

City of East Bethel
City Council Agenda
 Regular Council Meeting – 7:00 p.m.
 Date: October 5, 2016



| | | Item |
|----------------|------------|--|
| 7:00 PM | 1.0 | Call to Order |
| 7:01 PM | 2.0 | Pledge of Allegiance |
| 7:01 PM | 3.0 | Adopt Agenda |
| 7:01 PM | 4.0 | Presentations |
| | p. 3-19 | A. Level III Predatory Residence Restrictions Presentation – Minnesota Department of Corrections |
| 7:25 PM | 5.0 | Public Forum |
| 7:35 PM | 6.0 | Consent Agenda |

Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration

- | | | |
|----------|----|---|
| p. 22-25 | A. | Approve Bills |
| p. 26-38 | B. | Meeting Minutes, September 21, 2016 City Council Meeting |
| p. 39-40 | C. | Resolution 2016-xx Setting Public Hearing Date – Delinquent Account |
| p. 41 | D. | Approve Election Judge Roster for General Election 2016 |

New Business

| | | |
|----------------|------------|---|
| 7:37 PM | 7.0 | Commission, Association and Task Force Reports |
| | | A. Planning Commission |
| | | B. Economic Development Authority |
| | | C. Park Commission |
| | | D. Road Commission |
| | p. 42-43 | 1. Fillmore Street Paving & Utilities Extension Project |
| | p. 44-46 | 2. Fillmore Street Utility Extension |
| | p. 47-48 | 3. October Roads Commission Meeting – RCI Report |

| | | |
|----------------|------------|--|
| 7:45 PM | 8.0 | Department Reports |
| | | A. Community Development |
| | | B. Engineer |
| | p. 49-52 | 1. WWTP De-commission Project Change Order |
| | | C. City Attorney |
| | | D. Finance |
| | | E. Public Works |
| | | F. Fire Department |
| | | G. City Administrator |
| | p. 53-55 | 1. Amendment to Special Assessment Policy |

| | | |
|----------------|------------|--------------|
| 7:55 PM | 9.0 | Other |
|----------------|------------|--------------|

- A. Staff Report
- B. Council Reports
- C. Other

8:05 PM

10.0 Adjourn



City of East Bethel City Council Meeting Agenda Information

Date:

October 5, 2016

Agenda Item Number:

Item 4.0

Agenda Item:

Presentation of the Minnesota Department of Corrections – Predatory Requirement Restriction Ordinance

Requested Action:

Information Item Only

Background:

At the August 23, 2016 Planning Commission Meeting the Commission discussed the need for an ordinance that would provide residency restriction requirement for Level III sexual predators. In recent months many Cities in Anoka County have adopted such an ordinance including Anoka, Andover, Columbia Heights, Coon Rapids, and St Francis. These ordinances have been in response to the potential release of sex offenders from civil commitment due to a Federal ruling that stated the State of Minnesota’s civil commitment program is unconstitutional (See Attachment 5 for a review of Minnesota’s Program).

At the Planning Commission meeting on September 28, 2016 the Commission reviewed an Ordinance restricting residency of Level III sexual predators. This ordinance is identical to those adopted by City of Anoka and Andover. The Planning Commission is recommending approval of an ordinance that provides residency restrictions for released Level III Sexual Offenders, subject to legal opinion.

The first City in the State of Minnesota to adopt a residency restriction requirement was Taylor Falls in Chisago County in 2006. Since that time 45 communities and one County (Chisago) have adopted residency restriction ordinances. Currently both South St. Paul and Rogers are considering adoption of the residential restriction ordinances.

These ordinances have never been through a judicial review process. Attached is an article from the Star Tribune that discusses this issue.

On September 29, 2016, upon recommendation of the Anoka County Sheriff’ Office, staff spoke with Mark Bliven of the Minnesota Department of Corrections to obtain additional information on this matter. The Department has a different view of these types of ordinances. They feel that adoption of these ordinances may create a false sense of security in a community and pose issues relating to tracking these persons.

Mr. Bliven will present the Department's views and recommendations as it relates to this issue.

This ordinance is scheduled to be presented to City Council at their October 19, 2016 pending other direction by Council.

Attachments:

Attachment 1, Adoption of Residency Restriction Ordinances by City

Attachment 2, Star Tribune Article

Attachment 3, Proposed Ordinance

Attachment 4, Location Map of Restricted Residency in East Bethel

Attachment 5, MinnPost Civil Commitment Article

Fiscal Impact:

Recommendation(s):

No action required at this time

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

These are some Minnesota cities (and one county) that have an ordinance that restricts to some degree where some registered offenders may live in proximity to identified locations. These ordinances are all based on status of the registered offender. Some apply to only Level 3* and some apply to both Level 3 and those with a minor victim regardless of risk level including non-risk level probation cases. Not all ordinances are considered enforceable either in their entirety or in selective areas by local jurisdictions so they must be reviewed on a case-by-case basis for actual applicability in any residential decision. The variety of restrictions and extent of restrictions is inconsistent throughout these ordinances so caution is urged when making decisions about applicability in regard to any specific ordinance or registrant.

1. Albertville
2. Andover*
3. Anoka*
4. Askov
5. Birchwood (temporary)*
6. Brainerd* -only concentration prohibited – 1000’
7. Brooklyn Center*
8. Chisago City
9. Chisago Co.*
10. Cleveland*
11. Cloquet – concentration and proximity
12. Cohasset
13. Columbia Heights (temporary)*
14. Coon Rapids*
15. Courtland
16. Cuyuna
17. Duluth*- with exceptions
18. Eagle Lake
19. Elysian
20. Finlayson
21. Grand Rapids*
22. Grasston
23. Hilltop (temporary)*
24. Kilkenny
25. Lake Crystal (all supervised offenders in state supported housing)
26. Le Center
27. Lindstrom
28. Linwood Township
29. Mahtomedi (temporary)* -no exception for family members
30. Mankato (all supervised offenders in state supported housing)

31. Mapleton
32. Minnesota Lake
33. Moose Lake
34. Morristown (all supervised Level 2 or 3 offenders in supported housing)
35. North Branch
36. North Mankato (all supervised offenders in state supported housing)
37. Otsego
38. Pine Island
39. Proctor
40. Rochester (all supervised offenders in state supported housing) – with exceptions
41. Sandstone
42. Taylors Falls
43. Watertown*
44. Willmar*
45. Wyoming

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Cities are rushing to restrict sex offenders

Efforts to limit housing spill over to State Capitol.

By Maya Rao (<http://www.startribune.com/maya-rao/137958973/>) Star Tribune

APRIL 4, 2016 — 10:49PM

After a convicted child molester moved to town, Minnesota Lake passed a law effectively banning sex offenders from most of the small community.

Mahtomedi approved restrictions on where convicted rapists could live after hundreds of residents signed a petition demanding action.

And in Birchwood, the City Council held an emergency meeting in order to place stricter limits on sex offenders after learning that a pedophile was moving there.

Minnesota has seen a dramatic rise in municipal laws restricting where sex offenders can live after they have served their terms, setting up a fight at the State Capitol. Some legislators want to give local communities more control to enact new restrictions, but state corrections officials say that such ordinances can be ineffective and that they invite legal challenges.

A group of legislators has proposed a measure allowing cities and counties to enact tougher laws to keep Level 3 sex offenders — considered the most likely to reoffend — away from schools, parks and other places frequented by children.

The chief sponsor, Rep. Jim Newberger, R-Becker, says he hopes the bill will give the towns stronger legal standing to defend their sex-offender ordinances in court.

Communities are bracing for the release of more sex offenders from forced civil commitment in response to a federal ruling that declared the state's program unconstitutional.

U.S. District Judge Donovan Frank has ruled that the program is essentially permanent confinement with no clear path to release.

The issue is politically perilous for leaders of both parties, who must weigh the constitutional questions vs. the political blowback from releasing potentially dangerous offenders into the community.

Gov. Mark Dayton has ordered the state to fight Frank's ruling, saying it posed a risk to public safety.

The growing concerns have prompted more cities to adopt ordinances spelling out where convicted offenders are restricted from living.

"What they're worried about is that eventually someone will challenge it," said Newberger. "There's no statute to back it up right now."

'A testy situation'

Corrections Commissioner Tom Roy told legislators his agency is "very concerned" that the number of laws restricting sex offenders has doubled to 39 over the last year. He said studies showed that bans on where sex offenders live do not reduce the likelihood of them committing more crimes. They only create barriers to officers supervising them, he said, noting that Minnesota has seen the number of homeless offenders rise dramatically in the last decade.

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 that drawing circles around cities will decrease recidivism, but in actuality, it does not," Roy said.

Rep. Tony Cornish, R-Vernon Center, said during a hearing that people worried about their property values and children walking to the playground do not pay attention to statistics of recidivism. "You folks aren't doing a bang-up job right now of placing these people," he told Roy. And he criticized the move of a black rapist last year to Minnesota Lake, "a totally white, Anglo town. ... All of a sudden you've got all eyes on this poor person down there."

The city about 100 miles south of the Twin Cities swiftly passed an ordinance stating that it was unlawful for sex offenders to live within 2,000 feet of a school, child care center, public park, church, library or bus stop — a move that walled off much of the city's 2 square miles.

Sharon Grunzke, the city clerk, said residents were petrified about the first registered sex offender moving in. But the man has caused no problems after all, she said: "We hardly ever see him."

In December, Columbia Heights passed a one-year moratorium on any more sex offenders moving in while it studies whether to enact a permanent ordinance.

Mayor Gary Peterson said the city had no concerns about the measure's legalities. "You can't have sex offenders all over the place, and there are other communities that have none. ... We just wanted to stop it before it got to the point where it was really uncontrollable," he said.

Suburb fights back

North Minneapolis has accumulated a high concentration of sex offenders, prompting pleas from its representatives to spread the burden around the metro area. Hennepin County stopped allowing offenders there a few years ago, a policy that Brooklyn Center has blamed for more convicted sexual predators spilling into its borders to the north.

Brooklyn Center officials testified in favor of the legislation the day after the city passed a law banning sex offenders from living within 2,000 feet of a school, playground or child care center.

"If the legislation passes, now we've got something we can point to and say, 'the state specifically says we can do that,'" said Brooklyn Center Mayor Tim Willson.

Rep. Joe Mullery, a DFLer who represents north Minneapolis, derided the legislation as "a very bad proposal. ... State law cannot override the U.S. Constitution." He said the protests by Brooklyn Center over having just six sex offenders is "ridiculous," and he called for more suburbs to take their fair share.

Last year, New York's appeals court determined that state laws overrode local prohibitions on where sex offenders could live.

Roy, the corrections commissioner, noted that courts in other states had been overturning residency restrictions on rapists and that Minnesota would have to address the matter soon.

"We can expect the courts to weigh in on this one, for sure," Roy told legislators.

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PROPOSED ORDINANCE NO. XX

AN ORDINANCE RESTRICTING THE RESIDENCY OF PREDATORY OFFENDERS

The City Council of the City of East Bethel, Minnesota ordains as follows:

SECTION:

- 5-1-1: Findings and Purpose
- 5-1-2: Definitions
- 5-1-3: Prohibitions; Measurement of Distance; Penalties; Exceptions
- 5-1-4: Official map of prohibited locations
- 5-1-5: Restrictions Relating to Rental Property; Penalties

5-1-1: **Findings and Purpose.** Repeat predatory offenders present an extreme threat to the public safety of a community as a whole, and especially to children. Predatory offenders are likely to use physical violence and to repeat their offenses. Most predatory offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of predatory offender victimization to society at large, while incalculable, unmistakably steep.

It is the intent of this Chapter to serve the City's compelling interest to promote, protect and improve the health, safety, and welfare of citizens of the City of East Bethel by creating areas around locations where children regularly congregate in concentrated numbers and where certain predatory offenders are prohibited from establishing temporary or permanent residence.

5-1-2: **Definitions.** For the purpose of this Chapter, the following definitions will apply unless the context or intent clearly requires a different meaning:

DAY CARE: Any facility, public or private, licensed by the State of Minnesota or Anoka County, in which care, training, supervision, habilitation or developmental guidance for children is provided on a regular basis and for periods less than 24 hours per day.

CHILD OR CHILDREN: Any person or persons under 18 years of age, or individuals under age 21 who are in foster care.

FACILITIES FOR CHILDREN: All public parks, parkways, park facilities, parkland, public or private schools, designated public school bus stops, libraries, group homes, foster homes, day care and child care facilities, public recreation centers, non-profit or commercial recreation centers, public or private playgrounds, public or commercial swimming pools, public beaches, youth centers, athletic fields used by children, crisis centers or shelters, care facilities for children's skate park or rink, movie theaters, bowling alleys, facilities for children's clubs including municipal buildings, public recreational areas and trails including conservation areas, jogging trails,

hiking trails, walking trails, bicycle trails, Offices for Child Protective Services, places of assembly, and specialized schools for children, including but not limited to, tutoring, gymnastics, dance and music schools.

DESIGNATED PREDATORY OFFENDER: Any person who has been categorized as a Level III predatory offender under Minnesota Statutes 244.052, a successor statute, or a similar statute from another state in which that person's risk assessment indicates a high risk of re-offense.

LICENSED CHILD CARE FACILITY: Any facility, center, home or institution licensed by the State of Minnesota pursuant to Minn. Stat. 245A, where children are cared for pursuant to the requirements of a license issued by the Minnesota Department of Human Services.

PERMANENT RESIDENCE: A place where a person abides, lodges, or resides for 14 or more consecutive days. An ownership interest by the person in such residence is not required.

PLACE OF ASSEMBLY: A place of assembly, synagogue, temple, mosque, or other facility that is used for prayer by persons of similar beliefs or a special purpose building that is designated or particularly adapted for the primary use of conducting, on a regular basis, religious services and associated accessory uses by a religious congregation.

SCHOOL: Any public or non-public educational institution providing instructional services to children, which shall include any structure, land, or facility owned, leased or used for operation of the school or school activities.

TEMPORARY RESIDENCE: A place where a person abides, lodges, or resides for a period of 14 or more days in the aggregate during any calendar year, and which is not the person's permanent residence, or a place where the person routinely abides, lodges, or resides for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

5-1-3: Prohibitions; Measurement of Distance; Penalties; Exceptions.

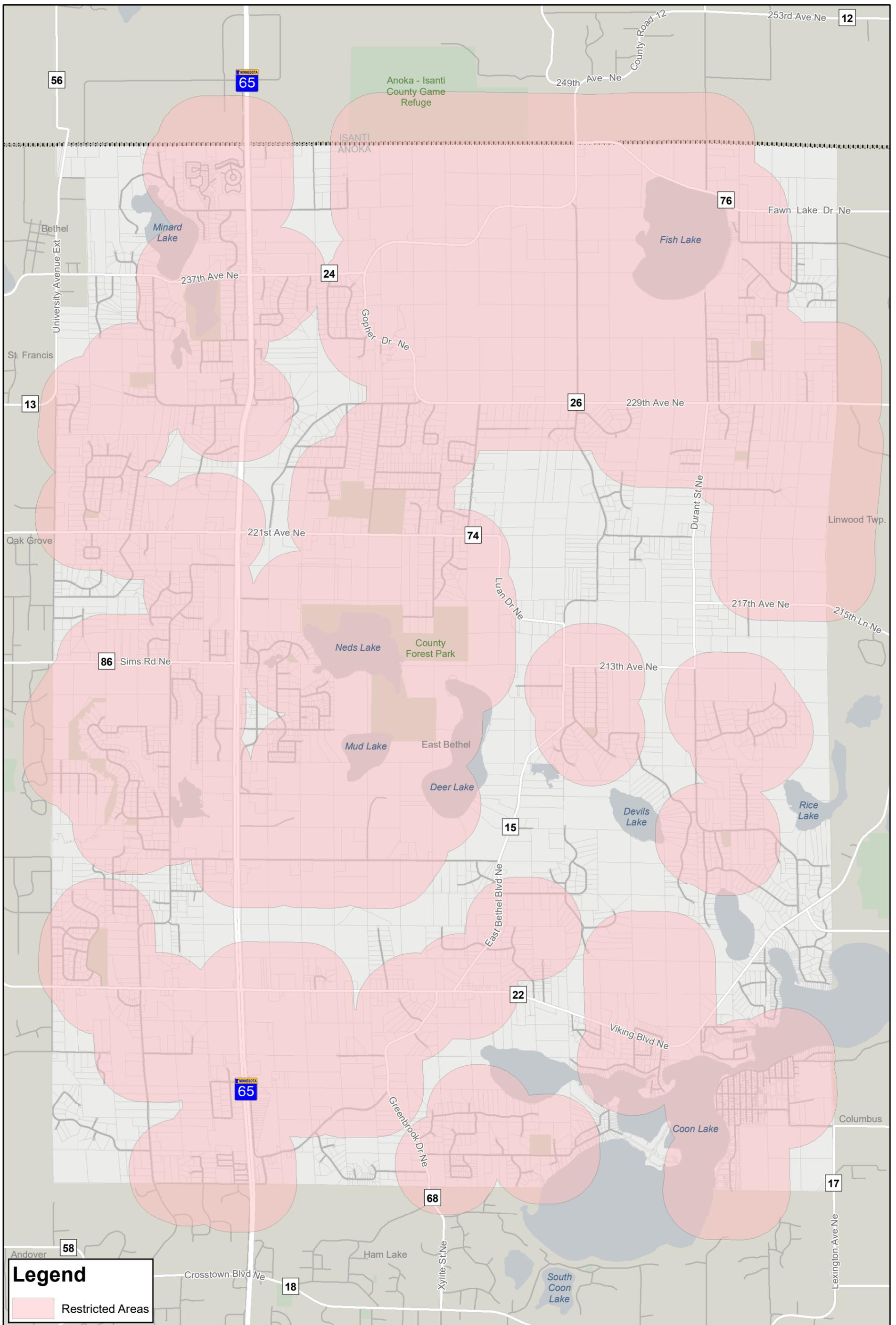
- A. Prohibited location of residence: It is unlawful for any designated predatory offender to establish a permanent residence or temporary residence within 2,000 feet of any school, day care, licensed child care facility, place of assembly, or facility for children.
- B. Prohibition present in safety zone: It is unlawful for any designated predatory offender to be present within 100 feet of any facility for children or day care facility.

- C. Prohibited activity: It is unlawful for any designated predatory offender to participate in a holiday event involving children such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas or wearing an Easter Bunny costume on or preceding Easter. Holiday events in which the offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this paragraph.
- D. Measurement of distance: For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the property line of the permanent residence or temporary residence to the nearest outer property line of the school, day care, licensed child care facility, place of assembly, facility for children, or park.
- E. Violations: A designated predatory offender who violates this Chapter shall be deemed guilty of a misdemeanor. Each day a designated predatory offender maintains a residence in violation of this Chapter constitutes a separate violation.
- F. Exceptions: A designated predatory offender residing within a prohibited location, as herein described, does not commit a violation of this Chapter if any of the following apply:
 1. The designated predatory offender established the permanent or temporary residence and reported and registered the residence pursuant to Minnesota Statutes Sections 243.166 and 243.167, or a successor statute, prior to _____, 2016 (*date of adoption of this ordinance*).
 2. The designated predatory offender was a minor when he/she committed the offense and was not convicted as an adult.
 3. The designated predatory offender is a minor.
 4. The school, day care, licensed child care facility, place of assembly, facility for children or park within 2,000 feet of the designated predatory offender's residence was opened after the designated predatory offender established their permanent or temporary residence, and reported and registered the residence pursuant to Minnesota Statutes, Sections 243.166 and 243.167, or a successor statute.
 5. The residence is also the primary residence of the designated predatory offender's parents, grandparents, siblings or spouse.
 6. The residence is a property purchased, leased, or contracted with and licensed by the Minnesota Department of Corrections prior to _____ (*date of adoption of this ordinance*).

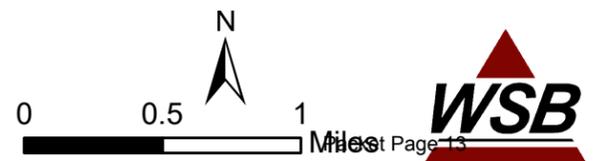
5-1-4: **Official map of prohibited locations.** The City Administrator, or designee, shall maintain an official map showing prohibited locations of residences as defined by this Chapter. The City Administrator, or designee, shall review annually, and if appropriate, update the map to reflect any changes in the prohibited locations. The map shall not be deemed conclusive or all-encompassing since some prohibited locations change from time to time including, but not limited to, other places where children are known to congregate.

- A. It is unlawful for a property owner to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent or temporary residence by any person prohibited from establishing such permanent or temporary residence pursuant to this Chapter if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited location as set forth in Section 5-1-4 above.
- B. A property owner violating Section 5-1-5 (A) above shall be guilty of a petty misdemeanor. Each day a property owner violates Section 5-1-5 (A) above constitutes a separate violation.
- C. If a property owner discovers or is informed that a tenant is a designated predatory offender after signing a lease or otherwise agreeing to let the designated predatory offender reside on the property, the owner or property manager may evict the offender without further liability to the offender.
- D. Violation of Section 5-1-5 may be cause to suspend or revoke the property owner's rental license.

5-1-6: **Severability.** Should any section, subdivision, clause, or other provision of this chapter be held invalid by any court of competent jurisdiction, such decision shall not affect the validity of this Title as a whole, or of any part thereof, other than the part held to be invalid.



**Predator Residency Restriction
City of East Bethel, MN**



MINNPOST

Thank you for sharing this story. We appreciate your help.

After years of indefinitely locking up sex offenders, Minnesota now faces a thornier issue: how to let them out

By Briana Bierschbach | 04/13/16



MinnPost photo by Briana Bierschbach

The Minnesota Sex Offender Program campus in Moose Lake.

On a recent Monday morning in a tiny courtroom in Hastings, Eric Terhaar sat on the witness stand, wiggling

uncomfortably in his seat.

An attorney from the state of Minnesota was asking Terhaar to revisit ugly details from his past: how he was sexually abused as a child; how he abused two sisters at age 10; his troubled stints in foster homes and juvenile treatment facilities.

But the 26-year-old Terhaar wasn't particularly interested in revisiting the circumstances that brought him to the courtroom that day, a history that landed him in Minnesota's sex offender treatment program since he was 19 years old.

“I don’t really want to get into all that,” he said quietly.

Instead, Terhaar wanted to talk about what he would do if he ever got out. He wanted to move back home with his dad, in Long Prairie, a small town in north central Minnesota. He’d like to go to college, to be an electrician or some other construction trade.

Terhaar is the poster child for what some experts say is wrong with the Minnesota Sex Offender Program (MSOP), a state-run, high-security treatment facility for rapists, pedophiles and other sex offenders with a history of almost never letting anyone out.

Last June, a federal judge ruled that MSOP — which confines more than 700 people on its campuses in Moose Lake and St. Peter — is unconstitutional for indefinitely locking people up. (Just this week, a federal appeals court in St. Louis heard oral arguments in the state’s appeal of that decision.)

Since the ruling, several offenders have been provisionally released or moved into the final phases of treatment. But awaiting many offenders outside of the program are more restrictions: confinement in group homes or nursing homes; restrictions from getting jobs, using vehicles or going online; and constant G.P.S. monitoring. They can face exile from entire communities in Minnesota, as more local governments place moratoriums on where they can live.

Terhaar is different, though. His only offenses were committed as a juvenile. He’s the first sex offender in the history of the 20-year-old MSOP to be recommended for full, unconditional release by a special review board. If the three-judge panel hearing his case in Hastings approves his release, he would no longer be subject to any monitoring or supervision by the state of Minnesota. It would also mean that Terhaar — who’s never had a driver’s license, a bank account, a relationship or a real job outside of the confines of institutions — would have no help from the state in transitioning back into society.

A ‘gradual’ release into society

MSOP opened its campus in Moose Lake in the mid-1990s as a high-security treatment program for sex offenders who were finishing up their prison sentence but were still considered dangerous or to have “sexual psychopathic personalities.” Offenders were civilly committed to the program indefinitely — until experts decided they were ready for release.

But over the years, no one was ever let out of MSOP, and the number of offenders in the program steadily grew. In 2011, a group of offenders filed a federal class action lawsuit alleging the program had become a warehouse instead of a treatment program, thus violating their constitutional rights.

A year later, the state approved the first provisional release from the program: Clarence Opheim, a convicted child rapist in his 60s who had more than 30 victims. Community members and politicians opposed the move, but Opheim was placed in a halfway house in St. Paul under intense supervision. Over the next few years, two more offenders were also provisionally released. All told, six men have now been conditionally released from the program.

Nancy Johnston, a deputy commissioner with the Department of Human Services, which oversees MSOP, said she believes slow reintegration into society is the best way for many of the offenders to

prepare themselves for the real world.

“I believe that the safest way to have clients move back into the community is to do it in a gradual way,” she said. “That reintroduction into society is done with support right there. They can walk through that together. Just abruptly moving someone from a secure environment into a setting where there is not any security, that might be OK for some clients, but I think a gradual reintegration is good practice.”

That process starts before an offender even leaves MSOP. As part of the program’s three-phase treatment plan, offenders nearing release are moved to MSOP’s campus in St. Peter, where they can go on supervised community excursions, take money management classes, computer courses and workforce and vocational training.

“Minnesota is one of the only states with a step-down system in place where clients slowly prepare for re-entrance into the community,” Johnston said. “These are men who have been institutionalized for many, many years. Going on an outing doesn’t sound like a big deal, but it is.”

‘A heavy burden’

The release of offenders is delicate balancing act for the state, which must keep the safety of its citizens at the top of mind while also trying to successfully reintegrate offenders back into society.

Yet of the 19 states that have civil commitment programs for sex offenders, Minnesota has the highest number of people committed per capita and the lowest number of releases. Next door in Wisconsin, officials have granted full release to more than 100 offenders and supervised release to nearly 200 others, with low rates of reoffending.

Experts say that the social and political environment outside the razor-wire sex offender institutions plays a big part in successful reintegration. In Minnesota, politicians have long opposed changes to the programs and local governments have sought to gain more legal cover in creating residency restrictions for communities. A bill currently traveling through the Minnesota Legislature would allow local governments to create 500- to 2,000-foot zones around things like schools, playgrounds, churches and daycare centers where offenders couldn’t reside. More than three dozen communities have already put such moratoriums in place, even if the state is the only entity allowed to place sex offenders under Minnesota law.

Rep. Jim Newberger, R-Becker, who is carrying the bill, said the state has done a poor job in placing offenders in small, rural communities. “We can wave state law around all we want, but at the end of the day, if it’s not going to stop a predator from doing the unthinkable to children, what good is the law?”

Most experts, however, say there’s no evidence that residency restrictions do anything to prevent sexual abuse, and in many cases just push sex offenders off the grid. “There’s a lot of questions about the wisdom of many politics regarding sexual offending, but there does not seem to be any dispute that residential restrictions are both ineffective and have detrimental unintended consequences,” said Eric Janus, a professor at Mitchell Hamline School of Law who has studied sex offender laws.

The six offenders released from MSOP so far have been sent to group homes or nursing homes in places like St. Paul, Rochester, and Le Center. In all cases, the offenders are under strict supervision. That includes ankle G.P.S. monitoring, 24-hour surveillance by staff, random searches of possessions and no Internet usage or unsupervised visits outside of the facilities.

St. Paul's Project Pathfinder, the state's largest program to treat sex offenders outside of MSOP, offers therapy to sex offenders as they are adjusting to life outside of an institution. That's where Opheim went when he was released in 2012.

"All the therapy they've gotten before this point, which has been very intense, they've never gotten to react on," said Warren Maas, president of the Minnesota Association for the Treatment of Sexual Abusers. "Now they have to deal with their first rejection or first time being intimate and how that feels."

He thinks supervision after release is oftentimes necessary and can be productive, but there's not a lot of flexibility in changing the terms of an offender's release. He thinks Minnesota should have something akin to a drug court for sex offenders, where they can regularly check in and show if they are making progress, or if they are experiencing setbacks. That way changes to the terms of their release can be relaxed or intensified in real time.

"They have such a heavy burden and there's no way for them to get it lightened up, or it takes them six months to a year to get it changed," Maas said. "If they had a problem solving court to file in, it wouldn't be that onerous."

'Stagnant' in MSOP

Terhaar was moved to the St. Peter facility in 2014, and since then, he has taken at least 10 excursions out into the community. He went to the Walmart in Mankato — wearing a G.P.S. device on his ankle — where he picked up groceries and followed a strict list and budget he created himself. He also went to the mall in Mankato, still monitored, where he felt he "fit right in." He hasn't been home for a holiday or birthday in more than a decade, but he was allowed to make several supervised visits to his father's house.

But Terhaar has also had setbacks while in MSOP, which is why the DHS appealed the special review board's recommendation to release him from the program — the reason for his appearance before the three-judge panel that will make the final decision in his release.

Terhaar said his treatment has been "stagnant" and he stopped participating in polygraph tests because he felt the process was "biased." Last summer, he was part of a major disciplinary action in the St. Peter program after he made moonshine using yeast and sugars he stole from the facility.

Terhaar said part of the problem is he feels he never should have been placed in MSOP to begin with. He's part of a class of about 60 offenders in MSOP who have no adult offenses on their records and pose a low risk to reoffend. In 2014, a group of court-appointed experts from across the nation who

reviewed the controversial sex offender program singled out Terhaar, saying he should be released immediately — without any conditions attached.

“The carrot never stops moving,” he said. “You take three steps toward the carrot and it moves three steps away from you. I got tired of chasing carrots.”

So his attention has turned to the appeals process. His father, Ron, was in the courtroom this week to hear Eric Terhaar’s testimony. He has a bedroom waiting at his home in Long Prairie for Eric, if the judicial panel approves his unconditional release.

If approved, Terhaar knows he won’t have help from the state, but he fears that any strings attached to his release would also will make it harder for him to go back to school or get a job. He admitted he would rely heavily on his family to help him through his first struggles living in the world for the first time as an adult.

“I would have to take it slowly,” Terhaar admitted, “having new experiences, [ones I] haven’t ever done or haven’t done in a long time.”

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ABOUT THE AUTHOR:



Briana Bierschbach

Briana Bierschbach reports on public affairs, higher education, politics and other important topics and issues in the news.

COMMENTS (2)

Unconscionable

SUBMITTED BY RAY SCHOCH ON APRIL 13, 2016 - 1:27PM.

A life sentence AFTER one's prison term has been served is unconscionable. Much of the hysterical reaction to the prospect of sexual offenders being reintroduced to society comes from people terrified of their own, not to mention other people's, sexuality, combined with the still-prominent prudery of our Puritan forebears. That's not to say that the gates should be thrown open and everyone released on their own recognizance, but there are plenty of rehabilitation programs that apparently work, and in multiple states across the country, from which Minnesota authorities could learn if they so desired, and if they and their constituents would move beyond reflexive fear and punishment. I hope the federal court slaps the state upside its head.

I don't Get It

SUBMITTED BY STEVE O'CONNOR ON APRIL 14, 2016 - 6:38AM.

I never understood the fear and hysteria over the label of "sex offender." It is only a label. 97% of sex crimes are committed by people NOT on the registry. Most sex crimes are committed by people well known and trusted by the victim and their parents, not strangers.

Good parenting will protect your children from predators. Don't leave them unattended, don't pawn them off on cousins, uncles, neighbors, step parents, coaches, teachers or baby sitters. If you have hormone enraged teens looking for sex, hopefully you taught them responsibility.

MinnPost | 900 6th Avenue SE | Minneapolis, MN 55414 | 612.455.6950



City of East Bethel City Council Meeting Agenda Information

Date:

October 5, 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

September 21, 2016 City Council Minutes

Meeting minutes from the September 21, 2016 City Council Meeting are attached for your review and approval.

Item C

Resolution 2016-49 Setting Public Hearing Date – Delinquent Accounts

Collection of unpaid bills through the property tax system is provided for in the East Bethel Code of Ordinances, Chapter 74, Sec. 74-126 (b) for unpaid utility bills, Chapter 30, Sec. 30-15 for unpaid emergency services and Chapter 26, Sec. 26-41 and 26-91 (c) for unpaid property clean up and nuisance abatement charges. The ordinance also provides an opportunity for delinquent customers for a public hearing before the final certification of delinquent amounts owed to their property taxes. Council must establish a certification cutoff date each year that will determine the appropriate certification amounts.

Resolution 2016-49 provides the delinquent accounts and amounts owed assuming a certification cutoff date of September 30, 2016. Notices of the public hearing will be sent indicating a public hearing date of November 2, 2016. Amounts remaining unpaid by November 15, 2016 will be certified to the County Auditor for collection on property taxes.

Item D

Approval of Election Judge Roster for the 2016 General Election

Minnesota Statutes 204B.21, Subd. 2, Appointment of Election Judges, requires that the City Council appoint election judges. These appointments must be completed 25 days prior to the general election, which is Tuesday, November 8th. We have attached a list of election judges for your consideration. We are awaiting scheduling confirmation from 2 of the judges listed. Substitutions may be made if these judges become unavailable. City election staff has recruited judges for this list, and have also been provided the names of potential election judges from the

respective major political parties. Staff is recommending approval of the election judges identified on the roster.

Fiscal Impact:

As noted above.

Recommendation(s):

Staff recommends approval of the Consent Agenda as presented.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel
October 5, 2016
Payment Summary

| Payments for Council Approval | |
|--|---------------------|
| Bills to be approved for payment | \$375,177.73 |
| Electronic Payroll Payments | \$27,907.76 |
| Payroll - City Staff, September 22, 2016 | \$35,078.57 |
| Total to be Approved for Payment | \$438,164.06 |

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|---------------------------|-------------------------------|---------------|--------------------------------|------|-------|-------------|
| Arena Operations | Bldg/Facility Repair Supplies | 60416-IN | R & R Specialities, Inc. | 615 | 49851 | \$1,593.23 |
| Arena Operations | Bldg/Facility Repair Supplies | 60424-IN | R & R Specialities, Inc. | 615 | 49851 | \$106.24 |
| Arena Operations | Bldg/Facility Repair Supplies | 60477-IN | R & R Specialities, Inc. | 615 | 49851 | \$24.15 |
| Arena Operations | Electric Utilities | 092116 | Connexus Energy | 615 | 49851 | \$517.94 |
| Arena Operations | Gas Utilities | 517249071 | Xcel Energy | 615 | 49851 | \$72.71 |
| Arena Operations | General Operating Supplies | 1003442 | Becker Arena Products,Inc | 615 | 49851 | \$430.00 |
| Arena Operations | General Operating Supplies | 29681 | Menards Cambridge | 615 | 49851 | \$82.49 |
| Arena Operations | General Operating Supplies | 29683 | Menards Cambridge | 615 | 49851 | \$5.30 |
| Arena Operations | General Operating Supplies | 29897 | Menards Cambridge | 615 | 49851 | \$39.96 |
| Arena Operations | Professional Services Fees | 100025 | Gibson's Management Company | 615 | 49851 | \$9,000.00 |
| Arena Operations | Telephone | 332373310-178 | Sprint Nextel Communications | 615 | 49851 | \$27.17 |
| Assessing | Professional Services Fees | 3rd Qtr 2017 | Kenneth A. Tolzmann | 101 | 41550 | \$13,623.00 |
| Building Inspection | Escrow Refund | 092016 | TH Construction | 101 | | \$1,500.00 |
| Building Inspection | Motor Fuels | 745114 | Mansfield Oil Company | 101 | 42410 | \$198.63 |
| Building Inspection | Office Supplies | IN1320516 | Innovative Office Solutions | 101 | 42410 | \$2.33 |
| Building Inspection | SAC Remittance | 09 2016 | Metropolitan Council | 602 | | \$9,459.45 |
| Central Services/Supplies | Information Systems | 221907 | City of Roseville | 101 | 48150 | \$2,827.67 |
| Central Services/Supplies | Office Equipment Rental | 313275182 | US Bank Equipment Finance | 101 | 48150 | \$269.50 |
| Central Services/Supplies | Telephone | 221957 | City of Roseville | 101 | 48150 | \$249.73 |
| Central Services/Supplies | Telephone | 332373310-178 | Sprint Nextel Communications | 101 | 48150 | \$110.44 |
| City Administration | Professional Services Fees | M22375 | TimeSaver Off Site Secretarial | 101 | 41320 | \$632.50 |
| City Administration | Travel Expenses | 092816 | Jack Davis | 101 | 41320 | \$200.34 |
| Elections | General Operating Supplies | 2016-49 | Anoka County Treasury Dept | 101 | 41410 | \$24.00 |
| Elections | Office Supplies | IN1320516 | Innovative Office Solutions | 101 | 41410 | \$32.91 |
| Engineering | Architect/Engineering Fees | 36736 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$1,573.25 |
| Engineering | Architect/Engineering Fees | 36736 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$477.90 |
| Engineering | Architect/Engineering Fees | 36736 | Hakanson Anderson Assoc. Inc. | 101 | 43110 | \$159.30 |
| Fire Department | Clothing & Personal Equipment | 187056 | Aspen Mills, Inc. | 101 | 42210 | \$168.50 |
| Fire Department | Conferences/Meetings | 216090662 | Alert - All Corp. | 101 | 42210 | \$1,014.00 |
| Fire Department | Conferences/Meetings | 6798720Y | NFPA | 101 | 42210 | \$302.45 |
| Fire Department | Electric Utilities | 092116 | Connexus Energy | 101 | 42210 | \$130.98 |
| Fire Department | Electric Utilities | 092116 | Connexus Energy | 101 | 42210 | \$28.69 |
| Fire Department | Electric Utilities | 092116 | Connexus Energy | 101 | 42210 | \$9.96 |
| Fire Department | Electric Utilities | 092116 | Connexus Energy | 101 | 42210 | \$562.43 |
| Fire Department | Equipment Parts | 916-396 | Advanced First Aid | 101 | 42210 | \$259.60 |
| Fire Department | Fire Pension Contrib.-State | 092716 | East Bethel Fire Relief | 101 | 42210 | \$48,584.25 |
| Fire Department | Fire Pension Contrib.-State | 092716 | East Bethel Fire Relief | 101 | 42210 | \$11,785.53 |



City of East Bethel
October 5, 2016
Payment Summary

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|------------------------------|--------------------------------|---------------|--------------------------------|------|-------|--------------|
| Fire Department | Fire Pension Contribution-City | 092716 | East Bethel Fire Relief | 101 | 42210 | \$14,000.00 |
| Fire Department | Gas Utilities | 517249071 | Xcel Energy | 101 | 42210 | \$60.44 |
| Fire Department | Motor Fuels | 721263 | Mansfield Oil Company | 101 | 42210 | \$57.97 |
| Fire Department | Motor Fuels | 745114 | Mansfield Oil Company | 101 | 42210 | \$315.97 |
| Fire Department | Motor Fuels | 745115 | Mansfield Oil Company | 101 | 42210 | \$184.39 |
| Fire Department | Motor Vehicles | 66489 | Rosenbauer Minnesota LLC | 701 | 42210 | \$181,538.00 |
| Fire Department | Repairs/Maint Machinery/Equip | 5765 | Kirvida Fire, Inc. | 101 | 42210 | \$367.29 |
| Fire Department | Repairs/Maint Machinery/Equip | 5766 | Kirvida Fire, Inc. | 101 | 42210 | \$351.37 |
| Fire Department | Repairs/Maint Machinery/Equip | 5767 | Kirvida Fire, Inc. | 101 | 42210 | \$325.41 |
| Fire Department | Telephone | 221957 | City of Roseville | 101 | 42210 | \$46.84 |
| Fire Department | Telephone | 332373310-178 | Sprint Nextel Communications | 101 | 42210 | \$8.17 |
| General Govt Buildings/Plant | Bldg/Facility Repair Supplies | 29372 | Menards Cambridge | 101 | 41940 | \$26.97 |
| General Govt Buildings/Plant | Bldg/Facility Repair Supplies | 29650 | Menards Cambridge | 101 | 41940 | \$28.99 |
| General Govt Buildings/Plant | Electric Utilities | 092116 | Connexus Energy | 101 | 41940 | \$176.29 |
| General Govt Buildings/Plant | Electric Utilities | 092116 | Connexus Energy | 101 | 41940 | \$1,045.71 |
| General Govt Buildings/Plant | Electric Utilities | 092116 | Connexus Energy | 101 | 41940 | \$15.78 |
| General Govt Buildings/Plant | Gas Utilities | 517249071 | Xcel Energy | 101 | 41940 | \$41.81 |
| MSA Street Construction | Architect/Engineering Fees | 36733 | Hakanson Anderson Assoc. Inc. | 402 | 40200 | \$9,683.22 |
| Park Capital Projects | Bldgs/Facilities Repair/Maint | 8030 | Larold Peterson | 407 | 40700 | \$135.00 |
| Park Maintenance | Clothing & Personal Equipment | 34001 | Chet's Shoes, Inc. | 101 | 43201 | \$260.83 |
| Park Maintenance | Clothing & Personal Equipment | 1182881443 | G&K Services - St. Paul | 101 | 43201 | \$18.21 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$14.65 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$34.43 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$85.26 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$32.02 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$36.29 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$20.09 |
| Park Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43201 | \$343.19 |
| Park Maintenance | Equipment Parts | 02-389850 | Lano Equipment, Inc. | 101 | 43201 | \$47.79 |
| Park Maintenance | Equipment Parts | P74822 | MN Equipment | 101 | 43201 | \$128.86 |
| Park Maintenance | General Operating Supplies | 600293 | Ham Lake Hardware | 101 | 43201 | \$6.63 |
| Park Maintenance | General Operating Supplies | 29650 | Menards Cambridge | 101 | 43201 | \$24.97 |
| Park Maintenance | Motor Fuels | 721263 | Mansfield Oil Company | 101 | 43201 | \$111.49 |
| Park Maintenance | Motor Fuels | 745114 | Mansfield Oil Company | 101 | 43201 | \$270.83 |
| Park Maintenance | Motor Fuels | 745115 | Mansfield Oil Company | 101 | 43201 | \$354.61 |
| Park Maintenance | Other Equipment Rentals | 108447 | Jimmy's Johnnys, Inc. | 101 | 43201 | \$1,141.00 |
| Park Maintenance | Park/Landscaping Materials | 24552 | Bjorklund Companies, LLC | 101 | 43201 | \$36,247.06 |
| Park Maintenance | Small Tools and Minor Equip | 4438932 | Acme Tools - Plymouth | 101 | 43201 | \$103.76 |
| Park Maintenance | Telephone | 221957 | City of Roseville | 101 | 43201 | \$46.82 |
| Payroll | Insurance Premiums | 10 2016 | Dearborn National Life Ins Co. | 101 | | \$1,299.06 |
| Payroll | Insurance Premiums | 10 2016 | NCPERS Minnesota | 101 | | \$144.00 |
| Payroll | Union Dues | 09 2016 | MN Public Employees Assn | 101 | | \$429.00 |
| Planning and Zoning | Architect/Engineering Fees | 36732 | Hakanson Anderson Assoc. Inc. | 101 | | \$110.00 |
| Planning and Zoning | Architect/Engineering Fees | 36732 | Hakanson Anderson Assoc. Inc. | 101 | | \$660.00 |
| Planning and Zoning | Legal Notices | 407332 | ECM Publishers, Inc. | 101 | 41910 | \$59.13 |
| Recycling Operations | Electric Utilities | 092116 | Connexus Energy | 226 | 43235 | \$117.17 |



City of East Bethel
October 5, 2016
Payment Summary

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|--------------------------------|--------------------------------|---------------|-------------------------------|------|-------|------------|
| Recycling Operations | Gas Utilities | 517249071 | Xcel Energy | 226 | 43235 | \$25.00 |
| Recycling Operations | Other Equipment Rentals | 108447 | Jimmy's Johnnys, Inc. | 226 | 43235 | \$70.00 |
| Recycling Operations | Professional Services Fees | 10 2016 | Cedar East Bethel Lions | 226 | 43235 | \$1,200.00 |
| Recycling Operations | Professional Services Fees | 10 2016 | Cedar East Bethel Lions | 226 | 43235 | \$416.96 |
| Risk Management | Property Ins | 54298 | League of MN Cities Ins Trust | 101 | 48140 | \$269.00 |
| Sewer Operations | Electric Utilities | 092116 | Connexus Energy | 602 | 49451 | \$135.62 |
| Sewer Operations | Electric Utilities | 092116 | Connexus Energy | 602 | 49451 | \$46.42 |
| Street Capital Projects | Architect/Engineering Fees | 36734 | Hakanson Anderson Assoc. Inc. | 406 | 40600 | \$4,053.85 |
| Street Maintenance | Bldgs/Facilities Repair/Maint | 1182881443 | G&K Services - St. Paul | 101 | 43220 | \$5.33 |
| Street Maintenance | Clothing & Personal Equipment | 1182881443 | G&K Services - St. Paul | 101 | 43220 | \$18.32 |
| Street Maintenance | Conferences/Meetings | 092616 | Nate Ayshford | 101 | 43220 | \$225.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$85.84 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$523.94 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$200.04 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$16.60 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$131.14 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$126.21 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$352.09 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$196.62 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Electric Utilities | 092116 | Connexus Energy | 101 | 43220 | \$5.00 |
| Street Maintenance | Gas Utilities | 517249071 | Xcel Energy | 101 | 43220 | \$20.00 |
| Street Maintenance | Motor Fuels | 721263 | Mansfield Oil Company | 101 | 43220 | \$276.53 |
| Street Maintenance | Motor Fuels | 745114 | Mansfield Oil Company | 101 | 43220 | \$117.36 |
| Street Maintenance | Motor Fuels | 745115 | Mansfield Oil Company | 101 | 43220 | \$879.45 |
| Street Maintenance | Motor Vehicle Services (Lic d) | 199117 | Boyer Ford Trucks | 101 | 43220 | \$616.49 |
| Street Maintenance | Motor Vehicles Parts | C241209129:01 | I State Truck Inc. | 101 | 43220 | \$1,814.29 |
| Street Maintenance | Professional Services Fees | 091316 | Gail E. Gessner | 101 | 43220 | \$100.00 |
| Street Maintenance | Safety Supplies | 9231322349 | Grainger | 101 | 43220 | \$30.96 |
| Street Maintenance | Street Maint Materials | 180797 | Royal Concrete Pipe, Inc. | 101 | 43220 | \$280.00 |
| Street Maintenance | Street Maint Materials | BL0000005622 | TrueNorth Steel | 101 | 43220 | \$604.80 |
| Street Maintenance | Telephone | 221957 | City of Roseville | 101 | 43220 | \$46.82 |
| Street Maintenance | Telephone | 332373310-178 | Sprint Nextel Communications | 101 | 43220 | \$94.09 |
| Tax Increment District No. 1-1 | Professional Services Fees | 71490 | Ehlers | 435 | 43500 | \$195.00 |



City of East Bethel
October 5, 2016
Payment Summary

| Dept Descr | Object Descr | Invoice | Check Name | Fund | Dept | Amount |
|------------------------------------|----------------------------|----------|-------------------------------|------|-------|---------------------|
| Water Utility Capital Projects | Architect/Engineering Fees | 36735 | Hakanson Anderson Assoc. Inc. | 433 | 49405 | \$3,777.29 |
| Water Utility Operations | Electric Utilities | 092116 | Connexus Energy | 601 | 49401 | \$973.71 |
| Water Utility Operations | Electric Utilities | 092116 | Connexus Energy | 601 | 49401 | \$251.31 |
| Water Utility Operations | Electric Utilities | 092116 | Connexus Energy | 601 | 49401 | \$82.81 |
| Water Utility Operations | Gas Utilities | 091516 | CenterPoint Energy | 601 | 49401 | \$15.85 |
| Water Utility Operations | Gas Utilities | 091516 | CenterPoint Energy | 601 | 49401 | \$16.43 |
| Water Utility Operations | Safety Supplies | 82268616 | Bound Tree Medical, LLC | 601 | 49401 | \$173.26 |
| | | | | | | \$375,177.73 |
| Electronic Payroll Payments | | | | | | |
| Payroll | PERA | | | | | \$6,493.50 |
| Payroll | Federal Withholding | | | | | \$5,852.29 |
| Payroll | Medicare Withholding | | | | | \$1,626.32 |
| Payroll | FICA Tax Withholding | | | | | \$6,953.84 |
| Payroll | State Withholding | | | | | \$2,322.05 |
| Payroll | MSRS/HCSP | | | | | \$4,659.76 |
| | | | | | | \$27,907.76 |

EAST BETHEL CITY COUNCIL MEETING

SEPTEMBER 21, 2016

The East Bethel City Council met on September 21, 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 September 21, 2016, City Council meeting was called to order by Mayor Voss at 7:00 p.m.

2.0 Pledge of Allegiance The Pledge of Allegiance was recited.

3.0 Adopt Agenda **Harrington stated I'll make a motion to adopt tonight's agenda. Under the Consent Agenda, I'd like to add Item F., Supplemental Payment Summary. Koller stated I'll second. Voss asked any discussion? All in favor? All in favor. Voss asked opposed? Hearing none, that motion passes. Motion passes unanimously.**

4.0 Presentation Due to the absence of Sergeant Shrimp, this report was not presented.

4.0A
Anoka
County
Sheriff's
Report

4.0B
Heart Safe
Program

Firefighter and Heart Safe Lead Troy Lachinski provided a presentation related to the City's Heart Safe Program, advising Sudden Cardiac Arrest (SAR) is the #3 killer of Americans, almost equaling deaths related to all types of cancer combined. It is the #1 killer at home and work and the school grounds, killing thousands of Americans daily and 4,000 Minnesotans each year. In addition, the survival rates are low and due to HIPPA laws, it is rare for a first responder to meet a survivor. Lachinski introduced Coon Rapids Police Officer Brian Platz a Heart Safe Champion and inspiration for the City's program, which was patterned after the Coon Rapids Heart Safe Program. He also introduced recently retired paramedic Paul Mendoza and owner/operator of Advanced First Aid and supporter of the City's program.

Lachinski described the June 19, 2016, response to a medical call for Greg Stewart, a 46-year-old male who was under SAC and survived due to his daughter's action of chest compression and the ESM Team's response.

Allina Health and Emergency Medical Service Ambulance Operation Manager Bruce Hildebrandt, Coon Rapids Officer Platz, and Paul Mendoza distributed Life Saver Awards and Savior Coins, which are awarded to people involved in a SAC save, to the following: Allina Clinicians Don Schulte and Christian Robinette; East Bethel Firefighters Mark

4.0B
Heart Safe
Program

Duchene, Adam Arneson, Dan Berry, Doug Doebbert, Andrew Dotseth, Tammy Gimpl, Kyle Howard, Ronnie Lammert (not present), Dan Meinen; Anoka County Deputies Chris Yantos, Tom Kvam (not present), Matt O'Connor (not present); and 911 Dispatchers Tanner Ess (not present); Anoka County Fire Dispatcher Andie Sherek; and, Allina Dispatcher Naz Gurel. Recipients were congratulated by the Mayor and Council and the audience responded with a round of applause. Lachinski introduced Greg Stewart's daughter, Katie Stewart, who was also congratulated by the Mayor and Council and received a round of applause.

Lachinski stated this was a true team effort, as can be seen by all who were involved with this save, noting that not any one person could have done this job themselves. He stated these agencies are working together on a daily basis, take hundreds of calls per year, and at least one call per day. Lachinski noted that a lot of things happened right on June 19, 2016, and everybody played their part in saving Greg's life. He described how the call is routed and dispatched, noting Allina Dispatcher Gurel did something extraordinary determining, by talking on the phone to the family, that this was a serious issue and possible SCA and instructed Katie Stewart to do chest compressions. He stated when Katie was 12 years old, she had training at a babysitting class in how to administer chest compressions, remembered that training, knew what to do, and as a result there was a good outcome. Those compressions kept oxygen flowing through Greg's blood, pumping oxygen to his vital organs and buying time for help to arrive. When the responders arrived, they took over, it was a group effort, and everybody played a part. The firefighters and Sheriff's Deputies did pit crew CPR where many were involved to assure no one became too tired and consistent care is given. Lachinski stated he is very proud of all involved. He then introduced and invited Greg Stewart to step forward.

Greg Stewart stated while not a public speaker he knows words are not enough to express his thanks and gratitude to everyone who had a part in saving his life. He stated this is difficult to talk about, noting SCA does not discriminate and it can happen to anybody, any age, at any time, and anywhere. He stated he had the pleasure of enjoying a motorcycle run last weekend and it happens that one of the responders was also on that run. Stewart stated when talking with these responders, they reply, 'Well Greg, it was just our job.' He noted what a thankless job because after all that training and hard work they say he is the big deal when it is actually the responders who are the big deal. Stewart stated through saving his life, they have given him the opportunity to once again hug his wife and daughter, and hold his grandbaby. He stated words alone cannot express the thanks he has for everyone on this team and his appreciation for the sacrifices they make to be on that winning team. Stewart stated the only way he can repay them is to wake up every day, thank God, and pray for them for giving him another opportunity to live life and be a better person, the best neighbor, husband, father, grandpa, and so on. Stewart stated he is extremely proud to live in a community that has a team like this, of which he is proud and honored and feels safe.

Lachinski announced the October 2, 2016, SCA event at Hidden Haven from 1-6 p.m. Heart Safe East Bethel will be on hand to offer free by-stander CPR and AED use training. Their goal is to train at least 100 people that day. He encouraged everyone to learn CPR, noting you will be surprised at how easy it is to save a life. He stated to-date, the program has trained over 2,000 people and continues that training to all residents and groups.

Voss stated this is why the Council so strongly supports the Heart Safe Program. He and the Council thanked all involved.

4.0C
East Bethel
Fire
Department
Report

DuCharme stated that was a moving presentation and thanked all of the firefighters, responders, and public safety personnel. He announced the October 6, 2016, Fire Department Open House and encouraged all to attend. He reminded the Council of the Chili Contest and the October 15, 2016, training burn in the Coon Lake Beach area. Due to the density, they will conduct a walk through inspection and put out notifications to the area.

DuCharme presented the August 2016 Fire Department Report, stating they responded to 54 call with 70% being medical related. Of the 38 medical calls, 31 were transported by Allina. He reported some fires did cause limited damage, one involving a gas dryer. He reminded everyone to clean their dryer vent at least once a year to prevent potential of a fire. DuCharme stated other fires involved a well pump, gas leaks, and lightning strike. He also reported on inspections of five businesses and work on plan reviews.

Harrington apologized to residents about his statement that the tanker would be at the Open House, noting delivery has been delayed to mid-October. DuCharme stated it may be possible to pick up the tanker by October 5th but the truck will only be at the Open House if it is 100% ready. He explained that it takes about one year to get a fire truck and once received, the old Station #1 tanker will be retired.

Mundle asked if there are any fire hazards during the fall season that citizens should know about. DuCharme responded the fire hazards that coincide with Fall are related to dryness and that will come at some point, closer to freeze up. He asked residents to assure their chimneys are clean, ashes are properly disposed, and CO alarms have fresh batteries and are working, especially if using wood furnaces/fireplaces.

DuCharme stated Fall is also a good time for recreational fires, noting they are to be no larger than three feet wide by three feet high and not for burning trash and yard waste. He encouraged residents to talk to their neighbors before lighting the fire in case smoke bothers them and they want to close their windows.

**5.0
Public
Forum**

CST Update

Troy Strecker, 23673 Baltimore Street NE, stated he was at the last meeting to ask about the CST application and once home he thought of a few more questions. He stated tonight's agenda includes a planning discussion and he wondered if there was any clarification on the City's or Planning Commission's intent to allow CST if they decide to pursue their application. He stated it sounds like the City is considering whether to rezone that property for everything that CST is proposing.

Voss asked about the net effect on an active application, such as CST, should the City change its ordinance. City Attorney Vierling advised the application has already been received by the City earlier in the year so should an ordinance change comes thereafter, from that perspective, the applicant has an opportunity to continue with its application if he wishes to do so. He explained the City has an opportunity to consider an ordinance change but it may not necessarily be controlling.

Strecker stated he understands and realizes that the changes would be going forward but in his opinion, the City, Council, and Planning Commission have the right to deny the application request even if it was received before an ordinance change. Voss stated the Council will have that ability when it comes before the Council for consideration.

CST Update

Strecker asked whether, technically, this application has not come before the Council because the City has not heard anything from CST. Voss explained the CST application has not been on a Council agenda for consideration. CST is in the application process with staff and it has been discussed at several Planning Commission meetings but it has not come before the Council for deliberation, discussion, and decision. That is yet to happen.

Strecker asked whether, until CST furthers their application to go ahead, the Council does not do anything. Voss stated that is correct, and the outstanding item is the Environmental Assessment Worksheet (EAW) that CST is working on. Until that comes in, there is nothing for the Council to consider.

Harrington asked if the application expires at some point. Davis stated there is no time limit on the application. Vierling advised that the applicant has paid for and is processing the EAW that is required. During that process, while the application is technically suspended, they are entitled to complete that process and bring it back. When the EAW is complete, the applicant will file it with the City and if they wish to proceed, the City will review the EAW and the Council will then determine whether it is sufficient or whether it needs to go to an Environmental Impact Statement.

Strecker stated it sounds like if CST finds out the EAW goes against them, they might drop it and if they find out the EAW is okay with their use, they would probably pursue it. Vierling stated it is entirely up to CST what they do. Striker stated he understood and thanked the Council.

**6.0
Consent
Agenda**

- Item A Approve Bills
- Item B August 17, 2016 City Council Special Meeting Minutes
- Item C September 7, 2016 City Council Special Meeting Minutes
- Item D September 7, 2016 City Council Minutes
- Item E September 9, 2016 City Council Special Meeting Minutes
- Item F Supplemental Payment Summary

Harrington stated I'll make a motion to adopt tonight's Consent Agenda. Mundle stated I'll second. Voss asked any discussion? All in favor? **All in favor.** Voss asked opposed? Hearing none, that motion passes. **Motion passes unanimously.**

**7.0
New Business**

Commission, Association and Task Force Reports

7.0A
Planning
Commission

None.

7.0B
Economic
Development
Authority

None.

7.0C
Park
Commission

None.

7.0D
Road
Commission
7.0D.1
Fillmore St.
Paving
Project

Davis presented the staff report, indicating the City plans to construct a service road from 187th Lane and Buchanan Street to Viking Boulevard via 189th Avenue and Taylor Street. The service road will upgrade a portion of 189th Avenue from a gravel road to paved MSA standards. Fillmore Street is an unpaved cul-de-sac with a length of 700' that connects with the portion of 189th Avenue that is scheduled for improvement. A number of residents along Fillmore Street have expressed an interest in having this road paved. Davis stated the residents of this neighborhood were invited to the Roads Commission on September 13, 2016, to comment on including the paving and possibly utility extension of this street with the Service Road Project. Of the six property owners that are served by Fillmore Street, four were present and none had any major objections to the paving and some form of assessment to pay for the work.

Davis noted there is a potential for cost savings of this improvement by combining it with the larger project of the service road and a need to pave this street to compliment the larger project. Per the City's procedure for requesting paving of gravel surfaced roads, residents are required to petition the City to indicate support of the improvement. As this request will involve drainage improvements and the costs will be higher than a "shape and pave" project, the costs of this work will be specially assessed to the benefiting property owners. Davis referenced Attachment 6 that outlined the steps to imitate and complete the petition process. Two thirds of the residents at the Roads Commission signed a petition to request a feasibility study for costs and design of the project and the Roads Commission voted to recommend the petition be presented to City Council.

Davis stated the City Engineer has prepared the costs as reflected in Attachment 3, and the City Council is requested to order a Public Improvement Hearing at the October 5, 2016, City Council Meeting. If there is a good majority, the Council will find the improvement necessary and direct the City Engineer to include Fillmore Street as part of the road construction/paving bids for the Service Road Project. Upon bids being received, the Council would set a Special Improvement Hearing and with the input of the residents to determine if there is still an interest on their part in moving forward, Council would approve the levy of the special assessment, award the bid, and proceed with the improvement. The estimated cost for the street construction/paving portion of Fillmore Street is \$71,371.

Davis review previous City policy to participate in some degree in paving projects for unpaved roads by assuming the costs for the Class V base material, replacement of culverts, ditch work and associated costs with these items as they are essentially maintenance items that would have been performed regardless of the paving consideration. It has also been past policy to base allocation of the assessment on a per lot basis. Davis explained if this policy were continued the estimated costs to the residents would be the paving portion of the project, \$29,280. The balance of the costs, less those amounts that would be covered by the economy of scale of the overall project, should not exceed \$37,120. The City's share of the cost would be paid from the City's Street Capital Fund and would be included in the 2017 Streets Capital Improvement Plan. The City would realize additional savings in reduced maintenance costs of a paved road as compared to a gravel road over the life of the project. Staff recommends that City Council consider the order of a Public Improvement Hearing on October 5, 2016 for the Fillmore Street Paving Project.

Davis stated of the six residents served by this road, four are present tonight. Staff has spoken with the other two residents. Davis read a prepared statement from Wayne Peterson, 1045 189th Avenue, stated he was not interested in having Fillmore Street paved but was interested in subdividing his property or selling it to a developer if City utilities are

7.0D.1
Fillmore St.
Paving
Project

extended. Peterson understood that if subdividing or selling his property, he would benefit from the paving of Fillmore Street.

Davis stated Jake McCarty, 18915 Fillmore Street NE, exchanged several e-mails with him, he met with him personally, and McCarty submitted a written statement since he could not attend tonight's meeting. Davis read McCarty's statement indicating he would not like to see Fillmore Street paved as the dead-end gravel road was a selling point for him and his wife and he has no issues with dust from the gravel road. McCarty felt to be forced to pay for paving Fillmore Street would be unfair as they don't even use. Instead, he suggested the paving start at his north property line and go to the dead end.

Ronning stated move to order of a Public Improvement Hearing on October 5, 2016, for the Fillmore Street Paving Project. Harrington stated I'll second. Voss asked any discussion?

Harrington asked whether the four residents in attendance are on board with this paving project. Davis stated they did indicate an interest during the Road Commission discussions but signing the petition, at this point, does not commit them to anything. The City Engineer will determine the cost, the project will be bid, and then another public hearing will be held to give benefiting property owners the opportunity to decide whether they want to participate. Davis stated from his conversations with these four property owners, they have indicated they are interested in the paving portion of this project.

Voss asked any other discussion? To the motion, all in favor say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

7.0D2
Fillmore St.
Utilities
Extension

Davis presented the staff report, indicating the City plans to construct a service road from the intersection of 187th Lane and Buchanan Street to Viking Boulevard via 189th Avenue and Taylor Street. The service road will upgrade a portion of 189th Avenue from a gravel road to paved MSA standards. Fillmore Street is an unpaved cul-de-sac with a length of 700 feet that connects with the portion of 189th Avenue that is scheduled for improvement.

Davis noted that a number of residents along Fillmore Street have expressed an interest in having this road paved. Should the paving of this road be included in the Service Road Project, installation of some form of water and/or sewer service should be paired with the paving project to minimize future impact of damage to the road and decrease the cost of this service. A proposal for the extension of the utility service at the time Fillmore Street is paved was discussed with four of the six residences served by this street at the September 13, 2016, Roads Commission meeting. In addition to the paving, residents expressed an interest in the utilities, pending additional information as to costs and method of assessments. Should the residents petition for provision of water and sewer services along with the paving of Fillmore Street, the procedure is outlined in the City of East Bethel Special Assessment Policies is included in Attachment 5, 7.0 D.1.

Davis explained if there is a petition for water and sewer service, the costs for both are estimated to be \$184,216. Assessments can be assigned in a variety of ways and costs of assessments to owners could range from \$31,000 to \$78,000 depending on the assessment process most appropriate for this situation. Davis described options for the utilities service for Fillmore Street and the costs of each as detailed in Attachments 3-6. It was noted that options for assessments would be determined once a decision is made regarding which service extension plan is selected.

7.0D2
Fillmore St.
Utilities
Extension

Davis displayed slides depicting several options for the proposed utility extension, locations of service connections, extension of the sewer line, and the costs for each. He explained there are a lot of ways to assess these improvements and it will depend on the Council's policy and position for deferred assessments, noting some of the assessments could range from \$18,000 per lot to \$30,000 per lot depending on development potential and whether assessed on a per lot or REU basis. Davis stated if the residents are interested in utility service, he would recommend further Council discussion of the options.

Voss stated this is the first instance with utilities where it is adjacent to a residential area and with the consideration and construction of the road, it is easy to see that utilities should be extended prior to building the road. He noted this is a new consideration for the City so there is need to assure due diligence and evaluating whether this project benefits the City and property owners. He asked whether staff talked with property owners about the utility aspect. Davis answered it was briefly discussed and there was interest in further discussion and information on the assessment method and cost. He recommended including the water and sewer as part of the project specifications.

Voss stated with the utilities (water and sewer), one can be done without the other. Davis stated options have been presented so now the City needs to define the costs, and the Council will need to decide on the assessment method to minimize the impact. Mundle asked if both sewer and water are extended, would the existing property owners be required to connect or would the services be stubbed to the lots. Davis stated the Council will have to make that determination, noting the City does have a policy that residents are not required to connect unless they petitioned for the service. Another option is to defer the assessments.

Voss stated the Council has never been of the opinion that residents would be forced to connect. Mundle stated in other communities, 30% of the landowners on a particular street want it, then everybody on that street is going to get it whether or not they want it. Davis stated in this case, Our Saviors Church will connect because they are a non-residential use and required to do so.

Ronning stated move to direct staff to prepare assessment options for review regarding the selected service plan along Fillmore Street. Koller stated I'll second. Voss asked any discussion? Hearing none, to the motion all in favor say aye? All in favor. Voss asked opposed? That motion passes. Motion passes unanimously. Davis stated this item will be before the Council for its next meeting and residents will be notified of the Public Hearing on the potential road assessment.

Rick Cournoyer, 19007 Fillmore Street, asked the Council if they're talking about assessing it as it is now or chopping it up into parcels, which would be the best way for him to be assessed. Voss explained the Council will be getting that information and having a discussion before making that decision.

Davis explained there are numerous methods to base the assessment, such as by the front footage, development potential, area, gross area, adjusted area, number of lots. Staff will look at those options and determine what would be best for residents to spread the cost and minimize the impact. Ronning stated the Council just asked for detailed information that would address those questions. Davis asked Mr. Cournoyer to call him if he'd like to talk it over with staff.

8.0
Department
Reports
8.0A
Community
Development
8.0A.1
Zoning Ord.
Amendments

Davis presented the staff report, indicating at the September 7, 2016, Special City Council meeting, a discussion took place regarding proposed changes to sections of Appendix A, Zoning Code. He described the discussion of the Planning Commission at their May and June meetings, and at their regular meeting on July 26, 2016, during which it held a public hearing to further discuss proposed changes to Appendix A, Zoning Code. The City Council reviewed and discussed a preliminary proposal for changes at their June 8, 2016, Work Meeting. Davis explained the proposed revisions represent a culmination of those discussions and include changes to the following sections: Section 48, Light Industrial District; Section 24, Exterior Storage; Section 23, Screening; and, Section 9 - Definitions

Davis stated the proposed changes would not alter any Light Industrial zoning designation, but would align the standards of the Zoning Ordinance with the objectives and intent of the 2008 - 2018 Comprehensive Plan. At the time discussions related to the Comprehensive Plan update commence in 2017, other categories for industrial use, transition industrial, and/or mixed use industrial/commercial may be considered as part of revisions to the Code during that process.

Davis indicated the City is of the opinion that amendments are needed to this section of the Zoning Ordinance to remove the existing ambiguities that currently permit many uses that are not consistent with the Comprehensive Plan. The proposed revision is viewed as temporary until a final review could be performed during the 2017 - 2018 preparation of the Comprehensive Plan. This change would provide interim protection from uses which may be inconsistent with the Comprehensive Plan and beyond the intended goal of this portion of the Ordinance.

Davis presented Attachments 1, 2, and 3, as detailed in the staff report, which reflected proposed changes per direction by City Council at its Special Meeting on September 7, 2016. He stated staff recommends that City Council consider approval of the changes to Appendix A, Zoning Ordinance Sections 48, 24, 23, and 9 as detailed in Attachments 1-4.

Mundle stated make a motion to approve the changes to Appendix A, Zoning Ordinance Sections 48, 24, 23, and 9 as presented in Attachments 1-4. Koller stated I'll second. Voss asked any discussion?

Ronning stated the Council has seen the definitions including all the additions and asked Davis to explain the effects of these changes. Davis stated they provide better clarification for those uses and in some cases, are added to the section of definitions to clarify inconsistencies. Ronning asked if some are prohibited. Davis answered in the affirmative and stated motor vehicles were prohibited in Light Industrial Districts and the definition of exterior storage was tightened and limited to the rear yard without exceeding the square footage of the physical building within that district. He explained that with the case in point, the applicant previously looking to build a 30,000 sq. ft. structure wanted 15 acres of exterior storage, which is quite excessive.

Ronning stated auto salvage yard was eliminated as well as impound lots and slaughter houses and truck/motor freight are prohibited. He stated he imagines 'municipal facilities' means the City. Davis explained that municipal facilities would be permitted and include uses in certain Industrial Districts such as fire stations.

Voss asked any other discussion? Hearing none, to the motion, all in favor say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

8.0B
Engineer

None.

8.0C
City Attorney

None.

8.0D
Finance

None.

8.0E
Public Works

None.

8.0F
Fire
Department

None.

8.0G
City
Administrator
8.0G.1
WSB
Contract

Davis presented the staff report, indicating that on July 27, 2016, the City Council conducted interviews with four firms that submitted proposals for the City Comprehensive Plan Update. At the August 17, 2016, City Council meeting, WSB and Associates, Inc. was selected as the firm of choice and staff was directed to commence negotiations on the terms of a contract. He stated staff met with WSB on August 25, 2016, and presented the expectations of the City and discussed the scope of work, responsibilities of the parties, means and schedules of public engagement and fees for service. Then, at a Special Meeting on September 9, 2016, the City Council and Staff met with WSB and concluded the contract negotiations. The contract is presented to Council as Attachment 1 in the meeting packet. The City Attorney has reviewed the contract and his comments were included in the proposal.

Davis presented the costs for the WSB contract services at \$46,000. In addition to the contract with WSB, the City will also retain Hakanson Anderson, the City Engineer, to complete portions of the Comprehensive Plan at a cost of \$10,000. Total contracted services for consultants for the Comprehensive Plan are \$56,000. Davis reported the City will receive a grant of \$32,000 from the Metropolitan Council for the Plan update costs and \$30,000 has been included in the 2017 Preliminary Budget for this activity so committed funds available at this time are \$62,000. Staff recommends that City Council consider approval of the contract proposal with WSB and Associates, Inc. for consultant services for the 2018-2028 Comprehensive Plan.

Harrington stated I'll make a motion for approval of the contract proposal with WSB and Associates, Inc. for consultant services for the 2018-2028 Comprehensive Plan. Mundle stated I'll second. Voss asked any discussion? Hearing none, to the motion all in favor? All in favor. Voss asked opposed? That motion passes. Motion passes unanimously.

8.0G.2
Stepping
Stone
Funding
Request

Davis presented the staff report, indicating Stepping Stone Emergency Housing (SSEH) is a non-profit organization that serves single homeless persons 18 years and older from Anoka County. They operate a 60 bed facility that is located in Anoka. Julie Jeppson, Development Director for SSEH, made a presentation to City Council on September 2, 2015, that outlined the mission of SSEH and requested funding in an amount to be determined by City Council. Last year, City Council took no action on this request. Davis explained that this funding request was received on September 7, 2016, the date our 2017 Preliminary Budget was

8.0G.2
Stepping
Stone
Funding
Request

approved. As the 2017 Preliminary Budget was submitted to Anoka County on September 8, 2016, the preliminary levy amount cannot be increased. Approval of this request would result in \$450 deducted in whole or part from other portions of the budget. Staff is seeking direction from Council regarding the \$450 funding request from Stepping Stone Emergency Housing.

Voss stated I'll move we acquiesce to the proposal for a \$450 donation to Stepping Stone Emergency Housing. Mundle stated I'll second. Voss asked any discussion?

Mundle asked whether staff can find \$450 somewhere in the budget without having a big issue. Davis answered in the affirmative. Mundle suggested SSEH be given a timeframe should they want to make a funding request for next year's budget. Davis explained they had been informed last year that funding request needed to be received in May and he will make them aware of that again.

Voss asked any other discussion? To the motion, all in favor say aye? **All in favor.** Voss asked opposed? That motion passes. **Motion passes unanimously.**

8.0G.3
Employee
Recognition
Program

Davis presented the staff report, indicating at the September 7, 2016, Council Meeting the Employee Recognition Program was discussed. This program was approved in 2008, but has not been active since 2010. Council directed staff to research other City's employee recognition policies and programs and to seek input from City staff as to modification of the current program. City staff was polled to provide their thoughts and suggestions for an Employee Recognition Program and felt that recognizing employee's years of service was an important way of showing appreciation for their work and an Annual Appreciation Event was a means to incorporate this in the Program. Staff was, also generally, in favor of eliminating the tangible gifts award and in its place grant a day off as part of milestone recognition. Staff believes that the proposed modifications to the Program are improvements as it takes into account employee recommendations, provides a policy that is simpler to administer and track, and is budget neutral.

Davis noted although the proposed modifications in the program address the City's full-time staff, it does not address the Paid on Call (POC) Fire Department staff. Staff recommends that a separate recognition policy is created for the POC staff and work with the Relief Association to draft a recommendation to Council. This has been discussed with Fire Chief DuCharme and he mentioned it at the last Relief Association Meeting so they will be working on that policy.

Davis stated staff is seeking direction from City Council as to continuation and/or modification of this program. Of the cities staff checked with and received responses, Cambridge and Ham Lake currently have a program similar to the City's existing program that recognizes employees at 5-year intervals and provides some type of gift awards.

Ronning stated I'll move the continuation of this Program. Koller stated I'll second. Voss asked any discussion? Voss asked Ronning what is meant by 'continuation' of the Program. Harrington noted the Program was never started. Ronning stated staff is seeking direction from City Council as to continuation and/or modification of this Program. The motion is to continue what staff is working on. Davis explained the only recommendation of staff related to certain 5-year intervals when there was a gift award that increased in value as the years went on. Personally, he is uncomfortable with that and preferred a budget neutral recognition. Staff felt that in lieu of a gift, a day off would be much more

8.0G.3
Employee
Recognition
Program

appreciated. Voss asked if that came up through a discussion with staff. Davis answered in the affirmative.

Voss clarified the motion made and seconded is to continue the Program passed by the Council in 2008 and staff is suggesting a change to that Program. Davis stated staff is suggesting to keep the intervals the same but eliminate the gift award from that Program and in lieu, grant that staff person a day off. **Ronning stated move to amend the current motion to direct staff to continue, as mentioned by the Administrator, with five-year increment awards of some sort and possibly a day off on that anniversary.** Voss stated to clarify the amendment, it is **to go along with staff's recommendation and provide one day off at five year increments. Ronning stated that is correct. Koller seconded the amendment motion.** Voss asked any other discussion?

Mundle asked whether, with the hiring dates of staff, there would be any conflict with many staff members taking a day off within the same year. Voss asked that this discussion occur after voting on the amendment. Voss asked any other discussion to the amendment? Hearing none, all in favor of the amendment say aye? **All in favor.** Voss asked any opposed? That amendment motion passes. **Motion to amend passes unanimously.**

Mundle stated it may be a far-reaching scenario but asked if there could be a conflict with too many staff members taking their day off at the same time. Davis stated that is not an issue because time has to be approved for the day off and it would have to be taken within the anniversary year, not the anniversary day, so it could not carry over or accumulate. Also, the City does not have that many staff members so Davis doubted it would be a conflict. Ronning stated his experience is that a fire-year award of some sort, sometimes is a button or pin, and as you accumulate more seniority, larger gifts, such as a clock, are given. Ronning stated in this case, the City is talking about recognition on the anniversary date and at some point an approved day off.

Davis stated the City has a number of employees that have hit several of these milestones so he would like to do a retroactive event for them and come before the Council to receive, perhaps, a certificate of recognition for their previous service.

Voss clarified this is consideration of a day off with pay. Davis answered in the affirmative. Voss asked if there are considerations with the union contract for doing this. Ronning asked if it wouldn't be the equivalent of company policy. Vierling advised that typically recognition programs go across the board without distinction in terms of treating union employees different than non-union. Voss stated he was more concerned whether the union had an issue with it. Vierling advised there shouldn't be an issue with it. Ronning stated it shouldn't be a bargaining issue, it should be a policy matter. Vierling explained the City wouldn't make it part of the contract because then it would become a right. This would be a policy on recognition of employees that is free for future Councils to change as they saw fit.

Voss stated his bigger question, as this is geared toward City Hall and maintenance staff, and asked how it would apply to the Fire Department. He noted the Fire Department is having a separate discussion and it was considered on Monday night that it needs to be a separate type of recognition as it is from within. But his concern is that the Council also makes recognition of firefighters when those anniversary dates are reached. Davis stated that was the intent in having the Fire Department creating their own recognition program as it would reflect their individual differences between paid-on-call firefighters, volunteers,

8.0G.3 Employee Recognition Program and City staff. But, ultimately, all the recognition would come before the City Council. Voss agreed, noting it would do no good to give a volunteer a day off. Davis concurred that would not be a consideration for the Fire Department. Voss asked Davis if he was working with Chief DuCharme to assure the two programs sync in terms of recognition. Davis answered in the affirmative and stated his expectation it will be hammered out within the next 30 days.

Voss asked any other discussion? Hearing none, to the amended motion, all in favor say aye? **All in favor.** Voss asked any opposed? That amended motion passes. **Amended motion passes unanimously.**

9.0 Other

9.0A Staff Reports

Davis announced the City of East Bethel will be open for absentee ballots on Friday during normal business hours, the Saturday before the November 8th election date, and until 5 p.m. on November 7th. Anyone wishing to do absentee balloting can do so during those times. It was noted that Anoka County has already received quite a few requests.

Absentee Ballots

Davis reported the Castle Towers Wastewater Treatment Plan Decommissioning is nearly complete and the only thing left is the scrap from the clarifier tank that will be removed and the site cleaned by Friday. The County Road 26/229th Avenue overlay project is proceeding and should also be completed by the end of the week.

Castle Towers

CR 26/229th Overlay

Voss stated that road is awesome compared to what it used to be. The Council agreed.

Meet the Candidates Dates

Harrington asked about the dates for Meet the Candidate. Davis stated the Chamber of Commerce and East Bethel Seniors will co-sponsor Meet the Candidates on October 26th starting with a social at the Senior Center from 6 to 7 p.m. followed by a question/answer time in the Council Chambers from 7 to 9 p.m. The East Bethel Seniors will conduct their own Meet the Candidates on October 20th at their 10 a.m. meeting. The Coon Lake Beach Community Center is still interested in having a Meet the Candidates event and while that date has not yet been set, it will likely be November 1st.

Voss stated there will also be a joint Ham Lake/East Bethel Meet the Candidates event that will be open to the public on October 11th.

9.0B Council Report – Member Harrington

None.

Council Member Ronning

None.

Council Member Koller

None.

Council Member Mundle

Mundle reported on his attendance at the Connect 17 meeting and stated the projects spurred from the Business Retention & Expansion Program are being taken very seriously and will spur good results for the City. He stated two representatives each from Century Link and Mid-Continent were in attendance, showing they have good interest. He noted this improves communication between the companies and the cities, and it was mentioned

Connect 17

Connect 17 that when projects are going through the City, they are notified at such a late date that it is hard for them to install some of their equipment. They mentioned some cities require a one-trench system for utilities to take advantage of and reduce installation costs.

EDA Meeting Potential Project Mundle reported on the EDA meeting and the Greater MSP announcement that a business is looking to locate somewhere in the region, potentially with a \$256 million investment in a structure and over 700 employees. East Bethel has three potential building sites of 30-60 acres and should be able to fulfil the rest of their requirements for water, electric, etc. So, the EDA directed the City Planner to submit a proposal to that request. He noted it may be a long shot that East Bethel could attract this company, but if you don't try, you won't win. In addition, it's a good exercise for future MSP requests.

Upcoming Events Mundle stated East Bethel will be participating in two upcoming events. Anoka County commercial realtors will be hosting an event at the National Sports Center in Blaine and East Bethel will submit three publicity slides for that presentation. Also, East Bethel will participate in the upcoming MNCAR Expo and should get regional exposure to realtors and developers and potential development investors.

Mayor Voss St. Andrews Carnival Voss reiterated his pleasure with the Heart Safe presentation during tonight's meeting and having the community come together. He reminded residents that this Saturday is St. Andrews Carnival from 12 noon to 4 p.m. at Coopers Corner and he will be in the dunk tank at that event.

9.0C Other None.

10.0 Adjourn **Harrington stated I'll make a motion to adjourn. Mundle 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.**

Meeting adjourned at 8:35 p.m.

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

City of East Bethel - Utility Past Due Amounts at 9/30/16

Utility Billing Delinquencies

| Name | Address | Zip | PIN | Utility Due | Certification Charge | Interest 18% from 1/1/17 | Total Certified | Annual Interest Rate | Term |
|-------------------------|----------------------------|-------|------------------|-----------------|----------------------|--------------------------|-----------------|----------------------|--------|
| ROGER'S ROD & CUSTOMS | 18689 BUCHANAN ST NE | 55113 | 32-33-23-21-0003 | 215.70 | 70.00 | 38.83 | 324.53 | N/A | 1 year |
| DOUGLAS FLAHERTY | 1056 243RD CIRCLE NE | 55005 | 29-34-23-22-0113 | 80.37 | 70.00 | 14.47 | 164.84 | N/A | 1 year |
| RICK HAMMARGREN | 24161 WHISPERING CIRCLE NE | 55005 | 29-34-23-23-0187 | 82.91 | 70.00 | 14.92 | 167.83 | N/A | 1 year |
| ANNA BRATSCH | 1050 243RD CIRCLE NE | 55005 | 29-34-23-22-0114 | 85.85 | 70.00 | 15.45 | 171.30 | N/A | 1 year |
| LISA DEMARAIS | 1153 PIERCE PATH NE | 55005 | 29-34-23-22-0133 | 89.74 | 70.00 | 16.15 | 175.89 | N/A | 1 year |
| MARK & BRANDI RUBISCHKO | 24177 PIERCE ST NE | 55005 | 29-34-23-23-0194 | 114.01 | 70.00 | 20.52 | 204.53 | N/A | 1 year |
| TIMOTHY MILNE | 24140 PIERCE ST NE | 55005 | 29-34-23-23-0188 | 119.89 | 70.00 | 21.58 | 211.47 | N/A | 1 year |
| CHRISTOPHER KINSEY | 1026 244TH AVE NE | 55005 | 29-34-23-22-0100 | 179.31 | 70.00 | 32.28 | 281.59 | N/A | 1 year |
| MARTIN HAUGE | 24323 FILLMORE CIRCLE NE | 55005 | 29-34-23-22-0127 | 181.68 | 70.00 | 32.70 | 284.38 | N/A | 1 year |
| TERRY OSTLUND | 1065 243RD CIRCLE NE | 55005 | 29-34-23-22-0116 | 208.47 | 70.00 | 37.52 | 315.99 | N/A | 1 year |
| KRISTIN FLEMING | 1074 243RD CIRCLE NE | 55005 | 29-34-23-22-0111 | 849.31 | 70.00 | 152.88 | 1,072.19 | N/A | 1 year |
| PILAR ROWLETTE | 1142 243RD LANE NE | 55005 | 29-34-23-22-0124 | 330.55 | 70.00 | 59.50 | 460.05 | N/A | 1 year |
| MARCUS SCHUNEMAN | 24235 FILLMORE CIRCLE NE | 55005 | 29-34-23-23-0170 | 1,073.73 | 70.00 | 193.27 | 1,337.00 | N/A | 1 year |
| | | | | 3,611.52 | 910.00 | 650.07 | 5,171.59 | | |

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

RESOLUTION NO. 2016-49

**PRELIMINARY CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY AUDITOR
FOR COLLECTION WITH 2017 PROPERTY TAXES**

WHEREAS, East Bethel Code of Ordinances, Chapter 74, Sec. 74-126 (b) provides for the collection of unpaid utility bills through the property tax system; and

WHEREAS, City Council must establish a certification cutoff date each year that will determine the appropriate certification amounts for delinquent accounts; and

WHEREAS, the attached list reflects the delinquent accounts greater than \$70.00 assuming a certification cutoff date of September 30, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT THE COUNCIL: That the following dates are set for delinquent accounts for 2016:

1. September 30, 2016 Certification cutoff date
2. November 2, 2016 Public Hearing date
3. November 15, 2016 Final Certification date

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL: That the attached list of delinquent accounts and amounts is hereby adopted and made part of this resolution to be certified to the County for collection with property taxes for 2017.

Adopted this 5th day of October, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven Voss, Mayor

ATTEST:

Jack Davis, City Administrator

Election Judge Roster
General Election November 8, 2016

Agenda item 6.0 D - October 5, 2016

This roster of Election Judges as attached to and made part of the City Council meeting minutes of October 5, 2016.

| | |
|----------------------------|--------------------------------|
| Barbara Behm | Head Judge – Precinct 1 |
| LeAnn Slanga | Assistant Head Judge |
| Jeanette Domogalla* | Election Judge |
| Audrey Wirkus* | Election Judge |
| Jeri Johnson | Election Judge |
| Radja Lohse | Election Judge |
| Thomas Schuler | Election Judge |
| Cheryl Holmes | Election Judge |
| Denise Lachinski† | Election Judge |
| Sandra Gertz† | Election Judge |
| Victoria Beech | Election Judge |

| | |
|---------------------------|---------------------------------|
| Bonnie Foyt | Head Judge – Precinct #2 |
| Judith Dalve | Assistant Election Judge |
| Kathleen Emond | Election Judge |
| Rhonda Scheiderich | Election Judge |
| Ray Domogalla* | Election Judge |
| Tricia Quale* | Election Judge |
| Ann Schiller | Election Judge |
| Ruth Dutchak | Election Judge |
| Barbara Bouljon | Election Judge |
| Robert Beech | Election Judge |

| | |
|---------------------------|--------------------------------|
| Jeanne Engelsmeier | Head Judge – Precinct 3 |
| Marlene Collen | Assistant Head Judge |
| Sharon Drake | Election Judge |
| Penelope Berens | Election Judge |
| Debra Melander | Election Judge |
| Michael Bloyer | Election Judge |
| Anne Kubat | Election Judge |
| Eldon Holmes | Election Judge |
| Patricia Anderson | Election Judge |
| Guy Johnson, Sr. | Election Judge |

*Judge scheduled for half-day (4)
†Awaiting scheduling confirmation (2)

Karen White

Alternate



City of East Bethel City Council Meeting Agenda Information

Date:

October 5, 2016

Agenda Item Number:

Item 7.0 D.1

Agenda Item:

Res. 2016-50, Ordering Preparation of Report and Calling Hearing on Improvement

Requested Action:

Approve Res. 2016-50, Resolution Ordering Preparation of Report and Calling Hearing on Improvement

Background Information:

A petition, from 66.7 percent of the property owners of the Tolzmann's Whispering Pines Plat, was presented to the City Council requesting that the City consider paving Fillmore Street NE from 189th Avenue NE to the north cul-de-sac. If Fillmore Street is paved it is assumed that it would be bid with the proposed service road project from 187th Lane to Viking Boulevard.

It is anticipated that a portion of the construction cost to pave Fillmore Street will be assessed to the benefited property owners per Minnesota Statutes, Chapter 429. Two steps in the assessment process include 1) preparation of a feasibility report on the improvement and 2) providing notice to the benefiting property owners regarding the hearing which will review the report. Per Minnesota Statutes, Chapter 429 the report will address whether the proposed improvement is necessary, cost effective, and feasible and whether it should best be made as proposed or in connection with some other improvements. The report will provide estimated costs of the improvement and a description of the methodology used to calculate individual assessments for affected parcels.

Fiscal Impact:

Project costs will be presented in the Feasibility Report.

Recommendation(s):

Staff recommends Council approve Res. 2016-50, Ordering Preparation of Report and Calling Hearing on Improvement.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

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

RESOLUTION NO. 2016-50

**RESOLUTION ORDERING PREPARATION OF REPORT AND CALLING HEARING
ON IMPROVEMENT**

WHEREAS, a certain petition, from 66.7 percent of the property owners of the Tolzmann's Whispering Pines Plat, requesting the improvement of Fillmore Street NE from 189th Avenue NE to 800 feet north of 189th Avenue NE has been presented to the City Council;

WHEREAS, the City Council will consider improvements to Fillmore Street NE from 189th Avenue NE to 800 feet north of 189th and assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL, MINNESOTA:

1. A certain petition requesting the improvement of Fillmore Street NE from 189th Avenue NE to 800 feet north of 189th Avenue NE is hereby declared to be signed by the required percentage of owners of property affected thereby.
2. The petition for proposed Improvement No. 2017-01 is hereby referred to the City Engineer and that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.
3. A public hearing shall be held on such proposed improvement on the 19th day of October, 2016 in the council chambers of the City Hall at 7:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 5th day of October, 2016 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Steven Voss, Mayor

ATTEST:

Jack Davis, City Administrator



City of East Bethel City Council Meeting Agenda Information

Date:

September 21, 2016

Agenda Item Number:

Item 7.0 D.2

Agenda Item:

Fillmore Street Utilities Extension Project

Requested Action:

Consider the Extension of Utility Service for Fillmore Street as an addition to the Phase I Service Road Project.

Background:

As part of the Phase I Service Road Project, a number of residents on Fillmore Street expressed an interest in the extension of water and sewer service for their neighborhood. All residents of this neighborhood were invited to a meeting on September 28, 2016 to discuss the details of a proposed service extension. Four of the six residents attended the meeting and alternatives for assessments were presented for their review.

Upon review of the costs of the projects, all four residents in attendance stated they had no further desire to pursue this matter. One resident, who was absent, submitted an e-mail objecting to the extension of the service.

Estimates for providing water and sewer service ranged from \$34,500 to \$61,600 depending on the method of assessment. These costs include SAC and WAC fees.

Unless there is a reconsideration of this matter, the installation of residential service stubs for those lots fronting 189th Ave. and 8" water and sewer stubs at the intersection of 189th Avenue and Fillmore Street will be the only utilities provided for the Fillmore Street neighborhood (Attachment 1). As these stubs are for future connections, they will be included within the project costs for the Service Road Utilities bid.

Attachments:

- 1) Utility Service Connections for 189th Avenue

Fiscal Impact:

As noted above

Recommendation(s):

Due to a lack of petition for the extension of water and sewer service for that portion of Fillmore Street north of 189th Avenue, Staff recommends that Council consider utility extension along this street as part of the Phase I Service Road Project be concluded and not part of this project.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

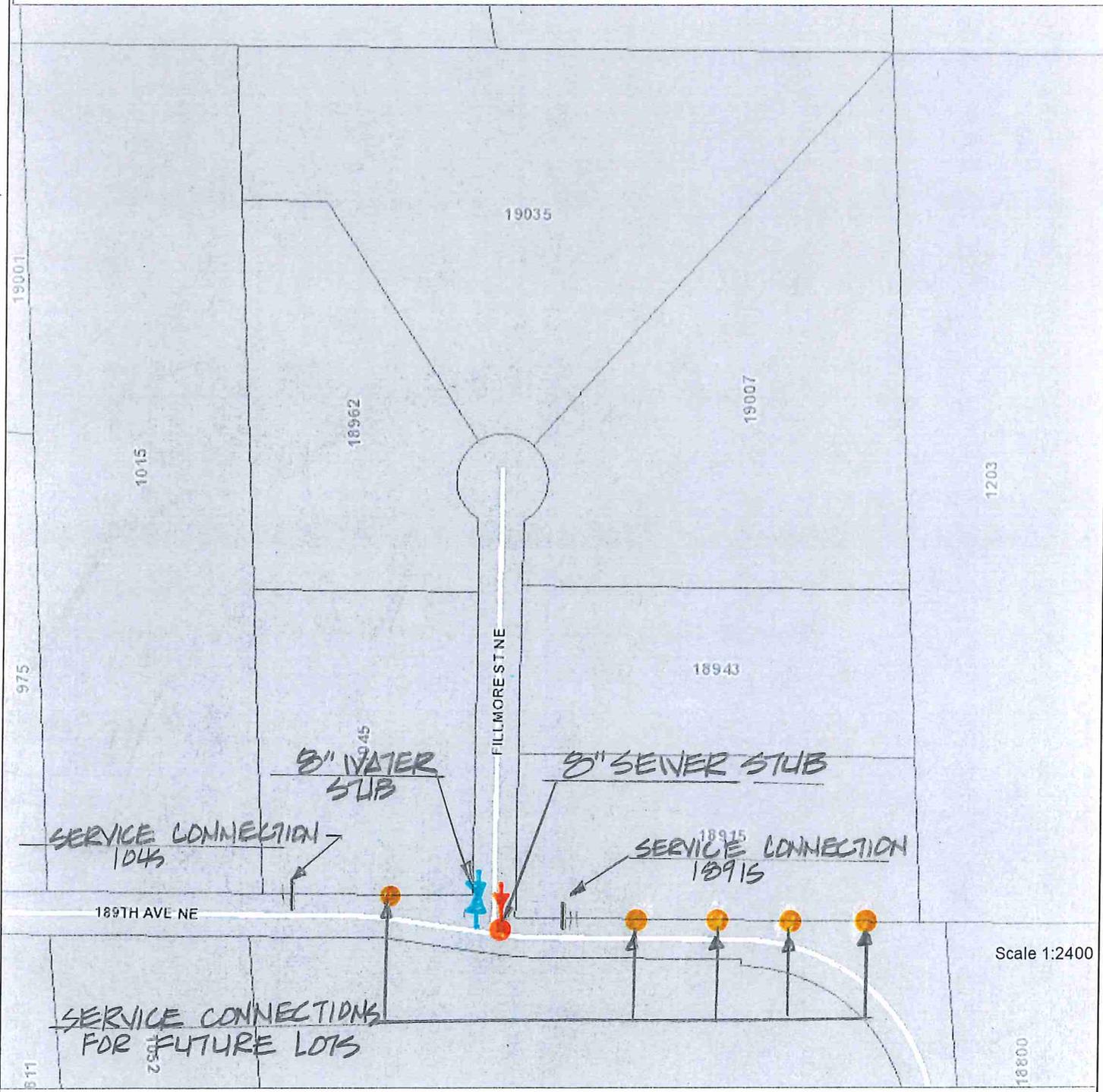
Vote No: _____

No Action Required: _____



Attachment - 2

UTILITY OPTIONS-SERVICE STUBS & FUTURE CONNECTIONS



Aerial Photo: Flown Spring of 2014





City of East Bethel City Council Meeting Agenda Information

Date:

October 5, 2016

Agenda Item Number:

7.0 D.3

Agenda Item:

October 11, 2016 Roads Commission Meeting

Requested Action:

Information Item

Background Information:

The Cities of East Bethel and Ham Lake have been working with MnDOT to develop a Hwy 65 Access Management Plan. The goal of this project is to identify intersection issues and points of access conflict that reduce the traffic load capacity and create safety issues along Hwy 65 between Bunker Lake Boulevard and 245th Avenue.

One of the primary issues that the plan will address are improvements at the intersection of Viking Boulevard and Hwy 65. Alternatives that are being considered include:

- Installation of opposing dual left turn lanes on Viking Boulevard
- Displaced left turns
- Separated grade intersection
- Reduced conflict intersection (“Superstreet”/Signalized J-turn intersection).

MnDOT is also conducting a Principal Arterial Intersection to Interchange Conversion Study for Hwy 65. While this study will not be completed until February 2017, preliminary information confirms that separated grade interchanges north of Bunker Lake Boulevard will be considered as low to medium priorities in MnDOT plans. Since even the highest rated intersections, based on traffic volumes and crash data, will unlikely see funding within the next 10 -20 years, it is vital that phased improvements to those East Bethel Hwy 65 intersections, 181st Ave., 187th Lane, Viking Boulevard and Klondike Drive, be included as locations for progression upgrades as MnDOT attempts to convert Hwy 65 to from an expressway to a hybrid freeway.

These items will be on the Roads Commission Meeting October 11, 2016 agenda and MnDOT will present the findings of their Viking Boulevard and Hwy 65 intersection improvement report and request the Roads Commission’s review of the Hwy 65 Access Management Plan. In addition, MnDOT will present a new video that will demonstrate the functions of the Reduced Conflict Intersections and discuss those applications that would be unique to Viking Boulevard/Hwy 65.

Attachments:

Fiscal Impact:

Recommendation(s):

No Action Required.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel City Council Meeting Agenda Information

Date:

October 5, 2016

Agenda Item Number:

8.0 B.1

Agenda Item:

Castle Towers Wastewater Treatment Plant Demolition Project Change Order

Requested Action:

Consider Scope of Work Modifications or Change Order Options for the Castle Towers Wastewater Treatment Plant Demolition Project

Background Information:

On July 20, 2016, Professional Ground Maintenance, Inc. (PGM) was selected as the contractor for the demolition of the Castle Towers Wastewater Treatment Plant with a low quote of \$19,650. PGM has completed the removal of all the structures on the site per the contract requirements with the exception of the concrete pad that supported the 30' diameter treatment tank.

Upon removal of the treatment tank and clarifier, it was discovered the concrete base beneath the tank consisted of high strength, reinforced concrete up to 3 feet thick. The contractor attempted to remove the base with their equipment but were not able to accomplish this portion of the work due to the strength of the concrete mix, the thickness of the slab and the limitations of their equipment.

While the contractor bid this work as a lump sum project, the bid plans did not provide any information on the thickness of the concrete for the tank base nor any specifications that addressed the type of mix used in the construction of this item. The omission of this information was not an oversight but a detail that was not available from the records on file for the facility.

In order to remove the concrete slab, the contractor has requested an approval of a change order in the range of \$6,200 to \$7,500 to cover the cost of renting a large excavator with a hydraulic hammer capable of breaking up the concrete tank base and clarifier pad. Staff has checked with local Caterpillar and Case dealers and found that an excavator of sufficient size with a hydraulic hammer perform the demolition rents for \$2,000/day or \$7,100 per week.

There are two matters for consideration with this change order request:

- The first issue is that the amount of the change order exceeds 25% of the contract cost and as such would have to be re-bid/quoted as a separate work item. The maximum amount a change order that could be approved would be \$4,912.49;

- The second matter is the option of deleting this item from the contract and leaving the slab in place. There is ample material to cover the slab and the savings realized by deletion of this work and cost savings due to the rejection of any change order request can be applied to other bond eligible projects.

Attachments:

Attachment 1- Photo of concrete tank slab
 Attachment 2 – Site Plan for the Bid Specifications

Fiscal Impact:

As noted above

Recommendation(s):

As the area of the pad is only 450 SF of a 10 acre site, the concrete pad is not a required removal item by the MPCA and future developers would have proper sized equipment to deal with the removal, Staff recommends that the demolition and removal of the tank pad be deleted as a work item of the contract, that the slab's location be properly documented for future location and the slab be covered with available material and the surface reclaimed to match the existing grades adjacent to the pad.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____





City of East Bethel City Council Meeting Agenda Information

Date:

October 5, 2016

Agenda Item Number:

8.0 G.1

Agenda Item:

Special Assessment and Petition Policy Amendment

Requested Action:

Consider Direction to the Roads Commission for recommendations to the City of East Bethel for the Special Assessment Policy – Gravel Roads

Background Information:

The City of East Bethel has a policy that outlines the process and the financial obligations of residences that request paving of gravel roads. The burden of the costs of resurfacing these streets is entirely on those residents receiving benefits of the improvement.

With 16 miles of gravel roads within the City and with maintenance costs of these unpaved streets 29% higher than that of paved roads, the Roads Commission has had discussions on ways and means to improve the City Road Paving Policy. These discussions have been ongoing since 2007 and but there has been no formal recommendation proposed to City Council.

Aside from the savings in annual maintenance costs, paving gravel roads would also provide:

- Improved and more efficient snow plowing;
- Elimination of dust issues
- Elimination of access problems in the early Spring with frost issues and wet and frozen conditions that preclude maintenance to improve or provide access
- Reduced vehicle maintenance
- Increased home values.

Staff requests City Council consider directing the Roads Commission to prepare recommendations for modification of the assessment computations provided in Section X of the Policy and review the Petition Policy that would include but not be limited to the following:

- Consider City participation that would advance those costs normally associated with general maintenance activities to the proposed paving project. These costs could include the application of Class V as base material in an amount up to 4”, replacement of pipe culverts, ditch work to improve drainage, reclamation of disturbed areas associated the general maintenance activities or other items as approved by City Council that are related to those costs that would be performed

by City as required maintenance of the street. These costs will be calculated by the City Engineer and deducted from the amount that is proposed for assessment to the benefitting property owners.

- Consider a cap of \$XXX per project and only one project would be done per year.
- Consider a maximum amount of City participation related to the City Engineer’s estimate of the project
- Consider linking City participation costs to the costs of general maintenance that would be required for the projected service life of the proposed paving or a project cap.

This change to the policy could provide an incentive for petitions for paving of gravel roads that have population densities to support the assessments for the non-City costs of the projects. The costs for this incentive would be covered as part of our existing maintenance program of these streets over the life cycle of the project.

Attachments:

Attachment 1- Maintenance Costs

Fiscal Impact:

As noted above

Recommendation(s):

Staff recommends that City Council consider directing to the Roads Commission to provide recommendations for amending the City of East Bethel Special Assessment Policies, Section X, A.3 – Gravel Roads and the Petition Policy for Paving Gravel Roads.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

Attachment 1

2015 Comparison of Maintenance Costs – Unpaved vs. Paved City Streets

The following is a list of costs that the City of East Bethel incurs to maintain 16 miles of unpaved roads in the City’s street system:

| | |
|--|---------------|
| 1.) Grade unpaved roads (24 wks. @ 20 hrs./wk). | \$50,400 |
| 2.) Class V Road Projects | |
| a.) 3,500 tons of Class V | \$38,500 |
| b.) Labor (approximately 240 man hours @ \$ 35/hr.) | \$ 4,200 |
| c.) Equipment (120 Hrs @ \$100/hr) | \$12,000 |
| 3.) Dust Control | |
| a.) Calcium Chloride | \$ 6,000 |
| b.) Water Application (Water truck, 40 hrs. @ \$90/hr.) | \$ 3,600 |
| 4.) Recovery of Class V material | |
| a.) Labor (80 hrs. @ \$35/hr.) | \$ 2,800 |
| b.) Equipment | |
| Motor Grader, 40 hrs. @ \$105/hr | \$ 4,100 |
| JD Tractor with recovery implement, 80 hrs @ \$60/hr | \$ 4,800 |
| 5.) General Maintenance work | |
| a.) Labor (80 hrs. @ \$35/hr.) | \$ 2,800 |
| b.) Equipment (F-550, 20 hrs @ \$ 30/hr) | \$ 600 |
| 6.) Special Repair Work | |
| a.) Labor (96 hours @ \$35/hr) | \$ 3,360 |
| b.) Equipment - single axle dumps-16 hrs; grader-8hrs.; skid steer 24hrs; F-550-12hrs.) | \$ 3,860 |
| c.) Material | \$ 2,400 |
| 7.) Snow Plowing (16 incidents/yr. @ 8 hrs. per occurrence) | \$12,160 |
| 8.) Supervision and Indirect Costs | \$14,280 |
| Estimated Unpaved Road Maintenance Costs | \$157,110 |

| | | |
|------------------------------|---------------------------|----------------------------------|
| <u>Miles of unpaved road</u> | <u>Total System miles</u> | <u>Per cent of unpaved roads</u> |
| 16 | 138 | 12% |

| | | |
|--------------------------------------|--------------------------|---------------------------|
| <u>Unpaved Road Maintenance Cost</u> | <u>2015 Roads Budget</u> | <u>Per Cent of Budget</u> |
| \$157,110 | \$753,384 | 21% |

Maintenance cost per mile/paved streets.....\$4,890*
 Maintenance cost per mile/unpaved streets.....\$9,820

* Does not include any costs for seal coating, crack sealing or repaving. In 2015 \$331,950 was spent on 14 miles of crack sealing and seal coating and 2.5 miles of overlays. These items were funded from the City Street Capital fund increasing the maintenance cost per mile of paved streets to \$7,610.



EAST BETHEL FIRE DEPARTMENT



OPEN HOUSE

When: THURSDAY, October 6, 2016
5:00 – 8:00 p.m.
Where: Station #1
2751 Viking Boulevard

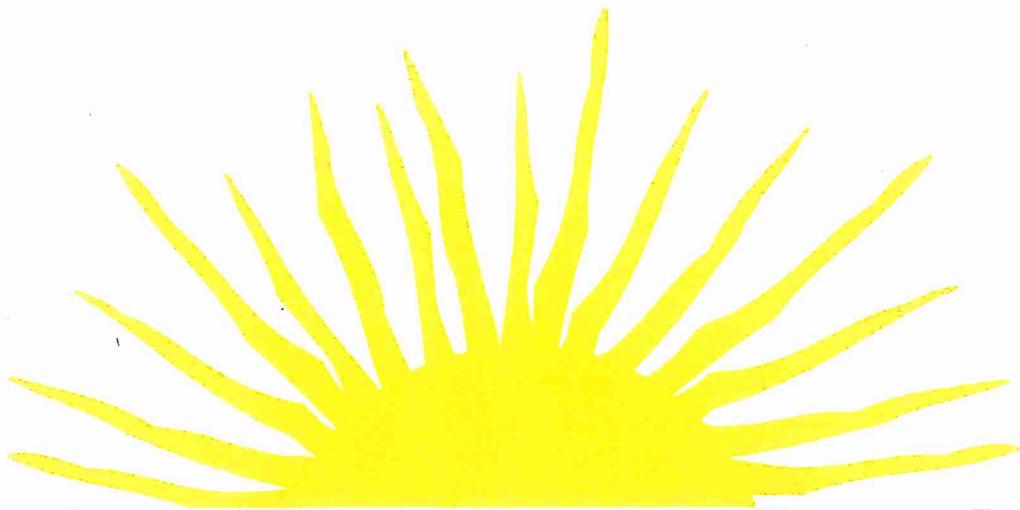


- Demonstrations and activities for everyone!
- **Learn what it takes to become a firefighter!**
- Come see and explore our fire station!
- **Learn what it takes to join our youth fire exploring program!**
- **Bring a non-perishable food item to support the local food shelf!!**

FIREFIGHTER CHILE CONTEST



Refreshments will be served!!



Sunrise Business Breakfast

Thursday, October 13, 2016 7:30-9:00 a.m.

*Join us for breakfast at
7:30 am with the program
beginning at 8:00 am.*

Route 65 Pub and Grub
East Bethel, MN

RSVP no later than

Friday, October 7th

secretary@eastbethelchamber.com

*Breakfast Buffet available for
\$8.00 payable to Route 65*



Topics

Presentations from **Sheila Kauppi** –
North Metro Director for MNDOT
Update regarding the Reduced Conflict
Intersection on Hwy 65 & Viking Blvd.

Doug Fischer – Anoka County
Transportation Manager/Engineer -
Update on County road projects in the
City of East Bethel

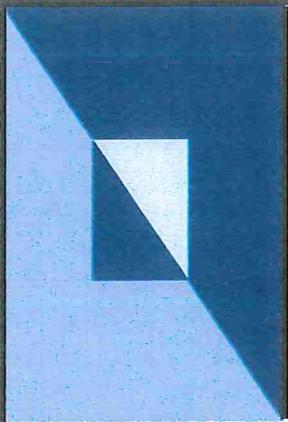
Jack Davis – East Bethel City
Administrator, Service Road
Project update

Colleen Winter – East Bethel Community
Development Director, Comprehensive
Plan update.



East Bethel
Chamber of
Commerce

www.eastbethelchamber.com



Meet the Candidates Forum

October 11, 2016

6:30pm

Majestic Oaks Golf Club

701 Bunker Blvd. NE Ham Lake, MN

The Candidates running for general election from the following offices have been invited to discuss the issues important to them and answer questions from the audience:

- Congressional District 6
- Minnesota Senate District 31
- House of Representatives Districts 31A and 31B
- County Commissioner District 2
- East Bethel Mayor
- East Bethel City Council
- Ham Lake City Council

Sponsored by:



Contact:
Shana Schmitz,
Ham Lake Area Chamber of Commerce
15544 Central Ave. NE
Ham Lake, MN 55304
Phone: 763-434-3011
E-mail: shana@hamlakecc.org

This event is free and open to the public.