

EAST BETHEL CITY COUNCIL MEETING

AUGUST 17, 2016

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

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

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

1.0 Call to Order The August 17, 2016, City Council meeting was called to order by Mayor Voss at 7:00 p.m.

2.0 Pledge of Allegiance The Pledge of Allegiance was recited.

3.0 Adopt Agenda **Harrington stated I'd like to make a motion to adopt tonight's agenda. Under the Consent Agenda, I'd like to add item E., Approve Application to Conduct Excluded Bingo for St. Francis High School Dance Team, October 9, 2016. Koller stated I'll second. Voss asked any discussion? All in favor of the motion say aye? All in favor. Voss asked opposed? That motion passes. Motion passes unanimously.**

4.0 Presentation Davis stated at this time, we'd like to welcome the new East Bethel Royalty. He thanked each for attending and asked them to step forward for presentation and recognition of their new honors.

4.0A East Bethel Royalty Voss introduced and formally recognized the 2016-2017 East Bethel Royalty crowned on Booster Day including Princess Britany Cich, Little Miss Mackenzie Norling, and Little Miss Cindy Jane Tembreull. It was noted Sarah Farrier, Miss East Bethel 2017-2017 was at work and unable to attend. Voss presented each Royalty member with resolutions of recognition. Those present responded with a round of applause.

4.0B Anoka County Sheriff's Report Sergeant Steve Schremp stated he is filling in for Commander Orlando who is at FBI Academy training. He presented the July 2016 Report, stating the Sheriff's Department responded to 519 radio calls for service in East Bethel. He reported on the 3 burglaries, 7 thefts, 2 DWIs, and 38 Community Officer service calls. Sergeant Schremp described the July 22, 2016, call to Northway Sports during the commission of a motorcycle theft that resulted in tracking and arresting a suspect.

Voss noted the number of calls to date are significantly lower than last year and asked if that is also a pattern in other cities. Sergeant Schremp stated he thinks it is a result of the relatively quick response time, extra proactive patrols, and calls from concerned citizens.

Mundle asked if any service calls have increased. Sergeant Schremp indicated nothing is up except for proactive action by officers in doing more arrests based on warrants (39 year-to-date in comparison to 25 last year at this time).

4.0C East Bethel Fire Chief DuCharme stated in July, the Fire Department responded to 52 calls for service, 37 being medical related with several occurring during the Booster Days parade and at the

park. Of the 37 medical calls, 30 were transported to the hospital. DuCharme commented on the July 21st storm activity that resulted in downed powerlines and trees. He reported the incidences of unauthorized burning decreased in July and there has only been one grass fire due to increased rainfall.

DuCharme announced the October 6, 2016, Fire Department Open House from 5 to 8 p.m. at Station #1 and invited the Council to the Chili Cook Off that will take place during that open house. He thanked Councilmembers Mundle and Harrington and East Bethel Royalty for participating in Night to Unite activities.

DuCharme reported on the meeting he and City staff attended on August 16, 2016, at St. Francis High School relating to Alice, a program addressing how to handle students should there be an active shooter. He commented on the importance of this program and stated the Council will be receiving more information as this program develops.

Harrington asked about Knox Box, a program in Roseville, where a lock box is used on homes where medical calls occur to allow access by emergency services. DuCharme stated lock boxes are used for East Bethel businesses and if residents are interested, it could be expanded to a residential program and noted on dispatch. He described the use of a lock box, costing \$100-110, noting there is one on City Hall. Harrington stated support for an expanded program for elderly residents who have medical issues. DuCharme stated he will track Roseville's pilot program and report on its progress at a future Council meeting.

**5.0
Public Forum**

June Anderson, representing Daughters of the American Revolution, stated the three focus points of their lineage service organization are: patriotism, historic preservation, and education. She described activities to promote each including requesting proclamations from each Anoka County city to promote Constitution Week.

**6.0
Consent
Agenda**

- Item A Approve Bills
- Item B August 3, 2016, City Council Meeting Minutes
- Item C Resolution 2016-42, Constitution Week
- Item D 2017 Anoka County Law Enforcement Contract
- Item E Approve Application to Conduct Excluded Bingo for St. Francis High School Dance Team, October 9, 2016

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

6.0C
Resolution
2016-42
Constitution
Week

Voss read in full Resolution 2016-42, declaring the week of September 17-23, 2016, Constitution Week in the City of East Bethel.

Voss stated to that motion to approve Resolution 2016-42, is there a second? Harrington stated I'll second. Voss asked any discussion? All in favor say aye? All in favor. Voss asked opposed? That motion passes. Motion passes unanimously. The signed Resolution was presented to Ms. Anderson followed by a photograph. Those present responded with a round of applause.

7.0 Commission, Association and Task Force Reports**New Business**

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
Prairie Ridge
Prel. Plat

Davis presented the staff report and consideration of the Planning Commission, at its July 26, 2016, Meeting, of the Preliminary Plat for Prairie Ridge Estates as presented by Steve Strandlund with Carrington Development LLC. The site is located on a 41.67-acre parcel at the southwest corner of the intersection of Bataan Street and 229th Avenue. The proposed subdivision would contain 10 lots ranging in size from 2.19 acres to 5.88 acres, meet the density requirement, and the lots will be designed for walkout style homes. There are no new streets planned for this subdivision.

Davis described the location of driveways, utilities, and preservation of trees with the exception of Lot 4, and 20-foot dedicated easement for a trail along Bataan Street. The developer's Park Dedication Fee is \$20,000 based on 10% of the value of the property (\$200,000) not to exceed \$2,000 per lot. Construction of the trail was proposed to fulfill the cost of the developer's Park Dedication Fee. The developer's cost estimate for a completed trail along the subdivision's frontage on Bataan Street based on the City's design requirements is \$46,000. The Parks Commission discussed and endorsed this proposal at their August 10, 2016, meeting and recommended the cost difference of \$26,000 be paid from the City's Parks Capital Fund and that the trail be extended at City expense an additional 450 feet to 226th Lane. The extension beyond the Prairie Ridge subdivision proposal would require additional City funding and amending the Parks Capital Improvement Plan to reflect the schedule change.

Davis explained that while consideration for a future trail extension is not required for approval of the Preliminary Plat, a decision to accept the trail installation in lieu of cash creates an implied commitment to eventually continue the trail to 226th Lane and beyond.

Davis reviewed the concerns of the Anoka County Highway Department with driveways proposed to access 229th Avenue (County Road 26) and report that due to the vertical and horizontal alignment of the road, this matter is considered to be uncorrectable so care must be exercised when locating plantings, berms, or other potential obstructions to site distances in these areas. The Anoka County Highway Department has also required the developer to dedicate an additional 10 feet of right-of-way along 229th Avenue for future reconstruction purposes.

Davis indicated the current taxable market value of the site is \$177,200 and is classified as Agriculture, non-homestead. The 2016 total taxes will be \$2,190. If the subdivision were totally built out and assuming a build out value for the 10 lots was \$250,000 per lot or a total of \$2,500,000, the estimated total tax generated by the parcels would be approximately \$29,750 in 2016 dollars.

It was noted City staff and the Planning Commission recommend approval of the Concept Plan and Preliminary Plat for the Prairie Ridge Subdivision, PIN #03-33-23-22-0001, subject to two conditions as detailed in the staff report.

Ronning stated move to adopt the recommendation of City staff and Planning Commission to approve the Concept Plan and Preliminary Plat for the Prairie Ridge Subdivision, PIN 03-33-23-22-0001, with the following conditions:

- 1. All comments from the City Engineer, City Attorney, and City Staff shall be addressed to the satisfaction of the City; and,**
- 2. The trail easement is to be accepted and a decision made to either construct the trail within the dedicated easement and pay the difference in costs of construction over and above the Park Dedication Fee or accept the \$20,000 Park Dedication Fee in cash to be used for the future construction of the trail or other park related uses.**

Harrington stated I'll second. Voss asked any discussion?

Davis used a diagram to identify the portion of the trail that is recommended for construction (grade and pave) at this time as it would be more expansive to do so after homes and driveways are constructed. He noted the location of an additional 450-foot trail section that would connect to 226th Lane at an estimated cost of \$60,000 and City right-of-way connecting Yancy Street to 225th Avenue, about 1,000 feet. Once completed, it would create a trail connection from 229th Avenue to Booster East Park. Davis explained it could take several years to complete this entire trail section and the City's contribution would be about \$120,000.

Voss stated I'd like to amend the motion to designate that the trail be constructed now with the remainder of the funds from the Parks Capital Fund. Ronning stated he accepts this as a friendly amendment. Mundle seconded the amendment. Voss stated to the amendment, all in favor say aye. **All in favor.** Voss asked any opposed? **Motion to amend passes unanimously.** Voss asked any discussion to the amended motion?

Mundle noted the location of an existing house on 226th Lane and asked whether the trail would go along Bataan Street. Davis clarified it would parallel Bataan Street and be offset by three to five feet via a small boulevard. He stated the City received an easement from these particular properties several years ago so there is ample area in that location.

Voss noted there are wetland issues in that area. Davis confirmed that is correct and wetland credits for this section are estimated at \$7,500. In addition, it will increase some of the construction costs for this section of trail. Voss asked any other discussion? To the amended motion, all in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion as amended 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 Davis presented the staff report, indicating that on July 27, 2016, the City Council conducted interviews with the four firms that submitted proposals for the City Comprehensive Plan update. This item was discussed at the August 3, 2016, Council meeting but tabled to allow the full Council to participate in the discussion.

8.0G.1
City
Administrator
Comp. Plan
Consultant
Selection

Davis stated the four firms that had been interviewed were Community Design Group (CDG), Houston Engineering, Inc. (HEI), Northwest Associated Consultants, Inc. (NAC), and WSB and Associates, Inc. (WSB). He reviewed the estimated costs as detailed in the staff report, noting the City has been approved by the Met Council to receive a grant of \$32,000 to be applied to the plan update costs. \$28,000 has been included in the 2017 Preliminary Budget for this activity. Committed funds available at this time are potentially \$60,000 and if additional funding were required, an amount to be determined could be allocated to the project from the EDA budget with Council approval.

Davis referenced the rating sheet that had been provided for the City Council's use when evaluating the selection of a consultant and broad components of the Comprehensive Plan that will be the responsibility of the selected consultant. He then presented options that can be considered by the City Council for the Comprehensive Plan consultant selection. Staff recommends the City Council select a consultant and direct staff to start contract negotiations.

Mundle stated his preference for NAC and WSB with WSB being his first choice. He stated when NAC was asked questions, they replied in a straightforward manner with relevant information and seemed more 'down to earth' but when looking at their clientele, he found they were not in a similar situation or to have East Bethel's vision for the future. Because of that, he felt WSB was more qualified.

Ronning stated he saw an advantage with WSB based on their experience dealing with the Met Council to make changes. However, NAC is his first choice as they had completed a lot of homework on East Bethel ahead of time and were familiar with the City's problems/challenges and how to best address them. In addition, he liked the NAC presentation best.

Harrington stated he liked WSB and how they addressed the entire City (including Coon Lake and all of the Rural Residential) and not just the Highway 65 corridor. In addition, they have a website to provide feedback, which will help anyone who can't attend a meeting. He noted the other three consultants did not bring up a website option.

8.0G.1
Comp. Plan
Consultant
Selection

Koller stated his preference for CDG and WSB, noting CDG is smaller and probably more efficient. He agreed that WSB did a lot of prep work and plan to do a lot with the residents to gain their input. Koller agreed their presentation was well thought out so he would go with WSB as his first choice.

Voss stated he watched the video and reviewed the materials and had the same preference between WSB and NAC. He thinks that what you gain with focus in terms of clients with NAC is outweighed by the experience that WSB has, noting WSB also has staff serving as city engineers. Voss stated having gone through this ten years before, to him the public involvement is the critical start. He thinks WSB has a better handle on that process.

The Council voiced its desire to start the process now as it will take some time. **Mundle stated I'll make a motion for WSB & Associates to be contacted by staff and enter into negotiations to be consultants for the Comprehensive Plan Review. Harrington stated I'll second.** Voss asked any discussion? Hearing none, all in favor? **Harrington, Koller, Mundle, and Voss-Aye.** Voss asked opposed? **Ronning-Nay. Motion passes.**

Davis stated staff will notify all four consultants of the City Council's decision and schedule a meeting with WSB with reports to the Council. He asked the Councilmembers to notify staff if they would like to be part of the contract negotiations.

8.0G.2
Set Date for
Fall Town Hall
Mtg.

Davis presented the staff report, indicating the Fall Town Hall Meeting has historically been held in November after the General Election on a date that doesn't conflict with any other municipal or school district meetings. He indicated that November 17 and 22, 2016, do not conflict with the General Election, certification of election results, holidays, City or ISD # 15 and 831 meetings. Davis proposed using the same format that has been used in the past and asked the City Council to set the date for this meeting so a notice can be placed in the Fall Newsletter, which will be sent to the printer on August 22, 2016, and will be distributed to City residents in the first week of September.

Koller stated I'll make a motion to plan the Town Hall Meeting date as Thursday, November 17, 2016. Ronning stated second. Voss asked any discussion? The City Council recognized the dates for deer hunting and Thanksgiving. Voss asked any further discussion? Hearing none, all in favor? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

8.0G.3
Mn. Amateur
Sports Comm.
Grant

Davis presented the staff report, advising the Minnesota Amateur Sports Commission is seeking grant proposals from local governments for projects that will improve indoor air quality within Ice Arenas. The City currently utilizes a propane powered Zamboni and would be eligible to apply for funding for an electric powered unit. A new electric Zamboni is estimated to cost up to \$130,000 and this grant, if approved, could provide 50% of the cost.

Davis described the City's 1996 model Zamboni, costs of repair to this unit, and anticipated repairs estimated at \$5,800. He noted the major issue with a propane powered Zamboni are exhaust emissions and the resultant air quality within an arena. He described the requirement to monitor, measure, and report air emissions to the Minnesota Department of Health and requirement for immediate corrective action to alleviate excessive emissions. An electric powered Zamboni would have no emissions issues that would affect air quality standards and minimize liability concerns and eliminate suspension, postponement, or cancellation of events due to incidents related to this matter.

8.0G.3
Mn. Amateur
Sports Comm.
Grant

Davis stated based on the projected grant funds of \$65,000, sale of the City's Zamboni for \$15,000, and elimination of an additional expenditure of \$5,800 for a conditioner, these sources could provide \$85,800 towards the purchase of an electric Zamboni. Should Council desire to pursue the grant funds for the Zamboni replacement, City staff would complete the application and submit the materials to the Minnesota Amateur Sports Commission. The deadline to submit the grant application is October 3, 2016.

Davis noted this item was discussed at the August 3, 2016, Council meeting and Council requested staff investigate the potential for purchasing a used electric Zamboni through this program. Staff found that used electric Zambonis are available from time to time. The average age of the units is generally 15 years and those were selling in the \$60,000 to \$70,000 range. Their state of repair and operational worthiness would vary from unit to unit and reconditioned machine's useful life expectancy could vary from 5-10 years depending on its age and previous use.

Davis stated Mark Ericson, Program Director for the Ice Arena Grant Program, has indicated that continuation of the funding is not guaranteed beyond this program year, grant reviewers would not accept an application requesting purchase of a used machine due to unknown costs, availability of a unit within the time frame required for grant expenditure, and the anticipated service life of a used unit. He noted that with an anticipated service life of 20-25 years for a new machine, the life cycle costs of approximately \$176,500 of this unit would be equal to or less expensive than the cost of potentially having to purchase two used machines over this time frame.

Davis explained that funds for the matching of the grant request would come from the Ice Arena Fund and re-sale of the propane powered Zamboni. This proposal would not require use of City tax levy funds. All funding for the Ice Arena is derived from user fees from ice, locker room, dry floor rentals, concession leases, and ad sales. Funds are available in this account to cover up to \$44,200 of the matching costs for the Zamboni replacement.

Davis stated due to the unknowns relating to the life expectancy of our current unit, the potential for more restrictive air quality standards for indoor ice arenas, and uncertainty of the future funding opportunities for this type of equipment, staff recommends that Council consider approving the submittal of a grant to the Minnesota Amateur Sports Commission for funding for a new electric Zamboni.

Koller noted the staff report indicates the Ice Arena had to be evacuated once. Davis stated it was in the late 1990s or early 2000s. Voss stated the air circulation system was upgraded after that occurred. Koller stated a new engine was installed in the Zamboni last year so it should be burning clean. Davis stated it should be and another \$6,000 can be invested in the Zamboni to get another 5-15 years out of it but the problem is that at some point, it will have to be replaced and this grant money may not be available at that time.

Koller stated at a cost of \$130,000, he thinks the City should keep the current Zamboni. Davis stated the purchase of a new Zamboni would cost about \$44,000 because the grant would pay one-half the cost, the existing Zamboni would be sold, and then the additional repairs would not be expended. If the grant is pursued and awarded, the City will have a Zamboni that should last 25 years. Koller stated the engine was just replaced last year and he can't support replacing something just because someday in the future it may have to be replaced.

Harrington asked how the additional \$44,000 would be funded. Davis answered from the Ice Arena Depreciation Fund and there are funds available from this account. He stated the questions to be asked and answered are how long the existing Zamboni will last with the upgrades, major repairs that may arise in the next two to three years along with continuing maintenance costs that are not factored into this calculation, or does the City want to take advantage of this funding opportunity now. Davis agreed with Koller that the City does not buy something just because there's funds available but in this case it could potentially save the City money in the long run.

Koller stated a lot of the issue is keeping the current Zamboni properly maintained. He recalled that before the engine was put in, the hydraulic filter had not been replaced for four years, which is not proper maintenance. He stated machines last longer when properly maintained and instead of paying \$130,000 for a new one, he would rather maintain the old Zamboni.

Voss asked when the grant is awarded. Davis answered by the end of the year and it has to be expended in the year 2017.

Ronning noted it was also discussed that should something happen to the Zamboni not related to the engine, the cost of rental was high and if you can't maintain the ice, you don't have customers. He stated with those considerations as well as past discussion, the question is the breakeven point should the Zamboni fail. Voss stated with the grant, one-half of a new Zamboni would be funded so while it is still spending money, it is not spending \$130,000.

Koller asked how long the battery lasts in an electric Zamboni. Davis stated the battery has a life expectancy of six years and costs \$8,500 to \$9,000 to replace but that's offset by the propane fuel cost which is \$2,500/year to operate the current Zamboni. Koller stated you also have to recharge the battery. Davis explained it is essentially a wash between the battery replacement and fuel costs so it is a neutral item. Koller stated sometimes the estimate of battery life is optimistic. Davis stated that is true but in this case it appears that if properly maintained, the batteries have a life expectancy of six years though it could be five years or seven years.

Koller stated you also have to consider the cost of \$45,000 to buy a Zamboni when the City already owns one. Davis stated that is true but the question is whether to take advantage of a program that may not be available in the future or keep the current Zamboni in operation with the expectation that it will be operable long enough to justify not pursuing this funding source. Koller stated it is not known whether the program will continue but that does not mean the City buys a new machine because it might save some money on it.

Mundle asked what the Zamboni can be sold for if the City keeps and maintains it until it is no longer feasible. Davis stated the estimate is at \$15,000 and the potential buyer will probably be someone with outdoor ice to maintain. He stated while he doesn't know the value it would have at that point, he does know it will be less than \$15,000.

Voss asked what is the life expectancy of a new Zamboni? Davis answered 20-25 years. Voss stated at \$44,000 it is spending \$2,000 a year to purchase and own a new Zamboni. Koller stated that is only if it doesn't break down. Voss stated it is certain that a 40-year-old Zamboni will break down as well. Koller stated the City just put a brand new motor in

the Zamboni and an electric Zamboni will need a new battery every six years too.

8.0G.3

Mn. Amateur
Sports Comm.
Grant

Ronning stated a 56 Chevy with a new engine doesn't mean you have to keep it for the next 20 years. He asked who does the engine maintenance and other repairs that are needed. Davis stated the Ice Arena has been doing the maintenance but the City is now stepping up and giving assistance to assure it is handled on a regular basis. It was noted the City owns the Zamboni.

Ronning asked if the City has the ability to do a review of component condition such as the steering. Davis stated staff could evaluate the life expectancy of the other Zamboni components but it involves speculation, the same as purchasing a used car. Ronning reviewed the types of car mechanicals that can be viewed to determine timing of replacing and stated it would be an easier decision if the Council knew the forecast for maintenance and repair costs. Voss noted that mechanics estimates are not always accurate.

Voss pointed out that for \$2,000 a year, the City could own a new one and his question is how much would be spent to maintain a used Zamboni, noting theoretically there will be more repairs needed on an older Zamboni than a new unit. Mundle stated another factor is any downtime should the Zamboni break down. Voss agreed there could be rental costs because the ice has to be maintained. Mundle stated there could also be lost revenue from ice time. Voss acknowledged the concerns of Koller but pointed out the grant would allow the City to own a new Zamboni that is safer for the air quality inside the Ice Arena.

Mundle asked about the warranty on a new Zamboni. Davis stated there are two major Zamboni manufacturers and if approved, staff will have to review the warranty terms and compare prices. Currently, there is no warranty on the existing Zamboni.

Davis reviewed the issues raised during the City Council's last Zamboni discussion including loss of revenue that would equal \$16,000 per week. Voss stated that would not be an option as a Zamboni would then be rented. Davis agreed.

Koller raised the option of leasing a Zamboni. Davis stated that has not been researched but the grant program would not cover a lease situation. Voss stated that would require the City to lease at full price and asked why the City would do that until the existing Zamboni totally breaks down.

Harrington stated that while he agrees with Koller that the money is expensive, an electric Zamboni has no emissions and he would ask when the State may again lower the allowable carbon monoxide levels for an Ice Arena. He stated he feels the new Zamboni would be a better option for the City.

Voss stated one of the questions raised the last time was the Hockey Association's position and it was mentioned they had brought this grant opportunity to the City. Davis stated that is correct. Voss stated in a way, the City is reinvesting in the Ice Arena, the same as the Hockey Association has been doing over the past couple of years and at the same time using funds generated by the users (Hockey Association). Davis agreed and stated in reality, the Hockey Association and High School are paying the bill on this because it does not involve any City tax payer money. He stated when the day comes that the Zamboni needs to be replaced, if kept, the replacement cost may be \$150,000 and there may be no other sources to fund it other than the Ice Arena Fund.

Mn. Amateur
Sports Comm.
Grant

Ronning stated the Hockey Association has quite a bit of money invested in the Ice Arena, noting they just did a fundraiser and paid for \$23,000 on the cost for the boards. He stated the boards didn't necessarily have to be replaced but now there are more useable boards and it saved the City \$23,000. Davis stated if the City Council does authorize grant submittal, there is no guarantee it will be awarded. Voss stated in addition, the City Council will need to take a future action to accept the grant so that will be another discussion, perhaps after January with the new Council.

Voss stated I'll make a motion to go forward with applying for the grant as presented by staff. Mundle stated I'll second. Voss asked any further discussion? Koller stated he would go forward with applying for the grant but that does not mean he will support accepting it. Voss stated the Council will get to vote on it again but if awarded, he thinks the City should accept it. He asked any further discussion? To the motion, all in favor? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

9.0 Other

None.

9.0A

Staff Reports

9.0B

Council
Report –

Member

Mundle

Council

Member Koller

Mundle reported on EDA discussions relating to the Business Development Report. He complimented Community Development Director Winter's presentation on available land and building report. In addition, the EDA discussed additional education on TIF, tax abatement, and the October MNCAR Expo.

Koller stated he had no report as the Roads Commission did not hold a meeting.

Council
Member

Ronning

Ronning stated the Park Commission meeting was reported on during a previous agenda item.

Council
Member

Harrington

Blood Drive

Harrington announced the Battle of the Badges Blood Drive on Tuesday, August 23, 2016, from 1-5 p.m. at the Anoka County Sheriff's Office.

Super Road
Design

Harrington asked for an update on Mn/DOT's design study for a super road at CR 22 and TH65. Davis stated he expects a report on that evaluation of alternatives in the next two to three weeks. He stated Mn/DOT will want to present that plan at a City Council and Roads Commission meeting as well as during the Town Hall Meeting.

Ronning asked Davis to invite Councilmembers for the Roads Commission presentation if that occurs first. Davis stated it will be a joint City Council and Roads Commission Meeting so everyone is aware and he expects it to take place in September, before the Town Hall Meeting.

Mayor Voss

Voss announced the Fire Department Open House on Thursday, October 6, 2016.

9.0C

Other

None.

9.0D

Closed

Vierling stated thank you Mr. Mayor. For the benefit of the public, we'd note that at this time the Council's about to go into Closed Session to review two matters. The first being a

Sessions

matter of possible acquisition of real estate interest effecting parcel #29-33-23-34-0001.

PIN

That Closed Session will be tape recorded as required by Statute. Council will return to

29-33-23-34-

Open Session to take any action that might be taken relative to that property.

0001 and

Minn. Court of

Vierling stated the second matter will be covered under attorney-client privilege and a

Appeals File

discussion with Council relative to the Minnesota Court of Appeals Decision File #8A16-

#8A16-722,

722, Gary Otremba and Heidi Moegerle versus the City of East Bethel. With that being

Otremba and

said, Mr. Mayor, I would request a motion that we go into Closed Session for the items

Moegerle vs.

I've indicated.

East Bethel

Move to

Mundle stated make a motion to go into Closed Session at 8:16 p.m. for the items that

Closed Session

City Attorney's indicated. Koller stated I'll second. Voss asked any discussion? All in

favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion**

passes unanimously.

Reconvene

Vierling stated thank you Mr. Mayor. For the benefit of the public and for the record, we

Open Session

note the Council's back into Open Session after having concluded two Closed Sessions,

first dealing with issues of real estate acquisition as it affects property being identified as

parcel #29-33-23-34-0001 in Anoka County. The Closed Session on that matter was

attended by all members of the City Council, City Administrator Mr. Jack Davis, and

myself as City Attorney. Council reviewed issues and material brought into the Closed

Session by the City Administrator effecting matters of acquisition and gave its impression

on the issues raised but took no motion.

Vierling stated the second matter was the review by the City Attorney of the Moegerle

Otremba versus the City of East Bethel matter. The City Attorney reviewed, again with all

members of the Council and the City Administrator, the Appellate briefing that had been

filed on this matter and the outstanding issues, if any. Again, there was discussion

between the staff and Council but no motions were taken. Thank you.

Letter to Brad

Davis read a letter into the record addressed to Brad and Wendy Jahnke, 8408 Eastwood

and Wendy

Drive, Mounds View, Minnesota. The City is negotiating with the Jahnkes for a deeded

Jahnke

utility easement and access agreement and Jahnke's request for additional amenities

including providing a water and sewer stub to PIN #29-23-33-34-0001, 1203 189th

Avenue, East Bethel.

Harrington stated I'll make a motion to approve the letter to be sent to the Jahnkes.

Koller stated I'll second. Voss asked any discussion? Hearing none, all in favor? **All in**

favor. Voss asked any opposed? That motion passes. **Motion passes unanimously.**

10.0

Koller stated motion to adjourn. Mundle stated second. Voss asked any discussion?

Adjourn

All in favor say aye? **All in favor.** Voss asked any opposed? Hearing none, meeting

adjourned. **Motion passes unanimously.**

Meeting adjourned at 8:45 p.m.

Submitted by:

Carla Wirth

TimeSaver Off Site Secretarial, Inc.