

EAST BETHEL CITY COUNCIL MEETING

December 19, 2018

The East Bethel City Council met on December 19, 2018, at 7:00 p.m. for the regular City Council meeting at City Hall.

MEMBERS PRESENT: Steve Voss Tim Harrington Brian Mundle
Randy Plaisance Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
Mark DuCharme, Fire Chief
Pat Sweeney, City Attorney
Colleen Winter, Community Development Director
Michelle Orlando, ACSO Liaison

1.0 The December 19, 2018, City Council meeting was called to order by Mayor Voss at 7:00
Call to Order p.m.

2.0 The Pledge of Allegiance was recited.
Pledge of
Allegiance

3.0 **Harrington stated I'll make a motion to adopt tonight's agenda including the**
Adopt **supplement bill list as item J. on the Consent Agenda. Mundle I'll second.** Voss asked
Agenda any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any
opposed? That motion passes. **Motion passes unanimously.**

4.0
Presentation

4.0A Julie Lux, EDA President, presented the 2018 EDA Annual Report.
2018 EDA
Annual
Report

4.0B Commander Shelly Orlando presented the November 2018, Sheriff's Report, stating the
Anoka Sheriff's Department responded to one DWI arrest, one recovered stolen vehicle and
County fleeing, one possession of fifth degree-controlled substance and possession of small amount
Sheriff's of marijuana, and one possession of stolen fire arm.
Report

4.0C Fire Chief DuCharme presented the November 2018 Fire Department Report, stating the
Fire Dept. Fire Department year to date have exceeded 600 calls, which was on track as the same as
Monthly last year. He stated they had 45 calls with 32 being medical calls. He noted of the medical
Report calls, they helped transport 25 people.

4.0D Davis stated Councilmember Brian Mundle will finish his term as a member of the East
Brian Mundle Bethel City Council on January 2, 2018. During his four-year tenure, Councilmember
- City Mundle has served as a Council Liaison to the Parks and Planning Commissions, Fire
Council Department, Council representative on the Upper Rum and Sunrise River WMO's, the
Service Booster Day, Finance and Goals Committee, EDA, Trunk Highway 65 Coalition and the
Recognition Acting Mayor in 2017 and 2018.

Davis indicated Councilmember Mundle has been an advocate for economic development within the Hwy 65 Corridor while preserving the rural character of the remainder of the City. His actions as a City Councilmember have been instrumental in the two-service road and utility extensions projects, the Viking Preserve, Cambia Hills, Cedar Creek Senior Housing and East Bethel Village Projects.

Voss stated I'll make a motion to approve Resolution 2018-71, Resolution of Recognition and Expression of Appreciation for Service to the City by Council Member Brian Mundle. Harrington stated I'll second. Voss asked any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

5.0 Consent Agenda	Item A	<u>Approve Bills</u>
	Item B	<u>Meeting Minutes, November 28, 2018 Council Work Meeting</u>
	Item C	<u>Meeting Minutes, December 5, 2018 City Council Meeting</u>
	Item D	<u>2019 Garbage Hauler License</u>
	Item E	<u>2019 Tobacco Licenses</u>
	Item F	<u>Designation and ATIF 1-4 Funds</u>
	Item G	<u>Municipal Building Cleaning Services Contract</u>
	Item H	<u>Recording Secretary Contract</u>
	Item I	<u>Pay Estimate #6 Trunk Hwy 65 Service Road Project</u>
	Item K	<u>Supplemental Bill List</u>

Harrington stated he wanted to pull Item D and E. **Harrington stated I'll make a motion to approve the Consent Agenda as amended. Plaisance stated I'll second.** Voss asked any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

5.0D 2019 Garbage Hauler Lic 5.0E 2019 Tobacco Lic.	Harrington stated I'll make a motion to approve Items D and E contingent upon a payment from the applicants by December 31, 2018. Plaisance stated I'll second. Voss asked any discussion? To the motion, all in favor say aye. All in favor. Voss asked any opposed? That motion passes. Motion passes unanimously.
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**6.0
New Business** Commission, Association and Task Force Reports

6.0A Planning Commission Davis presented the staff report, indicating at the regular City Council meeting on November 21, 2018 approval was granted for Tom Carlisle to proceed with a Metes and Bounds division of five lots off of Skylark Drive NE. The Developer's agreement outlines Mr. Carlisle's obligations.

6.0A.1 Tom Carlisle/Sherco Dev. Agreement The Developers Agreement for this subdivision will require payment of \$10,000.00 in Park Dedication fees to the City.

Staff recommends City Council approve the Developers Agreement for Tom Carlisle/Sherco Construction for the Skylark Drive Metes and Bounds Subdivision.

6.0A.1 **Harrington stated I'll make a motion to approve the Developers Agreement for Tom Carlisle/Sherco Construction for the Skylark Drive Metes and Bounds Subdivision. Ronning stated I'll second.** Voss asked any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

6.0B None.
Economic
Development
Authority

6.0C None.
Park
Commission

6.0D None.
Road
Commission

7.0 Department Reports

7.0A Winter presented the staff report stating on November 10, 2018, Staff and WSB met with Eric Wojchik to discuss the status of MET Council's draft review of the City's 2040 Comprehensive Plan. It was a very productive meeting and there was a good discussion about some of the proposed land use changes and other sections of the Plan. However, based on Met Council's comments, City staff is asking that the Council adopt a Resolution that will extend the deadline for the 2040 Comp Plan submittal to June 1, 2019. Two of the areas that will need substantial revisions are in the Water management plan section of the Comp Plan and the Transportation section.

7.0A.1
Res. 2018-72,
Comp Plan
Ext. Req.

Winter stated the water section in the 2040 plan, was not revised from the 2030 Comp Plan. We simply stated we would amend the Comp Plan when both the Sunrise and Upper Rum have completed their Water management plans. The Met Council has stated that we will need to complete this section. In speaking with the WMO's, Sunrise is about 40% complete with their plan and Upper Rum is about 90% complete with their plan. The City will write a water management plan based on the best information that is available and in coordination with the WMO's. This will take significant staff time. The other section is the Transportation section. This will require some additional forecasting and also need to include a section on transit. Again, this will take some staff time to complete. Further the City has not heard back from all of the respective review cities, and other government entities. While we do not anticipate any comments, we still would like to have the comment section completed when the final submittal is sent in to Met Council.

Staff recommends City Council adopt Resolution 2018-72, Resolution Requesting an Extension to MET Council to Extend the Completion Deadline of the 2040 Comprehensive Plan.

Voss recommended when staff talked to the WMO they included Harrington.

- 7.0A.1 Res. 2018-72, Comp Plan Ext. Req. **Mundle stated I'll make a motion to approve Resolution 2018-72, Resolution Requesting an Extension to MET Council to Extend the Completion Deadline of the 2040 Comprehensive Plan. Harrington stated I'll second.** Voss asked any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**
- 7.0B Engineer None.
- 7.0C City Attorney None.
- 7.0D Finance None.
- 7.0E Public Works None.
- 7.0F Fire Department None.
- 7.0G City Administrator Davis presented the staff report, indicating The City has received a request to access the City's storm water pond located in Outlot B, Minard Lake Estates for the purpose of maintaining the pond for skating use for 2018-2019.
- 7.0G.1 Minard Lakes Estate – Access License Davis stated this same request was approved at the February 7, 2018 City Council Meeting for a term that expired on March 5, 2018. At that time, staff noted concerns regarding safety, precedence and access to the pond over City property by an ATV. City Attorney Mark Vierling addressed these concerns and recommended the development of a non-exclusive license as a means to allow access to the pond in Outlot B. This license would restrict the access to the pond by an ATV for the sole and specific purpose of snow removal to make this pond suitable for skating.
- Davis indicated approval of this request would be a renewal of the Agreement approved by City Council on February 7, 2018.
- Staff recommends that Council consider approval of a Non-exclusive License to Scott Linder, David Behm and Ryan Haugen to permit access to the pond in Outlot B, Minard Lake Estates.
- Ronning stated I'll make a motion to approve a Non-exclusive License to Scott Linder, David Behm, and Ryan Haugen to permit access to the pond in Outlot B, Minard Lakes Estates as presented and described in Attachment 2. Mundle stated I'll second.** Voss asked any discussion? Plaisance asked if there was a date as to when it started and ended. Davis responded it would start today and it would expire on March 4, 2019. To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

7.0G.2
Senior/Com-
munity Center
– MOU

Davis presented the staff report, indicating the East Bethel Seniors provide the City with Community/Senior Center management and scheduling service for all usage activities for the City's Community/Senior Center. As a part of this agreement, there is the requirement for an annual review of the terms and provisions of the contract between the City and the East Bethel Seniors.

Davis stated the 2017 Memorandum of Agreement was discussed at the October 24, 2018 City Council Work Meeting and the November 21, 2018 City Council Meeting. The Seniors requested that those sections that refer to obligations for equipment maintenance and plumbing, rental insurance and alcohol policy for rental events be amended.

Davis noted the proposal for the 2019 Agreement eliminates Section 3 and 6 and includes an alcohol policy for rental events.

Davis indicated as a result of these meetings, Council directed staff to draft a new agreement removing Sections 3 and 6 and include an alcohol policy with the proposal.

Davis indicated the East Bethel Seniors use of the Community/Senior Center was 45% of the activity time for 2016-2017 but has fallen to 31% for 2018. Other users of this facility are the City of East Bethel, the Chamber of Commerce, East Bethel Pageant Committee, Cubs, Boys and Girls Scouts and 4-H. With the exception of the City, the other users pay no fees for rental or other expenses for their utilization of the facility.

Davis stated the East Bethel Seniors declining membership and reduction of funds raised from Center rentals have resulted in a decrease of revenues to support their budget. This loss has severely affected their ability to assume the obligations imposed by Sections 3 and 6 of the existing agreement. The usage of the facility is also trending toward less non-senior use, but the previous agreement still requires that the Seniors be responsible for the all the costs of plumbing and equipment maintenance.

Davis indicated relieving the Seniors of exposure to these potential expenses will assist them in planning for and maintaining their current program offerings for their members. Further, as the use of this facility as more of a Community Center continues, these maintenance costs will be shifted to either the non-senior users, the City or a combination of both.

Staff recommends that City Council consider the approval of the 2019 Memorandum of Understanding.

Ronning stated I'll make a motion to approve the 2019 Memorandum of Understanding as exhibited in Attachment 2. Mundle stated I'll second. Voss asked any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

8.0 Other
8.0A
Staff Reports
8.0A.1 City
Council Mtg.
Day and Date
Change

Davis stated this had been discussed in a Work Meeting in November and staff was directed to contract the Commissions/Committees and any consultants that meet with at the Council on a regular basis to see if there were any conflicts with their schedules regarding the proposed meeting change. He noted there was no conflict with staff, the City Attorney, and the Sheriff's office. He stated they had discussed this with the EDA. He stated there were some conflicts with the EDA, so staff was proposing to change the Council meetings to the second and fourth Mondays of each month with the work meeting being scheduled for the

8.0A.1 City Council Mtg. Day and Date Change

first Monday of the month. He indicated this would provide no conflicts with the EDA, Planning, Roads, or Parks Commissions and it would work with all City Council consultants. He asked this be added to the agenda at the January 2 meeting for consideration. Davis asked for direction on this matter.

Plaisance stated the only thing that was a conflict for him was the Fire Department does their training on Mondays. Davis noted there were five Monday holidays on the calendar and in the event a Council meeting fell on a Monday, the Council or Work meeting could be rescheduled to another date that did not conflict with other meetings.

Voss recommended staff put it on the next Council agenda for discussion with no objections from the other members.

8.0A.2 Commission and Committee Assignments for 2019

Davis noted that the Mayor made recommendations for the Commissions/Committee appointments for Council approval . The Mayor recommended Mr. Ronning as the liaison for the Roads Commission; Mr. Harrington as the liaison for the Fire Department, and continue his service on the WMO's, and a liaison on the EDA; Mr. Plaisance be the acting Mayor; Airport Commission Member and liaison to the Parks Commission; Voss be the liaison to the Police Commission, a member of the EDA, the Finance Committee and the Trunk Highway 65 Coalition; Council elect member Ms. Erkel as the Planning Commission liaison. He noted this left one position on the Finance Committee, one on the Sandhill Crane Committee and two for the Booster Day Committee which will be discussed for volunteers for appointment at the next meeting.

Harrington stated he would be willing to volunteer for Booster Days.

The consensus of the Council was in agreement with the Mayor's appointments.

8.0A.3 Upper Rum River WMO projects

Davis stated the Upper Rum River WMO was looking for projects for their upcoming water management plan and they have asked the City to give them some ideas. He recommended a project on Crooked Brook that would be an initial study to reevaluate the impairment of designation that's been assigned to that stream. Secondly, a study to identify nonpoint pollution issues and come up with recommendations and potential funding sources to solve the problems. He also recommended including one for Cooper Lake and Menard Lake regarding invasive species control and water quality management.

Voss recommended that an education program for homeowners along Cooper Lake and Menard Lake would be valuable.

8.0B Council Report

Harrington thanked Mundle for his years of service to the City and indicated it had been a pleasure working with him. He stated the Sunrise meeting was held today and they were working on the ten-year plan. He noted they had openings on the Roads, EDA, and Planning Commission.

Council Member Harrington

Council Member Mundle

Mundle stated it had been an honor and pleasure to serve the City the past four years. He thanked City staff.

Council Member Ronning: Ronning stated the Planning and Zoning meetings were held and there were presentations on two possible developments including a 16-lot subdivision on 243rd to 245th close to the City line. He indicated there was another possible development for a CUP for self-storage. He indicated it was a pleasure working with Mundle.

Council Member Plaisance: Plaisance stated in 2017 the Council was considering an Ordinance to restrict sex offenders from moving into the City and putting some restrictions on the distance between schools, bus stops, and other placed where the Council thought the public would be at risk. He noted recently in the Star Tribune there was an article where a Judge had stricken an Ordinance from the City of Dayton regarding this topic.

Mayor Voss: Voss stated the groundbreaking for Cambia Hills had been held and it was a well-attended event. He thanked Mundle for his service to the City.

8.0C
Other: None.

8.0D
Closed Session PIN: Sweeney stated thank you Mr. Mayor. For the benefit of the public, we'd note that at this time the Council's about to go into Closed Session to review the purchase or sale of real property Minnesota Statute Section 13D.0 subd. 3(c). PID # 32-33-23-12-0007.

29-33-23-12-0007: This Closed Session will be tape recorded as required by Statute with that tape being maintained for a period of eight years. The Council will come back into Open Session after having concluded its Closed Session and announce if there are any actions taken during the course of the Closed Session. With that being said, Mr. Mayor, I recommend that a motion be made to go into Closed Session for the purposes I've indicated.

Move to Closed Session: **Mundle stated make a motion to go into Closed Session at 8:10 p.m. for the purposes that City Attorney's indicated. Harrington stated I'll second.** Voss asked any discussion? All in favor say aye? **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

Reconvene Open Session: Vierling stated thank you Mr. Mayor. For the benefit of the public and for the record, we note the Council's back into Open Session after having concluded a Closed Session. He indicated all Councilmembers were present and no formal action was taken

With that being said, Mr. Mayor, that concludes the summary report required

9.0
Adjourn: **Mundle stated I'll make a motion to adjourn. Plaisance stated I'll second.** Voss asked any discussion? To the motion, all in favor say aye. **All in favor.** Voss asked any opposed? That motion passes. **Motion passes unanimously.**

Meeting adjourned at 8:35 p.m.

Submitted by:
Kathy Altman
TimeSaver Off Site Secretarial, Inc.