

City of East Bethel
City Council Agenda
 Regular Council Meeting – 7:00 p.m.
 Date: July 15, 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 3-8 A. Sheriff's Report
- 7:10PM 5.0 **Public Forum**
- 7:20 PM 6.0 **Consent Agenda**
 Page 9-11

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

- Page 12-16 A. Approve Bills
- Page 17-28 B. Meeting Minutes - July 1, 2015 City Council Meeting
- Page 29-30 C. Nordin Estates Final Payment
- Page 31-33 D. Purchase of Fire Tanker Truck
- E. Administrative Fine - Route 65 Discount Liquor
- F. Rental Inspection Fee
- Page 34 G. Resolution 2015-36, Night to Unite
- Page 35 H. Supplemental Payment Summary

- 7:25 PM **New Business**
- 7.0 Commission, Association and Task Force Reports
 - A. Planning Commission
 - B. Economic Development Authority
 - C. Parks Commission
 - D. Road Commission

- 7:30 PM 8.0 **Department Reports**
 - A. Community Development
 - B. Engineer
 - 1. 185th, Laurel, Lincoln Road and 2015 Overlay Project Bids
 - C. City Attorney
 - 1. Approval of Settlement Agreement between the City and Joseph and Michaela Loch on Land Acquisition
 - D. Finance
 - E. Public Works
 - F. Fire Department
 - 1. Department Report – June 2015

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- G. City Administrator
 - 1. Parks Dedication Fee
 - 2. MCES Wastewater Services Agreement
 - 3. Fall Recycle Day
 - 4. July Work Meeting

7:55PM

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). PID # 29-33-23-33-0002

8:30 PM

10.0

Adjourn



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 4.0 A

Agenda Item:

Anoka County Sheriff's Office June Report

Requested Action:

Information Item

Background Information:

Commander Orlando will present the ACSO report for June 2015

Attachments:

Fiscal Impact:

Recommendation(s):

No action required

Anoka County Sheriff's Office Report June 2015

Custodial Arrests / Significant Events

DWI's: There were 4 DWI arrests for June. All 4 were the result of stops for driving conduct violations. One test was a refusal. One test had a bac of .25. This arrest took place just after noon.

5th Degree Controlled Substance / Warrant Arrest: On 06-07-15 Deputy Kvam conducted a traffic stop on a vehicle where he knew the driver to have a warrant for his arrest. Deputy Kvam also knew the driver to be involved with methamphetamine in the past. Deputy Kvam spoke with the male suspect who advised he was aware of the warrant for his arrest and advised he did have a glass pipe in the center console of the vehicle. Deputy Kvam conducted a search of the vehicle and found many small plastic baggies that contained trace amounts of white powdery substance, believed to be methamphetamine. The male was arrested and transported to jail.

5th Degree Assault/Warrant Arrest: On 06-20-15 deputies were called to a misdemeanor assault report. Upon arrival, the female victim, who is the sister of the homeowner advised she had been threatened by a male who lives in her brother's basement. The female advised she had been arguing with the male about him taking advantage of her brother. The female advised that the argument had started in the house, but went outside onto the driveway. The victim reported the male had told her he was going to wrap his arms around her face and shoot her. The male then left with his girlfriend. While the deputy was there taking the report, the male returned. The male denied making any threat to shoot the victim. There was another witness who verified that the male had made a threat to shoot, however there was no further talk of a weapon or him getting a gun. The male was found to have a warrant for a probation violation. The male was taken into custody and charged with misdemeanor assault.

Terroristic Threats/Domestic Assault: On 06-21-15 deputies were called to a residence on a male/female domestic where the female called, was yelling at a male then disconnected the line. Upon arriving the female was leaving the residence in her vehicle, which deputies stopped. The female claimed she was leaving the residence as she was very upset and yelling and wanted to calm down. The female stated she was mad at her landlord and

roommate for various reasons. Deputies met with the roommate who advised the female had been arguing with the landlord. The roommate advised he had tried to steer clear of the female, but she ended up grabbing a knife from the kitchen and coming to where he was sitting, calling him names and stated "you know where this is going" while the knife was a few inches from his face. The female then took the knife, threw it on a counter and left. The roommate indicated that he was in fear of the female and thought she was going to stab him. The landlord stated the female has some mental health issues, was not on any medication, and had been drinking. The landlord did not want the female to be charged. As the roommate was the one threatened, the female was taken into custody and charged with terroristic threats and domestic assault.

Burglary/Damage to Property/Flee on Foot: On 06-27-15 deputies were called to a reported burglary/damage to property. Upon arrival deputies met with a renter of a residence. The renter advised she had allowed her brother and his friend to stay at the residence until two nights prior when the homeowner and her brother got into an argument and deputies were called, formally trespassing her brother and his friend. Tonight she had come home and saw her brother and his friend back at a shed and the ATV was at the wood line of the property. She went out to him and told him he isn't supposed to be at the residence and he told her he was going to do whatever he wanted, in retaliation for being trespassed. The ATV belonged to the property owner. The ATV had been damaged from the two males attempting to hotwire it. The renter called 911 and upon deputies arrival one male was detained while the other fled into the woods. A K9 track was started, but the male was not located. The male that was detained was charged with burglary and damage to property. An attempt to locate was placed for the second male.

Burglary/5th Degree Assault /Damage to Property: On 06-28-15 deputies were called to a residence on a neighbor who had kicked the door in, assaulted a homeowner and fled the residence. The residence had damage from the door being kicked in after it had been locked with a dead bolt. The homeowners stated that a neighbor had been over at their residence and they had told him to leave as he was intoxicated. The homeowners went into their residence and the wife locked the deadbolt on their door. The suspect began kicking their front door and was able to kick it open. The suspect came into the residence and punched the victim in the eye. The suspect then fled the residence. The victim sustained redness to his eye and a scratch on

his arm. The door had damage from being kicked open. Deputies responded to the suspect residence but he had not returned home. The suspect was located and arrested approximately 14 hours later.

Arrest Breakdowns:

Felony Arrests: 4

Burglary - 2

Terroristic Threats - 1

5th Degree Controlled Substance -1

Gross Misdemeanor: 1

Introduction of a Controlled Substance into a Correctional Facility - 1

Misdemeanor: 10

Disturbing the Peace – 3

5th Degree Assault – 3

Trespassing – 1

Property Damage – 1

Theft – 1

Possess Stolen Property - 1

CITY OF EAST BETHEL

JUNE 2015

ITEM	June-15	May-15	YTD 2015	YTD 2014
Radio Calls *	NA**	NA**	NA**	1,762
Incident Reports	301	365	1,936	1,880
Burglaries	3	2	16	16
Thefts	17	17	83	74
Crim Sex Conduct	1	0	5	8
Assault	5	0	14	9
Damage to Property	3	3	21	15
Harass Comm	1	6	23	14
Felony Arrests	4	2	26	19
Gross Misd Arrests	1	2	3	4
Misd Arrests	10	10	51	47
DUI Arrests	4	5***	27***	26
Domestic Arrests	3	7	20	13
Warrant Arrests	7	0	22	30
Traffic Arrests	40	86	402	553

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

** Calls for Service not available at this time.

***Indicates at least 1 Underage Drink and Drive arrest.

CITY OF EAST BETHEL – COMMUNITY SERVICE OFFICERS

JUNE 2015

ITEM	June-15	May-15	YTD 2015	YTD 2014
Radio Calls	36	38	208	245
Incident Reports	34	33	189	208
Accident Assist	4	2	14	18
Vehicle Lock Out	0	2	16	26
Extra Patrol	24	25	134	214
House Check	0	0	0	0
Business Check	0	0	1	21
Animal Complaints	10	9	41	38
Traffic Assist	5	3	16	42
Aids: Agency	40	27	208	194
Aids: Public	14	20	95	109
Paper Service	2	0	2	3
Inspections	0	0	0	0
Ordinance Violations	0	0	8	3



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 6.0 A-H

Agenda Item:

Consent Agenda

Requested Action:

Consider approval of the Consent Agenda

Background Information:

Item A

Approve Bills

Item B

July 1, 2015 City Council Minutes

Meeting minutes from the July 1, 2015 City Council Meeting are attached for your review and approval.

Item C

Final Payment for the Nordin Estates Projects

Dryden Excavating, Inc. has completed the Nordin Estates Drainage Improvement Project and has submitted all the required documentation to consider this project for final payment. Staff recommends final payment of \$53,196.40. Payment for this project will be financed from the City's Street Capital Fund. Funds, as noted, are available and appropriate for this project. A copy of the final payment form is attached.

Item D

Purchase of Fire Tanker Truck

At the June 17, 2015 Council Meeting, Staff presented a proposal to replace a budgeted Fire Truck Tanker. Council tabled the project until additional questions could be answered on the overall cost versus other apparatus that is advertised on the internet.

Staff has researched the internet advertised vehicle and compared it to the proposed apparatus and has attached a short comparison for the Council to view. It appears there is no real cost savings with the internet advertised truck and Staff has concerns over the poly/plastic body.

Because of the large differences between the two trucks and the needs of the Fire Department, along with the scheduled life of the truck; Staff recommends the purchase of the Rosenbauer Fire Truck Tanker.

Staff has included below the information from the June 17, 2015 Agenda:

The Vehicle/Equipment replacement fund calls for the replacement of Tanker 11 in 2016. The Fire Department has created a truck replacement committee that has carefully analyzed the needs for the City in replacement of this truck.

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 City of East Bethel became a member of this group, with Council direction, in 2012. Our City Attorney has vetted the HGAC agreement before Council approval to apply for membership. As members of this organization, the City is able to receive preferential and national bid pricing on many items, including Fire Trucks. This method is very similar to purchasing items off the Minnesota state bid list. The City has purchased two Fire Trucks using this agreement in the past.

Staff recommends the purchase of Tanker 11 for delivery in 2016. Ordering the truck this calendar and model year will also allow the City savings in the cost of additional price increases. The NEW Tanker 11 is scheduled to be in service with the Fire Department for the next 30 years. The old Tanker 11 is a 1986 Ford L8000. This truck will be sold upon delivery of the new truck.

The low price for these trucks through the buying Consortium is Rosenbauer of Wyoming, Minnesota. Rosenbauer is a major constructor of Emergency Vehicles and offers outstanding service.

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

The Vehicle/Equipment Replacement Fund:

Tanker 11:	\$ 275,000.00
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Delivery on Vehicles is estimated to be 330 days from signed contract. The City would prepay for the chassis when it is delivered to Rosenbauer.

Item E

Liquor Violation

On July 1, 2015 Route 65 Discount Liquors sold alcohol to a minor and failed an alcohol compliance check by the Anoka County Sheriff's Office per City Code, Chapter 6-93, Article IV, Prohibited Sales and Compliance Checks:

Sec. 6-93. – Responsibility

(a) *Actions of clerks, bartenders, and employees of licensees.* All licensees shall be responsible for the actions of their clerks, bartenders, and employees in regard to the sale of alcoholic beverages on the licensed premises. For the purposes of this article, the sale of such an item by any clerk, bartender, or employee shall be considered a sale by the licensee. Any director, governor, officer, manager or partners of a licensee shall be considered to be an employee of the licensee.

(b) *Violations and penalties.* Notwithstanding the provisions of subsection (a) of this section any licensee involved in an alcohol compliance check violation or determined to have violated this article will be liable to pay an administrative penalty in addition to any penalty or license suspension or revocation imposed. The following penalty schedule is hereby adopted:

(1) A first violation will result in an administrative penalty of up to \$500.00 to the licensee. The penalty assessed to the licensee will be waived if the licensee was not the individual clerk, bartender, or employee involved directly in the violation and if the licensee can provide proof within 14 days of the date of the violation that the clerk, bartender or employee involved had attended RBS (responsible beverage service) staff training approved by the city prior to the alleged offense.

(2) A second violation within 24 months of a prior violation will result in an administrative penalty of up to \$1,000.00 to any licensee previously cited for a violation of this article within the prior 24-month period. If the clerk, bartender, or employee cited in the case of such a subsequent violation has not been previously cited in the prior 24-month period, the administrative penalty of the licensee may be reduced to \$500.00 if the licensee can provide proof that its employees have attended staff ID training approved by the city within 14 days of the date of the violation. Failure to comply with these mandates may result in suspension or revocation of any license issued by the city.

Rt.65 Discount Liquor failed a compliance check on July 1, 2014 and paid a fine of \$250. Due to the unintentional action of the clerk in this matter, a history of involvement and support of many civic events and activities on the part of the owner, and the prior enrollment of the owner's staff in the RBS (Responsible Beverage Service) program, it is recommended that the fine for this offense be \$500.00. Mr. Slawson will also enroll the employee in question into the RBS program upon availability of the next class.

Item F

Rental Inspection Fee

As part of the recently enacted City Rental Ordinance, an inspection of rental property is required. It is recommended that Council establish a fee of \$50.00 per unit fee for this requirement.

Item G

Resolution 2015-36, Night to Unite

To recognize Night to Unite, Council has traditionally adopted a resolution endorsing this event. Resolution 2015-36 is presented for adoption.

Item H

Supplemental Payment Summary

Fiscal Impact:

As noted above.

Recommendation(s):

Staff recommends approval of the Consent Agenda as presented.



Payments for Council Approval July 15, 2015

Bills to be approved for payment	\$197,832.93
Electronic Payroll Payments	\$25,374.26
Payroll - City Staff, July 2, 2015	\$33,400.86
Total to be Approved for Payment	\$256,608.05

City of East Bethel

July 15, 2015

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
	SAC Remittance	06 2015	Metropolitan Council	101		\$2,821.50
	Sales Tax Remittance	2nd Qtr 15	Minnesota Revenue	101		\$454.00
Anoka County CDBG	Professional Services Fees	8957	Steinbrecher Companies Inc.	233	23300	\$12,450.50
Anoka County CDBG	Professional Services Fees	8995	Steinbrecher Companies Inc.	233	23300	\$1,750.00
Arena Operations	Bldgs/Facilities Repair/Maint	35236552	Trane U.S. Inc.	615	49851	\$984.25
Arena Operations	Bldgs/Facilities Repair/Maint	062515	Wright-Hennepin Coop Electric	615	49851	\$29.95
Arena Operations	Electric Utilities	062215	Connexus Energy	615	49851	\$2,770.89
Arena Operations	Professional Services Fees	10011	Gibson's Management Company	615	49851	\$1,750.00
Arena Operations	Professional Services Fees	10012	Gibson's Management Company	615	49851	\$1,750.00
Arena Operations	Refuse Removal	934965	Ace Solid Waste, Inc.	615	49851	\$204.75
Arena Operations	Telephone	332373310-163	Sprint Nextel Communications	615	49851	\$24.07
Assessing	Professional Services Fees	2nd Qtr 16	Kenneth A. Tolzmann	101	41550	\$13,581.75
Building Inspection	Electrical Inspections	070115	Brian Nelson Inspection Svcs	101		\$530.25
Building Inspection	Motor Fuels	583856	Mansfield Oil Company	101	42410	\$342.29
Building Inspection	Professional Services Fees	245991	STS Staffing	101	42410	\$326.88
Building Inspection	Professional Services Fees	247256	STS Staffing	101	42410	\$326.88
Building Inspection	Telephone	332373310-163	Sprint Nextel Communications	101	42410	\$3.14
Central Services/Supplies	Information Systems	220362	City of Roseville	101	48150	\$2,388.67
Central Services/Supplies	Postage/Delivery	7629-01	Do-Good.Biz	101	48150	\$1,045.49
Central Services/Supplies	Printing and Duplicating	12345	Catalyst Graphics, Inc.	101	48150	\$572.92
Central Services/Supplies	Telephone	070115	CenturyLink	101	48150	\$93.89
City Administration	Professional Services Fees	M21427	TimeSaver Off Site Secretarial	101	41320	\$638.50
City Administration	Telephone	332373310-163	Sprint Nextel Communications	101	41320	\$82.85
Civic Events	General Operating Supplies	063015	Jackie Campbell	227	45311	\$150.50
Civic Events	Professional Services Fees	070815	Hollywood Pyrotechnics, Inc.	101	45311	\$2,500.00
Civic Events	Professional Services Fees	070815	Hollywood Pyrotechnics, Inc.	227	45311	\$2,300.00
Economic Development Authority	Dues and Subscriptions	17326	Metro North Chamber	232	23200	\$423.00
Engineering	Architect/Engineering Fees	34660	Hakanson Anderson Assoc. Inc.	101	43110	\$1,114.88
Engineering	Architect/Engineering Fees	34665	Hakanson Anderson Assoc. Inc.	101	43110	\$497.80
Engineering	Architect/Engineering Fees	34674	Hakanson Anderson Assoc. Inc.	101	43110	\$1,054.60
Engineering	Architect/Engineering Fees	34674	Hakanson Anderson Assoc. Inc.	101	43110	\$1,118.89
Engineering	Architect/Engineering Fees	34674	Hakanson Anderson Assoc. Inc.	101	43110	\$321.76
Engineering	Architect/Engineering Fees	34674	Hakanson Anderson Assoc. Inc.	101	43110	\$180.00
Fire Department	Bldgs/Facilities Repair/Maint	070815	A-1 Sewer Service	101	42210	\$400.00
Fire Department	Clothing & Personal Equipment	166945	Aspen Mills, Inc.	101	42210	\$235.55
Fire Department	Conferences/Meetings	17480	Lakes Gas Co. No. 01	101	42210	\$181.72
Fire Department	Conferences/Meetings	17482	Lakes Gas Co. No. 01	101	42210	\$98.50
Fire Department	Conferences/Meetings	3380	MN Fire Serv Cert Board	101	42210	\$600.00
Fire Department	Electric Utilities	062215	Connexus Energy	101	42210	\$462.61
Fire Department	Electric Utilities	062215	Connexus Energy	101	42210	\$9.80
Fire Department	Electric Utilities	062215	Connexus Energy	101	42210	\$110.35
Fire Department	Electric Utilities	062215	Connexus Energy	101	42210	\$85.22
Fire Department	Motor Fuels	583856	Mansfield Oil Company	101	42210	\$544.51
Fire Department	Motor Fuels	583866	Mansfield Oil Company	101	42210	\$263.40
Fire Department	Personnel/Labor Relations	2543581506	First Advantage LNS	101	42210	\$247.80
Fire Department	Refuse Removal	934965	Ace Solid Waste, Inc.	101	42210	\$64.30
Fire Department	Small Tools and Minor Equip	89142	Hayford Ford	101	42210	\$999.80

City of East Bethel

July 15, 2015

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Fire Department	Small Tools and Minor Equip	070615	MN DNR Forestry Center	101	42210	\$750.00
Fire Department	Telephone	070115	CenturyLink	101	42210	\$0.00
Fire Department	Telephone	070115	CenturyLink	101	42210	\$57.17
Fire Department	Telephone	070115	CenturyLink	101	42210	\$170.02
Fire Department	Telephone	070115	CenturyLink	101	42210	\$114.59
Fire Department	Telephone	332373310-163	Sprint Nextel Communications	101	42210	\$6.28
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	126001	Robert B. Hill Company	101	41940	\$18.00
General Govt Buildings/Plant	Electric Utilities	062215	Connexus Energy	101	41940	\$14.35
General Govt Buildings/Plant	Electric Utilities	062215	Connexus Energy	101	41940	\$997.31
General Govt Buildings/Plant	Electric Utilities	062215	Connexus Energy	101	41940	\$179.62
General Govt Buildings/Plant	General Operating Supplies	54110427	Zee Medical Service	101	41940	\$171.30
General Govt Buildings/Plant	Refuse Removal	934965	Ace Solid Waste, Inc.	101	41940	\$51.10
Legal	Legal Fees	06 2015	Eckberg, Lammers, Briggs,	101	41610	\$8,636.45
Mayor/City Council	Conferences/Meetings	070815	Brian Mundle	101	41110	\$607.87
MSA Street Construction	Architect/Engineering Fees	34659	Hakanson Anderson Assoc. Inc.	402	40200	\$1,893.08
Park Maintenance	Bldg/Facility Repair Supplies	PJI-0013495	GameTime	101	43201	\$5,418.30
Park Maintenance	Bldg/Facility Repair Supplies	72324916	John Deere Landscapes	101	43201	\$337.68
Park Maintenance	Chemicals and Chem Products	30102107	Federated Co-ops	101	43201	\$173.82
Park Maintenance	Cleaning Supplies	2900660	Dalco	101	43201	\$87.62
Park Maintenance	Clothing & Personal Equipment	1182163438	G&K Services - St. Paul	101	43201	\$19.00
Park Maintenance	Clothing & Personal Equipment	1182186184	G&K Services - St. Paul	101	43201	\$19.00
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$20.76
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$27.29
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$33.01
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$338.53
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$112.19
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$37.78
Park Maintenance	Electric Utilities	062215	Connexus Energy	101	43201	\$30.68
Park Maintenance	Equipment Parts	P48896	MN Equipment	101	43201	\$45.10
Park Maintenance	Motor Fuels	583856	Mansfield Oil Company	101	43201	\$466.72
Park Maintenance	Motor Fuels	583866	Mansfield Oil Company	101	43201	\$506.54
Park Maintenance	Other Equipment Rentals	90503	Jimmy's Johnnys, Inc.	101	43201	\$1,245.00
Park Maintenance	Park/Landscaping Materials	72431806	John Deere Landscapes	101	43201	\$225.12
Park Maintenance	Personnel/Labor Relations	2543581506	First Advantage LNS	101	43201	\$32.00
Park Maintenance	Tires	1-53546	Steve's Tire Inc.	101	43201	\$92.00
Park Maintenance	Tires	1-53796	Steve's Tire Inc.	101	43201	\$140.00
Payroll	Insurance Premiums	07 2015	NCPERS Minnesota	101		\$144.00
Police	Professional Services Fees	06 2015	Gratitude Farms	101	42110	\$455.00
Recycling Operations	Bldg/Facility Repair Supplies	88189	Menards Cambridge	226	43235	\$87.96
Recycling Operations	Bldgs/Facilities Repair/Maint	B031204	Braun Intertec Corporation	226	43235	\$594.75
Recycling Operations	Electric Utilities	062215	Connexus Energy	226	43235	\$116.51
Recycling Operations	Other Equipment Rentals	90503	Jimmy's Johnnys, Inc.	226	43235	\$70.00
Recycling Operations	Postage/Delivery	7629-01	Do-Good.Biz	226	43235	\$95.05
Recycling Operations	Printing and Duplicating	12345	Catalyst Graphics, Inc.	226	43235	\$52.08
Recycling Operations	Refuse Removal	934965	Ace Solid Waste, Inc.	226	43235	\$256.77
Recycling Operations	Refuse Removal	52215	Freimuth Enterprises	226	43235	\$592.40
Sewer Operations	Bldgs/Facilities Repair/Maint	062515	Wright-Hennepin Coop Electric	602	49451	\$22.95

City of East Bethel

July 15, 2015

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Sewer Operations	Electric Utilities	062215	Connexus Energy	602	49451	\$231.88
Sewer Operations	Electric Utilities	062215	Connexus Energy	602	49451	\$49.02
Sewer Operations	Electric Utilities	062215	Connexus Energy	602	49451	\$169.47
Street Capital Projects	Street Maint Services	102883	AAA Striping Service Co.	406	40600	\$6,894.00
Street Capital Projects	Street Maint Services	20684	Allied Blacktop Co.	406	40600	\$68,107.65
Street Maintenance	Bldg/Facility Repair Supplies	531691	Ham Lake Hardware	101	43220	\$8.52
Street Maintenance	Bldgs/Facilities Repair/Maint	1182163438	G&K Services - St. Paul	101	43220	\$9.17
Street Maintenance	Bldgs/Facilities Repair/Maint	1182186184	G&K Services - St. Paul	101	43220	\$5.33
Street Maintenance	Clothing & Personal Equipment	40158	Corporate Connection	101	43220	\$57.47
Street Maintenance	Clothing & Personal Equipment	1182163438	G&K Services - St. Paul	101	43220	\$17.96
Street Maintenance	Clothing & Personal Equipment	1182186184	G&K Services - St. Paul	101	43220	\$17.96
Street Maintenance	Electric Utilities	062215	Connexus Energy	101	43220	\$1,534.78
Street Maintenance	Equipment Parts	P49303	MN Equipment	101	43220	\$135.96
Street Maintenance	Motor Fuels	583856	Mansfield Oil Company	101	43220	\$202.24
Street Maintenance	Motor Fuels	583866	Mansfield Oil Company	101	43220	\$1,256.24
Street Maintenance	Motor Vehicle Services (Lic d)	20759	Central Truck Service, Inc	101	43220	\$1,116.70
Street Maintenance	Motor Vehicle Services (Lic d)	20774	Central Truck Service, Inc	101	43220	\$551.85
Street Maintenance	Motor Vehicles Parts	3462764	Auto Nation SSC	101	43220	\$420.00
Street Maintenance	Motor Vehicles Parts	AW062415-8	Emergency Automotive	101	43220	\$209.00
Street Maintenance	Professional Services Fees	137412	Gopher State One-Call	101	43220	\$42.05
Street Maintenance	Refuse Removal	934965	Ace Solid Waste, Inc.	101	43220	\$81.90
Street Maintenance	Safety Supplies	MNHAM40910	Fastenal Company	101	43220	\$147.59
Street Maintenance	Street Maint Materials	C1518517	Cemstone Products Company	101	43220	\$665.75
Street Maintenance	Street Maint Materials	NP9030	Commercial Asphalt Co.	101	43220	\$236.37
Street Maintenance	Street Maint Materials	95173	Menards - Forest Lake	101	43220	\$173.30
Street Maintenance	Telephone	070115	CenturyLink	101	43220	\$69.42
Street Maintenance	Telephone	332373310-163	Sprint Nextel Communications	101	43220	\$69.86
Tax Increment District No. 1-1	Professional Services Fees	062615	Village Bank	435	43500	\$25,838.89
Water Utility Capital Projects	Architect/Engineering Fees	34661	Hakanson Anderson Assoc. Inc.	433	49405	\$180.00
Water Utility Capital Projects	Architect/Engineering Fees	34662	Hakanson Anderson Assoc. Inc.	433	49405	\$1,273.10
Water Utility Capital Projects	Architect/Engineering Fees	34663	Hakanson Anderson Assoc. Inc.	433	49405	\$328.10
Water Utility Capital Projects	Legal Notices	234136	ECM Publishers, Inc.	433	49405	\$118.25
Water Utility Capital Projects	Legal Notices	742266628	Finance and Commerce	433	49405	\$108.45
Water Utility Operations	Bldgs/Facilities Repair/Maint	062515	Wright-Hennepin Coop Electric	601	49401	\$26.67
Water Utility Operations	Chemicals and Chem Products	3745215 RI	Hawkins, Inc	601	49401	\$60.00
Water Utility Operations	Electric Utilities	062215	Connexus Energy	601	49401	\$930.37
Water Utility Operations	Electric Utilities	062215	Connexus Energy	601	49401	\$197.10
Water Utility Operations	Electric Utilities	062215	Connexus Energy	601	49401	\$81.06
Water Utility Operations	Safety Supplies	81828878	Bound Tree Medical, LLC	601	49401	\$279.30
Water Utility Operations	Telephone	070115	CenturyLink	601	49401	\$176.89
Water Utility Operations	Telephone	070115	CenturyLink	601	49401	\$121.76
Water Utility Operations	Utility Maint Supplies	145765	Ferguson Waterworks #2516	601	49401	\$61.45
Water Utility Operations	Utility Maint Supplies	147650	Ferguson Waterworks #2516	601	49401	\$1,118.94
						\$197,832.93

City of East Bethel
July 15, 2015
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Electronic Payroll Payments						
Payroll	PERA					\$6,024.66
Payroll	Federal Withholding					\$5,391.41
Payroll	Medicare Withholding					\$1,512.80
Payroll	FICA Tax Withholding					\$6,468.50
Payroll	State Withholding					\$2,153.28
Payroll	MSRS/HCSP					\$3,823.61
						\$25,374.26

EAST BETHEL CITY COUNCIL MEETING

JULY 1, 2015

The East Bethel City Council met on July 1, 2015, at 7:00 p.m. for the regular City Council meeting at City Hall.

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

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

1.0 The July 1, 2015, City Council meeting was called to order by Mayor Voss at 7:00 p.m.

Call to Order

2.0 The Pledge of Allegiance was recited.

Pledge of Allegiance

3.0 **Harrington stated I'll make a motion to adopt the agenda and under the Consent Agenda, I'd like to add item 6.0G. Temporary On-Sale Liquor Permit. 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 Jochum presented the staff report, indicating the City of East Bethel has developed a Storm Water Pollution Prevention Program (SWPPP) as required by the National Pollutant Discharge Elimination Program, which authorizes the City 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 Practical. The Minnesota Pollution Control Agency issued coverage to the City of East Bethel on January 9, 2008.

Presentation

4.0A
SWPPP
Public
Hearing

Implementation strategies 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 (which we are doing tonight);
5. Developing educational pamphlets for distribution to City residents; and,
6. Investigating 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.

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

Voss opened the annual meeting at 7:02 p.m.

4.0A
SWPPP
Public
Hearing

Voss asked Jack, did we receive anything written? Davis responded not at all.

There being no public input, Voss closed the annual meeting at 7:03 p.m.

Voss stated one question I had, more for Jack, is I remember years ago on the street sweeping, we set priorities on street sweeping for around the lakes first. Are we still doing that? Davis answered that is still the priority. There's been nothing changed on that. Voss stated okay, I just ask because this year it seemed kind of late on the street sweeping. Davis stated around the lakes and then other significant bodies of water or streams, those are our number one priority. Voss stated well my street, I assume that's one. Okay.

Harrington stated I have a question for Craig. Craig, it says 'Inspection of approximately 20 percent.' What are they looking for? What are they doing in their inspections? Jochum explained they are looking for erosion and over-grown vegetation and if there's a lot of sediment in the pond, they want to get that cleaned out. So, just general maintenance items like that.

Ronning asked what does 20 percent amount to? Jochum stated there are 161 of them so 32. Voss asked, any other questions? Okay, if not we'll move on.

4.0B
Resolution
2015-34
Aggressive
Hydraulics
Award

Davis presented the staff report, indicating Resolution 2015-34, Aggressive Hydraulics for Small Business Excellence Award. Mr. Paul Johnson sends his regrets that he cannot attend tonight's meeting; however, he did send a statement that he would like read prior to us considering the Resolution. Mr. Johnson writes:

To the Mayor and Councilmembers,

On behalf of the shareholders and employees of Aggressive Hydraulics, I want to thank you for the acknowledgement of our Small Business Award.

More importantly, I want to thank past and present City staff and elected officials for helping Aggressive Hydraulics' efforts to relocate to East Bethel.

Thirteen years ago, we set out to build a company that was designed for success and growth. Relocation to East Bethel has been an important step in our journey. We strive to be good stewards of the community, both as a neighbor as well as a provider of living-wage jobs.

Aggressive Hydraulics is proud to be located in the City of East Bethel and our best days are yet to come.

Davis stated with that, we prepared a Resolution 2015-34 recognizing the accomplishments of Aggressive Hydraulics and their contributions to the City of East Bethel, as follows:

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 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 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.

Harrington stated I'll make a motion to approve Resolution 2015-34, to Recognize Aggressive Hydraulics for Selection as a Small Business Excellence Award Recipient. 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.

**5.0
Public
Forum**

Voss asked did we have anyone sign up? Davis responded no. Voss asked is anyone in the audience here tonight wishing to speak at Public Forum? If not, we'll move on to Consent Agenda.

**6.0
Consent
Agenda**

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 seven 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.~~

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.

Koller stated I'll make a motion to approve the Consent Agenda. Harrington stated I'd like to pull Item F. Ronning stated me too. **Ronning stated second.** Voss stated any other discussion? All in favor say aye?" **All in favor.** Voss stated opposed? That motion passes. **Motion passes unanimously.**

6.0F.
Resolution
2015-35
Restricting
Parking on
185th Avenue
NE, Laurel
Road NE, and
Lincoln Drive
NE

Harrington stated I have a couple questions for you Craig. On those no parking on this road, are those signs going to be part of the bid? Is that going to be part of that when they bid this out? Jochum responded stating correct.

Harrington asked how far are they going to post that no parking on Lincoln? How far down is that going to go towards the west? Jochum stated on Lincoln it goes, I don't recall off hand. That stretch we're doing is probably 600-700 feet. Harrington stated so it will be down, probably, close to the Market down there? Jochum stated no. Harrington stated it will be short of the Market. Okay. Jochum stated those three large residential lots on the north side, it ends at the westerly boundary of those. Harrington stated okay, thank you.

Ronning stated I was just curious. For general information for the public, we've had discussion about this, can we read this just so they're aware of this?

Davis stated certainly. Item F is consideration of 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, Laurel Road, and Lincoln Drive. 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 Mn/DOT State Aid Office will require City Council approve the attached No Parking Resolution, which bans the parking of motor vehicles on 185th Avenue, Laurel Road, and Lincoln Drive NE.

6.0F.
Resolution
2015-35
Restricting
Parking on
185th Avenue
NE, Laurel
Road NE, and
Lincoln Drive
NE

Ronning stated thank you. I'm just interested in not having a lot of upset people that, 'Nobody told me.' **Ronning stated move to approve F. Harrington stated I'll second.** Voss stated any other discussion? Voss stated I don't think we have too much of a parking issue in that stretch. I don't think I've ever seen anyone parked on there. So, not intentionally at least. Voss stated all in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

**7.0
New Business**

Commission, Association and Task Force Reports

7.0A
Planning
Commission

None.

7.0B
Economic
Development
Authority

None.

7.0C
Park
Commission
June Report

Davis presented the staff report indicating 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 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.

At the same meeting, 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 of the facility. 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, the City's Public Works Manager,

stated that the City would provide this 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.

Davis stated this will be back on the Parks Commission agenda in August to come up with a plan on how to expend that \$869 that was raised by the residents. We'll also present a Resolution for acceptance of this as a donation at, probably, the July 15th City Council Meeting.

7.0C
Park
Commission
June Report

Informational; no action required.

7.0D
Road
Commission

None.

**8.0
Department
Reports**

Davis presented the staff report indicating the Council is being asked to consider Larsons Woods Preliminary and Final Plat for the subdivision of 3216 203rd Avenue NE, East Bethel. Property Identification Number 22-33-23-14-0001.

8.0A
Community
Development
8.0A.1
Larsons
Woods Pre.
and Final Plat

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

Mr. Malvin presented this 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 have been forwarded to Council on Monday, June 29th for your review.

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 three feet or more above the mottled soils and 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.

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.

Ronning stated move to adopt the Planning Commission recommendation for Larsons Woods, Block 1, Lots 1, 2, and 3, Preliminary and Final Plat, and preparation and

adoption of a Developer’s Agreement. Koller stated I’ll second. Voss stated discussion?

Harrington asked how big are these lots? Lots 1 and 2? One looks bigger than the other. Voss stated Lot 1 acreage, you’re asking? Harrington stated acreage or size. Voss stated well, reading off the plat, 2.75 for Lot 1 and 8.27 for the second one. Davis stated the minimum lot size there is 2 acres and it has to be at a density of 1 in 10. So, there will be three lots in 40.5 acres. It does meet all size and density requirements.

8.0A
Community
Development
8.0A.1
Larsons
Woods Pre.
and Final Plat

Ronning stated it’s not part of the information. Is there any idea if they’re building homes and some timing to it? Davis stated I don’t have any indication as to what they’re. Voss asked do you want to come up? It’s been a while since I’ve seen you up here.

Jim Malvin, 3216 203rd Avenue, stated yeah, it’s been a long time. Split the two lots there. They are both sold. They’re going to be nice homes, very nice homes that will probably start within a month of getting the paper work done. We have mylars and everything to do.

Ronning stated I didn’t know you were you. It’s, for the work you go through, I was hoping that you had some takers for it. Malvin stated yup, they’re both sold. Ronning stated well, that’s nice. Voss stated it’s a nice area back there. Malvin stated beautiful area back there. Harrington stated I drove through there Monday and it’s really nice back there. Malvin stated the lots, both houses are going to be over \$300,000-\$350,000 range. Ronning stated thank you. Voss stated thanks Jim.

Voss stated is there any more discussion? Hearing none, all in favor say aye?” **All in favor.** Voss stated opposed? Motion passes. **Motion passes unanimously.**

8.0B
Engineer

None.

8.0C
City Attorney
8.0C1
Ord.
Amending
Sale of
Alcoholic
Beverages

Davis presented the staff report indicating the Council is being asked to consider approval of amendments to the City Code of Ordinances, Alcoholic Beverages, Sections 6-51, 6-52, and 6-63.

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 a.m. The current time allowed for the commencement of Sunday sales is 10:00 a.m.

8.0C
City Attorney
8.0C1
Ord.
Amending
Sale of
Alcoholic
Beverages

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.

Ronning stated move to approve 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. Mundle stated I’ll second. Voss stated discussion?

Voss stated Jack, I think we maybe said this but I know the Legislature just passed some more laws related to this. Davis stated we changed the Zoning Ordinance at the last meeting to allow the operation of these types of uses in Commercial. Voss stated I guess I’m asking, with the new laws that are, I’m not sure when they come into affect. Is this going to be consistent with the new laws they just passed? Vierling replied it will be. Davis responded yes. Voss stated okay, I just want to make sure we are as up-to-date as we can.

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

8.0D
Finance

None.

8.0E
Public Works

None.

8.0F
Fire
Department

None.

8.0G
City
Administrator

Davis presented the staff report indicating the City Council has scheduled a Work Meeting for 6 p.m. on July 8, 2015, to receive and begin discussions on the proposed 2016 budget.

8.0G.1
2016 Budget
Meeting

Davis stated at your seats, I have included a copy of the proposed 2016 Budget for your review to begin. This meeting, again, is scheduled for next Wednesday at 6 p.m. This is an informational item only and no action is required.

Voss stated at that meeting, are we going to have presentations first? Davis responded we are. Voss asked from you? From the department heads? Davis stated we’re going to have it from myself and the department heads will be here to answer any specific questions. Voss stated okay, good.

Informational; no action required.

8.0G.2
Recycling
Report

Davis presented the staff report indicating 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.

8.0G.2
Recycling
Report

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 East Bethel Recycle Center. East Bethel's tonnage collected increased from 195 to 273 tons from 2013 to 2014 at this location. In addition, the City collected 97.3% 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 per household for the base grant award.

Davis stated the two certificates are included in your packet and we feel this is a significant accomplishment. Also, the implementation of the Saturday Drop-Off Program has been a great success.

Voss asked that's basically run by the Lions, the Saturday Drop-Off? Davis answered the Lions run it and they actually contract with the East Bethel Bandits to administer the Program. So, they've done really well and we've expanded the number of items we take to include almost all things that we normally take at Recycle Days. Voss stated that's a good thing. Okay, any questions about the Recycling Report?

Mundle stated good job. Voss stated yeah, pass that on, please. Davis stated the Lions and the Bandits and Karen White have done an exceptional job on this.

Informational; no action required.

9.0 Other
9.0A
Staff Reports

Davis stated the only thing I have for Staff Reports is we did not get a response back from Ham Lake on your challenge for a Water Ball Contest. However, the Fire Department has agreed to take the City Council on.

Voss stated oh no, we're not professionals. Davis stated and as part of that, they said they would let you have one of their members and they would take their new members to do the contest. Voss stated as long as they do it left-handed. Mundle stated yeah, and one hand tied behind their back.

Voss asked what time will that be at? Davis stated that will probably be around 6:30 on Friday evening, give or take a half hour either way.

Mundle stated I think the flyer they just sent out said 7 for Water Ball, so show up at 6:30. Just be early I suppose. Voss asked when does the practice session start? Harrington replied tonight. Voss asked so we're accepting the challenge from the Fire Department? Are we? Mundle stated I'm up for it. Harrington stated I'm up for it, sure. Voss stated all right, good. Ronning replied do not try this at home, they're professionals.

9.0A
Staff Reports

Voss stated maybe we should fill in the audience about what we're talking about. We challenged the Ham Lake City Council. Now did you officially contact the City of Ham Lake? Davis stated Mark DuCharme did. Voss stated okay, we challenged the Ham Lake City Council to a, what do you actually call it? Mundle asked Fire Ball? Koller stated Water Ball. Voss stated to a Water Ball Competition. Evidently, they didn't respond to us, so they're afraid. You can print that too. Maybe they will be there.

Ronning stated you could say we won by default. Voss stated no, no, we don't win by default, so we're doing a challenge and the Fire Department's actually going to challenge us now on Booster Day. So, Friday night, it will be interesting. I know who they are.

9.0B
Council
Report –
Member
Mundle

Mundle stated last week I attended the 2015 League of Minnesota Cities Conference up in Duluth. Pretty good time up there. Talked to lots of people. Attended a bunch of different classes or sessions. One of the good things of going there is you see what other cities are having to put up with and what we don't. Again, I came back with the glimmer that East Bethel's doing pretty good compared to some other ones.

Mundle stated one problem that East Bethel does not have is to fight to expand for land. We do not have to annex any parts of any towns, so far. And, we have the freedom to kind of prosper how we would like to in our own City. So, that's really nice.

Mundle stated there were a couple comments made towards East Bethel and one was complimenting our brand new process of sewer and water treatment and infiltration. And, another comment was noticing that East Bethel has not been in the newspaper the last six months.

Mundle stated so, the most interesting program that I attended was entitled, 'Attracting and Retaining the Next Generation in Your Community.' It was put on by the Mayor of Duluth, Don Ness and a panel of prominent business people up there. Just to give you an overview of maybe some thoughts of what East Bethel could do, some of the things the panel brought up, was their biggest issue to attracting new people, younger people, was housing. You had to have proper housing.

Mundle stated they had to be engaged with the community. Duluth started a certain culture with certain activities to attract young people. One of the questions was, 'What makes the city special? Duluth has some prominent things. And, where's the sense of belonging. Young people like to belong to something. They want to belong somewhere. So providing opportunities where people can belong and gather. And, locals investing in locals. An example, the homegrown music festival that was started up there as just a one- or two-day music concert featuring Duluth, original, area bands and now it's an eight-day music fest. That was just started 11 years ago, I want to say. So, it's blown up pretty good. It's kind of a big deal.

Mundle stated young people want to feel useful. They want to bring something unique to a group. Need to be proactive at recruiting. Activities, they should be seen and prominent.

And, one of the biggest things that, at some point, I don't know if it's in the City's position, but maybe this is more along the Chamber of Commerce area, but a young professionals group should be established. So, I might talk to the Chamber about that at some point in the future. Voss stated as a young professional, it would be good for you to do that, as opposed to the old professionals like the rest of us. Mundle stated yeah, it would.

Mundle stated that's all I had. It was a pretty good experience up there. Nice weather. Voss stated good.

Council Member Koller

Koller stated actually, I don't have anything. I had a very quiet week. Voss stated that's good every once in a while too.

Council Member Ronning

Ronning stated ditto.

Council Member Harrington

Harrington stated I've got a couple things. There's an Ice Cream Social with the East Bethel Royalty, July 12, from 1-3, next door at the Senior Center.

I just want to wish everybody a happy and safe 4th of July.

Mayor Voss

Voss stated I think there was a notice that went out by e-mail about County Road 74, that next week for a couple days, the 9th and 10th, there's a section just east of here that's going to be closed for a culvert. Davis stated yes, between Xylite and Zumbrota. Voss asked is it completely closed? Davis stated it will be only open to local traffic. You can access it from either end but you can't go through. So, if it's local residents looking for a way around, the County detour is rather circuitous but just utilize Palisade, 229th, and Bataan.

CR 74 Detour

Voss stated we have Booster Day coming up in a couple weeks. In terms of planning, is there anything you need from Council at all? Do you know? Harrington stated no, I think everything is going good. Voss stated good, and now if we get weather like this for Booster Day, it would be perfect.

Highway 65 Overlay Project

Voss stated Jack, I've got a question on Highway 65, the overlay they did to the south. Are they planning to do southbound too? Do you know? Davis stated as far as I know, they were planning to do both of them. I'll have to double check, though, just to make sure. Voss stated it's been a couple weeks since they've finished the northbound. Davis stated yeah, and it could be they were going to do just one because they did schedule that work from 7 p.m. to 6 a.m. So, I would assume that maybe if they're going to do both of them, they would have already done them. I will check with Mn/DOT to see if it's on their schedule.

Voss stated I don't think they're done because the striping is not done. I think it just has temporary stripes so I'm not sure if they're putting another layer down or will just come back to stripe it. I'm surprised it's gone this long without being striped. Davis stated this was a micro-resurfacing so it was just a small lift that they put on there. I'll double check, though. Voss stated they don't have the fog lines down either. That's all I have.

9.0C Other 9.0D

None.

Vierling stated for the benefit of the public as well as for the record, we'd indicate that at

July 1,2015
Closed
Session
Purchase or
Sale of Real
Property

the present time, the Council is about to go into Closed Session to discuss possible acquisition or sale of real estate under Minnesota Statute 13.D.05 with the property being subject to their discussion being Anoka County PID #08-33-23-12-0006. As required by Statute, the discussion of the Council in Closed Session will be tape recorded and maintained as required by Law. The Council will come back into Open Session after having concluded the Closed Session Meeting and will announce at that time any action that may have been taken by the Council during the Closed Session. With that being said, Mr. Mayor, I'd recommend a motion be made to go into Closed Session for the purposes I've indicated.

Move to
Closed
Session

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

Reconvene
Open Session

Vierling stated for the members of the public and for the benefit of the record, we note that the Council is coming back into Open Session after having concluded the Closed Session dealing with issues of property acquisition authorized by Statute 13.D.05 with regard to property identified as PID #08-33-23-12-0006. The Closed Session was attended by all members of the Council, Mayor and Councilpersons. It was also attended by the City Administrator, City Engineer, and the City Attorney.

Vierling stated there were no specific motions made during the course of the Closed Session but staff was given some instruction from the Council on strategy and what the Council wanted to see in terms of returned information. That being said, that summarizes the action taken at the Closed Meeting.

10.0
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 opposed? Motion passes.
Motion passes unanimously.

Meeting adjourned at 8:45 p.m.

Submitted by:
Carla Wirth
TimeSaver Off Site Secretarial Inc.

**FINAL PAYMENT
CITY OF EAST BETHEL
Nordin Estates Drainage Improvement Project**

June 22, 2015

Honorable Mayor & City Council
City of East Bethel
2241 - 221st Avenue NE
East Bethel, MN 55011-9631

RE: Nordin Estates Drainage Improvement Project
Contractor: Dryden Excavating, Inc.
Award Date: May 21, 2015
Completion Date: August 15, 2015

Dear Honorable Mayor and Council Members:

The following work has been completed on the above-referenced project by Dryden Excavating, Inc.

Bid Schedule "A"

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	MOBILIZATION	1	LUMP SUM	\$2,500.00	\$ 2,500.00	1	\$ 2,500.00
2	CLEARING	17	TREE	\$153.00	\$ 2,601.00	17	\$ 2,601.00
3	GRUBBING	17	TREE	\$177.00	\$ 3,009.00	17	\$ 3,009.00
4	REMOVE WOOD RETAINING WALL	62	LIN FT	\$8.00	\$ 496.00	62	\$ 496.00
5	REMOVE CONCRETE DRIVEWAY PAVEMENT	673	SQ FT	\$0.50	\$ 336.50	657	\$ 328.50
6	SAWING CONCRETE PAVEMENT (FULL DEPTH)	39	LIN FT	\$4.00	\$ 156.00	61	\$ 244.00
7	HAUL & DISPOSE EXCESS SOIL MATERIAL, LV	255	CU YD	\$12.00	\$ 3,060.00	255	\$ 3,060.00
8	DITCH CONSTRUCTION	270	LIN FT	\$16.50	\$ 4,455.00	270	\$ 4,455.00
9	AGGREGATE BASE CLASS 5	40	TON	\$18.00	\$ 720.00	40	\$ 720.00
10	12" RC PIPE APRON	1	EACH	\$780.00	\$ 780.00	1	\$ 780.00
11	DITCH GRATE	1	EACH	\$1,000.00	\$ 1,000.00	1	\$ 1,000.00
12	CLEAN PIPE CULVERT	55	LIN FT	\$18.00	\$ 990.00	55	\$ 990.00
13	12" RC PIPE SEWER DESIGN 3006 CL V	358	LIN FT	\$30.00	\$ 10,740.00	358	\$ 10,740.00
14	CONNECT TO EXISTING STORM MANHOLE	1	EACH	\$800.00	\$ 800.00	1	\$ 800.00
15	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	2	EACH	\$1,400.00	\$ 2,800.00	2	\$ 2,800.00
16	CASTING ASSEMBLY	2	EACH	\$500.00	\$ 1,000.00	2	\$ 1,000.00
17	6" CONCRETE DRIVEWAY PAVEMENT	83	SQ YD	\$55.00	\$ 4,565.00	73	\$ 4,015.00
18	LANDSCAPE ALLOWANCE	1	LUMP SUM	\$1,000.00	\$ 1,000.00	1	\$ 1,000.00
19	TIMBER RETAINING WALL	133	SQ FT	\$44.00	\$ 5,852.00	157	\$ 6,908.00
20	TRAFFIC CONTROL	1	LUMP SUM	\$500.00	\$ 500.00	1	\$ 500.00
21	SEDIMENT CONTROL LOG TYPE COMPOST	78	LIN FT	\$5.00	\$ 390.00	78	\$ 390.00
22	FERTILIZER TYPE 3	146	POUND	\$1.40	\$ 204.40	146	\$ 204.40
23	COMMON TOPSOIL BORROW, LV	95	CU YD	\$26.00	\$ 2,470.00	48	\$ 1,248.00
24	SEEDING	0.4	ACRE	\$2,000.00	\$ 800.00	0.4	\$ 800.00
25	SEED MIXTURE 25-131	160	POUND	\$4.50	\$ 720.00	240	\$ 1,080.00
26	MULCH MATERIAL TYPE 4	1,526	SQ YD	\$0.10	\$ 152.60	1,525	\$ 152.50
27	EROSION CONTROL BLANKETS CATEGORY 1	240	SQ YD	\$2.50	\$ 600.00	550	\$ 1,375.00

Total Bid Schedule "A"

\$ 53,196.40

Bid Schedule "A"

\$ 53,196.40

TOTAL

\$ 53,196.40

Total Work Completed to Date

\$ 53,196.40

WE RECOMMEND FINAL PAYMENT OF:

\$ 53,196.40

**FINAL PAYMENT
CITY OF EAST BETHEL
Nordin Estates Drainage Improvement Project**

Please verify the amount of previous payments and the receipt of the following items prior to making payment.

1. Certificate of claims payment (lien waiver),
2. Affidavit of payment of States taxes (MN State TAX Form IC 134),

CONTRACTOR: DRYDEN EXCAVATING, INC.

Certification by Contractor: I certify that all items and amounts are final for all work.

Signed: _____

Title: _____ Date _____

ENGINEER: HAKANSON ANDERSON

Certification by Engineer: We recommend final payment for work and quantities as shown.

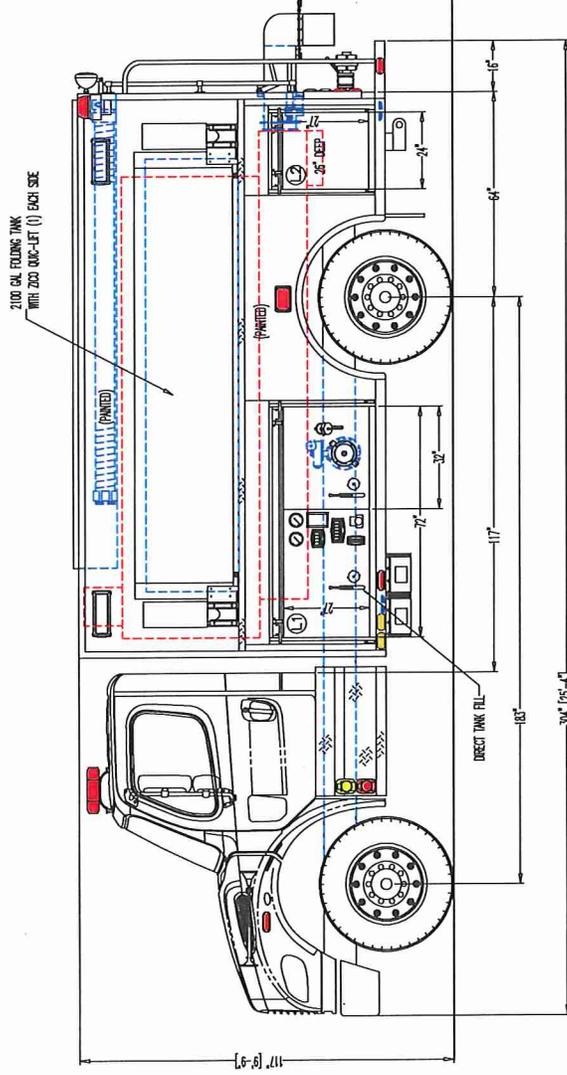
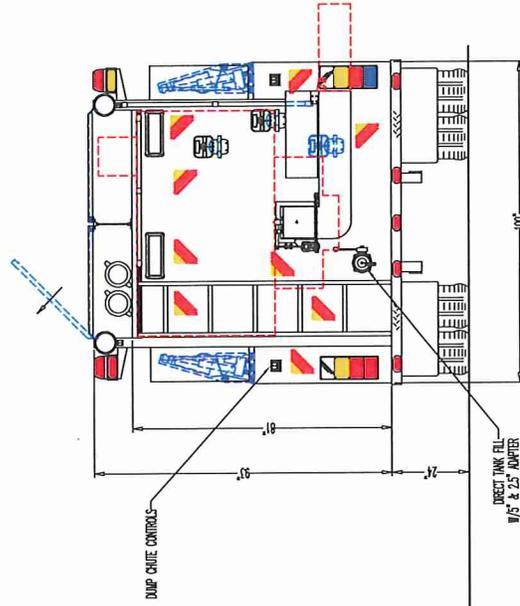
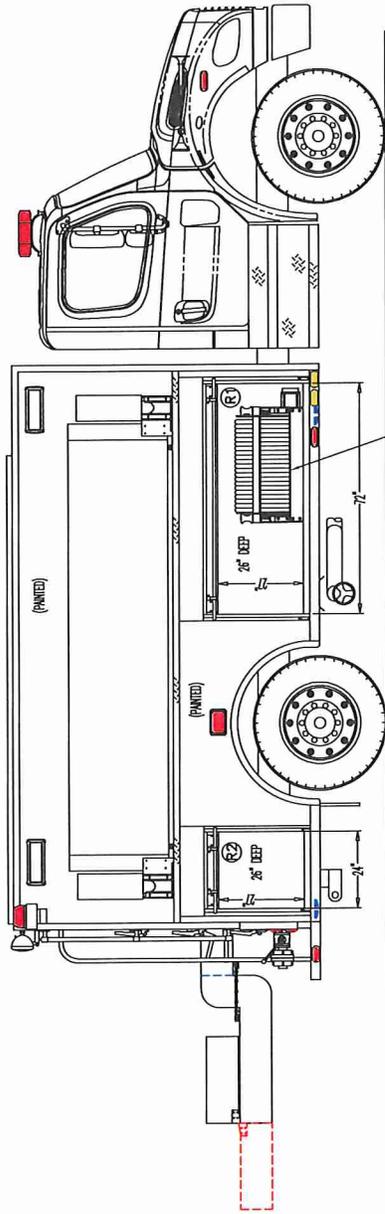
Signed: _____

Title: _____ Date _____

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____



NOTES:

- OVERALL HEIGHT IS IN LOADED CONDITION. UNLOADED HEIGHTS MAY BE 4" ABOVE HEIGHTS SHOWN.
- DO NOT SCALE DRAWING.
- ALL DIMENSIONS ARE APPROXIMATE AND SUBJECT TO ENGINEERING CHANGES.
- DRAWING MAY OR MAY NOT SHOW ALL ITEMS AS DESCRIBED IN THE WRITTEN DETAIL SPECIFICATIONS.
- INCLUSION OF AN ITEM ON THE DRAWING DOES NOT CONSTITUTE INCLUSION OF THAT ITEM WITH THE FINAL DELIVERED UNIT.

DATE:	REV. 1:	DATE:	REV. 2:	DATE:	REV. 3:	DATE:	REV. 4:
01/11/17	01/11/17	01/11/17	01/11/17	01/11/17	01/11/17	01/11/17	01/11/17
APPROVED BY:							
CHASSIS: FREIGHTLINER M2 106				PUMP: WATEROUS CLVK 500 GPM PTO			
TANK: POLY 2000				TYPE: PUMPER			
AERIAL: N/A				NONE			
MAXIMUM HEIGHT				100"			
MAXIMUM LENGTH				NONE			
BODY WIDTH				NONE			

- PROPOSED -
EAST BETHEL



ROSENBAUER

ROSENBAUER EXT
P5000



East Bethel Fire Department

2241 221st Avenue NE
East Bethel, Minnesota 55011

Fire Chief Mark DuCharme
763-367-7886
mark.ducharme@ci.east-bethel.mn.us

Differences Between Internet Listed Midwest Truck Vs. Staff Recommendation

- Midwest:** Apparatus body is poly (plastic)
Axle sizes are smaller
Axle weights are lighter
No power tank lift
Warranty Repairs in South Dakota
- Rosenbauer:** Two Zinco power water tank lifts on each side
LED Light Package
Piping for 5 Inch Storz Connections
Waterous Pump
Graphics included
Passenger side Hose Reel
Warranty Repairs in Wyoming, Minnesota
Additional discharges/intakes
Hose bed for hard suction hose with cover
Hose bed for other hose with cover
Swinging/movable dump chute
Additional cabinets

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

RESOLUTION NO. 2015-36

RESOLUTION PROCLAIMING AUGUST 4, 2015 NIGHT TO UNITE

WHEREAS, the Minnesota Crime Prevention Association, along with AAA of Minnesota/Iowa, and local law enforcement agencies are sponsoring a statewide program called Night to Unite on August 4, 2015; and

WHEREAS, Night to Unite is designed to get to know one another in your neighborhood, build neighborhood involvement by bringing police and communities together; and to bring an awareness to crime prevention and local law enforcement efforts; and

WHEREAS, Night to Unite supports the idea that crime prevention is an inexpensive and effective tool in strengthening police and community partnerships; and

WHEREAS, Night to Unite provides opportunities to celebrate the ongoing work of law enforcement and neighborhoods in East Bethel by working together to fight crime and victimization and increase public safety for all citizens; and

WHEREAS, the citizens of East Bethel play an important role in assisting the Anoka County Sheriff's Office through joint crime, drug and violence prevention efforts;

NOW, THEREFORE, the City of East Bethel does hereby call upon all citizens in East Bethel to participate in Night to Unite on August 4, 2015.

FURTHER, LET IT BE RESOLVED THAT, the City of East Bethel does hereby proclaim Tuesday, August 4, 2015, Night to Unite in East Bethel.

Adopted this 15th day of July, 2015 by the City Council for the City of East Bethel.

Steven R. Voss, Mayor

ATTEST:

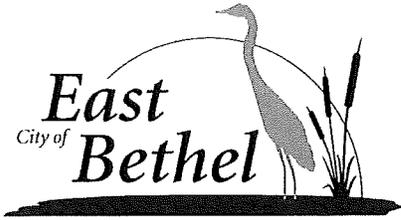
Jack Davis, City Administrator

City of East Bethel
July 15, 2015
Supplemental Payment Summary

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

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Anoka County CDBG	Professional Services Fees	67959	Ehlers	233	23300	\$52.50
Building Inspection	Professional Services Fees	249060	STS Staffing	101	42410	\$326.88
Central Services/Supplies	Information Systems	B150707J	Anoka County Treasury Dept	101	48150	\$225.00
Central Services/Supplies	Information Systems	07 2015	Midcontinent Communications	101	48150	\$1,278.00
Central Services/Supplies	Office Supplies	IN0841817	Innovative Office Solutions	101	48150	\$9.09
Central Services/Supplies	Office Supplies	778155514001	Office Depot	101	48150	\$26.49
Central Services/Supplies	Office Supplies	778155515001	Office Depot	101	48150	\$19.99
Central Services/Supplies	Printing and Duplicating	28632	Do All Printing.Com	101	48150	\$267.00
Civic Events	General Operating Supplies	778154791001	Office Depot	227	45311	\$16.39
Finance	Office Supplies	IN0841817	Innovative Office Solutions	101	41520	\$52.73
Fire Department	Telephone	070115	CenturyLink	101	42210	\$59.54
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	993	Bill's Quality Cleaning	101	41940	\$380.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	993	Bill's Quality Cleaning	101	41940	\$195.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-06-15	Premium Waters, Inc.	101	41940	\$44.60
Legal	Legal Fees	143503	Eckberg, Lammers, Briggs,	101	41610	\$4,206.35
Park Maintenance	Office Supplies	IN0841817	Innovative Office Solutions	101	43201	\$45.55
Park Maintenance	Office Supplies	778155514001	Office Depot	101	43201	\$38.99
Police	Professional Services Fees	S150708D	Anoka County Treasury Dept	101	42110	\$265,227.75
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-06-15	Premium Waters, Inc.	101	43220	\$44.60
Water Utility Operations	Telephone	070115	CenturyLink	601	49401	\$71.94

\$272,588.39



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 8.0 B.1

Agenda Item:

185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project and the 2015 Street Overlay Projects Award

Requested Action:

Consider Approval of Resolution 2015-37 Accepting Bids for the 185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project and Approval of Resolution 2015-38 Accepting Bids for the 2015 Street Overlay Projects

Background Information:

Staff has advertised the 185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project along with the 2015 Street Overlay Projects. The bids were opened on July 13, 2015, at 11:00 a.m. at the City Hall. The project specifications allow the City to award these projects as one or as two separate contracts. The attached resolutions include a summary of the 5 bids received. Peterson Companies from Chisago City was the low bidder on both projects. Staff is currently reviewing their references.

The engineer's estimate for the 185th Avenue, Laurel Road, and Lincoln Drive project was \$958,000. The low bid was \$1,015,177.03. The excavation cost of the peat soils was higher than estimated. Since the design requires the road to remain open at all times, the excavation needs to be completed in two phases. The excavation, along with the phasing of the traffic, has increased the project cost above what was anticipated in the estimate. This project would be financed 100 percent from the City's Municipal State Aid Fund.

The engineer's estimate for the 2015 Street Overlay Projects was \$245,000. The low bid was \$219,991.25. The City's Capital Improvement Plan had \$365,000 set aside for overlays in 2015.

Attachment(s):

1. Resolution 2015-37 Accepting Bid - 185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project
2. Resolution 2015-38 Accepting Bid - 2015 Street Overlay Projects

Fiscal Impact:

The 185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project will be financed through the City's Municipal State Aid Fund. This fund currently has \$1,539,456.05 available for construction. The 2015 Street Overlay Projects will be financed through the City's Street Capital Fund.

Recommendation(s):

Staff recommends both these projects be awarded to Peterson Companies, contingent on favorable reference checks, in the amount of \$1,235,168.28.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

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

RESOLUTION NO. 2015-37

RESOLUTION ACCEPTING BID

WHEREAS, pursuant to the advertisement for bids for the 185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Peterson Companies	\$1,015,177.03
Douglas Kerr Underground, LLC	\$1,019,650.45
Dresel Contracting, Inc.	\$1,074,450.54
Forest Lake Contracting, Inc.	\$1,094,588.70
Rum River Land Surveying	\$1,145,131.94

AND WHEREAS, it appears that Peterson Companies of Chisago City, Minnesota is the lowest responsible bidder;

AND WHEREAS, the City accepts the bid proposal in the amount of \$1,015,177.03.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT:

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Peterson Companies of Chisago City, Minnesota in the name of the City of East Bethel for the 185th Avenue, Laurel Road and Lincoln Drive Street Reconstruction Project, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

2. The City Engineer is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted this 15th 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

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

RESOLUTION NO. 2015-38

RESOLUTION ACCEPTING BID

WHEREAS, pursuant to the advertisement for bids for the 2015 Street Overlay Projects, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Peterson Companies	\$219,991.25
Douglas Kerr Underground, LLC	\$232,475.05
Dresel Contracting, Inc.	\$237,995.85
Forest Lake Contracting, Inc.	\$268,176.84
Rum River Land Surveying	(No Bid)

AND WHEREAS, it appears that Peterson Companies of Chisago City, Minnesota is the lowest responsible bidder;

AND WHEREAS, the City accepts the bid proposal in the amount of \$219,991.25.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT:

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Peterson Companies of Chisago City, Minnesota in the name of the City of East Bethel for the 2015 Street Overlay Projects, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

2. The City Engineer is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted this 15th 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



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 8.0 F.1

Agenda Item:

Fire Department Report

Requested Action:

Informational only

Background Information:

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

Fiscal Impact:

None

Recommendation(s):

Informational only.



East Bethel Fire Department June 2015 Response Calls

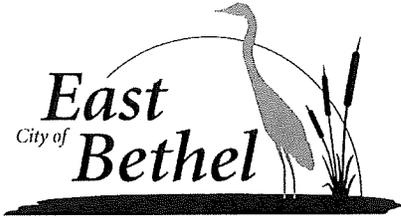
Incident Number	Incident Date	Alarm Time	Location	Incident Type
288	06/30/2015	13:39	1845 209 AVE NE	EMS call
287	06/29/2015	14:30	863 225th AVE NE	EMS call
286	06/28/2015	10:28	21001 Kenyon ST NE	EMS call
285	06/28/2015	08:18	18164 HWY 65 NE	EMS call
284	06/27/2015	18:17	Kissel & 217th AVE NE	Motor vehicle accident with injuries
283	06/26/2015	22:00	East Bethel Blvd & 221st	Car fire; Nothing Found
282	06/26/2015	03:34	20460 Jackson ST NE	EMS call
281	06/23/2015	18:22	West of Bataan on 229th	143 Grass fire
280	06/23/2015	18:17	East of Bataan on 229th	143 Grass fire
279	06/23/2015	15:39	1005 197 AVE	EMS call
278	06/23/2015	12:53	1046 181 LN	EMS call; Med Alarm
277	06/23/2015	10:46	20465 Monroe ST NE	EMS call
276	06/23/2015	00:54	3290 212th AVE	EMS call
275	06/22/2015	16:28	20500 Palisade ST NE	EMS call; Med Alarm
274	06/22/2015	05:57	4720 Viking BLVD NE	EMS call
273	06/21/2015	13:05	24355 Highway 65 NE	EMS call
272	06/21/2015	09:45	22078 Wake ST NE	EMS call
271	06/18/2015	07:11	23936 Filmore ST NE	EMS call
270	06/17/2015	21:35	19566 Rochester ST. NE	Gas leak (natural gas or LPG)
269	06/17/2015	12:24	24355 Hwy 65	EMS call - Cancelled
268	06/17/2015	06:23	22938 Erskine ST NE	EMS call
267	06/16/2015	11:51	312 Laurel RD	EMS call; Med Alarm
266	06/15/2015	18:20	4910 S Tri Oak CIR NE	EMS call
265	06/15/2015	15:32	21340 Aberdeen ST NE	Passenger vehicle fire
264	06/14/2015	22:41	24355 Hwy 65 NE	EMS call
263	06/14/2015	20:41	University & 221st	Smoke in Area
262	06/14/2015	17:12	Hwy 65 & 187th	Grass Fire; Nothing Found
261	06/14/2015	04:35	2220 149th AVE	Building fire-Mutual Aid
260	06/13/2015	03:03	20514 Tyler ST	EMS call
259	06/12/2015	20:36	24355 Hwy 65 NE	EMS call
258	06/12/2015	10:25	312 Laurel RD	EMS call; Med Alarm
257	06/11/2015	11:50	19503 East Tri Oak CIR NE	EMS call
256	06/11/2015	03:51	24355 Hwy 65	EMS call
255	06/08/2015	21:47	University & Viking Blvd	Vehicle Accident
254	06/07/2015	21:21	237th & Hwy 65	Overtured ATV; Cancelled
253	06/07/2015	16:18	24355 Hwy 65	EMS call
252	06/06/2015	16:51	Madison & Viking Blvd	Motorcycle Accident
251	06/06/2015	04:44	1504 205 AVE NE	Unauthorized burning
250	06/05/2015	17:41	23705 Hwy 65	EMS call
249	06/05/2015	07:07	24355 Hwy 65	EMS call
248	06/04/2015	14:45	2459 224th AVE NE	EMS call
247	06/01/2015	23:14	412 Dahlia DR NE	EMS call
Total				42

East Bethel Fire Department
Type of Medical Calls

June, 2015

Number of Medical Calls 28

Type	Number	Transport by Ambulance
Medical Complications	8	7
Short of Breath	0	0
Cardiac	6	4
Bleeding	0	0
Illness	4	2
Trauma	0	0
Assist	2	0
Stroke	1	1
Other	<u>7</u>	<u>4</u>
Totals	28	18



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 8.0 G.1

Agenda Item:

Amendment of Parks Dedication Fee Requirements

Requested Action:

Consider providing direction to the Planning Commission for the review of Article VII., Section 66-195 and Article VII, Section 12-2, Parks Dedication Fees and Requirements

Background Information:

State Statute 462.358 Subd. 2.b, Dedication, outlines the general statutory requirements for park dedication. City Ordinances Article VII., 66-195 and Article VII, 12-2, deal with the specifics of park dedication fees.

Our Current Residential Parks Dedication Fee is:

Up to 6 units/acre: 10% of land or cash = to market value of land;

6 or more units/acre: 10% of land = 1% for each unit over 6 units per acre or cash = to market value of land.

In no event shall the cash in lieu of land payment exceed \$6,000.00 per residential unit.

Not to Exceed Park Dedication Fees per lot for neighboring Cities are as follows:

<u>Cambridge</u>	<u>Oak Grove</u>	<u>St. Francis</u>	<u>Isanti</u>	<u>Columbus</u>	<u>Ham Lake</u>
\$1,600/lot	\$2,000/lot	\$2,500/lot	\$1,500/lot	\$1,525/lot	\$2,500/lot

As to the fees of other Cities, Council may wish to consider amending the City Ordinance for this requirement. This would eliminate a competitive disadvantage and level our charges for these fees to those of surrounding Cities. As no Parks Dedication Fees have been collected since 2008, this would not have an impact on our Parks Budget. As an ongoing process, the dedication fee will be reviewed annually to insure the fee schedule is consistent with the financial needs for parks acquisition and development as outlined in the City Parks, Recreation and Open Space Plan.

Another consideration that may be appropriate for review would be the exemption of the lot with the habitable structure from parks dedication fees for Metes and Bounds or minor subdivisions. Metes and Bounds subdivisions involve only two lots and include one which is occupied by a habitable structure. It can be argued that this lot creates no new demand for parks and has been paying taxes for parks improvements.

Our current schedule structures fees that are based on land value. Not to exceed costs per lot in our case are set at such an amount that they are a non-factor in the calculation of fees. Smaller subdivisions have disproportionate fees in relation to larger platted developments in which there are a greater number of lots over which to spread the cost. A recent example was the approval of a 3 lot subdivision with land value of \$104,200 as compared to a proposed 46 lot development with a land value of \$229,000. The respective park dedication fees per lot would be \$3,743 and \$500. There is a need to examine and bring forth proposals to equalize this inequity.

This matter can be referred to the Planning Commission at their July 21, 2015 meeting for recommendations as to amendments of these sections of the City Ordinance and returned to City Council at the August 5, 2015 meeting.

Attachments:

Fiscal Impact:

As noted above

Recommendation(s):

Consider directing the Planning Commission and Staff to review and present proposals to amend City Ordinance Section 66-195 and Section 12-2 at the August 5, 2015 City Council meeting.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 8.0 G.2

Agenda Item:

MCES Contract Modification Proposal

Requested Action

Consider an endorsement of the MCES Staff modifications to the East Bethel Wastewater Services Agreement

Background Information:

Staff initiated negotiations with the MCES in January 2014 to request modifications to the Wastewater Service Agreement (WSA), the contract that defines the terms and conditions of our financial obligations to the MET Council for our portion of the debt owed for the sewer facilities. The City's request was the elimination of the provisions of the Reserve Capacity Loan and its associated SAC goals, interest on the unmet goals and equalization of SAC rates and flow charges to that of the urban rates. The first two meetings were with Pat Born, MET Council Regional Administrator, and his staff. These meetings outlined a process for the City to present our proposals 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 offer sets a \$2M cap on the Reserve Capacity Loan (RCL). Once the debt of the RCL reaches the \$2M cap this would trigger the termination of the RCL contract and its payback requirements based on annual SAC goals.

Benefit to the City- this provision removes the uncertainty of negotiating the future RCL debt with no conditions or requirements. Settling this matter at this time 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 the details involved in this complex and complicated issue.

- At the time of the termination of the RCL the City would begin repayment of the \$2M cap amount over 10 years at an interest rate of 2.73%.

Benefit to the City – this provision eliminates the potential of the City facing a debt that has the potential to be in the range of \$20M to \$30M by 2032. The cost of repaying the loan cap of \$2M over a 10 year term would be \$2.312M with annual payments of \$231,000. This payment could be covered by other City bond debt reduction that will occur in 2022, the use of the RCL 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 \$2.464M. The City's risk is minimal that we would owe less than \$2M in SAC goal charges and interest rates at the conclusion of the loan.

- City SAC rates would increase at the urban rate with an additional increment of \$700 for each unit until the \$2M RCL cap is triggered. At that time our SAC rate would be frozen until the urban rate becomes equal to our SAC rate. RCL loan payments equal to the annual flow charges would cease once the \$2M loan cap is triggered

Benefit to the City – this 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 with those listed in the current agreement and be \$3,065 less than the current projected SAC rate in 2032 (\$6,300). Assuming the RCL cap limit occurs in 2021, the City could potentially save \$3M on future charges for RCL loan payments.

All of the above savings are based on contract obligations of our current Wastewater Services Agreement (WSA) with MET Council.

Based on analysis provided by the City and the current growth projections by the MET Council, the development forecasts needed to meet the SAC requirements of the RCL are unrealistic and this loan balance will increase exponentially and reach the proposed \$2M 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 \$20M by 2032 if the City accepts the proposed modifications to the WSA (\$20M RCL costs + \$3M RCL loan payments based on flow charges minus the \$2.3M for loan cap repayment). 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.

This matter is currently scheduled for presentation at the August 11, 2015 MET Council meeting and a formal approval of the modified terms would officially signify that the City is in basic agreement with the proposal. Approval of the terms of the MCES Staff offer is not binding on the City as a new contract amendment would have to be executed by both parties. Final contract language and clarification of existing contract questions would occur in the preparation of the final documents should the amendment be approved by the MCES and the City.

Attachments:

Attachment 1 – Preliminary Staff Draft, Wastewater Services Agreement

Attachment 2 – Reserve Capacity Loan Summary

Attachment 3 - Summary of Options

Attachment 4 – Proposed Contract Modifications

Fiscal Impact:

As noted above

Recommendation(s):

Staff is requesting Council consider endorsement of the June 12, 2015 MCES Staff modifications to the Wastewater Service Agreement (WSA) with final approval to be scheduled at a later date and pending acceptable contract language, terms and conditions.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

+++++ WASTEWATER SERVICE AGREEMENT
Between
City of East Bethel
and
Metropolitan Council

THIS AGREEMENT (“Agreement”), effective on the date of execution by both parties, is made and entered into by and between Metropolitan Council, a public corporation and political subdivision of the State of Minnesota (“Council”) and the City of East Bethel, a Minnesota municipal corporation (“City”).

RECITALS

1. Pursuant to Minnesota Statutes § 473.517, subd. 1, the Council shall allocate current costs of operation, maintenance, and debt service (“Current Costs”) among and paid by all local government units which discharge wastewater directly or indirectly into the metropolitan disposal system. For purposes of this Agreement, the above described payments are referred to herein as municipal wastewater charges (“MWC”). The Council’s wastewater treatment plant, interceptor and effluent pipes to serve the City will be a part of the metropolitan disposal system.
2. Pursuant to Minnesota Statutes § 473.517, subd. 3, the Council shall allocate the reserved capacity portion of the costs of acquisition, betterment, and debt service of the interceptors and treatment works (“Reserved Capacity Costs”) among and paid by all local government units through a sewer availability charge (“SAC”) for each new connection or increase in capacity demand to the metropolitan disposal system.
3. Pursuant to Minnesota Statutes § 473.517, subd. 6, the Council may provide for the deferment of payment of all or part of the allocated costs pursuant to Minnesota Statutes § 473.517, subd. 3, repayable with interest at the Council’s average rate of borrowing.
4. The Council’s 2030 Water Resources Management Policy Plan (“Policy Plan”) provides for Council ownership and operation of wastewater facilities to serve rural area communities that want to accommodate growth, for which the planning designation Rural Growth Center has been provided in the Policy Plan. The City has requested, and the Council has approved, the City’s designation as a Rural Growth Center (“Rural Growth Center”).
5. The Council’s Policy Plan provides wastewater service to the City through wastewater treatment facilities to be constructed specifically to serve the City initially, and that are also planned so that these facilities may serve a portion of the city of Oak Grove or other communities in the future. The City has submitted, and the Council has approved, the City’s 2030 Comprehensive Sewer Plan.

6. The Council's Policy Plan policy on rates and charges provides that: (a) municipal wastewater charges will be allocated to communities uniformly, based on flow; and (b) sewer availability charges for a Rural Growth Center shall be based on the reserve capacity of the wastewater treatment facility and the Council's debt service specific to the Rural Growth Center. ~~Would this be eliminated from the contract or would Amendment # 2 supersede this portion once the \$2M cap is reached.~~
7. The Council ~~is currently~~ designing and built the East Bethel wastewater treatment facility, MCES Project 801620 to serve the City. ~~Construction is scheduled for 2011-2012.~~
8. Council and City have determined that it is in their best interests to enter into this Agreement in order to specify SAC matters for the City and to specify the terms for contingent loans for part of the reserve capacity charges and other related matters.
9. The Council has authorized its Regional Administrator to enter into this Agreement pursuant to Business Item No. 2010-355 passed by the Council on October 27, 2010. The City has authorized its Administrator to enter into this Agreement pursuant to a motion passed by the City Council on November 3, 2010.

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Comment [jmw1]: Jack, this is still true and just a whereas statement so I think this one stays as is.

NOW, THEREFORE, for valuable consideration, the receipt of which is acknowledged by both parties, the parties agree as follows:

ARTICLE I Financial Terms and Conditions

1.01 Municipal Wastewater Charges (MWC).

a. Allocation. Council shall measure the City's wastewater flow and allocate current costs consistent with the methodology used throughout the metropolitan disposal system to allocate Current Costs among and charge local government units in the form of MWC, as may be amended from time to time. The Council's regular MWC billings to the City shall ~~begin~~ for the calendar year 2014 based on the wastewater flow for the period July 1, 2012 – June 30, 2013. Prior to that regular cycle, the Council's MWC billings to the City for the calendar year 2013 ~~wereshall be~~ based on the estimated number of SAC units served prior to June 30, 2012, flow estimates/SAC and the duration of such usable connections within the subject period. Council ~~shall~~ invoice the City monthly. City shall pay Council within thirty (30) calendar days of each billing.

b. City Obligation - Charges. The City acknowledges its obligation under Minnesota Statutes, including, but not limited to, § 473.519, to adopt and maintain a system of charges for the use and availability of the metropolitan disposal system located within the City which will assure that each recipient of wastewater treatment services within or served by the City will pay its proportionate share of the Current Cost charges

allocated to the City by the Council under Minnesota Statutes, § 473.517, as required by federal law and regulations.

c. On or before December 31, 2011, the City ~~shall submitted~~ to the Council, for review and approval, a proposed ordinance implementing a system of volumetric charges for the use and availability of the metropolitan disposal system, and shall make modifications in such system if notified by the Council, as needed to comply with the provisions of Minnesota Statutes § 473.519, the Council's Waste Discharge Rules and federal law and regulations. Upon approval, the Municipality shall maintain such system of volumetric charges in accordance with section 473.519.

d. City Obligation – Connections. The City agrees that ~~within twelve (12) months of~~ service being available, the City shall mandate connections to the metropolitan disposal system and ~~paid will pay~~ the Council SAC for connections in the business district described as Project 1 Phase One.

e. Reservation of Rights. Nothing in this article shall be deemed to limit the Council's rights to add-to, amend or change its method of allocating and/or collecting costs under Minnesota Statutes, section 473.517, subdivision 1. ~~Is this standard language for all contracts or is it unique to East Bethel.~~

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Comment [jmw2]: Standard for the three rural growth center WSAs. WE are of course limited by that statute in how we charge EB and others for the MWCs.

1.02 Sewer Availability Charges (SAC).

a. City Obligation. The City acknowledges its obligation under Minnesota Statutes, including, but not limited to, § 473.517 subd. 3, to pay Reserved Capacity Costs allocated to the City by the Council under § 473.517, subd. 3. These costs are currently allocated to cities by the Council through the Sewer Availability Charge (SAC) system, based on the number of residential equivalent SAC units which become connected within the City either directly or indirectly to the metropolitan disposal system. City acknowledges and agrees that SAC and reporting for it will be due beginning twelve (12) months prior to startup of the wastewater treatment facility. The City acknowledges and agrees that it is liable for SAC whether or not it collects, or is able to collect, such amounts from any property owners or other third parties.

b. Implementation of SAC System. Under the current SAC system, the City shall be responsible for monitoring, reporting of connections, and other duties in accordance with Council's policies and procedures for collecting SAC charges. If under the current SAC system, the City chooses to collect charges from the owners of the property connected to City sewers which are connected to the metropolitan disposal system, it shall be solely responsible for billing and collecting such charges from the property owners.

c. Reservation of Rights. Nothing in this article shall be deemed to limit the Council's rights to add-to, amend or change its method of allocating and/or collecting costs under Minnesota Statutes, section 473.517, subdivision 3 as it

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pertains to the SAC rate and general SAC collection requirements and procedures. ~~Is this standard language for all contracts or is it unique to East Bethel.~~

Comment [jmw3]: Also standard for rural growth centers, and also our flexibility on SAC is limited by law.

d. ~~Unless and until the \$2 million threshold, described in Amendment 2 applies.~~ East Bethel’s City-Specific SAC (hereafter “East Bethel SAC”). Council shall establish the East Bethel SAC pursuant to the Council’s policies and SAC procedures. The East Bethel SAC shall initially be based on the wastewater treatment facility debt service specific to the City, as estimated in Exhibit A. The estimated capital costs described in Exhibit A, and the East Bethel SAC based on the associated debt service, may be adjusted after final project costs have been determined and if needed for additional project costs should they occur prior to the end of the designation of the city of East Bethel as a Rural Growth Center. Adjustments, if any, to the SAC rates will not be retroactive. ~~Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

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Council and City agree that the East Bethel SAC has been determined, based on the following factors: (1) debt service and/or capital costs on City-specific capital costs based on financing over a term extending to 2030 at an interest rate based on the actual rate(s) of financings used by the Council to fund the project costs, currently estimated at 3.0% for the initial facility and 4.5% for the future expansion; (2) 2030 Comprehensive Plan forecast of 5,500 SAC units; (3) a constant SAC unit growth rate of approximately 10.6% annually from 2012 through 2030; (4) reserve capacity determination using cumulative SAC units as forecasted for the currently used portion of total capacity; (5) fixed East Bethel SAC rate increases of 3% annually; and (6) East Bethel SAC computed to recover the present value of reserve capacity of debt service as determined in (1) hereinbefore. ~~Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

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Comment [jmw4]: I think the qualification I suggest at the beginning of section d, makes this OK as is.

Council and City agree that the East Bethel SAC based on the capital costs in Exhibit A and the above factors, shall be \$3,300 in 2012, increasing 3% annually to \$5,600 in 2030. East Bethel SAC may be adjusted if the final capital costs and interest rates are materially different than expected.

Comment [jmw5]: Dan, please review and adjust, as needed to comply with the intent of Amendment 2,

e. Nothing in this Agreement prohibits or restricts the sewer, SAC or other related charges that the City may or may not charge to property owners within the City.

1.03 Reserve Capacity Loans.

a. Amount. ~~Unless and until the \$2 million threshold, described in Amendment 2 applies,~~ if at the end of each calendar year, starting with the year 2012, the SAC units attributed (either i), actually paid, or ii) loaned as described in this paragraph) to the Council by the City on an annual basis, are below the estimate of growth for the year based on the 2030 Comprehensive Plan forecast for the City used to set the rates as described herein, the

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deficiency shall be considered a Reserve Capacity Loan (“Reserve Capacity Loan”) from the Council to the City, pursuant to M.S. 473.517 subd. 6. Interest shall accrue on the prior year-end balance at 3.6% APR annually. In years where the actual SAC paid by the City to the Council exceeds the estimate, the surplus SAC shall be considered a payment against any then outstanding loans. If such a surplus occurs and no loan balance is then outstanding, no rebate shall occur, however, the amount of units paid over the cumulative forecast shall be available to offset a future year shortage (that is, to reduce the required loan in a future year when the annual SAC units paid are less than forecast). ~~Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

b. Payment. ~~Unless and until the \$2 million threshold, described in Amendment 2 applies.~~ If a Reserve Capacity Loan balance is outstanding at any year-end, the City shall pay, at a minimum, an annual amount set by the Council which shall be an amount not greater than the ordinary municipal wastewater charge to be charged to the City in that same calendar year based on the community’s annual flow volume in the metropolitan disposal system. The payment shall be applied first to interest accrued and the remainder against the cumulative outstanding principal on the loan. During the first five years of the Loan, the Council may require a lesser payment to allow the City to gradually adjust its retail sewer charges or other revenues to cover the Loan payments. ~~Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

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Comment [W6]: It’s my understanding that Dan has shown that this won’t work in EB where there is no existing customer base and the thus the MWC will be very little in the early years. What do you think about this which they would be allowed to raise in any manner they chose (perhaps from a developer???)

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~~Unless and until the \$2 million threshold, described in Amendment 2 applies.~~ Minimum payments on the loan shall be determined by the Council in January of each year and included on monthly bills, provided however, that the Council may estimate the loan payment requirements for the first two months of each year and reconcile the difference in the March bill of each year. ~~Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

c. Prepayment. The City may prepay all or part of the loan at any time to avoid additional interest accrual.

d. Developing Community. ~~Unless and until the \$2 million threshold, described in Amendment 2 applies.~~ If the Council agrees that if: a) the City meets the conditions of the Council to become a Developing Community as determined by the Council; or b) another city is provided sewer service through the East Bethel wastewater treatment facilities; or c) the City reaches its current 2030 Comprehensive Sewer Plan population forecast, or d) at the conclusion of the 2030 Water Resources Policy Plan (i.e. at the end of the year 2030), the East Bethel SAC rate may be frozen by the Council at the then current rate and retained at that rate, even though that rate is a higher rate than the urban SAC until such time as the outstanding loan is entirely repaid. This term shall

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survive the Agreement until the entire Loan is repaid, or the condition in Section 1.03(e) occurs: ~~Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

~~e. — The parties agree that the terms of the Agreement are intended to handle the short or medium term problem that planned growth is deferred from the expectations of the Comprehensive Plans. However, if 30 years after the first Loan is recorded, substantial planned growth has not occurred and expectations at that time are that it may continue to be below 2030 forecasts, the parties agree to renegotiate in good faith to provide for an end to the Loan that does not require an unreasonable burden on the sewer rates of the still small City. Does this section need to be addressed specifically in Amendment #2 or does Amendment #2 take precedence over this section.~~

Comment [jmw7]: Per our conversation, I think its OK to delete this with the understanding that the Amendment 2 change is the same sort of exception to the normal terms, but recognizing that the normal terms could be problematic for EB before 30 years.

**ARTICLE II
Conveyance of Interceptor Ownership to City**

2.01 Transfer.

If the Council determines that the interceptor constructed along Viking Blvd. and STH 65 no longer serves a regional benefit, the Council will transfer to the City and the City agrees, without payment from the Council, to accept title and ownership of that portion of the aforementioned interceptor within the City. Such transfer may occur at any time after determination in the sole discretion of the Council that the aforementioned interceptor no longer serves a regional benefit and certification by the Council that the interceptor to be transferred is in good operating condition.

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**ARTICLE III
Compliance with Council Rules and Policies**

3.01 Infiltration and Inflow.

The City shall comply with the Council’s policy and procedures on Infiltration/Inflow and its standards for allowable peak hour to average daily wastewater flow. ~~On or before June 30, 2012, the City shall submit its proposed Infiltration/Inflow program to the Council for review and approval and shall adopt and follow any recommendations of the Council regarding inflow and infiltration into the City’s sewage collection system.~~

3.02 Waste Discharge Rules.

The City acknowledges that all discharges to the City’s sewage collection system are subject to the Council’s Waste Discharge Rules and any other rules or requirements adopted by the Council relating to the metropolitan disposal system. The City shall adopt

a sanitary sewer use ordinance which ensures City compliance with Council's policies and Waste Discharge Rules, however amended. The City agrees to cooperate with the Council in enforcement of Council's rules and enforcement requirements. Nothing in this Agreement prohibits or limits the Council's right to make general changes to the Waste Discharge Rules.

3.03 Comprehensive Plan.

The City has prepared and adopted its 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan, in accordance with Minnesota Statutes §§ 462.355, subd. 1a and 473.864, subd. 2. The Council has approved the City's Tier II Comprehensive Sewer Plan and authorized the City to put its 2030 Comprehensive Plan Update into effect.

In accordance with Minnesota Statutes, section 473.858, subd. 1, and section 473.865, subd. 3, upon approval and adoption by the City of the comprehensive plan, the City shall adopt or amend official controls to ensure planned, orderly, and staged development consistent with the comprehensive plan ~~- and subsequent approved updates to it - and~~ so as not to conflict with the comprehensive plan. Upon request, ~~the~~ City shall submit copies of such official controls to the Council in accordance with Minnesota Statutes, section 473.865, subd. 1.

Nothing in this agreement shall modify the City's obligations under the referenced statutes or in the Comprehensive Plan.

ARTICLE IV
Notices

Any notice or demand which may or must be given or made by either party to this Agreement, under the terms of this Agreement and any statute or ordinance, shall be in writing and shall be sent by certified mail, return receipt requested, or delivered in person, to the other party addressed or delivered as follows:

General Manager & Finance Director	City Administrator
Environmental Services	2241 221 st Avenue NE
Metropolitan Council	East Bethel, MN 55011
390 North Robert Street	
St. Paul, MN 55101	

ARTICLE V
General Provisions

5.01 Successors and Assignment.

The Covenants of this Agreement shall be binding upon and inure to the benefit of the parties, their successors, and assigns. The City may neither assign nor transfer any rights or obligations under this Agreement without the prior consent of the Council and a fully executed Assignment Agreement, executed by authorized representatives of the parties to this Agreement.

5.02 Amendments.

The terms of this Agreement may be changed only by the mutual agreement of the parties. Such changes shall be effective only upon execution of written amendments executed by authorized representatives of the parties to this Agreement.

5.03 Non-Waiver.

If the Council fails to enforce any provision of this Agreement, that failure does not waive the provision or any other provision or the Council's right to enforce it at a later date.

5.04 Contract Complete.

This Agreement contains all negotiations and agreements between the Council and the City related to the matters included herein. No other understanding regarding this Agreement, whether written or oral, may be used to bind either Party.

5.05 Construction of Agreement.

This Agreement is intended to assist in implementing the Council's policy plans and system plans and shall be interpreted consistently with the provisions and intent of such plans.

5.06 Severability.

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts which are void, invalid or otherwise unenforceable shall substantially impair the value of the entire agreement with respect to either Party.

5.07 Liability.

Except as provided elsewhere in this Agreement, each Party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other Party and results thereof. The liability of the Council and the City shall be governed by the provisions of Minnesota Statutes, chapter 466, and other applicable law. Nothing in this Agreement shall constitute or be construed as a waiver by the Council or the City of any statutory limits on or exceptions to liability.

5.08 Council Audits.

In accordance with Minnesota Statutes, section 16C.05, subd. 5, the City's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the Council and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

5.09 Government Data Practices.

The City and Council must comply with the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, as it applies to all data provided by the Council under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the City under this Agreement. The civil remedies of Minnesota Statutes, section 13.08, apply to the release of the data referred to in this clause by either the City or the Council.

5.10 Conformance to Law.

The parties to this Agreement acknowledge and agree to the following:

a) This Agreement addresses certain of the rights and obligations to the parties under Minnesota Statutes, chapter 473, but this Agreement is not intended to be a complete description of all rights and obligations of the parties with respect to each other that may exist under such chapter or other provisions of law.

b) Future changes in Minnesota Statutes, chapter 473, and other applicable law may modify the rights and obligations of the parties with respect to each other and such changes in law shall take precedence over any provisions of this Agreement that may be inconsistent and irreconcilable with such changes.

5.11 Venue.

This Agreement shall be governed by the laws of the State of Minnesota. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

5.12 Recitals.

The Recitals are hereby incorporated into and made a part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

METROPOLITAN COUNCIL

Approved as to Form:

Office of General Counsel

By: _____

Its: Regional Administrator

Date: _____

FOR THE CITY OF EAST BETHEL

By: _____

Title: Mayor

Date: November 3, 2010

ATTEST:

By: _____

Title: City Administrator

Date: November 3, 2010

EXHIBIT A
ESTIMATED CAPITAL COSTS FOR
EAST BETHEL WASTEWATER TREATMENT FACILITIES

Component	Est. Cost (1)
Initial Project	
Influent Storage (2)	\$ 600,000
Wastewater Treatment Plant (3)	9,500,000
Treated Water Distribution System (4)	5,700,000
Land Application Facilities (5)	1,600,000
Land Acquisition (6)	600,000
Total - Initial Project	\$18,000,000
Future Facility Expansion (3)	
Plant Expansion	\$10,000,000
Treated Water Distribution	2,000,000
Land Application Facilities (incl. land)	<u>2,000,000</u>
Total-Expansion	\$14,000,000

Notes:

1. Estimated cost includes construction, engineering, inspection, and administration.
2. Incremental cost of increasing size of influent interceptor sewer from STH 65 to treatment facility from 24-inch diameter to 60-inch diameter. This option is being used in lieu of providing storage within the wastewater treatment facility.
3. Plant will be constructed in phases. Initial phase has 0.41 mgd capacity. Future facility expansion (approx. year 2020) will increase capacity to 1.22 mgd.
4. Pipeline to convey treated water from wastewater treatment plant to the two initial land application facilities.
5. Facilities designed to distribute treated water such that it infiltrates through the soil and recharges the groundwater.
6. Cost of acquiring two land application sites (\$60,000 for one; free long-term use of second site) and two-thirds of the wastewater treatment plant site, which is planned to serve portions of Oak Grove, and potentially Ham Lake, in the future.

Summary of Current Agreement and Proposed Contract Modification

	Existing Wastewater Services Agreement	MCES Proposed Contract Modification June 2015	Notes
RCL (ReserveCapacity Loan)	As Attached	Cap@\$2M,RCL is terminated when \$2M Cap is reached	
SAC Goals(Units)	5,500	2,280	
SAC Rates	\$2,850 (2015) \$2,990 (2016)	Urban Rate (2,485) + \$700 for 2016 - \$3,185	
SAC Rate Increases	4.7 - 4.9% annual increase	Urban Rate	
Demo Costs	\$9.5M	Excluded from City Debt	
WWTP Expansion Costs	Expansion would occur once 2,280 SAC units were connected)	Excluded as part of costs (This would be addressed as a separate issue at the time expansion may be required	
RCL Loan Payment	100% of flow based on urban rate charges	RCL Loan Payment of 100% of flow charges goes away when \$2M cap is reached	
Flow Charges	Urban Rate	Urban Rate	

Draft of 6/12/15;
Not reviewed by Legal staff; for discussion only

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, MN 55101
(651) 602-1000
AMENDMENT NUMBER TWO
to
CONTRACT FOR SERVICES
Metropolitan Council Contract Number 1OI024

Whereas: Council and City agree that \$9,482,681 is determined to be a reasonable estimate of the net “demonstration costs” of the effluent water infiltration permitting, design and build technology, and that this cost will provide benefits to the entire region;

Whereas: The Council determines it is not in the interest of the Region, that the City payments on the Reserve Capacity loans become a negative credit rating for the City and/or damage the competitiveness of the City in attracting the growth needed to reasonably utilize the wastewater facilities built there;

Whereas: The City’s financial advisor, Ehlers and Associates, has indicated that if the aforementioned loans do exceed \$2 million there is a real possibility of adverse credit consequences to the City;

Whereas: This Contract, before this amendment, allows renegotiation and relief for the City should the original plan for growth not materialize, as evidenced by lack of anticipated growth and large loan balances;

Whereas: The City is already seeing substantially lower growth than anticipated in the original agreement, at least in part due to the recession;

Whereas: The Council and the City both now have a substantially lower forecast for future growth, as documented in the Thrive MSP 2040; and

Whereas: the City has requested limits and definition of consequences should the low growth continue, before adverse economic damages are incurred and sooner than the provision in this contract prior to this amendment.

Therefore: The **City of East Bethel** (City) and the **Metropolitan Council** (Council) agree that the Wastewater Service Agreement, entered on December 9, 2010, is amended in the following particulars.

1. ARTICLE I Financial Terms and Conditions

ARTICLE I Financial Terms and Conditions, Section 1.02 Sewer Availability Charges (SAC), Subsection d. Paragraph 3 is DELETED and the following language is INSERTED in its place:

In Exhibit A, \$9,482,681 shall be excluded from the East Bethel cost pool used to determine the East Bethel SAC. As a result, Council and City agree that the East Bethel SAC will be based on \$16,485,734 of capital costs (see Exhibit A), and the SAC rate will be \$3,185 in 2016, which is the \$2,485 urban rate plus a \$700 increment. This \$700 increment will remain in effect

until the 2,280 SAC unit capacity of the initial facility is reached, until the Reserve Capacity Loan balance reaches \$2 million (see Item 2 in this Amendment Two), or the City is deemed a developing community by the Council and eligible to be treated the same for SAC purposes as the urban SAC cost pool, per the requirements of Thrive MSP 2040 and the Water Resources Policy Plan.

There will be no adjustments of 2015 or prior charges.

2. **ARTICLE I Financial Terms and Conditions**

ARTICLE I Financial Terms and Conditions, Section 1.03 Reserve Capacity Loans, DELETE Subsection e. and **REPLACE** with the following:

The Reserve Capacity Loan balance will not be allowed to exceed \$2 million. If it reaches \$2 million:

- 1) The SAC rate will be capped at the then current rate and remain fixed until the urban SAC rate catches up, or until the original obligation is fully satisfied, whichever comes first. Thereafter, East Bethel's SAC rate will equal the urban SAC rate.
- 2) No further debt will accrue, the Reserve Capacity Loan payments (limited to Municipal Wastewater Charges) will cease, and the City will pay off the \$2 million loan on either a 10 or 15 year fixed amortization payment plan (with the term at the City's discretion) at 2.73% interest (the cost of Council's capital for the original project).

3. **EXHIBIT A CAPITAL COSTS FOR EAST BETHEL WASTEWATER TREATMENT FACILITIES:**

EXHIBIT A CAPITAL COSTS FOR EAST BETHEL WASTEWATER TREATMENT FACILITIES is **DELETED** and EXHIBIT A - FINAL CAPITAL COSTS FOR EAST BETHEL WASTEWATER TREATMENT FACILITIES is **INSERTED** in its place.

EXHIBIT A
FINAL CAPITAL COSTS FOR
EAST BETHEL WASTEWATER TREATMENT FACILITIES

	Reuse (1)	Non Reuse	Total
Water Reclamation Plant			
Design Fees		\$1,483,069	\$1,483,069
Land Acquisition Fees (2)		\$555,390	\$555,390
Verification Total		\$565,000	\$565,000
Interceptor Storage (3)		\$600,000	\$600,000
Influent Hauling		\$175,200	\$175,200
WWTP Construction Cost (4)		\$11,827,980	\$11,827,980
61.1% of Verification Costs		\$345,215	\$345,215
MCES Administration Costs		\$346,713	\$346,713
45% of Planning		\$187,167	\$187,167
Reclaimed Distribution Line and Application Basins (5)			
Reclaimed Design Costs	\$660,142		\$660,142
LAB Design Costs	\$319,000		\$319,000
Reclaimed Line Land Acquisition Costs	\$363,163		\$363,163
LAB Land Acquisition Costs	\$59,800		\$59,800
MCES Reclaimed Line Construction Costs	\$6,320,851		\$6,320,851
LAB Construction Costs	\$1,096,250		\$1,096,250
Contingency	\$25,000		\$25,000
38.9% of Verification Costs	\$219,785		\$219,785
MCES Administration Costs	\$293,912		\$293,912
30% of Planning	\$124,778		\$124,778
Alternative piping cost estimate (6)		\$400,000	\$400,000
Total	\$9,482,681	\$16,485,734	\$25,968,415
Wastewater Reuse Demonstration Total			\$9,482,681
Wastewater Treatment Plant Total (capital costs in the E.B. cost pool)			\$16,485,734

Notes:

1. East Bethel reuse demonstration costs.
2. Cost of acquiring two land application sites (\$60,000 for one; free long-term use of second site) and two-thirds of the wastewater treatment plant site, which is planned to serve a portion of Oak Grove in the future.
3. Incremental cost of increasing size of influent interceptor sewer from STH 65 to treatment facility from 24-inch diameter to 60-inch diameter. This was built in lieu of providing storage within the wastewater treatment facility.
4. For initial phase which has 0.41 mgd capacity.
5. Pipeline to convey treated water from wastewater treatment plant to the two initial land application facilities, and facilities designed to distribute treated water such that it infiltrates through the soil and recharges the groundwater.
6. Discharge to surface water would require a short pipeline and a discharge structure (cost is MCES engineering staff estimate; such a facility was not designed).



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 8.0 G.3

Agenda Item:

2015 Fall Recycle Day

Requested Action:

Set the Fall Recycle Day Date

Background Information:

East Bethel traditionally schedules a Spring and Fall Recycle Day at the City Ice Arena. In 2013, the City began a monthly recycle drop off program at the City Recycle Center on the 4th Saturday of each month. This program has expanded and collects most items that the two designated Recycle Days accept. As a result we have seen a decrease in tonnage of materials at the Spring and Fall Recycle Day.

The following tonnages were collected at this event between 2013 to 2015:

Spring 2013	24.94 tons
Fall 2013	22.41 tons
Spring 2014	25.89 tons
Fall 2014	4.66 tons
Spring 2015	18.01 tons

We propose that Saturday, September 26, 2015 be scheduled for the Fall Recycle Day. This date is unopposed with any of our neighboring Cities. If this date is scheduled, the Saturday Drop-Off at the Recycle Center would be cancelled.

The following are the 2015 Fall Recycle Days that have been scheduled by local cities:

Circle Pines	August 29 th
Ham Lake	September 12 th
Andover	September 12 th
Oak Grove	September 19 th
Anoka	September 26 th
Columbia Heights	October 3 rd
Fridley	October 3 rd
Spring Lake Park	October 10 th
Columbus	does theirs in September but no specific date has been set.

Attachments:

Fiscal Impact:

As noted above

Recommendation(s):

Staff recommends Council consider setting Saturday, September 26, 2015 as Fall Recycle Day

City Council Action

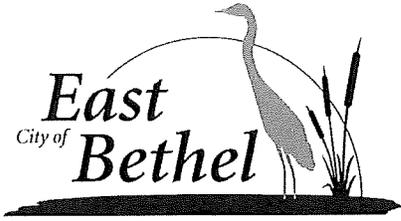
Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel City Council Agenda Information

Date:

July 15, 2015

Agenda Item Number:

Item 8.0 G.4

Agenda Item:

July Regular Work Meeting

Requested Action:

Consider an agenda for or cancellation of the July 22, 2015 City Council Work Meeting

Background Information:

The fourth Wednesday of the month is the regularly scheduled Work Meeting for City Council. City Council held a Work Meeting on July 8, 2015 to begin discussion on the 2016 Budget and receive a proposal for water and sewer service extension and modifications to the City's Park Dedication Fees.

At this time there are no other items which require Work Meeting discussions.

Attachments:

Fiscal Impact:

As noted above

Recommendation(s):

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____