City of East Bethel
City Council Agenda

Regular Council Meeting – 7:00 p.m.
Date: March 2, 2016

		Item	
7:00 PM		**1.0**	**Call to Order**
7:01 PM		**2.0**	**Pledge of Allegiance**
7:02 PM		**3.0**	**Adopt Agenda**
7:03 PM		**4.0**	**Presentations**
	Pg. 3-5	A.	IUP- William Thompson, 18341 Lakeview Point Drive
7:30 PM		**5.0**	**Public Forum**
7:40 PM		**6.0**	**Consent Agenda**
			Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration
	Pg. 8-10	A.	Approve Bills
	Pg. 11-37	B.	Meeting Minutes, February 17, 2016 City Council Meeting
	Pg. 38	C.	Res. 2016-12, Declaring 2009 John Deere 997 Mower Surplus Property
	Pg. 39	D.	Res. 2016-13, Declaring 2010 John Deere 920A Mower Surplus Property
		E.	Purchase John Deere 960M Mower-Equipment Replacement Schedule
		F.	Purchase John Deere 930M Mower-Equipment Replacement Schedule
	Pg. 40	G.	Res. 2016-14, Declaring April 23, 2016 Arbor Day in East Bethel
			New Business
7:45 PM		**7.0**	Commission, Association and Task Force Reports
		A.	Planning Commission
	Pg. 41-53	1.	Variance Setback - 19303 East Front Blvd NE
	Pg. 54-58	2.	Preliminary Plat – Sauter Commercial Park 2nd Add.
	Pg. 59-60	3.	Planning Commission Report
		B.	Economic Development Authority
	Pg. 61-62	1.	MnCAR Expo
	Pg. 63-64	2.	EDA Report
		C.	Park Commission
		D.	Road Commission
8:15 PM		**8.0**	**Department Reports**
		A.	Community Development
		B.	City Engineer
		C.	City Attorney
	Pg. 65-67	1.	CST Platting and Zoning Considerations
		D.	Finance
		E.	Public Works
		F.	Fire Department

G. City Administrator

Pg. 68-74 1. Score Grant

8:45 PM **9.0** **Other**

A. Staff Report

1. CST update

B. Council Reports

C. Other

D. Closed Session, Minn. Stat. § 13D.03, subd. 1 (b), Union Negotiations

9:00 PM **10.0** **Adjourn**

City of East Bethel
City Council
Agenda Information

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Date:
March 2, 2016
* *

Agenda Item Number:
4.0
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Agenda Item:
Home Occupation - Interim Use Permit, William Thompson (dba/Wandering Cellars)
Address: 18341 Lakeview Pt Dr NE, East Bethel MN 55092
PIN: 35-33-23-32-0010
* *

Requested Action:
Re-open the Council's tabled action of February 17, 2016 relating to the Planning Commission's recommendation to deny an application for an Interim Use Permit at 18341 Lakeview Point Drive.
* *

Background Information:
Mr. William Thompson is interested in producing wine from his proposed residence. This will not be a farm winery as there will be no grapes grown on the premises. The grapes will be delivered by truck and offloaded into barrels and be stored within their garage. This property is zoned R-1 and is in a Shoreland Overlay District.

There will be no public tasting room and private tastings will be by appointment only. No information was provided as to the potential number of appointments that are anticipated. Their current production projection is 75 cases of wine per year. The owner anticipates that product shipping will occur once per week via UPS or by delivery of the product by personal vehicle directly to the vendor(s). Water use is minimal and the DNR has no special requirements for this type of business.

The Planning Commission's recommendation of denial for this IUP request was tabled at the February 17, 2016 Council Meeting. Council expressed a need for additional information on the recommendation. City Staff has contacted Mr. Thompson and requested his presence at the March 2, 2016 Council Meeting to provide answers to questions and concerns relating to the proposed IUP.

The City's Ordinance relating to Home Occupation requires, at a minimum, the following requirements to be met:

1. No more than three persons, at least one of whom shall reside within the principal dwelling, shall work at the home occupation site.
2. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence. Staff Comment - Initial generation of traffic may not be significant but could potentially increase depending on the growth of the business and the attendance at wine tastings.
3. Any sign associated with the home occupation shall be in compliance with the East Bethel Sign Ordinance.
4. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved. Documentation from MPCA or Anoka County Environmental Services regarding hazardous waste generation is required. Staff Comment - Applicant may need to explain the plan for the disposal of any waste as a by-product of the business or demonstrate that

any waste other than that associated with normal domestic use can be discharged and treated through a septic process.

5. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved. Staff Comment - See comment # 4.
6. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance. Applicant needs to provide
7. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation. Staff Comment - Applicant needs to clarify the plan for storage of goods, equipment or materials.
8. Parking needs generated by the home occupation shall be provided on-site. Staff Comment – It is anticipated based on the Applicants projected business growth that parking needs may exceed the available space to accommodate the demand. The Applicant needs to address existing and future on-site parking plans.
9. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure.
10. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation. Staff Comment - Council needs to determine if the proposed structure is primarily constructed for use as a business or a residence.
11. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation. Staff Comment – there is potential for additional traffic generation and congestion associated with the growth of the business. Based on sales projections and percentage of sales directly to customers, it would appear that peak traffic issues may arise on weekends to the extent that traffic issues could be a problem during these times. Hours of operation for the business have not been provided and are needed for further evaluation of this concern.
12. The area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.

Staff reviewed the required conditions and is of the opinion that the applicant meets items 1, 3, 9, 12 and 13 of the requirements. Items 2, 4, 5, 6, 7, 8, 10 and 11 need additional information and clarification by the applicant.

In addition, a residence or accessory structure to the residence, as a point of retail sales, has not been an allowable function of a home occupation for previous IUP issuances. This use will have retail sales at the wine tasting events and retail sales could eventually constitute over 50% of their projected revenues.

As well as the requirements specified in the Ordinance, the following are recommended to be included as conditions should the IUP be approved:

1. The IUP, if approved, would be issued for a period of no more than three years. The applicant would have opportunity to renew after the three year period.
2. Applicant is subject to all federal, state and local regulations regarding liquor production and sales, and is required to provide proof of licenses prior to the issuance of IUP.
3. IUP would commence upon the date of the issuance of a Certificate of Occupancy for the home.
4. Applicant is required to follow all local building and fire codes.
5. Applicant should be aware that additional septic and building code requirements may be necessary to meet code issues created by the business use.

Attachments:
* * * *

City of East Bethel
City Council
Agenda Information

* *

Date:
March 2, 2016

* *

Agenda Item Number:
Item 6.0 A- G

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Agenda Item:
Consent Agenda

* *

Requested Action:
Consider approval of the Consent Agenda

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Background Information:

Item A

Approve Bills

Item B

February 17, 2016 Council Meeting Minutes

Meeting minutes from the February 17, 2016 City Council Meeting are attached for your review.

Item C

Resolution 2016-12, Declaring 2009 John Deere 997 Mower Surplus Property

The 2009 John Deere 997 mower has reached its useful scheduled service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund. The trade-in value and current replacement costs make it economical for the City to replace this equipment before repair costs become excessive.

Staff recommends adoption of Resolution 2016-12, Declaring John Deere 997 Mower Surplus Property and directing the equipment to be used as trade-in value.

Item D

Resolution 2016-13, Declaring 2010 John Deere 920A Mower Surplus Property

The 2010 John Deere 920A mower has reached its useful scheduled service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund. The trade-in value and current replacement costs make it economical for the City to replace this equipment before repair costs become excessive.

Staff recommends adoption of Resolution 2016-13, Declaring John Deere 920A Mower Surplus Property and directing the equipment to be used as trade-in value.

Item E

Purchase John Deere 960M Mower-Equipment Replacement Schedule

As part of the City's Equipment Replacement Program, the 2009 John Deere 997 mower is scheduled for replacement in 2016. This is a regular replacement for this item.

Staff has checked state contracts for zero turn commercial mowers with a minimum specification of a 6 foot mower deck. This is consistent with our needs and similar to the replaced piece of equipment. From a review of the State Contracts for this type of mower, we have identified the John Deere 960M as the unit that best matches our requirements. With numerous local vendors, access to parts and service, it is also the best match for the City's needs.

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at $17,500 for replacement of this mower in 2015. Staff extended the replacement date for this mower an additional year to 2016. The salvage/trade in value of the John Deere 997 is $5,000. The cost for the new John Deere 960 M is $9,751.28 on the state contract and the additional material collection system for picking up leaves and grass clippings is $2,679.32 The total cost for this machine less the trade in of $5,000 and the additional material collection system is $7,430.60. Funding is available from the City's Equipment Replacement Fund.

Staff recommends the purchase of the John Deere 960M mower. This equipment will meet our current and future needs and has a projected service life of seven years.

Item F

Purchase John Deere 930M Mower-Equipment Replacement Schedule

As part of the City's Equipment Replacement Program, the 2010 John Deere 920A mower is scheduled for replacement in 2016. This is a regular replacement for this item.

Staff has checked state contracts for zero turn commercial mowers with a minimum specification of a 5 foot mower deck. This is consistent with our needs and similar to the replaced piece of equipment. From a review of the State Contracts for this type of mower, we have identified the John Deere 930M as the unit that best matches our requirements. With numerous local vendors, access to parts and service, it is also the best match for the City's needs.

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at $12,000 for replacement of this mower in 2016. The salvage/trade in value of the John Deere 920A is $3,500. The cost for the new John Deere 930M is $8,473.08 on the state contract. The total cost for this machine less the trade in of $3,500 is $4,973.08. Funding is available from the City's Equipment Replacement Fund.

Staff recommends the purchase of the John Deere 930M mower. This equipment will meet our current and future needs and has a projected service life of seven years.

Item G

Resolution 2016-14 Declaring April 23, 2016 Arbor Day in East Bethel

In 2014, the City of East Bethel held its first Arbor Day at Booster Park where a tree was planted with help from local Cub Scouts to replace trees that have been lost to disease and wind within the park. The City continued that tradition in 2015. The Arbor Day Celebrations, along with other tree specific criteria the City performs, allowed the City to apply for and be awarded as a Tree City USA.

Staff and the Park Commission propose this as an annual event to promote the benefits of trees and a healthy urban forest. The Park Commission and staff have recommended holding an Arbor Day celebration in Booster Park on April 23, 2016 at 10:00 am which is also the Spring Recycle Day. The local scout group that has adopted Booster Park would be invited to attend and help with a tree planting.

Staff and the Park Commission recommend adoption of Resolution 2016-14, Declaring April 23, 2016 Arbor Day in East Bethel.

City of East Bethel
March 2, 2016
Payment Summary

Payments for Council Approval

Bills to be approved for payment	$188,349.26
Electronic Payroll Payments	$27,047.88
Payroll - City Staff, February 25, 2016	$34,917.45
Total to be Approved for Payment	$250,314.59

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Arena Operations	Gas Utilities	490567147	Xcel Energy	615	49851	$2,733.93
Arena Operations	Professional Services Fees	100018	Gibson's Management Company	615	49851	$9,000.00
Arena Operations	Repairs/Maint Machinery/Equip	W268575	Herc-U-Lift	615	49851	$138.00
Arena Operations	Telephone	332373310-171	Sprint Nextel Communications	615	49851	$24.31
Building Inspection	Motor Fuels	195283	Mansfield Oil Company	101	42410	$106.95
Building Inspection	Office Supplies	IN1082438	Innovative Office Solutions	101	42410	$26.59
Building Inspection	Septic Inspections	2016-03	City of Wyoming	101		$664.13
Building Inspection	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	42410	$626.03
Central Services/Supplies	Information Systems	221190	City of Roseville	101	48150	$2,827.67
Central Services/Supplies	Office Equipment Rental	298383746	US Bank Equipment Finance	101	48150	$269.50
Central Services/Supplies	Office Supplies	IN1082438	Innovative Office Solutions	101	48150	$10.03
Central Services/Supplies	Office Supplies	IN1094508	Innovative Office Solutions	101	48150	$40.32
Central Services/Supplies	Printing and Duplicating	1369A	Print Plus, Inc.	101	48150	$64.00
Central Services/Supplies	Telephone	221190	City of Roseville	101	48150	$283.79
Central Services/Supplies	Telephone	13664485	Integra Business	101	48150	$20.51
Central Services/Supplies	Telephone	332373310-171	Sprint Nextel Communications	101	48150	$86.94
City Administration	Professional Services Fees	M21919	TimeSaver Off Site Secretarial	101	41320	$417.50
City Administration	Travel Expenses	022416	Jack Davis	101	41320	$216.00
City Administration	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	41320	$1,260.91
Economic Development Authority	Professional Services Fees	021316	Gail E. Gessner	232	23200	$100.00
Finance	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	41520	$909.71
Fire Department	Auto/Misc Licensing Fees/Taxes	ABI0017212I	MN Dept Labor & Industry	101	42210	$70.00
Fire Department	Dues and Subscriptions	2016	MN Chapter IAAI	101	42210	$25.00
Fire Department	Dues and Subscriptions	2016	MSFCA	101	42210	$264.00
Fire Department	Gas Utilities	490567147	Xcel Energy	101	42210	$1,660.93
Fire Department	Motor Fuels	195273	Mansfield Oil Company	101	42210	$189.95
Fire Department	Motor Fuels	195283	Mansfield Oil Company	101	42210	$170.13
Fire Department	Motor Vehicle Services (Lic d)	96715	Hayford Ford	101	42210	$1,776.75
Fire Department	Motor Vehicles	66326	Rosenbauer Minnesota LLC	701	42210	$88,854.00
Fire Department	Office Supplies	IN1082438	Innovative Office Solutions	101	42210	$148.92
Fire Department	Safety Supplies	II10020394	Allina Health System	101	42210	$949.00
Fire Department	Telephone	221190	City of Roseville	101	42210	$53.21
Fire Department	Telephone	13664485	Integra Business	101	42210	$12.82
Fire Department	Telephone	332373310-171	Sprint Nextel Communications	101	42210	$7.24
Fire Department	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	42210	$22,338.68
General Govt Buildings/Plant	Gas Utilities	490567147	Xcel Energy	101	41940	$758.75

City of East Bethel
March 2, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Mayor/City Council	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	41110	$58.67
MSA Street Construction	Land	022416	Genevieve Sylvester Family	402	40200	$1.00
Park Maintenance	Clothing & Personal Equipment	1182540020	G&K Services - St. Paul	101	43201	$19.00
Park Maintenance	Clothing & Personal Equipment	1182551487	G&K Services - St. Paul	101	43201	$19.00
Park Maintenance	Motor Fuels	195273	Mansfield Oil Company	101	43201	$365.29
Park Maintenance	Motor Fuels	195283	Mansfield Oil Company	101	43201	$145.82
Park Maintenance	Motor Vehicle Services (Lic d)	R241051635:01	I State Truck Inc.	101	43201	$2,378.16
Park Maintenance	Other Equipment Rentals	99169	Jimmy's Johnnys, Inc.	101	43201	$70.00
Park Maintenance	Other Equipment Rentals	151079967	Mobile Mini	101	43201	$335.00
Park Maintenance	Professional Services Fees	021316	Gail E. Gessner	101	43201	$100.00
Park Maintenance	Telephone	221190	City of Roseville	101	43201	$26.61
Park Maintenance	Telephone	13664485	Integra Business	101	43201	$4.70
Park Maintenance	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	43201	$8,938.04
Payroll	Insurance Premiums	03 2016	Dearborn National Life Ins Co.	101		$1,289.26
Payroll	Union Dues	02 2016	MN Public Employees Assn	101		$429.00
Planning and Zoning	Legal Notices	307275	ECM Publishers, Inc.	101	41910	$48.38
Planning and Zoning	Legal Notices	307276	ECM Publishers, Inc.	101	41910	$48.38
Planning and Zoning	Professional Services Fees	021316	Gail E. Gessner	101	41910	$0.00
Planning and Zoning	Travel Expenses	022216	Colleen Winter	101	41910	$32.94
Planning and Zoning	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	41910	$792.39
Recycling Operations	Gas Utilities	490567147	Xcel Energy	226	43235	$210.12
Recycling Operations	Other Equipment Rentals	99169	Jimmy's Johnnys, Inc.	226	43235	$70.00
Recycling Operations	Professional Services Fees	03 2016	Cedar East Bethel Lions	226	43235	$416.96
Recycling Operations	Professional Services Fees	03 2016	Cedar East Bethel Lions	226	43235	$1,200.00
Street Maintenance	Bldg/Facility Repair Supplies	562920	Ham Lake Hardware	101	43220	$17.55
Street Maintenance	Bldg/Facility Repair Supplies	37342 60 6364	Menards Cambridge	101	43220	($44.37)
Street Maintenance	Bldg/Facility Repair Supplies	8928	Menards Cambridge	101	43220	$95.52
Street Maintenance	Bldgs/Facilities Repair/Maint	1182540020	G&K Services - St. Paul	101	43220	$5.33
Street Maintenance	Bldgs/Facilities Repair/Maint	1182551487	G&K Services - St. Paul	101	43220	$5.33
Street Maintenance	Bldgs/Facilities Repair/Maint	102331	Rogers Electric	101	43220	$448.68
Street Maintenance	Cleaning Supplies	281619	S & S Industrial Supply	101	43220	$30.24
Street Maintenance	Clothing & Personal Equipment	1182540020	G&K Services - St. Paul	101	43220	$17.96
Street Maintenance	Clothing & Personal Equipment	1182551487	G&K Services - St. Paul	101	43220	$17.96
Street Maintenance	Equipment Parts	F-260410148	Allstate Peterbilt North	101	43220	$68.04
Street Maintenance	Equipment Parts	F-260430127	Allstate Peterbilt North	101	43220	$6.93
Street Maintenance	Equipment Parts	F-260480008	Allstate Peterbilt North	101	43220	$9.93
Street Maintenance	Equipment Parts	F-260480009	Allstate Peterbilt North	101	43220	$23.54
Street Maintenance	Equipment Parts	312213	Winnick Supply	101	43220	$60.45
Street Maintenance	Gas Utilities	490567147	Xcel Energy	101	43220	$1,032.99
Street Maintenance	General Operating Supplies	9030101803	Grainger	101	43220	$85.98
Street Maintenance	Motor Fuels	195273	Mansfield Oil Company	101	43220	$905.94
Street Maintenance	Motor Fuels	195283	Mansfield Oil Company	101	43220	$63.19
Street Maintenance	Motor Vehicles Parts	F-253500141	Allstate Peterbilt North	101	43220	($89.16)
Street Maintenance	Motor Vehicles Parts	7126	Hydraulics Plus & Consulting	101	43220	$82.61
Street Maintenance	Motor Vehicles Parts	1539-431215	O'Reilly Auto Stores Inc.	101	43220	$16.22

City of East Bethel
March 2, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Street Maintenance	Motor Vehicles Parts	1539-431217	O'Reilly Auto Stores Inc.	101	43220	$28.54
Street Maintenance	Office Supplies	IN1094508	Innovative Office Solutions	101	43220	$45.55
Street Maintenance	Professional Services Fees	021316	Gail E. Gessner	101	43220	$100.00
Street Maintenance	Shop Supplies	1539-432116	O'Reilly Auto Stores Inc.	101	43220	$52.43
Street Maintenance	Shop Supplies	1539-432388	O'Reilly Auto Stores Inc.	101	43220	$11.98
Street Maintenance	Shop Supplies	281862	S & S Industrial Supply	101	43220	$15.89
Street Maintenance	Street Maint Materials	71452434	Compass Minerals	101	43220	$4,168.05
Street Maintenance	Street Maint Materials	71453264	Compass Minerals	101	43220	$4,181.79
Street Maintenance	Street Maint Materials	71454137	Compass Minerals	101	43220	$2,037.48
Street Maintenance	Street Maint Materials	71456054	Compass Minerals	101	43220	$2,235.88
Street Maintenance	Telephone	221190	City of Roseville	101	43220	$26.61
Street Maintenance	Telephone	13664485	Integra Business	101	43220	$4.70
Street Maintenance	Telephone	332373310-171	Sprint Nextel Communications	101	43220	$70.49
Street Maintenance	Worker s Comp Insurance Prem	31535	League of MN Cities Ins Trust	101	43220	$17,718.57
Water Utility Operations	Gas Utilities	021516	CenterPoint Energy	601	49401	$106.09
Water Utility Operations	Gas Utilities	021516	CenterPoint Energy	601	49401	$153.31
Water Utility Operations	State Surcharge Remittance	2016	MN Dept of Health	601		$426.12
						$188,349.26

Electronic Payroll Payments

Payroll	PERA	$6,426.03
Payroll	Federal Withholding	$5,830.97
Payroll	Medicare Withholding	$1,593.44
Payroll	FICA Tax Withholding	$6,813.28
Payroll	State Withholding	$2,317.41
Payroll	MSRS/HCSP	$4,066.75
		$27,047.88

EAST BETHEL CITY COUNCIL MEETING

FEBRUARY 17, 2016

The East Bethel City Council met on February 17, 2016, at 7:00 p.m. for the regular City Council meeting at City Hall.

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

ALSO PRESENT: Jack Davis, City Administrator
Mark Vierling, City Attorney
Mark DuCharme, Fire Chief

1.0 Call to Order

The February 17, 2016, City Council meeting was called to order by Mayor Voss at 7:03 p.m.

2.0 Pledge of Allegiance

The Pledge of Allegiance was recited.

3.0 Adopt Agenda

Harrington stated I'd like to make a motion to adopt tonight's agenda. Under the Consent Agenda, I'd like to add Item I., Memorandum of Agreement between the City of East Bethel and the East Bethel Seniors for the Use and Management of the East Bethel Community Center. Mundle stated I'll second. Voss asked any discussion? All in favor? **All in favor.** Voss asked any opposed? Motion passes. **Motion passes unanimously.**

4.0 Presentation

Davis stated at this time we have Sheriff Jim Stuart and Commander Shelly Orlando that will present the 2016 East Bethel Deputies and give a report of last month's activities. Mayor Voss stated welcome.

4.0A Anoka County Sheriff's Office 2016 Officer Introduction

Anoka County Sheriff Stuart stated thank you very much. For the record, my name's James Stewart and it's my distinct privilege to serve as your Sheriff in Anoka County. Thank you for having us here tonight. Myself and Commander Orlando and, most importantly, our Deputies for 2016 for the City of East Bethel Contract, I will be introducing here shortly.

Sheriff Stuart stated if you'll bear with me, I'd like to give you a quick overview on some of the activities we've been up to and some of the things we've been working on. We have a pretty strong history of pursuing, being a progressive, and goal-oriented agency that seeks to set the standards for others. We always pursue collaboration, cooperation, community involvement and those types of partnerships that we know are going to create positive outcome.

Sheriff Stuart stated some of the things we've been working on have hit that mark and the first one I'm going to touch on, I think, has kind of missed the mark and you've been hearing about it for a few years. I'm not sure what kind of interaction you may or may not have heard from the fire side because I know each element of this new Public Safety Data System seems to be rolling out in different context. Suffice it to say we've been dramatically disappointed with the System that we've seen thus far. We've been promised an efficient System and I think the sales team really over sold what their implementation team was able to deliver. Thus far, we've really, I feel that we've taken several steps backwards instead of forward as promised. But, we continue to work with them. They're

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4.0A Anoka County Sheriff's Office 2016 Officer Introduction

trying to fix some of those elements of that System and we're also, unfortunately, working with some of our attorneys throughout this process to try and figure out what are going to be the next action steps as we continue to work with the California-based company to try and fix some of those public safety data issues.

Sheriff Stuart stated another thing I wanted to touch on is our mobile digital forensics lab. You may have seen or heard a little about that. We're pretty excited about that. We were able to inherit a used ambulance from Allina Medical and convert it. Long story short, we have the first mobile digital forensic lab in the State. What it does, basically, is allow us to partner with our community and witnesses and anybody else to obtain their information. We all know everybody 'lives' on their cell phones or through their electronic devices nowadays. And, using a large-scale shooting or any type of large scale event, actually, in which we have a lot of witnesses, potentially numerous victims and people involved in the incident, historically we would go to a scene and say, 'Did you take some pictures? Did you catch any video? Would you be willing to work with us?' And, they would say, 'Yes, of course.' And we would say, 'Great. We just need your phone and we'll have it back to you in 2 to 14 days.' Well, how many of us could function very will without our 'life-link' on our belt or in our pocket?

Sheriff Stuart stated so this system actually allows us to roll up to the scene with a mobile version and say, 'Do you have anything?' The answer is typically, 'Yes.' 'Would you be willing to jump in the back and let us off-load? You can be right there and watch us off load, authorize what we take off your phone, and then you can climb back out and be on your way.' And, we have already found that it's been wonderfully successful in that area. Also, any time we are going to a large-scale business or school district or whatever it might be, if there are multiple computers that we even want to look at, they can do quick scans on scene and copy whatever we need right away. Long story short, it is much, much more efficient and allows us to be much more user friendly for the witnesses and the people involved as well.

Sheriff Stuart stated also, our UAS unit is one of the first to get off the ground, so to speak. In simplest terms, that's a drone contingent. We don't use that word because it brings its own negative connotation. We have really identified its uses. We've worked closely with some of the other areas that have these types of UAS units. We have ensured that our pilots are certified, that we have model policies in place, etc. And, to put anybody's mind at ease, you might be thinking, it will never be used for proactive patrol or surveillance, shy of a search warrant or something like that, should it become necessary.

Sheriff Stuart stated typically, it is only going to be used for life-saving purposes, emergency circumstances. The example that really inspired me to think about it, as an example, we had a young boy, Autistic child, go missing in Blaine a couple years back. Long story short, the ground search failed and hours later they found him face down in a pond nearby. I think had we been able to get air immediately and search that area much more efficiently, hopefully that would have had a different outcome. That's my goal as the Sheriff, to say, 'We're going to roll out technology wherever we can to save lives.' So, that's kind of the purpose behind the UAS unit.

Sheriff Stuart stated another thing that we're doing, we're also one of the first in the Midwest to roll out the Pharaoh. It's a 3-D scanner and our crime scene unit is using this. In simplest terms, most of it's well over my head, instead of the traditional crime scene or CIS folks that you see on TV, they would come in, using this room as an example, if an

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4.0A Anoka County Sheriff's Office 2016 Officer Introduction

accident happened in here they would take multiple photographs and run all these different measurements and do all this time-consuming, highly-involved activity. The scanner, they could literally set it up in four different corners and in about one-tenth of the time, it will run millions of laser scans through the room. Then it will take those different ones, as well as photographs, it will take those different scans, layer them, and create a single 3-dimensional map.

Sheriff Stuart stated so, it's not unlike what you see on TV but, unfortunately, TV exaggerates what real capabilities are. Well, the good news is that now it is a real capability to be able to have the jurors walk through thee-dimensional elements of a crime scene or different incidents that have unfolded. So, it's going to be a phenomenal tool. It will save a lot of time but as importantly, it will really improve the way we're able to present at court and document crime scenes. Regardless of the size of environment, those scans are accurate to within 2 millimeters. So, anything within the room, if you want to know how far apart your name signs are, etc. It's an amazing tool.

Sheriff Stuart stated another thing I wanted to mention, Deputy Slavik from our Crime Scene Unit, obtained the Minnesota Sheriff's Association Deputy Sheriff of the Year for 2015. So, we're very proud of her accomplishments. It is no small feat to be named Deputy of the Year for the State and that was due, in large part, to her processing of a crime scene as well as a lot of the community outreach programs that she's been a part of. Additionally, she obtained a certification for her area of expertise all on her own outside of work because she, like many of our staff, really embraced, 'What do I need to do to raise the bar?' So, we're very proud of her for that accomplishment.

Sheriff Stuart stated we continue to be very actively involved with our charitable activities, Special Olympics, the Polar Plunge is coming up February 27th. I've said it before and I'll just offer it again. There's room on the platform next to me so if anybody feels inspired to take the plunge, I'd love to have you with. Otherwise, you can stand behind and for $100 shove me in.

Sheriff Stuart stated we also have a bowling event coming up. We do the Torch Run, of course. Our cast fishing events. We do hockey and softball and Feed My Starving Children. We do a variety of different events around the County. One of the things that's going to be new to the County this year, in 2016, is an event we're calling, well actually it's a national group, but it's Walk a Mile in Her Shoes. We're partnering with the Alexander House to put together an event to combat domestic violence. You'll, hopefully, hear more about that in the near future.

Sheriff Stuart stated you can either follow the Sheriff's Office Facebook page or the Sheriff James Stuart Facebook page and you'll likely learn everything you wanted to know about the event should you want to participate or put together a City team, perhaps, to come down and participate. But as a team, we do strive to make a positive difference in the communities wherever we are, whether it's the daily service that our Deputies are doing, our interactions, and certainly as an organization.

Sheriff Stuart stated without further ado, I'll turn it over to Commander Orlando. Obviously, she acts as your liaison or in simplest term, she acts as your local chief. She's going to introduce your 2016 team. But, before I turn it over to her, if you have any questions, I'd be happy to attempt to answer them for you.

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4.0A Anoka County Sheriff's Office 2016 Officer Introduction

Voss asked any questions from Council? How about from the audience? That's where the real questions come from. You got off easy. Sheriff Stuart stated I did. Thank you for your time. Voss stated thank you.

Commander Shelly Orlando stated thank you. You do have more than three Deputies. Unfortunately, one of the other Deputies, you have a total of six. One of the other Deputies was out of town and this was a preplanned trip that he was going to be gone. Then two of our other Deputies are indisposed. One has some flu going around and the other one's taking care of a wife. So, that's it. Sorry. But, we do have a great team here.

Orlando stated I will introduce you first off to Ryan Rakotz who goes by the name 'Rocky.' He works the night shift and he told me, he said that he's always the last one on the list because I kind of do it by shift and alphabetically so tonight we turned it around and we're doing the night shift first. Rocky's been with our office for nine years and this is his sixth year in the East Bethel contract. So, he's well known around the East Bethel town I would imagine.

Voss stated I know Jack knows Rocky pretty good. Orlando stated he does spend early mornings, I believe, conversing with Jack, which is nice. Davis stated we have strategy meetings on occasions. Orlando stated you get first-hand information on what's going on, which is kind of nice. Davis agreed and stated it is.

Orlando stated Tom Kvam, who is not here tonight also is working the night shift. This is his eighth year with the office. It's his fifth year working with East Bethel. Tom is also a use of force, firearms, and taser instructor and he is a field training officer. He actually was not in the contract last year but he was prior years and he came back this year. So, that's a good thing. He's a hard worker.

Orlando stated Deputy Justin Weller is working the power shift, which is 2:30 in the afternoon until 2:30 in the morning. He is not here tonight. This is his seventh year with the office. This is his first year in East Bethel. He is an FTO, use of force and firearms instructor, he's also a member of our Honor Guard, and he is an Iraq War veteran.

Orlando stated also not here tonight is Chris Fahey. He is working the power shift as well. This is his tenth year with the office, his second year in East Bethel. Chris is a member of our Honor Guard, he's an Armorer, and a SWAT negotiator.

Orlando stated who we do have here is Rollie Sorensen, while he's making his way up, Rollie is on the day shift. This is his thirteenth year with the office and he was a law enforcement officer six years before coming to Anoka County. This is his fourth year working in East Bethel, he is a field training officer, and an Explorer advisor.

Orlando stated last but not least is Eric Donarski. He also is working the day shirt. This is his eleventh year with the office and seventh year working the East Bethel contract.

Orlando stated they're very glad to be back and supporting you in all your needs. We also do have Sergeants. The way our Sergeants are scheduled, they are scheduled two Sergeants for every shift. So if one Sergeant is off handling one emergency, there's still another Sergeant who oversees the road Deputies. We were supposed to have one stop in tonight and I don't know if they got tied up on something. But, they're not here.

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4.0A Anoka County Sheriff's Office 2016 Officer Introduction and Report

Orlando stated we also have, as part of your contract dollars, Community Service Officers. You do have a Community Service Officer that you contract for, for four hours a day. But we also have a Countywide day and night Community Service Officer who are available if your Community Service Officer is tied up or during those hours when you don't have coverage. That Community Service Officer does come in and assist Deputies on minor calls that the Community Service Officers do handle.

Orlando stated this year we also do have two new Investigators down in our Patrol Division who handle your misdemeanor and gross misdemeanor and some felony-level crimes. So the Investigator who is assigned to East Bethel, is Steve Strucker. Luke Christopherson, who has been a past East Bethel Deputy, is also in the role of an Investigator now, just 'learning the ropes' there now. So there is more than what you see here and they're all good guys. If you have problems, you know you can contact me, you can contact Jack, or you can contact them by calling 911 and they will respond.

Voss stated great, thanks guys. Those in attendance offered a round of applause.

Shelly Orlando presented the January 2016, Sheriff's Report.

DWI's – There were two DWI arrests in January. One arrest involved a driver who had driven his car into a pole with a civil defense siren on it, causing the pole to break. The driver was not injured but had been drinking. The suspect failed field sobriety tests and was transported to jail. The suspect took the breath test and had a blood alcohol content of .23. The second arrest involved a caller reporting an impaired driver who was all over the road. The vehicle ended up striking a mailbox and went into the ditch. Deputies arrived and made contact with the female driver. She advised she was on her way home and was very tired. The female did not smell of alcohol and registered as not having any alcohol in her system on the PBT (portable breath test which they do out in the field). The female failed field sobriety tests. The female claimed that she had not taken any type of medications. Deputy Weller was advised that this female had a history with pain medications. The female consented to have a blood test taken. The results are still pending.

5th Degree Assault / Disorderly Conduct – On January 4th, at 4:10 a.m. Deputies were called to a residence on a male that had been harassing a female. Upon arrival the male had left the victim's residence. The female advised that the male had shown up at her house and she told him to leave at which time he began harassing her and pushing her, saying he was going to punch her. She stated he continued to threaten her and gave her a "bear hug" at one point. The male suspect left after she had placed a call to 911. The suspect was located and denied touching or harassing the victim. The male did appear to be under the influence and his story did not make sense. The male was arrested and transported to jail.

5th Degree Controlled Substance – On January 20th, Deputy O'Connor made a traffic stop on a vehicle for a moving violation. Upon approaching the driver, the male advised that he was revoked. He then advised he did not have his proof of insurance, but claimed the vehicle was insured through Progressive. Deputy O'Connor confirmed that the male driver was revoked. He then contacted Progressive Insurance who advised that the policy had been cancelled on December 28, 2015. Deputy Kvam was assisting with the inventory search of the vehicle for towing purposes and came across a glass pipe with a white residue in it. This pipe tested positive for methamphetamine. The passenger of the vehicle had a briefcase, which contained a loaded hypodermic needle. The contents of the needle also tested positive for methamphetamine. Both males were arrested and transported to jail.

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4.0A Anoka County Report

5th Degree Controlled Substance, Driving After Revocation and False Information – On January 25th, Deputy Kvam stopped a vehicle for an equipment violation. The driver provided him with a false name and date of birth. The female passenger, who wasn't wearing a seat belt, also provided a false name and date of birth. Upon Deputy Kvam asking the driver to get out of the vehicle, the driver refused and locked the doors. Deputy Kvam got out his taser and Deputy Cutler advised he would break a window if the male did not cooperate. The driver then unlocked the door and got out of the vehicle. The female passenger, once properly identified, had warrants and was placed under arrest. Prescription pills were located in the female's purse, which she did not have a prescription for. The female was charged with the 5th Degree Controlled Substance and false information. The male was arrested for Driving After Revocation, false information, and obstructing.

Fail to Yield to Emergency Vehicle, Flee on Foot, Driving After Revocation, and No Insurance – On January 29th, Deputy Duren attempted to stop a vehicle on Highway 65 for an equipment violation. The vehicle continued on at a normal rate of speed and turned into a trailer park. Deputy Duren sounded his siren to gain the driver's attention, but the driver continued driving through the trailer park. The driver then pulled over outside a trailer and the female driver ran from the vehicle into the trailer. Deputy Duren ran into the trailer after the suspect and located her in the rear of the trailer. Deputy Duren took her into custody. The female did not have insurance on the vehicle and was driving on a revoked license.

Orlando stated those are my reports for tonight. And, just so you know, I am going to be forming a team for Walk a Mile in Her Shoes. So if you're interested, you can certainly let me know. I'm sure it will be a beautiful sunny day in Anoka and it's only a mile. I'd be more than happy to have you walk with me.

Voss asked any questions for Orlando? Harrington asked Shelly, did you guys get any calls on the explosions they had up there in Nowthen yesterday? Orlando stated you know, I thought it was funny that people from Isanti were calling but I didn't hear anything about people from Nowthen calling. Harrington stated I heard it here in East Bethel. Orlando asked did you? Harrington answered yeah I heard it. Mundle stated I heard it too. Davis stated we felt it here. Harrington asked did the Sheriff get any calls? Orlando stated I'm not sure if they did get some calls yesterday, or not. I'm sure we did if you guys all heard it, I'm sure everybody heard.

Voss asked what was the explosion? Harrington stated they're blowing off old mortars. The military is up there. Voss stated oh, at the proving grounds. Mundle stated I heard it was an accidental, it went off accidently. A big one, 122.

Mundle asked how has, any traffic accidents or anything with the winter weather? Has there been any issues with that? Orlando stated well we've had several accidents with, you know, seems we get just a small amount of snow and the driving gets a little slippery and people don't realize, because it snowed so little, that the roads might be a little bit more treacherous. But we haven't had any terrible accidents that I can think of recently. Mundle stated good. Orlando stated and it has been kind of warm and not a lot of snow so that helps too.

Voss asked any other questions of Shelly? Any questions from the audience? There we go. Thank you, have a nice night. Orlando stated thank you.

4.0B East Bethel Fire Department 2016 Officer Introduction

Fire Chief Ducharme stated thank you Mr. Mayor and Council. I do have some introductions I'm going to make but first I want to talk about a fire fighter who has requested his retirement. That's Ron Stanley. Ron Stanley's been with us, the Fire Department, for 30 years. Ron Stanley was Assistant Chief for many years, fire fighter, of course, for the whole time. He was also very involved in keeping our fleet maintenance up to speed. Thirty years is a long time so I took a look at what happened in 1986 when Ron started. It's kind of interesting.

Ducharme stated President Reagan was in office. The Down Jones was at 1,879, interest rates at the Federal Reserves were 7.5%. They're like 0 now. A gallon of gas, 89 cents. Average price for a new car around $8,000. That was a pretty nice car because you can get a Mustang for about $7,000. Chernobyl blew up, spewed out all the radiation. Mike Tyson was the youngest heavy weight champion in history at the time. If you watched TV, you were watching Cheers. Remember the movie Top Gun? And, the shuttle blew up. For the football people, the Vikings finished 9 and 7, missed the playoffs. Remember Jerry Burns? He was coach. Pete Carroll was an assistant coach at that time. Oh, by the way, if you're going to buy a new house, it was right around $80,000 for a brand new house.

Ducharme stated I want to personally thank Ron for his 30 years. His resignation is in the Consent Agenda and I kind of jumped ahead of it a little bit but I just thought I'd call that out. He's a great asset to the community.

Ducharme asked how'd you like to meet my staff? Ardie Anderson is our Deputy Chief. Ardie's been around, everybody knows Ardie. If I ask him something, he's, 'Oh, yeah, I remember that from years ago.' And, you probably recruited Ron. Our Station #1 District Chief Todd. Todd's retiring in May, May 1st. So, you'll be hearing more about Todd. Todd's been a great asset to the City. Dan Berry's our Chief out of Station #2. Dan's been on the command staff ever since I've been here.

Ducharme stated Mark Pracher, he's our Captain out of Station #1. Mark's the type of guy that you can ask him to do anything. He's working on a couple projects right now and I know he's working on them because he's had to contact other fire departments. And, I've talked to the chiefs and they're, 'Yeah, we heard from Mark.' Ducharme stated Rod Sanow, he's our Captain out of Station #2 and Rod's another one. Rod's just one of those guys that just gets the job done and we appreciate it.

Ducharme stated we've got a couple Lieutenants out of Station #1, Adam Arneson. Adam has an opinion on everything. And Gary Schultz. Gary, I've got to tell you something. Gary makes the best pickled fish ever. That's not part of his job description but it should be. Out of Station #2, Tammy Giple. Tammy's also our Animal Control Warden so everybody knows her and she does a lot. She runs the Explorers. It's her idea to look at consolidating that Explorer Program, which has taken off. And, she also does the retired guy's lunch once a month. So, we thank her.

Ducharme stated our Inspector, Mark Duchene. It's interesting because Mark gets my calls and I get his calls. Can't figure out how that happens. But, this is our officers and if you've got any questions, just fire away. It's great to have them here.

Voss asked any questions? If not, thank you all again. Those present responded with a round of applause.

Fire Department January Report

Ducharme stated we'll take a look at January, 2016. We started the year off in January with 39 calls. We had a couple of fires. One was a building fire that was a mutual aid with Ham Lake. It wasn't much but got to tell you, we took the old tanker and we actually got it up to 50 miles an hour. It worked out pretty good. We also had a chimney fire in town along with two other mutual aid fires. So, it's that time of year where the chimneys are being used, especially on the cold spells. We've got to make sure they're clean and that kind of stuff.

Ducharme stated out of those 39 calls, 25 were medicals. We actually ran, probably, more heart attack/cardiac issues in January than usual. You can see that out of those 25, 10 were related to cardiac issues and a couple that were short of breath that were probably also related in some way to the cardiacs. Of those 25, we ended up helping transport 24 of them. So, these people were really, really sick.

Ducharme stated in addition, we started off 2016 for our inspections. We got through about 11 inspections of businesses. Most of the issues that we have with businesses just deals with minor stuff. Nothing really excessive, fire extinguishers and exiting seems to be the issue.

Ducharme stated we also had a waffle breakfast that happened. I saw several of you guys down there and it turned out really good. I want to thank the fire fighters who really stepped up to the plate, not to eat, but they stepped up to help the Auxiliary to put this on. This was their first fundraiser and they did pretty decent. They came out with about $1,000 net so it was really good. But, we had a lot of people who sat there and talked and talked, so it also was a community event. So, that worked out pretty good.

Ducharme stated one of the things also that the Council has to talk about is whether or not you want to exercise your Emergency Operations Plan. If you wanted to do that, that's like a tabletop drill. That's what we're talking about, with Council and we'd probably do it with fire staff also. Put everybody together and most likely bring in all of my Officers again. Usually that's at least a two-hour session and usually when we would do that, I'd suggest a Work Session. So if the Council wants to talk about that at the end of your meetings, or if you don't have interest in it, that's okay too. But, just to let you know we can either do it here at City Hall or we can do it at the Fire Station. With a new generator going in here, in City Hall, I'm sure at one point this year we'll designate this as the Emergency Operations Center.

Voss asked if it would make more sense on one of the training nights? Ducharme stated we'd probably do it on a Wednesday night. Actually, I've got that listed on the yearly schedule. So we know there's a possibility it's coming up. We'd rather not take away our training night because those are set for 2016 and the subjects and the instructor's coming in. We'd rather do it more on what I'd call your night, which is a Wednesday night. Voss stated okay. Ducharme asked any questions? Voss asked any questions for Chief?

Mundle asked how's flu cases looking? Ducharme stated you know, I sat through a seminar at the Emergency Managers Conference in Brooklyn Center last week. They really expect the flu to kick in here in March and go into April. It's a little bit later this year than what they thought so there's still time to get your flu shot if you haven't had that. But, we have been seeing sick people. We actually probably saw more sick people with flu-like stuff last month, in December, than so far this year.

Fire Department January Report

Ducharme stated we also talked about the Rootkit Virus and that misquote that carries that virus doesn't necessarily make it up this far because of the winters so we don't expect too much trouble on that. Voss stated all right, anything else for the Chief? Ducharme stated all right, thank you.

5.0 Public Forum

Voss asked is anyone signed up? Davis replied no. Voss asked is there anyone here tonight for the purpose of speaking at the Public Forum on any subject that's not on the agenda? Seeing none, we will move on.

6.0 Consent Agenda

Item A Approve Bills

~~Item B February 3, 2016 Council Work Meeting Minutes~~
This item was removed from the Consent Agenda.

Item C February 3, 2016 Council Meeting Minutes
Meeting minutes from the February 3, 2016 City Council Meeting are attached for your review.

Item D Approval for Advertisement of Seasonal Employee Positions
Increased demands for road and park maintenance in the spring and through the summer have required hiring of seasonal personnel to support these activities. The increased work load during this time on park and street projects along with scheduled leave for full time employees creates a need for seasonal workers to provide additional manpower to assist in project and maintenance activities.

These positions are limited to 67 days for each seasonal employee. Funding for one position in the amount of $6,100 is provided for in the 2016 General Fund under the Parks Department budget. The other seasonal position is the amount of $6,100 is provided for in the 2016 General Fund under the Street Department. First year seasonal employees are proposed to be paid $10.00/hr. and seasonal employees with previous employment with the City would be paid $11.00/hr. There will be no benefits paid for these positions.

Staff is seeking approval to advertise for two seasonal employees to be employed for the period of May to the end of August, 2016.

Item E Approving Resignation of Firefighter
Ron Stanley has submitted his resignation as Fire Fighter with the City of East Bethel. Ron is retiring from the Fire Department after 30 years as a member of the Department. Ron has served as Assistant Chief and Firefighter. Ron has been a great credit and asset to both the City of East Bethel, and the East Bethel Fire Department. The City and the Fire Department express their sincere appreciation for Mr. Stanley's dedicated and outstanding service.

Item F Approval of Roads Commission Recommendation for Member Appointments
There are two vacancies on the City Roads Commission. Two members, Roger Virta and Jeff Jensen did not request re-appointment for another term on the Commission. The City advertised for these positions and received letters of request for appointment from two residents, Robert DeRoche, previous City Council Liaison to the Roads Commission and John Witkowski, Street Supervisor for the City of Ham Lake. The Roads Commission

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6.0 Consent Agenda

interviewed both candidates at their February 9, 2016 Meeting and recommend that City Council approve their appointment to the City of East Bethel Roads Commission for a three year term to commence on March 9, 2016 and expire on January 31, 2019.

Item G Comprehensive Plan Update Request for Proposals

The City is required to update our Comprehensive Plan every 10 years. The due date for submission is 2018 but the process of plan preparation, public hearings and submittals can take up to 18 months. In order to meet the deadline and secure consulting services necessary to complete this work, Staff is seeking approval from the Council to authorize the advertising of Requests for Proposals for Professional Services required to complete this work.

Upon receipt, the proposals would be presented to Council to set a date for interviews and the eventual selection of a consultant. Costs for the consulting work will be paid from a grant from the MET Council. We will receive a notice of grant award and amount by mid-March 2016. The balance of the cost would be paid from the EDA 2016 Projects Budget. Costs for the work will not be known until the consultant is selected and fees are negotiated.

Item H Renewal of Contract for Legal Services

The firm of Eckberg Lammers PC has been the City Attorney for Civil Services since January 5, 2011. In May of 2011, they were also selected as the City Attorney for Criminal Services. Their contract with the City expires on May 31, 2016.

The budget for Legal Services during this contract was $152,500 in 2012 and $150,000 in 2016. The firm has provided sound counsel and professional legal representation to the City during this period. The firm's hourly rate for Civil services has not increased since 2014 and they propose to hold the current rate of $240/hr. through May 31, 2018. Their flat fees for Criminal Services are proposed to increase on average at a rate of 2.6% from 8,388 per month to $9,450 per month over a 5 year contract period. Costs for Criminal Service from the City's previous attorney were based on an hourly rate and averaged $8,360 per month for the last 5 months of their contract, January to May 2011.

Staff recommends that Council approve a five year extension of our legal services civil and criminal contract with Eckberg Lammers PC with no change in the current terms, with rates as noted in the attachment and with an effective date to commence with that of expiration of the existing contract.

Item I Memorandum of Agreement between the City of East Bethel and the East Bethel Seniors for the Use and Management of the East Bethel Community Center

This item was removed from the Consent Agenda.

Harrington stated I'll make a motion to approve tonight's Consent Agenda. Koller stated I'll second. Mundle stated I'd like to pull Item B. Voss stated and I'd also like to pull Item I that was just added tonight. So, the motion's been made and seconded. Any discussion? All in favor? **All in favor.** Voss asked opposed? Hearing none, that motion passes. **Motion passes unanimously.**

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6.0B February 3, 2016 Council Work Meeting Minutes

Mundle stated one small change to the Work Meeting Minutes. If you'd be looking on Page 7 of 10, sentence starts out 'Koller stated pretty much a 'big no'…' It should be '<u>Mundle</u> stated pretty much a 'big no'...' That's the only change. Voss asked do you want to make a motion?

Mundle stated make a motion to approve Item B. Koller stated I'll second. Voss asked any discussion? All in favor? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

6.0I Memorandum of Agreement for Bethel Community Center

Voss stated since this was added, Jack, can you explain what we're looking at?

Davis stated the East Bethel Seniors and the City of East Bethel have had a very loose agreement that defines the responsibilities of what the Seniors are able to do with the facility. In the previous Memorandum of Agreement, which was done back in 2007, it did give them exclusive rights for the rental of that facility. They have been approached by an individual who may want to rent their kitchen facilities part-time for a six month period. I discussed this issue with Mr. Vierling and we both concurred that we need to tighten the definitions and the understanding up a little bit. What you have before you is a new Memorandum, which would update the old one. It does not do anything to further restrict the Seniors. In fact, it probably gives them further clarification on what they can do in regard to the rental of the facility.

Voss asked has this been reviewed by the Seniors? Davis answered they have reviewed it but they cannot actually vote on this until March, at their next board meeting. They'll bring it up then to vote on approval of it. Voss stated so they haven't acted on it. So, what is the purpose of having this on the agenda for tonight? Is it just for information? Davis stated no, it's for recommending Council approval. If you wish to do so tonight, we just want to do that so it will be ready to go for them whenever they can get a quorum. Several of their board members won't be back in town for another two or three weeks. They want to have this in place so if this rental issue does come up, that they can act on it with the individual seeking to rent the facility.

Voss stated so staff's looking for approval and authority to sign on the condition of the Seniors approving the content of the agreement. Davis stated that's correct. I'm recommending that we approve that from the Council's standpoint and then the Seniors would have to approve it before it became effective. Voss asked and if the Seniors are okay with it, it doesn't have to come back to Council? Davis stated that's correct. Voss stated okay, does anyone else have questions on it?

Voss stated I'll move that we approve the Memorandum of Agreement between the City of East Bethel and East Bethel Seniors for Use and Management of the East Bethel Community Senior Center. Mundle stated I'll second. Voss asked is there any discussion? All in favor say aye? **All in favor.** Voss asked any opposed? Okay, that motion passes. **Motion passes unanimously.**

7.0 New Business

Commission, Association and Task Force Reports

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7.0A Planning Commission

7.0A.1 Sauter Commercial Park 2nd Addition Concept Plan

Davis presented the staff report, indicating Mr. Tom Sauter submitted a concept/sketch plan to the Planning Commission at their regular meeting on January 26, 2016, to plat his property for up to nine lots. The location of this site is 1052 189th Avenue NE and the property is zoned Light Industrial.

The Concept Plan is the first step of the platting process. Mr. Sauter has completed the wetland delineation and has agreed to dedicate the necessary right-of-way to the City of East Bethel for the extension of the Service Road as indicated on the attached Sketch Plan. The City of East Bethel proposes to begin construction of the Service Road in 2016 pending a successful bid award during this period. Mr. Sauter will be platting the property in phases beginning with Lot 9 on the southwest corner of the site. Further platting of the individual lots will be determined by the acreage needs of the buyers.

Should the Concept/Sketch Plan be approved by City Council, Mr. Sauter can submit his Preliminary/Final Plat to the Planning Commission for their review and recommendation to Council. If the approval by Council is granted, the Planning Commission will conduct a Public Hearing on this request at their February 23, 2016, Meeting.

The Planning Commission recommends City Council consider approval of the Sauter's Commercial Park 2nd Addition Concept Plan/Sketch Plan as presented in your packet.

Harrington stated I'll make a motion for approval of the Sauter Commercial Park 2nd Addition Concept Plan/Sketch Plan. Koller stated I'll second. Voss stated the motion's been made and seconded. Discussion?

Mundle asked so the only lot they will be platting is Lot 9 and the rest will be Outlot except for where the homestead is? Davis replied that's correct and there will be further plats that will be submitted depending on what the acreage needs of any potential buyers are.

Voss stated depending on the timing of the Service Road project, he may have this ready before the road is in. Is this going to be in the position where Lot 9 can be actually developed? Davis stated Lot 9 can be developed prior to the construction of the road and the installation of utilities. As you can see, the shaded section of the road going to the east is 187th Lane. That road is in place, paved, and at that corner, also, we have utilities. We have a sewer manhole and a sewer stub out that goes 26 feet north of the manhole. It can be tied into for service. The water is out in the road and can be tied into the service to serve Lot 9.

Voss asked and then this development's in the Sewer District so these lots will be connected as developed? Davis stated that's correct. They will have to connect to the system. Voss asked any other questions? Hearing none, to the motion, all in favor say aye? All in favor. Voss asked any opposed? That motion passes. **Motion passes unanimously.**

7.0A.2 CUP Barn Goddesses LLC

Davis presented the staff report, indicating this relates to a Conditional Use Permit for the Genevieve Family Limited Partnership Family Trust with the applicant being Barn Goddesses, LLC doing business as Ponds of Hidden Prairie.

Lisa Palm and Jennifer Parish Speilman submitted an application to the Planning Commission for a Conditional Use Permit (CUP) for an event center to be located adjacent to and east of PVS Auto on 221st Avenue. The main building will be 10,000 sq. ft. in size and will include a warming kitchen, bride's room, groom's den, restrooms, storage, and an

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office. The Event Center is a permitted use in both the B-3 and I-1 districts. This property does have split zoning.

In addition to the main event center Ms. Palm and Ms. Speilman will also have areas designated outside for outdoor ceremonies and would like to add six additional cabins (not to exceed 1,000 sq. ft. each) for the bridal party or overnight guests. The cabins would be constructed approximately three years after the main building is constructed. The cabins do not fall under the permitted use category in the B-3 or the Industrial zoning designation. However, they are an integral part of the Ponds of Hidden Prairie business plan and are the reason for the CUP request.

It is not the intention of Ponds of Hidden Prairie to become a resort. Their focus is to provide a venue for weddings and other events and the cabins will be only for the guests of the specific event. The CUP is required to permit this use of the property and there will be a Site Plan Review by the Planning Commission and Council prior to their development.

The Public Hearing for the Conditional Use Permit was properly noticed and conducted at the February 1, 2016, Special Planning Commission Meeting. One resident spoke at the Hearing for the proposed CUP and his questions and concerns are contained in Attachment 2. At the conclusion of the Hearing and discussion, the Planning Commission voted unanimously to recommend approval of the CUP to City Council.

The purchase of the property by Barn Goddesses LLC is conditioned on the approval of this Conditional Use Permit.

The Planning Commission recommends that City Council consider approval of a Conditional Use Permit for Barn Goddesses, LLC, doing business as Ponds of Hidden Prairie Event Center to construct up to six additional cabins and outdoor venue space on this site subject to the following conditions:

1. Submission and approval of a Site Plan Review
2. Submission of access approval by the Anoka County Highway Department and service road right-of-way dedication by the owner
3. Submission of a Phase I environmental review
4. Submission of the property survey
5. Submission of the wetland delineations
6. Compliance with all applicable Building Codes

Mundle stated make a motion to approve the Conditional Use Permit for Barn Goddesses, LLC, dba Ponds of Hidden Prairie Event Center to construct up to six additional cabins and outdoor venue space on the site with the conditions 1 through 6 set forth by staff. Harrington stated I'll second. Voss stated the motion has been made and seconded. Discussion?

Voss stated I'm excited and I'm sure you are too. Davis stated we do have Mrs. Palm and Ms. Speilman in the audience. And, as the Mayor said, we're all excited. Voss asked would you like to address Council at all? You're welcome to. The one thing I was looking for, you know, what's actually going to be built but that will come in time.

Lisa Palm stated I'm one of the owners and we're really excited to become part of the East Bethel community. Have they seen drawings of what, the structure? You haven't seen the drawings? Voss answered no. Mrs. Palm stated we've done some drawings. It will be a

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barn-like structure with post and beam structure but it will be all year round with heating and air conditioning so we can have events throughout the summer and winter and have it be climate controlled. We're really excited about it and think it's really great for the community and that piece of property. We look forward to be a part of your community.

Voss asked have you done something like this before? Mrs. Palm stated I've done corporate events for large corporations here in the Twin Cities but ready to do my own thing. Voss stated maybe you can bring some of those corporate folks up here to your venue. Mrs. Palm stated we're going to work on that, absolutely. Voss stated great and good luck. I think we're all excited to see it come in. Mrs. Palm stated good, thank you so much.

Mundle asked what is your tentative timeline to construction and opening? Mrs. Palm answered we're hoping to get started this spring with all the pieces that need to fall into place and then for sure we'd like to be open a year from now. So, Spring of 2017, so we can take advantage of the full wedding season. And, if we can get open prior to that, we may do a soft launch to be open a little in the winter. But, for sure by March of 2017. Voss stated great, well thank you. Voss stated good luck. Davis stated welcome to East Bethel. Voss concurred and asked any further discussion? Hearing none, to the motion all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

7.0A.3 IUP 18143 Lakeview Point Drive

Davis presented the staff report, indicating it relates to a Home Occupation, Interim Use Permit, William Thompson, doing business as Wandering Cellars.

Mr. William Thompson's request for an IUP was presented to the Planning Commission at their regular meeting on January 26, 2016. The request by Mr. Thompson was for a wine production from a home he is planning to build. The grapes would be trucked to the premises once per year. A forklift would be required for the offloading the grapes into barrels that would be stored in their garage for use in the winemaking.

There would be no public tasting room, and private tastings would be by appointment only. It is anticipated that they would be selling 75 cases of wine per year. They are working with a distributor and would be shipping cases weekly via UPS or delivering the product directly to their vendor. Water use is minimal and City staff has checked with the local DNR to see if there are any special requirements that they have for this type of business. The DNR does not have any additional requirements.

The Planning Commission discussed Mr. Thompson's request at length and comments expressing concerns about Mr. Thompson's request were received from neighboring property owners. Concerns were related to additional traffic, changing the character of the neighborhood, environmental concerns, and the proximity to Coon Lake. An additional concern is that since the house hasn't been built, is the construction for a business or a residence. Mr. Thompson had indicated that if he is not able to obtain an IUP for this location he would not be building the home.

The Planning Commission was of the opinion that Mr. Thompson's proposed business was an interesting endeavor but not one that met requirements of City Code at this location and not as a home based business. Based on the information that was provided by Mr. Thompson and the concerns expressed by the neighborhood, the Planning Commission recommended denial of the IUP for William Thompson, doing business as Wandering

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Cellars, at 18341 Lakeview Point Drive. The request does not meet the requirements of Appendix A, Zoning Code, Section 10-19. All members voted in favor and motion carried.

Staff is seeking direction from City Council for the Planning Commission's IUP denial recommendation.

Ronning stated move to table for further information. Voss stated motion to table, is there a second? **Koller stated I'll second.** Voss asked can you be more specific on what information you're looking for?

Ronning stated I'm curious. I went through these pretty thoroughly. The people that appeared were concerned about toxic waste, this wine thing, the by-product of wine and alcohol production is food for livestock. They're worried about septic contamination, traffic, all the traffic that would come. I don't know. What is it in the ordinance that doesn't allow us to do it? Koller stated it is a Residential area. Ronning stated yeah. Koller stated this isn't just a small home business. Ronning stated it's not that big. 75 cases a year, that's, 75 cases a week is a short week for a liquor store.

Voss stated I guess my question is you're asking to table so you can get more information. Ronning replied yes. Voss asked what information? Ronning stated the motion is to table. Voss stated okay, table to later tonight? Or, postpone it to another meeting? Ronning answered for another meeting. Voss stated okay, it's helpful to direct staff to have more information.

Ronning stated direct staff to, I'd like to know, I think we all should know, what the violations were, what the concerns were that were raised so we know a little bit more about the reason for the request.

Davis stated from what I understand, the denial was made because this does not really fit the definition of a Home Occupation. From the testimony of the residents that appeared, it does look like there would be, perhaps, a change in the character of the neighborhood. It would generate some additional traffic. Generally, we don't have forklifts as part of a home occupation. One of the other factors was that Mr. Thompson indicated that he would not build the house as a residence unless he got the IUP for the home occupation, which indicates that the intent of the structure is for a business use. This is an area that's zoned R-1. So, I'm not really sure if there's any, what information we already have, what we can generate beyond that.

Harrington stated the biggest thing, Tom, they were talking about the traffic and the forklift. They said the road isn't very wide in that area so they were concerned with a forklift running around.

Ronning stated that was a concern at one point but then later on they say that we already have so much traffic with boats and boat trailers. So, it's kind of like, 'We don't like it for this because…but we don't mind the boats.' People get UPS orders every day. I get them a couple times a week. It doesn't cause any traffic problem. So, if we have an obligation to both parties to be fairly thorough in what we're doing, not to just pick one and go with that. I think there's enough missing information that more should be.

Voss stated okay Tom, if this goes onto next Council meeting's agenda, what additional information are you requesting be provided to Council so we can act on it then. You must

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have identified something that's missing. Not whether we agree or disagree with what was talked about but there's information missing. Ronning stated the reasoning I saw, and once again this is to table. Generally there's no discussion on table. The reasoning I saw was, 'We don't want you here.' Not that it's a real hazard or danger or if there's any…Tim was at the meeting. Well, once again, there's not supposed to be discussion on table. I can get with Jack afterwards.

Mundle asked are we under any time constraints if this is tabled? Are we under any time constraints to approve it? Davis stated we have 60 days to act on this. As far as Mr. Thompson goes, we weren't given any information about what his schedules were for this.

Voss asked do we know what the date of application was? Davis stated I don't think he even expressed that. Voss stated no, our 60-day window's based on the date the application was submitted. Davis stated the application was filed in January. I'll have to check to see what the date specifically was though. Vierling advised it certainly would be within the first 60 but we may have to extend under the Statute for the additional 60 days. Voss stated March 3rd is our next meeting so that's within the 60 days. Vierling stated I would think City staff will probably send out an extension notice after this week extending for the additional 60 days so we don't have a default approval.

Harrington stated I know Mr. Thompson said he was leaving the United States to go somewhere for wine making so I don't know if he's around right now or when he's coming back. Voss stated I'm not so worried about that. I'm worried about the legal implications if we don't act. It's approved automatically if we don't act. That's why I want to find out if that 60 days expires before our next Council meeting. Harrington stated I mean the information you need from him, or something.

Voss stated to the motion to table, all in favor say aye. **Harrington, Koller, Ronning, and Mundle-Aye.** Voss asked opposed? **Voss-Nay.** That motion's tabled to the next Council meeting. **Motion passes 4-1 (Voss).** Voss stated Tom, I'd urge you to get with Jack and find out what information you need to make a decision on the application. Ronning stated absolutely.

7.0A.4 Farm Animal Ordinance Request for Amendment

Davis presented the staff report, indicating it relates to Appeal of Farm Animal Ordinance, Brooklyn and Jerolyn Williams, 19715 Tri Oak Circle NE, East Bethel, Minnesota.

At their regular meeting on November 4, 2015, the City Council heard an Administrative appeal from Ms. Jerolyn Williams. Ms. Williams appealed a City Staff decision <u>to not allow</u> 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 <u>platted</u> 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 those lots. The four-acre exception does not apply in this situation.

19715 Tri Oak Circle is a platted lot of two 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 of City Code provides definition for animals, parcels, and platted subdivisions:

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As a result of the appeal, City Council recommended that Mrs. Williams research other City policies and ordinances relating to this matter and bring their findings to City Staff. City staff assessed the Williams efforts but found only two examples of municipal ordinances that relate to miniature horses. The two Cities we found that address this issue are the City of Rosemount and the City of Inver Grove Heights.

The City of Rosemont's regulations, restrictions, would still restrict this application in the City of East Bethel.

The City of Inver Grove Heights would permit it. There would be regulations for structures to house the animal and also for setbacks.

The Planning Commission previously discussed this issue and the consensus at that time was that the lot size of three acres regardless of the size of the horse should remain in effect. It was a discussion item only and no formal recommendation was made to the City Council. The topic was re-introduced to the Planning Commission at their meeting on January 26, 2016 and there was a lengthy discussion as to amending the ordinance to address this particular request. The main concerns expressed by the Planning Commission members were the establishment of the precedence of creating a designer ordinances or revisions that are a reaction to an individual's specific or unique request. After much discussion, the recommendation of the Planning Commission was to keep the Farm Animal Ordinance, Chapter 10, Article V, unchanged in relation to the miniature horse issue.

Unrelated to the request for Ms. Williams appeal, the Planning Commission discussed considering reviewing the section of the Farm Animal Ordinance that addresses the requirement of obtaining an IUP for Youth Organization Projects. The Planning Commission voted 6 to 1 to recommend the Farm Animal Ordinance relating to the keeping of horses remain as written.

Staff is seeking direction on this matter.

Ronning stated I move to accept the request for the miniature horse. Voss asked we already acted on the appeal, correct? I believe we denied the appeal. Vierling advised the appeal was denied previously. I think the issue is whether or not you're going to amend you Code. **Ronning stated move to amend the Code to accommodate the request. I amend my motion.** Voss asked is there a second to that? **Motion fails for lack of a second.**

Voss stated my memory maybe doesn't serve me but I thought we sent this to P&Z to revise the ordinance. Is that what we did after we denied? Davis stated the decision of Council after the appeal was to request Ms. Williams research this issue to see if there were comparable ordinances or if it were addressed by other cities and to meet with City staff and come up with some type of recommendation. We found these two, we sent it back to the Planning Commission for their comments, and the Planning Commission voted 6-1 to leave the ordinance as it is and not change it. Ronning asked did that answer the question?

Voss stated what Council's direction was, and tell me if I'm wrong, but I thought the direction was for these applicants to come up with the information, to assist in revising the ordinance in a manner that it's already been done once. Not to reinvent the wheel. And to assist on guiding an ordinance and bring the ordinance back to Council. Is that?

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Koller stated no. I think we told the woman to research, like Jack said and then see what she could come up with and return to the Planning Commission with that. We didn't actually tell them to change the ordinance yet. Voss stated okay, I thought that was the reason why we had them do it, so we didn't have to draft something up that we don't know about. Consensus was this applicant made sense but we couldn't do it because of the way the ordinance is written.

Ronning stated the reason I moved against is because of the way the ordinance is written and the reasoning for it, for the recommendation. Voss stated well we all denied the application. Ronning asked we did for sure? Davis answered yes. Ronning stated we wouldn't have sent it around for Round Robin just to bring it back for noise. I don't think.

Davis stated we denied the appeal and made the recommendation that research be done to see if this was addressed by any other cities. If there was something comparable or something that did specifically address the miniature horse issue. Our ordinance does not make any distinctions, as we mentioned before, between size or breed. It just says horses. Voss stated correct.

Davis stated this is a very, very unique situation and the recommendation was made that Ms. Williams and her daughter, Brooklyn, research this and get back with City staff to see what they could come up with, to see if it was addressed by any other city. So we did find the one example that would permit it that would be less restrictive than ours. We wanted the Planning Commission's input on this since they had already discussed this once before. We sent it to the Planning Commission and their recommendation was to leave the ordinance as is and as a result of that, we're seeking Council direction on how you want to proceed on the matter going forward.

Voss stated so Tom's motion again was to send this back to P&Z and draft the ordinance? Is that it? Ronning stated I think the ordinance fits it. It's not confined to three acres. There's two exceptions in there and these are living documents. Because it was yesterday, we can't stop tomorrow. Things change. Whenever this was done, numerically, 2 acres works out to the equivalent of 2.9 football fields and this horse, the communities that are less than 2 acres, which are maybe some guidance to look at but they aren't precedence by any means.

Davis stated the issue does not have to go back to P&Z. The reason we had P&Z look at it again is because it's part of the subdivision process, or it relates to subdivisions. I just wanted to get their comments on this, show them what we found, see if they had any further insight into the matter. If the decision is to go forward and revise the ordinance, then it just has to come back to City Council.

Ronning stated the reasoning was the three acres. Would that be correct? Davis stated our ordinance says you cannot keep horses in platted subdivisions on less than three acre lots unless those lots in the subdivision unless 80% of the lots in that subdivision have more than three acres. Then you can obtain an Interim Use Permit. Ronning stated or Paragraph J that says exceptions. Davis stated the acreage requirement is the exception.

Ronning stated no, that's the first part. The J is an additional one. So, the authors of this did not confine it to never consider anything more than three. They put exceptions in there. Now the exceptions are pretty well defined. Youth Development Organizations may apply for an IUP in accordance with Section 10-157. The only requirement they have after that,

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well you're supposed to get rid of the animal when the permit's up, but that you have at least one acre for the animals, plural.

Davis stated but that's a totally unrelated matter. That's something else they discussed and they were talking about maybe changing the ordinance because they felt maybe an IUP wasn't necessary for a 4-H type project that had an end date on it. It relates to somebody who had a project for doing rabbits or something of that nature.

Ronning stated the discussion was everything from it would become a pet and then what would they do with it, etc., etc. I went through that. They spent a lot of time on this. Spent considerable time on it. Good discussion too. But, like I said earlier, we're supposed to consider both parties of something and give them consideration as well. There's enough reason in my mind to make the exception to accommodate the ordinance change to accommodate. And, I know they went on about designer ordinances, was one of the things. But the authors of this left 'holes' in it for three acres. Whether anyone wants to agree or not, that's what they did.

Davis stated I think if we did anything, we would actually have to amend the ordinance to address this particular situation and make that an exception to what's already written. Ronning stated yes and what the other communities have done is define horses not taller than 38 inches as measured to the top of the withers, blah, blah, blah. And all agricultural E, and R-1 zoning districts. Minimum is 1.75. But, like I say, there is no minimum on the exception under J. So they've, there's some inconsistencies there. There's room to consider these.

Davis stated I think it's fairly specific in, here again, things are a lot, open to interpretation. But, it specifically says that there shall be no keeping of horses in a platted subdivision with lots less than three acres. The only exception it gives there is unless the platted subdivision has 80% of the lots within that subdivision of more than three acres. Then you can get an Interim Use Permit. I think that's the crux of the matter here.

Ronning stated that's one of the exceptions. Under those conditions, they don't have to have three acres. That's an exception. The three acres is gone. Under the J, that section is identified as exceptions. They go into means to, you have to have at least one acre. So I'm suggesting that I didn't read any of this from the Planning Commission and with that in mind, I don't know that it's gotten the consideration that, in my mind, is reasonable.

Voss stated well the Planning Commission considered changing the ordinance. They didn't consider this application, they considered changing the ordinance. Council already acted on the application. So that's denied and not even in front of us. What was presented to the Planning Commission was discussion on whether or not the Animal Ordinance should be amended such that it would allow this type of animal in this type of a neighborhood or this type of land use. Ronning stated Mr. Vierling. Voss stated let me finish. And Planning Commission came back with a recommendation to Council not to change it. So, the question posed to us is, what do you want to do now?

Ronning stated move to amend the ordinance. Vierling asked which ordinance to what? Voss asked to allow this use, right? That's the intent? Ronning stated well, that's the result. The intent is, yeah, that's it. Two acres with a definition of what Inver Grove Heights. Voss stated Tom, before we go there, we have a motion on the table. Right? Vierling advised we do. Voss asked do you have it written down exactly what it was?

7.0A.4 Farm Animal Ordinance Request for Amendment

Vierling stated **I don't have a second on it.** Voss stated oh that's right, it failed. Okay, I'm sorry, so there's no motion on the floor. Vierling stated do you want to make a new motion to define this animal as a separate breed or class within the ordinance and then have a separate acreage requirement on that. Or, do you just want them permitted in any use and in any locale? Ronning stated no, what you said the first time. Vierling stated well, we'd have a definition then for a miniature horse as a separate breed of animal to be addressed within the ordinance. And, what would be the acreage limitation, if any, that you would put on its placement?

Voss stated what I would suggest, if that's the direction we're going, is have staff draft up the amendment. If it's just a number on acreage, that can be changed; at a Work Meeting we can discuss it. Get the framework of the amendment and then we can debate whether it's one acre, half acre, 10,000 square feet.

Ronning stated a lot of it is because it's consideration of an animal what, this big? Voss stated but Tom, what we're trying to do is keep this moving and if you want an ordinance amendment, let's make a motion to direct staff to draft the ordinance amendment so we've got the framework in front of us. Because we don't have anything in front of us. We're not going to sit here tonight for three hours and try to draft an ordinance. Ronning agreed and stated no. Voss stated and have that come to the next meeting or whenever's reasonable and then we can work out the details of acres and how big the animal is and everything else. If the intent is to allow this animal, which obviously Council did weeks ago when we denied this and directed this to go forward. So, does that sound reasonable? Ronning stated yes, very reasonable. Voss stated okay.

Ronning stated direct staff to write, what is it, 1-150 through 157. Voss stated whatever the amendment would be. Davis stated I don't know what the sections are but, you know, I think if **the motion's made just to direct staff to prepare an amendment to the ordinance to address the miniature horse issue**, then we'll come up with something. We can either add that, perhaps, to the Work Meeting we're going to have next week or to a subsequent one at your convenience. Voss stated whenever staff can prepare it.

Vierling stated just for staff's edification going forward on the draft, I'm presuming that you would like a definition of an animal of this kind. Ronning stated yes. Vierling stated that is inclusive of other types of members of the near species, such as miniature donkeys, miniature mules. Ronning stated I'm sorry, miniature? Vierling repeated miniature donkeys or burros or things of that nature. How far do you want that definition to go? Do you want us to keep it just to miniature horses? Or, do you want us to go a little bit further in the species and allow other miniature forms of these types of animals?

Voss asked are you guessing there are other types of miniature animals? Or, do you know this? Vierling stated I didn't know there were miniature horses until two months ago. Ronning stated I'm trying, supposed to answer a question and I don't really have the whole answer.

Koller stated this ordinance from the City of Rosemount, exceptions miniature horses, that's it. Voss stated I'd suggest we start there. Vierling stated we'll come up with something and you can work on it at the Work Session. Voss stated okay, that's the motion then. **Koller stated I'll second.** Voss asked any discussion? All in favor to the motion say aye? **All in favor.** Voss asked any opposed? Okay, that motion passes. **Motion passes unanimously.**

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7.0B Economic Development Authority — None.

7.0C Park Commission — None.

7.0D Road Commission — None.

8.0 Department Reports — None.

8.0A Community Development

8.0B Engineer — None.

8.0C City Attorney

8.0D Finance — None.

8.0E Public Works
8.0E.1 Class V 2016 Road Projects

Davis presented the staff report, indicating in 2006, the City began a six-year cycle of gravel road resurfacing for the 16 miles of unpaved roads within our system. The repeat cycle of this work began in 2012 was projected to be completed by 2018. However, with an increase in material and delivery costs and a budget for this item that has remained unchanged since 2007, the current cycle may need to be extended an additional two years for completion. This concern will be addressed during the 2017 Budget discussions.

In 2015, Class V budget funds were used to resurface and apply chloride to Klondike Drive and address local projects on other gravel roads. The recommended roads for 2016 Class V resurfacing are as follows: 199th Avenue and Buchannan Street; Durant Street; Xylite Street and 216th Avenue; and, Zumbrota Street and 219th Avenue.

$35,000 has been budgeted for this project in 2016. The costs for these projects are for material and delivery. The City conducts the grading, compaction and finishing of this material. Prior to the placement of any new Class V material, staff will reclaim the shoulders and reshape the existing road surface.

It is estimated that 3,100 tons of Class V material along with delivery will cost approximately $11 a ton for a total project cost of $34,100. Attached is a map that lists the streets proposed for resurfacing. $35,000 was budgeted for Class V gravel road resurfacing projects in the 2016.

The Road Commission and staff recommend Council approval of 199th Avenue and Buchannan Street; Durant Street; Xylite Street and 216th Avenue; and, Zumbrota Street and 219th Avenue for Class V resurfacing projects in 2016 and authorization to solicit bids for this work.

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8.0E Public Works 8.0E.1 Class V 2016 Road Projects

Ronning stated move to approve the Road Commission recommendation of 199th Avenue and Buchannan Street; Durant Street; Xylite Street and 216th Avenue; and, Zumbrota Street and 219th Avenue for Class V resurfacing. Harrington stated second. Voss asked any discussion? To the motion, all in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

8.0F Fire Department

None.

8.0G City Administrator 8.0G.1 Ice Arena Management Contract

Davis presented the staff report, indicating at the June 3, 2015 meeting, the City Council approved Gibson Management Services as the contractor for East Bethel Ice Arena for the term of August 1, 2015, through July 31, 2016. The term of this contract was for one year with the option of renewal for an additional year pending a satisfactory performance review.

Staff has completed Gibson Management Corporation's performance evaluation and based on benchmarks contained in the contract, the specified requirements have been met. In addition, the Saint Francis Youth Hockey Association has stated 'that the working relationship with Gibson Management has, overall, been much better this year'. There are still pockets of items/communications which can be improved, but the overall interaction and experience between the customers and the management service with arena personnel, scheduling, and facility maintenance has shown continual improvement.

There is no impact on the City's General Fund Levy for this service. All costs are covered by user fees and projections for revenues for 2017 indicate that adequate funds will be available to cover the costs of the operation of the Arena, including the management fee. The management fee for the current contract year is $80,200. Fees for 2016-17 would be $81,000 and those for 2017-2018 would be $83,000 under the proposal.

Staff recommends that Council consider extending Gibson Management Corporation's contract for Ice Arena services for an additional two years. The proposed contract would commence on August 1, 2016, and expire on July 31, 2018.

Mundle stated make a motion to approve extending Gibson Management Corporation's contract for an additional two years commencing August 1, 2016, and to expire on July 31, 2018. Harrington stated I'll second. Voss stated motion has been made and seconded. Discussion?

Koller noted up above it says the contract was for one year with the option of renewal for an additional year. Now we're renewing for two years? Davis stated that would be my recommendation. I would prefer not to go through this every year. It's been difficult getting proposals. Three years may be too long so I would recommend we do it two years so we don't have to go through this exercise on an annual basis.

Voss asked can we still continue to have the performance review? Davis answered absolutely. Voss stated so we're not waiting two years to do a performance review. That will be an annual review? Davis stated that's correct. Voss stated so we'll have an annual review again next year. So, if for some reason they're not meeting up with the contract, we have the ability under contract to terminate? Davis answered with 30 days notice. Both parties do. Voss stated so that was my concern too. I think for as much work as we put into this last year to get this done, I think that work's paid off for everyone. For everyone involved so it's progress. Correct?

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8.0G City Administrator 8.0G.1 Ice Arena Management Contract

Davis stated it has and there have been a number of projects that have been completed. I think the whole process we went through last year was very beneficial and I think we've seen the results of that in this year's performance. Not that it wasn't satisfactory before but I think things are improving there. We've gotten a lot of compliments. Of course, there's still some issues. There's always going to be the issue with the cleanliness of these types of facilities. We contract for cleaning the facility prior to the use every day but sometimes when you have that facility open for four hours and there's two or three games or three or four practice sessions, by the end things cannot be as neat or as nice as when they opened. We're generally working on that and will continue to strive to make improvements to make that a nice and attractive facility and, hopefully, be able to maximize its use. The important thing, there are no City tax dollars that are used for the operation of that Arena and haven't been since 2013. So, that's the goal, to keep that operating with fees paid by the users.

Voss stated I think the challenge's going to be to Gibson, is to continue to show progress. Not rest on laurels. There's some big steps made this past year. So that's words of encouragement.

Ronning stated the stuff I saw when Tim and I were through there with Nate, just the upkeep. Upkeep within any reason was pretty poor. What's in their control and their obligation was pretty poor. Davis stated and I think the time that you saw it, too, was during the period when they were going from ice out to getting the facility ready for the dry floor stuff. So, there weren't any activities going on then. Sometimes it will look worse than others. I think probably from the standpoint of when events are scheduled there, it's been maintained properly.

Davis stated again, you know, there's always going to be issues. Is the facility as clean when they open the doors for whatever activities going on that day as it is when they close? That's something that we will constantly strive to improve on that performance. But, there will be times in the transition phase, if you're in there, that the thing may look like it's not being kept up. But, that's when there are no activities in there and they're doing some work or getting ready to transition from one event to another.

Ronning asked Tim, help me with my memory. Seems to me there was electric fixtures that were questionable? Harrington stated no covers on them. Ronning stated and different things like that. That's not good. Davis stated again, all those things have been addressed. And, you know, those are things that should be attended to and we pointed that out that those things have to be taken care of immediately if those situations arise.

Harrington stated under Future Projects here it says installation of additional speakers in the sound system. I thought, didn't they just do that when they did the boards? They put in a new sound system in there? Or, are they going to do another one? Davis stated no, that's already been taken care of. I think the title of that is Past and Future Projects. Harrington stated okay, it just says Future Projects here. Davis stated this list was prepared before that. Harrington stated okay. I know they put new speakers in there. I was in there two weeks ago and it's loud. The new sound system is loud and the place is clean and it looks good.

Ronning asked how much of, what's our obligation for funding equipment, materials, such like that? If there's any materials needed, is that on us? Davis stated that's our obligation, that's correct. Ronning stated because there have been some concerns and grumbles. It's good to have that out in the, everyone should know it. It seems reasonable. It's our

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8.0G City Administrator

building, we should be, we can have them maintain it with our supplies.

8.0G.1 Ice Arena Management Contract

Harrington stated I'd just like to bring up one comment. Our old boards did look good on TV last Saturday in Duluth at the outdoor hockey thing. That was the old boards from the Ice Arena. Ronning asked did they clean them up? Harrington stated well, they had a lot of, I can't think of the word right now, but they had them kind of covered up. Davis stated with advertising. Harrington stated with advertising, that's right. Yeah, a lot of advertising. But they look good. They actually look pretty good. Voss stated good. Any further discussion? To the motion to approve the recommendation, all in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

Mundle stated just a question. At the last meeting, they brought up that there could be some open skating on weekends. Has that been scheduled yet? Davis stated there was an open skating that was Sunday from 7 p.m. to 9 p.m. The rest of the schedule is full and there's nothing available other than the weekly times that we've set aside on Wednesday from noon to 2. Mundle stated okay.

Voss stated they must be getting pretty close to the end of the High School season. Davis stated they will be. In fact, there's about two more weeks of ice in and then it will be taken out. Forest Lake has already signed the contract for dry floor rental for lacrosse and we're working with Blaine to try to get some of their lacrosse stuff up here too.

8.0G.2 Feb. 24, 2016 Work Meeting

Davis presented the staff report, indicating at the January 20, 2016, City Council Meeting, staff was directed to develop a report for the upgrade of the City video recording and rebroadcast equipment for the February 24, 2016 Work Meeting. Staff will have a representative from EPA Audio Visual to present their proposal for a system upgrade. EPA Audio Visual provided the low quote for this service in response to the City's request to vendors for pricing for this project.

In addition to this agenda item, staff proposes that Council add a presentation from CST, a distributor of mulch and bagged salt products located in Elk River, outlining their plans to relocate in the City. CST would be available to answer questions and provide additional information regarding their products, operation of their facility, and company profile. Their plans are to locate in an area that is currently zoned light industrial.

The Roads Commission has reviewed their proposal and made recommendations relating to dedication of right-of-way for a future service road. The proposal for their re-location to East Bethel will be presented to the EDA for comment and information and the Site Plan Review to the Planning Commission for their recommendation to City Council

Their proposed location meets zoning requirements but they will need to submit a Site Plan Review for approval to both the Planning Commission and the Council before they could move forward with any building activities. It is anticipated that this would be brought before Council at the April 6, 2016, Meeting.

Staff requests that Council add the CST presentation to the February 24, 2016, Work Meeting.

8.0G.2 Feb. 24, 2016

Ronning stated move to add the CST presentation to the February 24th Work Meeting. Harrington stated I'll second that. Voss asked any discussion? We're also going to talk

Work Meeting

about the audio visual as well, right? Davis stated correct. Voss asked any other discussion? Mundle stated well, what time, 7 o'clock? Voss stated I'm fine with 7. Ronning stated you probably have the time conflicts, whatever works for you. Voss stated mine are date conflicts. So, this date is always on my calendar. Davis stated at the previous meeting we had set 6 for the time but if you want to set it at 7. Voss stated I'm fine with 6 too. Mundle stated that will be fine. I was just questioning what time. 6 o'clock would be just as fine. Voss stated **6 o'clock**, okay. Any more discussion? Hearing none, all in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

9.0 Other

9.0A Staff Reports

Set Finance Committee Meeting Date

Davis stated the only thing I have under Staff Reports is members of the Finance Committee, would like to schedule a meeting at your convenience within the next three to four weeks. So, if you could be thinking of some dates and times that's convenient for you to meet, just let me know and we'll get that on the agenda.

Voss asked within the next three weeks? Davis stated or four. If we could do it by the end of March, that stretches it out to six weeks. Whatever dates that you can work out that's not too much of a disruption in your schedule. And, we're available at any time you want to meet. Whether it's night or afternoon or whatever.

Voss stated okay, Jack I would suggest that you throw out a date and time. To me, early morning works best. Davis asked and what time works best for you Ron? Koller stated afternoon. Voss asked late afternoon? Koller stated late is better. Voss stated that's fine with me too. Davis stated I'll just send out some proposed dates to you in an e-mail and we'll see what works. Voss asked 3 o'clock, does that work? Koller stated that's fine. I get home by 1. Voss stated oh, okay, so 3 o'clock's fine. Just send out some dates and I'll tell you whether I think I'll be in town or not. I never know. Davis stated I'll send those out tomorrow and you can see what works best for the both of you. Voss stated all right. Davis stated that's all I have. Voss asked anything else? Davis responded no.

9.0B Council Report – Member Mundle

Mundle stated I went to both of the Water Management Organization meetings and will cover Sunrise River first where we had our Work Meeting and discussed it. Columbus did bring up making a change to the JPA to change the percentage split for billing purposes. I said East Bethel would like them to remain the same and that was the end of the discussion. There wasn't any more. The audit was voted on and it was approved to send to BWSR.

Sunrise River WMO Report

Mundle stated and where we have carp barriers, we were updated on them. With the last update, we had said that they were passed the completion date and building up liquidated damages. Now they are finished to the point that liquidated damages will no longer apply. There is some, still a little bit of work to do right before ice out but they're substantially completed. They provided us with some pictures. *(Several photographs were displayed for the Council's review.)* Here you have the outlet of Martin Lake. You can see on those two pictures and there's three more, two more pictures, if Jack can find them, or just scroll down. If you keep scrolling, there's the north inlet. Voss stated I assume the yellow posts aren't going to stop any carp. Mundle stated I'm guessing not unless they're very large.

Mundle stated there you do see a walkway that will be not open for the public. There will be signs posted to 'No Fishing,' etc. There's the Typo Lake outlet. Voss asked do you know how much that cost? Mundle stated I want to say it was around $390,000. Voss asked $390,000? $400,000? Mundle stated almost. The majority of that was grant funded. Koller stated that was, the engineering requirements for it. It's not like the old days when

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you just use the fence post and chicken wire. Now they have to be all engineered, designed, cement, steel. Voss stated good work. Koller stated it's a lot of money. Voss agreed and stated it's a ton of money. Mundle stated so that was good news on the carp barriers.

Upper Rum River WMO Report

Mundle stated with the Upper Rum River Water Management Organization, we had a special meeting this last Monday to start the Work Plan with MSA. We discussed where to get public input, what organizations we can get it from. We reviewed some of the Plan and gave comments. Another special meeting to work on the Work Plan was set for April 4th at Oak Grove City Hall. That's it.

Council Member Koller

Roads Commission Report

Koller stated I attended the Roads Commission. They took care of the election of the Chair and Co-Chair person, which remained the same. We went over the financial information for the Roads Commission and that came up partially with your Class V, how much we can spend there. They interviewed two applicants for the Roads Commission seats. I thought we were supposed to vote on them tonight, but apparently not. Davis stated we did, they were on the Consent Agenda. Koller stated okay, that's taken care of then.

Koller stated and we just updated on the Service Road and the CST plans for a road through their property, if that all goes through. And, worked on the plans for Sauter's Commercial Second Addition. That's about it.

Council Member Ronning Parks Comm. Report

Ronning stated the Parks Commission installed their officers and members, went through the financial report, that's most of it, I think.

Council Member Harrington

Fundraisers

Harrington stated the Coon Lake Improvement Association Fishing Tournament this weekend is cancelled. Ice conditions, they're kind of concerned about that. The Empty Bowl fundraiser, March 10th at St. Pat's, beneficiary for the NACE Food Shelf. That's from 5 to 7:30.

Sandhill Crane Grant

Harrington stated Jack and I will have a meeting March 2nd on the Sandhill Crane grant. I guess we're going to get together and find out if there's any money available. Voss asked are the Committees getting together? Harrington answered yes. It's been over a year or two. It's been a year? Or two? Davis answered a little over a year since they've had a meeting. Harrington stated so we're going to see if there's any money available, what they're going to do.

Civil Service Siren

Harrington stated my last one for Jack, that civil defense siren, where are they at on that? Is that going to be replaced? We're getting close to spring here. Davis stated it's going to be replaced. The insurance companies are working out the details between the League and the driver's insurance. So, that will be replaced within the next 30 days. Harrington stated okay, because I know we're getting close to spring and the storm season. Davis stated and the estimated cost of replacement is approximately $20,000. Voss stated that's more than twice, I think, that what we paid to have it installed the first time. Harrington stated that's all I have.

Mayor Voss

Voss stated the siren thing, I was going to ask about the siren. So with that, I don't have anything to report.

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9.0C Other — None.

10.0 Adjourn — **Mundle stated make a motion to adjourn. Harrington stated I'll second.** Voss asked any discussion? All in favor? **All in favor.** Voss asked opposed? Hearing none, that motion passes. **Motion passes unanimously.**

Meeting adjourned at 8:39 p.m.

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

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CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2016-12

RESOLUTION DESIGNATING SURPLUS PROPERTY

WHEREAS, the City of East Bethel owns and operates a fleet of trucks and equipment for the purposes of maintaining its city streets and parks; and

WHEREAS, the City of East Bethel has adopted a plan for the replacement of trucks and equipment; and

WHEREAS, the 2009 John Deere 997 mower has come to the end of its useful service life as a reliable and dependable piece of equipment; and

WHEREAS, the City Council of East Bethel has approved the purchase of replacement equipment pursuant to the Equipment Replacement Schedule; and

WHEREAS, the City of East Bethel has been offered a $5,000 in trade allowance for 2009 John Deere 997 mower.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the 2009 John Deere 997 mower is hereby declared as surplus property and direction to dispose of the property is hereby authorized.

Adopted this 2nd day of March, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Steven R. Voss, Mayor

ATTEST:

_____

Jack Davis, City Administrator

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2016-13

RESOLUTION DESIGNATING SURPLUS PROPERTY

WHEREAS, the City of East Bethel owns and operates a fleet of trucks and equipment for the purposes of maintaining its city streets and parks; and

WHEREAS, the City of East Bethel has adopted a plan for the replacement of trucks and equipment; and

WHEREAS, the 2010 John Deere 920A mower has come to the end of its useful service life as a reliable and dependable piece of equipment; and

WHEREAS, the City Council of East Bethel has approved the purchase of replacement equipment pursuant to the Equipment Replacement Schedule; and

WHEREAS, the City of East Bethel has been offered a $3,500 in trade allowance for 2010 John Deere 920A mower.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the 2010 John Deere 920A mower is hereby declared as surplus property and direction to dispose of the property is hereby authorized.

Adopted this 2nd day of March, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Steven R. Voss, Mayor

ATTEST:

_____

Jack Davis, City Administrator

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2016-14

RESOLUTION DESIGNATING APRIL 23rd, 2016 ARBOR DAY

WHEREAS, Arbor Day has been an occasion for recognizing the value of trees and woodlands to human welfare since 1872; and

WHEREAS, trees in our city increase property values, provide shade and wind barriers that conserve energy, provide habitat for wildlife, enhance the economic vitality of our business areas and create beautiful landscapes in our parks to make our community even more livable; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, we gratefully acknowledge the vision of leaders past who gave us the gift of the trees we enjoy today; and

WHEREAS, Arbor Day is an opportunity for us to plant and maintain trees for the future, and we urge all of our citizens to plant trees, celebrate Arbor Day and support efforts to protect our trees and urban forest.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: April 23, 2016 be recognized as Arbor Day in the City of East Bethel.

Adopted this 2nd day of March, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Steven R. Voss, Mayor

ATTEST:

_____

Jack Davis, City Administrator

City of East Bethel
City Council
Agenda Information

* * * *

The Planning Commission unanimously approved the variance request at their February 23, 2016 Meeting.

Attachments:

1.) Site Plan
2.) Aerial Map
3.) MN State Statute 394.27
4.) February 23, 2016 Minutes

* *

Fiscal Impact:

* *

Recommendation(s):

The Planning Commission recommends City Council approve a variance requests for 19303 East Front Blvd NE with a 5' building setback from the north property line and a 53' setback from the OHW mark on the east side of the property.

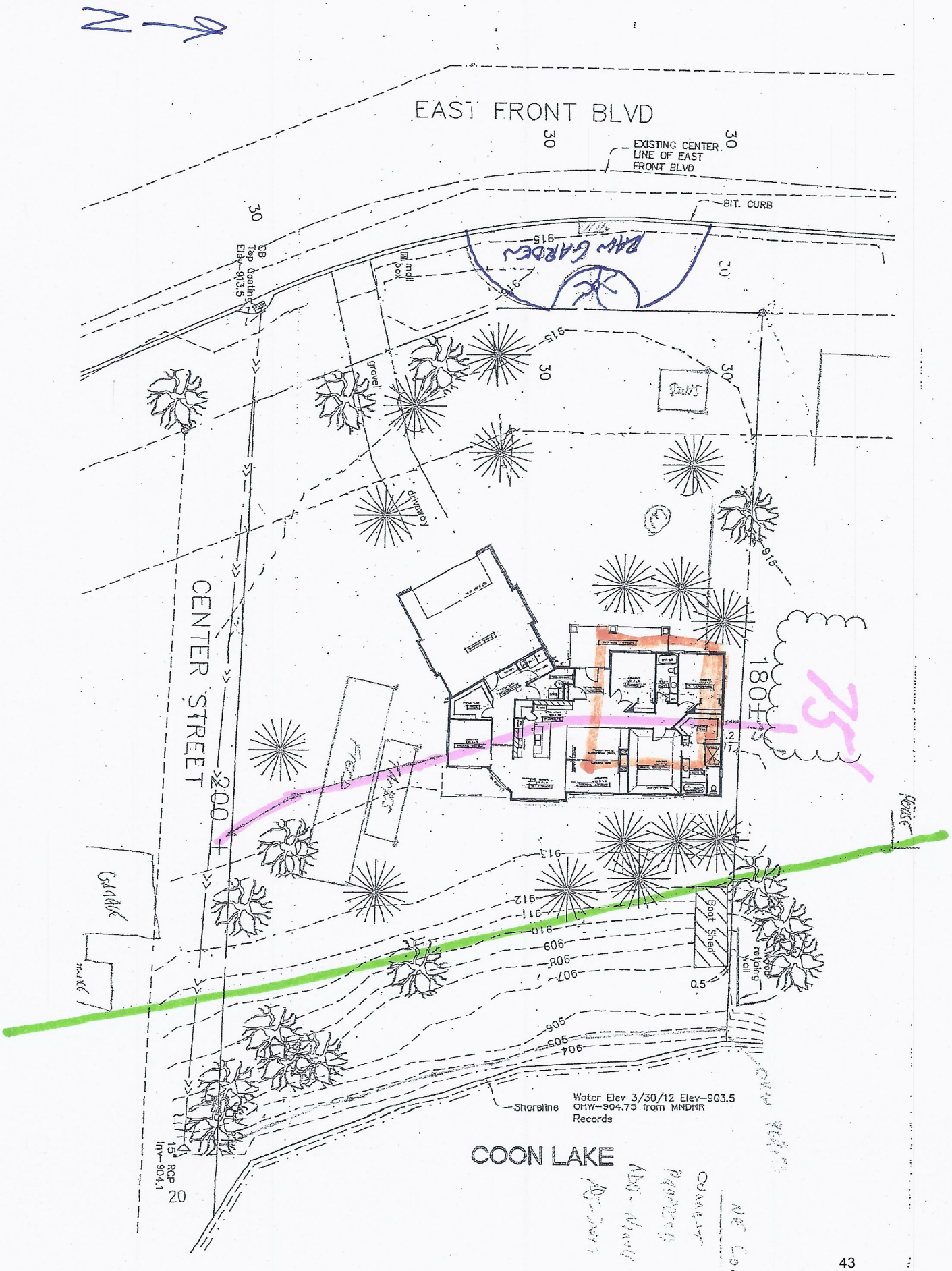
* *

City Council Action:

Motion by: _____ Second by: _____

Vote Yes: _____ Vote No: _____

No Action Required: _____


EAST FRONT BLVD
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Shoreline
Water Elev 3/30/12 Elev-903.5 OHW-904.75 from MNDNR Records
COON LAKE
15" RCP Inv-904.1
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20
915
913
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911
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19303 East Front Blvd NE

1 in = 94 ft

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February 18, 2016

Map Powered by DataLink
from WSB & Associates

Excerpt from MN State Statute – 394.27

Subd. 7. **Variances; practical difficulties.**

The board of adjustment shall have the exclusive power to order the issuance of variances from the requirements of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the official control. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the official controls. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

EAST BETHEL PLANNING COMMISSION MEETING
February 23, 2016

The Planning Commission met on February 23, 2016 at 7:00 pm at East Bethel City Hall.

MEMBERS PRESENT:	Randy Plaisance, Chair	Lorraine Bonin	Glenn Terry
	Sherry Allenspach	Eldon Holmes	

ABSENT: Tanner Balfany

ALSO PRESENT: Colleen Winter, Community Development Director
Jack Davis, City Administrator

1. Call to Order — Mr. Plaisance called the meeting to order at 7:00 pm.

2. Adopt Agenda — **Mr. Holmes moved and Ms. Allenspach seconded to approve the agenda as presented. Motion carried.**

3. Approval of Minutes — **Mr. Holmes moved and Ms. Bonin seconded to approve the November 17, 2016 minutes as written, the January 26, 2016 minutes as amended by Mr. Terry, and the February 1, 2016 minutes as written. Motion carried.**

4. Public Hearing Variance request

Property Owner/Applicant:
Valhalla Properties, Steven and Lisa Voss
19262 East Front Blvd NE, East Bethel, MN 55092

Property Location:
19303 East Front Blvd
PIN 25-33-23-13-0030
Coon Lake East Front Lots 27 & 28 Coon Lk E. Front incl

Variance request – Side yard setback request (north side).
Variance request – Lakeside, ordinary high water request (east side).

Mr. Plaisance opened the public hearing at 7:05 pm. Hearing no comments, Mr. Plaisance closed the public hearing at 7:06 pm.

Requested Action: Consider approving two variances for the construction of a single family home. 5 feet from the north property line, for a variance request of 5 feet from the normal 10 foot side yard setback, and 53 feet from the east property line for a variance request of 22 feet from the normal 75 foot ordinary high water setback.

Background Information: Steve and Linda Voss are proposing to demolish an existing cabin and build a new single family home on a lot that is .55 acres in size. The proposed new home is being designed to work with the existing lot to preserve as many trees as possible and minimize the amount of excavation that has to be completed on the property. The septic system for this property is

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located to the south of the existing cabin and was replaced in 2012 and designed to accommodate the proposed future home. The existing cabin is setback 6.2 feet from the north property line and has a deck that is located within 52 feet of the ordinary high water (OHW) line, east property line. The Voss's are asking for two variances. They would like to place the house 5 feet from the north property line and 53 feet from the OHW. Under the Shoreland Management ordinance Section 57-8-C-2 there is a provision that states where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered with an approved variance to conform to the adjoining setbacks from the ordinary high water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. This building site is not in an impact or bluff zone and the property to the north is approximately 32 feet away from OHW, and the property to the south is approximately 67 feet away from OHW. The request was forwarded to the MNDNR and they did not have any comments regarding the variance.

Mr. Voss shared with the Commission that he and his wife purchased the property across the street from their home in 2012 for future estate planning with the intent of eventually building a retirement home on Coon Lake. This lot is very special because it is wider than most Coon Lake lots, it has a sand shoreline which is rare around the lake, it has the original cabin built in the 1930's, which he and his wife updated and winterized when they bought the property, and has several very large white pines with trunks exceeding 30" diameter. Their desire for their new home is to work with the existing lot as much as possible, maximizing the existing layout of trees and topography with minimal impact to both. They are planning a modest single level home with no basement.

Ms. Winter confirmed that neither the neighbors to the south nor to the north have problems with the requested variances, and that the DNR had no comment nor requests.

Mr. Terry moved and Mr. Holmes seconded to recommend approval of the variance requests as proposed for location of a new single family home at 19303 East Front Blvd NE. The requests will allow the applicants to keep many trees and minimize the grading required to construct a new home. The keeping of the trees and the minimal grading helps maintain the lakeshore and complies with preserving shoreland aesthetics, preserves historic values, prevents bank slumping, fixes nutrients, protects fish and wildlife habitat, and prevents erosion into public waters, according to the MPCA's Best Management Practices. Further, the variance requests meet the practical difficulty test as outlined in MN State Statute 394.27-7. Motion carried.

5. Public Hearing Preliminary Plat

Preliminary Plat – Sauter's Commercial Park 2nd Addition
Property Owner: T & G Land Inc.,/Tom Sauter
Address: 1052 189th St. NE, East Bethel, MN 55011
PIN: 32-33-23-22-0002
Zoning: Light Industrial

Applicable City of East Bethel Code Sections: Chapter 66 Subdivisions; Appendix A, Zoning – Section 48, Light Industrial

Mr. Plaisance opened the public hearing at 7:17 pm. Hearing no comments, Mr. Plaisance closed the public hearing at 7:17 pm.

Requested Action: Preliminary Plat approval

Background Information: At the January 26, 2016 Planning Commission meeting a Concept Plan for Sauter Commercial Park 2nd Addition was approved. Before you is the Preliminary Plat of Sauter Commercial Park 2nd Addition. This is a public hearing. At this time Mr. Sauter is proposing to plat only two lots and an Outlot.

Comments:

1. All required documents as outlined in our Subdivision Ordinance Chapter 66, Article III have been submitted and are in the review and comment period.
2. The Applicant submitted a Joint Application form for Activities affecting Water resources and there will be no impact to existing wetlands. A wetland delineation was completed.
3. A portion of Lot 1, Block 1 is located in the floodplain and the applicant has been advised to complete a Letter of Map amendment and submit it to FEMA as the boundaries of the FEMA map do not accurately depict the floodplain.
4. Lot 1, Block 2 will remain a single family residence at this time
5. Mr. Sauter has agreed to dedicate the right of way for the City of East Bethel to complete the extension of a Service Road (Buchanan St and 189th)

The intention for the roadway is to be installed this summer.

Mr. Holmes moved and Ms. Bonin seconded to recommend approval of the Preliminary Plat. Motion carried.

6.0 CST Distribution Concept Plan

Proposed Business Relocation to 237th Ave. and Hwy. 65 – CST Distribution, LLC

Applicable Code Sections: Appendix A, Zoning, Light Industrial and Section 4, Article 12. Other

Requested Action: Review and comment on the proposed relocation of CST to East Bethel

Background Information: CST Distribution, LLC, and CST Transportation, Inc., are owned by Chad & Megan Toft. CST Distribution, LLC is a Wholesale Distributor of Softener Salt, Mulch, Ice Melt, Firewood,
Washer Fluid and Bottled Water and also a Contract Packager of primarily Mulch and Soils.

CST Transportation, Inc. is a Local/Regional Transport Trucking Company, specializing in forklift mounted flatbed trucks, with occasional over the road capabilities. Customers include Menards, Home Depot, Cub Foods, and SuperAmerica stores among others.

CST is proposing to construct up to a 32,000 sq. ft. warehouse/office facility and a 10,000 sq. ft. bagging plant. The property is the Mike Wyatt property at 237th and Hwy 65, which is a 40 acre parcel. The mulch will be stored and dyed outside during the winter months. By June the majority of the mulch piles and pallets are gone. They do not process trees into mulch but the material is shipped in, dyed and bagged on site.

CST's proposed business use as a production, distribution and warehouse facility is consistent with the zoning for the site at 237th Ave. and Hwy. 65. City Code Appendix A, Zoning, Section 4, Article 12, requires a site plan review prior to the issuance of any building permits to ensure safe, functional and attractive development. This plan will be submitted to the Planning Commission and the City Council for approval. Tonight's discussion is a preliminary discussion and the formal site plan will be submitted to the Planning Commission at the regular meeting in March for approval.

Staff has met with the owners of CST Distribution, LLC and discussed with them the requirements of a formal site plan review. City staff has also toured their facilities in Rogers and Elk River. Staff has made them aware of the following:

- Visual Impact upon the immediate neighborhood and the need to provide adequate screening.
- Environmental Issues including but not limited to groundwater drawdown, treatment of dying effluent, stormwater runoff, noise, odors, control of site debris.
- Traffic Issues relating to truck impact on 237th Ave, entrance locations and potential stacking issues, peak traffic concerns, need for by-pass lanes or need for right in right outs. Need for review and approval by Anoka County Highway Department

The Site Plan process does cover the issues as stated along with signage, lighting, and landscaping. A formal site plan review does not require a public hearing, however the Roads Commission and EDA have also reviewed this project and will be submitting their recommendations to the City Council.

It was asked if there will be a service road along Hwy 65. No, the service road will be a continuation of Davenport on the property at this time. If the property to the north is developed, then the service road will continue north. Access points will be determined by Anoka County. Ms. Winter reviewed and explained the concept plan.

Mr. Plaisance asked if there will be a problem with trucks crossing the service road.

There are two known wetlands on the property so a Joint application affecting waterways will need to be completed and reviewed by the respective agencies. All proper permits for water appropriations will need to be obtained from the MPCA and MNDNR.

At this time it is unknown how runoff is treated or whether the runoff can be reused, exactly what the daily truck count will be, and if there is a risk to the groundwater supply. Ms. Winter will check if there has been any evidence of water table problems at the Rogers or Elk River locations.

Mulch is delivered in bulk to the site, no mulch is made at the site. Mr. Holmes voiced concern about odors. He has heard complaints about bad smells coming from the current mulch company in East Bethel.

Ms. Bonin asked if there would be traffic on 237th. Yes, there would be traffic.

Troy Strecker, 23673 Baltimore St NE, East Bethel made a comment in the audience and was asked to come to the microphone and state his name, address, and to repeat what he said. Mr. Strecker stated the intersection on 237th by the gas station and liquor store is already a dangerous intersection, and that he too has concerns about smell. Mulch is wood and wet wood smells. Anyone living in the neighborhood knows there is a definite wind tunnel that blows across that property into the neighborhood to the south, thus the wind tunnel probably would carry the smell into the neighborhood.

Other audience members starting asking questions at which time Mr. Plaisance stated this was not a public hearing and asked audience members to attend tomorrow night's City Council work meeting so they could be heard. Some commissioners stated they thought the audience members should be heard tonight in case they could not make the City Council work meeting. Mr. Plaisance put it to vote whether the commissioners wished to open up the floor to the audience. Vote: 3-yes, 2-no, 1-abstain.

Mr. Plaisance opened up the floor for audience comments and requested all speakers approach the microphone, and to state their name and address for the record.

Andrew Mycka, 23554 Goodhue St NE, East Bethel stated many residents have questions because they had not heard of this business relocation until now.

Dennis Anlauf, 590 Alaska Look, Cambridge introduced himself as the owner of the convenience store and liquor store located west of the proposed property. Mr. Anlauf understands both sides of the land use, however, he himself is neutral on the relocation.

David Landis, 1747 237th Ave NE, East Bethel lives east of the proposed location. Mr. Landis stated he is opposed to CST moving into this location. He believes it will be a death nell to property values and will be detrimental to

other businesses wanting to be located next to it. He stated Mr. Davis said at last night's EDA meeting that five other cities turned down this business relocation; he was curious why? Mr. Davis clarified that he did not make that statement, but that he said he had heard rumors about other cities turning away this business but there was no verification of the names of the City or any reasons provided as to any decisions relating to a relocation .

Mr. Davis reiterated that the City Council work meeting is the place to bring such comments and questions, as CST Distribution Concept Plan is on the agenda.

Rita Biljau, 23600 Goodhue St NE, East Bethel clarified that there will be more information regarding any environmental issues after the various studies are done. Ms. Winter stated that was correct.

Kathryn Morris Echols, 23615 Goodhue St NE, East Bethel lives across from the property. She has three major concerns 1) East Bethel already has a mulch company in the area that has smell complaints, what is this company providing to the City? 2) Allowing this business at the proposed location will set the tone for future businesses in the area. 3) If CST uses 30,000-40,000 gallons of water at its Rogers and Elk River locations which are smaller than the proposed site, will usage be 3x that amount at a larger site, along with 3x the noise, and 3x the number of environmental issues, etc.?

Glen Thies 2124 233rd Ave NE, East Bethel is a long-time resident. In 2004 there was a residential development of 45 homes. Since the addition of those homes, he has seen degradation to his water. Will this business cause draw down on the water table and degradation of the aquafers? Is it possible to put this business on City sewer and water?

Mr. Landis asked Ms. Winter to read the proposed hours of operation. Ms. Winter read the information provided by CST. Mr. Landis noted the possibility of business being conducted from 4:30 am to 9:00 pm.

Michael Biljau, 23600 Goodhue St NE, East Bethel asked where the water goes after it is used?

Mathew Echols, 23615 Goodhue St NE, East Bethel asked how tall the stock piles will be and why can't the business tie into the City sewer and water? Ms. Allenspach stated the sewer and water lines do not run that far north.

Mr. Plaisance closed the open floor at 8:04 pm. He thanked the audience for their comments and questions and asked that they attend the City Council work meeting on 2/24 at 6:00 pm.

The Commission consensus was that visual impact, traffic issues, and environmental issues all need to be addressed.

7. Superstreet Update

Background: The Roads Commission and City Council have focused their previous meetings on gathering information on Reduced Conflict/Superstreet Intersections as an option to address issues on Hwy. 65 locations at Viking Boulevard, 187th Lane and 181st Avenue.
During these meetings the Commission and Council have received presentations from MN DOT, the Federal Highway Administration and the Anoka County Highway Department that have outlined how this type of design has performed in Minnesota, Texas and North Carolina. The discussions reviewed the advantages and disadvantages of this type of design and how it would apply at our particular locations.

Based on previous information presented to the Council and Roads Commission, traffic counts on Hwy. 65 and Viking Boulevard and crash data do not support the justification of a separated grade interchange at this location for the foreseeable future. While the priority for consideration of a separated grade interchange is low relative to criteria used for evaluation, this intersection is one of the worst on the Hwy 65 Corridor in terms of its efficiency to move both in-line and cross traffic during peak hours. Future development around and growth north of this intersection will generate additional traffic and require up-grades to improve and enhance the movement of the vehicle load at this location and along Hwy. 65.

In order to address the problems at this intersection, interim solutions are being considered that would improve the functionality until such time that warrants are met to justify a separated grade interchange. As an option, MN DOT has presented a reduced conflict intersection design as a potential solution for the concerns at this intersection

In the final analysis the reduced conflict intersection design may be the most practical solution to correcting the problems at Viking Boulevard and Hwy. 65, the City is still seeking more information on this type of design as to accessibility to businesses, impact on total traffic flow and highway safety.

The Roads Commission has discussed this concept at length at their December 8, 2015 and January 12, 2016 meetings. After an involved discussion of the matter at the January 12, 2016 meeting and by Motion of Dan Nowack, second by Kathy Paavola and the unanimous vote of the members, the Roads Commission recommended that City Council consider moving forward with the MN DOT proposal to further investigate upgrading the intersection at Viking Blvd to a Super Street design and to include the Hwy. 65 segment from 181st Avenue to Sims Road for possible Reduced Conflict Intersections as part of the project.

The City Council at their January 20, 2016 meeting voted to endorse the Roads Commission's recommendation and forward a request to MN DOT to conduct a Reduced Conflict Intersection Study for Hwy. 65 between 181st Avenue and Sims Road.

Mr. Davis showed various slides of reduced conflict intersection designs and

how the intersections work, along with a draft drawing for Viking Blvd./Hwy 65. He noted that this project has not yet been endorsed by the City Council, but that it is being looked at and considered as one option.

Ms. Allenspach stated that many people take different routes so that they do not have to deal with the Viking Blvd./Hwy 65 intersection.

This is a MN DOT project, so City costs would be minimal. MN DOT would like support from the City on this project.

More information on this project will be available at the Town Hall meeting.

8. City Council Report

Mr. Harrington, City Council liaison reported:

The Sauter Commercial Park 2nd Addition concept plan has been approved.

A conditional use permit (CUP) was approved for the Barn Goddesses. Ponds of Hidden Prairie will be an event venue.

City Council renewed the ice arena contract with Gibson Management Corporation for two more years.

City Council renewed the city attorney contract for five more years.

Ronald Stanley is retiring from the Fire Department after 30 years of service.

9. Other Business

Ms. Winter provided the January 2016 Piwik Analysis and noted that city staff will be meeting on 2/24 to discuss changes to the City website.

10. Adjourn

Ms. Allenspach moved and Mr. Terry seconded to adjourn at 8:45 pm. Motion carried.

Respectfully submitted,

Gail Gessner, Recording Secretary
Submitted 2/24/16

DRAFT

City of East Bethel
City Council
Agenda Information

* *

Date:
March 2, 2016

* *

Agenda Item Number:
7.0 A.2

* *

Agenda Item:
Preliminary Plat – Sauter's Commercial Park 2nd Addition, T&G Land Inc., /Tom Sauter
1052 189th St NE East Bethel MN 55011
PIN: 32-33-23-22-0002

* *

Requested Action:
Preliminary Plat approval

* *

Background Information:
The Planning Commission conducted a public hearing at their February 23, 2016 meeting to review a preliminary plat for T&G Land Inc., Sauter Commercial Park 2nd Addition. The plat includes two lots and an Out-lot. Along with the requirements as set forth in East Bethel Code of Ordinances, Chapter 66, Mr. Sauter submitted a Joint Application Form for Activities Affecting Water resources and completed wetland delineation has been completed and indicates no impact to existing wetlands. A portion of Lot 1, Block 1 is located in the floodplain and the applicant has been required to complete a Letter of Map Amendment to be submitted to FEMA to accurately define the area within the flood boundary.

This property is zoned Light Industrial. Lot 1, Block 2 will remain a single family residence at this time. Mr. Sauter has agreed to dedicate the right of way, as depicted on the plat, to the City of East Bethel.

Attachments:

1.) Preliminary Plate
2.) Location Map
3.) City Engineer's Plat Review Comments

* *

Fiscal Impact:
None at this time

* *

Recommendation(s):
The Planning Commission recommends City Council consider approval of the Preliminary Plat for Sauter's Commercial Park 2nd Addition, subject to the following conditions:

1. All required documents must comply with Chapter 66, Subdivisions, East Bethel Code of Ordinances.
2. Completion of Letter of Map Amendment

3. Meet requirements as outlined in City Engineers Review letter (Attachment 3)

* * * *

PRELIMINARY PLAT OF:

SAUTER'S COMMERCIAL PARK SECOND ADDITION

OWNER/DEVELOPER:
T & G LAND, INC.
6651 141ST AVENUE NW
RAMSEY, MN 55303

EXISTING PROPERTY DESCRIPTION:

The Northwest Quarter of the Northwest Quarter of Section 32, Township 33, Range 23, except that part platted as SAUTER'S COMMERCIAL PARK, Anoka County, Minnesota.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 8/4/15 and 8/24/15.
- Bearings shown are on Anoka County datum.
- This survey was prepared using Title Commitment T16-01055, issued by Registered Abstracters, Inc. as agent for First American Title Insurance Company. Commitment is dated effective January 22, 2016 at 8:00 a.m.
- Wetland delineation by Jacobson Environmental. Ph. (612) 802-6619.
- BENCHMARK: MNDOT Geodetic DENN MNDT. Elevation = 899.14 (NAVD 88)
- Parcel ID No. 32-33-23-22-0002.
- Surveyed premises shown on this survey map is in Flood Zones A and X according to Flood Insurance Rate Map Community No. 270674, Panel No. 0215, Suffix E by the Federal Emergency Management Agency, effective date December 16, 2015. The approximate boundary of Flood Zone A is shown on the survey.

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES EXISTING CONTOURS
- DENOTES SANITARY SEWER MANHOLE
- DENOTES HYDRANT
- DENOTES POWER POLE AND OVERHEAD WIRES
- DENOTES GUY WIRE
- DENOTES FENCE
- DENOTES WELL
- DENOTES GRAVEL SURFACE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER ANOKA COUNTY TAX INFORMATION)

AREAS:

Total existing property area = 1,736,261 sq. ft. (39.86 acres)

Proposed Lot 1, Block 1 = 377,223 sq. ft. (8.66 acres)
Proposed Lot 1, Block 2 = 139,200 sq. ft. (3.20 acres)
Proposed Outlot A = 1,100,247 sq. ft. (25.26 acres)
Proposed right-of-way = 119,591 (2.75 acres)

ZONING AND SETBACKS:

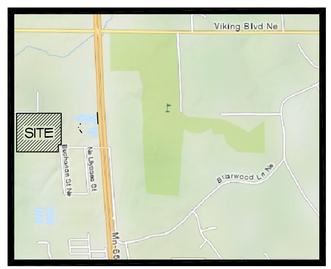
Property is currenty zoned R-2 (Single Family & Townhome Residential)
Proposed re-zoning to I (Light Industrial) with sewer and water.

Lot Standards for Light Industrial:
Minimum area = 1 acre
Minimum lot width = 150 feet
Minimum buildable area = 23,000 sq. ft.

Light Industrial biulding setbacks:
Front
Local/collector street = 40 feet
Arterial street = 50 feet
State/County Hwy = 100 feet
Side = 10 feet
Rear = 25 feet (60 feet abutting residential district)

VICINITY MAP

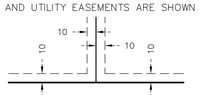
PART OF SEC. 32, TWP. 33, RNG. 23



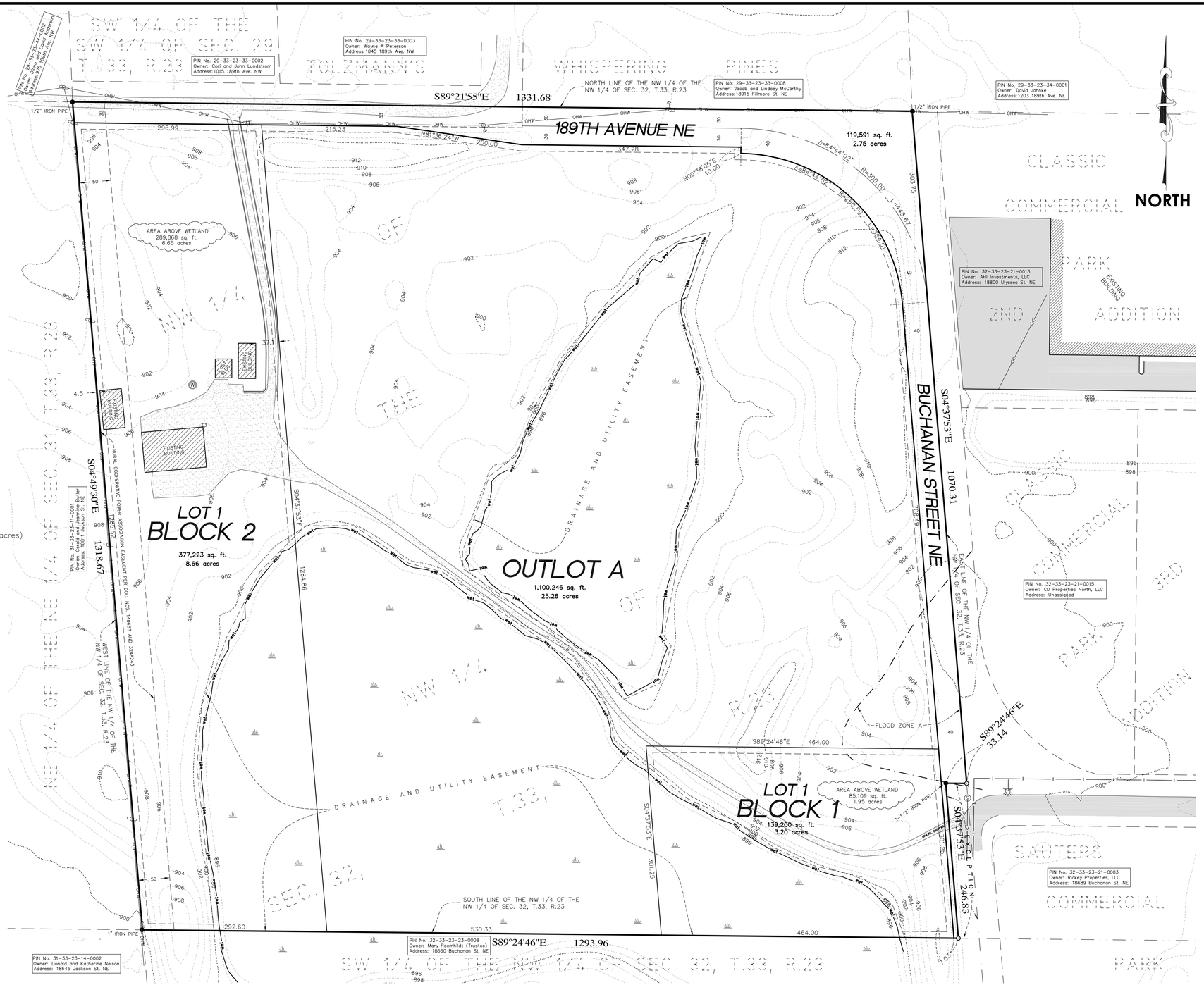
ANOKA COUNTY, MINNESOTA
(NO SCALE)

DRAINAGE AND UTILITY EASEMENTS:

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH, AND ADJOINING ALL LOT LINES AND RIGHT OF WAY LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD

Date: 2/12/2016 License No. 41578

GRAPHIC SCALE

80 0 40 80 160 320

(IN FEET)
1 inch = 80 ft.

DRAWN BY: BAB	JOB NO: 15499BT	DATE: 1/18/16	
CHECK BY: JER	SCANNED ☐		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

E. G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701
www.egrud.com

15499BT

1052 189th Ave NE

Parcel Information

1 in = 376 ft

PIN: 323323220002
Acres: 39.31

Owner Name: T & G LAND INC
Address1: 6651 141ST AVENUE NW
Addres 2: EAST BETHEL, MN 55011

Site Address1: 1052 189TH AVE NE
Site Addres 2: EAT BETHEL, MN 55011-9523
Zoning: R-2
Shoreland: null
Legal: THE NW1/4 OF THE NW1/4 OF SEC 32 T33 R23; EX PRT PLATTED AS SAUTERS COMMERCIAL PARK; ALSO EX RD; SUBJ TO EASE OF REC

N

© WSB &

January 20, 2016

Map Powered by DataLink
from WSB & Associates

February 24, 2016

Colleen Winter, Community Development Director
City of East Bethel
2241 - 221st Avenue N.E.
East Bethel, MN 55011

RE: Preliminary Plat Review – Sauter's Commercial Park Second Addition

Dear Colleen:

As requested we have reviewed the information submitted for the above referenced property. The following items were submitted for review:

1. Certificate of Survey (1 Sheet), dated February, 2016 prepared by E.G. Rud and Sons, Inc.
2. Preliminary Plat (1 Sheet), dated February 12, 2016, prepared by E.G. Rud and Sons, Inc.

We offer the following comments:

1. Provide a 10 foot Drainage and Utility Easement along the entire perimeter of Outlot A.
2. Show the normal and 100 year flood elevations on the existing ponds/wetlands. The Drainage and Utility easements shall be provided to the 100 year flood elevations.
3. The reverse curve on 189th Avenue needs 300 foot radiuses and a minimum 100 foot tangent. Revise the centerline and right-of-way as necessary.
4. Add the widths of all existing streets and street right of ways within 500 feet of the plat and street names.
5. Provide relative age and condition on tree inventory.
6. Add the current abutting property zoning designation to the plat.
7. Show the required wetland buffers and wetland setbacks on the plat.
8. Remove the existing driveway from the easement on Lot 1 of Block 2.
9. The City is currently designing the frontage road system along Buchanan Street and 189th Avenue. Temporary easements may be needed to construct the road.
10. Each lot will need to meet all current city and state stormwater requirements for water quality and rate control. Provide a narrative regarding what is planned for stormwater control for this property. Regional ponding, outlets needed on service road, etc.?

If you have any questions please call me at 763-852-0485.

Sincerely,
Hakanson Anderson

Craig J. Jochum, City Engineer

cc: Jack Davis, City Administrator
Mark DuCharme, Fire Chief
Nate Ayshford, Public Works Manager
Mark Vierling, City Attorney
Jason Rud, E.G. Rud & Sons

City of East Bethel
City Council Meeting
Agenda Information

* *

Date:
March 3, 2016

* *

Agenda Item Number:
Item 7.0 A.3

* *

Agenda Item:
Planning Commission Report

* *

Requested Action:
Information Item

* *

Background Information:

The Planning Commissions reviewed the relocation proposal of CST, a producer and distributer of wood mulch and packager and distributor of water softener salt at their February 23, 2016 Meeting. CST is considering a relocation to East Bethel on a 40 acre site at 237th Ave. and Hwy. 65. The company has 55 employees with the potential to expand 70 within 3 years.

This was not a Public Hearing but residents in attendance were allowed and encouraged to express their concerns regarding this issue.

The Planning Commission discussed the following major topics as brought forth by City Staff and expressed by those who spoke at the meeting;

- From a City perspective the amount of land we have available for industrial sites is limited. We have one contiguous zone on the east side of Hwy. 65 between 237th and 245th Ave that contains 308 acres of developable land. There are approximately 25 other parcels ranging in size between 1.5 to 18 acres of undeveloped light industrial zoned property throughout the remainder of the Corridor. With only this amount of industrially zoned land, it is essential that we attempt to maximize the number of jobs per acre to achieve our growth goals. CST's proposal would generate approximately 1 to 1.25 jobs per acre. Normally, it is reasonable to expect 5 to 10 jobs per acre from manufacturing activities. CST's proposal to initially purchase 40 acres and potentially acquire an additional 20 acres would constitute 20% of the available property within the area that serves as the City's Industrial Park area ;

- Visual Impact upon the immediate neighborhood and the consequences that this influence may have on the future location of other light industrial facilities in the area between 237th and 245th Ave. on the east side of Hwy. 65 needs to be discussed and evaluated.

- Environmental Issues including but not limited to groundwater drawdown, treatment of dying effluent, stormwater runoff, noise, odors, and control of site debris are matters that still have not been thoroughly addressed.

- Traffic Issues relating to truck impact on 237th Ave, entrance locations and potential stacking issues, peak traffic concerns, need for by-pass lanes or need for right in right outs will require additional information.

- Value of the Relocation regarding the number of new jobs, potential for expansion on the site, number of employees that work from the facility, tax revenues and tax valuation of site improvements need to be included in the benefit analysis of the relocation from the City standpoint.

After discussion of this matter, there was no formal recommendation by the Planning but their consensus was that the issues discussed needed to be addressed.

* * * *

City of East Bethel
City Council
Agenda Information

* *

Date:
March 2, 2016

* *

Agenda Item Number:
Item 7.0 B.1

* *

Agenda Item:
MNCAR Expo 2016

* *

Requested Action:
Consider City participation as an exhibitor at the 2016 MNCAR Expo

* *

Background Information:
MNCAR (Minnesota Commercial Association of Realtors) hosts an annual meeting for commercial realtors, vendors and those involved in economic development to discuss to current real estate ventures and issues and support business recruitment contacts and interfacing. Last year there were over 580 people that attended the event and 100 exhibitors with booths to promote and disseminate information on their Cities and firms.

Participation in this event will provide exposure and a marketing presence to real estate professionals and site selectors that have proven track records, technology and networking opportunities that will promote the City of East Bethel in our efforts to attract new business. Involvement in these activities should be an integral part of the City's marketing effort to support the City's economic development goals.

The cost for a rental space to exhibit at the EXPO is $1,000 and as an exhibitor the City would receive the following:

- 8' x 10' display booth at event, with an anticipated attendance of commercial real estate professionals from across Minnesota.
- Recognition in all event print and e-mail promotional materials, including media advertising, distributed to 9,000+ commercial real estate industry professionals.
- Company name recognition on MNCAR website, August - October 2016. Website receives 3,000+ unique visitors monthly.
- Recognition at event on exhibitor banner and expo program.
- Two complimentary event tickets.

Costs for electrical connection or high speed internet at a booth are as follows:

- Electric - $80
- High speed internet - $100
- Wireless connection - $25

The City would need to provide the exhibit booth and marketing and promotional materials. The City exhibit booth would be staffed by EDA members and City Staff.

This event is a one day affair and is scheduled for November 9, 2016.

Attachments:
* *

Fiscal Impact:
As noted above
****

Recommendation:
Staff and the EDA recommend that City Council consider approval to participate in the 2016 MnCAR Expo and that fees up to $3,500 be approved for registration, booth space and preparation of promotional materials for this event. Funds for this activity are included in the 2016 EDA Budget and are appropriate.
* *

Economic Development Authority Action:

Motion by: _____ Second by: _____

Vote Yes: _____ Vote No: _____

No Action Required: _____

City of East Bethel
City Council
Agenda Information

* *

Date:
March 3, 2016
* *

Agenda Item Number:
Item 7.0 B.2
* *

Agenda Item:
EDA Report
* *

Requested Action:
Information Item
* *

Background Information:

The EDA reviewed the re- location proposal of CST, a producer and distributer of wood mulch and packager and distributor of water softener salt at their February 22, 2016 Meeting. CST is considering a relocation to East Bethel on a 40 acre site at 237th Ave. and Hwy. 65. The company has 55 employees with the potential to expand 70 within 3 years.

Concerns relating to the relocation of CST to East Bethel were discussed by the EDA and the following items formed the major topics of question;

- From a City perspective the amount of land we have available for industrial sites is limited. We have one contiguous zone on the east side of Hwy. 65 between 237th and 245th Ave that contains 308 acres of developable land. There are approximately 25 other parcels ranging in size between 1.5 to 18 acres of undeveloped light industrial zoned property throughout the remainder of the Corridor. With only this amount of industrially zoned land, it is essential that we attempt to maximize the number of jobs per acre to achieve our growth goals. CST's proposal would generate approximately 1 to 1.25 jobs per acre. Normally, it is reasonable to expect 5 to 10 jobs per acre from manufacturing activities. CST's proposal to initially purchase 40 acres and potentially acquire an additional 20 acres would constitute 20% of the available property within the area that serves as the City's Industrial Park area ;

- Visual Impact upon the immediate neighborhood and the consequences that this influence may have on the future location of other light industrial facilities in the area between 237th and 245th Ave. on the east side of Hwy. 65 needs to be discussed and evaluated.

- Environmental Issues including but not limited to groundwater drawdown, treatment of dying effluent, stormwater runoff, noise, odors, and control of site debris are matters that still have not been thoroughly addressed.

- Traffic Issues relating to truck impact on 237th Ave, entrance locations and potential stacking issues, peak traffic concerns, need for by-pass lanes or need for right in right outs will require additional information.

- Value of the Relocation regarding the number of new jobs, potential for expansion on the site, number of employees that work from the facility, tax revenues and tax valuation of site

improvements need to be included in the benefit analysis of the relocation from the City standpoint.

After discussion of this matter, the EDA concluded that they needed more information in order to provide any recommendations to City Council.

The EDA also discussed a draft plan that outlines procedures for business retention and recruitment. Minor changes were recommended and the plan will be presented to the EDA for approval at their March 21, 2016 meeting.

* * * *

City of East Bethel
City Council
Agenda Information

* * * *

CST site

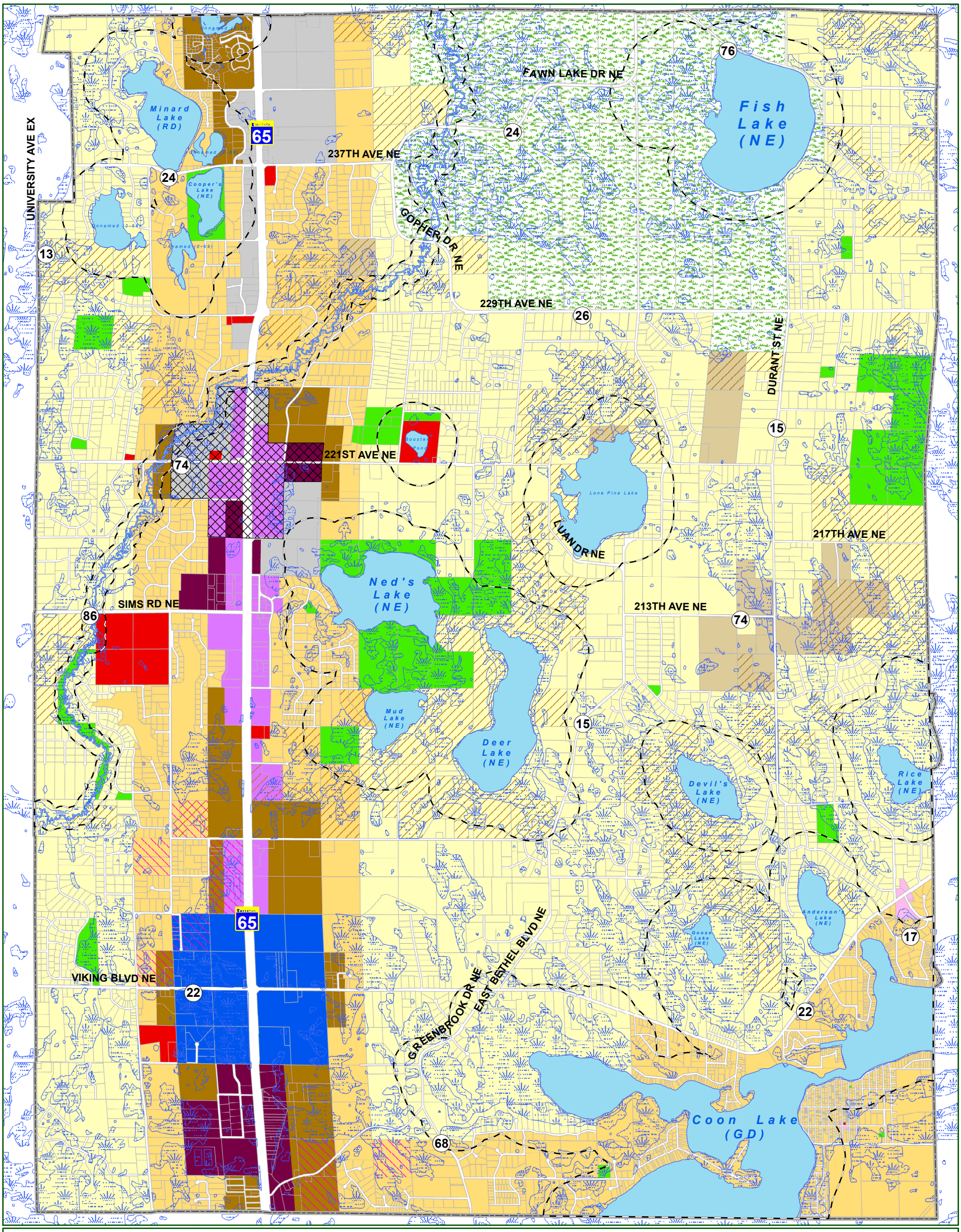
1 in = 376 ft

N

February 5, 2016

Map Powered by DataLink
from WSB & Associates

FUTURE ZONING MAP



Zoning

- AG - Agriculture
- B-1 - Limited Business
- B-2 - Central Business
- B-3 - Highway Business
- I - Light Industrial
- RR - Rural Residential
- R-1 - Single Family Residential
- R-2 - Single Family & Townhome Residential
- CC - City Center District
- Public / Institutional
- Park / Open Space
- Natural Area
- Planned Business District
- Parcel/Lot
- Significant Natural Environment Area Overlay District
- Planned Unit Development
- Wetlands
- City Limits
- Approximate Shoreland Overlay Boundary

N

Map Date: October 26, 2007

0 0.25 0.5 1
Miles

Sources:
Anoka County
East Bethel Planning Department
East Bethel GIS

Figure V - 4

City of East Bethel
City Council
Agenda Information

* *

Date:
March 2, 2016

* *

Agenda Item Number:
Item 8.0 G.1

* *

Agenda Item:
Recycle Grant

* *

Requested Action:
Consider approving 2016 Additional Recycling Funds.

* *

Background Information:
The Anoka County Department of Integrated Waste Management has notified the City that we are eligible to apply for up to $47,185 in additional funds for drop-off, municipal park, and community event recycling programs. These funds are a 100% reimbursable grant, meaning that the City would only be eligible to receive monies actually spent on these activities. No local matching funds are required. Utilizing this additional funding would enhance our current Recycling Program.

In 2015 our recycling tonnage goal was 1,094 tons and we were able to meet 102.933% of our goal. Attachment #2 provides a summary of our recycling report of activities and accomplishments for 2015.

Should the County increase the tonnage requirements for this program, these additional monies, over and above the basic grant, would be beneficial in providing a means to achieve any higher goals that may be imposed.

The City will receive $30,275 from Anoka County in 2016 to operate the City Recycling Center. These funds are separate from the additional grants that are available and are provided on an annual basis.

Attachments:

1.) 2016 Municipal Funding Request
2.) 2015 Recycling Report

****

Fiscal Impact:
This is a reimbursable grant program and 100% of the costs are covered by the grant. The City allocates no funds to City Recycle Program.

* * * *

Anoka County

PARKS & COMMUNITY SERVICES DIVISION

Integrated Waste Management

RECEIVED
JAN 29 2016
BY: KW

Date: January 22, 2016

To: Municipal Recycling Coordinators

From: Sue Doll, Solid Waste Specialist

Regarding: Municipal Contracts for 2016, Funding and Goals

The 2016 Residential Recycling Agreements include a fixed base of $10,000 for each municipality and $5.00 per household. In addition, targeted program funds are available for specific program areas and funds may be used for problem materials and yard waste/organics. The household count is based on the latest population and household estimate available from the Metropolitan Council. This funding allocation is not dependent upon the receipt of the second SCORE allocation. The county will use reserve funds if the second grant payment is not received in the spring of 2016.

The 2016 funding includes enhancement funds for the following program areas:

Full Service Drop-off Recycling Centers – $30,000
Monthly/Quarterly Drop-off Events – $10,000 to $15,000 depending on the number of households*
Park and Community Event Recycling – $1,000 to $3,000 depending on the number of households**
Curbside and Multi-Unit Recycling – $2,000 to $6,000 depending on the number of households***
General Enhancement Grant $1/Household
Organics Collection $1/Household
*Up to 4,999 HH – $10,000 and 5,000 HH and up – $15,000
**Up to 2,000 HH – $1,000; 2001 – 4,999 HH – $2,000 and 5,000 HH and up – $3,000
***Up to 2,000 HH – $2,000; 2001 – 4,999 HH – $4,000 and 5,000 HH and up – $6,000

The contract again includes a change order of up to 10% of your total allocation.

The 2016 municipal recycling goal is 195 pounds per person for single family households (up to 4 units) and 170 pounds per person for multi-unit households (5 units or more). This goal reflects the estimated tonnage needed to assist the county in achieving its recycling goal as established by the State of Minnesota. The goals have been set to reflect the differences between single family and multi-unit housing.

Three copies of the contract have been enclosed for signature by your municipality. Please have **all three** signed and fill in the 2016 Municipal Funding Request – Attachments B and C. Attachment C provides additional space to list how each category selected will be spent. Each contract must have a completed Attachment B and C. Mail **all three** signed copies back to our department and we will obtain remaining signatures. We would like to receive all contracts back by March so that we know what funds may be available for redistribution.

Thank you for your cooperation and efforts to reduce waste and increase the amount of material recycled in our county. Please do not hesitate to contact me if you have any questions regarding this information.

Respectful, Innovative, Fiscally Responsible
1530 Bunker Lake Blvd NW ▲ Andover, MN 55304 ▲ www.anokacounty.us/recycle
Office: 763-323-5730 ▲ Fax: 763-323-5731 ▲ recycle@co.anoka.mn.us
Printed on 30% post consumer recycled paper
Affirmative Action / Equal Opportunity Employer

2016 Funding for Municipal Waste Abatement Programs
Attachment A

Municipality	2016 Base Funding and Goals							2016 Additional Enhancement Funds Available											Total Funds Available for 2016 Base + Enhancement Funds
								Monthly /Quarterly Drop-off Events		Full Service Drop-off Center	Park and Community Event Recycling			Curbside and Multi-Unit Recycling			General Enhancement Grant $1/HH	Organics Grant $1/HH	
	Base Funding: $10,000 + $5.00/HH						Goals: 170 PP MF + 195 PP SF	Up to 4,999 households	5,000 + households		Up to 2,000 households	2,001- 4,999 households	5,000 and up households	Up to 2,000 households	2,001- 4,999 households	5,000 and up households	All municipalities are eligible equally	All municipalities are eligible equally	
	Contract Number	Total Pop	HH	$10,000 Base	$5.00/HH	Total		$10,000	$15,000	$30,000	$1,000	$2,000	$3,000	$2,000	$4,000	$6,000			
East Bethel	C0004701	11,591	4,055	$ 10,000	$ 20,275	$ 30,275	1,124	$ 10,000		$ 30,000		$ 2,000			$ 4,000		$ 4,055	$ 4,055	$ 84,385

2016 Total SCORE Allocation: $ 990,178, LRDG $ 275,636 - $85,907 must be spent on organics
Total funds available include carryover dollars from previous years, as well as unused budgeted contingencey funds
Population and Household Counts are based on 2014 Met Council Estimates
Goals are based on 195 pounds/person/year single family home up to 4 units and 170 pounds/person/year multi-units 5 units or more

2016 Municipal Funding Request
Attachment B

The City of East Bethel is requesting the following funding for their municipal efforts in 2016.

Grant Projects	Eligible Allocations	Amount Requested
Municipal Base Funding Allocation	$30,275.00	$30,275.00
Full Service Drop-off Center Allocation (Staffed or unstaffed)	$30,000.00	$ 30,000.00
Monthly/Quarterly Drop-off Events	$10,000.00	$ 10,000.00
Municipal Park/Community Event Recycling	$2,000.00	$ 2,000.00
Multi-Unit /Curbside Recycling	$4,000.00	$ -
General Enhancement Grant (Additional promotion efforts, staffing,) Insert a description of the efforts being proposed below.	$4,055.00	$ 4,055.00
Source-Separated Compostables/Organics Grant	$4,055.00	$ 1,130.00
Total Amount Eligible Being Requested for 2016	$84,385.00	$* 77,460.00

A description of the efforts being proposed for the General Enhancement Grants.

Staffing, event program costs, and physical improvements to the Recycle Center.

The City of East Bethel requests* $ 77,460.00 for 2016 Municipal Funding.

Date_____

Name_____

Title_____

*these amounts should match and may not exceed eligible allocation total. This amount will be 10% less than the contract maximum for the grant.

Anoka County 2015
Municipal SCORE Reimbursements

Municipality	Total Base Funding Allocation	10% Additional of Amount Available 2015	Grand Total Allocations	Jan-Jun Request	July-Dec Request	Total Reimbursed	Balance Unrequested from Total Base Funding	Balance Unrequested with 10% Additional
Andover	$ 92,200.00	$ 9,220.00	$ 101,420.00	$ 32,568.40	$ 36,945.87	$ 69,514.27	$ 22,685.73	$ 9,220.00
Anoka	$ 65,284.00	$ 6,528.40	$ 71,812.40	$ 25,913.54	$ 26,873.79	$ 52,787.33	$ 12,496.67	$ 6,528.40
Bethel	$ 10,900.00	$ 1,090.00	$ 11,990.00	$ 4,477.02	$ 3,979.59	$ 8,456.61	$ 2,443.39	$ 1,090.00
Blaine	$ 188,093.00	$ 18,809.30	$ 206,902.30	$ -	$ 174,205.61	$ 174,205.61	$ 13,887.39	$ 18,809.30
Centerville	$ 18,685.00	$ 1,868.50	$ 20,553.50	$ 5,945.29	$ 14,605.22	$ 20,550.51		$ 2.99
Circle Pines	$ 26,090.00	$ 2,609.00	$ 28,699.00	$ 18,226.02	$ 10,472.98	$ 28,699.00		$ -
Columbia Heights	$ 93,385.00	$ 9,338.50	$ 102,723.50	$ 47,973.52	$ 48,544.17	$ 96,517.69		$ 6,205.81
Columbus	$ 21,235.00	$ 2,123.50	$ 23,358.50	$ 7,559.83	$ 11,248.07	$ 18,807.90	$ 2,427.10	$ 2,123.50
Coon Rapids	$ 234,370.00	$ 23,437.00	$ 257,807.00	$ 93,426.38	$ 153,562.08	$ 246,988.46		$ 10,818.54
East Bethel	$ 52,312.00	$ 5,231.20	$ 57,543.20	$ 28,661.40	$ 28,881.80	$ 57,543.20		$ -
Fridley	$ 90,472.00	$ 9,047.20	$ 99,519.20	$ 18,964.47	$ 75,904.74	$ 94,869.21		$ 4,649.99
Ham Lake	$ 58,738.00	$ 5,873.80	$ 64,611.80	$ 22,248.53	$ 41,302.14	$ 63,550.67		$ 1,061.13
Hilltop	$ 24,382.00	$ 2,438.20	$ 26,820.20	$ 8,070.31	$ 11,371.88	$ 19,442.19	$ 4,939.81	$ 2,438.20
Lexington	$ 16,740.00	$ 1,674.00	$ 18,414.00	$ 17,012.67	$ 1,401.33	$ 18,414.00		
Lino Lakes	$ 81,674.00	$ 8,167.40	$ 89,841.40	$ 46,166.63	$ 43,674.77	$ 89,841.40		$ -
Linwood	$ 37,384.00	$ 3,738.40	$ 41,122.40	$ 11,332.82	$ 27,759.15	$ 39,091.97		$ 2,030.43
Nowthen	$ 34,353.00	$ 3,435.30	$ 37,788.30	$ 29,620.34	$ 8,167.96	$ 37,788.30		$ -
Oak Grove	$ 40,686.00	$ 4,068.60	$ 44,754.60	$ 24,705.97	$ 20,048.63	$ 44,754.60		$ -
Ramsey	$ 63,835.00	$ 6,383.50	$ 70,218.50	$ 70,218.50	$ -	$ 70,218.50		$ -
Spring Lake Park	$ 43,768.00	$ 4,376.80	$ 48,144.80	$ 27,276.64	$ 20,868.16	$ 48,144.80		$ -
St. Francis	$ 35,969.00	$ 3,596.90	$ 39,565.90	$ 33,464.25	$ 5,876.68	$ 39,340.93		$ 224.97
TOTAL	**$ 1,330,555.00**	**$ 133,055.50**	**$ 1,463,610.50**	**$ 573,832.53**	**$ 765,694.62**	**$ 1,339,527.15**	**$ 58,880.09**	**$ 65,203.26**

02/25/2016

2015 Anoka County Municipal Recycling Report

Population	City/Township	2015 Goal (in tons)	Jan-June Tons Abated	July-Dec Tons Abated	Total	% of Goal Achieved	Pounds per person	Pounds per person per month	HH	#/HH/YR
31,692	Andover	2,996	1,738.91	1,971.95	3,710.86	123.860%	234.18	19.52	10,200	727.62
17,283	Anoka	1,519	636.20	648.55	1,284.74	84.578%	148.67	12.39	7,214	356.18
465	Bethel	44	40.55	-	40.55	92.148%	174.39	14.53	180	450.50
62,018	Blaine	5,795	67.34	0.83	68.17	1.176%	2.20	0.18	22,299	6.11
3,953	Centerville	373	152.25	140.29	292.54	78.430%	148.01	12.33	1,337	437.61
5,014	Circle Pines	472	240.85	237.21	478.05	101.283%	190.69	15.89	2,015	474.50
19,758	Columbia Heights	1,826	901.24	916.70	1,817.94	99.558%	184.02	15.34	8,055	451.38
3,960	Columbus	376	195.40	216.99	412.39	109.678%	208.28	17.36	1,447	569.99
62,684	Coon Rapids	5,835	3,724.54	-	3,724.54	63.831%	118.84	9.90	23,910	311.55
11,588	East Bethel	1,094	501.83	624.26	1,126.09	102.933%	194.35	16.20	4,052	555.82
27,865	Fridley	2,569	1,065.33	-	1,065.33	41.469%	76.46	6.37	11,412	186.70
15,650	Ham Lake	1,475	646.00	722.12	1,368.12	92.754%	174.84	14.57	5,323	514.04
865	Hilltop	76	46.59	48.57	95.16	125.208%	220.02	18.33	397	479.39
2,061	Lexington	191	85.88	45.48	131.36	68.774%	127.47	10.62	790	332.55
20,833	Lino Lakes	1,836	986.90	0.83	987.73	53.798%	94.82	7.90	6,382	309.54
5,223	Linwood	493	174.87	-	174.87	35.471%	66.96	5.58	1,912	182.92
4,537	Nowthen	425	150.61	166.65	317.26	74.650%	139.86	11.65	1,479	429.02
8,210	Oak Grove	778	278.90	-	278.90	35.848%	67.94	5.66	2,781	200.58
24,306	Ramsey	2,291	1,304.97	1,465.28	2,770.25	120.919%	227.95	19.00	8,367	662.18
6,260	Spring Lake Park	582	320.79	331.18	651.96	112.021%	208.30	17.36	2,628	496.17
7,240	St Francis	679	268.75	292.38	561.13	82.640%	155.01	12.92	2,567	437.18
341,465	**TOTAL**	**31,725**	**13,528.70**	**7,829.25**	**21,357.95**	**67.322%**	**125.10**	**10.42**	**124,747**	**8,571.54**

02/25/2016