and just keep that in everyone's calendar.

10.0C
Other

None.

**11.0
Adjourn**

Harrington stated I'll make a motion to adjourn. Koller stated I'll second. Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated any opposed? None opposed, motion passes. **Motion passes unanimously.**

Meeting adjourned at 9:04 p.m.

Submitted by:

Carla Wirth, *TimeSaver Off Site Secretarial Inc.*

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

RESOLUTION NO. 2015-35

**RESOLUTION RELATING TO PARKING RESTRICTION ON S.A.P. 203-122-001,
203-123-001 AND 203-125-001
185th AVENUE NE, LAUREL ROAD NE, AND LINCOLN DRIVE NE**

WHEREAS, this resolution passed this 1st day of July, 2015, by the City of East Bethel in Anoka County, Minnesota. The Municipal Corporation shall hereinafter be called the “City”, WITNESSETH:

WHEREAS, the City has planned the improvement of 185th NE from Lexington Avenue to Laurel Road NE in the City of East Bethel, Minnesota; and

WHEREAS, the City has planned the improvement of Laurel Road NE from 185th Avenue to Lincoln Drive NE in the City of East Bethel, Minnesota; and

WHEREAS, the City has planned the improvement of Lincoln Drive NE from Laurel Road NE to 900 feet west of Laurel Road NE in the City of East Bethel, Minnesota; and

WHEREAS, the City will be expending Municipal State Aid and other funds on the improvement of this street; and

WHEREAS, the intended use of these improvements does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street Project must be conditioned upon certain parking restrictions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the “City” shall ban the parking of motor vehicles on 185th Avenue NE, Laurel Road NE and Lincoln Drive NE.

Adopted this 1st day of July, 2015 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven R. Voss, Mayor

ATTEST:

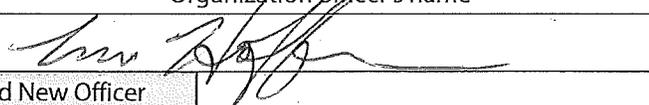
Jack Davis, City Administrator



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY
 TEMPORARY CONSUMPTION AND DISPLAY PERMIT**

(City or county may not issue more than 10 permits in any one year)

Name of organization Cedar East Bethel Lions		Date organized 2/18/1977	Tax exempt number [REDACTED]
Address [REDACTED]		City East Bethel	State Minnesota
		Zip Code 55011	
Name of person making application Tim Hoffman		Business phone [REDACTED]	Home phone [REDACTED]
Date(s) of event July 18, 2015	Type of organization <input checked="" type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name X 		City Wyoming	State Minnesota
		Zip 55092	
Add New Officer			

Location where permit will be used. If an outdoor area, describe.
 Booster West Park, 22266 Palisade St NE, East Bethel, MN 55011. This is a park, we use a beer wagon. It is all self-contained.

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City of East Bethel	July 1, 2015
City/County	Date Approved
\$0.00	July 18, 2015
City Fee Amount	Permit Date
N/A	carrie.frost@ci.east-bethel.mn.us
Date Fee Paid	City/County Email Address
	Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 7.0 C.1

Agenda Item:

June Parks Commission Report

Requested Action:

Information Item

Background Information:

The June 10, 2015 Parks Commission Meeting was held at the Cedar Creek Ecosystem and Scientific Reserve. The meeting included a presentation and overview of the Reserve’s activities and a tour of the facilities. The Commission members were shown the BAC (Biodiversity and Climate) experimental area which examines the interactive effects of global warming and biodiversity on prairie ecosystems. Members also viewed experiments in prescribed burning and fire suppression in forest ecosystems.

Residents of the Deer Haven Development attended the meeting and requested changes to maintenance practices at Deer Haven Park and proposed improvements to be funded from money remaining from the initial park development funds raised by the residents.

Mr Greg Castellano, Mr Dennis Feela and Mr Albert Bailey presented their request to use the remaining \$869 left in a fund they had collected to make improvements to the park. The money has been in a non-interest bearing account at a local bank for several years but the bank has been charging fees that have taken over \$100 from the total funds. The Commission advised the group that they will work with them on a plan to accept and expend these funds for improvements at Deer Haven Park.

The City had previously decreased mowing the entire park due to lack of use. The residents would like to see the entire park mowed so all areas can be used. They are willing to do the mowing themselves but Mr Ayshford stated that the City would provide that service.

The residents were encouraged to participate in the Adopt-A-Park program. Mr Ayshford explained how the program works and the residents in attendance favored this approach.

Attachments:

Fiscal Impact:

None at this time

Recommendation(s):

No Action Required



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 8.0 A.1

Agenda Item:

Larsons Woods Preliminary and Final Plat for the subdivision of 3216 203 Avenue NE,
PID # 22-33-23-14-0001

Requested Action:

Consider approval of the Preliminary and Final Plat for Larsons Woods

Background Information:

Mr. Jim Malvin is requesting to subdivide his property that adjoins Naples St. on the east and 203rd Ave. on the northwest. Mr. Malvin proposes to plat two residential lots fronting Naples St., Lots 1 and 2, and create a third lot, the remaining acreage and the home at 3216 203rd Ave. as Lot 3. This parcel is zoned Rural Residential (RR) and the property size is 40.5 acres.

Mr. Malvin presented his request to the Planning Commission on June 24, 2015 and the Commission unanimously approved the plat for the three lot subdivision. The Planning Commission Meeting served as the Public Hearing for both the Preliminary and Final Plat for this proposal. The minutes of the Planning Commission meeting will be forwarded to Council on Monday, June 29, 2015.

All required documents as outlined in the City Subdivision Ordinance Chapter 66, Article III have been submitted for this plat. Portions of this property are located in a floodplain but are outside the buildable areas of the two new lots. Wetlands have been delineated and do not impact the buildable and upland areas of the division. Soil borings have been completed, lowest floor elevations have been established and the buildable areas on Lots 1 and 2 are 3 feet or more above the mottled soils and the 100 year flood elevation. Drainage easements have been defined along property lines and runoff will be directed to existing wetland areas for Lots 1 and 2. As there is no new street construction, no storm water ponds are required for this proposed development.

The proposed lots meet all the frontage, density, size and setback requirements prescribed in the Rural Residential Zoning District.

Attachments:

1. Attachment 1 - Location map
2. Attachment 2 - Preliminary and Final Plat
3. Attachment 3 - Grading plan

Fiscal Impact:

To be determined

Recommendation: The Planning Commission recommends City Council consider approval of
Larsons Woods, Block 1, Lots 1, 2 and 3 Preliminary and Final Plat and the preparation and
adoption of a developer's agreement for this subdivision.

City Council Action

Motion by: _____

Second by: _____

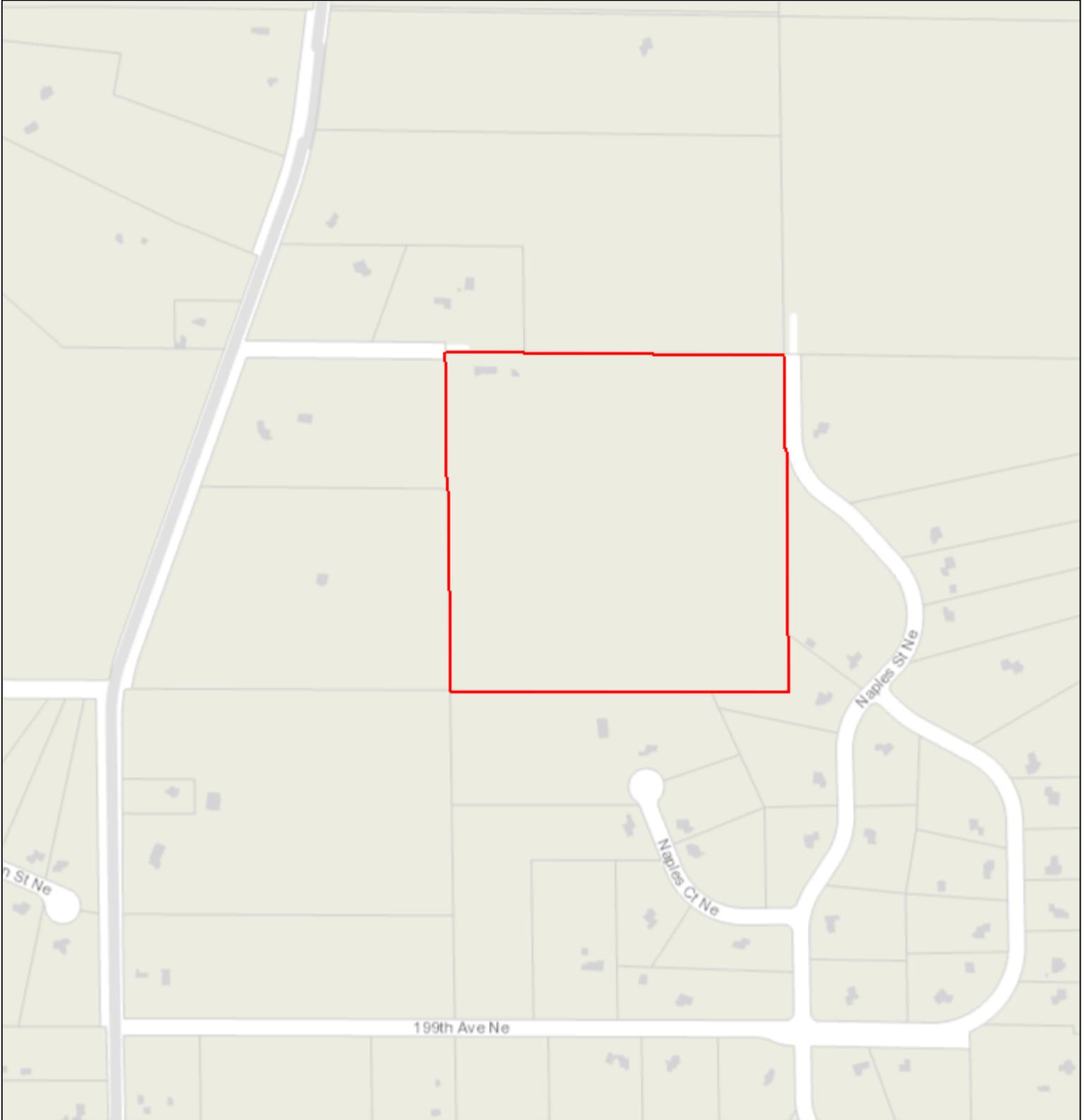
Vote Yes: _____

Vote No: _____

No Action Required: _____



3216 203rd Ave NE



Parcel Information

1 in = 752 ft

PIN: 223323140001

Acres: 40.5

Owner Name: MALVIN AMY

Address1: 3216 203RD AVE NE

Address 2: EAST BETHEL, MN 55011

Site Address1: 3216 203RD AVE NE

Site Address 2: EAT BETHEL, MN 55011-9523

Zoning: RR

Shoreland: null

Legal: THE SE1/4 OF NE1/4 OF SEC 22 TWP 33 RGE 23, SUBJ TO EASE OF REC

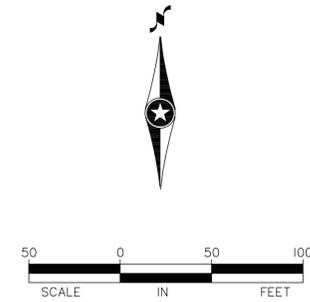
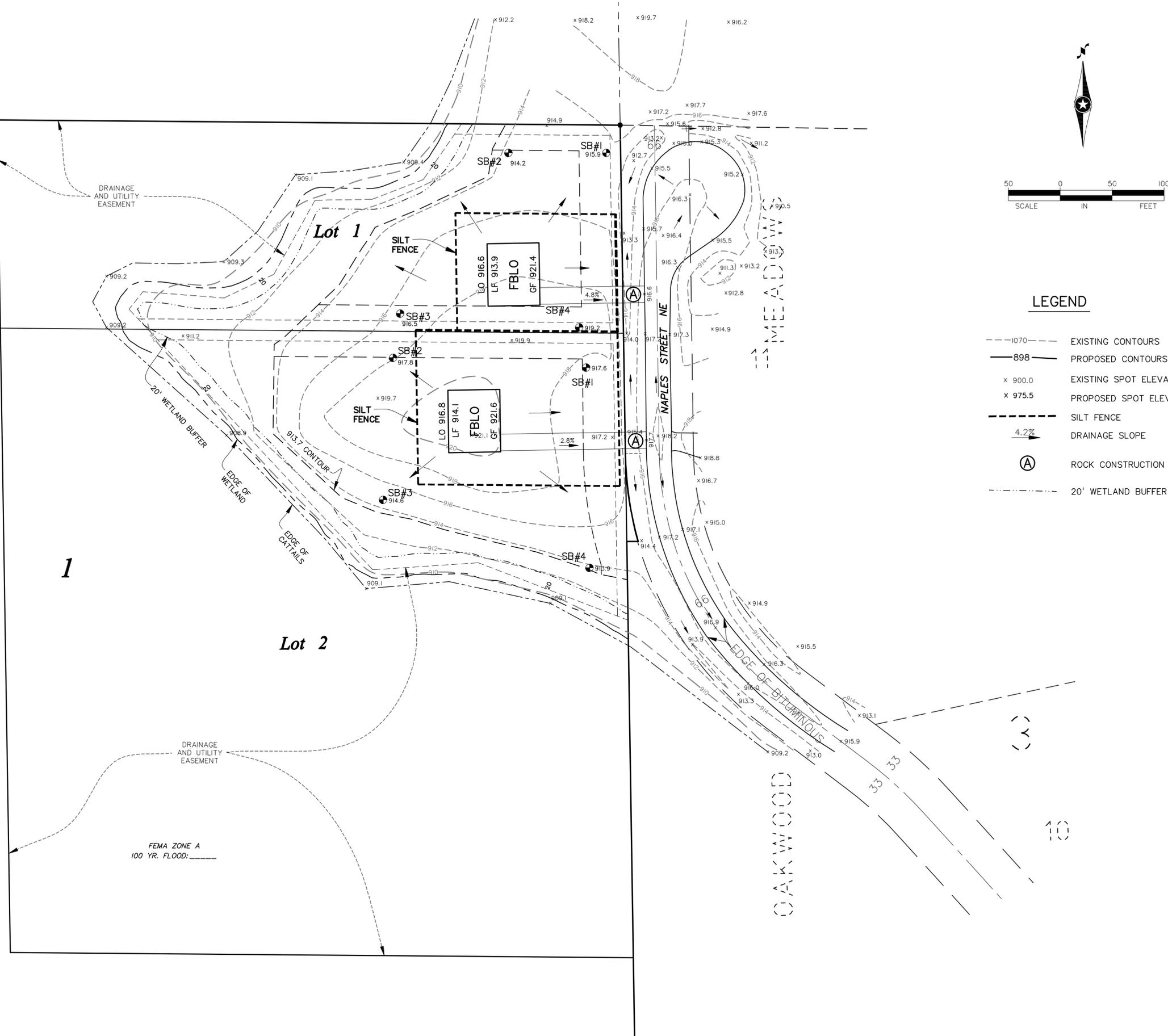


June 19, 2015

B L O C K 1

Lot 3

Lot 2



LEGEND

- 1070--- EXISTING CONTOURS
- 898— PROPOSED CONTOURS
- x 900.0 EXISTING SPOT ELEVATIONS
- x 975.5 PROPOSED SPOT ELEVATIONS
- SILT FENCE
- 4.2% DRAINAGE SLOPE
- (A) ROCK CONSTRUCTION ENTRANCE
- - - - - 20' WETLAND BUFFER

REV NO.	DATE	DESCRIPTION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.

Signature: *Ross D. Abel*
 Ross D. Abel, PE
 Date: 05/28/2015 Lic. No. 16733

Oliver Surveying & Engineering, Inc.
 Land Surveying • Civil Engineering • Land Planning
 580 Dodge Ave. Elk River, Minnesota 55330
 (763) 441-2072 - fax. (763) 441-5665
 www.oliver-es.com

LARSONS WOODS
 EAST BETHEL, MN
 FOR
JIM MALVIN
 PRELIMINARY GRADING PLAN



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 8.0 C.1

Agenda Item:

City of East Bethel Liquor Ordinance, Sections 6-51, 6-52 and 6-63

Requested Action:

Consider approval of amendments to the City Code of Ordinances, Alcoholic Beverages

Background Information:

Craft beer brewing and small distilleries have become a growing industry. With the passage of the Surly Bill in 2011, Cities are enacting or amending ordinances that will allow them to permit craft brewers as approved uses within designated zoning districts and license the sale of their product. The Surly Law allows local craft brewers to sell pints of their beer where the beer or liquor is produced.

East Bethel has been approached by an individual who is considering the City as a location for a craft brewery. In order to accommodate this type of business, the City Council approved changes to the Comprehensive Plan and amended the Zoning Ordinance to allow microbreweries, distilleries, and food trucks to be located in commercial and industrial districts. The next step required for the legal operation of craft brewers is the amendment of the City Alcoholic Beverages Ordinance that would permit sales for these types of operations.

The City Attorney has prepared recommended changes to the East Bethel City Code that would allow these businesses to be licensed for the sale of their products subject to all applicable Minnesota Statutes and federal laws, rules and regulations. These proposed amendments to the City Code are included in your attachments.

In addition to the amendments that would license brewers and micro-distilleries, there is an additional amendment under Section 6-63 that would allow Sunday sales for qualifying establishments to commence sales at 8:00 AM. The current time allowed for the commencement of Sunday sales is 10:00 AM.

Attachments:

1. Ordinance Changes - Redline copy
2. Ordinance Changes - Clean version

Fiscal Impact:

Recommendations:

Staff requests Council consider approval of the proposed amendments to Sections 6-51, 6-52 and 6-63 of Chapter 6, Article III of the City of East Bethel’s Alcoholic Beverages Ordinance.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

Sec. 6-51. Definitions

- Microdistillery. “Microdistillery” is a distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year.

- **Sec. 6-52. - License required.**

(a)

No person except wholesalers or manufacturers to the extent authorized under state license, shall directly or indirectly deal in, sell, or keep for sale any intoxicating liquor without first having received a license to do so as provided in this article. Licenses shall be of three kinds: "on sale," "off sale" and club licenses.

(b)

"On sale" licenses shall be issued only to exclusive liquor stores and shall permit "on sales" of liquor only. Not more than seven "on sale" licenses shall be granted at any one time.

(c)

"Off sale" licenses shall be issued only to a proprietor of an exclusive liquor store and shall permit "off sales" of liquor only.

(d)

(e) A microdistillery defined under Minnesota Statute 340A.22 may be licensed for the off sale of distilled spirits produced and packaged on the licensed premises, subject to all applicable Minnesota Statutes, federal laws, rules and regulations. Off-sale of distilled spirits permitted in this section may only be made during the hours that off-sale liquor may be made in Section 6-59 of this code.

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~~(f)~~(e)

(e) A brewer defined under Minnesota Statute 340A.301 may be licensed for the “off-sale” of malt liquor produced and packaged on the licensed premises, subject to the following conditions:

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(1) Off-sale of malt liquor may only be made during the hours that “off-sale” of liquor may be made in Section 6-59 of this code, and from

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8:00 a.m. to 10:00 p.m. on Sundays, excluding Thanksgiving Day, December 25th, and after 8:00 p.m. on December 24th.

(2) The malt liquor shall be packaged in sixty-four-ounce containers commonly known as “growlers” or in seven hundred fifty (750) milliliter bottles;

(3) The malt liquor sold at “off-sale” must be removed from the licensed premise before the applicable closing time at exclusive liquor stores;

(4) The “growler” must be sealed in such a manner that the seal must be broken in order to open the container and the seal must bear the name and address of the brewer, and the legend “Not for Consumption in Public” must be prominently displayed on the seal.

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(5) (f)

The holder of a Brewers License issued under Minn. Stat 340A.301 subd 6, clause (c),(i) or (j) may be issued a brewers taproom license. The brewer’s taproom license shall authorize the on-sale of malt liquor produced by the brewer for the consumption on the premises of or adjacent to one brewery location owned by the license holder subject to compliance with all other statutory provisions and eligibility requirements for retail on-sale licenses provided under this ordinance.

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(g)

A brewer licensed under subdivision 6, clause (c), (i), or (j), may be issued a license for off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer. The license must be approved by the commissioner. The amount of malt liquor sold at off-sale may not exceed 500 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the City and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. The malt liquor shall be packed in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon

opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100 and:

(1) A brewer may, but is not required to, refill any growler with malt liquor for off-sale at the request of a customer. A brewer refilling a growler must do so at its licensed premises and the growler must be filled at the tap at the time of sale. A growler refilled under this paragraph must be sealed and labeled in the manner described in paragraph (a).

(2) A brewer may only have one license under this subdivision.

(3) The City will not issue a license under this subdivision to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

~~(6)~~ (4) The Brewer shall pay a license fee established by Resolution.

~~(h)~~

Club licenses shall be issued only to duly incorporated clubs or congressionally chartered veterans' organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests.

~~(i)~~

The holder of an on-sale wine license who is also licensed to sell 3.2 percent malt liquors at on-sale and who carries liquor liability insurance and the limits set forth in Minn. Stats. § [340A.409], shall have the right to sell intoxicating malt liquors at on-sale without an additional license.

(Ord. No. 116, pt. B, § 2, 4-5-1978; Ord. No. 22, Second Series, 5-19-2010; Ord. No. 29, Second Series, § 2, 2-16-2011)

State law reference— Intoxicating liquor license, Minn. Stats. § 340A.404.

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- **Sec. 6-63. - Sunday sales.**

(a)

A restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an "on sale" intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of ~~8~~¹⁰:00 a.m. on Sundays and 2:00 a.m. on Mondays.

(b)

An establishment serving intoxicating liquors on Sunday must obtain a Sunday "on sale" intoxicating liquor license from the city. The fee for a Sunday liquor license shall be as determined by the city council by resolution from time to time and shall be payable on or before July 31 of each year; the license must be renewed annually.

(Ord. No. 116, pt. B, § 13, 4-5-1978; Ord. No. 116G, § 3, 10-18-1989; Ord. No. 201, § 3, 12-7-2005)

State law reference— Hours and days of sale, Minn. Stats. § 340A.504.

**CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA**

**ORDINANCE AMENDMENT OF SECTIONS 6-51, 6-52, AND 6-63 OF THE
CODE OF ORDINANCES OF THE CITY OF EAST BETHEL,
AFFECTING THE SALE OF ALCOHOLIC BEVERAGES**

The City Council of the City of East Bethel, Anoka County, Minnesota does hereby ordain as follows:

Section 1. Amendment. Section 6-51 is hereby amended to add the following:

SEC. 6-51. DEFINITIONS

Microdistillery. “Microdistillery” is a distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year.

Section 2. Amendment. Sections 6-52 and 6-63 of the Code of Ordinances of the City of East Bethel are hereby amended to delete the same in their entirety and substitute the following therefore:

SEC. 6-52. LICENSE REQUIRED

- (a) No person except wholesalers or manufacturers to the extent authorized under state license, shall directly or indirectly deal in, sell, or keep for sale any intoxicating liquor without first having received a license to do so as provided in this article. Licenses shall be of three kinds: "on sale," "off sale" and club licenses.
- (b) "On sale" licenses shall be issued only to exclusive liquor stores and shall permit "on sales" of liquor only. Not more than seven "on sale" licenses shall be granted at any one time.
- (c) "Off sale" licenses shall be issued only to a proprietor of an exclusive liquor store and shall permit "off sales" of liquor only.
- (d) A microdistillery defined under Minnesota Statute 340A.22 may be licensed for the off sale of distilled spirits produced and packaged on the licensed premises, subject to all applicable Minnesota Statutes, federal laws, rules and regulations. Off-sale of distilled spirits permitted in this section may only be made during the hours that off-sale liquor may be made in Section 6-59 of this code.
- (e) A brewer defined under Minnesota Statute 340A.301 may be licensed for the “off-sale” of malt liquor produced and packaged on the licensed premises, subject to the following conditions:

- (1) Off-sale of malt liquor may only be made during the hours that “off-sale” of liquor may be made in Section 6-59 of this code, and from 8:00 a.m. to 10:00 p.m. on Sundays, excluding Thanksgiving Day, December 25th, and after 8:00 p.m. on December 24th;
 - (2) The malt liquor shall be packaged in sixty-four-ounce containers commonly known as “growlers” or in seven hundred fifty (750) milliliter bottles;
 - (3) The malt liquor sold at “off-sale” must be removed from the licensed premise before the applicable closing time at exclusive liquor stores;
 - (4) The “growler” must be sealed in such a manner that the seal must be broken in order to open the container and the seal must bear the name and address of the brewer, and the legend “Not for Consumption in Public” must be prominently displayed on the seal.
- (f) The holder of a Brewers License issued under Minn. Stat 340A.301 subd 6, clause (c),(i) or (j) may be issued a brewers taproom license. The brewer’s taproom license shall authorize the on-sale of malt liquor produced by the brewer for the consumption on the premises of or adjacent to one brewery location owned by the license holder subject to compliance with all other statutory provisions and eligibility requirements for retail on-sale licenses provided under this ordinance.
- (g) A brewer licensed under subdivision 6, clause (c), (i), or (j), may be issued a license for off-sale of malt liquor at its licensed premises that has been produced and packaged by the brewer. The license must be approved by the commissioner. The amount of malt liquor sold at off-sale may not exceed 500 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the City and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. The malt liquor shall be packed in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100 and:
- (1) A brewer may, but is not required to, refill any growler with malt liquor for off-sale at the request of a customer. A brewer refilling a growler must do so at its licensed premises and the growler must be filled at the tap at the time of sale. A growler refilled under this paragraph must be sealed and labeled in the manner described in paragraph (a).

- (2) A brewer may only have one license under this subdivision.
- (3) The City will not issue a license under this subdivision to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 20,000 barrels of its own brands of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.
- (4) The Brewer shall pay a license fee established by Resolution.
- (h) Club licenses shall be issued only to duly incorporated clubs or congressionally chartered veteran's organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests.
- (i) The holder of an on-sale wine license who is also licensed to sell 3.2 percent malt liquors at on-sale and who carries liquor liability insurance and the limits set forth in Minn. Stats. § [340A.409], shall have the right to sell intoxicating malt liquors at on-sale without an additional license.

SEC. 6-63. SUNDAY SALES.

- (a) A restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 8:00 a.m. on Sundays and 2:00 a.m. on Mondays.
- (b) An establishment serving intoxicating liquors on Sunday must obtain a Sunday "on sale" intoxicating liquor license from the city. The fee for a Sunday liquor license shall be as determined by the city council by resolution from time to time and shall be payable on or before July 31 of each year; the license must be renewed annually.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council for the City of East Bethel this ____ day of July, 2015.

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 8.0 G.1

Agenda Item:

2016 Budget Meeting Schedule

Requested Action:

No action required at this time

Background Information:

City Council has scheduled a Work Meeting for 6 PM on July 8, 2015 to receive and begin discussions on the proposed 2016 budget. City Council will be presented with the 2016 Draft Budget at the July 1, 2016 meeting.

Attachments:

Fiscal Impact:

To be determined

Recommendation(s):

Information Only



City of East Bethel City Council Agenda Information

Date:

July 1, 2015

Agenda Item Number:

Item 8.0 G.2

Agenda Item:

Recycle Report

Requested Action:

Information Item

Background Information:

On June 17, 2015 Anoka County held its 26th Annual Recycling Recognition Awards ceremony. The event recognized municipalities, haulers, and service providers who assisted Anoka County residents and businesses with recycling 180,821 tons of materials in 2014, resulting in the recycling of 42% of waste generated in the county. The amount of materials recycled in 2014 was 10,421 tons **more** than in 2013. Together, county, municipal staff and other partners increased information available to residents about recycling and improved recycling opportunities available to county residents.

The City of East Bethel received a “Most Improved Municipal Drop-off Program” Award for increasing the amount of recyclables collected by 30% or more over the previous year for the monthly Saturday Drop-Off Program at the Recycle Center. East Bethel’s tonnage collected increased from 195 to 273 tons (34%) from 2013 to 2014. In addition, the City collected 97.3% (1,061.46 tons) of its total 2014 Recycle Goal of 1,091 tons as set by the County.

The County’s Recycle Goals are set each year and funds are provided to assist the City to meet these goals. All Cities receive \$10,000 and an additional \$5.00 per household for the base grant award.

The tonnage requirements are based on 190 lbs./person/year. Population estimates are based on 2013 MET Council estimates.

Attachments:

- Attachment 1 - Recognition Award Certificate
- Attachment 2 - 2014 Anoka County Municipal Recycling Report
- Attachment 3 - Funding Details

Fiscal Impact:

None at this time

Recommendation(s):

No Action Required

THE ANOKA COUNTY BOARD OF COMMISSIONERS

Acknowledges with great appreciation the commitment to recycling of

City of East Bethel

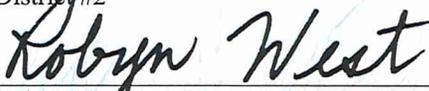
**In 2014, Anoka County residents and businesses recycled 180,821 tons of material.
Thank you for helping us achieve our recycling goals, serve the community and
conserve natural resources.**



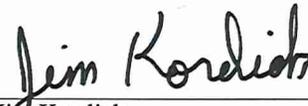
Matt Look
District #1



Julie Braastad
District #2



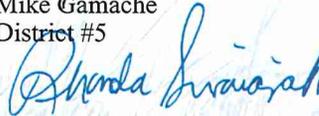
Robyn West
District #3



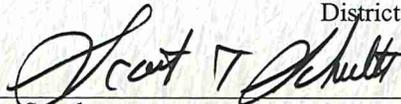
Jim Kordiak
District 4



Mike Gamache
District #5



Rhonda Sivarajah
District #6



Scott Schulte
District #7

THE ANOKA COUNTY BOARD OF COMMISSIONERS

acknowledges with great appreciation the recycling efforts of

The City of East Bethel

For increasing the drop-off tons collected by 78 tons, a 34% increase from 2013 to 2014.

**Thank you for helping us achieve our recycling goals,
serve the community and conserve natural resources.**



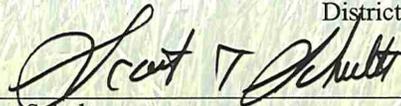
Matt Look
District #1



Julie Braastad
District #2



Robyn West
District #3



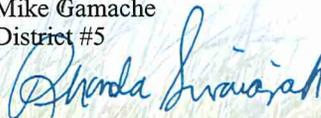
Scott Schulte
District #7



Jim Kordiak
District 4



Mike Gamache
District #5



Rhonda Sivarajah
District #6

2014 Anoka County Municipal Recycling Report

Population	City/Township	2014 Goal (in tons)	Jan-June Tons Abated	July-Dec Tons Abated	Total	% of Goal Achieved	Pounds per person	Pounds per person per month	HH	#/HH/YR
31,125	Andover	2,943	1,719.11	1,937.35	3,656.46	124.243%	234.95	19.58	10,006	730.85
17,345	Anoka	1,533	655.00	667.06	1,322.06	86.240%	152.44	12.70	7,123	371.21
465	Bethel	44	34.13	35.84	69.97	159.023%	300.95	25.08	174	804.25
60,199	Blaine	5,625	2,069.54	2,162.65	4,232.19	75.239%	140.61	11.72	21,758	389.02
3,841	Centerville	363	295.84	12.04	307.88	84.815%	160.31	13.36	1,328	463.67
5,018	Circle Pines	472	211.81	231.34	443.15	93.888%	176.63	14.72	2,040	434.46
19,676	Columbia Heights	1,818	769.84	925.40	1,695.24	93.248%	172.32	14.36	8,001	423.76
3,929	Columbus	373	201.77	206.86	408.64	109.554%	208.01	17.33	1,423	574.33
61,850	Coon Rapids	5,758	3,366.37	3,395.00	6,761.37	117.426%	218.64	18.22	23,680	571.06
11,555	East Bethel	1,091	462.66	598.81	1,061.46	97.293%	183.72	15.31	4,033	526.39
27,591	Fridley	2,543	1,094.24	1,176.39	2,270.63	89.289%	164.59	13.72	11,292	402.17
15,462	Ham Lake	1,458	710.56	665.77	1,376.33	94.398%	178.03	14.84	5,233	526.02
842	Hilltop	74	92.63	62.57	155.20	209.726%	368.64	30.72	397	781.85
2,014	Lexington	186	94.94	76.85	171.79	92.362%	170.60	14.22	778	441.63
20,625	Lino Lakes	1,819	1,003.82	998.92	2,002.74	110.101%	194.20	16.18	6,323	633.48
5,169	Linwood	488	178.25	220.54	398.79	81.719%	154.30	12.86	1,903	419.12
4,487	Nowthen	421	163.77	181.94	345.71	82.116%	154.09	12.84	1,462	472.93
8,088	Oak Grove	767	340.07	525.77	865.84	112.887%	214.11	17.84	2,761	627.19
23,946	Ramsey	2,263	1,294.91	1,356.21	2,651.12	117.151%	221.42	18.45	8,134	651.86
7,277	St Francis	682	276.05	319.04	595.08	87.256%	163.55	13.63	2,543	468.02
6,244	Spring Lake Park	581	272.08	293.38	565.46	97.326%	181.12	15.09	2,605	434.14
336,748	TOTAL	31,302	15,307.39	16,049.72	31,357.11	100.176%	186.23	15.52	122,997	11,147.41

Municipality	2015 Base Funding and Goals							2015 Additional Enhancement Funds Available										Total Funds Available for 2015 Base + Enhancement Funds	
	Base Funding: \$10,000 + \$5.00/HH						Goals: 175 PP MF + 190 PP SF	Monthly Drop-off Events		Full Service Drop-off Center	Park and Event Recycling			Curbside and Multi-Unit Recycling			General Enhancement Grant \$1/HH		Organics Collection \$1/HH
	Contract Number	Total Pop	HH	\$10,000 Base	\$5.00/HH	Total		Up to 4,999 households	5,000 + households		Up to 2,000 households	2,001- 4,999 households	5,000 and up households	Up to 2,000 households	2,001- 4,999 households	5,000 and up households	All municipalities are eligible equally		All municipalities are eligible equally
			\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$			\$		
East Bethel	C0003920	11,588	4,052	\$ 10,000	\$ 20,260	\$ 30,260	1,094	\$ 10,000				\$ 4,000			\$ 4,000		4,052	4,052	\$ 56,364

2015 Total SCORE Allocation: \$1,051,986 - \$116,810.50 must be spent on organics

Population and Household Counts are based on 2013 Met Council Estimates

Goals are based on 190 pounds/person/year single family home up to 4 units and 175 pounds/person/year multi-units 5 units or more