

EAST BETHEL CITY COUNCIL MEETING

NOVEMBER 4, 2015

The East Bethel City Council met on November 4, 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
Colleen Winter, Community Development Director

1.0 The November 4, 2015, City Council meeting was called to order by Mayor Voss at 7:00 p.m.
Call to Order

2.0 The Pledge of Allegiance was recited.

Pledge of Allegiance

3.0 **Harrington stated I'll make a motion to adopt tonight's agenda. Mundle stated I'll second.** Voss stated any discussion? All in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**
Adopt Agenda

4.0 Davis presented the staff report, indicating East Bethel Code of Ordinances, Chapter 74, Section 74-126 (b) provides for the collection of delinquent accounts through the property tax system. This Ordinance provides the opportunity for property owners that are delinquent in payments to the City for utility services to come before the City Council to state their objections. This Public Hearing meets the requirements of this Ordinance.
Public Hearing
4.0A Delinquent Utility

Certification Resolution 2015-58 This Public Hearing must be conducted before the final certification of delinquent amounts is forwarded to the County for collection with property taxes.

At the October 7, 2015 meeting, Council set November 4, 2015, as the Public Hearing date for individuals wishing to object to the delinquent charges being collected through the property tax system. All affected property owners have been notified via U.S. mail of the opportunity to appear before the City Council this evening.

The final list of properties with delinquent charges must be provided to the County Auditor no later than November 30, 2015.

Staff recommends that the public hearing be conducted at tonight's meeting to provide an opportunity for citizens to be heard on their delinquent amounts. At the conclusion of the Public Hearing, staff recommends Council consider approval of Resolution 2015-58, Final Certification of Delinquent Charges for Collection with 2016 Property Taxes.

Mayor Voss stated with that we'll open the Public Hearing with regard to the delinquent utility charges. If there's anyone here tonight wishing to speak before Council on this matter, please come forward.

No one offered comment.

4.0A Voss stated seeing none, we'll close the Public Hearing. We have a Resolution that's

Delinquent suggested.

Utility

Certification **Ronning stated move to adopt Resolution 2015-58, addressing delinquent utility certification. Harrington stated I'll second.** Voss stated any discussion? Hearing none, Resolution all in favor of the motion say aye?" **All in favor.** Voss stated any opposed? That motion 2015-58 passes. **Motion passes unanimously.**

4.0B

Admin.

Appeal

19715 Tri

Oak Circle

Davis presented the staff report, indicating Ms. Jerolyn Williams is requesting an appeal of a City Staff decision to not allow a miniature horse on her property at 19715 Tri Oak Circle. This decision was based on requirements of City Code, Chapter 10, Article IV, Section 10-116, no animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three acres provided, however, that if all the lots within a platted subdivision are larger than four acres, then interim use permits for horses may be issued for these lots. The four-acre exception does not apply in this situation.

19715 Tri Oak Circle is a platted lot of 2 acres in size and is located in the Viking Knoll Subdivision. The other platted lot in this subdivision is 2.28 acres.

There are no distinctions between horse breeds or size included in the City Code, Section 10-115, an also provides definition for animals, parcels and platted subdivisions.

Chapter 2, Article X of the East Bethel City Code, provides a process for appeal of an administrative decision. The process is outlined in this Section.

Staff recommends that the Administrative Appeal under this Section be conducted by City Council, as requested by Ms. Williams, and upon conclusion of the Hearing direction be provided to Staff in this matter.

Voss asked is Ms. Williams here tonight? I think so. Why don't you come forward? And, if you could state your name and address for the record. And, state your concerns. I think we know basics.

Jerolyn Williams, 19715 Tri Oak Circle NE, stated my daughter (Brooklyn Williams) actually typed up, this was her kind of project here. But, how big they are, they're like the size of a dog. They don't really require much more than a half acre. Do you want to come up? Oh, a fourth of an acre, I'm sorry. So, she just was hoping that there might be a possibility since they're actually smaller than most dogs, you know. Some of the bigger dogs anyway.

Voss stated if I understand, the write up that staff provided, there's no distinction. You mentioned there's no distinction between sizes of horses, types of horses. I see reference in there with donkeys and burros. I assume this is still smaller than a donkey or burro.

Williams stated she actually took some pictures and they're on the back here. I don't know if you want to look at them. Voss stated well, obviously, it's not a full size horse. Right? Williams stated no. Do you want to look at it? Voss stated sure, you can pass it around so we all can see it. *(Williams provided the pictures for the Council's review.)*

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Voss stated in your preparation tonight, by chance did you look at if other communities

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have gone through this issue at all? Williams stated no, gone through the issue meaning? Voss stated of what you're going through right now with a miniature horse. Wow, it is miniature, isn't it? That's cute. The question I have, again this is something that wasn't anticipated when the Animal Ordinance was drawn up because we've never had this issue as far as I know. So the question I have is, we always look to see if other communities, how they handle the issue. Williams stated I'm not aware of any. We see them around but mostly full sized are around us for the most part.

Voss asked Jack, Colleen, do we know of any precedence on it? Davis stated Oak Grove's ordinance is almost identical to ours. They don't make any distinction between breeds or sizes. That's the only one that I'm aware of. Voss stated okay that's interesting. I'm sure staff's explained to you because of that, that's why you're not allowed to have it. Because it doesn't say whether it's six feet tall or two feet tall. It's a horse by our definitions. It's still a horse. Does staff have any recommendations or does anyone else have any ideas?

Harrington stated my thought is we did some changing on the Chicken Ordinance. This horse isn't very big so I don't know why something couldn't be done to accommodate this family. Voss stated and we went through an Ordinance change to do that. Harrington stated right, so you'd have to do the same thing here. Voss stated and that's what would have to happen. We'd have to change our ordinances.

Voss asked Colleen, could you come to the microphone? I'm sure you're the one with the most contact in this. So, we don't know of any other communities that have ordinances? Winter stated no, I was actually trying to look that up right now. I'm not aware of any communities near us that have ordinances that make the distinction between equine at all.

Voss stated I've never seen this before but how common are these miniature horses? Winter asked how common? Voss stated yeah, how many people have them. Do you know others that have them? Williams stated um, there's, well, do you know of any around? Brooklyn Williams stated there's some around Scandia. I've seen them there. Williams stated I know there's one in Isanti. Brooklyn Williams stated we've heard that there's some up there. Williams stated there's a mini-horse farm. Brooklyn Williams I've seen the big full sized ones around. Voss stated we have a lot of that. Brooklyn William stated but not miniatures, probably because they're so rare and people who buy them, they're considered a 'specialty.' (*off mic, inaudible*)

Ronning asked is the animal in these pictures full grown? Williams answered yeah. Ronning asked what age is it, please. Brooklyn William stated those ones are five years. Voss stated so they're adult. Williams stated yeah. Davis asked is there a name to the breed of these animals? Voss asked are they just called miniature horses? Williams stated miniature horses, yeah.

Voss stated the suggestion I'd throw out is, I mean this would have to go to Planning & Zoning, and that's why I was asking about if you know of other communities, is where you know there's these horses. And, not to get anyone else in trouble in case they're not following the rules, but contact those communities and see how they handle the issue. Bring that to staff and staff can bring it to Planning and they'll have a discussion on it and they'll make a recommendation to the Council. That's how ordinances get changed. We can't make a variance because of it.

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Davis stated actually, it wouldn't have to go to Planning & Zoning because this is an

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ordinance relating and regulating farm animals and large animals. It doesn't have anything to do with zoning or subdivision issues. So, they wouldn't even have to come to the Planning Commission. Voss stated okay.

Davis stated if we were going to consider amending our existing ordinance, it would help to have examples of what other communities have done and actually how they treated and defined this type of animal so that we could make that distinction very clear.

Voss stated that's where I was going. If you can find other communities that allow these horses, they'd likely have ordinances about that. If you can do that research and provide that to the staff, so we can see how other communities handle it, so we're not writing a new 'book' here. We're seeing how others are doing things, which helps that process of changing the ordinance. Then when we consider changing the ordinance we have to think about all the other unintentional consequences that happen. That's the tough thing to do when you make ordinances. And, this wouldn't be the first time this ordinance has been modified over the years.

Davis stated I think as Mayor Voss stated, the issue here was when this ordinance was adopted, 'a horse, is a horse, is a horse, of course' and there was no distinction made between breeds or sizes. I think it was just commonly assumed that they would all be standard horses that are animals that you ride. If you know, even if you just know of places that permit these, if you could let us know, then we could look those up.

Williams stated I know in Isanti. Davis asked is that the county or the city? Williams stated it's in the city. They have miniature horses there.

Voss stated is there an association, club, or anything that's... Koller stated right here it says there's a Minnesota Miniature Horse Club. Voss stated where I'm going with that is if you contact them and let them know that in the community you live, you want to have a miniature horse but our ordinances don't allow it, and we're willing to consider it, ask them if they know of other communities that have these things to help make a change. That's how we get things done. In working with staff, between the two of you, you can probably find that. The reason we do that, because like I said, although right now to me it sounds like a very reasonable request, there may be some other crazy thing I don't know about these animals that maybe is not such a good idea. Are they loud? Are they yelling goats? Things like that. That's what we have to consider when making changes. Williams stated okay.

Mundle stated another thing to consider is if we amend it to allow this, somebody else will come in and say, 'Well I have this other animal that isn't allowed but it's really similar to this, which you already allowed.' How far is it going to go to change the rules?

Voss stated usually, like with our Animal Ordinance we have now, we have definitions on how much grazing area is needed per animal, how many animals we allow per acre, do they have to be sheltered, things like that we have to consider. Williams stated yeah, just like a dog. Voss stated I think it's safe to say that none of us really know how to take care of a horse. But that's why we rely on what's been done in the past and not try to create something new. It will be a smoother and shorter process for you to get the ordinance changed.

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Ronning stated I'm just thinking about this thing. When they wrote the ordinances, I wasn't

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there, I don't know, but I would think, it's not unlikely they had no consideration or thought of miniature horses. Voss stated I'm certain. Ronning stated it's like Chihuahuas or something. I'm looking at something here that's apparently in Blaine, gray quarter horse. But the advice he's (*meaning Mayor Voss*) given is good. Check with the, what's the name of the... Koller answered Minnesota Miniature Horse Club.

Ronning asked are you familiar with that? Williams stated no. Voss stated well, you can find it. Just Google it. I'm sure they're supportive of the hobby, right? So I'm sure they will be more than welcome to help you. It's not like you're fighting the City over it. You're helping to make a change.

Williams stated so you're saying you'd have to actually change the ordinance to be able to do it. There's no, like where you can just get a letter from the neighbors if they would be okay with it? Voss stated no. The process is called getting a variance and there's actually State-mandated rules on getting variances and it's basically based on hardship. I don't think in any respect this could be a variance at all. Vierling stated I fail to see where it could be and you're right, to do what you want to do you really need to amend the ordinance.

Voss stated it's not necessarily a huge deal. It will take some time. It's not going to happen by the next meeting. And the more that you can be resourceful providing City staff with the information, the quicker that process goes. I think I'm making it sound like it's a huge deal but I really don't think it's going to be once you get into it.

Brooklyn Williams, 19715 Tri Oak Circle NE, asked if we did, what would we need from the other cities? What would they need to tell us about? Voss stated if they have an existing ordinance that allows the miniature horses, ask to receive a copy of it. Or, you can let City staff know which cities have that and we can contact them and get those ordinances also.

Davis stated we would be willing to do that if you can just let us know which cities have regulations that specifically enumerate and permit this type of animal. Then we'll do the follow up work to see what they've got as far as regulations. That way we can recommend an amendment to the ordinance.

Voss stated the other recommendation I have too is for you to review those ordinances and maybe their ordinances are perfect, maybe there's something that's different that you want to suggest to staff and the Council to make it better. Williams asked is there possibility that you would know? Voss stated I don't think off hand. We would have to do research and I suggested you doing the research. It's just a suggestion to make the process go a little faster.

Ronning asked you're familiar with the organization? Brooklyn Williams responded yeah. Ronning stated they probably have some literature on line. You could download that and look through boarding recommendations, referrals, and any number of things like that, that would steer you towards places that don't discourage this.

Voss stated I'd be very surprised if they wouldn't whole-heartedly support you and help you do this. I'd be really surprised because that's what these organizations are for. They're promoting the hobby. You might be the first in East Bethel. As far as we know, I'll put it that way. Do you have any other questions? Williams stated no.

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Voss asked Mark, do we need a formal action? Vierling stated I don't think there's any action you need to take at this time other than to take final action on the appeal because the ordinance doesn't permit it. Voss stated we need to deny the appeal, basically. Vierling stated that doesn't preclude you folks from advocating a change in the ordinance. You're able to do that but the appeal is based on the existing application and on the existing ordinance and there's no opportunity. Voss stated so don't be discouraged when we deny this. Williams stated okay, thanks.

Voss stated to the appeal, do we have a motion from the Council? **Mundle stated make a motion to deny the appeal. Koller stated I'll second.** Voss stated any discussion?

Voss stated thank you for being here and good luck on the process. Ronning stated on discussion, if there's a motion, is it a dead issue? How does it come back? Vierling stated it will come back when they apply to make a text change to the ordinance. That's when it will come back in front of you.

Voss stated and if the ordinance is changed, then it's an administrative decision. Vierling advised then it's a permitted use. Voss stated then it won't come to Council. We don't have to allow you to permit it, you'll work with the City staff on it. We just have to change the ordinance, the law. Ronning stated perhaps if you can find some information and then come in and ask how to write what he said. Voss stated we have two good staff that can help write the ordinance. Ronning stated yeah.

Voss stated any other discussion? To the motion, all in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

**5.0
Public
Forum**

5.0A
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Voss asked Denise Davis has signed up tonight to speak before us. State your name and address please.

Denise Davis, P.O. Box 342, Forest Lake, Mn, 55025, stated I'm here now talking about a residency that I own. It's 23262 Kissel Street, East Bethel, Mn, 55005. I have been a victim of what landlords would call tenant malice and/or more. I have a police investigation that's going on my property because I got, first a renter that I've been trying to request him to move for some time. It's issues with domestic abuse, proven, documented. A landlord has a very difficult situation when you've got people like this in your residency and there's certain things that you have to do to make sure you're careful about what you do. He was not a danger to anybody except for the person that had come to me and personal issues about this man.

Denise Davis stated moving on, I decided, because of my economic situation, it was important for me to sell this home. In 1981, the City of East Bethel grandfathered this house in to be a multi-family dwelling because I had acquired the additional permits to allow a resident to live in the lower level as best as we could. I have been trying to keep updated on East Bethel with regard to issue of landlord rights and responsibilities because there was never in process or acquired ordinances. Or as Steve Voss would say, you said that it was a rental application that Colleen said was volunteer to acquire rental licenses to rent properties.

Voss stated we've recently passed the Rental Ordinance, which is a license that is applied for and then issued by the City. Is that fair to say? Davis stated that's correct. We encouraged voluntary registration but it is mandatory for all landlords to have a rental

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license. Voss stated it's mandatory but we're not seeking out and searching for rental properties. When we become aware of them, then we have the Notice that goes out to make sure that the owner's aware. Mundle explained you're not necessarily penalized or in trouble if you haven't come forward and said, 'I have a rental property.'

Denise Davis stated I've been penalized because I was never given this information and trust me, Anoka County knows where to send my tax bills every year so I can pay taxes on this property. I'm easily found. I've been to several Council meetings with regard to not only my properties but what I call thuggery, which is involved with RICO. Mark, what attorney firm do you work for? Vierling answered Eckberg & Lammers.

Denise Davis stated yes, aren't you the number one attorney representative for land rights in the State of Minnesota? Aren't you the best? Vierling stated I've never heard that before. Thank you for the 'plug.' Denise Davis stated it's true though. You are. You are recommended the best firm to go to if there's issues with land.

Denise Davis stated I have three major properties that I have been fighting for in different counties. This is the first time I've been to East Bethel because now this house has become a problem because I was victimized. Steve, you told me that you have rental properties. You know how it goes. We have laws to support landlords and tenants. Right now, I believe that there's a stretch of executive power for East Bethel right now to give me this Letter of First Notice indicating there's problems on this property.

Denise Davis stated the reason why I'm saying that is because I know that this tenant did these things to these properties to make it difficult for me to sell. I have had, every time I put a house up for sale, something happens. Like second floor water damage. The particular house that we're talking about, I rebuilt to meet the standards for federal regulations to provide for housing with the septic system to have 30 or more people live there with full-time, every-day bowel movements. And, on your statement, it says that I have a failed septic system. Do you know what I have? I have someone that's sprayed insulation foam with plastic tile in the 'U' joint of the drain of the laundry tub that only services that drain.

Voss stated let me ask a question to that point. What would happen when the toilets flush, the washer drains? What would happen? Denise Davis stated I did it. I asked the renters upstairs. Voss stated no, I'm asking you Denise. What would happen? Denise Davis stated it would go into the septic system. Voss asked even though the pipe is plugged? Denise Davis stated the pipe that's plugged is that 'U' pipe for the laundry tub in the laundry. It doesn't effect the septic. I had the renters upstairs, who love living there, who I think are the 'salt of the Earth,' flush their toilets. I had them do everything possible to force water to come up in that joint and it drains slowly. But, this is just an example of what I found out today.

Denise Davis stated you know, 'rags to riches' here. I was in rags doing this. I found out about this faulty wiring that was put on this sheet of paper for inspection preventing potential rental housing in that property, which was additional wiring that it looked like he had done. Which was about, I sent you pictures, but it was like wrong. But, it shows where the junction box was there and potentially had a cover on it. All that stuff will be fixed.

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Denise Davis stated the point I'm trying to make is you've got a document now on file on

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this piece of property that says this property is 'less than' rather than the amount of money I put into it, receipted as \$385,000, and I can only get it advised at \$310,000 because property values in East Bethel have depreciated in value so much. So, if I was to sell it, I'm already at a loss of \$75,000. Now you're using, in a sense, executive power because you've got this sheet of paper that's registered on my license, or on my home, as unfit, or less than. And, that's wrong because there's laws that support issues like this.

Denise Davis stated such as, the proper protocol for this tenant would have been to document that he had informed the landlord that these things were wrong. If I did nothing about them, then the inspector could call me and say, 'Let's go look at your property.' And say, 'Hey, these things, do you know about them? Yes? Or, No?' Absolutely not. I never got any documentation and there's other things that, too, could go into a better procedure for the City of East Bethel so I wouldn't be victimized as a landlord. The people that want to live there could easily live there and feel secure that there is ordinances in place. But, even better than that, I wouldn't be here tonight in a way that I have to express the agony that I've gone through in the last ten years.

Denise Davis stated do not lose touch with who people are. We're just trying to survive like everybody else and when you put such strict ordinances, like on a little horse. For God's sake, East Bethel ten years ago was like, 'What do you want, population growth moving out here.' Because we wanted to be able to keep our horses and our freedoms and everything else.

Denise Davis stated so, all I'm asking right now is I'm going to have an inspection of my house with the Truth in Housing Inspectors. Not the Building Inspector of East Bethel because I don't think he's actually qualified to do rental properties because there are landlord rights and there are tenant responsibilities that come with renting, with a landlord, someone else owning that property. It's a partnership. This was not a partnership. This was a 'railroading.' And, unfortunately, the only person that's really going to get hurt from this is me. Because, I'm selling it. Or, in fact, the realtor who also lived in East Bethel for many, many, many years. Because he wants to sell it too to provide for his family. And, not only that but we want to move forward.

Denise Davis stated so all I'm saying is okay, take away that first Notice. I will give you a proper Truth in Housing Inspection of that home so the people that love living there can live there and I can provide that inspection to you guys. Which, like I said, I think you should put in your procedure to have these people handle it anyways because the risk of East Bethel ever getting sued because your ordinance might not be fair to both parties, because there's always two stories when you've got a landlord and you've got a tenant. The best thing you can do is outsource the Truth in Housing Investigators to look at these issues. They're not only going to be trained at what they do. They're going to do it well. And not only that, but the City of East Bethel doesn't get the risk of being sued, which affects the taxpayer's dollars. That's where I come in because I don't want to pay more higher taxes.

Denise Davis stated so that's what I'm asking. Right now, I will get well versed on what this ordinance is about, what my responsibilities are as a landlord. I will do that as long as I'm a landlord on that residency. I will make sure that I will abide by whatever ordinance is in effect. But, I also want to volunteer my services to help make it fair for the landlords because I was victimized and I was 'railroaded' this last week. Unfortunately, I think your secretary Amy got a few words that I should probably get, it wasn't foul but it was like what I'm doing now, which is rambling. Voss stated yeah, we heard about that too.

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Denise Davis stated it's not to be vile. It's what I have gone through in the last ten years with my properties. It was actually thuggery and unfortunately, I don't want to go into it, because it's forced me as a woman and an RN and as a Christian to create better situations for the problems that I ended up getting into because I was forced into them by RICO, my local government.

Voss asked Denise, you have other properties, correct? Denise Davis answered correct. Voss stated and you've talked about the Truth in Housing Inspectors. Do the other communities where you have homes, do they use outsourced Truth in Housing Inspectors? Denise Davis stated I rarely have to have inspections. Let's see, in Forest Lake I had one inspection, found out... Voss stated but in those cities, do they use those inspectors? I'm just trying to inform us. Denise Davis stated I don't know but I do know that the Truth in Housing Inspectors are trained to do this.

Denise Davis stated and, I don't know. Has the Building Inspector Nick Schmitz, been trained to do this? Davis answered absolutely. He has all the certifications to do the inspections. Denise Davis asked for rentals? Davis stated for things that comply with the State Building Code, which is what we're talking about here.

Denise Davis stated no, rental is different. Rental is different because there's rights for the landlord as much as the tenant. Let me tell you sir, I forgot your name, but I'm telling you, I was victimized. I have pictures. I have the tenants upstairs telling me how this happened. So, without the drama.

Voss stated you keep saying you were victimized. Are you suggesting you were victimized by the City of East Bethel? Denise Davis stated I am victimized by the tenant. Voss stated ma'am, that is a civil issue that you have to deal directly with your tenant. Denise Davis stated no, it's a police investigation now.

Voss stated that is still, not in this Chambers, a discussion that we have. If it's with the Sheriff's Department, it's with the Sheriff's Department. It's not with the City of East Bethel. Denise Davis stated wrong because I have a paper stating how to dictate my life and my income and my personal property. That's from the City of East Bethel.

Ronning asked may I interrupt? I have no idea what brings you here other than you're unhappy with the tenant. It sounds like you've got something regarding your septic? Denise Davis stated no. Ronning stated okay.

Denise Davis stated I'll minimize the problem here. I got a letter from the Building Inspector of the City of East Bethel that supposedly did an investigation on my home that I was not notified of. It was from a disgruntled tenant and I sort of got impressions that this has happened before with this particular name. That police have been called on this person. But, without going there and not really knowing that, because like I said, this all just happened to me, I was never given that there was even an ordinance in the City of East Bethel. I have really tried to follow that closely because of this house. Because, I love the neighbors. I raised my kids in this house in this neighborhood.

Voss stated let me interrupt you for just a minute because one of the questions I had is you suggest that we talked about it, and it's a question for Mark. In this situation when a tenant who is a resident of that home requests that the City do an inspection, is there a duty by the

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City to get permission from the owner to do an inspection? Vierling stated we can get permission from the occupant as well as the owner. Either one.

Voss asked so if the occupant requests it? Vierling stated if the occupant requests it and allows us access, they have a right of access to the property. We'll follow through. And, I appreciate that there's disputes between landlords and tenants. But, of course, whether or not somebody has made a request for an inspection out of malice or something else is not what the City is interested in. We don't care why people do what they do. It's an objective review of the property in terms of whether or not the substantive provisions of the building meet the Code or don't. So, the Building Inspector's not involved in determining the rights of the landlord or the tenant. That's what the courts will do. But in the mean time, he is reviewing the property relative to the Building Code and the requirements that are set forth in the Life and Safety Code. He's just calling 'balls and strikes' from the Code's perspective.

Denise Davis stated okay, what is the Code perspective that says it is not. That it does not meet the Code? Vierling explained he's following his Inspection Codes, his Building Codes.

Denise Davis stated okay, did you see the letter? The First Notice of Issues to have these things corrected? Vierling answered yes. Denise Davis stated okay, did you see the pictures that I sent today to the City of East Bethel. Vierling answered yes but you know, you need to follow up with the Building Inspector. The Council's not going to be in a position to set aside a Notice from the Building Inspector. If you want to have an issue with him in terms of if you think he was in error on his review of a particular aspect of your property, you can certainly call him and ask to speak with him at the site on that so you can review it.

Denise Davis stated no. What I want to do is come to the Council as an involved landlord to look at this ordinance and see how fair it is to the landlord involved who right now has a devalued property, which is what East Bethel does not want. Because in his statement it stated that my septic system was not in compliance. And my septic is an 'over kill.'

Voss stated Denise, now that in itself is just a dispute with the Building Inspector. Denise Davis stated correct. Voss stated now to your previous statement of wanting, as a landlord, to make this ordinance better, we're 'all ears.' Okay? But nothing you've said tonight is a suggestion in how to make the ordinance better for anyone.

Denise Davis stated he should not come on a property that says, 'No Trespassing' with my name and phone number unless he notifies the owner. Voss stated that is not an issue related to the ordinance. Denise Davis stated oh, really? There is a State of Minnesota law that states that a tenant has procedure they're supposed to follow to correct issues within a home. Voss asked Denise, how does that make the ordinance better? Denise Davis stated it does not devalue properties in East Bethel. We do not want our properties any more further devalued than they possibly can be.

Voss stated I don't think anyone does but how we look at our ordinances, you haven't even seen our ordinance. Denise Davis stated I know, I wasn't given it. I didn't even know that it existed. Voss explained what I'm saying is if you want to make suggestions to make the ordinance better, we're 'all ears.' But, you're not in a position tonight to do that because you haven't seen our ordinance. Correct?

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Denise Davis stated so I've given you my address. I expect that in my mailbox, because I am an active responsible landlord, and I know I was victimized and the City of East Bethel perpetuated that because they didn't notify me of any particular problems before I got a letter devaluing my property.

Davis stated the notification of the ordinance was in your mailbox. It was in the City Newsletter that was sent out in the previous edition. It has also been highly publicized on our website, Channel 10. Every means of disposal that we had to get information out we utilized that to communicate the fact that this ordinance was in effect. But, it was mailed to every address within the City.

Denise Davis stated well, when the issue came up with the Met Council, I found it through e-mail. You sent it to me through e-mail about the Met Council. This ordinance just came into effect a month ago; why wasn't I notified of it by e-mail since I went to the Met Council meeting responsibly over at the Coon Lake Beach Club?

Davis stated we didn't send any notice out. Denise Davis stated well, I got an e-mail. Davis stated Coon Lake Beach Community Center may have sent something out. Denise Davis stated which would have been a very responsible form of communication. Voss stated and we did send out an e-mail alert when the rental ordinance came out too, didn't we? Davis stated to the people on the email list serve, that was sent out.

Denise Davis stated okay, I'm coming to the Council because I believe that there's issues that are in play here with regards to rights for landlords. Like I said, I feel like I was victimized and my property now is devalued even though I know it's a beautiful home. I know all these things are minor corrections but that piece of paper could have been, it also would have saved time for the Building Inspector to make the landlords responsible for their properties. There are landlords out there that aren't responsible for their properties and I understand why this ordinance is good. I would push an ordinance like this but I also think it should have been fair to me because at this point in time, during this week, dealing with the issues that I had to deal with this particular troublesome person, I don't think that it's fair that the who people upstairs had to go through the drama because they're afraid they've got to move. And, I had to openly discuss this with them because it does affect their life.

Denise Davis stated in a very positive way, all I'm saying is that I will review the ordinance and I will offer suggestions to make it positive because that's what I want. But, that first Notice that was given to me with defects in that property might prevent the sale of that house. Which might prevent me having paying \$810 for medications I have to give my son because I finance his life. I'm just a 'little person.'

Davis stated if you're attempting to sell the property, you'd have to have a compliance inspection on your septic system regardless. Denise Davis stated well, Casper's Septic System was just out. Is that compliance? Davis answered no. Denise Davis stated that's okay anyways. That's good.

Voss stated Denise, here's my suggestion. It's – you're in a tough position to criticize our ordinance when you haven't read it. Right? Do you agree? Denise Davis stated well, yes. Voss stated okay so I would suggest, I mean you can go home tonight, pull up the ordinance, it's right on our website. Denise Davis stated I don't have internet. Voss stated

Code
Enforcement
Letter
23262 Kissel
Street

if you call tomorrow morning, I'm sure Colleen will be more than happy to send you a copy of the ordinance. Winter stated Mr. Mayor, when Ms. Davis received her Notification Letter, the ordinance was attached to it.

Voss stated so you do have a copy of the ordinance. Ronning stated we have a little conflict in this anyhow. Voss stated I don't want to get into, it's still at an Inspector level, right? Ronning stated we've got a problem with some content in here. Voss asked and that is? *(Ronning showed Voss a section in a document.)*

Denise Davis stated well, I not only had an attorney look at some things but I also had an insurance agent look at some things, which was very concerning to insurance companies.

Voss stated well, it's got to be taken care of right away. It's a health issue.

Denise Davis stated I also asked for all the public information that has been written on my property and I will receive that too to better prepare myself to come back, if it's necessary. I'm hoping this will all be cleared up. I mean, as soon as I get the proper professionals to fix whatever this person did. But I can honesty tell you there is no septic problem. Like I said, these people who are living there now have a right to live there. It is a safe and beautiful home. And, I will make sure that I will get my own investigation with, I think, more qualified. I don't even know Nick, to say that he can't do the job. But, I know these people are doing it in Ramsey and Minneapolis, St. Paul, they are qualified.

Voss stated and I'm sure staff will have no problem in reading that report if that's what you want to have done. Denise Davis stated I don't think they will either. And, like I've said, I've just had a hard life in the last ten years being a property owner in the Tenth Judicial District and I want it to stop. I really do. And, I'll move on because of the issues and thuggery that's happened to my family. But, it happens. And, I don't want the City of East Bethel to do that to any of our residents here, what happened to me. Because, we are good people in East Bethel and it's a beautiful City and we do want it to grow. But, we want it to grow because were not more restricted but less restricted. And, that is my personal thought.

Denise Davis stated thank you for letting me speak tonight and I will work with the Building Inspector on this. And, like I said, I will get my inspection in but I will continue to rent the home because I think what has happened to me last week has just been horrible. Sorry. Thank you.

Ronning asked you have a lease agreement with your tenants? Denise Davis stated I refuse to enter into a lease with him and he refused to move. So, that point being the reason I didn't want a lease with this person. Ronning stated okay, I was just curious if you had an enforceable damage agreement with him. But that's, forget it. Denise Davis stated there's no recover. Matter of fact, he didn't pay his last rent as the story goes. You know, it just happens. I had him on a legal 30 day/30-day/60-day move out notice. However, in the State of Minnesota, you have a 30-day/30-day. All he would have had to do is give me 30 days notice and he failed to even do that. He called you guys instead. But, thank you. Voss stated thanks Denise.

Voss asked is there anyone else here tonight for Public Forum? Seeing none, we will move on.

Consent Agenda

~~Item B~~ October 21, 2015 City Council Minutes

This item was removed from the Consent Agenda.

Item C Liability Coverage Waiver Form

The City purchases its insurance from the League of Minnesota Cities Insurance Trust (LMCIT). A requirement of that insurance coverage is that each participating municipality must annually either affirm or waive its statutory limits of liability.

The statutory limits of liability for Minnesota cities are \$500,000 for an individual claimant and \$1,500,000 per occurrence. Cities can waive these limits by allowing an individual claimant to recover more than \$500,000, up to the \$1,500,000 occurrence limit or more if limits are waived and excess liability insurance is purchased. They may also waive the “per occurrence” limit and purchase excess liability insurance. Historically, East Bethel has not waived its liability limits and has chosen to purchase excess coverage.

Staff and the City Attorney recommend that the City does not waive the liability limits.

Harrington stated I’ll make a motion to adopt tonight’s Consent Agenda. Mundle stated I’d like to **pull Item B.** Voss stated okay, with that change is there a second? **Koller stated I’ll second.** Voss stated any discussion? All in favor say aye?” **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

6.0B
October 21,
2015 City
Council
Minutes

Mundle stated on the minutes, Page 15 of 27, 4th paragraph down, the area that states, in the paragraphs, (doesn’t list where he works), I would like to remove that. That was added into the minutes.

Ronning asked which page? Is it 23? Is that what you’re referring to? Mundle stated it would be 36 down on the bottom but in the upper right hand corner it would be 15 of 27. Voss stated I’m sorry Brian, which paragraph? Mundle stated 4th paragraph down, the section that is in parentheses (doesn’t list where he works). Page 15 of 27. Voss stated oh, I’m looking up here. So, you’d like that stricken? Mundle stated I did not say that so I would like that removed. Voss stated it looks like a comment that was added. With that said, do you want to make a motion to amend the minutes?

Mundle stated I will make a motion to approve the amended minutes then with that deletion. Ronning stated I’ll second. Voss stated any discussion? All in favor say aye?” **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

7.0 New Business

Commission Association and Task Force Reports

7.0A
Planning
Commission
7.0A.1
Oct. Report
Resolution
2015-59

Davis presented the staff report indicating at the October 27, 2015, Planning Commission Meeting, The Commission considered an IUP for a home occupation for Erryn Magnusen, 22050 Quincy Street NE. The IUP was submitted for a loading dock repair business at this location which is zoned Rural Residential. After discussion of the request, the Planning Commission, by a 4-3 vote, recommended for City Council consideration, approval the IUP for one year. This recommendation will be submitted to City Council for consideration at the November 18, 2015, meeting.

7.0A.1

Staff briefed the Planning Commission on the National Flood Insurance Program and

updated Flood Plain Maps for the City. The Federal Emergency Management Agency has recently published new floodplain maps and requires every community that participates in the Flood Insurance Management Program to adopt the new maps and adopt their Model Floodplain Ordinance by December 16, 2015. The Planning Commission will conduct a Public Hearing on this matter at the November 17, 2015, Planning Commission Meeting.

Staff updated the Planning Commission on the status of the 2018 Comprehensive Plan. The priority at this time is to revise and correct Met Council's land use designation of the City as Diversified Rural for those areas outside the Utilities Corridor. In August, staff informed City Council that the density issue of 4 in 40 for areas outside the Utilities Corridor would be addressed in the Comprehensive Plan update and that 1-2.5 acre lot densities could proceed.

The City was provided a System Statement, which the framework for the Met Council Thrive MSP 2014 Plan, and this document did not correct the density designation of the Diversified Rural area within the City. The City can request a hearing before the Met Council's Land Use Advisory Committee if they disagree or if there is a dispute as to the Statement. Staff is requesting Council appeal this oversight by approval of Resolution 2015-59. The Planning Commission did not formally vote on the matter but did provide direction to proceed with the request for an appeal.

Davis stated Colleen and I met with the Met Council today to discuss this issue and to attempt to find a resolution to the matter. Staff was told that even though the Diversified Rural designation did recommend at 4 in 40 density requirement, they agree with our assertion that this requirement literally interpreted is too restrictive and not the intent of this classification. They also stated that the 4 in 40 should be the goal but agree with our interpretation that development in this area can continue at the 1-2.5 acre lot density as long as we continue to adhere to the development standards in our current City Code.

Davis stated staff requested that the City be provided an official letter indicating this position and interpretation. Met Council staff stated that we'd receive this notification within a week. Staff still recommends approval of Resolution 2015-59 and will withhold submission of the Resolution and Letter of Dispute until the official letter explaining the difference of opinion is received from Met Council.

Voss asked Mark, this letter Met Council suggested, we get this formal letter, how much 'weight' does it hold if we ever get into a dispute with the Met Council in the future as opposed to taking the route of appealing it to the Met Council. Vierling stated I would assume if they send the letter, they'll make the revisions that we need to have them make to their Plan. But, I agree with Jack that you want to certainly have the Resolution passed and ready to go because a letter is a nice thing to have but until they formally amend the Plan to correct it, you have issues.

Voss stated my concern is when you go to change the Comp Plan, like we're in the process of, and they reject it and we show them the letter and they say, 'It's a piece of paper.' Vierling stated they'll say that's but it's a letter. Voss stated yeah, that's my concern about it.

Voss asked so the process is, if this Resolution passes, then we appear before that Committee? Davis stated that's correct. Voss asked and testify? Davis stated and present our case and then request that they formally make the change. In our discussions with them

Oct. Report
Resolution
2015-59

today, the option we have is to be classified as Rural Residential, which is what Ham Lake is classified as, almost all of Oak Grove with the exception of their Municipality Utilities Service Area, and all of the northern portion of Andover. Our argument going into this is we're similar to those communities. Voss stated which is, I think, what we thought we were.

Davis stated according to their interpretation of this, 4 in 40 is the goal. They say that we're implementing that goal and we're making strides to achieve it and, therefore, the 1-2.5 acre lots are acceptable. However, this is a staff interpretation. So, my concern is that if it ever, staff changes, staff interpretations can change. So, even though this is fine that we'll get an official letter, I think we need to pass the Resolution and try to get it at least modified within the adoption of their Plan.

Voss asked did you ask the question at the meeting of, it almost seems like they're unwilling or afraid to change their plan. 'So, we'll just give you a letter instead.' Did you get a sense of that? They don't want to do it? Davis stated I think they're reluctant to change any Plans. It's almost like when we had the negotiations with the modifications for the contract for the Reserve Capacity Loan. They didn't want to do anything that would change the Plan. So, they actually changed, they reverse engineered it and worked at it backwards. I think the feeling we got today was they wanted to leave the Plan as it was and just give us a statement that said, you know, 'You're working to achieve this goal. You have things in place within your City Code that regulate. You have to have minimum building areas. You don't encroach on wetlands. You don't infill wetlands. You have to designate two areas for septic systems on a lot. And this satisfies what our goal is in terms of this classification.' And, I'm assuming that's what the letter is going to state.

Voss asked is there a motion to staff's recommendation to pass this Resolution? **Mundle stated make a motion to approve Resolution 2015-59. Harrington stated I'll second.** Voss stated any discussion?

Voss stated I guess my suggestion if this passes, that you let Met Council know our reasons for it. It's not that we're trying to be mean or hardheaded about it. It's just we're trying to protect our rights on it. Davis stated I also think too that if we do this and we have the hearing at their Committee level, then at least they're on public record of at least having acknowledged our position too. Even if they don't amend the Plan. We're on record other than just staff communications.

Voss stated a little better position. Okay, any other discussion? To the motion, all in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**

Floodplain
Discussion

Voss stated Jack, before we move on off of Planning, I've got a question back on the floodplain issues. Did we notify any or all of the homeowners that are affected by this? Winter stated we, as a community, that's through the Public Hearing process, that's why we're having the Public Hearing. It would be very difficult to go in and probably notify all those homeowners. Voss asked do we know how many? Ten? A hundred? Winter stated no, it's a significant amount but the floodplain itself actually the new floodplain is actually, less people are in that than what's in there existing. The language that we're including in the three-model process is just defining those areas better. And, it's cleaning up the language as far as travel trailers, all the different things that we had. We essentially have Ordinance 34, which is floods. Then we also have under Appendix A in Section 58, under

Floodplain

Zoning, we also talk about floods.

Winter explained what the DNR is recommending that we do is that we take and repeal the ordinances that we have and that we actually adopt this three-model ordinance, which is a uniform ordinance that sort of everyone is adopting. It really just cleans up the language. It doesn't really have impact on people that are in the floodplain. If they've been in the floodplain, they would be notified probably through their, maybe their insurance company. But, when we put the overlay map on top, it looked like there was actually a significant amount that were taken out of the floodplain that were in it originally.

Voss stated the reason I ask is that quite a while ago, when we got our fire rating changed, it got downgraded which, in essence, lowered everyone's insurance rate. Not every insurance company jumped on it and changed their rates right away. We kind of made an effort to tell residents so they'd contact their insurance agents. Because, I remember in my case it lowered my insurance like \$300 a year. If that's the case where there's the floodplain change, if there's homeowners that are no longer required to have it, then it would be nice for them to know that they're no longer required to have it. Koller stated yes.

Voss stated maybe more importantly, the ones that are required to have it that won't know about it and maybe insurance, not that I don't trust insurance companies or agents, but maybe they're not proactive. But if they actually do have a flood and they're not covered, then they're really out of luck.

Winter stated one of the things that I guess I would suggest then is in addition to having the Public Hearing before the Planning Commission, is when we have the Town Hall Meeting we can certainly have those maps available for folks. Voss stated I think that would be helpful.

Voss asked we have a newsletter coming out soon? Or, is it already... Davis stated it's already gone to the printer. Voss stated it already has. This wasn't in it? The floodplain? Davis answered no, it wasn't in it. Winter stated we'll probably put it in the next one.

Harrington stated you must have notified some people because I was in the floodplain and I got a letter from my mortgage company that I was taken out. So, there was a letter sent to somebody. I didn't get a letter but my mortgage company did and they sent me a copy.

Voss stated I'm just concerned because when the fire rating changed, not everyone knew right away and it took awhile. Winter stated there was probably a way we could do it but it would be, it would be something probably our GIS folks could put together. It would just take a while. Davis stated it would be very time consuming to try to identify those parcels. With the fire stuff it involves more like neighborhoods and areas. This involves parcels. Voss stated that's true, the fire was a 'blanket' across the City.

Ronning asked how many properties are affected? Davis stated we don't know for sure. Ronning stated you mentioned ten and, 'Oh, there's a lot more than that.' Davis stated as far as acreage goes, I'll just throw out a rough number. There's 36,000 acres in the City, probably at least 4,000 or 5,000 acres is listed as floodplain.

Voss asked new or is removed? Davis stated total. So maybe up to one-eighth to one-sixth of the City in either the 100-year or 500-year floodplain. 100-year is the one they use for insurance purpose. But, there is a significant amount of land within the City that's denoted as being in the 100-year floodplain.

Floodplain

Voss stated and I agree. It's not going to be practical or cost effective to send notices out to

Discussion everyone. But to the extent that we can get the news out. Davis stated we'll utilize every means we can to let people know that there has been a change in the floodplain map and there's a possibility that your property could now be omitted from floodplain requirements.

Voss stated and then most people aren't going to care about that but when you say it could lower their insurance rates, then people will pay attention to that. All right.

7.0B Davis presented the staff report, indicating at the October 19, 2015, EDA meeting, the
Economic Authority, as directed by City Council, considered a donation request by the East Bethel
Development Royalty for float renovations. After discussion of the matter and a briefing on the
Authority restrictions of public expenditures, the EDA tabled the request and recommended that the
7.0B1 East Bethel Royalty consider other means to achieve their financial goals prior to seeking
Oct. Report City assistance.

The EDA also discussed the assets, liabilities and opportunities of the City as they relate to attracting and retaining new business. These issues will be addressed as part of the business recruitment and retention strategy the EDA is currently developing.

Davis stated as an update to our Work Meeting, we did get notification today from the Gambling Control Board that the 10% contribution, the max that you can solicit or require these organizations donate, can be up to 10%. It's not fixed at 10%. Voss stated it's not fixed at 10. Davis stated it can be anywhere from 1% to 10%. What we'll do, we'll contact those permittees that are effected and kind of gauge what their feelings are regarding change over from the tax to the contribution.

Voss stated I think our discussion at our Work Meeting was to keep it at 3%. Right? Good.

6.0C None.
Park
Commission

6.0D None.
Road
Commission

8.0 None.
Department
Reports

8.0A
Community
Development

8.0B None.
Engineer

8.0C None.
City Attorney

8.0D None.
Finance

8.0E None.
Public Works

8.0F None.
Fire
Department

8.0G Davis presented the staff report indicating City Council approved a Rental Ordinance at their May 20, 2015, meeting. One license has been issued and seven applications are pending upon completion of inspection. The license fee is \$25 and the inspection fee is \$50.

8.0G.1
City
Administrator
Rental Ord.
Amendment

Several of the applicants that have applied for a rental license have informed us that the septic system inspection as required in the ordinance is or could be a deterrent to voluntary compliance with the ordinance. Several owners of rental property have been hesitant to comply with the ordinance for fear that their septic systems, while functioning properly, may fail inspection due to changes in State standards for soil separation.

Staff feels that this concern will discourage many rental property owners from obtaining licensure from the City but at the same time may not prevent these owners from continuing to rent their property. If the primary goal of the ordinance is to ensure that rental properties meet life/safety Codes, the septic system issue may be a disincentive to this purpose.

Per City Ordinance, Section 74-48, compliance inspections are only required on properties upon sale of the property, addition of a bedroom, replacement of an septic system, or when a building permit is required in the Shoreland Management District, or when a parcel having an existing system undergoes development, subdivision, or a split.

Staff proposes that Section 8(1) of the Ordinance, Compliance Inspection, be removed and changed to read, "the septic system must pose no eminent threat to public health and have the capacity to serve the number of occupants of the rental unit" and that "a copy of the pumping report shall be provided with the application" be added to 8(2).

Davis stated these were attached in a redlined revision in your attachments and those are the only two amendments that are proposed at this time.

Voss asked is there a motion for the staff recommendation? **Koller stated move to approve the staff recommendation for changing the wording on the septic systems. Mundle stated I'll second.** Voss stated any discussion?

Voss stated I think there's a little bit of an inherent problem with the changes for Section 8(2), where the new language states, 'The septic tank must have been pumped in the last three years and a copy of the pumping report shall be provided with the application.' Two things. One is I don't think that's provided to residents necessarily. But, aren't the pumping companies required to submit that to the City? When they pump, as part of their pumping they have to get a permit? Davis responded yes.

Voss stated so, my question is, if the City already, this is just more of convenience really, if the City already has it, it's a hassle for the homeowner/landlord to find it, and if they don't have it they're going to call City Hall and get a copy of it anyway if we already have it in our file. So why not just have it state that a copy of the pumping report must be on file with the City? Davis stated that's fine by us. Voss stated and if we don't have it on file, we ask the landlord to give us a copy of it. And if they can't provide a copy, then it wasn't done. Right? Does that seem reasonable? Davis stated it does. No objections to that.

8.0G.1
Rental Ord.
Amendment

Ronning stated amend the motion to reflect what the Mayor just said about the copy on file. Voss stated a copy of the pumping report. **Ronning added a copy of the pumping report is on file with the City in relative to the permits issued and followed up.** **Mundle stated second the motion.**

Voss stated to the amended motion. Vierling stated or on the amendment to the motion first. Voss stated on the motion for amending the motion, any other discussion? All in favor say aye?" **All in favor.** Voss stated any opposed? Amendment to the motion passes. **Amendment motion passes unanimously.**

Voss stated back to the original motion, any further discussion? Hearing none, all in favor say aye?" **All in favor.** Voss stated any opposed? That motion passes. **Motion as amended passes unanimously.**

8.0G.2
Upcoming
Agenda
Items

Davis stated staff is seeking recommendations for agenda items for upcoming Council meetings. So, if there's anything you'd like to see added to the November 18th agenda or any future agendas, please let us know. Voss asked and we can let you know at any time? Davis replied any time, correct. Voss asked is there any suggestions from Council at this time? Okay, then we'll move on.

9.0 Other
9.0A
Staff Reports

None.

9.0B
Council
Report –
Member
Mundle

Mundle stated I attended the Fire Department Joint Powers Meeting on October 29th with our Fire Chief. And, due to not enough public officials showing up to the meeting, there was not a quorum and public officials cannot vote on anything that they could vote on. So, nothing was voted on by public officials at that meeting. Two of the things that the public officials, or the Joint Powers wanted public officials to vote on was an amended 2016 budget because they were seeking an increase. And, a formation of a super formula contingency fund. I will be asking our Fire Chief to explain these things to Council so I can take these back. Because there's not a quorum, a new meeting date was set up for December 10th for these items to be voted on. If there's any increase in budgets, I would like the support of Council before I go to say 'yes.'

Ronning asked could you explain what those budgets. Mundle stated that's why I'm going to have the Fire Chief come. Ronning asked so there's some kind of a super? Mundle stated the paperwork that I have here states, 'It was decided by the Finance Committee to recommend to the membership the creation of a PSDS super formula contingency fund with the following motion. So, the motion to create 2016 PSDS super formula contingency fund in the amount of \$10,000. This amount will be calculated by adding it to the 2016 super formula amount due. The funds are being held for the 2016 fiscal year to assist in covering any fluctuations in the PSDS support payment due to the Joint Law Enforcement Council. Should a balance remain at the end of the 2016 fiscal year, the funds will be used to offset the 2017 PSDS support payment and the account will be closed.'

Voss stated it sounds like interesting accounting to me. Mundle stated yeah. Voss stated there's a term for that. Ronning stated if you have the ability to make the comment, I would suggest that somebody go on record or seconded, moved, whatever, that whatever excess funds are left from that, an explanation be provided of where they are. Voss stated or don't create the excess funds to start with. Ronning stated there should be an accounting of what

- Council Report – Member Mundle they use it for. Voss stated that’s one of the things we were concerned about when this whole thing started.
- Mundle stated yeah, one of the things that they’ve been finding is their estimations of the first year of this Joint Powers is that things have been more expensive than they were thinking. And, they haven’t entered their numbers in a timely manner that councils can then approve and incorporate these things into a city budget.
- Voss stated they’re a quasi-governmental body, right? Davis stated yeah. Voss stated so they have their responsibilities too. Mundle stated I believe they are learning but that’s why I’m requesting the Fire Chief to be here to explain it at the next meeting. He knows the ins and outs far better than I do. I just want to bring that up.
- Mundle stated the Town Hall Meeting is November 19th and this coming weekend is deer hunting opener. I just want to say to stay safe everybody. Be smart and be responsible.
- Council Member Koller Koller stated I attended the Planning Commission meeting but we’ve covered everything that was done there on Item 7.0A.1.
- Council Member Ronning Ronning stated I have nothing to add.
- Council Member Harrington Harrington stated I’d just like to add onto Brian’s, I’m sure there’ll be guys in East Bethel deer hunting so kind of keep your head up and when you’re driving I’m sure the deer will be moving so everybody be safe out there.
- Mayor Voss Voss stated good luck to all the East Bethel deer hunters. I don’t need to hit any more deer.
- Voss stated I was just going to add the Town Hall Meeting coming up. You know for anyone watching, we want as much participation from the public as possible and our State Rep and our State Senator are both still scheduled to be here. Davis stated correct. Voss stated so they’ll have time to talk to the public as well.
- Voss stated that’s all I have tonight. So, with that I’ll entertain a motion to adjourn.
- 9.0C Other
10.0 Adjourn None.
Mundle stated make a motion to adjourn. Harrington stated second. Voss stated any discussion? All in favor say aye?” **All in favor.** Voss stated any opposed? That motion passes. **Motion passes unanimously.**
- Meeting adjourned at 8:16 p.m.

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial Inc.