

City of East Bethel
City Council Agenda
 Regular Council Meeting – 7:00 p.m.
 Date: July 20, 2016



	<u>Item</u>	
7:00 PM	1.0	Call to Order
7:00 PM	2.0	Pledge of Allegiance
7:01 PM	3.0	Adopt Agenda
7:02 PM	4.0	A. Presentations
p. 3		1. Sheriff's Department Monthly Report
p. 4-8		2. Fire Department Monthly Report
p. 9-16		a. Fire Department Budget Review
7:25 PM	5.0	Public Forum
7:30 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. 21-26		B. Meeting Minutes, July 6, 2016 City Council Work Meeting
p. 27-36		C. Meeting Minutes, July 6, 2016 City Council Meeting
p. 37-57		D. IUP Renewals
		New Business
7:32 PM	7.0	Commission, Association and Task Force Reports
		A. Planning Commission
		B. Economic Development Authority
		C. Park Commission
		D. Road Commission
p. 58-73		1. Request for Street Vacation Birch Rd. and Longfellow Dr.
7:50 PM	8.0	Department Reports
		A. Community Development
p. 74-76		1. IUP- Jill Hoffman
		B. City Engineer
p. 77-78		1. Castle Towers WWTP Demolition Quotes
		C. City Attorney
		D. Finance
		E. Public Works
		F. Fire Department
		G. City Administrator
p. 79-91		1. License Agreement for Entrance Drive-Ponds of Hidden Prairie
p. 92-93		2. July 27, 2016 Work Meeting

8:05PM

9.0 Other

- A. Staff Report
- B. Council Reports
- C. Other
- D. Closed session, Minn. Stat. § Minn Stat 13D.05 subd 3

8:30 PM

10.0 Adjourn



City of East Bethel City Council Meeting Agenda Information

Date:

July 20, 2016

Agenda Item Number:

Item 4.0 A.1

Agenda Item:

Sheriff's Department Report

Requested Action:

Informational only

Background Information:

An officer from the Anoka County Sheriff's Office will present the monthly report of activities to the Council

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

July 20, 2016

Agenda Item Number:

Item 4.0 A.2

Agenda Item:

Fire Department Report

Requested Action:

Informational only

Background Information:

The Fire Chief has provided reports of Fire Department emergency calls and emergency medical calls from the previous month.

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



**East Bethel Fire Department
June, 2016
Response Calls**

Incident Number	Incident Date	Alarm Time	Location	Incident Type
248	06/30/2016	16:56	3860 189th AVE NE	Fire Alarm
247	06/29/2016	17:00	Hwy 65 & 187 LN NE	Debris in roadway
246	06/29/2016	14:29	18232 65 HWY NE	EMS call
245	06/28/2016	20:14	38 Viking BLVD	EMS call
244	06/28/2016	13:21	20461 Washington ST NE	EMS call
243	06/27/2016	18:10	Highway 65 NE & 181 st	Motor vehicle accident
242	06/27/2016	11:59	21009 Rendova ST NE	EMS call
241	06/27/2016	11:29	19203 Jackson ST NE	EMS Call
240	06/27/2016	09:51	23620 Davenport ST NE	EMS call
239	06/26/2016	10:16	4806 NE 239 ST	EMS call
238	06/25/2016	23:27	1812 237 AVE	EMS call
237	06/25/2016	19:58	Hasting ST & 211 th	Power line down
236	06/25/2016	18:45	22340 East Bethel BLVD	Power line down
235	06/25/2016	18:34	4353 229th AVE	Power line down
234	06/25/2016	18:18	East Bethel BLVD & 203th	Power line down
233	06/25/2016	17:32	19410 Leyte ST	Power line down
232	06/25/2016	06:59	727 229 AVE	EMS call
231	06/24/2016	18:30	65 HWY & 221 st	Motor vehicle accident
230	06/22/2016	18:39	750 203 LN NE	EMS call
229	06/22/2016	06:55	21108 Polk ST NE	Fire Alarm
228	06/21/2016	20:07	18921 Vickers ST NE	EMS call
227	06/21/2016	12:53	Hwy 65 & 234 th	Motor vehicle accident
226	06/20/2016	15:48	Hwy 65 & 241 st	Motor vehicle accident
225	06/20/2016	12:04	3158 Viking BLVD	Fire Alarm
224	06/19/2016	19:36	23251 Buchanan ST NE	EMS call
223	06/19/2016	17:47	3115 227th LN NE	Fire Alarm
222	06/19/2016	13:51	Hwy 65 NE & Sims	Motor vehicle accident
221	06/19/2016	13:44	22350 Highway 65 NE	EMS call
220	06/18/2016	22:49	65 HWY & Klondike	EMS call
219	06/18/2016	21:18	18430 Everglade DR NE	EMS call
218	06/18/2016	19:36	Gopher DR & 229 th	Permit Burn
217	06/18/2016	19:30	Viking and East Bethel Blvd	EMS call
216	06/18/2016	17:53	65 HWY & 187th	Motor vehicle accident
215	06/18/2016	16:41	24355 Hwy 65	EMS call
214	06/18/2016	15:07	18164 65 HWY	EMS call
213	06/17/2016	16:37	18407 Hwy 65	EMS call
212	06/17/2016	14:05	24355 Hwy 65	EMS call
211	06/16/2016	13:44	520 Beaver Dam DR NE	EMS call
210	06/16/2016	13:18	21210 Polk ST	Fire Alarm
209	06/16/2016	02:04	20350 Jewell ST NE	EMS call
208	06/15/2016	18:22	38 Viking BLVD NE	EMS call
207	06/15/2016	14:07	22435 Palisade	EMS call
206	06/15/2016	08:16	Highway 65 & 221 st	Gas leak
205	06/14/2016	15:28	23524 Jackson ST NE	EMS call

204	06/13/2016	12:52	4706 229th AVE NE	EMS call
203	06/12/2016	19:59	727 229th	EMS call
202	06/12/2016	06:45	152 Collen ST NE	EMS call
201	06/11/2016	19:32	19500 East Bethel BLVD NE	EMS call
200	06/11/2016	03:24	1046 181st LN NE	EMS call
199	06/09/2016	17:50	20520 Polk ST NE	EMS call
198	06/09/2016	12:42	727 229th LN NE	EMS call
197	06/08/2016	13:04	218 Ivy RD	EMS call
196	06/07/2016	22:38	3926 191st AVE NE	Motor vehicle accident
195	06/06/2016	17:09	21232 Davenport ST	EMS call
194	06/06/2016	12:44	23417 University AVE	EMS call
193	06/04/2016	14:18	24355 Hwy 65	EMS call
192	06/02/2016	21:09	21768 Zumbrota ST	Unauthorized burning
191	06/01/2016	05:52	4910 S Tri Oak CIR NE	EMS call
190	06/01/2016	03:36	18203 Antler CIR NE	EMS Call
Total				

City of East Bethel

Subject: Fire Inspector Report

June 1 – 30, 2016

City of East Bethel Fire Inspection List		
Name	Address	Comments
Blue Sky Alpacas	21476 Johnson St	No Violations
Cedar Creek Auto	21388 Johnson St	Fire Extinguishers
A-Blast	21473 Johnson St	No Violations
R.A.K. Construction	21435 Johnson St	Fire Extinguishers and Exit Sign for new shop
Moonshine Whiskey	21383 Ulysses St	No Violations
2 nd Generation Chimneys	18730 Buchanan St	Plan Review
00 Businesses Inspected		Reported by: Mark Duchene Fire Inspectors
NOTE: First Inspections Unless Noted		



City of East Bethel City Council Meeting Agenda Information

Date:

July 20, 2016

Agenda Item Number:

Item 4.0 A.2.a

Agenda Item:

Fire Department 2017 Budget Review

Requested Action:

Review and Discuss the 2017 Proposed Fire Department Budget

Background Information:

The proposed 2017 Fire Department Budget will be presented to City Council and Chief DuCharme will be available for questions from Council

Attachments:

Attachment 1- Proposed 2017 Fire Department Budget

Fiscal Impact:

The preliminary 2017 Fire Department Budget is projected to increase from \$586,300 from 2016 to \$633,500 for 2017. This is an increase of \$47,200 or 8.1%. As was previously discussed at a the July 6, 2016 Budget Work Meeting, Central Services as a budget category was eliminated and these costs were allocated to the respective Departments to which these charges were incurred. This accounting change added \$22,200, which was previously charged to the Central Services Budget, to the Fire Department Budget. Without this addition, the Fire Department Budget increase would have been \$25,000 or 4.3% over the 2016 Budget.

Recommendation(s):

Staff is seeking direction from City Council as to the 2017 Fire Department Budget. which was previously charged to the Central Services Budget

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



2017 Budget

FUND: 101 - General Fund
DEPT/ACTIVITY/PROJECT: 42210 – Fire Department

DEPARTMENTAL PROFILE

The primary mission of the East Bethel Fire Department is to provide a range of programs designed to protect the lives and property of the residents and visitors of the City of East Bethel from the adverse effects of fires, motor vehicle accidents, industrial accidents, hazardous materials incidents, or exposure to dangerous conditions.

DEPARTMENTAL GOALS

It is our vision to be known as an innovative and progressive fire department. We are dedicated to the delivery of effective fire suppression, rescue services and quality fire/safety education to the public. We strive to offer the best available education and training to our firefighters. We desire to have an atmosphere of open communication which promotes the health and welfare of individual members.

EXPENDITURE DETAILS

STAFFING

1 FT Fire Chief
1 Deputy Fire Chief
2 District Fire Chiefs
2 Captains
3 Lieutenants
1 Duty Officer
1 Training Officer
1 Part-Time Inspector
35 Paid On-call Firefighters

101-Full-Time Employees Regular
\$101,500

Full-time Fire Chief Position - Provides for a 2% COLA salary increase

103-PT Wages and Salaries
\$124,472

Fire Fighters will be paid according to the compensation schedule; Probationary Fire Fighters \$8.91 per hour, Post Probationary and Fire Fighter I level Fire Fighters \$10.05 per hour and Fire Fighter II level with all educational elements met \$11.15 and Fire fighter III level \$12.28 per hour.

<u>Position</u>	<u>Number of Officers</u>	<u>2017 Monthly</u>	<u>Annual Salary</u>
Deputy Chief	1	\$519.67	\$6,236
District Chief	2	\$279.06	\$6,697
Captain	2	\$139.54	\$3,349
Lieutenant	4	\$112.06	\$5,379
Training and Safety Officer	1	\$112.06	\$1,345
Duty Officer	1 per week	\$604.07	\$7,249
Inspector	1	\$644.64	\$7,736

- 2017 will continue with single station call out protocol. It is anticipated that the total number of calls will approximate 510 (2015 there were 549 calls). The station break down and day calls are projected to be:

Type of Call	Number of Calls	Projected Fire Fighters per Call	Pay per Call	Total Amount
All Station Call	64	12	12.28	\$9,432
Station 2 Calls	130	6	12.28	\$9,579
Station 1 Calls	187	6	12.28	\$13,779
Day Calls	129	8	12.28	\$12,674
Total Firefighter Call Cost				\$45,464

Type of Meeting/Drill	Number of Meeting/Drill	Projected Fire Fighters per Meeting/Drill	Pay per Meeting/Drill	Hours/ Position	Total Amount
Monthly Staff Meeting	4	35	12.28	2/35	\$3,439
Fire Fighting Training Drills	20	35	12.28	2/35	\$17,193
Medical Training Drills	6	35	12.28	2/35	\$5,158
Station Maintenance Drills	12	35	12.28	2/35	\$10,316
Officer Outside Required Training	1	10	12.28	12/10	\$1,474
Fire Fighter Trainers			12.28	280	\$3,439
Total Fire Fighter Meeting/Drill Cost					\$41,018

125-FICA/Medicare

\$18,500

The City contribution on wages paid.

126-Deferred Compensation

\$2,000

3% match for the full-time Fire Chief

127- Fire Pensions Contributions-City

\$14,000

Contribution funded directly by City taxpayers. This amount is the estimated amount of a voluntary contribution required by the City. The amount is figured on 35 firefighters at \$400 each.

128-Fire Pensions Contributions

\$57,000

The City receives funds from the State in the form of Fire Aid. This amount is provided directly to the Fire Relief Association to fund pension obligations. The 2017 amount is estimated from the actual amount received in 2015. The actual amount is not known until October of the year it is payable to the City.

131-Cafeteria Contribution

\$14,000

City share of benefits for the full-time Fire Chief

135-Disability Insurance

\$1,000

This is the amount paid by the City to fund the disability/life insurance policy purchased on behalf of the Firefighters.

151-Workers Comp Insurance Premium

\$23,000

In addition to the full time Fire Chief, the City purchases worker's compensation insurance for volunteer firefighters. The cost is predicated on population and number of volunteers. The cost estimate is provided by the League of Minnesota Cities Insurance Trust.

201-Offices Supplies

\$4,800

Provides for consumable supplies for the Fire Department including tablets, pencils, pens, etc. and leasing of network copier for Fire Station 1.

203-Books/Reference Materials

\$1,600

Provides for training materials, current map books and new up to date code books

212-Motors Fuels

\$15,000

The Department's share of fuel costs for 2017

213- Lubricants and Additives

\$200

Provides for oil, pump lubricants, etc. for firefighting equipment

214-Clothing & Personal Equipment

\$15,000

Personal Protective Equipment for six Fighters; turnout gear \$2,000 per set, helmets \$200, boots \$200, Hood and Gloves \$125. This is replacement of very old and worn turnout gear. Most gear needing replacement is dated to 1998

215-Shop Supplies

\$300

Materials needed to maintain the shop such as rags, non-vehicle lubricants, miscellaneous nuts/bolts, etc.

217-Safety Supplies

\$6,500

This covers gloves, glasses, coveralls, and medical supplies. It also covers a \$3,800 per year medical directorship for EMS (Emergency Medical Services) or medical response protocols.

219-General Operating Supplies

\$2,500

This is for all items used to run the three stations. This increase is based on recent historical expenditures.

221-Motor Vehicles/Equipment Parts

\$2,000

Provides for repair and maintenance items such as filters, hoses, hydraulics, etc. on firefighting equipment

222-Tires

\$1,800

This is for replacement of tires on large trucks.

223-Bldg/Facility Repair Supplies

\$800

Provides for repairs to any of the three facilities as necessary including plumbing, electrical, mechanical, etc.

229-Equipment Parts

\$800

Provides for replacement parts for equipment items such as pumps, jaws-of-life, etc.

231-Small Tools and Minor Equipment

\$8,500

Provides for purchase of minor equipment such as axes, hose, couplings and fittings for fire hoses \$1,575 and the purchase of 7 pagers totaling \$4,200, 3 1 3/4" nozzles (3 @ \$350 or \$1,150) Annual update of older AED (Automatic Electronic Defibrillator) to meet new CPR protocols \$350.

306-Personnel/Labor Relations

\$1,800

Drug testing services

307-Professional Services Fees

\$6,500

Provides initial physicals (5 @ \$ 500), continuing health surveillance of firefighters (35@ \$85), behavior management assistance, respiratory screening (35 @ \$30), and hep-b shots as required by NFPA and OSHA

309-Information Systems

\$17,200

Fire Department share of the total cost of Information Network of the City

321-Telephones

\$5,400

Provides for telephone service for three stations, an analog line at each station plus one fax line, five cellular phone services, four wireless connections for Mobile Dispatch

351-Printing and Duplicating

\$500

Copying of maps, run, ticket, and medical forms and publishing the SOG manual

381-Electrical Utilities

\$9,500

Electric utility service for three stations

382-Gas Utilities

\$11,000

Gas utility service for three stations

385-Refuse Removal

\$800

Refuse removal for three stations

401-Motor Vehicle Services (Lic'd)

\$3,000

Provides for repair and maintenance services on fire vehicles that are outside City shop's/repair capabilities

402-Repairs/Maint Machinery/Equip

\$21,000

Repairs to radios, pagers, fire ext., detectors, etc. - \$1,000; warning sirens maintenance and contract – (15 sirens x \$1,250) \$18,750. (2013 Actual Expense was \$ 19,044)

403-Bldgs/Facilities Repair/Maint.

\$6,000

Provides for maintenance of air compressor, frozen utility lines, etc.; the cleaning and care of six door mats twice a month, and a cleaning service twice a month for the restrooms, office area and hallways at Station 1.

421-Software Licensing

\$5,900

Installation of Dispatch Software to advise responding units and personnel. Also Anoka County Fire Protection Council JPA fees for the Public Safety Data System (Estimated 2017: \$4,825)

422-Auto/Misc Licensing Fees/Taxes

\$1,500

Radio user fees \$900. Anoka County solid waste management charges of \$600 are assessed to fire stations annually.

431-Vehicle Replacement Charges

\$115,000

Replacement trucks from the Equipment Acquisition Fund

433-Dues and Subscriptions

\$1,400

Professional firefighter associations for officers and fire inspectors

434-Training (Conferences/Meetings)

\$11,500

Outside training for Fire Fighters and Officers to meet basic requirements and EMT Refresher for 8 firefighters.

**City of East Bethel
2017 Proposed Budget**

	Account Description	2014 Actual	2015 Actual	2016 Activity 1/1/16 to 6/1/16	FY 2016 Budget	FY 2017 Proposed Budget
Fire Protection						
	E 101-42210-101 Full-Time Employees Regular	95,446.27	98,023.49	34,099.20	92,900.00	101,500.00
	E 101-42210-103 Part-Time Employees	101,730.39	107,314.29	39,206.10	120,800.00	124,500.00
	E 101-42210-125 FICA/Medicare	14,807.53	15,345.00	5,660.60	17,500.00	18,500.00
	E 101-42210-126 Deferred Compensation	2,000.00	1,964.86	727.51	2,000.00	2,000.00
	E 101-42210-127 Fire Pension Contribution-City	14,000.00	14,000.00	-	14,000.00	14,000.00
	E 101-42210-128 Fire Pension Contrib.-State	55,354.49	59,193.99	-	43,500.00	57,000.00
	E 101-42210-131 Cafeteria Contribution	12,847.03	13,003.92	5,583.30	13,400.00	14,000.00
	E 101-42210-135 Disability Insurance	396.24	396.24	-	1,000.00	1,000.00
	E 101-42210-141 Unemploy Benefit Payments	-	35.65	-	-	-
	E 101-42210-151 Worker s Comp Insurance Prem	22,960.22	25,218.20	22,338.68	25,000.00	23,000.00
	E 101-42210-201 Office Supplies	635.05	383.40	148.92	1,200.00	4,800.00
	E 101-42210-203 Books/Ref. Materials/Software	497.75	-	-	1,600.00	1,600.00
	E 101-42210-211 Cleaning Supplies	223.43	137.69	-	-	200.00
	E 101-42210-212 Motor Fuels	14,844.28	9,034.92	2,604.88	15,000.00	15,000.00
	E 101-42210-213 Lubricants and Additives	472.67	-	-	200.00	200.00
	E 101-42210-214 Clothing & Personal Equipment	7,705.39	14,662.86	11,168.38	13,700.00	15,000.00
	E 101-42210-215 Shop Supplies	-	432.19	89.91	500.00	300.00
	E 101-42210-217 Safety Supplies	4,762.60	6,468.63	1,898.00	5,000.00	6,500.00
	E 101-42210-219 General Operating Supplies	3,816.71	3,670.01	1,325.87	2,500.00	2,500.00
	E 101-42210-221 Motor Vehicles Parts	283.36	2,511.50	152.88	2,000.00	2,000.00
	E 101-42210-222 Tires	-	605.44	2,112.48	1,800.00	1,800.00
	E 101-42210-223 Bldg/Facility Repair Supplies	1,393.67	437.49	661.25	800.00	800.00
	E 101-42210-229 Equipment Parts	344.08	279.02	470.83	800.00	800.00
	E 101-42210-231 Small Tools and Minor Equip	14,090.71	5,705.56	9,204.66	6,500.00	8,500.00
	E 101-42210-306 Personnel/Labor Relations	1,718.65	1,722.59	594.20	1,400.00	1,800.00
	E 101-42210-307 Professional Services Fees	1,658.53	2,933.00	2,996.00	6,500.00	6,500.00
	E 101-42210-309 Information Systems	-	-	-	-	17,200.00
	E 101-42210-321 Telephone	6,425.39	6,484.85	1,702.07	10,400.00	5,400.00
	E 101-42210-341 Personnel Advertising	162.50	-	-	-	-
	E 101-42210-351 Printing and Duplicating	165.00	582.50	-	500.00	500.00
	E 101-42210-381 Electric Utilities	9,538.72	8,470.79	3,645.87	9,500.00	9,500.00
	E 101-42210-382 Gas Utilities	13,098.15	9,286.80	4,034.21	12,000.00	11,000.00
	E 101-42210-385 Refuse Removal	714.05	1,619.36	362.06	800.00	800.00
	E 101-42210-401 Motor Vehicle Services (Lic d)	3,052.98	545.00	2,483.71	3,000.00	3,000.00
	E 101-42210-402 Repairs/Maint Machinery/Equip	14,583.52	26,873.11	6,097.01	19,000.00	21,000.00
	E 101-42210-403 Bldgs/Facilities Repair/Maint	8,909.20	6,842.44	747.72	6,000.00	6,000.00
	E 101-42210-415 Other Equipment Rentals	580.00	580.00	-	-	-
	E 101-42210-421 Software Licensing	-	2,866.22	4,859.62	4,500.00	5,900.00
	E 101-42210-422 Auto/Misc Licensing Fees/Taxes	630.39	598.39	615.16	4,500.00	1,500.00
	E 101-42210-431 Equipment Replacement Chgs	115,000.00	115,000.00	115,000.00	115,000.00	115,000.00
	E 101-42210-433 Dues and Subscriptions	951.00	1,014.00	1,399.00	1,000.00	1,400.00
	E 101-42210-434 Conferences/Meetings	9,452.29	26,532.87	8,067.00	10,500.00	11,500.00
		555,252.24	590,776.27	290,057.08	586,300.00	633,500.00



City of East Bethel City Council Meeting Agenda Information

Date:

July 20, 2016

Agenda Item Number:

Item 6.0 A-D

Agenda Item:

Consent Agenda

Requested Action:

Consider approval of the Consent Agenda

Background Information:

Item A

Approve Bills

Item B

July 6, 2016 City Council Work Meeting Minutes

Meeting minutes from the July 6, 2016 City Council Work Meeting are attached for your review.

Item C

July 6, 2016 City Council Meeting Minutes

Meeting minutes from the July 6, 2016 City Council Meeting are attached for your review.

Item D

Consider approval of the following IUP renewals:

1. Patrick and Alitsa Schroeder – Private Kennel for 6 dogs at 2630 196th Ave NE, East Bethel, MN 55011.
2. Terry Hartin - Home occupation that will allow handgun safety and permit to carry classes, and a Class 1 Federal Firearms License to be conducted from the property at 2110 Deerwood Lane NE, East Bethel, Minnesota 55092.
3. Stacie and Adam Arneson – To operate a home-based hair salon business at 929 197th Ave. NE, East Bethel, Minnesota 55011.
4. Adam and Stacie Arneson - Home occupation of an excavation business called Arne’s Excavating Inc at 929 197th Avenue NE, East Bethel, Minnesota 55011.
5. Thomas VanElsberg -Home occupation to allow for the buying and trading of firearms at 4991 201st Ave. NE, East Bethel, Minnesota 55092.
6. Michelle Hess - Home occupation of a home-based hair salon located at 2740 Viking Blvd NE, East Bethel, Minnesota 55092.
7. Michael and Catherine Beason - To continue operation of a craft center known as The Pines at the above referenced parcel located within the City of East Bethel.

The City has received no complaints on any of the renewals and all the renewal submittals are in compliance with the terms of their IUP’s.



City of East Bethel
July 20, 2016
Payment Summary

Payments for Council Approval	
Bills to be approved for payment	\$316,384.07
Electronic Payroll Payments	\$30,356.16
Payroll - City Council, July 15, 2016	\$1,775.35
Payroll - Fire Department, July 15, 2016	\$8,797.71
Payroll - City Staff, July 14, 2016	\$35,754.91
Total to be Approved for Payment	\$393,068.20

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
	Sales Tax Remittance	2nd Qtr 16	Minnesota Revenue	101		\$751.00
Arena Operations	Bldgs/Facilities Repair/Maint	062816	Wright-Hennepin Coop Electric	615	49851	\$29.95
Arena Operations	Information Systems	B160707J	Anoka County Treasury Dept	615	49851	\$75.00
Arena Operations	Professional Services Fees	100023	Gibson's Management Company	615	49851	\$1,750.00
Arena Operations	Refuse Removal	070116	Ace Solid Waste, Inc.	615	49851	\$111.97
Building Inspection	Electrical Inspection	070116	Brian Nelson Inspection Svcs	101		\$1,379.25
Building Inspection	Motor Fuels	549147	Mansfield Oil Company	101	42410	\$237.87
Building Inspection	Motor Fuels	386122	River Country Cooperative	101	42410	\$27.00
Building Inspection	Motor Vehicles Parts	1539-463443	O'Reilly Auto Stores Inc.	101	42410	\$10.38
Building Inspection	Professional Services Fees	1062506	STS Staffing	101	42410	\$326.88
Building Inspection	Professional Services Fees	1065679	STS Staffing	101	42410	\$326.88
Building Inspection	Surcharge Remittance	25171003051	MN Dept Labor & Industry	101		\$1,472.32
Central Services/Supplies	Information Systems	B160707J	Anoka County Treasury Dept	101	48150	\$75.00
Central Services/Supplies	Information Systems	B160707J	Anoka County Treasury Dept	101	48150	\$75.00
Central Services/Supplies	Office Supplies	IN1239231	Innovative Office Solutions	101	48150	\$90.89
Central Services/Supplies	Office Supplies	IN1240842	Innovative Office Solutions	101	48150	\$13.10
Central Services/Supplies	Office Supplies	IN1246678	Innovative Office Solutions	101	48150	\$40.64
Central Services/Supplies	Office Supplies	847867198001	Office Depot	101	48150	\$79.47
Central Services/Supplies	Office Supplies	847869626001	Office Depot	101	48150	\$10.65
Central Services/Supplies	Telephone	062816	CenturyLink	101	48150	\$99.56
City Administration	Professional Services Fees	M22214	TimeSaver Off Site Secretarial	101	41320	\$171.00
Civic Events	Professional Services Fees	063016	Jeremy Kadinger	227	45311	\$500.00
Fire Department	Bldgs/Facilities Repair/Maint	1032	Bill's Quality Cleaning	101	42210	\$84.00
Fire Department	Clothing & Personal Equipment	6710	Emergency Response Solutions	101	42210	\$2,246.14
Fire Department	Disability Insurance	05 2016/05 2017	The Hartford	101	42210	\$931.25
Fire Department	Motor Fuels	549146	Mansfield Oil Company	101	42210	\$161.92
Fire Department	Motor Fuels	549147	Mansfield Oil Company	101	42210	\$378.42
Fire Department	Motor Vehicles Parts	1921-364180	O'Reilly Auto Stores Inc.	101	42210	\$81.17
Fire Department	Refuse Removal	070116	Ace Solid Waste, Inc.	101	42210	\$89.58
Fire Department	Telephone	062816	CenturyLink	101	42210	\$91.82
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	21862	Menards Cambridge	101	41940	\$283.71
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	1030	Bill's Quality Cleaning	101	41940	\$464.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-06-16	Premium Waters, Inc.	101	41940	\$29.45
General Govt Buildings/Plant	Cleaning Supplies	IN1239231	Innovative Office Solutions	101	41940	\$35.74
General Govt Buildings/Plant	Cleaning Supplies	IN1240842	Innovative Office Solutions	101	41940	\$38.15



City of East Bethel
July 20, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
General Govt Buildings/Plant	Refuse Removal	070116	Ace Solid Waste, Inc.	101	41940	\$52.89
Legal	Legal Fees	06 2016	Eckberg, Lammers, P.C.	101	41610	\$8,492.51
Park Maintenance	Bldg/Facility Repair Supplies	361004360	BlueTarp Financial, Inc.	101	43201	\$139.23
Park Maintenance	Chemicals and Chem Products	76612953	SiteOne Landscape Supply	101	43201	\$43.42
Park Maintenance	Cleaning Supplies	9148555833	Grainger	101	43201	\$87.32
Park Maintenance	Clothing & Personal Equipment	1182768533	G&K Services - St. Paul	101	43201	\$18.21
Park Maintenance	Clothing & Personal Equipment	1182779848	G&K Services - St. Paul	101	43201	\$18.21
Park Maintenance	Equipment Parts	P49680	MN Equipment	101	43201	\$22.94
Park Maintenance	Equipment Parts	P50000	MN Equipment	101	43201	\$101.59
Park Maintenance	Motor Fuels	549146	Mansfield Oil Company	101	43201	\$311.40
Park Maintenance	Motor Fuels	549147	Mansfield Oil Company	101	43201	\$324.36
Park Maintenance	Other Equipment Rentals	756-C-010904	First Student Inc.	101	43201	\$165.00
Park Maintenance	Other Equipment Rentals	16404	Hoffman Bros. Sod, Inc	101	43201	\$13.00
Park Maintenance	Other Equipment Rentals	103871	Jimmy's Johnnys, Inc.	101	43201	\$1,241.00
Park Maintenance	Park/Landscaping Materials	16226	Hoffman Bros. Sod, Inc	101	43201	\$262.50
Park Maintenance	Park/Landscaping Materials	16406	Hoffman Bros. Sod, Inc	101	43201	\$262.50
Park Maintenance	Park/Landscaping Materials	26818	Menards - Forest Lake	101	43201	\$229.19
Park Maintenance	Park/Landscaping Materials	27045	Menards - Forest Lake	101	43201	(\$21.97)
Park Maintenance	Park/Landscaping Materials	118552	Metro Products, Inc.	101	43201	\$45.75
Park Maintenance	Park/Landscaping Materials	76541010	SiteOne Landscape Supply	101	43201	\$107.75
Park Maintenance	Personnel/Labor Relations	2534771606	First Advantage LNS	101	43201	\$32.00
Park Maintenance	Safety Supplies	21972	Menards Cambridge	101	43201	\$12.99
Park Maintenance	Tires	1-63507	Steve's Tire Inc.	101	43201	\$23.95
Payroll	Insurance Premiums	08 2016	Delta Dental	101		\$725.90
Payroll	Insurance Premiums	08 2016	PreferredOne	101		\$7,382.39
Planning and Zoning	Fee Reimbursement	063016	Keith and Katy Murschel	101		\$50.00
Planning and Zoning	Fee Reimbursement	063016	Susan Thompson	101		\$50.00
Planning and Zoning	Professional Services Fees	070216	Gail E. Gessner	101	41910	\$100.00
Police	Professional Services Fees	S160707D	Anoka County Treasury Dept	101	42110	\$267,900.00
Police	Professional Services Fees	070516	Charles Anderson	101	42110	\$89.25
Police	Professional Services Fees	06 2016	Gratitude Farms	101	42110	\$765.00
Recycling Operations	Other Equipment Rentals	103871	Jimmy's Johnnys, Inc.	226	43235	\$70.00
Recycling Operations	Refuse Removal	070116	Ace Solid Waste, Inc.	226	43235	\$172.41
Sewer Operations	Bldg/Facility Repair Supplies	21862	Menards Cambridge	602	49451	\$179.99
Sewer Operations	Professional Services Fees	1057505	Metropolitan Council Env Svcs	602	49451	\$1,727.92
Street Capital Projects	Sign/Striping Repair Materials	103685	AAA Striping Service Co.	406	40600	\$5,321.50
Street Capital Projects	Sign/Striping Repair Materials	103692	AAA Striping Service Co.	406	40600	\$348.65
Street Capital Projects	Sign/Striping Repair Materials	103756	AAA Striping Service Co.	406	40600	\$2,033.00
Street Maintenance	Bldg/Facility Repair Supplies	21862	Menards Cambridge	101	43220	\$204.64
Street Maintenance	Bldgs/Facilities Repair/Maint	1182768533	G&K Services - St. Paul	101	43220	\$5.33
Street Maintenance	Bldgs/Facilities Repair/Maint	1182779848	G&K Services - St. Paul	101	43220	\$5.33
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-06-16	Premium Waters, Inc.	101	43220	\$29.45
Street Maintenance	Clothing & Personal Equipment	1182768533	G&K Services - St. Paul	101	43220	\$18.32
Street Maintenance	Clothing & Personal Equipment	1182779848	G&K Services - St. Paul	101	43220	\$18.32
Street Maintenance	Equipment Parts	112513-IN	Diamond Mowers	101	43220	\$64.47
Street Maintenance	Equipment Parts	284305	S & S Industrial Supply	101	43220	\$157.04



City of East Bethel
July 20, 2016
Payment Summary

Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Street Maintenance	Motor Fuels	549146	Mansfield Oil Company	101	43220	\$772.29
Street Maintenance	Motor Fuels	549147	Mansfield Oil Company	101	43220	\$140.55
Street Maintenance	Motor Vehicles Parts	1539-463644	O'Reilly Auto Stores Inc.	101	43220	\$55.97
Street Maintenance	Other Equipment Rentals	756-C-010904	First Student Inc.	101	43220	\$165.00
Street Maintenance	Professional Services Fees	6060324	Gopher State One-Call	101	43220	\$41.85
Street Maintenance	Refuse Removal	070116	Ace Solid Waste, Inc.	101	43220	\$176.90
Street Maintenance	Street Maint Materials	16410	Hoffman Bros. Sod, Inc	101	43220	\$241.20
Street Maintenance	Street Maint Materials	22412	Menards Cambridge	101	43220	\$101.88
Street Maintenance	Telephone	062816	CenturyLink	101	43220	\$72.30
Street Maintenance	Tires	150066935	Pomp's Tire Service, Inc.	101	43220	\$1,359.22
Street Maintenance	Welding Supplies	4996821	Kimball Midwest	101	43220	\$104.88
Water Utility Operations	Bldgs/Facilities Repair/Maint	062816	Wright-Hennepin Coop Electric	601	49401	\$26.67
Water Utility Operations	Chemicals and Chem Products	3910460 RI	Hawkins, Inc	601	49401	\$25.00
Water Utility Operations	Repairs/Maint Machinery/Equip	404	Superior Control Systems	601	49401	\$810.27
Water Utility Operations	Telephone	062816	CenturyLink	601	49401	\$187.67
Water Utility Operations	Telephone	062816	CenturyLink	601	49401	\$128.61
						\$316,384.07
Electronic Payroll Payments						
Payroll	PERA					\$6,273.43
Payroll	Federal Withholding					\$5,919.59
Payroll	Medicare Withholding					\$1,980.56
Payroll	FICA Tax Withholding					\$8,468.88
Payroll	State Withholding					\$2,407.84
Payroll	MSRS/HCSP					\$5,305.86
						\$30,356.16

EAST BETHEL CITY COUNCIL MEETING

JULY 6, 2016

The East Bethel City Council met on July 6, 2016, at 5:30 p.m. for the City Council Work Meeting at City Hall.

MEMBERS PRESENT: Ron Koller Tim Harrington
 Brian Mundle Tom Ronning

MEMBER ABSENT: Steve Voss

ALSO PRESENT: Jack Davis, City Administrator
 Mike Jeziorski, Finance Director

1.0 The July 6, 2016, City Council Work Meeting was called to order by Mayor Pro Tem
Call to Order Ronning at 5:30 p.m.

2.0 **Harrington stated I'll make a motion to adopt tonight's agenda. Koller, I'll second.**
Adopt Ronning asked any discussion? All those in favor? **All in favor.** Motion carries. **Motion**
Agenda **passes unanimously.**

3.0 Anoka County Sheriff Jim Stuart presented two budget proposals for the 2017 Law
Anoka Enforcement Services Contract for the City. A proposal for 36 hour daily patrol coverage
County and 20 hour per week CSO coverage was presented to the Council. The cost for this service
Sheriff's would be \$1,033,200. This is the same service as the City currently receives and the 2016
Office 2017 cost is \$1,026,000. This proposal represents a 0.7% increase over the current contract.
Contract

Presentation The second proposal was for 36 hour daily patrol coverage and no CSO service. The cost
 for this proposal would be \$988,

4.0 Davis presented the staff report relating to the work meeting budget discussion. Mike
2017 Jeziorski

Proposed Jeziorski presented the agenda for the work session which included: budget timeline,
Budget financial highlights from 2015/2016, and finally the 2017 budget and levy.
Presentation

and Jeziorski stated that the budget is a yearlong process starting January 1st with the creation of
Discussion the budget model. The draft budget as a broad overview is then provided to the Finance
 Committee for input. Finally, the budget document is provided to City Department Heads
 so they can adjust all non-salary line items.

Jeziorski stated that the preliminary levy then will be up for consideration on September 7th. With that, then the County provides all stakeholders their proposed property tax bills in November. Then the City Council holds a meeting in December to solicit stakeholder input on the budget and levy with final budget/levy consideration that same night.

Jeziorski went over some of the financial highlights of 2015 and the current year. The General Fund is projected to have a \$2.6 million fund balance at the end of 2016, which is 51% of the 2017 proposed expenditures. Again, the City's fund balance policy sets that threshold at a minimum of 40% of expenditures.

4.0
2017
Proposed
Budget
Presentation
and
Discussion

Jeziorski stated that the City is projected to have Capital cash balances of \$2.4 million at year end 2016. These capital reserves fund equipment purchases, park projects, street outlay, and building capital.

Jeziorski stated that the City has a AA bond rating, which is very strong. Again, the rating agency cited very strong management, very strong internal controls, very good budget flexibility as reasoning for the strong rating.

Jeziorski stated that City renegotiated their reserve capacity loan with the Met Council to cap the loan balance at \$2,000,000.

Jeziorski then summarized the 2017 budget. City Staff is proposing that the City General Fund revenues increase by 3% from \$4,975,900 to \$5,133,200 with the expenditures increasing at the same rate.

Jeziorski then summarized personnel costs associated with the 2017 budget. The City has a total of 19 FTE's with 11 of those being union positions. The newly signed union contract runs from 2017 through 2019. In it, there's a 2% COLA increase for 2017 and then also there is an increase to a \$1,000 monthly cash benefit. Also within the budget there are: 35 paid-on-call fire fighters; one part-time cable technician; two seasonal Public Works employees.

Jeziorski summarized the general fund budget by program. General Government expenditures are proposed to decrease by 3% from \$1,086,900 to \$1,054,800. Community Development is proposed to increase by 13%, \$428,000 to 483,900. Public Safety is proposed to increase by 3% from \$1,620,300 to \$1,674,500. Engineering expenses are projected to increase by 14% from \$35,000 to \$40,000. Public Works expenditures are projected to increase by 4% from \$1,273,200 to \$1,322,500. Transfers to other funds is proposed to increase by 1% from \$530,000 to \$535,000.

Jeziorski stated overall that our General Fund levy is proposed to increase by 1.5% from \$4,109,300 to \$4,169,900 and our debt service levy by 1.4% from \$1,142,000 to \$1,158,500. The overall levy then is proposed to increase by 1.5% from \$5,251,300 to \$5,328,400. It was also noted that the past two year levy increases were .9% in 2015 and 1.5% in 2016.

Jeziorski also went over the levy proposals for both the HRA and EDA. The EDA's levy is proposed to decrease by 21% from \$123,022 to \$97,500. The HRA budget is proposed to be increased from \$0 to \$26,600

The Council reviewed the General Government category. Ronning asked about the cost for the new election equipment. Davis explained the terms of the City's Joint Powers Agreement with Anoka County. He noted the primary cost for the general election relates to the 34 judges for three precincts.

Davis noted Community Development includes the Planning & Zoning and Building Departments and shows a 21% projected increase in Planning & Zoning. The big component in Community Development is \$28,000 for the 2017 Comp Plan update. He explained the costs for Central Services has increased and been assigned to the Building Department plus two wage step increases. He referenced the budget pages that reflect the

narrative and line item summaries.

4.0
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Harrington asked about small tools and minor equipment costs of \$4,000, noting in the past it was only several hundred dollars. Jeziorski explained the big driver in that cost increase is computer replacements so that line item will go back down in 2018. Davis pointed out the Professional Services Fees of \$8,100 that had previously been included under Central Services. Harrington stated he appreciates the explanation that the \$4,000 increase relates to the cost for computer upgrades.

Ronning asked about the City's software licensing. Jeziorski and Davis described the software modules used by accounting and finance, building and planning, and the Fire Department. It was noted the budget reflects hosting and upgrade fees, not ownership of the actual software. Jeziorski stated the benefit in a software subscription based model is that all employees use the same software versions.

Davis next addressed the budget for Public Safety. He stated Sheriff Stuart gave a good presentation, noting their costs went up very little (\$7,000) and that includes the animal control contract that was budgeted at \$8,000, resulting in a 1% increase overall. The Fire Department budget is proposed to increase by \$47,200 but if the Central Services allocation is deducted, it is a 4.6% increase instead of an 8% increase. Davis noted all recognize that public safety is a core function of government and many items are required of the Fire Department related to safety and protective clothing that are expensive and require replacement.

Davis stated under Engineering, the increase is for the fee paid to the City's consulting engineering firm, Hakanson Anderson, that is proposed to increase \$5,000. He noted that five years ago this budget line item was at \$45,000 but through the City's budget reduction efforts, that number was reduced. However, now there are more projects so this number is more reflective of what the costs have been historically over the last year. Davis noted this budget category is \$5,000 lower than it was in 2011.

Davis stated Public Works projects a 4% increase for roads and streets and parks related to assignment of the Central Services costs and wage increases. Civic Events is \$2,500 and has been at that level for several years. The only expense out of this category is one-half the cost for the Booster Day fireworks. The other one-half of the cost is matched by the Booster Day Committee.

Davis stated Transfers reflects transfers from the General Fund to support the Street Capital Plan, Parks Capital Plan, and Building Capital Plan. The only increase is to the Parks transfer by \$5,000 for the last two years as it had been cut from \$100,000 to \$50,000. The intent is to gradually build that back up through small incremental increases.

Davis stated the General Fund Budget is proposed at \$5,113,200 to begin budget discussions. He stated last year's levy increase of 1.5% was the third lowest in Anoka County among 21 cities and staff hopes to remain in that low tier again.

Ronning asked about the \$5,000 increase (14%) for Engineering and whether it reflected anticipated projects. Davis explained a lot of the engineering costs are project related but this is for base services when staff needs engineering for items such as project development, cost estimates, SWPPP programs, general engineering services and wetland delineations. Generally, it does not apply to projects but it helps support those projects.

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Jeziorski reviewed General Fund Revenues, noting the largest component is the property tax levy at \$4,169,900 plus other revenue categories including an anticipated 16% increase in franchise taxes (Mid Continent) based on their increased customer base. Licenses and Fees is anticipated to have a 4% growth of \$41,500 as opposed to \$40,000 with liquor licensing being the largest component of that number. Building Inspection Fees is anticipated to grow by 6% but will depend on 2017 building activity. To be conservative, staff left the line item for revenue generated from Bethel and Oak Grove as flat in case building activity stalls. Jeziorski noted State Aid revenue is anticipated to grow by 15% with the big driver being street aid based on what occurred with the actual in 2015. Fines and Forfeits (court fines) was lowered by 7% based on actuals. Intergovernmental Charges are charges from the General Fund to other funds for support services and anticipated to be flat at \$127,000. Site Lease Revenue (tower lease revenue) in 2017 includes the Verizon lease for an increase of \$56,000. Interest Earnings Revenue was increased from \$2,000 to \$4,000, or 100%, to reflect the up tick in interest rates. Jeziorski stated those are the main components of General Fund Revenues.

Mundle asked where the increase in Site Leases will be used. Jeziorski stated it is put into the General Fund to help support General Fund activities.

Ronning referenced Building Inspection Permits including Bethel and Oak Grove, noting it is \$271,000. Jeziorski stated it is roughly \$261,000 so if you look at Building Inspection expenses, you're at \$271,500. Davis stated those are conservative budget figures as to date, the first half of the year is on track to exceed those numbers. He stated there have been increases in revenue from East Bethel and Oak Grove permit activity. In East Bethel, 12 building permits have been issued and Oak Grove has had 19 building permits through May so it could be on pace to generate \$40,000 to \$50,000 above the anticipated budget line item. Davis stated generally these two funds will fund the activities of the Building Department. Jeziorski concurred, noting 2014 had \$294,000 in revenue from building inspection and the expenditure was \$228,000, meaning it is fully supported through fees charged with a \$70,000 surplus. For 2015, the revenues were \$297,000 with expenditures of \$234,000.

Davis stated through the end of May, the City has collected almost \$84,298 in building permit fees for East Bethel and \$65,232 from Oak Grove, or \$150,000 out of the budgeted \$260,000, which is about 60% of the projection in five months.

Ronning asked if Oak Grove is getting a bargain. Davis explained that both East Bethel and Oak Grove benefit from our agreement. Oak Grove is charged 80% of inspection fees and 100% of planning fees. He noted this helps fund the positions because if the City did not have Oak Grove, it would need 1.5 employees in the Building Department. Oak Grove benefits from the aspect that only pay for services received and these costs are borne by the permittee.

Davis stated in 2012 the City had three employees in the Building Department and took in \$84,000 in permit fees. The level of staff was eventually trimmed down but there was a period of almost four years (2009-2012) that the General Fund subsidized the Building Department as it was not self-sufficient from permit fees generated. Since 2013, it has been self-sufficient.

Harrington referenced the Water Fund and asked why electric utilities increased from

4.0
2017
Proposed
Budget
Presentation
and
Discussion

\$5,680 last year to \$12,000 for next year. Jeziorski stated that line item is for the utilities for the water plant in the Whispering Aspens Community Center. The budget number is based on the actual dollars spent in 2014 and 2015. Jeziorski explained the \$5,000 figure referenced by Harrington may have been a carryover from when the other water plant came on line and not adjusted correctly in 2016.

Jeziorski presented the Utility Funds/Enterprise Funds for Water, Sewer, and Arena that are supported through user fees charged to the customer. In the Water Fund, sales of \$66,300 is anticipated and including penalties, the projected budget is \$66,800. He explained that instead of coding a portion of employee salaries to this fund, the City charges a one-time fee of \$20,000. Jeziorski stated from a cash standpoint, the City is generating a surplus of \$10,400 with current rates. When considering annual depreciation of \$272,000, this fund loses money from a net income standpoint. The Sewer Fund anticipates sales of \$104,000 with a one-time salary fee, supplies, and fees for service from Met Council for wastewater treatment. From a cash flow standpoint, the Sewer Fund is doing pretty good so the negative cash balance is decreasing each year. He explained that from an accounting perspective, there are two factors: the cost for depreciation; and, the cost for the Reserve Capacity Loan principal adjustment so the net income is actually a loss of \$530,200.

Ronning asked where the City is at with the \$2 million cap. Jeziorski displayed a spreadsheet, noting at the end of 2015, the City owed the Met Council \$99,940 for the Reserve Capacity Loan. At the end of 2016, it is anticipated to be at \$299,383 with the one connection to the system. With the current growth, it is anticipated the City will hit the \$2 million cap between 2020 and 2021.

Davis stated the Council will be considering a project at tonight's meeting that would be connecting to the sewer system, probably with 2 ERUs. He stated there may be one or two more in 2016, next year there is the possibility the church may connect, and the Shaw project may be ready in 2018.

Mundle asked if hitting the \$2 million cap between 2020 and 2021 would be with no connections. Davis answered in the affirmative. Mundle noted then it could be at a later date. Davis stated it probably will but even at the rate the City is growing, unless there is some substantial development, it may be 2022 or 2023.

Ronning noted there are yearly incremental changes to the ERU rates. Jeziorski stated the actual SAC rate was renegotiated so anything the Met Council charges for the urban rate, East Bethel would add \$100. Met Council has indicated its intent to keep the urban rate static for the next couple of years. But should it fluctuate, then the City's rate will also fluctuate. Jeziorski reviewed the terms under the loan prior to renegotiation. He described how the debt management system was set up so once it comes on line, there will be several bond issues falling off and this loan expense can be assumed without a hit to the levy.

Jeziorski presented the Arena Fund budget, noting sales of \$237,300 are anticipated. That number is driven by ice and dry floor event sales, locker room fees, and other fees. He noted that from a cash flow standpoint, the Arena Fund is doing well and when you factor in depreciation, it is at a break even budget. Ronning noted that breaking even may be considered success in this case. Jeziorski agreed that in this business, it is success.

Mundle asked whether more dry floor events have been booked for the summer. Davis stated only the East Bethel Royalty Pageant and explained it is difficult to schedule other

types of dry floor events after May due to the lack of air conditioning. Jeziorski stated the one thing to note with the Arena Fund is that it receives no City subsidies so it is fully funded through user fees. Mundle asked when the Arena will have ice. Davis estimated October 1st as youth hockey has cut back on their hours, which also helps the City as it lowers utility costs.

Davis reviewed the budget process and noted with this budget, staff anticipated a 3% increase to the Sheriff's Department Contract but it came in essentially flat, which was a savings of \$30,000 to \$40,000. Staff's goal was to keep the budget increase between 1.5% to 2%, which has been accomplished.

Davis asked whether the Council had further questions or items they would like staff to explore in more detail. Ronning asked if there are questions on the Fire Department budget as it involves a lot of assumptions. Davis agreed the Fire Department budget and Street Department budget require more work than the others because they include so many line items including keeping safety equipment current for the Fire Department.

Koller stated in 2018, the breathing apparatus has to be replaced, which will cost \$200,000. Davis explained that will be funded through the Equipment Replacement Fund. Harrington stated there are also new rubber boots at \$150 per pair and helmets at \$250 to \$300 each.

Harrington stated staff has done an outstanding job with the budget. The Council agreed.

Mundle stated he would be interested in having Fire Chief DuCharme and Public Works Manager Ayshford present their budgets. Davis stated the preliminary budget needs to be ready to approve in September. He stated Fire Chief DuCharme can be asked budget questions at the next meeting after he presents the monthly report and Public Works Manager Ayshford can be scheduled for the following meeting.

Davis asked the Council to let him know if they want to explore anything else with the budget so it can be worked into the meeting schedule.

Harrington stated when the public hearing is held, he would like staff to emphasize that this is the City's portion and not the County's and School District's portion. He stated there will be a big levy in Forest Lake this year and people think the taxes all go to the City. Jeziorski agreed the separate line items should be explained.

4.0
Adjourn **Harrington stated I'll make a motion to adjourn. Mundle stated I'll second.** Ronning asked any discussion? All those in favor? **All in favor. Motion carries. Motion passes unanimously.**

Meeting adjourned at 6:45 p.m.

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

EAST BETHEL CITY COUNCIL MEETING

JULY 6, 2016

The East Bethel City Council met on July 6, 2016, at 7:00 p.m. for the regular City Council meeting at City Hall.

MEMBERS PRESENT: Ron Koller Tim Harrington
Brian Mundle Tom Ronning

MEMBER ABSENT: Steve Voss

ALSO PRESENT: Jack Davis, City Administrator
Mark Vierling, City Attorney

1.0 Call to Order The July 6, 2016, City Council meeting was called to order by Mayor Pro Tem Ronning at 7:00 p.m.

2.0 Pledge of Allegiance The Pledge of Allegiance was recited.

3.0 Adopt Agenda **Harrington stated I'd like to make a motion to adopt tonight's agenda. Under Consent Agenda, I'd like to add line H, Supplement Payment Summary. Koller stated I'll second. Ronning asked any discussion? Hearing none, all in favor? All in favor. Motion carries. Motion passes unanimously.**

4.0 Presentation
4.0A
2016 Booster Day
Denise Lachinski presented the schedule of events for 2016 Booster Days starting on July 15 with the Chamber of Commerce golf tournament at Viking Meadows. She thanked Viking Meadows for hosting this event and providing golf carts. Friday evening, Star Wars the Force Awakens will be shown along with related contests and a tribute. Lachinski thanked Chops, Inc. for sponsoring the free movie. Additional events include turtle races, the 5k/1k run, petting zoo, car and truck tractor show, Anoka County Radio Control Club demonstration, inflatables, and coronation. She stated the 55th annual Fire Fighters outdoor celebration, dance, and fireworks will start at dusk. Lachinski stated food and beverages will be offered for sale inside the fenced area.

Mundle asked about the water ball. Lachinski stated that will be held on Friday night. Mundle stated the Council sent a challenge to other councils but not yet received a response. Lachinski stated the Fire Department would be willing to take on the Council if anyone is willing.

Lachinski stated all of the entertainment events are free to the public and they hope to see a lot of people. She encouraged those watching the movie to come in costume.

4.0B
2016 East Bethel Royalty Pageant
Doug Meyenberg introduced the 2015 East Bethel Royalty and announced the pancake breakfast this coming Sunday at the Senior Center during which the Royalty will participate as servers. Sunday afternoon, an ice cream social will be held with the new Royalty candidates. Meyenberg reviewed the parade and pageant schedule for July 16 and invited all to attend the coronation at the Ice Arena.

Meyenberg reported on repairs and updates made to the East Bethel parade float. The Royalty presented Mayor Pro Tem Ronning with a picture of the new parade float and their first place plaque. Meyenberg thanked the Council and City staff for their support and assistance. Those in attendance responded with a round of applause.

**5.0
Public
Forum**

No one signed to speak at the Public Forum.

**6.0
Consent
Agenda**

- Item A Approve Bills
- Item B June 8, 2016 City Council & Planning Commission Joint Work Meeting Minutes
- Item C June 15, 2016 City Council Meeting Minutes
- Item D Resolution 2016-31 Accepting Donation from Hakanson-Anderson
- Item E Pay Request for the Castle Towers Wastewater Treatment Plant Decommissioning Project – Dirtworks Inc.
- Item F Animal Control Contract Renewal
- Item G Consider approval of the following IUP renewals:

1. Richard Wait - Home occupation of a hot rod factory at 20042 Polk St NE, East Bethel, Minnesota 55011.
2. David Niven - Home occupation of a screen printing business at 2731 225th Lane NE, East Bethel, Minnesota 55011.
3. Linda Gutzkow - To operate a business called Linda Gutzkow's Permanent Cosmetics at 20825 Tyler St NE East Bethel, MN 55011.
4. Stephen Van Krevelen - Home-based computer repair and IT support business known as *Anoka Computer Center, LLC*, located at 18333 Yancy St. NE, East Bethel, Minnesota 55092.
5. Cathy Erickson - Home occupation known as Creative Threads that does contract embroidery on hats and garments, and also does fabric cutting for embroidery companies at 912 207th Street NE, East Bethel, Minnesota 55011.
6. Anne Kubat - To allow for a renewal for an interim use permit for the purpose of owning and caring for either 2 beef steers OR 1 beef steer and 3 sheep at any one given time at 20511 East Bethel Blvd NE, East Bethel, Minnesota 55011.
7. Tammy Gimpl - Approval of a Private Kennel for 10 dogs at 22359 Bataan St NE, East Bethel, MN 55011.
8. Kathy Keenan - Interim use permit for the purpose of owning and caring for 2 horses at 4455 224th Ave NE, East Bethel, Minnesota 55011.

Item H Supplemental Payment Summary

Harrington stated I'd like to make a motion to adopt tonight's Consent Agenda. Koller stated I'll second. Ronning asked any discussion? Hearing none, all those in favor? **All in favor.** Ronning asked opposed? The ayes have it. **Motion passes unanimously.**

**7.0
New Business**

Commission, Association and Task Force Reports

7.0A None.
 Planning
 Commission

7.0B None.
 Economic
 Development
 Authority

7.0C None.
 Park
 Commission

7.0D None.
 Road
 Commission

**8.0
 Department
 Reports**

8.0A
 Community
 Development
 8.0A.1 Second
 Generation
 Chimney's
 Site Plan
 Review

Davis presented the staff report and request of David Pixley, owner of 2nd Generation Chimneys, Inc., to build a 6,500 square foot office/shop/warehouse on Lot 1, Block 1, Sauter's Commercial Park 2nd Addition. The property is zoned Light Industrial and the facility will connect to the City water and sewer system. Davis indicated the Planning Commission, at its regular meeting on June 28, 2016, considered a Site Plan Application for 2nd Generation Chimneys and recommends, along with staff, that City Council consider approval of the site plan application for 2nd Generation Chimneys, Inc. as presented and with the following additional conditions:

- Compliance with the requirements of all applicable City ordinances
- Compliance with all Building and Fire Codes

Koller stated I'll make a motion to approve the site plan for 2nd Generation Chimneys, Inc. as presented and with the following additional conditions:

- 1. Compliance with the requirements of all applicable City ordinances**
- 2. Compliance with all Building and Fire Codes**

Harrington stated I'll second. Ronning asked any discussion? Hearing none, those in favor? **All in favor.** Ronning asked opposed? The ayes have it. **Motion passes unanimously.**

8.0B None.
 Engineer

8.0C None.
 City Attorney

8.0D None.
 Finance

8.0E None.
 Public Works

8.0F None.
 Fire
 Department

8.0G
 City
 Administrator

Davis presented the staff report, noting the City Council had approved a Conditional Use Permit (CUP) on February 17, 2016, for Ponds of Hidden Prairie for an Event Center at a site located on 221st Avenue just east of PVS Auto. The CUP was required to permit this use on a split zoned site.

8.0G.1
Access Road
Ponds of
Hidden
Prairie

Davis presented the request of Lisa Palm, the CUP applicant, to be exempted from the requirements to meet City street standards and be allowed to install a private drive within the public right-of-way to access her business. The private drive would not meet City street standards but would be converted, with additional construction, to a public street when access to the adjoining lot to the west of Ms. Palm's property is required. This request would postpone any City requirements for compliance with our street standards until access to adjoining properties is needed.

Davis explained that should the City Council elect to pursue the private drive as an alternative to access to the site, Ms. Palm would be responsible for all expenses and could be subject to but not limited to the conditions as detailed in the staff report and any recommendations of the City Attorney. Davis read each of those conditions.

Davis stated Ms. Palm was advised that the short-term benefit and the cost savings of a private drive could be more than offset by the long-term consequences of postponing the complete subgrade construction of the road. Davis read the list of consequences as detailed in the staff report.

Davis stated the City Attorney reviewed this proposal and conditions that could be imposed by the City if a private drive were considered. His opinion relating to this request was that there are too many risks and contingencies that cannot be anticipated and fully resolved by proceeding in this manner. Davis read the City Attorney's additional comments as detailed in the staff report.

Davis stated the length of the proposed road/private drive would be approximately 600 feet. The costs to meet the City requirements to subgrade for a public street are estimated to be \$43,400 and projected costs for a private drive are in the range of \$20,000 to \$25,000.

Davis stated the options in this matter are:

1. Require Ms. Palm to construct the entrance road to her facility to meet City standards as to subgrade, width, and drainage requirements as provided by the City Engineer; or,
2. Allow Ms. Palm to construct a private drive as an access. The private drive would not meet City street standards but would be subject to conditions as directed by Council.

Davis stated staff is seeking direction from City Council on this request as to granting Ms. Palm a private drive access or requiring the public street requirements to be met. Davis displayed an illustration of the subject site showing the location of the proposed drive, areas of future extension, service road connecting to 215th Avenue, City right-of-way that was recently acquired, and area needed to service Ms. Palm's project.

Mundle asked whether allowing the private drive would set any precedence towards future frontage or backage roads for other businesses that may want to opt out. Davis answered it would if there was new street construction as in this case where the City has the right-of-way but the road is not yet constructed. The intent is to balance the interests of both parties to come up with a reasonable solution.

Koller stated the main reason the City wants it to meet City standards is for when the property behind it sells, noting it has been for sale for many years. Davis stated the property on the corner has been actively marketed for quite some time and in the last four years there have been three to four sales that were close to completion but none could meet the zoning so they were not concluded.

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Access Road
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Koller stated I'll make a motion to allow Ms. Palm to construct a private drive as an access in complying with the City Council directions. Vierling asked if the motion includes any of staff's contingencies. **Koller answered in the affirmative. Harrington stated I'll second.** Ronning asked any discussion?

Harrington stated he does not mind the private road but would like the Fire Codes to be met to assure the road is wide enough for emergency vehicles. Davis agreed that is the primary concern and the Fire Code states if the road is over 500 feet long, the width has to be 26 feet and cleared four feet on either side. It also must be capable of accommodating vehicles that weigh 25 tons so the City Engineer would have to determine those subgrade standards.

Ronning stated this is the first piece of the service road. Davis stated that is correct and reviewed that at one time, a service road project was approved to connect 221st to 215th Avenues. The City had acquired a Mn/DOT Cooperative Agreement Grant but due to right-of-way issues to the south, that project was abandoned. Shortly thereafter, the 221st and 65 traffic signal was installed, which alleviated the real traffic problems. Davis stated this road is a major component of the City's service road plan and part of the Comp Plan to provide access to over 100 acres of property between 219th and 215th Avenues.

Davis stated when this service road is finished, it would be designed to a 10-ton standard (City arterial street) with a 24-foot paved width plus a 6-foot shoulder on one side and a 4-foot shoulder on the other. The City has already established a right-of-way width of 80 feet but still needs right-of-way on the property to the south.

Ronning asked if Ms. Palm is aware of the road standard requirements. He felt it would cost more than \$20,000 to \$25,000 to remove the muck and construct. Davis used a diagram to point out the area where the City's subgrade requirements would have to be met. He also pointed out the location of the property Ms. Palm intends to purchase and preference for a narrower entrance. However, due to safety issues and future street plans, staff does not think that will be possible. In addition, relocating the entrance closer to the pond would place it too close to Sandy Drive and create a skewed angle intersection.

Ronning asked if there was a point of compromise to construct the road and bill Ms. Palm for her portion. Davis stated one of the City Attorney's concerns was if something happened where the business didn't operate forever, resulting in problems with the City receiving assessment payments. The road is proposed to be financed by another Mn/DOT Cooperative Agreement Grant. Davis noted the location of the properties benefiting from the future service road and described how the lots would have to be consolidated, access rights to 65 forfeited, and an entrance closed to be eligible for the Grant. Davis stated the difference between the Grant funds and the City funds could be used for assessments if this road went in as a private drive.

Davis stated if constructed to City subgrade standards, then the City would relieve Ms. Palm of any cost of paving or finishing the road along her portion. He explained staff had generalized talks with Ms. Palm but there will have to be discussion on potential benefits to each property owner and how that cost would be split up. Davis stated one of his concerns is the potential disruption to Ms. Palm's business should the weather not cooperate during the time of grading.

Ronning stated if a private drive, it is not likely Ms. Palm will construct a two-lane arterial road. Davis explained that to meet the Fire Code requirements, the road will have to be 26 feet wide as it exceeds 500 feet in length.

Vierling offered an option of EDA or HRA special financing for the difference where the property owner would take out a loan and pay it back over a period of time. Davis stated that was not brought up as an option but it could be discussed. Vierling stated it seems a shame to construct a private road that may have to be torn out in five years.

Ronning asked if Ms. Palm would be billed for snow plowing and maintenance. Davis answered if it is a private drive, then the City would not maintain it. He clarified the issue is whether to allow Ms. Palm to construct an entrance drive on the City's right-of-way. With regard to timing, Ms. Palm would like to start construction in September so she would like the Council to take action as soon as possible.

Koller stated he does not want this to become another 209th where the City paves it and installs curbs and it is never used. Because of that, he felt a private drive was a better option for now. Davis stated they discussed getting it to subgrade and Ms. Palm would provide a Class V surface so there would be no paving or curbs/gutters.

Mundle asked whether the EDA could offer a finance loan for this project to be done. Davis stated either that or if agreeable, it could be assessed on her taxes without the loan portion. Mundle stated if the subgrade is put in, then it won't have to be dug up again. If just the entrance is put in, then at some point it will be dug up. Davis agreed there would be some duplicity in cost and described those areas.

Davis stated another option is that the subgrade installed by Ms. Palm for her entrance drive could meet City compaction standards, which would lessen some of her costs as the roadway would not be as wide and she would not be doing all of the clearing required for a standard City street.

Ronning asked whether the City's timelines would accommodate Ms. Palm. Davis stated generally their contractor would do the work and the City would have no part in the construction of a private entrance. He stated this is not a complicated job but it adds to Ms. Palm's initial costs and one of her concerns is to preserve as many trees as possible. He noted that a temporary entrance would answer that concern but at some point there would have to be additional clearing to accommodate the extra width for the City street.

Curt Strandland, Ms. Palm's contractor, was requested to comment and stated if the road is built with gravel to the full width it may take 45 days from grubbing to gravel. He noted one concern is to not have a major thoroughfare cleared out if it may never be used or not used for some time. He stated the positioning of the building is to preserve some of the trees so they would like to avoid an 80-90-foot wide swath cut through the trees.

Lisa Palm, applicant, stated her business is named Hidden Prairie so they want something hidden, secluded, and serene so it creates an experience. She felt the wide road would detract from that experience for those coming to the property. That is also why she would prefer locating the access farther to the west as fewer trees would have to be removed. Palm stated when a road is required for other reasons, she will deal with it at that time but since nothing is 'set in stone' now she is willing to gamble at this point.

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Access Road
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Mundle asked if she is more concerned about saving the trees than the road width or putting in the base that would be required. Palm stated the width is also a problem because it creates a different feel. She stated the base material will be similar no matter which option is used. Curt Strandland stated the width would meet the standards for fire trucks and emergency vehicles. Palm stated it will also handle the weight of the trucks but they want a road that is more narrow and compact and less intrusive.

Davis asked Ms. Palm whether, if the Council considered the entrance drive versus meeting the City width standards for a street, she would be willing to accept those conditions as previously discussed about release on liability, a maintenance agreement, and other issues. Palm stated her understanding that it is an easement on the right-of-way that she would use and be responsible to maintain until the point at which the road needs to be done. Then that agreement would go away.

Davis stated if the entrance drive were something that Council would consider, would this be something where the City would require a lease. Vierling advised the City would not do a lease but probably a non-exclusive license agreement whereby it allows private use over a public right-of-way that's been acquired with public funds, subject to being taken out at the City's discretion at any time and with Ms. Palm being fully responsible for the maintenance during the interim. There would also be provisions whereby Ms. Palm understands if taken out in the future, a waiver of release of any compensation for business disruption during construction would be required.

Palm stated she understands that and disruption would be an issue so anything done to mitigate that impact would be appreciated. Davis stated he had previously explained to Ms. Palm that if an entrance drive were granted and then it had to be converted to a City street at a later date, every effort would be made to minimize the disruption to her business but there is no way the City can guarantee that would be the case in every situation.

Ronning stated there is a cost to put in the driveway and if that's the direction required, who would pay to make it right. Davis stated it was discussed previously that if the area depicted in red is installed, Ms. Palm would pay for the subgrade to City street standards. Then when the other property is ready to be developed and needed access, it would trigger the need to complete the section depicted in orange and that property owner would have to cover a cost typical to what Ms. Pond covered. Then the City would finish the drainage and street at no cost to the owners.

Ronning stated one issue is that Ms. Pond has use for it now but it is not known at this time when the rest of the road will be needed.

Harrington stated this is a business, which the City needs, and he does not want to chase somebody away because of this road. He supported approving a private drive at this time. Ronning stated you also don't want to put the business to a \$1,000 expense now and a \$50,000 expense next week. Harrington stated when he was elected he said he'd work to bring in new business and he does not want to drive this business away.

Davis stated as mentioned, if the Council allows an entrance drive constructed to City subgrade standards, then when the time came to widen it to accommodate City specifications, there wouldn't be a lot of need to redo the work. He suggested the entrance drive portion meet the City's compaction standards so that portion would not have to be entirely redone in the future. Curt Strandland stated he would find that to be reasonable if

8.0G.1
Access Road
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allowed to construct a smaller version in line with the future road and even put electric on the east side so there would be no disruption when it is widened to the west.

Ronning asked what harm is there to the City. Davis replied if an entrance drive is constructed to the City's subgrade requirements, it would be a smaller scale version of the road and result in minimal risk to the City. He stated that may be an acceptable solution to satisfy the needs of both parties. Davis agreed with the need to encourage and facilitate new business while minimizing the City's risk at the same time.

Mundle asked if staff could meet with Ms. Palm and discuss an agreement for a smaller entrance with Council consideration in two weeks. Davis answered in the affirmative. Curt Strandland stated that would be acceptable, noting the entrance drive would not impact wetlands but a full road width would impact wetlands. He stated they would also like to see a written agreement so they know what they are agreeing to. Mundle stated he would like to see a full agreement between the City and Ms. Palm before taking action.

Mundle stated I amend my motion to table consideration to the next meeting to allow time for staff to draw up an agreement between Ms. Palm and the City. Ronning stated I'll second. Ronning asked any discussion on the motion to table? Those in favor to table? **All in favor.** Ronning asked opposed? The ayes have it. **Motion passes unanimously.**

Davis stated he will meet with Ms. Palm as soon as possible and consult with Attorney Vierling on the terms of the agreement.

8.0G.2
Ordinance
Opting out of
Mn/Statutes
Section
462.3593

Davis presented the staff report, noting Governor Dayton signed into law a bill creating a new process for local governments to permit certain types of recreational vehicles as temporary family dwellings to provide transitional housing for seniors or anyone needing assistance with two or more 'instrumental activities of daily life' for mental or physical reasons eligible to be housed in this manner.

Davis explained that local governments may opt out of this program if they determine that this type of expedited land use permitting for temporary dwellings is not particularly suited to their community. Due to the unintended consequences and questionable implications of the intent of this law, the City Attorney and staff recommend that Council consider adopting Ordinance 55, Second Series, an Ordinance Opting Out of Minnesota Statutes, Section 462.3593.

Mundle stated make a motion to adopt Ordinance 55, Second Series, an Ordinance Opting Out of Minnesota Statutes, Section 462.3593. Harrington stated I'll second. Ronning asked discussion? Those in favor? **All in favor.** Ronning asked opposed? Hearing none, motion passes. **Motion passes unanimously.**

8.0G.3
Comp Plan
RFPs

Davis presented the staff report, indicating that in response to the requirement of the Met Council to update Comprehensive Plans every ten years, the City Council had authorized staff to advertise Requests for Professional Services (RFPS) necessary to complete this work. The RFPs were advertised as required and four submissions were received:

- Community Design Group – Minneapolis, MN
- Houston Engineering, Inc. – Maple Grove, MN
- Northwest Associated Consultants – Golden Valley, MN
- WSB – Minneapolis, MN

8.0G.3
Comp Plan
RFPs

Davis noted the City will be receiving a \$32,000 grant from the Met Council to fund this effort, which is anticipated to cost from \$50,000 to \$90,000 depending on the scope of work that is delegated to consultants. In addition to the consultant fees, the City's engineering firm Hakanson Anderson, will be requested to complete several sections of the update and will provide the City with a proposal for costs for this service. The proposed 2017 General Fund Budget includes \$28,000 in supplemental funding for this activity. Any approved costs over \$60,000 would be appropriated from the proposed 2017 EDA Budget.

Davis asked the City Council to set a date to interview the proposers, noting final costs for the work will not be determined until a consultant is selected, scope of work defined, and fees negotiated for services. The Council discussed availability and length of each interview.

Ronning stated I move to set the July 27, 2016, Work Meeting, 6 p.m., for interview of the four RFP consultants. Harrington stated I'll second. Ronning asked any discussion? Those in favor? **All in favor.** Ronning asked opposed? The ayes have it. **Motion passes unanimously.**

Ronning stated the City has an existing Comp Plan. He asked for an overview of what the existing Comp Plan says, what did and did not get done, and the cost of it. Ronning stated he thought it was 'science fiction.' Davis stated that is what staff wants to avoid with the Plan update. He stated the bulk of the work will basically concentrate on the Highway 65 corridor and the area three-quarters of a mile on either side of that corridor. Davis stated staff will give the consultants information on what the Council is looking for prior to the interviews so their presentation can be tailored to that information.

8.0G.4
2017 Budget
Meeting
Schedule and
2017 ACSO

Davis presented the staff report and proposal received from the Anoka County Sheriff's Office (ACSO) for a 2017 contract for law enforcement services. The proposed contract for 36-hour patrol coverage with 20 hours per week for a Community Service Officer (CSO) requests a budget of \$1,033,213 or an increase of 0.7% over the 2016 budget of \$1,026,000. The net dollar increase of the proposed contract is \$7,213. The alternative proposal is for a contract with 36-hour patrol coverage but no CSO service. This contract cost for this offer is \$988,321.

Davis presented staff's recommendation to consider directing the ACSO to prepare the 2017 Law Enforcement Services Contract for 36-hour per day patrol coverage and 20-hour per week CSO service in the amount of \$1,033,213. Staff also requests that Council schedule any additional meetings necessary to complete this review and revision.

Ronning stated I'll make a motion to approve staff's recommendation for the 2017 Law Enforcement Services Contract for 36-hour per day patrol coverage and 20-hour per week CSO service in the amount of \$1,033,213 for the 2017 budget for Council consideration and approval. Koller stated I'll second. Ronning asked discussion? All those in favor? **All in favor.** Ronning asked opposed? The ayes have it. **Motion passes unanimously.**

Davis asked whether the Council would like to schedule subsequent budget meetings, noting the Fire Chief and Public Works Manager will be scheduled to appear at the next two meetings to present their budget requests. **The Council indicated that would be sufficient.**

9.0 Other

Davis recounted the upcoming Booster Day events and encouraged all to participate in the fun, making it a marquee event for the City.

9.0A

Staff Reports

9.0B

Council

Report –

Member

Harrington

Blood Drive

Golf Sponsors

CR22/TH65

Council

Member

Koller

Harrington announced the July 12th blood drive at Our Saviors Lutheran Church and openings for golf tournament sponsors.

Harrington asked for an update on Mn/DOT’s plans for the intersection of County Road 22 and Highway 65. Davis stated Ayshford attended a meeting of the Transportation Advisory Committee this afternoon and Mn/DOT expects to have information on intersection alternatives to the City by the end of August or first of September. He stated this topic will also be considered at the Town Hall Meeting.

None

Council

Member

Mundle

URRWMO

Mundle reported on the good attendance at the Upper Rum River WMO public hearing and thanked those from East Bethel who had participated. He announced the Upper Rum River WMO is forming a citizen advisory committee as part of its 10-year plan update. Their first meeting will be July 20, 6:30 pm., at the Oak Grove City Hall.

Ride Along

Mundle described his experience during a ride along with Sheriff Deputy Fahey.

Mayor Pro

Tem Ronning

None.

Mayor Voss

Mayor Voss was absent.

9.0C

Other

None.

10.0

Adjourn

Harrington stated I’ll make a motion to adjourn. Koller stated I’ll second. Ronning asked those in favor? All in favor. Ronning stated the ayes have it. Motion passes unanimously.

Meeting adjourned at 8:13 p.m.

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial, Inc.

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

Dated: July 20, 2016

Property Owner/Applicant: Patrick and Alitsa Schroeder

Parcel Location: 22525 Durant Street NE
East Bethel, MN 55011

Parcel Number: 01-33-23-23-0005

Present Zoning District: RR - Rural Residential

Acres: 9.96 acres

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

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on June 1st, 2016 and approved the IUP request with 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 July 20, 2019, at which time, the applicant will be required to re-apply for an IUP.
8. All conditions must be met and an IUP Agreement shall be signed and executed no later than November 1st, 2016. Failure to execute the IUP Agreement will result in the null and void of the IUP.

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

Dated: July 20, 2016

Property Owner/Applicant: Terry Hartin
2110 Deerwood Lane NE
East Bethel, MN 55092

Parcel Location: 2110 Deerwood Lane NE
East Bethel, MN 55092

Parcel Number: 33-33-23-34-0034

Present Zoning District: R1 – Single Family Residential

IUP REQUEST: approval of an IUP renewal for a home occupation that will allow handgun safety and permit to carry classes, and a Class 1 Federal Firearms License to be conducted from the property at 2110 Deerwood Lane NE, East Bethel, Minnesota 55092.

CITY COUNCIL ACTION

The City Council considered renewing the IUP at its meeting on July 20, 2016 and approved the IUP renewal for 2110 Deerwood Lane NE, subject to the following conditions:

CONDITIONS AND REQUIREMENTS

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.

- e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Mr. Hartin must supply staff with a yearly schedule of classes.
 3. Class size is limited to twelve (12) persons.
 4. Class schedule is limited to two (2) weekdays per month, from 8 A.M. to 4:30 P.M.
 5. Changes to hours of operation or class schedules must be approved by staff.
 6. Hours of operation for the Federal Firearms License are limited to the following:
 - a. Monday, Wednesday, & Friday 3 P.M. to 7 P.M.
 - b. Saturday 4:30 P.M. to 7 P.M.
 - c. Tuesday, Thursday, & Sunday By appointment only
 7. Violation of conditions and City Codes shall result in the revocation of the IUP.
 8. The IUP shall be for a term of three (3) years, expiring July 20th, 2019, at which time, the applicant will be required to re-apply for an IUP.
 9. All conditions must be met no later than September 1st, 2016. An IUP Agreement shall be signed and executed on or before this date. Failure to execute the IUP Agreement will result in the null and void of the IUP.

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

Dated: July 20, 2016

Property Owner: Stacie and Adam Arneson
929 197th Ave. NE
East Bethel, MN 55011

Applicant: Stacie Arneson

Parcel Location: 929 197th Ave. NE
East Bethel, MN 55011

Parcel Number: 19-33-23-44-0017

Present Zoning District: R1 – Single Family Residential

IUP REQUEST: renewal of a home occupation IUP to operate a home-based hair salon business at 929 197th Ave. NE, East Bethel, Minnesota 55011.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on July 20, 2016 and approved the IUP renewal for a home-based hair salon business located at 929 197th Ave. NE, Kable Country Estates, Lot 13 Blk 1, PIN 19-33-23-44-0017 subject to the following conditions:

CONDITIONS AND REQUIREMENTS

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.

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

Dated: July 20, 2016

Property Owner: Adam and Stacie Arneson

Applicant: Adam Arneson

Parcel Location: 929 197th Avenue NE
Anoka County
East Bethel, MN 55011

Parcel Number: 19-33-23-44-0017

Present Zoning District: R1 – Single Family Residential

IUP REQUEST: to allow for an IUP renewal for a home occupation of an excavation business called Arne’s Excavating Inc at 929 197th Avenue NE, East Bethel, Minnesota 55011.

PLANNING COMMISSION ACTION

A public hearing was held by the Planning Commission of the City of East Bethel on March 24, 2009, at which all persons interested were given an opportunity to be heard. The Planning Commission recommended approval of the IUP with conditions.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on July 20, 2016 and approved the IUP renewal to allow the home occupation of an excavation business contingent on the following conditions and requirements.

CONDITIONS AND REQUIREMENTS

The granting of this IUP is subject to the following conditions and requirements:

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.

- c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code Chapter 54, Signs. Home occupation signage must be no larger than two (2) square feet. (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. A home occupation shall occupy no more than fifty (50) percent of the floor area of the structure. This shall include offices of professionals, home beauty shops, and other such occupations that by custom are an accessory use.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Parking of the work related vehicles must be on a designated driveway.
 3. Work equipment shall consist of no more than 1 tri-axle dump truck, 1 – 30,000 lb. excavator, 1 skid steer, and 2 trailers.
 4. Applicant must submit a screening plan to be approved by staff. The screening plan must be executed no later than May 29, 2009. Failure to provide a screening plan and implement the plan by May 31, 2009 will result in the noncompliance of conditions.
 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 July 6th, 2019, at which time, the applicant will be required to re-apply for an IUP.
 8. All conditions must be met no later than September 1st, 2016. Failure to execute the IUP Agreement will result in the null and void of the IUP.

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

Dated: July 20, 2016

Property Owner/Applicant: Thomas VanElsberg
4991 201st Ave. NE
East Bethel, MN 55092

Parcel Location: 4991 201st Ave. NE
East Bethel, MN 55092

Parcel Number: 24-33-23-14-0008

Present Zoning District: RR – Rural Residential

IUP REQUEST: approval of IUP renewal for a home occupation to allow for the buying and trading of firearms at 4991 201st Ave. NE, East Bethel, Minnesota 55092.

PLANNING COMMISSION ACTION

A public hearing was held on May 28, 2013 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 July 20, 2016 and approved the IUP renewal for the buying and trading of firearms at 4991 201st Ave. NE, East Bethel, Minnesota 55092, Dellwood Acres, Lot 6, Block 1, PIN 24-33-23-14-0008, subject to the conditions listed below.

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).

- d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. A home occupation shall occupy no more than fifty (50) percent of the floor area of the structure. This shall include offices of professionals, home beauty shops, and other such occupations that by custom are an accessory use.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Home will not be used as a point of retail on site sales.
 3. No signs associated with the business will be displayed at or on the premises.
 4. Property will be inspected and evaluated annually by city staff.
 5. Violation of conditions and City Codes shall result in the revocation of the IUP.
 6. The IUP shall be for a term of three (3) years, expiring July 20th, 2019, at which time, the applicant will be required to re-apply for an IUP.
 7. All conditions must be met no later than September 1st, 2016. Failure to execute the IUP Agreement will result in the null and void of the IUP.
 8. Must renew all appropriate ATF permits and follow all ATF regulations related to firearms. The deadline is subject to ATF timelines. Must present City of East Bethel with proof of ATF permit once it is renewed by ATF after its expiration date on August 1st, 2016.

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the business specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 478.51.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To ATF - Chief, FFLC 244 Needy Road Martinsburg, WV 25405-9431	License Number 3-41-003-01-6H-04271
Chief, Federal Firearms Licensing Center (FFLC) <i>Tracy Robertson</i>	Expiration Date August 1, 2016
Name TOM'S GUN SHOP	

Premises Address (Changes? Notify the FFLC at least 30 days before the move.)
**4991 201ST AVE NE
EAST BETHEL, MN 55092-0000**

Type of License
01-DEALER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES

Purchasing Certification Statement
The licensee named above shall use a copy of this license to assist a transferor of firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL) or a responsible person of the FFL. I certify that this is a true copy of a license issued to the licensee named above to engage in the business specified above under "Type of License."

Mailing Address (Changes? Notify the FFLC of any changes.)

**THOMAS ENTERPRISES LLC
TOM'S GUN SHOP
4991 201ST AVE NE
EAST BETHEL, MN 55092**

<i>Thomas Van Elsberg</i> Licensee/Responsible Person Signature	<i>Owner</i> Position/Title
<i>Thomas Van Elsberg</i> Printed Name	<i>8-13-13</i> Date

*Carrie - file
Please file
up IUP
in property
file
Aug 10/15*

ATF Form 8 (5310-11)
Revised October 2011

Previous Edition is Obsolete THOMAS ENTERPRISES LLC 4991 201ST AVE NE 55092-0000 3-41-003-01-6H-04271 August 1, 2016 01-DEALER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES

Federal Firearms License (FFL) Customer Service Information

Federal Firearms Licensing Center (FFLC) 244 Needy Road Martinsburg, WV 25405-9431	Toll-free Telephone Number: (866) 662-2750 Toll-free Fax Number: (866) 257-2749 E-mail: NLC@atf.gov	ATF Homepage: www.atf.gov FFL eZ Check: www.atfonline.gov/fflezcheck
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Change of Address (27 CFR 478.52). Licensees may during the term of their current license remove their business or activity to a new location at which they intend regularly to carry on such business or activity by filing an Application for an Amended Federal Firearms License, ATF Form 5300.38, in duplicate, not less than 30 days prior to such removal with the Chief, Federal Firearms Licensing Center. The application must be executed under the penalties of perjury and penalties imposed by 18 U.S.C. 924. The application shall be accompanied by the licensee's original license. The license will be valid for the remainder of the term of the original license. (The Chief, FFLC, shall, if the applicant is not qualified, refer the application for amended license to the Director of Industry Operations for denial in accordance with § 478.71.)

Right of Succession (27 CFR 478.56). (a) Certain persons other than the licensee may secure the right to carry on the same firearms or ammunition business at the same address shown on, and for the remainder of the term of a current license. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business shall furnish the license for that business for endorsement of such succession to the Chief, FFLC, within 30 days from the date on which the successor begins to carry on the business.

(Continued on reverse side)

Cut Here X

Federal Firearms License (FFL) Information Card

License Name: **THOMAS ENTERPRISES LLC**

Business Name: **TOM'S GUN SHOP**

License Number: **3-41-003-01-6H-04271**

License Type: **01-DEALER IN FIREARMS OTHER THAN DESTRUCTIVE DEVICES**

Expiration: **August 1, 2016**

Please Note: Not Valid for the Sale or Other Disposition of Firearms.

FFL Newsletter - Electronic Version Available

Sign-Up Today!

FFLs interested in receiving the electronic version of the FFL Newsletter, along with occasional additional information, should submit name, FFL number, and e-mail address to: FFLNewsletter@atf.gov.

The electronic FFL Newsletter will enable ATF to communicate information to licensees on a periodic basis.

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

Dated: July 20, 2016

Property Owner/Applicant: Michelle Hess
2740 Viking Blvd NE
East Bethel, MN 55092

Parcel Location: 2740 Viking Blvd NE
East Bethel, MN 55092

Parcel Number: 27-33-23-32-0002

Present Zoning District: RR – Rural Residential

IUP REQUEST: approval of IUP renewal for a home occupation of a home-based hair salon located at 2740 Viking Blvd NE, East Bethel, Minnesota 55092.

PLANNING COMMISSION ACTION

A public hearing was held on May 24, 2011 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 July 20, 2016 and approved the IUP renewal for the home-based hair salon at 2740 Viking Blvd NE, East Bethel, Minnesota 55092, PIN 27-33-23-32-0002, subject to the conditions listed below.

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:
 - a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.

- e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. A home occupation shall occupy no more than fifty (50) percent of the floor area of the structure. This shall include offices of professionals, home beauty shops, and other such occupations that by custom are an accessory use.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. State licensing requirement must be current and a copy provided to the city.
 3. Property will be inspected and evaluated annually by city staff.
 4. The IUP shall be valid until the property changes hands, any code violations have been confirmed, and/or the IUP expires without being renewed.
 5. Violation of conditions and City Codes shall result in the revocation of the IUP.
 6. The IUP shall be for a term of three (3) years, expiring July 20th, 2019, at which time, the applicant will be required to re-apply for an IUP.
 7. All conditions must be met no later than September 1st, 2016. Failure to execute the IUP Agreement will result in the null and void of the IUP.

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

Dated: July 20, 2016
Property Owner/Applicant: Michael and Catherine Beason
3500 190th Avenue NE
East Bethel, MN 55092

Parcel Location: 3301 Viking Blvd. NE
Anoka County
East Bethel, MN 55092

Parcel Number: 27-33-23-14-0024

Legal Description: THAT PRT OF SE1/4 OF NE1/4 & THAT PRT OF NE1/4 OF SE1/4 SEC 27-33-23 DESC AS FOL: COM AT NW COR OF SD NE1/4 OF SE1/4, TH S 87 DEG 43 MIN 54 SEC E ALG N LINE OF SD 1/4,1/4, 687.55 FT TO POB, TH N 0 DEG30 MIN 00 SEC E 463.24 FT TO S LINE OF N 864.68 FT OF SD SE1/4 OF NE1/4 , TH S 87 DEG 48 MIN 31 SEC E ALG SD S LINE .37 FT TO W LINE OF E 638.64 FT OF SD 1/4,1/4, TH N 0 DEG 02 MIN 01 SEC W ALG SD WLINE 175.13 FT TO S LINE OF N 689.68 FT OF SD 1/4,1/4, TH S 87 DEG 48 MIN 31 SEC E ALG SD S LINE 282.13 FT, TH S 0 DEG 30 MIN 00 SEC W 1320.12 FT TO C/L OF CSAH NO 22, TH N 68 DEG 51 MIN 46 SEC W ALGSD C/L TO INTER/W A LINE BRG S 0 DEG 30 MIN 00 SEC W FROM POB; TH NLY TO POB; EX RD; SUBJ TO EASE OF REC

Present Zoning District: RR – Rural Residential

IUP REQUEST: to continue a craft center known as *The Pines* at the above referenced parcel located within the City of East Bethel.

CITY COUNCIL ACTION

The City Council considered the matter at its meeting on August 7, 2013 with the conditions listed below.

DECISION

The City Council hereby grants the renewal of the Interim Use Permit to allow for a craft center located at 3301 Viking Blvd. NE contingent to the following conditions.

CONDITIONS AND REQUIREMENTS

The granting of this IUP is subject to the following conditions and requirements:

1. Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:

- a. No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.
 - h. Parking needs generated by the home occupation shall be provided on-site.
 - i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Home will not be used as a point of retail on site sales.
 3. Occupant load will be determined by building and/or fire department, not to exceed a guest occupancy of twenty (20) persons.
 4. Primary guest room entrances shall be through an interior room of the center.
 5. Guests are limited to a length of stay of no more than seven (7) consecutive nights.
 6. Food preparation and cooking in guest rooms is prohibited.
 7. On-site parking sufficient for all residents and participants shall be provided.
 8. Craft centers shall be landscaped and screening from abutting lots, as determined by city council.
 9. Craft centers require a yearly health and safety inspection by the fire/building departments.
 10. Violation of conditions and City Codes shall result in the revocation of the IUP.
 11. The IUP shall be for a term of three (3) years, expiring July 6th, 2019, at which time, the applicant will be required to re-apply for an IUP.
 12. All conditions must be met no later than September 1st, 2016. An IUP Agreement shall be signed and executed on or before this date. Failure to execute the IUP Agreement will result in the null and void of the IUP.



City of East Bethel City Council Meeting Agenda Information

Date:

July 20, 2016

Agenda Item Number:

7.0 D.1

Agenda Item:

Vacation/sale of portions of Birch Road and Longfellow Drive

Requested Action: Consider the request for the vacation/sale of City Right of Way – Birch Road and Longfellow Drive

Background Information:

Patrick and Kathryn Johnson, 447 Cedar Road, previously inquired about vacating the City right of way along the south side of their property (Longfellow Drive) and the road right of way that bisects their property on the west (Birch Road). Their requests were presented to the Roads Commission on September 11, 2012 and October 9, 2012. The Roads Commission at the October 12, 2012 meeting recommended that the right of way not be vacated due to potential need of these rights of way by the City in the future. The Johnson’s did not respond to the Roads Commission’s final recommendation and this item was not presented to City Council.

In November 2015 Steve Thorson, an attorney with Barney, Guzy & Steffen, Ltd. representing the Johnson’s, communicated with City Attorney Mark Vierling to explore interest of the City Council to sell portions of the platted but unconstructed segments of Birch Road and Longfellow Drive to accommodate the Johnson’s desire to construct an accessory building. Mr. Thorson and the Johnsons are of the opinion that their property does not meet standards for a buildable area and that adjoining and unused City right of ways could provide land to accommodate this request. The Johnson’s current lot size would permit an accessory building of up to 580 SF. Combination of their four lots, along with segment of Birch Road that bisects their property, would permit an accessory building size of up to 960 SF.

Mr. Thorson submitted a letter to the City on June 6, 2016 requesting that Council consider vacating and selling those portions of Birch Road and Longfellow Drive as indicated in Attachment 1 for the purpose of providing the Johnson’s a site to construct an accessory building. Based on his research, Mr. Thorson is of the opinion that the intent of plats recorded in 1925 provided conveyance of title and thus can be sold upon the vacation of the street.

As to the question of the sale of City right of way, the City Attorney has provided the following opinion:

Generally, a plat dedication of right of way does not afford fee title to the city over the right of way but only control over the ROW for the benefit of the public, thus the city has no title to convey and can only vacate the land (Minn. Stat 415.871) which then returns

the land to the adjoining owners in equal proportion. Occasionally we see older plats where the dedication language is an actual conveyance of title as opposed to public dedication. Those are fairly rare but the point is that the plat dedication language is a critical focal point in the analysis. Even as to these plats further title review is necessary to determine competing real estate title interests. Hence a current title report and plat review is generally a must before proceeding.

Staff presented the Johnson's request to vacate those portions of Birch Road and Longfellow Drive as presented in Attachment 4 to the Roads Commission on July 12, 2016 and the Commission, after discussion of the item, approved the following recommendation for City Council pending a title opinion that these lands can be sold:

The Roads Commission recommended that the City Council consider approval of the vacation/sale to Patrick and Kathryn Johnson of the easement/right of way, identified as the unconstructed portion of Birch Street south of Lincoln Drive abutting those properties identified as 36-33-23-23 -0143, 36-33-23-23-0127 and 36-33-23-23-0128 subject to the following conditions:

- 1. The owners of 447 Cedar Rd. will be responsible for title searches and all legal costs to determine the means and process by which the easement/right of way can be disposed;*
- 2. The City will retain a permanent utility easement on that portion of Birch Street that is proposed for sale/vacation of a width and location as recommended by the City Engineer;*
- 3. Should the utility easement be required for City use, the current or future owners of 447 Cedar Rd. will provide the City with any necessary temporary construction easements as needed outside the area of the permanent easement;*
- 4. The current owners of 447 Cedar Rd. will be required combine the all the lots in their name and that portion of Birch Street into one lot and PIN; and*
- 5. The City will retain that unconstructed portion of Longfellow Drive requested to be vacated/sold by the Johnson's.*

After additional investigation of the request and the Road Commission recommendation, Staff offers the additional information relating to the consideration of the vacation/sale of Longfellow Drive:

- As the property adjoining and to the south of Longfellow Drive is owned by the City, any future needs for streets, drainage structures or appurtenances could be accommodated on this site. Verification of City ownership needs to be provided as a condition of any sale.
- Construction of Longfellow Drive between Cedar and Birch would improve access for only one buildable lot and from a development stimulus standpoint, this extension would have little value. The same is true if the segment of Longfellow were extended from Birch Road to Lakeshore Drive. It is the opinion of Staff that development/construction of the segment of Longfellow Drive between Cedar and Lakeshore Drive would provide no real benefit to the City.
- The City Fire Chief has stated that extension of Longfellow Drive to connect with Birch Road would have marginal benefit for access of fire and emergency service vehicles on Birch Road.
- Vacating these streets would not by itself establish a precedence or set a policy of divesture of City property. There have been 5 vacations of City Streets from the

Coon Lake Beach Plat. Other examples of City Street relinquishments of platted but undeveloped streets were on portions of East Front Boulevard and on East Bethel Boulevard between 229th Ave. and Fawn Lake Drive.

- The plat dedication language of these streets may enable them to be sold and could be generate significant revenue for the City if the appraisal of these right of ways can be based on sales of comparable residential values.

From a Staff perspective, if the Johnson’s can demonstrate that the right of ways requested for vacation/sale on Longfellow Drive have no wetlands issues that would preclude the building of an accessory building, no soil conditions that would prohibit the same and provide flood data information that demonstrates that the finished slab grade of an accessory building is one foot above the 100-year flood, then Staff would recommend that Council consider the abandonment/sale of this right of way.

Staff proposes that the Johnson’s validate that the right of way for Longfellow Drive requested for vacation could provide an approvable buildable area for an accessory building. Staff recommends that this information be presented to the Council at a subsequent meeting in order that deliberations can commence relating to the request for the vacation/sale of Longfellow Drive.

Staff’s recommendation for the vacation request for Longfellow Drive is predicated on the finalization of an agreement as to the means and method of appraisal, the dedication of any required utility and/or drainage easements both permanent and temporary, the requirement of the combination of lots, consent from the City Attorney that the streets in questions can be sold, agreement from the Johnson’s to pay all legal costs for title work and costs for wetland delineations and agreement that no portion of Lakeshore Drive is included in the request for vacation.

Attachments:

- Attachment 1 - Letter from BGS, attorneys for the Johnson Family
- Attachment 2 - Minutes from September 11, 2012 Road Commission Meeting
- Attachment 3 - Minutes from October 9, 2012 Road Commission Meeting
- Attachment 4 –Proposed Street Vacation Plat
- Attachment 5 –Proposed Accessory Building Location
- Attachment 6 –Coon Lake Beach Plat with Previous Street Vacations

Fiscal Impact:

To be determined

Recommendation(s):

Staff recommends that the Roads Commission’s recommendation to the City Council to consider approval of the vacation/sale of the easement/right of way to Patrick and Kathryn Johnson identified as the unconstructed portion of Birch Street south of Lincoln Drive abutting those properties identified as 36-33-23-2, -0143, 36-33-23-23-0127 and 36-33-23-23-0128 be amended and subject to the following conditions:

- *An opinion from the City Attorney that the right of way can be sold*

- *The owners of 447 Cedar Rd. will be responsible for title searches and all legal costs to determine the means and process by which the easement/right of way can be disposed;*
- *The City will retain a permanent utility easement on that portion of Birch Street that is proposed for sale/vacation of a width as recommended by the City Engineer;*
- *Should the utility easement be required for City use, the current or future owners of 447 Cedar Rd. will provide the City with any necessary temporary construction easements as needed outside the area of the permanent easement;*
- *The current owners of 447 Cedar Rd. will combine the all the adjoining lots in their name and that portion of Birch Street into one lot;*
- *The City will postpone consideration of that unconstructed portion of Longfellow Drive requested by the Johnson's to be vacated/sold until such time that the Johnson's can provide information that confirms that there are no wetlands, floodplain or soils conditions that would prohibit the construction of an accessory building within this right of way;*
- *An agreement between the City and the Johnson's as to the method and means of the appraisal of the right of way proposed to be sold; and*
- *No portion or vacation of Lakeshore Drive will be considered in this request.*

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

JEFFREY S. JOHNSON
RUSSELL H. CROWDER
MICHAEL F. HURLEY
CHARLES M. SEYKORA
DANIEL D. GANTER, JR.
BEVERLY K. DODGE
JAMES D. HOEFT
JOAN M. QUADE*
JOHN T. BUCHMAN*
SCOTT M. LEPAK
ELIZABETH A. SCHADING
DOUGLAS G. SAUTER
WILLIAM F. HUEFNER
BRADLEY A. KLETSCHER
KAREN K. KURTH
TIMOTHY D. ERB
ADRIEL B. VILLARREAL
TAMMY J. SCHEMMEL
CAROL CLARK ISAKSON

*Also Licensed in Wisconsin

BGS

Barna, Guzy & Steffen, Ltd.

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DARRELL A. JENSEN

BERNARD E. STEFFEN
1931-2002
PETER BARNA
1926-2005

Writer's Direct Line: (763) 783-5124
E-Mail Address: sthorson@bgs.com

June 6, 2016

Mayor Steven Voss and Members of the City Council
City of East Bethel
2241 -- 221st Ave. N.E.
East Bethel, MN 55011

RE: Purchase of Surplus City Land
Our File No. 63935-001

Dear Mayor Voss and Members of the Council:

Our firm represents Kathryn and Patrick Johnson. Johnsons are the owners of a homestead at 447 Cedar Road.

Johnsons would like to build an Accessory Building south of their home on land that is presently owned by the city and designated as unopened right-of-way within the plat of "Coon Lake Beach." Johnsons do not have adequate land above the water table restrictions on their homesteaded lots to construct an Accessory Building. Their ideal building site is on land shown as part of Long Fellow Drive.

Johnsons would also like to purchase the unopened right-of-way across their back yard presently designated as part of Birch Road. The two portions of unopened rights-of-way which they would like to purchase from the City are highlighted in green on the attached copy of our recent survey of the Johnsons' homestead. Subject to soil conditions and the site planning process, the Accessory Building could be constructed somewhere in the orange rectangle.

We have studied the development of Coon Lake Beach. Even though these streets were platted 91 years ago, it appears to us that the portions which Johnsons would like to purchase will never be opened and developed as streets.

Here is a short list of the issues that the city should consider:

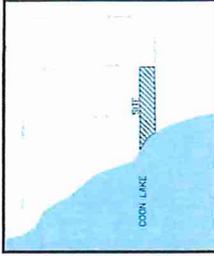
1. There will be an immediate revenue benefit for the City to sell surplus land.
2. There will be a secondary revenue benefit for the City in converting unproductive land to land on the property tax rolls.
3. There will a third revenue benefit for the City when Johnsons' new Accessory Building is added to their assessed value.
4. The City will shed whatever liability it has with respect to these unopened streets.

CERTIFICATE OF SURVEY

for ~ BARN A. GUZY & STEFFEN, LTD
of ~ 447 CEDAR ROAD NE,
EAST BETHEL, MN 55092

VICINITY MAP

PART OF SEC. 36, TWP. 33, RANG. 23



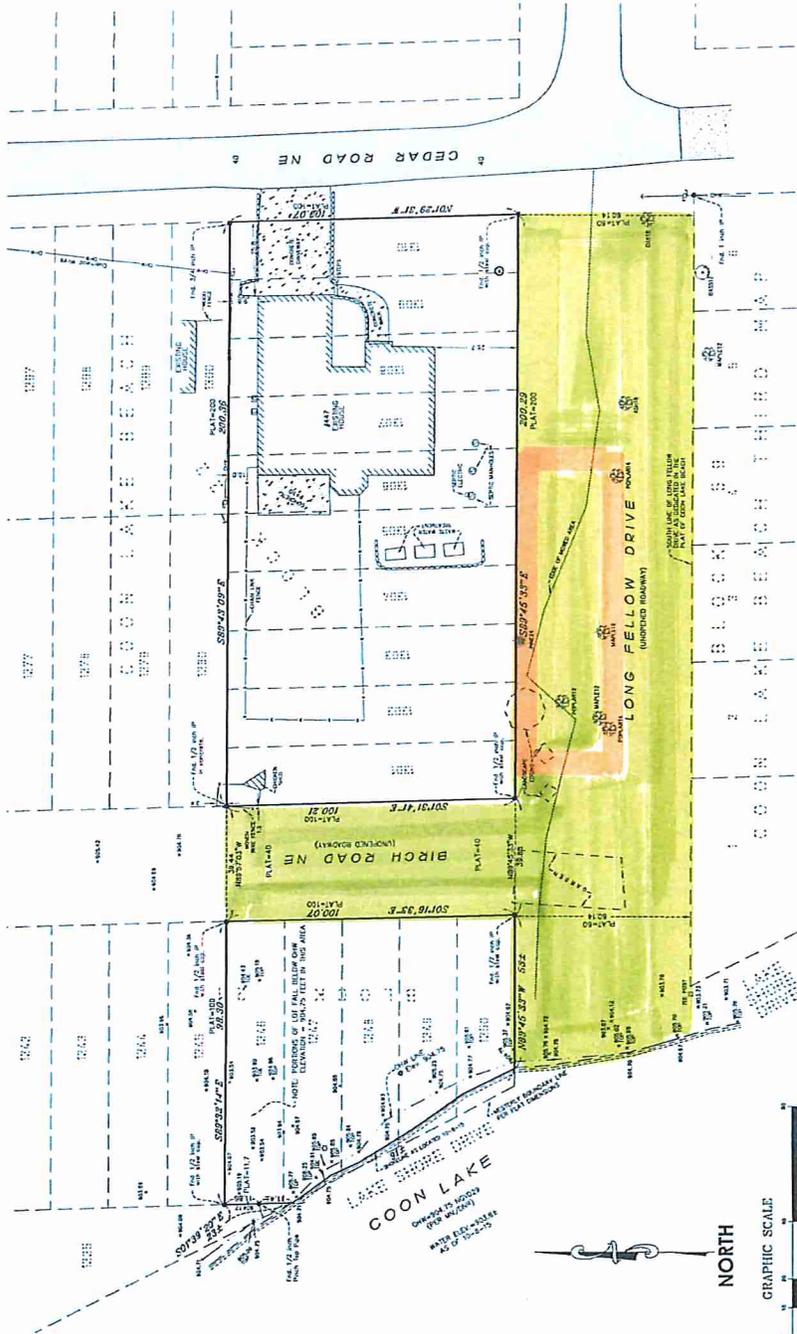
ANOKA COUNTY, MINNESOTA
(NO SCALE)

LEGEND

- DENOTES SURVEY POINTS AS SHOWN
- DENOTES IRON MONUMENT SET, MARKED RLS# 19421
- DENOTES GAS METER
- DENOTES SANITARY SEWER MANHOLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES ELECTRICAL BOX
- DENOTES CUP WIRE
- DENOTES WOMEN WIRE FENCE
- DENOTES RETAINING WALL
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DWL Line
- DENOTES "ORDINARY HIGH WATER LEVEL"
(COON LAKE DWL = 904.73)

OUTLET CONTROL STRUCTURE DATA FOR COON LAKE

- TOP OF CONCRETE SPILLWAY AVENUE
ELEVATION = 903.45 FEET, ROAD 1929 DATUM.
- ELEVATION = 903.45 FEET, ROAD 1929 DATUM.
- ELEVATION = 903.45 FEET, ROAD 1929 DATUM.
- BOTTOM OF V NOTION IN UTILITY, 48" DI.
CONCRETE SPILLWAY ELEVATION = 903.15 FEET
±, ROAD 1929 DATUM.
- PROJECT BENCHMARK: 1929
TOP OF CONCRETE HEADWALL OF OUTLET
CONDUIT STRUCTURE
ELEVATION = 903.15 FEET, ROAD 1929 DATUM
(PER ANOKA COUNTY SURVEYOR).



PROPERTY DESCRIPTION

(PER FILE COMMITMENT FILE NO. 439729)
Lots 1246, 1247, 1248, 1249 and 1250, all in Block 74, Coon Lake Beach; and
Lots 1307, 1302, 1303, 1304, 1305, 1306, 1206, 1207, 1308, 1309 and 1310, all in
Block 22, Coon Lake Beach, Anoka County, Minnesota.

NOTES

- Field survey was completed by E.C. Rud and Sons, Inc. on 10/14/15
- Easements shown are on the Anoka County Coordinate System.
- This survey was prepared based upon title commitment case no. 439729
prepared by Eric Reilly title, listing agent for Chicago Title Insurance
Company, dated June 18, 2004. Additional comments, restrictions and/or
revision upon receipt of a current title commitment or an attorney's title
opinion.

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

I hereby certify that this survey, plan
my area, supervision and that I am
a duly registered Land Surveyor under
the laws of the State of Minnesota.
BL *RS*
BLAKE L. RUDWIND
Date: 10-19-15 License No. 19471

NO.	DATE	REVISION
1		
2		
3		

CERTIFICATE OF SURVEY

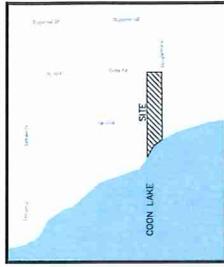
~for~ **KATHRYN G. JOHNSON AND PATRICK K. JOHNSON;**
THE CITY OF EAST BETHEL;
AND BARNA, GUZY & STEFFEN, LTD
 ~of~ **447 CEDAR ROAD NE,**
EAST BETHEL, MN 55092

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/14/15.
- Bearings shown are on the Anoka County Coordinate System.
- This survey was prepared based upon title commitment case no. 43128 filed in Anoka County, Minnesota on 08/21/15. The City of East Bethel, Minnesota, and Barna, Guzy & Steffen, Ltd. are the parties to this commitment. Additional encumbrances, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to attorney's opinion upon receipt of a current title commitment or an attorney's title opinion.

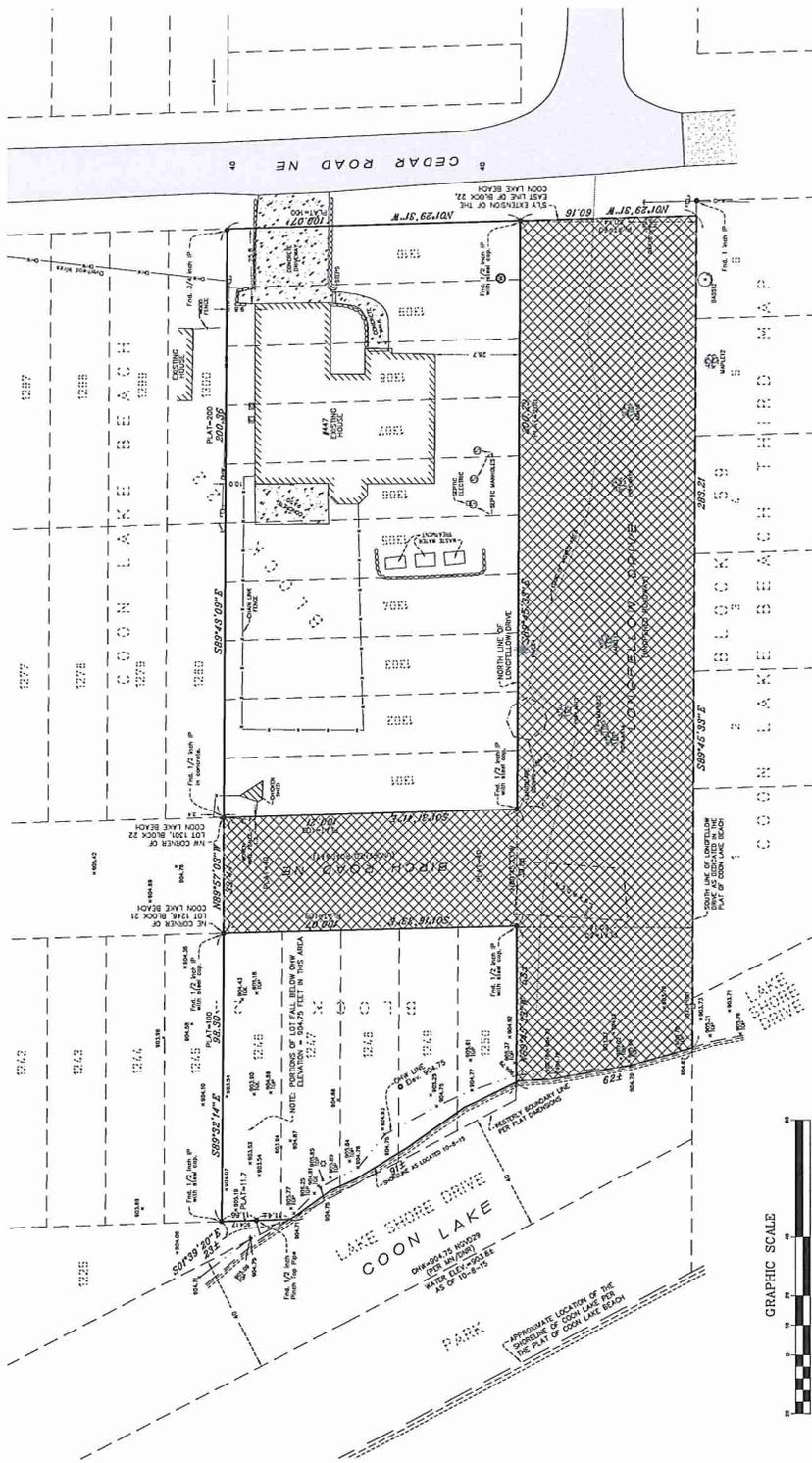
VICINITY MAP

PART OF SEC. 36, TWP. 33, RING. 23



ANOKA COUNTY, MINNESOTA
(NO SCALE)

NORTH



LEGEND

- PROTECTIVE MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED BLS# 19421
- DENOTES GAS METER
- DENOTES POSTING SIGN
- DENOTES POSTING SIGN ELEVATION
- DENOTES ELECTRICAL BOX
- DENOTES GUY WIRE
- DENOTES WELLS WIRE FENCE
- DENOTES RETAINING WALL
- DENOTES OVERHEAD WIRE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PROPOSED STREET VACATION
- DENOTES "ORDINARY HIGH WATER LEVEL" (Coon Lake OHW = 904.75)

OUTLET CONTROL STRUCTURE DATA FOR GOON LAKE

- TOP OF CONCRETE SPILLWAY AVENUE ELEVATION = 903.4-5 FEET, NVD 1929 DATUM.
- TOP OF METAL WEIR AT CONCRETE SPILLWAY ELEVATION = 903.9 FEET, NVD 1929 DATUM.
- BOTTOM OF V-NOTCH IN METAL WEIR AT CONCRETE SPILLWAY ELEVATION = 903.5 FEET ±, NVD 1929 DATUM.
- PROJECT BENCHMARK NO. 3086
- TOP OF CONCRETE HEADWALL OF OUTLET STRUCTURE ELEVATION = 904.90 FEET NVD 1929 DATUM (PER ANOKA COUNTY SURVEYOR).

PROPERTY DESCRIPTION

(PER TITLE COMMITMENT FILE NO. 431928)
 Lots 1246, 1247, 1248, 1249 and 1250, all in Block 21, Coon Lake Beach; and Lots 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309 and 1310, all in Block 22, Coon Lake Beach, Anoka County, Minnesota.

I hereby certify to Kathryn G. Johnson and Patrick K. Johnson, the City of East Bethel, and Barna, Guzy & Steffen, Ltd. that this survey was prepared by me or under my direct supervision and that I am a duly licensed and registered land surveyor under the laws of the State of Minnesota.

BLAKE L. RIVARD
 License No. 19421

Date: 01-07-16

PROPOSED STREET VACATION DESCRIPTION - LONGFELLOW DRIVE

All that part of Longfellow Drive according to the recorded plat of COON LAKE BEACH, Anoka County, Minnesota, which is the southerly extension of the east line of Block 22 and COON LAKE BEACH.

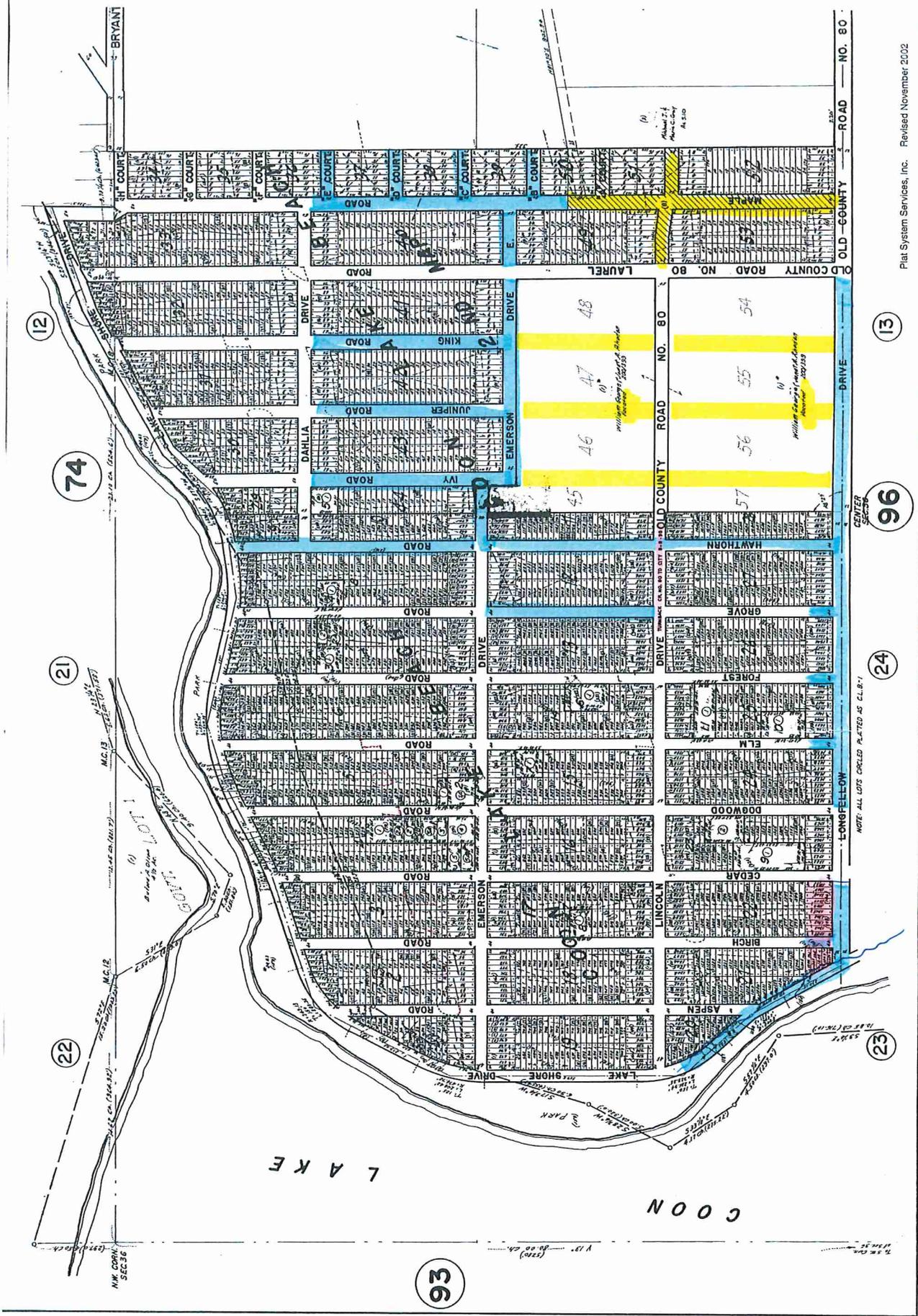
PROPOSED STREET VACATION DESCRIPTION - BIRCH ROAD

All that part of Birch Road according to the recorded plat of COON LAKE BEACH, Anoka County, Minnesota, which is the southerly extension of the corner of lot 1246, Block 21 to the northwest corner of lot 1301, Block 22 all in said COON LAKE BEACH, and which lies north of the north line of Longfellow Drive.

E.G. RUD & SONS, INC.

Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-6200 Fax: (651) 361-6701

DRAWN BY	DATE	SCALE	DATE
EGS	10/14/15	AS SHOWN	
CHKD BY	DATE	SCALE	DATE



= formerly vacated

= not built

= Johnson issue

September 11, 2012 Road Commission Minutes

Request for Vacating Right of Way adjacent to 44 Cedar Road

The property owners at 447 Cedar Road, Kathryn and Patrick Johnson, have inquired about the City vacating the road right of way along the south side of their property (Longfellow Drive) and the road right of way the bisects their two properties (Birch Road). Currently there are no plans for these road easements but could be considered for future access or future storm water infrastructure needs.

The property owners had originally inquired about purchasing the right of way. Because the City is not able to sell property, vacating the property would be the only option and would require splitting the public property equally amongst the adjoining properties.

George Paavola advised the Commission to review the deed from 1925/1926. It states when the property was given away, that the road right of ways were permanent as part of the property being donated.

DeRoche was wondering if the property has a white fence. Johnson said no, it is down from there.

Ayshford explained the location on a larger map. He said there are quite a few of these platted roads that were never developed in this area. Johnson said ideally he would like the lakeshore vacated too, but he doesn't need that at this point.

George Paavola said he believes the wording in the deed says forever, so it would be hard to vacate it. Johnson said when he picked it up the plan at the surveyor's office, they think it should be vacated and he also talked to his counselor, and he agreed. He said the roads are outdated and should be vacated.

DeRoche explained a vacation of Sylvan came up in front of the Council this year. The Council decided if Sylvan was to be vacated, then people would be standing in line for all the other properties. The DNR also recommended against it. He said the Council was concerned if they vacate one, then they will have to vacate everything.

Johnson said part of the process of vacating involved surveying and title companies and there is a cost. If that does happen, they can approach those on an individual basis. DeRoche said we spent three Council meetings discussing Sylvan. He is more than happy to have the City Attorney look at it. DeRoche explained Sylvan street was turned down. Johnson said these roads have not been used as a right of way for many years. George Paavola explained the plat was created in 1925. Coon Lake Beach Association owns most of the lake shore. Murphy said we might be bound to a commitment because someone gave this land. Ayshford said we don't see this area being used as a road, but these areas could be useful for future utility projects like storm water sediment filters. The Anoka County Conservation District is concerned with sediment entering Coon Lake and is

currently working on ideas to help eliminate storm water runoff. These public lands could pose a value to those structures.

Thunberg and Paavola think this should go the same route as the previous discussion. Ayshford asked if the Commission wanted it to go to the City Attorney. Paavola said if the City Attorney has any questions he can get a hold of her. Virta said we should talk to the City Attorney.

Paavola motioned to have the City attorney look at this and bring it back to the Roads Committee. Murphy seconded; all in favor, motion carries unanimously.

October 9, 2012 Road Commission Minutes

Request for Vacating Right of Way adjacent to 447 Cedar Road

The property owners at 447 Cedar Road, Kathryn and Patrick Johnson, have inquired about the City vacating the road right of way along the south side of their property (Longfellow Drive) and the road right of way the bisects their two properties (Birch Road). Currently there are no plans for these road easements but could be considered for future access or future storm water infrastructure needs.

The property owners had originally inquired about purchasing the right of way. Because the City is not able to sell property, vacating the property would be the only option and would require splitting the public property equally amongst the adjoining properties.

At the September 11, 2012 Road Commission meeting, staff was directed to contact the City Attorney for an opinion on the matter. The City Attorney stated that they do not recommend vacating any street or right-of-way unless the city is absolutely sure that it will never need the area for any purpose such as future street or utility improvements.

Mr. Johnson addressed the Commission. He provided a map of the roads that have been vacated in the area. Maple Street along with a couple other roads. DeRoche asked if they were vacated or purchased. Johnson said he thought they were vacated from everything that he read and everything that was told to him by his Council. He talked about a document that says they can't be done and obviously it can be done. Part of the reason they want the property is for the safety of their kids. There aren't any utilities or roads, or plan for either there.

DeRoche asked Davis about the properties. Ayshford said one is a park property, Maynard Peterson Park

Davis said the other portion was subdivided into four large lots. Part of Emerson Street runs through the ball field. The shaded area, he said he is unsure about. There is a hobby farm in the area.

Ayshford stated the City Attorney said it he would never recommend vacating a right-of-way unless the area will never be needed again. The area also abuts the DNR, and then they must be notified.

Jensen said in the future if the sewer does come through, then you will need to deal with the utilities, storm water, and also have to have retention ponds and rain gardens. When you have things like that it is hard to acquire property.

Ayshford said there was never any storm water design in that neighborhood. The Anoka County Conservation District said we need to identify areas like this to deal with run off to the lake. We don't know if there would be a road, but there may be a need for sewer and water and also storm water. Thunberg said he had the same concerns. Paavola conveyed

concerns for storm water and also sewer and water. Thunberg said that fits in with the City Attorney's concerns. Johnson said he doesn't see any reason for it not to be vacated. He doesn't see the stormwater coming anywhere in the future. He doesn't know how you would want to invest into storm water when there are dirt roads.

The members said the main concern is the possibility of maintaining that area for storm water drainage and sewer and water. Thunberg said there may be the need for that in the future. It is more important for us to look out for the City as a whole, versus one home owner.

Johnson said it wouldn't eliminate the city's access. Davis said the DNR would have to weigh in with their opinion on this. Generally DNR recommends not vacating the property. That is what happened with Sylvan Street. Also on vacation, if a street is vacated, 1/2 the street goes to one side and 1/2 to the other, it goes back to the adjoining property owners. Johnson wanted to know why the DNR recommended against vacating Sylvan. Staff stated he can't really say what their reasoning

Johnson asked what the process is with the DNR, do I have to notify them. He wants to go down that road and that it is a reasonable request. Virta said the commission makes a recommendation and the Council decides.

Thunberg motioned to not vacate the listed properties based on the information that has been provided. Paavola seconded; all in favor, motion carries unanimously.

The resident was advised he can come before City Council and make the request. The council meeting is a week from tomorrow. You can come during public forum or give us 7/8 days' notice to submit to the Council.

CERTIFICATE OF SURVEY

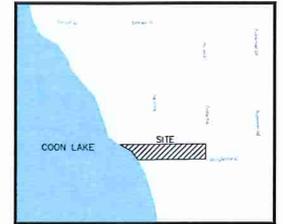
~for~ KATHRYN G. JOHNSON AND PATRICK K. JOHNSON;
 THE CITY OF EAST BETHEL;
 AND BARNA, GUZY & STEFFEN, LTD
 ~of~ 447 CEDAR ROAD NE,
 EAST BETHEL, MN 55092

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/14/15.
- Bearings shown are on the Anoka County Coordinate System.
- This survey was prepared based upon title commitment case no. 439128 prepared by Edna Realty Title, issuing agent for Chicago Title Insurance Company, dated June 18, 2004. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

VICINITY MAP

PART OF SEC. 36, TWP. 33, RNG. 23



ANOKA COUNTY, MINNESOTA
 (NO SCALE)

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 19421
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊠ DENOTES GAS METER
- ⊞ DENOTES POWER POLE
- ⊞ DENOTES EXISTING SPOT ELEVATION
- ⊞ DENOTES ELECTRICAL BOX
- ⊞ DENOTES GUY WIRE
- ⊞ DENOTES WELL
- ⊞ DENOTES WOVEN WIRE FENCE
- ⊞ DENOTES RETAINING WALL
- ⊞ DENOTES OVERHEAD WIRE
- ⊞ DENOTES CONCRETE SURFACE
- ⊞ DENOTES BITUMINOUS SURFACE
- ⊞ DENOTES GRAVEL SURFACE
- ⊞ DENOTES PROPOSED STREET VACATION
- OHW Line DENOTES "ORDINARY HIGH WATER LEVEL"
 (Coon Lake OHW = 904.75)

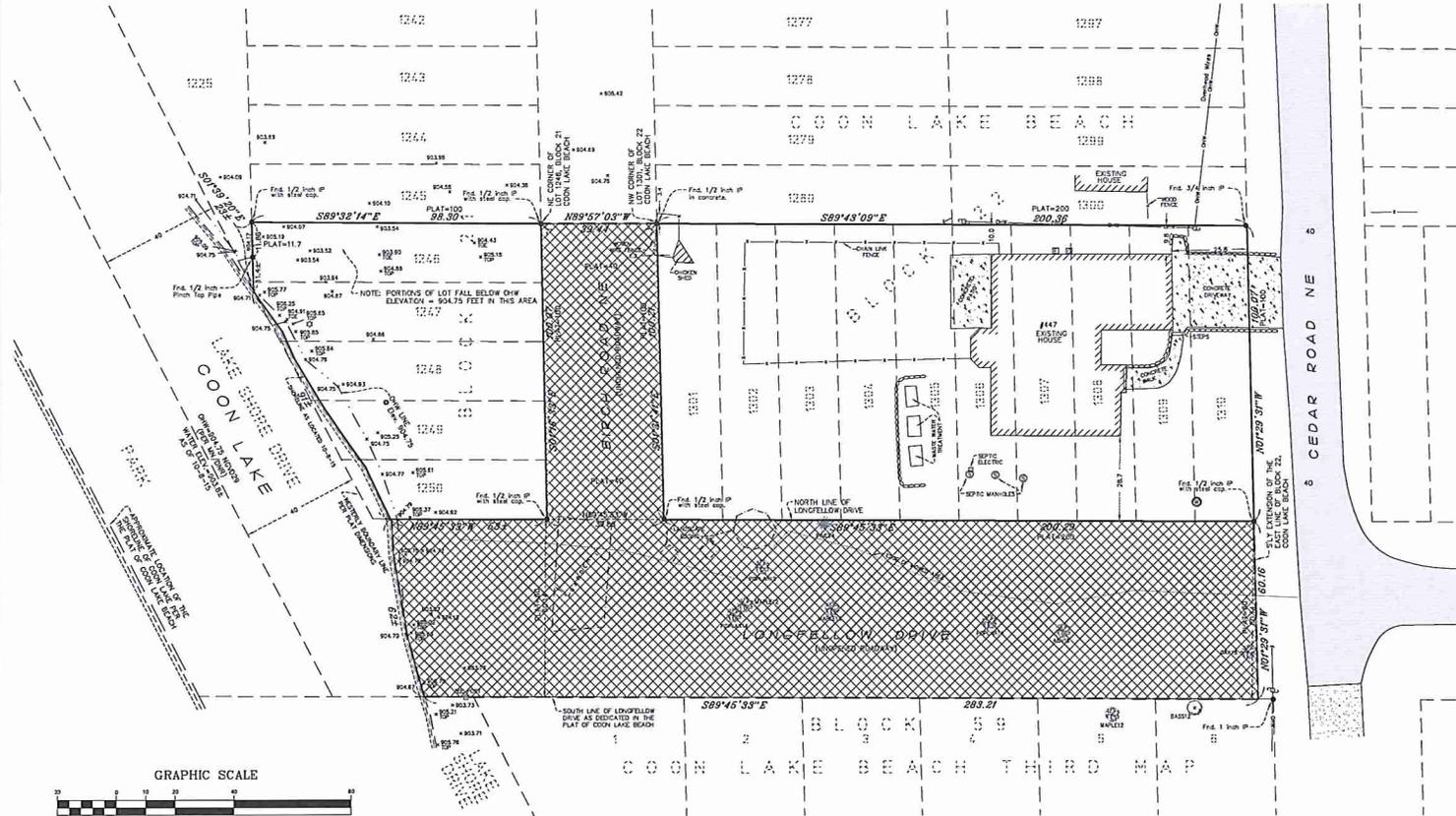
OUTLET CONTROL STRUCTURE DATA FOR COON LAKE

- TOP OF CONCRETE SPILLWAY AVERAGE ELEVATION = 903.45 FEET, NGVD 1929 DATUM.
- TOP OF METAL WEIR AT CONCRETE SPILLWAY ELEVATION = 903.9 FEET, NGVD 1929 DATUM.
- BOTTOM OF V NOTCH IN METAL WEIR AT CONCRETE SPILLWAY ELEVATION = 903.5 FEET ±, NGVD 1929 DATUM.
- PROJECT BENCHMARK ANOKA COUNTY BENCHMARK NO. 3086 TOP OF CONCRETE HEADWALL OF OUTLET CONTROL STRUCTURE. ELEVATION = 905.99 FEET NGVD 1929 DATUM (PER ANOKA COUNTY SURVEYOR).

PROPERTY DESCRIPTION

(PER TITLE COMMITMENT FILE NO. 439128)

Lots 1246, 1247, 1248, 1249 and 1250, all in Block 21, Coon Lake Beach; and Lots 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309 and 1310, all in Block 22, Coon Lake Beach, Anoka County, Minnesota.



PROPOSED STREET VACATION DESCRIPTION - BIRCH ROAD

All that part of Birch Road according to the recorded plat of COON LAKE BEACH, Anoka County, Minnesota which lies south of a line drawn from the northeast corner of lot 1246, Block 21 to the northwest corner of Lot 1301, Block 22 all in said COON LAKE BEACH, and which lies north of the north line of Longfellow Drive.

PROPOSED STREET VACATION DESCRIPTION - LONGFELLOW DRIVE

All that part of Longfellow Drive according to the recorded plat of COON LAKE BEACH, Anoka County, Minnesota which lies west of the southerly extension of the east line of Block 22 said COON LAKE BEACH.

I hereby certify to Kathryn G. Johnson and Patrick K. Johnson; The City of East Bethel; and Barna, Guzy & Steffen, Ltd. that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

BLR
 BLAKE L. RIVARD
 Date: 01-07-16 License No. 19421

DRAWN BY: JEN	JOB NO. 1563285	DATE: 10/29/15
CHECK BY: BLR	SCANNED	
1	10/27/16	Issue prop. street vacations
2		
3		
NO.	DATE	DESCRIPTION

E. G. RUD & SONS, INC.
 187, 197 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

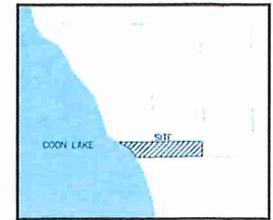
attachment 5

CERTIFICATE OF SURVEY

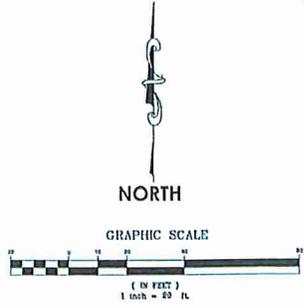
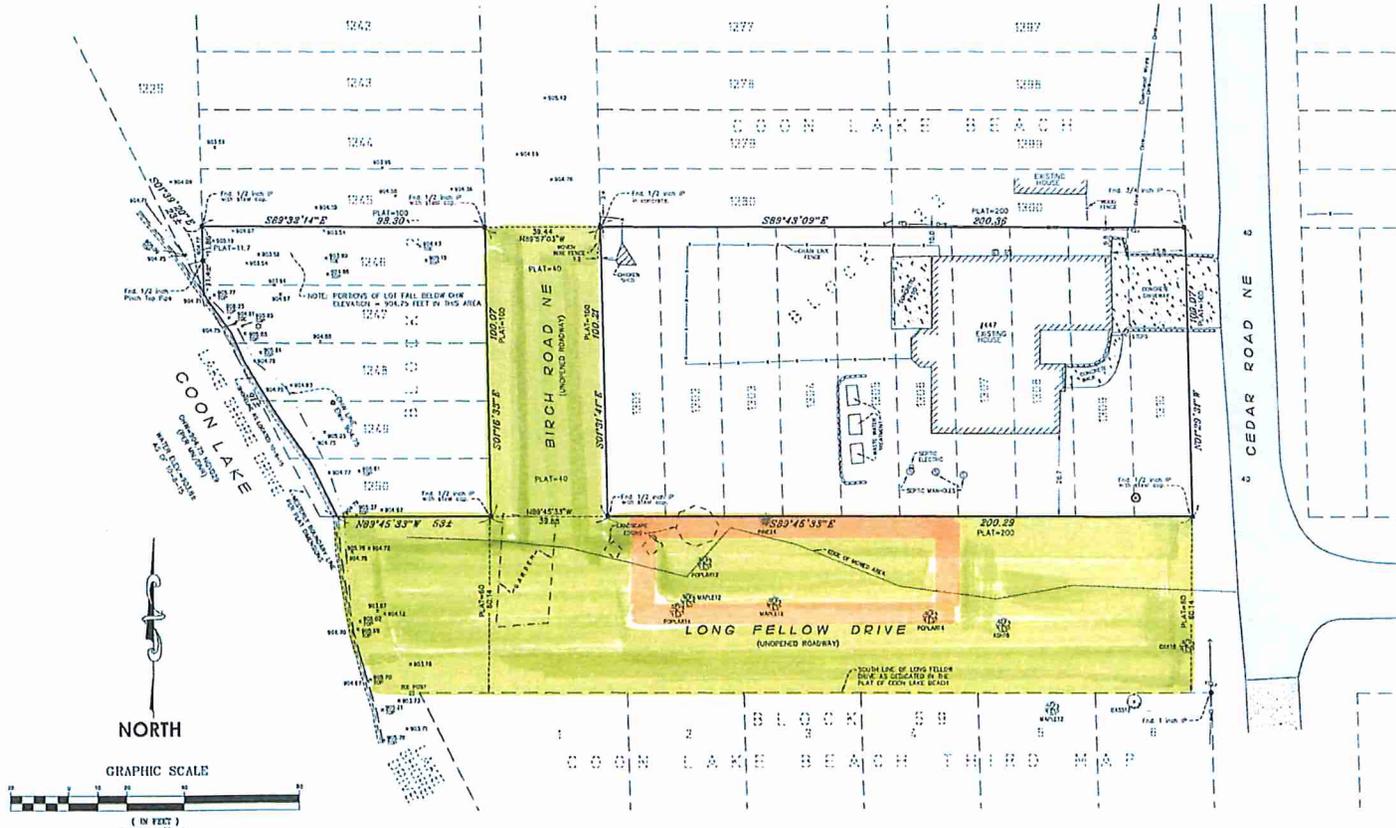
~for~ BARNA, GUZY & STEFFEN, LTD
 ~of~ 447 CEDAR ROAD NE,
 EAST BETHEL, MN 55092

VICINITY MAP

PART OF SEC. 36, TWP. 33, RANG. 23



ANOKA COUNTY, MINNESOTA
(NO SCALE)



- ### LEGEND
- DENOTES IRON MONUMENT FOUND AS LABELED
 - DENOTES IRON MONUMENT SET, MARKED RLS# 19421
 - DENOTES SANITARY SEWER MANHOLE
 - ⊞ DENOTES GAS METER
 - ⊞ DENOTES POWER POLE
 - ⊞ DENOTES EXISTING SPOT ELEVATION
 - ⊞ DENOTES ELECTRICAL BOX
 - ⊞ DENOTES GUY WIRE
 - ⊞ DENOTES WELL
 - ⊞ DENOTES WOVEN WIRE FENCE
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 - ⊞ DENOTES OVERHEAD WIRE
 - ⊞ DENOTES CONCRETE SURFACE
 - ⊞ DENOTES BITUMINOUS SURFACE
 - ⊞ DENOTES GRAVEL SURFACE
 - OHW Line DENOTES "ORDINARY HIGH WATER LEVEL"
(Coon Lake OHW = 904.75)

OUTLET CONTROL STRUCTURE DATA FOR COON LAKE

- TOP OF CONCRETE SPILLWAY AVERAGE ELEVATION = 903.45 FEET, NVD 1929 DATUM.
- TOP OF METAL WEIR AT CONCRETE SPILLWAY ELEVATION = 903.9 FEET, NVD 1929 DATUM.
- BOTTOM OF V NOTCH IN METAL WEIR AT CONCRETE SPILLWAY ELEVATION = 903.5 FEET ±, NVD 1929 DATUM.
- PROJECT BENCHMARK ANOKA COUNTY BENCHMARK NO. 3056 TOP OF CONCRETE HEADWALL OF OUTLET CONTROL STRUCTURE ELEVATION = 905.99 FEET NVD 1929 DATUM (PER ANOKA COUNTY SURVEYOR).

NOTES

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- Bearings shown are on the Anoka County Coordinate System.
- This survey was prepared based upon title commitment case no. 439128 prepared by Edina Realty Title, having agent for Chicago Title Insurance Company, dated June 18, 2004. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

PROPERTY DESCRIPTION

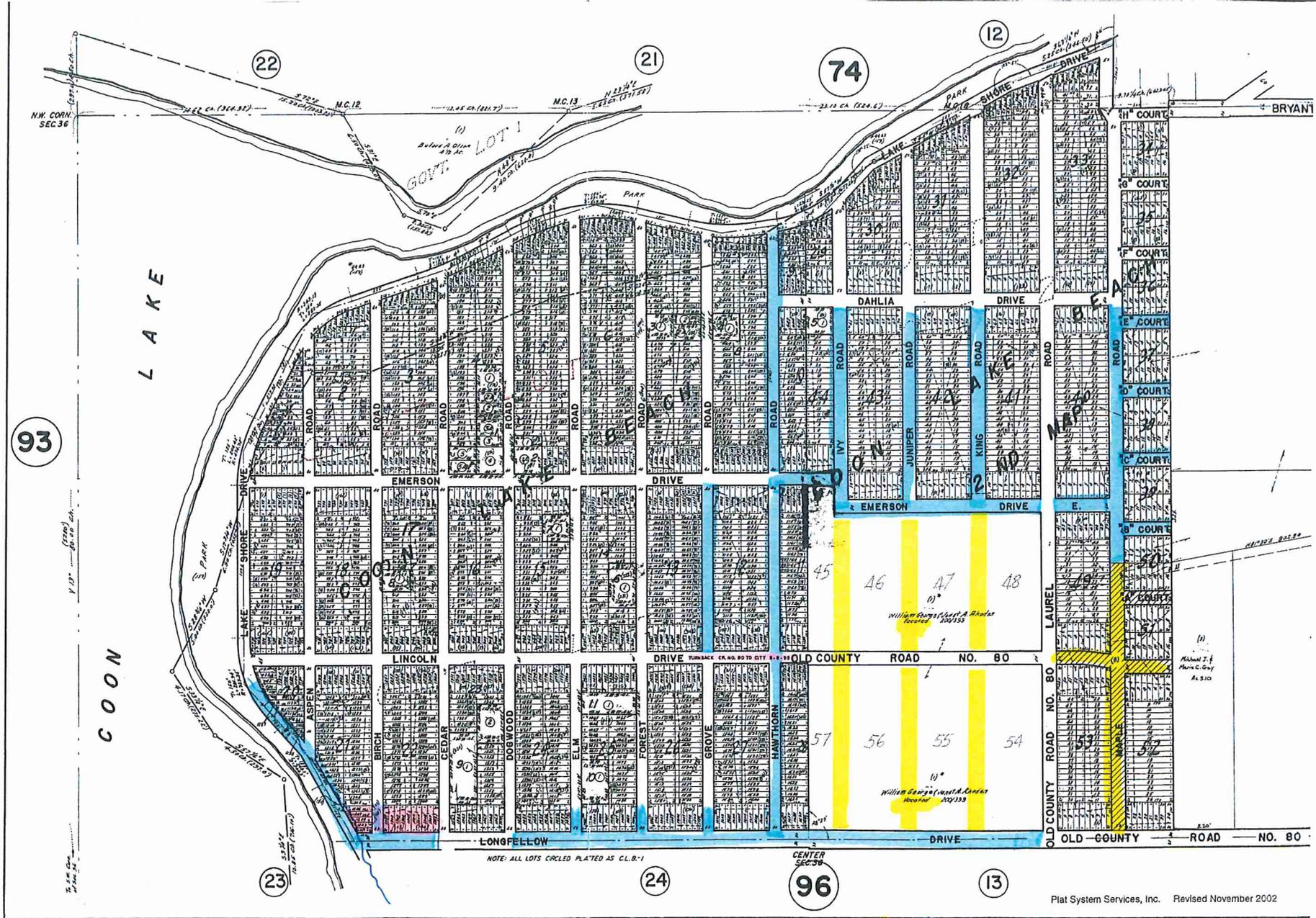
(PER TITLE COMMITMENT FILE NO. 439128)
 Lots 1246, 1247, 1248, 1249 and 1250, all in Block 21, Coon Lake Beach; and Lots 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309 and 1310, all in Block 22, Coon Lake Beach, Anoka County, Minnesota.

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

BLAKE L. HOWARD
 Date: 10-19-15 License No. 19421

DRAWN BY	CHKD BY	JOB NO.	ISSUES	DATE	10/19/15
1					
2					
3					
NO.	DATE	DESCRIPTION	BY		

E. G. RUD & SONS, INC.
 181,187 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701



= Johnson home
 = not built
 = formerly vacated



1 in = 94 ft

Street Vacation Proposal, Attachment 7



© WS 7/3
July 15, 2016

Map Powered by DataLink



City of East Bethel City Council Meeting Agenda Information

Date:

July 20, 2016

Agenda Item Number:

Item 8.0 A. 1

Agenda Item:

Interim Use Permit for a Home Occupation – Jill Hoffman, 2736 225th Lane NE, East Bethel MN 55011

Requested Action:

Consider the approval of an Interim Use Permit for Jill Hoffman to operate a home occupation business for a catering company with a commercial kitchen.

Background Information:

At their regular meeting on June 28, 2016, the Planning Commission reviewed an Interim Use Permit Application from Jill Hoffman for a home occupation in a Rural Residential Zone at 2736 225th Lane. Discussion of the request resulted in no concerns or objections from the Planning Commission.

Ms. Hoffman owns and operates Granny May’s, a business that provides general catering and food truck meal delivery service. Currently her operations are based in a rented licensed commercial kitchen facility that is no longer available for rental use.

Ms. Hoffman is requesting to retrofit her home garage into a commercial kitchen. Ms. Hoffman plans to utilize her home as her business location for up to three years. Her long range plan is to rent/lease/own a commercial building where she can add a cafeteria style retail establishment to her business.

Ms. Hoffman, who has over 30 years experience in the food service industry, and her husband Tim will be the owner/operators of the business. They will not have any other employees working at the home occupation address. There will be no outside storage of equipment on the property and the food truck will be parked in the driveway next to their detached accessory building. Ms. Hoffman has all required food and catering licenses and will comply with all health and safety regulations required for commercial kitchen operations. The home occupation is not a retail location and there will no increase in traffic or parking generated by the business. Ms. Hoffman is working with a licensed septic designer to comply with commercial kitchen septic code requirements.

Attachments:

Attachment 1 - Location Map

Fiscal Impact:

Recommendation(s):

The Planning Commission and Staff recommend that City Council consider the approval of an Interim Use Permit for of Jill Hoffman/dba Granny May’s at 2736 225th Lane, PIN# 03-33-23-23-0031, for the operation of a home based catering and temporary commercial kitchen business subject to the following conditions:

1. Home Occupation shall meet the specific standards for home occupations as permitted in East Bethel City Code Appendix A, Zoning, Section 10.18.

2. There shall be no more than three (3) employees.
3. The IUP shall be for a term of three (3) years, expiring July 21, 2019.
4. Signage shall comply with East Bethel Sign Code, Chapter 54, Signs, which states home occupations may have one identification sign not to exceed two square feet.
5. IUP Agreement must be executed no later than September 1, 2016 or the IUP will be null and void.
6. Violation of conditions and City Codes shall result in the revocation of the IUP.
7. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
8. Business is not open to the public.
9. Business equipment shall be stored out of view from the public right-of-way and neighboring properties. Food Truck shall be parked in driveway only.
10. Applicant shall submit a copy of the Food Handling/Catering License issued by Anoka County. A copy shall be provided to the City on an annual basis. Failure to maintain and provide a copy of the license may be basis for revocation of the Interim Use Permit.
11. Applicant is responsible to comply with all applicable Building, SSTS and Zoning Codes

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

Jill Hoffman/Granny May's



1 in = 3,009 ft



© WSB &
June 22, 2016

Map Powered by DataLink
from WSB & Associates



City of East Bethel City Council Meeting Agenda Information

Date:

July 20, 2016

Agenda Item Number:

8.0 B.1

Agenda Item:

Quotes for the Castle Towers Wastewater Treatment Plant Demolition Project

Requested Action:

Approve Quotes for the Castle Towers Wastewater Treatment Plant Demolition Project

Background Information:

Staff has received quotes for the remaining demo items at the Castle Towers Wastewater Treatment Plant. The attached plan sheet shows the items that will be removed with this project. Six plans and specifications were distributed to local contractors. A total of two quotes were received. Quotes were received from Professional Ground Maintenance, Inc. and Sauter & Sons, Inc. The quotes were as follows:

Professional Ground Maintenance, Inc.	\$19,650.00
Sauter & Sons, Inc.	\$21,500.00

Both these companies specialize in this type of work. Staff is in the process of having a hazardous waste and & asbestos evaluation completed on the buildings. This is required before the buildings are demolished. Staff is not expecting any hazardous waste or asbestos will be present onsite. However if these material are found they will be removed prior to the building demolition under a separate contract.

Attachments:

Attachment 1- Demolition Plan

Fiscal Impact:

This project will be financed by the excess bond funds from the Phase 1, Project 1 Utility Project. These funds are available and appropriate for this project.

Recommendation(s):

Staff recommends awarding the contract for the proposed Castle Towers Wastewater Treatment Plant Demolition Project to Professional Ground Maintenance, Inc. in the amount of \$19,650.00.

City Council Action:

Motion by: _____

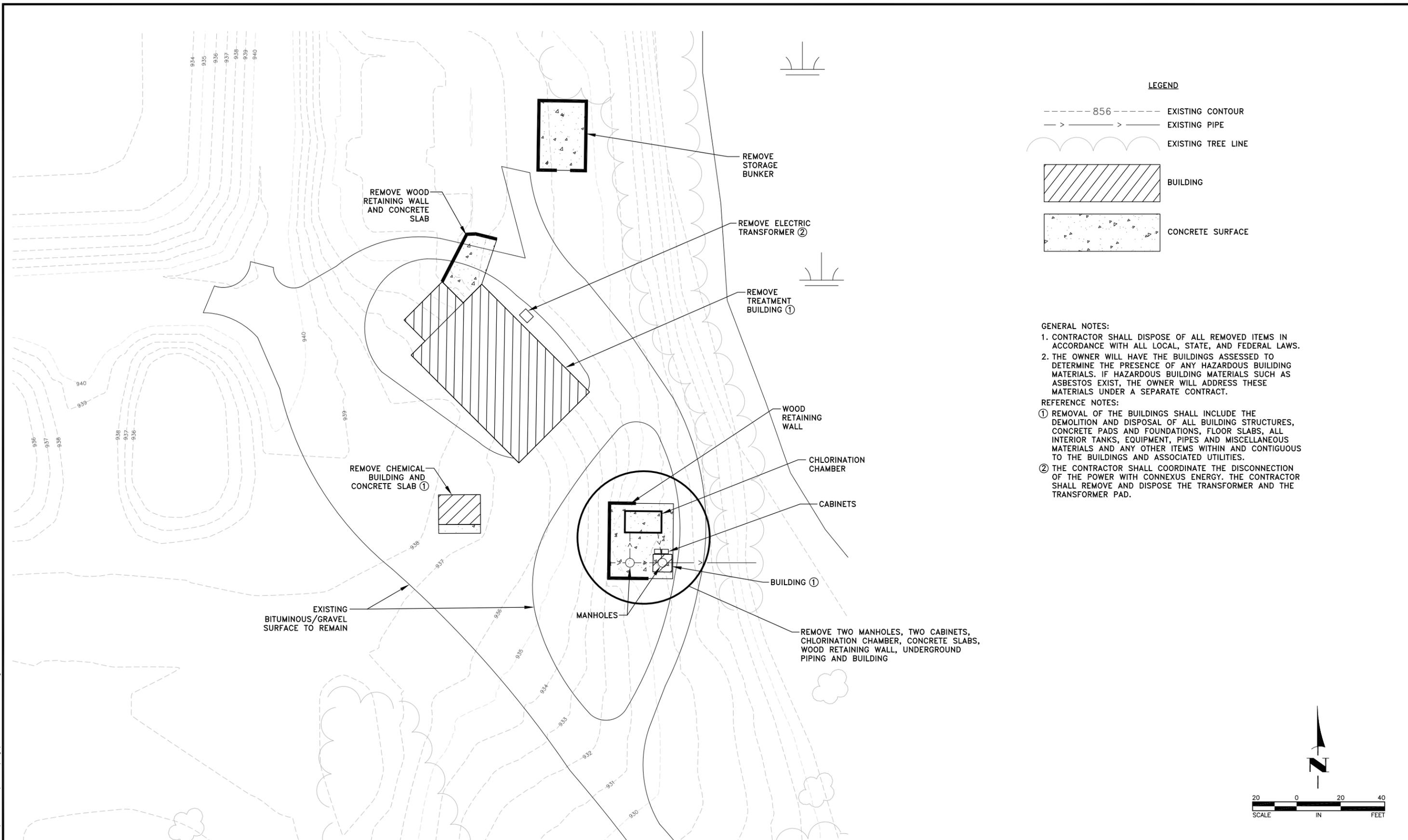
Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

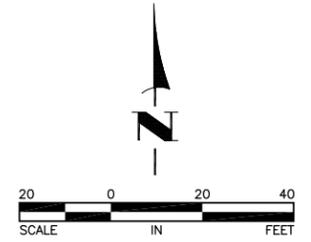
Jun 30, 2016 - 2:36pm K:\cad_eng\PROJECTS\MUNICIPAL\EB609\dwg\EB609 DEMOLITION.dwg



LEGEND

- 856--- EXISTING CONTOUR
- >->- EXISTING PIPE
- ~~~~~ EXISTING TREE LINE
- [Hatched Box] BUILDING
- [Stippled Box] CONCRETE SURFACE

- GENERAL NOTES:**
1. CONTRACTOR SHALL DISPOSE OF ALL REMOVED ITEMS IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS.
 2. THE OWNER WILL HAVE THE BUILDINGS ASSESSED TO DETERMINE THE PRESENCE OF ANY HAZARDOUS BUILDING MATERIALS. IF HAZARDOUS BUILDING MATERIALS SUCH AS ASBESTOS EXIST, THE OWNER WILL ADDRESS THESE MATERIALS UNDER A SEPARATE CONTRACT.
- REFERENCE NOTES:**
- ① REMOVAL OF THE BUILDINGS SHALL INCLUDE THE DEMOLITION AND DISPOSAL OF ALL BUILDING STRUCTURES, CONCRETE PADS AND FOUNDATIONS, FLOOR SLABS, ALL INTERIOR TANKS, EQUIPMENT, PIPES AND MISCELLANEOUS MATERIALS AND ANY OTHER ITEMS WITHIN AND CONTIGUOUS TO THE BUILDINGS AND ASSOCIATED UTILITIES.
 - ② THE CONTRACTOR SHALL COORDINATE THE DISCONNECTION OF THE POWER WITH CONNEXUS ENERGY. THE CONTRACTOR SHALL REMOVE AND DISPOSE THE TRANSFORMER AND THE TRANSFORMER PAD.



DATE	REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Craig J. Fochum
CRAIG J. FOCHUM, P.E.
 Date 6/30/16 Lic. No. 23461

DESIGNED BY: TAE
 DRAWN BY: TAE
 CHECKED BY: CJJ



Hakanson Anderson
 Civil Engineers and Land Surveyors
 3601 Thurston Ave., Anoka, Minnesota 55303
 763-427-5860 FAX 763-427-0520
 www.hakanson-anderson.com

**CASTLE TOWERS
 WASTEWATER TREATMENT PLANT
 DEMOLITION PROJECT**

REMOVALS PLAN
 CITY OF EAST BETHEL, MINNESOTA

SHEET **2** OF **2**
 SHEETS



City of East Bethel City Council Meeting Agenda Information

Date:

July 6, 2016

Agenda Item Number:

8.0 G.1

Agenda Item:

Ponds of Hidden Prairie Access Road/Drive

Requested Action:

Consider alternatives for access to the Ponds of Hidden Prairie Event Center

Background Information:

City Council approved a Conditional Use Permit (CUP) on February 17, 2016 for Ponds of Hidden Prairie for an Event Center at a site located on 221st Avenue just east of PVS Auto. The CUP was required to permit this use on a split zoned site. Ms. Lisa Palm, the CUP applicant, appeared before City Council on July 6, 2016 and requested that she be exempted from the requirements to meet City street standards and be allowed to install an entrance drive within the public right of way to access her business.

Council reviewed Ms. Palm’s request and discussed at length the consequences of both positions; an entrance drive or full subgrade construction to City street standards. The City right of way Ms. Palm proposes to utilize as entrance drive to access her business is the first phase of a City frontage road that will eventually connect 221st Avenue to 215th Avenue. This frontage road is a priority transportation component of the City’s Comprehensive Plan.

The alternatives discussed for Ms. Palm were:

1. Require Ms. Palm to construct the entrance road to her facility to meet City standards as to subgrade, width and drainage requirements as provided by the City Engineer. This alternative minimizes any risk to the City for the collection of future assessments for the completion of the portion of the road that would serve her business and would enable a more convenient extension of the street at a future date. In addition, this option would relieve Ms. Palm of any assessments for completion of the street. Staff also agreed that this street could be surfaced with an acceptable non-bituminous material and completion of the road would not be required until the lot to the west required access.

2. Allow Ms. Palm to construct an entrance drive within the public right of way as an access. The entrance drive would not meet City street standards but would be subject to conditions as directed by Council. This alternative could increase risks associated with the potential for future assessments for the road but would release the City of the responsibility of the County permitting and entrance requirements, maintenance of the private drive and wetlands delineation or mitigation requirements. This request would postpone any City requirements for compliance with our street standards until access to

adjoining properties is required. The financial exposure with this consideration is undetermined at this time but could include additional cost for construction, legal fees and other indirect costs associated with the project.

As a result of the discussion of this request, Council directed Staff to prepare a modified version of the requirements for the service road with the width of the constructed travel surface to meet Fire Code Standards for ingress and egress of emergency service and fire vehicles and equipment. This direction also included that this width meet City subgrade standards.

Staff provided a License, Agreement which included the directions of Council and requirements to provide liability protection to the City for Ms. Palm's entrance drive, for Ms. Palm's review. The License Agreement is appended as Attachment 3.

Ms. Palm's Attorney has raised some concerns with the License Agreement in particular as it relates to the need for a temporary easement agreement that will satisfy Ms. Palm's lenders and the City's ability to terminate the easement due to public safety concerns. City Attorney Mark Vierling will provide additional comments relating to this issue during the discussion of this agenda item.

The Easement Agreement as proposed by the City Attorney would satisfy those concerns and requirements previously identified by the City, including but not limited to the following conditions:

- Ms. Palm would be responsible for all expenses relating to the road construction costs including inspections by the City Engineer.
- Meet all requirements of the Fire Codes relating to emergency and fire vehicle access standards.
- Ms. Palm would be responsible for all entrance and county permits and requirements relating to this entrance.
- The City would not maintain the drive.
- The conversion of the private drive to a City street would be triggered when access to the lot at the corner of 221st Ave. and Hwy. 65 is required.
- Ms. Palm would be subject to any assessments that may be required as part of the conversion to a City street at an amount current with time of construction.
- Ms. Palm would have to enter into a hold harmless or other legal document that would provide liability protection in a form acceptable to the City until the street is constructed and accepted for public use.
- Ms. Palm would have to release the City of any liability for loss of business that could occur during the conversion of the private drive to a public street.
- Ms. Palm may be required to enter into a lease agreement for use of the public right of way for a temporary private drive.
- Ms. Palm would be responsible for any wetlands issues resulting from the construction of the entrance drive
- Other requirements as recommended by the City Attorney.

The length of the proposed road/private drive would be approximately 600'. The costs to meet the City requirements to subgrade for a public street are estimated to be \$43,400 and projected costs for a private drive are in the range of \$20,000 to \$25,000.

Attachments:

Attachment 1- Location Map

Attachment 2- Right of Way Plat

Attachment 3- License Agreement

Fiscal Impact

As noted above

Recommendation(s):

Staff recommends that Council consider approval of the easement agreement as submitted by the City Attorney permitting the use of City right of way for an entrance drive for Ms. Palm's business, Ponds of Hidden Prairie subject to the conditions contained therein.

City Council Action

Motion by: _____

Second by: _____

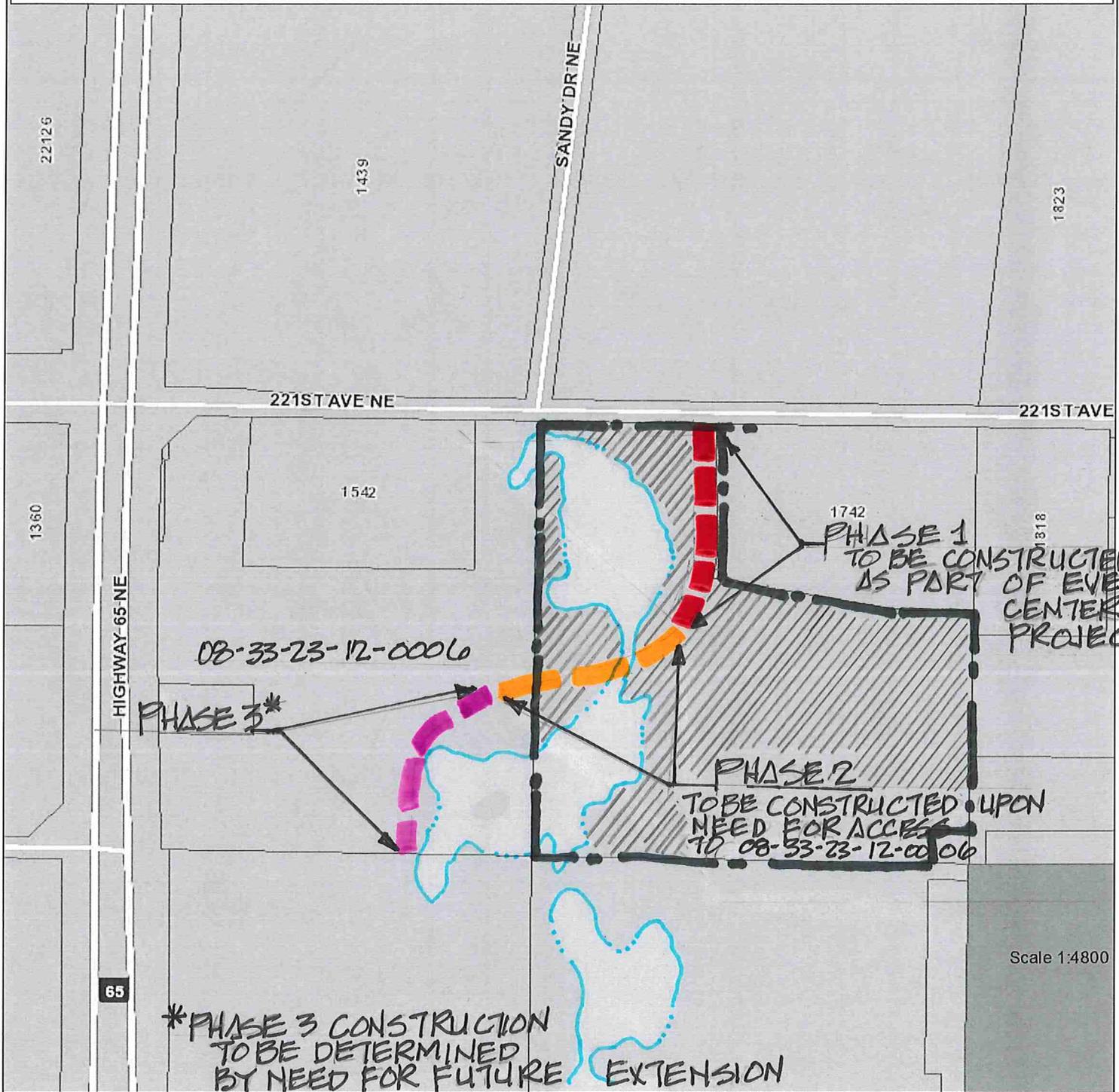
Vote Yes: _____

Vote No: _____

No Action Required: _____



Attachment 1- Location Map

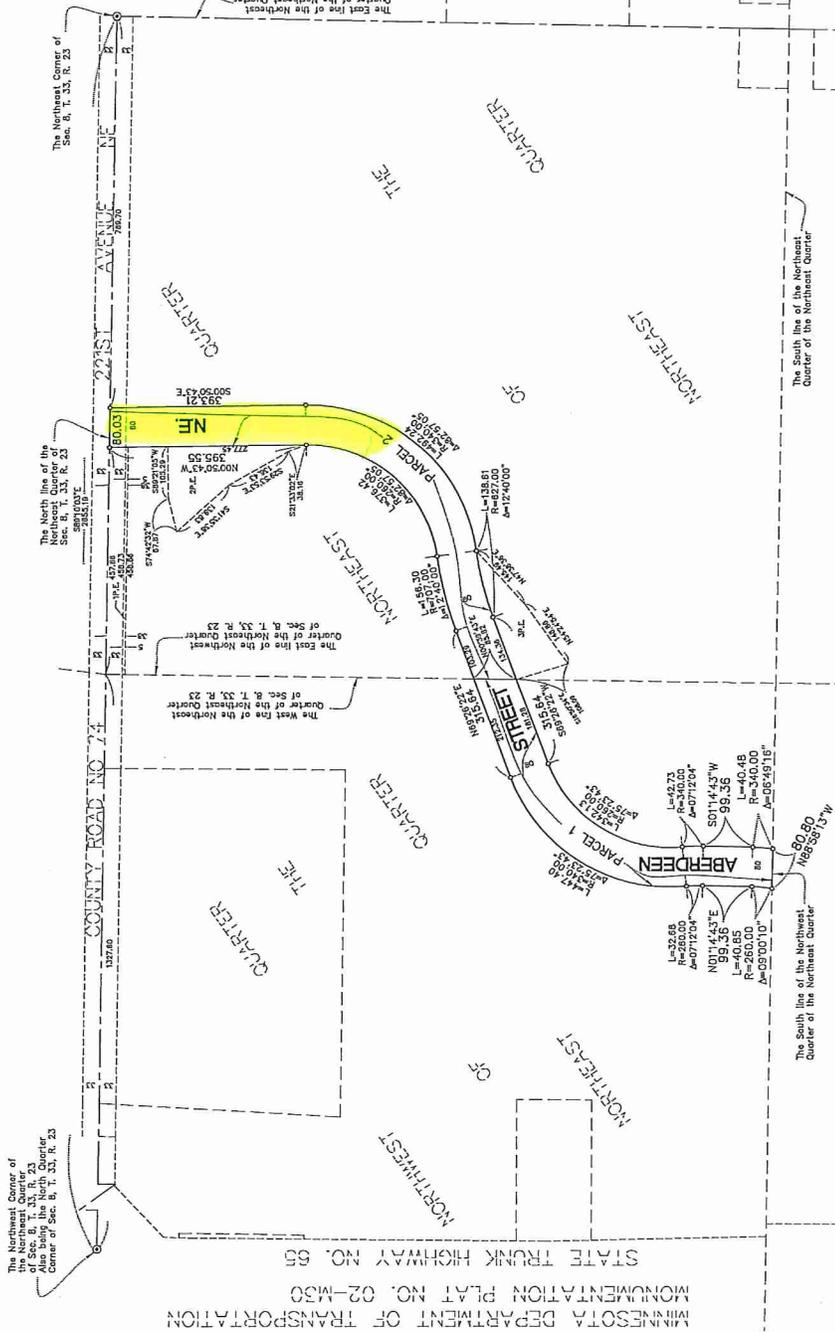


Aerial Photo: Flown Spring of 2014



CITY OF EAST BETHEL
 COUNTY OF ANOKA
 SEC. 8, T. 33, R. 23

CITY OF EAST BETHEL
 ROAD RIGHT-OF-WAY PLAT NO. 2



MINNESOTA DEPARTMENT OF TRANSPORTATION
 MONUMENTATION PLAT NO. 02-M30

The position of Northern Street, N.E. located in Section 8, Township 33, Range 23, Anoka County, Minnesota, shown on this plat affected by the City of East Bethel, Minnesota, is shown to be the official plat of that portion of said street within said section pursuant to Minnesota Statute Chapter 505.1793. The foregoing plat was accepted and approved by the City Council of East Bethel, Minnesota, at a regular meeting thereof held this _____ day of _____, 2011.

CITY OF EAST BETHEL, MINNESOTA

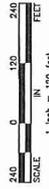
Mayer _____
 City Clerk

I hereby certify that this is a true and correct representation of a survey of the boundaries as shown and that said survey was made under my direct supervision; that all distances are correctly shown in feet and decimals of a foot; that the monuments for the guidance of future surveys have been correctly placed in the ground as shown; that the Right-of-Way boundary lines are designated on said plat and it was prepared pursuant to Chapter 505.1793, Minnesota Statutes.

Dated this _____ day of _____, 2011.
 Charles R. Christopherson, Licensed Land Surveyor
 Minnesota License No. 19420

ANOKA COUNTY SURVEYOR
 This plat of CITY OF EAST BETHEL ROAD RIGHT-OF-WAY PLAT NO. 2 was checked and approved by me this _____ day of _____, 2011.

Larry D. Holm, Anoka County Surveyor



For the purposes of this plat the North-South line of the Northeast Quarter of Section 8, Township 33, Range 23 is assumed to bear South 89°03' 00\"/>



ACCESS ROAD/DRIVE FOR
 EVENT CENTER

- ⊙ Danias Anoka County East Iron Monument and recorded with Minnesota License No. 19420
- Danias Underlying Property Lines
- Danias Right-of-Way Boundary
- Danias Parcel Boundary
- Danias Permanent Easement

NOTE
 All parcels shown on this plat may not have been acquired by the City of East Bethel. See pertinent documents for each parcel.

DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY

PARCEL	OWNER	PROPERTY IDENTIFICATION NUMBER	RECORDED DOCUMENT NUMBER	ENTIRE TRACT (ACRES)	NEW HIGHWAY RIGHT OF WAY (ACRES)	TEMPORARY EASEMENT (ACRES)	TEMP. EASE EXPIRES ON DATE	BALANCE OF TRACT REMAINING (ACRES)
1	Genevieve Sywater Family Limited Partnership	08-33-23-12-0006	2015600.003	26.006	1.413			24.593
2	Genevieve Sywater Family Limited Partnership	08-33-23-11-0003	2016410.001	40.794	2.011			38.983
1P.E.	Genevieve Sywater Family Limited Partnership	08-33-23-11-0003	2016410.001			0.053		
2P.E.	Genevieve Sywater Family Limited Partnership	08-33-23-11-0003	2016410.001			0.491		
3P.E.	Genevieve Sywater Family Limited Partnership	08-33-23-11-0003	2016410.001			0.359		

Return to:
Eckberg Law Firm
Attn: Mark J. Vierling
1809 Northwestern Avenue
Stillwater, Minnesota 55082

**NON-EXCLUSIVE TEMPORARY
EASEMENT AGREEMENT**

**NON-EXCLUSIVE TEMPORARY
EASEMENT AGREEMENT**

THIS NON-EXCLUSIVE TEMPORARY EASEMENT AGREEMENT (the “Agreement”) is made this ____ day of _____, 2016, by and between Barn Goddesses LLC (a Minnesota limited liability company) d/b/a Ponds of Hidden Prairie (the “Grantee”) and the CITY OF EAST BETHEL, MINNESOTA, a municipal corporation and political subdivision located in Anoka County, Minnesota (the “Grantor”).

WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of real estate located in the City of East Bethel, Minnesota, described on the attached Exhibit A (the “Grantors Property”).

That for and in consideration of the sum of **ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION**, the receipt of which is hereby acknowledged, the Grantor has this day bargained and sold, and by these presents does convey unto the Grantee, its successors and assigns the following:

1. Non-Exclusive Temporary Driveway Easement. A non-exclusive temporary easement to allow Grantee to locate a private driveway upon lands identified in Exhibit A with the right to enter upon the real estate hereinafter described at any time that the Grantee may see fit and locate, maintain and use a private driveway subject to the following terms and conditions:

- a) That both parties to this agreement understand, acknowledge and agree that the nature of the temporary permission allowed by the City of East Bethel is non-exclusive, permissive and temporary in nature and that this permission may be rescinded by the City at any time for any reason that the City determines that a public purpose or safety concern reasonably requires the utilization of the area within the drainage/utility easement.
- b) That in the event that the City should rescind this temporary non-exclusive easement, Grantee and/or their successors in title shall, upon demand of the City, promptly remove from the easement the improvements listed above in the

manner and time instructed by the City, all at their exclusive expense, and that no compensation, payment, or other consideration shall be due from the City of East Bethel.

- c) Grantee shall hold harmless and indemnify the City of East Bethel from any and all loss or damage resulting in the placement of these improvements and from their failure to comply with the requirements of this agreement, including, but not limited to, expenses the City incurs in removing the improvements if necessary or remediating problems resulting therefrom in the City's lands.
- d) No permanent property rights are created by this Agreement. Additionally no rights superior to other utilities located or to be located within the affected right of way are granted hereby. Grantee assumes the risk of damage, replacement, dislocation or other displacement of their improvements by the City of East Bethel or other utility providers located or to be located within the affected easement as may be deemed necessary by the City of East Bethel.
- e) Any and all expenses or liabilities that occur due to conflicts with utilities that are using the easement under a city permit are solely the responsibility of the Grantee and this agreement is subordinate to such utilities.
- f) Grantee shall be responsible for the applications and payment of any and all fees for entrance permits to county roads and shall copy the city on all such applications.
- g) Grantee in construction of the private driveway shall be compliant with all regulatory requirements from applicable governing units including but not limited to wetland requirements and regulations, Army Corp of Engineer permits, Wetland mitigation, Anoka County permit and requirements. This Agreement does not waive or relinquish the need to complete required permits for land disturbance or grading required under codes of the City of East Bethel.
- h) Grantee shall list the City as an additional insured under its liability insurance policies relative to occurrences and or injuries that may occur upon the private driveway located under this agreement. A copy of the certificate of insurance shall annually be provided to the city during the term of this agreement.
- i) Grantee agrees that the private driveway may be converted and absorbed by the City into part of its roadway systems at any time the city determines in its discretion and especially when the access to the Lot (Reference PID # Anoka County 08-33-23-12-0006) is required by the city at the corner of 221st street and Highway 65. At any of such times this agreement shall terminate.

- j) Grantee acknowledges and agrees that upon conversion of the private driveway into the public street systems by the City that Grantee may be assessed for those public improvements and no value will be assigned to Grantee's private drive previously authorized and located under this agreement.
- k) The private driveway authorized by this agreement shall be constructed solely at Grantee's cost and expense and be constructed subject to specifications and final location established by the City Engineer, meet standards established for Fire Codes, emergency and fire vehicle access standards and further constructing the entrance drive to meet City subgrade standards and drainage requirements.
- l) Grantee agrees that until such time as this agreement is terminated Grantee shall maintain and keep the private driveway in good condition and repair, remove snow therefrom and otherwise keep same passable and in good condition and compliant with Fire Code Road requirements.
- m) Grantee shall be responsible for any inspection costs the City incurs during the construction of the private driveway by the city's consulting engineer.
- n) Grantee agrees that at such time the City constructs its public roadway over the area occupied by the private driveway Grantee shall not make any claim for damages of business interruption or income loss resulting from the limited access to its premises that may occur during the construction of the City's roadway. The City will use its best efforts to maintain reasonable access to the Grantee's business during the construction period for the public roadway.

The Temporary Non-Exclusive Easement is to be located in the City of East Bethel, State of Minnesota, upon land legally described on Exhibit A attached hereto.

IN WITNESS WHEREOF, the parties to this Agreement have caused this instrument to be executed as of the day and year first above written.

GRANTOR:

CITY OF EAST BETHEL, MINNESOTA

By: Steven R. Voss
Its: Mayor

By: Jack Davis
Its: City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this ____ day of _____, 2016, before me, a Notary Public, in and for said County and State, appeared Steven R. Voss and Jack Davis, to me personally known, who being by me first duly sworn, did say that they are respectively the Mayor and Administrator of the City of East Bethel, Minnesota, Grantee in the foregoing instrument, who executed the foregoing document by authority of the City Council of the City of East Bethel, and said Mayor and Administrator acknowledge said instrument to be the free act and deed of said City of East Bethel.

Notary Public

NOTARY STAMP OR SEAL

THIS INSTRUMENT DRAFTED BY:
MARK J. VIERLING
Eckberg Lammers, P.C.
1809 Northwestern Avenue
Stillwater, Minnesota 55082

EXHIBIT A

**GRANTOR'S PROPERTY
LEGAL DESCRIPTION**

City lands upon which the Licensee's private driveway may be located subject to City engineer's specification and direction as to placement.

**DESCRIPTION OF THE NORTHERLY 700 FEET OF ABERDEEN STREET NE, SOUTH OF
221ST AVENUE NE**

That part of Parcel 2, (Aberdeen Street N.E.) according to the recorded plat of CITY OF EAST BETHEL ROAD RIGHT-OF-WAY PLAT NO. 4, Anoka County, Minnesota, that lies east of the west 343.00 feet of the Northeast Quarter of the Northeast Quarter of Section 8, Township 33, Range 23, said Anoka County.



City of East Bethel City Council Agenda Information

Date:

July 20, 2016

Agenda Item Number:

Item 8.0 G.3

Agenda Item:

July 27, 2016 Work Meeting

Requested Action:

Discussion of Schedule and Format for the Comp Plan Consultant Interviews

Background Information:

The schedule for the interviews is as follows:

- 6:05 PM, Community Design Group
- 6:45 PM, Houston Engineering, Inc.
- 7:25 PM, Northwest Associated Consultants
- 8:05 PM, WSB

Staff is developing a list of questions for the interviews. Council is encouraged to submit their list of questions to Staff by Tuesday, July 19, 2016. We will compile the questions and provide the list to Council prior to the meeting to decide which questions will be included for the interview .

Unless there are other preferences for the format of the interviews, Staff proposes that each firm follow this proposed schedule:

- Firm Background and Qualifications – 5 minutes
- Comp Plan Proposal – 10 minutes
- Questions from Council – 25 Minutes

Council may choose to expand the time allocated for each interview but it may be better to keep a tighter schedule with the anticipation there may be some run-over of time rather than having time gaps between interviews.

Council is encouraged to adopt a procedure for the questions session. One method that may expedite the process is to designate one member the task of presenting the basic questions from the list and then allow each Council member to pose a question of their choice to the interviewees.

Attachments:

Each firm’s proposal was included in the last Council packet and will be resubmitted to Council on Friday, July 22, 2016.

Fiscal Impact:

Recommendation(s):

Council is requested to:

- Approve a consultant and commence negotiation of the terms and responsibilities of a contract, or
- Request follow up interviews if additional discussion or information is required.
or
- Schedule a discussion of the selection for the August 3, 2016 City Council Meeting or a Work Meeting at a date to be determined.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____