

City of East Bethel

City Council Agenda

Regular Council Meeting – 7:30 p.m.

Date: May 15, 2013



Item

- 7:30 PM **1.0 Call to Order**
- 7:31 PM **2.0 Pledge of Allegiance**
- 7:32 PM **3.0 Adopt Agenda**
- 7:33 PM **4.0 Report/Presentations**
Page 3-26 A. Ehlers – Refinancing Bonds
 1. Adopt Res. 2013-21 Providing for the Sale of \$18,275,000 General
 Obligation Refunding Bonds, Series 2013A
Page 27 B. Sheriff's Report
- 8:03 PM **5.0 Public Forum**
- 8:20 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*
Page 32-36 A. Approve Bills
Page 37-50 B. April 3, 2012 City Council Regular Meeting Minutes
Page 51-68 C. April 17, 2012 City Council Regular Meeting Minutes
Page 69-77 D. April 17, 2013 Board of Appeals and Equalization
Page 78-81 E. May 1, 2013 City Council Work Meeting Minutes
Page 82 F. Res. 2013-22 Designating 1996 Single Axle Ford Plow Truck Surplus Property
 G. Approve Hire of Maintenance Technician
 H. Approval to Advertise for Website Intern
 I. Purchase of Single Axle Plow Truck with Single Axle Equipment
Page 83-86 J. Approve 1 to 4 Day Temporary On-Sale Liquor License for Alliance for
 Metropolitan Stability

New Business

- 8:25 PM **7.0 Commission, Association and Task Force Reports**
Page 87-95 A. Economic Development Authority
 1. Meeting Minutes, April 15, 2013
8:30 PM B. Planning Commission
Page 96-113 1. Meeting Minutes, April 22, 2013
C. Park Commission
8:35 PM D. Road Commission
Page 114-119 1. MSA Road Designations

8.0 Department Reports

- 8:45 PM A. Community Development
Page 120-127 1. Building Department Report
8:50 PM B. Engineer

- Page 128-137
 - 1. Res. 2013-25 Approval of Plans and Specifications and Solicitations for the Trunk Highway 65 Service Road
 - C. Attorney
 - D. Finance
 - E. Public Works
 - 9:00 PM F. Fire Department
- Page 138-142
 - 1. Fire Department Report
 - 9:05 PM G. City Administrator
- Page 143-146
 - 1. LMC Nomination and Resolution 2013-26
- Page 147-150
 - 2. Res. 2013-27 Amending Fee Schedule Adding a Seasonal Solicitor Permit Fee
- Page 151-160
 - 3. Midcontinent Lease Agreement
- Page 161-164
 - 4. Commissions & Authority Liaison Reimbursement
- Page 165-167
 - 5. Recycle Saturday Drop-off

9.0 Other

- 9:30 PM A. Staff Reports
- 9:40 PM B. Council Reports
- 9:50 PM C. Other

10.0 Adjourn



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 4.0 A

Sponsor: City Administrator and Director of Fiscal Services

Agenda Item:

Refinancing Proposal for the 2010A and 2010B Bonds

Requested Action:

Consider approving a proposal to refinance the 2010A and 2010B Bonds

Background Information:

There is the potential for redeeming (refinancing) our Municipal Utility Project Bonds under provisions of the bond documents which allow us to redeem if there is a reduction in the federal subsidy payments flowing to the bonds. It was fairly common practice for this extraordinary redemption language to be inserted in the bond documents, as an extra precaution, when these bonds were issued in 2010.

In our case, the Official Statement for the Series 2010A Bonds (\$11,465,000 Recovery Zone Economic Development Bonds, providing for a 45% federal subsidy payment) and the Series 2010B Bonds (\$6,135,000 Build America Bonds, providing for a 35% federal subsidy payment), states that the Series 2010A Bonds and Series 2010B Bonds may be extraordinarily redeemed upon the occurrence of one of four events:

- 1.) Enactment of legislation, adoption of final regulations or a final decision, ruling or technical advice by any federal judicial or administrative authority which has the effect of determining or rendering the 2010A & 2010B Bonds as not qualified for treatment as RZEDB's or BAB's, respectively, under the Internal Revenue Code, or ;
- 2.) If the federal government discontinues the RZEDB or BAB direct payment subsidy program.
- **3.) If the federal government reduces the RZEDB or BAB direct payment percentage with retroactive applicability to bonds issued prior to the date of such federal credit reduction.**
- 4.) The receipt by the City of a written opinion of nationally recognized bond counsel that the 2010A Bonds or 2010B Bonds are not RZEDB's or BAB's under the Internal Revenue Code.

As you can see from the bolding of the third event, that provision appears to apply to the City's 2010A and 2010B Bonds. The Office of Management and Budget (OMB) has determined that the federal subsidy payments scheduled to flow to issuers of RZEDB's and BAB's will be reduced by 8.7% over the remainder of the 2013 fiscal year (which ends on September 30, 2013). This means our scheduled interest payments on the 2010A and 2010B Bonds on August 1 will not receive the full subsidies from the federal government we had projected to receive in August 2013, and an alternative source of revenues will have to be identified for those payments. This loss is estimated to be \$21,000.

However, the more important issue, being, the ability to legally refinance the 2010A and 2010B Bonds based on the bolded event above, could potentially lower our bond payments, even without the federal credits, due to historically low bond interest rates.

The following memo from Dorsey and Whitney, our bond counsel, describes the authority of the City to redeem these bonds as well as the risks associated with these transactions:

“ As required by the Budget Control Act of 2011 and the American Taxpayer Relief Act of 2012, on Friday, March 1, 2013, the President signed an executive order reducing the budgetary authority in accounts subject to sequester, in accordance with the report of the Office of Management and Budget. As you are probably aware, the announcement of the executive order indicated that it would result in a cut of approximately 8.7% in the federal subsidy payments payable in the remainder of the current federal fiscal year with respect to direct-pay tax credit bonds, including Build America Bonds (“BABs”) and Recovery Zone Economic Development Bonds (“RZEDBs”). At the request of Ehlers we have examined the transcripts of the City's issues of BABs and RZEDBs each dated December 15, 2010, to determine if the actions of the federal government in reducing the amount of federal subsidy to be paid on BABs and RZEDBs would constitute a “determination of ineligibility” that would entitle the City (the “Issuer”) to redeem the BABs and RZEDBs at par on the earliest date on which notice of redemption can be given under the respective resolution under which the BABs and RZEDBs were issued. The relevant provisions under the respective resolutions are:

Build America Bonds – “The Bonds are also subject to extraordinary redemption, at the option of the City, in whole, but not in part, at a redemption price equal to par plus accrued interest to the redemption date, upon or on any date after the occurrence of a Determination of Ineligibility. A “Determination of Ineligibility” means (i) the enactment of legislation or the adoption of final regulations or a final decision, ruling or technical advice by any federal judicial or administrative authority which would have the effect of deeming, determining or rendering the Bonds not qualified for treatment as Qualified Build America Bonds under Section 54AA of the Code; (ii) the federal government discontinues the Build America Bonds direct payment program or reduces the refundable credit to the City with retroactive applicability to bonds issued prior to the date of such discontinuance or reduced refundable credit; or (iii) the receipt by the City of a written opinion of nationally recognized bond counsel selected by the City to the effect that the Bonds are not Qualified Build America Bonds under Section 54AA of the Code.”

Recovery Zone Economic Development Bonds – “The Bonds are also subject to extraordinary redemption, at the option of the City, in whole, but not in part, at a redemption price equal to par plus accrued interest to the redemption date, upon or on any date after the occurrence of a Determination of Ineligibility. A “Determination of Ineligibility” means (i) the enactment of legislation or the adoption of final regulations or a final decision, ruling or technical advice by any federal judicial or administrative authority which would have the effect of deeming, determining or rendering the Bonds not qualified for treatment as Qualified Recovery Zone Economic Development Bonds under Section 1400U-2 of the Code; (ii) the

federal government discontinues the Recovery Zone Economic Development Bonds direct payment program or reduces the refundable credit to the City with retroactive applicability to bonds issued prior to the date of such discontinuance or reduced refundable credit; or (iii) the receipt by the City of a written opinion of nationally recognized bond counsel selected by the City to the effect that the Bonds are not Qualified Recovery Zone Economic Development Bonds under Section 1400U-2 of the Code.”

It is our opinion that, under the language quoted above, a Determination of Ineligibility has occurred and the Issuer will be entitled to redeem the BABs and the RZEDBs at par plus accrued interest. Further, assuming that there has been no material change in the representations in the original BABs and RZEDBs issuances that permitted the obligations to be issued as BABs and RZEDBs respectively, we believe that tax-exempt bonds can be issued to refund the BABs and RZEDBs.

We do, however, feel compelled to advise you that there is some risk that a BAB or RZEDB holder might protest the call of their bonds and might even sue to prevent or enjoin the redemption. In such event, because there is no precedent that we are aware of for this situation and given the wide discretion given to the courts in enforcing remedies, we are unable to advise you as to the result of such protest or lawsuit. The Bond Buyer reports that at least three other issuers nationally are moving to redeem their BABs. We have not heard any reports of adverse reaction from the holders of the BABs in those cases, but we continue to monitor the news reports for any indication of bondholder pushback.

In the event the redemption of the BABs or RZEDBs is delayed or enjoined as a result of bondholder action, we believe that the refunding bonds will continue to be valid and tax-exempt. Despite the Issuer’s reasonable expectations that the refunding would be a current refunding, the delay or injunction would convert the refunding bonds from a current refunding issue to an advance refunding issue. So long as the refunding bond proceeds are held and applied to principal and interest on the BABs and RZEDBs (and redemption of the BABs and RZEDBs at their optional redemption dates) and not invested at a rate greater than the refunding bond rate, the refunding bonds will continue to be tax-exempt. Further, if the bond proceeds are applied to payment of BAB and RZEDB principal, with only investment earnings applied to BAB and RZEDB interest, it is possible that the Issuer will be able to continue collecting the federal subsidy on the interest which it pays from its own pocket. “

At the direction of staff, Ehlers is preparing an updated bond run analysis to provide us some hard numbers as to our potential savings. They are assuming current market rates in their calculations with the bonds proposed to be selling in June and closing in July. They will run their projections at both separate and individual issues. Ehlers will present their findings and recommendations for the potential for refinancing our 2010 A and 2010B Bonds and along with the City Attorney, provide an assessment of the risk associated with this potential consideration at our May 15, 2013 Council meeting.

Attachments:

Bond Refunding Information, attachment 1

Ehlers Presentation, attachment 2

Resolution 2013-21

Fiscal Impact:

There is a potential savings of 3 million dollars with this refinancing issue.

Recommendation(s):

Staff recommends that Council consider the proposal as presented by Ehlers and approve the bond refinancing Resolution 2013-21.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

May 15, 2013

Pre-Sale Report for

\$18,275,000 General Obligation Refunding
Bonds, Series 2013A

City of East Bethel, Minnesota



Prepared by:

Stacie Kvilvang, CIPFA
Senior Financial Advisor/Director

And

Todd Hagen, CIPFA
Senior Financial Advisor/Vice President

Executive Summary of Proposed Debt

Proposed Issue:	\$18,275,000 General Obligation Refunding Bonds, Series 2013A
Authority:	The Bonds are being issued pursuant to Minnesota Statutes 475 and 444. The Bonds will be general obligations of the City, for which its full faith, credit and taxing powers are pledged.
Purposes/Funding Sources:	<p>The proposed issue includes financing for the following purposes:</p> <ul style="list-style-type: none"> • Current Refunding of the 2010A GO Recovery Zone Economic Development Bonds (RZEDs). Debt service will be paid from connection charges • Current Refunding of the 2010B GO Build America Bonds (BABs). Debt service will be paid from connection charges <p>The existing interest rates on the obligations proposed to be refunded are 4.5% to 7% on the RZED bonds and 3% to 7.5% on the BABs. The current interest rates are expected to be 1% to 3.2%. The refunding is expected to reduce interest expense by approximately \$3.1 million over the next 27 years. The present value benefit of the refunding is estimated to be approximately \$1,860,593 or 9.241% of the refunded debt service.</p> <p>In addition, The Bonds have been structured to have interest only payments in the years 2014 through 2018 to lessen the payments over the next five (5) years and allow more time for new development to commence and generate additional connection fees. This provides significant savings in these years (average of approximately \$300,000).</p> <p>This refunding is considered to be a current refunding since they are BABs and RZEDs and the federal government has announced its intent to reduce the refundable credit to the City. This announcement allows the City to invoke the extraordinary call feature making the bonds callable today.</p>
Term/Call Feature	<p>The Bonds are being issued for a 27-year term. Principal on the Bonds will be due on February 1 in the years 2019 through 2040. Interest is payable every six months beginning February 1, 2014.</p> <p>The Bonds maturing February 1, 2022, and any date thereafter will be subject to prepayment at the discretion of the City on February 1, 2021 or any date thereafter.</p>
Bank Qualification	Because the City is issuing more than \$10,000,000 in the calendar year, the City will not be able to designate the Bonds as “bank qualified” obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.



<p>Rating:</p>	<p>The City's most recent bond issue was rated "Aa3" by Moody's Investor Services. Ehlers will be discussing with staff the possibility of switching rating agencies to Standard and Poors.</p> <p>If the winning bidder on the Bonds elects to purchase insurance, the rating for the issue may be higher than the City's bond rating in the event that the bond rating of the insurer is higher than that of the City.</p>
<p>Other Considerations:</p>	<p>Because yields for investors are very low at this time, a bank or underwriter may choose to submit a bid for your competitive sale with higher coupon rates than the yield on the bonds. Higher coupons are valuable for institutional and retail investors who may either trade bonds in the future or may want a higher yield if you as the issuer choose not to call the bonds at the call date.</p> <p>For example, the coupon rate may be 3% but the yield may only be 1.5%. To achieve the lower yield of 1.5%, the investor will pay you, the issuer, a "premium" at the time of closing.</p> <p>In other words, they will pay more than \$5,000 for a \$5,000 block of bonds in exchange for more tax-exempt interest at a later date. The amount of the premium varies, but can be as high as 10% of the bond issue. This means for a \$2,000,000 issue, you may end up with a bid that offers \$2,200,000 in proceeds.</p> <p>The amount of the bond will be reduced if a premium bid is received. The adjustment may slightly change the true interest cost of the original bid, either up or down.</p>
<p>Method of Sale/Placement:</p>	<p>In order to obtain the lowest interest cost to the City, we will solicit competitive bids for purchase of the Bonds from local banks in your area and regional underwriters.</p> <p>We have included an allowance for discount bidding equal to .70% of the principal amount of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of its compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to lower your borrowing amount.</p>
<p>Review of Existing Debt:</p>	<p>We have reviewed all outstanding indebtedness for the City and find that, there is the City has another refunding opportunity with the 2005A GO Public Safety Bonds. These could be completed as an advance refunding now or a current refunding later this fall. We will continue to discuss timing of refunding these bonds with City staff.</p> <p>In addition and will continue to monitor the market and the call dates for the City's outstanding debt and will alert you to any other future refunding opportunities.</p>



<p>Continuing Disclosure:</p>	<p>Because the City has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the City will be agreeing to provide its Audited Financial Statements annually as well as providing notices of the occurrence of certain “material events” to the Municipal Securities Rulemaking Board (the “MSRB”), as required by rules of the Securities and Exchange Commission (SEC). The City is already obligated to provide such reports for its existing bonds, and has contracted with Ehlers to prepare and file the reports.</p>
<p>Arbitrage Monitoring:</p>	<p>Because the Bonds are tax-exempt securities/tax credit securities, the City must ensure compliance with certain Internal Revenue Service (IRS) rules throughout the life of the issue. These rules apply to all gross proceeds of the issue, including initial bond proceeds and investment earnings in construction, escrow, debt service, and any reserve funds. How Cities spend bond proceeds and how they track interest earnings on funds (arbitrage/yield restriction compliance) are common subjects of IRS inquiries. Your specific responsibilities will be detailed in the Tax Exemption Certificate prepared by your Bond Attorney and provided at closing.</p> <p>We recommend that you regularly monitor compliance with these rules and/or retain the services of a qualified firm to assist you We also recommend that you establish written procedures regarding compliance with IRS rules.</p>
<p>Risk Factors:</p>	<p>Current Refunding: The Bonds are being issued for the purpose of current refunding a prior City debt obligation. The prior debt obligations are “callable” now due to the intent of the Federal Government to reduce BAB and RZED rebate payments to the City.</p> <p>The City’s bond counsel has provided the City with a memorandum dated April 13, 2013 outlining any risk factors associated with the refunding.</p>

Proposed Debt Issuance Schedule

Pre-Sale Review by Common Council:	May 15, 2013
Distribute Official Statement:	Week of June 3, 2013
Rating Call:	Week of June 10, 2013
Council Meeting to Award Sale of the Bonds:	June 19, 2013
Estimated Closing Date:	July 16, 2013





Attachments

Sources and Uses of Funds
Proposed Debt Service Schedule
Refunding Savings Analysis

Ehlers Contacts:

Financial Advisors:	Stacie Kvilvang Todd Hagen	(651) 697-8506 (651) 697-8508
Disclosure Coordinator:	Wendy Lundberg	(651) 697-8540
Bond Sale Coordinator:	Alicia Baldwin	(651) 697-8523
Financial Analyst:	Alicia Gage	(651) 697-8551

The Official Statement for this financing will be mailed to the Council at their home address or e-mailed for review prior to the sale date.



City of East Bethel, Minnesota

\$18,275,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013

Proposed Current Ref 2010A (Recovery Zone Bds) & 2010B (BABs)

Assumes Current Market Non BQ Aa3 Rates

Total Issue Sources And Uses

Dated 07/01/2013 | Delivered 07/01/2013

	Proposed CR Ser 10AB RZEDs	Proposed CR Ser 10B BABs	Issue Summary
Sources Of Funds			
Par Amount of Bonds	\$11,940,000.00	\$6,335,000.00	\$18,275,000.00
Total Sources	\$11,940,000.00	\$6,335,000.00	\$18,275,000.00
Uses Of Funds			
Total Underwriter's Discount (0.700%)	83,580.00	44,345.00	127,925.00
Costs of Issuance	68,601.91	36,398.09	105,000.00
Deposit to Current Refunding Fund	11,784,613.54	6,256,901.04	18,041,514.58
Rounding Amount	3,204.55	(2,644.13)	560.42
Total Uses	\$11,940,000.00	\$6,335,000.00	\$18,275,000.00

City of East Bethel, Minnesota

\$18,275,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013

Proposed Current Ref 2010A (Recovery Zone Bds) & 2010B (BABs)

Assumes Current Market Non BQ Aa3 Rates

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
07/01/2013	-	-	-	-	-
02/01/2014	-	-	282,127.71	282,127.71	282,127.71
08/01/2014	-	-	241,823.75	241,823.75	-
02/01/2015	-	-	241,823.75	241,823.75	483,647.50
08/01/2015	-	-	241,823.75	241,823.75	-
02/01/2016	-	-	241,823.75	241,823.75	483,647.50
08/01/2016	-	-	241,823.75	241,823.75	-
02/01/2017	-	-	241,823.75	241,823.75	483,647.50
08/01/2017	-	-	241,823.75	241,823.75	-
02/01/2018	-	-	241,823.75	241,823.75	483,647.50
08/01/2018	-	-	241,823.75	241,823.75	-
02/01/2019	290,000.00	1.000%	241,823.75	531,823.75	773,647.50
08/01/2019	-	-	240,373.75	240,373.75	-
02/01/2020	500,000.00	1.250%	240,373.75	740,373.75	980,747.50
08/01/2020	-	-	237,248.75	237,248.75	-
02/01/2021	450,000.00	1.450%	237,248.75	687,248.75	924,497.50
08/01/2021	-	-	233,986.25	233,986.25	-
02/01/2022	505,000.00	1.650%	233,986.25	738,986.25	972,972.50
08/01/2022	-	-	229,820.00	229,820.00	-
02/01/2023	485,000.00	1.800%	229,820.00	714,820.00	944,640.00
08/01/2023	-	-	225,455.00	225,455.00	-
02/01/2024	540,000.00	2.000%	225,455.00	765,455.00	990,910.00
08/01/2024	-	-	220,055.00	220,055.00	-
02/01/2025	575,000.00	2.200%	220,055.00	795,055.00	1,015,110.00
08/01/2025	-	-	213,730.00	213,730.00	-
02/01/2026	640,000.00	2.350%	213,730.00	853,730.00	1,067,460.00
08/01/2026	-	-	206,210.00	206,210.00	-
02/01/2027	705,000.00	2.450%	206,210.00	911,210.00	1,117,420.00
08/01/2027	-	-	197,573.75	197,573.75	-
02/01/2028	780,000.00	2.550%	197,573.75	977,573.75	1,175,147.50
08/01/2028	-	-	187,628.75	187,628.75	-
02/01/2029	855,000.00	2.650%	187,628.75	1,042,628.75	1,230,257.50
08/01/2029	-	-	176,300.00	176,300.00	-
02/01/2030	950,000.00	2.700%	176,300.00	1,126,300.00	1,302,600.00
08/01/2030	-	-	163,475.00	163,475.00	-
02/01/2031	1,055,000.00	2.750%	163,475.00	1,218,475.00	1,381,950.00
08/01/2031	-	-	148,968.75	148,968.75	-
02/01/2032	1,145,000.00	2.800%	148,968.75	1,293,968.75	1,442,937.50
08/01/2032	-	-	132,938.75	132,938.75	-
02/01/2033	1,145,000.00	2.850%	132,938.75	1,277,938.75	1,410,877.50
08/01/2033	-	-	116,622.50	116,622.50	-
02/01/2034	1,155,000.00	2.900%	116,622.50	1,271,622.50	1,388,245.00
08/01/2034	-	-	99,875.00	99,875.00	-
02/01/2035	1,155,000.00	2.950%	99,875.00	1,254,875.00	1,354,750.00
08/01/2035	-	-	82,838.75	82,838.75	-
02/01/2036	1,075,000.00	3.000%	82,838.75	1,157,838.75	1,240,677.50
08/01/2036	-	-	66,713.75	66,713.75	-
02/01/2037	1,075,000.00	3.050%	66,713.75	1,141,713.75	1,208,427.50
08/01/2037	-	-	50,320.00	50,320.00	-
02/01/2038	1,065,000.00	3.100%	50,320.00	1,115,320.00	1,165,640.00
08/01/2038	-	-	33,812.50	33,812.50	-
02/01/2039	1,070,000.00	3.150%	33,812.50	1,103,812.50	1,137,625.00
08/01/2039	-	-	16,960.00	16,960.00	-
02/01/2040	1,060,000.00	3.200%	16,960.00	1,076,960.00	1,093,920.00
Total	\$18,275,000.00	-	\$9,262,177.71	\$27,537,177.71	-

Yield Statistics

Bond Year Dollars	\$330,080.42
Average Life	18.062 Years
Average Coupon	2.8060367%
Net Interest Cost (NIC)	2.8447924%
True Interest Cost (TIC)	2.8309093%
Bond Yield for Arbitrage Purposes	5.6002047%
All Inclusive Cost (AIC)	2.8725984%

IRS Form 8038

Net Interest Cost	2.8060367%
Weighted Average Maturity	18.062 Years

Proposed CR Ser 10AB RZED | Issue Summary | 4/26/2013 | 2:06 PM

City of East Bethel, Minnesota

\$18,275,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013

Proposed Current Ref 2010A (Recovery Zone Bds) & 2010B (BABs)

Assumes Current Market Non BQ Aa3 Rates

Debt Service Comparison

Date	Total P+	Net New D/S	Old Net D/S	Savings
02/01/2014	282,127.71	281,567.29	666,655.52	385,088.23
02/01/2015	483,647.50	483,647.50	666,655.52	183,008.02
02/01/2016	483,647.50	483,647.50	756,655.52	273,008.02
02/01/2017	483,647.50	483,647.50	784,842.02	301,194.52
02/01/2018	483,647.50	483,647.50	872,112.02	388,464.52
02/01/2019	773,647.50	773,647.50	876,925.02	103,277.52
02/01/2020	980,747.50	980,747.50	985,847.52	5,100.02
02/01/2021	924,497.50	924,497.50	931,566.28	7,068.78
02/01/2022	972,972.50	972,972.50	978,270.78	5,298.28
02/01/2023	944,640.00	944,640.00	951,664.78	7,024.78
02/01/2024	990,910.00	990,910.00	995,436.78	4,526.78
02/01/2025	1,015,110.00	1,015,110.00	1,022,486.78	7,376.78
02/01/2026	1,067,460.00	1,067,460.00	1,073,248.78	5,788.78
02/01/2027	1,117,420.00	1,117,420.00	1,124,333.76	6,913.76
02/01/2028	1,175,147.50	1,175,147.50	1,182,851.28	7,703.78
02/01/2029	1,230,257.50	1,230,257.50	1,238,443.76	8,186.26
02/01/2030	1,302,600.00	1,302,600.00	1,306,078.76	3,478.76
02/01/2031	1,381,950.00	1,381,950.00	1,395,220.02	13,270.02
02/01/2032	1,442,937.50	1,442,937.50	1,473,651.88	30,714.38
02/01/2033	1,410,877.50	1,410,877.50	1,472,679.38	61,801.88
02/01/2034	1,388,245.00	1,388,245.00	1,475,120.64	86,875.64
02/01/2035	1,354,750.00	1,354,750.00	1,475,756.26	121,006.26
02/01/2036	1,240,677.50	1,240,677.50	1,394,620.00	153,942.50
02/01/2037	1,208,427.50	1,208,427.50	1,393,577.50	185,150.00
02/01/2038	1,165,640.00	1,165,640.00	1,390,697.50	225,057.50
02/01/2039	1,137,625.00	1,137,625.00	1,395,980.00	258,355.00
02/01/2040	1,093,920.00	1,093,920.00	1,394,005.00	300,085.00
Total	\$27,537,177.71	\$27,536,617.29	\$30,675,383.06	\$3,138,765.77

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	7,530,993.78
Effects of changes in Credit Enhancement Expenses.	(5,670,961.76)
Net PV Cashflow Savings @ 5.600%(Bond Yield)....	1,860,032.02
Contingency or Rounding Amount.....	560.42
Net Present Value Benefit	\$1,860,592.44
Net PV Benefit / \$20,135,032.02 PV Refunded Debt Service	9.241%
Net PV Benefit / \$17,565,000 Refunded Principal...	10.593%
Net PV Benefit / \$18,275,000 Refunding Principal..	10.181%

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013

City of East Bethel, Minnesota

\$18,275,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013

Proposed Current Ref 2010A (Recovery Zone Bds) & 2010B (BABs)

Assumes Current Market Non BQ Aa3 Rates

Current Refunding Escrow

Date	Rate	Receipts	Disbursements	Cash Balance
07/01/2013	-	18,041,514.58	18,041,514.58	-
Total	-	\$18,041,514.58	\$18,041,514.58	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Bond Yield
Cash Deposit	18,041,514.58
Total Cost of Investments	\$18,041,514.58
Target Cost of Investments at bond yield	\$18,041,514.58
Yield to Receipt	-
Yield for Arbitrage Purposes	5.6002047%

City of East Bethel, Minnesota

\$11,940,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013

Proposed Current Ref Tax GO Wat Utility Rev Bonds, 2010A (Recovery Zone Bds)

Assumes Current Market Non BQ Aa3 Rates

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
07/01/2013	-	-	-	-	-
02/01/2014	-	-	190,787.92	190,787.92	190,787.92
08/01/2014	-	-	163,532.50	163,532.50	-
02/01/2015	-	-	163,532.50	163,532.50	327,065.00
08/01/2015	-	-	163,532.50	163,532.50	-
02/01/2016	-	-	163,532.50	163,532.50	327,065.00
08/01/2016	-	-	163,532.50	163,532.50	-
02/01/2017	-	-	163,532.50	163,532.50	327,065.00
08/01/2017	-	-	163,532.50	163,532.50	-
02/01/2018	-	-	163,532.50	163,532.50	327,065.00
08/01/2018	-	-	163,532.50	163,532.50	-
02/01/2019	-	-	163,532.50	163,532.50	327,065.00
08/01/2019	-	-	163,532.50	163,532.50	-
02/01/2020	205,000.00	1.250%	163,532.50	368,532.50	532,065.00
08/01/2020	-	-	162,251.25	162,251.25	-
02/01/2021	210,000.00	1.450%	162,251.25	372,251.25	534,502.50
08/01/2021	-	-	160,728.75	160,728.75	-
02/01/2022	260,000.00	1.650%	160,728.75	420,728.75	581,457.50
08/01/2022	-	-	158,583.75	158,583.75	-
02/01/2023	230,000.00	1.800%	158,583.75	388,583.75	547,167.50
08/01/2023	-	-	156,513.75	156,513.75	-
02/01/2024	280,000.00	2.000%	156,513.75	436,513.75	593,027.50
08/01/2024	-	-	153,713.75	153,713.75	-
02/01/2025	310,000.00	2.200%	153,713.75	463,713.75	617,427.50
08/01/2025	-	-	150,303.75	150,303.75	-
02/01/2026	365,000.00	2.350%	150,303.75	515,303.75	665,607.50
08/01/2026	-	-	146,015.00	146,015.00	-
02/01/2027	425,000.00	2.450%	146,015.00	571,015.00	717,030.00
08/01/2027	-	-	140,808.75	140,808.75	-
02/01/2028	490,000.00	2.550%	140,808.75	630,808.75	771,617.50
08/01/2028	-	-	134,561.25	134,561.25	-
02/01/2029	555,000.00	2.650%	134,561.25	689,561.25	824,122.50
08/01/2029	-	-	127,207.50	127,207.50	-
02/01/2030	635,000.00	2.700%	127,207.50	762,207.50	889,415.00
08/01/2030	-	-	118,635.00	118,635.00	-
02/01/2031	740,000.00	2.750%	118,635.00	858,635.00	977,270.00
08/01/2031	-	-	108,460.00	108,460.00	-
02/01/2032	815,000.00	2.800%	108,460.00	923,460.00	1,031,920.00
08/01/2032	-	-	97,050.00	97,050.00	-
02/01/2033	815,000.00	2.850%	97,050.00	912,050.00	1,009,100.00
08/01/2033	-	-	85,436.25	85,436.25	-
02/01/2034	815,000.00	2.900%	85,436.25	900,436.25	985,872.50
08/01/2034	-	-	73,618.75	73,618.75	-
02/01/2035	810,000.00	2.950%	73,618.75	883,618.75	957,237.50
08/01/2035	-	-	61,671.25	61,671.25	-
02/01/2036	810,000.00	3.000%	61,671.25	871,671.25	933,342.50
08/01/2036	-	-	49,521.25	49,521.25	-
02/01/2037	805,000.00	3.050%	49,521.25	854,521.25	904,042.50
08/01/2037	-	-	37,245.00	37,245.00	-
02/01/2038	795,000.00	3.100%	37,245.00	832,245.00	869,490.00
08/01/2038	-	-	24,922.50	24,922.50	-
02/01/2039	790,000.00	3.150%	24,922.50	814,922.50	839,845.00
08/01/2039	-	-	12,480.00	12,480.00	-
02/01/2040	780,000.00	3.200%	12,480.00	792,480.00	804,960.00
Total	\$11,940,000.00	-	\$6,472,632.92	\$18,412,632.92	-

Yield Statistics

Bond Year Dollars	\$226,765.00
Average Life	18.992 Years
Average Coupon	2.8543351%
Net Interest Cost (NIC)	2.8911926%
True Interest Cost (TIC)	2.8826372%
Bond Yield for Arbitrage Purposes	5.6002047%
All Inclusive Cost (AIC)	2.9228481%

IRS Form 8038

Net Interest Cost	2.8543351%
Weighted Average Maturity	18.992 Years

Proposed CR Ser 10AB RZED | Proposed CR Ser 10AB RZED | 4/26/2013 | 2:06 PM

City of East Bethel, Minnesota

\$11,940,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013
 Proposed Current Ref Tax GO Wat Utility Rev Bonds, 2010A (Recovery Zone Bds)
 Assumes Current Market Non BQ Aa3 Rates

Debt Service Comparison

Date	Total P+	Net New D/S	Old Net D/S	Savings
02/01/2014	190,787.92	187,583.37	421,889.88	234,306.51
02/01/2015	327,065.00	327,065.00	421,889.88	94,824.88
02/01/2016	327,065.00	327,065.00	421,889.88	94,824.88
02/01/2017	327,065.00	327,065.00	421,889.88	94,824.88
02/01/2018	327,065.00	327,065.00	421,889.88	94,824.88
02/01/2019	327,065.00	327,065.00	421,889.88	94,824.88
02/01/2020	532,065.00	532,065.00	536,889.88	4,824.88
02/01/2021	534,502.50	534,502.50	539,043.64	4,541.14
02/01/2022	581,457.50	581,457.50	585,941.64	4,484.14
02/01/2023	547,167.50	547,167.50	550,705.64	3,538.14
02/01/2024	593,027.50	593,027.50	596,393.64	3,366.14
02/01/2025	617,427.50	617,427.50	620,541.64	3,114.14
02/01/2026	665,607.50	665,607.50	668,765.64	3,158.14
02/01/2027	717,030.00	717,030.00	718,934.38	1,904.38
02/01/2028	771,617.50	771,617.50	776,958.14	5,340.64
02/01/2029	824,122.50	824,122.50	827,479.38	3,356.88
02/01/2030	889,415.00	889,415.00	890,676.88	1,261.88
02/01/2031	977,270.00	977,270.00	981,014.38	3,744.38
02/01/2032	1,031,920.00	1,031,920.00	1,051,511.88	19,591.88
02/01/2033	1,009,100.00	1,009,100.00	1,048,482.50	39,382.50
02/01/2034	985,872.50	985,872.50	1,044,525.00	58,652.50
02/01/2035	957,237.50	957,237.50	1,044,639.38	87,401.88
02/01/2036	933,342.50	933,342.50	1,043,640.00	110,297.50
02/01/2037	904,042.50	904,042.50	1,040,337.50	136,295.00
02/01/2038	869,490.00	869,490.00	1,035,880.00	166,390.00
02/01/2039	839,845.00	839,845.00	1,035,267.50	195,422.50
02/01/2040	804,960.00	804,960.00	1,033,307.50	228,347.50
Total	\$18,412,632.92	\$18,409,428.37	\$20,202,275.42	\$1,792,847.05

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	5,157,832.76
Effects of changes in Credit Enhancement Expenses.	(4,222,275.86)
Net PV Cashflow Savings @ 5.600%(Bond Yield)....	935,556.90
Contingency or Rounding Amount.....	3,204.55
Net Present Value Benefit	\$938,761.45
Net PV Benefit / \$13,336,365.56 PV Refunded Debt Service	7.039%
Net PV Benefit / \$11,465,000 Refunded Principal...	8.188%
Net PV Benefit / \$11,940,000 Refunding Principal..	7.862%

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013

City of East Bethel, Minnesota

\$11,940,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013
Proposed Current Ref Tax GO Wat Utility Rev Bonds, 2010A (Recovery Zone Bds)
Assumes Current Market Non BQ Aa3 Rates

Current Refunding Escrow

Date	Rate	Receipts	Disbursements	Cash Balance
07/01/2013	-	11,784,613.54	11,784,613.54	-
Total	-	\$11,784,613.54	\$11,784,613.54	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Unrestricted
Cash Deposit	11,784,613.54
Total Cost of Investments	\$11,784,613.54
Target Cost of Investments at bond yield	\$11,784,613.54
Yield to Receipt	-
Yield for Arbitrage Purposes	5.6002047%

City of East Bethel, MN

\$11,465,000 Taxable G.O. Water Utility Revenue Bonds, Series 2010A

Recovery Zone Economic Development Bonds

Prior Original Debt Service

Date	Principal	Coupon	Interest	LOC	Total P+I	Fiscal Total
02/01/2013	-	-	-	-	-	-
08/01/2013	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2014	-	-	383,536.25	(172,591.31)	210,944.94	421,889.88
08/01/2014	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2015	-	-	383,536.25	(172,591.31)	210,944.94	421,889.88
08/01/2015	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2016	-	-	383,536.25	(172,591.31)	210,944.94	421,889.88
08/01/2016	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2017	-	-	383,536.25	(172,591.31)	210,944.94	421,889.88
08/01/2017	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2018	-	-	383,536.25	(172,591.31)	210,944.94	421,889.88
08/01/2018	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2019	-	-	383,536.25	(172,591.31)	210,944.94	421,889.88
08/01/2019	-	-	383,536.25	(172,591.31)	210,944.94	-
02/01/2020	115,000.00	4.500%	383,536.25	(172,591.31)	325,944.94	536,889.88
08/01/2020	-	-	380,948.75	(171,426.93)	209,521.82	-
02/01/2021	120,000.00	4.700%	380,948.75	(171,426.93)	329,521.82	539,043.64
08/01/2021	-	-	378,128.75	(170,157.93)	207,970.82	-
02/01/2022	170,000.00	5.600%	378,128.75	(170,157.93)	377,970.82	585,941.64
08/01/2022	-	-	373,368.75	(168,015.93)	205,352.82	-
02/01/2023	140,000.00	5.600%	373,368.75	(168,015.93)	345,352.82	550,705.64
08/01/2023	-	-	369,448.75	(166,251.93)	203,196.82	-
02/01/2024	190,000.00	5.600%	369,448.75	(166,251.93)	393,196.82	596,393.64
08/01/2024	-	-	364,128.75	(163,857.93)	200,270.82	-
02/01/2025	220,000.00	5.600%	364,128.75	(163,857.93)	420,270.82	620,541.64
08/01/2025	-	-	357,968.75	(161,085.93)	196,882.82	-
02/01/2026	275,000.00	6.500%	357,968.75	(161,085.93)	471,882.82	668,765.64
08/01/2026	-	-	349,031.25	(157,064.06)	191,967.19	-
02/01/2027	335,000.00	6.500%	349,031.25	(157,064.06)	526,967.19	718,934.38
08/01/2027	-	-	338,143.75	(152,164.68)	185,979.07	-
02/01/2028	405,000.00	6.500%	338,143.75	(152,164.68)	590,979.07	776,958.14
08/01/2028	-	-	324,981.25	(146,241.56)	178,739.69	-
02/01/2029	470,000.00	6.500%	324,981.25	(146,241.56)	648,739.69	827,479.38
08/01/2029	-	-	309,706.25	(139,367.81)	170,338.44	-
02/01/2030	550,000.00	6.500%	309,706.25	(139,367.81)	720,338.44	890,676.88
08/01/2030	-	-	291,831.25	(131,324.06)	160,507.19	-
02/01/2031	660,000.00	6.750%	291,831.25	(131,324.06)	820,507.19	981,014.38
08/01/2031	-	-	269,556.25	(121,300.31)	148,255.94	-
02/01/2032	755,000.00	6.750%	269,556.25	(121,300.31)	903,255.94	1,051,511.88
08/01/2032	-	-	244,075.00	(109,833.75)	134,241.25	-
02/01/2033	780,000.00	6.750%	244,075.00	(109,833.75)	914,241.25	1,048,482.50
08/01/2033	-	-	217,750.00	(97,987.50)	119,762.50	-
02/01/2034	805,000.00	6.750%	217,750.00	(97,987.50)	924,762.50	1,044,525.00
08/01/2034	-	-	190,581.25	(85,761.56)	104,819.69	-
02/01/2035	835,000.00	6.750%	190,581.25	(85,761.56)	939,819.69	1,044,639.38
08/01/2035	-	-	162,400.00	(73,080.00)	89,320.00	-
02/01/2036	865,000.00	7.000%	162,400.00	(73,080.00)	954,320.00	1,043,640.00
08/01/2036	-	-	132,125.00	(59,456.25)	72,668.75	-
02/01/2037	895,000.00	7.000%	132,125.00	(59,456.25)	967,668.75	1,040,337.50
08/01/2037	-	-	100,800.00	(45,360.00)	55,440.00	-
02/01/2038	925,000.00	7.000%	100,800.00	(45,360.00)	980,440.00	1,035,880.00
08/01/2038	-	-	68,425.00	(30,791.25)	37,633.75	-
02/01/2039	960,000.00	7.000%	68,425.00	(30,791.25)	997,633.75	1,035,267.50
08/01/2039	-	-	34,825.00	(15,671.25)	19,153.75	-
02/01/2040	995,000.00	7.000%	34,825.00	(15,671.25)	1,014,153.75	1,033,307.50
Total	\$11,465,000.00	-	\$15,885,955.00	(7,148,679.58)	\$20,202,275.42	-

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/01/2013
Average Life	19.999 Years
Average Coupon	6.7891414%
Weighted Average Maturity (Par Basis)	19.999 Years

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013
Ser 2010A \$11.465M Recove SINGLE PURPOSE 4/26/2013 2:06 PM	

City of East Bethel, MN

\$11,465,000 Taxable G.O. Water Utility Revenue Bonds, Series 2010A

Recovery Zone Economic Development Bonds

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
07/01/2013	11,465,000.00	319,613.54	11,784,613.54	-	-	-	-
08/01/2013	-	-	-	-	-	383,536.25	383,536.25
02/01/2014	-	-	-	-	-	383,536.25	383,536.25
08/01/2014	-	-	-	-	-	383,536.25	383,536.25
02/01/2015	-	-	-	-	-	383,536.25	383,536.25
08/01/2015	-	-	-	-	-	383,536.25	383,536.25
02/01/2016	-	-	-	-	-	383,536.25	383,536.25
08/01/2016	-	-	-	-	-	383,536.25	383,536.25
02/01/2017	-	-	-	-	-	383,536.25	383,536.25
08/01/2017	-	-	-	-	-	383,536.25	383,536.25
02/01/2018	-	-	-	-	-	383,536.25	383,536.25
08/01/2018	-	-	-	-	-	383,536.25	383,536.25
02/01/2019	-	-	-	-	-	383,536.25	383,536.25
08/01/2019	-	-	-	-	-	383,536.25	383,536.25
02/01/2020	-	-	-	115,000.00	4.500%	383,536.25	498,536.25
08/01/2020	-	-	-	-	-	380,948.75	380,948.75
02/01/2021	-	-	-	120,000.00	4.700%	380,948.75	500,948.75
08/01/2021	-	-	-	-	-	378,128.75	378,128.75
02/01/2022	-	-	-	170,000.00	5.600%	378,128.75	548,128.75
08/01/2022	-	-	-	-	-	373,368.75	373,368.75
02/01/2023	-	-	-	140,000.00	5.600%	373,368.75	513,368.75
08/01/2023	-	-	-	-	-	369,448.75	369,448.75
02/01/2024	-	-	-	190,000.00	5.600%	369,448.75	559,448.75
08/01/2024	-	-	-	-	-	364,128.75	364,128.75
02/01/2025	-	-	-	220,000.00	5.600%	364,128.75	584,128.75
08/01/2025	-	-	-	-	-	357,968.75	357,968.75
02/01/2026	-	-	-	275,000.00	6.500%	357,968.75	632,968.75
08/01/2026	-	-	-	-	-	349,031.25	349,031.25
02/01/2027	-	-	-	335,000.00	6.500%	349,031.25	684,031.25
08/01/2027	-	-	-	-	-	338,143.75	338,143.75
02/01/2028	-	-	-	405,000.00	6.500%	338,143.75	743,143.75
08/01/2028	-	-	-	-	-	324,981.25	324,981.25
02/01/2029	-	-	-	470,000.00	6.500%	324,981.25	794,981.25
08/01/2029	-	-	-	-	-	309,706.25	309,706.25
02/01/2030	-	-	-	550,000.00	6.500%	309,706.25	859,706.25
08/01/2030	-	-	-	-	-	291,831.25	291,831.25
02/01/2031	-	-	-	660,000.00	6.750%	291,831.25	951,831.25
08/01/2031	-	-	-	-	-	269,556.25	269,556.25
02/01/2032	-	-	-	755,000.00	6.750%	269,556.25	1,024,556.25
08/01/2032	-	-	-	-	-	244,075.00	244,075.00
02/01/2033	-	-	-	780,000.00	6.750%	244,075.00	1,024,075.00
08/01/2033	-	-	-	-	-	217,750.00	217,750.00
02/01/2034	-	-	-	805,000.00	6.750%	217,750.00	1,022,750.00
08/01/2034	-	-	-	-	-	190,581.25	190,581.25
02/01/2035	-	-	-	835,000.00	6.750%	190,581.25	1,025,581.25
08/01/2035	-	-	-	-	-	162,400.00	162,400.00
02/01/2036	-	-	-	865,000.00	7.000%	162,400.00	1,027,400.00
08/01/2036	-	-	-	-	-	132,125.00	132,125.00
02/01/2037	-	-	-	895,000.00	7.000%	132,125.00	1,027,125.00
08/01/2037	-	-	-	-	-	100,800.00	100,800.00
02/01/2038	-	-	-	925,000.00	7.000%	100,800.00	1,025,800.00
08/01/2038	-	-	-	-	-	68,425.00	68,425.00
02/01/2039	-	-	-	960,000.00	7.000%	68,425.00	1,028,425.00
08/01/2039	-	-	-	-	-	34,825.00	34,825.00
02/01/2040	-	-	-	995,000.00	7.000%	34,825.00	1,029,825.00
Total	\$11,465,000.00	\$319,613.54	\$11,784,613.54	\$11,465,000.00	-	\$15,885,955.00	\$27,350,955.00

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/01/2013
Average Life	19.999 Years
Average Coupon	6.9285384%
Weighted Average Maturity (Par Basis)	19.999 Years

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013

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City of East Bethel, Minnesota

\$6,335,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013
 Proposed Current Refunding Tax GO Wat Utility Rev Bonds, 2010B (BABs)
 Assumes Current Market Non BQ Aa3 Rates

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
07/01/2013	-	-	-	-	-
02/01/2014	-	-	91,339.79	91,339.79	91,339.79
08/01/2014	-	-	78,291.25	78,291.25	-
02/01/2015	-	-	78,291.25	78,291.25	156,582.50
08/01/2015	-	-	78,291.25	78,291.25	-
02/01/2016	-	-	78,291.25	78,291.25	156,582.50
08/01/2016	-	-	78,291.25	78,291.25	-
02/01/2017	-	-	78,291.25	78,291.25	156,582.50
08/01/2017	-	-	78,291.25	78,291.25	-
02/01/2018	-	-	78,291.25	78,291.25	156,582.50
08/01/2018	-	-	78,291.25	78,291.25	-
02/01/2019	290,000.00	1.000%	78,291.25	368,291.25	446,582.50
08/01/2019	-	-	76,841.25	76,841.25	-
02/01/2020	295,000.00	1.250%	76,841.25	371,841.25	448,682.50
08/01/2020	-	-	74,997.50	74,997.50	-
02/01/2021	240,000.00	1.450%	74,997.50	314,997.50	389,995.00
08/01/2021	-	-	73,257.50	73,257.50	-
02/01/2022	245,000.00	1.650%	73,257.50	318,257.50	391,515.00
08/01/2022	-	-	71,236.25	71,236.25	-
02/01/2023	255,000.00	1.800%	71,236.25	326,236.25	397,472.50
08/01/2023	-	-	68,941.25	68,941.25	-
02/01/2024	260,000.00	2.000%	68,941.25	328,941.25	397,882.50
08/01/2024	-	-	66,341.25	66,341.25	-
02/01/2025	265,000.00	2.200%	66,341.25	331,341.25	397,682.50
08/01/2025	-	-	63,426.25	63,426.25	-
02/01/2026	275,000.00	2.350%	63,426.25	338,426.25	401,852.50
08/01/2026	-	-	60,195.00	60,195.00	-
02/01/2027	280,000.00	2.450%	60,195.00	340,195.00	400,390.00
08/01/2027	-	-	56,765.00	56,765.00	-
02/01/2028	290,000.00	2.550%	56,765.00	346,765.00	403,530.00
08/01/2028	-	-	53,067.50	53,067.50	-
02/01/2029	300,000.00	2.650%	53,067.50	353,067.50	406,135.00
08/01/2029	-	-	49,092.50	49,092.50	-
02/01/2030	315,000.00	2.700%	49,092.50	364,092.50	413,185.00
08/01/2030	-	-	44,840.00	44,840.00	-
02/01/2031	315,000.00	2.750%	44,840.00	359,840.00	404,680.00
08/01/2031	-	-	40,508.75	40,508.75	-
02/01/2032	330,000.00	2.800%	40,508.75	370,508.75	411,017.50
08/01/2032	-	-	35,888.75	35,888.75	-
02/01/2033	330,000.00	2.850%	35,888.75	365,888.75	401,777.50
08/01/2033	-	-	31,186.25	31,186.25	-
02/01/2034	340,000.00	2.900%	31,186.25	371,186.25	402,372.50
08/01/2034	-	-	26,256.25	26,256.25	-
02/01/2035	345,000.00	2.950%	26,256.25	371,256.25	397,512.50
08/01/2035	-	-	21,167.50	21,167.50	-
02/01/2036	265,000.00	3.000%	21,167.50	286,167.50	307,335.00
08/01/2036	-	-	17,192.50	17,192.50	-
02/01/2037	270,000.00	3.050%	17,192.50	287,192.50	304,385.00
08/01/2037	-	-	13,075.00	13,075.00	-
02/01/2038	270,000.00	3.100%	13,075.00	283,075.00	296,150.00
08/01/2038	-	-	8,890.00	8,890.00	-
02/01/2039	280,000.00	3.150%	8,890.00	288,890.00	297,780.00
08/01/2039	-	-	4,480.00	4,480.00	-
02/01/2040	280,000.00	3.200%	4,480.00	284,480.00	288,960.00
Total	\$6,335,000.00	-	\$2,789,544.79	\$9,124,544.79	-

Yield Statistics

Bond Year Dollars	\$103,315.42
Average Life	16.309 Years
Average Coupon	2.7000276%
Net Interest Cost (NIC)	2.7429496%
True Interest Cost (TIC)	2.7205982%
Bond Yield for Arbitrage Purposes	5.6002047%
All Inclusive Cost (AIC)	2.7654622%

IRS Form 8038

Net Interest Cost	2.7000276%
Weighted Average Maturity	16.309 Years

Proposed CR Ser 10AB RZED | Proposed CR Ser 10B BABs | 4/26/2013 | 2:06 PM

City of East Bethel, Minnesota

\$6,335,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013

Proposed Current Refunding Tax GO Wat Utility Rev Bonds, 2010B (BABs)

Assumes Current Market Non BQ Aa3 Rates

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
02/01/2014	91,339.79	93,983.92	244,765.64	150,781.72
02/01/2015	156,582.50	156,582.50	244,765.64	88,183.14
02/01/2016	156,582.50	156,582.50	334,765.64	178,183.14
02/01/2017	156,582.50	156,582.50	362,952.14	206,369.64
02/01/2018	156,582.50	156,582.50	450,222.14	293,639.64
02/01/2019	446,582.50	446,582.50	455,035.14	8,452.64
02/01/2020	448,682.50	448,682.50	448,957.64	275.14
02/01/2021	389,995.00	389,995.00	392,522.64	2,527.64
02/01/2022	391,515.00	391,515.00	392,329.14	814.14
02/01/2023	397,472.50	397,472.50	400,959.14	3,486.64
02/01/2024	397,882.50	397,882.50	399,043.14	1,160.64
02/01/2025	397,682.50	397,682.50	401,945.14	4,262.64
02/01/2026	401,852.50	401,852.50	404,483.14	2,630.64
02/01/2027	400,390.00	400,390.00	405,399.38	5,009.38
02/01/2028	403,530.00	403,530.00	405,893.14	2,363.14
02/01/2029	406,135.00	406,135.00	410,964.38	4,829.38
02/01/2030	413,185.00	413,185.00	415,401.88	2,216.88
02/01/2031	404,680.00	404,680.00	414,205.64	9,525.64
02/01/2032	411,017.50	411,017.50	422,140.00	11,122.50
02/01/2033	401,777.50	401,777.50	424,196.88	22,419.38
02/01/2034	402,372.50	402,372.50	430,595.64	28,223.14
02/01/2035	397,512.50	397,512.50	431,116.88	33,604.38
02/01/2036	307,335.00	307,335.00	350,980.00	43,645.00
02/01/2037	304,385.00	304,385.00	353,240.00	48,855.00
02/01/2038	296,150.00	296,150.00	354,817.50	58,667.50
02/01/2039	297,780.00	297,780.00	360,712.50	62,932.50
02/01/2040	288,960.00	288,960.00	360,697.50	71,737.50
Total	\$9,124,544.79	\$9,127,188.92	\$10,473,107.64	\$1,345,918.72

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	2,373,161.02
Effects of changes in Credit Enhancement Expenses.	(1,448,685.90)
Net PV Cashflow Savings @ 5.600%(Bond Yield)....	924,475.12
Contingency or Rounding Amount.....	(2,644.13)
Net Present Value Benefit	\$921,830.99
Net PV Benefit / \$6,798,666.46 PV Refunded Debt Service	13.559%
Net PV Benefit / \$6,100,000 Refunded Principal...	15.112%
Net PV Benefit / \$6,335,000 Refunding Principal..	14.551%

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013

City of East Bethel, Minnesota

\$6,335,000 G.O. Water Utility Refunding Bonds, Dated: July 1, 2013
Proposed Current Refunding Tax GO Wat Utility Rev Bonds, 2010B (BABs)
Assumes Current Market Non BQ Aa3 Rates

Current Refunding Escrow

Date	Rate	Receipts	Disbursements	Cash Balance
07/01/2013	-	6,256,901.04	6,256,901.04	-
Total	-	\$6,256,901.04	\$6,256,901.04	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	Securities
Default investment yield target	Bond Yield
Cash Deposit	6,256,901.04
Total Cost of Investments	\$6,256,901.04
Target Cost of Investments at bond yield	\$6,256,901.04
Yield to Receipt	-
Yield for Arbitrage Purposes	5.6002047%

City of East Bethel, MN

\$6,100,000 Taxable G.O. Water Utility Revenue Bonds, Series 2010B

Build America Bonds

Prior Original Debt Service

Date	Principal	Coupon	Interest	LOC	Total P+I	Fiscal Total
02/01/2013	-	-	-	-	-	-
08/01/2013	-	-	188,281.25	(65,898.43)	122,382.82	-
02/01/2014	-	-	188,281.25	(65,898.43)	122,382.82	244,765.64
08/01/2014	-	-	188,281.25	(65,898.43)	122,382.82	-
02/01/2015	-	-	188,281.25	(65,898.43)	122,382.82	244,765.64
08/01/2015	-	-	188,281.25	(65,898.43)	122,382.82	-
02/01/2016	90,000.00	3.100%	188,281.25	(65,898.43)	212,382.82	334,765.64
08/01/2016	-	-	186,886.25	(65,410.18)	121,476.07	-
02/01/2017	120,000.00	3.500%	186,886.25	(65,410.18)	241,476.07	362,952.14
08/01/2017	-	-	184,786.25	(64,675.18)	120,111.07	-
02/01/2018	210,000.00	3.800%	184,786.25	(64,675.18)	330,111.07	450,222.14
08/01/2018	-	-	180,796.25	(63,278.68)	117,517.57	-
02/01/2019	220,000.00	4.250%	180,796.25	(63,278.68)	337,517.57	455,035.14
08/01/2019	-	-	176,121.25	(61,642.43)	114,478.82	-
02/01/2020	220,000.00	4.500%	176,121.25	(61,642.43)	334,478.82	448,957.64
08/01/2020	-	-	171,171.25	(59,909.93)	111,261.32	-
02/01/2021	170,000.00	4.700%	171,171.25	(59,909.93)	281,261.32	392,522.64
08/01/2021	-	-	167,176.25	(58,511.68)	108,664.57	-
02/01/2022	175,000.00	5.600%	167,176.25	(58,511.68)	283,664.57	392,329.14
08/01/2022	-	-	162,276.25	(56,796.68)	105,479.57	-
02/01/2023	190,000.00	5.600%	162,276.25	(56,796.68)	295,479.57	400,959.14
08/01/2023	-	-	156,956.25	(54,934.68)	102,021.57	-
02/01/2024	195,000.00	5.600%	156,956.25	(54,934.68)	297,021.57	399,043.14
08/01/2024	-	-	151,496.25	(53,023.68)	98,472.57	-
02/01/2025	205,000.00	5.600%	151,496.25	(53,023.68)	303,472.57	401,945.14
08/01/2025	-	-	145,756.25	(51,014.68)	94,741.57	-
02/01/2026	215,000.00	6.500%	145,756.25	(51,014.68)	309,741.57	404,483.14
08/01/2026	-	-	138,768.75	(48,569.06)	90,199.69	-
02/01/2027	225,000.00	6.500%	138,768.75	(48,569.06)	315,199.69	405,399.38
08/01/2027	-	-	131,456.25	(46,009.68)	85,446.57	-
02/01/2028	235,000.00	6.500%	131,456.25	(46,009.68)	320,446.57	405,893.14
08/01/2028	-	-	123,818.75	(43,336.56)	80,482.19	-
02/01/2029	250,000.00	6.500%	123,818.75	(43,336.56)	330,482.19	410,964.38
08/01/2029	-	-	115,693.75	(40,492.81)	75,200.94	-
02/01/2030	265,000.00	6.500%	115,693.75	(40,492.81)	340,200.94	415,401.88
08/01/2030	-	-	107,081.25	(37,478.43)	69,602.82	-
02/01/2031	275,000.00	6.750%	107,081.25	(37,478.43)	344,602.82	414,205.64
08/01/2031	-	-	97,800.00	(34,230.00)	63,570.00	-
02/01/2032	295,000.00	6.750%	97,800.00	(34,230.00)	358,570.00	422,140.00
08/01/2032	-	-	87,843.75	(30,745.31)	57,098.44	-
02/01/2033	310,000.00	6.750%	87,843.75	(30,745.31)	367,098.44	424,196.88
08/01/2033	-	-	77,381.25	(27,083.43)	50,297.82	-
02/01/2034	330,000.00	6.750%	77,381.25	(27,083.43)	380,297.82	430,595.64
08/01/2034	-	-	66,243.75	(23,185.31)	43,058.44	-
02/01/2035	345,000.00	6.750%	66,243.75	(23,185.31)	388,058.44	431,116.88
08/01/2035	-	-	54,600.00	(19,110.00)	35,490.00	-
02/01/2036	280,000.00	7.000%	54,600.00	(19,110.00)	315,490.00	350,980.00
08/01/2036	-	-	44,800.00	(15,680.00)	29,120.00	-
02/01/2037	295,000.00	7.000%	44,800.00	(15,680.00)	324,120.00	353,240.00
08/01/2037	-	-	34,475.00	(12,066.25)	22,408.75	-
02/01/2038	310,000.00	7.000%	34,475.00	(12,066.25)	332,408.75	354,817.50
08/01/2038	-	-	23,625.00	(8,268.75)	15,356.25	-
02/01/2039	330,000.00	7.000%	23,625.00	(8,268.75)	345,356.25	360,712.50
08/01/2039	-	-	12,075.00	(4,226.25)	7,848.75	-
02/01/2040	345,000.00	7.000%	12,075.00	(4,226.25)	352,848.75	360,697.50
Total	\$6,100,000.00	-	\$6,727,857.50	(2,354,749.86)	\$10,473,107.64	-

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/01/2013
Average Life	16.389 Years
Average Coupon	6.5727092%
Weighted Average Maturity (Par Basis)	16.389 Years

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013

Ser 2010B \$6.1M BABs 35% | SINGLE PURPOSE | 4/26/2013 | 2:06 PM

City of East Bethel, MN

\$6,100,000 Taxable G.O. Water Utility Revenue Bonds, Series 2010B

Build America Bonds

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
07/01/2013	6,100,000.00	156,901.04	6,256,901.04	-	-	-	-
08/01/2013	-	-	-	-	-	188,281.25	188,281.25
02/01/2014	-	-	-	-	-	188,281.25	188,281.25
08/01/2014	-	-	-	-	-	188,281.25	188,281.25
02/01/2015	-	-	-	-	-	188,281.25	188,281.25
08/01/2015	-	-	-	-	-	188,281.25	188,281.25
02/01/2016	-	-	-	90,000.00	3.100%	188,281.25	278,281.25
08/01/2016	-	-	-	-	-	186,886.25	186,886.25
02/01/2017	-	-	-	120,000.00	3.500%	186,886.25	306,886.25
08/01/2017	-	-	-	-	-	184,786.25	184,786.25
02/01/2018	-	-	-	210,000.00	3.800%	184,786.25	394,786.25
08/01/2018	-	-	-	-	-	180,796.25	180,796.25
02/01/2019	-	-	-	220,000.00	4.250%	180,796.25	400,796.25
08/01/2019	-	-	-	-	-	176,121.25	176,121.25
02/01/2020	-	-	-	220,000.00	4.500%	176,121.25	396,121.25
08/01/2020	-	-	-	-	-	171,171.25	171,171.25
02/01/2021	-	-	-	170,000.00	4.700%	171,171.25	341,171.25
08/01/2021	-	-	-	-	-	167,176.25	167,176.25
02/01/2022	-	-	-	175,000.00	5.600%	167,176.25	342,176.25
08/01/2022	-	-	-	-	-	162,276.25	162,276.25
02/01/2023	-	-	-	190,000.00	5.600%	162,276.25	352,276.25
08/01/2023	-	-	-	-	-	156,956.25	156,956.25
02/01/2024	-	-	-	195,000.00	5.600%	156,956.25	351,956.25
08/01/2024	-	-	-	-	-	151,496.25	151,496.25
02/01/2025	-	-	-	205,000.00	5.600%	151,496.25	356,496.25
08/01/2025	-	-	-	-	-	145,756.25	145,756.25
02/01/2026	-	-	-	215,000.00	6.500%	145,756.25	360,756.25
08/01/2026	-	-	-	-	-	138,768.75	138,768.75
02/01/2027	-	-	-	225,000.00	6.500%	138,768.75	363,768.75
08/01/2027	-	-	-	-	-	131,456.25	131,456.25
02/01/2028	-	-	-	235,000.00	6.500%	131,456.25	366,456.25
08/01/2028	-	-	-	-	-	123,818.75	123,818.75
02/01/2029	-	-	-	250,000.00	6.500%	123,818.75	373,818.75
08/01/2029	-	-	-	-	-	115,693.75	115,693.75
02/01/2030	-	-	-	265,000.00	6.500%	115,693.75	380,693.75
08/01/2030	-	-	-	-	-	107,081.25	107,081.25
02/01/2031	-	-	-	275,000.00	6.750%	107,081.25	382,081.25
08/01/2031	-	-	-	-	-	97,800.00	97,800.00
02/01/2032	-	-	-	295,000.00	6.750%	97,800.00	392,800.00
08/01/2032	-	-	-	-	-	87,843.75	87,843.75
02/01/2033	-	-	-	310,000.00	6.750%	87,843.75	397,843.75
08/01/2033	-	-	-	-	-	77,381.25	77,381.25
02/01/2034	-	-	-	330,000.00	6.750%	77,381.25	407,381.25
08/01/2034	-	-	-	-	-	66,243.75	66,243.75
02/01/2035	-	-	-	345,000.00	6.750%	66,243.75	411,243.75
08/01/2035	-	-	-	-	-	54,600.00	54,600.00
02/01/2036	-	-	-	280,000.00	7.000%	54,600.00	334,600.00
08/01/2036	-	-	-	-	-	44,800.00	44,800.00
02/01/2037	-	-	-	295,000.00	7.000%	44,800.00	339,800.00
08/01/2037	-	-	-	-	-	34,475.00	34,475.00
02/01/2038	-	-	-	310,000.00	7.000%	34,475.00	344,475.00
08/01/2038	-	-	-	-	-	23,625.00	23,625.00
02/01/2039	-	-	-	330,000.00	7.000%	23,625.00	353,625.00
08/01/2039	-	-	-	-	-	12,075.00	12,075.00
02/01/2040	-	-	-	345,000.00	7.000%	12,075.00	357,075.00
Total	\$6,100,000.00	\$156,901.04	\$6,256,901.04	\$6,100,000.00	-	\$6,727,857.50	\$12,827,857.50

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/01/2013
Average Life	16.389 Years
Average Coupon	6.7296521%
Weighted Average Maturity (Par Basis)	16.389 Years

Refunding Bond Information

Refunding Dated Date	7/01/2013
Refunding Delivery Date	7/01/2013

Ser 2010B \$6.1M BABs 35% | SINGLE PURPOSE | 4/26/2013 | 2:06 PM

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

RESOLUTION NO. 2013-21

**RESOLUTION PROVIDING FOR THE SALE OF
\$18,275,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A**

WHEREAS, the City Council of the City of East Bethel, Minnesota, has heretofore determined that it is necessary and expedient to issue the City's \$18,275,000 General Obligation Bonds, Series 2013A (the "Bonds"), to facilitate a current refunding of the City's General Obligation Recovery Zone Economic Development Bonds, Series 2010A and the City's General Obligation Build America Bonds, Series 2010B; and

WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of East Bethel, Minnesota, as follows:

1. Authorization; Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on June 19, 2013, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Council Member _____ introduced the resolution and moved its adoption:

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and, after full discussion thereof and upon a vote being taken thereon, the following Council Members voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

Adopted this 15th day of May, 2013 by the City Council of the City of East Bethel.

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda IBem Number:

Item 4.0 A

Agenda Item:

Monthly Sheriff's Report

Requested Action:

Information Only

Background Information:

Lt. Orlando will review the monthly statistics and report on activities for the month of April, 2013.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 6.0 A-J

Agenda Item:

Consent Agenda

Requested Action:

Consider approving Consent Agenda as presented

Background Information:

Item A

Bills/Claims

Item B

April 3, 2013 City Council Regular Meeting Minutes

Meeting minutes from the April 3, 2013 Regular City Council Meeting are attached for your review and approval.

Item C

April 17, 2013 City Council Regular Meeting Minutes

Meeting minutes from the April 17, 2013 Regular City Council Meeting are attached for your review and approval.

Item D

April 17, 2013, Board of Appeals and Equalization Minutes

Meeting minutes from the April 17, 2013, Board of Appeals and Equalization are attached for your review and approval.

Item E

May 1, 2013 City Council Work Meeting Minutes

Meeting minutes from the May 1, 2013 City Council Work Meeting are attached for your review and approval.

Item F

Res. 2013-22 Designating 1996 Single Axle Ford Plow Truck Surplus Property

The 1996 Ford L8000 plow truck has outlived its useful life as a dependable vehicle for the City's maintenance needs. With numerous breakdowns and requiring many repairs, the cost to maintain the vehicle has exceeded its value. After 17 years of snow plowing service it has outlived its projected service life. This is a scheduled replacement and budgeted for in the Equipment Replacement Fund.

Staff recommends adoption of Resolution 2013-22, Declaring the Ford L8000 Surplus Property and directing the vehicle be sold at public auction.

Item G

Approve Hire of Maintenance Technician

With the resignation of Mr. Darrin Hansen, City Council directed that the Public Works Maintenance Technician position be advertised and filled. The ad for the position was posted in the Anoka Union, the City's web site and the League of Minnesota Cities web site. The City received ninety-one (91) applications for the position and selected 16 of the applicants for interviews based on the job criteria rating.

The sixteen candidates were interviewed on May 6, 2013. Chad Citrowske was found to have the qualifications necessary and required of the position over and above the other applicants.

Mr. Citrowske has three years of Public Works experience with the City of Ham Lake. References from Mr. Citrowske's previous employment have been contacted and Mr. Citrowske received complimentary marks and commendations for his previous service.

If Council moves to approve the offer of employment, we would anticipate Mr. Citrowske being available for work on May 20, 2013. Wages and benefits have been budgeted in the City's General Fund budget for 2013 for this position.

Pending receipt of Mr. Citrowske's background check, staff is recommending approval of the tentative offer of employment which has been extended to Mr. Chad Citrowske as the Public Works Maintenance Technician at Pay Grade 5, Step A (\$19.27/Hr) with benefits per City Policy.

Item H

Approval to Advertise for Website Intern

Wendy Warren is the staff contact and the administrator of the Website. With all her other duties, the task of transferring the information from the old Website to the new is more than she can reasonably be expected to accomplish within the time frame that is presumed to be acceptable. One of the options that would expedite this transition is the consideration of the employment of an intern/part-time employee to assist Wendy in this process.

In terms of time to complete the transfer of information and address the functionality and navigation concerns identified by City Council and Website Committee members, it is anticipated that the majority of the work could be finished within 60-90 days, assuming part time assistance becomes available.

There were no funds for a part time employee in the 2013 Budget for this activity. However, there are unexpended overtime funds from the City Clerk's budget to cover the expense of a part-time employee. It is anticipated that a part time employee would work up to 240 hours at a rate to range from \$10 to \$12/hr.

Staff is requesting authorization to hire a website intern. It is anticipated that the intern would commence work by no later than the second week of June.

Item I

Purchase of Single Axle Plow Truck with Single Axle Equipment

As part of the City's Equipment Replacement Program, the 1996 Ford L8000 plow truck is scheduled for replacement in 2013. This is a regular replacement for this item. This piece of

equipment is the oldest plow truck in our fleet and has reached the stage in its service life where the maintenance costs are becoming excessive and are approaching the value of the truck. Due to higher maintenance costs, increased down time and lower productivity of this vehicle, City staff recommends that we replace the Ford L8000 plow truck.

Staff has checked state contracts for single axle trucks with minimum specifications of 18,000 lb front axle weight, 23,000 lb rear axle weight, 300 horsepower and a 6 speed automatic transmission. This is consistent with the last vehicle purchased in 2011. The new truck will have an underbody scraper and rear wing plow consistent with our newer plow models that can mechanically remove snow better than a front plow alone and will reduce the need for heavier amounts of sand/salt applied to the road surface. From a review of the cab and chassis state contracts, we have identified the following as meeting City needs. The following information provides pricing data for the cab and chassis portion of the replacement program.

Single Axle Dump Trucks – Cab and Chassis

<u>Model</u>	<u>Dealer</u>	<u>Cost</u>	<u>Sales Tax</u>	<u>Total</u>
Freightliner 108SD	InterState Truck	\$78,184.24	\$5,375.17	\$83,559.41

Other truck lines that are available through state contract include Kenworth and Mack. However, these models ranged from \$18,000 to \$23,000 more than the above captioned cab and chassis model. International Trucks submitted a base bid that is competitive with the Freightliner, but with three existing Freightliners already in service for the department, product familiarity along with interchangeable parts makes the Freightliner preferable in this situation.

Our operators are pleased with the performance of the three Freightliners we have in our fleet and we have had exceptional service from the dealer of this equipment. To date we have experienced no major maintenance problems with any of the Freightliners. The purchase of another Freightliner would also simplify our parts inventory and standardize our equipment.

Dump Body and Plows

<u>Make</u>	<u>Cost</u>	<u>Sales Tax</u>	<u>Total</u>
Aspen Equipment Co.	\$69,436.00	\$4,773.73	\$74,209.73

Staff researched items on the state contract that included a 10’ dump body, front snow plow, under mount plow and a rear mounted wing. Aspen Equipment Company provided the bed and plows for the 2008, 2010, and 2011 Freightliners and has given exceptional service to the City. The single axle truck will be adequate for plowing and hauling needs for the near future.

Funds for this acquisition are provided for in the Equipment Replacement Fund. Funding was budgeted at \$160,000 for replacement of the single axle with another single axle truck. The salvage value of the 1997 L8000 is estimated to be \$10,000. The 1997 L8000 will be auctioned on the Minnesota State on-line auction in the fall of 2013. All prices are directly from the State Contract for 2013-2014.

Staff recommends the purchase of the Freightliner 108SD with box and plow equipment from Aspen Equipment for a total cost of \$157,769.14. This equipment will meet our current needs and provide a reliable snow plow with a projected service life of 15 years.

Item J

Approve 1 to 4 Day Temporary On-Sale Liquor License for Alliance for Metropolitan Stability

The Alliance for Metropolitan Stability has submitted an application for a one to four day temporary On Sale License at Blue Ribbons Disc Golf Course for Saturday, June 8, 2013 from 9:00 a.m. to 9:00 p.m. This is proposed to be part of the Surly Brewing Company's Annual Disc Golf Tournament. They would sell on sale beverages on the deck/patio area of the clubhouse of the disc golf course. No alcohol would be permitted in any other areas. If approved this will be the fifth year they have held this event and there were no issues in the last four years that this event was held. All forms are have been submitted and are complete.

Fiscal Impact:

As noted above.

Recommendation(s):

Recommend approval of the Consent Agenda as presented.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



Payments for Council Approval May 15, 2013

Bills to be Approved for Payment	\$80,209.68
Electronic Payments	\$23,021.51
Payroll City Staff - May 9, 2013	\$29,322.81
Total to be Approved for Payment	\$132,554.00

City of East Bethel

May 15, 2013

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
215-221st East 65 Service Rd	Architect/Engineering Fees	31453	Hakanson Anderson Assoc. Inc.	402	43125	6,332.51
Arena Operations	Bldg/Facility Repair Supplies	1182747	Broadway Party Rental	615	49851	136.80
Arena Operations	Bldg/Facility Repair Supplies	109067	North Suburban Rental Center	615	49851	283.21
Arena Operations	Bldgs/Facilities Repair/Maint	042513	Wright-Hennepin Coop Electric	615	49851	21.32
Arena Operations	Electric Utilities	04 2013	Connexus Energy	615	49851	815.84
Arena Operations	Professional Services Fees	57	Gibson's Management Company	615	49851	6,030.71
Arena Operations	Telephone	042813	CenturyLink	615	49851	113.25
Building Inspection	Motor Fuels	2195353	Lubricant Technologies, Inc.	101	42410	417.85
Central Services/Supplies	Information Systems	217395	City of Roseville	101	48150	2,392.33
Central Services/Supplies	Information Systems	05 2013	Midcontinent Communications	101	48150	1,278.00
Central Services/Supplies	Legal Notices	IQ 01814045	ECM Publishers, Inc.	101	48150	51.25
Central Services/Supplies	Office Equipment Rental	227606282	Loffler Companies, Inc.	101	48150	400.06
Central Services/Supplies	Office Supplies	653645475001	Office Depot	101	48150	76.72
Central Services/Supplies	Printing and Duplicating	3590	Print Plus, Inc.	101	48150	276.00
Central Services/Supplies	Small Tools and Minor Equip	260484	Frankensigns Incorporated	101	48150	4.13
Central Services/Supplies	Small Tools and Minor Equip	653648462001	Office Depot	101	48150	19.23
Central Services/Supplies	Telephone	042813	CenturyLink	101	48150	236.49
Economic Development Authority	Legal Fees	127625	Eckberg, Lammers, Briggs,	232	23200	1,881.00
Engineering	Architect/Engineering Fees	31450	Hakanson Anderson Assoc. Inc.	101	43110	1,853.96
Fire Department	Bldgs/Facilities Repair/Maint	042513	Wright-Hennepin Coop Electric	101	42210	5.32
Fire Department	Electric Utilities	04 2013	Connexus Energy	101	42210	677.54
Fire Department	Motor Fuels	2195353	Lubricant Technologies, Inc.	101	42210	664.73
Fire Department	Motor Fuels	2195354	Lubricant Technologies, Inc.	101	42210	422.15
Fire Department	Professional Services Fees	050113	City of East Bethel	231	42210	1,666.67
Fire Department	Repairs/Maint Machinery/Equip	1539-211631	O'Reilly Auto Stores Inc.	101	42210	737.37
Fire Department	Repairs/Maint Machinery/Equip	1539-212020	O'Reilly Auto Stores Inc.	101	42210	(96.19)
Fire Department	Repairs/Maint Machinery/Equip	1921-487194	O'Reilly Auto Stores Inc.	101	42210	30.99
Fire Department	Repairs/Maint Machinery/Equip	97286	Ready Watt Electric	101	42210	4,905.82
Fire Department	Repairs/Maint Machinery/Equip	8566	Rosenbauer Minnesota LLC	101	42210	287.50
Fire Department	Safety Supplies	60349	Fire Safety USA, Inc.	101	42210	980.00
Fire Department	Telephone	042813	CenturyLink	101	42210	410.05
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	028-386321	Batteries Plus	101	41940	53.46
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	S003104	Dascom Systems Group LLC	101	41940	525.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	14938	GHP Enterprises, Inc.	101	41940	368.72
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	122129	Robert B. Hill Company	101	41940	19.24
General Govt Buildings/Plant	Electric Utilities	04 2013	Connexus Energy	101	41940	751.08
Housing & Redevelopment Author	Legal Fees	127625	Eckberg, Lammers, Briggs,	230	23000	143.00
Jackson MSA Street Project	Architect/Engineering Fees	31460	Hakanson Anderson Assoc. Inc.	402	40326	982.18
Legal	Legal Fees	04 2013	Eckberg, Lammers, Briggs,	101	41610	7,628.00
Legal	Legal Fees	127625	Eckberg, Lammers, Briggs,	101	41610	3,363.00
Mayor/City Council	Other Advertising	48769	The Courier	101	41110	25.00
MSA Street Construction	Architect/Engineering Fees	31451	Hakanson Anderson Assoc. Inc.	402	40200	1,885.33
Park Maintenance	Clothing & Personal Equipment	1182471335	G&K Services - St. Paul	101	43201	19.56
Park Maintenance	Clothing & Personal Equipment	1182482698	G&K Services - St. Paul	101	43201	19.56
Park Maintenance	Clothing & Personal Equipment	1182493978	G&K Services - St. Paul	101	43201	19.56
Park Maintenance	Electric Utilities	04 2013	Connexus Energy	101	43201	161.73
Park Maintenance	General Operating Supplies	22242	Menards Cambridge	101	43201	25.50

City of East Bethel

May 15, 2013

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Park Maintenance	Lubricants and Additives	4042066701	BlueTarp Financial, Inc.	101	43201	17.06
Park Maintenance	Motor Fuels	2195353	Lubricant Technologies, Inc.	101	43201	569.77
Park Maintenance	Motor Fuels	2195354	Lubricant Technologies, Inc.	101	43201	811.82
Park Maintenance	Other Equipment Rentals	62719	Jimmy's Johnnys, Inc.	101	43201	52.86
Park Maintenance	Small Tools and Minor Equip	25954	Menards - Forest Lake	101	43201	106.81
Park Maintenance	Small Tools and Minor Equip	22715	Menards Cambridge	101	43201	94.48
Payroll	Insurance Premiums	05 2013	Dearborn National Life Ins Co.	101		1,081.17
Payroll	Insurance Premiums	05 2013	NCPERS Minnesota	101		128.00
Payroll	Union Dues	04 2013	MN Public Employees Assn	101		483.00
Planning and Zoning	Office Supplies	653645475001	Office Depot	101	41910	45.66
Police	Professional Services Fees	70599	Gopher State One-Call	101	42110	15.95
Police	Professional Services Fees	04 2013	Gratitude Farms	101	42110	437.03
Recycling Operations	Electric Utilities	04 2013	Connexus Energy	226	43235	122.25
Recycling Operations	Other Equipment Rentals	62719	Jimmy's Johnnys, Inc.	226	43235	52.87
Recycling Operations	Professional Services Fees	05 2013	Cedar East Bethel Lions	226	43235	1,000.00
Recycling Operations	Refuse Removal	50189-IN	PPL Industries	226	43235	150.00
Sewer Operations	Bldgs/Facilities Repair/Maint	3722	North Star Pump Service	602	49451	769.83
Sewer Operations	Bldgs/Facilities Repair/Maint	042513	Wright-Hennepin Coop Electric	602	49451	23.53
Sewer Operations	Electric Utilities	04 2013	Connexus Energy	602	49451	56.17
Sewer Operations	Electric Utilities	04 2013	Connexus Energy	602	49451	849.27
Sewer Operations	Professional Services Fees	83310	Utility Consultants, Inc.	602	49451	601.75
Sewer Utility Capital Projects	Architect/Engineering Fees	367428	Braun Intertec Corporation	434	49455	377.42
Sewer Utility Capital Projects	Architect/Engineering Fees	31456	Hakanson Anderson Assoc. Inc.	434	49455	714.25
Sewer Utility Capital Projects	Architect/Engineering Fees	31457	Hakanson Anderson Assoc. Inc.	434	49455	6,782.40
Sewer Utility Capital Projects	Due From Other Governments	367428	Braun Intertec Corporation	434		590.33
Street Maintenance	Bldgs/Facilities Repair/Maint	1182471335	G&K Services - St. Paul	101	43220	6.82
Street Maintenance	Bldgs/Facilities Repair/Maint	1182482698	G&K Services - St. Paul	101	43220	5.70
Street Maintenance	Bldgs/Facilities Repair/Maint	1182493978	G&K Services - St. Paul	101	43220	9.80
Street Maintenance	Bldgs/Facilities Repair/Maint	042513	Wright-Hennepin Coop Electric	101	43220	21.29
Street Maintenance	Cleaning Supplies	2601031	Dalco	101	43220	208.68
Street Maintenance	Clothing & Personal Equipment	1182471335	G&K Services - St. Paul	101	43220	14.47
Street Maintenance	Clothing & Personal Equipment	1182482698	G&K Services - St. Paul	101	43220	14.47
Street Maintenance	Clothing & Personal Equipment	1182493978	G&K Services - St. Paul	101	43220	14.47
Street Maintenance	Electric Utilities	04 2013	Connexus Energy	101	43220	1,615.86
Street Maintenance	Equipment Parts	F-231200117	Allstate Peterbilt North	101	43220	37.68
Street Maintenance	Equipment Parts	1539-209298	O'Reilly Auto Stores Inc.	101	43220	366.77
Street Maintenance	Equipment Parts	1539-211630	O'Reilly Auto Stores Inc.	101	43220	(38.48)
Street Maintenance	Equipment Parts	1-196019	Pioneer Rim & Wheel Co	101	43220	232.55
Street Maintenance	Lubricants and Additives	1539-211360	O'Reilly Auto Stores Inc.	101	43220	149.60
Street Maintenance	Motor Fuels	2195353	Lubricant Technologies, Inc.	101	43220	246.90
Street Maintenance	Motor Fuels	2195354	Lubricant Technologies, Inc.	101	43220	2,013.34
Street Maintenance	Motor Vehicle Services (Lic d)	1231130028	Blaine Brothers	101	43220	361.55
Street Maintenance	Motor Vehicle Services (Lic d)	19369	Central Truck Service, Inc	101	43220	268.36
Street Maintenance	Motor Vehicle Services (Lic d)	19370	Central Truck Service, Inc	101	43220	258.96
Street Maintenance	Motor Vehicles Parts	F-231070143	Allstate Peterbilt North	101	43220	29.56
Street Maintenance	Motor Vehicles Parts	3258	Hydraulics Plus & Consulting	101	43220	280.14
Street Maintenance	Motor Vehicles Parts	1539-211808	O'Reilly Auto Stores Inc.	101	43220	110.48

City of East Bethel

May 15, 2013

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Street Maintenance	Shop Supplies	254203	S & S Industrial Supply	101	43220	25.76
Street Maintenance	Street Maint Materials	15899	Bjorklund Companies, LLC	101	43220	24.47
Street Maintenance	Telephone	042813	CenturyLink	101	43220	68.68
Street Maintenance	Tires	150015914	Pomp's Tire Service, Inc.	101	43220	495.07
Water Utility Capital Projects	Architect/Engineering Fees	31455	Hakanson Anderson Assoc. Inc.	433	49405	406.80
Water Utility Capital Projects	Architect/Engineering Fees	31456	Hakanson Anderson Assoc. Inc.	433	49405	714.25
Water Utility Capital Projects	Architect/Engineering Fees	31459	Hakanson Anderson Assoc. Inc.	433	49405	149.36
Water Utility Operations	Bldg/Facility Repair Supplies	22575	Menards Cambridge	601	49401	32.02
Water Utility Operations	Bldgs/Facilities Repair/Maint	042513	Wright-Hennepin Coop Electric	601	49401	26.67
Water Utility Operations	Chemicals and Chem Products	3459181 RI	Hawkins, Inc	601	49401	60.00
Water Utility Operations	Electric Utilities	04 2013	Connexus Energy	601	49401	1,967.49
Water Utility Operations	Small Tools and Minor Equip	28244221	BlueTarp Financial, Inc.	651	49401	90.83
Water Utility Operations	Telephone	042813	CenturyLink	651	49401	299.08
Water Utility Operations	Utility Maint Supplies	16674	Ferguson Waterworks #2516	601	49401	23.51
Water Utility Operations	Utility Maint Supplies	18306	Ferguson Waterworks #2516	651	49401	4,360.51
						\$80,209.68

City of East Bethel

May 15, 2013

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Electronic Payments						
Payroll	PERA					\$5,482.88
Payroll	Federal Withholding					\$5,270.27
Payroll	Medicare Withholding					\$1,342.02
Payroll	FICA Tax Withholding					\$5,738.38
Payroll	State Withholding					\$2,063.58
Payroll	MSRS					\$3,124.38
						\$23,021.51

EAST BETHEL CITY COUNCIL MEETING

April 3, 2013

The East Bethel City Council met on April 3, 2013 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Richard Lawrence
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Andy Pratt, Acting City Attorney
 Craig Jochum, City Engineer

Call to Order **The April 3, 2013 City Council meeting was called to order by Mayor Lawrence at 7:30 PM.**

Adopt Agenda **Moegerle made a motion to adopt the April 3, 2013 City Council agenda. Lawrence seconded. Lawrence, "I would like to add a closed session to discuss the purchase or property per MN Statute 13D.05, subd. 3.c. at the end of the meeting."** DeRoche, "I am just curious why the HRA meeting isn't first?" Davis, "The reason we didn't schedule it first is because we had the work meeting which took up the entire time before the regular meeting. Council normally starts at 7:30 p.m. The HRA is just a very simple budget and that is all we are asking for approval on." **Koller seconded the amendment. All in favor of the amendment; motion carries. All in favor of the agenda as amended; motion carries.**

Public Forum Lawrence opened the Public Forum for any comments or concerns that were not listed on the agenda. There were no comments so the Public Forum was closed.

Consent Agenda **Moegerle made a motion to approve A) Approve Bills; F) Approve Proposal from Dascom Systems Group for Assistive Listening System for Council Chambers, G) Declare Surplus Equipment John Deere Tractor, H) Equipment Purchases for Public Works, I) Pay Estimate #20, Phase 1, Project 1, Utilities, J) Pay Estimate #1, Viking Blvd. Turn Lane, S.R. Weidema and pulling items B) Meeting Minutes, March 6, 2013, Regular Meeting; C) March 6, 2013, Work Meeting Minutes; D) March 20, 2013, Regular Meeting Minutes, E) March 20, 2013, Work Meeting Minutes and add K) Resignation of Darrin Hansen effective April 19, 2013 and authorize staff to advertise to fill this position to be discussed separately. Lawrence seconded; all in favor, motion carries.**

B) Meeting Minutes, March 6, 2013, Regular Meeting Moegerle, "I pulled B) Meeting Minutes, March 6, 2013, Regular Meeting because there are quite a few changes in these fourteen pages. Starting with page one, 1st is abbreviated, needs to be spelled out. Waterboard is one word, needs to be two words, 2nd is abbreviated and should be spelled out. The punctuation changes I am not going to discuss. At the top of page 2, third word is there, it should be their. 2nd from bottom paragraph, starting with Moegerle, Metro, should be capitalized. Same in page 3. Mark Vierling, too bad he is not here tonight, has sentences starting on page 7, 3rd full paragraph, transcribed as which in two full sentences think he said what. Next paragraph we have interim city administrator, city administrator is always capitalized. Need a word check on page 9, 5th paragraph, Moegerle ... continued detail, not sure continued was the word there. On page 13 of the meeting minutes, there is a couple places where city is not capitalized and city administrator is not

capitalized. Council reports by Koller, fire department is not capitalized, and those are the most of the ones that are not the punctuation. Those are all of the ones I have.” Lawrence, “Okay, that is a handful.”

Moegerle made a motion to adopt B) Meeting Minutes, March 6, 2013, Regular Meeting with those changes. Lawrence seconded; all in favor, motion carries.

C) Meeting Minutes, March 6, 2013, Work Meeting

Moegerle, “I pulled C) Meeting Minutes, March 6, 2013 Work Meeting because these minutes are incomplete. We had a discussion with regard to the issue of revolving City loans and there was a question about finding information. And I did a “Google” while we were in that work meeting and I found 898,000 hits for revolving City loans. Then I also did Minnesota revolving City loans and I found 155,000 hits. And they are not referenced in these minutes so I pulled these minutes so they would be tabled and be made complete.”

Moegerle made a motion to table the minutes from March 6, 2013 City Council Work Meeting until this information is included. Lawrence seconded. Ronning, “Was that a part of the meeting that was referenced in that specific term?” Moegerle, “It was omitted in here, it was part of the discussion, we have verbatim minutes. I object to verbatim minutes. But if we are going to have verbatim minutes, then they should be complete and correct. And these are incomplete and incorrect.” Ronning, “Which portion are you referring to?” Moegerle, “Because it is omitted, it is not exactly clear. But page 6 and third from bottom.” DeRoche, “Well that being said, I guess we can expect this at just about every meeting then that every single word isn’t in the minutes. Is that correct?” Moegerle, “I am saying that is an important point to be made here. And there was an important point being made here that there is information out there about revolving loans and there are many sources and other Minnesota cities with revolving loans. That is an important fact that needs to be in these minutes and out to the public if we are going to be completely transparent. I am sure there were other points that were lessor, but I think that is an important point.”

DeRoche, “Well that is fine. Everybody is worried about staff’s time and nitpicking. If that is the road we are going down, I will start nitpicking all the minutes so we can make sure every word is in there.” Lawrence, “I think it is being accurate is the point. We want to make sure they are accurate.” DeRoche, “That is fine; just understand the road we are going down.” Moegerle, “My view is we should have summary minutes. But, I am conceding to the majority. So, that is my point.” **Lawrence and Moegerle, aye; DeRoche, Koller and Ronning, nay; motion fails.**

DeRoche made a motion to approve the March 6, 2013 City Council Work Meeting minutes. Ronning seconded. Lawrence and Moegerle, nay; DeRoche, Koller and Ronning, aye; motion carries.

E) March 20, 2013 Work Meeting Minutes

Moegerle, “I also pulled the March 20, 2013 Work Meeting minutes because they are not in the packet. So obviously they will need to be tabled because they are not present for us to review.” **Moegerle made a motion to table the E) March 20, 2013 City Council Work Meeting minutes because they are not in the packet. Lawrence seconded.** Davis, “We were going to try to get these to you on Monday. But do to some staffing issues, those were not ready to send out to you and will be part of your next packet.” **All in favor, motion carries.**

D) March 20, 2013 Regular

Moegerle, “I also pulled D) March 20, 2013 Regular Meeting Minutes so I can object to minutes that are not in summary form. I will turn in all the corrections, spelling and the rest

later.” Ronning, “We don’t have a court reporter here and I don’t think you are going to have a court reporter minutes. I think we are going to have verbatim minutes to the best of the ability that we have within our City. Based on my experience.” Moegerle, “And you are right. This is not a court and we don’t have court reporters. I just pulled this so we can have a regular vote on the meeting minutes and if anyone wants to approve the meeting minutes that is fine. I am not going to vote to approve these meeting minutes.”

DeRoche made a motion to approve D) Meeting Minutes, March 20, 2013 City Council Regular Meeting. Koller seconded. Moegerle, nay; DeRoche, Koller, Lawrence and Ronning, aye; motion carries.

Moegerle, “I added this item, K) Accept Resignation of Darrin Hansen Public Works Maintenance Worker effective April 19, 2013 and authorize staff to advertise to fill this position. We have in front of us a letter of resignation.”

K)
Resignation
and Advertise

Moegerle made a motion to approve K) Accept Resignation of Darrin Hansen Public Works Maintenance Worker effective April 19, 2013 and authorize staff to advertise to fill this position. DeRoche seconded; all in favor, motion carries.

Planning
Minutes

Davis explained that the meeting minutes from the March 13, 2013 Park Commission meeting are included for your review. DeRoche, “Are we going to have any discussion on the Old School House?” Davis, “That is the next agenda item.”

Old School
House

Davis explained that The school building at Booster East Park was moved from its previous location on East Bethel Blvd to Booster East Park in September 2010. Approximately \$21,000 was spent to move the building and set it on a permanent foundation. There have been no City funds budgeted for additional improvements or renovations to the building. To date \$2,850.00 has been donated for the renovation of the school house. A portion of that money was used to purchase windows and doors so that the building could be secured, but have not been installed at this time. There is currently a balance of \$1,855 remaining in the donation account.

The City Building Official was asked to inspect the building and recommend what repairs were needed and if the building was safe for occupancy. His conclusion was that in its current state, the building is unsafe for use and presents a liability to the City. The repairs required are extensive and any attempts at renovation would leave very little of the original structure intact.

Staff has contacted numerous contractors for estimates concerning the cost of renovation but has been unsuccessful in getting contractors to quote the project. Contractors are reluctant to provide estimates due to the unknowns involved in the project and because they are aware that there is no dedicated funding for the renovation.

At their March 13, 2013 Park Commission meeting, the commission discussed what the requirements were for repairing and renovating the structure to make it safe and attractive as a public building in our park system. The commission was sensitive to the significance of the building and the local personal connections but after reviewing a slide show of the building, reading the memo provided by the building official and a description of the repair requirements, they passed a motion recommending the building be removed from the park. The commission also expressed an interest to provide a commemorative display or kiosk at City Hall or in Booster Park that reflected what life was like attending a one room school

house in the area.

If removal is approved by City Council, the next step would be to declare, by resolution, the building as surplus property. The building could then be advertised for sale. The sale price of the building could be set at \$1.00 or offered as a donation with the cost of removal and transport being the responsibility of the buyer or recipient. Should a sale or donation not be concluded within 30 days of advertisement on the City's and the League of Minnesota City's Website it would be necessary to consider demolition and transport to an off-site disposal facility as a means of removing the structure from the property. The floor joists of the building are large wooden beams that, although split, could be salvaged and repurposed for commemorative uses.

Donations for the renovation would be returned to the donors. The doors and windows that have been purchased with monies raised for the renovation could be donated to the Habitat for Humanity or sold and returned to the contributors with the decision for the refund pending their choice of options.

The City of Nowthen expressed an interest in the building, but upon inspection, deemed the structure uneconomical to renovate and coupled with the moving costs associated with transporting the structure, reported that they had no further interest in the building. Staff is obtaining quotes for the demolition costs of the structure should this be the final alternative for removal and should this be approved by City Council.

Staff and the Park Commission recommend the old school house in Booster Park East be declared surplus property and offered up for sale for a 30 day period, upon which time if no offers are made the building would be removed and disposed in the most appropriate manner.

DeRoche, "We have some people that I think would like to speak to the old school house." Moegerle, "Nate, do you have those pictures of the old school house?" Nate Ayshford, Public Works Manager, "Yes, I do have them with me." Moegerle, "Has all the Council seen the pictures?"

DeRoche made the motion to declare the old school house surplus property and to be offered up for sale for a 30 day period and if there are no offers the building would be removed and disposed in the most appropriate manner. Koller seconded.

DeRoche, "It was moved here with plastic because of lead paint, it is structurally not sound. City has about \$23,000 into, we can't burn it. We can't demolish it." Davis, "We can't burn it. We received a letter from the DNR stating that they will not grant a burning permit as a means of disposal for that building." DeRoche, "I am at a loss for thing to do with it, unless we put it up as surplus property. Ken and I talked about this, this morning. What do you do, we are caught between a rock and hard place." Moegerle, "At the Parks Commission we talked about this and there were quite a few people that were excited about possibility when this first happened. However, until it was moved here, they didn't have photographs. And, I am not sure if the minutes revealed their sentiments, but they were appalled at condition it was in but buyer's remorse kicked in pretty quickly for some of them. There is a sentimental value but there is a practical issue that it is a liability to the City due to its poor structural circumstances."

Lawrence, "I know there was a lot of research done to try to get it set up as a historical

building. But there are so many school houses they don't recognize them anymore. It is a tough one; you wind up with a building you can't do much with. Even if you fix it." DeRoche, "Even if you fix the floors, the walls, the ceiling, then it is not the old school house anymore. Now it is the replication of it." Lawrence, "We might be able to use some of the wood from it for the residents if they want a memorable piece." DeRoche asked Mr. Pratt, "What is your thought on that if it has lead paint on it?" Davis, "The joists are not painted; the only thing that is painted is the siding. So, that is what would have to be dealt with as far as lead paint issues." DeRoche, "And what do we do, we have \$23,000 into having it moved here and the slab cost." Davis, "The moving costs were \$14,000 and it was \$7,000 for the slab. So we have \$21,000 invested in the structure." Moegerle, "At the Park Commission we did discuss reuse of the slab for shuffleboard." **All in favor, motion carries.** Lawrence, "My apologies to all the people that have tried to put this together and get it to work."

Road Comm.
Minutes

Davis explained that the meeting minutes from the March 12, 2013 Road Commission meeting are included for your review. Lawrence, "The stripping in the Coon Lake Beach area, are we going to do that? The S curve?" Davis, "When the reconstruction is done this summer it will be stripped." Ronning, "For everyone else's information, there are several bid categories in here. Aggregate, 65,000 square yards, crack sealing, 100,000 feet, stripping, 55,000, contingency 5%, I am not sure what that is. I didn't catch that one myself." Davis, "The contingencies are always put on any estimate to cover any potential cost overruns or any unanticipated costs. That is just a standard item in an estimate. The administrative costs, the City of Coon Rapids is the one that administers this program, they handle putting all the bids together, handing it out, putting all the bids together. So, you pay a certain percentage of the project costs. We pay that to Coon Rapids and there is a cap on that, 1.5% not to exceed \$3,000. If we prepared the bids, Craig would have to do it. Legal would have to review it; it is a really good bargain."

DeRoche, "There was another discussion regarding the west side of Highway 65 and the service road and the expenditures of that. And they again were asking me why when the Road Commission voted against it, it was voted to go ahead with it. Davis, "That is a Council decision. Commissions can make recommendations to Council, but Council has the ultimate vote on how they want to develop. I know there was some concern about that and why there wasn't one in the sewer district. But, part of the reason for getting this money was being ready to close certain crossovers. There was talk about extending Ulysses or Jackson south to Viking Boulevard, but this wouldn't have qualified for the closure of an intersection. Plus it would have been a much more expensive project and I am not so sure that it would be one that would divert enough traffic in there. One of the things we have discussed is a project with MnDOT extending Ulysses or Johnson Street south and then east to give another connection into that area. Right now we have an issue, one of the trucks coming out of that area got stuck at that intersection and couldn't get out and traffic got backed up to the bus place. It took quite a while for that to clear up. Also, if there is ever an issue down there with public safety, there is only one way in and one way out. Also, an additional entrance and perhaps a signal south of there would probably enhance the development."

Water Park
Request for
Proposals
(RFPs)

Davis explained that the water park idea originated as a recreational amenity that was identified in a Booster Day/needs assessment survey that was conducted in July 2012 and has since evolved into an image that includes a vision of the City becoming a recreation destination for the North Metro Area. The concept is a bold and innovative approach that creates as many questions as it does opportunities for our economic development options

and initiatives. The conceptual phase of this proposition has evolved into a plan that proposes to attract a private developer to construct a hotel/resort with convention facilities and an attached indoor water park as the central focus of the project. It would also require the spin-off development of additional recreational and commercial facilities as peripheral attractions that are needed to provide the secondary support activities and services necessary for a development of this scale. Even though this type of facility would need to be located along the Hwy. 65 Corridor, no specific site has been recommended for this project.

Projects of this magnitude can have a tremendous economic impact and serve as the magnet/anchor to attract additional development. This proposed project is still in the discussion stage and has reached the point that requires Council advice as to the direction staff should follow concerning the advancement of the proposal.

The basic question regarding this project is one of marketability and the potential for attraction that would appeal to a private developer. That is the issue with this proposal and until we can provide that answer, the status of this proposal is indeterminate. The next step would be a feasibility study to provide the City necessary data that will be required to establish the practicality of this venture. The costs to perform a feasibility study could vary widely, with basic costs estimated to range between \$8,000 to \$25,000 depending on the depth of analysis that is requested. Should authorization be considered and approved, it would be advisable to put this out as a Request for Proposal (RFP) for a Water Park Feasibility Study. The feasibility study would provide the marketing information required for making a decision on this proposal. A draft attachment of an RFP for this proposal is attached for your review and consideration.

City Council gave direction to staff to prepare a draft RFP for consideration of this service at the March 6, 2013 Work Meeting.

There would no cost associated with the submission of a RFP requesting proposals for this service other than postage. Staff spent approximately 6 hours preparing the draft RFP and total staff time spent on the water park concept has not exceeded 16 hours.

Staff is requesting direction from City Council as to the preferred course of action concerning the approval and submission of the attached RFP for feasibility analysis of the Water Park/Resort Project.

Moegerle made a motion to direct staff to submit the RFP for a feasibility analysis of the Water Park/Resort Project. Lawrence seconded.

DeRoche, "For the same reasons I brought up last time this came up, I am complete against it, I thought it was only going to take a couple hours of staff time. Now we are at 16 hours of staff time. I thought it was going to be completely developer driven. Water parks for the most part are on the decline. We are not going to compete with Mall of America, we are not going to compete with Bunker Lake, and we are not going to compete with these other communities that have water parks in these little community centers." Moegerle, "Can I see the feasibility study that proves that please?" DeRoche, "Let me see the feasibility study that says it will work. I think to spend between \$8,000 and \$20,000 on a feasibility study is a waste of taxpayers' money."

Moegerle, "We don't know that cost. We are sending an RFP that is just the cost of staff, cost of postage for the ones that we don't put online. And then we will find out whether it is

\$8,000 or \$22,000 and we will have more information. We are trying to find out if this is a way to go. As far as high priority, I think anything that is reasonably to provide us with information on the way we can move our City forward is valuable. We did that marketing and branding study and we spent thousands of dollars on it. And some people who looked at that costly advice and threw it away. We need to move forward on this, and this is not the only one. We need to look forward to see if Data Centers are a possibility. We need to look at light industrial, in my opinion; we need to be sending out RFPs just about every meeting to find out how we make our infrastructure be fulfilled for its potential. When we say no, we are saying, if we build it they will come. This is just one option; we have got to get the information. Let's find out what experts have to say. The reason they haven't been building water parks is because of the recessions. They all went to Europe. If we can't spend the cost of postage, we already spent the staff time. If we can't spend the cost of postage, then it is real sad view of how we are going to take care of all the other options we have."

Ronning, "We have gone through this before and it is nothing new and there was no support for it at that time. When we say about this sixteen hours, we didn't have any input into the sixteen hours. And the estimate is a lot of money, \$8,000 to \$25,000." Moegerle, "That is what we are expecting the feasibility study to cost." Lawrence, "We are not to that point yet. It won't cost anything, except postage. Right now, what this proposal says is we are mailing out information to see what it is and if it is viable to do in East Bethel." DeRoche, "This came out of a survey that was done on Booster Day out of 12,000 people, you get 157 replies and 40 people said they wanted a Water Park. And now we have spent sixteen hours of staff time. And I knew there would be more staff time in it. There are four people up here that can vote on it. I think we ought to call the vote." Moegerle, "The vote was 4 to 1 to prepare the RFP because it didn't cost anything. It is only when you get back responses to the RFP and they say, "East Bethel it will cost you X amount of dollars. There are a lot of fail-safe's to build this project. I agree 40 is not a lot. But if you look out there in our audience and we only have four and those not associated with our commissions are two. I thought we were up here to create possibilities and to throw away a possibility without even looking at it bodes very ill for our City."

DeRoche, "You always have compliments on the rest of Council, but we have spent money, sixteen hours getting this far. I think back to 2010 when there was another feasibility study and people saying this and that and it stuck here. And you like to say, "That is history, forget it." Well no, I won't forget it. I don't think having a developer and the RFP is where we should go. You know why we don't have a lot of civic involvement out here? Because people go what is the difference. You are going to do what you want to do anyways." Moegerle, "We have 40 people who said this. What do you say to those 40 people that were interested in the water park? But we as residents can't put together a RFP and can't find out. You are our elected government officials. This is the strongest interest we have gotten from people to say anything about and you are going to thumb your nose at it. But more than that, everything is feasible; it is just how much you want to spend. Of course it is feasible; it is just what does it cost. In my mind it is we get a feasibility study and find out what it is going to cost for a developer to come in and want to do this. There are a lot of questions about how we are going to develop the City. I think we should be working on it. But, I think we should be working it until we know dollar cost. We have gotten this far, let's find out the answer. We got to get in the habit of getting the information before us to make an informed decision."

DeRoche, "You can put it in your own words as you always do. I think that sixteen hours would have been better spent we have a mile and a half of the sewer district that we have to

develop. Yes, we have a forcemain coming up, but unless someone is big enough to attach to it, we as a City and elected officials have a duty to our citizens to try to get the development down there so that they are not hit with the bill.” Moegerle, “Doesn’t water park fit that?” Lawrence, “What we are doing, this particular project, this is not something new that just came up. I recall the meetings you are referring to and this room was packed and everyone was saying no. I don’t see anyone saying no today. We have been kicking this around for a couple years. We don’t know if we will get a reply back. But the least we can do is send out the two bucks in stamps to find out.”

Moegerle, “We have to be planning for the future, how long would it take to get a water park? We have the East Bethel Properties, LLC and they are going to be breaking ground. Then many more will be breaking ground. This one is a longer term one, but we have the short term ones coming up. We don’t have a strategic plan, but this shows our dedication.” Ronning, “It says on second page, City Council gave direction to staff to prepare a draft RFP for consideration at March 6, 2013 work meeting. There was a consensus, I was opposed.” Lawrence, “I think what it came to, if my memory serves me correctly was Jack said it would take a few hours of staff time.” Davis, “The issue was discussed and there was not any general support for the project. However, the question was brought up to get direction from council to draft the RFP because that could be done at no cost. That was discussed and no vote was taken because it was a work meeting. The direction from Council was four to one to permit staff to draft an RFP and bring it back to Council for direction.” Moegerle, “And you kind of said, “Oh what the heck because there were no out-of-pocket expense.” Ronning, “I remember saying to Jack do you want my answer now or later, no.”

Lawrence, “Basically this whole thing has been structured and now we are to the end to find out what it is going to cost and it is stamps.” Ronning, “How many of these people in the survey were East Bethel residents?” Moegerle, “Dan Butler was there and was specifically advised to get these from residents. Think there were 80 from Booster Day and the balance were from the website and I think we asked them to say if they were residents.” Ronning, “So we don’t know if they were residents.” Moegerle, “We have a large probability, the whole point was that Dan Butler and I asked them if they were residents. We can do a feasibility study for a \$1,000 and then we can say we are already there. We can send these out for the postage. The time has already been spent.”

Koller, “I am not really for a water park but would be willing to find out if feasible.”

DeRoche and Ronning, nay; Koller, Lawrence, Moegerle, aye; motion carries.

Water &
Sewer
Ordinance

Davis explained that In order to update our current Ordinance that regulates Waterworks and Sanitary Sewer, the attached amendments are proposed for Council’s consideration. These revisions will allow us to more effectively administer and manage the operation of the Municipal Utilities System that will be accepting customers beginning in May 2013.

Other changes, including the time required to connect to the system and a statement exempting existing residential properties from mandatory connections along with a clarification of definitions, were recommended by Council. These changes are incorporated in the attached Ordinance revision.

The City Attorney also recommends that the City Council adopt a policy on mandatory connection by Resolution where municipal services are available. Although that is not needed immediately at this point we should begin the preparation of a draft for that for

consideration.

Moegerle, "What is the cost for a home to connect to the forcemain?" Jochum, "\$30,000 to \$50,000."

The time required for the existing businesses to connect to the system will have an impact on the project bond payment deficit for 2013. If payment for all those notified in the 429 notification process are required to pay their connection fees in 2013(14 businesses), our projected deficit for our bond payments will be \$91,376 depending on the outcome of the federal "sequestration" debate.

If an additional time extension beyond 2013 is given to the 429 noticed properties, our budget deficit for the bond payments could increase to \$412,873 for 2013(this accounts for a \$41,000 reduction in our federal tax credits which may or may not happen and includes the connection of Aggressive Hydraulics to the system).

In both cases these deficits would have to be covered from the City General Fund or other City reserves as directed by City Council.

Staff is recommending the approval of the amendments to Ordinance 44, Second Series, Chapter 74, Article V, Regulating Waterworks and Sanitary Sewer as presented in the attachments and direction to publish.

Ronning made a motion to suspend and hold in abeyance all amendments, additions or deletions to Chapter 74, Article V. of the City Code of Ordinances until such time as the completion of: The City of East Bethel shall research and produce a chronology of events and details concerning the Sewer and Water Project, including pertinent events, cost explanations and other necessary descriptions beginning at a point in time on or about the 3rd or 4th quarter of 2010 for review by City Council. Upon City Council review, the City shall produce adequate details as to be understandable by a layperson between the ages of 18 and 100. The City shall produce the Sewer and Water Project Information, to be distributed to the residents of East Bethel by means of written communications, town hall type meeting and through the City website. The purpose will be to create an awareness and understanding of the potential impact on City residents and City business so as to better prepare for possible shortfalls and potential necessary actions by the City to react with means necessary to maintain our community. Exceptions to this suspension shall include a shovel-ready connection that may be requested by Aggressive Hydraulics. Subject to Council vote of approval, this action is to provide adequate information to the residents that they may be advised of the present state of the Sewer/Water System and be aware of potential future necessary actions by the City. The conditions identified in the current Code of Ordinances, Chapter 74, Utilities, Article V. Regulating Waterworks and Sanitary Sewer, Division 1. Generally, Section 74-123 are suspended upon approval of this amendment. Upon satisfying the referenced information and distributions, conditions of these suspensions shall expire. Similar communications shall be updated for residents and business and shall be made available bi-annually thru 2015. DeRoche seconded.

Moegerle, I would like to table the motion." Ronning, "You can't make a motion on top of a motion." Moegerle, "Can we get a copy of that?" Ronning distributed copies. Moegerle, "Hasn't this already been done and wasn't this done in February 2011? We did a feasibility study review in February 2011 to create awareness regarding the potential impact on

businesses and residents. And we don't want the City to react, we want it to act." Ronning, "I am absolutely convinced the vast majority of this community does not know about what the City is facing. And further if someone is going to vote against informing the residents of the information like that, I would have to see it." Moegerle, "This has already been done in our feasibility study." Ronning, "My motion is in response to the recommendation that is on the table." Moegerle, "Jack, how long would it take to complete something like this? Would it take sixteen staff hours?" Davis, "It would depend on how much detail you want. Maybe a day." Ronning, "I would want to work with you so that it wouldn't be a waste of time. How many are here, 12,000? I would say 10,000 at a minimum don't have adequate information available to them that they can make a decision on. Such as if there is a cost like that \$30,000 coming up, people are going to have to decide do I buy a car or not. It will have to get there sooner or later." Davis, "The answer that Craig gave was that it wouldn't be feasible for a residential connection to be made to the system because it would be too costly. Nor is it intended or designed for that purpose. And the language in this new version specifically refers to non-residential property. Requiring residents to hook-up is not the intent of this ordinance."

Moegerle, "Are you suggesting that the City mail this document to every household. And if so, do you have a bond to reimburse this? Who is going to pay for doing this? I absolutely agree with you. Most residents don't know about it, don't want to know about it. They are totally befuddled by it and they don't understand how we got there and those kinds of things. But, what I find when I talk to people is they say, "I am glad you are on the job figuring this out, because it is real complex. So to this there is going to be a cost. So who is going to pay this cost?" DeRoche, "The same ones that are paying the sixteen hours preparing an RFP. This is informing residents of what they are really looking at. I don't think they really understand the sewer project. I recall when we ran for Council the platform was we were not going to push this project through. Because we knew somewhat of how it would come down to the residents." Moegerle, "Our plan is we were going to try to stop it. And then we learned that it would cost \$9,000,000 to stop it. That is twice what our budget was at that point. And we would have to pay that back immediately." DeRoche, "I never saw anything that said it would cost \$9,000,000. In lieu of, now we are into a \$35,000,000 deal."

Lawrence, "I need more information to even put this together to vote on this. I can't vote on something I don't have all the information on." Ronning, "We know that Weidema stopped work for 45 days last year and know that they were supposed to be done either June or July of last year. And, we gave them an extra year and we are paying 10's of extras dollars of cost because of them. Sixteen hours means crap to me!" Moegerle, "Did you get that (to the minute taker." Ronning, "If you didn't I have it. The residents deserve at least some of the multi-thousands of dollars we have given to Weidema."

Moegerle, "So we are going to not move forward with getting our work done as far as this ordinance. Why can't these be done at the same time. Because if we get this done, we can move forward with getting connections to this to pay for it. We just had the write-up and we are looking at in excess of \$400,000 that we need to make our payment. We are going to cost those residents if we don't get these businesses hooked-up by the end of the year."

DeRoche, "That isn't the figure I got out of the budget meeting we had a two days ago. There was another number that could happen next year possibly if some things don't happen." Davis, "This is for this year only. This is a real number for 2013, if we don't get the connections for this year, we will be short \$420,000." Ronning, "I am not going to be one of these regular politicians that tells people one thing and does another. If there is

transparency, there is. If there isn't close your eyes. I have been asking for guys to do this for two years and nothing has happened." Moegerle, "You are the one that that came up with the \$75,000,000 with interest." Ronning, "No it was \$51,000,000. And when you look at the amortization schedule the first fifteen years on the big mortgage is interest only. So that practically doubles the cost." Moegerle, "When the residents get this, does that mean they are going to be coming forward with ideas of how to pay for this, what is going to be the sign that you are satisfied that the residents of the City of East Bethel are well aware of this issue. Because I can see that we are going to tie up the whole City for an indefinite time until you get what you want and then you are going to come here and say, "But the Council Chambers are empty they must not understand this. I think this is too vague." Ronning, "I deliberately made sure it is not me that reviews it, it is the Council. I would like input."

Pratt, "From a legal prospective this certainly is not legal document, it is not meant for that and that is fine. I agree it is in the Councils discretion on how these conditions will be satisfied in the future if you adopt this motion. Number two; my question is the third paragraph from the bottom, Section 74-123 is mentioned that the regulations are suspended upon approval of this amendment. The way the ordinance reads now, before you have a blank and then a sentence that will be added to the bottom of it if you adopt the staff recommendation. The way the ordinance reads now, how would that be affected by this motion?" Ronning, "74-123 is the proposed six months mandatory, no additions, deletions or amendments, it is left to the city engineer to make changes. It is strange when some people came in here, they were opposed to this. Then within a few weeks, they started voting in favor of this. Voting for change orders for Weidema, etc. If you have to do it, reality is reality. To say our residents aren't entitled to as much information as they are." Moegerle, "I think you go too far." Ronning, "I can go back in minutes and get records for it."

Lawrence, "We have had many open houses to inform residents of what is going on openly; we have worked very hard to ensure they knew what was going on." Ronning, "I spoke at many of those. One time I spoke and asked Voss, "Did you know you were doing this?" and I went through the amortization schedule was there any other time that was given out?" Moegerle, "It is freely available to our residents. If we suspend this, will we get paid for the services at Castle Tower services?" Davis, "They will have to, even when we decommission the plant, and build a new one. We will get the ERUs from them." Davis, "I will be happy to provide this information and present it in any kind of format. We can bring it up at the Town Hall meeting. We need to move forward with this in August for our budget."

DeRoche and Ronning, aye, Koller, Lawrence and Moegerle, nay; motion fails.

Ronning, "Nobody wants to hear it, but I believe we failed."

Moegerle made a motion to approve Ordinance 44, Second Series, Chapter 74, Article V, Regulating Waterworks and Sanitary Sewer with the amendments as proposed and direction to publish. Lawrence seconded. Moegerle, "There was discussion about the issue of the definition of Customer and I like the changes that were made to Customer. If we get a Planned Unit Development, (PUD), business in residential. How do we get around that being residential? Davis, "By inserting today's date. The example that Jochum gave shows that most won't want to hook-up in that area if they don't have to." Moegerle, "I understand that the 429 process is a statute. Can we say, "pursuant to Statute 429" because a 429 assessment isn't a very clear term. For transparency. With regard to 74-123, I like the six months there and I like that initial customers must connect and pay all WAC and SAC fees. I would say prior to December 31, 2013." Lawrence, "I would like the six to go to nine months." Moegerle, "This is not for initial, this is for subsequent customers. That is why I

like the six months, because if they are here they are planning on doing it anyways.” Lawrence, “Okay, I see what you are saying.” Davis, “What about the time for the businesses that are existing, that received their assessment notices on this?” Moegerle, “By the end of the year. That way we won’t have the problem with the bond payment. We all hate it.” Andy, “Moegerle had mentioned the initial customer’s definition and the 429 procedure. I would agree to clarify that a little more with a statutory reference. Is there a time date on that you know you are an initial customer. That this process happened?” Davis, “Yes there are dates for that and they could be inserted in there.”

Lawrence asked Pratt “Have you read this document?” Pratt, “Yes Mayor.” Moegerle, “The highlighter section at 74-190, that is highlighted? Did I do that by accident?” Ronning, “Are these the revised ones following the last ordinance meeting?” Davis, “These are the changes from the work meeting Council had March 6th.” Ronning, “Who took the minutes and who made the corrections and changes?” Davis, “Wendy took the minutes and I made the corrections and changes to the ordinance.” DeRoche, “Didn’t Heidi just say she made the corrections, a lot of them? At the meeting it was my understanding that our ordinance committee was going to review these prior to it coming back to the Council. Apparently that step got missed.” Davis, “This went to the ordinance committee. Then we took their input and it went to the Council work meeting.” DeRoche, “It was my understanding that there would be others because we were in a hurry. Apparently when we set up committees we let them look at them once and them sometimes twice.” Moegerle, “I presided at that meeting and I took notes of what definitions we agreed on and then at the end of that we asked, “Is this good?”. Council said, “Make the changes and bring it back and we will look at it and make any other changes.” DeRoche, “I wanted clarification, I people to understand how this works.” Lawrence, “When you reviewed this did you see anything that stood out?” Pratt, “I reviewed this with Mark Vierling before the meeting. Generally this seems to be just fulfilling the issue of mandatory hook-ups for non-residential. I would second the concern about unfinished business of mandatory hook-ups for residential, but it sounds like it might be a moot point. Mark and I talked about adding that idea into the word customer, but that may not be effective for any residential people.”

DeRoche, “I just want to clarify is earlier in the evening we are talking about bringing businesses in, we are going to be the highest rates out there, and we told the people don’t worry if you don’t hook-up, you don’t pay. Now we are going to give them six months to pay and if they don’t pay within six months, from what I have read it is not that they will be billed monthly; it is that they will have to pay in 14 days or face a possible tax lien. So how much business do you think we are going to do?” Moegerle, “It is not six months; it is by December 31, 2013. Let’s be correct.” DeRoche, “There are a lot of smaller businesses down there. I was told if it comes down to this, they may be leaving. I think they need more time. They don’t even know if they can get a loan.” Moegerle, “Maybe the EDA should come up with another kind of loan program to help them. There are other possibilities. We have a willing staff. Davis, “We discussed the loan policy for SAC and WAC Policy. That is a way to spread the payments out for these people.” DeRoche, “Some people can’t do that. I do business at the hardware store. I go to the bar and have dinner. I go to the party bus place and talk to them. And Roger. We took the mays out and it is shall do this and shall do that. It is we will do this. To me it sounds dictatorial.” Ronning, “We talked about money. We will all end up paying for this. There is no way you can get seventeen businesses to pay \$51,000,000 in costs. I believe people should have more information to know what they are in for.” Koller, “The changes they made are what you asked for at the last meeting.” **Koller, Lawrence and Moegerle, aye; DeRoche and Ronning, nay; motion carries.**

- Staff Update Davis, "We had a business breakfast for the East Bethel business community. I think we had 54 attend, biggest crowd to date. We generally talked about the some of the same issues that we talked about at the previous meetings. There were very few questions, so either they were disinterested or we just had good presentations. I did hear some good comments from some of the people afterwards especially about the information on the taxes and how that was very beneficial to them. Colleen and I did a little after assessment of the meeting and there will be a thank you letter sent out and we request any information that they would like to see addressed at any future meetings."
- Council Member Report – DeRoche DeRoche, "I also went to that meeting, and received numerous compliments on Wendy. That Wendy when they come in seems to know everything and when she is not here, they don't. Other than that, this was kind of a contentious meeting. As I have said before, there are five people up here; I am not going to vote for something I don't believe in. If I tell people something, if they can't watch it on cable or on the internet, at least they can read the discussion. Because to me summary minutes you get what the vote on was. They voted on the water, who voted and then you are down the road. They don't know everything that is around that. I have had numerous people say they are glad we are doing verbatim minutes because they don't have any other way to get the information. I remember Boyer saying when they were getting ready to pass those contracts in December of 2010, well there is nobody here, so nobody must care. I heard that same comment tonight. Irregardless, I understand our issues. Does Aggressive Hydraulics need to hook up, you bet they do. They are running into the same problems we did with some of the same people. I don't know if Jack can make a call to whoever this person's boss is and get it going. They need power, water and an analog connection. This is a promise we made to them. We told them when you are ready to go; we will make sure you have what you need. It looks like 22 is moving along. The sign looks the same. There are some panels from the old sign laying all over the place down there, and if we get a good wind, I have to think they are going to be all over the road." Davis, "That will be taken care of tomorrow."
- Council Member Report – Koller Koller, "Not a whole lot at the fire department. The mayor and I attended their Fire Relief Association meeting. They are proposing some changes to their rules. With the upturn in the economy their fund is well funded so we will not need to bail them at all." DeRoche, "The Fire Relief, I talked to Dan Butler, there is a proposal at the legislature for a proposed 5% on auto insurance and gas to supposedly pay their pension, but it is going in the general fund if it gets passed."
- Council Member Report – Moegerle Moegerle, "We had the Park Commission meeting and the discussion on the school house. That was an emotional discussion; a lot of people are emotionally connected to that. They wanted to vote against it, but after seeing how much it would cost the City and we were not getting recouped, they agreed that we cannot move forward with the previous plan. I have great sympathy on how they handled that. More importantly, I am not sure if you are familiar with the Sandhill Crane group. There was a meeting with the community members last Thursday. That group has been meeting since 2011, after a 3-5 year hiatus. They coordinate the state, county, and City primarily around the Sandhill Crane area. Because of the legislature they have a situation. The Governor has told the DNR who manages the state trust lands that they must produce monies for schools. We have three of these lands. Most of these lands have oak wilt. So, the proposal is to clear cut these properties and sell the wood. But, there are other ways to treat oak wilt. The situation is that they want to let the contract out for auction on May 1, with the auction being held on June 1. We are trying to make the

public aware of what is happening. The next meeting is scheduled for April 18th. I have a lot of meetings coming up next week, four meetings.”

Council
Member
Report -
Ronning

Ronning, “I week ago yesterday, there was a Planning Commission meeting and accessory structures were discussed. Even to the extent on whether you can have outside storage and an example given was a plant garden place. At one point I believe they said, “We don’t want to make things too hard. The definition of Home Occupation also was discussed and parking vehicles in the street. This is East Bethel and I don’t think there is an issue of parking vehicles in the street, but that is their call. They seem to be wondering why are we getting these ordinances, what is the drive? Where are the mistakes? What is pushing this?” Davis, “Some of this is a means of cleaning up things that are inconsistent. Also to address some problem/grey areas where the ordinance didn’t cover things, for clarification.” Ronning, “Did you or who in the City had a problem with cleaning up the language? Or called attention to this?” Davis, “There have been several times we have had problems with language. One is outside storage and this almost precludes outside storage, it is 10 x 10.” Ronning, “You are very observant to come up with this.”

Mayor
Report –
Lawrence

Lawrence, “Ron and I attended the Fire Relief Association meeting. Also, I attended the breakfast meeting this morning. I met a lot of business owners and had some good conversations with those gentlemen also.”

Closed
Meeting –

Pratt, “The agenda was amended to add a closed session to discuss the offers/purchase of real or personal property per MN Statute 13D.05, subd. 3. The meeting will be tape recorded and the tape will be preserved for eight years and will be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the governing body has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. The properties that will be discussed are: PID numbers: 08-33-23-21-0001, 08-33-23-22-0001, 08-33-23-31-0001 and 08-33-23-24-0001. Any purchase or sale price is public data.”

Moegerle made a motion to close the meeting to discuss the offers/purchase of real or personal property per MN Statute 13D.05 subd. 3c PID numbers: 08-33-23-21-0001, 08-33-23-22-0001, 08-33-23-31-0001 and 08-33-23-24-0001. Lawrence seconded; all in favor, motion carries.

Pratt, “The City Council met in closed session to discuss consideration of any purchase of real or personal property PID numbers: 08-33-23-21-0001, 08-33-23-22-0001, 08-33-23-31-0001 and 08-33-23-24-0001. Attending were the Mayor and all four City Council Members. Also attending were Craig Jochum, city engineer, Jack Davis, city administrator, and myself. They received information from the city engineer on discussions that have taken place with the property owners. No decisions or actions were made.”

Adjourn

Moegerle made a motion to adjourn at 9:55 PM. Lawrence seconded; all in favor, motion carries.

Attest:

Wendy Warren
Deputy City Clerk

EAST BETHEL CITY COUNCIL MEETING

April 17, 2013

The East Bethel City Council met on March 20, 2013 at 7:40 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Richard Lawrence
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Mark Vierling, City Attorney
 Craig Jochum, City Engineer

Call to Order **The April 17, 2013 City Council meeting was called to order by Mayor Lawrence at 7:40 PM.**

Adopt Agenda **Moegerle made a motion to adopt the April 17, 2013 City Council agenda. Lawrence seconded; all in favor, motion carries.**

Sheriff's Report Lt. Orlando gave the March 2013 report as follows:

DWI Arrests: There was one DWI arrest for March. This arrest was the result of driving conduct. The male refused to test.

Thefts: There were two thefts reported. There were five other thefts as a financial card fraud. One report involved jewelry that was taken from a home. The suspect is an acquaintance of the homeowner's son. The case is under investigation. The second report was a theft of license plates from a vehicle parked in the driveway. There are a lot of license plate thefts going on, around the county. What the suspects do is they take the license plates and go and fill up with gas and do the gas drive-off and you have a stolen license plate. Moegerle, "these people aren't getting pulled over without a plate". Orlando, "they are taking both usually. Like if you are at a movie theater, they don't realize it until they get a call from a police department. Once in a while they get caught driving the car with the stolen license plate."

Burglaries: There were two burglaries reported in March. One report involved a residence that was burglarized where the house was left unsecured. Items taken included a laptop, Wii game system, and jewelry. The second burglary was of a business. The business owner was out of the state so loss is unknown at this time.

Damage to Property: There were no reports of damage to property in March! Orlando, "I have never had a month without damage to property reports. I don't know if it was because of the colder than average temperatures."

Assaults: On March 19th deputies were dispatched to a report of a male being held hostage at a residence, the information was second hand. Deputies responded, along with other law enforcement agencies to set up a perimeter. The SWAT team was also deployed. Deputies were able to make contact with a resident of the home, who indicated that there was nothing wrong. The male, who was also the alleged suspect, agreed to come out, along with the alleged victim. It turned out that the alleged "victim" had sent texts to his adult son stating he was being held at gun point as he wanted him to come pick him up, not realizing the

consequences of his actions. Both males had been drinking alcohol. Lt. Orlando, "It was determined that this was all a hoax. So unfortunately those things do happen. If the father had been the one calling, yes, there could be a crime of falsely reporting a crime. He sent text messages, to his son, and he called us. He would have never called us if he knew his father wasn't in danger. Obviously they will think twice before making that allegation again."

Lt. Orlando, "I was going to have some information on different types of crimes to see if there are any patterns. Unfortunately, I have been really busy for the last month. The only crime I have had time to look at was damage to property reports. A lot of them are acquaintance related or domestic related. Then we do have some mail box damages they are really sporadic, and all over. There were three in one neighborhood on one night and six months early I could find something. Sometimes you see patterns due to some kids in a neighborhood. There were no trends that I could see." Moegerle, "since we are having vandalism and domestics, and assaults are we seeing an increase?" Orlando, "the domestic and assaults are not concerning at this point. As the weather warms up we see crimes increase so we expect things will turn around."

East Bethel
Firefighters
Relief
Association
(EBFRA) By-
Law
Amendments

The East Bethel Firefighters Relief Association (EBFRA) provides firefighter pensions that must meet certain requirements. From time to time, by-laws and benefits of the EBFRA are modified and/or updated as a result of statutory or regulatory changes. Currently, the by-laws of the EBFRA have gone through an update to incorporate changes and clarifications in state statute. The changes that are proposed for Council consideration were approved by the members on April 1, 2013. There are no changes to the pension amount.

This matter is pending and for consideration of Council.

Troy Lachinski will present changes. "Good evening, thanks for having us in the room. There are four of the nine trustees. Secretary Mark Ducharme and Mayor Richard Lawrence. Last month he was able to host two training sessions regarding the changes. All the council members were invited. Richard and Ron attended." Moegerle, "How were invitations sent, I didn't get one." Lachinski, "I could do the training at any time."

Lachinski, "The current bylaws were revised with a bylaws consultant. They develop them for 60/70 cities in MN, including St. Francis, Oak Grove, Stacy, many other cities. These are not something we wrote on our own. Our consultant works with two different teams of lawyers. She uses a nonprofit lawyer. That person works on the bylaws portion – non profit portion. The other lawyer works on the articles. The MN state statutes relating to fire relief. We take what the state statute is, in our bylaws we have the power to add things what we have. We just want to stick to what state statute is. The main changes that we are proposing have to do with recent changes in state statues. There is a working group that proposes things that are added or subtract."

DeRoche, "when is the municipality of East Bethel going to be deleted." Lachinski, "there are a lot of things that are underlined that may have been deleted and added back in. Lucky for you, I will be going through every change. It goes through and defines all the topics that are defined in the bylaws. In paragraph one; it looks like they just added a space." DeRoche, "I didn't see anything in there." Lachinski, "they just added a space. In your packet you had the old bylaws and the new bylaws in your packet. I will go over a presentation on here. If you go down to the desktop, it is right on the there. I can go through this as quickly or slowly as you want. Richard and Ron have already gone through

this. One of the changes is in state statute they clarified who should be the signer on checks. We have been doing this for many years. The next three slides are identical. It dictates what nights our meetings are held, how we reschedule the meeting. Now we just say the trustee has the ability to choose another night. The next thing is the municipal trustee terms. There are three, the fire chief and the elected official and financial official. What this talks about is if one of them is no longer in employment and then their term ends. Voting on trustees, every year we elect three trustees with a two-year term. If a voice vote is not good enough, then a show of hands, then a run off vote. Added another option that we can use.

Moegerle, "I would like to know about proxy and absentee ballots. Is there no secret ballot?" Lachinski, "the day shift can't attend the night meetings, so they can vote then." Moegerle, "if there are big changes to be made, that wouldn't be accomplished with an open ballot."

Lachinski, "Officer terms were clarified a little bit. In the past at the annual meeting, the board will vote on who will be the officers next year. President secretary and treasure. It states that they will begin their terms at the end of the meeting when they are elected. Conflicted of interest was also addressed. Every year, starting in January, all the trustees have to fill out a worksheet for the State. They state they don't have a conflict of interest. There wasn't any verbiage that discussed this in the past. If any board members felt that they have conflict of interest that someone else didn't bring forward, they are obligated to bring forward."

Lachinski, "Pension fund, only three things we can use the money for, service pension, benefit if a member passed away and they had a beneficiary and administrative. We can also use it now to pay fee or dues, or we can use it to pay insurance premiums for fire firefighters."

Lachinski, "Board limitations we made a decision that the board of trustee can make some changes, such as wording without going to a board for a vote." DeRoche, "non-policy." Lachinski, "anything that will not change the money. If there is a vesting change, we go to the board. We can't change some definitions. We can't revise the number of members to approve a change. So anyway they added three limitations."

Lachinski, "In appendix B they changed the definition of active service; this is for return to service. Break in service – they use to have a lot of talk about this. They stripped the wording out of this area and added to return to service. Resumption of active service requirement definition was added to bylaws. We chose the option to have three years." DeRoche, "do they have to do training?" Lachinski, "they have to determine what the requirements for them would be. The relief association's only goal is to provide a pension to the members. We keep track of the good years of service. We try to have a good relationship with the City Council. It is up to the City Council to decide who is on the Department, hiring, firing and they are on the Department." DeRoche, "I don't know why you wouldn't want them back. As long as their training is current, a lot of it would expire. Some of them would have to come back and go over it again. If they left on good standing, it would be worth bringing them back. Are there CEUs that you have to do?" Lachinski, "for every certification on the fire side, they have to attend 24 hours of training on that item. Only those firefighters that have had the training and it is verifiable are able to be recertified. We don't call them CEUs, they are training hours."

Lachinski, "Clarification on the definition of retirement benefit. Added some clarification in this area." Moegerle, "those benefits, exhibit C, are there lump sum benefits and periodic benefits." Lachinski, "they are lump sum. Today our lump sum is \$3,400 per year of good service. At 20 years you are 100 vested. When you take it, you have to take it after 50 and take it all at one time."

Lachinski, "Active service, addresses how to account for breaks in service. Forfeiture of accrued benefits. It worked against anyone coming back. It was a big deterrent for anyone coming back. It was struck from the record. Return to service talking about the benefit level at separation date. What that talks about, let say the benefit level was at \$3,400. In two years they come back and it is at \$3,600 now. They would have to stay for 3 years. If they only worked tow years, they would be paid at the lower level. They don't want people, who retired, and they come back and they work for one month and quick. That is what they are trying to stop. More wording changes based on the same thing – separation date. Retirement should be paid at the time of retirement request. This is the bulk of the changes here with return to service. It was also included, the state auditor made a statement on return to service – 5/6 pages. We want to be able to allow good fire fighters the ability to come back and this explains how their benefits will be handled. If they work three years or more, it provides the increase."

Moegerle, "Could you provide more information on deferred members, I saw the definition. I saw active members and active members defined. Do they have voting rights?"

Lachinski, "no they do not. A deferred member is someone who has left the membership and they can't take the money until they are 50. They can leave it there until 70."

Lachinski, "There is something on 6.4. Vice President shall not exist. That is for our bylaws. In 6.3, if the absence of President or Vice-President." Moegerle, "did you mean to say secretary? Is that an oversight? Lachinski, "it is hard when you deal with documentation that is shared with many people. If the president isn't there, is a problem officer selected." DeRoche, "then the rest of the board votes on who will be doing the business." Lachinski, "as long as we have quorum, and the majority, it will pass."

Moegerle, "9.1, you have a definition for board of trustees, and you talk about a board of directors, if it is a typo for when you use the model." Lachinski, "we are a non-profit. So we have are a board of directors and I will talk to the consultant on it."

Moegerle, "Exhibit C page 53, return to service from State Auditor. So they were vested and left and came back, and they didn't get any money. It doesn't make sense, shouldn't they get some money." Lachinski, "if you are here for 10 years, you get 60%, it will be based on the benefit level." Moegerle, "you could have some fun calling the state auditor. They have to be age 50." Ronning, "you have crossed the line to you entitlement. I have some questions on your benefits. Is it a deferred vestment?" Lachinski, "yes." Ronning, "are they freezed at that time they leave?" Lachinski, "yes, that is state statute. We don't pay out until they ask us." Lachinski, "every year we submit a huge report to the State auditor, which includes all members. In 1987 it became 5 years vesting. The state statute determines the minimum and maximum. The state said says the minimum is 5 and 20 maximum. A firefighter becomes valuable with 5, 6, 7 years of service." Ronning, "Do you have the authority to choose what the vesting is?" Lachinski, "yes. We wouldn't want to do that we would lose a lot of people after five years. The city invests a lot of money in firefighters in training. You pay for this person to go through training. Getting to the ten-year mark, it seems like it is easy to get to 20 then. The first five years is tough. There are

100 hours of training. We do have the ability to change it, but we wouldn't want to do that. We are requesting that you ratify these for us."

DeRoche made a motion to approve changes in the by-laws of the East Bethel Fire Relief Association which incorporate changes and clarifications in state statute. Lawrence seconded, all in favor, motion carries.

Public Forum

Christine Howell - 22314 7th Street. "I think it needs to get said out loud. If you don't hook up you don't pay. I will go over the figures that Davis gave me. If all businesses sign up, and nothing else changes, what are the residents going to be held accountable for. The funds project available will be \$90,000 short. Those monies will have to be transferred from the general fund. Going into 2014, we will have some change on the corner of County Road 22 and Hwy 65. We will have to make some other assumptions. Council will have to determine if they will levy or use other funds for this. I can't believe that people are out there with that in their head."

"The water park issue, do whatever you have to do to get it off our back. We have had a lot of failed projects, or projects that didn't work out as planned. This water park is going to be privately funded. What if it ends up like the ice arena?" Lawrence, "We own the ice arena. Just like Fat Boys it would be like that." Ronning, "No one can say no, if those end up on the agreement, we would be on the hook. We can't say what it is or isn't." Lawrence, "No business wants the City in their business." Moegerle, "Is why we are doing a feasibility study. We aren't talking Disney Land here. It isn't like you can pick up a water park and move to Mankato. A light industrial business could do that. They need to do some in depth investigation. We do the feasible study. We have the documentation that shows it would be feasible there." DeRoche, "I didn't realize we are at the feasibility study now. I thought we were sending out for RFPs." Moegerle, "If we get that back and have a feasibility study." Ronning, "Whatever you have heard now, doesn't change what is said."

Howell, "It doesn't appear we are all playing together as a team. You were all elected for the values you campaigned with. You need to stick with those." Ronning, "It is not something that is on the table. But what you said about information. Everyone should know as much as there is, as soon as there is. Dollar wise when you ask a question, that number shouldn't change. You don't always get that same information." Lawrence, "I have gotten your email, but haven't had a chance to respond."

There were no more comments so the Public Forum was closed.

Consent
Agenda

Ronning, "I pull items D and E."

Lawrence made a motion to approve A) Approve Bills; B) Approve Hire of Seasonal Maintenance Employees; C) 2013 Class 5 Project Bids; D) ~~March 20, 2013 City Council Work Meeting Minutes; E) April 3, 2013 City Council Regular Meeting Minutes.~~ Also and addition of the bill for Connexus Energy in the amount of \$638.48, to get electric to the reader board. Moegerle seconded; all in favor, motion carries.

Item E – Ronning, "April 3, 2013 Page 81 7/14) of the book, minutes from last council meeting, change where it says the vote was 4/1 because it didn't cost anything. I don't know why it was in there, there is no motion." DeRoche, "I voted no, since I didn't want it to go forward." Moegerle, "They are in this packet."

March 20, 2013 – Ronning, “4/10, page 68 one of my comments, I spoke against this at the last meeting again. If anyone besides me said no, and I would like to know who they are, and who seconded, we have been taking role call votes. It was a work meeting, so you can’t take real action. You took a survey.” Moegerle, “It was the last sentence on the minutes.” Ronning, “I voted no and so did DeRoche.” Moegerle, “I disagree and I think those minutes were approved.” Ronning, “We are behind on minutes.” Ronning, “There was not support for this to any extreme.” Moegerle, “Why don’t we just table these until the next meeting?” Lawrence, “We can look this up on tape and correct the records.” Moegerle, “We need to listen to the tape.” Moegerle, “What is your recollection?” Ronning, “It is the March 20, meeting and it is referring to the March 6 meeting.” DeRoche, “At that meeting staff was looking for direction.”

Lawrence made a motion to table items D) March 20, 2013 City Council Work Meeting Minutes; E) April 3, 2013 City Council Regular Meeting Minutes until this is reviewed on the tapes by staff. Moegerle seconded; all in favor, motion carries.

EDA Minutes

Davis explained that the Economic Development Authority minutes are provided for your review and information.

DeRoche, “First question and I hate to beat a dead horse. The EDA did not decide or even care to go forward with the RFP for the water park. Why did it go before the City Council when that is not what the EDA wanted to do with it. Those comments were made by Mike Connor.” Davis, “The EDA by not acting didn’t give any direction. This is something that was discussed by staff and needing direction.” DeRoche, “We task the commission to do things and I would hope that they would have the opportunity to get everything together, and to just circumvent that and move it up. Some people feel like “Why are we even here.” Conner, “I am more than willing, what the heck, they did it go there. That is what the minutes say.” Lawrence, “Wonders what is the point.” DeRoche, “The minutes I can question them.” Ronning, “The minutes are contradictory.” DeRoche, “I can comment on what I was told by other people.”

Lawrence, “Davis said this idea had moved around enough. Staff was working on it. It had come to the point where something needed to be done, that is why it was brought to Council.” Moegerle, “It was put on the agenda for a discussion of a topic, not on it for a vote.” DeRoche, “The meeting on the 20th is when a decision was made.” Ronning, “I am confused, I thought the City Council gave the direction not the staff working on it.” Lawrence, “Staff was working on it, no matter what was happening at the EDA, it has to come before the Council.” Ronning, “From February 25 to our March 6 meeting we weren’t informed. I am not upset that the EDA chose not to take action on. To sit and talk about ideas when it is a mute point.” Lawrence, “These are the minutes of the EDA.” Ronning, “The work meeting on the 6th, work meeting, that these directions came from the EDA.” Lawrence, “It was a discussion from the EDA on the topic.” DeRoche, “You are getting upset here. You are rising up the level, let’s keep it down.” Lawrence, “I am trying to figure out what your issues are.” Ronning, “I don’t know if they are proper or not.”

Moegerle, “The matter with the water park needs to be clarified. I think we need a chronology, with a list of the votes. Let’s settle it once and for all.” Lawrence, “Lets wait a little bit. Let’s get the minutes approved too.” DeRoche, “There isn’t a quorum from the EDA. That is why the information is brought up for discussion.” Vierling, “This is for information only.” DeRoche, “It wasn’t what I had seen coming out of the meeting. I thought the EDA hadn’t made up their mind yet. When the RFP came up at Council, I was

given the impression the EDA was moving forward.” Lawrence, “Staff was direction from Council.” DeRoche, “I have people pulling at them.” Davis, “The EDA took no action on this.” DeRoche, “That brings me back to the EDA that is supposed to be spearheading things. If we aren’t going to depend on what they are saying, why even have them?” Davis, “We are getting pressure to move forward.”

Ronning, “This indicates the meeting on the 25th, lengthy on the water park. The EDA reviewed it as a potential recreation destination. At a special meeting on March 6, the City Council also discussed and directed staff to put together a RFP. We didn’t come out of that meeting with any recommendation. Inconsistencies aren’t going to put us on the hook for anything.”

Davis, “The talks about a water park are premature.” Lawrence, “Until someone comes back with an RPF we won’t see anything.” Ronning, “Why is there inconsistency. On March 6, you took up a survey vote. What were the votes?” Lawrence, “I would have to look it up.” Ronning, “The votes were no, no, no.” Moegerle, “The vote was not that way.”

Ronning, “At a work meeting, how many votes are taken?” Moegerle, “It doesn’t cost anything to get more information. Information is power. As far as going with a feasibility study, we have looked into that.” Ronning, “We did say it we can’t just talk about this. It was 1 unofficially and 4 against.” Moegerle, “We have had staffing problems. They are not online on the website.”

Ronning, “What is the motion to follow up with that?” Ronning, “you made a motion to postpone.” Lawrence, “That was before. This is just information.”

Building Official’s Report

Davis explained that included in your packet was the Building Department reports for March 2013 your review.

Total amounts billed for the Oak Grove Building Official and Inspections Services through the end of March are \$22,698. Total fees for this service for 2013 from Oak Grove were projected to be \$60,000.

Our cost for providing these services to Oak Grove through March 2013 has been \$10,669. This includes 107 hours for Nick Schmitz, 107 hours for Joan Steffen-Baker and 1,800 miles of travel at \$0.85/mile. Forty one per cent (41) of our time has been spent for Oak Grove Building Official and Inspection Services. Based on these costs through March, our projected costs for providing this service for 2013 is \$42,924.

Permit fees received within the City of East Bethel in March 2013 were \$12,799.74 and our year to date total for the City is \$23,732.71. Our projected fee revenue for the Department for 2013 is \$87,700 and we are on pace to collect \$94,930.

Koller, “No comment.” Lawrence, “No comment.” Moegerle, “Good job, it is a linear thing, past results don’t predict future success.” DeRoche, “I will yield the floor to Ronning.” Ronning, “We don’t hire staff to get paid in our community to work somewhere else.” Moegerle, “Could someone provide background on this service?”

Davis, “Oak Grove previously contracted this service out. We did this at a rate of 95% of their permit fees and their inspection fees. The revenues will exceed the salary. This is a revenue side of the equation. Ronning, “Would it be fair to say we needed a second person

because our first person couldn't do all this." Davis, "Yes."

DeRoche, "We also do it for Bethel." Davis, "Yes, we started with them two or three years ago. For Bethel we did 9 or 10 last year. We have been doing it for them since 2010. They lost their service and we agreed to help them out." Lawrence, "It doesn't surprise me that we do it for them." DeRoche, "We are in the midst for budget talks." Davis, "We bill them for the service." DeRoche, "We have Nick full time with benefits. And now we have Steve and now we have Joan doing 107 hours of other things, maybe in the interim she could be working on the web page. We are paying for doing other peoples services. I haven't seen the figures that say this is what is going on here. We really don't have extra money to do anything else, unless we know if we are going to be making money at it." Davis, "We could generate an extra \$40,000 or \$50,000 over and above our cost. As we talk about budget and taxes, we need to get revenue that is non-tax dollars."

Ronning, "I am used to talking about total costs, where it could go is the \$90,000 that is the City side." Davis, "For East Bethel to take in \$94,000, we anticipated taking in \$90,000. Things could slow down next month. Currently we on pace to be ahead." Ronning, "The package all in for the second person, do those two add up, with all expenses, with a profit at that point." Davis, "Today we billed for \$22,000 for the services. The costs were just over \$10,000." Ronning, "Do we need to have a second guy. It will be interesting to see how it turns out with more experience." Davis, "Before Nick was very busy. He is doing most of his work in East Bethel, doing code enforcement and permits and taking this side of it. Our load here is more than one person. If you look at the report you will see the various activities they are involved in. They have inspections, meetings, etc it is a very involved position. We were even considering the inspector to cover our own needs. Oak Grove helped us justify the position." Ronning, "If that is the way it turns out, he would like to be able to say it is a plus." Moegerle, "This is something we did last year. It is clear it is making us money. Good job bringing that to us."

Utility
Infrastructure
Loan Funds
for Municipal
Water Area

Davis explained that the City's Municipal Utility project is substantially complete and there are several businesses that will be required to connect to the system. We understand that there is a substantial cost to these businesses owners for accessing the new utilities and over the past few months, the Economic Development Authority and City Council have been discussing ways to minimize that impact. The discussion has been to set up an Economic Development Loan Fund herein referred to as "The Utility Infrastructure Loan Program". This program would provide loan funds to eligible applicants to assist them in paying for their utility costs in the event other resources are not available, or they are only able to obtain partial funding or they could not qualify for a bank loan for this purpose. This could provide an alternative and a last gap option of financing to those businesses that would be affected by the mandatory utility connections.

The basic framework of the program would be as follows:

- The City HRA by resolution would loan the EDA \$281,400 as seed money to create the loan fund. The city would repay the HRA as loan repayments were collected. The inter-fund loan rate would be set at 4%.
- Businesses that met the requirements of the loan policy could finance up to 4 SAC and WAC assigned units, and pay for other costs and fees associated with hooking up to the municipal system. The loan would be for five years with no penalty for early payment.
- Businesses would be required to apply for the loan, meet loan policy requirements and pay an application fee of \$200.00 and an escrow fee of \$300.00. The application

fee would cover the cost of staff time for processing the loan and discourage those that did not have a legitimate interest in the program. The loan would be approved by Council based on requirements of eligibility.

- The owner of record would need to execute an agreement and waiver wherein the amount of the loan shall be recorded and assessable to the property in the event of default according to the terms of the agreement and payment of all property taxes or any other fees owed to the City must be current.
- This program would not be available to the construction of single family homes.

This program has been discussed with EDA on numerous occasions and the Authority, at their meeting on February 25, 2012, voted to recommend that City Council consider adopting the Utility Infrastructure Loan Fund Program to include the necessary and appropriate details for the application and administration of the fund.

\$281,400 inter-fund Loan from HRA to EDA with this amount repaid to the HRA upon expiration of the program and pay back of loan funds.

Staff is seeking Council's final input and approval regarding this proposed program.

Winter, "Based on the conversations in the previous City Council meetings one of the concerns raised was the language regarding revolving loan fund. It would be available for the 14 businesses that have to hook up. We also talked about what the purpose is. Included in the packet is the project map. We also talk about the purpose. We also understand these businesses will also have other charges. We also talk about two different types of goals, we talk about city sewer access charges and the met council access charges, and also other costs and fees they have."

Winter, "We also don't want to compete with banks. We have had conversations with them. They will work their customers, or they don't want to fund the whole amount. The banks see it as a win-win."

Winter, "The applicant eligibility, who would be eligible. Individual owners, partnerships, etc. Municipal 1, are the ones that would be supported. They must be in good standing. All applicants will have to submit application. They will have to pay a loan fund fee of \$200. Originally, it was a percentage and it was determined a fee. That does just cover our staff time coverage. The escrow is something that is set aside to cover attorney or other fees. Once the project has been completed. Any money in the escrow would be reimbursed. \$38,000 would be the maximum amount. 4% is the standard inter-fund rate. The term of the loan is 5 years. The applicant must execute an agreement. The utility infrastructure is available through December 31, 2013. If they want to fund their lateral line, or decommissioning their septic system. All work would need to conform with laws and be inspected. There is also a conflict of interest. Anything that happens the city attorney would review this when it is in final stage."

Ronning, "Why isn't the HRA doing it themselves?" Winter, "They can't set up a loan program like this." Ronning, "The purpose of it is to address blighted areas that can't be redeveloped without assistance. The League of MN Cities and State Statute supports it itself. There is no vehicle to get the money anywhere else." Winter, "They can loan the money to the fund." Vierling, "The EDA can make a loan, but they don't have the cash. The HRA can't have a loan fund, but they can loan money to other funds." Davis, "There is precedence in the City and it has been done a few times in the past couple years."

Moegerle, "When this left the City, we said it is in the pervue of the Council to fill in the information. I appreciate you taking the initiative to do that. The HRA is for residents. EDA is for business. I did notice the dollar amount is different, \$281,000, instead of \$251,000."

Winter, "I will explain how we arrived at that. Right now you have a sewer charge \$2,000, water charge \$3,600, sewer only \$8,200 total of all three. There are 27 ERU, minus the theater, that could take advantage of this program. If all the business took advantage, it would be \$221,000. There are also costs associated with being part of these system, private lateral lines, inspection fees, and water inspection fees (\$160 for the two), and water meter costs – \$120 or one that is \$900. Same with private sewer abatement from \$500 – \$1,500. Lateral line that varies depends on where your building is located. How much of the current HRA fund balance do we want to put forward on this? We said the maximum is 35% of the current HRA fund. That is what brought us to \$281,000. They have the potential to use up to \$5,000 for the other costs." Davis, "The theater is in this, but we limited it to four ERUs for each business."

Moegerle, "This would be secured by a mortgage?" Vierling, "No probably not a mortgage." Moegerle, "How safe is this for us to do. What protections are in place?" Vierling, "We would use a 429 financing, where they could be assessed for payment. It isn't a lien on the property in the event on default, you would be on top of the list. You wouldn't be subordinate to a lien."

Davis, "It is all internal. If business A is assigned, the money is all transferred internally. They don't see the money for fees. The other portion would require a copy of a bill to be paid."

Moegerle, "There is no transfer of money at hands. The money doesn't leave City Hall?" Vierling, "Yes, it is a lot like a real estate closing where you see the money transferred, but nothing leaves." Ronning, "This is a forgiveness of the fees then."

Winter, "No, it isn't. If you can't get a bank loan, that is the first qualifier. Second you have to be current on fees and property taxes. With the banks, they may give someone \$20,000 we have to come up with \$10,000. It might be a partial financing."

DeRoche, "First off, I didn't care that we couldn't come up with something. It never came back to City Council. In the part under where the disbursements are coming back to the City. Why do they come back to the Community Development not Finance?" Winter, "we get all the numbers from the Finance departments, it is a checks and balance. Internal checks and balances." DeRoche, "I am looking more towards whatever money is loaned to the ERA needs to go back to the HRA. I want this money dedicated solely to this. There has been all this talk about helping the existing business. When the HRA money first came back, I want to make sure the money is put back. I understand the business on the west side it is a mandatory hook up. I don't understand why Village Green isn't forced to hook up. With Met Council saying that they are going to hook them up, we are going to lose the SAC charges, sewer charges, and water like, had they originally decided to hook up with us. I can't see why we don't run the water line there. The ordinance that was passed that the sewer line goes past you house, you have to hook up. So are we looking at having them have a water line?"

Davis, "Village Green didn't want to take the offer to hook up to water. Met Council owns and operates the existing system. Village Green said yes, we will let you hook up to the water. We didn't want the liability of decommission the system. Plus the property had no value to the City. In talking with Vierling, he asked if we could make them hook up. The answer appeared to be no. They weren't in the map of the sewer district. There were no services planned to extend to them. We were going to extend the service after the fact and charge them."

DeRoche, "Met Council is coming in it at the back door. They are going to come in and hook them up, when we had said we would hook you up. We are going to hook them up, and run a line. But now we won't get the water line hook up." Davis, "anything south of 185th is not in the district." DeRoche, "the monies all go back into the HRA." Moegerle, "this is something the auditor would look at." Vierling, "the auditor would look at it each year and show you were the City is at."

Ronning, "The funds are obligated back to the HRA. Anything exceptional to that would be by City Council action by resolution only." Vierling, "yes."

Lawrence, "It looks like the program is good and should work."

Davis, "Pending the decision tonight, he has an appointment to talk to one of the businesses tomorrow." DeRoche, "Village Bank wasn't interested in doing anything because they weren't that big of a loan. Now have they changed their position." Winter, "we won't know until they have a conversation tomorrow. They were supportive of the City moving in the direction of a loan program." Moegerle, "Do you want a formal motion, or how would you like us to proceed?" Winter, "To approve the program, the document and what comes back to the City Council would a resolution to allow the loans."

Moegerle made a motion to approve the \$281,400 inter-fund loan program, including the application fees, and terms that have been provided in packet subject to attorney approval. Koller seconded.

DeRoche, "I would like to have the attorney approve it first." Vierling, "I don't see the policy changing from the program." Ronning, "Is there a potential for re-discussion when it comes back up?" Vierling, "The resolution that comes before you will be voted on." Ronning, "I would like to see the whole horse, before I buy it." Vierling, "This is of the approval the program." DeRoche, "The whole council isn't always involved in putting things together."

Roll Call: DeRoche, aye; Moegerle, aye; Lawrence; aye; Koller, aye; Ronning, aye; motion carries.

Fence for
Water
Treatment
Plant

Davis explained that at the time of the bidding for Water Treatment Plant (WTP) alternate bids were received for a perimeter fence. The fence bid was suspended and Staff was directed by Council to review the possibility of obtaining grant funds for the perimeter fence. No grant funds are available for the perimeter fence through Homeland Security, Minnesota Department of Health, Anoka County or other sources.

Given the isolated nature of this facility and the potential for vandalism of outside appurtenances, staff is requesting approval to solicit quotes for a perimeter fence. The

perimeter fence layout is shown on Attachment 1. The estimated cost of the perimeter fence is \$30,000.

Quotes received on the fence would be brought to council for consideration at a later date. The estimated cost of the perimeter fence is \$30,000.

Staff is requesting approval to obtain quotes on a perimeter fence for Water Treatment Plant No. 1.

Moegerle made a motion to approve staff obtaining quotes on a perimeter fence for Water Treatment Plant No. 1. Lawrence seconded.

Moegerle, "There was discussion on the likelihood on the vandalism. Has there been any indication on vandalism? Has there been anything vandalize at this point?"

Davis, "The closest structure is about a ¼ mile down Viking. Not only from a vandalism and a water protection issue. We had an issue when we thought some fire hydrants were vandalize. We are exposing ourselves to some risk. It is a very nice structure. While \$30,000 is a substantial amount, it provides protection."

Moegerle, "With the development in the area. It could become an attractive target." Davis, "yes. It would be a nice easel for graffiti. If we could secure it would give us protection on well heads also." DeRoche, "I don't know why the big discussion. We voted for it when Steve voss was on the City Council."

Koller, "I don't understand this, the property is owned by the Met Council." Lawrence, "this is water treatment, our property." Ronning, "it seems like a large area." Jochum, "it is like 1,200 linear feet. The back wash pond and a reclaim pond." Lawrence, "how high is this fence?" Jochum, "Six feet to eight feet." Moegerle, "what does home land security recommend?" Davis, "this will stop a casual vandal." Lawrence, "is there barb wire on it?" Jochum, "we would enclose the reclamation pond, and it could be brought to the north and slightly to the east to decrease the size." Ronning, "we are protecting our own stuff, why not." Moegerle, "this would be around the ponds. A shorter fence would still be around the ponds, correct?" Jochum, "yes".

All in favor, motion carries.

Castle Towers
/ Whispering
Aspen
Forecmain
Update

Davis explained that as you are aware the City and the Metropolitan Council of Environmental Services (MCES) have entered into an agreement to construct a joint project from Viking Boulevard to 229th Avenue. The project consists of two pipes in a common trench. The City pipe will be used to convey sanitary sewer waste from the Castle Towers wastewater treatment plant to the MCES system at Viking Boulevard and the MCES pipe will convey treatment plant effluent to the two rapid infiltration basins. The forcemain that is required to complete the City connection from 229th Avenue to Castle Towers will be constructed as a City only project. Attachment 1 shows the proposed pipe routes and the location of the rapid infiltration basins.

MCES bid this project in November of 2012. The bids were higher than the engineers estimate and all bids were rejected. The MCES rebid the project on February 12, 2013. Four bids ranging from \$8,423,076 to \$9,454,255 were received. MCES concluded that the

second bidder, S.M. Hentges and Sons, Inc., offered the lowest responsive bid of \$8,588,125.92. This bid will be recommended for award to the MCES Council at their April 10, 2013 meeting. The City’s share of the construction is \$1,606,128.31.

The City forcemain project will consist of the construction of approximately 34,200 lineal feet of 6-inch, 8-inch and 10-inch forcemain and one lift station. Bids will be opened on May 9, 2013. Bids will be presented to the City Council at the May 15, 2013 meeting. A completion date of December 1, 2013 has been established in the contract documents. Provided for informational purposes only.

Lawrence, “Where the lift station will be?” Jochum, “it will be on Johnson Street, near Wargo Ponds, where it hits 241st. It will be on that corner.” Ronning, “from my understanding of it we are stuck with this. We are half in and half out. No one out here knows what we are reading. Your retention from recycle is not very good. Can you explain what we are stuck with the Castle Towers mess? What are the costs versus not fixin?”

Jochum, “The plant is at the end of the life. The City will need to make improvements, estimated at \$2,000,000 and \$3,000,000 for operation for similar costs or less will see lower user fees and we also get credit for people who hook up on this system.” Ronning, “what your saying is from a business stand point it costs less this way.” Engineer, “yes, and we have the ability to hook others up a long the way.” Ronning, “I am trying to help everyone understand. We are reading something.” Lawrence, “I have toured that plant up there. It has undergone several band-aides. The shelf life is 40 years and we are well past the 40-year mark.” Ronning, “the people that live up there believe there is leakage into the lake. That is second hand to me.”

Res. 2013-17
Amending
Fee Schedule
to Adopt
Water and
Sewer Rates
for East

Davis explained that water and sewer rates for the Municipal Utilities Project area. Aggressive Hydraulics is connected to the system and rates must be adopted to provide a funding source for operations and maintenance.

The proposed water and sewer rates were presented as part of the Feasibility Study for Phase 1 Project 1 Utility Infrastructure Improvements in September 2010. These rates are the projections of the consultants and are the only basis we have for setting an initial rate. Until such time that sufficient data is available for an analysis of our costs water for operating the system, Staff recommends the adoption of these rates.

Attachment #2 compares the proposed water and sewer rates to the cities of Andover, Blaine and Isanti.

As an example, a business that has an assignment of 1 ERU and an average monthly usage of 7,500 gallons of water would be charged the following amounts:

Monthly Water Costs

Base Charge @ \$5.00/ERU	5.00
Plant Charge @ \$10.00/ERU	10.00
Usage Charge, 7,500 g.. @ \$3/1,000 g.	<u>22.50</u>
Total	\$37.50

Monthly Sewer Charges*

Base Charge @ \$5.00/ERU	5.00
MCES User Charge @ \$2/1,000 g.	12.50
City Usage Charge @ \$2.75/1,000 g.	<u>17.19</u>

Total \$34.69

*Based on 6,250 gals.

Provide water and sewer revenues for the Municipal Utilities Project area to provide a funding source for operations and maintenance from user fees.

Staff requests approval of Resolution 2013-17 Modifying the 2013 Fee Schedule. Fees will be effective immediately.

DeRoche, "I understand the criticalness of this, but I would like to table. I did some research and looked at Lino Lakes, Forest Lake and Anoka. I think these rates are really high and they will look really high to others. I think we need to reevaluate our fees."

Moegerle, "The numbers on the page are annual. The fee in the Shunick study. These are less than the one on studies." Davis, "All the cities you mentioned do not have treatment plants. That is why are rates aren't comparable to them. Our rates will be higher than the other ones. We can set the fees for anything we want to do. Our electric bill for the water plant was \$1,300 last month. This month will be higher. We are selling water to SR Wedema at \$10.00 a gallon. We have to set some rates. They need to be examined in a year and we can do that. This is a baseline we are recommending." DeRoche, "once you put a levy or tax in, it stays. Once you set a rate, we will not lower the rate down. You get use to putting that money in the budget. Just like LGA. I think we are too high. Especially if you are a water park. Most cities charge \$1.00 a gallon some are \$3.00 gallon. We don't even know what Aggressive Hydraulics will use. I think we are too high." Davis, "They use 10,000 gallons a month. That is a relatively low usage. I don't think the water rates will determine if a business locates here."

DeRoche, "Do people forget the Whispering Aspen water charges, how there are only so many people, so if it takes us longer, we will raise the rates more. I remember those conversations." Davis, "those are two totally different situations. We can increase the customer base. In Whispering Aspen that amount is limited. We wanted that system to pay for itself, but the rest of the City shouldn't subsidize it." DeRoche, "We are going to do that anyway." Davis, "we have the potential to grow that customer base." DeRoche, "I come from the philosophy where you charge a little and get a large customer base, versus charging alto and not having any customer base. I wasn't born with a silver spoon in my mouth. I am very frugal. From a business stand point whatever."

Koller, "I agree but we have to make the money to pay for the system. These fees aren't too out of line." Lawrence, "at first glance they look high. So I wasn't sure where we should be at to make our costs." Davis, "We aren't sure what our costs are until we have a basis for assessing that. If there is hesitation this thing. One thing we might want look to adjust is beyond a certain ERUs there is not charge. We won't know our true operation costs for at a least a year. At this level we have adjusted our fee level many times. We look at them each year. There is still that opportunity. It would be recommended to do a rate study after a year. There is a limit to what we can charge. We may have to charge a little bit higher rate." Lawrence, "We got the City of Isanti." Davis, "They have a stand a lone system like ours." Lawrence, "They had some issues with their system." Davis, "They had some issues with a sewer system extension in 2007/2008 and they had to pay the bill. We have to make sure we compare that we are a stand-alone system, which have had theirs as extensions of collection lines." Lawrence, "They had continual problems with their system – they couldn't drink their water. They had to clean that problem up."

Ronning, “Andover and Blaine all go to Pigs Eye, and there has to be a charge for it some how.” Davis, “there is MPDS charge of \$2.00 per gallon. We are changing a base charge for ERU in addition for flow charges. They have the advantage of economies of scale.” Ronning, “they got a break, and it is costing us more.” Davis, “These Met Council charges are going to be their charges to us. The sewer charges are what were predicted what would need to be charged. If you have a better number that can be used and justified, please tell us.” Ronning, “What is rate to get these septic tanks guys.” Moegerle, “It is water reclamation plant, and doesn’t treat solids.” Davis, “It would cost us \$60/70 to dump in our City.”

Moegerle, “My thought is that the difference between Isanti is over \$100 a year, that could account for problems with an assessment. There is a portion of our expenses that are clearly associated with business, and some with resident. This is one for businesses. I don’t want to help each other. This is something that needs to be born by the businesses. So that water fees do pay for the expenses associated. You will never be able to plan in December for the following July. If we make the motion to accept this as our initial fee, review specifically a year from now, second meeting in April and we will tweak and hones this. So the businesses are bearing the cost, so we are breaking even.”

Moegerle made a motion to approve the initial rates, water use and waste water for one year, this be revised and brought to the 2nd meeting in April to discuss rates.

Moegerle, “are you going to have enough information by January? Davis, “we review our rates every January. We can even do it then.” Koller, “their water and sewer rates are slightly higher than the ones here. We are very close.” Davis, “They are standalone systems also. From an Economic Development standpoint we will be competing with Cambridge and Isanti.”

Koller seconded. DeRoche, nay; Koller, Lawrence, Moegerle and Ronning, aye; motion carries.

Fire Dept.
Report

Davis explained that the Fire Chief has provided reports of Fire Department emergency calls, fire inspections, and emergency medical calls from March 2013.

There were 38 calls. We had a building fire that was a chimney fire. It was quite a job taking the chimney apart to get to the fire. Mutual aid for a fire in Oak Grove.

Council had a question on addresses that are repeat calls, and he has listed that in the report. What he did was go from the first of year til now.

You can see 18164 Hwy 65 has numerous numbers of calls. That is Village Green. That is not one residence and is a higher density area. Also Castle Towers, Hwy 65 24355 at this time we only in there twice. It has more than doubled in April. Also one call on Hwy 65 the monthly report was a pregnancy call, on Klondike. The infant is doing well.

Staff Reports
– City
Administrator

Davis, “The Board of Equalization continuation meeting will be next Wednesday and the HRA meeting and prior to the next meeting we have the 2nd installment on the Fire Department Emergency Management.”

Council
Member
Report –
DeRoche

DeRoche, “I have gotten a couple emails on the water park. I have copies on a couple. I am not sure I want to discuss it this evening. We as a council will have to sit down and decide if we are going to depend on the Commissions. What is the whole Commission thing? Information is done through meetings and people going out and having meetings and it comes before City Council and they wind up in nasty fights. If you weren’t involved in a meeting, you don’t know what is going on. People have come to accept that fact that I am straight forward and upfront. I hear things and it is frustrating. We all have to get on the same page. I understand the commitment when we all ran for the office. I don’t know what the answer is. If staff has information, everyone on the City Council has to know it. Everyone has to know what is going. Whether it is a quick one liner. Because everyone asks what they are doing. There are colored papers for staff reports. I am not going to follow staff around and micromanage, just to find out what they do every day. A blanket email from Jack, to find out what is going on. I think that somewhere communication has to come together here. I know a lot of people look at this Council as political and in chaos. It is who wants to come here in this atmosphere. Hopefully we merrily move along here.”

Council
Member
Report –
Koller

Koller, “Not a whole lot to say. You were all here yesterday when we had our friendly people here. I talked with him afterwards and he was correct, I screwed up. And I received several emails about that subject that all had the same opinion. I made a mistake on a vote, and I will try not to do that again. I was voted in to do what the people wanted and that is what I have to do.”

Council
Member
Report –
Moegerle

Moegerle, “We had the EDA meeting on Monday, it was the best meeting we have ever had from the standpoint that the group is finally on the page of saying, “We have got to do anything we can and look at all options to go forward to make the city a success. It is important to have information about what our options are. It is a marathon and not a sprint. The idea that we need to hear from the residents. We are truly interested in what you have to say. What we don’t hear we may not investigate and that may be the thing that could solve the problem. So please drop a line to Jack or Colleen or one of the City Council people. The EDA meeting was great in that regard. They are too are going to all electronic packets. If anyone one wants a written copy, they will be charged \$.25 per page.”

Moegerle, “I attended the art crawl on Sunday April 7th. I went to the two residents that were participating. They were wildly pleased with the turnout. I learned more information why art and Booster Day’s might not be a good fit for them and how we could work something out to help them.”

Moegerle, “Sandhill Crane group is working hard and is an important issue where they will be clearing some land owned by the DNR School Trust. We are waiting to hear more issues on habitat. The DNR will put out their big on May 1, 2013, with auction starting on June 1.”

Moegerle, “Tomorrow is Tornado Day. We will have some sirens with that.”

Moegerle, “I would like to follow up on some comments. I don’t think anyone on this Council is getting special information at anytime. We all get the same information. Information is available if you call Jack or Colleen. There is not privileged information. I think that really needs to come to an end. Whole aspects of that there are not special pockets of information. I do understand there is a lot of fear about going forward, and just

by accidentally creating what happened in 2010. There are five people here who are dedicated to not allow that to happen. Ideas aren't being reviewed objectively, water parks like this would be a private one as opposed to the ones that are paid for with public money. There is a big difference in that and those kinds of oversights can cause people to go in panic modes. All of us are frugal and will make this City a success. When it comes down to 2016 and we owe 1.5 million dollars and we don't have our 200 ERUs a year going on, what's our option. When I spoke with Senator Benson, Benson said do absolutely everything you can, turn over every rock, learn anything you can. If you need a bail out from the legislature or Met Council they will look at it with a dim view if we didn't."

Moegerle, "The EDA is very dedicated at doing that. Lux said she brought the water park development to a developer and he thought it made sense. Under circumstances that are carefully thought out and reviewed this could make some sense. I just want you to give every idea a chance to be successful."

Council
Member
Report –
Ronning

Ronning, "As far as Council liaisons are any of us voting? Because that is not to be done. When I look at the City web page, I pull up the commissions, the Road Commission, is comprised of seven voting members. The Planning Commission is comprised of seven voting members, and the Parks Commission is comprised of seven voting members. The HRA the purpose of the HRA is to such per League of Minnesota Cities and statutes. When he gets to the EDA, the purpose is to coordinate economic development and that seems to be stretching it for East Bethel. Chapter 6, V.A, amount of discretionary powers, in my opinion this crosses the line on what is my job and what is everyone else's job."

Ronning, "I hear there is a president of the EDA?" Davis, "Yes. The EDA is not a commission. It is an authority. They are two Council Members on there that are voting members. They cannot spend any money. Everything has to be approved by the City Council." Moegerle, "That is all documented in the Bylaws." Ronning, "If there is president, I don't know where that is authorized. There are board members, chair, vice-chair and secretary, elected for one year." Moegerle, "You are the president of the HRA." DeRoche, "No, I am the chair." Ronning, "What is the typical recommendation about a Council person interaction with a commission or authority?" Vierling, "Typical is hard to come by because a lot of cities have their own history of what they do. For commissions the role of the liaison is to make sure the discussion of the body get communicated back to the City Council. The commission might also want to know what the thoughts of the City Council are." Ronning, "Are we encouraged to lead?" Vierling, "The chair should usually not be a City Council person. That person leads the meeting." Ronning, "What I thought I saw in the Statute is that none of us will be officers unless our ordinances that describes it and explains it." Vierling, "That is correct. The EDA and HRA are statutory bodies that have functions and tasks. I have seen EDA and HRA made up exclusively of City Council." Ronning, "I don't know if we should be sitting in that capacity." Vierling, "That is a policy choice."

Mayor Report
– Lawrence

Lawrence, "I have gotten two emails this week, about the water park and I think a lot of people don't understand what that was really for. The water park is possible. But really what it has done is allowed us to get information to developers to encourage them to look at East Bethel. If we get a water park, that is great. I have asked people, are you opposed to a restaurant? That is what it is about, different items will all come together. These are the things that will help get by. I had one gentleman emailed me and we chatted on the phone, and he said don't do anything and we will pay the taxes as they go up. I don't think many are that way. After I explained the water park issue, he wasn't so against it, he know

understands the process a little better. He did say we aren't decisive up here."

Lawrence, "We had a decisive decision in 2010. We need people like Bob to say it isn't a good idea, it helps everyone take notice of what is going on. That is how you balance, by some people saying no. Does that make for a dysfunctional City Council? This is what we call doing your job. I hope we don't have to stop. I want to do something with this water and sewer project. These things don't come lightly. Being on the EDA also it takes a lot of work and energy to bring something to the table that can be viable to send out for an RFP. Some things are just not possible."

Ronning, "Koller's comments tonight are very commendable. I have spoken with people from the early Councils that sat up here and asked one of them, why didn't you just say you made a mistake? The response was, "Never, I will never admit I made a mistake." And if somebody hears that you lose almost all respect for this person. Whether it is a mistake or not, I have never liked the taste of crow. I have eaten it more than once."

DeRoche, "On another note, I did drive by where they clear cut on Sims and it really looks terrible." Moegerle, "Let's not get anymore clear cutting in East Bethel if possible."

Adjourn

Lawrence made a motion to adjourn at 10:45 p.m. Moegerle seconded; all in favor, motion carries unanimously.

Submitted by: Jill Anderson, Recording Secretary

Attest:

Wendy Warren
Deputy City Clerk

**EAST BETHEL CITY COUNCIL MEETING
LOCAL BOARD OF APPEALS AND EQUALIZATION**

April 17, 2013

The East Bethel City Council Local Board of Appeals and Equalization meeting was held on April 17, 2013 at 6:30 P.M on City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Richard Lawrence (6:40 PM)
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Ken Tolzmann, City Assessor
 Diana Stellmach, Anoka County

Council Member Moegerle called the meeting to order at 6:30 PM.

Moegerle made a motion to adopt the April 17, 2013 Local Board of Appeals and Equalization Agenda. Ronning seconded; all in favor, motion carries.

Davis explained that Ken Tolzmann, the City Assessor is here to give the Assessor's report.

Tolzmann, "Good evening, I'd like to welcome you to this 2013 East Bethel Board of Appeals and Equalization. My name is Ken Tolzmann, your City Assessor and here representing Anoka County is Diana Stellmach. The purpose of this meeting tonight is to hear any valuation questions surrounding the 2013 Assessment, which represents your taxes payable in 2014. This is the first step in establishing next year's property taxes, once this process is complete, the City will begin working on the new City budget. Then once the new budget has been established, Truth in Taxation Notices will be sent out in November."

"One of things I'd like to take a minute to explain is the relationship between your estimated market value and your taxes. As many of you are well aware of, market values have dropped considerably, but your taxes have remained pretty much the same. The reason for this is that the only purpose your market value serves is to establish your fair share of the cost of services. So that being said, if all properties value changes proportionately as they have, and the costs of the County and City remain the same, your taxes will remain pretty much the same."

"As your City Assessor, I work for the City of East Bethel. It is my priority to advocate on behalf of the taxpayers of this community, while at the same time maintaining a duty to uphold the property tax laws of the State of Minnesota. I am available during normal business hours, and on weekends, by appointment."

"I'm sure a lot of you are wondering just how do we come up with all these market values. The whole process surrounds getting good information on sales that take place in the community. For this year, we are using sales that took place between October 2011 and September 2012 to determine your market value. This is the process Statewide. All these sales are reviewed and determined to be either qualified or unqualified. A qualified sale is one that is not a bank sale, relative sale, foreclosure sale or any other type of sale that would not be representative of market value. These good sales then are used comparatively with unsold properties to reach these new estimates of value."

“One of the more popular questions I’ve been receiving lately has surrounded the purchase of foreclosed properties. Just because this property is purchased for a certain price doesn’t mean that it automatically qualifies for being put on the tax roll accordingly. It must be valued comparatively to a qualified sale to maintain equalization of the property tax code.”

“For this 2013 assessment, overall, there were 217 sales, of which 81 were considered good sales. Overall, after this assessment was complete, these sales deviated from our new market values by only 8.2% with the average assessed market value being at 95.1% of the sale price. Overall, values declined by 2.8%, a dramatic improvement from last year’s 7% drop in market value. As it stands now, looking at the new sales going into next year’s Pay 2014 assessment, there is a good possibility that the worst of the real estate market in East Bethel is behind us.”

“That being said, I’d like to thank the City of East Bethel for the opportunity to serve as your City Assessor. Thank you!”

DeRoche, “What is a distressed home?” Tolzmann, “I would take that as being a bank sale, foreclosure, etc.” DeRoche, “I would like to know how the state looks at that. With the downturn of the economy, how does the state calculate that into their budget? They got to know we have that many sales and only 81 sales are good.” Tolzmann, “We extract that information from the 81 and the other ones countywide. From that we value on the distressed sales. Just because it sells for a certain price, doesn’t mean we will put it on the property rolls for that price.” Moegerle, “Are the distressed properties being reduced in East Bethel? What is the trend of the distressed homes?” Tolzmann, “They are going down every year. His experience is the number of bank sales that are offered for sale directly impacts the competing prices for a homeowner. It is his thought as we see the supply of under priced homes, bank properties, etc, as we see those numbers go down, we will see a real estate market come back. It won’t be what it was 4-5 years ago. There is a direct correlation between bank properties for sale and sales prices.”

Ronning, “Did you say distressed homes don’t go into the mix for valuation?” Tolzmann, “Yes, correct, they sell for below market value, because of that; it would not figure in on what we are basing our values on. That is statewide.” Ronning, “If there are ten houses on the block and six homes on the block are carrying the value and the others are distressed. He is curious on what happens to the distressed homes.” Tolzmann, “When those homes are sold, they will fix them up, use them as a rental property and fix them up or live in them themselves. If you have six homes for sale on a block and three that are distressed the other are for sale by the home owners, it will drag down the value of the houses on the block.” Ronning, “It drags down the value.” Tolzmann, “When they come into the picture is because they affect the good home sales. So they are coming in through the back door, basically is what is happening.”

DeRoche, “My property values have gone down about \$130,000. Lakeshore has seen property values reduced. Tolzmann, “It was necessary, sales basically said something had to be done with that.” Moegerle, “It is another situation, we reduced the taxes as a City, the County reduced the values, and our value stayed the same and the taxes went up.” Tolzmann, “Tonight determines everyone’s fair share. We put the share on one side of the table. Whatever taxing district does their budget. Once the budgets are done, and you see what they need to operate. You take the tax base, and divide it by the amount, and you get the tax rate.” Moegerle, “Can you explain fiscal disparities?” Tolzmann, “Diana is involved in it.” Stellmach, “Are there specific questions?” Moegerle, “DeRoche, Lawrence and she understand it, but others don’t, such as the residents.” Stellmach, “I will provide a high level explanation. Essentially all commercial and industrial

properties pay fiscal disparities tax. That is determined by relationships that existed many years ago. The thought was to distribute the commercial tax base out to the outer lying areas. There is an expert in Anoka County. All the commercial taxpayers pay in, and it is distributed out to the 7 county area. Some cities are winners, their commercial taxpayers, they might pay in \$50,000 and they get paid \$70,000. They get more than what is paid in. There are others that are losers, and there are some of each in Anoka County.” Moegerle, “What will it level?” Stellmach, “Everyone was a winner at the start. It was to distribute the commercial and industrial to the bedroom communities, where people work in the areas, and they contribute at their work place, and they don’t have anything at home.” Davis, “East Bethel is a winner in this. Losers are the commercial and industrial in this.” Stellmach, “If you look at one of their tax bills, they pay on a % of their taxable value. They pay an area wide tax rate. That tax rate is probably much higher than the East Bethel tax rate.” Davis, “They did a sample study, and state property tax is 60% of the tax bill.” Stellmach, “They would much rather pay in at a regular rate. It is a hard one to follow.”

Ronning, “The dead houses come out of the mix over all. Do they come in to the mix again?” Tolzmann, “What houses?” Ronning, “The foreclosed and such.” Tolzmann, “I look at 20% of the houses each year. Outside of that 20%, those values are applied on the statistical basis. 20% each year gets physically reviewed.” Ronning, “The empty homes get spread out on the other home then?” Tolzmann, “Typically their home values are higher than what they will go for. Every five years their value can be reduced considerably. From my experience the value is higher than what they will sell for.”

Ron Braastad – Regarding Property IDs 17-33-23-24-0002 and 8-33-23-43-0007

Property Addressed: 17-33-23-24-0002

Braastad, “I have some values that are too high. In 2011, I had some houses that were valued at \$110,000 and I paid \$60,000 and they keep rising in values.” Tolzmann, “This must be some vacant land on Hwy 65.” Braastad, “I went through eminent domain by the City of East Bethel. I was forced into giving property off the backside of the property. They took 40 feet off the south side of the property and I don’t have 4 acres there anymore. There is probably 3 acres not including the road.” Tolzmann, “I show it with 4.5 and that doesn’t include the road. The gentleman has an issue with the amount of usable acreage. The database shows 4.5 acres and there is probably some roadway there that he would like to look into in order to see what is usable property. This property I would like to take a look at further.”

Property Addressed: 8-33-23-43-0007

Braastad, “The pole buildings were built in 1971. The property is on Sims and Hwy 65. It is a convenience store.” Tolzmann, “What is the issue with that?” Braastad, “I have an issue with the value.” Tolzmann, “The value of \$164,000 of which \$98,000 in land value and \$75,000 being building value.” Braastad, “You can buy a building like that for \$28,000. Land on Hwy 65 right now you can’t sell it for anything. You can buy Fat Boys for \$400,000.” Tolzmann, “This is a business you operate there.” Braastad, “I don’t like to. I am 77 years old.” Tolzmann, “I would like to find some comparable sales in another location. To find out if the value is appropriate.” Moegerle, “Where would you look, Lino Lakes or Centerville?” Tolzmann, “Probably near Oak Grove or Nowthen.” Moegerle, “You might know places that are comparable.” Braastad, “There is one in Finlayson. He doesn’t know of any other.” Tolzmann, “That would be the best way to approach it.”

Tolzmann, "There are two properties he wanted reviewed. My recommendation would be to do some investigation on it. Then report back in on it." DeRoche, "That is the same thing we did last year. We came back and it would give you time to check things out."

Greg Bayard – Regarding Property ID 32-34-23-43-0013

Bayard, "The property is located on the frontage road of Hwy 65 on 229th. Ken came over last June and assessed the property. The last time he was out there was 12 years. He added \$9,500 new construction on the building. We haven't done anything to our house. Some of the things that Anoka County added, what totaled up, was the driveway, the front bricks to my house, which inspector would have never closed on the building without the front facetae bricks. The air conditioning and furnace, which Shade Tree did in 2002. That should be in the building file and my deck, and the bottom sliding glass doors, which he thought were a second fire escape. He wants to get the bogus \$9,500 off his property tax. When me and my wife bought it 3 years and 7 months ago. We bought it on a short sale for \$200,000. In the years we have lived there, we seen it go from \$156,000, to \$178,000, then to \$182,000 and then this bogus charge to \$187,000 and in 2010, it was worth \$211,000 can someone make sense of this?"

Lawrence, "What kind of driveway?" Bayard, "It is asphalt. They all have facetae brick. No one has class five driveway." DeRoche, "How does your property tax compare with your neighbors?" Bayard, "I haven't had the time to go to Anoka and compare. That is beside the point, from the \$9,500 for new construction. The lady said it was prorated. He doesn't care if it was old material. This is 2002 material that you added to my property. How could you miss my tar driveway and front facetae bricks? So that is my point and then over hearing the talk, can't you guys go to the government and get government assistance for how they screwed up the market. Is that something that can be suggested? That highway that was put on Hwy 65 that was ridiculous. I get more highway sound. If you go north and south, it is the same." DeRoche, "That was a State project." Bayard, "Does the State have that much money to piss in the wind. That was supposed to add \$10,000 value to my property. I don't want to go to an appeal in Anoka or in Minnesota. Then two weeks after I talked to all these people, there was a glitch in the computer that my basement was charged twice. They had it at \$198,000, then the computer charged something twice and now it is \$180,000. So this has all happened in two years. \$156,000, \$178,000, \$182,000, \$198,000, \$211,000 so, I don't know."

Lawrence, "What is your comment?" Tolzmann, "When I was out there in 2011, there were some items that hadn't been on our record earlier. That is why we view 20% every year. So we can keep the information current. The problem arose when the database valuing the physical basement twice. It was discovered this spring in a routine maintenance. There were six properties in East Bethel that we made changes to due to the glitch. I called Bayard and told him what was going on. He was putting through an abatement that would adjust his property taxes. He would also adjust for 2014. The revised value for this year is in the process of being sent out. His value will be for \$180,400." Lawrence, "Everyone is losing value and he is gaining value. Living on Hwy 65 is not a really attractive thing. Originally it was \$198,000 and has been adjusted to \$180,400." Tolzmann, "It is the same as his neighbors. The first year it started was for pay 2013." Bayard, "What is the structural basement?" Tolzmann, "It is for the block, etc in the basement. I took the new improvements off." Bayard, "It doesn't show yet." Tolzmann, "I took it off." Bayard, "Why did you take it off?" Tolzmann, "Because I took it off." Bayard, "If the value would have gone up, you would have left it on there. I don't know where you came up with it, if comparing other houses is another thing, the \$9,500." Tolzmann, "I added the air conditioner, the brick, the driveway and the facetae. Those items were not on the value." Bayard, "It is like me coming over to the property and saying I am going to bump your taxes up, because you don't have a garage on there. I don't have

anything against you. It is a mistake that you made.” Moegerle, “If we recess, we can come back to this issue.” Tolzmann, “The problem would have been an issue this year. All you have to do is pay the first half as you normally pay them and the second half will be adjusted.” Bayard, “The homeowner before him got a good deal; maybe he should knock on his door and get the past property taxes. I and my wife are paying the extra portion. I will get another revised, revised, revised, etc, on property taxes. Can you give me a call, when you enter my property and you didn’t tell me that you took the \$9,500 off?” Tolzmann, “I did tell you that.” Bayard, “Thank you.” Tolzmann, “This has been resolved.”

Dennis Schumacher – Regarding Property ID 36-33-23-24-0268

Shumacher, “I don’t know if I have a problem after hearing all that.” Tolzmann, “You’re in Coon Lake Beach.” DeRoche, “That is the lot next to the store.” Shumacher, “It is an empty 100x100, with an asparagus patch.” DeRoche, “It is an unbuildable lot if he is not mistaken.” Shumacher, “All it is is a place for me to mow.” Tolzmann, “It is a residential property, so you pay lower taxes.” Shumacher, “We should pay almost \$700 per year. There are some people with homes that pay the same taxes.” DeRoche, “I don’t know where they would put a sewer system.” Moegerle, “They are adjacent to the tribal lot.” Tolzmann, “It looks like it is right on the corner, right by the convenience store. Looks like there is another lot across the street.” Shumacher, “It was left for a street to go through. East of us looks like it is part of the neighbors.” DeRoche, “Is that the big building that they couldn’t live in.” Tolzmann, “You don’t know if it is a buildable site?” Shumacher, “We don’t know, but DeRoche said he doesn’t think so.” Tolzmann, “I will talk with Nick and Colleen.” Moegerle, “When we reconvene we can discuss it then, does that sound okay to you?” Shumacher, “If it is buildable does it cost us more?” Tolzmann, “No, it would be the same.”

Sharon Ornquist – Regarding Property ID 29-34-23-32-0009

Ornquist, “I live at 24024 Filmore St NE. PID 293423320009. The proposed evaluation for 2014 is \$162,600. I purchased it for \$150,000 and have an appraisal for \$158,000. I would like it reduced to \$158,000.” Tolzmann, “Looks like you bought it for \$145,500. It looks like it was a good sale at that point.” Ornquist, “That is not an issue. I just want it be reduced to the appraisal amount.” Tolzmann, “I would recommend taking a look at it. I was just out there in 2011. It may not have been maintained for 3 years. It probably is not in the same condition that it was when I was out there.” Ornquist, “I have been doing painting and ripping out the carpet. For 2014 she would like it estimated at her appraisal, and then she would be willing to have it brought back up. At this point as she is doing those repairs. We are talking about pay 2014. You are taking those values as of January 2, 2013. So if that is the case, I bought it for \$145,000 and it was listed at \$149,000. I would love to have it at that amount, but that wouldn’t be fair.” Tolzmann, “It is really not that far off, I have it at \$162,600. She is talking about \$4,000 less. I don’t have a problem with that.” DeRoche, “That is fine and then come back after the improvements.” Tolzmann, “I will flag it.”

Heidi Moegerle – Regarding Property ID 36-33-23-21-0266

Moegerle, “I have an issue. In February we purchased 553 Lakeshore. This is adjacent to our property. There were a couple of offers on this all the sales failed because the septic systems on the property fail. No one could find a way to put a septic system on the property. The realtor came and asked if we would like to purchase it as green space. In 2011 the septic system failed. It was not feasible or possible to get it up to standards. In February 23, 2012 we did a permit to demolish the building. I have talked with Tolzmann about to reassess the 2014 because the realtor and mortgage company didn’t bring it to the assessor’s attention. We want it listed as uninhabitable and reassess when it was demolished.” Tolzmann, “I did review the property, prior to this assessment and made an adjustment to the land because there is no septic system on the property and took a look at the condition of the house. It is 50% usable. They would have to remodel it and put in a well and

septic.” Moegerle, “The land doesn’t meet the high water set backs and there are issues with the shoreland overlay district.” Tolzmann, “Can the property be used as residential property?” Moegerle, “There has been a lot of discussions on that. My understanding is there would be more space for a septic system. You can’t put a septic system for a system, but you can’t put it where the house was. The four people who tried to purchase it found this out.” Davis, “A holding tank is the only option for that property. There is no place to put in a system.” Moegerle, “A holding tank wasn’t appropriate because of logistics, feasibility, and you have to pump it every month.” DeRoche, “What would happen with the retaining wall?” Davis, “The City granted the owner a license to use City property for their drainfield. The retaining wall and a portion of the drainfield is on the City property.” Moegerle, “That is an agreement for system in the right of way. That system was put in with out a permit. There are all kinds of issues with the property. Because our name is not in the property records yet, since we closed in February, I wanted to bring this to Tolzmann’s attention here.” Tolzmann, “Hopefully can get the issues resolved.”

He doesn’t have anyone else on the list

DeRoche made a motion to recess the Board of Appeals and Equalization to the next meeting, which would be on May 1, 2013. Davis, “We also have the completion of the emergency management plan. Do you want to schedule this a little earlier, like 6:00 p.m.?” Tolzmann, “I will have everything prepared for the Board. I don’t anticipate needing a lot of time.” Davis, “There is also an HRA board meeting for next meeting.” Tolzmann, “Whatever works for the City is fine with him.” DeRoche, “Do we need to include the PIN number?” DeRoche withdraws his motion.

DeRoche made a to recess the Board of Appeals and Equalization until April 24, 2013 at 6:00 p.m. Moegerle seconded, all in favor, motion carries.

Submitted by:

Jill Anderson
Recording Secretary

April 24, 2013

Board of Appeals and Equalization Meeting

The Board of Appeals and Equalization was reconvened on April 24, 2013 at 6:00 p.m. In attendance were Council Member DeRoche, Council Member Koller, Council Member Ronning and Mayor Lawrence. Council Member Moegerle arrived at 6:07 p.m. Also in attendance were Jack Davis, City Administrator and Ken Tolzmann, City Assessor.

Lawrence made a motion to reconvene the Board of Appeals and Equalization meeting. DeRoche seconded; all in favor, motion carries.

City Assessor, Ken Tolzmann explained that the April 17, 2013 Board of Appeals and Equalization meeting was recessed so that he could take a look at some properties and come back tonight and report on his findings.

Tolzmann, “I have given you a list of my recommendations that parallel the appeals that we had last Wednesday. The first one we have is the Ron Braastad land only parcel 17-33-23-24-0002. Mr. Braastad was present on April 17th to appeal the value of said parcel. In discussion, it was noted that his property had recently been subject to road improvements that limited the amount

of useable area associated with said site. The gross area of this commercially zoned site is 4.5 acres and valued by the square foot (196,020 square foot). Upon review of the aerial survey information, it was determined that said site is subject to 1.06 acres of roadway. The useable area has been adjusted by say 1.06 acres to 3.44 acres or 149,946 square foot. Therefore it is the City Assessor's recommendation that an adjustment to the land value from \$98,000 to \$74,900, to allow for the new calculation of useable land is appropriate."

Ronald Braastad, "I had the surveyor there and I only have 3.1 acres." Tolzmann, "Do you have a copy of that survey?" Braastad, "I can get it for you, but I don't think it will do you any good." Lawrence asked Tolzmann, "How many acres did you figure he had?" Tolzmann, "I figured he had 3.4 acres. Would you rather that I calculate it on the 3.1 like he is saying?" Braastad, "Where did you come up with your figure?" Lawrence, "Could there be an error on the aerial survey?" Braastad, "There has been for years." Tolzmann, "Well, I wasn't aware that he had a survey done on the property. It is unclear just where the easement line was when I looked at the plat it came in at 3.4 acres. If it is 3.1 I am fine with that." Lawrence, "That works for me." Tolzmann, "I will recalculate it. The new amount at 3.1 acres is \$67,500." DeRoche, "If that is what it comes up to, I think that is what it should be." Lawrence, "So do we need a motion to accept it?" Davis, "Yes, you would approve that."

DeRoche made a motion to approve the recommendation as proposed by the city assessor to adjust the land value for the Ronald Braastad parcel PID 17-33-23-24-0002, 3.1 acres to \$67,500. Koller seconded; all in favor, motion carries.

Tolzmann, "The next parcel is Mr. Braastad property at 1452 Sims Road, NE corner of Highway 65 and Sims Road. The property is 1.37 acres and presently valued at \$164,800 or \$42/square foot (land and building). There were three comparables I used. The first was at 18729 Highway 65 and sold recently for \$50 a square foot (land and building). It is comparable to the subject in land size as well as quality of building. The second at 1990 Main Street in Centerville recently sold for \$75 a square foot (land and building) but, is newer and a larger, better quality building. It also promotes gas sales. The third is the business at Coon Lake Beach, 552 Lincoln Drive. It recently sold for \$46 a square foot (land and building). While this building is better quality than the subject, the location of Braastads is far superior to the Coon Lake Beach location. Therefore, it is my opinion that the square footage at \$42 with the sales coming in at \$46 to \$50 is appropriate. My recommendation is that no action be taken on this property."

Braastad, "Your comparison of buildings, I can't see that you compared. This is a pole building. Are any of those pole buildings?" Tolzmann, "The one on Highway 65 was the one that sold for \$50 a square foot." Lawrence, "What kind of condition was that building in?" Tolzmann, "It was older, mid 70's and very comparable. Mr. Braastad's \$98,000 is in the land. It is because of the superior location there. There is not an awful lot in the building. That is my recommendation." Lawrence, "Your recommendation is to leave it as it was at the beginning." Tolzmann, "Yes, but by being on the list, Mr. Braastad can take it to the county if he wishes to appeal to them." Braastad, "And that is what I will do."

Moegerle make a motion to approve the recommendation of the city assessor for the Ronald Braastad parcel PID 08-33-23-43-0007 that no action be taken regarding the value of the property. Lawrence seconded. DeRoche, "When you say no action is taken, is it that we just agree with the assessor? But then he can still take it to the county, right?" Davis, "Yes.

And he can still appeal it to the county when they convene on June 10th.” **All in favor, motion carries.**

Tolzmann, “The next appeal we saw was from Greg Bayard. He was present at the April 17th meeting to appeal his market value of \$205,400. It was explained to Mr. Bayard that a reduction in value had already been initiated on his behalf which lowered his estimated market value for pay 2014 to \$180,400. It was also noted that an abatement for pay 2013 had also been initiated on his behalf. Therefore, it is my recommendation that no action be taken.”

Moegerle made a motion to approve the recommendation of the city assessor for the Greg Bayard parcel PID 32-34-23-43-0013 that no action be taken. Lawrence seconded; all in favor, motion carries.

Tolzmann, “The next appeal was from a Sharon Ornquist. She was present to appeal her pay 2014 value of \$162,600. Ms. Ornquist explained that she had just purchased the property and it had been valued at \$158,000. It was noted that the property suffered excess depreciation since it was last viewed in 2011. The board at the meeting last Wednesday approved a reduction in value to \$158,000.”

Tolzmann, “The next appeal was Heidi Moegerle. She was present on April 17th to appeal the value of 553 Lakeshore Drive. The subject was inspected by me August 8, 2012. At that time it was noted that the property was vacant and that the condition had deteriorated. Therefore, in my opinion, the current value of the subject at \$44,300 is appropriate.” Moegerle, “I spoke with Tolzmann today and agree. And, I will abstain from any vote.” Ronning, “How many square feet is that lot? And is it on the lake or across the road?” Moegerle, “.16 acres or 7500 feet or less.” Tolzmann, “There were a lot of questions about the well and septic and if they are not functioning and need to be replaced. How you do that I think was the subject of last week’s meeting. The house is roughly half depreciated because of the condition of it.”

Koller made a motion to approve the recommendation of the city assessor for the Heidi Moegerle parcel PID 36-33-23-21-0266. Lawrence seconded. Moegerle abstained, rest in favor, motion carries.

Tolzmann, “Mr. Schumacher was present at the April 17th meeting to appeal the current value (\$32,900) of his 100 x 100 vacant lot located adjacent to Coon Lake Beach Store on Lincoln. The property is zoned B1 which does not permit construction of a single family residence. Sales of similar vacant land in Coon Lake Beach are nonexistent. The current vacant land value \$47,900 of the store next door is consistent with the subjects. The use of the property is considered vacant land which is taxed at the same rate as residential. Therefore, it is my recommendation that no action be taken. But, it is certainly within the scope and authority of this board if you decide you want to modify the value. I just can’t give you a recommendation on what the amount would be, if anything.”

DeRoche, “Did you say is or isn’t a buildable lot?” Tolzmann, “It is a buildable lot, but you can’t put a house on it.” DeRoche, “So what can they do with it? It is a separate parcel and if you can’t put anything on it. What are they going to do with it?” Lawrence, “What can you build on it?” Tolzmann, “It is zoned for commercial, so you can put a commercial building there. You just can’t put a house on there.” Moegerle, “How much would it cost the property owner if

they were to apply to the city to have the property rezoned?” Davis, “Probably at least \$1,000 to go through the entire process. Maybe more to get the rezone done.” Tolzmann, “In terms of the highest and best use of the property, right now it is a commercial parcel. And, what the value of a commercial parcel in Coon Lake Beach would be, as far as it is utilized, that is an income producing property. In terms of equalizing the property between commercial and residential, we are doing that.” Moegerle, “Were there any comparables?” Tolzmann, “I really couldn’t find anything even close. It is a unique property. Schumacher has a valid point, but it is a commercial property.” DeRoche, “I thought it was on the website for property taxes as residential?” Tolzmann “He probably has it homesteaded with his house next door. Or it could be that it is considered 1A vacant land which is taxed the same as a homestead. But, the zoning is commercial, so he is being taxed as a vacant piece of property.” Moegerle, “And this would never be rezoned by the city saying this is not commercial property? And, would it make a difference in the taxes?” Davis, “If it was rezoned residential it would make a difference in the taxes.” Tolzmann, “Yes, because the value would go down.” DeRoche, “I can’t say it is never going to be rezoned. That area down there is unique. This is like the one down by the lake, 1A residential and that property could have had a holding tank put on it. But, because the house is so dilapidated, now we devalued the house. This piece of property, who knows if sewer and water will ever go through there. If it is, I can see a house going there before I can see another business.” Moegerle, “That or an expanded business of the existing market.”

Davis, “If I could offer a compromise. On Mr. Braastad’s property it looks like there was a reduction of about 30%. Maybe you would like to consider that type of reduction here.”

DeRoche, “That works for me.” Moegerle, “Ken what is your view on that compromise?”

Tolzmann, “I think that makes a lot of sense to me. I just couldn’t present any figures to the board on what is appropriate. 30% off of \$32,900 would put it at \$23,000. I think that is a good idea, I would support that.”

DeRoche made a motion to adjust the value of the Dennis Schumacher parcel PID 36-33-23-24-0268 by 30% from \$32,900 to \$23,000. Ronning seconded; all in favor, motion carries.

Moegerle made a motion to adjourn. DeRoche seconded; all in favor, motion carries.

Attest:

Wendy Warren
Deputy City Clerk

EAST BETHEL CITY COUNCIL WORK MEETING

May 1, 2013

The East Bethel City Council met on May 1, 2013 at 6:00 PM for a work meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Ron Koller Richard Lawrence
 Heidi Moegerle Tom Ronning

ALSO PRESENT: Jack Davis, City Administrator
 Mark DuCharme, Fire Chief/Emergency Management Officer

Call to Order **The May 1, 2013 City Council work meeting was called to order by Mayor Lawrence 6:00 PM.**

Adopt Agenda **Moegerle made a motion to adopt the May 1, 2013 City Council work meeting agenda. Koller seconded; all in favor, motion carries.**

Emergency Management Plan Presentation Chief DuCharme, "Tonight we are going to review Part 2 of the City's Emergency Management Plan. I am asking for Council review and comment. This is the functional part of the plan. We will be reviewing the Annexes first."

"Annex A is about the Emergency Operation Center. We have identified Fire Station #1 at 2751 Viking Boulevard NE as our main Emergency Operation Center, basically because we have an emergency backup generator. If we had an emergency backup generator at City Hall this would be a better place. We did identify City Hall as an alternate. Also, within Annex A did identify a couple other locations as alternates such as Coon Lake Beach Community Center, Fire Station # 3 (Coon Lake Beach), Our Savior's Church and School, East Bethel Community School and Cedar Creek Elementary School. The ultimate authority under assignments in this Annex for emergency management is the Mayor. And then we have working groups which consists of department heads or their duty officers to carry out the duties and responsibilities. The Emergency Management Director (me) would maintain the emergency management procedure. Another important part of this is the Finance Director who will track the emergency/disaster incident unique expenses. That function becomes very important, so that we can get reimbursed by other agencies and such. And, if I am not available, I did identify staff three deep, Emergency Management Director, Fire Marshal and then the Deputy Fire Chief. The reason we use the Fire Department staff is they are familiar with the fire station. I have also talked with the retired group of fire fighters and they would be assisting in getting the station up and running."

DeRoche, "So, if there is an emergency you are in charge? Not Jack or the Mayor? How does Jack or the Mayor know that these people are trained to do this?" Chief DuCharme, "The Mayor is in charge. The emergency management officer is there to make sure the plan is up-to-date and the facilities are ready to go. The Mayor and City Council do not get into the tactics of emergency response, but must be kept abreast of pending decisions that have to be made. If we have to bring in vendors, then that becomes an expense and the City Council has to consider that." DeRoche, "I look at it from a liability standpoint; everyone is accountable for everything that goes on. You know everyone up here. But not all the other fire fighters know everyone up here." Chief DuCharme, "I think the joint level of comfort will come from us exercising the plan and you seeing that staff is comfortable and confident. We have gone through a high level of training with our officers." DeRoche, "You have to

ask. I have never gone through a plan.” DuCharme, “Hopefully we can get together later this summer and I can give out exercises. Then you can see how people deal with these types of situations. If there is a large type of flu or something like that, we could be dealing with a low level of staff, fire fighters and City Council members.” Lawrence, “Is there a scenario where the City Council is not available?” Chief DuCharme, “We could do that.”

“Annex B, Communications and Warning. We will have to look at transferring all city numbers to the fire station because all of the public safety communications will come in to station one. In large scale storms that blow through, it is not unlikely for Anoka County Radio to impose a “self-dispatch” procedure. We are used to self-dispatching. Fire Station #2 also has a dispatch center. We do have outdoor warning sirens. One of the things about the sirens in Anoka County is they are set off by radio dispatch people. If the sirens are not available, we do have a backup plan such as a neighborhood sweep sending out fire responders, fire explorers and others. The person in charge of this annex is the deputy fire chief (we are three deep here also). We have specifically trained for this. We have 15 sirens, but they are not the kind that we can talk over.”

“Annex C, Emergency Public Information. Communication with the residents is important. The messages we have to get out the public have to be accurate. We will have a Public Information Officer (the Mayor will be the spokesperson for the Council) who will help the Mayor put the messages together. This message will be when the news conferences are, where the media can go for the news conference, etc. The Community Development Director is designated for this. This is also three deep and the City Administrator would be second and Fire District Chief or Fire Commander designee would be third in line.”

“Annex D, Damage Assessment. The Building Official will be in charge of this (Damage Assessment Coordinator). It is important to identify the damage that is out there. He will have to identify if he needs help. You may have a house that is inhabitable, but you can go inside and get things out, or maybe you cannot go inside and get things out. We have agreed on a damage assessment form. We would have to first take a large assessment of the entire area and find out where the damage is localized. And then the Building Official and his crews and go out and take a look at the structures. It is important to protect the residents, and also get the dollar amount to report our losses and if it is enough there might be some help out there. The line of succession in this is the Building Inspector and then the City Engineer.”

“Annex E, Law Enforcement. In our community this is the Anoka County Sheriff’s Department. They have their own plan that is laid out, their own protocol. We work very closely with them. They will provide us with security and help us with unified command.”

“Annex F, Fire and Rescue. We work with all the surrounding fire departments. We are reviewing our mutual aid agreements. As far as fire and rescue, we are going to be the first responders. Any time we feel overwhelmed or undermanned, we will go back to our mutual aid program. We do fire code enforcement, open houses to keep the residents aware. The Deputy Fire Chief is in charge of this annex.”

“Annex G, Emergency Resource Supply. If we have a disaster that could be reimbursable, it will be our finance director that will be doing the forms, before, during and after. If we need an emergency contract, it will be our finance director getting them in to help us. The Finance Director is in charge of this section. This is three deep also, with the Planning Director being second and the Accounting Technician third. If the Mayor and City Council

declare an emergency there are some emergency purchasing controls you can put in place to bypass the normal procedures. It would still require the approval of the Mayor and the City Administrator.”

“Annex H, Hazardous Materials. We get a lot of these materials going through the city, in and out. We have Viking Boulevard and Highway 65 going through our city. That increases our risk that there could be an issue with this. Also if there is a major winter storm we are at risk with some of our business. Our fire department is trained at an operational level which means we can identify the risks. Anoka County has teams trained at technician level. We can identify and search and rescue until our resources come in.” Ronning, “Is there some kind of way to identify what is coming in or going through our city?” Chief DuCharme, “When we go in and do our research, we don’t know how they are stored. Anytime we get hazardous materials we call the Minnesota Duty Officer and they will give us the resource and help us call out the troops.”

“Annex I. Public Works. This is a very important function. Our public works department has a front loader to clear roads and big trucks to get supplies. They have a resource to get mapping we don’t have. We have designated the Public Works Manager as being in charge of this annex.”

“Annex J. Evacuation. Many times our residents aren’t going to want to be moved. We will have a couple different types of sheltering we have to talk about. If houses are taken out it could be dangerous. Any time you do either one of these, you have to keep records. Because if someone comes looking for someone you have to be able to let them know where they are. We would probably have to set up a hotline. DeRoche, “Has anyone wondered without cell phones, how is anyone going to know what is going on?” Chief DuCharme, “Would have to send deputies out to get you here. It is very important to continue the continuity of government. We will need staging areas to send them to, and then send them to shelters. We did designate staging areas in here, City Hall, Coon Lake Beach Community Center and the Ice Arena and Cedar Creek Community School. This is where we want you to get to. The Deputy Fire Chief is designated as being in charge of this annex.”

“Annex K, In-Place Shelter. If their house is blown away, they are going to go with friends or relatives. But we need to know where they are going. If possible we are going try to do in-place sheltering. But, it doesn’t always work that way. We will have a lot of community information to get out. DeRoche, “Is there a pamphlet at City Hall that has this information?” DuCharme, “That is excellent suggestion. Once this plan is complete we will have to get a pamphlet together.”

“Annex L. Reception and Care. We may need to set up shelters on a temporary basis. Red Cross does a really good job of helping communities with this. If we get to this we need to notify the Red Cross as soon as possible. DeRoche, “I don’t remember there being a plan in 1983 when the tornado came through.” Chief DuCharme, “I don’t think there was one. The Deputy City Clerk is in charge of this annex.”

“Annex M. Health and Medical. EMS is real important on the initial response on taking care of the critically injured to get them aid. This includes fire, law enforcement and ambulance. All of these have mutual aid agreements. The big thing about transporting people to hospitals or care centers is we have to know who goes where. Any time you get into injuries we have to be careful how we track it. It is important to get all that information.”

“Annex N. Terrorism Response. I didn’t rate this as a huge risk. We do need to be considerate of this. Depending on what it is the locals will be in charge, law enforcement. The fire department will be secondary. Terrorism is a crime scene.”

“Functional Annex V, Damage Assessment. I have gone over this with the Building Official and we have decided the forms are what we would go with.”

“Appendixes. This document was created before the new organizational chart came out. I have the new one. The executive line of succession is essentially the same. Emergency Responsibility by Organization, the chart is here and we have identified whose job is what. Direction and control is Mayor and City Council. We have an emergency notification list and that will not be public. There are certain numbers that providers have for life threatening emergencies that are not public.”

Adjourn

Moegerle made a motion to adjourn at 7:00 PM. DeRoche seconded; all in favor, motion carries.

Attest:

Wendy Warren
Deputy City Clerk

DRAFT

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

RESOLUTION NO. 2013-22

RESOLUTION DESIGNATING SURPLUS PROPERTY

WHEREAS, the City of East Bethel owns and operates a fleet of trucks and equipment for the purposes of maintaining its city streets and parks; and

WHEREAS, the City of East Bethel has adopted a plan for the replacement of trucks and equipment; and

WHEREAS, the 1996 Ford L8000 plow truck has come to the end of its useful service life as a reliable and dependable piece of equipment; and

WHEREAS, the City Council of East Bethel has approved the purchase of replacement equipment pursuant to the Equipment Replacement Schedule; and

WHEREAS, the City of East Bethel will offer the 1996 Ford L8000 plow truck up for public auction.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the 1996 Ford L8000 plow truck is hereby declared as surplus property and direction to dispose of the property is hereby authorized.

Adopted this 15th day of May, 2013 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 444 Cedar Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization Alliance for Metropolitan Stability		Date organized May 24, 2002	Tax exempt number 41-1977419
Address 2525 E Franklin Ave, Ste 200		City Minneapolis	State Minnesota
		Zip Code 55406	
Name of person making application Russ Adams, Executive Director		Business phone 612-332-4471	Home phone 612-964-1647
Date(s) of event Saturday, June 8	Type of organization <input type="checkbox"/> Club <input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name		City	State
Larry Hiscock, Board President		Minneapolis	Minnesota
Eleonore Wessler, Board Secretary		Minneapolis	Minnesota
			55408
			55406

Location where permit will be used. If an outdoor area, describe.
 Blue Ribbon Pines Disc Golf Course, Clubhouse area, 1901 Klondike Dr, East Bethel, MN 55011 (see additional information attached)

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
 N/A

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
 Minnesota Joint Underwriting Association, \$50,000 per person, \$100,000 per occurrence, \$10,000 property

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City/County	Date Approved
City Fee Amount	Permit Date
Date Fee Paid	

Signature City Clerk or County Official _____ Approved Director Alcohol and Gambling Enforcement _____

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the permit for the event.

Attachment to Application and Permit for 1 to 4 day temporary on-sale liquor license –

Alliance for Metropolitan Stability

Additional Location Information:

As part of the Surly Brewing Company's annual Disc Golf Tournament, to be held at Blue Ribbons Pines Disc Golf Course at 1901 Klondike Dr in East Bethel, the Alliance for Metropolitan Stability would like to request approval of a permit to sell alcoholic beverages (beer) in the patio area of the Clubhouse of the Blue Ribbon Pines Disc Golf Course.

Date and time: Alcohol will be sold between 9 am and 9 pm on Saturday, June 8, 2013.

MINNESOTA LIQUOR LIABILITY ASSIGNED RISK PLAN
MINNESOTA JOINT UNDERWRITING ASSOCIATION
445 MINNESOTA ST SUITE 514
SAINT PAUL, MN 55101-0760
(651) 222-0484 OR 1-800-552-0013

CERTIFICATE OF INSURANCE FOR LIQUOR LIABILITY COVERAGE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THE CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE CONTRACT LISTED BELOW.

POLICY NUMBER: 13-0132

CONTRACT PERIOD: 12:01 A.M. 6/8/2013 TO 12:01 A.M. 6/9/2013 (or the time/hour the event license expires)

CONTRACT HOLDER & ADDRESS

ALLIANCE FOR METROPOLITAN STABILITY
2525 E. FRANKLIN AVE, STE 200
MPLS, MN 55406

SCHEDULED PREMISES: BLUE RIBBON PINES DISC GOLF COURSE, CLUBHOUSE AREA, 1901 KLONDIKE DR., EAST BETHEL, MN 55011

THIS IS TO CERTIFY THAT THE CONTRACT OF COVERAGE DESCRIBED HEREIN HAS BEEN ISSUED TO THE CONTRACT HOLDER NAMED ABOVE AND IS IN FORCE AT THIS TIME. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN TO THE COVERAGE AFFORDED BY THE CONTRACT DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH CONTRACT.

TYPE OF COVERAGE

LIMITS OF LIABILITY

BODILY INJURY	\$ 50,000	EACH PERSON
	100,000	EACH OCCURRENCE
PROPERTY DAMAGE	\$ 10,000	EACH OCCURRENCE
LOSS OF MEANS OF SUPPORT	\$ 50,000	EACH PERSON
	100,000	EACH OCCURRENCE
PECUNIARY LOSS	\$ 50,000	EACH PERSON
	100,000	EACH OCCURRENCE
ANNUAL AGGREGATE	\$ 300,000	ANNUALLY

SHOULD THE ABOVE CONTRACT BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE PLAN WILL MAIL 60 DAYS WRITTEN NOTICE TO THE BELOW NAMED CERTIFICATE HOLDER, HOWEVER, IN THE EVENT THE CANCELLATION IS FOR NON PAYMENT OF PREMIUM, THE PLAN WILL MAIL A 10 DAY WRITTEN NOTICE.

CERTIFICATE HOLDER NAME & ADDRESS

CITY OF E. BETHEL
2241 221ST AVE. NE
E. BETHEL, MN 55011

DATE OF ISSUE: 05/03/2013

Sheryl Seaborn

AGENCY NAME & ADDRESS

NONPROFIT INSURANCE ADVISORS
2314 UNIVERSITY AVE. W., STE 20
ST. PAUL, MN 55114

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/06/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Nonprofit Insurance Advisors 2314 University Ave W, Ste 20 Saint Paul MN 55114	CONTACT NAME: PHONE (A/C No. Ex): (651) 787-3095 FAX (A/C No): (651) 642-1817 E-MAIL ADDRESS: info@nonprofitinsuranceadvisors.org <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">INSURER(S) AFFORDING COVERAGE</td> <td style="width: 30%;">NAIC #</td> </tr> <tr> <td>INSURER A: First Nonprofit Insurance</td> <td></td> </tr> <tr> <td>INSURER B: MN Joint Underwriting Association</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: First Nonprofit Insurance		INSURER B: MN Joint Underwriting Association		INSURER C:		INSURER D:		INSURER E:	
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INSURER C:													
INSURER D:													
INSURER E:													
INSURED Alliance for Metropolitan Stability 2525 E Franklin Ave Minneapolis MN 55406													

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		TMP2214734-12	08/21/2012	08/21/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 3,000,000
						PRODUCTS - COMP/DP AGG \$ 3,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						\$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO ALLOWED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				PROPERTY DAMAGE (Ea accident) \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				\$
	DED	RETENTION \$				EACH OCCURRENCE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					AGGREGATE \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NM)	<input type="checkbox"/> Y/N	N/A			WC STATUTORY LIMITS OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
B	Liquor Liability	X	13-0132	06/08/2013	06/08/2013	E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER City of East Bethel 2241 221st Avenue NE East Bethel, MN 55011	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Cindy Yang</i> <CY>
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City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 7.0 A.1

Agenda Item:

EDA Authority Meeting Minutes for April 15, 2013

Requested Action:

Information Only

Background Information:

Information Only. These minutes are in draft form. They have not been approved by the EDA Authority.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

City of East Bethel
Economic Development Authority Special Meeting
April 15, 2013

The East Bethel Economic Development Authority (EDA) met on April 15, 2013 for a regular meeting at City Hall at 6:30 p.m.

MEMBERS PRESENT: Dan Butler Heidi Moegerle Richard Lawrence
Mike Connor Julie Lux John Landwehr

MEMBERS EXCUSED: Brian Bezanson

ALSO PRESENT: Colleen Winter, Community Development Director/City Planner

Call to Order Moegerle called the meeting to order at 7:00 p.m.

Adopt Agenda Moegerle a motion to adopt the April 15, 2013 Economic Development Authority (EDA) agenda. Butler seconded. All in favor; motion carries unanimously.

Approval of Meeting Minutes Butler said the City Council voted for verbatim minutes, if we approved minutes striking all the verbatim and approve the substance, is that ok. Moegerle said she was the sole voice for summary minutes across the board. For the primary reason for cost, she thought it was for only Council minutes not across the board. Lawrence opposed her. There is a good reason to oppose her, so now he can bring it up. Lawrence said he has talked with people about summary minutes and he feels we should go to summary minutes. It is a lot of time. Moegerle said it is a lot of cost. If people are reading the packets, they compare the minutes and who votes for what, is in there. How often is the discussion relevant? Connor voted for summary minutes. These are obviously not summary minutes. He will make a comment in light of the last two of three council minutes. There is a lot of contentious activity in the Council. Moegerle said there are differing opinions. Connor believes summary minutes for the EDA are just fine. If he wanted more information, he could go to and get the information. He is beginning to wonder what is going on. Butler said the minutes versus viewing online. So viewing online is a different take on what is going on. In terms interaction versus what you read in the minutes. In the latest packet that came out for Wednesday night. If you read the work meeting minutes, they were ten pages. He got through that, and got back to his conversation if you want transparency, you are much better off to not have 112 City documents to read every month. That is not leisurely reading.

Moegerle said lets get back to the EDA minutes. We meant what we said when we went to the summary minutes. Or we could say, what we said in February, beginning now we do summary. Winter said both EDA and Planning Commission voted for summary minutes. She went back and said if the City Council chooses to do the other, can we still do summary and she was told that is not how it works. Connor asked who said that? Winter said staff directed her.

Moegerle said that conversation was not held at Council. Lawrence said that the Council was not directing all the other commissions. Connor said if we make a decision to go with summary minutes, if someone said we couldn't do that, he harkens back to why are we here. Moegerle said so let's hear a motion on what we want to do with the minutes.

Lawrence said why do we have to do that.

Lawrence said we hereby approve the minutes we have in front of us March 18, 2013 as presented. Butler seconded; all in favor, motion carries.

Butler motioned to approve the February 25, 2012 minutes as presented. Lawrence seconded; all in favor, motion carries.

Lawrence motioned to have summary minutes from this meeting forward. Landwehr seconded.

Connor said we made this decision in February, why are we talking about this.
Butler called the question.

City Council said they wanted to stay with verbatim minutes. Moegerle said she understood from staff, if Council did not approve summary minutes for itself, it didn't approve it for the others. She hasn't found any authority for that. Lux said the video is record. Why can't that be verbatim minutes? Moegerle said that very point was made at Council. Watching through the DVD again and again was a problem. Landwehr said it was a problem. Moegerle said you couldn't find the items on the tapes. Conner said it is so contentious.

Butler said we should stick with the topic. He sent information out to the City Council. He gave them his opinion. He appeared at the City Council meeting and restated that position. He stated it is more transparent to have fewer minutes. He had in his hand 80 or 90 pages worth of minutes. One City Council member expressed verbatim minutes explain exactly what is going on. Who is reading 100 pages per month? Some Council members have day jobs. If they don't they may have time to read everything. Moegerle said if there are misstatements that don't need to be transcribed. The facts are what is in the packet what has been reviewed. Landwehr said if the summaries are done objectively, then it is fine. Sometimes you throw things out to see all the discussion. It isn't always to cause harm and it isn't meant to hurt anyone. If it is contentious, feelings get hurt.

Butler asked what the cost of verbatim versus summary, minimal it is \$5,100 per year. You are talking 30 hours per month and we are behind on minutes.

Lawrence restated his motion from this day forward our method of minutes is summary to provide transparency. Motion carried unanimously.

Website Update

Winter demonstrated the website to the EDA. Winter stated here is our website. We will have a website committee meeting next week. Right now, under economic development, this is all that we have. Under business that is where economic development is located. So this is the page that needs to have information filled in. One of the things that we have been talking about is the real estate locator page. It actually will be a button on that page and the home page. This is the available property and it would link to a Google map. There are things that we found that are quirks and those are being worked on. She should also informed the EDA that inquiries went out to all known property owners that had vacant commercial land for sale and only 9 property owners responded, so we will be doing follow up with the rest of the businesses.

Butler asked if she has contacted Tim Chies. Yes, she has, and he has hasn't responded.

This would be the front page that she talked about, and it would have feature pages. You

can click on it and it would bring you into more detail and it would have a hyperlink. Butler wanted to know if it could be slide show. Lux asked if it was searchable. Winter said yes and you can put in the parameters you want, such as land or building. Butler said that might be a feature you want to add later. Winter said if you put in a slide show it would be good if people had no clue what they wanted. If they wanted industrial property boom it would be up. Butler said it looks nice. Winter said and over here is where you search.

Moegerle said is there a way you can go through all of them, like more or an arrow. Winter stated that if you don't put any parameters in, you would get them all. Moegerle said you couldn't see 100 properties on one page. Winter said you might be able but won't know that until the properties are all put in. Moegerle said everyone is different, and they might want to see 100 properties on one page but others might think that is annoying.

Moegerle asked what you could search for. Winter said for sale or rent, price, property id or the number of acres. Moegerle asked if the acreage could be a range. Winter said she thinks it is a range, but she hasn't played with it. Lux said like a pull down menu. Winter will check.

Butler asked if it is live. Winter said no, it isn't, but we are very close. Butler said that is why I can't find it. Winter stated that in addition to commercial properties, we are going to have demographics and traffic count maps and we are hoping to have a little City video someday.

Moegerle asked if we could link with the SBA. Winter said we could have a link to other financial resources. Conner asked if the East Bethel businesses would be listed at that time and their link. Winter said yes, and showed where that listing is on the website and that this area has already been populated.

Conner so it would include a link to Unique Dining Experience. Winter said if you have given it to us we have it, so yes. Conner said he couldn't get to the breakfast like he hoped.

Lawrence said a gentleman up by Coopers Corner is trying to lease his building and he said he has been in contact with the City a few times. He will get Winter the name.

Winter said there is a little bit of sensitivity with the buttons. Moegerle said the minutes aren't where she would look for them. Winter said on the Community Development page, she doesn't think she can move down. Moegerle said reduce it down now, and change it with the side bar. Winter said you have all this information as well.

Actually we need to get Steve listed on there. This might take a moment and we will bring up the City Map. This is the official map of the City of East Bethel. This is a great map, but we will want to add the street map. If you go over here, you can go under building inspection, obtaining permits, why do I need a permit. We have all our permits on here, and all the helpful handouts. Butler said there should be a link from EDA to this page. Landwerh said you could always go back to home.

Under Planning and Enforcement ordinance division, this is where you find the code. This is very important. Let's say you wanted to know about barking dogs, it will bring up all the codes related to barking dogs. If you click on it, it will show you everything that has dogs in it. Any ordinances related to that.

Moegerle said what is the time frame to getting the website populated with the minutes. It is really hard to go back and search these things when the items are not online. Winter said she isn't sure she can look into it.

Lawrence asked if the find it fast button works. Winter said it does.

Moegerle said she has a question for the EDA for a "Welcome to Our World". It kind of sounds to her that we are space aliens. Landwerh said we talked about this before. It sounds like you are coming to somewhere strange. Lux said we are different than you. Moegerle said this is my world and welcome to it. If there are any ideas, we have to kick around how we change that picture.

Winter said they are planning on having a website meeting on Tuesday at 7:00 p.m. Lux asked if the picture could be rolling? Winter said it is changing. Landwerh said it could go from Coon Lake to the trail, etc. Winter said we don't have pictures of industry. Lux said we need those pictures. Landwehr said even a picture of the theatre that took guts to build a theater in the field. Lux said like Booster Day shots, and pictures of the community. Moegerle said the pictures that the community submitted weren't the right type. We would need more pictures with the right resolution.

Butler said he is sending Winter pictures of Aggressive Hydraulics. He thinks that we have such a mix that it is really hard to say there is one really good way to communicate with the residents. We need to get the school system involved. Get their emails hooked up, so we can run it up the flagpole and find out their thoughts. Landwehr said he was thinking more of the businesses.

Butler said if your business is here, you would be home right now. Columbus Township has a really nice billboard on 35E. Moegerle mentioned that to Davis. Is the reader board up yet? Winter said it would be done Friday. Moegerle said it would it go where the other one is. She doesn't know what it costs to get a static billboard. Butler said there is one at the ice arena. Butler said if you located your business in East Bethel, you'd be home now. Moegerle said that is very clever. Lux said if you have something really important, and switch it up, people will be reading it. Lux said that is great.

**Sunrise
Business
Breakfast**

Winter said we had a breakfast meeting that was held at Route 65. It was very well attended - 54 attendees. Staff didn't talk a lot, we introduced people. Dan and Joey got up and talked about the Chamber. It was a great networking opportunity for me. We didn't get into the sewer and water this time. We kept it very simple. The next one will have a website presentation, and we will send out a survey in advance to ask if there is a topic the business community would want addressed. Landwehr said that would be a good time to send you pictures. Winter said they have that option now. Maybe once the reader board is up. Moegerle said what percentage of positive response did we get. Winter said we had a good turnout. The largest one was 58.

Moegerle said how many businesses did we invite. Winter said 70. Moegerle said that is great. Lux said even though you didn't talk, they know you care, and they get the opportunity to network. Lawrence said he talked with some business people outside of the meeting. They were excited to show up to find out what was going on.

Butler said how many people responded by filling out the white slip. Winter said 33. Landwehr said give them assigned seating. Lux said make them change tables after lunch. Lux said or maybe introduce yourself and move to another table. Landwehr said force some integration. Lux said so we are doing those quarterly. Winter said if we did that more than that, it wouldn't be as relevant. Maybe once the Chamber gets rolling it

might decrease the business breakfast. Moegerle said how do you envision these two working together. Winter said what I was just saying, is we have to see how the initiative with the Chamber goes. We might do it once a year or twice a year. Simply because she thinks that you want to get people engaged and involved and you don't want to be repetitive.

**Chamber
Update –
Dan Butler**

Butler said on May 2nd at 8:00 a.m. there would be a meeting at the All State Office, next to Fat boys and Northway Sports and we are going to be reminding people about that meeting. Based on the people at the April 2nd meeting, we have set the dues for the first year at \$75.00 regardless of the number of employees. Doesn't matter the size of the business. The bylaws are being filed and incorporation. The name that is filed is the East Bethel Chamber of Commerce. There might be a DBA that will be decided at some other point by those who join the Chamber. He would encourage anyone here, or any other place to spread the word. Conner asked who is coming to the meeting. Butler said anyone who is a business owner in the East Bethel trading area. What is the purpose of the meeting? Butler said to start the Chamber for East Bethel. Butler said he is going to contact the 54 people that attended the meeting, well actually the 70. Moegerle wanted to know what the Chamber plans for a website is. Butler said that would be up to the Chamber. Moegerle said what do you get for your \$75.00. Butler said that is dependent on if 4 or 40 show up, that is a huge difference. He has talked with the Ham Lake Chamber of Commerce to have quarterly meetings together and have presentations. Moegerle said you are filing your articles before you have that meeting. Butler said you couldn't open a bank account, until you have something to open deposit them to. Moegerle said she applauds the boldness to moving forward without support.

**Business
Activity**

Winter said staff and the Council has heard me state that Economic Development is a marathon and not a sprint and it takes time. Winter said Julie you know this. Winter stated she has had a lot of interest lately. Some commercial interest, housing, retail, it has been a mix making that initial inquiry. She has not been able to dedicate 30% of her time to contacting businesses such as those on the list that Lux provided before. That is where she would eventually like to get to. But right now it is about making sure that we know and understand what it is we have to offer from both an Economic development and Planning process, ensuring that the public is receiving superior customer service from City staff, and dealing with the day to day inquiries at City Hall. Planning is picking up. Ordinances are going through. The corridor is being defined. Even if she has folks that she is talking to, she wants to provide them good information. We are going to have sewer and water on the south side. The City Council will be talking about the loan fund and instead of calling it a revolving loan fund; we are calling it a utility infrastructure fund. She is hoping Council will move forward on it. That is helping the existing business community. Right before she got in here, the State Legislature was in session looking at the Jobs and Economic development bill and depending on what the Legislature does, there may be funds available to help businesses from the State of Minnesota. The utility infrastructure loan fund is just another tool to help existing businesses. It is really exciting in a lot of ways. It lays the foundation for operating loan programs for the future. We will lend you the money and we will have the local banks also help out. Just a couple different options. She is very hopeful the Council will move forward with that.

We have a town hall meeting tomorrow night.

Butler said the utilities infrastructure fund, should you call it existing business utilities infrastructure fund, unless it is something beyond the existing. Winter stated that loans will be offered to property owners in Phase I of the Utility Infrastructure improvement area.

Conner said is this an outcome after Council Member DeRoche made some comments on the WAC and SAC charges that existing businesses couldn't afford it. Moegerle said these discussions have been going on for a year and a half. Conner said Davis said there would be consideration for other financing opportunities in the future. So this isn't one of five that are going to be presented. Moegerle said this is the loan program. Winter said that the loan program as proposed would not just pay for the City's access charges it will also have funding for the Met Council's charges and also help businesses with other expenses to hook up to the system. It will help them with their whole utility program. Moegerle said there is a real interesting aspect of that. If the City makes a loan, some will go to the SAC charge for Met Council. Their WAC charge comes back to the City. It is something like self-funding. It does replenish like a well. Some of the issues with that it will go to a contractor and it won't be replenished. It only comes back with payments. Winter said she doesn't know if the City Council members have read the information yet in their packets. Moegerle said that is necessary, people are in the fear mode. The more transparent and simple it is, the better. Lawrence said we did reschedule the ERU fees. They will get a discount if they hook up now. It would be down the road a little bit. Moegerle said the WAC and SAC charges increase at 5% per year. The earlier you hook up the better it is. Conner said he thought they had to hook up within 8 month. Moegerle said yes, they do have to hook up. It is better to hook up early. Lawrence said we did reduce the costs. Conner said that particular point about the savings and hooking up early, he doesn't remember it being talked about at a recent Council meeting. Moegerle said we need these businesses to hook up now. If they don't hook up by the end of the year, we have a \$400,000 shortfall. Businesses in East Bethel pay 3% of our property taxes in East Bethel.

Conner said Winter your business activity you talked about the revolving loan fund. He also wanted to know about the WAC and SAC charges. He wanted to know where you were going with phone calls. Who called regarding housing? Let me share with you my thoughts. During one of those two meetings you had referenced a study and indicated you would get that Anoka County study to us. As we look at housing, and talk about senior housing, how much conversation has been there been to get an apartment complex on Highway 65. We need to raise revenue quickly. Is an apartment complex a valid consideration. As we talk at each meeting about ideas and brainstorming. What would we do with that? It is conceivable to have a 200 unit apartment complex in five years. Lux said no, and she is knowledgeable about this because it is her line of business. There is some development going on in Blaine. The rent for square foot, you can't pay to build the building. Our rents here are 60 cents per square foot. It will get there, but it will need to be heavily subsidized. He asked when? Lux said ten years. Moegerle said senior housing would not happen unless Our Saviors moves forward on it. Anoka County did their housing study, and the Oak Grove facility isn't full. We only have 9% seniors here, so we don't have a large population of seniors.

Conner said if housing is reasonable topic for us. He understands the issues with senior housing. Should we migrate into apartments or condos? He thinks he is getting a better understanding what can we do quickly. Winter said we need higher density, than what we have now. We might need to explore other options. Conner asked about a condominium concept, like Lakes of Blaine. Would that be an option? Lux said we would move slowly with density. Conner asked what the land availability map is.

Winter said we have limited areas in the corridor set aside for residential development. One of the things that she feels very strongly about is redefining areas in the corridor that work for mixed use concepts where residential, commercial and retail could all exist in one area, a PUD concept. We have eager and interested people, who haven't hooked up with the right development groups. Moegerle said we need to be desirable. Lux said the

land prices have to match up with what they can sell the houses for. Moegerle said there is a new home going up by EJs. Winter said we have the contract inspection for Oak Grove and they have had quite a few homes. Lux said Blaine has been approving new plats. Landwehr said high density he doesn't think would be good along Highway 65. Moegerle said the more businesses we get, they more they need workers. Lux said you get more houses when you get more bodies, etc. It builds.

Conner said we were talking about high- density units. Did I hear that the occupancy rate is 95%? Butler said and higher. Conner said if that demand is that high, in all due respect, is that not feasible on Highway 65. Lux said you take in to account the people in the area, who are the renters, what percentage would be renters and it is purely mathematics. Lawrence asked what kind of housing inquiry was made. Winter said market rate housing. A discussion was held about assisted senior housing with pharmacy, medical, transportation all as part of a complex.

Winter said you might find someone who will take a chance. Right now you don't get the speculative land folks. The developers want the infrastructure. What can we do to attract them to this area? Conner said what do they need. Lux said there is a lot of land out there that banks own and they are writing it down to nothing. Until that is gone, they won't be looking at other land. Lux said that cities have land that they are willing to give away.

Other Reports

Moegerle went to the art crawl. She went to Sherry Allenspach house. She asked if there would be a fall crawl. Butler said there has always been a fall crawl. Moegerle said what about having something at the ice arena in September? Are they going to be at Booster Day? Moegerle said at Booster Day people aren't looking for fine craft, you get a lot of lookers not a lot of buyers. Moegerle gave Dan the card from Glenn. Maybe the new Chamber can work on that.

Lawrence City Council report. We had a discussion about a waterpark. Some of the other stuff, some people didn't realize they would be paying for water and sewer for the system. One individual said we don't need to build anything for East Bethel. Don't build it we don't want it.

Moegerle said please come to the town hall meeting. On February 19, 2011 we had the option to stopping completely and the cost per household would have been approximately \$2,000. It is back because people aren't aware of the conversation. Lawrence said you have a large number of people unaware. Conner said there are two members that were opposed to it all.

Butler said the contentiousness of the City Council meetings is causing problems. Regardless of who throws the bait, don't be the fish. Lawrence doesn't take the bait. Moegerle said here is the problem. There aren't witnesses. The general public sees if we don't take the bait we utilize our free time in undoing the damage. Here she doesn't let a statement stink up the room. That isn't exactly what is going on. Responding can look argumentative. It is so hard to make progress in a non-reactive way.

EDA Packet Delivery

Winter said she brought this up because Council has gotten to the point that everything is electronic. She is trying to be environmentally conscious. Lux said it was perfect. Winter said we would deliver them electronically. Butler said so Council receives their packets electronically. Moegerle said they should be or be charged for it. Lawrence said they are. Butler asked why do they have a packet and an \$800.00 laptop. Lawrence said yes and that is being addressed at the next City Council meeting. Butler said then is it being delivered to their home. Lawrence said he doesn't know. Butler said we don't need to have a motion. Moegerle said she invites the motion.

Butler motioned from today forward get packets via electronic means. Moegerle added an amendment if a paper copy is requested, they are charged. Butler accepted the amendment. Landwehr seconded; all in favor, motion carries unanimously.

Adjourn **Landwehr made a motion to adjourn the Economic Development Authority meeting at 8:40 p.m. Conner seconded; all in favor, motion carries.**

Respectfully submitted by:

Jill Anderson
Recording Secretary

DRAFT



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 7.0 B.1

Agenda Item:

Planning Commission Meeting Minutes for April 22, 2013

Requested Action:

Information Only

Background Information:

Information Only. These minutes are in draft form. They have not been approved by the Planning Commission.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

EAST BETHEL PLANNING COMMISSION MEETING

April 22, 2013

The East Bethel Planning Commission met on April 22, 2013 at 7:00 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Tanner Balfany Eldon Holmes Lou Cornicelli Lorraine Bonin
Brian Mundle, Jr. Glenn Terry

MEMBERS ABSENT: Randy Plaisance

ALSO PRESENT: Colleen Winter, Community Development Director
Tom Ronning, City Council Member

Call to Order & Adopt Agenda

Balfany motioned to adopt the April 22, 2013 agenda, with the amendment of the addition of the public forum. Mundle seconded; all in favor, motion carries unanimously.

Public Forum

Opened at 7:02 p.m.

Robert Banks, 930 207th Ave NE – Regarding the IUP, will talk at that point.

Paul Erickson – Regarding IUP, will talk at that point.

Kevin – Here to listen to the meeting.

Closed at 7:03 p.m.

Interim Use Permit (IUP) for Creative Threads, a home- based embroidery and fabric cutting business located at 912 207th

Ave. NE, East Bethel,
MN

Public Hearing: Interim Use Permit for Creative Threads, a home-based embroidery and fabric cutting business

Requested Action:

Consider Granting an Interim Use Permit (IUP) for Cathryn Erickson for a Home Occupation in the R-1 – Single Family Residential District.

Background Information:

Property Owner/Applicant:

Cathryn Erickson
912 207th Ave. NE
PIN 18-33-23-44-0027
East Bethel, MN 55011
Hidden Haven Country Club Estates
Lot 3 Blk 5

Property Location:

912 207th Ave. NE

The applicant, Cathryn Erickson, is requesting an IUP to operate a home-based business named “Creative Threads.” The business does contract embroidery on hat and garments, and also does fabric cutting for embroidery companies.

Business is conducted primarily by email and UPS so parking needs generated from the home occupation are small and shall be provided on-site, in the designated driveway.

Attachments:

1. Location Map
2. Application
3. City Code Appendix A, Section 10.19, Home Occupation

Recommendation(s):

Home occupations are a permitted use in the R1- Single Family Residential District as long as Ms. Erickson can meet the requirements of the City Code and complies with the conditions of the IUP. The proposed home occupation will meet requirements of the ordinance so long as the

IUP conditions are met. In the event the conditions are not being met, the IUP would be revoked.

Fiscal Impact:

Not Applicable

Recommendations:

Staff requests Planning Commission recommend approval to City Council for an IUP for a home occupation known as Creative Threads, located at 912 207th Street NE, Hidden Haven Country Club Estates, Lot 3 Blk 5, PIN 34-33-23-32-0015, with the following conditions:

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

- i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.
2. Violation of conditions and City Codes shall result in the revocation of the IUP.
 3. All conditions must be met no later than May 31, 2013. An IUP Agreement shall be signed and executed no later than May 31, 2013. Failure to execute the IUP Agreement will result in the null and void of the IUP.

Public hearing was opened at 7:05 p.m.

Robert Banks 930 207th Ave NE – He has the house east of the Erickson's. This is a R-1 residential neighborhood, he understands they are permitted. If they were to maintain it as a home based business he wouldn't be here. They added a commercial-grade cutting machine that needs to be vented through the roof. The use of the machine has disrupted his household due to the noise. He likes to have the windows open, and it has cause sleepless nights. His family has put a hold on patio and screen porch, because the machine is loud and is humming. Yes there are other noises, such as Hidden Haven, Golf Course. But the lawn equipment doesn't bother him as they are we are far enough away from it and you expect such noises when you move into such neighborhoods. We didn't expect this kind of noise. They are not far enough away. We are in direct line of the vent and the noise is not short lived. The noise can last for five minutes, or five hours, it can run at anytime. We came here for quiet living, and we have industrial noise that we hear. It is a true annoyance. He has conveyed it to the Erickson's. He understands that noise can affect people on different levels. He knows that his children, wife, friends have commented on it, so it is not just him. It is not a natural noise. If they want to sew, and embroidery and fabric cutting. The vented industrial commercial machine is what he has a problem with. He has discussed it with the Erickson's. Their perception of business hours is different than his. He text the neighbors when it was operating late into the hours. They don't perceive it the same way. To Mr. Erickson's credit, he had put an extension on the pipe. We have talked to the City about the problem and he will contact the Sheriff, but doesn't want to go down that route. He has had on occasion, where there is a trampoline on his property. He had to yell to the kids, because it is difficult to hear. He is not here to take away from their business, if this was just embroidery and fabric cutting, but unfortunately the industrial machine is a nuisance. He has difficulty with this machine.

Terry asked if the sound is from the vent or from the walls. Banks said it is a

cutting machine that causes so much heat, that it needs to be vented. Terry asked if the noise is vibrating. Banks said it is not vibrating, because the vent, it is a just a loud machine. Holmes said it keeps you up at night. Banks said he has heard it well into one a.m.

Public hearing was closed at 7:12 p.m.

Rick and Cathy Erickson – Mr. Banks has complained to us, starting last fall. Erickson did change the direction of the vent. The Banks thanked him for changing it. He didn't know until recently that it was an issue again. He thought it was taken care of. It is not their practice to operate late into the morning. It doesn't happen very often. If anyone has ever owned a small business, you take a job that you have to do. If he knew it was bothering Mr. Banks as much as it is, he would have made a change. We went to a training this past week, and there is a new scrubber thing that would eliminate the sound. If Mr. Banks didn't hear that, it would be fine. It is a home type of a machine. It looks like a small chest freezer. Inside there is very little noise. It is the blower that is very loud. It is like standing next a leaf blower. Yeah, you can hear it outside, depending on where you are located.

Mundle said concerning the noise, would you be ok with the scrubber that reduces the noise to a reasonable level? Can you limit the work hours until 6 p.m.? Erickson said we have tried to limit the work until those hours. Banks said he would you be happy with that. Holmes asked if this machine is necessary to have? Erickson said it is about a 1/3 of our business, it is computerizing, embroidery contract. We don't have a showroom and very few customers come to our house. 1/3 of our business is fabric lettering, names and letters, and such. Holmes said it is sort of two businesses in one. Erickson said no, it is three. Holmes asked if this is causing a problems? Erickson said we thought we had the problem fixed last fall. That was three years after we installed the machine. We didn't understand that was causing an issue for the Banks family. We thought our correction worked. Holmes said is there any inkling on moving to a commercial place. Erickson said we did look for a commercial building we have to look and regroup for SBA. We thought we would be in a position to move out at this point, but we aren't quite there. We were going to regroup and move out. We still would love to buy that building by Fat Boys, but we have to make the numbers work. The business, like any small business, you like to see it flourish, there is a point where it has to move out of the home. We are not always running the machines.

Balfany said there is possible a solution for the noise. How soon could you have it corrected? It could be within a week, weather permitting. Cornicelli asked if anyone from the City listened to the noise? Winter said the City could go out and listen.

Holmes asked how long have you had the business at home? Erickson said for 7 years. Holmes said this is the first time you applied for the IUP. Erickson said we found out from someone that we had to have it. Holmes asked if you seen the

copy of the home occupation standards J and K that states no structural alterations. You can't make a change in the roof. A vent pipe is a structural alteration. Holmes said you already have it through the roof. Winter said people vent different things through the roof. She doesn't think it is a structural alteration. Mundle said he doesn't think it would be. Terry said if that is a structural alteration, we should change the code. That should be changing the physical structure. Holmes said where in your house do you have this? Erickson said in the attached garage. It looks like another garage. There are no signs. Holmes said how many years do you think it will be before you move into a building. Cornicelli thinks the conditions are reasonable.

Mundle recommend approval to City Council for an IUP for a home occupation known as Creative Threads, located at 912 207th Street NE, Hidden Haven Country Club Estates, Lot 3 Blk 5, PIN 34-33-23-32-0015, with the following conditions:

1. **Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:**
 - No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.**
 - b. No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.**
 - c. Any sign associated with the home occupation shall be in compliance with the East Bethel City Code, Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).**
 - d. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.**
 - e. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.**
 - f. The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.**
 - g. There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.**
 - h. Parking needs generated by the home occupation shall be provided on-site.**
 - i. The area set aside for the home occupation in the principal structure shall not exceed 50 percent of the gross living area of the principal structure and the area set aside for the home occupation in the attached or detached accessory structures or garages shall not exceed total accessory structure space.**
 - j. No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.**
 - k. There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or**

- any other nuisance resulting from the home occupation.**
- 2. Violation of conditions and City Codes shall result in the revocation of the IUP.**
- 3. Further conditions work with City to address noise coming from the vent**
- 4. Limit hours 6 am – 6 pm**

All conditions must be met no later than May 31, 2013. An IUP Agreement shall be signed and executed no later than May 31, 2013. Failure to execute the IUP Agreement will result in the null and void of the IUP. Balfany seconded, all in favor, motion carries.

Goes before City Council on May 1, 2013.

Conditional Use Permit (CUP) request by Paul Partyka, PVC Auto, for the use of the former Lampert Lumber site at 1542 221st Ave. NE, East Bethel, MN for truck and trailer parking and storing auto parts indoors

Conditional Use Permit (CUP) Request by Paul Partyka, PVS Auto, for use of the former Lampert Lumber site at 1542 221st Ave. NE, East Bethel for truck and trailer parking and storing auto parts indoors.

Requested Action:

Make Recommendation to City Council for a Conditional Use Permit (CUP) Request by Paul Partyka, PVS Auto, for use of the former Lampert Lumber site at 1542 221st Ave. NE, East Bethel, MN; PID 08-33-23-12-0005.

Background Information:

At the regularly held Planning Commission meeting on September 25, 2012, Paul Partyka, owner of PVS Auto LLC and Harlan Meyer of Bentley Realty appeared before the Planning Commission to discuss their interest in purchasing the former Lampert Lumber site. At that time they were interested in purchasing the property for speculative purposes but wanted to be able to use the existing buildings for interior storage for new and used auto parts. **A copy of a letter dated September 12, 2012 is included in your packet describing their intended use.** The Planning Commission discussed their proposal and forwarded a recommendation on to City Council. On December 5, 2012, the following motion was made and approved by the City Council:

Voss made a motion that based on the use that has been presented by PVS Auto, the City Council recognizes it is consistent with the B-2 zoning, understanding that the primary use is office use with storage within the buildings at 1542 221st Avenue NE. Anything else will have to come back to Council for review, Moegerle seconded. DeRoche, "I will not approve any outside storage." All in favor, motion carries.

Since that time their Business Plan has changed and based on discussions with City Staff it was determined that they would need to go through the process of obtaining a Conditional Use Permit. Their intent is to have an office there daily and sell new and used auto parts. All auto parts would be stored in existing buildings and would not be stored outside. This by itself is fine and a legal permitted use in the B-2 (Central Business) District as determined by Planning Commission and City Council action noted above. However in addition to

having the auto parts business, PVS Auto LLC also owns a transportation company (VIP Transfer) and that business has grown substantially to where they now have a need to park their empty trucks and trailers overnight. They currently do not have any room at their facility in Blaine, MN. They have a fleet of 9 trucks and that would be the maximum trucks parked at 1542 221st Ave. NE. Please find attached a survey, along with a map that shows the location of the truck and semi-trailer parking. The site is currently zoned B-2, Central Business District and the following are permitted Conditional Uses in the District:

They would be storing 9 semi trailers on the the side. There should be a copy of a letter dated September 12. It states what his intention with the roperty. The buildings are in good shape, one or two need to be demolished.

SECTION 46. - CENTRAL BUSINESS (B-2) DISTRICT

1. Purpose. The central business (B-2) district is intended to provide for the general retail shopping of persons living in East Bethel and surrounding trade area. The applicable development regulations within the B-2 district encourage high density commercial development with or without drive-thru services.

4. Conditional uses.

- A. Essential services—Utility substation.
- B. Place of worship.
- C. Schools.
- D. Drive-thru services.
- E. Licensed residential facility—Serving seven or more persons.
- F. Daycare facility—Licensed.
- G. Exterior storage associated with retail sales and services.**
- H. Hotel/motel.
- I. Funeral home.
- J. Crematorium.
- K. Veterinary services.
- L. Bed and breakfast inn.
- M. Nursing home.
- N. Recreation, commercial.
- O. Other uses similar to those permitted in this section as determined by the city council.**

The Conditional Use Permit is for the storage of operational trucks and semi-trailers that are used for VIP Transfer, a part of PVS Auto LLC.

Aerial photo shows where the truck parking would be. Anoka County Highway Department has received the information. They will also be reviewing it. At this time, recommend approval of the Conditional Use Permit for PVS Auto LLC/Paul Partyka to park operational trucks and semi-trailers at 1542 221st Ave. NE, PID No. 08-33-23-12-0005. Subject to the following conditions:

1. Parking shall be limited to 9 operational trucks and semi-trailers that are part of VIP Transfer - PVS Auto, LLC
2. All parking/exterior storage shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.
3. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than five (5) feet in height and shall preclude vision through the barrier. All screening shall meet the regulations in [Section 23](#). Screening Requirements [Regulations].
4. All equipment and materials within the storage area shall be arranged in a neat and orderly manner.

Keep in mind that, the one part of the business was ruled a permitted use. That was approved by Council last year. Mundle said is overnight parking considered exterior storage. Bonin said it is overnight storage. Winter said they are parking there overnight and no more than nine vehicles. Bonin said it is overnight parking.

Partyka said we are going to have over night parking, maybe two three trucks. During the week there will be no trucks. He only has seven trucks and sometimes they come home for a couple days. Sometimes they have a meeting or appointment, there will not be more than nine trucks and trailers parked there. He doesn't think there will be nine during the week. Currently he has seven trucks and only one is parked now. Nine is for maximum capacity.

Cornicelli said is 221st Avenue built to sustain that truck traffic? But we do have Anoka County looking at the permit. Winter stated that Anoka County has received a copy for their review and comment. Holmes asked if all the trucks 40 footer. Partyka said the trailer is 53 foot. Holmes asked which building are you planning on tearing down. Partyka said there is only one building that will have to go. It is not worth fixing and it is just a little shed. Winter said there is a map in there that will show the building they are planning on tearing down. Partyka said you can remodel, but it will be cost more than to repair. They just need new siding sheets, and they need to be cleaned up and painted. Holmes asked if he plans on building more buildings. Partyka said no he has plenty, he will just remodel some. Mundle asked if we are clear on the fact as if it just over night. Winter stated a Conditional Use permit is the best way to handle this situation. Holmes said he stated if they are home for over the weekend. Bonin said they are not parked there indefinitely. Balfany said they would be behind the buildings. Holmes asked if he would be repairing the fencing. Partyka said he would be repairing the fencing. Balfany asked what hours the trucks will leave. Partyka said they will be leaving in the morning, and come back by 10 pm. There will only be one or two trucks coming in. Not a lot of traffic.

Terry asked why has the business plan shifted, what has happened in the few months. Partyka said when we first came in we had same thing, but we only had a couple trucks. Our used parts business was a little weak, so we decided we

could park the truck. We need a piece of paper that means if the City let us park it. We don't want to get in trouble. Holmes said your business is strictly storage or are you going to have retail. Partyka said some people told us we have to have an office. People are going to come, we have a dealer license then, some people are going to come and get parts. Winter said the auto parts would all be inside. The office will be open from 6 a.m. – 5 p.m. Bonin said if someone comes to Blaine, and you don't have it in Blaine, they would come here. Partyka said he could bring it to this location for them. Balfany said the reason you are here tonight is for the trucking business. Partyka said he has three brothers and we are partners. Holmes said the B2 district is retail. Partyka said we would not be doing repairs at this site; we do our repairs at the Blaine facility.

Aerial photo shows where the truck parking would be. Anoka County Highway Department has received the information. They will also be reviewing it.

Balfany motioned to recommend approval of the Conditional Use Permit for PVS Auto LLC/Paul Partyka to park operational trucks and semi-trailers at 1542 221st Ave. NE, PID No. 08-33-23-12-0005. Subject to the following conditions:

- 1. Parking shall be limited to 9 operational trucks and semi-trailers that are part of VIP Transfer - PVS Auto, LLC**
- 2. All parking/exterior storage shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.**
- 3. Screening of the exterior storage shall be installed and maintained along all property lines. The screening shall not be less than five (5) feet in height and shall preclude vision through the barrier. All screening shall meet the regulations in [Section 23](#). Screening Requirements [Regulations].**
- 4. All equipment and materials within the storage area shall be arranged in a neat and orderly manner**

Cornicelli seconded; all in favor, motion carries unanimously.

Discussion Regarding MIDS

Continue Review MIDS project that was discussed at a Special Planning Commission Work Session on March 19, 2013. Jay Michels of Emmons and Oliver was the presenter.

Background Information:

Utilizing the Community Assistance Package, we will be going over three specific issues:

What do we want to recommend be a part of a MIDS program?

1. Storm Sewer Plan: do we want a separate ordinance or include in one document?
 2. Subdivision ordinance: do we want to include MIDS as part of this?
- Design Standards

Nitty gritty on how we will administer it.

Inspections and recording keeping – The applicant is responsible for inspection and record keeping during the after construction for all privately owned stormwater treatment practices on the site.

Community Inspections – The community shall conduct inspections on a regular basis to ensure that both stormwater and erosion and sediment control measures are properly installed and maintained prior to construction, during construction, and at the completion of the project. Mandatory inspections are required as follows:

1. Before any land disturbing activity begins;
2. At the time of footing inspections;
3. At the completion of the project; and
4. Prior to the release of financial securities.

Fees – A charge of whatever the city determines will be assessed to the applicant for any inspections under this section by the community.

Stop Work Orders

1. Construction Stop Work Order
2. Perimeter Breach
3. Actions to Ensure Compliance

Long Term Inspection and Maintenance of Stormwater Facilities

Private Stormwater Facilities

- Maintenance Plan Required
- Facility Access
- Removal of Settled Materials
- Inspections – All stormwater facilities within the community shall be inspected by the community during construction, during the first year of operation, and at least once every five years thereafter.

Public Stormwater Facilities

- Acceptance of Publicly Owned Facilities
- Inventory of Stormwater Facilities
- Maintenance – The community shall perform maintenance of publicly owned stormwater facilities in accordance with their comprehensive stormwater management plan and other regulatory requirements.

Permit Review Process

- Pre-Application Meeting

The community shall facilitate a pre-application meeting with the applicant, community, staff, and staff of partner agencies (MPCA, SWCD, WD, WMO, etc). The meeting shall be mandatory prior to submission of a permit application. The purposes of the meeting are: to understand the general parameters of the

proposed project; and to convey the requirements of meeting the provisions of this ordinance.

- **Application Completeness Review**

The community shall make a determination regarding the completeness of the permit application within ten (10) days of the receipt of the application and notify the applicant in writing if the application is not complete including the reasons the application was deemed incomplete.

- **Application Review**

The applicant shall not commence any construction activity subject to this ordinance until a permit has been authorized by the community.

- **Permit Authorization**

If the community determines that the application meets the requirements of this ordinance, the community may issue approval authorizing the project or activity.

- **Permit Denial**

If the community determines the application doesn't meet the requirements of this ordinance this application must be denied.

- **Plan Information Requirements.**

The minimum information requirements of the application shall be consistent with the most recent version of the NPDES/SDS Construction Stormwater General Permit requirements.

We want the permit/process to be ongoing to be a living, breathing document. As much as we pour into a plan, sometimes we see a project that was planned for in the spring, as put it in the fall and that changes timelines and vegetations. Whenever we see a problem, we want the plan modified. Inspections and weather can have a big part of it. They would all be reasons to modify.

Financial Securities

- **Amount**

Michels said we had a project on Hwy 36 and County Road 5 before the Target and Cub Foods was there. The contractor was pulling his equipment off and we hadn't seen him for weeks. So we have an entire site sitting wide open. How do we pay for it?

Many communities will set a number for securities, such as \$3,000 to each acre disturbed or on a per house basis. It is left to the City to determine the amount. That doesn't mean we can't set an amount.

Mundle said would this be escrowed. Michels replied yes. Mundle said would that be the total amount of the project. Because you said a certain amount per acre. If you want the contractor to put up the amount before the project he has to have twice the amount for the project.

Our goal is to release this as soon as possible. The financial security can be used by the City. The first \$5,000 is in cash, and the community will hold that. The

remaining could be a letter of credit; negotiable bonds, cash and many developers will use a disbursing agreement. That letter of credit is being released, that can be tied into the financing agreements. These are all forms of security that are common.

Holmes asked if it is a state inspection, how could the City withhold that? Michels said it is a local inspection. Holmes said electrical is a state inspection. Mundle said some cities are doing their own. Winter said this is the ordinance related to storm water management and surface water management. This is part of the developer's agreement. In a case of a subdivision, if there would be utilities, they would be agreements with the other companies. She can't think of any developments that would be State. Holmes said electrical. Winter again stated this is related to storm and surface water management not electrical. She would have to check on who does the inspection for other items, such as electrical that may be part of a development.

- Actions against the financial security
- Abandonment

Failure to Implement the SWPPP or ESP Plan – The developer ceases land disturbing activities and/or filling and abandons the work site prior to completion of the grading plan

Failure to Perform – The developer fails to conform to the grading plan and/or the SWPPP as approved by the Community.

Failure to Reimburse the Community – The techniques utilized under the SWPPP fail within one year of installation.

- Proportional Reduction of the Financial Security

The developer fails to reimburse the community for corrective action taken.

- Returning the Financial Security
- Emergency Action

Enforcement Actions

- Notification of Failure to Permit

The community shall notify the permit holder of the failure of the permit's measures.

- Initial Contact
- Erosion Off-Site
- Erosion into Streets, Wetlands or Water Bodies
- Failure to do Corrective Work
- Enforcement

- Misdemeanor
- Right of Entry and Inspection

That brings us to the questions.

Terry said so we will developing a police state over storm water. Michels said it is rare that it happens, but it is one of the enforcement actions. Terry didn't realize it was that serious. Michels said it doesn't happen very often, but you want to be protected. Cornicelli is it typically industrial or residential. Michels can't make a blanket comment on that. The one time that we did take enforcement action with the police on the site, it was a townhouse development in Savage. So we came in and took the action. It has to go through the judicial process.

Ronning said this thing looks really good, but there seems to be a void. Do we have anything this is for containing the run off, 99%; does anyone have data where we have run off problems in East Bethel? Ronning said you put the cost off onto the contractor and the buyer. Mundle stated when you take a backhoe and dig into the property, when you redevelop the property, the water ecological system changes. It use to flow one-way or the other, if elevations aren't set correctly they will run into a certain place. If you dig up a whole site, like they did in Club West, they had to come up with a new plan. Their plan was to bottle it all up in one area. That has changed over time. Now you want to contain all the water on your lot. You don't want it to run off on a lot. It has to follow a drainage plan. Ronning asked do we know how much of it there is here? Cornicelli said we are talking as the City grows. We are talking about new. Ronning said are we talking in a decade or century. Cornicelli said the future. Mundle said as soon as Blaine fills up there would be movement of people coming out here. Ronning said Blaine is sized for 80,000 now, and they only have 50,000 people.

If you think back on our first presentation, the water is generally going back down into the ground. When you change that with asphalt, rooftops and development that changes the run off. We also have to manage erosion and sediment control. Cornicelli said we went through that at our first meeting.

Ronning asked what percent of East Bethel is wetland. Cornicelli said about 50%, but that isn't the point, we are looking at the future. Ronning said this is just food for thought, and it is your job. You should make it as good as possible. Balfany said we are looking ahead to make sure we are doing it responsibly. Ronning said the potential for runoff that water in this area isn't going to go more than a quarter of a mile. Mundle said if you put a concrete slab on the hillside, that water will go and be run off. What do we do with that water when that concrete slab comes in? If and when it would come, how would we handle the run off from the concrete slab? It might not go more than a half-mile, on a dirt hillside it will take longer. Ronning said there is more run off on the roads and streets than on all the home properties. How effective would it be here? Balfany said Coon Lake there are drain ditches that run into the lake. But all the snow/

rain that hits my roof and then there are 50 some other houses that run to those spots. That water never had the original opportunity to seep into the ground. Similar matter, corner of Hwy 65 and County Road 22 if there is a huge parking lot, if it is already a wet area, we have now raised the water in the swamp land area. It could do a number of things. Projects like this will help maintain that. Does that give you a better perspective? Ronning asked what is the return for the cost. Ronning is suggesting when you put forth someone is going to think how much does it cost. If I am buying \$10 for an ice cream cone how much ice cream will be get.

Cornicelli said how many impaired waters are there in the State. We have 6000, and there are 12,000 lakes. We have to build strategies that are more contemporary. They may cost a little more upfront. The break even wasn't too far off. Ronning said if you were doing a cause and effect study what contributes. Terry said we are assuming impaired. An agency has declared them impaired. Cornicelli said there is more science to that. Michels said it is impaired at a certain place, not a whole river. Your 6,000 is a bit inaccurate. The Sunrise River is impaired, that is where 2/3 of your water ends up.

Bonin said where the water is going, you have to consider the fact that if you are changing things, that instead of going to the water supply, that is the real issue, from keeping the water from where it is suppose to go.

Terry said he is for a lot of ideas. He is concerned about the strong-arming and being guilty of a misdemeanor because the property floods. Some of the language concerns him. Michels said that is about a 1 in a million shot. You try to work through them with the other enforcement. A police presence can change the permittee compliance. You can take whatever parts of this that you want. Hopefully it will never happen in East Bethel. Balfany said if you don't create it, then someone would take advantage of your system. Holmes said the developers know what is going to happen. Most communities already have it, and it isn't a new idea to them.

Leon Mager said we did modeling and sediments, and came up with solutions, we put in 3 rain gardens \$20,000 came from grant money and \$30,000 was the total project. \$40,000 for Coon Lake this year and next year. Along the roads you can put in rain gardens. You can have pre-catch basins. That work will happen around Coon Lake.

Terry said if this is a serious problem for the City, why not divert Park Dedication fees to this and implement some of the solutions. It might be more effective. Winter said in other communities they have storm sewer dedication fees. It is something that be brought up. Cornicelli said we are looking at future development. Terry said if this is serious problem we should try to fix it.

Ronning said he is a tree hugger, and you have a lot of care and concern. You only have one strike. It has to make sense to make those that will answer to the rest of the residents. It sounds like a great thing.

Michels said the next step for discussion, where do we go with this in this pilot

community. Our other pilot is the Chisago group. They decided to move to a common meeting of the council and get their feed back and go back to the planning commission for ordinance language. Rather than have it with a horizontal landscape, in a word document. That would be the guidance, so he can work with Winter. Do we take it into that Word form? Should the Council be brought up to speed? We decided on a Saturday morning breakfast meeting on May for 4 for Chisago City. He is open to any suggestions. Balfany said the City Council should probably be brought up to speed. Winter stated the City Council needs to get involved as soon as possible. Cornicelli buy in is important. Ronning said education is needed.

Winter said the challenge is trying to schedule a meeting. The other challenge is to take advantage of their group we need to do it relatively soon. Winter would like to go to the May 4th meeting as see how it is received by the other Councils. Ronning bring it to the Council. Ronning is still green. Can we get a meeting with people? Open invitation, some of the people would go for it, but there is skepticism on it. Michels said we could do a separate meeting. We would do something separate for East Bethel. Ronning said he was thinking to hear from people outside the City we aren't just talking to ourselves. Balfany said you could reach out to the Council of Chisago. Winter said we need to get the meeting scheduled. Cornicelli likes evening meetings better. Michels said he could do 2.5 hours in the schedule. He knows where he can cut it and where he can hit. You have helped him know where to get to the point. We will get something set up.

Balfany said do we want to put more energy and effort into it. Homes said we have to do it. Everyone agreed.

Winter said she will put together a staff report for May 1st and will propose a couple dates to the City Council.

Electronic Version of Planning Commission Packets

Winter explained that the The Council is receiving their packets electronically. She is suggesting Planning Commission go that route. If we could deliver everything online versus paper copies. The EDA has also gone this way. Cornicelli said he doesn't have personal laptop and the wireless is spotty. Bonin doesn't have any connections that at all. If you want it electronically, Winter can send it that way. The others she will send hard copy. Terry said you could remove the last page. Holmes said the green sheets you can remove. Mundle the electronic copy you can make notes. Holmes said we are in a different game where we have to figure out distance. A paper copy is a necessity. He is just talking about what we actually do.

Approve March 26, 2013 Planning Commission Meeting Minutes

Terry page 25, third to last sentence on the bottom change adversarial to adverse consequences.

Mundle same page first paragraph, fourth sentence in, But some of the equipment was in his home, some of the equipment was at his home.

On the same paragraph further down, Mundle said some of his vehicles stored

should be changed to park on his residential property.

Bonin said she had a comment to make, but she sees a lot of supposed sentences that are clauses, that don't make sense.

That goes back to our discussion on verbatim, that you're working so fast to make sense of things some times. Winter said that seems to be beyond on our choice. Cornicelli said it would save on paper

Holmes motioned to approve the March 26, 2013 minutes with said changes. Terry seconded, all in favor, motion carries unanimously.

Other Business/City Council Report

Holmes said one item that we should look at when we are redoing our ordinances just happened to hit him when he was driving along. This LED billboard, he thought we put a foot-candle limit on billboards with the new LED lights. Cornicelli said yes they are bright. Holmes said they distract you on 35W this distracts them. Terry said non-information signs we had something on there. Holmes said he doesn't remember where foot-candles are discussed. It is something we should look at and limit. It is totally different than what it use to be. Winter said we are getting a new community sign that will be up very soon. Holmes said is it an LED sign. Winter said yes.

Ronning said there is intended update on the forcemain. Castle Tower and Whispering Aspen Update. The City and Met Council entered into a joint project. Our pipe will be used to sanitary water to the MCES. Their pipe will move treatment plant effluent. They rebid February 12th. The lowest bid was the recommended to the Met Council board. Our share will be \$1 million dollars. A lot of money. It will be 3200 linear feet. They have received bids and they will be opened May 9 and completion is in December. This is where they intend to go he is not sure why we do it. It looks like there are three crossings.

Some of what we have talked about is trying to help people ease into this. We have come up with a utility infrastructure loan program. The basic HRA will loan the EDA \$281,400 in seed money. The City repays the EDA. There will be an interest charge of 4%. A lot of us have heard if they are forced into this they will walk out. He is curious how many people are leasing than those that loan. Loan would be for five years. No penalty for early payment. Business would be required to apply for the loan. Application fee would pay for staff time. Also discourage those that are serious. The owner of record is the one that has to make application. At the point they do there is lien on the property. Instead of lost money it does into the tax base.

There are two basic priorities they have identified. One is the sewer water access charge, it is considered to be the SAC/WAC charges times 4 ERUS. The second is miscellaneous fees. The City will loan up to \$5,000.

They are encouraged to work with financial institutions. Some of them might not be interested in looking at it because it isn't a big enough amount. Five years for repayment. No penalty for early payment.

We are sharing a building official with Oak Grove and Bethel. They went through the cost for that. Balfany said it is a profitable program. Ronning said we have an extra inspector. Mundle said we have a building official and a building inspector. Ronning said the bottom line is still the bottom line. Balfany said we are still bringing in extra money, isn't that the bottom line. Ronning said the fee revenue is on pace to collect \$94,000. On the surface it looks like a positive deal.

Mandatory connections ordinance, not all of us were enthused about it. His own thought was, people might have known this coming. No eminent application. This is for the existing business. With the economy it hasn't been that great. North Suburban Lawn, John Deere dealer, said if they had mandatory hook up they wouldn't be in business. Terry said that existing businesses were told they would have a mandatory hook up. Balfany said isn't that what the loan program. Ronning said there are a lot of things that have been said about this thing. Balfany said what thing. Ronning said what is the most it can cost us if we don't hook up. Most of us won't hook up. They are general obligation bonds and they are guaranteed by us.

We have been to a League of Minnesota Cities session in February and one of the things that you can't raise the taxes more than the value it adds to the property. If it is for infrastructure it doesn't apply. The schedule for cash flow. We are negative \$935,556. There are federal tax credits that soften it up. There is supposed to be a rebate on the interest. Balfany asked for the summary. We don't need all the information. Ronning said we would go backwards each year. Balfany said you are talking if no one hooks up.

Ronning said that is too much good news for one night.

Adjournment

Holmes made a motion to adjourn the meeting at 9:15 p.m. Cornicelli seconded; all in favor, motion carries.

Submitted by:

Jill Anderson
Recording Secretary



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 7.0 D.1

Agenda Item:

Resolution Revoking Municipal State Aid Streets and Resolution Establishing Municipal State Aid Streets

Requested Action:

Consider adoption of Resolution 2013–23 Revoking Municipal State Aid Streets and Resolution 2013–24 Establishing Municipal State Aid Streets

Background Information:

The Minnesota Department of Transportation State Aid Office has revised the procedure for allocating funds to City’s that qualify for Municipal State Aid (MSA) Funds. Currently 50% of the allocation is based on “Population” and the other 50% is based on “Need”. The “Need” based criteria is being replaced by traffic volume. In order to maximize the funding received from MSA and considering other needs in the sewer district staff is recommending several revisions to the current MSA system. The table below summarizes the street segments that staff recommends to be added and revoked from the system. The streets recommended for addition and removal from the system is shown on Attachments 1 and 2.

Street	Segment	Length (Miles)
Roads Added to the MSAS:		
Aberdeen Street	Briarwood Lane to 186 th Avenue	0.54
186 th Avenue	Aberdeen Street to Baltimore Street	0.21
Buchanan Street	Viking Boulevard to Klondike Drive	1.00
205 th Avenue	TH 65 to Davenport Street	0.08
209 th Avenue	TH 65 to Davenport Street	0.15
213 th Avenue	TH 65 to Davenport Street	0.17
Total Miles Added		2.15
Roads Revoked from the MSAS:		
Baltimore Street	Briarwood Lane to 0.09 miles south of 187 th Lane	0.51
Davenport Street	Klondike Drive to 205 th Avenue	0.66
197 th Avenue	Polk Street to Buchanan Street	0.27
217 th Avenue	East Bethel Boulevard to Durant Street	0.75
Total Miles Revoked		2.19

Attachments:

- 1-2. Location Maps
- 3. Resolution 2013-23 Revoking Municipal State Aid Streets
- 4. Resolution 2013 -24 Establishing Municipal State Aid Streets

Fiscal Impact:

Not known at this time.

Recommendation(s):

Staff recommends that Council adopt Resolution 2013-23 Revoking Municipal State Aid Streets and Resolution 2013 -24 Establishing New Municipal State Aid Streets.

City Council Action

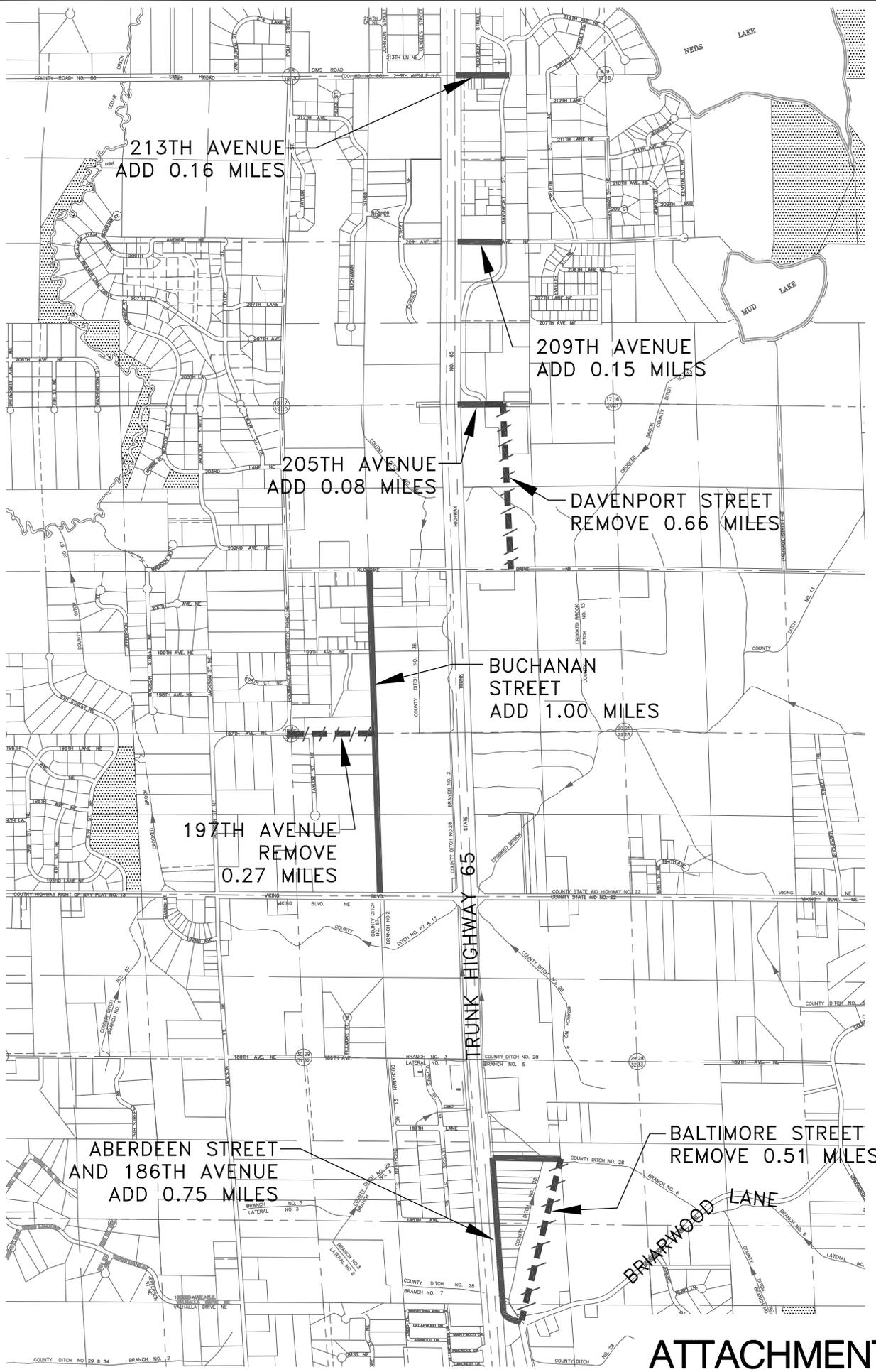
Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



ATTACHMENT 1



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

RESOLUTION NO. 2013-23

RESOLUTION REVOKING MUNICIPAL STATE AID STREETS

WHEREAS, it appears to the City Council of the City of East Bethel that the streets hereinafter described should be revoked as Municipal State Aid Streets under the provisions of Minnesota law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: The streets described as follows, to-wit:

- **Baltimore Street** – Briarwood Lane to 0.09 miles South of 187th Lane
- **Davenport Street** – Klondike Drive to 205th Avenue
- **197th Avenue** – Polk Street to Buchanan Street
- **217th Avenue** – East Bethel Blvd. to Durant Street

be, and hereby revoked as Municipal State Aid Streets of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED THAT: The City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for their consideration, and that upon their approval of the revocation of said streets or portion thereof, as Municipal State Aid Streets of the City of East Bethel, which are numbered and known as Municipal State Aid Streets 203-113-020, 203-102-011, 203-117-010 and 203-105-005.

Adopted this 15th day of May 2013 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator

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

RESOLUTION NO. 2013-24

RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREETS

WHEREAS, it appears to the City Council of the City of East Bethel that the streets hereinafter described should be designated as Municipal State Aid Streets under the provisions of Minnesota law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: The streets described as follows, to-wit:

- **Aberdeen Street** – Briarwood Lane to 186th Avenue
- **186th Avenue** – Aberdeen Street to Baltimore Street
- **Buchanan Street** – Viking Blvd. to Klondike Drive
- **205th Avenue** – TH 65 to Davenport Street
- **209th Avenue** – TH 65 to Davenport Street
- **213th Avenue** – TH 65 to Davenport Street

be, and hereby established, located, and designated as Municipal State Aid Streets of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED THAT: The City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for their consideration, and that upon their approval of the designation of said streets or portion thereof, that same be constructed, improved and maintained as Municipal State Aid Streets of the City of East Bethel.

Adopted this 15th day of May 2013 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 A.1

Agenda Item:

April 2013 Building Inspection Report

Requested Action:

Information item

Background Information:

Permit fees received within the City of East Bethel in April 2013 were \$9,262 and our year to date total for the City is \$32,995. Our projected fee revenue for the Department for 2013 is \$87,700 and we are currently on pace to collect \$99,084.

Total amounts billed for the Oak Grove Building Official and Inspections Services through the end of April are \$38,916. Total fees for this service for 2013 from Oak Grove were projected to be \$60,000. The fees we charge Oak Grove are based on a percentage of permit and plan review fees that are issued and conducted.

Our cost for providing these services to Oak Grove through April 2013 has been \$16,331. This includes 151 hours for Nick Schmitz, 68 hours for Steve Lutmer, 128 hours for Joan Steffen-Baker and 2,680 miles of travel at \$0.85/mile. Thirty-three per cent (33) of our time has been spent on Oak Grove Building Official and Inspection Services for 2013. Based on these expenses through April, our costs for providing this service for the year of 2013 are projected to be \$49,042.

We have conducted three inspections for the City of Bethel and will be billing them approximately \$400 for this service. Our costs for this service were \$238.00. The time spent for our inspection services for the City of Bethel has been 5 hours or 0.4 per cent of our time for 2013.

As was discussed and presented in the development of the 2013 Budget, the Building Inspector's position, previously held by Emanuel Sackey, was to be continued and was approved by City Council. This was decided before the agreement with Oak Grove and the retention of this position was necessary due to the demands of the work solely within the City of East Bethel. The agreement with Oak Grove enables us to maximize the use of our Building Official and Inspector's time, generate additional revenue for the City and still provide the complete service that is required for East Bethel residents.

Attachments

April Building Department Report

Fiscal Impact:

As noted above

Recommendation(s):

None at this time

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

BUILDING DEPARTMENT MONTHLY REPORT FOR EAST BETHEL

	Jan-13	Feb-13	Mar-13	Apr-13
Building Official Calls & Counter	82	93	108	139
Office Staff Calls & Counter	200	209	201	218
Building Inspector Calls & Counter	0	0	4	64
New City Ord. Violations	5	0	4	5
City Ord. Violation Inspections	10	2	5	12
New Home Permits	0	0	1	1
New Commercial Permits	0	0	0	0
Mechanical Permits	5	11	3	13
Plumbing Permits	10	2	1	2
Septic System Permits	1	0	0	1
Construction Inspections	55	45	30	50
Total Permits	29	22	18	41
Building Off. Meetings or Training	7	8	7	9
Building Insp. Meetings or Training	0	0	0	2

NOTE: This report does not show time for plan reviews for any of the permits issued.

OAK GROVE BUILDING DEPARTMENT MONTHLY REPORT

	Jan-13	Feb-13	Mar-13	Apr-13
Building Official Calls & Counter	12	25	26	16
Office Staff Calls & Counter	60	40	85	109
Building Inspector Calls & Counter	0	0	7	56
Code Violation Inspections	0	0	0	0
New Home Permits	0	3	2	5
New Commercial Permits	0	0	0	0
Inspections	42	32	36	65
Total Permits	16	10	13	20

NOTE: This report does not show time for plan reviews for any of the permits issued.

BETHEL BUILDING DEPARTMENT MONTHLY REPORT

	Jan-13	Feb-13	Mar-13	Apr-13
Building Official Calls & Counter	0	0	0	3
Office Staff Calls & Counter	0	0	0	6
Building Inspector Calls & Counter	0	0	0	3
Code Violation Inspections	0	0	0	0
New Home Permits	0	0	0	0
New Commercial Permits	0	0	0	0
Inspections	0	0	0	2
Total Permits	0	0	0	2

NOTE: This report does not show time for plan reviews for any of the permits issued.

Permits Issued & Fees Report
Issued Date From: 4/1/2013 To: 4/30/2013

		<u>No.</u>	<u>Valuation</u>	<u>Revenue</u>	<u>Plan</u>		<u>Total Fees</u>
					<u>Check Fee</u>	<u>Surcharge</u>	
<u>Permit Type: BUILDING</u>							
COMMERCIAL ALTERATION	April	0					
	YTD	1	6,500.00	139.25			139.25
COMMERCIAL DEMOLITION	April	0					
	YTD	1		50.00		5.00	55.00
COMMERCIAL HVAC	April	1	18,000.00	270.00		5.00	275.00
	YTD	1	18,000.00	270.00		5.00	275.00
COMMERCIAL MISCELLANEOUS	April	0					
	YTD	1					8,200.00
COMMERCIAL REMODEL	April	0					
	YTD	1	175,000.00	1,414.75	918.94	87.50	2,421.19
RESIDENTIAL ACCESSORY BUILDING	April	0					
	YTD	1	20,000.00	372.25	208.81	15.00	596.06
RESIDENTIAL ALTERATION	April	0					
	YTD	1	0.00	101.00		5.00	106.00
RESIDENTIAL BASEMENT FINISH	April	1	10,000.00	182.25	117.81	5.00	305.06
	YTD	2	10,000.00	284.25	117.81	10.00	412.06
RESIDENTIAL DEMOLITION	April	0					
	YTD	2		100.00		10.00	110.00
RESIDENTIAL HVAC	April	0					
	YTD	1		50.00		5.00	55.00
RESIDENTIAL NEW CONSTRUCTION	April	1	170,000.00	1,386.75	900.74	85.00	2,377.49
	YTD	2	313,000.00	2,622.30	1,703.20	156.50	4,492.00
RESIDENTIAL POOL, ABOVE GROUND	April	1		51.00		5.00	56.00
	YTD	1		51.00		5.00	56.00
RESIDENTIAL REMODEL	April	4	89,267.33	1,339.30	482.33	44.63	1,871.26
	YTD	7	105,267.33	1,690.45	591.04	52.63	2,339.12
RESIDENTIAL REPAIR	April	0					
	YTD	1	16,451.74	280.25	181.51	8.23	469.99
RESIDENTIAL ROOFING	April	3		353.00		15.00	368.00
	YTD	4		454.00		20.00	474.00
RESIDENTIAL SIDING	April	2		162.00		10.00	172.00
	YTD	5		405.00		25.00	430.00
RESIDENTIAL TEMPORARY SIGN PERMIT	April	0					
	YTD	1					40.00
RESIDENTIAL WATER HEATER	April	1		30.00		5.00	35.00
	YTD	1		30.00		5.00	35.00
RESIDENTIAL WIN/DR REPLA(no chg)	April	6		300.00		30.00	330.00
	YTD	16					
RESIDENTIAL WINDOW REPL(resize)	April	1	5,832.00	125.25		2.92	128.17
	YTD	1	5,832.00	125.25		2.92	128.17
BUILDING - Totals	April	21	293,099.33	4,199.55	1,500.88	207.55	5,917.98
	YTD	51	670,051.07	9,241.75	3,721.31	497.78	21,715.84

Permit Type: MECHANICAL

COMMERCIAL HVAC	April	1	40,500.00	607.50	20.25	627.75
	YTD	2	340,500.00	3,607.50	170.25	3,777.75
RESIDENTIAL FIREPLACE/CHIMNEY	April	1		75.00	5.00	80.00
	YTD	1		75.00	5.00	80.00
RESIDENTIAL FIREPLACE/ROUGH IN	April	0				
	YTD	2		100.00	10.00	110.00
RESIDENTIAL HVAC	April	10		800.00	50.00	850.00
	YTD	24		1,713.17	120.00	1,833.17
RESIDENTIAL HVAC - Residential -	April	0				
	YTD	1	7,812.00	117.18	5.00	122.18
RESIDENTIAL NEW CONSTRUCTION	April	1	6,775.00	101.63	5.00	106.63
	YTD	1	6,775.00	101.63	5.00	106.63
RESIDENTIAL WATER HEATER	April	0				
	YTD	1		50.00	5.00	55.00
Permit Type: MECHANICAL - Totals	April	13	47,275.00	1,584.13	80.25	1,664.38
	YTD	32	355,087.00	5,764.48	320.25	6,084.73

Permit Type: PLUMBING

COMMERCIAL NEW CONSTRUCTION	April	0				
	YTD	1	69,000.00	690.00	34.50	724.50
COMMERCIAL REMODEL	April	0				
	YTD	1	20,000.00	200.00		200.00
RESIDENTIAL ADDITION	April	0				
	YTD	1		50.00	5.00	55.00
RESIDENTIAL ALTERATION	April	0				
	YTD	1		50.00	5.00	55.00
RESIDENTIAL NEW CONSTRUCTION	April	1		100.00	5.00	105.00
	YTD	2		175.00	10.00	185.00
RESIDENTIAL REMODEL	April	1		70.00	5.00	75.00
	YTD	5		250.00	25.00	275.00
RESIDENTIAL WATER HEATER	April	0				
	YTD	4		180.00	20.00	200.00
Permit Type: PLUMBING - Totals	April	2			10.00	180.00
	YTD	15	89,000.00	1,595.00	99.50	1,694.50

Permit Type: RIGHT OF WAY

COMMERCIAL RIGHT-OF-WAY	April	3		900.00		900.00
	YTD	5		1,500.00		1,500.00
PUBLIC/INSTITUTIONAL RIGHT-OF-WAY	April	0				
	YTD	1		300.00		300.00
RESIDENTIAL RIGHT-OF-WAY	April	1		300.00		300.00
	YTD	4		1,200.00		1,200.00
Permit Type: RIGHT OF WAY - Totals	April	4		1,200.00		1,200.00
	YTD	10		3,000.00		3,000.00

Permit Type: SEPTIC SYSTEM

RESIDENTIAL NEW, BELOW GRADE	April	0					
	YTD	1					200.00
RESIDENTIAL SEPTIC TRENCH	April	1					300.00
	YTD	1					300.00
<u>Permit Type: SEPTIC SYSTEM - Totals</u>	April	1					300.00
	YTD	2					500.00
REPORT TOTALS	Apr-13	41	\$340,374.33	7,153.68	1,500.88	297.80	9,262.36
	YTD	110	\$1,114,138.07	19,601.23	3,721.31	917.53	32,995.07



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 B.1

Agenda Item:

Resolution 2013-25 Approving Plans and Specifications for the Johnson Street Construction Project from 215th Avenue to 221st Avenue and Trunk Highway 65 Improvements and Direction to Solicit Bids

Requested Action:

Consider Adoption of Resolution 2013-25 Approving Plans and Specifications for the Johnson Street Construction Project from 215th Avenue to 221st Avenue and Trunk Highway 65 Improvements and Direction to Solicit Bids

Background Information:

The City Engineer has prepared plans and specifications for the Johnson Street Construction Project and Trunk Highway 65 Improvements. The project will include constructing Johnson Street from 215th Avenue to 221st Avenue and eliminating the access and median crossing at 219th Avenue and Trunk Highway 65. Selected plan sheets are included in Attachments 2-8. A complete set of plans and specifications are available at city hall for review.

The plans and specifications for this project were submitted to MnDOT for review and approval. All MnDOT comments have been addressed. The plan is currently in the process of receiving the required MnDOT signatures.

Attachments

- 1. Resolution 2013-25 Approving Plans and Specifications for the Johnson Street Construction Project from 215th Avenue to 221st Avenue and Trunk Highway 65 Improvements
- 2-8. Construction Plans

Fiscal Impact:

The total estimated project cost for the Johnson Street construction project and the Trunk Highway 65 Improvements is \$1,500,000. This project will be financed with Cooperative Agreement Grant Funds and State Aid Construction Funds. Funds are available and appropriate for this project.

Recommendation(s):

Staff recommends that Council approve Resolution 2013-25 which authorizes staff to solicit bids for this project. Bids will be tabulated and presented to the Council for consideration at the June 19, 2013 meeting.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

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

RESOLUTION NO. 2013-25

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE
JOHNSON STREET CONSTRUCTION PROJECT FROM 215TH AVENUE TO 221ST
AVENUE AND TRUNK HIGHWAY 65 IMPROVEMENTS AND DIRECTION TO
SOLICIT BIDS**

WHEREAS, the City Engineer has prepared plans and specifications for the Johnson Street Construction Project and Trunk Highway 65 Improvements;

WHEREAS, the City Engineer has presented such plans and specifications to the Council for review, comment and approval; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL MINNESOTA THAT: The plans and specifications for the Johnson Street Construction Project and Trunk Highway 65 Improvements are hereby approved.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF EAST BETHEL MINNESOTA THAT: The City Clerk is hereby authorized and directed to prepare and publish in the City's official paper an advertisement for bids for the aforementioned improvements based on the approved plans and specifications. The advertisement shall specify the work to be done, shall state that the bids will be opened at 10:00 a.m. on Thursday, June 13, 2013 in the City Council Chambers at City Hall, 2241 221st Avenue, East Bethel. No bids will be considered unless sealed and filed with the City Administrator and be accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City of East Bethel in the amount of five percent of any such bid in response to the advertisement.

Adopted this 15th day of May, 2013 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

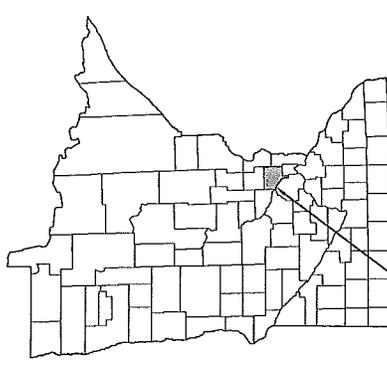
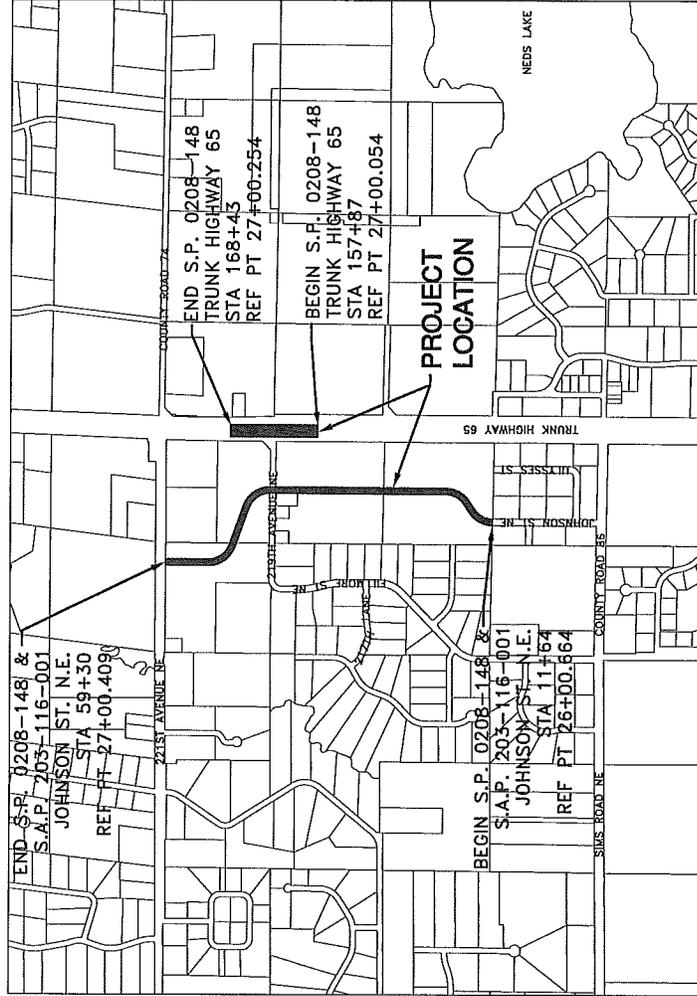
Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator

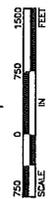
MINNESOTA DEPARTMENT OF TRANSPORTATION CONSTRUCTION PLAN FOR AGGREGATE BASE, BITUMINOUS SURFACING, CURB & GUTTER, GRADING AND STORM SEWER CITY OF EAST BETHEL

S.A.P. 203-116-001 LOCATED ON JOHNSON STREET N.E. FROM 215TH AVENUE N.E. TO 221ST AVENUE N.E.
AND S.P. 0208-148 LOCATED ON TRUNK HIGHWAY 65 FROM 0.1 MILES SOUTH OF 219TH AVENUE N.E. TO 0.1 MILES NORTH OF 219TH AVENUE N.E.
SECTION 8, TOWNSHIP 33, RANGE 23



CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA
DISTRICT: METRO

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED BY A LICENSED UTILITY ENGINEER IN ACCORDANCE WITH MINNESOTA GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA.



PROJECT	STA. TO STA.	CROSS LENGTH	NET LENGTH	ADT (2035)	ADT (2025)	DESIGN ESAL VALUE	DESIGN SPEED	DESIGN SPEED	NUMBER OF LANE	NUMBER OF PARKING LANE	FUNCTIONAL CLASSIFICATION		
S.A.P. 203-116-001 JOHNSON STREET NE	11+64 TO 59+30	4766 FT	0 FT	4766 FT	0	7583	481000	70	10	40	2	0	URBAN-COLLECTOR
S.P. 0208-148 TRUNK HIGHWAY 65	157+87 TO 168+45	1056 FT	0 FT	1056 FT	NA	NA	NA	NA	NA	NA	NA	NA	NA

STOPPING SIGHT DISTANCE BASED ON:
2.5 FT - HEIGHT OF EYE
2.0 FT - HEIGHT OF OBJECT

DESIGN SPEED NOT ACHIEVED AT:
JOHNSON STREET NE STA 15+12.69 TO STA 16+11.76 (30 MPH)
JOHNSON STREET NE STA 17+21.07 TO STA 20+19.90 (30 MPH)
JOHNSON STREET NE STA 41+54.99 TO STA 45+04.58 (30 MPH)
JOHNSON STREET NE STA 50+03.25 TO STA 53+72.83 (30 MPH)

STATE FUNDS

GOVERNING SPECIFICATIONS

THE 2005 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

ALL FEDERAL, STATE AND LOCAL LAWS, REGULATIONS, AND ORDINANCES SHALL BE COMPLIED WITH IN THE CONSTRUCTION OF THIS PROJECT.

ALL TRAFFIC CONTROL DEVICES AND SIGNING SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING THE LATEST FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.

ALL REQUIREMENTS OF THE PROJECT MANUAL FOR THE JOHNSON STREET CONSTRUCTION PROJECT.

SHEET INDEX

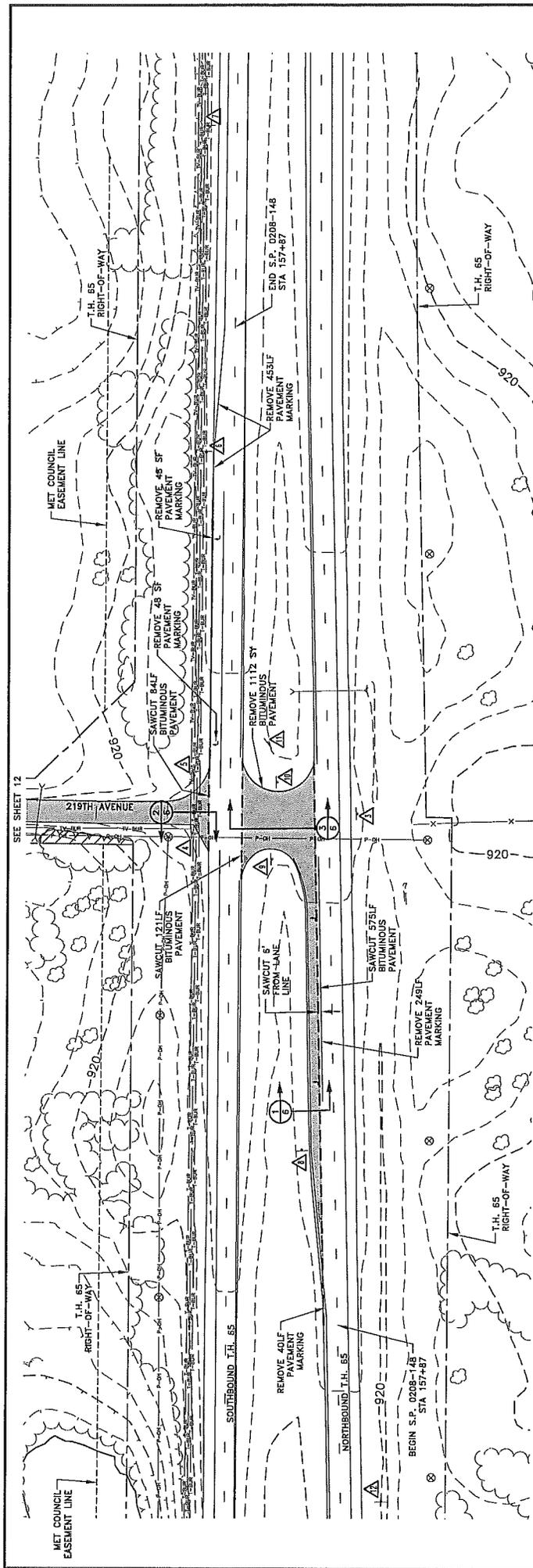
- THIS PLAN CONTAINS 46 SHEETS
- 1 DESCRIPTION
 - 2 EARTHWORK SUMMARY AND TABULATIONS
 - 3 ESTIMATED QUANTITIES AND PROJECT LEGEND
 - 4 STORM SEWER SCHEDULE AND CONSTRUCTION NOTES
 - 5-6 EARTHWORK DETAILS
 - 7 DETAILS
 - 8 EROSION AND SEDIMENT CONTROL NOTES AND DETAILS
 - 9-13 TRAFFIC CONTROL PLAN
 - 14-16* TRAFFIC CONTROL PLAN
 - 17-20 EROSION AND SEDIMENT CONTROL PLAN
 - 21-25 STREET CONSTRUCTION AND DRAINAGE PLAN
 - 26 GRADING PLAN
 - 27-31 SIGNAGE NOTES, TYPICAL SECTIONS AND LEGEND
 - 32 SIGNAGE NOTES, DETAILS AND TABULATION
 - 33-35 SIGN DETAILS
 - X1-X10 CROSS SECTIONS
 - * INCLUDES SHEET 14A

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

CRAIG J. JOCHIM, P.E. DATE: 11/21/12
L.C. NO. 23461
CITY ENGINEER

APPROVED: ANOKA COUNTY ENGINEER	DATE
RECOMMENDED FOR APPROVAL: DISTRICT TRANSPORTATION ENGINEER	DATE
RECOMMENDED FOR APPROVAL: DISTRICT MATERIALS ENGINEER	DATE
RECOMMENDED FOR APPROVAL: DISTRICT WATER RESOURCES/HYDRAULICS ENGINEER	DATE
RECOMMENDED FOR APPROVAL: DISTRICT TRAFFIC ENGINEER	DATE
RECOMMENDED FOR APPROVAL: STATE PRE-LETTING ENGINEER	DATE
RECOMMENDED FOR APPROVAL: DIRECTOR, OFFICE OF LAND MANAGEMENT	DATE
APPROVED: STATE DESIGN ENGINEER	DATE
DISTRICT STATE AID ENGINEER: REVIEWED FOR COMPLIANCE WITH STATE AID RULES/POLICY	DATE
STATE AID ENGINEER: APPROVED FOR STATE AID FUNDING	DATE
S.P. 0208-148 (TH 65=5)	
S.A.P. 203-116-001	

Hakanson Anderson
2501 Thurston Ave., Anoka, Minnesota 55303
763-427-5660 FAX 763-427-0520



LEGEND

▲ SIGN REMOVAL NUMBER. SEE SIGN REMOVALS TABULATION BELOW.

SIGN NO.	SIGN REMOVALS
3	SIGN NAME ONE WAY
4	ONE WAY (2) STOP DIVIDED HIGHWAY
5	HIGHWAY 65 219TH AVE NE
6	RIGHT LANE MUST TURN RIGHT
7	219TH AVENUE
8	LEFT LANE MUST TURN LEFT
9	YIELD
10	ONE WAY (2) YIELD
11	DO NOT ENTER
12	219TH AVENUE

<p>DATE: 3/21/23 REVISION: MZ/BDT/REVIEW #1</p>	<p>I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.</p> <p>_____ Joseph J. Johnson Lic. No. 23461</p> <p>Date: 11/21/12</p>	<p>SCALE: 0 50 100 FEET</p>	<p>BOOK NO. TAE SHEET NO. TAE SHEET NO. TAE SHEET NO. CUJ</p>	<p>Hakanson Anderson Civil Engineers and Land Surveyors 3601 Thurston Ave, Anok, Minnesota 55305 763-435-1020 www.hakanson-anderson.com</p>	<p>JOHNSON STREET CONSTRUCTION PROJECT S.P. 0208-148 (TH 65) S.A.P. 203-116-001</p>	<p>INPLACE TOPOGRAPHY, REMOVALS AND UTILITIES PLAN TRUNK HIGHWAY 65 CITY OF EAST BETHEL, MINNESOTA</p>	<p>SHEET 13 OF 35 SHEETS</p>
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City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 F.1

Agenda Item:

Fire Department Report

Requested Action:

Informational only

Background Information:

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

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

**East Bethel Fire Department
April 2013 Response Calls**

Incident Number	Incident Date	Alarm Time	Location	Incident Type
180	04/29/2013	15:30	23157 Highway 65	Gas leak (natural gas or LPG)
179	04/29/2013	11:11	23157 Highway 65	Gas leak (natural gas or LPG)
178	04/28/2013	19:04	23650 Isetta ST NE	Unauthorized burning
177	04/28/2013	18:15	1829 209th AVE NE	EMS call
176	04/28/2013	07:35	24054 Johnson ST	Building fire
175	04/28/2013	07:12	18948 Breezy PT DR NE	EMS call
174	04/28/2013	03:26	23904 Fillmore STS NE	EMS call
173	04/27/2013	18:08	Hanson Blvd & Andover	Cover assignment
172	04/27/2013	13:02	Hwy 65 & 237 th	Motor vehicle accident
171	04/27/2013	11:17	24054 Johnson ST NE	Building fire
170	04/27/2013	10:55	23837 Opal ST NE	Grass fire
169	04/27/2013	10:04	19443 East Front Blvd E	EMS call
177	04/27/2013	06:30	Viking BLVD NE	Special type of incident
168	04/27/2013	06:18	Highway 65 HWY NE	Motor vehicle accident
167	04/26/2013	20:11	Rail Road At Sims	Grass fire
166	04/26/2013	17:12	18337 Leyte ST NE	Grass fire
165	04/26/2013	11:38	1262 237th AVE NE	Unauthorized burning
164	04/26/2013	06:23	22612 Sandy DR NE	EMS call
163	04/23/2013	00:26	564 Emerson DR NE	Dispatched and cancelled en route
162	04/22/2013	09:03	2751 Viking BLVD	Smoke or odor removal
161	04/21/2013	10:37	24355 65 HWY NE	EMS call
160	04/20/2013	18:48	19863 University AVE	EMS call
159	04/20/2013	12:52	20026 Buchanan ST NE	EMS call
158	04/19/2013	15:08	1119 Pierce PATH	Carbon monoxide incident
157	04/19/2013	10:37	Hwy 65 & 199 th	Motor vehicle accident
156	04/19/2013	00:12	440 Grove RD	Dispatched and cancelled en route
155	04/18/2013	21:19	Bryant LN NE	Arcing electrical equipment
154	04/18/2013	15:28	1562 Viking BLVD NE	Dispatched and cancelled en route
153	04/17/2013	18:40	18164 65 HWY NE	Dispatched and cancelled en route
152	04/16/2013	14:43	24355 Hwy 65 NE	EMS call
151	04/15/2013	01:07	19614 Taylor ST NE	Dispatched and cancelled en route
150	04/14/2013	06:48	24355 Hwy 65 NE	EMS call
149	04/14/2013	06:02	20034 AUSTIN ST NE	EMS call
148	04/12/2013	11:07	19805 5th ST NE	Dispatched and cancelled en route
147	04/12/2013	08:02	Hwy 65 & 237 th	Dispatched and cancelled en route
146	04/11/2013	16:30	24355 NE Highway 65	Dispatched and cancelled en route
145	04/11/2013	11:15	Hwy 65 & Klondike	Motor vehicle accident
144	04/11/2013	10:29	24355 65 HWY NE	EMS call
143	04/11/2013	06:20	Hwy 65 & Klondike	Motor vehicle accident
142	04/09/2013	14:34	21108 Polk ST NE	EMS call
141	04/09/2013	13:17	21210 NE Polk ST NE	EMS call
139	04/08/2013	17:36	18944 Waconia ST	Dispatched and cancelled en route

140	04/08/2013	10:54	1253 NE 237 AVE NE	EMS call
138	04/08/2013	02:51	3238 NE 182 LN NE	EMS call
137	04/06/2013	17:02	HWY65 NE	Arcing electrical equipment
136	04/06/2013	12:35	1459 229 LN NE	Good intent call, other
135	04/05/2013	16:54	Hwy 65 HWY	Good intent call, other
134	04/04/2013	20:23	1341 187th LN NE	Gasoline, flammable liquid spill
133	04/04/2013	01:28	405 Dahlia DR NE	EMS call
132	04/03/2013	20:14	65 HWY NE	EMS call
131	04/03/2013	18:19	24355 Hwy 65	EMS call
130	04/03/2013	09:26	21934 Zumbrota ST	EMS call
129	04/03/2013	06:59	24355 Highway 65	EMS call
128	04/02/2013	16:11	4515 NE 224th AVE NE	EMS call
127	04/02/2013	00:50	Jenkins ST & Briarwood	Unauthorized burning
126	04/01/2013	19:27	3700 Edmar LN NE	EMS call
Total				56

City of East Bethel

Subject: Fire Inspector Report

April 1 – 30, 2013

City of East Bethel Fire Inspection List		
Name	Address	Comments
Smokies Pub-N-Grill	522 Lincoln Dr	2 nd Inspection: No Violations
Coon Lake Market	515 Lincoln Rd	2 nd Inspection: No Violations
Plow World	2817 Viking Blvd	2 nd Inspection: No Violations
Cambridge Isanti Insurance	23847 Johnson St	No Violations
City of East Bethel	2241 221 st Ave	Fire hydrants in whispering aspen development. All hydrants shall be in operative condition.
River City Co-op	1341 187th Lane	Follow up from a diesel spill the night before.
State Fire Marshal Conference	Eden Prairie	16 Hrs of continuing Education (4/10-4/11)
Black Bear Liquors	18453 Hwy 65	No Violations
Aggressive Hydraulics	18800 Ulysses St	Lock box location
Subway	23705 Hwy 65	No Violations
Coopers Corner Gas	23705 Hwy 65	No Violations
Cooper Corner Liquors	23733 Hwy 65	No Violations
Cemstone	24480 Baltimore St	No Violations
NOTE: First Inspections Unless Noted		

11 Businesses Inspected

Reported by Mark Duchene
Fire Inspectors

**East Bethel Fire Department
Type of Medical Calls**

April, 2013

Number of Medical Calls 27

Type	Number	Transport by Ambulance
Medical Complications	9	8
Short of Breath	4	4
Cardiac	1	0
Bleeding	0	0
Illness	0	0
Trauma	0	0
Assist	1	1
Other	6	1
Cancelled Medical Call	6	1
Totals	27	15

Notes:

1 patient transported by Deputy (not sure where)

1 patient transported by Co-Worker to hospital

4 Medical calls to same address (Medication level problem)



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 G.1

Sponsor: City Administrator and City Council

Agenda Item:

2013 LMC Nomination

Requested Action:

Consider approving Resolution 2013-26, Nomination of Wendy Warren for 2013 LMC Leadership Award for Appointed Officials

Background Information:

Wendy Warren has been working for the City since August 2002. In her years of service her name has become synonymous with East Bethel. She has given the City and its residents eleven years of dedicated and selfless service and is involved with many of the activities and functions of the City. If there were a word association game that used the phrase “City of East Bethel, Minnesota”, Wendy Warren would be the answer.

In addition to Wendy’s many civic duties she is responsible, as a volunteer, for the Kiddie Parade and Movie in the Park for Booster Day. Wendy is the past parade director for Booster Day and is still active in Booster Day planning activities. In addition to these contributions, Wendy, on her own time, plans, organizes and manages the East Bethel Pet Clinic Day for the City.

In conjunction with her basic job duties, Wendy is responsible for managing the City Elections, preparing the quarterly newsletter and has been the driving force for the development of the new City Website. If a citizen has an issue or there is a problem at City Hall, Wendy is usually the first choice for a solution.

Wendy is a most deserving candidate for the 2013 LMC Leadership Award for Appointed Officials and Council and Staff are proud to endorse Wendy for this honor.

Attachment:

Resolution 2013-26

Fiscal Impact:

Recommendation(s):

Staff recommends adoption of Resolution 2013-26 and the nomination of Wendy Warren for the 2013 LMC Leadership Award for Appointed Officials.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

**CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA
RESOLUTION NO. 2013-26**

**A Resolution Nominating Wendy Warren for the 2013 LMC Leadership Award for
Appointed Officials**

WHEREAS, Wendy is longest tenured administrative employee of the City, friend to City residents and business owners, the employee most positively associated with the City and even as a non-resident an adopted, trusted and respected member of the East Bethel community;

WHEREAS, Wendy is responsible for disseminating Council, Commission and City information in the form of minutes, DVD's of meetings, newsletters and cable access postings to the citizens of East Bethel in a timely manner;

WHEREAS, Wendy organizes and prepares the Meeting Packets for all meetings of the Council, the HRA, the EDA, as well as all other City boards and committees, and makes sure that all meeting notices are properly posted and advertised;

WHEREAS, Wendy is responsible for the operation of all the audio-visual equipment and ensures that all meetings are properly recorded and available to the public;

WHEREAS, Wendy organizes, recruits and trains volunteer election staff, and is responsible for every City election at three different precincts that consistently produces one of the highest voter turnouts in Anoka County;

WHEREAS, Wendy assists the East Bethel Seniors on a variety of matters, organizes the Kiddie Parade and Movie in the Park for Booster Day, and operates the East Bethel Pet Clinic Day for the City solely as a volunteer;

WHEREAS, Wendy went over and beyond expectations to develop the City's new Website and continues her valuable service as the City IT employee that works tirelessly to insure that our computer systems are kept up to date and operate efficiently and reliably;

WHEREAS, Wendy's other talents, efforts and contributions lend immeasurable value to the functions and services provided by the City of East Bethel;

NOW THEREFORE, BE IT RESOLVED, by the City Council of East Bethel that Wendy Warren, Deputy City Clerk of the City of East Bethel, is hereby nominated for the 2013 LMC Leadership Award for Appointed Officials.

Adopted by the City Council for the City of East Bethel, this _____th day of _____, 2013.

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 G.2

Sponsor: City Administrator

Agenda Item:

Amending City Fee Schedule

Requested Action:

Amending Fee Schedule, Seasonal Solicitor Permit

Background Information:

One of our residential garbage collection contractors, LePage, has requested permission from the City to perform a door to door survey to determine the interest for their service within East Bethel. This is their first year as a licensed residential waste hauler in the City. In order to legally comply with the City Code they would be required to obtain a Solicitor's License for a fee of \$1,000 to perform this type of survey. This activity is regulated under Chapter 18, Article V of the City Code.

The intended rationale behind the amount of the fee was to discourage door to door residential sales. The fee for this activity and the general decline of door to door sales has been effective in curtailing this means of marketing. The City has received no complaints of door to door sales solicitations in the last two years.

LePage's request or that of any other licensed business within the City, for the door to door surveys could provide information that may result in improved, opportunities for new or potential cost savings for services for City residents. Due to this request, and coupled with an infrequent incidence of this type of solicitation, this circumstance may be a basis to consider offering a more limited solicitor's license. This is a practice that is common for our neighboring Cities and the fees that they charge for this license range from no charge to \$75 for the license and up to \$35 for the background check for a 30 day license (see attached fee comparisons) .

Should Council have an interest in adding a limited solicitors license and amending the fee schedule, this action could be accomplished by approving the attached resolution. While there is no indication of the fee in the resolution, it is staff's opinion that the monthly fee projected on an annual basis should exceed the yearly fee of \$1,000 for the solicitor's license. Based on this recommendation the minimum monthly fee is recommended to be \$85 for the 30 day license, provided we continue the \$1,000 annual fee.

Attachment:

Resolution 2013-27

Solicitors Fee Spreadsheet

Fiscal Impact:

We have no record of issuing a solicitors license or collecting a fee for this activity. Amending this fee would have no negative impact on the 2013 Budget.

Recommendation(s):

Staff is seeking direction from Council on this matter in terms of consideration of a limited Solicitors License (with a specification of the term) and a fee for the license.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

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

RESOLUTION NO. 2013-27

**A RESOLUTION MODIFYING FEES TO BE COLLECTED BY THE CITY OF
EAST BETHEL IN 2013**

WHEREAS, The City Council of the City of East Bethel is the governing body of the City of East Bethel; and

WHEREAS, the 2013 Fee Schedule, originally adopted on February 6, 2013 as Resolution 2013-XX, did not include a 30 day Solicitor's Permit Fee.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: Resolution 2013-09 Establishing 2013 Fee Schedule is hereby modified with the addition as follows:

GENERAL CHARGES:

Peddler/Solicitor License	\$1,000 Annual/If Cited for operating without a license \$1,000 Additional \$_____ 30 day Permit
Application Investigation Fee	\$_____

Adopted this 15th day of May, 2013 by the City Council of the City of East Bethel.

Richard Lawrence, Mayor

ATTEST:

Jack Davis, City Administrator

Fees Charged by Neighboring Cities for Solicitor's Permits

City	Fees	Background Investigation
Blaine	1 day - \$8.00	1 \$35 each applicant
	1 week - \$30.00	
	1 month - \$65.00	
	year - \$300	
Ham Lake	6 months - \$30.00	\$30 for all that work for the business
Oak Grove	No Charge	Copies Drivers License and Vehicle License
Cambridge	Per day - \$25.00	Per
	Month - \$75.00	
	Seasonal (six months or less) - \$200.00	
Isanti		
St. Francis		



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 G.3

Sponsor: City Administrator

Agenda Item:

Midcontinent Control Cabinet Relocation

Requested Action:

Consider the approval of relocating Midcontinent’s control cabinet and generator on City Hall property

Background Information:

Midcontinent Communications, the City’s cable provider, is requesting permission to relocate their existing control cabinet and generator, located on the southeast corner of the City Hall site to the southwest corner of our property (see attached site plan). They need to upgrade their OTN (Optical Transition Node) which is the fiber optic equipment that feeds the optical nodes in this area and provide protection for this equipment. The current location is exposed to potential snow plowing and traffic damage from 221st Avenue and the control cabinet at this location was struck by an automobile in 2008, causing extensive damage and disrupting service. The current location is also difficult to approach in wet weather conditions due to soft ground which can preclude vehicle access.

For these reasons Midcontinent Communications is requesting permission to relocate their facility to the southwest corner of the City Hall property to an area between the parking lot and the row of pine trees along 221st Avenue and Palisade Street. This new facility would be a precast, pebble aggregate finish, concrete building which would be more attractive than the existing exposed equipment, more secure and less exposed to weather and traffic damage.

Attachments:

Photo’s of the proposed building, attachments 1 and 2

Site plan, attachment 3

Lease Agreement, attachment 4

Fiscal Impact:

Midcontinent has a similar facility at Forest Lake and pays the same lease payment as proposed in the lease agreement that is offered for East Bethel. The City currently receives no payment for use of the southeast corner of City Hall property. The proposed relocation of their equipment and subsequent lease would provide \$1,800 in payment for 2013 and each subsequent year would increase the payment by 3 % over the ten year lease. Their proposal would not disrupt any

Booster Day Activities and would require an outage of approximately six hours for the conversion.

Recommendation(s):

Staff recommends the approval of the relocation of the Midcontinent control cabinet and generator from the southeast corner to the southwest corner of City Hall property as indicated on the attached site plan and the lease agreement as attached per approval of the City Attorney.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____





EAST BETHEL, MN PROPOSED OTN BUILDING



50'X70' ground lease area with
8'X12" prefabricated communications
shelter and 8kw natural gas generator

50'

70'

EXISTING CABINET & GENERATOR

OTN Building Example



OTN SITE LEASE

THIS LEASE, made and entered into this ____ day of _____, 2013, by and between CITY OF EAST BETHEL, 2241 221st Ave. NE, East Bethel, MN 55011 hereinafter called “Lessor”, and MIDCONTINENT COMMUNICATIONS, 3901 N Louise Ave, Sioux Falls, South Dakota 57107, hereinafter called “Lessee”,

WITNESSETH:

1. Leased Premises. That for and in consideration of the payments hereinafter mentioned, Lessor hereby leases to Lessee on the terms and conditions hereinafter stated, the following described property:

Correct legal description of leased area pending survey of the following property

Together with an easement and right of ingress and egress over, upon, under and through Lessor’s property adjacent to the leased premises for any and all purposes necessary or incidental to the exercise by Lessee of the rights herein granted, including, but not limited to, the supplying of power, utilities, and communications cables to the leased premises. Lessee shall exercise this right in a manner so as not to unduly interfere with the Lessor’s use of the property.

2. Term. The term of this Lease shall be for Ten (10) years from the date hereof. Lessee shall have the option of extending this Lease for one ten (10) year term. The terms of this Lease shall remain the same during said additional ten (10) year period except as to the annual rent, the amount of which shall be in good faith negotiated between the parties. Lessee shall have the right to terminate this Lease upon at least ninety (90) days prior written notice.

3. Rent. Lessee shall pay as rent for the leased premises the sum of One Thousand Eight Hundred Dollars (\$1,800.00) per year, payable annually in advance, commencing with the first payment on the date of the execution of this Lease, and on the 1st day of each subsequent May thereafter. Rent will be increased by 3% every year. Payments shall be prorated for the first and last year of the term of this Lease, as applicable.

4. Taxes and Utilities. During the term of this Lease, Lessee shall pay any increase in the real estate taxes for the leased premises that is solely attributable to the improvements it places on said premises. The balance of the taxes shall be paid by Lessor. Lessee shall be responsible for the cost of all utilities it uses at the leased premises.

5. Use. Lessee may use the leased premises to locate, construct, maintain, repair, replace, improve, expand, remove, conduct and operate OTN facilities for Lessee's telecommunications business, and for all lawful purposes and activities incidental and related hereto.

6. Remove Old Structure. After Lessee constructs the new prefabricated communications shelter, Lessee will remove the old cabinet-type structure and concrete pad.

7. Property Ownership and Removal. The title to the property shall remain with Lessor at all times during this Lease. Lessee shall not cause any liens to be placed upon or otherwise encumber the property, whether arising out of any work performed, materials furnished or obligations incurred while making any alterations, improvements, repairs, maintenance or otherwise. If Lessee terminates this Lease, Lessee shall remove all facilities from the property by the effective termination date. Rent payments would cease upon termination date. If Lessor terminates Lease, Lessee would have an additional sixty (60) days to remove facilities from the property. Rent payments would continue until property has been vacated. If property is not vacated within sixty (60) days, Lessee agrees to pay Lessor Ten Dollars (\$10.00) per day until such time as property is vacated. Lessor shall have the right to sell and transfer the property described in this Lease but said sale shall be subject to Lessee's rights hereunder.

8. Condition of the Property. At the end of this Lease, Lessee shall return the property in generally the same condition as it existed when it received possession of it, ordinary and reasonable wear and tear excepted. The parties agree that Lessee shall have the right to trim and/or remove such trees from the leased premises as may, in Lessee's judgment, be necessary to permit the intended use of the property.

9. Assignment. This Lease shall be assignable by Lessee, or its successors, to any company which operates a telecommunications system in East Bethel, MN. Any other assignment by Lessee may only be made with written consent of Lessor.

10. Indemnification. Lessee shall indemnify and hold Lessor harmless for any damages caused to person or property by the negligence of the Lessee, or its agents or employees.

11. Default. It is agreed that if Lessee should be in default in performing any of the terms or provisions of this Lease, and such default continues for a period of sixty (60) days after written notice of the same is given to Lessee by Lessor, then the Lessor may, at its option, and the Lessee does hereby authorize and fully empower the Lessor to recover possession of the leased premises by action or forcible entry and detainer, cancel and annul this Lease at once, re-enter and take possession of the leased premises.

12. Notices. All notices given by any party to the other party hereunder shall be in writing, and sent to the parties at the following addresses:

Lessor: City of East Bethel
2241 221st Ave
East Bethel, MN 55011

Lessee: Midcontinent Communications
3901 N Louise Ave
Sioux Falls, SD 57107
Attn: Jonathan Pederson

13. Quiet Enjoyment. Lessor owns the leased premises and has full right, power and authority to execute this Lease. The leased premises are free and clear of any lien or encumbrance which would interfere with Lessee's rights to or use of the leased premises. Lessor covenants that at all times during the term of this lease Lessee will have quiet enjoyment of the leased premises and will not be disturbed as long as Lessee is not in default beyond any applicable cure periods.

14. Condemnation. If all or any part of the leased premises is condemned or transferred in lieu of condemnation, Lessee may elect to terminate this Lease as of the date of condemnation or transfer in lieu of condemnation by giving notice to the Lessor no more than forty-five (45) days following the date of such condemnation or transfer in lieu of condemnation. If Lessee does not choose to terminate this Lease, rent shall be reduced or abated in proportion to the actual reduction or abatement of use of the leases premises.

15. Waiver of Landlord Lien. Lessor hereby waives any lien rights it may have, statutory or otherwise, relating to the leased premises, Lessee's equipment and improvements located on the property, and Lessee's use of the property.

16. Entire Agreement; Amendment. The parties agree that this Lease constitutes the entire agreement of the parties hereto and shall supersede all prior offers, negotiations and agreements. This Lease may only be modified, altered or amended by an agreement in writing signed by the parties hereto.

17. Binding Effect; Counterparts. The terms of this Lease shall be binding on the parties, their heirs, successors and assigns. This Lease may be executed in duplicate counterparts, each of which shall be deemed an original.

18. Governing Law. This Lease shall be governed by and construed in accordance with the laws of the state in which the leased premises are located.

19. EEO. Midcontinent Communications is an Equal Opportunity/Affirmative Action employer M/F/D/V.

20. Memorandum of Lease. Upon request, the parties agree to execute and record a memorandum of this lease in the real property records of the county in which the leased premises are located.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

LESSOR:

CITY OF EAST BETHEL

Signed _____
By:
Its:

LESSEE:

MIDCONTINENT COMMUNICATIONS

Signed _____
By: Jonathan Pederson
Its: VP of Technology

STATE OF Minnesota)
): SS
COUNTY OF Anoka)

On this, the ____ day of _____, 2013, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ of _____, a corporation, and that he/she, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, State of Minnesota
My Commission expires: _____



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 G.4

Agenda Item:

Council Liaison, Authority, Committee and Commission Reimbursement

Requested Action:

Consider reimbursement for City Council Liaison, Committee, Authority and Commission Members

Background Information:

Traditionally City Council members who are Commission liaisons or Authority or Committee members have not been compensated for their service on these types of boards. While Council has elected to compensate citizen members of these boards, they have not, in the past, received any payment for service in a Commission, Authority or Committee capacity over and above the their Council pay, as approved by City Code, Chapter 2, Article 2 , Sections 2-44 and 2-45.

Under State Statute 469.095 it is permissible to pay all EDA Authority members at a rate to be determined by City Council and such compensation would not be subject to Minn. Stat. 415.11, Governing Body Salaries. However, the same does not apply to Council Commission Liaisons and any compensation extended to them would have to be enacted by Ordinance and would be effective only after the next general election.

469.095 Subd. 4.Compensation and reimbursement.

A commissioner, including the president, shall be paid for attending each regular or special meeting of the authority in an amount to be determined by the city council. In addition to receiving pay for meetings, the commissioners may be reimbursed for actual expenses incurred in doing official business of the authority. All money paid for compensation or reimbursement must be paid out of the authority's budget.

415.11 SECOND TO FOURTH CLASS CITIES; GOVERNING BODY SALARIES.

Subdivision 1.Set by ordinance.

Notwithstanding the provisions of any general or special law, charter, or ordinance, the governing body of any statutory or home rule charter city of the second, third or fourth class may by ordinance fix their own salaries as members of such governing body, and the salary of the chief elected executive officer of such city, in such amount as they deem reasonable.

Subd. 2.After next election.

No change in salary shall take effect until after the next succeeding municipal election.

Subd. 3.Temporary reductions.

Notwithstanding subdivision 2 or a charter provision to the contrary, the governing body may enact an ordinance to take effect before the next succeeding municipal election that reduces the salaries of the members of the governing body. The ordinance shall be in effect for 12 months, unless another period of time is specified in the ordinance, after which the salary of the members reverts to the salary in effect immediately before the ordinance was enacted.

Attachment

City Attorney Opinion

Fiscal Impact:

To date, no City Council Members have been paid for their services either as EDA members or Commission Liaisons. If all Council members received equal pay for these positions the minimum cost would be \$1,840 per year and would include payments of \$480 to EDA Council Commissioners (2), \$400 to the HRA members (5) and \$240 to the Fire, Planning, Parks and Roads Commission Liaisons. Should other committee or commission assignments such as the Finance or Website Committee be included in this plan the costs would increase by \$20 per member multiplied by the number of meetings.

Recommendation(s):

There has been some general discussion regarding compensating Council members for time and attendance for meetings other than regularly scheduled or called Council meetings. Staff is seeking direction from Council as to procedure in this matter.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

From: Mark Vierling [MVierling@eckbergglammers.com]
Sent: Thursday, May 09, 2013 10:41 AM
To: Jack Davis
Subject: RE: EDA

Jack,

Interesting question!

EDA members (even those who happen to be council members)can have a salary set for their services and the setting of such a salary would not be subjected to the requirements of Minn. Stat.415.11

Council members may not award themselves a per diem meeting (or a Commission liaisons) fee without complying with 415.11 which means that it would have to be enacted by ordinance and be effective only after the next general election

Mark Vierling | Partner

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From: Jack Davis [<mailto:jack.davis@ci.east-bethel.mn.us>]
Sent: Thursday, May 09, 2013 9:34 AM
To: Mark Vierling
Subject: EDA

Mark,

If City Council voted to pay themselves as EDA members and Commission liaisons would this be effective

immediately or after the next election. Thanks.

Jack Davis
City Administrator
City of East Bethel
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East Bethel, MN 55011
Direct - 763-367-7850
Fax - 763-434-9578
<mailto:mjack.davis@ci.east-bethel.mn>



City of East Bethel City Council Agenda Information

Date:

May 15, 2013

Agenda Item Number:

Item 8.0 G.5

Agenda Item:

Saturday Recycle Drop- off Service

Requested Action:

Consider approval of the Lions Club to operate the Recycling Drop-Off Program

Background Information:

In addition to the City’s basic recycling activities funded by the County, the City of East Bethel received an additional grant from the Anoka County SCORE Program in the amount of \$10,000 to operate a monthly drop off service for tires, batteries, electronics and appliances at the City Recycle Center. This is a service that is offered on the last Saturday of every month from 9:00 AM to Noon. Funding for this activity has increased our recycling presence and service over and above our traditional Spring and Fall Recycling Day events.

The operation of this extra service has been temporarily managed by the Lions Club under the existing agreement with the City to run the Recycle Center. This arrangement is not part of the agreement with the Lions Club to operate the weekly activities of the Recycling Center. This is an added duty that was intended to be funded by the additional 2013 funding of \$10,000.

Staff considered and examined the possibility of the City operating the service and is of the opinion that this choice could result in disruption of operations during the winter months if there was a snow event conflict. In addition, our costs for labor could exceed those allowable by the grant. After reviewing our options and the conditions of the grant agreement, the most cost effective and seamless means to provide this service would be through the Lions Club and the existing agreement that is currently in place with the City.

Staff met with the Lions Club on May 7, 2013 and the Lions Club agreed to operate the Saturday Drop-off Program. The Lions Club would be compensated within the terms of the new grant for this service and it is anticipated that the compensation would not exceed \$1,800 for 2013. The Lions Club indicated that they may request additional assistance from other community organizations to assist them in the operation of the program. It was explained to them that this would be acceptable but any assistance outside the coverage of the Lion’s insurance would require an additional policy with a minimum of \$1.5 million in liability coverage, naming the City as an additional insured.

Fiscal Impact:

The cost of operating the Saturday Drop-off Service would be a not exceed fee of \$1,800 for the East Bethel Lions Club. Advertising and other City associated costs should not exceed \$3,600. The grant amount for this program for 2013 is \$10,000 and this amount is separate and over and above the base grant we receive to operate the Recycle Center and run the City Recycle Program. No City levied funds will be used for the operation of the Saturday Drop-off Program.

Recommendation(s):

Staff recommends approval for the East Bethel Lions Club to operate the Saturday Recycle Drop-off Program at a cost not to exceed \$1,800 for 2013.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

Introducing...

City of East Bethel

Drop-Off Saturdays



Last Saturday of EVERY MONTH:

MAY 25 • JUNE 29 • JULY 27 • AUG 31

9 a.m. — 12 Noon

EAST BETHEL RECYCLING CENTER

2761 Viking Blvd NE

✓ **Automotive Batteries - FREE**

✓ **Tires - \$5**

✓ **TVs - \$10/SM, \$30/LG**

Large TVs are 28"+ and/or consoles

✓ **Electronics - \$5**

Computer, Vacuum, Fax, Scanner, Printer,
CD/DVD/VCR player, Cordless tool, etc.

✓ **Appliances - \$10**

Dishwasher, Furnace, Humidifier,
Microwave, Washer, Dryer, Refrigerator,
Air Conditioner, etc.



Have some SCRAP METAL to get rid of? We are now

accepting it year-round at the Recycling Center!



Help us meet our recycling requirements! If you turn in

recyclables at a redemption site, drop off or send in a copy of your WEIGHT SLIP at the Recycling Center or City Hall!

Questions? Call (763) 367-7840

