

City of East Bethel
City Council Agenda
 Regular Council Meeting – 7:00 p.m.
 Date: June 1, 2016



	<u>Item</u>	
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	A. Administrative Hearing
p. 3-11		1. Ryan Brozek - Detached Accessory Structure
		B. Presentations
p. 12-15		1. Auto Mutual Aid - East Bethel Fire Department
7:10 PM	5.0	Public Forum
7:20 PM	6.0	Consent Agenda
		<i>Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration</i>
p. 18-20	A.	Approve Bills
p. 21-28	B.	Meeting Minutes, May 18, 2016 City Council Meeting
p. 29	C.	Resolution 2016-24 Accepting Donation from Chops, Inc.
p. 30-31	D.	Acknowledgement of Certificate of Appreciation from Heading Home Anoka
p. 32-33	E.	Approve East Bethel Seniors' Application to Conduct Excluded Bingo for Booster Day
p. 34	F.	Resolution 2016-25 Declaring 2003 F-550 Surplus Property
p. 35-38	G.	Approve Purchase of Light Duty Truck, Box, and Snowplow
	H.	Approve Hope Chest for Breast Cancer's Application to Conduct a Raffle at Hidden Haven Golf Club
		New Business
7:25 PM	7.0	Commission, Association and Task Force Reports
	A.	Planning Commission
p. 39-48	1.	IUP – Farm Animals, 20856 Kissel ST NE
p. 49-57	2.	IUP – Farm Animals, 2630 196th Ave NE
p. 58-64	3.	IUP – Private Kennel, 2630 196th Ave NE
p. 65-78	4.	Administrative Subdivision Ordinance Amendment
	B.	Economic Development Authority
	C.	Park Commission
	D.	Road Commission
7:35 PM	8.0	Department Reports
	A.	Community Development
	B.	City Engineer
	C.	City Attorney

p. 79

- D. Finance
 - 1. 2017 Budget Meeting
- E. Public Works
- F. Fire Department
- G. City Administrator

7:45 PM

9.0

Other

- A. Staff Report
- B. Council Reports
- C. Other
- D. Closed Session; Minn. Stat. § 13D.03, subd. 1 (b), Union Negotiations, and Attorney Client Privilege, Minn. Stat. § 13D.05, subd. 3, PID # 29-33-23-34-0001 and 29-33-23-33-0002

8:00 PM

10.0

Adjourn



City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

Item 4.0 A

Agenda Item:

Administrative Hearing, Denial of a Building Permit - Ryan Brozek,

Requested Action:

Conduct an Administrative Hearing for Ryan Brozek as provided in Section 2-590, City Code of East Bethel (See Attachment 7).

Background Information:

Mr. Brozek applied for a building permit to construct a 2,400 SF detached accessory structure on his 3.5 acre lot, zoned Rural Residential, located at 19820 Naples St NE. City Code, Appendix A, Zoning, Section 14, allows these type of structures up 2,400 SF on this size parcel. The Code also provides these structures must be of similar design and finished with building materials similar to the principal structure and shall not be used as a residentially occupied space, independent residence or dwelling unit, either temporarily or permanently.

Mr. Brozek submitted plans for the proposed detached accessory structure that featured floor trusses designed for a second story and included full length dormers on both sides of the structure. This design provides a potential habitable space and is in conflict with City Code, Appendix A, Zoning, Section 14-2, General Regulations (J, (H)):

J. *"The structure must not be designed or used for human habitation and must not contain sewage treatment facilities".*

K. *"No cellar, garage, tent, or accessory building shall be at any time be used as a residentially occupied space, independent residence or dwelling unit, either temporarily or permanently".*

Mr. Brozek's request for a building permit was denied for the following reasons:

- The design exceeds the square footage allowed for accessory structures when the full second floor area is added to the area of the first floor footprint of the structure, Section 14-4.
- Mr. Brozek is seeking a permit to construct a detached accessory structure that features a full second story, complete with a floors that meet live and dead loads for habitable use, full height walls and dormers that run the length of the proposed structure. This design provides the opportunity to utilize this space for uses other than storage and is in conflict with the Code Sections cited above, Section 14-2.

Detached accessory structures have been approved with storage areas that are part of a roof truss system designed for this purpose (See Attachment 3). These designs do not allow the potential for any use other than storage.

Mr. Brozek is proposing to build an accessory building with a second floor (See Attachment 4). It is evident by the design that this space could potentially be used for or converted to a bonus room, apartment or other habitable use at some point in time or by a future owner and is not a storage area incorporated in a roof truss system.

Attachments:

- Attachment 1- Appeal Letter
- Attachment 2 – Letter of denial from the City
- Attachment 3 – Roof truss example
- Attachment 4 – Proposed accessory building cross section, floor plan and elevation
- Attachment 5 – Location map
- Attachment 6 – City Code, Appendix A, Zoning, Section 14-2, General Regulations
- Attachment 7 – City Code, Chapter 2, Administration, Article X, Section 2 -590

Fiscal Impact:

Recommendation(s):

Staff recommends that the City Council conduct an Administrative Hearing for Mr. Ryan Brozek, 19820 Naples St NE, and upon conclusion of the Hearing provide direction to Staff relating to the administrative decision to deny this building permit.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

ATTACHMENT 1

05/13/2016

From: Ryan J. Brozek

19820 Naples St. NE
East Bethel, MN 55011

To: Mr. Jack Davis

City Administrator
2241 221st Ave. NE
East Bethel, MN 55011

Dear Mr. Davis:

I am requesting an administrative appeal hearing before the East Bethel City Council to address the denial of my application for a detached accessory structure. The denial was based on the Building Officials' interpretation of Appendix A, Section 14, General Regulations, Section J of the City of East Bethel Zoning Code. If you need any additional information feel free to contact me @ 763-479-9326 or my dad – Jeff Brozek @ 763-421-8583.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Brozek', with a long horizontal flourish extending to the right.

Ryan J. Brozek



East Bethel Community Development

2241 221st Ave NE | East Bethel, MN 55011
Phone: (763) 367-7844 | Fax: (763) 434-9578

ATTACHMENT 2

May 13, 2016

Mr. Ryan Brozek
19820 Naples St NE
East Bethel MN 55011

Dear Ryan:

An application for a detached Accessory Structure was submitted on April 7, 2016. It was rejected because the design showed floor trusses and a second level. It was also rejected based on the wall height for the first floor being 14 feet, 7 ½ inches. Detached Accessory Structure side wall height cannot exceed 14 feet. The application was denied by Steve Lutmer, City of East Bethel Building Inspector.

You and Jeff Brozek stopped in our offices on April 14, 2016 and met with Nick Schmitz, our Building Official. Mr. Schmitz had reviewed the plans that were originally submitted and agreed with Steve Lutmer's interpretation that the plans show a second floor and the sidewall height was over 14 feet.

A second set of plans were submitted on April 15, 2016. These plans show the first floor side wall height of being 14 feet. However a second floor that is designed with floor trusses is not allowed per our Zoning Code. While we understand that you only want to use the second floor for storage, by the way it is designed, it could be used for human habitation. The denial was based on our interpretation of the City of East Bethel Zoning Code, Appendix A, Section 14, General Regulations, Section J. A copy of which is attached for your information.

I have met with Jeff Brozek twice on this issue and after speaking with both the Building Inspector and Building Official, I concur with Staff's decision. Therefore your original application that was submitted on April 7, 2016 and your subsequent application that was submitted on April 15, 2016 are both denied.

If you do not agree with Staff's decision on this matter, you have the option of going through the Administrative appeal process, which I have attached to this letter for your review.

Please let me know if you have any additional questions. Thank you Ryan and have a nice day.

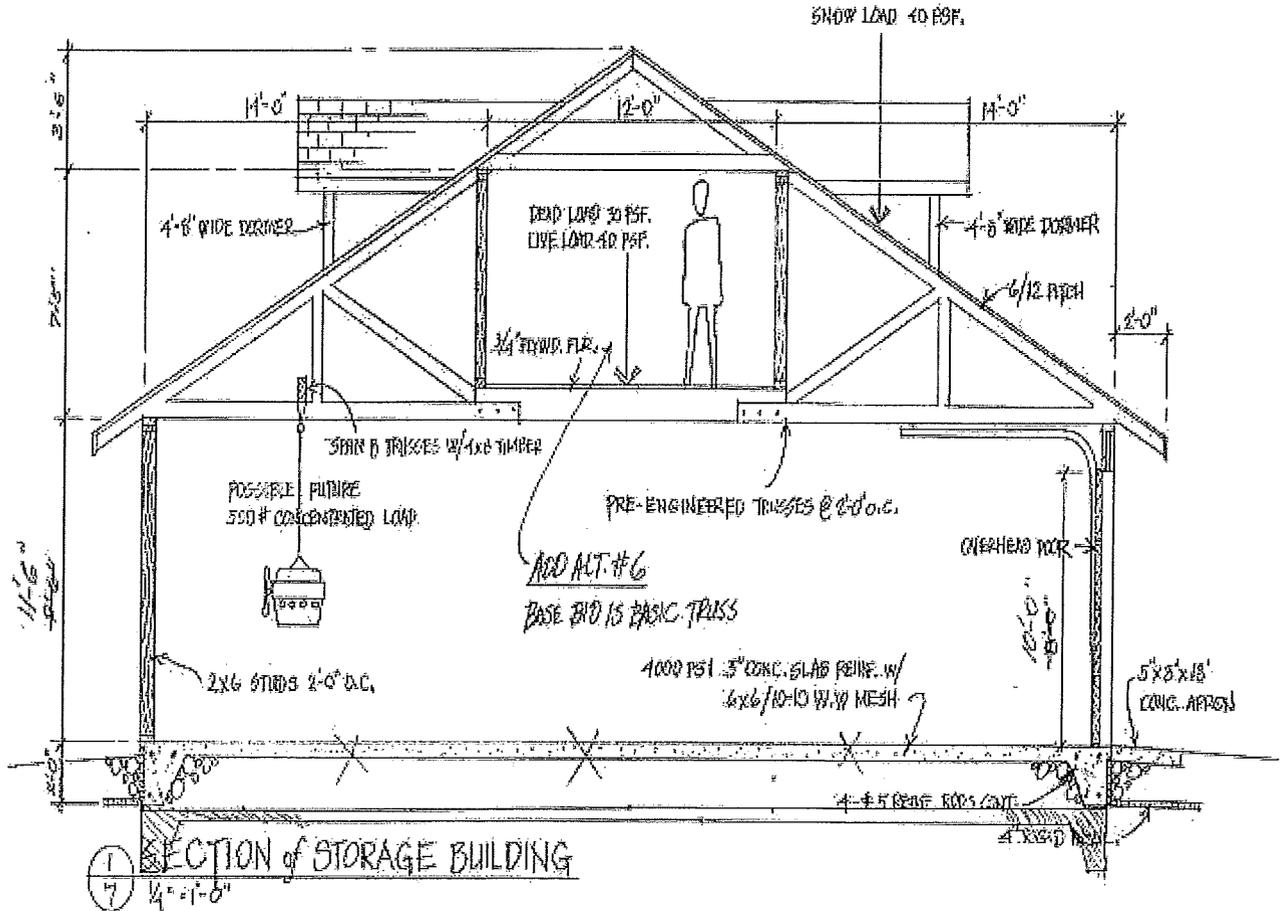
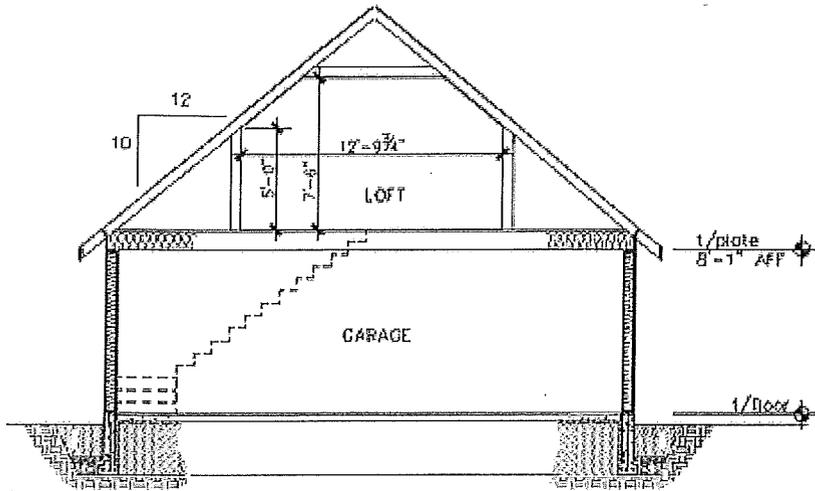
Sincerely,

A handwritten signature in black ink, appearing to read "Colleen J Winter".

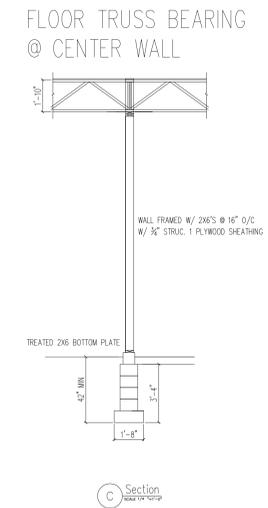
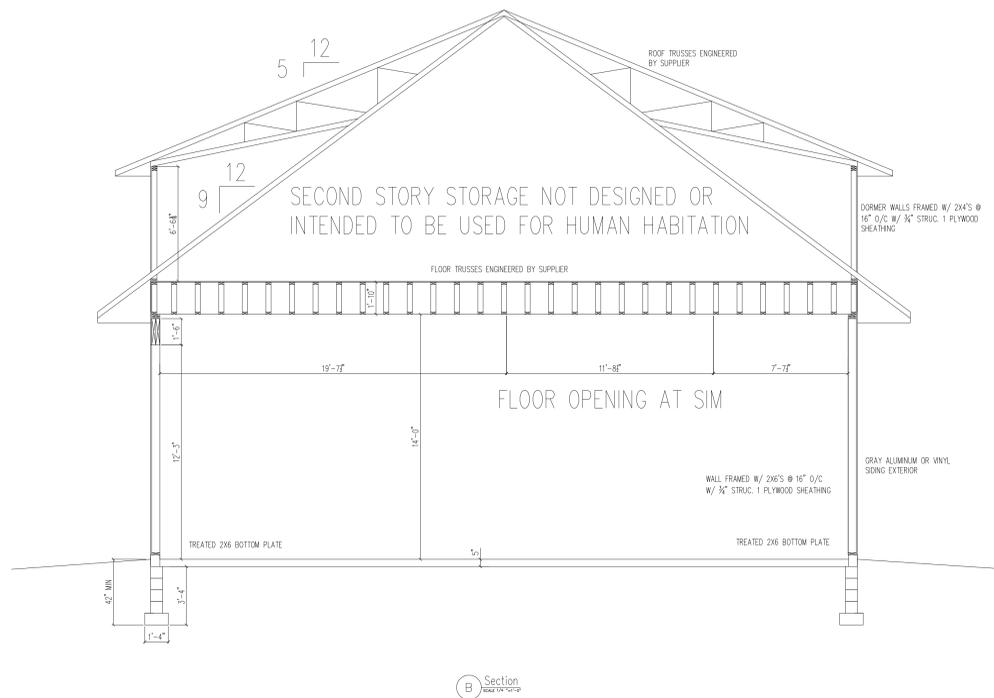
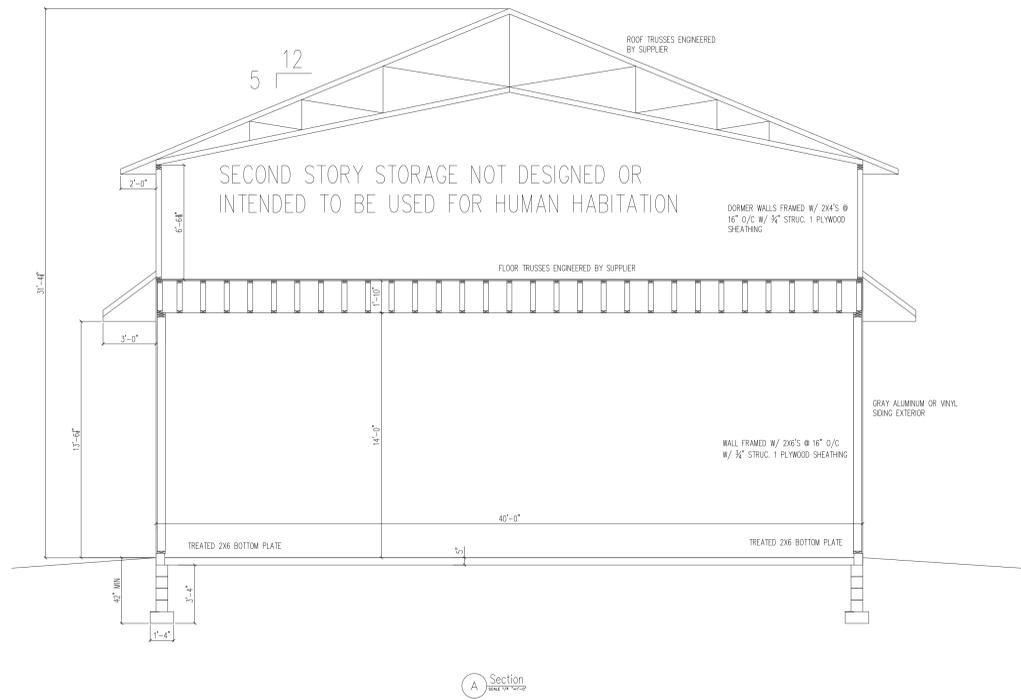
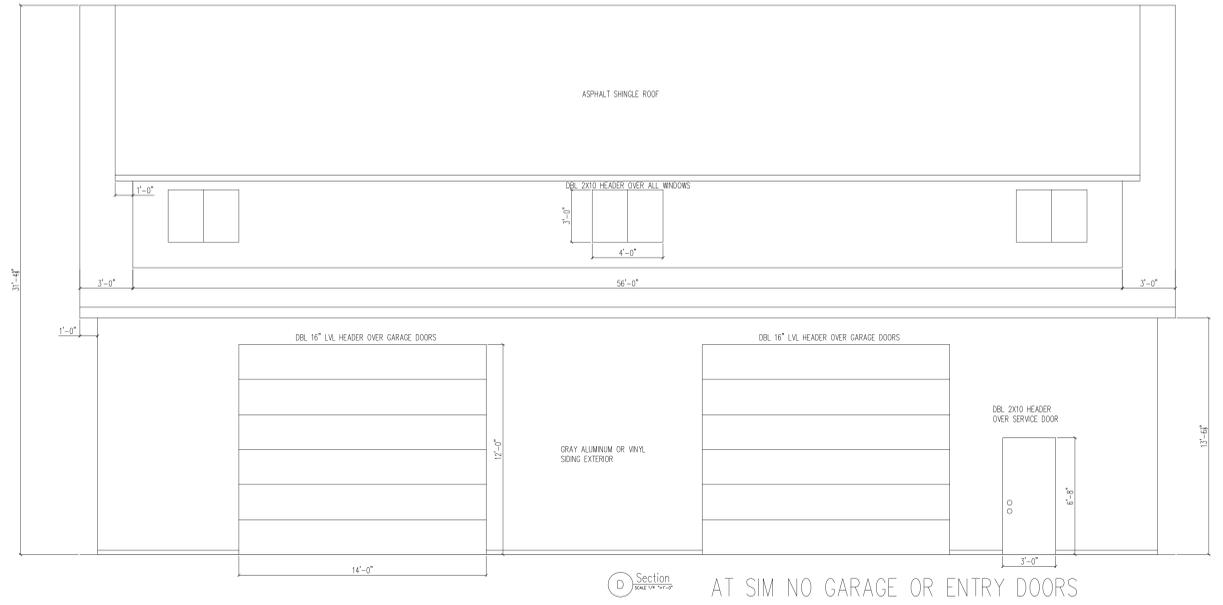
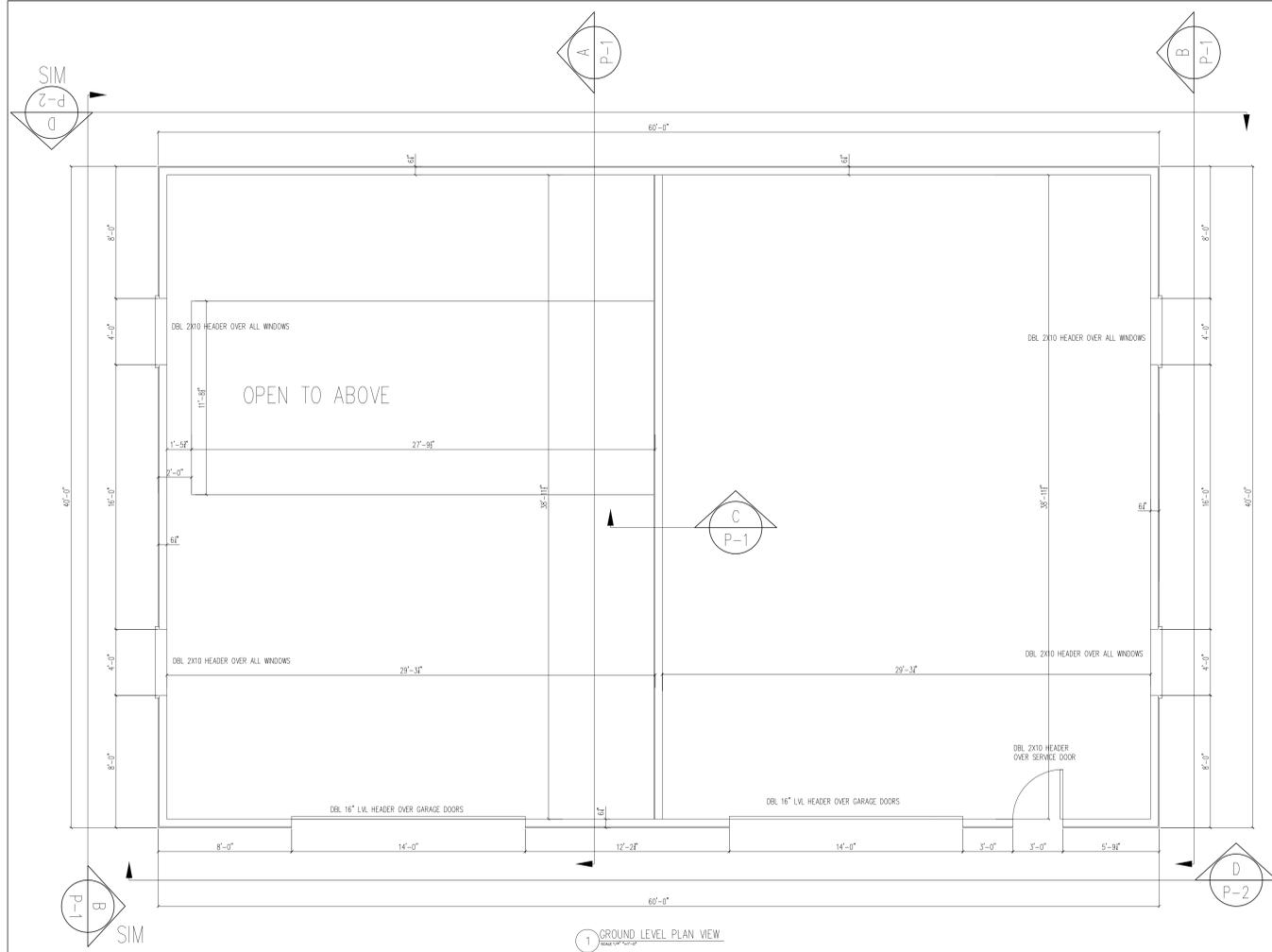
Colleen J Winter
Community Development Director

/attachments

ATTACHMENT 3



ATTACHMENT 4



DATE	ISSUE
4-16-16	SET 1
4-12-16	SET 2
4-23-16	SET 3
5-13-16	SET 4

PROJECT: STORAGE BUILDING
 LOCATION: EAST BETHEL
 ARCHITECT: BROZEK
 CONTRACTOR: BROZEK

CONTRACT NUMBER
1

DRAWN BY
BROZEK

DATE
5-13-16

DRAWING SCALE
1/4"=1'-0"

SHEET TITLE
STORAGE BUILDING
DRAWING
PLAN & ELEVATIONS

SHEET NUMBER
P-1



Parcel Information

1 in = 188 ft

PIN: 223323440007

Acres: 3.5

Owner Name: BROZEK RYAN

Address1: 19820 NAPLES ST NE

Address 2: EAST BETHEL, MN 55011

Site Address1 : 19820 NAPLES ST NE

Site Address 2: EAT BETHEL, MN 55011-9523

Zoning: RR

Shoreland: Null

Legal: LOT 23 BLOCK 1 WILDWOOD



2. - General regulations.

- A. No accessory building or structure shall be constructed on any lot prior to construction of the principal structure without prior approval of the city council.
- B. Accessory structures located on lots that are subsequently subdivided shall be considered legal non-conforming structures.
- C. Every exterior wall, foundation, and roof of accessory structure(s) shall be reasonably watertight, weather tight, and rodent proof, and shall be kept in a good state of maintenance and repair. Exterior walls shall be maintained free from extensive dilapidation due to cracks, tears, or breaks of deteriorated plaster, stucco, brick, wood, or other material.
- D. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and from decay by painting or other protective covering or treatment. A protective surface of an accessory structure(s) shall be deemed to be out of compliance if more than 25 percent of the exterior surface area is unpainted or paint is blistered or flaking. If 25 percent or more of the exterior surface of the pointing of any brick, block, or stone wall is loose or has fallen out, the surface shall be repaired.
- E. [Reserved.]
- F. *No accessory building or detached private garage shall be located nearer the front lot line than the principal building except when the lot is three acres or greater and the existing principal building is located a minimum of 200 feet from the front lot line. Then the accessory building or detached private garage may be located closer to the front lot line than the principal dwelling, but not closer than 50 percent of the principal dwelling's setback. In the case of a corner lot, the front lot line shall be located on the side on which the principal building is addressed. The remaining lot side with street frontage shall meet the minimum front yard setback.
- G. The area of a lean-to shall be included in the allowable square footage of detached accessory structures and will be subject to the square footage restrictions for a lot.
- H. Accessory structures on lakeshore lots may be placed between the principal building and the lakeshore or the right-of-way, and are subject to all setbacks and lot coverage.
- I. [Reserved.]
- J. The structure must not be designed or used for human habitation and must not contain sewage treatment facilities.
- K. No cellar, garage, tent, or accessory building shall be at any time be used as a residentially occupied space, independent residence or dwelling unit, either temporarily or permanently.
- L. For purposes of accessing storage, accessory structures may have exterior stairs to a second story in a side or rear yard.

(Ord. No. 46, Second Series, 9-25-2013; Ord. No. 48, Second Series, 2-5-2014; Ord. No. 48, Third Series, 6-4-2014)

* Please note that Section F was changed and will be included in the next municode supplement.

ARTICLE X. - ADMINISTRATIVE APPEAL

Sec. 2-590. - Process.

- (a) If any person shall be aggrieved by any administrative decision of the city administrator, any other elected or appointed city official or employee, or any committee or commission not having within its structure an appellate procedure, such aggrieved person is entitled to a full hearing before the council upon serving a written request therefor upon the city administrator or his designee at least 15 days prior to any regular council meeting. Such request shall contain a statement setting forth the administrative decision to be challenged by the appellant, including specific ordinance, policy, procedure or law allegedly violated.
- (b) At such hearing the appellant may present any evidence he deems pertinent to the appeal. However, the city shall not be required to keep a verbatim record of the proceedings.
- (c) The mayor, or other officer presiding at the hearing, may, in the interest of justice or to comply with time requirements and on his own motion or a member of the city council, adjourn the hearing to a more convenient time or place. Such time and place shall be determined prior to adjournment of the hearing pursuant to this article.

(Ord. No. 104B, § 24(24-1), 10-3-2007)

Sec. 2-591. - Rules of procedure for appeals and other hearings.

The city council may adopt by resolution certain written rules of procedure to be followed in all administrative appeals and other hearings to be held before the council. Such rules of procedure shall be for the purpose of establishing and maintaining order and decorum in the proceedings.

(Ord. No. 104B, § 24(24-2), 10-3-2007)

Secs. 2-592—2-601. - Reserved.



City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

Item 4.0 B

Agenda Item:

Automatic Mutual Aid Plan among City of East Bethel, City of Bethel, and Linwood Township

Requested Action:

Consider approving the Automatic Mutual Aid Plan for the City of East Bethel, City of Bethel, and Linwood Township

Background Information:

Mutual Aid is a process whereby one jurisdiction supports another when requested. Automatic Aid, or Auto Aid, is a process whereby one jurisdiction supports another automatically when an incident occurs. The Anoka County Fire Departments have supported each other for years through a Mutual Aid and Auto Aid plans. Our Auto Aid plans are limited to a specific time of day and days of weeks; 5am to 5pm Monday through Friday.

The Fire Chiefs of East Bethel, Bethel and Linwood have been in discussions for the past six months about expanding the scope of Auto Aid. The three Fire Chiefs believe that using Auto Aid 24 hours a day, seven days a week is beneficial to all parties. Automatically each fire department will be dispatched to an incident by dispatch. There will be no need for the first on scene officer to make that decision. Response times can be decreased substantially with the automatic dispatching. This change in response would only affect Structure Fires and Vehicle Accidents. At this time, East Bethel, Bethel and Linwood Fire Chiefs are ready to implement this plan immediately. Bethel and Linwood have already approved this plan for response.

ISO (Insurance Services Office), which rates fire departments, will not recognize Auto Aid plans unless they are 24/7. The new Auto Aid plan may give the East Bethel Fire Department additional points towards a lower rating on the next assessment.

All other Mutual Aid and Auto Aid agreements will remain in effect. In the future, it is possible that other neighboring Cities may request to enter into similar 24/7 Auto Aid agreements with East Bethel.

Fiscal Impact:

None

Recommendation(s):

Staff recommends approval of the Automatic Aid plan with Bethel and Linwood fire departments.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



East Bethel Fire Department

2241 221st Avenue NE
East Bethel, Minnesota 55011

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

PROPOSED AUTOMATIC AID

**East Bethel Fire Department
Bethel Fire Department
Linwood Township**

Calls to Bethel or Linwood

Structure Fire

East Bethel Sends:

1 Engine and or 1 Tanker

Vehicle Accident:

1 Rescue Truck

Calls to EAST BETHEL

Structure Fire

Bethel and Linwood Sends:

1 Engine and or 1 Tanker

Vehicle Accident:

Either Bethel or Linwood Sends:

1 Rescue Truck

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

RESOLUTION NO. 2016-23

RESOLUTION APPROVING AN AUTOMATIC FIRE DEPARTMENT MUTUAL AID RESPONSE PLAN WITH THE CITY OF EAST BETHEL, CITY OF BETHEL, AND LINWOOD TOWNSHIP FOR STRUCTURE FIRES AND VEHICLE ACCIDENTS 24 HOURS PER DAY, SEVEN DAYS A WEEK.

WHEREAS, the City of East Bethel, City of Bethel, and Linwood Township fire departments are all members of the Anoka County Fire Protection Association; and

WHEREAS, the terms, conditions, and definitions for responding to an automatic mutual aid fire incident as outlined in this resolution, shall be the same as those in the Anoka County Fire Protection Association agreement; and

WHEREAS, the Insurance Services Office (I.S.O.), will acknowledge this automatic mutual aid agreement and may grant additional points for improving the fire protection ratings for each municipality involved; and

WHEREAS, this agreement will also assist to reduce the response times for all additional firefighters and appropriate fire equipment needed to safely perform fire suppression activities; and

WHEREAS, this plan is in addition to the Anoka County Fire Protection Association Mutual Aid Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the Fire Chief is hereby authorized and directed to implement the expanded Automatic Aid plan with the City of East Bethel, City of Bethel, and Linwood Township as of June 1, 2016

Adopted this 1st day of June, 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 Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

Item 6.0 A-H

Agenda Item:

Consent Agenda

Requested Action:

Consider approval of the Consent Agenda

Background Information:

Item A

Approve Bills

Item B

May 18, 2016 Town Hall Meeting Minutes

Meeting minutes from the May 18, 2016 City Council Meeting are attached for your review.

Item C

Resolution 2016-24, Accepting Donation from Chops, Inc.

The City of East Bethel has received a donation of \$1,100.00 from Chops, Inc. to be used for Family Fun Night and the Booster Day Kiddie Parade on Friday, July 15, and Saturday, July 16, 2016. Staff is recommending adoption of Resolution 2016-24 Accepting the Donation from Chops, Inc.

Item D

Acknowledgement of Receipt of Certificate of Appreciation from Heading Home Anoka

In honor of Peace Officer's Day, the City of East Bethel has been recognized with a Certificate of Appreciation from Heading Home Anoka for the dedication, commitment, and service that our First Responders provide to those dealing with housing issues and homelessness in Anoka County. Heading Home Anoka is a collaboration of housing providers, non-profits, and County staff serving those who are currently facing, or are at risk of homelessness. A copy of the certificate and of the accompanying letter are attached.

Item E

Approve Application to Conduct Excluded Bingo for East Bethel Seniors – Booster Day, July 16,

2016

The East Bethel Seniors have applied for a one day permit to conduct excluded bingo on July 16, 2016, Booster Day at the Community Center. The application form has been submitted and is complete. Staff is recommending Council approve the one day permit for the East Bethel Seniors to conduct excluded bingo on July 16, 2016 at the East Bethel Senior/Community Center.

Item F

Res. 2016-25 Designating 2003 Ford F-550 Light Duty Truck Surplus Property

The 2003 Ford F-550 light duty truck has reached the end of its useful life as a dependable vehicle for the City’s maintenance needs and has exceeded its projected service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund.

Staff recommends adoption of Resolution 2016-25, Declaring the 2003 Ford F-550 Surplus Property and directing the vehicle be traded in on a replacement vehicle or sold at auction.

Item G

Approve Purchase of Light Duty Truck with Dump Box and Snowplow

As part of the City’s Equipment Replacement Program, the 2003 Ford F-550 light duty truck is scheduled for replacement in 2016. This is a regular replacement for this item. This piece of equipment has reached the stage in its service life where the maintenance costs are becoming excessive and are approaching the value of the truck. Due to higher maintenance costs, increased down time and lower productivity of this vehicle, City staff recommends that we replace the 2003 Ford F-550 light duty truck.

Staff has checked state contracts for light duty trucks with minimum specifications of a one and a half ton frame, diesel engine, dual rear wheels and the ability to have a dump box and hoist mounted. This is consistent with the vehicle that will be replaced. Staff has reviewed the three options for the cab and chassis on state contract from the three major truck manufactures and has determined that the Ford F-550 provides the best value and the lowest cost. The following information provides pricing data for the cab and chassis portion of the replacement program.

Light Duty Truck – Cab and Chassis

Model	Dealer	Cost
2017 Ford F-550	Midway Ford	\$43,782

Staff researched truck components on the state contract that included an 11’ dump body with hoist and front snow plow. From a review of many different manufacturers, the quote provided by Aspen Equipment best fit the city’s needs at the lowest price. The quote includes an 11 foot Henderson box with fold down sides, corrosion resistant bed material, strobe lights, and a Western snowplow.

Dump Body and Plow

Model	Dealer	Cost
Henderson and Western	Aspen Equipment	\$23,988

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at \$62,000 for replacement of the Ford F-550. The total purchase price of the completed truck would be \$67,770. The auction price of the 2003 F-550 is expected to be between \$3,000 and \$5,000 which would bring the total replacement cost close to the budgeted amount. All prices are directly from the State Contract for 2016-2017.

Staff recommends the purchase of the Ford F-450 from Midway Ford with box and plow equipment from Aspen Equipment for a total cost of \$67,770 This equipment will meet our current needs and provide a reliable snow plow and light duty truck with a projected service life of 12 years.

Item H

Approve Application to Conduct a Raffle for Hope Chest for Breast Cancer on August 27, 2016

The Hope Chest for Breast Cancer has applied for a one day permit to conduct a raffle on August 27, 2016, at the Hidden Haven Golf Club for the MN Pink Ribbon Run. The application form has been submitted and is complete. Staff is recommending Council approve the one day permit for the Hope Chest for Breast Cancer to conduct a raffle on August 27, 2016 at the Hidden Haven Golf Club.



City of East Bethel

June 1, 2016

Payment Summary

Payments for Council Approval	
Bills to be approved for payment	\$298,243.63
Electronic Payroll Payments	\$27,225.73
Payroll - City Staff, May 19, 2016	\$34,563.89
Total to be Approved for Payment	\$360,033.25

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Arena Operations	Auto/Misc Licensing Fees/Taxes	655261	MN Dept of Health	615	49851	\$35.00
Arena Operations	Bldg/Facility Repair Supplies	19907	Rosenbauer Minnesota LLC	615	49851	\$1,349.46
Arena Operations	Gas Utilities	501924913	Xcel Energy	615	49851	\$274.47
Arena Operations	Telephone	332373310-174	Sprint Nextel Communications	615	49851	\$24.30
Building Inspection	Motor Fuels	434990	Mansfield Oil Company	101	42410	\$219.63
Central Services/Supplies	Information Systems	221495	City of Roseville	101	48150	\$2,827.67
Central Services/Supplies	Office Equipment Rental	304602725	US Bank Equipment Finance	101	48150	\$269.50
Central Services/Supplies	Office Supplies	IN1189297	Innovative Office Solutions	101	48150	\$45.49
Central Services/Supplies	Printing and Duplicating	16-31787	Riteway Business Forms	101	48150	\$81.37
Central Services/Supplies	Telephone	221545	City of Roseville	101	48150	\$249.73
Central Services/Supplies	Telephone	332373310-174	Sprint Nextel Communications	101	48150	\$86.88
City Administration	Professional Services Fees	M22114	TimeSaver Off Site Secretarial	101	41320	\$468.00
City Administration	Travel Expenses	52516	Davis, Jack	101	41320	\$202.50
Economic Development Authority	Professional Services Fees	052016	Gail E. Gessner	232	23200	\$100.00
Elections	Travel Expenses	052416	Karen White	101	41410	\$18.68
Finance	Travel Expenses	052316	Jackie Campbell	101	41520	\$19.17
Finance	Travel Expenses	052416	Mike Jeziorski	101	41520	\$36.62
Fire Department	Clothing & Personal Equipment	173927	Aspen Mills, Inc.	101	42210	\$63.30
Fire Department	Conferences/Meetings	1774	F.I.R.E.	101	42210	\$1,500.00
Fire Department	Gas Utilities	501924913	Xcel Energy	101	42210	\$413.08
Fire Department	General Operating Supplies	1921-350758	O'Reilly Auto Stores Inc.	101	42210	\$96.78
Fire Department	General Operating Supplies	160505-020	Titan Energy Systems, Inc.	101	42210	\$282.00
Fire Department	Motor Fuels	434989	Mansfield Oil Company	101	42210	\$260.62
Fire Department	Motor Fuels	434990	Mansfield Oil Company	101	42210	\$349.39
Fire Department	Safety Supplies	1110020661	Allina Health System	101	42210	\$949.00
Fire Department	Shop Supplies	166385	Clarey's Safety Equipment Inc.	101	42210	\$89.91
Fire Department	Telephone	221545	City of Roseville	101	42210	\$46.84
Fire Department	Telephone	332373310-174	Sprint Nextel Communications	101	42210	\$7.20
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	11973	Betz Mechanical, Inc.	101	41940	\$320.72
General Govt Buildings/Plant	Gas Utilities	501924913	Xcel Energy	101	41940	\$213.49
Legal	Legal Fees	1134	Eckberg, Lammers, P.C.	101	41610	\$4,047.99
Park Capital Projects	Bldg/Facility Repair Supplies	2016120	Minnesota/Wisconsin Playground	407	40700	\$1,431.00
Park Maintenance	Bldgs/Facilities Repair/Maint	11972	Betz Mechanical, Inc.	101	43201	\$423.54
Park Maintenance	Clothing & Personal Equipment	118268897	G&K Services - St. Paul	101	43201	\$19.00
Park Maintenance	Equipment Parts	02-366508	Lano Equipment, Inc.	101	43201	\$205.14
Park Maintenance	Equipment Parts	02-366740	Lano Equipment, Inc.	101	43201	\$3.65



City of East Bethel
June 1, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Park Maintenance	Motor Fuels	434989	Mansfield Oil Company	101	43201	\$501.20
Park Maintenance	Motor Fuels	434990	Mansfield Oil Company	101	43201	\$299.47
Park Maintenance	Other Equipment Rentals	101280	Jimmy's Johnnys, Inc.	101	43201	\$1,026.27
Park Maintenance	Park/Landscaping Materials	23009	Bjorklund Companies, LLC	101	43201	\$60.00
Park Maintenance	Park/Landscaping Materials	75821399	SiteOne Landscape Supply	101	43201	\$57.86
Park Maintenance	Professional Services Fees	051416	Gail E. Gessner	101	43201	\$0.00
Park Maintenance	Safety Supplies	9076900639	Grainger	101	43201	(\$41.04)
Park Maintenance	Telephone	221545	City of Roseville	101	43201	\$46.82
Payroll	Insurance Premium	06 2016	Dearborn National Life Ins Co.	101		\$1,293.02
Payroll	Union Dues	05 2016	MN Public Employees Assn	101		\$429.00
Planning and Zoning	Escrow Reimbursement	051716	Julie Churchill	101		\$1,800.00
Planning and Zoning	Legal Notices	347269	ECM Publishers, Inc.	101	41910	\$53.75
Planning and Zoning	Legal Notices	347270	ECM Publishers, Inc.	101	41910	\$53.75
Planning and Zoning	Legal Notices	347271	ECM Publishers, Inc.	101	41910	\$53.75
Planning and Zoning	Legal Notices	347272	ECM Publishers, Inc.	101	41910	\$53.75
Planning and Zoning	Legal Notices	347273	ECM Publishers, Inc.	101	41910	\$53.75
Planning and Zoning	Professional Services Fees	051416	Gail E. Gessner	101	41910	\$0.00
Police	Professional Services Fees	S160513D	Anoka County Treasury Dept	101	42110	\$267,900.00
Recycling Operations	Gas Utilities	501924913	Xcel Energy	226	43235	\$73.09
Recycling Operations	Other Equipment Rentals	101280	Jimmy's Johnnys, Inc.	226	43235	\$70.00
Recycling Operations	Professional Services Fees	06 2016	Cedar East Bethel Lions	226	43235	\$416.96
Recycling Operations	Professional Services Fees	06 2016	Cedar East Bethel Lions	226	43235	\$1,200.00
Recycling Operations	Travel Expenses	052416	Karen White	226	43235	\$17.77
Sewer Operations	Auto/Misc Licensing Fees/Taxes	10000007243	MPCA	602	49451	\$1,450.00
Street Maintenance	Bldg/Facility Repair Supplies	9099634835	Grainger	101	43220	\$28.20
Street Maintenance	Bldgs/Facilities Repair/Maint	118268897	G&K Services - St. Paul	101	43220	\$8.13
Street Maintenance	Clothing & Personal Equipment	118268897	G&K Services - St. Paul	101	43220	\$18.32
Street Maintenance	Conferences/Meetings	051316	Nate Ayshford	101	43220	\$200.00
Street Maintenance	Equipment Parts	F-261370065	Allstate Peterbilt North	101	43220	\$3.43
Street Maintenance	Equipment Parts	4041043735	BlueTarp Financial, Inc.	101	43220	\$29.98
Street Maintenance	Equipment Parts	7672	Quality Sales & Service, Inc.	101	43220	\$8.50
Street Maintenance	Equipment Parts	317318	Winnick Supply	101	43220	\$72.95
Street Maintenance	Gas Utilities	501924913	Xcel Energy	101	43220	\$183.14
Street Maintenance	Lubricants and Additives	1539-451636	O'Reilly Auto Stores Inc.	101	43220	\$48.96
Street Maintenance	Motor Fuels	434989	Mansfield Oil Company	101	43220	\$1,242.99
Street Maintenance	Motor Fuels	434990	Mansfield Oil Company	101	43220	\$129.77
Street Maintenance	Motor Vehicle Services (Lic d)	226188	Blaine Brothers	101	43220	\$121.55
Street Maintenance	Motor Vehicles Parts	7504	Hydraulic Plus & Consulting	101	43220	\$472.70
Street Maintenance	Motor Vehicles Parts	1539-451184	O'Reilly Auto Stores Inc.	101	43220	\$23.45
Street Maintenance	Motor Vehicles Parts	1539-453240	O'Reilly Auto Stores Inc.	101	43220	\$51.78
Street Maintenance	Motor Vehicles Parts	1539-453424	O'Reilly Auto Stores Inc.	101	43220	(\$12.19)
Street Maintenance	Professional Services Fees	051416	Gail E. Gessner	101	43220	\$100.00
Street Maintenance	Safety Supplies	9110470565	Grainger	101	43220	\$180.64
Street Maintenance	Shop Supplies	283435	S & S Industrial Supply	101	43220	\$84.38
Street Maintenance	Street Maint Materials	IN00015714	City of St. Paul	101	43220	\$326.82



City of East Bethel

June 1, 2016

Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Street Maintenance	Street Maint Materials	BL0000004749	TrueNorth Steel	101	43220	\$680.14
Street Maintenance	Street Maint Materials	BL0000004768	TrueNorth Steel	101	43220	\$464.00
Street Maintenance	Street Maint Materials	BLCR00000278	TrueNorth Steel	101	43220	(\$680.14)
Street Maintenance	Telephone	221545	City of Roseville	101	43220	\$46.82
Street Maintenance	Telephone	332373310-174	Sprint Nextel Communications	101	43220	\$70.46
Water Utility Operations	Chemicals and Chem Products	3875601 RI	Hawkins, Inc	601	49401	\$25.00
Water Utility Operations	Chemicals and Chem Products	991118	Indelco Plastics Corporation	601	49401	\$261.73
Water Utility Operations	Gas Utilities	051316	CenterPoint Energy	601	49401	\$44.94
Water Utility Operations	Gas Utilities	051316	CenterPoint Energy	601	49401	\$63.99
Water Utility Operations	Refund	Final	Madison Seibert	601		\$42.90
						\$298,243.63
Electronic Payroll Payments						
Payroll	PERA					\$6,452.67
Payroll	Federal Withholding					\$5,828.01
Payroll	Medicare Withholding					\$1,598.98
Payroll	FICA Tax Withholding					\$6,837.06
Payroll	State Withholding					\$2,313.34
Payroll	MSRS/HCSP					\$4,195.67
						\$27,225.73

EAST BETHEL CITY COUNCIL MEETING

MAY 18, 2016

The East Bethel City Council met on May 18, 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

- 1.0 Call to Order** The May 18, 2016, City Council meeting was called to order by Mayor Voss at 7:00 p.m.
- 2.0 Pledge of Allegiance** The Pledge of Allegiance was recited.
- 3.0 Adopt Agenda** **Harrington stated I'll make a motion to adopt tonight's agenda and under Other, I'd like to add a Closed Session for Union Negotiation, Minnesota Statute 13D.03, subdivision 1b. Ronning stated I'll second.** Voss asked any discussion? All in favor? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**
- 4.0 Presentation**
4.0A Sheriff's Department Monthly Review
Commander Shelly Orlando presented the April 2016, Sheriff's Report, reporting on five DWI and one 5th Degree Possession of Controlled Substance arrests. Orlando also warned residents about telephone scams and crimes of opportunity and asked all to be mindful of quality of life issues such as barking dog and loud music nuisances. She noted that during warmer weather, people like to sleep with windows open and sound does travel, especially in the quiet of night.
A resident stated she has a complaint about dogs that bark constantly. Orlando advised that when you have an issue with a barking dog and are not comfortable talking with the dog owner, you can call to make a complaint with the Department or CSO and typically they will make contact with the dog owner. If it is a continual problem, the owner can be cited for allowing that nuisance. Voss stated sometimes it only takes one contact from the Sheriff's Department to resolve that situation. He encouraged residents to not be afraid to call the Sheriff's Department on barking dogs.
- 4.0B Fire Department Monthly Review
Davis reported that Fire Chief Mark Ducharme's wife passed away Saturday and encouraged all to keep the Ducharme family in their thoughts and prayers.
Davis referenced the Fire Department report, noting they answered 41 calls in the month of April with 27 being EMS calls. Of the 27 EMS calls, 26 were transported by ambulance. The Fire Department also conducted six fire inspections of commercial properties during the month of April. Davis indicated that Chief Ducharme, upon his return, can answer questions anyone may have. During Chief Ducharme's absence, Assistant Fire Chief Artie Anderson is taking his place.
- 5.0 Public Forum** Dave Landis, 1747 237th Avenue NE, stated he wanted to talk to the Council in case it was thought the residents had changed their minds about the CST project. He stated he has lived

there for about ten years and through this process, has come to realize what a neat neighborhood they have, full of wonderful people. Ironically, he thinks it may be one of the denser neighborhoods in the whole City. He asked the Council to take that into consideration should any be still inclined to think it fits in that location. Mr. Landis invited the Council to spend some time in their neighborhood to see what they have, adding it would be a travesty to put CST there. He noted the Commander had mentioned that people like to have their windows open at night and be free of noise, which would certainly destroy that possibility for their neighborhood.

Mr. Landis stated a home on Davenport was listed on the market this week and the disclosure statement includes an item saying, 'Other defects, material facts. Are there any other material facts that could adversely and significantly affect an ordinary buyer's use of enjoyment of the property or any intended use of the property?' And it says, 'Talk of industrial plant motion coming in on 237th east of East Bethel.' He stated disclosures generally are because it's detrimental and it's mentioned in here which makes the point for them that CST would definitely adversely affect their properties. Mr. Landis again invited the Council to visit their nice neighborhood, stating they want to keep it that way.

Voss stated in over 20 years of being involved with the City, there have been issues in the past where neighborhoods have come together because of issues, which perhaps is the 'silver lining' in this type of situation.

Dave Krepis, 23050 Gopher Drive NE, stated he is trying to determine the size of the proposed mulch piles, noting the engineer had said the piles will be smaller in size. Voss clarified that the Council has not been presented with anything yet. Mr. Krepis referenced information from the April 26th Planning Commission packet. He noted the March 1, 2016, Planning Commission packet contained a map showing the pile size as 37,000 square feet each for two piles, which comes up to 74,000 square feet. Mr. Krepis stated the new Planning Commission information says the proposed site plan indicates that there will be four mulch storage piles and that per the Fire Code, mulch piles cannot exceed 25 feet in height, 150 feet in width, and 250 feet in length. Mr. Krepis asked if that is correct for each pile. Voss clarified that is the limitation, not the CST proposal. Davis confirmed that is the case and would be the maximum size allowed.

Mr. Krepis stated if going with those sizes, the piles can be 37,500 square feet but the engineers said it was supposed to be smaller than shown in the March 1 information. However, now they are bigger by 500 square feet and they added two more piles, coming out to 150,000 square feet compared to 74,000 square feet on the original proposition.

Davis explained it went to four piles is because of the Fire Code and requirement for additional access lanes in between the piles. He stated the Fire Code establishes a maximum extent but the City has not received the proposal on the actual sizes.

Voss noted Mr. Krepis is comparing their original proposal to a standard allowed under the Code, not to what CST is proposing. Davis explained the original two piles proposed were each divided in half so it does not appear to be much difference in the square footage. In addition, the applicant would have to comply with the Fire Code requirements.

Mr. Krepis again reviewed the square footages indicated on the site plan and in the wording, suggesting it comes out to 150,000 square feet for the four piles, meaning each pile is bigger by 500 square feet. Davis stated that will be looked at and in the final proposal, the

5.0 Public Forum

CST

application will need to be specific as to square footage. The City will assure the application stays within the confines of the Code and what is shown on the site plan. Mr. Krepis stated if allowed at 150,000 square feet, that is the size of three football fields by 25 feet high. Davis clarified there is not a discrepancy as one is talking about a standard and the other talks about what CST is proposing to do.

Voss restated CST has not proposed four piles of that size. Davis stated CST has submitted a site plan that shows four piles that are equivalent to the two piles originally shown. He explained if CST wants four mulch storage piles at the maximum allowed by the Fire Code for each one, then the area would be significantly increased, which they are not showing. He stated CST would not be allowed to do anything that is not consistent with the site plan CST provides to the City.

Krepis asked if CST will only be able to use 37,000 square feet total. Davis restated that what is shown on the site plan is what they will be limited to. Krepis asked no matter how many piles they have. Davis answered that's correct.

Harrington asked if there is an update on the Environmental Assessment Worksheet. Davis stated he has not heard anything and the 'ball is in their court' so he assumes the CST consultant is in the process of preparing that at this time.

Tom Jesberg, Waconia Circle, asked whether CST is a done deal. Voss answered it is not. Mr. Jesberg stated he does not understand why this is even an issue as the site is surrounded by residential areas so it seems inappropriate. Mr. Jesberg suggested CST go by CR22 and TJH65 where there is nothing and asked why the Council pushing this. Voss clarified no one from the City is 'pushing' this and as all in the room know, the Council has not been presented with a plan that has been worked through by staff and gone to the P&Z.

Jesberg stated considering the neighborhood opposition, he does not understand why CST is not told to go someplace else. Voss explained the City cannot do that. Jesberg expressed his frustration and asked the Council to follow what the people in the area want.

6.0 Consent Agenda

- Item A Approve Bills
- Item B April 27, 2016 City Council Special Meeting Minutes
- Item C May 4, 2016 Town Hall Meeting Minutes
- Item D Acceptance of Class 5 Bid Results and Authorization to Proceed

Harrington stated I'll make a motion to adopt tonight's Consent Agenda. Ronning stated second. Voss asked any discussion? All in favor? All in favor. Voss asked opposed? That motion passes. Motion passes unanimously.

7.0 New Business

Commission, Association and Task Force Reports

7.0A Planning Commission

None.

7.0B
Economic
Development
Authority

None.

7.0C
Park
Commission

None.

7.0D
Road
Commission
7.0D.1
2017-2021
Roads CIP

Davis presented the 2017-2021 Roads Capital Improvement Program and recommendation of the Roads Commission to prioritize street improvement projects over the next five years. The recommended street maintenance projects for 2017 are estimated to cost \$128,500 and include the chip sealing of the Sunny View Addition (1st and 2nd), DeGardner's Addition, and Ned Lake Addition. For 2017, the Road Commission has not recommended any Minnesota State Aid (MSA) projects due to the advanced funding that will be required to complete the service road that will connect 187th Avenue to Viking Boulevard. This project is anticipated to commence in 2016 and be completed in 2017. All of the City's MSA annual allotment will be required for this project in 2017 and 2018 and approximately \$290,000 will be required from the 2019 allocation.

Davis explained that even with the commitment to Phase I Service Road Project, the City would still have the capacity to advance fund beginning in 2018 an amount up to \$1.6 million for the next phase of our service road plan. Commitment to this plan requires the dedication of funding for 2017 only. Projects beyond 2017 are identified and prioritized by the Roads Commission to provide Council with recommendations for 2018 through 2021 as part of the overall capital project planning for major street improvements. Commitment to projects beyond 2017 will be considered for approval as part of each year's subsequent budgets.

The estimated cost of the Street Capital Projects in 2017 is projected to be \$128,500. This amount is available from dedicated sources in the Street Capital Fund. The MSA project for 2017 is the continuation of the 2016 Phase I Service Road is also included. The Road Commission and staff recommend approval of the 2017-2021 Streets CIP.

Harrington stated I'll make a motion for approval for the 2017-2021 Streets CIP. Koller 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.**

Mundle asked if there are plans to pave the dirt roads. Davis answered the Roads Commission has briefly discussed that and will be looking at whether the City can incentivize that work but at this time, there are no City plans for paving gravel roads unless petitioned by property owners on gravel roads.

**8.0
Department
Reports**

None.

8.0A
Community
Development

8.0B
Engineer

Davis presented the recommendation of the Roads Commission to approve plans and specifications as prepared by the City Engineer and authorize solicitation of bids for the 2016 Street Surface Improvement Project. The project will consist of overlaying the streets

8.0B.1
Plans & Specs
2016 Street
Imp. Project
Res. 2016-22

shown on Sheet 1 of the plan set. Alternate bids will be taken for overlays on the City Hall parking lot and the parking lot at Fire Station No. 2.

Davis stated the estimated cost of this project is \$794,400. The Streets Capital Improvement Plan has set a budget of \$871,000 to be spent on overlays in 2016. As discussed the parking lots will be bid as alternates to allow for some flexibility in establishing the final contract amount based on the actual bids. Bids will be opened on June 10, 2016. Bids will be presented to the City Council at the June 15, 2016 City Council meeting. A completion date of September 30, 2016 has been established in the Contract Documents. This project will be financed with the City's Street Capital Fund. Funds are available and appropriate for this project.

Ronning stated move to approve Resolution 2016-22 Approving Plans and Specifications for the 2016 Street Surface Improvement Project and Direction to Solicit Bids. 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.

8.0C
City Attorney

None.

8.0D
Finance

None.

8.0E
Public Works

None.

8.0F
Fire
Department

None.

8.0G
City
Administrator
8.0G.1
Performance
Eval. &
Employ.
Agreement

Davis presented the staff report, indicating as provided in the City Administrator's Employment Agreement, the City shall conduct a review of the Employee's performance on or before August 1st of each year or at another date as may be agreed upon by the employee and the City Council. The City Attorney prepared the evaluation questions, collected and collated the Council responses and facilitated the previous performance review, which was conducted on June 23, 2014.

As an additional item, the employment agreement for the City Administrator will expire on December 31, 2016. There was discussion during the previous contract extension that this process should be scheduled for review six months into the term of a new City Council. There would be no objections to that timeframe should that be the preference of this Council. Should Council desire to pursue this time line, the current agreement would need to be extended for a time that would accommodate the review process. However, from a budgetary preparation standpoint, the preference would be a consideration of a contract decision prior to the approval of the preliminary 2017 Budget on September 7, 2016.

A new agreement, assuming that is the choice of the Council, would be proposed to commence on January 1, 2017, and continue until December 31, 2018, or until otherwise terminated pursuant to the provisions of the contract. Funds for this position have been recommended in the 2017 Budget draft. It is requested that a date be scheduled for the employee review with authorization to the City Attorney to facilitate the performance evaluation and, upon a satisfactory finding, a time be set for the discussion of the employment extension agreement for another two-year term.

8.0G.1
Performance
Eval. &
Employ.
Agreement

Mundle asked whether the Council needed to conclude union negotiations prior to this consideration. Davis stated they do not as it is a totally independent consideration. Vierling indicated the June date works for his schedule.

Voss stated he understands waiting for the next Council to decide whether or not to renew the contract but by the same token, there could be three new Councilmembers in January that may not be familiar with Davis' performance over the past several years. Voss stated he is inclined to deal with review of past performance and contract extension now. Vierling explained there are both past and future aspects as the Council is required under the contract to provide a review, as for any employee, and an opportunity to look at the aspects of the contract and whether to establish performance goals.

Voss stated I'll move to authorize the City Attorney to move forward to facilitate a performance evaluation for the City Administrator. Mundle stated I'll second. second. Voss asked any discussion? All in favor? All in favor. Voss asked opposed? That motion passes. Motion passes unanimously. Voss stated the contract extension will be discussed after the performance review is completed.

8.0G.2
Castle
Towers
Decomm.
Report

Davis presented an update on the Castle Towers Treatment Plant Decommissioning Project as detailed in his written report. It was noted that to date removal of the biosolids has cost \$33,000 and it is estimated that the liner removal and disposal will cost approximately \$30,000. The low bid costs for these two items when the project was previously bid was \$246,499. To date removal of the bio solids and the liner has cost \$63,000, which has resulted in a comparable savings of \$183,499 to the bid prices for these phases of the work.

Davis stated the remaining work required to comply with the MPCA requirements includes the removal and disposal of all underground piping and structures, the bunker, the chlorine contact chamber and site grading and restoration. Removal of the treatment building is optional but the City will demolish this structure to complete the site restoration and eliminate a potential attractive nuisance on the site. City staff is in the process of obtaining bids for this work and will evaluate these costs and determine the most cost effective means to finish the final phase of the project. Once this project is completed, this ten-acre site then can be sold for redevelopment use. It is anticipated that a sale of the property will far exceed the reclamation costs of the site. The total low bid for this project, when the project was bid last year, was \$505,527. The estimated total costs of the entirety of decommissioning, at this time, should not exceed \$120,000.

Davis noted the costs are well on target for being under the original goal and exceeding expectation to date. He does not anticipate any major issues in the completion of this project. Voss noted the City saved \$385,000 on the project, and it was staff with the City Engineer who came up with these savings. Davis stated that is correct and he gave a good compliment to the City Engineer and Public Works Director last time and his 'hat' is still off to them as they are doing a fantastic job on this. The Council agreed.

Informational; no action required at this time

9.0 Other
9.0A
Staff Reports

Davis recommended canceling the Council Work Session scheduled for May 25th and scheduling a Work Session on June 8th to allow coordination with the Planning Commission to meet jointly and discuss potential changes in the Light Industrial Zoning District. Mundle stated he will check his schedule for June 8th and let Davis know if he's available.

- 9.0A
Staff Reports
Cancel May
25 and
Schedule
June 8 Work
Meetings
- Voss stated at the EDA meeting on Monday, there was discussion about a framework for changing the ordinance section dealing with Light Industrial. The EDA provided some comments so it was suggested that be provided to the Planning Commission. Voss stated it has worked well in the past to hold a joint Work Meeting between the City Council and Planning Commission to discuss potential ordinance changes.
- Davis stated he will poll the Planning Commissioners prior to their meeting so they will be aware of this issue. It was noted that more than one meeting is required to amend the ordinance including a public hearing by the Planning Commission on May 24th.
- Mundle stated make a motion to cancel the May 25th Work Meeting. Ronning stated second.** Voss asked any discussion? All in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**
- The consensus of the Council was to schedule a Work Meeting on June 8th if the Planning Commission provides a recommendation at its May 24th Meeting to amend the ordinance relating to the Light Industrial Zoning District.**
- 9.0B
Council
Report –
Member
Harrington
- None.
- Council
Member
Ronning
- None.
- Council
Member
Mundle
- Mundle reported on the EDA meeting to consider staff suggestions to change the ordinance relating to the Light Industrial District. The EDA provided some suggestions that will be presented to the Planning Zoning for recommendation to the City Council.
- Council
Member
Koller
- Koller reported on the Roads Commission meeting to consider the road improvement projects.
- Mayor Voss
- Voss asked about the schedule for the video system technology update. Davis stated that work is scheduled after June 8 and will be completed prior to the next Council meeting.
- 9.0C
Other
- None.
- 9.0D
Closed
Session
Union &
PINs
29-33-23-34-
0001 and
#29-33-23-33-
0002
- Vierling stated thank you Mr. Mayor. For the benefit of the public and for the record, we'd note that the Council is about to go into Closed Session to review three items allowed under Minnesota Closed Session and Open Record Law, which is 13D. They are matters of union negotiation and contract negotiations with the City's union. We will also be reviewing two aspects of real estate interest acquisition in properties identified as: Property Identification #29-33-23-34-0001 and #29-33-23-33-0002. The Closed Session will be tape recorded as is required by law. The Council will return to Open Session after having concluded the Closed Session and a summary of any action taken will then be identified. With that being said, Mr. Mayor, I recommend that a motion be made to go into Closed Session for the purposes I've indicated.

Move to Closed Session **Mundle stated make a motion to go into Closed Session at 7:40 p.m. for the purposes that City Attorney’s indicated. Harrington stated I’ll second.** Voss asked any discussion? All in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

Reconvene Open Session Vierling stated thank you Mr. Mayor. For the benefit of the public and for the record, we note the Council concluded the Closed Session at 8:04 p.m. They have been in Closed Session as authorized under Minnesota Statute 13.D, reviewing three matters.

As to the union matter, the Council received a report from the City Administrator, provided their discussion and input on issues of strategy and process, but no formal motions were taken. On matters with regard to the acquisition of certain real estate interest effecting real property identified previously as Property Identification #29-33-23-34-0001 and #29-33-23-33-0002, Council also received the report from the City Administrator as to process on those negotiations and returned to the City Administrator its input, again as to issues of strategy and negotiation but again no formal motions were taken. With that being said, that concludes the report from the Closed Session.

10.0 Adjourn **Mundle stated I’ll make a motion to adjourn. Harrington stated second.** Voss asked any discussion? All in favor? **All in favor.** Voss asked any opposed? None. **Motion passes unanimously.**

Meeting adjourned at 8:06 p.m.

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

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

RESOLUTION NO. 2016-24

**RESOLUTION ACKNOWLEDGING THE DONATION FROM
CHOPS, INC.**

WHEREAS, the City of East Bethel has received a donation in the amount of \$1,100.00 from CHOPS, Inc. that will be used towards Family Fun Night and the Booster Day Kiddie Parade.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City Council of the City of East Bethel acknowledges and accepts the \$1,100.00 donation from CHOPS, Inc.

BE IT FURTHER RESOLVED THAT: the City Council of the City of East Bethel expresses its thanks and appreciation to CHOPS, Inc. for their donation of \$1,100 towards Family Fun Night and the Booster Day Kiddie Parade.

Adopted this 1st day of June, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator



Anoka County

HUMAN SERVICES DIVISION

Community Social Services and Behavioral Health

May 18, 2016

City of East Bethel
2241 221st Ave NE
East Bethel, MN 55011

Dear City Administrator:

In honor of Peace Officer's Day, Heading Home Anoka, a collaboration of housing providers, non-profits and County staff serving those who are at risk of homelessness or who are currently homeless, would like to recognize your city with a Certificate of our Appreciation for the dedication, commitment and service that your First Responders provide to those dealing with housing issues and homelessness in Anoka County. Thank you for all that you do!

Sincerely,

Michele Reid
Anoka County Housing Program Coordinator

Certificate of Appreciation

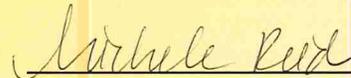
IN APPRECIATION OF YOUR DEDICATION, COMMITMENT AND SERVICE TO THOSE
DEALING WITH HOUSING ISSUES AND HOMELESSNESS IN ANOKA COUNTY.

City of East Bethel

Wednesday, May 11, 2016



Heading Home Anoka - Chair
Jenny Green



Anoka County Housing Program Coordinator
Michele Reid



LG240B Application to Conduct Excluded Bingo

No Fee

ORGANIZATION INFORMATION

Organization Name: East Bethel Seniors, Inc Previous Gambling Permit Number: XB-06892
Minnesota Tax ID Number, if any: Federal Employer ID Number (FEIN), if any:
Mailing Address: 2241 221st Ave NE
City: East Bethel State: MN Zip: 55011 County: Anoka
Name of Chief Executive Officer (CEO): Susan Sjobeck
Daytime Phone: 763-331-1539 Email: foxspoiler@gmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):
[] Fraternal [] Religious [] Veterans [x] Other Nonprofit Organization

Attach a copy of at least one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)
[] Current calendar year Certificate of Good Standing
[] Internal Revenue Service-IRS income tax exemption 501(c) letter in your organization's name
[x] Internal Revenue Service-Affiliate of national, statewide, or international parent nonprofit organization (charter)

EXCLUDED BINGO ACTIVITY

Has your organization held a bingo event in the current calendar year? [] Yes [x] No
If yes, list the dates when bingo was conducted:
The proposed bingo event will be:
[x] one of four or fewer bingo events held this year. Dates: Saturday, July 16, 2016
-OR-
[] conducted on up to 12 consecutive days in connection with a:
[] county fair Dates:
[] civic celebration Dates:
[] Minnesota State Fair Dates:
Person in charge of bingo event: Susan Sjobeck Daytime Phone: 763-331-1539
Name of premises where bingo will be conducted: East Bethel Senior/Community Center
Premises street address: 2241 221st Ave NE
City: East Bethel If township, township name: County: Anoka

LG240B Application to Conduct Excluded Bingo

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

<p style="text-align: center;">CITY APPROVAL for a gambling premises located within city limits</p> <p>On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.</p> <p>Print City Name: <u>City of East Bethel</u></p> <p>Signature of City Personnel: _____</p> <p>Title: _____ Date: _____</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%; text-align: center;"> <p>The city or county must sign before submitting application to the Gambling Control Board.</p> </div>	<p style="text-align: center;">COUNTY APPROVAL for a gambling premises located in a township</p> <p>On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>Title: _____ Date: _____</p> <p>TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for excluded bingo activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes, Section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date: _____</p>
---	--

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge.

Chief Executive Officer's Signature:  Date: 5/5/2016
(Signature must be CEO's signature; designee may not sign)

Print Name: Susan Sjobeck

MAIL OR FAX APPLICATION & ATTACHMENTS

<p>Mail or fax application and a copy of your proof of nonprofit status to:</p> <p style="padding-left: 20px;">Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113 Fax: 651-639-4032</p> <p>An excluded bingo permit will be mailed to your organization. Your organization must keep its bingo records for 3-1/2 years.</p> <p>Questions? Call a Licensing Specialist at 651-539-1900.</p>	<p>Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. To find a licensed distributor, go to www.mn.gov/gcb and click on Distributors under the LIST OF LICENSEES, or call 651-539-1900.</p> <p style="text-align: center;">This form will be made available in alternative format (i.e. large print, braille) upon request.</p>
--	--

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

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

RESOLUTION NO. 2016-25

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 2003 Ford F-550 light duty truck 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 will trade-in the 2003 Ford F-550 on the purchase of the replacement vehicle or sell at auction to recover the remaining value of the vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the 2003 Ford F-550 light duty truck is hereby declared as surplus property and direction to dispose of the property is hereby authorized.

Adopted this 1st day of June, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven R. Voss, Mayor

ATTEST:

Jack Davis, City Administrator

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)
Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.
Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Hope Chest for Breast Cancer Foundation Previous Gambling Permit Number: X-34496

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 41-2019565

Mailing Address: 3850 Shoreline Drive South

City: Wayzata State: MN Zip: 55391 County: Hennepin

Name of Chief Executive Officer (CEO): Nancy Benedict

Daytime Phone: 612-382-3032 Email: nbenedict@hopechest.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
60 Empire Drive, Suite 100 www.sos.state.mn.us
St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Hidden Haven Golf Club

Address (do not use P.O. box): 20520 Polk Street NE

City or Township: Cedar Zip: 55011 County: Anoka

Date(s) of activity (for raffles, indicate the date of the drawing): August 27, 2016

Check each type of gambling activity that your organization will conduct:

Bingo* Paddlewheels* Pull-Tabs* Tipboards*

Raffle (total value of raffle prizes awarded for the calendar year: \$ _____)

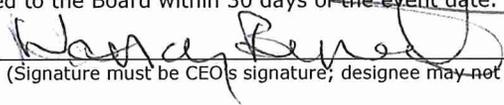
* **Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under **List of Licensees**, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

<p style="text-align: center;">CITY APPROVAL for a gambling premises located within city limits</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print City Name: <u>East Bethel</u></p> <p>Signature of City Personnel: _____</p> <p>Title: _____ Date: _____</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 20px;"> <p>The city or county must sign before submitting application to the Gambling Control Board.</p> </div>	<p style="text-align: center;">COUNTY APPROVAL for a gambling premises located in a township</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>Title: _____ Date: _____</p> <p>TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date: _____</p>
---	---

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 5/23/16

(Signature must be CEO's signature; designee may not sign)

Print Name: Nancy Benedict

REQUIREMENTS	MAIL APPLICATION AND ATTACHMENTS
---------------------	---

<p>Complete a separate application for:</p> <ul style="list-style-type: none"> • all gambling conducted on two or more consecutive days, or • all gambling conducted on one day. <p>Only one application is required if one or more raffle drawings are conducted on the same day.</p> <p>Financial report to be completed within 30 days after the gambling activity is done: A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.</p> <p>Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).</p>	<p>Mail application with:</p> <p><input type="checkbox"/> a copy of your proof of nonprofit status, and</p> <p><input type="checkbox"/> application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to State of Minnesota.</p> <p>To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-539-1900.</p>
---	---

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the</p>	<p>application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-</p>	<p>ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
---	--	--

This form will be made available in alternative format (i.e. large print, braille) upon request.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 20 2006**

HOPE CHEST FOR BREAST CANCER
FOUNDATION
3850 SHORELINE DR S
WAYZATA, MN 55391-0000

Employer Identification Number:
41-2019565
DLN:
17053091909096
Contact Person: STEVE D DUVALL ID# 31535
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170 (b) (1) (A) (vi)

Dear Applicant:

Our letter dated July 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

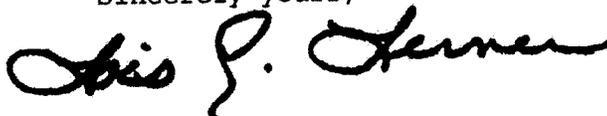
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

MN PINK RIBBON RUN
Partnering with Hope Chest of Minnesota

HOME PAGE RIDE INFORMATION REGISTRATION / DONATE MERCHANDISE / CONTACT US

PHOTOS & SPONSORS / DONA

WOMEN ONLY MOTOCYCLING



7th Annual



Saturday, August 27, 2016

There is a cohesiveness that draws us together and keeps us coming back year after year--a unification of multicultural women riding in support and memory of those whose fight will not be in vain...and will not be forgotten.

MN PINK RIBBON RUN partners with HOPE CHEST FOR BREAST CANCER, to support individuals and families in Minnesota communities touched by the effects of breast cancer during a time when hope is needed.

HOPE CHEST FOR BREAST CANCER provides:

Financial assistance for rent, utilities, transportation, and other needs to those who are having financial difficulties or are unable to work due to the side effects of breast cancer treatment. "Delivered Meals that Heal," provides essential nourishment bodies need during treatment.

*Help us to help those touched by breast cancer. Help us by riding for **HOPE!***



City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

Item 7.0 A.1

Agenda Item:

Interim Use Permit (IUP) for the keeping of chickens for Ms. Sara Stream

Requested Action:

Consider an Interim Use Permit (IUP) for the Keeping of Chickens for Ms. Sara Stream.

Background Information:

Ms. Sara Stream, 20856 Kissel St, applied for an IUP for the keeping of six (6) chickens on her 1.99 acre lot. The chickens will be housed in a chicken coop (5 ft. x 12 ft.) and have a 10 ft. x 12 ft. covered run which will be located 51 feet from the property line. This property is zoned Rural Residential and the request complies with City Code, Chapter 10, Article V, Farm Animals. The IUP application was submitted to and discussed at the May 24, 2016 Planning Commission Meeting. There was no one that spoke in opposition to the request for an IUP for the keeping of chickens.

Recommendation(s):

The Planning Commission, by unanimous vote at their May 24, 2016 meeting, recommends that City Council consider approval of an IUP for the keeping up to 6 chickens for Ms. Sara Stream, 20856 Kissel St NE, East Bethel, MN 55011, PIN 13-33-23-31-0007 with the following conditions:

1. An Interim Use Permit Agreement must be signed and executed by the applicants and the City.
2. Applicants must comply with City Code Section 10. Article V. Farm Animals and Ordinance 51, Third Series
3. Permit shall expire when:
 - a. The property is sold, or
 - b. Non-compliance of IUP conditions
 - c. Three years from the date of issuance of the permit
4. Property owner shall have thirty (30) days to remove the approved domestic farm animals upon expiration of the IUP.
5. Conditions of the IUP must be met no later than July 1, 2016. IUP will not be issued until all conditions are met. Failure to meet conditions will result in the null and void of the IUP.
6. The IUP shall be for a term of three (3) years at which time the applicant will be required to re-apply for an IUP if an extension is desired.
7. Property will be inspected and evaluated annually by city staff.

Attachments:

1. Attachment #1 – Draft of the potential IUP
2. Attachment #2 – Supportive/Background information
3. Attachment #3 – Location Map

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA
INTERIM USE PERMIT (IUP) AGREEMENT

Dated: June XX, 2016

Property Owner: Erik and Sara Stream
20856 Kissel St NE
East Bethel, MN 55011

Applicant: Sarah Stream
20856 Kissel St NE
East Bethel, MN 55011

Parcel Location: 20856 Kissel St NE
East Bethel, MN 55011

Parcel Number: 13-33-23-31-0007

Present Zoning District: RR – Rural Residential

IUP REQUEST: approval to keep no more than 6 chickens, with no roosters, at 20856 Kissel St NE, East Bethel, MN 55011.

PLANNING COMMISSION ACTION

A public hearing was held on May 24th, 2016 at which all interested parties had the opportunity to be heard. Planning Commission recommended approval of the IUP request.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on _____ and approved the IUP request with conditions.

DECISION

The City Council hereby grants the IUP to keep no more than 6 chickens and no roosters located at 20856 Kissel St NE, East Bethel, MN 55011, LOT 5 BLOCK 4 OAK BROOK ACRES, PIN 13-33-23-31-0007 subject to the following conditions:

CONDITIONS AND REQUIREMENTS

- 1) The ownership of the chickens shall meet the specific standards set forth in the city ordinance 51, Third Series: an ordinance amending Chapter 10 Animals, Article V Farm Animals, Section 10-151 Interim Use Permit (IUP) and Acreage Requirements for Domestic Farm Animals; Nondomestic Animals Prohibited, Exceptions
 - a) The use of the property shall be single-family residential;
 - b) The property shall contain one (1) detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;
 - c) Chickens shall not be kept inside the principal structure;
 - d) No person shall slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties;
 - e) Chicken coops and attached exercise pens shall be provided for all chickens;
 - f) Coops and pens shall be fully enclosed and constructed of durable weather resistant materials;
 - g) The floor area of the coop shall be a minimum of 2 sq/ft in area per chicken;
 - h) The floor area of the attached pen shall be a minimum of 6 sq/ft in area per chicken;
 - i) Coops and pens shall meet all setback requirements required of accessory structures;
 - j) Coops and pens shall be located in rear yards only;
 - k) Coops larger than 200 sq/ft in area shall meet all accessory structure requirements of the City Code including those pertaining to location, size, number, height, use and design.
 - l) Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards while under supervision;
 - m) All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings; All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;
 - n) Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of City of East Bethel
 - o) The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the Certificate of Compliance and the City Code.
 - p) No more than 6 chickens can be kept on lots between 0.5 acre and 3 acres in size.
 - q) No roosters shall be allowed on lots between 0.5 acre and 3 acres in size.
 - r) No chickens will be permitted on lots less 0.5 acres
 - s) An Interim Use Permit would be required for this use unless the property complies with Section 10-151, (j),
 - t) All chickens shall be of the subspecies *Gallus gallus domesticus* and tolerant of local climate conditions
- 2) An IUP Agreement shall be signed and executed no later than July 1st. Failure to execute the IUP Agreement will result in the IUP being null and void. All conditions must be met no later than July 31st.
- 3) The IUP shall be for a term of three (3) years, expiring May 24th, 2019 at which time, the applicant will be required to renew their IUP.
- 4) Permit shall expire when:
 - a) The property is sold,
 - b) The IUP expires, or

- c) Non-compliance of IUP conditions
- 5) All conditions must be met during time of scheduled or non-scheduled inspection(s) of the property or the IUP may be terminated.
 - 6) Property owner shall have thirty (30) days to remove chickens upon expiration or termination of the IUP.
 - 7) Property may be inspected and evaluated annually by city staff.
 - 8) Violation of conditions and/or City Codes shall result in the revocation of the IUP.

DRAFT

May 1, 2016

Dear City of East Bethel,

Thank you so much for considering my application to have 6 hen chickens in East Bethel. Attached you will find the survey of our land. I have tried to map out where the chicken coop is. It is 51 feet from the property line and 173 feet from the home. The coop is in our backyard with the well being in our front yard. The chickens have a space 5 feet by 12. Inside the coop there are nesting boxes on the wall and roosts for them to sleep on at night. There is a run door for them that is locked every night. They have a covered fenced area that is 10*12. Their food is kept in plastic bins that are rodent proof. We use the manure to fertilize our garden which is behind the coop area. It is so neat to see the full circle of life when we feed our garden scraps to the chickens.

Attached you will also find pictures of my children with their chickens. It has been such a great learning experience for them. They now know where their breakfast comes from. They have learned the responsibility of having to feed, clean and collect eggs. But most importantly the chickens calm the kids down and they have really bonded with them.

Thank you, Sara Stream

A handwritten signature in cursive script, appearing to read "Sara Stream", with a long horizontal flourish extending to the right.

CERTIFICATE OF SURVEY SWENSON LAND SURVEYING, INC.

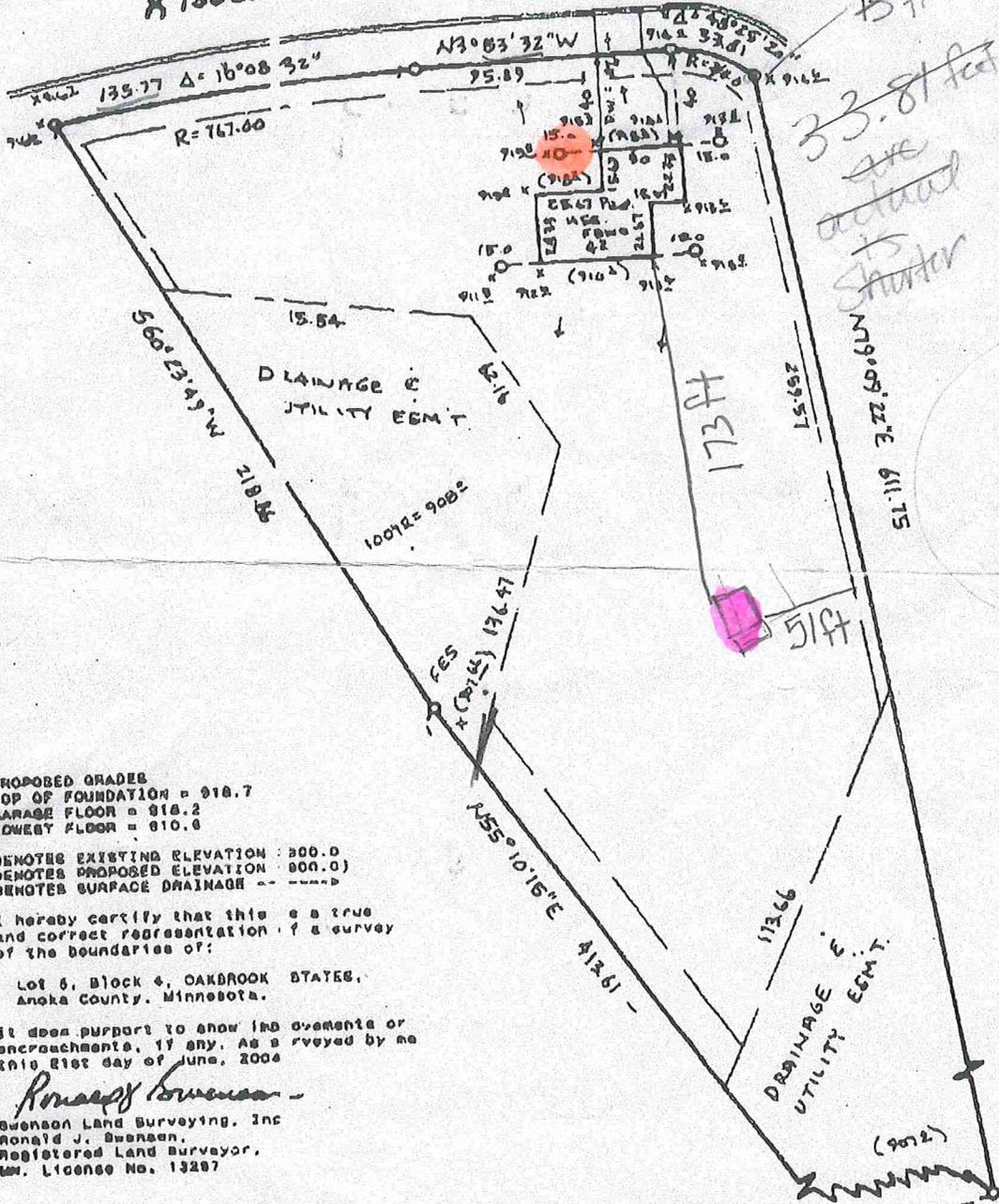
RONALD J. SWENSON
REGISTERED LAND SURVEYOR

14950 Waco Street
Ramsey, Minnesota 55303

TELEPHONE
(763) 427-1020

SURVEY FOR: **HERMAN:ION HOMES**
KISSEL ST. N.E.

● Denotes Iron Monuments Found
○ Denotes Iron Monuments Set
Scale 1 inch equals 50 feet
Book P.C. Page 4109
Invoice No. 4109



PROPOSED GRADE
TOP OF FOUNDATION = 918.7
GARAGE FLOOR = 918.2
LOWEST FLOOR = 910.0

DENOTES EXISTING ELEVATION: 900.0
DENOTES PROPOSED ELEVATION: 900.0
DENOTES SURFACE DRAINAGE

I hereby certify that this is a true and correct representation of a survey of the boundaries of:

Lot 6, Block 4, OAKBROOK STAGES,
Anoka County, Minnesota.

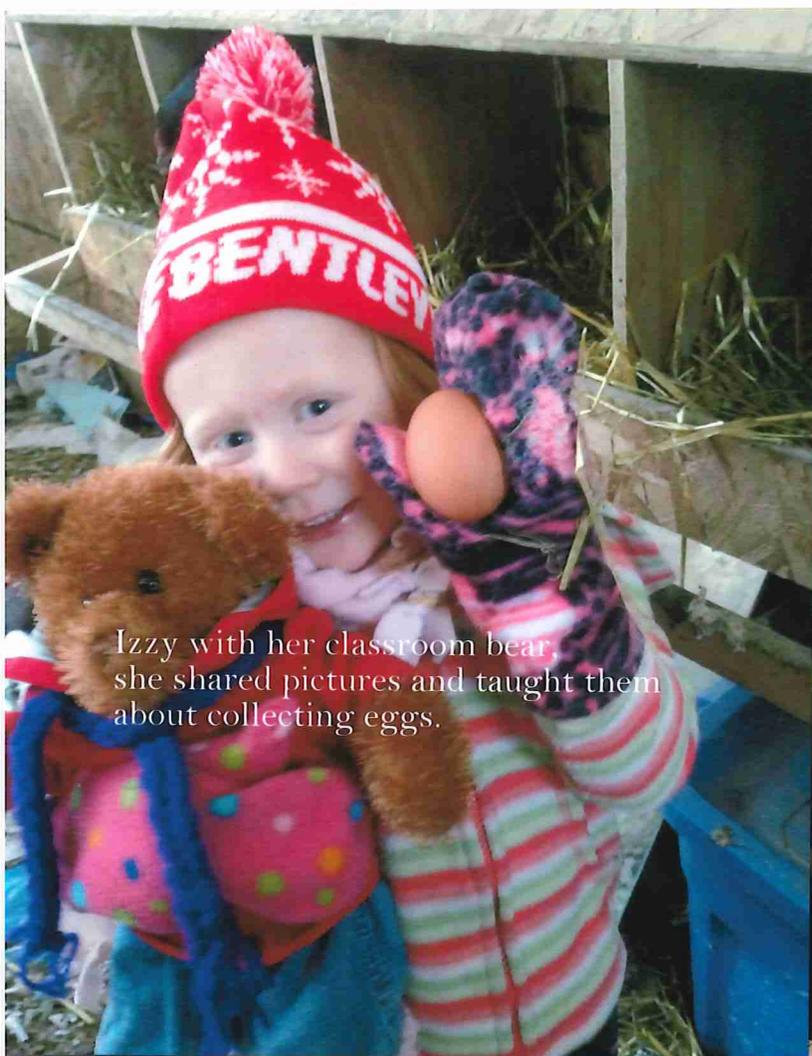
It does purport to show the covenants or encroachments, if any, as surveyed by me this 21st day of June, 2004

Ronald J. Swenson
Swenson Land Surveying, Inc
Ronald J. Swenson,
Registered Land Surveyor,
Mn. License No. 13297

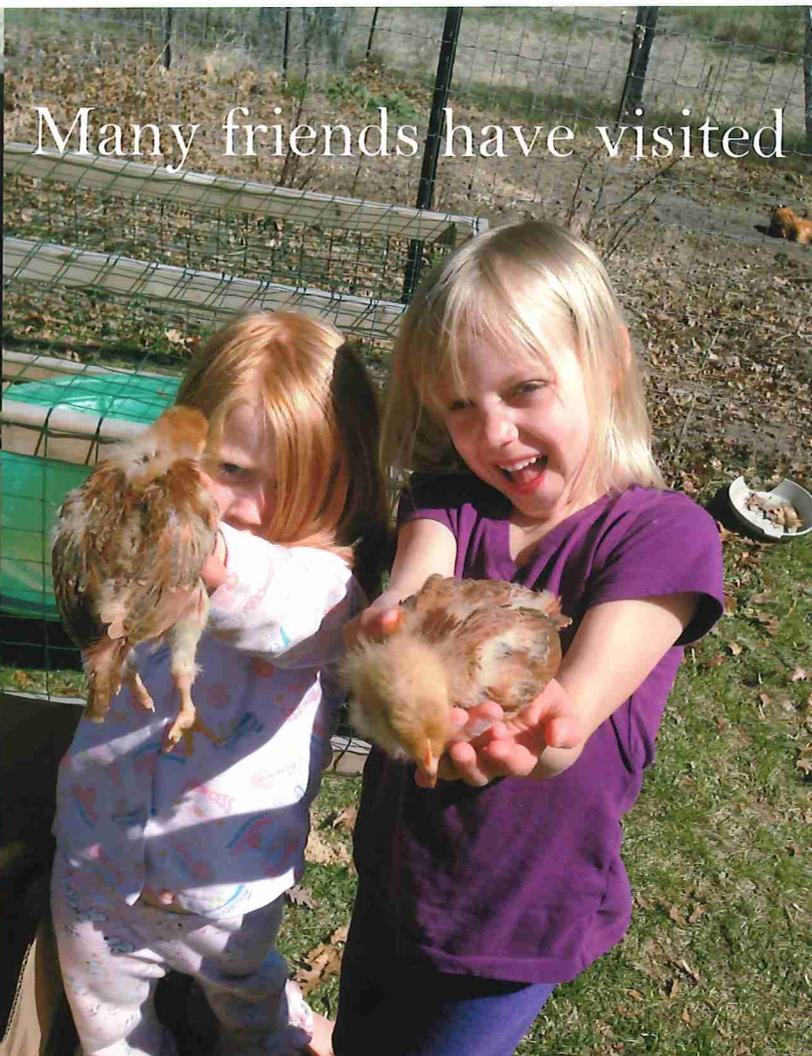


Well
Chicken Coop

256 Well
632



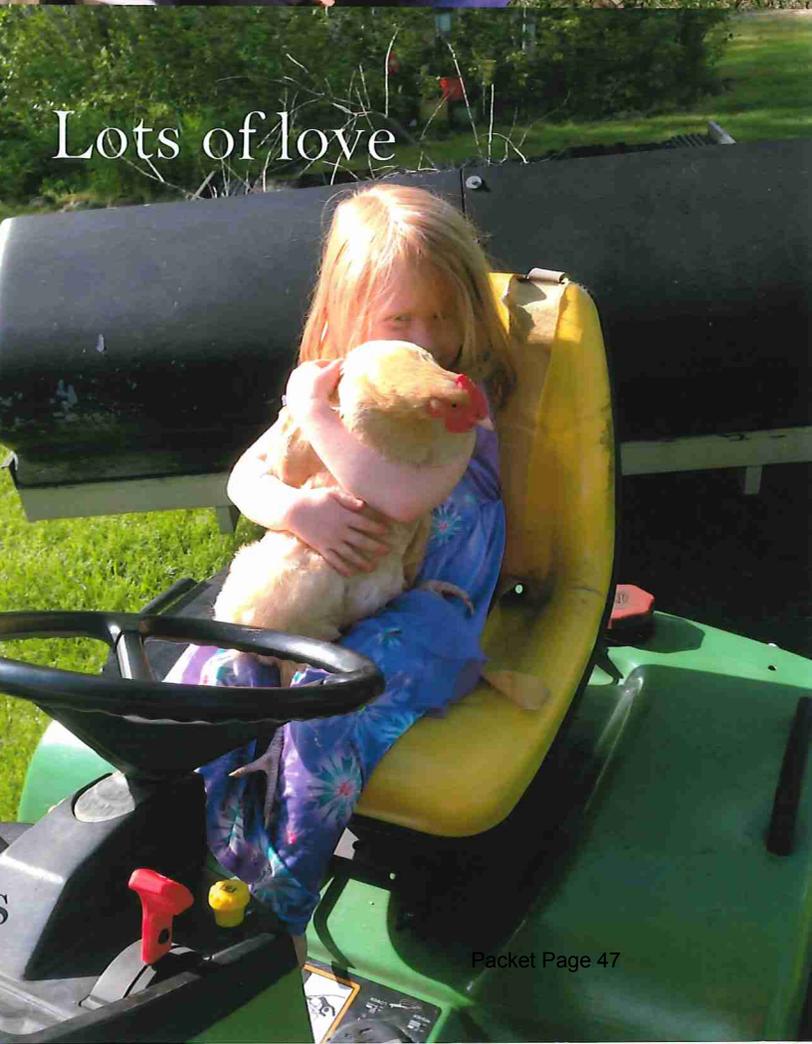
Izzy with her classroom bear, she shared pictures and taught them about collecting eggs.



Many friends have visited



We raised them from chicks



Lots of love



Parcel Information

PIN: 133323310007
Acres: 1.99

Owner Name: STREAM ERIK
Address 1: 20856 KISSEL ST NE
Address 2: EAST BETHEL, MN 55011

Site Address 1: 20856 KISSEL ST NE
Site Address 2: EAST BETHEL, MN 55011-9523
Zoning: RR
Shoreland: null

Legal: LOT 5 BLOCK 4 OAK BROOK
ACRES

1 in = 94 ft





City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

Item 7.0 A.2

Agenda Item:

Interim Use Permit (IUP) for the keeping of chickens for Stacey Persons

Requested Action:

Consider an Interim Use Permit (IUP) for the keeping of chickens for Stacey Persons

Background Information:

Ms. Stacey Persons, 2630 196th Avenue, has applied for an IUP for the keeping of five (5) chickens on her 6.44 acre lot. The chickens will be housed in a chicken coop which will be located 125 feet from the property line. This property is zoned Rural Residential and the request complies with City Code, Chapter 10, Article V, Farm Animals.

The IUP application was submitted to and discussed at the May 24, 2016 Planning Commission Meeting. There was no one that spoke in opposition to the request for an IUP for the keeping of chickens.

Recommendation(s):

City Staff is requesting the Planning Commission recommend approval to the City Council of an IUP for keeping of up to 6 chickens for Stacey Persons, 2630 196th Ave NE, East Bethel, MN 55011, PIN 27-33-23-22-0004 with the following conditions:

1. An Interim Use Permit Agreement must be signed and executed by the applicants and the City.
2. Applicants must comply with City Code Section 10. Article V. Farm Animals.
3. Permit shall expire when:
 - a. The property is sold, or
 - b. Non-compliance of IUP conditions
4. Property owner shall have thirty (30) days to remove the approved domestic farm animals upon expiration of the IUP.
5. Conditions of the IUP must be met no later than July 1, 2016. IUP will not be issued until all conditions are met. Failure to meet conditions will result in the null and void of the IUP.
6. The IUP shall be for a term of three (3) years at which time the applicant will be required to re-apply for an IUP.
7. Property will be inspected and evaluated annually by city staff.

Attachments:

- 1. Attachment #1 – Draft of potential IUP
- 2. Attachment #2 – Supporting information
- 3. Attachment #3 – Aerial photo of the property
- 4. Attachment #4 – Location Map

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA
INTERIM USE PERMIT (IUP) AGREEMENT

Dated: June XX, 2016

Property Owner: Stacey Persons
2630 196th Ave NE
East Bethel, MN 55011

Applicant: Same

Parcel Location: 2630 196th Ave NE
East Bethel, MN 55011

Parcel Number: 27-33-23-22-0004

Present Zoning District: RR – Rural Residential

IUP REQUEST: approval to keep chickens at 2630 196th Ave NE, East Bethel, MN 55011.

PLANNING COMMISSION ACTION

A public hearing was held on May 24th, 2016 at which all interested parties had the opportunity to be heard. Planning Commission recommended approval of the IUP request.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on _____ and approved the IUP request with conditions.

DECISION

The City Council hereby grants the IUP to keep chickens located at 2630 196th Ave NE, East Bethel, MN 55011, LOT 4 BLK 1 PINE RIDGE ESTATES; SUBJ TO EASE OF REC, PIN 27-33-23-22-0004 subject to the following conditions:

CONDITIONS AND REQUIREMENTS

- 1) The ownership of the chickens shall meet the specific standards set forth in the city ordinance 51, Third Series: an ordinance amending Chapter 10 Animals, Article V Farm Animals, Section 10-151 Interim Use Permit (IUP) and Acreage Requirements for Domestic Farm Animals; Nondomestic Animals Prohibited, Exceptions
 - a) The use of the property shall be single-family residential;
 - b) The property shall contain one (1) detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;
 - c) Chickens shall not be kept inside the principal structure;
 - d) No person shall slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties;
 - e) Chicken coops and attached exercise pens shall be provided for all chickens;
 - f) Coops and pens shall be fully enclosed and constructed of durable weather resistant materials;
 - g) The floor area of the coop shall be a minimum of 2 sq/ft in area per chicken;
 - h) The floor area of the attached pen shall be a minimum of 6 sq/ft in area per chicken;
 - i) Coops and pens shall meet all setback requirements required of accessory structures;
 - j) Coops and pens shall be located in rear yards only;
 - k) Coops larger than 200 sq/ft in area shall meet all accessory structure requirements of the City Code including those pertaining to location, size, number, height, use and design.
 - l) Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards while under supervision;
 - m) All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings; All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;
 - n) Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of City of East Bethel
 - o) The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the Certificate of Compliance and the City Code.
 - p) No more than 6 chickens can be kept on lots between 0.5 acre and 3 acres in size.
 - q) No roosters shall be allowed on lots between 0.5 acre and 3 acres in size.
 - r) No chickens will be permitted on lots less 0.5 acres
 - s) An Interim Use Permit would be required for this use unless the property complies with Section 10-151, (j),
 - t) All chickens shall be of the subspecies *Gallus gallus domesticus* and tolerant of local climate conditions
- 2) An Interim Use Permit Agreement must be signed and executed by the applicant(s) and notarized. An IUP Agreement must be signed and executed in order to be within compliance of the Chicken Ordinance. Failure to execute the IUP Agreement will result in the IUP being null and void.
- 3) The IUP shall be for a term of three (3) years, expiring May 24th, 2019 at which time, the applicant will be required to renew their IUP.
- 4) Permit shall expire when:
 - a) The property is sold,

- b) The IUP expires, or
- c) Non-compliance of IUP conditions
- 5) All conditions must be met during time of scheduled or non-scheduled inspection(s) of the property or the IUP may be terminated.
- 6) Property owner shall have thirty (30) days to remove chickens upon expiration or termination of the IUP.
- 7) Property may be inspected and evaluated annually by city staff.
- 8) Violation of conditions and/or City Codes shall result in the revocation of the IUP.

DRAFT

Stacey Persons IUP Application Information

2630 196th Ave NE

Acres: 6.44 acres

Zoning: Rural Residential

Shoreland district: No

Kennel	Chickens	Farm Animals
<p>Fence: Waiting for Spring road restrictions for the dirt to be disbursed for grading purposes prior to fencing. Does not need a fence permit for a fence under 6 feet.</p> <p>Rabies: see attached</p> <p>Outside: Dogs are put on cable chains when they go outside</p> <p>Kennels: Kennels Great Dane when at work, 1 large kennel</p> <p>Number of dogs: Has 2 dogs now, but looking to possibly get more and also breed</p>	<p>Number of Chickens: 3-5 and potentially more</p> <p>Will not butcher on-site</p> <p>Location of coop is indicated in drawing</p>	<p>Interested in owning cows and possibly goats.</p>



Parcel Information

PIN: 273323220004

Acres: 6.44

Owner Name: SAASTAD MARK A & BAMBI

Address 1: 5751 7TH ST NE

Address 2: EAST BETHEL, MN 55011

Site Address 1:

Site Address 2: EAT BETHEL, MN 55011-9523

Zoning: RR

Shoreland: Null

Legal: LOT 4 BLK 1 PINE RIDGE
ESTATES; SUBJ TO EASE OF REC

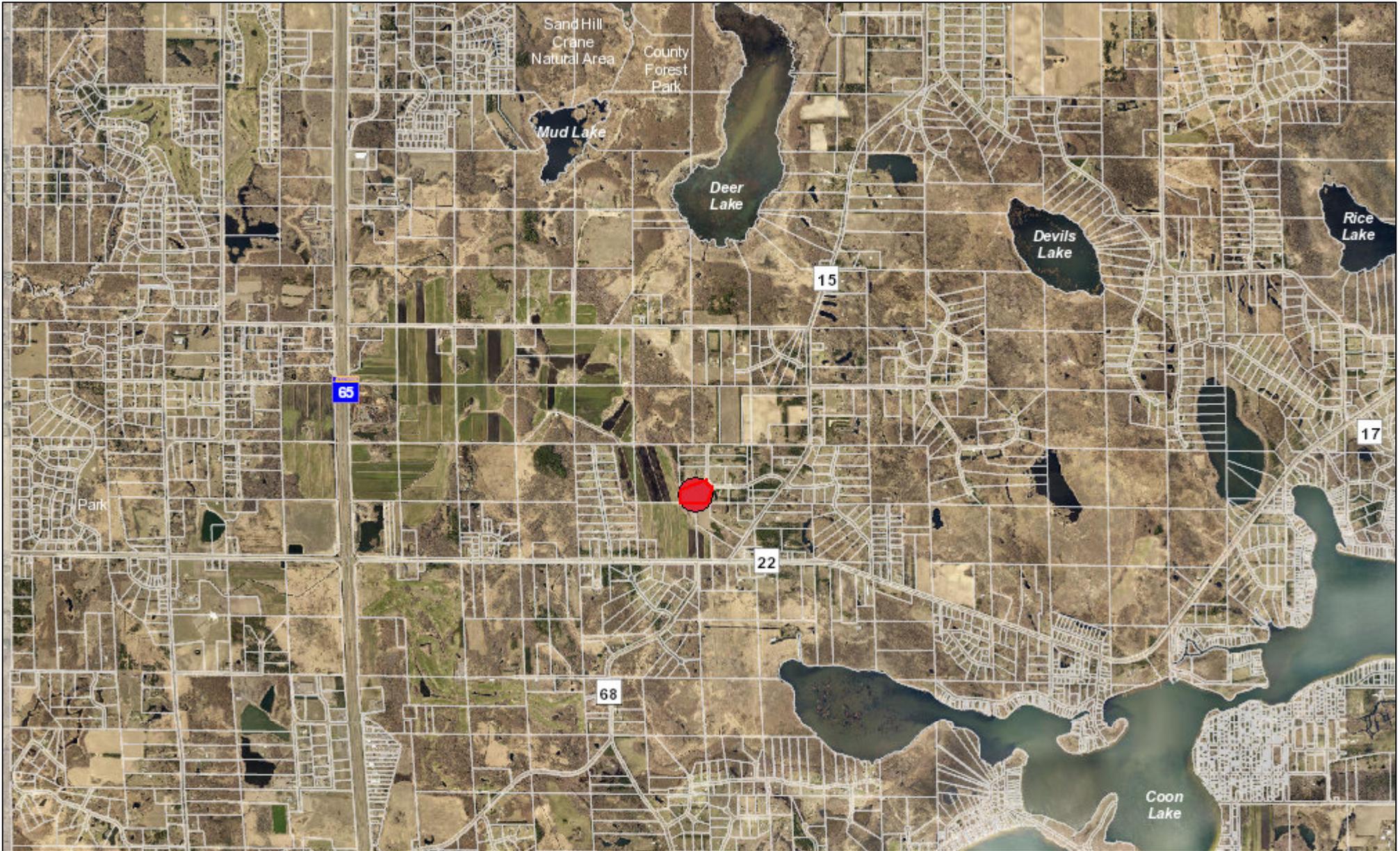
1 in = 94 ft



March 29, 2016

Map Powered by DataLink
from MSP & Associates

2630 196th Ave NE



1 in = 3,009 ft





City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

7.0 A.3

Agenda Item:

Private Kennel License Interim Use Permit (IUP)

Requested Action:

Consider an Interim Use Permit (IUP) for Ms. Stacy Persons for a Private Kennel License

Background Information:

Ms. Stacey Persons, 2630 196th Ave., has applied for an IUP for a private kennel license for the keeping of six (6) dogs on her 6.44 acre lot. This property is zoned Rural Residential and Ms. Persons currently has two dogs, a Great Dane and a Golden Retriever.

There are no enclosures for the dogs but the applicant has stated they plan to install a fenced area to contain the animals. The dogs have proof of rabies vaccination and are currently licensed with the city.

East Bethel City Code Chapter 10, Article II. Dogs, allows up to six (6) dogs on lots of five (5) acres or more with an approved private kennel license. City Code requires that the dogs be confined to the property, outdoor housing facilities must not encroach on any setbacks, housing and shelter must be provided, feces shall be removed in a timely manner, and accumulation of feces must not be located within 200 feet for any well.

Four residents (see Attachment 1 for their address locations) expressed concerns regarding the application for the IUP. Their issues were barking dogs and the potential for dogs running loose.

As questioned by the Planning Commission, the applicant provided additional information regarding enclosures, hours the dogs would be contained inside the home, and intent for eventually having additional dogs.

The applicant has indicated that she may breed dogs in the future. An IUP for a home occupation may be required for this activity.

The minutes of the May 24, 2016 Planning Commission Meeting Minutes will be forwarded to City Council by Tuesday, May 31, 2016. These minutes will contain a detailed account of the responses by those who expressed concerns relating to this matter, the statements of the applicant and questions and comments by the Planning Commission. The meeting can also be viewed on the City Website.

Fiscal Impact:

***** Packet Page 58

Recommendation(s):

The application for the IUP was presented to the Planning Commission at their May 24, 2016 meeting, and by unanimous vote, the Planning Commission voted to recommend that City Council consider approval of an IUP for a Private Kennel License for no more than six (6) dogs for Ms. Persons, located at 2630 196th Ave NE, East Bethel, MN 5501, PIN: 27-33-23-22-0004 subject to the following conditions:

1. An Interim Use Permit Agreement/Private Kennel License must be signed and executed by the applicants and the City within 30 days of approval of the license.
2. Applicants must comply with City Code Chapter 10, Division II, Dogs.
3. Permit shall expire when:
 - a. The property is sold,
 - b. The IUP expires, or
 - c. Non-compliance of IUP conditions occurs
5. Property owner shall have thirty (30) days to remove dogs upon expiration or termination of the IUP/Private Kennel License.
6. The IUP shall be for a term of three (3) years at which time the applicant will be required to re-apply for an IUP.
7. Property will be inspected and evaluated annually by city staff.

Attachments:

1. Location Map
2. IUP draft
3. Location of Neighbors with concerns that spoke at Public Hearing

City Council Action

Motion by: _____ Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



Parcel Information

PIN: 273323220004
 Acres: 6.44

Owner Name: SAASTAD MARK A & BAMBI
 Address 1: 5751 7TH ST NE
 Address 2: EAST BETHEL, MN 55011

Site Address 1:
 Site Address 2: EAT BETHEL, MN 55011-9523
 Zoning: RR
 Shoreland: Null

Legal: LOT 4 BLK 1 PINE RIDGE
 ESTATES; SUBJ TO EASE OF REC

1 in = 94 ft



March 29, 2016

Map Powered by DataLink
 from MSP & Associates

CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA
INTERIM USE PERMIT (IUP) AGREEMENT

Dated: June XX, 2016

Property Owner: Stacey Persons
2630 196th Ave NE
East Bethel, MN 55011

Applicant: Same

Parcel Location: 2630 196th Ave NE
East Bethel, MN 55011

Parcel Number: 27-33-23-22-0004

Present Zoning District: RR – Rural Residential

IUP REQUEST: approval of a Private Kennel for 6 dogs at 2630 196th Ave NE, East Bethel, MN 55011.

PLANNING COMMISSION ACTION

A public hearing was held on May 24th, 2016 at which all interested parties had the opportunity to be heard. Planning Commission recommended approval of the IUP request.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on _____ and approved the IUP request with conditions.

DECISION

The City Council hereby grants the IUP for a Private Kennel located at 630 196th Ave NE, East Bethel, MN 55011, PIN 27-33-23-22-0004 subject to the following conditions:

CONDITIONS AND REQUIREMENTS

1. The private kennel shall meet the specific Private Kennel standards set forth in the City Code Chapter 10. Article 2. Division 2. Section 10-55: Conditions for issuance of a private kennel license.

- a. Housing enclosures shall be located as not to create a nuisance and shall not encroach upon any setback area.
 - b. Dogs shall be confined to their own property by a provable means.
 - c. Housing and shelter must be provided which will keep animals comfortable and protected from the elements.
 - d. Accumulations of feces shall be located at least 200 feet from any well.
 - e. All accumulations of feces shall be removed at such periods as will ensure that no leaching or objectionable odors exist, and the premises shall not be allowed to become unsightly.
 - f. All dogs shall have access to indoor housing from the hours of 10:00 p.m. to 6:00 a.m.
 - g. The city council reserves the right to issue additional conditions on a case-by-case basis in order to maintain the public repose.
 - h. Kennels shall be considered an accessory structure for setback purposes.
2. An Interim Use Permit Agreement/Private Kennel License must be signed and executed by the applicants and the City.
3. Permit shall expire when:
 - a. The property is sold,
 - b. The IUP expires, or
 - c. Non-compliance of IUP conditions
4. Property owner shall have thirty (30) days to remove dogs upon expiration or termination of the IUP/Private Kennel License.
5. Property will be inspected and evaluated annually by city staff.
6. Violation of conditions and City Codes shall result in the revocation of the IUP.
7. The IUP shall be for a term of three (3) years, expiring XXX, 2019, at which time, the applicant will be required to re-apply for an IUP.
8. An IUP Agreement shall be signed and executed no later than July 1st. Failure to execute the IUP Agreement will result in the null and void of the IUP. All conditions must be met no later than July 31st.



<Title>Property Location Map



Scale 1:9600



Aerial Photo: Flown Spring of 2014





City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

Item 7.0 A.4

Agenda Item:

Changes to Administrative subdivision requirements – Chapter 66, Article V

Requested Action:

Approve proposed changes to the Administrative Subdivision Ordinance, Chapter 66, Article V

Background Information:

At their regular meeting on May 24, 2016 the Planning Commission held a public hearing to discuss changes to Chapter 66, Article V, Administrative Subdivisions. The proposed changes include amendments to allow a simple lot split for divisions of property that create no more than two lots, one of which must have an existing home, and requires no new public roads.

Currently, a lot split can only occur under the provisions of the City Zoning Ordinance, Section 12 for a metes and bounds property and only if that property creates five acre or greater lot sizes and each lot has 300 feet of frontage.

We have been receiving more requests for this type of lot split but the applicants cannot meet the metes and bounds requirement of 300 feet of frontage or may want to only sell the house and retain not less than 2 acres of property.

The only option available to a property owner that desires to complete a simple lot split as described above is to go through the full subdivision process. For a simple lot split that can meet the requirements of the underlying zoning district, the subdivision process may not be necessary and is excessively expensive for the property owner. This process also requires a Developers Agreement between the City and the applicant.

Existing City fees to complete the simple lot split would result in the homeowner being charged \$1,450.00 for the concept, preliminary, and final plat, \$6,500.00 in escrow fees and park dedication fees based on the value of the property. The escrow fees, if not required for legal or engineering review, are returned to the applicant after the project is complete.

A simple lot split modification, as proposed in Attachment 2, seems to be a more practical, cost effective means to deal with these types of land division. The cost to the applicant under this proposal would be a \$300 application fee, a \$1,000 escrow and park dedication fees based on the value of the property.

The City Attorney has reviewed the proposed changes to the Administrative subdivision ordinance and his comments are reflected in Attachment 2.

Attachments:

Attachment 1 – Existing Administrative Subdivision Ordinance

Attachment 2 - Proposed Changes to Chapter 66, Article V Subdivisions, Red-line Version

Attachment 2.a – Clean copy of proposed amendments to the Ordinance

Attachment 3 – MN Statute language

Fiscal Impact:

Not determined

Recommendation(s):

The Planning Commission recommends changes to the Administrative Subdivision Ordinance, Chapter 66, Article V as presented in Attachment 2 to the City Council.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

ARTICLE V. - ADMINISTRATIVE SUBDIVISIONS

Sec. 66-133. - Applicability.

The provisions of this section shall apply only to those subdivisions classified as administrative subdivisions.

(Ord. of 10-17-2007, § 6)

Sec. 66-134. - Qualification.

The following shall be considered an administrative subdivision:

- (1) *Lot boundary line adjustment.* Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination of recorded lots to form no more than two lots. Newly created lots shall conform to the design and performance standards of this chapter and the city's zoning ordinance, set forth in Appendix A to this Code.
- (2) *Base lot subdivision.* In the case of a request to divide a base lot upon which a two-family dwelling, townhouse, a quadraminium, or commercial building, which is a part of a recorded plat where the division is to permit individual private ownership of a single dwelling unit within such a structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of this chapter and the city's zoning ordinance, set forth in Appendix A to this Code.

(Ord. of 10-17-2007, § 6(6-1))

Sec. 66-135. - Information required for administrative subdivisions.

- (a) Whenever any subdivision of land as outlined in section 66-134 is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure on such proposed subdivision shall be granted, the subdividing owner or his authorized agent shall file an application and secure approval of an administrative subdivision.
- (b) The administrative subdivision application shall be considered to be officially filed when the zoning administrator has received the application and has determined that the application is complete. Administrative subdivisions shall consist of maps and accompanying written documents. An owner or applicant shall submit seven large-scale (one inch equals 100 feet or less) copies and one reduced scale (11-inch by 17-inch) copy of detailed graphic materials to include the following information: Certificate of survey prepared by a licensed land surveyor identifying the following:
 - (1) Scale (engineering only) one inch equals 100 feet or less.
 - (2) Name and address, including telephone number, of legal owner and/or agent of the property. Changes in the principles involved as outlined above will be furnished to the city in writing within 30 days. Failure to provide such notification of the change in the principle may lead to voiding of the application for administrative subdivision.
 - (3) North point indication.
 - (4) Existing boundaries of parcel to be platted with dimensions and area and proposed new property lines with dimensions noted.
 - (5) Existing legal description/proposed legal description of new lots.

- (6) Easements of record.
- (7) Delineated wetland boundary, to include the ordinary high water (OHW) level of any lakes or department of natural resources (DNR) waters, 100-year flood elevations.
- (8) All encroachments, easements, or rights-of-way encumbering the property.
- (9) Existing buildings, structures, and improvements within the parcel to be platted and those 100 feet outside the boundaries of the subject parcel.
- (10) Locations, widths, and names of all public streets, trails or sidewalks, rights-of-way, or railroad rights-of-way showing type, width, and condition of the improvements, if any, which shall pass through and/or are within 100 feet.
- (11) Proposed driveway locations and locations of existing driveways on the same side of the road.
- (12) Location of any existing tile lines, abandoned wells, drainageways, waterways, watercourses, lakes, and wetlands.
- (13) Additional preliminary plat data requirements determined appropriate by the zoning administrator.

(Ord. of 10-17-2007, § 6(6-2))

Sec. 66-136. - Filing and review of application.

- (a) *Filing; fee.* The applicant shall file an administrative subdivision application with all required information and accompanying fee with a schedule established by the city.
- (b) *Review by city staff.* Upon receipt of an application, the zoning administrator shall refer copies of the complete administrative subdivision application to city staff and consultants for review and the preparation of a report.
- (c) *Request for additional information.* The zoning administrator shall have the authority to request additional information pertinent to the administrative subdivision. Failure to provide the necessary supportive information may be grounds for denial of the request.
- (d) *Decision.* The city council shall reach a decision on the requested administrative subdivision within 120 days of complete application, unless the applicant agrees to an extension of the review period.
 - (1) The zoning administrator may approve the administrative subdivision with conditions that must be met to insure the administrative subdivision is compliant with the regulations of this chapter and the city's zoning ordinance, as set forth in Appendix A to this Code and as may be amended, and other applicable requirements.
 - (2) The zoning administrator shall prepare findings and deny a subdivision if the administrative subdivision is found to be premature as defined by the criteria of section 66-16 or fails to comply with regulations of this chapter and the city's zoning ordinance, as set forth in Appendix A to this Code and as may be amended, or other applicable requirements.
- (e) *Decision appeal.* The applicant may appeal an administrative subdivision denial following the procedures outlined in the city's zoning ordinance, as set forth in Appendix A to this Code and as amended from time to time.

(Ord. of 10-17-2007, § 6(6-3))

Sec. 66-137. - Recording.

If the administrative subdivision is approved by city council, the applicant shall record the deed and the accompanying survey in the office of the county registrar of titles within 90 days after the date of approval, otherwise the approval of the administrative subdivision shall be considered void.

(Ord. of 10-17-2007, § 6(6-4))

Sec. 66-138. - Record plan.

The property owner/applicant must submit one digital electronic copy in a format compatible with the city's computer system of record plans including lot dimensions and all other pertinent information.

(Ord. of 10-17-2007, § 6(6-5))

Secs. 66-139—66-159. - Reserved.

ARTICLE V. - ADMINISTRATIVE SUBDIVISIONS

Sec. 66-133. - Applicability.

The provisions of this section shall apply only to those subdivisions classified as administrative subdivisions.

(Ord. of 10-17-2007, § 6)

Sec. 66-134. - Qualification.

The following shall be considered an administrative subdivision:

- A. ~~(1)~~ Lot boundary line adjustment. Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination of recorded lots to form no more than two lots. Newly created lots shall conform to the design and performance standards of this chapter and the city's zoning ordinance, set forth in Appendix A to this Code.
- B. ~~(2)~~ Base lot subdivision. In the case of a request to divide a base lot upon which a two-family dwelling, townhouse, a quadraminium, or commercial building, which is a part of a recorded plat where the division is to permit individual private ownership of a single dwelling unit within such a structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of this chapter and the city's zoning ordinance, set forth in Appendix A to this Code.
- C. ~~(3)~~ Simple Lot Split. Allows the division of a lot where there is an existing home on a metes and bounds described property and no new public roads are required. Subject to the following conditions:
1. The lot split -will result in no more than two lots, one of which has an existing home on it.
 2. The lot split does not require the creation of new roads and all lots (new and old) created by the proposed split have the minimum frontage required for lots within that zoning district on an established public street[MV1]
 3. Each resulting lot has the minimum road frontage for the applicable zoning district and meets all other underlying zoning requirements
 4. Adequate access to public roads must be provided for future development.
 5. A Simple lot split -can only be done once.created one time. If at a later date someone wishes to further subdivide either lottheir property they will need to meet all of the requirements of Chapter 66, exceptingxempting Article V.

(Ord. of 10-17-2007, § 6(6-1))

Sec. 66-135. - Information required for administrative subdivisions.

A. (a)—Whenever any subdivision of land as outlined in section 66-134 is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure on such proposed subdivision shall be granted, the subdividing owner or his authorized agent shall file an application and secure approval of an administrative subdivision.

B. (b)—The administrative subdivision application shall be considered to be officially filed when the zoning administrator has received the application and has determined that the application is complete under Minn. Stat. 15.99. Administrative subdivisions shall consist of surveys, maps and accompanying written documents. An owner or applicant shall submit seven large-scale (one inch equals 100 feet or less) copies and one reduced scale (11-inch by 17-inch) copy of detailed graphic materials to include the following information: Certificate of survey prepared by a licensed land surveyor identifying the following:

1. (1)—Scale (engineering only) one inch equals 100 feet or less.

2. (2)—Name and address, including telephone number, of legal owner and/or agent of the property. Changes in the principles involved as outlined above will be furnished to the city in writing within 30 days. Failure to provide such notification of the change in the principle may lead to voiding of the application for administrative subdivision.

3. (3)—North point indication.

4. (4)—Existing boundaries of parcel to be platted with dimensions and area and proposed new property lines with dimensions noted.

5. (5)—Existing legal description/proposed legal description of new lots.

6. (6)—Easements of record.

7. [Drainage and utility easements as required by the City.](#)

8. [Road right of way dedication as required by the City.](#)

9. [Soil report to determine buildable lot area.](#)

10. [Lowest floor elevation for newly created lot\(s\).](#)

11. [Known flood elevation.](#)

12. (7)—Delineated wetland boundary, to include the ordinary high water (OHW) level of any lakes or department of natural resources (DNR) waters, 100-year flood elevations.

13. (8)—All encroachments, easements, or rights-of-way encumbering the property.

14. (9)—Existing buildings, structures, and improvements within the parcel to be platted and those 100 feet outside the boundaries of the subject parcel including the location of existing and proposed wells and septic systems serving and/or proposed to serve either lot.

15. (10)—Locations, widths, and names of all public streets, trails or sidewalks, rights-of-way, or railroad rights-of-way showing type, width, and condition of the improvements, if any, which shall pass through and/or are within 100 feet.

~~16. (11)~~—Proposed driveway locations and locations of existing driveways on the same side of the road.

~~17. (12)~~—Location of any existing tile lines, abandoned wells, drainageways, waterways, watercourses, lakes, and wetlands.

~~18. (13)~~—Additional preliminary plat data requirements determined appropriate by the zoning administrator.

~~(14) Simple Plats require~~

(Ord. of 10-17-2007, § 6(6-2))

Sec. 66-136. - Filing and review of application.

~~A. (a) Filing; fee.~~ The applicant shall file an administrative subdivision application with all required information and accompanying fee with a schedule established by the city.

~~B. Park Dedication fee – Applicant will need to pay applicable park dedication fee for the newly created lot as outlined in the adopted City of East Bethel fee schedule~~

~~C. (b) Review by city staff.~~ Upon receipt of an application, the zoning administrator shall refer copies of the complete administrative subdivision application to city staff and consultants for review and the preparation of a report.

~~D. (c) Request for additional information.~~ The zoning administrator shall have the authority to request additional information pertinent to the administrative subdivision. Failure to provide the necessary supportive information may be grounds for denial of the request.

~~E. (d) Decision.~~ The city council shall reach a decision on the requested administrative subdivision within 120 days of complete application, unless the applicant agrees to an extension of the review period.

~~1. (1)~~—The zoning administrator may approve the administrative subdivision with conditions that must be met to insure the administrative subdivision is compliant with the regulations of this chapter and the city's zoning ordinance, as set forth in Appendix A to this Code and as may be amended, and other applicable requirements.

~~2. (2)~~—The zoning administrator shall prepare findings and deny a subdivision if the administrative subdivision is found to be premature as defined by the criteria of section 66-16 or fails to comply with regulations of this chapter and the city's zoning ordinance, as set forth in Appendix A to this Code and as may be amended, or other applicable requirements.

~~F. (e) Decision appeal.~~ The applicant may appeal an administrative subdivision denial following the procedures outlined in the city's zoning ordinance, as set forth in Appendix A to this Code and as amended from time to time.

(Ord. of 10-17-2007, § 6(6-3))

Sec. 66-137. - Recording.

If the administrative subdivision is approved by city council, the applicant shall record the deed and the accompanying survey in the office of the county registrar of titles within 90 days after the date of approval, otherwise the approval of the administrative subdivision shall be considered void.

(Ord. of 10-17-2007, § 6(6-4))

Sec. 66-138. - Record plan.

The property owner/applicant must submit one digital electronic copy in a format compatible with the city's computer system of record plans including lot dimensions and all other pertinent information.

(Ord. of 10-17-2007, § 6(6-5))

Secs. 66-139—66-159. - Reserved.

ARTICLE V. - ADMINISTRATIVE SUBDIVISIONS

Sec. 66-133. - Applicability.

The provisions of this section shall apply only to those subdivisions classified as administrative subdivisions.

(Ord. of 10-17-2007, § 6)

Sec. 66-134. - Qualification.

The following shall be considered an administrative subdivision:

- A. *Lot boundary line adjustment.* Divisions of land where the division is to permit the adding of a parcel of land to an abutting lot or the combination of recorded lots to form no more than two lots. Newly created lots shall conform to the design and performance standards of this chapter and the city's zoning ordinance, set forth in Appendix A to this Code.
- B. *Base lot subdivision.* In the case of a request to divide a base lot upon which a two-family dwelling, townhouse, a quadraminium, or commercial building, which is a part of a recorded plat where the division is to permit individual private ownership of a single dwelling unit within such a structure and the newly created property lines will not cause any of the unit lots or the structure to be in violation of this chapter and the city's zoning ordinance, set forth in Appendix A to this Code.
- C. *Simple Lot Split.* Allows the division of a lot where there is an existing home on a metes and bounds described property and no new public roads are required. Subject to the following conditions:
 - 1. The lot split will result in no more than two lots, one of which has an existing home on it.
 - 2. The lot split does not require the creation of new roads and all lots (new and old) created by the proposed split have the minimum frontage required for lots within that zoning district on an established public street
 - 3. Each resulting lot meets all other underlying zoning requirements
 - 4. Adequate access to public roads must be provided for future development.
 - 5. A Simple lot split can only be done once.. If at a later date someone wishes to further subdivide either lot they will need to meet all of the requirements of Chapter 66, excepting Article V.

(Ord. of 10-17-2007, § 6(6-1))

Sec. 66-135. - Information required for administrative subdivisions.

- A. Whenever any subdivision of land as outlined in section 66-134 is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a

structure on such proposed subdivision shall be granted, the subdividing owner or his authorized agent shall file an application and secure approval of an administrative subdivision.

- B. The administrative subdivision application shall be considered to be officially filed when the zoning administrator has received the application and has determined that the application is complete under Minn. Stat. 15.99. Administrative subdivisions shall consist of surveys, maps and accompanying written documents. An owner or applicant shall submit seven large-scale (one inch equals 100 feet or less) copies and one reduced scale (11-inch by 17-inch) copy of detailed graphic materials to include the following information: Certificate of survey prepared by a licensed land surveyor identifying the following:
1. Scale (engineering only) one inch equals 100 feet or less.
 2. Name and address, including telephone number, of legal owner and/or agent of the property. Changes in the principles involved as outlined above will be furnished to the city in writing within 30 days. Failure to provide such notification of the change in the principle may lead to voiding of the application for administrative subdivision.
 3. North point indication.
 4. Existing boundaries of parcel to be platted with dimensions and area and proposed new property lines with dimensions noted.
 5. Existing legal description/proposed legal description of new lots.
 6. Easements of record.
 7. Drainage and utility easements as required by the City.
 8. Road right of way dedication as required by the City.
 9. Soil report to determine buildable lot area.
 10. Lowest floor elevation for newly created lot(s).
 11. Known flood elevation.
 12. Delineated wetland boundary, to include the ordinary high water (OHW) level of any lakes or department of natural resources (DNR) waters, 100-year flood elevations.
 13. All encroachments, easements, or rights-of-way encumbering the property.
 14. Existing buildings, structures, and improvements within the parcel to be platted and those 100 feet outside the boundaries of the subject parcel including the location of existing and proposed wells and septic systems serving and/or proposed to serve either lot.
 15. Locations, widths, and names of all public streets, trails or sidewalks, rights-of-way, or railroad rights-of-way showing type, width, and condition of the improvements, if any, which shall pass through and/or are within 100 feet.
 16. Proposed driveway locations and locations of existing driveways on the same side of the road.
 17. Location of any existing tile lines, abandoned wells, drainageways, waterways, watercourses, lakes, and wetlands.

18. Additional preliminary plat data requirements determined appropriate by the zoning administrator.

(Ord. of 10-17-2007, § 6(6-2))

Sec. 66-136. - Filing and review of application.

- A. *Filing; fee.* The applicant shall file an administrative subdivision application with all required information and accompanying fee with a schedule established by the city.
- B. *Park Dedication fee* – Applicant will need to pay applicable park dedication fee for the newly created lot as outlined in the adopted City of East Bethel fee schedule
- C. *Review by city staff.* Upon receipt of an application, the zoning administrator shall refer copies of the complete administrative subdivision application to city staff and consultants for review and the preparation of a report.
- D. *Request for additional information.* The zoning administrator shall have the authority to request additional information pertinent to the administrative subdivision. Failure to provide the necessary supportive information may be grounds for denial of the request.
- E. *Decision.* The city council shall reach a decision on the requested administrative subdivision within 120 days of complete application, unless the applicant agrees to an extension of the review period.
 - 1. The zoning administrator may approve the administrative subdivision with conditions that must be met to insure the administrative subdivision is compliant with the regulations of this chapter and the city's zoning ordinance, as set forth in Appendix A to this Code and as may be amended, and other applicable requirements.
 - 2. The zoning administrator shall prepare findings and deny a subdivision if the administrative subdivision is found to be premature as defined by the criteria of section 66-16 or fails to comply with regulations of this chapter and the city's zoning ordinance, as set forth in Appendix A to this Code and as may be amended, or other applicable requirements.
- F. (e) *Decision appeal.* The applicant may appeal an administrative subdivision denial following the procedures outlined in the city's zoning ordinance, as set forth in Appendix A to this Code and as amended from time to time.

(Ord. of 10-17-2007, § 6(6-3))

Sec. 66-137. - Recording.

If the administrative subdivision is approved by city council, the applicant shall record the deed and the accompanying survey in the office of the county registrar of titles within 90 days after the date of approval, otherwise the approval of the administrative subdivision shall be considered void.

(Ord. of 10-17-2007, § 6(6-4))

Sec. 66-138. - Record plan.

The property owner/applicant must submit one digital electronic copy in a format compatible with the city's computer system of record plans including lot dimensions and all other pertinent information.

(Ord. of 10-17-2007, § 6(6-5))

Secs. 66-139—66-159. - Reserved.

RELEVANT LINKS:

Minn. Stat. § 462.358, subd. 3a.

- Separations where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses.
- Cemetery lots.
- Court ordered divisions or adjustments; and
- Lot consolidation, since subdivision refers only to separation of land.

Although such divisions may nonetheless go through the city’s regulatory subdivision process, it appears cities are without authority to require them do so.

Not all subdivisions necessarily require the preparation of a plat. The state subdivision statute mandates that municipal subdivision ordinances require that all subdivisions should be platted which create five or more lots or parcels which are 2-1/2 acres or less in size. Subdivision ordinances may or may not require other subdivisions be platted. Further, not all subdivisions that require platting must necessarily require both a preliminary and then a final plat. The subdivision statute provides that the city ordinance may provide for the consolidation of the preliminary and final review and approval or disapproval of subdivisions.

Some city subdivision ordinances will provide alternative procedures for certain types of “minor” subdivisions. When the city ordinance consolidates preliminary and final approval, it is sometimes called a simple plat. Often this is allowed if subdivision creates a minimum number of lots of a certain size and the plat does require creation of new roads. A different alternative procedure for minor subdivisions is for divisions of land for which the city is not requiring plats. Often called administrative subdivisions or lot splits, such subdivisions are typically accomplished with metes and bounds descriptions.

IX. Review of important points

City staff and officials should carefully evaluate every application for preliminary plat approval for compliance with the subdivision ordinance. Once the preliminary plat has been approved, the city has limited ability to revisit the issue of adequate compliance. If new public improvements or infrastructure are to be installed, then it is important to enter into a development agreement so the improvements will meet city standards and be completed in a timely fashion. Cities should periodically review their subdivision ordinances for consistency with comprehensive plan and current vision of future land use, particularly with regard to the city’s capacity for wastewater, stormwater, and traffic.



City of East Bethel City Council Meeting Agenda Information

Date:

June 1, 2016

Agenda Item Number:

8.0 D.1

Agenda Item:

2017 Budget Meeting Schedule

Requested Action:

Consider scheduling a time and format for the 2017 Budget discussion

Background Information:

It has been City Policy that Staff submits the proposed City Budget for the coming year to Council during the month of July to initiate Council's review, direction and eventual approval of the 2017 Budget.

Staff is proposing that the 2017 Draft Budget be presented to Council at a work meeting prior to the regularly scheduled Council meeting on July 6th, at a Work Meeting on July 13th or other time as desired by Council. At this meeting, the City Administrator, Finance Director and the Department Heads will present their proposed budgets and answer questions from the Council regarding the requests.

The Council is required to submit an approved preliminary budget in September and approved final budget in December to the County for the 2017.

Attachments:

Fiscal Impact:

To be determined

Recommendation(s):

Staff requests Council to set a date for the 2017 Draft Budget presentation and provide direction as to any changes in the format of the discussion.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____