

Lawrence, "Does the city have any prospects for new catch basins to be installed?" Davis, "Only if they involve certain road projects. And that includes the ones that are built to urban standards. There are no plans for new, other than what is existing at this time." DeRoche, "What are the plans as it relates to Coon Lake?" Davis, "There aren't any as far as the repaving plan for those streets. It is just an overlay. There was a meeting at the community center on June 11th and this issue was addressed. And it is going to try to be treated in other non-structural manners, expanded infiltration, vegetative strips, maybe some barriers to slow some of the runoff down. Things that will improve the infiltration in the strip that exists between Lakeshore Drive and Coon Lake."

DeRoche, "Is that the strip that everyone cut down to nothing?" Davis, "That is the one." DeRoche, "Have to say that jokingly, because some of the people that are trying to control this are the ones that are ruining the shorelines. Where they cut all the weeds down and it takes away natural filtration. As I addressed with the Sunrise River Watershed Organization, the treatment of the weeds is one thing but there seems to be a lot of green muck floating on the lake." Tierney, "There has been a lot of talk on the news about the heavy runoff. Plus we had an early spring. We have a phosphorus problem and a contributor to this is curly leaf pond weed. The water has been really high, about a foot above the concrete dam." DeRoche, "But then why before that spillway was cleared out in the 90's we never really had those problems?" Tierney, "If you look back in the history, it's been on the lake since 1968 and it was terrible. On the east basin we have made a dramatic difference. Lake restoration was out two days ago spraying for milfoil. Milfoil doesn't add to the phosphorus. They are going to be doing chemical samplings in the west basin this year. The west basin has always been cleaner than east basin."

DeRoche, "Two weeks ago, I am standing next to my dock and the water is yellow. Say what you will, but I have been there since 1983 and even when the water was high we didn't have this green crap. And what I have been trying to get an answer too, is it because the weeds that have been killed are trying to compost? Or what is doing it?" Tierney, "From what I have been told the green crap isn't going to kill stuff. Blue-green algae that is toxic. You have to test it to know if it is toxic." DeRoche, "Let's go real basic here, not looking six feet down. What are you looking for?" Tierney, "This is 200 year old technology. Looking for how much suspended algae is in the water. Biggest cause in my opinion is the curly leaf pond weed that starts to grow in September, grows all winter and now it is dying. And all the phosphorus is going in the water. That stuff grows an inch a day. That is what is causing the algae bloom. One of the reasons it is getting better is you people are making them upgrade their sewer systems and telling them not to mow their grass."

Moegerle, "At the Coon Lake Beach meeting Mitch from Anoka Conservation District said, "Oh yeah, continue to mow the grass." And I was shocked, just completely shocked. He said as long as you don't get the grass clippings in the water. We have to get it cleared up once and for all and stick with it." Tierney, "I am proud as a peacock of the aerial photograph of my property. You see my neighbor's property, it is green grass. On the other side also green grass. You see mine it is yellow, because I don't fertilize it and there is a barrier strip by the water because everything flows into the shore."

Boyer said I think this is an education issue and we could employ the newsletter and maybe even produce a small brochure on best practices and deliver it around the lake. Moegerle, "Here is the problem, (particularly on the south side of the lake) the shoulder is owned by the community center. Educating a community center and all of the members is a little more daunting than property owners." Boyer said plenty runoff comes off the north side as well.

Tierney “Leon Magers said is they are going to do a study and testing and what they are doing will make a big difference.” Lawrence, “For most people that don’t understand what this is. Storm Water Prevention Pollution Program is what this is called. And what this is designed to do is the runoff from the rain from your homes down the streets when that hits the river and the lakes and such, a lot of times it is carrying phosphorus. Which is an additive agent for growing algae. And we want to keep that from happening.”

Sheriff’s
Report

Lieutenant Orlando gave the May 2012 report as follows:

Fatal Accident - On May 7th at 1:10 p.m. there was a fatal accident in the 2200 block of Viking Blvd. A female who was traveling eastbound, veered onto the shoulder and struck a semi-truck which was stopped on the shoulder, out of the roadway. There was no indication of drugs or alcohol. The victim was airlifted to HCMC where she succumbed to her injuries.

DWI Arrests - There were three DWI arrests for the month of April. One DWI arrest was made as a result of a call to deputies regarding an intoxicated female driving with her eight month old child in the vehicle. The vehicle was located and stopped. The female was intoxicated and the baby was released to the grandmother at the scene. Two other DWI’s were the result of driving conduct.

Burglaries - Four of the burglary reports involved items being taken from pole barns, sheds or garages. One report involved items being taken from a house that was in foreclosure. One report was determined to be unfounded.

Property Damage - There were five reports of damage to property. One report involved a window well being spray painted. One report involved copper piping that had been taken from a sprinkler system. One report involved a light bulb being broken on the front of a house; however nothing suspicious was found in the vehicles parked in the driveway. One report involved a front door being damaged. The victim believes it was his son who did the damage.

Thefts - There were 28 theft reports taken during the month of May. Three of the reports involved solar lights which were taken from yards. A bag of solar lights was located and owners were able to find some of their lights in that. There were two reports of thefts from cars at the Thielen boat access. Remember to not leave valuables in your vehicle and put valuables in your trunk prior to arriving at your destination. There were two reports of stolen power cords from RV’s at a campground. There were two reports of thefts from boats on Coon Lake. One pontoon had a propeller stolen while docked and one pontoon had items taken out of it while docked. There were four reports made of financial transaction card fraud, where the victims were still in possession of their credit cards but the credit cards had been used for purchases in other states, two of the reports were out of Wisconsin and one was out of California.

Assaults - There was an assault at a local bar where the victim fell to the ground and hit his head, becoming unconscious. Initially this assault was determined to be possibly a felony level, due to the injury; however the injuries did not rise to the felony level, and were determined to be misdemeanor level. The victim was taken to the hospital and released after tending to his injuries. The suspect was spoken to and advised he did not hit the victim, but had pushed him out of his way, at which time he fell to the ground. The case is still under investigation.

Moegerle, "Is the fatal investigation concluded? Or is it still pending? Lt. Orlando, "The state patrol assists in reconstructing it. And that can take a couple months before we get that back."

Public Forum Lawrence opened the Public Forum for any comments or concerns that were not listed on the agenda.

Becky Knisley, 23250 Sunset Road, East Bethel, "I am here to get a few questions answered. Over the last few weeks I have done a lot more research on what was going on with the GRE issue. I just got done watching the video of the Council meeting where I spoke last time. Have you listened to that, or watched it again? Because you should, you would be amazed. It is actually very sad, it is frustrating; it is actually disgusting, you should all be ashamed of yourselves for the way that this issue has been handled. The residents of the city deserve to know the truth of what was going on. So much of the truth was withheld and outright lies were told at that meeting. Why did we even receive a notice of public hearing? Davis, "Because you are required to by statute." Knisley, "And isn't so that you can have input?" Davis, "That is correct." Knisley, "And how come the outcome was already predetermined?" Davis, "The outcome was not predetermined as far as I know."

Knisley, "You know, and the rest of you know it. Planning and Zoning had already made up their minds. You guys the City Council had already made up your minds. There was a deal cut with Athens, that was already in the works. That we were paving 245th and we are not annexing them for 25 years. If this was a public hearing, don't you think those are pieces of information that were important for the residents to know what was going on? No, it was all under the table. Davis, "It was not under the table. Actually this was discussed and brought to the attention of the City Council beginning on April 4th. So it was public knowledge." Knisley, "About the roads, but not that this was the deal. That you are going to pave Athens roads if they allow amendment to the route." Davis, "That was being discussed, but was not finalized until June 4th, until Athens approved that." Knisley, "The attorneys were drafting it prior to that and prior to our public hearing. And prior to Athens public hearing. It was already at the attorneys and already being drafted."

Knisley, "That is just not right, you guys are supposed to listen. That was predetermined before the public hearing. We had to find that out under the table of what is going on between you and Athens. Paving 245th, non-annexing for 25 years and to find out that GRE is kicking in \$105,000 to Athens for a park. Nobody knew about this, this was all dug up. And the excuse I hear is that East Bethel can't do anything about what GRE is doing. Well you know that GRE didn't just volunteer \$105,000 towards a park so that Athens would take this alternate route. If it was okay, why are you doing it behind closed doors? I couldn't make the last City Council meeting because I had to work, but when you came to the GRE session, you guys did it behind closed doors again, because you don't want the public to know what is going on. So, we had to dig up these things, what haven't we dug up yet?"

Knisley, "Heidi you had said when I spoke, that the last mile affected 30 homes and they would have to be bought out by GRE and that those people would lose their homes." Moegerle, "That was not for all 30 of them. Some of them." Knisley, "That is what you said though. I just re-listened to it at 7:00 tonight, right before coming here." Moegerle, "I never would say all of them would be bought out." Knisley, "That is what you said and it is simply not true. Also you said that it would have to go underground. Again, that is just not true. It is just according to your ordinance that you could require it to go underground. As you could require it to go underground on Fawn Lake Road and Sunset Boulevard and on

Durant if you so choose. Because of the way you wrote the ordinance.” Moegerle, “Not sure you are stating it correctly either, but it is a complex issue.”

Knisley, “You stated that the workgroup recommended Route E1 as the best route, that is not true either.” Lawrence, “Just state your comments; this is not going to be a conversation back and forth.” Knisley, “You said you tried to minimize the impact across the board of all jurisdictions. Again, that is another false statement. Route E affects a significant number of people overall than Route A overall. You also said that there was going to be one pole or line on E1, another false statement. We do know how to count and there are 16 versus 8, I asked Jack how many properties were on E1 and there is 18 on Route A. I have looked at the maps, I know how to count, other people know how to count. 16 properties on Route E1 versus 16 on Route A. Now you are pushing it down a residential street, you spent hundreds of thousands of dollars in court and on attorneys fees, pavement of roads, the consultant, GRE is spending more money because it is more expensive and buying a park for \$105,000. Overall, for a difference of two properties being affected. We were given a 10 day notice and we were never given a notice before that. Heidi, you said we should pay attention. Even if we were paying attention, the GRE workgroup and Schedin immediately eliminated any route with Sunset Road on it. Schedin recommended Route A or Route I as a viable alternative. Now we are going down E1 which wasn't even up for consideration. We would like you to schedule another meeting, a public hearing with all the residents notified so that they can find out the truth, the whole truth as to what has been going on over this. A true question and answer where you can respond to the questions and the residents can interact with the council. We want the truth and the facts, not twisting things your way so it works for you. We also are requesting that you temporarily suspend or revoke that CUP until these questions get answered.

Lucinda Johnson, 4796 Fawn Lake Drive, “I was happy to hear that you are all very concerned about what is happening on Coon Lake. Because we are concerned about our neighborhood. We just want you to tell the truth about your decision. If you think it was right, put it all on the record. Show us how the two routes that you have measured, Route A and E1, that you measured the same way. Because we have looked at the information, and it looks like you have done different measurements depending on what you want to show. We put you in office; you are spending our money, so again, put it all out there for us to make the decision. The public forum that you held after you had already made a deal with Athens Township was a sham. So again, hold a public forum where you actually listen to what we have to say would be recommended in the interest of the residents of the city. Tell the truth, be honest about your decisions, put it on the record and let the public decide if you are right.

Lawrence, “On the GRE Issue. We really welcome your input. When Route A was denied it had to go somewhere else. You complain about GRE sessions being done behind closed doors. Some things have to be done privately because the information that is being explained at that time is privileged information, we can't release that information at the time. Moegerle, “Because it was in litigation.” Lawrence, “That is right. So that is why we have a closed session on GRE.”

Lowell Friday, 18215 Greenbrook Drive, “To save the Council time, I wish to withdraw my application for my IUP renewal.” Vierling, “You have conducted the public hearing. Unless the Council votes to withdraw it. It is not up to the applicant to withdraw at unilaterally it is your determination of what you determine be done with it.”

There were no more comments so the Public Forum was closed.

Consent
Agenda

Moegerle made a motion to approve the Consent Agenda including: A) Approve Bills; B) Meeting Minutes, June 6, 2012, Regular Meeting; C) Meeting Minutes, May 31, 2012, Special Meeting; D) Assessing Services RFP; E) Insurance Agent Services RFP; F) Replacement of Ice Arena Doors; G) Approve Advertisement of Bids for Coon Lake Beach Road Resurfacing; H) Resolution 2012-31 Accepting Donation from Hakanson Anderson; I) Approve Liquor License for 2012-2013; J) Approve Recording Secretary Contract; K) Approve Hire of Cable Technician . DeRoche seconded; all in favor, motion carries. Moegerle asked to remove Item F and J for discussion. Lawrence asked to remove Item I for discussion. **All in favor, motion carries.**

**Item F) -
Replacement
of Ice Arena
Doors**

Item F) Replacement of Ice Arena Doors - Davis, "This is part of a door replacement project we have had at the Arena. The first phase of this was completed last year. This is for heavy metal doors with commercial hardware. And it is for the doors on the north side. In some cases the door jambs have to be altered. The low bidder on this is the one that did the work last year and we were pleased with his work. Has to meet ADA requirements and state building code." Boyer said and smoke and fire requirements. He said he knows a great deal about this and this is not unreasonable.

DeRoche, "As long as we are looking at putting this kind of money in there, what is the shape of the rest of the building?" Davis, "As long as you have this type of building, there will be issues with the mechanical systems. Currently, the revenues from the system are exceeding operating, but not covering the depreciation." DeRoche, "Isn't the concessions operating at a loss?" Davis, "The concessions we have a proposal to solve that. We are working with Gibson Management to lease the facility to them, so the city would make money under that proposal." Boyer said in fairness the city did not set out to own an Ice Arena.

Boyer motion to approve Item F) -Replacement of Ice Arena Doors. Moegerle seconded; all in favor, motion carries.

**I) Approve
Liquor
License for
2012-2013**

I) Approve Liquor License for 2012-2013 - Davis, "One of the applicants for a liquor license hasn't paid his state taxes yet and he also owes the city permit fee of \$3730. If you vote to approve it, I would suggest that you require the licensee to submit the city permit fee of \$3,730 by certified check or cash, and proof of payment of the taxes no later than June 29th at noon." Boyer said correct me if I am wrong but this is not the first time we have had this issue with this establishment. Davis, "This has been a pattern that has been repeated in the past." Boyer said since this is obviously becoming a pattern, maybe we should address some penalties for the future in our ordinances. This involves a lot of city staff time to deal with this.

DeRoche made a motion to approve the liquor license for Fat Boys Bar & Grill for the license period July 1, 2012 to June 30, 2013 with the following conditions to be satisfied by June 29, 2012 at 12:00 (noon): 1) The city permit fee must be paid in the amount of \$3,700 and returned check fee in the amount of \$30 both by either cashier check or cash, 2) Proof of payment of delinquent Liquor Taxes must be furnished to the City of East Bethel. Boyer seconded; all in favor, motion carries.

**J) Approve
Recording
Secretary**

J) Approve Recording Secretary Contract - Moegerle, "My question is, how does the recording secretary agreement differ from the assessor's agreement where we get a three year agreement and go out for RFPs. Is this a habit we have gotten into or something we

Contract

have done, why we do this on an annual basis?" Davis, "Even though this is a contract for professional services, I think there is a distinct difference between the recording secretary and the assessor. I more comfortable with this on an annual basis. City Council can then review the performance and decide how they want to proceed with it." Boyer said this is a minimal amount.

DeRoche, "It seems there has to be an awful lot of amount of corrections that need to be made. And I don't know if the person is just recording everything and typing it afterwards. This information needs to be really accurate. Some of the minutes or statements that are made don't make sense." Moegerle, "That becomes the responsibility of the commission and staff to make sure the correct. And you would hope that they would be proof read before they would be submitted to the City." Davis, "Department heads are encouraged to review and edit the minutes to make sure the content is as stated. The recording secretary is not familiar with day-to-day activities." DeRoche, "Well, I am not going to put it off on the department heads. They are the ones conducting the meetings, but not the ones taking the notes. That is my question. Are they taking notes along with taking the recording." Davis, "The recording secretary takes the minutes as the meeting progresses and then uses the tape as a backup to fill in the gaps if corrections need to be made." DeRoche, "I am just curious, because there have been meetings I have been at that I have been marked as not being there and it was obvious from the quotes that I was there. And there have been others that has happened to."

Moegerle made a motion to approve the Recording Secretary Contract. Boyer seconded; all in favor, motion carries.

Planning
Comm. Mtg.
Minutes

Davis explained that the Planning Commission Meeting Minutes from May 8, 2012 are for information only. They are in draft form and have not been approved by the Planning Commission.

Lowell Friday
– Interim Use
Permit (IUP)
Renewal for
the Keeping
of Horses -
18215
Greenbrook
Drive NE

Davis explained that Lowell Friday as the property owner and Mary Haivala as the applicant are requesting an IUP for a Class III horse operation for the keeping of up to 27 horses on two parcels Mr. Friday owns in the City of East Bethel with parcel 33-33-23-44-0003 being 20.5 acres and parcel 34-33-23-33-0027 being 4.6 acres in size.

East Bethel City Code Section 10, Article V, Farm Animals regulates the keeping of domestic farm animals. Section 10, Article V is included for your review as attachment 4. City Code requires one (1) grazable acre per horse, thus Mr. Friday would be required to have 27 grazable acres for the keeping of 27 horses. The existing acreage of the properties are 25.1 acres, of which the homes, pens, exercise areas and numerous barns and out buildings utilize approximately 7 acres, leaving only 18 acres that can be considered grazable. Therefore, from the acreage standards as set forth in the Code, Mr. Friday does not have the required amount of land at this location to meet the Code requirements for the keeping of 27 horses.

In addition to acreage requirements, East Bethel City Code Section 10, Article V. Farm Animals, also regulates a number of other requirements related to animal health, safety and treatment.

In October 2007, Mr. Friday was charged with animal cruelty which resulted in Mr. Friday pleading guilty to a misdemeanor charge of mistreating animals in August 2009. Even after this plea, the Minnesota Animal Humane Society (MAHS) continued to receive calls and

complaints alleging the pattern and neglect of horses after this date.

On August 29, 2011, MAHS, upon complaints and requests from various individuals and organizations, took action on Mr. Friday by conducting a search of his property and included a veterinarian inspection of his horses. The MAHS submitted a report summarizing the inspections of the property completed on August 29th and the inspection resulted in the seizure of ten (10) horses. Observations included but were not limited to the following:

- Many of the outdoor pens and paddocks had excessive accumulation of feces and/or manure;
- the farm and paddock areas continue to be in a state of dilapidation and including pens with antiquated fencing, sharp objects, and other potential health hazards to horses;
- many penned horses did not have access to hay at the time of inspection;
- water supply in many pens was algae ridden and/or contaminated;
- numerous horses showed evidence of external parasite loads including lice; and
- found horses needing farrier work and horses with distended stomachs from internal parasites.

On January 6, 2012, a Findings of Fact Conclusions of Law and Order (Court File No. 02-CV-11-7750, Anoka County District Court, Tenth Judicial District) was executed by Judge Jenny Walker Jasper. The findings of fact concluded the following:

- On November 16, 2011, the Animal Humane Society executed a search warrant at 18215 Greenbrook Drive NE, East Bethel, owned by Mr. Lowell Friday;
- a veterinarian was present during the execution of the search warrant and examined 28 horses owned by Mr. Friday;
- of the 28 horses examined, 7 were seized because of malnutrition and dehydration;
- a veterinarian observed the feed located on the property and testified that the available hay was of poor quality and garbage was visible in the bales; and
- the only available water source found was dark in color and full of debris.

As a result of the investigations of the Anoka Sheriff's Department and the Minnesota Animal Humane Society, the East Bethel City Attorney issued a criminal complaint on Mr. Friday on January 6, 2012 alleging that on or about November 16, 2011, Lowell Friday committed 35 counts of gross misdemeanor mistreatment of animals on his property in East Bethel. Those charges were later reduced to misdemeanor charges and are still pending in the Anoka County District Court.

Staff recommends the denial of the IUP request by Mr. Lowell Friday for the keeping of twenty-seven (27) horses at 18215 Greenbrook Drive, East Bethel, MN for the following reasons:

1. Applicant has demonstrated an inability to properly and consistently care for horses and does not meet the grazable acres requirement of the Code:
2. Applicant's proposal to use another person to provide that service is inadequate and incomplete, lacks details, continuity, and assurances of long term performance, fails to demonstrate a professional long term service being secured for necessary provision of quality and consistent care needed to comply with ordinance requirements; and

3. The Public Hearing conducted on May 14, 2012 regarding this matter failed to provide the Hearing Officer with evidence that the herd is being properly managed, and that the unsafe, dangerous and unhealthy conditions, which have resulted in the long standing abuse of the horses, have not been alleviated.

Therefore staff recommends that Council deny the application for the IUP and adopt Resolution 2012-32 A Resolution Determining Findings Of Fact and Denying the Application for Interim Use Permit as Applied for By Lowell Friday and Mary Haviala for the Keeping of 27 Horses at 18215 Greenbrook Drive NE (PIN 34 33 23 33 0027 & 33 33 23 44 0003.

Boyer asked for purposes of clarification, the resolution begins on page 127 of our packet? Davis, "Yes, that is correct." Boyer said because it is not numbered. Lawrence, "With Mr. Friday withdrawing do we have to proceed with this?" Vierling, "It has not been withdrawn unless the Council orders it withdrawn. And I would proceed it with it regardless."

Moegerle make motion to adopt Resolution 2012-32 A Resolution Determining Findings Of Fact and Denying the Application for Interim Use Permit as Applied for By Lowell Friday and Mary Haviala for the Keeping of 27 Horses at 18215 Greenbrook Drive NE (PIN 34 33 23 33 0027 & 33 33 23 44 0003. Boyer seconded.

Moegerle."How crucial is it that the 27 horses be identified, why can't we just say no horses?" Vierling, "We are addressing the application that was filed at the city. The application as applied for was for 27 horse on these acres." Moegerle, "So we can't limit the resolution to horses generally?" Vierling, "I think the resolution under your code if adopted is saying, no horses for this site for Mr. Friday." Moegerle, "In what respect?" Vierling, "An application for the keeping of horses on this site, regardless of the number will be dealt with in this resolution. The findings that are being adopted by the Council of the Hearing Examiner are broad enough to do that." Boyer asked what sections he is referring to? Vierling, "The Hearing Examiners findings are being incorporated by reference." Moegerle, "And my understanding is if we concur with the withdrawal of IUP then we would be open for doing this all over again. Is that correct?" Vierling, "Absolutely. You would have issues of your costs, your ordinance requires those to be paid as part of your final determination and you could have another application tomorrow morning and go through the whole process again." **All in favor, motion carries.**

Park Comm. Mtg. Minutes Davis explained that the Park Commission Meeting Minutes from the May 9, 2012 are for information only. These minutes have been approved by the Park Commission.

Road Comm. Mtg. Minutes Davis explained that the Road Commission Meeting Minutes from May 8, 2012 are for information only. These minutes have been approved by the Road Commission.

Presentation on Geocaching Davis explained that City Staff, the East Bethel Park Commission, and volunteers from the community have developed a program to help promote the City's park system and introduce people to the activity of geocaching. Geocaching is a real-world outdoor treasure hunting game. Players try to locate hidden containers, called geocaches, using GPS-enabled devices. Hundreds of thousands of these containers have been hidden around the world by participants of this activity. Numerous geocaches are hidden in East Bethel with many already existing in our park system.

Our program uses geocaches that were previously hidden by volunteers in our parks as part

of a series. Participants are asked to locate caches in all of our parks and record a letter located on the cache to prove they have been found. Once all of the letters are recorded a phrase will be revealed. While participating in the program, they will be introduced to parks that they may have not previously known about. It also should bring park visitors from outside the community who would have previously not planned on visiting.

Nate Ayshford, Public Works Manager, "The purpose of this program is to create more activities for families and residents to get out and visit our parks and to maybe draw in people from other cities to visit our parks. Basically Geocaching is a real world tech scavenger hunt. There are a number of caches that have been hidden around the world, millions of them. In our city here, there are close to a hundred of them hidden on different private properties and there were a number of them in our parks. So we wanted to look at a way to incorporate them in a program for everyone to enjoy.

Cache's range in size of test tube to a one gallon ice cream container. Inside each container is a log book where people write who found it and some of the larger containers hold items that people place in there and when you find something you can put something in there and take what you found out. There were 24 existing in our park system and we contacted volunteers to had them go out and put an additional eight more out there. We have six in Booster Park and six in Cedar Creek trail system. For our program we had volunteers go out and place a letter on each of these caches and created this pamphlet (which is available at City Hall, as well as on the city website and there will be an abbreviated version in the newsletter). We hope this will bring some visitors to our parks and let them see some areas that they normally wouldn't. Get people out and active was one of the goals behind it.

In order for people to participate in this program you need either a handheld GPS or cellphone that has a GPS program on it. You sign on to geocaching.com and you put this code into the search engine and it will bring up coordinates for the cache and a map that will get you close to the location. There are different difficulties. Some are harder to find than others. One thing we are working on still is a way to reward people that have found all 24 of these (when they have found all 24 of these) take their picture and have a web page listing them." Moegerle, "When you put a letter into the form, does it make the word going down?" Ayshford, "Yes." Boyer said for a long time the Boy Scouts were doing this over at Eagle Ridge, wonder if you had communicated directly with them. Ayshford, "I know they have orienteering. It has grown in popularity."

Fire Dept.
Report

Davis explained that the Fire Department reports for May are included for your review and information.

Ordinance 39,
Second Series,
Amending
Chapter 1,
General
Provisions

Davis explained that the current definition of "Highway" in City Code of Ordinances, Section 1-2- Definitions and rules of Construction, includes the term "public places." "Public places" is a defined term which includes "cemetery, schoolyard or adjacent open space and any lake or stream." Logically, this means that a "Highway is a public place; a public place is a cemetery, schoolyard or adjacent... OR a Highway is a cemetery, schoolyard or adjacent open space and any lake or stream."

The term "highway" in this definition includes any street, alley, avenue, way or **public place or square**, bridge, viaduct, tunnel, underpass, overpass or causeway in the city dedicated or devoted to public use.

The term "public place" in this definition means any place subject to the primary control of

any public agency, including but not limited to any park, highway, street, public way, cemetery, schoolyard, or adjacent open space, and any lake or stream.

In order to correct inconsistencies in the definition of terms it is recommended that the definition of the term "highway" that includes "public place or square" be changed to "public thoroughfare" to eliminate any misinterpretations or misapplications of the intent of the definitions.

Staff recommends changing the term "highway" includes any street, alley, avenue, way or public **thoroughfare**, bridge, viaduct, tunnel, underpass, overpass or causeway in the city dedicated or devoted to public use.

Boyer made a motion to adopt Ordinance 39, Second Series, Amending Chapter 1, General Provisions. Moegerle seconded; all in favor, motion carries.

Building
Inspection
Services

Davis explained that the City Building Official resigned effective June 7, 2012 and City Council appointed an interim Building Official until this position can be staffed with a full time employee. It is anticipated that this position will be filled between July 18 and August 1, 2012. State Statutes require that statutory Cities have a Building Official.

The City's Building Inspector notified the City Administrator that he will be out on medical leave for at least 30 days, beginning June 15, 2012. The interim Building Official will be available on a limited basis and the City will be without the necessary coverage in this Department for at least a month. Due to the volume of and the essential services provided by this Department, it is proposed that City Council authorize the contracting of part time inspection services on an as needed basis until this department has the necessary staffing to satisfy the demands for this service. This service would preferably be an individual with certification and experience but could be a private firm.

The cost for this service would not exceed the current cost (\$1,130 per week) for or extend beyond the duration of the Building Inspector's medical leave.

Staff recommends that City Council authorize the contracting of building inspection services to the best available source, as needed, during the period of the Building Inspector's absence or until the Building Official's position is filled.

Moegerle made a motion to authorize the contracting of building inspection services to the best available source, as needed, during the period of the Building Inspector's absence or until the Building Official's position is filled at a not exceed of \$1,130 per week. Boyer seconded. Moegerle, "How are we covering this during his illness?" Davis, "I called the Department of Labor and they gave me two names of people that I could contact. One is the former Ham Lake Inspector and he is interested in doing this on a part time basis. Staff is picking up things as we can. The current interim building official we have designated would be overwhelmed with the addition of his other duties with Linwood Township so that is why we are seeking this approval."

Boyer said I have this vague memory that the state would supply building inspection services in cases of emergency like this. I just wondered if you asked that question. Davis, "I didn't asked that question if they would supply it. Nor did they volunteer that they would. We could look into that to see if that is also another option." Boyer asked did you contact Donny Anderson? Davis, "No I did not contact him. He wasn't one of the ones on the list."

Boyer said you might want to contact him and see if he is available and still has his certifications. DeRoche, "We have to do something in the interim. I hope ours is doing just fine and gets better." **All in favor, motion carries.**

Council
Member
Report –
Moegerle

Moegerle, "It has been a busy time. I did attend last Monday's meeting at the community center at Coon Lake Beach with CLIA in regard to the issue of storm water runoff. Anoka County Conservation District was there, Jack and Nate were there, CLIA was there, CLID was there, Mayor was there, SRWMO was there. It was a good beginning, but because it was a membership meeting it was just a beginning. Last night was website meeting, for the second generation of the committee. Great philosophical discussion about what we want and what we need. A good cross-section, because nobody is a 100% satisfied. EDA has been working on a couple things on how to get more businesses here. We are working through some kinks before we make presentations on actual ideas. Tomorrow is the League of Minnesota Cities Annual meeting in Duluth, which I was scheduled to attend. It is on, it is off. Now we are back on, it starts at 10 a.m. tomorrow, but I will probably be back tomorrow evening to attend the CLIA meeting.

Council
Member
Report –
Boyer

Boyer said he assumes we have published our notice for building official vacancy. Davis, "That is correct. We posted it internally, and on the LMC, Star Tribune, Anoka County Union and the website." Boyer asked have we had any requests for information packets? Davis, "Everything is online, we checked it the other day, had 134 hits. We did receive our first application today." Boyer asked and when are we anticipating scheduling interviews for? Davis, "My goal is to have this on the Council Agenda July 18th. So, the applications close on May 29th. Try to get all the ratings done as soon as possible. The next week is the 4th of July. We will try to get interviews scheduled the following Monday." Boyer said he thought we were going to address this on the agenda. Is there anything we can do to speed this item up in light of recent developments? Davis, "July 18th is a pretty aggressive schedule." Boyer said my son got his first teaching job and I am very proud of him.

Mayor Report
– Lawrence

Lawrence, "I have seen the new squad cars, very cool. I did attend the storm water pollution control meeting at the community center, and it was quite informative what storm water does to the lakes.

Adjourn

Boyer made a motion to adjourn at 8:54 PM. Moegerle seconded; all in favor, motion carries.

Attest:

Wendy Warren
Deputy City Clerk