City of East Bethel
City Council Agenda

Regular Council Meeting – 7:30 p.m.
Date: October 5, 2011

	Item		
7:30 PM	**1.0**	**Call to Order**	
7:31 PM	**2.0**	**Pledge of Allegiance**	
7:32 PM	**3.0**	**Adopt Agenda**	
7:34 PM	**4.0**	**Administrative Hearing**	
	Page 1-5	A.	Resolution 2011-34 Black Bear Liquors – Alcohol Sales Violation – Licensee
	Page 6-10	B.	Resolution 2011-35 Black Bear Liquors – Alcohol Sales Violation - Clerk
7:34 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 14-18	A.	Approve Bills
	Page 19-49	B.	Meeting Minutes, August 17, 2011, Regular Meeting
	Page 50-52	C.	Meeting Minutes, August 17, 2011, Special Meeting
	Page 53	D.	Resolution 2011-36 Proclaiming October as Domestic Violence Awareness Month
		E.	FEMA Assistance to Fire Fighters Grant (AFG)
	Page 54-56	F.	Resolution 2011-37 – Accepting Work & Authorizing Final Payment for 2010 Improvement Project
	Page 57-59	G.	Resolution 2011-38 – Accepting Work & Authorizing Final Payment for Booster East Trail Project
		H.	Approve Paving Bid for Whispering Aspen Development
		I.	Approve Bid for Culvert Replacement on Durant Street
	Page 60-63	J.	Adopt Resolution 2011-39 Approving Application with No Waiting Period for a Raffle Permit for St. Francis Area Chamber of Commerce at Hidden Haven Country Club
8:25 PM	**7.0**	**Special Order of Business**	
	Page 64-69	A.	Approve April 6, 2011 Economic Development Authority Meeting Minutes
	Page 70-74	B.	Approve April 28, 2011 Economic Development Authority Work Meeting Minutes
	New Business		
	8.0	Commission, Association and Task Force Reports	
		A.	Planning Commission **(No Report)**
		B.	Park Commission **(No Report)**
		C.	Road Commission **(No Report)**
	9.0	**Department Reports**	

	A.	Community Development **(No Report)**	
8:30 PM	B.	Engineer	
Page 75-80		1.	Pay Estimate #5 for the Construction of Municipal Well #3 and #4
Page 81-90		2.	Pay Estimate #4 for the Phase 1, Project 1, Municipal Utility Project
Page 91-93		3.	Castle Tower Waste Water Treatment Facility Feasibility Report
Page 94-108		4.	Approval of Plans and Specifications for the Water Treatment Plant & Request for Advertisement of Bid
9:00 PM	C.	Attorney	
Page 109-125		1.	Sylvan Street Licensing Agreement
Page 126-130		2.	Sylvan Street Vacation Request
Page 131-153		3.	BDM Compensation Claim
9:30 PM	D.	Finance	
Page 154-155		1.	Proposed Reduction in Force
Page 156-158		2.	Resoltuion 2011-41 Set Final Levy & Budget Date
Page 159-165		3.	Resolution 2011-42 Set the Preliminary Levy & Budget 2012
Page 166-171		4.	Resolution 2011-43 Set the Preliminary EDA Levy & Budget 2012
Page 172-175		5.	Consider Resolution 2011-44 Consenting to EBHRA Resoltuion 2011-06 Adopting 2011 Tax Levy Collectable in 2012
	E.	Public Works **(No Report)**	
	F.	Fire Department **(No Report)**	
10:15 PM	G.	City Administrator	
Page 176-187		1.	MnDOT Grant Application for Service Road from 215th to 221st (Co. Road 74) Avenue NE

8.0 Other

10:25 PM	A.	Council Reports
10:35 PM	B.	Other
10:40 PM Page 188	C.	Closed Session – GRE Settlement Discussion

11:00 PM **9.0 Adjourn**

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 4.0 A

* *

Agenda Item:
Administrative Hearing and Resolution 2011-34 Black Bear Liquors - Alcohol Sales Violation - Licensee

* *

Requested Action:
Consider conducting hearing and then discuss and possible adoption of Resolution 2011-34 Determining Findings of Fact and Administrative Penalties for the Licensee Pursuant to City Code Article IV, Section 6-93 Relative to Black Bear Liquor, 18453 Highway 65 NE

* *

Background Information:
On June 22, 2011, the Anoka County Sheriff's Office conducted a compliance inspection pursuant to City Code, Section 6-94. It is alleged that Ms.Victoria Raines sold alcoholic beverages to an individuals under the age of 21 in violation of City Code, Section 6-91, (1).

Under City Code, Section 6-93, the City is permitted to impose certain sanctions.

(a) Actions of clerks, bartenders, and employees of licensees. All licensees shall be responsible for the actions of their clerks, bartenders, and employees in regard to the sale of alcoholic beverages on the licensed premises. For the purposes of this article, the sale of such an item by any clerk, bartender, or employee shall be considered a sale by the licensee. Any director, governor, officer, manager or partners of a licensee shall be considered to be an employee of the licensee.

(b) Violations and penalties. Notwithstanding the provisions of subsection (a) of this section, the clerk, bartender, or employee specifically involved in an alcohol compliance check violation or determined to have violated this article will be personally liable to pay an administrative penalty in addition to any penalty or license suspension or revocation imposed upon the licensee. The following penalty schedule is hereby adopted:

(1) A first violation will result in a $500.00 administrative penalty to the licensee and a $250.00 administrative penalty to the individual clerk, bartender, or employee involved in the violation. The penalty assessed to the licensee will be waived if the licensee was not the individual clerk, bartender, or employee involved directly in the violation and if the licensee can provide proof within 14 days of the date of the violation that the clerk, bartender or employee involved had attended RBS (responsible beverage service) staff training approved by the city prior to the alleged offense.

(d) *Community service.* In addition to the above penalties, any clerk, bartender, or employee, including a licensee if such be the case, who violates this article shall be required to serve eight hours of community service for a first offense, 20 hours of community service in the case of a second offense, 40 hours of community service in the case of a third offense, and 80 hours of community service in the case of a fourth offense.

A community service penalty imposed upon a licensee that is not a natural person must be performed by an employee of the licensee and must be completed before the next renewal of the licensee's license to sell non-intoxicating or intoxicating alcoholic beverages in the city.

This is the first violation in the past 24 months for this licensed establishment. Under Section 6-93 (b) (1), the administrative penalty for the license holder in this case is $500.00.

Attachment(s):

1. Resolution 2011-34 Findings, Conclusions and Imposition of Penalties
2. Sheriff's Department Investigation Report June 22, 2011

* * * *

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-34

A RESOLUTION DETERMINING FINDINGS OF FACT, CO AND ADMINISTRATIVE PENALITIES FOR THE LICENSEE PURSUANT TO CITY CODE ARTICLE IV SECTION 6-93 RELATIVE TO BLACK BEAR LIQUOR, 18453 HIGHWAY 65 NE.

WHEREAS, Black Bear Liquor holds an off-sale license within the City of East Bethel (hereinafter, "the City") allowing sale of liquor from their premises at 18453 Highway 65 NE in the City of East Bethel; and,

WHEREAS, the city ordinance Article IV Section 6-91 prohibits the sale, barter, furnishing or giving of alcoholic beverage to anyone under the age of 21 years; and,

WHEREAS, Article IV, Section 6-93 of the Code of Ordinances of the City of East Bethel prescribes responsibility of clerk, bartender and employee of licensee to be:

> "All licensees shall be responsible for the actions of their clerks, bartenders and employees in regard to the sale of alcoholic beverages on the licensed premises. For the purposes of this article, the sale of such an item by any clerk, bartender or employee shall be considered a sale by the licensee."

WHEREAS, the City of East Bethel engages the Anoka County Sheriff's Department to provide its police service as well as its alcohol compliance testing of licensed facilities within the City of East Bethel; and,

WHEREAS, the City Council herewith makes the following additional Findings of Fact:

a. On June 22, 2011 investigator M. Wahl of the Anoka County Sheriff's Department was performing alcohol compliance checks within the City of East Bethel. While doing these checks Officer Wahl had secured the services of a Juvenile CKP to assist with the compliance checks.

b. CKP was given a $20.00 bill serial number EL58691507F by Officer Wahl prior to initiating the compliance check. Prior to conducting the compliance check the minor CKP was advised by Officer Wahl to enter the facility at 18453 Highway 65 NE being Black Bear Liquor within the City of East Bethel and attempt to purchase or order Coors Light Beer or Michelob Golden Draft Light Beer.

c. CKP entered the business premises of Black Bear Liquor, 18453 Highway 65 NE in the City of East Bethel with the $20.00 bill that Officer Wahl had provided her and soon thereafter exited the business with a twelve pack of Coors Light Beer, a sales receipt and change from the completed purchase.

d. Following CKP's exiting the business with the beer, Officer Wahl entered into the business to speak with the clerk who was working and had completed the sale to CKP, identifying himself as an investigator with the Anoka County Sheriff's Department and advising the clerk of the violation.

e. The clerk inside the store at Black Bear Liquor, 18453 Highway 65 NE was identified by Minnesota Picture ID as Victoria Lynne Raines, date of birth February 18, 1985. Investigator Wahl informed the clerk that she just sold an underage person alcohol or liquor in violation of the city ordinance and provided her with a copy of the receipt, being receipt number 89539 with a date of 6/22/2011 and a time of sale as 7:17.51 p.m. on the receipt. Victoria Raines acknowledged that she had made the sale and did not ask CKP for any identification at the time of purchase and had indeed sold alcohol to a minor.

f. Officer Wahl photographed the beer that was purchased, returned the change for the purchase and retrieved the marked $20.00 that was used for the purchase. After receiving the $20.00 bill back he confirmed the serial number on the bill while Victoria Raines was present, advised her that selling beer to the minor child CKP was a gross misdemeanor offense and the violation of the city's ordinance and that he would be forwarding the matter on to the City for further administrative action.

WHEREAS, the City Council for the City of East Bethel has conducted a public hearing on September 7, 2011 and forwarded notice of same to the license holder and a sales clerk providing the opportunity to offer any defense or explanation for the event for which they were charged as a violation of the city's ordinance and the statute relative to the sale and provision of alcohol to minors; and,.

WHEREAS, neither the licensee nor the clerk provided any valid defense or justification for their actions within said public hearing; and,

WHEREAS, Article IV, Section 6-93 of the Code of Ordinances of the City of East Bethel provides in Section 6-93(B1)

> The first violation will result in a $500.00 administrative penalty to the licensee and a $250.00 administrative penalty to the individual clerk, bartender or employee involved in the violation. The penalty assessed licensee will be waived if the licensee was not the individual clerk, bartender or employee involved directly in the violation and if the licensee can provide proof within 14 days of the date of the violation that the clerk, bartender or employee involved

had attended an RBS (Responsible Beverage Service) staff training approved by the City prior to the alleged offense.

and,

WHEREAS, neither the licensee nor the clerk involved in this matter provided proof of enrollment and attendance in the RBS program as prescribed by the ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of East Bethel that based upon the foregoing Findings of Fact there are hereby assessed administrative penalties as follows:

A. To the licensee, Black Bear Liquor, an administrative penalty in the amount of $500.00.
B. To the licensee, Black Bear Liquor, eight (8) hours of community service.

This administrative penalty is immediately payable to the City of East Bethel and if not paid within one week of the date hereof or the license for on-sale liquor otherwise provided to Black Bear Liquor is suspended until paid in full. The community service must be scheduled with the City Administrator within 20 business days and completed within 60 days of the date hereof or the license provided to Black Bear Liquor is suspended until the community service is completed.

Adopted this 7th day of September, 2011 by the City Council of the City of East Bethel.

_____
Richard Lawrence, Mayor

ATTEST:

_____
Jack Davis, City Administrator

INCIDENT INFO

Agency Name:	ORI #:	JCF:	Add'l Pages:
ANOKA COUNTY SHERIFFS OFFICE	MN0020000	☐	☐

111372 60

Reporting Officer(s): 15352 WAHL, MIKE

Date Reported:	Assigned:	Arrived:	Cleared:
06/22/2011 07:17 PM	1917	1917	1936

Earliest Date/Time Occurred: 06/22/2011 07:17 PM

Latest Date/Time Occurred:

Location of Offense/Incident: 18453 HWY 65 NE EAST BETHEL, MN

Apt.:

Grid: L90000 - EAST BETHEL HWY 65 BUSINESS

Total Value Stolen (Property):	$0.00
Total Value Damaged (Property):	$0.00
Total Value Recovered (Property):	$0.00

OFFENSE(S)

MOC Code:	Classification:	Disposition:
M4106	LIQUOR-PROCURING LIQUOR FOR A MINOR	PENDING
09881	COMPLIANCE CHECK - LIQUOR	ASSISTED/ADVISED

NARRATIVE

Incident Narrative 1

ON 6/22/2011 I, INV. WAHL, CONDUCTED AN ALCOHOL COMPLIANCE CHECKS IN THE CITIES OF HAM LAKE, EAST BETHEL, BETHEL AND COLUMBUS. WHILE DOING THESE CHECKS, I WAS AT BLACK BEAR LIQUOR IN THE CITY OF EAST BETHEL. THE CLERK AT BLACK BEAR SOLD ALCOHOL TO THE JUVENILE CHECKER THAT WAS WORKING WITH ME ON THE COMPLIANCE CHECKS. THE CLERK WAS IDENTIFIED BY MN PICTURE DRIVERS LICENSE AS VICTORIA LYNNE RAINES, DOB . VICTORIA WAS ADVISED OF THE COMPLIANCE CHECK, AND THE FACT THAT SHE SOLD TO AN UNDERAGE PERSON. I FURTHER ADVISED VICTORIA THAT THE VIOLATION WOULD BE FORWARDED TO THE EAST BETHEL CITY PROSECUTOR FOR CHARGING.

SEE SUPPLEMENT FOR FURTHER INFORMATION.

INV. WAHL
:KH 6/24/11

NAME CODES: A - Adult Arrested, AC - Arresting Citizen, C - Complainant, D - Driver, F - Family/Parent, G - Guardian, J - Juvenile Arrested, M - Mentioned, MP - Missing Person, I - Other Involved, O - Owner, P - Passenger, PT - Perpetrator, R - Reportee, S - Suspect, V - Victim, W - Witness

NAME(S)

■ Person ☐ Business	A/J/U:	Code:	Name:	Alias:
	A	S	RAINES, VICTORIA LYNNE	

Address (Street, City, State, Zip):	Apt.:	Date of Birth:	Sex:	Race:
3243 90 CRV NE BLAINE, MN 55449-			FEMALE	WHITE

Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone:	Work/Bus. Cell:	Cell/Pager/Fax:
		BROWN	BLUE			

■ Person ☐ Business	A/J/U:	Code:	Name:	Alias:
		M		

Address (Street, City, State, Zip):	Apt.:	Date of Birth:	Sex:	Race:
5160 157 LN NW RAMSEY, MN 55303-			FEMALE	WHITE

Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone:	Work/Bus. Cell:	Cell/Pager/Fax:
		BROWN	HAZEL			

☐ Person ■ Business	A/J/U:	Code:	Name:	Alias:
		M	BLACK BEAR LIQUOR	

Address (Street, City, State, Zip):	Apt.:	Date of Birth:	Sex:	Race:
18453 HWY 65 NE EAST BETHEL, MN 55011-				

Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone:	Work/Bus. Cell:	Cell/Pager/Fax:
				763-434-2327		

CASE

Supervisor:	Extra Copy To:	Related Case Number:

SUPPLEMENTARY INVESTIGATION REPORT

CASE NO. 11-137260

OFFENSE: Procuring Liquor for a Minor

COMPLAINANT: Inv. Michael Wahl

ADDRESS: 13301 Hanson Blvd. NW Andover, MN 55304

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

On 6/22/2011, I, Inv. M. Wahl, was doing alcohol compliance checks in the cities of Ham Lake, East Bethel, Bethel, and Columbus. While doing these checks, I had juvenile C.K.P. assisting me with the checks. C.K.P. was given a 20.00 dollar bill, serial #EL58691507F, by me prior to the checks. Prior to conducting the alcohol compliance checks, I advised C.K.P. to enter bars and liquor stores and attempt to purchase / order Coors Light Beer, or Michelob Golden Draft Light Beer at the establishments that she went in to during the checks.

As the compliance checks were being conducted, we went to Black Bear Liquor at 18453 Hwy 65 NE in the city of East Bethel. C.K.P. entered the business with the 20.00 dollar bill that I had given her, and a short time later she exited the business with a 12 pack of Coors Light Beer, a sales receipt, and change from the purchase. After C.K.P. exited the business with the beer, I went in to the business to speak with the clerk who was working and completed the sale.

When I entered the business, I identified myself as an Investigator with the Anoka County Sheriff's Office. I advised the clerk, who was identified by MN picture D.L. as Victoria Lynne Raines, DOB: that I was conducting alcohol compliance checks, and she had just sold to an under- age person. I showed the receipt, receipt number 89539, with a date of 6/22/2011, and a time of sale of 7:17:51 PM on the receipt, to Victoria. According to the receipt, the Coors Light is identified on the receipt along with the purchase price of 11.69, sales tax of 1.13 for a "receipt total" of 12.82. After showing the receipt to Victoria, I asked her if she asked for identification on C.K.P. when she sold the Coors Light to her? Victoria stated that she did not ask for any identification at the time of the purchase. It should also be noted that when C.K.P. came back to the vehicle, she stated that she had a conversation with the clerk about the beer, and the clerk stated "this is even on sale."

After talking with Victoria about the incident, I photographed the beer that was purchased, gave her back the change for the purchase, and she retrieved the 20.00 dollar bill that was used for the purchased. After receiving the 20.00 dollar bill back, I confirmed the serial number of the bill while Victoria was present as the 20.00 dollar bill that was given to C.K.P. for the compliance checks. I then advised Victoria that with her selling the beer to C.K.P. the crime is a Gross Misdemeanor offense, and I would be forwarding this case to the East Bethel City Prosecutors Office for charging. I asked Victoria if she had any questions, and she stated "no."

THIS OFFENSE IS DECLARED:			
Unfounded	[ ]	SIGNED: Michael Wahl	DATE: 6/24/2011
Cleared by Arrest	[ ]	Investigating Officer	
Exceptionally Cleared	[ ]		
Inactive (Not Cleared)	[ ]	SIGNED:	DATE:
Refer to other Agency	[ ]	Chief or Commanding Officer	

This Form is Used by Officer Assigned to a Case to Report Progress After Three and Seven Days and Weekly Thereafter. Also to Report Significant Developments.

With Victoria admitting that she did not ask for identification of C.K.P. at the time of the sale, and C.K.P. being a juvenile purchasing the beer, I am forwarding this case to the East Bethel City Prosecutor's Office for their review and charges.

No further action was taken on this incident.

Inv. M. Wahl
Anoka County Sheriff's Office
Patrol Division
6/24/2011

THIS OFFENSE IS DECLARED:			
Unfounded	[ ]	SIGNED: Michael Wahl	DATE: 6/24/2011
Cleared by Arrest	[ ]	Investigating Officer	
Exceptionally Cleared	[ ]		
Inactive (Not Cleared)	[ ]	SIGNED:	DATE:
Refer to other Agency	[ ]	Chief or Commanding Officer	

This Form is Used by Officer Assigned to a Case to Report Progress After Three and Seven Days and Weekly Thereafter Also to Report Significant Developments.

ALCOHOL COMPLIANCE CHECK

CASE # 11-1372600

COMMUNITY: East Bethel : COUNTY: Anoka

BUSINESS NAME: Black Bear Liquors Inc

ADDRESS: 18453 Highway 65 NE
East Bethel MN 55

BUSINESS TYPE: CONVENIENCE X CONVENIENCE/GAS ____ GAS ____

ON SALE ____ OFF SALE X ON/OFF SALE ____

MUNICIPAL STORE ____ SUPERMARKET ____ OTHER X

DATE: 6-22-11 TIME: 7:22

Was purchase attempted ? YES X NO ____ If No, Check reason: ____

Buyer: CP Gender M ____ F X

Adult Present: No Did adult view transaction?: No

Was sale made? Yes Was age asked? No Was ID requested? No

Was ID shown? NO Type of purchase: Self service X Clerk assisted ____

Type of alcohol product: Coors light 12-pack

Amount spent: $12.82

Clerk Information: Gender: Female Approximate Age: 21

Brief description of seller: Black long hair in ponytail, maroon sweatshirt

Seller/Server Name: ____

Address: ____

D. O. B. ____ Present age: ____ Telephone: ____

Description: Height: ____ Weight: ____ Hair: ____ Eyes: ____

Penalties: Clerk: ____ Licensee: ____

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 4.0 B

* *

Agenda Item:
Administrative Hearing and Resolution 2011-35 Black Bear Liquors - Alcohol Sales Violation - Clerk

* *

Requested Action:
Consider conducting hearing and then discuss and possible adoption of Resolution 2011-35 Determining Findings of Fact and Administrative Penalties for the Licensee Pursuant to City Code Article IV, Section 6-93 Relative to Black Bear Liquor, 18453 Highway 65 NE

* *

Background Information:
On June 22, 2011, the Anoka County Sheriff's Office conducted a compliance inspection pursuant to City Code, Section 6-94. It is alleged that Ms.Victoria Raines sold alcoholic beverages to an individuals under the age of 21 in violation of City Code, Section 6-91, (1).

Under City Code, Section 6-93, the City is permitted to impose certain sanctions.

(b) Violations and penalties. Notwithstanding the provisions of subsection (a) of this section, the clerk, bartender, or employee specifically involved in an alcohol compliance check violation or determined to have violated this article will be personally liable to pay an administrative penalty in addition to any penalty or license suspension or revocation imposed upon the licensee. The following penalty schedule is hereby adopted:

(1) A first violation will result in a $500.00 administrative penalty to the licensee and a $250.00 administrative penalty to the individual clerk, bartender, or employee involved in the violation. The penalty assessed to the licensee will be waived if the licensee was not the individual clerk, bartender, or employee involved directly in the violation and if the licensee can provide proof within 14 days of the date of the violation that the clerk, bartender or employee involved had attended RBS (responsible beverage service) staff training approved by the city prior to the alleged offense.

(d) *Community service.* In addition to the above penalties, any clerk, bartender, or employee, including a licensee if such be the case, who violates this article shall be required to serve eight hours of community service for a first offense, 20 hours of community service in the case of a second offense, 40 hours of community service in the case of a third offense, and 80 hours of community service in the case of a fourth offense.

A community service penalty imposed upon a licensee that is not a natural person must

be performed by an employee of the licensee and must be completed before the next renewal of the licensee's license to sell non-intoxicating or intoxicating alcoholic beverages in the city.

This is the first violation in the past 24 months for this licensed establishment. Under Section 6-93 (b) (1), the administrative penalty for the clerk in this case is $250.00.

Attachment(s):

1. Resolution 2011-35 Findings, Conclusions and Imposition of Penalties
2. Sheriff's Department Investigation Report June 22, 2011

* * * *

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-35

A RESOLUTION DETERMINING FINDINGS OF FACT, CO AND ADMINISTRATIVE PENALITIES PURSUANT TO CITY CODE ARTICLE IV SECTION 6-93 RELATIVE TO VICTORIA LYNNE RAINES STORE CLERK FOR BLACK BEAR LIQUOR, 18453 HIGHWAY 65 NE.

WHEREAS, Black Bear Liquor holds an off-sale license within the City of East Bethel (hereinafter, "the City") allowing sale of liquor from their premises at 18453 Highway 65 NE in the City of East Bethel; and,

WHEREAS, the city ordinance Article IV Section 6-91 prohibits the sale, barter, furnishing or giving of alcoholic beverage to anyone under the age of 21 years; and,

WHEREAS, Article IV, Section 6-93 of the Code of Ordinances of the City of East Bethel prescribes responsibility of clerk, bartender and employee of licensee to be:

> "All licensees shall be responsible for the actions of their clerks, bartenders and employees in regard to the sale of alcoholic beverages on the licensed premises. For the purposes of this article, the sale of such an item by any clerk, bartender or employee shall be considered a sale by the licensee."

WHEREAS, the City of East Bethel engages the Anoka County Sheriff's Department to provide its police service as well as its alcohol compliance testing of licensed facilities within the City of East Bethel; and,

WHEREAS, the City Council herewith makes the following additional Findings of Fact:

a. On June 22, 2011 investigator M. Wahl of the Anoka County Sheriff's Department was performing alcohol compliance checks within the City of East Bethel. While doing these checks Officer Wahl had secured the services of a Juvenile CKP to assist with the compliance checks.

b. CKP was given a $20.00 bill serial number EL58691507F by Officer Wahl prior to initiating the compliance check. Prior to conducting the compliance check the minor CKP was advised by Officer Wahl to enter the facility at 18453 Highway 65 NE being Black Bear Liquor within the City of East Bethel and attempt to purchase or order Coors Light Beer or Michelob

Golden Draft Light Beer.

c. CKP entered the business premises of Black Bear Liquor, 18453 Highway 65 NE in the City of East Bethel with the $20.00 bill that Officer Wahl had provided her and soon thereafter exited the business with a twelve pack of Coors Light Beer, a sales receipt and change from the completed purchase.

d. Following CKP's exiting the business with the beer, Officer Wahl entered into the business to speak with the clerk who was working and had completed the sale to CKP, identifying himself as an investigator with the Anoka County Sheriff's Department and advising the clerk of the violation.

e. The clerk inside the store at Black Bear Liquor, 18453 Highway 65 NE was identified by Minnesota Picture ID as Victoria Lynne Raines, date of birth February 18, 1985. Investigator Wahl informed the clerk that she just sold an underage person alcohol or liquor in violation of the city ordinance and provided her with a copy of the receipt, being receipt number 89539 with a date of 6/22/2011 and a time of sale as 7:17.51 p.m. on the receipt. Victoria Raines acknowledged that she had made the sale and did not ask CKP for any identification at the time of purchase and had indeed sold alcohol to a minor.

f. Officer Wahl photographed the beer that was purchased, returned the change for the purchase and retrieved the marked $20.00 that was used for the purchase. After receiving the $20.00 bill back he confirmed the serial number on the bill while Victoria Raines was present, advised her that selling beer to the minor child CKP was a gross misdemeanor offense and the violation of the city's ordinance and that he would be forwarding the matter on to the City for further administrative action.

WHEREAS, the City Council for the City of East Bethel has conducted a public hearing on September 7, 2011 and forwarded notice of same to the license holder and a sales clerk providing the opportunity to offer any defense or explanation for the event for which they were charged as a violation of the city's ordinance and the statute relative to the sale and provision of alcohol to minors; and,.

WHEREAS, neither the licensee nor the clerk provided any valid defense or justification for their actions within said public hearing; and,

WHEREAS, Article IV, Section 6-93 of the Code of Ordinances of the City of East Bethel provides in Section 6-93(B1)

> The first violation will result in a $500.00 administrative penalty to the licensee and a $250.00 administrative penalty to the individual clerk, bartender or employee involved in the violation. The penalty assessed licensee will be waived if the licensee was not the individual clerk, bartender or employee involved directly in the

violation and if the licensee can provide proof within 14 days of the date of the violation that the clerk, bartender or employee involved had attended an RBS (Responsible Beverage Service) staff training approved by the City prior to the alleged offense.

and,

WHEREAS, neither the licensee nor the clerk involved in this matter provided proof of enrollment and attendance in the RBS program as prescribed by the ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of East Bethel that based upon the foregoing Findings of Fact there are hereby assessed administrative penalties as follows:

A. To Victoria Raines who made the sale to a minor an administrative penalty in the amount of $250.00.

B. To Victoria Raines who made the sale to a minor shall be required to serve eight (8) hours of community service.

This administrative penalty is immediately payable to the City of East Bethel and if not paid within one week of the date hereof or the license for on-sale liquor otherwise provided to Black Bear Liquor is suspended until paid in full. The community service must be scheduled with the City Administrator within 20 business days and completed within 60 days of the date hereof or the license provided to Black Bear Liquor is suspended until the community service is completed.

Adopted this 7th day of September, 2011 by the City Council of the City of East Bethel.

_____

Richard Lawrence, Mayor

ATTEST:

_____

Jack Davis, City Administrator

INCIDENT INFO

Agency Name:	ORI #:	JCF:	Add'l Pages:
ANOKA COUNTY SHERIFFS OFFICE	MN0020000	☐	☐

111372 60

Reporting Officer(s): 15352 WAHL, MIKE

Date Reported:	Assigned:	Arrived:	Cleared:
06/22/2011 07:17 PM	1917	1917	1936

Earliest Date/Time Occurred: 06/22/2011 07:17 PM

Latest Date/Time Occurred:

Location of Offense/Incident: 18453 HWY 65 NE EAST BETHEL, MN

Apt.:

Grid: L90000 - EAST BETHEL HWY 65 BUSINESS

Total Value Stolen (Property):	$0.00
Total Value Damaged (Property):	$0.00
Total Value Recovered (Property):	$0.00

OFFENSE(S)

MOC Code:	Classification:	Disposition:
M4106	LIQUOR-PROCURING LIQUOR FOR A MINOR	PENDING
09881	COMPLIANCE CHECK - LIQUOR	ASSISTED/ADVISED

NARRATIVE

Incident Narrative 1

ON 6/22/2011 I, INV. WAHL, CONDUCTED AN ALCOHOL COMPLIANCE CHECKS IN THE CITIES OF HAM LAKE, EAST BETHEL, BETHEL AND COLUMBUS. WHILE DOING THESE CHECKS, I WAS AT BLACK BEAR LIQUOR IN THE CITY OF EAST BETHEL. THE CLERK AT BLACK BEAR SOLD ALCOHOL TO THE JUVENILE CHECKER THAT WAS WORKING WITH ME ON THE COMPLIANCE CHECKS. THE CLERK WAS IDENTIFIED BY MN PICTURE DRIVERS LICENSE AS VICTORIA LYNNE RAINES, DOB . VICTORIA WAS ADVISED OF THE COMPLIANCE CHECK, AND THE FACT THAT SHE SOLD TO AN UNDERAGE PERSON. I FURTHER ADVISED VICTORIA THAT THE VIOLATION WOULD BE FORWARDED TO THE EAST BETHEL CITY PROSECUTOR FOR CHARGING.

SEE SUPPLEMENT FOR FURTHER INFORMATION.

INV. WAHL
:KH 6/24/11

NAME CODES: A - Adult Arrested, AC - Arresting Citizen, C - Complainant, D - Driver, F - Family/Parent, G - Guardian, J - Juvenile Arrested, M - Mentioned, MP - Missing Person, I - Other Involved, O - Owner, P - Passenger, PT - Perpetrator, R - Reportee, S - Suspect, V - Victim, W - Witness

NAME(S)

■ Person ☐ Business	A/J/U:	Code:	Name:	Alias:
	A	S	RAINES, VICTORIA LYNNE	

Address (Street, City, State, Zip):	Apt.:	Date of Birth:	Sex:	Race:
3243 90 CRV NE BLAINE, MN 55449-			FEMALE	WHITE

Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone:	Work/Bus. Cell:	Cell/Pager/Fax:
		BROWN	BLUE			

■ Person ☐ Business	A/J/U:	Code:	Name:	Alias:
		M		

Address (Street, City, State, Zip):	Apt.:	Date of Birth:	Sex:	Race:
5160 157 LN NW RAMSEY, MN 55303-			FEMALE	WHITE

Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone:	Work/Bus. Cell:	Cell/Pager/Fax:
		BROWN	HAZEL			

☐ Person ■ Business	A/J/U:	Code:	Name:	Alias:
		M	BLACK BEAR LIQUOR	

Address (Street, City, State, Zip):	Apt.:	Date of Birth:	Sex:	Race:
18453 HWY 65 NE EAST BETHEL, MN 55011-				

Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone:	Work/Bus. Cell:	Cell/Pager/Fax:
				763-434-2327		

CASE

Supervisor:	Extra Copy To:	Related Case Number:

SUPPLEMENTARY INVESTIGATION REPORT

CASE NO. 11-137260

OFFENSE: Procuring Liquor for a Minor

COMPLAINANT: Inv. Michael Wahl

ADDRESS: 13301 Hanson Blvd. NW Andover, MN 55304

ADDITIONAL DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.

On 6/22/2011, I, Inv. M. Wahl, was doing alcohol compliance checks in the cities of Ham Lake, East Bethel, Bethel, and Columbus. While doing these checks, I had juvenile C.K.P. assisting me with the checks. C.K.P. was given a 20.00 dollar bill, serial #EL58691507F, by me prior to the checks. Prior to conducting the alcohol compliance checks, I advised C.K.P. to enter bars and liquor stores and attempt to purchase / order Coors Light Beer, or Michelob Golden Draft Light Beer at the establishments that she went in to during the checks.

As the compliance checks were being conducted, we went to Black Bear Liquor at 18453 Hwy 65 NE in the city of East Bethel. C.K.P. entered the business with the 20.00 dollar bill that I had given her, and a short time later she exited the business with a 12 pack of Coors Light Beer, a sales receipt, and change from the purchase. After C.K.P. exited the business with the beer, I went in to the business to speak with the clerk who was working and completed the sale.

When I entered the business, I identified myself as an Investigator with the Anoka County Sheriff's Office. I advised the clerk, who was identified by MN picture D.L. as Victoria Lynne Raines, DOB: that I was conducting alcohol compliance checks, and she had just sold to an under- age person. I showed the receipt, receipt number 89539, with a date of 6/22/2011, and a time of sale of 7:17:51 PM on the receipt, to Victoria. According to the receipt, the Coors Light is identified on the receipt along with the purchase price of 11.69, sales tax of 1.13 for a "receipt total" of 12.82. After showing the receipt to Victoria, I asked her if she asked for identification on C.K.P. when she sold the Coors Light to her? Victoria stated that she did not ask for any identification at the time of the purchase. It should also be noted that when C.K.P. came back to the vehicle, she stated that she had a conversation with the clerk about the beer, and the clerk stated "this is even on sale."

After talking with Victoria about the incident, I photographed the beer that was purchased, gave her back the change for the purchase, and she retrieved the 20.00 dollar bill that was used for the purchased. After receiving the 20.00 dollar bill back, I confirmed the serial number of the bill while Victoria was present as the 20.00 dollar bill that was given to C.K.P. for the compliance checks. I then advised Victoria that with her selling the beer to C.K.P. the crime is a Gross Misdemeanor offense, and I would be forwarding this case to the East Bethel City Prosecutors Office for charging. I asked Victoria if she had any questions, and she stated "no."

THIS OFFENSE IS DECLARED:			
Unfounded	[ ]	SIGNED: Michael Wahl	DATE: 6/24/2011
Cleared by Arrest	[ ]	Investigating Officer	
Exceptionally Cleared	[ ]		
Inactive (Not Cleared)	[ ]	SIGNED:	DATE:
Refer to other Agency	[ ]	Chief or Commanding Officer	

This Form is Used by Officer Assigned to a Case to Report Progress After Three and Seven Days and Weekly Thereafter. Also to Report Significant Developments.

With Victoria admitting that she did not ask for identification of C.K.P. at the time of the sale, and C.K.P. being a juvenile purchasing the beer, I am forwarding this case to the East Bethel City Prosecutor's Office for their review and charges.

No further action was taken on this incident.

Inv. M. Wahl
Anoka County Sheriff's Office
Patrol Division
6/24/2011

THIS OFFENSE IS DECLARED:			
Unfounded	[ ]	SIGNED: Michael Wahl	DATE: 6/24/2011
Cleared by Arrest	[ ]	Investigating Officer	
Exceptionally Cleared	[ ]		
Inactive (Not Cleared)	[ ]	SIGNED:	DATE:
Refer to other Agency	[ ]	Chief or Commanding Officer	

This Form is Used by Officer Assigned to a Case to Report Progress After Three and Seven Days and Weekly Thereafter Also to Report Significant Developments.

ALCOHOL COMPLIANCE CHECK

CASE # 11-1372600

COMMUNITY: East Bethel : COUNTY: Anoka

BUSINESS NAME: Black Bear Liquors Inc

ADDRESS: 18453 Highway 65 NE
East Bethel MN 55

BUSINESS TYPE: CONVENIENCE X CONVENIENCE/GAS ____ GAS ____

ON SALE ____ OFF SALE X ON/OFF SALE ____

MUNICIPAL STORE ____ SUPERMARKET ____ OTHER X

DATE: 6-22-11 TIME: 7:22

Was purchase attempted ? YES X NO ____ If No, Check reason: ____

Buyer: CP Gender M ____ F X

Adult Present: No Did adult view transaction?: No

Was sale made? Yes Was age asked? No Was ID requested? No

Was ID shown? NO Type of purchase: Self service X Clerk assisted ____

Type of alcohol product: Coors light 12-pack

Amount spent: $12.82

Clerk Information: Gender: Female Approximate Age: 21

Brief description of seller: Black long hair in ponytail, maroon sweatshirt

Seller/Server Name: ____

Address: ____

D. O. B. ____ Present age: ____ Telephone: ____

Description: Height: ____ Weight: ____ Hair: ____ Eyes: ____

Penalties: Clerk: ____ Licensee: ____

Payments for Council Approval September 7, 2011

Bills to be Approved for Payment	$1,462,668.44
Electronic Payments	$48,856.10
Payroll Fire Dept - August 15, 2011	$12,407.05
Payroll City Council - August 18, 2011	$1,451.07
Payroll City Staff - August 18, 2011	$32,566.08
Payroll City Staff - September 1, 2011	$33,745.68

Total to be Approved for Payment	$1,591,694.42

City of East Bethel
September 7, 2011
Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Arena Operations	Bldgs/Facilities Repair/Maint	82211	Connexus Energy	615	49851	21.32
Arena Operations	Electric Utilities	82211	Connexus Energy	615	49851	675.87
Arena Operations	Gas Utilities	293558146	Xcel Energy	615	49851	53.44
Arena Operations	Refuse Removal	1470676	Walters Recycling, Inc.	615	49851	27.85
Arena Operations	Refuse Removal	1470673	Walters Recycling, Inc.	615	49851	154.85
Bataan Street Project	Improvements Other Than Bldgs	Final Pay Est	Rum River Contracting	402	43124	28,737.51
Building Inspection	Clothing & Personal Equipment	660978	Winnicks	101	42410	100.00
Building Inspection	Motor Fuels	1938711	Lubricant Technologies, Inc.	101	42410	354.83
Building Inspection	Telephone	332373310-117	Nextel Communications	101	42410	17.44
Central Services/Supplies	Information Systems	29070	Avenet, LLC	101	48150	900.00
Central Services/Supplies	Office Equipment Rental	184921187	Loffler Companies, Inc.	101	48150	461.32
Central Services/Supplies	Office Supplies	13354	Astound Video	101	48150	74.76
Central Services/Supplies	Office Supplies	49957703	Hewlett-Packard Company	101	48150	658.20
Central Services/Supplies	Office Supplies	10371	Norseman Awards	101	48150	73.58
Central Services/Supplies	Office Supplies	10335	Norseman Awards	101	48150	46.65
Central Services/Supplies	Office Supplies	574180676001	Office Depot	101	48150	84.04
Central Services/Supplies	Office Supplies	575055239001	Office Depot	101	48150	26.62
Central Services/Supplies	Office Supplies	575459322001	Office Depot	101	48150	15.24
Central Services/Supplies	Office Supplies	574821489001	Office Depot	101	48150	29.39
Central Services/Supplies	Repairs/Maint Machinery/Equip	10753	Wavs, Inc.	101	48150	253.53
Central Services/Supplies	Small Tools and Minor Equip	574180711001	Office Depot	101	48150	20.65
Central Services/Supplies	Telephone	8667827	Integra Telecom	101	48150	222.32
City Administration	Travel Expenses	82911	Jack Davis	101	41320	104.38
Economic Development Authority	Legal Notices	IQ 01788214	ECM Publishers, Inc.	232	23200	82.00
Fire Department	Bldgs/Facilities Repair/Maint	82211	Connexus Energy	101	42210	5.32
Fire Department	Dues and Subscriptions	26	North Suburban Reg Mutual Aid	101	42210	150.00
Fire Department	Electric Utilities	82211	Connexus Energy	101	42210	923.54
Fire Department	Gas Utilities	293558146	Xcel Energy	101	42210	96.26
Fire Department	Motor Fuels	1938710	Lubricant Technologies, Inc.	101	42210	470.06
Fire Department	Motor Fuels	1938711	Lubricant Technologies, Inc.	101	42210	564.47
Fire Department	Motor Vehicle Services (Lic'd)	1212290083	Blaine Brothers	101	42210	4,371.84
Fire Department	Motor Vehicles	65016	General Safety Equipment	701	42210	56,987.00
Fire Department	Motor Vehicles Parts	2299	Kirvida Fire, Inc.	101	42210	335.69
Fire Department	Motor Vehicles Parts	2300	Kirvida Fire, Inc.	101	42210	335.69
Fire Department	Motor Vehicles Parts	2301	Kirvida Fire, Inc.	101	42210	335.69
Fire Department	Personnel Advertising	111544	Aspen Mills, Inc.	231	42210	371.93
Fire Department	Personnel Advertising	41624	Metro Fire, Inc.	231	42210	354.26
Fire Department	Professional Services Fees	81511	City of East Bethel	231	42210	1,666.67
Fire Department	Refuse Removal	1470674	Walters Recycling, Inc.	101	42210	39.46
Fire Department	Repairs/Maint Machinery/Equip	23678	Ancom Communications	101	42210	105.00
Fire Department	Repairs/Maint Machinery/Equip	23676	Ancom Communications	101	42210	95.00
Fire Department	Repairs/Maint Machinery/Equip	23677	Ancom Communications	101	42210	95.00
Fire Department	Repairs/Maint Machinery/Equip	32814	Emedded Systems, Inc.	101	42210	5,959.85
Fire Department	Small Tools and Minor Equip	41500	Metro Fire, Inc.	101	42210	553.61
Fire Department	Small Tools and Minor Equip	41732	Metro Fire, Inc.	101	42210	479.80
Fire Department	Small Tools and Minor Equip	41645	Metro Fire, Inc.	101	42210	83.99
Fire Department	Telephone	8667827	Integra Telecom	101	42210	138.97
Fire Department	Telephone	332373310-117	Nextel Communications	101	42210	103.22
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	101667	Rogers Electric	101	41940	110.00
General Govt Buildings/Plant	Electric Utilities	82211	Connexus Energy	101	41940	1,294.78
General Govt Buildings/Plant	Gas Utilities	293558146	Xcel Energy	101	41940	56.55
General Govt Buildings/Plant	Refuse Removal	1470677	Walters Recycling, Inc.	101	41940	27.85

City of East Bethel

September 7, 2011

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Housing & Redevelopment Author	Legal Fees	113471	Eckberg, Lammers, Briggs,	230	23000	44.00
Legal	Legal Fees	113471	Eckberg, Lammers, Briggs,	101	41610	3,007.40
Mayor/City Council	Professional Services Fees	1744140	Dorsey & Whitney LLP	101	41110	6,628.50
Mayor/City Council	Professional Services Fees	-622432	North Suburban Access Corp	101	41110	120.00
Mayor/City Council	Travel Expenses	81911	Heidi Moegerle	101	41110	37.75
Park Capital Projects	Improvements Other Than Bldgs	Final Pay Est	Rum River Contracting	407	40700	4,069.47
Park Maintenance	Auto/Misc Licensing Fees/Taxes	210501	MN Dept of Natural Resources	101	43201	150.00
Park Maintenance	Auto/Misc Licensing Fees/Taxes	210502	MN Dept of Natural Resources	101	43201	150.00
Park Maintenance	Bldg/Facility Repair Supplies	2363416	Dalco	101	43201	130.99
Park Maintenance	Bldg/Facility Repair Supplies	53496	Menards Cambridge	101	43201	702.99
Park Maintenance	Clothing & Personal Equipment	470695118	Cintas Corporation #470	101	43201	47.58
Park Maintenance	Clothing & Personal Equipment	470688365	Cintas Corporation #470	101	43201	47.58
Park Maintenance	Clothing & Personal Equipment	470691732	Cintas Corporation #470	101	43201	47.58
Park Maintenance	Electric Utilities	82211	Connexus Energy	101	43201	839.12
Park Maintenance	Equipment Parts	03 3052944	Isanti County Equipment	101	43201	97.97
Park Maintenance	Motor Fuels	1938710	Lubricant Technologies, Inc.	101	43201	903.96
Park Maintenance	Motor Fuels	1938711	Lubricant Technologies, Inc.	101	43201	483.83
Park Maintenance	Other Equipment Rentals	47450	Jimmy's Johnnys, Inc.	101	43201	1,144.89
Park Maintenance	Other Equipment Rentals	27184	Northern Dewatering, Inc.	101	43201	1,067.68
Park Maintenance	Park & Landscape Services	101671	Rogers Electric	101	43201	900.08
Park Maintenance	Park/Landscaping Materials	13124	Bjorklund Trucking	101	43201	105.00
Park Maintenance	Telephone	8667827	Integra Telecom	101	43201	50.94
Park Maintenance	Telephone	332373310-117	Nextel Communications	101	43201	70.82
Park Maintenance	Tires	623169	Pomp's Tire Service, Inc.	101	43201	125.00
Park Trails Capital Projects	Improvements Other Than Bldgs	Trails Final	Rum River Contracting	410	41000	1,499.25
Payroll	Insurance Premium	4674602	Delta Dental	101		886.25
Payroll	Insurance Premium	40787	Fort Dearborn Life Insurance	101		997.27
Payroll	Insurance Premium	25043629	Medica Health Plans	101		7,953.24
Payroll	Insurance Premium	40787	NCPERS Minnesota	101		128.00
Planning and Zoning	Legal Notices	IQ 01788215	ECM Publishers, Inc.	101	41910	46.13
Planning and Zoning	Telephone	332373310-117	Nextel Communications	101	41910	17.44
Police	Professional Services Fees	211927	Anoka County Treasury Dept	101	42110	269,274.50
Recycling Operations	Electric Utilities	82211	Connexus Energy	226	43235	123.95
Recycling Operations	Gas Utilities	293558146	Xcel Energy	226	43235	26.72
Recycling Operations	Other Equipment Rentals	47450	Jimmy's Johnnys, Inc.	226	43235	55.58
Recycling Operations	Refuse Removal	1470675	Walters Recycling, Inc.	226	43235	268.21
Sewer Operations	Bldgs/Facilities Repair/Maint	82211	Connexus Energy	602	49451	24.53
Sewer Operations	Electric Utilities	82211	Connexus Energy	602	49451	665.96
Sewer Operations	Legal Fees	113471	Eckberg, Lammers, Briggs,	602	49451	1,131.00
Sewer Utility Capital Projects	Due from Other Governments	Pay Est #4	S.R. Weidema Inc.	434		491,325.36
Sewer Utility Capital Projects	Due from Other Governments	Pay Est #4	TCF Bank	434		25,859.23
Sewer Utility Capital Projects	Improvements Other Than Bldgs	Pay Est #4	S.R. Weidema Inc.	434	49455	213,162.10
Sewer Utility Capital Projects	Improvements Other Than Bldgs	Pay Est #4	TCF Bank	434	49455	11,219.06
Sewer Utility Capital Projects	Legal Fees	113471	Eckberg, Lammers, Briggs,	434	49455	176.00
Street Capital Projects	Improvements Other Than Bldgs	Final Pay Est	Rum River Contracting	406	40600	12,672.76
Street Capital Projects	Street Maint Services	2531618	Highway Technologies, Inc.	406	40600	4,406.40
Street Maintenance	Bldg/Facility Repair Supplies	39183	Menards Cambridge	101	43220	156.21
Street Maintenance	Bldgs/Facilities Repair/Maint	470695118	Cintas Corporation #470	101	43220	26.50
Street Maintenance	Bldgs/Facilities Repair/Maint	470688365	Cintas Corporation #470	101	43220	26.50
Street Maintenance	Bldgs/Facilities Repair/Maint	470691732	Cintas Corporation #470	101	43220	26.50
Street Maintenance	Bldgs/Facilities Repair/Maint	82211	Connexus Energy	101	43220	21.29
Street Maintenance	Clothing & Personal Equipment	470695118	Cintas Corporation #470	101	43220	74.86

City of East Bethel

September 7, 2011

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Street Maintenance	Clothing & Personal Equipment	470688365	Cintas Corporation #470	101	43220	47.01
Street Maintenance	Clothing & Personal Equipment	470691732	Cintas Corporation #470	101	43220	47.01
Street Maintenance	Clothing & Personal Equipment	660978	Winnicks	101	43220	100.00
Street Maintenance	Conferences/Meetings	36690	MN Trucking Assoc	101	43220	90.00
Street Maintenance	Electric Utilities	82211	Connexus Energy	101	43220	1,645.18
Street Maintenance	Equipment Parts	201116	Lano Equipment, Inc.	101	43220	324.17
Street Maintenance	Equipment Parts	PC001310112	Ziegler Inc.	101	43220	76.88
Street Maintenance	Equipment Parts	PC001309831	Ziegler Inc.	101	43220	174.35
Street Maintenance	Gas Utilities	293558146	Xcel Energy	101	43220	21.38
Street Maintenance	General Operating Supplies	167029	Lehmann's Power Equipment	101	43220	107.85
Street Maintenance	General Operating Supplies	16089	Menards - Forest Lake	101	43220	132.34
Street Maintenance	General Operating Supplies	66657	Menards Cambridge	101	43220	40.12
Street Maintenance	Lubricants and Additives	167029	Lehmann's Power Equipment	101	43220	53.00
Street Maintenance	Motor Fuels	1938711	Lubricant Technologies, Inc.	101	43220	209.66
Street Maintenance	Motor Fuels	1938710	Lubricant Technologies, Inc.	101	43220	2,241.85
Street Maintenance	Refuse Removal	1470672	Walters Recycling, Inc.	101	43220	268.21
Street Maintenance	Safety Supplies	66656	Menards Cambridge	101	43220	33.96
Street Maintenance	Small Tools and Minor Equip	332373310-117	Nextel Communications	101	43220	0.99
Street Maintenance	Street Maint Materials	13124	Bjorklund Trucking	101	43220	85.77
Street Maintenance	Street Maint Materials	12773	Bjorklund Trucking	101	43220	72.94
Street Maintenance	Street Maint Materials	13121	Bjorklund Trucking	101	43220	159.92
Street Maintenance	Street Maint Materials	119329	City of St. Paul	101	43220	132.18
Street Maintenance	Street Maint Materials	15520	Commercial Asphalt Co.	101	43220	114.89
Street Maintenance	Street Maint Materials	66656	Menards Cambridge	101	43220	180.31
Street Maintenance	Street Maint Materials	135915	Royal Concrete Pipe, Inc.	101	43220	283.22
Street Maintenance	Street Maint Services	13165	Bjorklund Trucking	101	43220	32,678.10
Street Maintenance	Telephone	8667827	Integra Telecom	101	43220	50.94
Street Maintenance	Telephone	332373310-117	Nextel Communications	101	43220	136.25
Water Utility Capital Projects	Electric Utilities	82211	Connexus Energy	433	49405	6.74
Water Utility Capital Projects	Improvements Other Than Bldgs	Pay Est #5	Mark J. Traut Wells Inc.	433	49405	24,711.17
Water Utility Capital Projects	Improvements Other Than Bldgs	Pay Est #4	S.R. Weidema Inc.	433	49405	213,162.10
Water Utility Capital Projects	Improvements Other Than Bldgs	Pay Est #4	TCF Bank	433	49405	11,219.05
Water Utility Capital Projects	Legal Fees	113471	Eckberg, Lammers, Briggs,	433	49405	1,045.00
Water Utility Operations	Bldgs/Facilities Repair/Maint	82211	Connexus Energy	601	49401	26.67
Water Utility Operations	Electric Utilities	82211	Connexus Energy	601	49401	245.18
Water Utility Operations	Gas Utilities	81711	CenterPoint Energy	601	49401	12.83
	Deposit Refund	82511	Soderville Athletic Assn	101		200.00
						$1,462,668.44

City of East Bethel

September 7, 2011

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
	Electronic Payments					
	PERA					$11,394.49
	Federal Withholding					$11,024.77
	Medicare Withholding					$3,294.44
	FICA Tax Withholding					$11,814.22
	State Withholding					$4,476.27
	MSRS					$6,851.91
						$48,856.10

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011
* *

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
Meeting Minutes, August 17, 2011 Regular City Council
Meeting minutes from the August 17, 2011 Regular City Council Meeting are attached for your review and approval.

Item C
Meeting Minutes, August 17, 2011 City Council Special Meeting
Meeting Minutes from the August 17, 2011 City Council Special Meeting are attached for your review and approval.

Item D
Resolution 2011-36 Proclaiming October as Domestic Awareness Month
At the request of Alexandra House, Resolution 2011-36 Proclaims October 2011 as Domestic Violence Awareness Month.

Staff requests Council adopt Resolution 2011-36 Proclaiming October as Domestic Awareness Month.

Item E
FEMA Assistance to Fire Fighters Grant (AFG)
FEMA has opened the application period for the Assistance to Fire Fighters Grant (AFG) through September 16, 2011. This Grant Program has been designed to assist Fire Departments with the purchase of equipment through a 5% matching formula. The Fire Department would like approval to submit a proposal for two projects. The first is for the purchase of fire fighting turn out gear for Fire Fighters and Fire Explorers. The majority of the current inventory of turn out gear was purchased from 1996. Replacement of this equipment is approximately $ 1,750.00, (including helmet, boots, hoods and gloves) per set. If this project is awarded by FEMA, we

would request funding for 40 sets of gear at a cost of $ 70,000.00 The City match for this program is 5%, or $ 3,500.00. The matching funds would come from the 2012 proposed budget item 214, clothing and personal equipment. The second project is standby emergency electrical generators for the City Hall and Public Works. Both facilities have a need to function efficiently during disasters and emergencies when electric power is not available. The estimated cost for the equipment and installation of the generators is $ 60,000.00. The 5% City Match ($ 3,000.00) would come for the Capital Building Fund.

Both of these items have been recommended by The United States Fire Administration and FEMA and have been designated as priority initiatives by the United States Fire Administration and FEMA.

The matching funds required for the turn out gear proposal is 5% of the total cost, estimated at $70,000. The maximum City match is $ 3,500 and will be part of the FY 2012 Fire Department operating budget. The matching funds required for the generator project is 5% of the total costs, estimated at $60,000. The maximum City match would be $ 3,000 and will be part the FY 2012 Building Capital Fund.

Staff recommends direction to the Fire Chief to prepare and submit Assistance to Fire Fighters Grant (AFG) by September 16, 2011.

Item F

Resolution 2011-37 –Accepting Work and Authorizing Final Payment for the 2010 Improvement Project

The Contractor has completed all construction and punchlist items for the 2010 Improvement Projects and has submitted all the required documentation to consider this project for final payment. Staff adoption of Resolution 2011-37 Accepting the Work and Authoring Final Payment of $45,479.74. A copy of the final payment form is attached.

Original Contract Amount	$ 257,550.60
Final Contract Amount	$ 250,727.34
Less Previous Payments	$ 205,247.60
Total Payment	$ 45,479.74

Item G

Resolution 2011-38 Accepting Work and Authorizing Final Payment for the Booster East Trail Project

The Contractor has completed all construction and punchlist items for the Booster Park East Trail Project and has submitted all the required documentation to consider this project for final payment. Staff recommends final payment of $1,499.25. A copy of the final payment form is attached.

Original Contract Amount	$ 29,989.55
Final Contract Amount	$ 29,985.08
Less Previous Payments	$ 28,485.83
Total Payment	$ 1,499.25

Item H

Approve Paving Bid for Whispering Aspen Development

Staff requests the approval of a paving bid in the amount of $6,285 to Northern Asphalt Company for repairs to Polk Street in the Whispering Aspen Development. This street was damaged due to high water tables in the spring which resulted in the failure of approximately 200' of street pavement. Funds for this work are available from the City's Street Capital Fund.

Item I

Approve Bid for Culvert Replacement on Durant Street

Staff requests the approval of a culvert replacement on Durant Street in the amount of $9,800 to Classic Construction Company. This project will require a one day closure of a section on Durant Street between 204th and 213th Avenue. Details and times of the detour will be made available to those impacted by the project. Funds for this project are available from the balance of the 2011 JPA project budget.

Item J

Adopt Resolution 2011-39 Approving Application with No Waiting Period for a Raffle Permit for St. Francis Area Chamber of Commerce at Hidden Haven Country Club

This resolution approves an application with no waiting period for an exempt permit for St. Francis Area Chamber of Commerce to hold a raffle on October 14, 2011 at Hidden Haven Country Club. This raffle is the St. Francis Area Chamber of Commerce's annual fundraising event which raises revenue for the chamber to sponsor such events as their Annual Expo, their trick and treat event and to support scholarships in the community.

Staff requests Council adopt Resolution 2011-39 Approving Application with No Waiting Period for a Raffle Permit for St. Francis Area Chamber of Commerce at Hidden Haven Country Club.

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:_____

EAST BETHEL CITY COUNCIL MEETING

August 17, 2011

The East Bethel City Council met on August 17, 2011 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT:	Bill Boyer	Bob DeRoche	Richard Lawrence
	Heidi Moegerle	Steve Voss	

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

Call to Order **The August 17, 2011 City Council meeting was called to order by Mayor Lawrence at 7:30 PM.**

Adopt Agenda **Boyer made a motion to adopt the August 17, 2011 City Council agenda. Moegerle seconded.** Lawrence asked to have a closed session added as Item 12.C Land Acquisition – Service Road 215th to 221st Avenue NE and Municipal Utilities. **Boyer accepted the amendment to the motion. Moegerle seconded the amendment; all in favor, motion carries.**

Sheriff's Report Lieutenant Orlando gave the July 2011 report as follows:

DWI Arrests:
There were 8 DUI arrests in July. One arrest was for a felony level DWI, which will be explained in detail. The other arrests were a result of traffic violations, observed by deputies.

On July 21st a deputy received a call of a no-pay gas theft. The deputy went to the business establishment and was given a vehicle description, license plate, and suspect description. He was advised that the drive off had occurred thirty minutes earlier, and the vehicle had left in an unknown direction. The deputy was able to view surveillance video of the suspect. The deputy then ran the license plate and learned that the vehicle was reported stolen out of Mille Lacs. The deputy left the area, and while traveling southbound on Hwy. 65 saw the vehicle and the suspect at Viking Blvd. The deputy initiated a traffic stop and was able to take the male into custody. The male identified himself with another male's driver's license, which was found out once booked into jail. The male was intoxicated and ended up being charged with possessing stolen property, felony DWI, gross misdemeanor test refusal, gross misdemeanor false information and several misdemeanor level charges.

Burglaries:
There were a total of seven burglaries reported. One suspect was arrested for committing four of the burglaries in the same night. A deputy received a call of a burglary at 1:48 a.m. The complainant advised someone had come into his house through the unlocked rear patio door, while the family was sleeping and took a flat screen T.V. The deputy was not able to see any footprints in the dew of the grass nor find any evidence at the scene. The deputy advised other deputies of the information. A little over an hour later, the same deputy received another burglary report, in the same neighborhood, of a male entering into an attached garage, through an unlocked rear door, and taking his wallet. The deputy was not able to locate any items of evidentiary value. Early the next morning the day shift deputy was advised of a burglary, where a motorcycle had been stolen. The deputy went to the

location, which was very close in proximity to the other two burglaries. The victim advised the deputy that the motorcycle had been locked in a garage. The garage locks had been broken, in order to gain access. The deputy responded back to one of the earlier burglary residences, on follow-up and did find the stolen motorcycle near the residence. The homeowner, in looking around his property in the daylight, had located footprints which were not his. The footprints went between his house and his neighbors (who had also been burgled). The footprint was bare. The T.V. was also located in the area, in the ditch.

Upon completing gathering the evidence with Anoka County Crime Scene Unit response, the deputy was called to 5K Auto on a burglary. The business had video surveillance which showed the suspect taking off his shoes, after being in the business, but prior to leaving the lot on foot. The deputy was able to follow bare footprints into the area of the homes where the burglaries had occurred. The owner and employees of the business did recognize the male, from him having been interested in a vehicle on their lot a few weeks earlier and knew the male to hang around a female who lived in the area. The deputy continued investigating and was able to locate a tent in the woods, where it appeared the suspect had been staying. The deputy was able to locate items taken from the burglaries in the vicinity of the tent. The deputy was also able to locate the suspect male and take him into custody. The male was being held for charges involving four burglaries, unauthorized use of a motor vehicle, damage to property, and possession of drug paraphernalia.

Thefts:
There were seven thefts from vehicles that mostly took place in vehicles parked in driveways overnight. One theft involved a window being broken out while the vehicle was parked at a business during day time hours. There were five thefts from homes. Two of the reports occurred as the result of two camera's belonging to two different females being stolen from a party they were attending. The cameras have since been recovered and the case is being turned over to the County Attorney's office for charging purposes.

In looking over the monthly stat's the traffic arrests have about doubled since last month. Part of that is the result of an Office of Traffic Safety Safe & Sober speeding enforcement program that was on-going during the month of July. There were deputies working extra traffic enforcement shifts, dedicated to speeding. This also includes all ACSO deputies not just the East Bethel deputies.

Last month Council Member Boyer had asked about the felony arrests being so high, for the year to date. Lieutenant Orlando said she did some digging and found out the following:
January – there was one felony arrest for 5th degree controlled substance.
February - there were two felony arrests – one for felony violation of an order for protection and one for felony domestic assault – strangulation.
March – there were seven felony arrests stemming from three different incidents. One involved a felony worthless check. One involved a felony arson. The third incident involved five felony charges for terroristic threats, 2nd & 3rd degree assault, burglary, and attempted homicide.
April – there were four felony arrests. One for burglary, one for vehicle theft, and two were for controlled substances.
May- There were four arrests stemming from the same incident in which two adult males were arrested on felony vehicle theft and felony controlled substance charges.
June- there were five incidents totaling seven arrests. One was for fleeing, two were for controlled substances, three arrests were for burglary (three suspects arrested) and one was for criminal vehicular operation.

Julie Moline – Service on Planning Commission

Lawrence explained that Ms. Julie Moline served the City of East Bethel as a Planning Commission member from 2009 until 2011. We have invited Ms. Moline to attend the meeting and will be presenting her with a plaque in honor of her service to the City. Thank her for her service.

Boyer made a motion to recognize and thank Ms. Julie Moline for her service on the Planning Commission from 2009 to 2011. Voss seconded; all in favor, motion carries.

Resolutions Recognizing 2011-2012 East Bethel Royalty

Boyer made a motion to adopt Resolution 2011-28 Recognizing Ms. Sara Fobaire as Miss East Bethel. Moegerle seconded; all in favor, motion carries.

Voss made a motion to adopt Resolution 2011-29 Recognizing Ms. Christian Mohr as Miss East Bethel Princess. DeRoche seconded; all in favor, motion carries.

Boyer made a motion to adopt Resolution 2011-30 Recognizing Britany Cich as Miss East Bethel Junior Princess. Voss seconded; all in favor, motion carries.

Voss made a motion to adopt Resolution 2011-31 Recognizing Joslyn Jacobson as Little Miss East Bethel. Boyer seconded; all in favor, motion carries.

All of the royalty were thanked for attending and for giving their time to serve the City of East Bethel.

Dangerous Dog Hearing – Christopher Heffner – 18554 Buchanan St. NE

Davis explained that the hearing requested by the animal owner relates to a dog bit incident that occurred on June 20, 2011. The Anoka County Sherriff's office reported a 3-year-old Labrador Retriever in the public right of way in front of 18554 Buchanan St. NE. bit a resident.

Staff has included a copy of the incident report and the animal owners appeal. A review of city records indicates that the dog is not currently licensed.

On July 18, 2011, Mr. Heffner submitted a request for a hearing before city council. Pursuant to city code chapter 10, section 10-72, they are to be granted a hearing before the city council. Mr. Heffner will be present on August 17, 2011 to appeal the determination that the dog in question is a potentially dangerous dog.

The city council pursuant to section 10-72 has several obligations and options regarding this matter.

1. Conduct the hearing allowing the owner to present reasons why the potentially dangerous dog determination should be lifted or sustained.
2. If the potentially dangerous dog determination is sustained, identify the action to be taken.
3. If the potentially dangerous dog determination is not sustained, make a determination that the animal is to be released without further action from or by the City Council.

We have outlined the requirements for maintaining the animal should the potentially dangerous dog determination be sustained. Mr. Heffner is present to answer any questions you may have.

Christopher Heffner of 18554 Buchanan St. NE, owner of the dog said he has a letter from

Tammy Gimpl, animal control officer that he would like to give Council. He said when this incident happened he got a letter and phone call from the Building Official and he sent a response right away. Heffner said he doesn't know if you have a copy of that letter. He said in that letter he put how his lab has never been a problem of any kind, never been picked up, never run, always in a kennel, always with family. Heffner said but around this particular time, when they started the city sewer and water, Wiedema has had so many problems, moving down the road, doing their digging, pipe laying. He said it has been such a slow process so instead of being through one area such as in front of his house and the business in a half of day, they were there for a couple days. Heffner said and the big excavators, big front loaders with the hydraulics and big whining engines. He said his shop is across from his house and at the time it wasn't that hot and he had his windows open and he could hear her barking and could tell it bothered her, that high whining, high pitched, dogs don't like it.

Heffner said this incident happened right during that time that they had spent a day and a half right in front of his house and shop. He said so the only thing he could figure is it had gotten to her so much, he let her out that night like he does every night to feed her and give her water, let her run around the yard, get rid of some energy. Heffner said it was right then that the person was walking down the middle of our horse trail, because that is what we had at the time, we didn't even have a road per say. He said the whole thing happened quick and she acted like he has never seen her act, and she hasn't done it since. Heffner said since they quit and moved over to the field and out toward the highway she is a lot calmer and different and everything is well. He said this letter that he brought from Gimpl, he had her board her for a few days over the holiday weekend and he is probably going to again at this point, depending on you guys for the upcoming Labor Day weekend. Heffner said she seems to be okay with that. He said labs are not known to be aggressive, not in any way, shape or form. Heffner said this was a total shock to him as well.

Lawrence asked did this occur on your property? Heffner said no, it was right in the middle of the street. He said but to her that is our property, it is right across from his house and shop. Lawrence asked was there any blood. Heffner said he asked her to tell me and show me. He said she just had two little marks that looked like they had just barely broke the skin. Voss said the sheriff's report states that there was a small amount of blood that had come from the wound. Heffner said it was probably after she walked home. He said at the time there were just two little marks/scuffs. DeRoche asked so this has never happened before. Heffner said no, never, as a matter of fact, the day before, Sunday, she had been out all morning and afternoon with my seven grandkids, playing with them and they are ages 2 to 9, plus swimming in the pond behind my house with three of the grandkids and myself.

Moegerle asked how long have you had Molly? Heffner said since she was a baby, five years. He said she grew up with my grandkids and the everybody that works at my shop, customers at my shop. Boyer asked do you have a license and proof of rabies certificate. Heffner said he has from everything from Ham Lake that does my shots, all the tags and everything. Boyer asked but you don't have a license from East Bethel yet? Davis said no, he doesn't. He said Gimpl's letter says that the dog is current on her rabies vaccination. Hefner said he has lived here over 20 some years and had labs his whole life and he never knew East Bethel required a license on dogs.

DeRoche asked Heffner if he has talked to this person since the dog bite. Heffner said no he had his neighbor who is her friend and who she had gone to see that night try to call a couple times, he had offered to pay for any lost work or doctors bills. He said in the beginning it sounded like to him, the way it was explained to him from his neighbor that she was all for

that. Heffner said then he never got a phone call from her to make the arrangements. He said then two or weeks down the road he got a letter from her lawyer. DeRoche asked if there were any doctor reports you have seen? Heffner said he hasn't seen any doctor reports. He said he was told she went to the doctor.

Voss said he thinks in most cases in the past there is a follow up report from sheriff's office, this is just like the initial report. He said normally they follow-up with the victim. Voss said we are used to seeing more information. Boyer said he is wondering where the photograph is. Moegerle asked if any photographs were taken. Boyer said it says in the report they were. Boyer asked Lieutenant Orlando. Lot. Orlando said she does not know. DeRoche said it doesn't say who photographed it.

Tammy Gimpl of 22259 Bataan Street NE said she did have Molly for several days and she has shown no aggressive tendencies. She said she boards right in the house and she has been around my dogs and kids and husband and Molly hasn't shown any aggression. Gimpl said she wasn't there so doesn't know what happened but she is not aggressive. Moegerle asked how long of a time have you boarded her, she knows time and again? Gimpl said the two days when she had her when it happened that night, when she went and picked her up, it had just happened, it was dark out and you could tell she was anxious. She said she looped her up, she took her to her car and she hopped right in. Gimpl said the dog was totally fine, she let her run in the car, didn't have to muzzle her, nothing. She wasn't showing any signs of anything. She had her for two days then. She said then she had her for 3 ½ days over the 4th of July. Lawrence asked had you had her before? Gimpl said she met her when the dog bite happened. She said she had not met Molly before the dog bite accident. Gimpl said according to the Building Official we can let the owner confine their dogs to their own homes after a dog bite if they appear safe enough and then Heffner was going out of town, so he brought her back. Moegerle asked was the dog anxious over the 4th of July? Gimpl said no, she was anxious when I picked her up after the dog bite, but then she was just a happy go lucky dog.

Michelle Paquin of 18164 Hwy. 65 NE said her intention was to come in and express her concern that if she had been at her friends another five or ten minutes, her daughter and two of her friends were walking to meet me and on her walk and it could have very well been one of the three kids. She said it could have been one of the kids versus her. That was her main concern. Paquin said and to say there was no provoking of incident or not, she was just walking down the street when the attack occurred. She said but mainly her concern is that if that time lapse would have been there it would have been one of the three girls.

Davis said at this time, staff is seeking direction regarding the potentially dangerous dog determination in this incident pursuant to city code chapter 10, animals, article II. dogs, division 3.

Moegerle made a motion to find the dog named Molly, owned by Christopher Heffner at 18554 Buchanan St. NE is not a potentially dangerous dog as set out in East Bethel City Code, Chapter 10, Article III, and require the owner to license the dog with the City of East Bethel within 10 days. DeRoche seconded.

Boyer said in the past what we have done and what might be a better solution is to stay the determination of a finding the dog a potentially dangerous dog for a year or two years, pending no further instances and then that determination would go away. He said he would do that because he doesn't think there is any debate that the dog actually bit someone. Boyer

said there are somewhat extenuating circumstances, but the dog bit a human being and that is the problem. Moegerle asked so you are saying all the requirements under A and B but the dog would need to be licensed? Boyer said all of those would be stayed pending no further instances with the exception of number 7, which is licenses and rabies certificate.

Voss said if he can just add onto what Boyer is saying what we have done with past instances like this, particularly when there has been a bite is we have approved the potentially dangerous dog but waived everything. He said so there is record and recognition that the incident happened. Voss said then if it happens again, the stay is lifted and we look at this all over again. Moegerle said but we would have the minutes that say we went through this procedure, that would also be evidence, as well that this has gone through. She said in the absence of a photograph or that kind of thing, she understands what it means to be bit or nipped, but she is not persuaded. Moegerle said she does understand what has happened in the past, and she does acknowledge what you are saying.

Voss said there is also the distinction, like Boyer said in this case, no one is disputing any facts here, and the animal was unprovoked which fits the definition. He said many times in the past it has been somewhat uncertain if they were provoked or not, someone came on the property, or no witnesses, or that kind of thing. Moegerle said but she thought the provocation was the loud whining noise for time on in. Voss said he doesn't think the victim provoked it though. Moegerle said but the dog was stressed by the continual noise, and she thinks he even said that he was stressed by it. Boyer said he is not debating the fact that dogs can find loud noises annoying, but, you don't have to accept this.

Lawrence said we have a comment from Tammy Gimpl as our animal control officer that the dog is relatively happy go lucky. He said unfortunately for the victim she did sustain a bite and that is regrettable. Lawrence asked or was it more of a nip? His dog likes to nip a lot, but it is a puppy. He said but he sees all the stipulations you are putting on this. Voss said we are staying all of them but number 7. Moegerle said but if this happens again you can oppose all of them. She said she doesn't think anything is accomplished by imposing them and then staying them, because should it happen again, you get your second bite and impose all of them immediately. You have the record that Molly has already been here. Moegerle said she think there is a distinction between ordering all this and staying this versus not finding the dog not potentially dangerous. Boyer said he agrees there is a distinction. Moegerle said he is talking about the days of loud high pitch screaming. Voss said there are all kinds of situations that cause stress on an animal.

Paquin said there seems to be a debate going on whether it was a nip or a bite or what not, and she doesn't know if it matters. She said but she has photos on her phone of what it ended up being, she ended up with an infection and had to go through antibiotics and things like that. Paquin said she just didn't know with the debate going on about the nip or bite, if it would make a difference that she has photos on her phone. Lawrence said he knows dogs, a very calm dog like this particular animal that is happy go lucky will all of a sudden bite someone for no reason whatsoever. He said and to determine the dog is now always going to do that is another question. Lawrence asked and if we look at the layout that they put in front of us to look at for penalties, we have one that is $300,000 in insurance that the guy has to carry. He asked Paquin do you feel this dog is really that dangerous, have you been around it since the incident. Paquin said she has not been able to be around dogs at all since this. She said as a matter of fact, her doctor referred her to a psychologist because she is having trouble with anxiety and they diagnosed it as Post Traumatic Stress due to the situation. Paquin said she used to walk to the gas station up there every day and she is

having difficulties, can't even do that. She said as far as whether it would do this again. Lawrence asked if Paquin has animals. Paquin said just two cats.

Voss said you mentioned you have photos on your phone, do you have them with you. Paquin said yes. Voss asked can you show them to us. He asked the city administrator within the ordinance how do we deal with the boarding cost. Davis said they are borne by the owner. Voss asked is this something that is automatic. Davis said that is something that we always bill back to them. Voss said he didn't see this within the staff recommendations. Lawrence asked Paquin if she has a doctor's report. Paquin said no, all she has is a summary. Moegerle asked when Paquin learned there was going to be a hearing on this matter. Paquin said she thinks she got a letter in the mail last week.

DeRoche, Lawrence and Moegerle, aye; Boyer and Voss; nay; motion carries.

Interview Planning Comm. Applicants – Appoint New Members

Davis explained that three Planning Commission members recently resigned from the commission. Previous Member Eldon Holmes term expires on December 31, 2013, previous Member Tim Landborg's term expires on December 31, 2012 and Previous Member Julie Moline's term expires on December 31, 2011.

In response to these vacancies, we advertised on the City's website, on our community bulletin board and with e-mail notifications. The City received letters of interest from Lou Cornicelli, Tanner Balfany and Joseph Pelawa.

Staff is recommending Council interview the three candidates for the three vacancies and appoint three Planning Commission members.

Boyer made a motion to appoint the obviously qualified candidates, Lou Cornicelli, Tanner Balfany and Joseph Pelawa to the Planning Commission. Boyer asked when the terms expire. Davis explained that they expire December 31 of 2011, 2012 and 2013. He said however you want to do this, could take in order of applications received, Tanner Balfany submitted his application first, Joseph Pelawa second and Lou Cornicelli third, but however you want to do this. Moegerle said unless they have a preference. DeRoche asked if they have a preference. **Voss seconded.** Voss said if they are all here, let's give them a minute to present themselves to the Council and to the public and then we will decide who gets the longer of the terms.

Tanner Balfany of 19172 East Front Blvd. NE said he was approached by the city planner and city administrator and asked to apply. He said for the last year he has worked on the Roads Commission and done very well with that. Balfany said he ended up working on the Great River Energy project with Mr. Boyer and Ms. Moegerle and going through the CUP process, was definitely a learning experience and, per the recommendation of the city staff to make a move from roads to planning, thinking his time and energy might be more beneficial to that organization given his background. Moegerle said she noticed you also applied to the EDA. Balfany said yes, he did. He was also approached by the city at the same time to apply for the EDA, so he put it out there as willing to serve if need be. He said since then there are many more applicants and if there are people that are willing to do those positions they are more than welcome to it.

Lou Cornicelli of 4620 - 229th Avenue NE said he thinks the city planner twisted both of our arms at the same time. He said he also worked on the Great River Energy project, guess it is not over yet, but from the beginning. Cornicelli said he has a different background, it is in

biology and natural resources, but he does a lot of rule and statute writing. He deals with the legislature a lot on a statewide level in his day job, so he has a pretty good handle on rules and laws. He said he doesn't have a problem with confrontation, just listen to my voice mail. Cornicelli said it will be a good opportunity to serve the city; he enjoys this kind of stuff.

Davis said Joe Pelawa could not make it tonight.

Boyer amended his motion to appoint Tanner Balfany for a term until December 31, 2013; Lou Cornicelli for a term until December 31, 2012 and Joseph Pelawa for a term until December 31, 2011. Voss seconded the amendment; all in favor, motion carries.

Interview EDA Comm. Applicants – Appoint New Members

Davis explained that with the change in the membership on the Economic Development Authority (EDA) composition, we advertised for commission members on the City's website, on our community bulletin board and with e-mail notifications. The City received letters of interest from John Landwehr, Brian Bezanson, Sharon Lawrence, Dan Butler, Julie Lux and Troy Lachinski. Terms are suggested to be staggered and must be staggered per state statute and are for 2 and 3 year periods.

Staff is recommending Council interview the candidates for the EDA Commission and appoint two EDA Commission members.

Boyer said before we go down this road, while he doesn't mean to pick on Ms. Lawrence, he has known her for quite a while, when he was elected to Council his wife left boards. It was determined at that time it was not suitable for an elected officials significant other to serve on a city commission. He said he doesn't think he has changed his opinion on this. Moegerle asked suitable in what regard. Is there an ethical or issue of appearance of impropriety. Vierling said there is not a legal barrier to it, no. Moegerle asked is there an impropriety issue. Vierling said there may be a perception issue, in some people's minds, but there is no legal barrier. Davis said it is his understanding that Mrs. Lawrence had expressed some concern about this but she had left her application in there in light of the fact that we did not receive many applications initially for this position. Moegerle said she wants to at least hear from her and let that be part of the discussion and maybe Mrs. Lawrence wants to address that, because she has known her for a while too.

Sharon Lawrence of 455 Sims Road NE said when she first applied she didn't realize her husband; the mayor was going to serve on the committee. Moegerle said he is not. Lawrence said since there are six people besides herself that have applied she is more than happy not to serve on this committee. She said she is very interested in making sure that East Bethel gets the sewer and water project going. Lawrence said of what falls under EDA, there are a lot of things there. She said but her one goal is the sewer and water project, and she wants to make sure that, as a community, we start pushing out and trying to build up a marketable plan so we can get some new businesses. Moegerle said maybe at this point address the suitability, everybody is going to want to get up and say the same thing. Lawrence said she is willing to step down as far as that goes, she has given you her packet and maybe you can share it with the committee, her ideas, her billboard, have to have a billboard.

Moegerle said in her opinion it is totally up to Mrs. Lawrence. I /she doesn't know if we have to vote on it, but she thinks we should hear from everybody. She said whoever doesn't get on this commission, still has to contribute. There is a moral obligation there. Lawrence

said she doesn't have to serve on this committee. She just wanted to make sure we got it going. Voss said if you are not uncomfortable with the situation that is the big thing. Lawrence said no, she feels strongly about doing this. Voss said his comment is not so much of having family members in other aspects of government, was more of the process of selecting them, with Lawrence's wife being a candidate, he would be more comfortable if he wasn't part of the process of selecting them. He would hope he would be biased. Moegerle said he would just abstain from voting. Voss said it would be more than abstaining from voting, he would be more comfortable if he is not part of the process of selecting them. Voss said that is his request, he has no problem with Lawrence serving if so voted. Lawrence said he is fine with that. Moegerle said he may not want her to be on there. Voss said that is even more reason to not be involved. He said his question then is the mayor going to be part of the process? Lawrence said he doesn't have to be.

John Landwehr of 22016 East Bethel Blvd. NE said his reason for throwing out an application is he has worked in environmental consulting industry for about 25 years. He said he has worked with a lot of different economic development organizations and built some businesses over the years. Landwehr said he has lived in East Bethel continuous since 1995 and watched our little city fledge along which he doesn't think has been the most prosperous thing. He said he is a pretty strong believer in our city sewer and water program to not only move along, to have a more honest message get out there. Landwehr said this past summer he helped out in the run we had and you hear so you hear so many people not understanding what sewer and water means, and not understanding what individual septic systems mean. He said he thinks that everyone here that wants to get that message out hopefully understands what that means.

Moegerle asked in attending a lot of EDA seminars over the past seven months, one of the most important things she has heard is the importance of innovation. Can you address innovation as you see how we could innovate and how you have innovated before or innovated in East Bethel and the situation we are facing now? Landwehr said innovation is little bit difficult in some senses over the few years with jobs, but we are kind of at a tipping point right now with manufacturing where manufacturing is ready to become a more flourished market. He said we are at a point in this country where over a trillion dollars of cash in manufacturing is and there is manufacturing that has begun to do capitalized ventures. Landwehr said and there are many capitalized ventures being done by a lot of businesses. He said if they know there are places to go and businesses that wish to have things going on and a community that can support it and a jobs market and that there are employees that are willing to be there and support it. There very well may be a market for that. Moegerle asked how we would get that message out? She asked how would the EDA get that out. Moegerle asked if you were on the EDA how would you get that message out? Landwehr said one of the ways is through the Finance and Commerce that organization has a magazine that goes out. He said they are very supportive of communities.

Brian Bezanson of 22337 Quincy Street NE said he served 100 months on City Council and we had a business association many years ago and we didn't get anything done. He said we never came to any fruition. Bezanson said one of the projects he had was to try to figure out how to get fire protection into a building. He said for the record and he is sure you all know, he has spent his entire adult life in construction, from both field management to design build selling. He really liked being in the field best of all so he can't say that he is a project manager type. Bezanson said that is why he is willing to stand up here and take some more abuse. Because he didn't get job done and if there is one thing he hated it was not getting a job done. He said he thinks it is important you all know how he felt about sewer system, but

that is done, a moot point. It doesn't matter anymore. Bezanson said now the issue is to get some ERUs somehow in place so it is viable for a financial standpoint over the short term and long term. He said he thinks the talent he brings is experience in construction management. Bezanson said experience as a public official and impeccable record as a construction official. He said he was approached by city staff who said we have an opening here, why don't you make an application.

DeRoche asked what is your take from an EDA standpoint build it and they will come and wait for businesses versus going out trying to recruit the businesses? Bezanson said the biggest thing that we have going in East Bethel now is the same thing we had 10, 12 years ago. He said if you take a look at what is in Sauter's Commercial Park, businesses that need a very high amount of land at a very cheap price. Bezanson said the former city clerk, Sherry, would just rail at me being a construction guy that "Brian all we are getting is construction companies here, what do we do to not get construction companies?" He said he doesn't think we are going to get heavy manufacturing companies here; we might get some light manufacturing. Bezanson said he thinks there is some hospitality issues that could be addressed so far as that. He asked how far do you have to go to get a hotel room around here right now? Boyer said about four miles from the southern border. Bezanson said he thinks that is six miles. He said the other thing is as the economy improves, one of first thing that turns around is restaurants. Bezanson said we have a number of places around town right now. He patronizes them all. He said he thinks there are possibilities along those lines. Bezanson said if you think we are going to get Saturn plant here that is not going to happen. That is right they don't make Saturn anymore.

DeRoche asked what do you think is the big selling point of the city that makes people want to come to East Bethel? Bezanson said a sole point is that right now we have got a lot of skilled and hard working labor force. He said there are a lot of skilled craftsman around here be it carpenters, pipefitters, machinists, whatever that aren't working right now and he would think that would be something that someone should be looking at. DeRoche asked being that there would be seven persons on this commission, do you think that would be an issue as far as too many ideas, or do think that is a pretty good number? What do you think is an ideal situation so you don't have people throwing things out there and constantly getting into this battle. Bezanson said he has seen five people manage to spill a lot of blood themselves, experience in this himself. He said he thinks seven is a workable number, when you get over that it starts getting cumbersome and he thinks three is not enough.

DeRoche said we made the decision to go with two council members and five ad hoc members and he asked what is your take on that. He said he is looking from the city's standpoint; he was looking for a more diversified commission. Bezanson said he thinks it is a good idea to have two council members. Let's be realistic. You can get a consensus, depending on who the two council members are, but if you get two council members there that both agree, then you can probably get it through council because you only have to count to three up there. DeRoche said he is looking at best interest of the city versus not personal agenda. He said his situation is it needs to be diversity and ideas and if people are doing it for their own agenda, this is not the place for it. Bezanson said he couldn't agree more with that, leave the personal agendas behind.

Boyer said something you didn't touch on is, known you for a lot of years, worked with you a lot, is your degree in economics. You still read in economics a lot. We have a lot of conversations on it, and you haven't mentioned it. So he is throwing you a softball here. Bezanson said yes, he does. He said he has to apologize for the brevity of how he filled out

the questionnaire, he just got back from a 3800 mile motorcycle trip on Sunday still smiling and the ringing is still in his ears. Bezanson said yes, he does have a degree in economics, he spent one semester of his misspent youth at the William Mitchell College of Law, done some research on other things, but he does have a college degree for whatever that is worth these days.

Moegerle said she is going to ask you the question she asked John and the first person always has the hardest time. The question about innovation. Innovation is the keystone for all of economic development meetings she has been to. What kind of innovation do you see East Bethel doing to make a success of the sewer and water project and getting the ERUs to make it viable and to pay for itself? Bezanson said that is a tough question. Moegerle said it is what we are facing. Bezanson said yes, and you have to look at why we are competing against. He said he thinks number one, we have to keep on hammering on the state about improving transportation system in the state, specifically on Hwy. 65. He said it isn't often he would say Co. Road 22 would be an asset but you know it might be a tough sell but with 22 you have access to 10 and 35 fairly easy. Bezanson said innovating and the widgets is the widget maker's job. He said he has always believed strongly in the quality of the people we have living in the city, pretty plain spoken blue collar type guys. Bezanson said but you know it. To fix things and build things it takes smarts. That is what you need to have to in a manufacturing plant, to a certain degree, is guys and women that can put things together. So he goes back to what he touched on before with DeRoche. He thinks that doing research on what can we offer labor force in this community. Bezanson said obviously you draw from other than just East Bethel, Kanabec County and Isanti County, his point of innovation.

Sharon Lawrence of 455 Sims Road NE said she already gave her speech already. She said but she could answer Moegerle's question on innovation. Lawrence said she gave you her goals and objectives in an outline she presented you, but when it comes to innovation we need to really define. We have this property what could actually go there? And look to market it. She said get a plan together. Get a package that we could send out to prospective businesses and developers. Think there should be an advisory committee with key people that could help us. What kind of businesses, you have a square here, what businesses could go in this square. Lawrence said how much land does it take to put a Target together, lets say? She said last fall when the sewer and water was going in she actually called Target to find out if they were moving to some other places and at the time they had come out in the newspaper saying they were only developing new sites in Canada. Lawrence said however, now maybe that will be changing. We are so close here maybe they will move here, even though we have Targets close to here. She said she really wants to concentrate on the marketing part of it; trying to get a great brochure put together, get a packet put together, to let these people know what we have.

Lawrence said when it comes to why we want to go to East Bethel one of the things we have is we have the most beautiful city. We have gorgeous parks and we have nature reserves. We have a lot of people for potential customers, as well as people who want to get jobs. She said, so part of her marketing is she saw a billboard on 35W and she thought we have to do something like that, just knock the socks off of people driving down Hwy. 65. Saying, "Come to East Bethel, Come and Grow With Us" and put some pictures up there. So when they drive by they say oh, look at that! Lawrence said so they aren't just seeing our big sewer pipes. It is exciting to see that going. She said but to say that we are a city that is growing and we want you to come and we will do things to help you come. Lawrence said so there are a lot of things this committee can do.But she thinks one area she would like to see them develop a good plan. She said she hopes the committee has enough money to

design a brochure or packet and make a presentation to developers as well as businesses that are looking to grow within East Bethel.

Mayor Lawrence said since I can't vote for you, would you like to list some of the things you have done in the past that would assist you in doing what your vision is. Lawrence said one of the big things she did is worked on county boards before and one of the things was Anoka County task force for battered women. She said and one of the things we did there in that three year commitment was created the Alexandra House. Lawrence said during that time we met with all kinds of people, gathered information and tried to educate everyone in the community, especially law enforcement. She said when she got an opportunity to serve in the Minnesota House, she got to carry a bill that required police officers to make an arrest and she thinks in these instances she can work with all law enforcement. Lawrence said they were all against this, so we had the chiefs and the sheriffs all saying we didn't want to do these things. She has expertise working with other professionals and educating them to helping us here.

Dan Butler of 20332 Austin Street NE said he currently is on the Parks Commission and he thinks it is really important for the City of East Bethel to come together collectively in mind, body and spirit and put all of the things that have happened in the past, in the past. He said these cameras are showing the people that are going to think about coming here, who we are. Butler said so we really have to come to a new consensus and he thinks that is one of the things he can do really well is build consensus in a group. He said that is one of his first strengths. Butler said we have a wonderful resource right out here, Highway 65. He asked how many retailers would like to have that many cars going by their store every day? Butler said he thinks putting a brochure together is a great idea, but we have to go out and contact. He said we have to figure out what is marketable for the city, on Hwy. 65 and Co. 22 intersection with what is missing.

Butler said what is really missing in his minds eyes is there is a Menards and a Lowes down in Blaine. Whenever you look where there is a Home Depot there is a food business. He said look at Blaine Town Center, off of Lexington. There is a Home Depot and a Cub Foods. Butler said he really thinks that reaching out to some of these larger corporations and saying here is our plan, and here is what we can offer. We would like you to come visit the city and visit with the committee. He said he brings a huge background of meeting with CEO's of these corporations, major corporations, Kohl's department stores. Butler said he has run businesses for Surley and their clothing division. I have my own business and have been in business for 35 years. He said filler is not an option for the city on this, and filler is not in my vocabulary. Butler said we need to make this work as a city, so that the taxpayers of the city can see the return on the investment we are making. He said he is fervent in that. Butler said he also took it upon himself to raise funds for old schoolhouse. He is in the process of knocking on doors, and thinks we are upwards around $1,000 in donations in terms of that and he is putting his name in the hat for this. He said he talked to the city administrator and he said he thought he would be a good addition, so why don't you put you application in.

Moegerle asked is your business in East Bethel and why or why not. Butler said it is in East Bethel. Moegerle asked because you do it out of your home? Butler said he has two offices, one in East Bethel and one in Apple Valley. He said as the past president of the Ham Lake Area Chamber of Commerce, as a member of the Park Commission, as a member of Beaverbrook Gun Club, as a member of this community, he works and serves his clients in this community as well as his son does in his Apple Valley office. Butler said plus it is a lot

easier commute with gas at $3.95 a gallon. He said innovatively we can't send brochures out. We have to be contacting people. We have to find out who the decision makers are and research the vision of Home Depot. Butler said we have to do the same things for Kohl's department stores, Cub Foods, Rainbow, any other possible retailers where the synergies mesh. Sending brochures is great, and if we have a great brochure to send out that is even better, but we need to be out contacting.

Moegerle said to follow up on that, and she thinks it is a great idea, and it is true, but who does it, do we hire that out? Butler said heck no, we go out and do that. We knock on doors. Moegerle asked the EDA members or the staff? Butler said absolutely. He said if you are going to be on the EDA you are going to be sitting on your butt, he is out knocking on doors asking for pledges for the schoolhouse, he isn't getting any money for that. Butler said if he is going to be on the EDA he isn't going to be waiting for someone else to call up Kohl's. DeRoche said you understand this isn't a very high paid position right? Butler said neither is getting donations for the schoolhouse. He isn't even getting 50% of 50%. He said he thinks the EDA has to be proactive and to Bob's question to Brian about five and two he thinks it is great because the more diversity you can get from the citizens of East Bethel the better off we are going to be. Moegerle asked so would you resign Parks and schoolhouse or would you continue and do both. Butler said the schoolhouse is his pet project; he is going to continue doing this, come EDA or high water.

Julie Lux of said just listening to everyone she brings an interesting prospective in that she has never served on any political board before. She said she has long served on many professional boards and non profit boards, she has been in the commercial real estate business for 22 years and has served well and long on those, but she saw the article in her newsletter and it just called to her. Lux said she thought we as citizens, if we have skills and ideas and other ways to reach out to the community, we have an obligation to serve. She said so your question about innovation Sharon hit it right on it, its community, its marketing, its reaching out to the national retailers, and she respectfully disagrees it is not from an EDA Board Member, she thinks it needs to be somebody that is in that circle. Lux said she has been marketing a site in Ham Lake for three years and right on Hwy. 65 with no water and sewer with frustration upon frustration. Sitting with real estate boards. Sitting back in their offices in New Jersey. Here is the box, water and sewer, no. She said there are specific things they want, we need to sell the traffic counts, the idea of our rooftops not within their traditional 1, 2 and 5 mile radius, we bring people from Isanti County, we bring people from Oak Grove, a major east/west thoroughfare.

Moegerle said that sounds wonderful, but you said you would not market in this area. She said eventually assignments are going to be for six years. The first ones that we appoint are for two to three years then after that will be for six years, so we are asking for a substantial financial commitment because this is what you do. Lux said but, quite honestly, she is a multi-housing investment broker. She only has that piece in Ham Lake because it is a family member, and as she mentioned in her application she monitors that piece in Ham Lake because her father is an investor in it. She said she is not personally marketing the property in Ham Lake, but she does have the advantage of the other people in her office just hearing what is going on in that national real estate arena. Lux said just thinks it brings a different prospective, but she in no way would look to do business. She doesn't own a commercial property, nor does she have any clients. She said she sells apartment buildings mostly in downtown Minneapolis. Moegerle said problem solved.

Moegerle asked so the approach you are suggesting is we hire a consultant to do this or staff

does this. We should have a professional do this, marketing, develop that idea for us. Lux said you have private land owners all up and down the commercial corridor so there has to be a way for them to have the tools. Alot of these places are listed with commercial real estate brokers already, you have a website, like the idea of a brochure, but also like the idea of a personal visit. She said but she has to tell you if you make the calls to these people, they don't know who you are or they are not going to answer your call. Lux said so there has to be a way to figure out here is the big message. Here is the big presentation. We are all going to come in and as a whole committee and do this, just an idea. She said she thinks there are ways to communicate to businesses the benefits of being in East Bethel. Lux said she focuses on retailers, but not only to retailers but manufacturing, there are a lot of people out of work here and businesses that could relocate, we have the land.

DeRoche asked from financial standpoint and the shape the country is in right now, manufacturing is down, businesses are going down, either moving out of the country or fuel costs, do you think there is a way to overcome that to bring businesses up here? Lux said in some sectors manufacturing is up, and we have had some positive job growth in some sectors. She said she thinks the importance is positivity and focusing on the good aspects of we have to offer, so yes, she thinks we can overcome that because we are not going to be like this forever. Lux said if we can position ourselves ready to capture the new businesses that come along, think that is important, it is a pivotal time to do that.

Troy Lachinski of 22286 Vermillion Street NE said we got these questions mailed to us but he doesn't see the questions that are being asked on there. He said has been living in this community for several years now, moved here from Coon Raids. Lachinski said he has heard some people say that nobody wants to come to East Bethel. Well he wanted to get out of the city, wanted to have a place where we had a little more space to move and it was really beautiful up here. Alot of great people he has met and since he moved here and he thinks it is a great community. He said it is the first time in his life that he has felt like this is his community and want to make it a better place. Lachinski said he was really excited to hear the other applicants and what they had to say because no matter what happens the EDA is going to be in great shape and we will get some great ideas. He said whether it is me participating or not.

Moegerle asked about innovation. Lachinski said to be honest; he doesn't really know what people do to bring businesses into the city today. He said so his innovation might be not knowing what to do and coming up with some ideas. He would have to do some research and find out what other cities do to bring businesses in. Lachinski said but he would echo what other people have said and we do have some very strong points to our city. We do have an eight mile stretch of Hwy. 65 with a lot of traffic going through everyday. So it would seem natural that would be a spot that people would stop on their way home from work. He said and we do have a growing population. If you look at the ten year population, East Bethel is one of the largest growing cities around. Lachinski said don't know if that answered your question. Moegerle said you have said you are a clean slate kind of person, so the sky is the limit. She said you can read it both ways, and the last one is hard, going last is not easy. Lachinski said what he would like to see in East Bethel is to increase the commercial tax base and ease the tax base burden on homeowners. He said and also to for the community, not for our residents, but to create jobs for our kids so they don't have to drive somewhere else. And if you even think about kids going out on a date night, we do have a movie theatre but we don't have really have that many family orientated restaurants to choose from. Lachinski said we have restaurants that he likes to go to and we like to bring our families there, but there is not really good teenage date style restaurants in the city.

Moegerle said not to go on about that, but there is not really many places for breakfast either. Lachinski said that is true.

DeRoche asked do you have any ideas what kind of businesses you think would fit in along Hwy. 65? Lachinski said he does think hospitality; restaurants and other types of places for younger people to go to and for families. Lachinski said Steve ask me a question. Voss said he hasn't asked anyone a question yet, he read everything. Moegerle said she has a general question. Kicking ideas around the city planner, city administrator and I have said to get this jumped started, council had a retreat when Council Member Klein was around, we might want to have a retreat, maybe two Saturdays. Would you be available for this type of meeting, to get this started and anybody else that wants to raise their hands. Lachinski said sure, and he would be willing to share his ideas even if he wasn't selected. Moegerle said that is a requirement of applying. Didn't you see the fine print? She said this is wonderful and a very difficult decision and she thanks all of you for applying.

Davis passed out ballots for tallying.

Boyer made a motion to appoint Julie Lux for a term until December 31, 2015 and Brian Bezanson for a term until December 31, 2014 to the Economic Development Authority (EDA) Commission. Moegerle seconded; all in favor, 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.

2012 Sheriff Contract

Davis explained that he Anoka County Sheriff's Office (ACSO) has provided the City of East Bethel with police services since 1973. The City has increased the scope of services over the past 38 years to currently include 40 hour per day coverage.

The cost for police services has increased 80% over the past 6 years from $571,786 in 2005 to $1,029,218 in 2011. A significant portion of these costs reflect an increase in service. However, it must be noted that all calls for service have decreased by 29.1% between 2005 and 2010.

The following options are presented for consideration for the 2012 law enforcement contract. All options provide the minimum coverage of 40% proactive time and include the cost of a 20 hour per week CSO. All options shall address issues of accountability and flexibility in final contract documents.

With the exception of Option 1, all the other proposals attempt to match the crime and call trends with a corresponding decrease of expenditures to reflect these conditions.

<u>OPTION 1</u>
Option 1 is a continuation of the current 40 hour week city boundary coverage that the City currently has contracted. The cost for this service in 2011 is $1,037,218 and the proposed service agreement for the same coverage in 2012 would be $1,092,641 not including any credits for State Police Aid. This coverage is exclusive to East Bethel.

<u>OPTION 2</u>
This city boundary plan would result in a reduction in coverage from 40 to 32 hours per day. Again, under this plan, coverage is exclusive to East Bethel. The cost of this plan is $897,112 including the cost of 20 hours per week of CSO service.

This plan represents a savings of up to $195,529 over the estimated cost of the proposed 2012 forty hour coverage contract.

OPTION 3

The ACSO has made a proposal to consolidate police protection services into a single patrol "district" which would cover the Cities of East Bethel, Ham Lake and Oak Grove. This "District" concept would be administered under an agreement between the three cities and offer a reduction in the costs of police services.

Under the most recent proposal, the cost to the City of East Bethel would range from $770,655 to $849,826 depending on the final cost allocation formula for the "District" police services for 2012. The addition of a CSO would be at a cost of $46,343 for 20 hour/week service.

There would no guaranteed or dedicated hours allocated to each City and coverage could vary depending on the priority of calls and officer leave times.

This option would result in a savings ranging from $275,643 to $190,001.

OPTION 4

This alternative would utilize the District concept of consolidated and shared services to provide for additional coverage over and above that available from Option 3. This option would provide for approximately 88 hours of coverage per day for the three Cities. Again, there would no guaranteed or dedicated hours allocated to each City and coverage could vary depending on the priority of calls and officer leave times.

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The cost for this option would range from $814,270 to $897,922 depending on the final allocation of costs. The addition of a CSO would add another $46,343 to this cost.

Total savings for this option would range from $232,028 to $141,539.

OPTION 5

This plan proposes an individual contract with the ACSO for 36 hour per day coverage and a 20 hour per week CSO at a cost of $897,112. With the addition of a CSO the total coverage would be 40 hours per day.

Total cost of this proposal is estimated to be $999,152 or a savings of $93,489 over the 2012 forty hour coverage contract, plus CSO. This is a 10% reduction in sworn officer coverage, a 9.1% decrease in total coverage and an 8.6% reduction in cost from the proposed 2012 contract.

This option replaces the Option 5 that was presented at the August 3, 2011 Council meeting. The previous Option 5 proposed 32 hour coverage and sharing an officer with Ham Lake for an additional 4 hours. The ACSO has provided costs for this proposal and a straight 36 hour coverage contract and they are identical. It also appears the Ham Lake may be considering other alternatives for their law enforcement needs. Ham Lake did have a meeting tonight to discuss having their own police department.

The 36 hour coverage plan including a CSO appears to be justified in light of the 29.1% reduction in all calls and the overall reduction in the categories of reportable incidents as

indicated in the attachments.

All costs for these options could vary slightly depending on any final adjustments in the ACSO contract. Any cost changes would be proportional. These figures do not account for reductions that could be credited from Police State Aid. This amount is to be determined but could range from $38,304 to $47,880 depending on the contract option selected.

Again, all options provide the minimum coverage of 40% proactive time and include the cost of a 20 hour per week CSO. All options shall address issues of accountability and flexibility in final contract documents.

Staff recommends that Council consider Option 5 as the coverage contract for 2012 with the ACSO.

Mark Korin, Mayor of Oak Grove said it is true we had two city council members and himself attend the Ham Lake city council meeting tonight. He said their discussion tonight was focused on creating their own police force. Korin said they focused on that police force because East Bethel had chosen to stay away from the districting idea. He said because there is no forward motion or the sheriff's office had a deadline of September 1st for a decision for all of our cities, they took it upon themselves to look at their own police force. Korin said one of the discussions we had was could districting work. He said and at the last meeting you had that he attended, the thought was could we get the districting to work for all our cities.

Korin said we are all in Anoka County and right now we have Ham Lake cars going to East Bethel and Oak Grove cars going to Ham Lake. He said he thinks we have districting anyways, but the problem is they are looking at their own individual police force option down in Ham Lake. Korin said so we, at Oak Grove, took a motion at our council to look at all options whether it is a police option, district option or an individual contract. He said we are just trying to figure out what works for all of us as cities, as leaders and working together at trying to get this districting concept to work. Korin said if it is not going to work for any of our cities then we might as well move on and go on to the other options. He said right now our council, and he is just speaking for himself, but our council has said districting might work, lets talk to the other cities and see if it is a viable option. Voss said that is the intention tonight to get that resolved since this is our last meeting before September 1st. Korin said that is the problem. We have to make a decision. He said he doesn't think there is enough information on how this is going to work. Korin said in his opinion, we are the lowest call rate for our three cities, you and Ham Lake would take most of the call coverage. So there are some things we are worried about as council to make sure our citizens are covered. He said but right now we do have a districting option that is already happening. So we are looking at cost savings. Can we get the same kind of coverage and response times for our citizens along with your citizens. That is what we are looking for.

Moegerle said the question she has, is the document we received from an attorney that was prepared by Ham Lake and divided up the cost (basically 20% for Oak Grove, 40% for Ham Lake and 40% for East Bethel) was that written in stone from your point of view? Or is that just a jumping off point? Korin said well let's talk about the districting. We did not come up with this, Mayor Mike VanKirk did not come up with the districting concept. He said that was provided to us by the sheriff as a cost savings alternative. He doesn't believe they would have presented an option that be substandard for any one of our cities. Korin said he presented this to us from a cost savings standpoint; how this would work out logistically. I

don't think the sheriff would offer that option and provide substandard coverage. Moegerle said she was not talking about 40% proactive time. She was talking about the division of costs. Is that written in stone? Korin said from his understanding the sheriff looked at call rates and he divided up costs based on the actual call rates of the existing coverage and the actual cities had in general. He said Dan Denno is our liaison with the sheriff and he worked on this, and he is in the audience tonight also. So if you want specifics on those issues, he might be better on this.

Voss asked did the Joint Powers Agreement (JPA) come from the sheriff's office, the 40/40/20? Moegerle said no that came from Ham Lake. Davis said that came from Ham Lake, turn to page 30 in your packet and see the breakdown that is provided based on percentage per calls. Korin said but the numbers were based on the calls was right from the sheriffs department. Voss said he thinks you are referring to the JPA. That is not the numbers that the sheriff came up with. Korin said the costs were based on what the existing rates were and the call rates. Davis said to clarify that, the proposal the sheriff's office sent us was based on the percentage of calls. The proposal we got from the JPA was developed by Ham Lake's attorney at a different cost allocation. Voss said what the sheriff had proposed was 43% for Ham Lake. Korin said the numbers came from the sheriff. They didn't come from us. Voss said we can defer, that is fine we didn't say it came from Oak Grove. Boyer said we have no interest in subsidizing your two cities.

Voss said we are going over ground we went over last time. Korin said he is here to answer any questions, not to make your decision, just trying to be of help. Lawrence said the one comment we had from the last meeting, was Deputy Sheriff Wells said that if we had an officer that was absent due to illness we wouldn't have coverage. He said he talked to the Sheriff Stuart about that today and he said that was incorrect. He said we will cover; we do have a plan to cover missing officers from work. Korin said he would not be interested in a districting option but the sheriff made a comment to him he said, "If you needed the cavalry, the cavalry will come." He said that is currently what we have, so in his opinion, you are benefiting from cost savings at the same time as benefitting from the depth of the sheriff's department.

Moegerle said what we have in our packet is the calls percentage for 2010 was 21% Oak Grove, East Bethel 35.73% and Ham Lake 43.26%. She asked if we decided to go with Option 5, or a district plan, dividing it up on those percentages would that be something you would entertain. Korin said we were always interested in looking at all options. The breakup of the costs his understanding was it was based on the existing costs for each of the cities, regardless of call rates and the percentage of savings the cities would benefit from that. Moegerle said regardless of the decision we make tonight, and we do need to make a decision tonight she understands unless we set a subsequent meeting. Davis said we need to make a decision by September 1st if we wish to participate in the district plan. Korin said at the Ham Lake city council meeting, the discussion was to ask the sheriff if there would be some leeway and obviously the sheriff said there would be some additional time. He said they set another meeting and after the sheriff gets back, they set a date for a special meeting to go over having their own police force and to discuss options with the sheriff.

Davis said the district concept is very appealing from the cost savings basis. But do you think that we need more time to work out any issues, or any misconceptions and to get everything taken care of upfront before this is entertained? Korin said he believes there are a number of patrol issues that have to ironed out. But if you have Anoka County come in here anyways their officers on duty would set up patrol in your city anyways. He said so that

could change, based on the types of people they bring in, if you change Community Service Officer, the numbers of officers. They are going to set up their own patrols. He is sure that would be unique for your city. Korin said those things would be out of our control. They would probably be in control of the officers on duty, don't know what the terms are, sergeants to direct the officers for patrolling and correct coverage in different cities.

Boyer said he is getting kind of confused, because last time when he brought up the discussion on districting, you told me we weren't talking about it. And Lawrence chastised me for bringing it up. And now here we are talking about it all over again when we don't have a Lieutenant here. Lawrence said he thinks you are mistaken. Boyer said no, he is not mistaken, we have tapes. Lawrence said the districting has always been there. He asked Korin do you think there is enough time to put the districting stuff together to make it work? Korin said he thinks the sheriff would need to hire officers to serve the cities no matter what we decide to do. If you choose to do your own, and Ham Lake decides their own PD and we decide our own. He said that is why they were asking for the cities to make a decision by September 1st. Korin said we need to discuss with our whole Council. We haven't decided anything yet. We are waiting on Ham Lake and East Bethel, and it is kind of like we are waiting on each other.

Moegerle said she has a question; she is leaning towards a 36 hour coverage each day and every day. Option 5 originally came out as being a 32 hour city boundary option plus a 4 hour district concept and that was taken off the table she understood because Ham Lake wasn't interested in going with that or was going with something else. She asked is that something that, if Ham Lake goes their own direction or with their own PD, is that something that Oak Grove would be interested in? Or if we wanted to go with 36 hour coverage should it just be a city boundary? Moegerle said it would be splitting an 8 hour shift with Oak Grove. Would that work with your plans, she knows you can't speak for your council, but just generally.

Korin said he is just going to speak for himself. He did get an opportunity to speak with Sheriff Stuart at the Ham Lake city council meeting. He said he did ask him about the 20 hour coverage. Korin said for 20 years we have had 16 hours of coverage. He said when Sheriff Andersohn was in there he forced 24 hours of coverage on us, which a lot of council members and himself included weren't happy with. Korin said so they negotiated half a year transition on 24 hours coverage and now we have a chance to renegotiate that. And he did and will be providing our council with a 20 hour coverage, a car that on of our4 hours is in Oak Grove and 4 hours is in East Bethel. Moegerle asked so that would be one of your options? Korin said that is one of our options. Moegerle asked so if we said we are interested in a 36 hour option, however we get there, that is something that could be worked out. Korin said that is something that could be worked out? He said he doesn't know what the rest of the council is going to do. Moegerle said she is also talking for herself. Korin said so everyone is clear, he doesn't make decisions for all of his council. He wants that on the record. He said but he is here to respectfully ask that at least an understanding that we are as a city bordering each other, we are in Anoka County, and we are already do have cars going over that border. So we are looking at ways that we can save money and still get coverage for both cities.

Voss said to clarify too, the East Bethel cars do not patrol in Oak Grove and vice versa. The Oak Grove cars do not patrol in East Bethel. He said if there is an emergency they all respond, all Anoka County cars. Voss said but we are talking about patrolling here and East Bethel car does not patrol in Oak Grove. Korin said all of your citizens are paying Anoka

County taxes which pays for that already. Voss said the comment is our patrol cars patrol East Bethel. We pay for the service we request. Korin said you pay for service, but you are not guaranteed that they would be in your city for that guaranteed hours. Voss asked Lieutenant Orlando, "Are our contract cars on patrol are we paying for them to patrol in other cities?" Lieutenant Orlando said no, not to patrol. She said if there is a major incident, they go. Voss said and he would expect our cars to go when needed. Boyer said and vice versa. He said he needs to say to cut through some of this crap, if this balances out. Boyer said it is not hard, the mutual aid calls are going to balance out, that is what happens, that is why it is called mutual aid.

DeRoche said he is a little stymied here, whenever we are trying to get information it is considered crap, mickey mouse, or whatever. He said we are up here to get information and not get belligerent with anyone; we are up here to get information. Voss asked what information are you asking for, for the past three meetings on the sheriff you have been asking for information. DeRoche said if Mr. Korin could just speak, but he keeps getting interrupted, and he thinks that is totally inappropriate. Moegerle said she seconds that. Voss said he must be in a different room. Moegerle said you just told him he was saying crap, how rude can that be to a neighboring mayor. Korin said he is just here to offer his opinion, if it doesn't fit with the plan you want to vote on for your city, he is not here to sway you in any way. He said he is just saying that as a mayor from his city, there is a possibility of working on districting. Korin said if you have any interest in this, he would like to know so that we can move forward as a city also.

Voss said he thinks Option 5 as written with Ham Lake, to share an officer with Oak Grove that is an option we can consider too. He said he honestly thinks, we had this discussion before, about having a police department and it took us eight months to get through it, don't think Ham Lake is going to get it done in eight hours. Korin said we have been working on this for over a year. Voss said he is talking about having a police department that Ham Lake is also talking about.

Moegerle said she didn't get to finish her thought earlier, regardless of the outcome here, would Oak Grove be open to having a three city law enforcement committee with representatives from the council to discuss next years sheriffing and policing. Korin said he would be interested in looking at all options from a savings standpoint and police protection standpoint. He said we are always looking at new opportunities. Korin said he doesn't think we should be condemned because we are asking for something outside of the ordinary. He said Ham Lake is looking at their own individual police department. Korin said is it a viable thing? Who knows? But they shouldn't be condemned for asking the question. Voss said he thinks it is a good idea. All three cities have liaisons to the sheriff's office and they can get together and look at next year. Moegerle said she was suggesting they liaison with each other. Korin said what we should have done, at the very beginning of this contract, is we should have brought this up. That all three cities say let's get this going, talk and, if it is going to work it is, if not, then it is not. Davis said that is why he brought that up in the beginning. He thinks there are things that need to be worked out, cost allocations and it may be premature at this stage to consider the district concept and maybe we need a year to develop it. He said he is sure that the opportunity to meet with people to discuss these matters would be good.

DeRoche asked has anyone given thought to having a consultant brought in, along with the three cities to explore this? Have the consultant go through the contracts and say this is what this means? He said we can speculate all we want, but the fact of the matter is, you get a

neutral party in there that knows what they are doing, to him that makes sense. DeRoche said maybe trying to get information to some people is a waste of time. But to him it is something we need to look at. Korin said he thinks it is an unbiased opinion you are asking for. I think that is a good possibility, to be honest with you, if it wasn't for Mayor VanKirk, myself and Mayor Lawrence he doesn't think we would even have an option, any option but what was presented to us two years ago.

DeRoche said he thinks looking at all options is a viable thing and he thinks everyone should be doing it. He said sometimes you get locked into the same thing and change is scary. And in these financial times, everyone has to look at their budget and what is the best way to do it and yet keep good coverage for the cities.

DeRoche said you are right. The cities in, a sense, already do mutual aide. That is not a new concept. What's new is getting it all together and understanding these contracts. He said he is not an expert at it. And he doesn't know anyone on this council that is an expert at reading these contracts and we have found that having a separate consultant come in and go over these types of contracts that is has been real beneficial, because it is an unbiased opinion. DeRoche said and we have been able to make decisions based on that. He thinks that is where we got to go. Korin said he is just here to offer our viewpoints and he thinks the districting concept is a very viable option. We know where we sit with the 24 hours, and we are going to see where we sit with the 20 hour contract. He said we are also going to see what happens with Ham Lake and with their own police department.

Boyer said again there is no savings with the districting really. From East Bethel's perspective the savings is by cutting the service by 20%. That is where the savings is and that is what this whole debate is about. He said for the last 6 years, whenever we went to the 40 hours, whatever year it was we have seen nothing but declining crime rates in this city because we are doing the right thing. And to change is ridiculous in his opinion. Boyer said we are talking about minuscule savings on a household here. If he said to you $2 a month is what you would save or you could have less police service. Who is not going to spend the $2? This is a ludicrous argument. Lawrence said he would like to thank Korin for the information, he thinks it has been very valuable for the City of East Bethel. Moegerle said thank you for attending two city council meetings in one night. That is heroic.

Moegerle made a motion to adopt Option 5, which is the 36 hour contract with the Anoka County Sheriff's Office to be devised either as a full city boundary contract or as a 32 hour a day coverage plus a shared district concept for the remaining 4 hours of contract and if the second option is chosen we want it to be prorated cost based upon proportionate share of 2010 calls. Voss asked if this is districting with Ham Lake? Moegerle said no, Option 5 was originally shared with Ham Lake, but it doesn't matter if it is shared with Ham Lake or Oak Grove, as long as that cost is divided pro-rata based upon the 2010 call rates. She said so a 36 hour city boundary contract or a 32 hour contract with city boundary plus 4 hours a day shared districts so it is still 36 hours a day coverage. **DeRoche seconded.**

Voss said he is still not clear here. He asked if one of the two cities is not interested in sharing an officer, your motion then is 36 hours. Moegerle said her motion is 36 hours. Voss said the sheriff's office is not interested in that though right, isn't that the mess you have with Ham Lake right now. Lieutenant Orlando said we proposed the Option 5, 36 hours coverage for East Bethel with CSO coverage. She said it is really not going to affect East Bethel if Ham Lake goes with their own police department and Oak Grove goes with

their own contract. Moegerle said either way. However it works. Voss said so either way we will have 36 hours of coverage. Davis said plus CSO services.

Voss said so we are looking at a difference of $14 a year on an average home to reduce coverage by 10%. Moegerle said she thought that was an inaccurate way of doing that but that is one way of looking at it. Voss asked why is that inaccurate. He said what Davis did is he looked at a $175,000 valued home and he worked out the portion of tax bill that goes towards sheriff's contract. Voss said so for Option 1 it is roughly $169 a year and by the proposed coverage that cost on that home will go down to $155 a year, a little over a dollar a month. Boyer said he thinks at the last meeting he said $13.60 and you made fun of him. Moegerle said the point she made last time, which was early on when we were discussing the trail that goes nowhere, and she talked about $5 per household she was ridiculed about being an immature council person to look at cost per household. She said because these dollars add up to real money and we were talking about $600,000 then. Voss said he doesn't remember that. Moegerle said that was the effect. So long as we have intellectual rigor here, either that is a valid way of looking at things or not. And your original opinion is it wasn't. Voss said because it was divided by the number of households, that is not the way you look at the tax bill for each household.

Moegerle said but we are doing this for the sheriff now, is that correct. Voss said we are looking at the tax bills, we are looking at values, and we are looking at the rate that they pay. Moegerle said she doesn't understand the distinction and she is trying to understand. Voss said you are taking the number of homes and a dollar amount and you divide it out and it comes up with a value. But the incorrect assumption is everyone pays the same tax and they do not, the tax on a $100,000 home is not the same as on a $900,000 home. Moegerle said the point was to give the public ideas of what we are talking about, this is more refined she understands that, and understand what you are saying. She said either you divide by household or you don't. Voss said you don't, do you agree with that. Lawrence said but you just divided it by that. Voss said no, this is based on a $175,000 valued home. He said if you assume everyone has a home valued at $175,000 the net affect is reducing the tax by $14 a month. Voss said if someone has a $900,000 valued home they are going to pay a lot more than someone with a $100,000 home. DeRoche said he is losing the point. What is the point of this elongated conversation here? Voss said the point is if we all had homes at $175,000 value the difference in his cost and your cost is the net effect is reducing your cost by a dollar a month. DeRoche said that is fine, but not everyone has a $175,000 value home. He said so assumptions aren't necessarily the best idea. Voss said you own twice that, then it is $2 a month. DeRoche said the last meeting you went on and on beating a dead horse, which is what we are going through again. He asked where are we going. In a circle?

Boyer said the thing he is most concerned about is we are at 51-52% for proactive time right now. He said what 40% average means is, if we take 40% as the base, when a neighborhood like the neighborhood that Lieutenant Orlando was explaining this evening is experiencing a rash of burglaries, that 10% difference between 40% and 50% allows council to ask for increased patrol in those neighborhoods. Boyer said and when we are going to 36 hours, and he doesn't know if he is exactly right, he bets it is about 45% we have cut our proactive time in about half. He said that concerns him. Because when we have problems council should be able to seek and expect our police department to provide services to those areas that council deems needed. Boyer said and we are tying our hands to do that and for a cost savings of, that is ridiculously small, however you figure it. Lawrence said saying it will cut our coverage by half is not reasonable. Boyer said he didn't say response times.

Moegerle asked for clarification, "because you just said $93,489 is a ridiculously small amount and that is not ridiculous" to her. Boyer said it is on a household. It is a ridiculously small amount, and no one wants to cut police services to save a buck a month. Moegerle said "but it adds up to real money". Boyer said then why don't we cut it to zero and see how we make out. Moegerle said that is not the point at all. Lawrence said the point is he feels we can comfortably do a 10% cut because we have a 20% reduction in calls for service and that is what the police department has pointed out also. He said when he talked to Sheriff Stuart that is what he said also, Stuart said he thought it was an excellent plan. That is a direct quote, "an excellent plan". Voss said what is. Lawrence said going to Option 5. Boyer asked why do we have these conversations outside Council where the only witnesses are somebody that wants to do this? He said it is not what was presented to Council at the last meeting. Lawrence said yes, it was. Boyer said no, it wasn't. DeRoche said he recalls at the last meeting you questioned Option 5 at the last meeting when it came in the packet. He said it was in the packet when the CSO delivered it on Friday, so it wasn't that we snuck this in on the packet on Wednesday. It was in the packet when it was delivered to us.

Voss said last meeting he tried to break this whole discussion into two decisions, districting or not and how much coverage we have in the city. He said the districting question; his focus was losing our ability to have our officers in our city that know our city. Voss said he is pleased by the fact that the motion for 2012 preserves our police force within our city. He appreciates that. He said at least then it is a message that we want our officers in our city. Voss said the second part then is reducing our coverage. And the sheriff has said reducing our coverage does not affect our ability to answer call's. I hope we all understand that by now, it reduces how much patrolling. If you want to use the phrase "free time" use that. He said but it is reducing the proactive time. That is patrolling time. Voss said if it was at 50%, if we go to 36 hours, it will be at 45% and if we go to 32 hours we will be at 40% proactive. He said that is what he heard from you, is cutting proactive at 10%, assuming not going to districting. Now the discussion is do we want to reduce proactive patrol.

DeRoche asked Lieutenant Orlando you have been listening to our conversations, not only as an officer, but you also live here. You are a resident. He asked for us to go down to 36 hours, do you foresee a big crime increase and do you foresee if something big goes down we won't be able to control this if there seems to be a lot more problems? Lieutenant Orlando said no, she doesn't. She said the only reason we would even allow it is because you would still meet our minimum requirement of the 40% proactive and that was with the 32 hour contract. Lieutenant Orlando said as a homeowner in East Bethel, she is okay with the 36 hours. Yes, we will be losing some proactive time we have with the 40 hours. but calls for service are going down and we are well above the 40% proactive. So even going down to 36 hours we are still above the 40% proactive standards still. So we will have the resources to send deputies in the neighborhoods, or doing the speeds, or traffic enforcement.

Boyer said his point Lieutenant was that we will have half the resources roughly that we had before to do that. Lieutenant Orlando said she is not very good with that kind of math. Boyer said if 40% is the minimum. Lieutenant Orlando said yes, and right now at your 40 hours per day she thinks you are at 51% or 52%. She doesn't think you are going to be losing a lot of that ability at 36 hours. Lawrence said in his opinion, because the calls for service have dropped so much, which is a credit to the police service themselves, if we went down a 10% drop, not near what the calls for service have dropped, we should still have adequate service for the city. He said that is what he is sensing; what is favorable to the sheriff's department and to the city. Voss said if you follow the drop in calls, you would follow to the 32 hours of service many years ago. He said when we got to 50% proactive

that is why the calls have gone down. Lieutenant Orlando said you guys added the C shift car mid year 2008.

Moegerle asked Lieutenant Orlando if she was conversant with the terms of the contract. She said because she looked at terms of Ham Lake's contract and if this isn't successful we can always increase our contract mid year. Lieutenant Orlando said yes. She said if we go with this 36 hour and, half way into the year we say "we want more coverage" it is always something we can do. Voss said he thinks both times this was done mid year. Moegerle said so if we didn't cut the taxes back and held that in reserve in case we needed to come back and get more we would have a fail safe there. Lieutenant Orlando said there is always an option to increase. Boyer said he is assuming you are not saying we are going to reduce police services but not reduce taxes. DeRoche said well, we have a couple good size bills coming up here that we might want to think about, called the sewer and water. Moegerle said right. The $300,000 coming up in 2013 that isn't covered by the capitalized interest. But the other thing is if we cut the taxes, then we won't have the money in the budget to increase if we find we need to. She said she thinks if we precipitously cut it, then we are stuck if it doesn't work. Moegerle said we need to do this in a measured way so if it all goes haywire that we can say nope this is not what we are going to do, "We are going to correct this." She said it certainly looks like the correct thing to do, with the decrease in calls, but it is a measured decision to do the decrease. But if we cut that money and then have to find money again and we haven't planned for it, we are in a world of hurt to the tune of $40,000.

Voss asked is your suggestion to budget for it as if it is for 40 hours but contract for 36 hours. Moegerle said yes, so we have that built in leeway, we have to at least be in the situation so that if we decide we made a bad decision and we want a full 40 hours we have the money in the budget to complete the year at 40 hours. Voss asked 2008 we got the grant and added the officer mid term. Lieutenant Orlando said we do not have any record of a grant for you guys in 2008 for an officer. Davis said in looking at the budget for the sheriff's department, it doesn't look like there was anything that was every applied, that there has always been a gradual increase, to reflect the gradual increase or increase in service. Voss asked we were at 40 hours since when. Lieutenant Orlando said mid 2008. Voss asked what were we before that. Davis said he thinks 32 hours. Voss asked in 2005 we were at 24 weren't we? He said he knows there were two increases since he has been on the Council. Voss said the only point he wants to make Davis is you talk about the cost increase from that point in time, but not necessarily apples to apples. Davis said he tried to convey this was because service went up. Moegerle read from minutes regarding COPS Grant, April 1, 2009 Voss directed Sheriff Anderson to submit a grant application. Voss said maybe we didn't get the grant, but if we added 8 hours couldn't subtract it, made a commitment to be at 40 hours. Davis said it appears between 2008 and 2009 your contract went up about $100,000.

Lawrence called for the vote. Voss asked for a clarification on the motion. Moegerle said it is a 36 hour contract with CSO coverage, 32 hours city boundary and 4 hours could be districting with Ham Lake or Oak Grove or could be full city boundary. But if districting we will pay this based on 2010 calls. She said if between Oak Grove and East Bethel, we would pay the remaining 63% or whatever. Voss asked Lieutenant Orlando do you see any cost difference in our contract with those options? Lieutenant Orlando said if you are going split, it wouldn't actually be 36 hours; it would be a little bit more than 36 hours if split with Oak Grove. Then there will be an increase in your cost. Voss said what if you assume the split of deputies is 50/50. Lieutenant Orlando said if the split was 50/50 then there would not be a price difference. Davis said the cost for 36 hours or split a deputy for 4 hours is identical. He asked Korin, "If you are looking at for 20 or 24 hour coverage, what we are proposing

here might be less would that work." Moegerle said he might get 19.7%. Davis asked Lieutenant Orlando does that meet your standards? Korin said the Sheriff told him tonight that he is going to present them with a proposal for 20 hours. He said how they take the other 4 hours he doesn't know. Voss said based on calls between Oak Grove and East Bethel, we would be at 63%. He said so we would really be at 37 hours. Davis said his point is if we got into an arrangement it would be much easier to go with at 50/50 split each way. He said that would give them their 20 hour coverage, we pay for 4 hours we get 4 hours, they pay for 4 hours and get 4 hours.

Voss said he is glad we are not drastically cutting like he heard last fall. He heard a 50% cut. But the real difference between two options is having that officer dedicated to city or officer dedicated to two cities. What is the reasoning for doing that? Moegerle said there are two reasons. One if we do it the other way, it gives us sampling of what it means to have a district and whether we want to go further down that road or whether we want to say no, this is not an experience that we want to continue. She said we will not know until we try whether a district plan is going to work for us. Moegerle said but if our experience with one deputy 4 hours a day, whether it works, whether we are getting value for that. She said we can surmise and plan but we will never know. Voss asked what is your measure of value though? Moegerle said it is an experiential difference. Do you feel the western side of the city is getting the coverage it needs. She said it is all those intangibles maybe the residents do like it. Maybe they think it is great. She said if it is a problem, we are going to hear about it. But if it is not a problem, we are going to know that maybe this districting thing has possibilities for the future and we need to investigate it. Moegerle said but for right now the full districting is not the way to go. But this is a way to put to toe in the water and see. Voss said to dabble in it. He said he has a real hard time to envision how you will measure success of 4 hours a day and extrapolate that. Lawrence said it has been called for the vote. Vierling said DeRoche has called the question. Unless there is a motion to continue debate.

DeRoche, Lawrence, Moegerle and Voss, aye; Boyer, nay; motion carries.

Consent Agenda

Boyer made motion to approve the Consent Agenda including: A) Approve Bills; B) Meeting Minutes, August 3, 2011 Regular Meeting; C) Meeting Minutes, August 1, 2011 Work Meeting; D) Resolution 2011-32 Proclaiming September 17-23 as Constitution Week; E) RFP for Auditing Services; F) Resolution 2011-33 Approving Gambling Premise Permit for Coon Lake Community & Senior Center at Fat Boys Bar & Grill; G) Accept Resignation of Fire Fighter. Moegerle seconded. She said she has spelling and grammar corrections to both Item B & C and normally turns these in to the Deputy Clerk. **All in favor, motion carries.**

Planning Comm. Minutes

Davis explained that the July 26, 2011 Planning Commission unapproved meeting minutes are provided for your review and information.

Park Comm. Minutes

Davis explained that the July 13, 2011 Park Commission unapproved meeting minutes are provided for your review and information.

Road Comm. Minutes

Davis explained that the July 12, 2011 Road Commission unapproved meeting minutes are provided for your review and information.

Change Order #3 to Traut Wells for

Davis explained that Well No. 3 was designed with an 8-inch telescopic screen and gravel pack in the Wonewoc Sandstone Formation. A yield test was completed and determined that the Wonewoc Formation will not produce an adequate quantity of water.

Muncipal Well No. 3

We are proposing to construct a naturally developed 18-inch telescopic screen well through the coarse gravel formation (Quaternary Formation). It is anticipated that this well will provided at least twice the quantity of water as the original design.

The additional cost to construct the well in the Quaternary Formation is $602. Bond proceeds within the project construction fund are available to pay the costs associated with this well revision.

Staff recommends Council approve Change Order No. 3 to Traut Wells, Inc. in the amount of $602.00.

Boyer made a motion to approve Change Order No. 3 to Traut Wells, Inc. in the amount of $602.00. Moegerle seconded. Moegerle said it seems like a very good value for the taxpayers dollars. Boyer said it certainly does. **All in favor, motion carries.**

Street Vacation Request – Sylvan Street

Davis explained that the City of East Bethel has five platted but undeveloped City streets that connect East Front Boulevard to Coon Lake. Two of these streets, Center Street and one unnamed street, provide storm water drainage for East Front Boulevard and are locations for storm sewer culverts that discharge into Coon Lake. The other three streets, First, Lake and Sylvan Streets, appear to serve no other function other than points of pedestrian or recreational vehicle access to Coon Lake. The East Bethel Fire Department has no plans to utilize these streets to access Coon Lake for a water source for fire fighting incidents.

Sylvan Street is the street that is being petitioned for vacation. The City Attorney has advised staff that platted City streets can not be sold but must transferred to the adjoining property owners if a vacation is approved.

The two residents that adjoin Sylvan Street have submitted a petition to have this street vacated. These residents need additional property to remediate septic system and well issues. The residents have been advised that since these are platted City streets they must follow the requirements of State Statute 412.851.

The council may by resolution vacate any street, alley, public grounds, public way, or any part thereof, on its own motion <u>or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated.</u> When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the council. No vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. The council shall cause written notice of the hearing to be mailed to each property owner affected by the proposed vacation at least ten days before the hearing. The notice must contain, at minimum, a copy of the petition or proposed resolution as well as the time, place, and date of the hearing. In addition, if the street, alley, public grounds, public way, or any part thereof terminates at, abuts upon, or is adjacent to any public water, written notice of the petition or proposed resolution must be served by certified mail upon the commissioner of natural resources at least 60 days before the hearing on the matter. The notice to the commissioner of natural resources does not create a right of intervention by the commissioner. At least 15 days prior to convening the hearing required under this section, the council or its designee must consult with the commissioner of natural resources to review the proposed vacation.

The commissioner must advise the city council or its designee accordingly upon the

evaluation. After a resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceedings which shall contain the name of the city, an identification of the vacation, a statement of the time of completion thereof, and a description of the real estate and lands affected thereby. The notice shall be presented to the county auditor who shall enter the same in the transfer records and note upon the instrument, over official signature, the words "entered in the transfer record." The notice shall then be recorded with the county recorder. Any failure to file the notice shall not invalidate any vacation proceedings.

The petitioners for this street vacation have been advised that the City can not sell this property but they can be charged the City's cost for expenses for this vacation.

This platted but undeveloped street is rarely if ever used for lake access by the general public, possesses little benefit for a drainage easement and is not necessary for fire equipment access to the lake. Therefore, Staff recommends the proposed vacation of Sylvan Street as prescribed by Statute 412.851 be submitted to the DNR for evaluation and upon a report from the DNR be considered by City Council for approval pending an approved review.

Boyer made a motion to vacate Sylvan Street as prescribed by MN. Statute 412.851, submit to the DNR for evaluation and upon a report from the DNR be considered by City Council for approval pending an approved review. Voss seconded.

Vierling said he has two comments that he would like Council to consider. He said he did contact the DNR and anytime they get a request for a street that abuts public water, they do have a interest in it. Vierling said he would expect that they are going to give you a commentary back that they have an interest in making sure that this stays available for public use and propose some form of public access. He said which either the neighbors wouldn't want or the city wouldn't want but they have been known to do that. Vierling said other thing he would suggest to Council and the neighbors is opposed to going through the process with the DNR, cities have been known to retain these, but allow neighbors, our abutting property owners, by way of licenses, to have encroachments in there as long as they do so at their own risk. He said that way you never expose yourselves with having an issue with DNR on a lot such as this. And the neighbors have an opportunity to make limited encroachments into the right-of-way that they can rely on that will be there for a period of time. Vierling said but it is a Council discretionary issue.

Voss said he like the points and can see the DNR wanting it. But if they saw it they may not want it. He said he lives on this street and Davis and I looked at these. Voss said of the 5 or 6 of these, this is the one that makes the most sense to vacate. It is not going to be used for anything. He said he likes the point of the licensing and allowing them to do it, except we already have other accesses there that we already have problems with encroachment on. It is a neighbor problem. DeRoche said he personally thinks, until we hear something back from the DNR, we shouldn't do anything with it, or maybe do the licensing thing. Voss asked if he understands, if he read this right, we make the motion, we have a public hearing on it right? Vierling said that is right. Moegerle said Mr. Tierney, this is not the same place as his weirs? Voss said no. Davis one thing to consider with the property owners request is they are looking to get something done to correct a septic systems during this construction season. He said if we follow the recommended requirements per this state statute, it is very conceivable that nothing would be done before bad weather sets in and prevent them from achieving their goals. Boyer said he doesn't think that will happen anyway, if going through

DNR review. He said that is not going to happen tomorrow. Voss said one home is for sale, another driver and think it is through the state. Davis said he thinks we have one of the property owners here.

Andy Nelson of 4640 East Front Blvd. NE said our neighbors Doug and Linda Foster had their septic system sited as non-compliant and asked to take care of it by the end of October. He said we can't do it unless we have this encroachment on the city street there. Nelson said but yes, the other property owned by Dick Robeck is for sale, was owned by his parents. DeRoche asked this being city property, is this a viable access for people to go down to the lake or is it just not known so people don't do it? Davis said he is going to assume it is not used because people don't know it. He said if you drive by it you don't know that it is a right-of-way or city street. Davis said this is the one from a city standpoint that has no value at all because it has a gradual slope uphill. All water on street drains away from it. It's developed as yard and maintained. The fire department has no use for it because of sand. They think they have adequate wells to supply their tankers. From city standpoint, the value of street is very low.

DeRoche asked if we were to do this licensing as you suggested how would that affect if they put in a sewer or septic system? Vierling said that is why you allow limited encroachments by way of licensing agreements. That way if septic systems, water lines, fences are regarded as temporary agreements should the city ever want to open that street, which in this case is highly unlikely. He said you would do it presumably because you don't know what the DNR would do and there would be a time crunch issue if important to Council. DeRoche asked and how from a liability standpoint is this covered? Vierling said there is an indemnity provision in the agreement so that the property owner that is encroaching has to indemnify and hold the city harmless from any opportunity for liability. Boyer asked can you charge for this license? Vierling said sure. Voss said the fact of a license agreement one thing he would see particularly in this day and age is loans. If the FHA would say "if sewer is not on property encroaching somewhere else?" Vierling said it might be a problem if they go to refi with a mortgage lender that is astute and paying attention. He said we have a number of these agreements in a number of cities and he hasn't seen a problem with a mortgage owner yet. Moegerle asked is this licensing agreement basically the equivalent of an easement agreement? Vierling said basically, not conveying any real estate at all. Landwehr said the County of Anoka if you need a little extension they will certainly give it to you in a situation like this. They have a push for those in this state. He said the DNR if you have a pressing reason to get something done in a 30 day turnaround they will work with you. Landwehr said and you can do ISTS's in many ways. He said you could do things in such a way that you would have an approve pending (DNR approval), wouldn't be that hard to plan for. Voss said if you look on page 119, the very next right-of-way, that is used as a public access. They actually plow them. This one we are talking about and two more, those are not amenable to traffic. He said he likes the idea of keeping it.

Boyer withdrew his motion.

Boyer made a motion to not vacate the property, but have staff explore the licensing option as explained by the City Attorney, Mark Vierling and bring back to Council for review regarding Sylvan Street at the next meeting. Voss seconded; all in favor, motion carries.

2012 Budget Review

Davis explained that at the Monday, August 1, 2011 City Council work session, the proposed 2012 Budget was reviewed. City Council provided staff direction and those

changes are incorporated into the budget. Staff has incorporated these changes and they are reflected in the attached summaries of revenues and expenditures for the General Fund.

These changes to the 2012 proposed budget are proposed as follows:

City Council
415-Other Equipment Rentals
Approved: $ 0
Proposed: $1,000
Decrease: $1,000
Town Hall meeting audio equipment rental eliminated for 2012

Human Resources – Legal
303-Legal Fees
Approved: $2,500
Proposed $2,500
No change
Moved legal fees from Human Resources Department to Legal Department

City Clerk
102-Overtime
Approved: $12,000
Proposed: $15,000
Decrease $ 3,000
Estimated overtime in 2012 will be less than what is projected in 2011

Davis said Pierce is going to present tax values. Pierce said with these proposed changes a $175,000 value home from 2011 reduced by 3 1/2 % market value estimate by Anoka County $168,875, the market value, the taxes would go down $50.61 from pay 2011 to pay 2012 . A $200,000 home would decrease $57.84. A $250,000 home $72.31. A $300,000 home $86.76. Pierce said the proposed changes the levy would be going down 7.11%. for the total levy, General Fund and Debt Issues would be going down X.7% from the 2011 tax levy. She said the budget discussion here leads into the September 7th meeting where we will be asking the Council to adopt a Preliminary Budget and a Preliminary Levy so we can take that to the County Auditor's office who will prepare parcel specific tax notices for citizens that will be out in November. She said that notice will also include a December date when the budget will be discussed with citizens. She said then in December we will have to adopt a final budget for 2012 and the final levy.

Voss said the question for Council, the way you presented the budget here, is for a 40 hour contract. If we are going to 36, with your suggestion with keeping the 40 hours budget, then put in a contingency. Pierce said that is typically what is done, put in a contingency. Voss asked is that our intention? And two, if we won't make that decision until mid year, we only have to save half of it. Moegerle said a couple things. The discussion was during the sheriff's contract that this is only a dollar or so per month per household. So if we could rebate half the contract, cut the tax levy by half the savings. Voss said so it is $100,000 savings, we only need $50,000 why not cut out the $50,000 now. Moegerle said unless we figure out something soon on sewer and water, we are looking at a unfunded bond we have to pay in 2013 of $307,000 approximately. Davis said he would have to check this number, but it does show we would run a deficit in 2013 if we don't meet certain ERU requirements.

Voss said so you are suggesting putting $50,000 into general fund that we may need a couple years down the road for sewer. Moegerle said right. Voss said so lets take off sheriff's budget and put on whatever fund you want to put this on. DeRoche said we are not necessarily cutting this to put it on the sewer. Voss said if you want to raise contingency, raise the contingency. That is a separate issue. He said in terms of line item amount for sheriff, we don't need the full amount. No way we would ever spend it. Davis said one other thing to point out is we agreed on a sheriff's proposal for 2012 and we have established our maximum cost. Lawrence said what you are driving at; if you want to have extra dollars allocated for sewer costs call it that. Voss said right, calling it what it is. Moegerle said we agreed. Voss said one thing he had asked for last time that he didn't see on there was having the line item in Council budget for providing sheriff coverage at Council meeting.

DeRoche asked weren't we going to discuss this at a budget meeting. Boyer said and he thought this was for informational only, and we are going to discuss the building department also. Voss said except on the next council meeting we have to approve the levy. Boyer said and we still have outstanding questions. We had e-mails about them today. Davis said if you still have questions, we should probably schedule a work meeting. He said or we can adopt a budget and then continuing discussing it further. Davis asked do you want to do this at a special meeting, or continue at a special meeting? DeRoche said we could have a finance committee meeting. Boyer said the fourth Wednesday works for him. Voss said he is not here.

Boyer made a motion to hold a work meeting to discuss the proposed 2012 budget on August 24, 2011. Lawrence seconded; Boyer, DeRoche, Lawrence, Moegerle, aye; Voss, nay (he cannot attend); motion carries.

Authorization to Use City Owned House for Fire Training

Davis explained that the City of East Bethel purchased the property located at 19458 Taylor Street as part of the water and sewer project. The property is the proposed site for the water treatment plant facilities. The property contains a single family house and a pole barn storage building.

The current house on the property is not viable to be sold and moved because of the surplus of homes on the market, the time frame for completing the move or demolition and the costs associated with moving a structure. The house has been vacant since earlier this year. Once site preparation begins for the Water Treatment Plant, the structure will need to be demolished.

The East Bethel Fire Department personnel are required to train in live burns annually according to NFPA (National Fire Protection Association) Standard 1001. The City of East Bethel has paid for this type of training by using "fire simulators". Normally the cost of the simulators for an evening and daytime training exceeds $ 2,000 per session.

The East Bethel Fire Chief requests that the house located on this property be used for various fire training sessions (ventilation, search and rescue, forcible entry) and live fire training. The fire department will hold these training sessions and completely burn the house to ground as the final training sessions. The use of structures for fire training is invaluable and affords the fire fighters the realistic expertise of fighting fires, search and rescue, ventilation and forcible entry. It is anticipated that these training sessions will be held throughout the month of September. As always, all neighbors will be notified of the trainings in advance.

The demolition of the house is to be a part of the contract for the construction of the water treatment plant Removal of the debris and the foundation of the house will be part of the water project bid.

Staff recommends that the Fire Chief and Fire Department be authorized to use property at 19458 Taylor Street for Live Fire Training.

DeRoche made a motion to authorize the Fire Chief and Fire Department to use the property at 19458 Taylor Street for Live Fire Training. Boyer seconded; all in favor, motion carries. Boyer asked next time, if, he would request, that this type of item be put on the consent agenda. Voss said he thought we approved this last year. DeRoche said it came up after DuCharme approached him at the beginning of the year.

Council Member Report – DeRoche

DeRoche said he had the pleasure of touring the Whispering Aspen WWTP with the city administrator and public works employee Jeremiah Haller. He said this put things in perspective, and we can't just fix things here and there, this is something we definitely need to address. DeRoche said he recommends anybody on the Council go up there and take a look. Voss said he guarantees that it is better than six years ago.

Council Member Report - Moegerle

Moegerle said it seems that in talking to Davis her trips to Rochester; trips to 3M Championships have resulted in important conversations that may lead to some understandings that will help us with some development. She said again there is nothing in writing, no letters of intent, but those understandings will be valuable when we get some progress here. So, EDA folks, we are just about ready to go.

Council Member Report - Lawrence

Lawrence said he has a couple things coming up. He said September 13 is the ground breaking for Anoka County Connect (fiber), hit the kickoff on that, and a few other minor things have come up in the city, handling them one at a time. Lawrence said we have been taking care of some resident issues.

Closed Meeting

Vierling said pursuant to Minnesota Statute 13.D the Council is going to into closed session to discuss two matters. He said one is land acquisition regarding five parcels of land in the city being identified as parcel PIN #32-33-23-24-0014, 32-33-23-24-0015, 32-33-23-25-0016, 32-33-23-24-0017 and 32-33-23-23-0005 and to discuss the service road project at 215th Avenue to 221st Avenue NE.

DeRoche made a motion to go into closed session regarding land acquisition and the Service Road at 215th to 221st Avenue NE. Voss seconded; all in favor, motion carries.

Vierling explained that we have concluded the closed session relative to two land acquisition matters, the Service Road from 215th to 221st Avenue NE and Municipal Utilities. He said all Council Members were present; Council Member Boyer had to leave in the middle of the session. The city administrator was present along with myself. Vierling said no motions or specific actions were taken during closed session.

Voss made a motion to establish a task force to develop goals and objectives and ultimately a policy with regards to connection fees to our water and sewer system with our existing businesses. The task force should include the city administrator, city engineer, two council members and a two/three business members that are affected by this. Moegerle seconded; all in favor, motion carries.

Adjourn

Moegerle made a motion to adjourn at 11:20 PM. DeRoche seconded; all in favor,

motion carries.

Attest:

Wendy Warren
Deputy City Clerk

EAST BETHEL SPECIAL CITY COUNCIL MEETING

August 17, 2011

The East Bethel City Council met on August 17, 2011 at 6:30 PM for a Special City Council meeting at City Hall.

MEMBERS PRESENT:	Bill Boyer	Bob DeRoche	Richard Lawrence
	Heidi Moegerle		
MEMBERS EXCUSED:	Steve Voss		
ALSO PRESENT:	Jack Davis, City Administrator		
	Mark Vierling, City Attorney		
	Stephanie Hanson, City Planner		

Call to Order

The August 17, 2011 Special City Council meeting was called to order by Mayor Lawrence at 6:30 PM.

Adopt Agenda

Moegerle made a motion to adopt the August 17, 2011 Special City Council Meeting Agenda. DeRoche seconded; all in favor, motion carries.

Public Hearing – Amendments to Enabling Resolution Creating the Economic Development Authority (EDA)

Hanson explained that a public hearing is to be held to take public input of the proposed amendments to the EDA enabling resolution.

Staff requests City Council conduct a public hearing to take public input to the proposed changes to the EDA enabling resolution that consists of amending the commission membership to include seven (7) members which includes two (2) City Council members and five (5) citizens, and to accept that the EDA shall not have authority or power to levy a tax within the City of East Bethel.

Hanson said the history is the previous resolution 2008-53 was adopted by Council on July 16, 2008 and on May 18, 2011 the Council discussed changing the membership of the EDA and the taxing authority. After the close of the public hearing, staff requests City Council discuss public input and make a motion to approve Resolution 2011-27, A Resolution Amending the Enabling Resolution of the City of East Bethel, Anoka County, Minnesota, Providing for the Creation of an Economic Development Authority and the Appointment of Seated Council Members and Commissioners of the East Bethel Economic Development Authority. Resolution 2008-58 is amended in the following respects by the resolution 2011-27 if adopted. Hanson said again, this resolution includes changing the commission membership and the taxing authority.

Lawrence asked for a motion to close the public hearing. DeRoche made a motion to close the public hearing on proposed amendments to the Economic Development Authority (EDA) enabling resolution. Moegerle seconded; all in favor, motion carries.

Lawrence made a motion to adopt Resolution 2011-27, A Resolution Amending the Enabling Resolution of the City of East Bethel, Anoka County, Minnesota, Providing for the Creation of An Economic Development Authority and the Appointment of Seated Council Members and Commissioners of the East Bethel Economic Development Authority. Moegerle seconded.

Moegerle said she noticed in the section 2. Officers and Meetings lists the officers as President, Vice President and Secretary and formerly the officers were President, Vice President, Secretary, Treasurer and Assistant Treasurer. Vierling said the officers are being changed to comply with current statute. Moegerle asked and Section 3.4 original quorum, shouldn't the new quorum be four commissioners. Vierling said by statute it should be at least 50% plus, so we should have to change the by-laws to comply with that. He said he would suggest you deal with the resolution first. Hanson said this went out as a proposed amendment to city council on the by-laws.

Boyer said as he understands this, the EDA is reconstituted, and will have no authority to disburse money without council approval or enter into agreements. Davis said that is correct. Moegerle asked what about execution of contracts? Hanson said that will be part of the by-laws. DeRoche asked as far as the commissioners, do they want to commit for six years? Moegerle said that comes from state statutes. Vierling said if they want to vacate their term, they can give notice. DeRoche asked what if we want to vacate them? Vierling said if you want to change an appointment you can do that. Davis said the initial appointment is for staggered for one, two, three, four and five year terms respectively. Moegerle said the EDA will have a budget, and say they send out an RFP and want to issue an contract, can they do that? Vierling said they can do the legwork and then it will come back to Council for approval. He said the Council can authorize the EDA to take certain acts, or can authorize up to certain dollars, either way they have to have authorization from council to be able to do this.

Boyer, nay; DeRoche, Lawrence, Moegerle, aye; motion carries.

Appoint Two City Council Members to EDA

Hanson explained that Currently there are three (3) citizens serving on the EDA. Staff advertised for two (2) additional citizens to serve on the EDA. Applicants will be interviewed at the regularly scheduled City Council meeting on August 17, 2011 in which City Council will interview the interested citizens and appoint two (2) citizens at the meeting.

It has not been determined as to which City Council members will serve on the EDA. City Council made a unanimous motion at the June 15, 2011 council meeting that states that the two (2) City Council members appointed to the EDA terms shall be the following: one appointment will expire January 2012 with a two-year term to be appointed at that time, and the other appointment will expire January 2013 with a two-year term to be appointed at that time.

Staff requests City Council appoint two (2) members to serve on the Economic Development Authority. City Council members' terms serving on the EDA shall be as follows: one appointment will expire January 2012 with a two-year term to be appointed at that time, and the other appointment will expire January 2013 with a two-year term to be appointed at that time.

Lawrence asked for volunteers. Boyer and Moegerle volunteered. Moegerle said it says that the Mayor has the right to appoint. Vierling said the mayor suggests with confirmation by the Council.

Lawrence made a motion to appoint Council Member Bill Boyer to serve on the EDA with a term to expire January 2012 and Council Member Heidi Moegerle to serve on the EDA with a term to expire January 2013. DeRoche seconded; all in favor, motion carries.

Adjourn **Lawrence made a motion to adjourn at 6:48 PM. DeRoche seconded; all in favor, motion carries.**

Attest:

Wendy Warren
Deputy City Clerk

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-36

RESOLUTION PROCLAIMING OCTOBER 2011 AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, the community problem of domestic violence has become a critical public health and welfare concern in Anoka County; and

WHEREAS, domestic violence is a crime, the commission of which will not be tolerated in Anoka County and perpetrators of said crime are subject to prosecution and conviction in accordance with the law; and

WHEREAS, over thousands of women and children have and will continue to access assistance from Alexandra House, Inc., a domestic violence service provider; and

WHEREAS, domestic violence will be eliminated through community partnerships of concerned individuals and organizations working together to prevent abuse while at the same time effecting social and legal change; and

WHEREAS, October is National Domestic Violence Awareness Month; and

WHEREAS, during National Domestic Violence Awareness Month, Anoka County organizations will inform area residents about domestic violence, its prevalence, consequences and what we, as a concerned community can do to eliminate its existence.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL, MINNESOTA THAT: October 2011 is proclaimed Domestic Violence Awareness Month.

Adopted this 7th day of September, 2011 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. 2011-37

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT

WHEREAS, pursuant to a written contract signed with the City on September 3, 2010, Rum River Contracting, Inc. of Princeton, Minnesota has satisfactorily completed the 2010 Improvement Project in accordance with such contract,

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

The work completed under said contract is hereby accepted and approved, and that the City Administrator and Mayor are authorized to issue a proper order for the final payment on such contract, taking the Contractor's receipt in full.

Adopted this 7th day of September, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Richard Lawrence, Mayor

ATTEST:

_____

Jack Davis, City Administrator

FINAL PAYMENT
CITY OF EAST BETHEL
2010 Improvement Projects

July 29, 2011

Honorable Mayor & City Council
City of East Bethel
2241 - 221st Avenue N.E.
East Bethel, MN 55011-9631

RE: 2010 Improvement Projects
Contractor: Rum River Contracting Co.
Contract Amount: $257,550.60
Award Date: August 18, 2010

Dear Honorable Mayor and Council Members:

The following work has been completed on the above-referenced project by Rum River Contracting Co.

Schedule "A" - Alternate Bid No. 1 - Bataan Street Seal Coat (S.A.P. 203-110-002)

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	BITUMINOUS MATERIAL FOR SEAL COAT	4,536	GALLON	$3.63	$ 16,465.68	5,100	$ 18,513.00
2	SEAL COAT AGGREGATE (FA-2) - TRAP ROCK	185	TON	$38.11	$ 7,050.35	141	$ 5,373.51
Total Schedule "A" - Alternate Bid No. 1 - Bataan Street Seal Coat (S.A.P. 203-110-002)							$ 23,886.51

Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	REMOVE CONCRETE CURB	149	LIN FT	$3.00	$ 447.00	149	$ 447.00
2	REMOVE SEWER PIPE (STORM)	134	LIN FT	$5.00	$ 670.00	190	$ 950.00
3	REMOVE BITUMINOUS PAVEMENT	783	SQ YD	$2.00	$ 1,566.00	552	$ 1,104.00
4	REMOVE MANHOLE OR CATCH BASIN	9	EACH	$200.00	$ 1,800.00	9	$ 1,800.00
5	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	455	LIN FT	$2.00	$ 910.00	459	$ 918.00
6	COMMON EXCAVATION	1,280	CU YD	$3.95	$ 5,056.00	1,280	$ 5,056.00
7	TOPSOIL BORROW (LV)	1,012	CU YD	$10.00	$ 10,120.00	1,214	$ 12,140.00
8	HAUL & STOCKPILE EXCESS MATERIAL (EV)	405	CU YD	$6.75	$ 2,733.75	391	$ 2,639.25
9	AGGREGATE BASE CLASS 5	828	TON	$7.50	$ 6,210.00	919	$ 6,892.50
10	MILL BITUMINOUS SURFACE (1.5")	68.0	SQ YD	$5.80	$ 394.40	68.0	$ 394.40
11	MILL BITUMINOUS SURFACE (2")	500.3	SQ YD	$4.00	$ 2,001.20	500.3	$ 2,001.20
12	MILL BITUMINOUS SURFACE (3")	131.5	SQ YD	$10.25	$ 1,347.88	131.5	$ 1,347.88
13	TYPE MV 3 WEARING COURSE MIXTURE (B)	2,102	TON	$51.75	$ 108,778.50	1,958	$ 101,326.50
14	TYPE MV 3 NON WEARING COURSE MIXTURE (B)	358	TON	$53.60	$ 19,188.80	334	$ 17,902.40
15	TYPE MV 3 BITUMINOUS MIXTURE FOR PATCHING	135	TON	$60.00	$ 8,100.00	67	$ 4,020.00
16	BITUMINOUS MATERIAL FOR TACK COAT	142	GALLON	$3.00	$ 426.00	450	$ 1,350.00
17	27" RC PIPE APRON	1	EACH	$570.00	$ 570.00	1	$ 570.00
18	TRASH GUARD FOR 27" PIPE APRON	1	EACH	$446.00	$ 446.00	1	$ 446.00
19	4" PVC PIPE SEWER, SCHEDULE 80	150	LIN FT	$3.00	$ 450.00	150	$ 450.00
20	15" RC PIPE SEWER DESIGN 3006, CL V	27	LIN FT	$23.00	$ 621.00	38	$ 874.00
21	18" RC PIPE SEWER DESIGN 3006, CL III	110	LIN FT	$25.00	$ 2,750.00	159	$ 3,975.00
22	24" RC PIPE SEWER DESIGN 3006, CL III	153	LIN FT	$31.00	$ 4,743.00	153	$ 4,743.00
23	27" RC PIPE SEWER DESIGN 3006, CL III	39	LIN FT	$39.00	$ 1,521.00	39	$ 1,521.00
24	CONNECT TO EXISTING STORM SEWER	3	EACH	$200.00	$ 600.00	1	$ 200.00
25	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48 - 4020	10	EACH	$1,049.00	$ 10,490.00	10	$ 10,490.00
26	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL	3	EACH	$919.00	$ 2,757.00	3	$ 2,757.00
27	CASTING ASSEMBLY	4	EACH	$435.00	$ 1,740.00	4	$ 1,740.00
28	ADJUST FRAME & RING CASTING	9	EACH	$353.00	$ 3,177.00	9	$ 3,177.00
29	RANDOM RIPRAP CLASS III	8.7	CU YD	$60.00	$ 522.00	19.9	$ 1,194.00
30	GEOTEXTILE FILTER TYPE IV	20	SQ YD	$1.00	$ 20.00	80	$ 80.00
31	CONCRETE CURB & GUTTER DESIGN B612	685	LIN FT	$10.80	$ 7,398.00	805	$ 8,694.00
32	4" CONCRETE DRIVEWAY PAVEMENT	8.0	SQ YD	$54.00	$ 432.00	13.0	$ 702.00

FINAL PAYMENT
CITY OF EAST BETHEL
2010 Improvement Projects

Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot (Continued)

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
33	BITUMINOUS CURB (MODIFIED)	400	LIN FT	$2.25	$ 900.00	344	$ 774.00
34	SILT FENCE, TYPE MACHINE SLICED	375	LIN FT	$1.80	$ 675.00		$ -
35	STORM DRAIN INLET PROTECTION	4	EACH	$75.00	$ 300.00	4	$ 300.00
36	TEMPORARY ROCK CONSTRUCTION ENTRANCE	1	EACH	$150.00	$ 150.00		$ -
37	EROSION CONTROL BLANKETS CATEGORY 3	625	SQ YD	$1.20	$ 750.00	835	$ 1,002.00
38	TURF ESTABLISHMENT	0.75	ACRE	$1,650.00	$ 1,237.50	0.75	$ 1,237.50
39	4" SOLID LINE WHITE - EPOXY	1,933	LIN FT	$1.38	$ 2,667.54	1,840	$ 2,539.20
Total Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot							$ 207,754.83

Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	MOBILIZATION	1	LUMP SUM	$9,000.00	$ 9,000.00	1.0	$ 9,000.00
2	TRAFFIC CONTROL	1	LUMP SUM	$6,000.00	$ 6,000.00	1.0	$ 6,000.00
Total Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control							$ 15,000.00

Alternate Bid No. 2

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	BITUMINOUS MATERIAL FOR FOG SEAL	2,184	GALLON	$2.00	$ 4,368.00	2,043	$ 4,086.00
Total Alternate Bid No. 2							$ 4,086.00

Total Schedule "A" - Alternate Bid No. 1 - Bataan Street Seal Coat (S.A.P. 203-110-002)	**$ 23,886.51**
Total Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot	**$ 207,754.83**
Total Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control	**$ 15,000.00**
Total Alternate Bid No. 2	**$ 4,086.00**
TOTAL WORK COMPLETED TO DATE	**$ 250,727.34**
LESS PAY ESTIMATE #1	**$ 189,333.79**
LESS PAY ESTIMATE #2	**$ 15,913.81**
WE RECOMMEND PAYMENT OF:	**$ 45,479.74**

Please verify the amount of previous payments, and the receipt of the following items prior to making payment.
1. Certificate of claims payment (lien waiver),
2. Affidavit of payment of States taxes (MN State Tax Form IC 134),
3. Letter of consent from surety firm,

APPROVALS:

CONTRACTOR: RUM RIVER CONTRACTING CO.

Certification by Contractor: I certify that all items and amounts are correct for the work completed to date.

Signed: [signature]

Title: Vice President / Sales Date 8-17-11

ENGINEER: HAKANSON ANDERSON ASSOCIATES, INC.

Certification by Engineer: We recommend payment for work and quantities as shown.

Signed: [signature]

Title: City Engineer Date 7/29/11

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-38

RESOLUTION ACCEPTING WORK AND AUTHORIZING PAYMENT

WHEREAS, pursuant to a written contract signed with the City on December 29, 2010, Rum River Contracting, Inc. of Princeton, Minnesota has satisfactorily completed the Booster East/Cedar Creek Trail Project in accordance with such contract,

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

The work completed under said contract is hereby accepted and approved, and that the City Administrator and Mayor are authorized to issue a proper order for the final payment on such contract, taking the Contractor's receipt in full.

Adopted this 7th day of September, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Richard Lawrence, Mayor

ATTEST:

_____

Jack Davis, City Administrator

FINAL PAYMENT
CITY OF EAST BETHEL
Booster East/Cedar Creek Trail Project

July 21, 2011

Honorable Mayor & City Council
City of East Bethel
2241 - 221st Avenue N.E.
East Bethel, MN 55011-9631

RE: Booster East/Cedar Creek Trail Project
Contractor: Rum River Contracting Co.

Dear Honorable Mayor and Council Members:

The following work has been completed on the above-referenced project by Rum River Contracting Co.

Schedule "A" - Booster Park East to 224th Avenue Trail (City Project #2010-01)

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	CLEARING	0.10	ACRE	$6,000.00	0.1	$ 600.00
2	GRUBBING	0.10	ACRE	$7,000.00	0.1	$ 700.00
3	REMOVE PIPE CULVERTS	22	LIN FT	$5.00	22	$ 110.00
4	REMOVE BITUMINOUS CURB	12	LIN FT	$2.00	16	$ 32.00
5	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	12	LIN FT	$3.00	28	$ 84.00
6	COMMON EXCAVATION (P)	675	CU YD	$7.20	675	$ 4,860.00
7	SELECT TOPSOIL BORROW (LV)	260	CU YD	$13.00	192	$ 2,496.00
8	AGGREGATE BASE CLASS 5	188	TON	$16.58	211	$ 3,498.38
9	TYPE MV 3 WEARING COURSE MIXTURE (B)	89	TON	$64.50	106	$ 6,837.00
10	15" CS PIPE CULVERT	20	LIN FT	$23.00	20	$ 460.00
11	15" GS PIPE APRON	2	EACH	$85.00	2	$ 170.00
12	4" CONCRETE WALK	120	SQ FT	$5.25	96	$ 504.00
13	TRUNCATED DOMES	8	SQ FT	$40.00	16	$ 640.00
14	SILT FENCE, TYPE MACHINE SLICED	370	LIN FT	$1.10		$ -
15	TEMPORARY ROCK CONSTRUCTION ENTRANCE	1	EACH	$0.01		$ -
16	EROSION CONTROL BLANKETS CATEGORY 3	850	SQ YD	$1.10	267	$ 293.70
17	TURF ESTABLISHMENT	0.5	ACRE	$1,000.00	0.7	$ 700.00
Total Schedule "A" - Booster Park East to 224th Avenue Trail (City Project #2010-01)						$ 21,985.08

Schedule "B" - Mobilization and Traffic Control

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	MOBILIZATION	1.0	LUMP SUM	$5,000.00	1.0	$ 5,000.00
2	TRAFFIC CONTROL	1.0	LUMP SUM	$3,000.00	1.0	$ 3,000.00
Total Schedule "B" - Mobilization and Traffic Control						$ 8,000.00

Total Schedule "A" - Booster Park East to 224th Avenue Trail (City Project #2010-01)	**$ 21,985.08**
Total Schedule "B" - Mobilization and Traffic Control	**$ 8,000.00**
Total Work Completed to Date	**$ 29,985.08**
Less Pay Estimate #1	**$ 28,485.83**
WE RECOMMEND PAYMENT OF:	**$ 1,499.25**

FINAL PAYMENT
CITY OF EAST BETHEL
Booster East/Cedar Creek Trail Project

Please verify the amount of previous payments and the receipt of the following items prior to making payment.

1. Certificate of claims payment (lien waiver).
2. Affidavit of payment of state taxes (MN State Tax Form IC 134).
3. Letter of consent from surety.

APPROVALS:

CONTRACTOR: RUM RIVER CONTRACTING CO.

Certification by Contractor: I certify that all items and amounts are correct for the work completed to date.

Signed: Van Ram

Title: Vice President/Sales Date 7-25-11

ENGINEER: HAKANSON ANDERSON ASSOCIATES, INC.

Certification by Engineer: We recommend payment for work and quantities as shown.

Signed: [illegible]

Title: City Engineer Date 7/21/11

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION 2011-39

RESOLUTION APPROVING APPLICATION FOR A RAFFLE PERMIT WITH NO WAITING PERIOD FOR ST. FRANCIS AREA CHAMBER OF COMMERCE AT HIDDEN HAVEN COUNTRY CLUB

WHEREAS, St. Francis Area Chamber of Commerce has made application for a gambling permit for a raffle to be held on October 14, 2011 at Hidden Haven Country Club, 20520 Polk Street NE, East Bethel, MN 55011.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA that the gambling permit application for the St. Francis Area Chamber of Commerce for a raffle to be held on October 14, 2011 at the Hidden Haven Country Club, 20520 Polk Street NE, East Bethel, MN 55011 is approved with no waiting period.

Adopted by the East Bethel City Council on this 7th day of September, 2011.

_____
Richard Lawrence, Mayor

ATTEST:

_____
Jack Davis, City Administrator

Minnesota Lawful Gambling

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:
- conducts lawful gambling on five or fewer days, and
- awards less than $50,000 in prizes during a calendar year.

Application fee If application postmarked or received:	
less than 30 days before the event **$100**	more than 30 days before the event **$50**

ORGANIZATION INFORMATION

Check # _____ $ _____

Organization name: St. Francis Area Chamber

Previous gambling permit number: 92288-10-001

Minnesota tax ID number, if any:

Federal employer ID number, if any: 32-0074333

Type of nonprofit organization. Check one.
☐ Fraternal ☐ Religious ☐ Veterans ☒ Other nonprofit organization

Mailing address: P.O. Box 655 City: St. Francis State: MN Zip Code: 55070 County:

Name of chief executive officer (CEO): Lynn M. Moe Daytime phone number: 763-398-8035 Email address: lmoe@villagebankonline.com Anoka

Attach a copy of ONE of the following for proof of nonprofit status.

Do not attach a sales tax exempt status or federal employer ID number as they are not proof of nonprofit status.

☒ **Nonprofit Articles of Incorporation OR a current Certificate of Good Standing .**
Don't have a copy? This certificate must be obtained each year from:
Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155
Phone: 651-296-2803

☐ **IRS income tax exemption [501(c)] letter in your organization's name.**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
b. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.
Hidden Haven Golf Club

Address (do not use PO box): 20520 Polk Street NE City or township: Zip Code: 55011 County: Anoka

Date(s) of activity (for raffles, indicate the date of the drawing)
Friday 10/14/2011

Check the box or boxes that indicate the type of gambling activity your organization will conduct:
Bingo* Raffles Paddlewheels* Pull-Tabs* Tipboards*

* **Gambling equipment** for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4000.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

If the gambling premises is within city limits, a city official must check the action that the city is taking on this application and sign the application.

___The application is acknowledged with no waiting period.

___The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).

___The application is denied.

Print city name _____

On behalf of the city, I acknowledge this application.
Signature of city personnel receiving application

_____

Title_____Date_____

If the gambling premises is located in a township, a county official must check the action that the county is taking on this application and sign the application.
A township official is not required to sign the application.

____The application is acknowledged with no waiting period.

____The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.

____The application is denied.

Print county name _____

On behalf of the county, I acknowledge this application.
Signature of county personnel receiving application

_____

Title_____Date_____

(Optional) TOWNSHIP: *On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.* [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.166)]

Print township name _____

Signature of township official acknowledging application

Title_____Date _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

Print form and have CEO sign

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.

Chief executive officer's signature_____ Date_____

Complete a separate application for each gambling event:

- one day of gambling activity
- two or more consecutive days of gambling activity
- each day a raffle drawing is held

Send application with:

- a copy of your proof of nonprofit status, and
- application fee for each event
  Make check payable to "State of Minnesota."

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Financial report and recordkeeping required
A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.

Questions?
Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; howeve r, if y our organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

Reset Form

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BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	2B-952	**Entity Type:**	Non-Profit Corporation
Original Date of Filing:	5/19/2003	**Entity Status:**	Active
Duration:	Perpetual	**Good Standing: (date of last annual filing)**	2011

Name:	St Francis Area Chamber of Commerce Incorporated
Registered Office Address:	4115 Ambassador Blvd St Francis, MN, 55070
Agent Name:	No Agent Filed

Additional Entity Detail | Return to Search List | New Search

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City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 7.0 A & B

* *

Agenda Item:
Economic Development Authority Minutes

* *

Requested Action:
Approve Economic Development Authority (EDA) Minutes from April 6, 2011 and April 28, 2011.

* *

Background Information:
The Economic Development Authority held a regular meeting on April 6, 2011 and a work meeting on April 28, 2011. The Council Members attended these meetings as EDA members.

A Public Hearing was held on August 17, 2011 and the EDA Commission membership format has been changed and no longer has five (5) Council members serving on the Commission to approve the minutes.

Attachment(s):

1. April 6, 2011 EDA Meeting Minutes
2. April 28, 2011 EDA Work Meeting Minutes

* *

Fiscal Impact:
Not applicable

* *

Recommendation(s):
Staff recommends Council considers approving the April 6, 2011 EDA Meeting minutes and the April 28, 2011 EDA Work Meeting minutes.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
Economic Development Authority
April 6, 2011

The East Bethel Economic Development Authority (EDA) met on April 6, 2011 for a regular meeting at City Hall at 6:30 PM.

MEMBERS PRESENT:	Bill Boyer	Bob DeRoche	Richard Lawrence
	Heidi Moegerle	Steve Voss (6:40 PM)	
AD HOC COMMITTEE:	Sherry Allenspach	Mike Connor	
AD HOC COMMITTEE ABSENT:	Tom Larson		
ALSO PRESENT:	Jack Davis, Interim City Administrator Stephanie Hanson, City Planner		

Call to Order

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

Adopt Agenda

DeRoche made a motion to adopt the April 6, 2011 Economic Development Authority (EDA) meeting agenda. Lawrence seconded; all in favor, motion carries.

Approve Minutes

Boyer Moegerle made a motion to approve the January 19, 2011 EDA Minutes as written. Moegerle said she has a change on page 3, second paragraph as follows: Moegerle said the ~~mirror~~ effect of brainstorming is to come up with a lot of ideas~~, then mirror them down~~. **Boyer amended his motion to approve the January 19, 2011 EDA Minutes as amended. DeRoche seconded; all in favor, motion carries**

EDA By-Laws Amendment

Boyer made a motion to accept the EDA By-law Amendment. There was no second. Motion died for lack of second.

Moegerle asked Hanson to give us the background on why this is being proposed. Hanson said on August 20, 2008, the EDA adopted Resolution 2008-01 A Resolution Providing for the Addition of Three Ad Hoc Members to the East Bethel EDA. However, the EDA By-laws were not amended to reflect the changes.

Staff is proposing the additional language to the EDA By-laws to reflect the changes approved by Resolution 2008-01 (Attachment #1):

Section 2.9 Ad hoc Members. Three (3) members will be appointed to represent the social part of the community to serve as non-voting ad hoc members of the Economic Development Authority. The ad hoc members shall consist of a representative from St. Francis School District 15, a representative from the North Suburban Area Chamber of Commerce, and a East Bethel business representative.

Also, staff is proposing additional language to Section 3.2 that would allow the EDA to schedule additional EDA meetings on an as-needed basis. With the addition of municipal services to the community, staff assumes more frequent meetings may be needed as the

DRAFT

EDA becomes an increasingly active board. The added language would give the board the authority to schedule additional "regular meetings" on an as-needed basis rather than calling "special meetings." The underlined proposed language reads as follows:

Section 3.2 The Board shall hold regular meetings at least once the first month of each quarter preceding the second regularly scheduled meeting City Council meeting, or at such other time as the Board may determine. Board will determine meeting start time. Other meetings may be scheduled on an as-needed basis as determined by the Board.

Moegerle said she had an opportunity to review the by-laws at length and she noticed various irregularities. She said she has a question in regard to our organization. Moegerle said in anticipation of an update or more changes to the by-laws, instead of doing this as piecemeal, should we just table this and do it all at one time. She said she can give you more information now, or we can discuss changing this in regard to ad hoc members now and then make the other changes later.

Boyer said it would make sense to do this now because the resolution was done earlier. Allenspach said she wants to make a correction, there is a representative from the school, a representative from the chamber and she was supposed to be a representative for the residents, and that is not in there. Moegerle said that is one more reason to change this. Boyer said we can also change 2.9 to a representative from the business community instead of the chamber.

Moegerle said she has been looking at other EDA's of our size and many of them don't have all their Council Members the EDA, only 2 or 3, and then they have more business members. She said also, our treasurer has to have a bond, which seems erroneous when our City Treasurer already has to have a bond. Moegerle said also there is execution of contracts in there, how active do we want the EDA to be and how do we want to build our tax base could be addressed in our by-laws, this is part of the discussion she wants to have regarding the by-laws.

Boyer said you have to remember the EDA has taxing authority, if you allow members to vote, you allow members to vote on taxing the residents. Moegerle said she understands it differently. Boyer said that is why Council decided all five members should sit on the EDA for just that purpose. Moegerle said that is why we should have a meeting to discuss our goals and objectives; maybe we are not going to have the EDA be a taxing authority but to use it to draw in businesses to East Bethel. Boyer said if you were to make the three ad hoc members full voting members, and then cut the Council Members to two, then the three ad hoc members can out vote the Council Members. Moegerle said your point is well taken.

Moegerle made a motion to table the amendment of the by-laws with regard to the ad hoc members. DeRoche seconded. Connor asked when will this be brought up again. Moegerle said at the next regular meeting. She said we are going to set a goal setting meeting. Connor asked so in May and not July. Moegerle said we can have meetings sooner. She said this is one place we are interested in having more meetings than less. Connor said he is very respectful in how many meetings you attend, but we move at a snails pace and it seems to take a long time to get action. Moegerle said she agrees and we are going to move at a gazelle's pace. **Boyer, nay; DeRoche, Lawrence and Moegerle, aye; motion carries.** Council Member Voss arrived.

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EDA Goals and Objectives – Set Meeting Date

Hanson said at the January 19, 2011 EDA meeting, the Board set a work meeting for February 23, 2010 to begin discussing the role and purpose of the EDA. On February 16, 2011, the work meeting was cancelled until there was a determination of the status of the municipal services project since the EDA's vision and role would be affected by this particular action. Now that the City Council has approved for municipal services to move forward, staff is in the opinion that EDA can now begin the process of defining the role of the EDA and to start building their vision for the community.

Since the approval of municipal services, there have been discussions of the EDA to become an active Board. In order to have an active EDA, the EDA must have access to financial resources for economic planning, marketing, financing of major public projects by the city, to assist businesses so as to create new jobs, increase the local tax base, and improve the economic vitality of East Bethel. At this time, the East Bethel EDA lacks a funding source. Staff is suggesting the EDA begin exploring possible funding sources at the work session.

Also as part of the work session, the EDA may want to consider beginning discussions regarding the marketing and branding of the city. With the future construction of municipal services, East Bethel's doors have opened to future higher residential density housing and commercial development in the southern portion of the city. In today's environment, municipalities compete against each other for talent, business, and resources. Because of the stiff competition between municipalities, it is important for cities to stay ahead of the curve in the current economic climate. Nowadays it is common practice for municipalities to market and brand the city to define their appeal to 'consumers'. This is something the EDA may want to consider.

Staff is suggesting the EDA consider setting a date to schedule a work meeting to begin discussions of the role and purpose of the EDA, EDA funding source, and branding/marketing strategies for the city. Suggested date for a work session is Monday, May 2, 2011, starting at 6:30 pm.

Boyer said he cannot attend on May 2nd. Moegerle asked have you given consideration to the format such as inviting GovOffice to the meeting regarding the website. Hanson said she hasn't considered any of that. Moegerle said we have to remember that at a work session we cannot make any decisions, we cannot vote on anything. Voss said to make it that night it would have to be after 8:00 pm. He said Tuesday would be good. Moegerle said she would hate to move it past that week. Voss asked how about we schedule it for Thursday, April 28, 2011 at 6:00 PM. He said he doesn't know how much preparation you need for a goals and objections meeting. Hanson said she is out that day but will come back for the meeting.

Voss made a motion to schedule the EDA Goals and Objectives Work meeting session for Thursday, April 28, 2011 at 6:00 PM. Boyer seconded; all in favor, motion carries.

Moegerle said she has been doing a website survey, and she will have some of that information before the next meeting.

Connor asked is he correct in assuming as we move forward that the Anoka County HRA would be a partner with us. He asked will the Anoka County HRA be a partner with us as we move forward in our efforts to attract businesses to the community. Moegerle said she believes so; they have made a presentation to us that there are options available to us.

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Connor said so Anoka County has an EDA. Boyer said they have an HRA with EDA powers. Connor said in his ongoing effort to better understand things, one of the things he would like to see stated clearly is that we truly want to increase the commercial industrial tax revenues, everything we do is going to increase the job line, as he looks for our purpose that is not stated. He asked will we deal with that on the 28th. Moegerle said yes. Voss said absolutely.

Adjourn **DeRoche made a motion to adjourn the EDA meeting at 6:56 PM. Lawrence seconded; all in favor, motion carries.**

Attest:

Wendy Warren
Deputy City Clerk

DRAFT

City of East Bethel
Economic Development Authority
April 28, 2011

The East Bethel Economic Development Authority (EDA) met on April 28, 2011 for a work meeting at City Hall at 6:00 PM.

MEMBERS PRESENT:	Bill Boyer Heidi Moegerle	Bob DeRoche	Richard Lawrence
MEMBERS ABSENT:	Steve Voss		
AD HOC COMMITTEE:	Sherry Allenspach	Mike Connor	Tom Larson
ALSO PRESENT:	Jack Davis, Interim City Administrator Stephanie Hanson, City Planner		

Call to Order

President Moegerle called the meeting to order at 6:00 PM.

Adopt Agenda

Boyer made a motion to adopt the April 28, 2011 Economic Development Authority (EDA) work meeting agenda. Lawrence seconded; all in favor, motion carries.

Discussion of EDA Strategies, EDA Role, Possible Funding and Marketing Strategies

Hanson explained that since the approval of municipal services, there have been discussions of the EDA does become an active Board. Steps to become an active EDA board include but are not limited to the following: decide on the structure of the EDA, understand the economic profile of the community, development vision and goals for the community, and determine the community's economic strategy (i.e. funding, branding, policies and tools, etc). Staff has attached a report completed by the National League of Cities (NLC) titled *"The Role of Local Officials in Economic Development, 10 Things You Should"*.

The first step that should be discussed is to investigate the possible structure of the Housing Redevelopment Authority (HRA) and Economic Development Authority (EDA). City Council will need to make a decision as to what structure is the best fit for the City of East Bethel. There are five options to be considered. The options include:

Active East Bethel EDA: A City EDA has all the powers of an HRA; meaning all HRA and EDA activities are eligible with EDA funding. Most common EDA funding is derived by an EDA tax levy.

If an active EDA Board continues, the City Council may want to begin discussions of the structure of the EDA. A possibility would be to have an EDA Committee underneath the EDA. EDA Committee's are typically composed of two City Council members and 3 – 5 professional members of the community (realtors, business owners, financial exports, etc).

Active East Bethel HRA: City HRA powers are limited to HRA activities. Economic development activities cannot be funded by HRA. Most common HRA funding is derived by an HRA tax levy.

Active East Bethel HRA and EDA (separate from one another): The city could continue as is; however, the question then arises as to how will both be funded? Is there a

DRAFT

benefit for the city to continue having both an HRA and EDA operating separately from one another?

Opt into Anoka County HRA: The city could opt into the county HRA. The county would continue to levy on behalf of the city. The city could apply for project funding as outlined in Minnesota Statute 469. It the city decided on this option, the city would then need to determine the role an EDA would play in economic development of the city (again, the city will need a funding source to have an active EDA Board).

Opt in Anoka County HRA with EDA powers: The city could opt into the county HRA with the ability to have EDA powers. The county would continue to levy for HRA purposes and the funding could be used for EDA activities. However, staff has asked the question if there is a limit as to what type of economic development activities could be funded. The City Attorney is currently investigating the answer to this question.

If City Council makes the decision to be active with HRA and/or EDA activities, staff recommends the City Council begin discussions about obtaining legal council with expertise in HRA/EDA to assist staff and City Council as the city move forward with its vision and goals.

Another topic of discussion for the work group is the next steps that need to be taken to move forward with an active EDA Board. Tonight it isn't deciding what Council is deciding to do, it is the discussion of what we should bring forward to the Council.

Davis said we want to find out what you want to do, particularly with funding and levying. He said he thinks the last two options are not possible. Moegerle said and the lawsuit is pending until May 13th. Davis said depending on which option we want to with, to him the first one is more appealing because the EDA will probably have more projects than the HRA. He said it would give us more flexibility to address both issues, Council would control the levy limit on this and would save 15% on the administration costs. Hanson said depending on how the lawsuit turns out, if it is in favor of the City we could levy for just EDA if Council doesn't want to levy for both.

Boyer said he think we would be better off doing that from the legal prospective. He said and if we combined both together, then Council could decide what to do with the money. Boyer asked when you set up with an HRA with EDA powers and levy can it be used for each. Hanson said you can't do an HRA with EDA powers, only the county can do that. She said but you can do an EDA with HRA powers. Hanson said then you can collect an EDA levy and use it for both. She said the HRA is for housing purposes, blight properties, senior housing, distressed housing, etc. Moegerle said the EDA can do branding, bring developers in, etc.

Moegerle asked staff what objections they have with having an EDA with HRA powers. Hanson said the EDA levy limit is smaller. Boyer said like 20%. Moegerle said and the monies would have to be separate. Hanson said yes, if you levy for both. DeRoche said you can start out with an EDA with HRA powers and if you get big you can always separate. Hanson said if you have the EDA with HRA powers her understanding is you could keep the HRA board and just make it inactive, but she would have to clarify that. Hanson said a lot of cities don't do both, they don't want to levy both on their residents.

Moegerle asked Davis what he is suggesting. Davis said an EDA with HRA powers.

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Moegerle said she also thinks that makes the best sense. Connor said a couple weeks ago you sent us a website survey. He said he looked at it and wondered why have so many cities of our size chosen not to have an HRA and why have we chosen to have both. Hanson said with a lot of cities she has called most have an EDA with HRA powers. Connor said with an EDA with HRA powers does that negate the need for an HRA. DeRoche said we were advised to not negate our HRA. Lawrence said most of those cities are being taxed for an HRA by the county already.

Larson asked can the City then advocate for a project through the county for HRA funds. Boyer said that goes directly back to the lawsuit. Hanson she has gone to the county with that question, and they have indicated that there are many cities that they work with that have their own HRA such as Fridley. She said the county has given me several examples. Boyer said we are dealing with this now, we have a greatly increased levy from the county, is it because the Oak Grove senior center got in trouble financially. He said that is what he has been told. Moegerle said it burned and they didn't have enough insurance and because it has to be charged across the county we are being charged for it. She said it is kind of a problem.

Allenspach said it makes sense to do an EDA with the powers of an HRA. Larson agreed. Allenspach asked is the HRA group just Council or are there other members, so we don't have to worry about merging. Connor said when we met in early April when we met in early April it was brought up that there was a concern about giving this body taxing authority, and whether the three ad hoc members should have any voting rights, if we go with an EDA with HRA powers is that still a concern of yours. Boyer said it becomes a concern of his depending on how it is structured. He said as soon as Council concedes taxing authority to the body as a whole he has a problem. Boyer said he thinks taxing authority should remain with the elected officials.

Hanson said in North Branch their EDA has five members, 2 Council Members and 3 other members and as part of their by-laws they have to go to Council for taxing authority. Allenspach said it makes more sense that it has 2 Council Members and 3 other members, with taxing going always to the Council Members. Connor asked will the structure that we decide on, is that predicated on our mission statement and goals, will that drive our structure. Moegerle said she doesn't think so, she thinks the EDA has a global mission statement and goals to bring businesses in. She said from the standpoint of being on Council she wants the EDA to handle that. Moegerle said and then it has to go to Council for final approval, but they should be able to make some decisions on their own. Boyer said we could put a dollar amount on it. Hanson said such as loans to businesses, some of that has to happen quickly and it should happen at the EDA. She said with North Branch, the 2 Council Members whenever they don't feel right about something, if they see a red flag, it immediately goes to the Council.

DeRoche said he agrees that we have to approve some expenditures. Boyer said we would have to approve all expenditures. Hanson said with business loans, they would have a form that they fill out, and would that really have to go to City Council. Boyer said yes, it might be able to go on the consent agenda. Davis said it comes down to the financial part, if everything has to go to the City Council we have to decide what structure we want the EDA to be, Council, political, or more community involved. Lawrence asked what kind of funds we are talking about for the EDA. Davis said it depends on what types of programs you are running. Boyer said most modern EDA's you have funding infrastructures, most aren't still doing TIFs, if you are doing infrastructures that stays no matter what. Davis said loans are

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risky to get into.

Boyer said Red Wing and Hastings has been very specialized in what they have done and very tourist based, and been very successful. He said other places they have found you can start the business, and then they are gone once they are profitable there is nothing to keep them in the City. Moegerle said we need to decide what do we have to represent ourselves in the region, once we accomplish that then an incubator is our goal, but we need to look short term like 3-4 years. Allenspach said we could put up a billboard like Columbus. Larson asked did we nail down the EDA structure. Moegerle said she thinks we agree on an active EDA with HRA powers. She said the next question is the membership. She said she would like to hear from the community members.

Larson said if you are trying to develop the economic part or business part, he thinks the most logical part would be to put the business community on this committee, and then he agrees with sending the money part to Council. Allenspach said this would be just like the park and planning commissions. Boyer said this is a lot more money then those commissions. Allenspach said that is why you have 2 Council Members on this commission. Larson said but be conscious about types of businesses. He said you need to look at how you get smattering of types of business. Boyer said he thinks it is not just businesses, thinks it is also housing developments, the more your population increases, the more your business will grow. Moegerle said she is hearing that commercial is growing. Lawrence said not from Springted, the buyers market is going down, falling in on housing. Boyer said we are not going to see development for a year. Larson said there is the old adage, build it and then they will come. Moegerle said she only wishes this was true. Hanson said and she thinks it is important to have others besides just buildings. Moegerle said yes, bankers, real estate agents, there are many others that we could look at for this commission.

Moegerle said we have been talking about Parks and Recreation, she said people go shopping, they come and go, but kids need something to do during the summer. She asked Larson how the schools/community education could be involved with that with the City. Larson said it goes beyond community ed. He said the schools attract people. Larson said take for instance Andover Elementary, it was built and attracted people, all for community life. Davis said this is why it is important to have a good blend of people on the EDA. He said developers will come to the EDA and they want to talk to the people and this is the interaction they should have. Boyer said talking about amenities, Boeing moved and cities were in huge competition to get them, they ended up moving to Chicago, IL because of the amenities. Davis said quality of life and development are a big part of the EDA.

Moegerle asked how long does it take to get by-laws and structures and how long does it take to get 2 more members to the EDA. Boyer said he would like to see alternative structures to the EDA. Davis said we could have a matrix at the second May Council meeting. He said we could show 10-12 different cities and what they are doing, he said there may be some other solution in between. Boyer said it may be beneficial for staff to discuss with other planners what are the pros and cons of the different structures before we leap on this. Allenspach said it wouldn't hurt to find out what type of people they have, and it wouldn't hurt to put the word out that we are looking.

Boyer said he is also thinking numbers, is 9 to big or 11. Connor asked can we assume that we do know from tonight that there will be 2 members from Council and the rest of the group will be made from citizenry. Moegerle said that is where we are going. She said

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when you are getting up to 9 that is hard to get together. Connor said the larger the group the harder it is to make decisions. He said nothing gets done. Boyer said he is not sold on 2 Council Members. He said a certain part of him wants 3. Davis said the advantage of having only two is you can call a meeting without having to notice it, that is one consideration with 2 Council Members. He said you can build a safety net in here, that they have to go to Council for decision making. Boyer said if you have three that agree, then you have a decision. Allenspach said then you don't have people out there saying you made this decision before you even got here tonight.

Moegerle said she can foresee where we are going to have two meetings a month for the short term, a very active period there. Davis said we will need to select community members well versed in their field. He said it will be best to get a wide variety of experiences. Moegerle asked how we would fill the positions. Allenspach said she would think you would do an interview process. Hanson said we would advertise the position. Davis said we would advertise and recruit. Boyer said he doesn't want to say we want a realtor, but say we want someone that is involved in real estate. Davis said we are just throwing out professions that are related to this. Larson said he really thinks you need to have some balance between retail, manufacturing, building. DeRoche said and we don't want people in here with their own agenda. Larson asked wouldn't that come out in interview process.

Moegerle asked what kind of timeline we are looking at. Davis said he thinks we could have something before Council and then it could be done before the end of June. Connor said he likes what Davis said, it is wrong for us to go out and recruit who we want. Davis said but it is not wrong to encourage people to apply for these positions. Boyer said you need to give them a reasonable amount of time to apply. Larson asked how do you publish. DeRoche said Anoka County News. Moegerle said in the newsletter, billboard, website, Cable TV. Davis said we do need to move as quickly as possible, but we also need to give them enough time to get people interested. He said six weeks is a pretty aggressive time line. Moegerle said well, they need to know they are going to have an aggressive meeting schedule. DeRoche said this is important because we don't want someone to get on, and them we start driving people too much and they say screw it. Davis said we will say there is a monthly meeting and special meetings as required.

Adjourn **DeRoche made a motion to adjourn the EDA meeting at 6:59 PM. Boyer seconded; all in favor, motion carries.**

Attest:

Wendy Warren
Deputy City Clerk

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City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 B.1

* *

Agenda Item:
Pay Estimate #5 for the Construction of Municipal Well No. 3 and No. 4

* *

Requested Action:
Consider approval of Pay Estimate #5

* *

Background Information:
Attached is a copy of Pay Estimate #5 to Traut Wells, Inc. for the Construction of Municipal Well No. 3 and No. 4. The major pay item for this pay request includes the development of Well No. 3 and Well No. 4. The Pay Estimate includes payment for work completed to date minus a five percent retainage. We recommend partial payment of $24,711.17. A summary of the recommended payment is as follows:

Total Work Completed to Date	$ 203,334.25
Less Previous Payments	$ 168,456.37
Less 5% Retainage	$ 10,166.71
Total payment	$ 24,711.17

Attachments:
1. Pay Estimate #5

* *

Fiscal Impact:
This estimate includes payment of $24,711.17 to Traut Wells, Inc. Payment for this project will be financed from the bond proceeds. Funds, as noted above, are available and appropriate for this project.

* *

Recommendation(s):
Staff recommends Council consider approval of Pay Estimate #5 in the amount of $24,711.17 for the Construction of Municipal Well No. 3 and No. 4.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

PAY ESTIMATE #5
CITY OF EAST BETHEL
Construction of Municipal Well No. 3 and No. 4

August 29, 2011

Honorable Mayor & City Council
City of East Bethel
2241 221st Avenue NE
East Bethel, MN 55011

RE: Construction of Municipal Well No. 3 & No. 4

Contractor: Mark J. Traut Wells, Inc.

Dear Honorable Mayor and Council Members:

The following work has been completed on the above-referenced project by Mark J. Traut Wells, Inc.

Bid Schedule "A" - Construction of Municipal Well No. 3

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Mobilization, demobilization, site clean-up	LS	$ 17,750.00	0.50	$ 8,875.00
2	Drill 6" pilot hole	LF	$ 15.00	355	$ 5,325.00
3	Drill and drive 18" dia. surface casing (contractor may drill an oversized hole & install the casing and grout)	LF	$ 105.00	322	$ 33,810.00
4	Drill 17" dia. open hole	LF	$ 50.00		$ -
5	Furnish and install 12" casing	LF	$ 54.00	322	$ 17,388.00
6	Grout	CY	$ 375.00	3.75	$ 1,406.25
7	Drill 11.5" dia. open hole	LF	$ 40.00	25	$ 1,000.00
8	Furnish and install 8" telescopic screen	LF	$ 135.00		$ -
9	Gravel pack	CY	$ 400.00		$ -
10	Furnish, install and remove well development equipment	LS	$ 4,500.00	1	$ 4,500.00
11	Well development	HRS	$ 135.00	44	$ 5,940.00
12	Dynamite for blasting	LBS	$ 20.00		$ -
13	Bailing	CY	$ 65.00		$ -
14	Furnish, install and remove test pump	LS	$ 4,200.00		$ -
15	Test pumping DNR 7-day aquifer test (including diesel genset)	HRS	$ 75.00		$ -
16	Furnish and install submersible level transducers for monitoring water level in pumping and monitoring wells	UNIT	$ 250.00		$ -
17	Download water level data from data recorders and provide data in an Excel spreadsheet for pumping and monitoring wells	LS	$ 500.00		$ -
18	Water analysis (see Appendix for parameters)	LS	$ 950.00		$ -
19	Video taping	LS	$ 1,350.00		$ -
20	Gamma log	LS	$ 1,350.00	1	$ 1,350.00
21	Furnish and install 60 HP well pump	LS	$ 30,500.00		$ -
22	Furnish and install pitless unit	LS	$ 17,000.00		$ -
23	Site work including compacted Class 5 aggregate, concrete pad with woven wire reinforcement	LS	$ 2,500.00		$ -
24	Construction allowance	LS	$ 5,000.00		$ -
	Total Bid Schedule "A" - Construction of Municipal Well No. 1				**$ 79,594.25**

PAY ESTIMATE #5
CITY OF EAST BETHEL
Construction of Municipal Well No. 3 and No. 4

Bid Schedule "B" - Construction of Municipal Well No. 4

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Mobilization, demobilization, site clean-up	LS	$ 17,750.00	0.50	$ 8,875.00
2	Drill 6" pilot hole	LF	$ 15.00	350	$ 5,250.00
3	Drill and drive 18" dia. surface casing (contractor may drill an oversized hole & install the casing and grout)	LF	$ 105.00	283	$ 29,715.00
4	Drill 17" dia. open hole	LF	$ 50.00		$ -
5	Furnish and install 12" casing	LF	$ 54.00	283	$ 15,282.00
6	Grout	CY	$ 375.00	8.5	$ 3,187.50
7	Drill 11.5" dia. open hole	LF	$ 40.00	62	$ 2,480.00
8	Furnish and install 8" telescopic screen	LF	$ 135.00	65	$ 8,775.00
9	Gravel pack	CY	$ 400.00	1.77	$ 708.00
10	Furnish, install and remove well development equipment	LS	$ 4,500.00	1	$ 4,500.00
11	Well development	HRS	$ 135.00	46	$ 6,210.00
12	Dynamite for blasting	LBS	$ 20.00		$ -
13	Bailing	CY	$ 65.00		$ -
14	Furnish, install and remove test pump	LS	$ 4,200.00		$ -
15	Test pumping DNR 7-day aquifer test (including diesel genset)	HRS	$ 75.00		$ -
16	Furnish and install submersible level transducers for monitoring water level in pumping and monitoring wells	UNIT	$ 250.00		$ -
17	Download water level data from data recorders and provide data in an Excel spreadsheet for pumping and monitoring wells	LS	$ 500.00		$ -
18	Water analysis (see Appendix for parameters)	LS	$ 950.00	1	$ 950.00
19	Video taping	LS	$ 1,350.00		$ -
20	Gamma log	LS	$ 1,350.00	1	$ 1,350.00
21	Furnish and install 60 HP well pump	LS	$ 30,500.00		$ -
22	Furnish and install pitless unit	LS	$ 17,000.00		$ -
23	Site work including compacted Class 5 aggregate, concrete pad with woven wire reinforcement	LS	$ 2,500.00		$ -
24	Construction allowance	LS	$ 5,000.00		$ -

Total Bid Schedule "B" - Construction of Municipal Well No. 2 $ 87,282.50

Bid Schedule "C" - Change Order No. 1

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Mobilization & demobilization	LS	$ 850.00	1	$ 850.00
2	Bid item #6 (6" pilot bore)	LF	$ 15.00	350	$ 5,250.00
3	Bid item #20 (Gamma log)	LS	$ 1,350.00	1	$ 1,350.00
4	F&I 4" steel casing	LF	$ 10.75	307	$ 3,300.25
5	Bid item #6 (grout)	CY	$ 375.00	3.5	$ 1,312.50
6	Bid item #18 (complete water test)	LS	$ 950.00	1	$ 950.00
7	F&I & remove test pump (up to 60 gpm)	LS	$ 650.00	1	$ 650.00
8	Operate test pump and generator	HR	$ 125.00	26	$ 3,250.00
9	Mob and demob (to abandon well @ a later date)	LS	$ 450.00		$ -
10	Bid item #6 (grout for well abandonment)	CY	$ 375.00		$ -

Total Bid Schedule "C" - Change Order No. 1 $ 16,912.75

PAY ESTIMATE #5
CITY OF EAST BETHEL
Construction of Municipal Well No. 3 and No. 4

Bid Schedule "D" - Change Order No. 2

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Mobilization & demobilization	LS	$ 850.00	1	$ 850.00
2	F&I 4" stainless steel screen	LF	$ 115.00	10	$ 1,150.00
3	F&I 4" Steel casing	LF	$ 10.75	247	$ 2,655.25
4	F&I & remove test pump (up to 60 gpm)	LS	$ 650.00	1	$ 650.00
5	Operate test pump and generator	HR	$ 125.00	18.5	$ 2,312.50
6	Mob and demob (to abandon well @ a later date)	LS	$ 450.00		$ -
7	Bid item #6 (grout for well abandonment)	CY	$ 375.00		$ -
				Total Bid Schedule "D" - Change Order No. 2	**$ 7,617.75**

Bid Schedule "E1" - Change Order No. 3 - Deduct Amounts

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
5	Furnish and install 12" casing	LF	$ 54.00	-322	$ (17,388.00)
25	Salvaged 18" Casing	LF	$ 48.00	-50	$ (2,400.00)
				Total Bid Schedule "E1" - Change Order No. 3 - Deduct Amounts	**$ (19,788.00)**

Bid Schedule "E2" - Change Order No. 3 - Add Amounts

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Remove 12" Casing Pipe	HRS	$ 225.00	22	$ 4,950.00
2	Furnish and Install 18" Telescopic Screen	LF	$ 382.00	50	$ 19,100.00
3	Pull Back 18" Casing	LF	$ 95.00	52	$ 4,940.00
5	Set and Remove Trimmie Pipe	EACH	$ 350.00	3	$ 1,050.00
6	Furnish and Install 18" Pitless Unit	LS	$ 32,500.00		$ -
7	Rebevel and Restock 12" Casing and 8" Screen	LS	$ 1,675.00	1	$ 1,675.00
				Total Bid Schedule "E1" - Change Order No. 3 - Add Amounts	**$ 31,715.00**

Bid Schedule "A" - Construction of Municipal Well No. 3	**$ 79,594.25**
Bid Schedule "B" - Construction of Municipal Well No. 4	**$ 87,282.50**
Bid Schedule "C" - Change Order No. 1	**$ 16,912.75**
Bid Schedule "D" - Change Order No. 2	**$ 7,617.75**
Bid Schedule "E1" - Change Order No. 3 - Deduct Amounts	**$ (19,788.00)**
Bid Schedule "E2" - Change Order No. 3 - Add Amounts	**$ 31,715.00**
Total Work Completed to Date	**$ 203,334.25**
Less Pay Estimate #1	**$ 15,164.61**
Less Pay Estimate #2	**$ 22,721.86**
Less Pay Estimate #3	**$ 77,211.25**
Less Pay Estimate #4	**$ 53,358.65**
Less 5% Retainage	**$ 10,166.71**
WE RECOMMEND PAYMENT OF:	**$ 24,711.17**

PAY ESTIMATE #5
CITY OF EAST BETHEL
Construction of Municipal Well No. 3 and No. 4

APPROVALS:

CONTRACTOR: MARK J. TRAUT WELLS, INC.

Certification by Contractor: I certify that all items and amounts are correct for the work completed to date.

Signed:_____

Title:_____ Date_____

ENGINEER: HAKANSON ANDERSON ASSOCIATES, INC.

Certification by Engineer: We recommend payment for work and quantities as shown.

Signed:_____

Title:_____ Date_____

OWNER: CITY OF EAST BETHEL

Signed:_____

Title:_____ Date_____

CONTRACTOR'S PAY REQUEST East Bethel Gravity Interceptor & Discharge & Utility Infrastructure Project CITY OF EAST BETHEL, MN PROJECT NO. C12.100028 Pay Estimate No. 4	DISTRIBUTION: CONTRACTOR (1) OWNER (1) ENGINEER (1) BONDING CO. (1)
TOTAL AMOUNT BID	$11,686,468.20
CHANGE ORDER NO. 1 (REVISED)	$324,949.43
CHANGE ORDER NO. 2	$43,536.10
TOTAL AMOUNT BID PLUS APPROVED CHANGE ORDERS	$12,054,953.73
MCES STORED MATERIALS TO DATE	$817,668.50
EAST BETHEL STORED MATERIALS TO DATE	$326,983.25
TOTAL, STORED MATERIALS TO DATE	**$1,144,651.75**
DEDUCTION FOR MCES STORED MATERIALS USED IN WORK COMPLETED	$419,468.24
DEDUCTION FOR EAST BETHEL STORED MATERIALS USED IN WORK COMPLETED	$111,539.16
TOTAL DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	**$531,007.40**
TOTAL DUE MCES STORED MATERIALS TO DATE	$398,200.26
TOTAL DUE EAST BETHEL STORED MATERIALS TO DATE	$215,444.09
TOTAL DUE, STORED MATERIALS TO DATE	**$613,644.35**
TOTAL, MCES COMPLETED WORK TO DATE	$1,539,286.88
TOTAL, EAST BETHEL COMPLETED WORK TO DATE	$1,088,775.21
TOTAL, COMPLETED WORK TO DATE	**$2,628,062.09**
TOTAL, COMPLETED MCES WORK & STORED MATERIALS	$1,937,487.14
TOTAL, COMPLETED EAST BETHEL WORK & STORED MATERIALS	$1,304,219.30
TOTAL, COMPLETED WORK & STORED MATERIALS	**$3,241,706.44**
MCES RETAINED PERCENTAGE (5%)	$96,874.36
EAST BETHEL RETAINED PERCENTAGE (5%)	$65,210.97
TOTAL RETAINED PERCENTAGE (5%)	**$162,085.32**
TOTAL EARNED LESS RETAINAGE MCES TO DATE	$1,840,612.78
TOTAL EARNED LESS RETAINAGE EAST BETHEL TO DATE	$1,239,008.34
TOTAL EARNED LESS RETAINAGE TO DATE	**$3,079,621.12**
TOTAL, MCES AMOUNT PAID ON PREVIOUS ESTIMATES	$1,349,287.42
TOTAL EAST BETHEL AMOUNT PAID ON PREVIOUS ESTIMATES	$812,684.13
TOTAL AMOUNT PAID ON PREVIOUS ESTIMATES	**$2,161,971.55**
MCES THIS ESTIMATE	$491,325.36
EAST BETHEL THIS ESTIMATE	$426,324.20
PAY CONTRACTOR AS ESTIMATE NO. 4	**$917,649.56**

Certificate for Partial Payment

I hereby certify that, to the best of my knowledge and belief, all items quantities and prices of work and material shown on this Estimate are correct and that all work has been performed in full accordance with the terms and conditions of the Contract for this project between the Owner and the undersigned Contractor, and as amended by any

authorized changes, and that the foregoing is a true and correct statement of the contract amount for the period covered by this Estimate.

Contractor: S.R. Weidema, Inc.
17600 113th Avenue North
Maple Grove, MN 55369

By _____
Name Title

Date 9/2/11

CHECKED AND APPROVED AS TO QUANTITIES AND AMOUNT:
ENGINEER: BOLTON & MENK, INC., 2638 SHADOW LANE SUITE 200 CHASKA, MN 55318

By _____, PROJECT ENGINEER

Date 8-31-11

APPROVED FOR PAYMENT:
OWNER:

By _____
Name Title Date

And _____
Name Title Date

CITY BOND BREAKDOWN CALCULATION

SECTION	SUBTOTALS	SEWER	WATER	DESCRIPTION	CHECK TOTALS
MOBILIZATION	$64,849.65	$35,335.24	$29,514.41	Apportioned	
REMOVALS	$16,300.44	$8,881.78	$7,418.67	Apportioned	
DISCHARGE PIPING	$0.00	$0.00	$0.00	Apportioned	
STREET & STORM SEWER	$109,993.50	$59,933.20	$50,060.30	Apportioned	
EROSION CONTROL & RESTORATION	$2,449.40	$1,334.63	$1,114.77	Apportioned	
OPTION 1 PILING	$0.00	$0.00	$0.00	Apportioned	
OPTION 2 PILING	$0.00	$0.00	$0.00	Apportioned	
CHANGE ORDERS	$195,374.39	$97,687.20	$97,687.20	50%	
STORED MATERIALS	$215,444.09	$38,719.22	$176,724.87	By Type	
SANITARY SEWER	$381,310.93	$381,310.93			
WATERMAIN	$318,496.90		$318,496.90		$215,444.09
					$1,088,775.21
TOTALS		**$623,202.19**	**$681,017.11**		**$1,304,219.30**
Total - Retainage		$592,042.08	$646,966.25		$1,239,008.34
PREVIOUS ESTIMATE 1		$69,994.94	$50,473.59		$120,468.53
PREVIOUS ESTIMATE 2		$286,687.28	$276,737.92		$563,425.20
PREVIOUS ESTIMATE 3		$44,077.24	$84,713.16		$128,790.40
THIS ESTIMATE		**$191,282.62**	**$235,041.58**		**$426,324.20**

STORED MATERIALS

East Bethel Gravity Interceptor & Discharge & Utility Infrastructure Project
CITY OF EAST BETHEL, MN
PROJECT NO. C12.100028
PAY ESTIMATE NO. 4

SUMMARY OF STORED MATERIALS:	Invoice Unit Price	MCES TOTAL STORED MATERIALS Quantity	MCES TOTAL STORED MATERIALS Amount	CITY TOTAL STORED MATERIALS Quantity	CITY TOTAL STORED MATERIALS Amount	MCES MATERIALS USED IN PROJECT Quantity	MCES MATERIALS USED IN PROJECT Amount	CITY MATERIALS USED IN PROJECT Quantity	CITY MATERIALS USED IN PROJECT Amount	CURRENT STORED MATERIALS ON HAND	MCES STORED MATERIALS ON HAND	CITY STORED MATERIALS ON HAND
PAYMENT FOR APPROVED MATERIALS STORED ON SITE:												
8" PVC SEWER PIPE SDR 35	$ 2.84		$ -	1232 LF	$ 3,498.88		$ -	1232 LF	$ 3,498.88	$ -	$ -	$ -
8" PVC SEWER PIPE SDR 26	$ 3.79		$ -	2940 LF	$ 11,142.60		$ -	1490 LF	$ 5,647.10	$ 5,495.50	$ -	$ 5,495.50
12" PVC SEWER PIPE SDR 26	$ 8.74		$ -	672 LF	$ 5,873.28		$ -		$ -	$ 5,873.28	$ -	$ 5,873.28
15" PVC SEWER PIPE SDR 26	$ 12.92		$ -	168 LF	$ 2,170.56		$ -		$ -	$ 2,170.56	$ -	$ 2,170.56
15" PVC SEWER PIPE SDR 35	$ 9.53		$ -	1428 LF	$ 13,608.84		$ -		$ -	$ 13,608.84	$ -	$ 13,608.84
24" PVC SEWER PIPE SDR 26	$ 34.77	3500 LF	$ 121,695.00	322 LF	$ 11,195.94		$ -		$ -	$ 132,890.94	$ 121,695.00	$ 11,195.94
24" PVC SEWER PIPE PS46	$ 25.22	560 LF	$ 14,123.20		$ -		$ -		$ -	$ 14,123.20	$ 14,123.20	$ -
6" PVC SEWER PIPE SDR 26	$ 2.42		$ -	854 LF	$ 2,066.68		$ -	699 LF	$ 1,691.58	$ 375.10	$ -	$ 375.10
60" SN72/PN25 GRAVITY SEWER PIPE WFWC	$ 255.00	1187.65 LF	$ 302,850.75		$ -	1153 LF	$294,015.00		$ -	$ 8,835.75	$ 8,835.75	$ -
24" PVC C905 DR 21 WM	$ 49.02		$ -	1780 LF	$ 87,255.60		$ -		$ -	$ 87,255.60	$ -	$ 87,255.60
12" PVC C900 DR 18 WM	$ 13.17		$ -	820 LF	$ 10,799.40		$ -	820 LF	$ 10,799.40	$ -	$ -	$ -
8" PVC C900 DR 25 WM	$ 4.45		$ -	2400 LF	$ 10,680.00		$ -	2191 LF	$ 9,749.95	$ 930.05	$ -	$ 930.05
16" PVC C905 PIPE DR 21 WM	$ 19.61		$ -	4220 LF	$ 82,754.20		$ -	1492 LF	$ 29,258.12	$ 53,496.08	$ -	$ 53,496.08
4" GATE VALVE	$ 411.05		$ -	17 EA	$ 6,987.85		$ -	17 EA	$ 6,987.85	$ -	$ -	$ -
6" GATE VALVE	$ 524.88		$ -	23 EA	$ 12,072.24		$ -	16 EA	$ 8,398.08	$ 3,674.16	$ -	$ 3,674.16
8" GATE VALVE	$ 835.46		$ -	10 EA	$ 8,354.60		$ -	9 EA	$ 7,519.14	$ 835.46	$ -	$ 835.46
HYDRANT	$ 2,544.46		$ -	23 EA	$ 58,522.58		$ -	11 EA	$ 27,989.06	$ 30,533.52	$ -	$ 30,533.52
16" PVC C905 DR 14 DISCHARGE PIPING	$ 44.46	4060 LF	$ 180,507.60		$ -	2254 LF	$100,212.84		$ -	$ 80,294.76	$ 80,294.76	$ -
42" / 72 SN 25 PN GRAVITY SEWER PIPE WFWC	$ 113.00	1199.35 LF	$ 135,526.55		$ -		$ -		$ -	$ 135,526.55	$ 135,526.55	$ -
48" / 72 SN 25 PN GRAVITY SEWER PIPE WFWC	$ 136.00	20.15 LF	$ 2,740.40		$ -	20.15 LF	$ 2,740.40		$ -	$ -	$ -	$ -
42" / 100 SN 25 PN GRAVITY SEWER PIPE WFWC	$ 125.00	481.8 LF	$ 60,225.00		$ -	180 LF	$ 22,500.00		$ -	$ 37,725.00	$ 37,725.00	$ -
			$ -		$ -		$ -		$ -	$ -	$ -	$ -
			$ -		$ -		$ -		$ -	$ -	$ -	$ -
			$ -		$ -		$ -		$ -	$ -	$ -	$ -
	TOTAL:		$ 817,668.50		$ 326,983.25		$ 419,468.24		$ 111,539.16	$ 613,644.35	$ 398,200.26	$ 215,444.09

Partial Pay Estimate No.: 4

East Bethel Gravity Interceptor & Discharge & Utility Infrastructure Project
CITY OF EAST BETHEL, MN
PROJECT NO. C12.100028
METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES Project No. 801602
WORK COMPLETED THROUGH AUGUST 20, 2011

ITEM NO.		ITEM	UNIT PRICE	AS BID ESTIMATED QUANTITY		AS BID ESTIMATED AMOUNT	CURRENT ESTIMATE ESTIMATED QUANTITY		CURRENT ESTIMATE ESTIMATED AMOUNT	CURRENT ESTIMATE - CITY ESTIMATED QUANTITY		CURRENT ESTIMATE - CITY ESTIMATED AMOUNT	CURRENT ESTIMATE - MCES ESTIMATED QUANTITY		CURRENT ESTIMATE - MCES ESTIMATED AMOUNT	COMPLETED TO DATE ESTIMATED QUANTITY		COMPLETED TO DATE ESTIMATED AMOUNT	COMPLETED TO DATE - CITY ESTIMATED QUANTITY		COMPLETED TO DATE - CITY ESTIMATED AMOUNT	COMPLETED TO DATE - MCES ESTIMATED QUANTITY		COMPLETED TO DATE - MCES ESTIMATED AMOUNT
1	01500	MOBILIZATION	$255,000.00	1	LUMP SUM	$255,000.00		LUMP SUM			LUMP SUM			LUMP SUM		0.25	LUMP SUM	$63,750.00	0.10	LUMP SUM	$24,782.32	0.15	LUMP SUM	$38,967.68
2	01350	MAINTAIN DITCH FLOW	$4,200.00	4	EACH	$16,800.00	1.00	EACH	$4,200.00	1.00	EACH	$4,200.00		EACH		2.00	EACH	$8,400.00	2.00	EACH	$8,400.00		EACH	
3	01350	MAINTAIN CREEK FLOW	$8,300.00	1	EACH	$8,300.00		EACH			EACH			EACH			EACH			EACH			EACH	
4	01350	UTILITY TESTING WATER	$13.00	5000	KGAL	$65,000.00		KGAL			KGAL			KGAL			KGAL			KGAL			KGAL	
5	01350	PRE-CONSTRUCTION SURVEY / VIDEO TAPING	$650.00	16	UNIT	$10,400.00		UNIT			UNIT			UNIT		16.00	UNIT	$10,400.00	14.00	UNIT	$9,100.00	2.00	UNIT	$1,300.00
6	01510	FIELD OFFICE	$15,000.00	1	LUMP SUM	$15,000.00	0.07	LUMP SUM	$975.00	0.03	LUMP SUM	$379.02	0.04	LUMP SUM	$595.98	0.20	LUMP SUM	$2,925.00	0.08	LUMP SUM	$1,137.07	0.12	LUMP SUM	$1,787.93
7	01550	TEMPORARY TRENCH RESTORATION	$1.00	18250	SY	$18,250.00	5,526.00	SY	$5,526.00	3,128.33	SY	$3,128.33	2,397.67	SY	$2,397.67	9,193.00	SY	$9,193.00	6,795.33	SY	$6,795.33	2,397.67	SY	$2,397.67
8	01550	TEMPORARY SWAMP ACCESS	$32.30	4700	LF	$151,810.00		LF			LF			LF			LF			LF			LF	
9	01555	TRAFFIC CONTROL	$25,000.00	1	LUMP SUM	$25,000.00	0.15	LUMP SUM	$3,750.00	0.06	LUMP SUM	$1,457.78	0.09	LUMP SUM	$2,292.22	0.40	LUMP SUM	$10,000.00	0.16	LUMP SUM	$3,887.42	0.24	LUMP SUM	$6,112.58
10	01555	JERSEY BARRIERS	$17.75	2850	LF	$50,587.50	600.00	LF	$10,650.00	600.00	LF	$10,650.00		LF		600.00	LF	$10,650.00	600.00	LF	$10,650.00		LF	
11	01410	PERMIT BOND ALLOWANCE	$7,500.00	1	ALLOWANCE	$7,500.00	0.03	ALLOWANCE	$250.00	0.01	ALLOWANCE	$97.50	0.02	ALLOWANCE	$152.50	0.03	ALLOWANCE	$250.00	0.01	ALLOWANCE	$97.50	0.02	ALLOWANCE	$152.50
12	02220	REMOVE BITUMINOUS PAVEMENT	$1.16	22660	SY	$26,285.60	4,445.00	SY	$5,156.20		SY		4,445.00	SY	$5,156.20	18,291.00	SY	$21,217.56	10,064.00	SY	$11,674.24	8,227.00	SY	$9,543.32
13	02220	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	$3.85	650	SY	$2,502.50		SY			SY			SY		252.00	SY	$970.20	235.33	SY	$906.03	16.67	SY	$64.17
14	02220	REMOVE CONCRETE DRIVEWAY PAVEMENT	$0.50	2560	SF	$1,280.00	504.00	SF	$252.00	336.00	SF	$168.00	168.00	SF	$84.00	1,532.00	SF	$766.00	1,219.00	SF	$609.50	313.00	SF	$156.50
15	02220	REMOVE CONCRETE CURB & GUTTER	$2.15	1440	LF	$3,096.00	30.00	LF	$64.50	20.00	LF	$43.00	10.00	LF	$21.50	264.00	LF	$567.60	228.33	LF	$490.92	35.67	LF	$76.68
16	02220	REMOVE STORM SEWER - 18" RCP	$8.50	100	LF	$850.00	48.00	LF	$408.00	29.33	LF	$249.33	18.67	LF	$158.67	72.00	LF	$612.00	37.33	LF	$317.33	34.67	LF	$294.67
17	02220	REMOVE STORM SEWER - 21" RCP	$8.60	25	LF	$215.00	21.00	LF	$180.60	7.00	LF	$60.20	14.00	LF	$120.40	21.00	LF	$180.60	7.00	LF	$60.20	14.00	LF	$120.40
18	02220	REMOVE STORM SEWER - 48" RCP	$11.35	55	LF	$624.25		LF			LF			LF		40.00	LF	$454.00	40.00	LF	$454.00		LF	
19	02220	REMOVE CULVERT - 48" CMP	$10.15	40	LF	$406.00		LF			LF			LF			LF			LF			LF	
20	02220	REMOVE STORM SEWER STRUCTURE	$360.00	4	EACH	$1,440.00	1.00	EACH	$360.00	0.33	EACH	$120.00	0.67	EACH	$240.00	4.00	EACH	$1,440.00	2.67	EACH	$960.00	1.33	EACH	$480.00
21	02218	SALVAGE AND REINSTALL STORM SEWER - 12" PVC	$28.00	20	LF	$560.00		LF			LF			LF			LF			LF			LF	
22	02219	SALVAGE AND REINSTALL STORM SEWER - 18" RCP	$28.00	20	LF	$560.00		LF			LF			LF		8.00	LF	$224.00	8.00	LF	$224.00		LF	
23	02220	SALVAGE AND REINSTALL STORM SEWER - 36" RCP	$29.00	75	LF	$2,175.00		LF			LF			LF		8.00	LF	$232.00	8.00	LF	$232.00		LF	
24	02220	SALVAGE AND REINSTALL STORM SEWER - 48" RCP	$36.00	45	LF	$1,620.00		LF			LF			LF			LF			LF			LF	
25	02220	SALVAGE AND REINSTALL THEATER MARQUEE	$48,500.00	1	EACH	$48,500.00	0.45	EACH	$21,825.00		EACH		0.45	EACH	$21,825.00	0.45	EACH	$21,825.00		EACH		0.45	EACH	$21,825.00
26	02220	SALVAGE AND REINSTALL LANDSCAPING	$35,000.00	1	ALLOWANCE	$35,000.00	0.04	ALLOWANCE	$1,574.81	0.01	ALLOWANCE	$236.22	0.04	ALLOWANCE	$1,338.59	0.04	ALLOWANCE	$1,574.81	0.01	ALLOWANCE	$236.22	0.04	ALLOWANCE	$1,338.59
27	02220	PRIVATE UTILITY REMOVAL, RELOCATION, TEMP SUPPORT	$225,000.00	1	ALLOWANCE	$225,000.00		ALLOWANCE			ALLOWANCE			ALLOWANCE		0.22	ALLOWANCE	$49,995.00		ALLOWANCE		0.22	ALLOWANCE	$49,995.00
28	02230	CLEARING & GRUBBING	$68.00	190	EACH	$12,920.00		EACH			EACH			EACH		6.00	EACH	$408.00	2.00	EACH	$136.00	4.00	EACH	$272.00
29	02230	CLEARING & GRUBBING	$2,700.00	1.9	ACRE	$5,130.00		ACRE			ACRE			ACRE			ACRE			ACRE			ACRE	
30	02955	REPAIR EXISTING DRAIN TILE	$13.00	300	LF	$3,900.00		LF			LF			LF			LF			LF			LF	
31	02960	2" FEATHER MILL	$4.50	910	SY	$4,095.00		SY			SY			SY			SY			SY			SY	
32	02530	48" DIAMETER MANHOLE	$371.25	602	LF	$223,492.50	86.17	LF	$31,990.61	65.29	LF	$24,238.91	20.88	LF	$7,751.70	172.01	LF	$63,858.71	131.18	LF	$48,700.58	40.83	LF	$15,158.14
33	02530	60" DIAMETER MANHOLE	$605.00	137	LF	$82,885.00		LF			LF			LF			LF			LF			LF	
34	02530	72" DIAMETER MANHOLE	$800.00	8	LF	$6,400.00		LF			LF			LF			LF			LF			LF	
35	02530	84" DIAMETER MANHOLE	$1,535.00	64	LF	$98,240.00		LF			LF			LF			LF			LF			LF	
36	02530	96" DIAMETER MANHOLE	$2,365.00	8	LF	$18,920.00		LF			LF			LF			LF			LF			LF	
37	02530	108" DIAMETER MANHOLE	$2,370.00	10	LF	$23,700.00	13.00	LF	$30,810.00		LF		13.00	LF	$30,810.00	13.00	LF	$30,810.00		LF		13.00	LF	$30,810.00
38	02530	120" DIAMETER MANHOLE	$2,500.00	20	LF	$50,000.00		LF			LF			LF		13.00	LF	$32,500.00		LF		13.00	LF	$32,500.00
39	02530	48" DIAMETER MANHOLE BOUYANCY COLLAR	$436.00	22	EACH	$9,592.00	4.00	EACH	$1,744.00	4.00	EACH	$1,744.00		EACH		8.00	EACH	$3,488.00	8.00	EACH	$3,488.00		EACH	
40	02530	60" DIAMETER MANHOLE BOUYANCY COLLAR	$1,235.00	9	EACH	$11,115.00		EACH			EACH			EACH			EACH			EACH			EACH	
41	02530	72" DIAMETER MANHOLE BOUYANCY COLLAR	$1,520.00	1	EACH	$1,520.00		EACH			EACH			EACH			EACH			EACH			EACH	
42	02530	8" OUTSIDE DROP	$220.00	17.82	LF	$3,920.40	6.75	LF	$1,485.00	6.75	LF	$1,485.00		LF		13.75	LF	$3,025.00	13.75	LF	$3,025.00		LF	
43	02530	8" PVC SDR 35 SEWER PIPE (10-15 FEET)	$38.00	1130	LF	$42,940.00	544.00	LF	$20,672.00	544.00	LF	$20,672.00		LF		1,308.00	LF	$49,704.00	1,308.00	LF	$49,704.00		LF	
44	02530	8" PVC SDR 35 SEWER PIPE (15-20 FEET)	$38.00	100	LF	$3,800.00	206.00	LF	$7,828.00	206.00	LF	$7,828.00		LF		295.00	LF	$11,210.00	295.00	LF	$11,210.00		LF	
45	02530	8" PVC SDR 26 SEWER PIPE (10-15 FEET)	$50.00	260	LF	$13,000.00		LF			LF			LF			LF			LF			LF	
46	02530	8" PVC SDR 26 SEWER PIPE (15-20 FEET)	$50.00	1965	LF	$98,250.00	270.00	LF	$13,500.00	270.00	LF	$13,500.00		LF		670.00	LF	$33,500.00	670.00	LF	$33,500.00		LF	
47	02530	8" PVC SDR 26 SEWER PIPE (20-25 FEET)	$50.00	835	LF	$41,750.00	435.00	LF	$21,750.00	435.00	LF	$21,750.00		LF		820.00	LF	$41,000.00	820.00	LF	$41,000.00		LF	
48	02530	10" PVC SDR 26 SEWER PIPE (15-20 FEET)	$55.00	20	LF	$1,100.00	19.00	LF	$1,045.00	19.00	LF	$1,045.00		LF		38.00	LF	$2,090.00	38.00	LF	$2,090.00		LF	
49	02530	12" PVC SDR 26 SEWER PIPE (0-10 FEET)	$58.00	65	LF	$3,770.00		LF			LF			LF			LF			LF			LF	
50	02530	12" PVC SDR 26 SEWER PIPE (15-20 FEET)	$58.00	610	LF	$35,380.00		LF			LF			LF			LF			LF			LF	
51	02530	15" PVC SDR 35 SEWER PIPE (10-15 FEET)	$58.00	945	LF	$54,810.00		LF			LF			LF			LF			LF			LF	
52	02530	15" PVC SDR 35 SEWER PIPE (15-20 FEET)	$58.00	405	LF	$23,490.00		LF			LF			LF			LF			LF			LF	
53	02530	15" PVC SDR 26 SEWER PIPE (10-15 FEET)	$58.00	85	LF	$4,930.00		LF			LF			LF			LF			LF			LF	
54	02530	15" PVC SDR 26 SEWER PIPE (15-20 FEET)	$58.00	65	LF	$3,770.00		LF			LF			LF			LF			LF			LF	
55	02530	15" PVC SDR 26 SEWER PIPE (20-25 FEET)	$58.00	17	LF	$986.00		LF			LF			LF			LF			LF			LF	
56	02530	24" PVC PS 46/ CCFRPM SN 46 (10-15 FEET)	$75.00	560	LF	$42,000.00		LF			LF			LF			LF			LF			LF	
57	02530	24" PVC PS 115/ CCFRPM SN 72 (10-15 FEET)	$85.00	2420	LF	$205,700.00		LF			LF			LF			LF			LF			LF	
58	02530	24" PVC PS 115/ CCFRPM SN 72 (15-20 FEET)	$85.00	1035	LF	$87,975.00		LF			LF			LF			LF			LF			LF	
59	02530	24" PVC PS 115/ CCFRPM SN 100 (20-25 FEET)	$90.00	10	LF	$900.00		LF			LF			LF			LF			LF			LF	
60	02530	24" PVC PS 115/ CCFRPM SN 100 (25-30 FEET)	$90.00	25	LF	$2,250.00		LF			LF			LF			LF			LF			LF	
61	02530	24" PVC PS 115/ CCFRPM SN 100 (30-35 FEET)	$90.00	28	LF	$2,520.00		LF			LF			LF			LF			LF			LF	
62	02530	36" PVC PS 115/ CCFRPM SN 72 (15-20 FEET)	$185.00	44	LF	$8,140.00		LF			LF			LF			LF			LF			LF	
63	02530	42" PVC PS 46/ CCFRPM SN 46 (15-20 FEET)	$210.00	566	LF	$118,860.00		LF			LF			LF			LF			LF			LF	
64	02530	42" PVC PS 46/ CCFRPM SN 46 (20-25 FEET)	$200.00	320	LF	$64,000.00		LF			LF			LF			LF			LF			LF	
65	02530	42" PVC PS 115/ CCFRPM SN 72 (15-20 FEET)	$205.00	502	LF	$102,910.00		LF			LF			LF			LF			LF			LF	
66	02530	42" PVC PS 115/ CCFRPM SN 72 (20-25 FEET)	$205.00	285	LF	$58,425.00		LF			LF			LF			LF			LF			LF	
67	02530	42" PVC PS 115/ CCFRPM SN 72 (25-30 FEET)	$205.00	855	LF	$175,275.00		LF			LF			LF			LF			LF			LF	
68	02530	42" PVC PS 115/ CCFRPM SN 72 (30-35 FEET)	$205.00	155	LF	$31,775.00		LF			LF			LF			LF			LF			LF	
69	02530	42" PVC PS 115/ CCFRPM SN 100 (30-35 FEET)	$225.00	466	LF	$104,850.00	180.00	LF	$40,500.00		LF		180.00	LF	$40,500.00	180.00	LF	$40,500.00		LF		180.00	LF	$40,500.00
70	02530	48" PVC PS 115/ CCFRPM SN 72 (30-35 FEET)	$225.00	25	LF	$5,625.00		LF			LF			LF		25.00	LF	$5,625.00		LF		25.00	LF	$5,625.00
71	02530	60" PVC PS 115/ CCFRPM SN 72 (30-35 FEET)	$500.00	1192	LF	$596,000.00	388.00	LF	$194,000.00		LF		388.00	LF	$194,000.00	1,153.00	LF	$576,500.00		LF		1,153.00	LF	$576,500.00
72	02445	GRAVITY SEWER BORING - 12" CARRIER PIPE	$218.00	95	LF	$20,710.00		LF			LF			LF			LF			LF			LF	
73	02445	GRAVITY SEWER BORING - 15" CARRIER PIPE	$325.00	95	LF	$30,875.00		LF			LF			LF			LF			LF			LF	
74	02445	GRAVITY SEWER BORING - 24" CARRIER PIPE	$455.00	290	LF	$131,950.00		LF			LF			LF			LF			LF			LF	
75	02445	GRAVITY SEWER BORING - 36" CARRIER PIPE	$775.00	355	LF	$275,125.00		LF			LF			LF			LF			LF			LF	
76	02445	GRAVITY SEWER BORING - 42" CARRIER PIPE	$830.00	325	LF	$269,750.00		LF			LF			LF			LF			LF			LF	
77	02445	SET UP BORING PIT (10-15 FEET)	$14,350.00	2	EACH	$28,700.00		EACH			EACH			EACH			EACH			EACH			EACH	
78	02445	SET UP BORING PIT (20-25 FEET)	$22,000.00	1	EACH	$22,000.00		EACH			EACH			EACH			EACH			EACH			EACH	
79	02445	SET UP BORING PIT (25-30 FEET)	$33,600.00	1	EACH	$33,600.00		EACH			EACH			EACH			EACH			EACH			EACH	
80	02445	SET UP BORING PIT (30-35 FEET)	$40,000.00	1	EACH	$40,000.00		EACH			EACH			EACH			EACH			EACH			EACH	
81	02530	6" PVC SDR 26 SERVCE PIPE	$19.00	730	LF	$13,870.00	367.50	LF	$6,982.50	367.50	LF	$6,982.50		LF		584.50	LF	$11,105.50	584.50	LF	$11,105.50		LF	
82	02530	6" PVC SDR 26 SERVICE RISER	$13.30	105	LF	$1,396.50	53.50	LF	$711.55	53.50	LF	$711.55		LF		114.50	LF	$1,522.85	114.50	LF	$1,522.85		LF	
83	02530	8" X 6" PVC SDR 26 WYE	$145.00	17	EACH	$2,465.00	11.00	EACH	$1,595.00	11.00	EACH	$1,595.00		EACH		18.00	EACH	$2,610.00	18.00	EACH	$2,610.00		EACH	
84	02240	DEWATERING (0-10 FEET)	$35.00	800	LF	$28,000.00		LF			LF			LF		80.00	LF	$2,800.00	80.00	LF	$2,800.00		LF	
85	02240	DEWATERING (10-15 FEET)	$45.00	5300	LF	$238,500.00	544.00	LF	$24,480.00	544.00	LF	$24,480.00		LF		1,578.00	LF	$71,010.00	1,578.00	LF	$71,010.00		LF	

Partial Pay Estimate No.: 4

East Bethel Gravity Interceptor & Discharge & Utility Infrastructure Project
CITY OF EAST BETHEL, MN
PROJECT NO. C12.100028
METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES Project No. 801602
WORK COMPLETED THROUGH AUGUST 20, 2011

ITEM NO.		ITEM	UNIT PRICE	AS BID			CURRENT ESTIMATE			CURRENT ESTIMATE - CITY			CURRENT ESTIMATE - MCES			COMPLETED TO DATE			COMPLETED TO DATE - CITY			COMPLETED TO DATE - MCES		
				ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY		ESTIMATED AMOUNT	ESTIMATED QUANTITY		ESTIMATED AMOUNT
86	02240	DEWATERING (15-20 FEET)	$50.00	4600	LF	$230,000.00	476.00	LF	$23,800.00	476.00	LF	$23,800.00		LF		935.00	LF	$46,750.00	935.00	LF	$46,750.00		LF	
87	02240	DEWATERING (20-25 FEET)	$65.00	1950	LF	$126,750.00	435.00	LF	$28,275.00	435.00	LF	$28,275.00		LF		795.00	LF	$51,675.00	795.00	LF	$51,675.00		LF	
88	02240	DEWATERING (25-30 FEET)	$65.00	1010	LF	$65,650.00		LF			LF			LF			LF			LF			LF	
89	02240	DEWATERING (30-35 FEET)	$70.00	2010	LF	$140,700.00	568.00	LF	$39,760.00		LF		568.00	LF	$39,760.00	1,358.00	LF	$95,060.00		LF		1,358.00	LF	$95,060.00
90	02530	PIPE SUBGRADE EXCAVATION (EV) - TYPE A BEDDING	$7.35	850	CY	$6,247.50		CY			CY			CY			CY			CY			CY	
91	02530	PIPE SUBGRADE EXCAVATION (EV) - TYPE B1 BEDDING	$8.60	7700	CY	$66,220.00		CY			CY			CY			CY			CY			CY	
92	02530	PIPE SUBGRADE EXCAVATION (EV) - TYPE B2 BEDDING	$10.00	1400	CY	$14,000.00		CY			CY			CY			CY			CY			CY	
93	02530	AGGREGATE BEDDING - TYPE A BEDDING	$24.00	2000	TON	$48,000.00		TON			TON			TON			TON			TON			TON	
94	02530	AGGREGATE BEDDING - TYPE B1 BEDDING	$28.00	18000	TON	$504,000.00		TON			TON			TON			TON			TON			TON	
95	02530	AGGREGATE BEDDING - TYPE B2 BEDDING	$29.00	3300	TON	$95,700.00		TON			TON			TON			TON			TON			TON	
96	20341	GEOTEXTILE FABRIC - TYPE B1 BEDDING	$1.00	16000	SY	$16,000.00		SY			SY			SY			SY			SY			SY	
97	02341	GEOTEXTILE FABRIC - TYPE B2 BEDDING	$1.00	1950	SY	$1,950.00		SY			SY			SY			SY			SY			SY	
98	02530	EXPLORATION EXCAVATIONS	$7,300.00	20	EACH	$146,000.00		EACH			EACH			EACH			EACH			EACH			EACH	
99	01150	TEMORARY ACCESS DRIVEWAY - BANK	$3.35	1700	SY	$5,695.00		SY			SY			SY			SY			SY			SY	
100	02320	POND BERM RESTORATION	$7,600.00	1	LUMP SUM	$7,600.00		LUMP SUM			LUMP SUM			LUMP SUM			LUMP SUM			LUMP SUM			LUMP SUM	
101	02530	SANITARY SEWER STANDARD CASTING	$280.00	13	EACH	$3,640.00	4.00	EACH	$1,120.00	4.00	EACH	$1,120.00		EACH		4.00	EACH	$1,120.00	4.00	EACH	$1,120.00		EACH	
102	02530	WATER TIGHT CASTING	$1,470.00	32	EACH	$47,040.00		EACH			EACH			EACH			EACH			EACH			EACH	
103	02530	CHIMNEY SEAL	$252.00	13	EACH	$3,276.00		EACH			EACH			EACH			EACH			EACH			EACH	
104	02530	MANHOLE MARKER SIGN	$57.00	31	EACH	$1,767.00		EACH			EACH			EACH			EACH			EACH			EACH	
105	02705	ADJUST CASTING	$300.00	13	EACH	$3,900.00		EACH			EACH			EACH			EACH			EACH			EACH	
106	02310	MANHOLE ACCESS GRADING (CV)	$12.25	600	CY	$7,350.00		CY			CY			CY			CY			CY			CY	
107	02310	MANHOLE ACCESS SUBGRADE EXCAVATION (EV)	$9.00	3950	CY	$35,550.00		CY			CY			CY			CY			CY			CY	
108	02310	MANHOLE ACCESS GEOTEXTILE FABRIC	$1.60	6800	SY	$10,880.00		SY			SY			SY			SY			SY			SY	
109	02310	MANHOLE ACCESS COMMON EXCAVATION (P)	$2.00	1750	CY	$3,500.00		CY			CY			CY			CY			CY			CY	
110	02310	MANHOLE ACCESS GRANULAR SUB BASE	$7.00	7900	TON	$55,300.00		TON			TON			TON			TON			TON			TON	
111	02730	MANHOLE ACCESS AGGREGATE SURFACE	$13.20	4300	TON	$56,760.00		TON			TON			TON			TON			TON			TON	
112	02535	6" PVC C905 DR 14 DISCHARGE PIPING	$31.00	270	LF	$8,370.00	128.00	LF	$3,968.00		LF		128.00	LF	$3,968.00	128.00	LF	$3,968.00		LF		128.00	LF	$3,968.00
113	02535	16" PVC C905 DR 14 DISCHARGE PIPING	$58.00	4060	LF	$235,480.00	2,254.00	LF	$130,732.00		LF		2,254.00	LF	$130,732.00	2,254.00	LF	$130,732.00		LF		2,254.00	LF	$130,732.00
114	02535	21.6" OD HDPE DR 7 DIPS DISCHARGE PIPING	$110.00	2873	LF	$316,030.00		LF			LF			LF			LF			LF			LF	
115	02535	6" GATE VALVE	$1,100.00	10	EACH	$11,000.00	4.00	EACH	$4,400.00		EACH		4.00	EACH	$4,400.00	4.00	EACH	$4,400.00		EACH		4.00	EACH	$4,400.00
116	02445	DISCHARGE PIPE BORING - 16" CARRIER PIPE	$328.00	95	LF	$31,160.00		LF			LF			LF			LF			LF			LF	
117	02445	SET UP BORING PIT (10-15 FEET)	$16,850.00	1	EACH	$16,850.00		EACH			EACH			EACH			EACH			EACH			EACH	
118	02240	DEWATERING (10-15 FEET)	$1.00	370	LF	$370.00		LF			LF			LF			LF			LF			LF	
119	02535	MAINTENANCE MANHOLE	$3,100.00	47.5	LF	$147,250.00	5.77	LF	$17,887.00		LF		5.77	LF	$17,887.00	5.77	LF	$17,887.00		LF		5.77	LF	$17,887.00
120	02535	AIR / VACUUM RELEASE MANHOLE	$25,365.00	3	EACH	$76,095.00	1.00	EACH	$25,365.00		EACH		1.00	EACH	$25,365.00	1.00	EACH	$25,365.00		EACH		1.00	EACH	$25,365.00
121	02530	72" DIAMETER MANHOLE BOUYANCY COLLAR	$1,520.00	3	EACH	$4,560.00	1.00	EACH	$1,520.00		EACH		1.00	EACH	$1,520.00	1.00	EACH	$1,520.00		EACH		1.00	EACH	$1,520.00
122	02530	108" DIAMETER MANHOLE BOUYANCY COLLAR	$2,575.00	3	EACH	$7,725.00		EACH			EACH			EACH			EACH			EACH			EACH	
123	02535	MANHOLE MARKER SIGN	$60.00	4	EACH	$240.00		EACH			EACH			EACH			EACH			EACH			EACH	
124	02535	4" INSULATION	$3.70	350	SF	$1,295.00		SF			SF			SF			SF			SF			SF	
125	02535	TEMPORARY HYDRANT ASSEMBLY	$3,160.00	2	EACH	$6,320.00	1.00	EACH	$3,160.00		EACH		1.00	EACH	$3,160.00	1.00	EACH	$3,160.00		EACH		1.00	EACH	$3,160.00
126	02510	HYDRANT EXTENSION	$500.00	6	LF	$3,000.00		LF			LF			LF			LF			LF			LF	
127	02510	VALVE BOX EXTENSION	$75.00	6	LF	$450.00		LF			LF			LF			LF			LF			LF	
128	02530	CHIMNEY SEAL	$265.00	2	EACH	$530.00		EACH			EACH			EACH			EACH			EACH			EACH	
129	02535	FORCEMAIN FITTINGS	$6.00	4300	POUND	$25,800.00	968.00	POUND	$5,808.00		POUND		968.00	POUND	$5,808.00	968.00	POUND	$5,808.00		POUND		968.00	POUND	$5,808.00
130	02705	ADJUST CASTING	$300.00	6	EACH	$1,800.00		EACH			EACH			EACH			EACH			EACH			EACH	
131	02705	ADJUST VALVE BOX	$236.00	10	EACH	$2,360.00		EACH			EACH			EACH			EACH			EACH			EACH	
132	02510	HYDRANT & VALVE SUPPORT & FITING BLOCKING IN POOR SOILS	$41.00	30	LF	$1,230.00		LF			LF			LF			LF			LF			LF	
133	02510	8" PVC C900 DR 25 WATERMAIN	$27.00	2360	LF	$63,720.00	10.00	LF	$270.00	10.00	LF	$270.00		LF		2,191.00	LF	$59,157.00	2,191.00	LF	$59,157.00		LF	
134	02510	12" PVC C900 DR 18 WATERMAIN	$37.00	810	LF	$29,970.00	822.00	LF	$30,414.00	822.00	LF	$30,414.00		LF		822.00	LF	$30,414.00	822.00	LF	$30,414.00		LF	
135	02510	16" PVC C905 DR 21 WATERMAIN	$44.00	3840	LF	$168,960.00	1,492.00	LF	$65,648.00	1,492.00	LF	$65,648.00		LF		1,492.00	LF	$65,648.00	1,492.00	LF	$65,648.00		LF	
136	02510	24" PVC C905 DR 21 WATERMAIN	$75.00	1350	LF	$101,250.00		LF			LF			LF			LF			LF			LF	
137	02510	19.5" O.D. HDPE DR 11 DIPS WATERMAIN	$75.00	790	LF	$59,250.00		LF			LF			LF			LF			LF			LF	
138	02510	32" O.D. HDPE DR 11 DIPS WATERMAIN	$150.00	4040	LF	$606,000.00		LF			LF			LF			LF			LF			LF	
139	02445	WATERMAIN BORING - 16" CARRIER PIPE	$326.00	380	LF	$123,880.00		LF			LF			LF			LF			LF			LF	
140	02445	WATERMAIN BORING - 24" CARRIER PIPE	$437.00	430	LF	$187,910.00		LF			LF			LF			LF			LF			LF	
141	02445	SET UP BORING PIT (0-10 FEET)	$10,400.00	2	EACH	$20,800.00		EACH			EACH			EACH			EACH			EACH			EACH	
142	02445	SET UP BORING PIT (10-15 FEET)	$15,400.00	2	EACH	$30,800.00		EACH			EACH			EACH			EACH			EACH			EACH	
143	02510	4" PVC C900 DR 25 WATER SERVICE	$15.00	190	LF	$2,850.00		LF			LF			LF		174.00	LF	$2,610.00	174.00	LF	$2,610.00		LF	
144	02510	4" PVC C900 DR 18 WATER SERVICE	$15.00	490	LF	$7,350.00	365.00	LF	$5,475.00	365.00	LF	$5,475.00		LF		365.00	LF	$5,475.00	365.00	LF	$5,475.00		LF	
145	02510	6" PVC C900 DR 18 WATER SERVICE	$22.00	90	LF	$1,980.00	22.00	LF	$484.00	22.00	LF	$484.00		LF		22.00	LF	$484.00	22.00	LF	$484.00		LF	
146	02510	6" PVC C900 DR 25 WATER SERVICE	$18.00	130	LF	$2,340.00		LF			LF			LF		119.00	LF	$2,142.00	119.00	LF	$2,142.00		LF	
147	02510	6" PVC C900 DR 18 HYDRANT LEAD	$22.00	200	LF	$4,400.00	75.00	LF	$1,650.00	75.00	LF	$1,650.00		LF		75.00	LF	$1,650.00	75.00	LF	$1,650.00		LF	
148	02510	6" PVC C900 DR 25 HYDRANT LEAD	$22.00	70	LF	$1,540.00		LF			LF			LF		80.00	LF	$1,760.00	80.00	LF	$1,760.00		LF	
149	02510	4" GATE VALVE	$1,000.00	17	EACH	$17,000.00	10.00	EACH	$10,000.00	10.00	EACH	$10,000.00		EACH		17.00	EACH	$17,000.00	17.00	EACH	$17,000.00		EACH	
150	02510	6" GATE VALVE	$1,100.00	26	EACH	$28,600.00	7.00	EACH	$7,700.00	7.00	EACH	$7,700.00		EACH		15.00	EACH	$16,500.00	15.00	EACH	$16,500.00		EACH	
151	02510	8" GATE VALVE	$1,520.00	10	EACH	$15,200.00		EACH			EACH			EACH		9.00	EACH	$13,680.00	9.00	EACH	$13,680.00		EACH	
152	02510	12" GATE VALVE	$2,625.00	2	EACH	$5,250.00	2.00	EACH	$5,250.00	2.00	EACH	$5,250.00		EACH		2.00	EACH	$5,250.00	2.00	EACH	$5,250.00		EACH	
153	02510	16" BUTTERFLY VALVE	$3,000.00	12	EACH	$36,000.00	4.00	EACH	$12,000.00	4.00	EACH	$12,000.00		EACH		4.00	EACH	$12,000.00	4.00	EACH	$12,000.00		EACH	
154	02510	24" BUTTERFLY VALVE	$5,660.00	8	EACH	$45,280.00		EACH			EACH			EACH			EACH			EACH			EACH	
155	02510	HYDRANT	$3,320.00	21	EACH	$69,720.00	5.00	EACH	$16,600.00	5.00	EACH	$16,600.00		EACH		10.00	EACH	$33,200.00	10.00	EACH	$33,200.00		EACH	
156	02510	HYDRANT EXTENSION	$500.00	11	LF	$5,500.00		LF			LF			LF			LF			LF			LF	
157	02510	VALVE BOX EXTENSION	$75.00	11	LF	$825.00		LF			LF			LF			LF			LF			LF	
158	02705	ADJUST VALVE BOX	$250.00	74	EACH	$18,500.00		EACH			EACH			EACH			EACH			EACH			EACH	
159	02510	GATE VALVE MARKER SIGN	$60.00	15	EACH	$900.00		EACH			EACH			EACH			EACH			EACH			EACH	
160	02510	WATERMAIN FITTINGS	$9.00	16500	POUND	$148,500.00	4,618.00	POUND	$41,562.00	4,618.00	POUND	$41,562.00		POUND		5,710.00	POUND	$51,390.00	5,710.00	POUND	$51,390.00		POUND	
161	02510	4" INSULATION	$3.70	1500	SF	$5,550.00	32.00	SF	$118.40	32.00	SF	$118.40		SF		37.00	SF	$136.90	37.00	SF	$136.90		SF	
162	02510	HYDRANT & VALVE SUPPORT & FITING BLOCKING IN POOR SOILS	$41.00	180	LF	$7,380.00		LF			LF			LF			LF			LF			LF	
163	02320	TRENCH CONSOLIDATION REPLACEMENT MATERIAL	$4.00	60000	TON	$240,000.00		TON			TON			TON			TON			TON			TON	
164	02330	COMMON EXCAVATION (P)	$6.35	7000	CY	$44,450.00	739.00	CY	$4,692.65	246.33	CY	$1,564.22	492.67	CY	$3,128.43	1,713.00	CY	$10,877.55	1,220.33	CY	$7,749.12	492.67	CY	$3,128.43
165	02330	SUBGRADE EXCAVATION (EV)	$9.00	400	CY	$3,600.00	507.99	CY	$4,571.91	338.66	CY	$3,047.94	169.33	CY	$1,523.97	507.99	CY	$4,571.91	338.66	CY	$3,047.94	169.33	CY	$1,523.97
166	02330	SUBGRADE EXCAVATION REPLACMENT MATERIAL	$6.25	800	TON	$5,000.00		TON			TON			TON			TON			TON			TON	
167	02335	SUBGRADE PREPARATION	$0.70	24370	SY	$17,059.00		SY			SY			SY		5,844.00	SY	$4,090.80	5,844.00	SY	$4,090.80		SY	
168	02720	AGGREGATE BASE CLASS 5 - STREETS & PARKING LOT	$12.50	8750	TON	$109,375.00	636.00	TON	$7,950.00	636.00	TON	$7,950.00		TON		1,907.00	TON	$23,837.50	1,907.00	TON	$23,837.50		TON	
169	02720	AGGREGATE BASE CLASS 5 - DRIVEWAYS	$16.00	275	TON	$4,400.00	102.02	TON	$1,632.32	102.02	TON	$1,632.32		TON		102.02	TON	$1,632.32	102.02	TON	$1,632.32		TON	
170	02730	AGGREGATE SURFACE CLASS 5 - DRIVEWAY	$16.00	60	TON	$960.00	40.14	TON	$642.24	40.14	TON	$642.24		TON		40.14	TON	$642.24	40.14	TON	$642.24		TON	

Partial Pay Estimate No.: 4

East Bethel Gravity Interceptor & Discharge & Utility Infrastructure Project
CITY OF EAST BETHEL, MN
PROJECT NO. C12.100028
METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES Project No. 801602
WORK COMPLETED THROUGH AUGUST 20, 2011

ITEM NO.		ITEM	UNIT PRICE	AS BID ESTIMATED QUANTITY		AS BID ESTIMATED AMOUNT	CURRENT ESTIMATE ESTIMATED QUANTITY		CURRENT ESTIMATE ESTIMATED AMOUNT	CURRENT ESTIMATE - CITY ESTIMATED QUANTITY		CURRENT ESTIMATE - CITY ESTIMATED AMOUNT	CURRENT ESTIMATE - MCES ESTIMATED QUANTITY		CURRENT ESTIMATE - MCES ESTIMATED AMOUNT	COMPLETED TO DATE ESTIMATED QUANTITY		COMPLETED TO DATE ESTIMATED AMOUNT	COMPLETED TO DATE - CITY ESTIMATED QUANTITY		COMPLETED TO DATE - CITY ESTIMATED AMOUNT	COMPLETED TO DATE - MCES ESTIMATED QUANTITY		COMPLETED TO DATE - MCES ESTIMATED AMOUNT
171	02740	2" TYPE LV3 NON WEARING COURSE MIXTURE B - STREETS	$55.80	2180	TON	$121,644.00	620.00	TON	$34,596.00	620.00	TON	$34,596.00		TON		620.00	TON	$34,596.00	620.00	TON	$34,596.00		TON	
172	02740	2" TYPE LV3 NON WEARING COURSE MIXTURE B - P-LOT	$56.00	520	TON	$29,120.00		TON			TON			TON			TON			TON			TON	
173	02740	2" TYPE LV4 WEARING COURSE MIXTURE B - STREETS	$6.80	21250	SY	$144,500.00		SY			SY			SY			SY			SY			SY	
174	02740	1 1/2" TYPE LV4 WEARING COURSE MIXTURE B - P-LOT	$5.30	4450	SY	$23,585.00		SY			SY			SY			SY			SY			SY	
175	02740	2" TYPE LV4 WEARING COURSE MIXTURE B - DRIVEWAY	$14.50	640	SY	$9,280.00		SY			SY			SY			SY			SY			SY	
176	02740	2" OVERLAY	$7.00	2380	SY	$16,660.00		SY			SY			SY			SY			SY			SY	
177	02740	BITUMINOUS TRAIL	$188.00	10	SY	$1,880.00		SY			SY			SY			SY			SY			SY	
178	02740	BITUMINOUS PATCH	$52.50	200	SY	$10,500.00		SY			SY			SY			SY			SY			SY	
179	02740	BITUMINOUS CURB	$1.65	7520	LF	$12,408.00		LF			LF			LF			LF			LF			LF	
180	02770	6" CONCRETE DRIVEWAY	$5.20	1620	SF	$8,424.00	658.00	SF	$3,421.60	658.00	SF	$3,421.60		SF		658.00	SF	$3,421.60	658.00	SF	$3,421.60		SF	
181	02770	B612 CONCRETE CURB AND GUTTER	$16.50	600	LF	$9,900.00	254.00	LF	$4,191.00	254.00	LF	$4,191.00		LF		254.00	LF	$4,191.00	254.00	LF	$4,191.00		LF	
182	02770	B618 CONCRETE CURB AND GUTTER	$12.50	950	LF	$11,875.00		LF			LF			LF			LF			LF			LF	
183	02770	CONCRETE VALLEY GUTTER	$30.00	120	LF	$3,600.00		LF			LF			LF			LF			LF			LF	
184	02760	4" WHITE STRIPE - PAINT - TEMPORARY	$0.35	3250	LF	$1,137.50		LF			LF			LF			LF			LF			LF	
185	02760	4" WHITE STRIPE - PAINT - PERMANENT	$0.35	3250	LF	$1,137.50		LF			LF			LF			LF			LF			LF	
186	02610	48" RCP CL III CULVERT	$118.00	37	LF	$4,366.00		LF			LF			LF			LF			LF			LF	
187	02610	48" RCP CL III CULVERT FLARED END	$6,525.00	2	EACH	$13,050.00		EACH			EACH			EACH			EACH			EACH			EACH	
188	02630	STORM SEWER STRUCTURE DESIGN H	$225.00	14	LF	$3,150.00	14.25	LF	$3,206.25	6.72	LF	$1,511.25	7.53	LF	$1,695.00	14.25	LF	$3,206.25	6.72	LF	$1,511.25	7.53	LF	$1,695.00
189	02630	72" STORM SEWER STRUCTURE	$560.00	12	LF	$6,720.00		LF			LF			LF		11.84	LF	$6,630.40	11.84	LF	$6,630.40		LF	
190	02630	18" RCP CL V STORM SEWER	$34.00	88	LF	$2,992.00	88.00	LF	$2,992.00	48.67	LF	$1,654.67	39.33	LF	$1,337.33	88.00	LF	$2,992.00	48.67	LF	$1,654.67	39.33	LF	$1,337.33
191	02630	21" RCP CL V STORM SEWER	$39.00	21	LF	$819.00	21.00	LF	$819.00	7.00	LF	$273.00	14.00	LF	$546.00	21.00	LF	$819.00	7.00	LF	$273.00	14.00	LF	$546.00
192	02630	48" RCP CL III STORM SEWER	$113.00	50	LF	$5,650.00		LF			LF			LF		40.00	LF	$4,520.00	40.00	LF	$4,520.00		LF	
193	02630	18" RCP CL V STORM SEWER FLARED END	$805.00	1	EACH	$805.00	1.00	EACH	$805.00	1.00	EACH	$805.00		EACH		1.00	EACH	$805.00	1.00	EACH	$805.00		EACH	
194	02630	21" RCP CL V STORM SEWER FLARED END	$900.00	1	EACH	$900.00	1.00	EACH	$900.00	1.00	EACH	$900.00		EACH		1.00	EACH	$900.00	1.00	EACH	$900.00		EACH	
195	02630	48" RCP CL III STORM SEWER FLARED END	$1,800.00	2	EACH	$3,600.00		EACH			EACH			EACH		2.00	EACH	$3,600.00	2.00	EACH	$3,600.00		EACH	
196	02630	CATCH BASIN CASTING ASSEMBLY	$562.00	10	EACH	$5,620.00	2.00	EACH	$1,124.00	2.00	EACH	$1,124.00		EACH		2.00	EACH	$1,124.00	2.00	EACH	$1,124.00		EACH	
197	02705	ADJUST CASTING	$300.00	10	EACH	$3,000.00	2.00	EACH	$600.00	2.00	EACH	$600.00		EACH		2.00	EACH	$600.00	2.00	EACH	$600.00		EACH	
198	02377	RIPRAP CLASS III	$100.00	105	CY	$10,500.00	25.00	CY	$2,500.00	11.67	CY	$1,166.67	13.33	CY	$1,333.33	65.00	CY	$6,500.00	51.67	CY	$5,166.67	13.33	CY	$1,333.33
199	02370	SILT FENCE	$1.80	16500	LF	$29,700.00	1,093.00	LF	$1,967.40		LF		1,093.00	LF	$1,967.40	4,607.00	LF	$8,292.60	599.67	LF	$1,079.40	4,007.33	LF	$7,213.20
200	02370	BIOROLL DITCH CHECK	$2.75	1150	LF	$3,162.50		LF			LF			LF			LF			LF			LF	
201	02370	SILT CURTAIN	$13.00	900	LF	$11,700.00		LF			LF			LF			LF			LF			LF	
202	02370	INLET PROTECTION	$205.00	15	EACH	$3,075.00		EACH			EACH			EACH		6.00	EACH	$1,230.00	4.00	EACH	$820.00	2.00	EACH	$410.00
203	02370	ROCK CONSTRUCTION ENTRANCE	$1,100.00	6	EACH	$6,600.00	1.00	EACH	$1,100.00	0.50	EACH	$550.00	0.50	EACH	$550.00	1.00	EACH	$1,100.00	0.50	EACH	$550.00	0.50	EACH	$550.00
204	02370	CABLE CONCRETE	$9.00	4900	SF	$44,100.00		SF			SF			SF			SF			SF			SF	
205	02920	EROSION CONTROL BLANKET CAT 3	$1.25	550	SY	$687.50		SY			SY			SY			SY			SY			SY	
206	02920	SEED AND MULCH - SEED MIX 240	$550.00	14.9	ACRE	$8,195.00		ACRE			ACRE			ACRE			ACRE			ACRE			ACRE	
207	02920	SEED AND MULCH - SEED MIX 260	$640.00	2.4	ACRE	$1,536.00		ACRE			ACRE			ACRE			ACRE			ACRE			ACRE	
208	02920	WETLAND SEED - SEED MIX 325	$1,775.00	28.9	ACRE	$51,297.50		ACRE			ACRE			ACRE			ACRE			ACRE			ACRE	
209	02920	SOD FARM SEED	$700.00	3.8	ACRE	$2,660.00		ACRE			ACRE			ACRE			ACRE			ACRE			ACRE	
210	02920	SOD	$2.50	9050	SY	$22,625.00		SY			SY			SY			SY			SY			SY	
211	02310	TOPSOIL BORROW	$13.75	1425	TON	$19,593.75		TON			TON			TON			TON			TON			TON	
212	02930	2" B&B RIVER BIRCH	$250.00	38	EACH	$9,500.00		EACH			EACH			EACH			EACH			EACH			EACH	
213	02930	2" B&BSWAMP WHITE OAK	$240.00	37	EACH	$8,880.00		EACH			EACH			EACH			EACH			EACH			EACH	
214	02930	# 5 CONTAINER RED OSIER DOGWOOD	$40.00	37	EACH	$1,480.00		EACH			EACH			EACH			EACH			EACH			EACH	
215	02930	#5 CONTAINER AMERICAN CRANBERRY BUSH	$45.00	37	EACH	$1,665.00		EACH			EACH			EACH			EACH			EACH			EACH	
216	02530	GRAVITY SEWER PILING (9 5/8") DRIVEN - TYPE C BEDDING			LF			LF			LF			LF			LF			LF			LF	
217	02530	GRAVITY SEWER PILING (9 5/8") DELIVERED - TYPE C BEDDING			LF			LF			LF			LF			LF			LF			LF	
218	02530	GRAVITY SEWER PILING CONCRETE- PILE CAP, GRADE BEAM, MH BASE			CY			CY			CY			CY			CY			CY			CY	
219	02530	GRAVITY SEWER PILING STEEL- PILE CAP, GRADE BEAM, MH BASE			POUND			POUND			POUND			POUND			POUND			POUND			POUND	
220	02531	TEST PILE (9 5/8")			LF			LF			LF			LF			LF			LF			LF	
221	02530	GRAVITY SEWER PILING (12 3/4") DRIVEN - TYPE C BEDDING	$39.02	9860	LF	$384,737.20		LF			LF			LF			LF			LF			LF	
222	02530	GRAVITY SEWER PILING (12 3/4") DELIVERED - TYPE C BEDDING	$39.53	10060	LF	$397,671.80		LF			LF			LF		10,060.00	LF	$397,671.80		LF		10,060.00	LF	$397,671.80
223	02530	GRAVITY SEWER PILING CONCRETE- PILE CAP, GRADE BEAM, MH BASE	$496.92	1185	CY	$588,850.20		CY			CY			CY			CY			CY			CY	
224	02530	GRAVITY SEWER PILING STEEL- PILE CAP, GRADE BEAM, MH BASE	$1.00	150255	POUND	$150,255.00		POUND			POUND			POUND			POUND			POUND			POUND	
225	02531	TEST PILE (12 3/4")	$132.60	200	LF	$26,520.00		LF			LF			LF			LF			LF			LF	
226		CHANGE ORDER NO 1 - FUEL COSTS	$160,606.66	1	EACH	$160,606.66		EACH			EACH			EACH		1.00	EACH	$160,606.66	1.00	EACH	$160,606.66		EACH	
227		114 - 21.6" O.D. HDPE DR7	$13.80	2873	LF	$39,647.40		LF			LF			LF			LF			LF			LF	
228		137 - 19.5" O.D. HDPE DR 11	$7.63	790	LF	$6,027.70		LF			LF			LF			LF			LF			LF	
229		138 - 32" O.D. HDPE DR 11	$16.69	4040	LF	$67,427.60		LF			LF			LF			LF			LF			LF	
230		101 - Sanitary Sewer Casting	$16.18	13	EACH	$210.34	4.00	EACH	$64.72	4.00	EACH	$64.72		EACH		4.00	EACH	$64.72	4.00	EACH	$64.72		EACH	
231		102 - Watertight Casting	$90.84	32	EACH	$2,906.88		EACH			EACH			EACH			EACH			EACH			EACH	
232		196 - Catch Basin Casting	$26.13	10	EACH	$261.30	2.00	EACH	$52.26	2.00	EACH	$52.26		EACH		2.00	EACH	$52.26	2.00	EACH	$52.26		EACH	
233		223 - Gravity Sewer Piling Concrete	$15.03	1185	CY	$17,810.55		CY			CY			CY			CY			CY			CY	
234		224 - Gravity Sewer Piling Steel	$0.20	150255	POUND	$30,051.00		POUND			POUND			POUND			POUND			POUND			POUND	
235	2770	B618 CONCRETE CURB AND GUTTER - COST SPLITS (11.75 LF)	$6.61	8470	LF	$55,986.70	2,949.00	LF	$19,492.89	2,949.00	LF	$19,492.89		LF		2,949.00	LF	$19,492.89	2,949.00	LF	$19,492.89		LF	
236	2770	B618 CONCRETE CURB AND GUTTER - CITY PORTION (11.75 LF)	$5.14	8470	LF	$43,535.80	2,949.00	LF	$15,157.86	2,949.00	LF	$15,157.86		LF		2,949.00	LF	$15,157.86	2,949.00	LF	$15,157.86		LF	
236	2740	2" TYPE LV3 NON WEARING COURSE MIXTURE B - STREETS	$55.80	-283	TON	-$15,791.40		TON			TON			TON			TON			TON			TON	
237	2740	2" TYPE LV4 WEARING COURSE MIXTURE B - STREETS	$6.80	-2340	SY	-$15,912.00		SY			SY			SY			SY			SY			SY	
238	2740	BITUMINOUS CURB	$1.65	-7520	LF	-$12,408.00		LF			LF			LF			LF			LF			LF	
239	2770	B618 CONCRETE CURB AND GUTTER	$12.50	-950	LF	-$11,875.00		LF			LF			LF			LF			LF			LF	
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Partial Pay Estimate No.: 4

East Bethel Gravity Interceptor & Discharge & Utility Infrastructure Project
CITY OF EAST BETHEL, MN
PROJECT NO. C12.100028
METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES Project No. 801602
WORK COMPLETED THROUGH AUGUST 20, 2011

ITEM NO.	ITEM	UNIT PRICE	AS BID		CURRENT ESTIMATE		CURRENT ESTIMATE - CITY		CURRENT ESTIMATE - MCES		COMPLETED TO DATE		COMPLETED TO DATE - CITY		COMPLETED TO DATE - MCES	
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
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	TOTAL AMOUNT:			$12,054,953.73		$1,049,711.27		$497,585.39		$552,125.88		$2,628,062.09		$1,088,775.21		$1,539,286.88

City of East Bethel
City Council
Agenda Information

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City of East Bethel
City Council
Agenda Information

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No Action Required:_____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2006-48

RESOLUTION ESTABLISHING SEWER AVAILABILITY CHARGES (SAC)

WHEREAS, , Minnesota Statutes section 444.075 provides the basis for setting certain fees and charges relating to municipal utility services; and

WHEREAS, the City has determined that a Sewer Availability Charge (hereinafter SAC fee) is an appropriate charge for residents that connect to municipal utility services; and

WHEREAS, Pursuant to Ordinance 200, as amended, Resolution 2005-59 set SAC fees at $10,205 for all units connected as of January 31, 2004, for service provided by the Waste Water Treatment Facility acquired by the City in January, 2004 (hereinafter the Facility); and

WHEREAS, SAC fees set pursuant to Resolution 2005-59 will not be increased to pay for future maintenance or replacement of the Facility for those units connected as of January, 2004; and

WHEREAS, the charge for initial connections to the Facility for properties located within the Whispering Aspen plat, filed with the Anoka County Recorder as document number 771791, is $6,000 per connection; provided, however, that such connections, and any future connections, must provide sufficient funds to pay for the maintenance, betterment and replacement of the Facility and that increased SAC; and

WHEREAS, the City has determined that SAC fees may be increased for units connected after January 31, 2004 to pay increased costs for maintenance, betterment and replacement of the Facility; and

WHEREAS, the City has determined that expenses relating to maintenance, betterment and replacement of the waste water treatment facility will meet or exceed funds raised from the imposition of a $4,205 charge, in addition to the $6,000 initial connection charge, per unit not initially connected to the Facility as of January, 2004; and

WHEREAS, the City will continue to study costs for plant maintenance, betterment and replacement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the SAC fee for each new connection to the City's municipal waste water treatment facility is hereby set at $10,205.

Adopted this 6th day of September, 2006 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

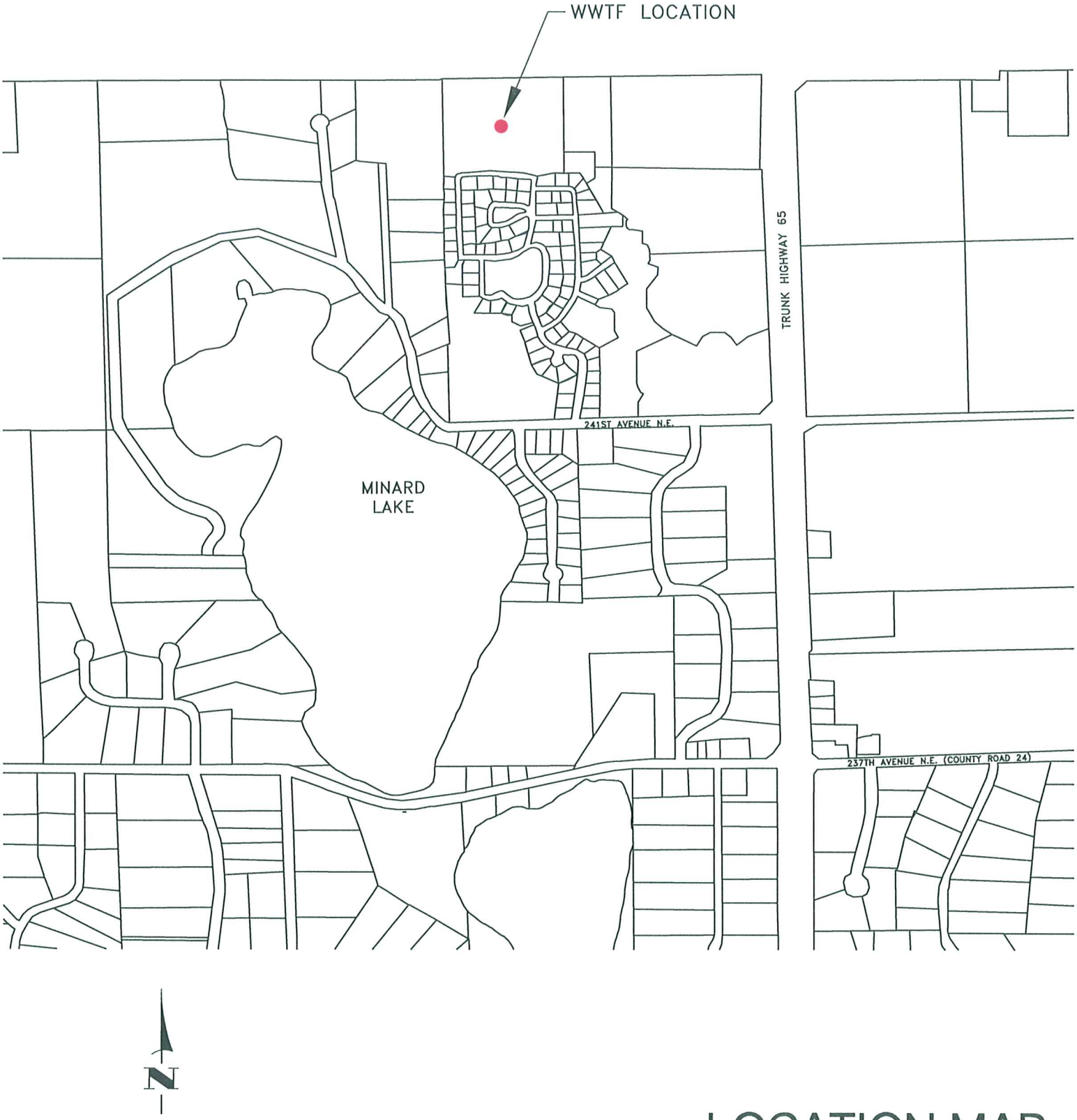
_____

Greg Hunter, Mayor

ATTEST:

_____

Douglas Sell, City Administrator



LOCATION MAP
ATTACHMENT 1

Jul 14, 2011 – 3:43pm
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City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 B.4

* *

Agenda Item:
Resolution 2011-40 Water Treatment Plant Construction Project

* *

Requested Action:
Consider Resolution 2011-40 Approving Plans and Specifications for the Water Treatment Plant Construction Project and Direction to Solicit Bids.

* *

Background Information:
The City Engineer has prepared plans and specifications for the Water Treatment Plant (WTP) Construction Project. The project will consist of constructing a water treatment plant that removes iron and manganese with pressure filters. The process will also include the addition of sulfur dioxide, ferric chloride, fluoride and chlorine.

The WTP will be owned and operated by the City of East Bethel. One staff person will check the WTP on a daily basis. This individual will need to have the required licensure to operate a Class C WTP. Currently, there is a full-time City employee who possesses the required licensing. Bulk chemical delivery will occur approximately once per month, therefore, traffic generated will be minimal.

The current floor plan shows two pressure filters in the Water Treatment Plant. The second filter will be bid as an alternate.

A partial set of construction plans are attached for Council comment and review. The plan sheets attached for the project include:

Title Sheet (Sheet 1)
Site Plan (Sheet C3)
Grading, Drainage, and Erosion Control Plan (Sheet C4)
Utility Plan (Sheet C5)
Landscape and Lighting Plan (Sheet C6)
Floor Plan (Sheet P4)
Sections (Sheet P8)
Floor Plan (Sheet A1)
Exterior Elevations (Sheet A2)
Wall Sections (Sheet A3)
Wall Sections and Cabinet Details (Sheet A4)
Foundation Plan (Sheet S2)

The construction plans have been submitted to the Minnesota Department of Health (MDH) for final approval. It is anticipated that the MDH will review the plans within the next 4-6 weeks.

Attachments:

1. Resolution 2011-40 Approving Plans and Specifications for the Water Treatment Plant Construction Project and Direction to Solicit Bids
2. Construction Plans

* * * *

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-40

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE WATER TREATMENT PLANT CONSTRUCTION PROJECT AND DIRECTION TO SOLICIT BIDS

WHEREAS, the City Engineer has prepared plans and specifications for the Water Treatment Plant Construction Project;

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 Water Treatment Plant Construction Project 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 and in the Construction Bulletin, 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, October 13, 2011 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 7th day of September, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____
Richard Lawrence, Mayor

ATTEST:

_____
Jack Davis, City Administrator

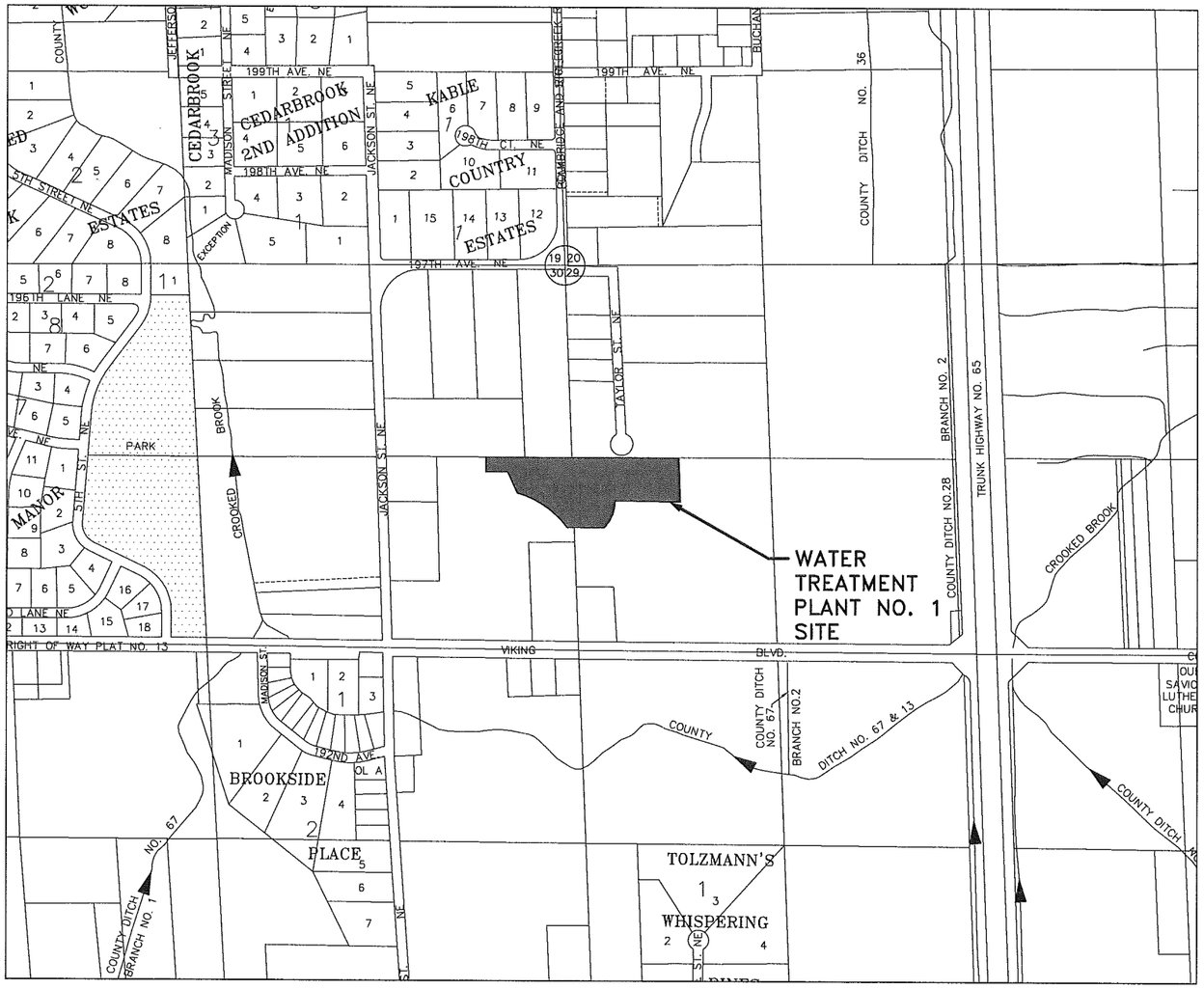
EAST BETHEL WATER TREATMENT PLANT NO. 1

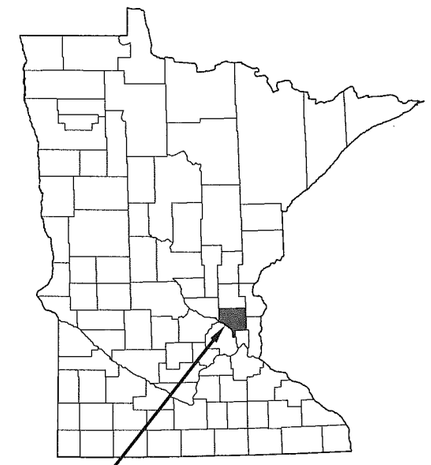
CONSTRUCTION PLANS FOR GRADING, CURB & GUTTER, BITUMINOUS SURFACING, STRIPING, SEWER AND WATER IMPROVEMENTS AND WATER TREATMENT PLANT CONSTRUCTION

CITY PROJECT #2011-02

CITY OF EAST BETHEL

SECTIONS 29 & 30, TOWNSHIP 33, RANGE 23





CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA

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.

WORK SHALL CONFORM TO THE STANDARD UTILITY SPECIFICATIONS AS PUBLISHED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA, 1999 REVISION.

ALL REQUIREMENTS OF THE PROJECT MANUAL FOR EAST BETHEL WATER TREATMENT PLANT NO. 1 CONSTRUCTION, CITY PROJECT #2011-02.

SHEET INDEX

THIS PLAN CONTAINS 42 SHEETS

SHEET NO.	DESCRIPTION
TITLE SHEET	
1	TITLE SHEET
CIVIL	
C1	PROPERTY SURVEY
C2	EXISTING TOPOGRAPHY AND REMOVALS PLAN
C3	SITE PLAN
C4	GRADING, DRAINAGE AND EROSION CONTROL PLAN
C5	UTILITY PLAN
C6	LANDSCAPE AND LIGHTING PLAN
C7	PHOTOMETRICS PLAN
C8–C9	DETAILS
PIPIING	
P1	TITLE SHEET
P2	CONSTRUCTION AND SOILS NOTES AND DETAILS
P3	EROSION AND SEDIMENT CONTROL NOTES AND DETAILS
P4	DETAILS
P5	ESTIMATED QUANTITIES AND TABULATIONS
P6	
P7	STREET CONSTRUCTION PLANS – BATAAN STREET SEAL COAT
P8	STREET CONSTRUCTION PLANS – 5TH STREET OVERLAY
P9	INPLACE TOPOGRAPHY AND REMOVALS PLAN – BOOSTER WEST
P10	SITE PLAN – BOOSTER WEST PARKING LOT
P11	
P12	
P13	
ARCHITECTURAL	
A1	FLOOR PLAN
A2	EXTERIOR ELEVATIONS
A3	WALL SECTIONS
A4	WALL SECTIONS AND CABINET DETAILS
A5	INTERIOR ELEVATIONS
A6	SCHEDULES
STRUCTURAL	
S1	GENERAL NOTES AND SPECIFICATIONS
S2	FOUNDATION PLAN
S3	MEZZANINE FRAMING PLAN AND ROOF FRAMING PLAN
S4–S5	SECTIONS AND DETAILS
MECHANICAL	
M1	MECHANICAL COVER SHEET
M2	MECHANICAL SPECIFICATIONS
M3	HVAC PLAN, SCHEDULES AND DETAILS
M4	PLUMBING PLAN
M5	PLUMBING SCHEDULES, DETAILS AND RISERS
ELECTRICAL	
E1	OVERALL ELECTRICAL SITE PLAN
E2	PARTIAL ELECTRICAL SITE PLAN
E3	ELECTRICAL SERVICE RISER & LOAD LIST

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.

23461 DATE 8/25/11

LIC. NO.

CRAIG J. JOCHUM, P.E.
HAKANSON ANDERSON ASSOCIATES, INC.
CITY OF EAST BETHEL ENGINEER

DATE	REVISION
8/25/11	ISSUED FOR PERMIT REVIEW

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

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500 0 500 1000
SCALE IN FEET

PROJECT LOCATION

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF CI/ASCE 38-02, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

CITY PROJECT #2011-02 SHEET 1 OF 1 SHEETS

EB504

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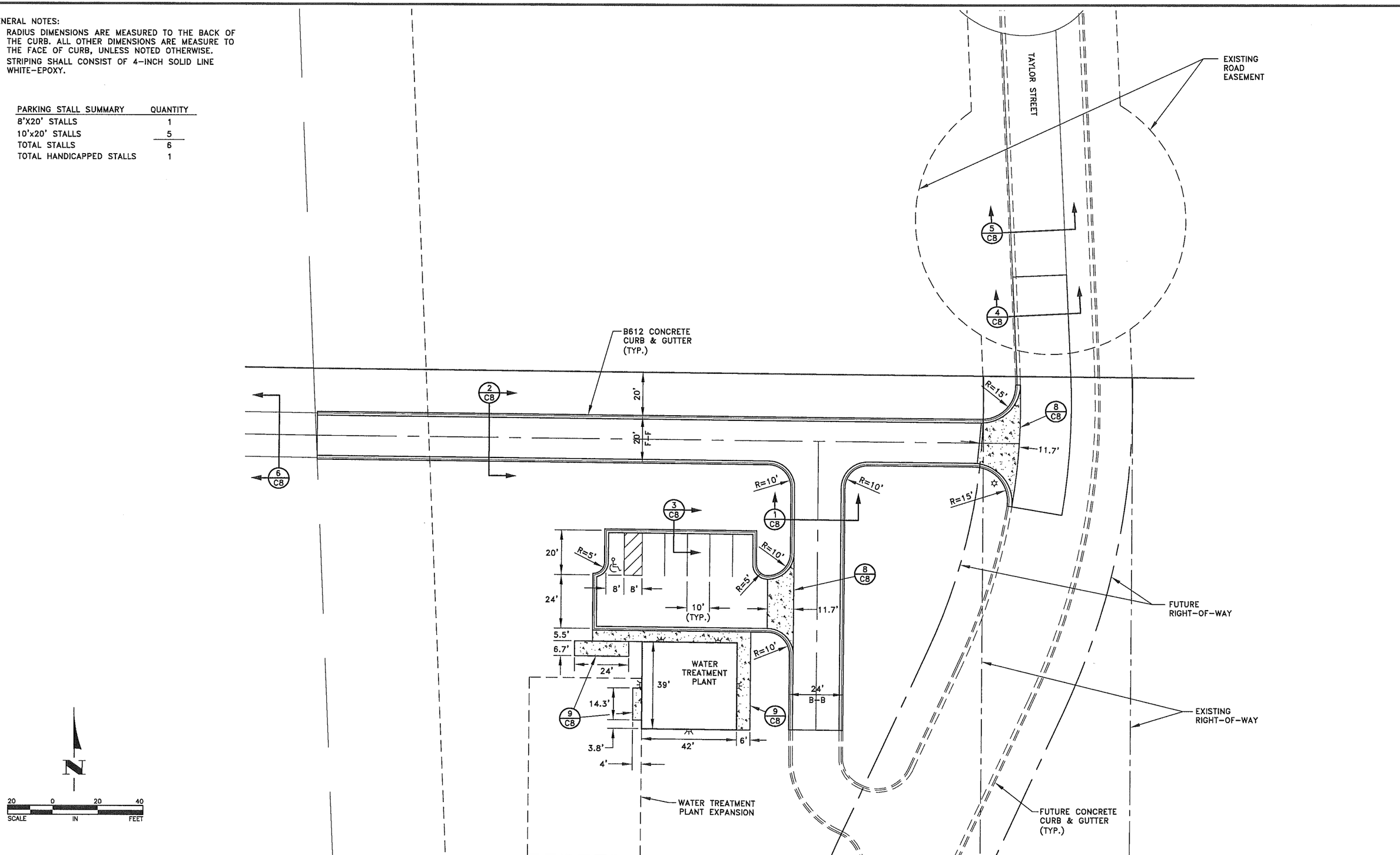
GENERAL NOTES:

1. RADIUS DIMENSIONS ARE MEASURED TO THE BACK OF THE CURB. ALL OTHER DIMENSIONS ARE MEASURE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.
2. STRIPING SHALL CONSIST OF 4-INCH SOLID LINE WHITE-EPOXY.

PARKING STALL SUMMARY	QUANTITY
8'X20' STALLS	1
10'x20' STALLS	5
TOTAL STALLS	6
TOTAL HANDICAPPED STALLS	1



DATE	REVISION
8/25/11	ISSUED FOR PERMIT REVIEW

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

CRAIG J. JOCHUM, P.E.

Date 7/15/11 Lic. No. 23461

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

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

EAST BETHEL
WATER TREATMENT PLANT NO. 1

SITE PLAN

CITY OF EAST BETHEL, MINNESOTA

SHEET C3 OF 9 SHEETS

EB504

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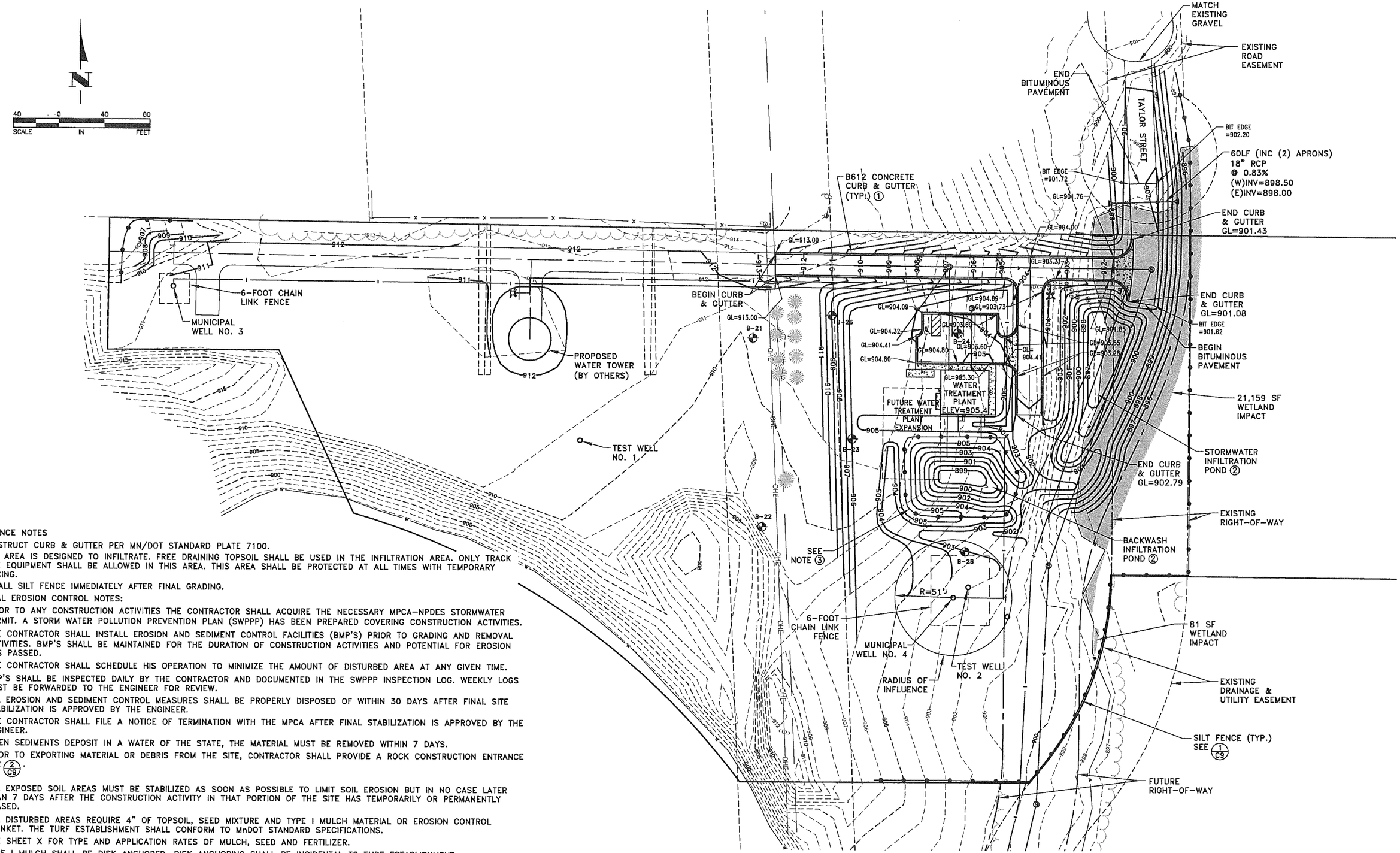

REFERENCE NOTES

1. CONSTRUCT CURB & GUTTER PER MN/DOT STANDARD PLATE 7100.
2. THIS AREA IS DESIGNED TO INFILTRATE. FREE DRAINING TOPSOIL SHALL BE USED IN THE INFILTRATION AREA. ONLY TRACK TYPE EQUIPMENT SHALL BE ALLOWED IN THIS AREA. THIS AREA SHALL BE PROTECTED AT ALL TIMES WITH TEMPORARY FENCING.
3. INSTALL SILT FENCE IMMEDIATELY AFTER FINAL GRADING.

GENERAL EROSION CONTROL NOTES:

1. PRIOR TO ANY CONSTRUCTION ACTIVITIES THE CONTRACTOR SHALL ACQUIRE THE NECESSARY MPCA-NPDES STORMWATER PERMIT. A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN PREPARED COVERING CONSTRUCTION ACTIVITIES.
2. THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENT CONTROL FACILITIES (BMP'S) PRIOR TO GRADING AND REMOVAL ACTIVITIES. BMP'S SHALL BE MAINTAINED FOR THE DURATION OF CONSTRUCTION ACTIVITIES AND POTENTIAL FOR EROSION HAS PASSED.
3. THE CONTRACTOR SHALL SCHEDULE HIS OPERATION TO MINIMIZE THE AMOUNT OF DISTURBED AREA AT ANY GIVEN TIME.
4. BMP'S SHALL BE INSPECTED DAILY BY THE CONTRACTOR AND DOCUMENTED IN THE SWPPP INSPECTION LOG. WEEKLY LOGS MUST BE FORWARDED TO THE ENGINEER FOR REVIEW.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PROPERLY DISPOSED OF WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION IS APPROVED BY THE ENGINEER.
6. THE CONTRACTOR SHALL FILE A NOTICE OF TERMINATION WITH THE MPCA AFTER FINAL STABILIZATION IS APPROVED BY THE ENGINEER.
7. WHEN SEDIMENTS DEPOSIT IN A WATER OF THE STATE, THE MATERIAL MUST BE REMOVED WITHIN 7 DAYS.
8. PRIOR TO EXPORTING MATERIAL OR DEBRIS FROM THE SITE, CONTRACTOR SHALL PROVIDE A ROCK CONSTRUCTION ENTRANCE PER 2 C9.
9. ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN 7 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
10. ALL DISTURBED AREAS REQUIRE 4" OF TOPSOIL, SEED MIXTURE AND TYPE I MULCH MATERIAL OR EROSION CONTROL BLANKET. THE TURF ESTABLISHMENT SHALL CONFORM TO MnDOT STANDARD SPECIFICATIONS.
11. SEE SHEET X FOR TYPE AND APPLICATION RATES OF MULCH, SEED AND FERTILIZER.
12. TYPE I MULCH SHALL BE DISK ANCHORED. DISK ANCHORING SHALL BE INCIDENTAL TO TURF ESTABLISHMENT.

DATE	REVISION
8/25/11	ISSUED FOR PERMIT REVIEW

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

CRAIG J. JOCHUM, P.E.
Date 7/15/11 Lic. No. 23461

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

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Civil Engineers and Land Surveyors
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EAST BETHEL
WATER TREATMENT PLANT NO. 1

GRADING, DRAINAGE AND EROSION CONTROL PLAN

CITY OF EAST BETHEL, MINNESOTA

SHEET C4 OF 9 SHEETS

EB504

Sep 01, 2011 - 10:30am
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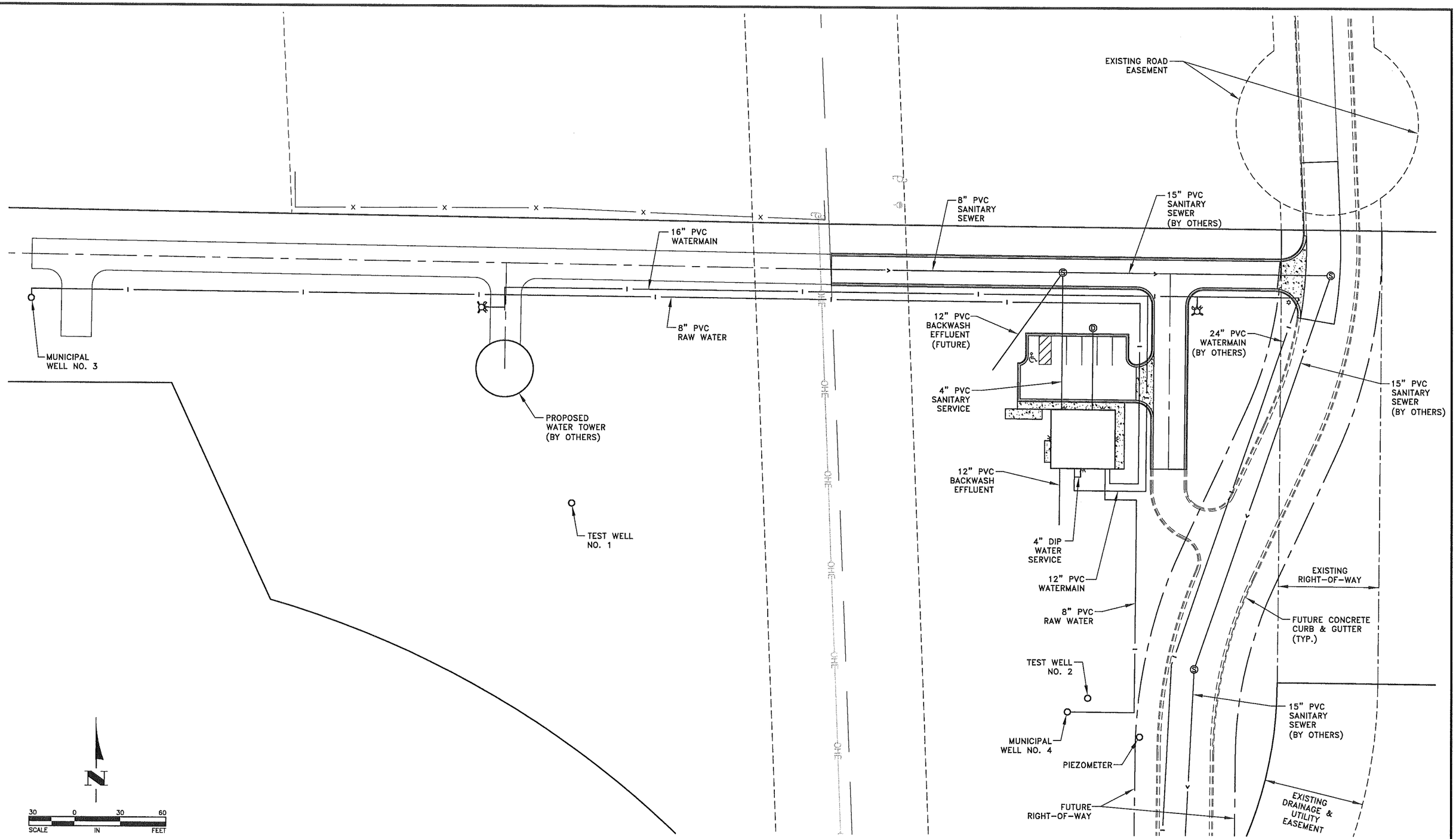

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EAST BETHEL
WATER TREATMENT PLANT NO. 1

UTILITY PLAN

CITY OF EAST BETHEL, MINNESOTA

SHEET C5 OF 9 SHEETS

EB504

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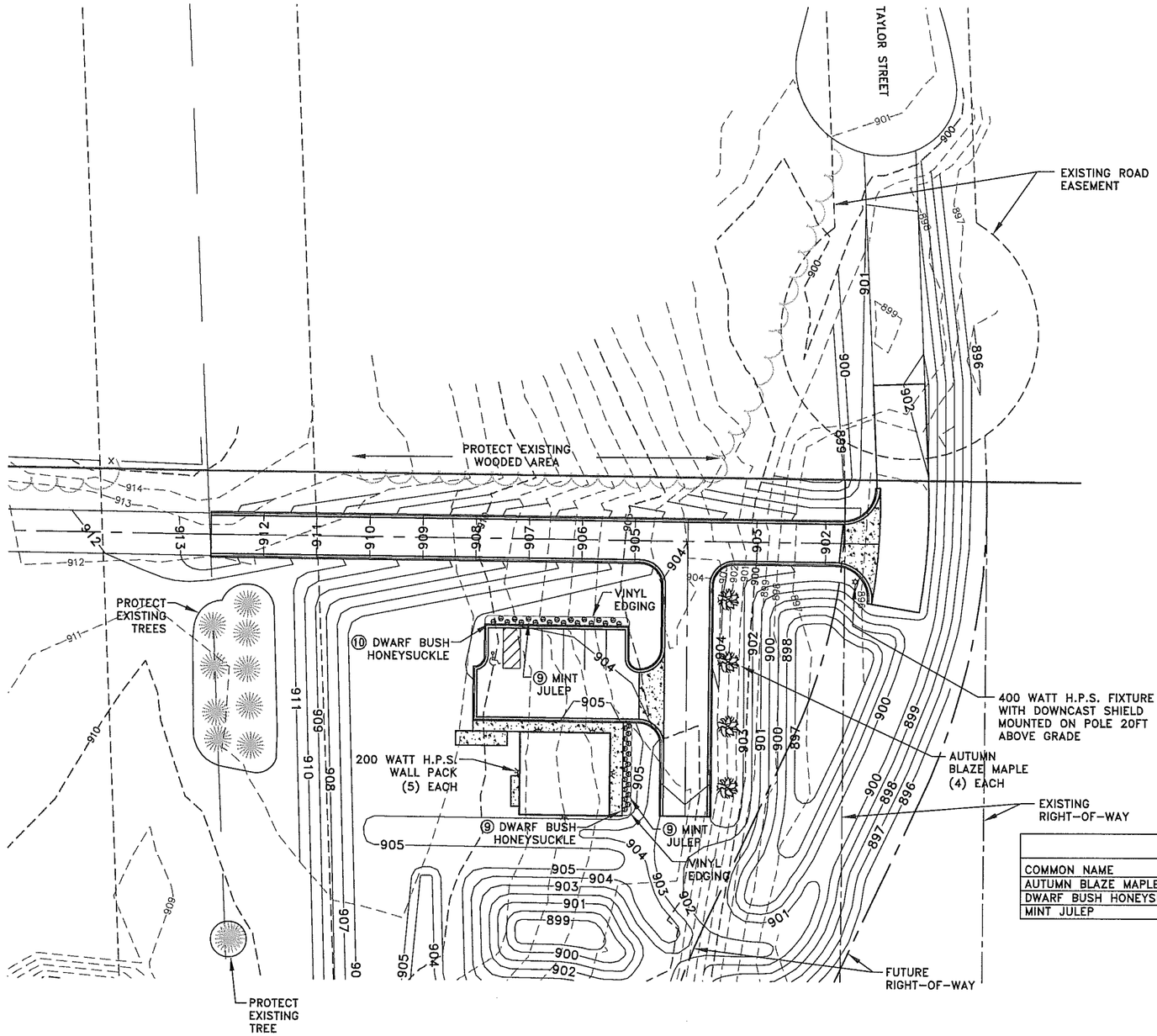
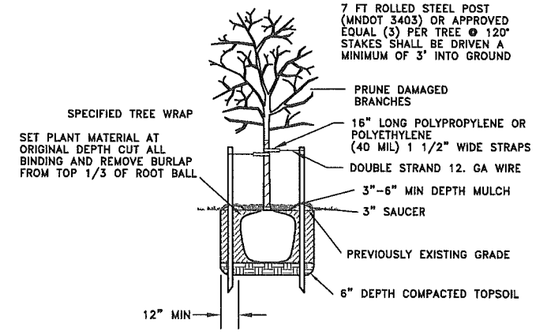
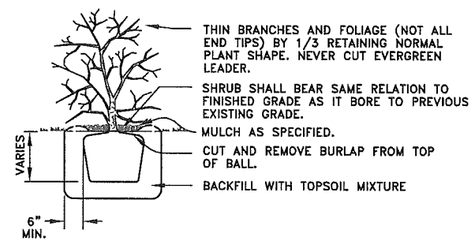




1/1 PLANTING DETAIL FOR DECIDUOUS TREES



2/1 SHRUB PLANTING DETAIL

PLANT MATERIAL SCHEDULE				
COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE	METHOD
AUTUMN BLAZE MAPLE	Acer freemanji "Jeffersed"	4	2.5"	B & B
DWARF BUSH HONEYSUCKLE	Diervilla lonicera	19	#5	CONT.
MINT JULEP	Julep chinensis "Monlep"	18	#5	CONT.

LANDSCAPE SUMMARY:

5680 SQUARE FEET/2000=3 TREES REQUIRED
4 TREES PROVIDED

5680 SQUARE FEET/300=19 SHRUBS REQUIRED
37 SHRUBS PROVIDED

GENERAL LANDSCAPE NOTES:

1. AREA WITHIN VINYL EDGING TO BE MULCHED WITH 4" HARDWOOD MULCH
2. SEED, FERTILIZE AND MULCH ALL DISTURBED AREAS. SEED SHALL MEET THE REQUIREMENTS OF MnDOT SEED MIX 260, "COMMERCIAL TURF"

DATE	REVISION
8/25/11	ISSUED FOR PERMIT REVIEW

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.

BRAD C. WILKENING, P.E.
Date 7/15/11 Lic. No. 26908

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CHECKED BY: BCW

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EAST BETHEL
WATER TREATMENT PLANT NO. 1

LANDSCAPE AND LIGHTING PLAN

CITY OF EAST BETHEL, MINNESOTA

SHEET C6 OF 9 SHEETS

EB504

Sep 01, 2011 - 10:30am
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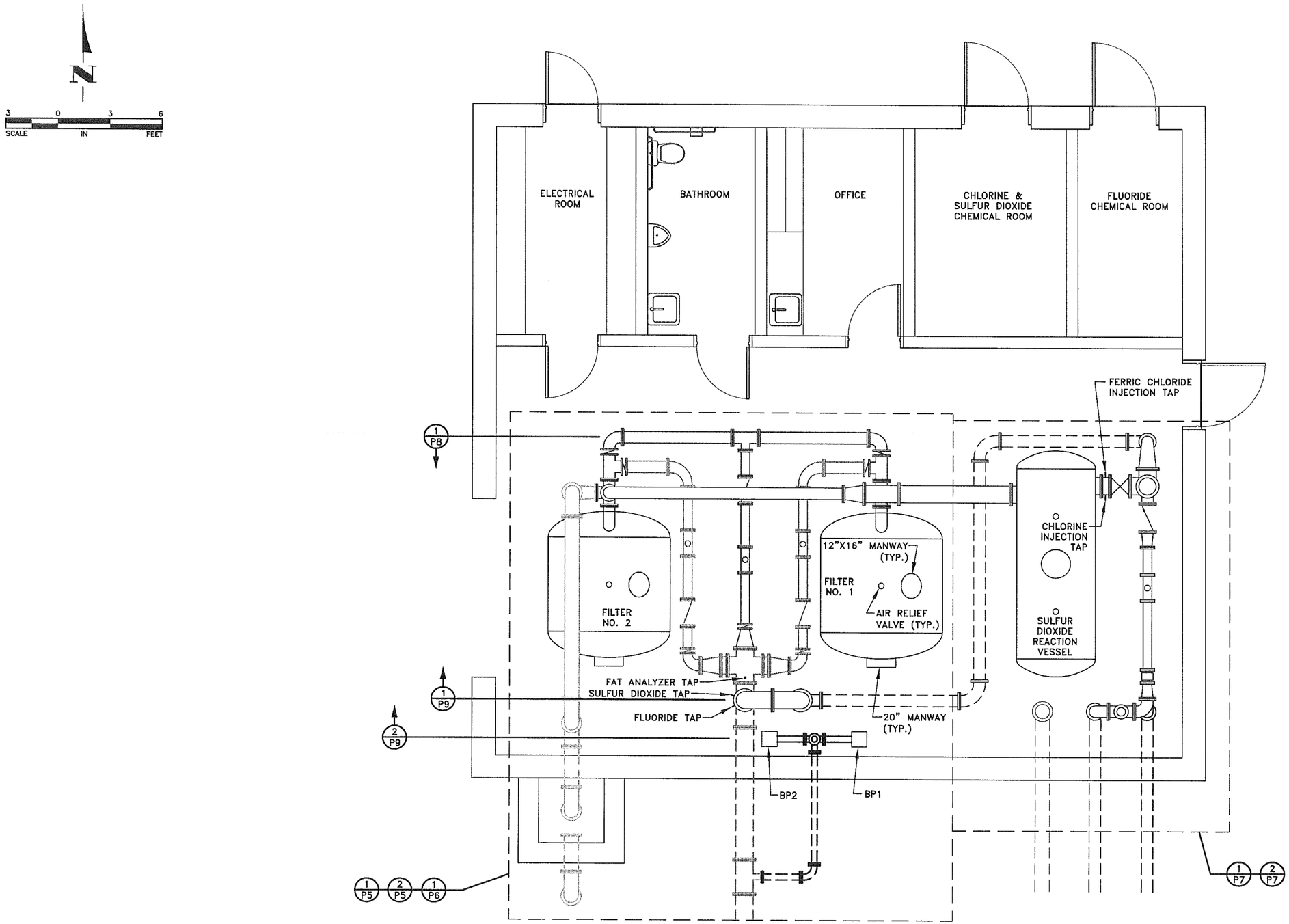

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CRAIG J. JOCHUM, P.E.
Date 8/25/11 Lic. No. 23461

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

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EAST BETHEL
WATER TREATMENT PLANT NO. 1

FLOOR PLAN

CITY OF EAST BETHEL, MINNESOTA

SHEET P4 OF 13 SHEETS

EB504

Sep 01, 2011 - 10:31am
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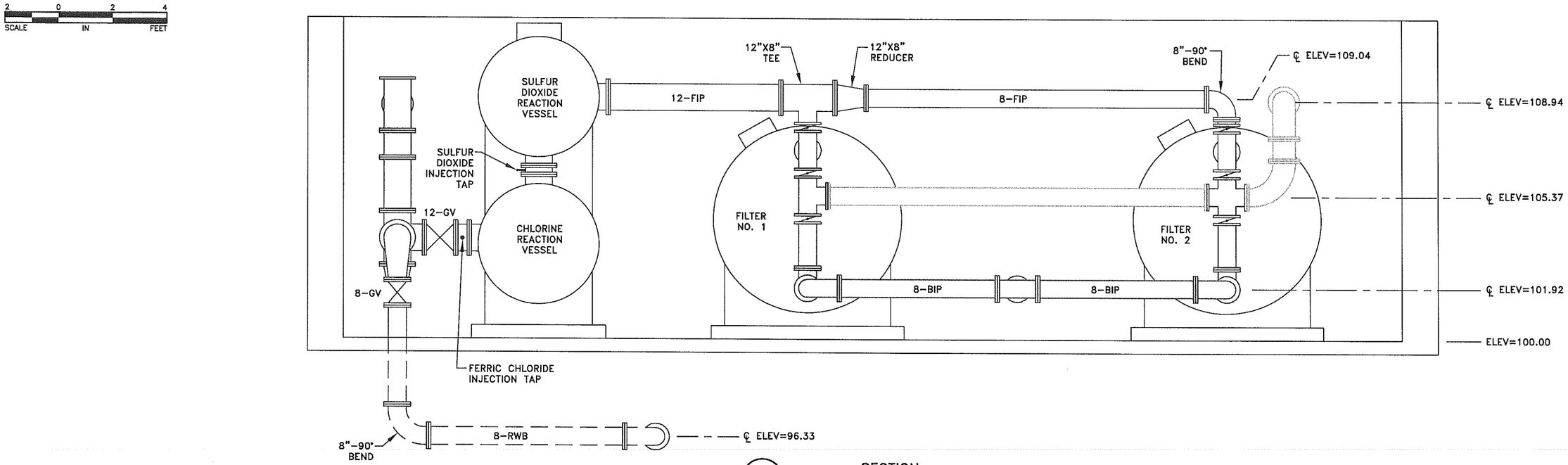
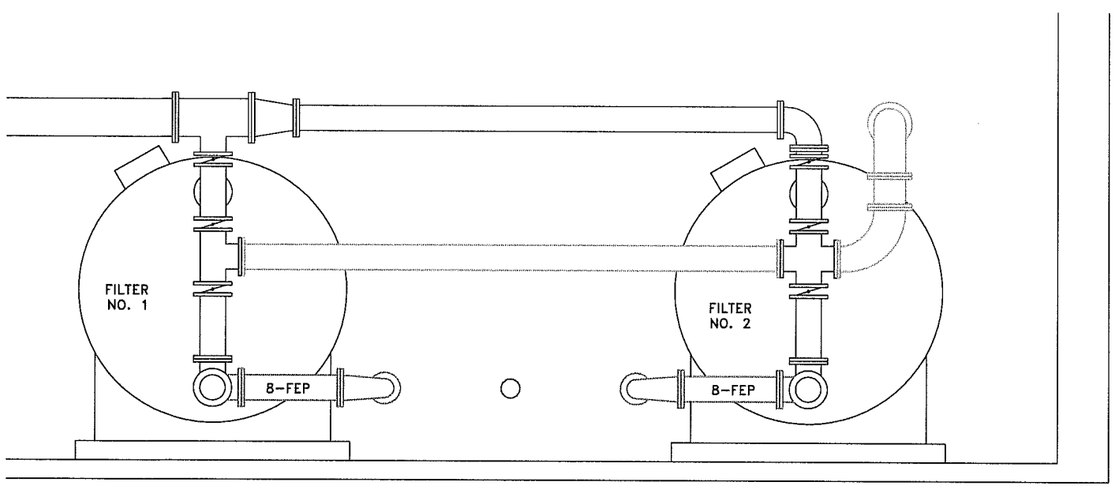


1 / P8 SECTION



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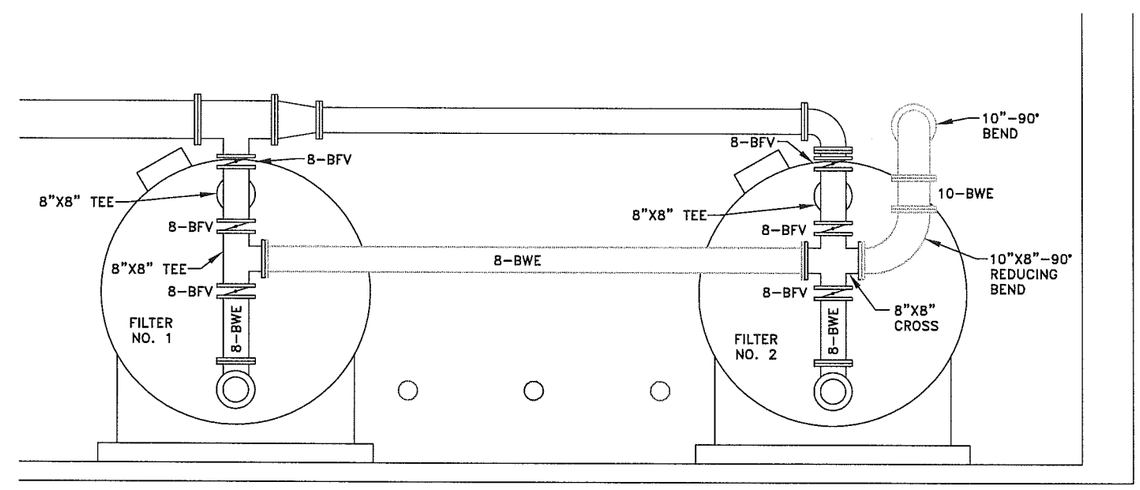

3 / P8 SECTION

DATE	REVISION
8/25/11	ISSUED FOR PERMIT REVIEW

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CRAIG J. JOCHUM, P.E.
Date 8/25/11 Lic. No. 23461

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CHECKED BY: CJJ

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EAST BETHEL
WATER TREATMENT PLANT NO. 1

SECTIONS

CITY OF EAST BETHEL, MINNESOTA

SHEET P8 OF 13 SHEETS

EB504

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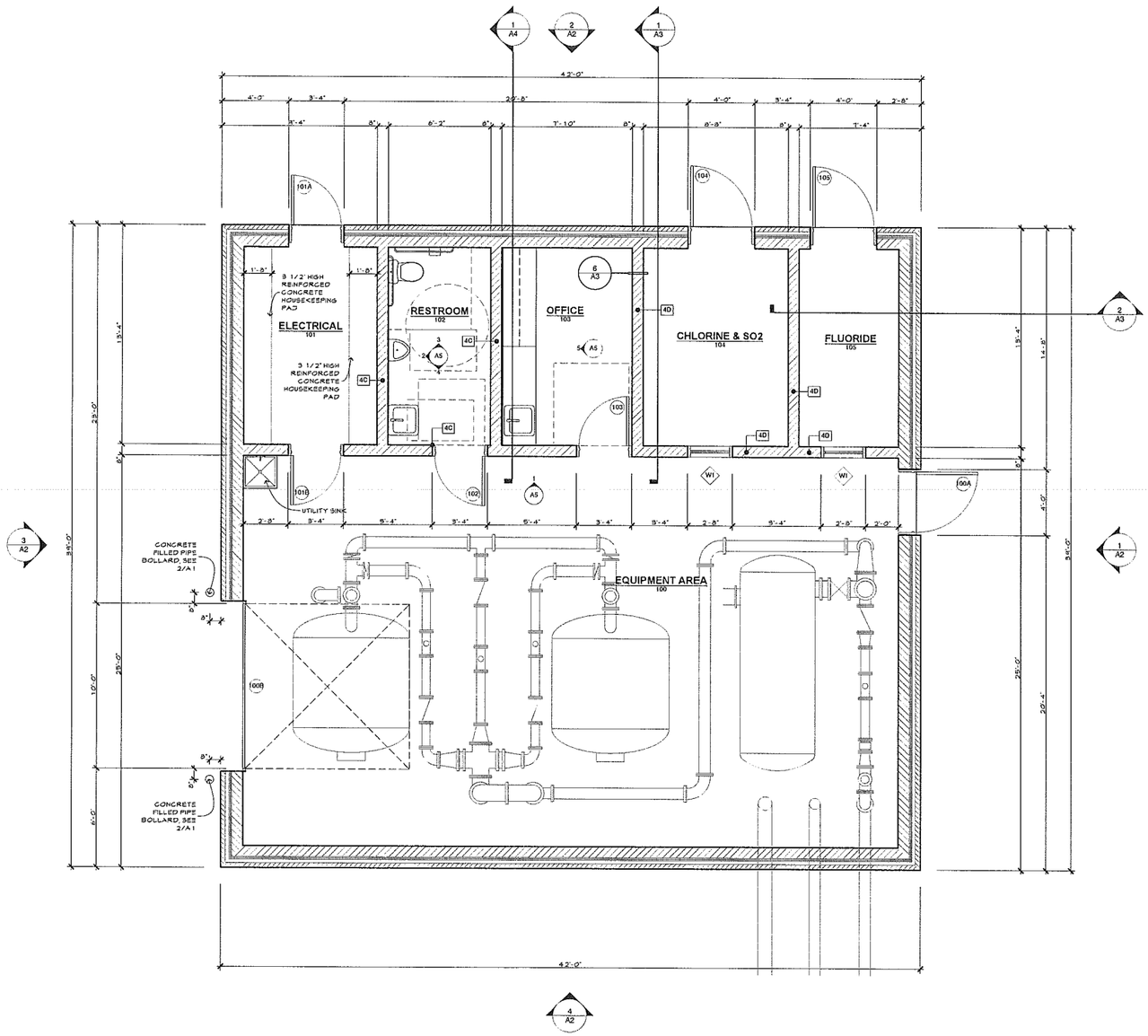
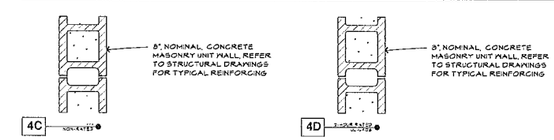
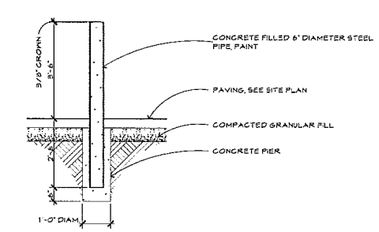


GENERAL NOTES:

1. THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCY CROSS-CHECK DETAILS AND DIMENSIONS SHOWN ON THE ARCHITECTURAL DRAWINGS WITH RELATED REQUIREMENTS ON THE STRUCTURAL, MECHANICAL, CIVIL AND ELECTRICAL DRAWINGS.
2. FLOOR AND WALL OPENINGS, SLEEVES, VARIATION IN THE STRUCTURAL SLAB ELEVATIONS, DEPRESSED AREAS AND ALL OTHER ARCHITECTURAL, MECHANICAL, ELECTRICAL AND CIVIL REQUIREMENTS MUST BE COORDINATED BEFORE THE CONTRACTOR PROCEEDS WITH CONSTRUCTION.
3. IN ALL CASES WHERE A CONFLICT MAY OCCUR SUCH AS BETWEEN ITEMS COVERED BY SPECIFICATIONS AND NOTES ON THE DRAWINGS, OR BETWEEN GENERAL NOTES AND SPECIFIC DETAILS, THE ARCHITECT, AND/OR ENGINEER SHALL BE NOTIFIED AND HE WILL INTERPRET THE INTENT OF THE CONTRACT DOCUMENTS
4. DETAILS NOTED AS TYPICAL SHALL APPLY IN ALL CASES UNLESS SPECIFICALLY SHOWN OR NOTED OTHERWISE.
5. WHERE NO SPECIFIC DETAIL IS SHOWN, THE FRAMING OR CONSTRUCTION SHALL BE IDENTICAL SIMILAR TO THAT INDICATED FOR LIKE CASES OF CONSTRUCTION ON THIS PROJECT.
6. WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE CURRENT MINNESOTA STATE BUILDING CODE.
7. IN NO CASE SHALL WORKING DIMENSIONS BE SCALED FROM PLANS, SECTIONS OR DETAILS ON THE DRAWINGS.
8. THE PRECISE DIMENSIONS AND LOCATIONS OF ALL DOORS AND WINDOW OPENINGS SHALL BE DETERMINED FROM ARCHITECTURAL PLANS AND DETAILS, OTHER WALL AND FLOOR OPENINGS AS REQUIRED BY MECHANICAL, ELECTRICAL OR SIMILAR REQUIREMENTS SHALL BE VERIFIED FROM SHOP DRAWINGS, EQUIPMENT DATA, DIMENSIONS, ETC., AS REQUIRED

PARTITION SCHEDULE





N

1/A1 **FLOOR PLAN**

2/A1 **PIPE BOLLARD DETAIL**

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Lon Nagen

Date August 16, 2011 License No: 41402

DESIGNED BY: LDN
DRAWN BY: AK
CHECKED BY: LDN

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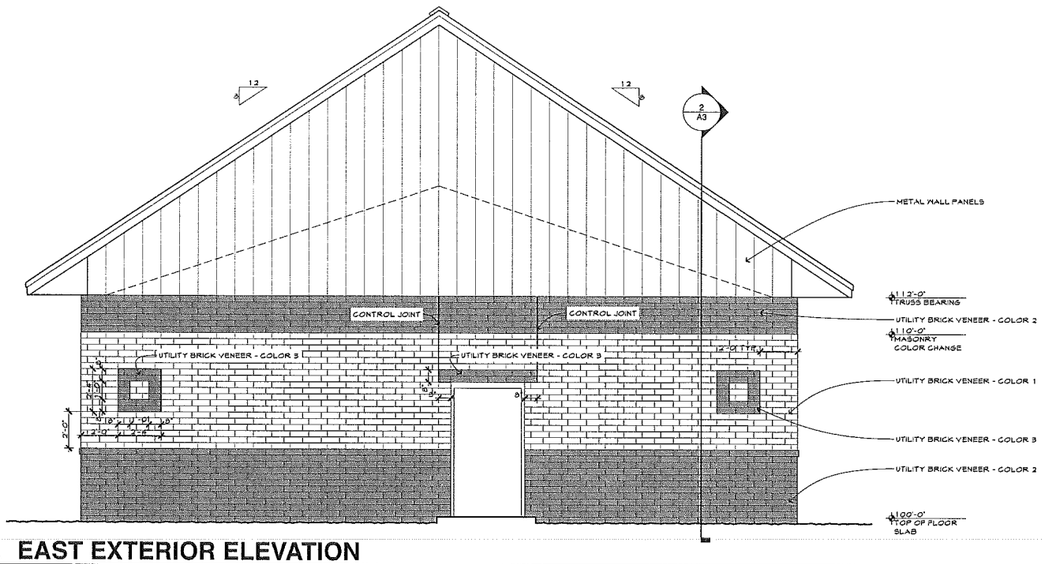
EAST BETHEL
WATER TREATMENT PLANT NO. 1

FLOOR PLAN

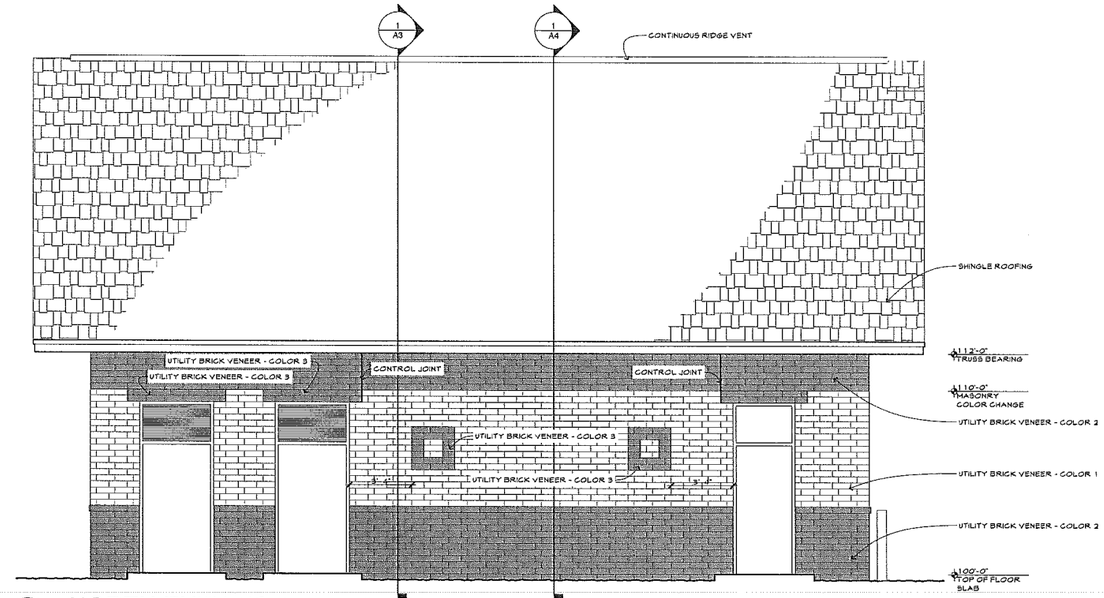
CITY OF EAST BETHEL, MINNESOTA

SHEET A1 OF 6 SHEETS



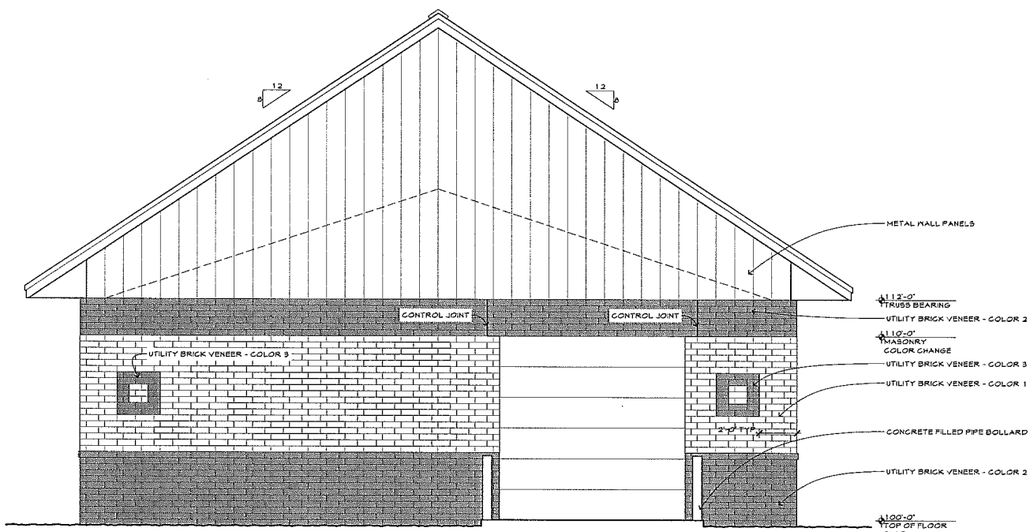
1 / A2 EAST EXTERIOR ELEVATION

0 2' 4' 8'



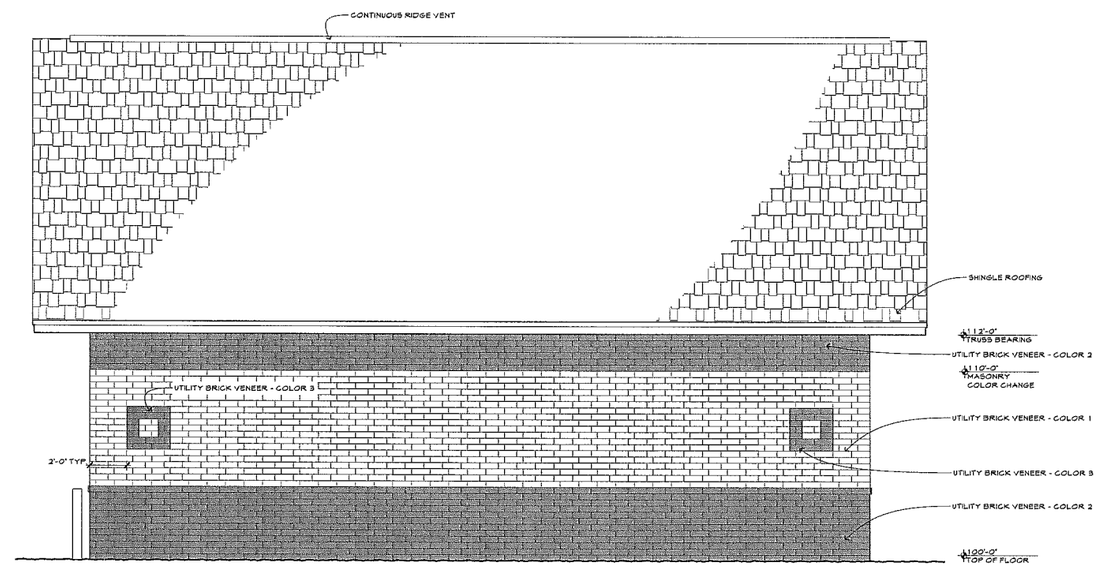
2 / A2 NORTH EXTERIOR ELEVATION

0 2' 4' 8'



3 / A2 WEST EXTERIOR ELEVATION

0 2' 4' 8'



4 / A2 SOUTH EXTERIOR ELEVATION

0 2' 4' 8'

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NEGEN ARCHITECT

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Lon Negen

Date August 16, 2011 License No: 41402

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DRAWN BY: AK
CHECKED BY: LDN

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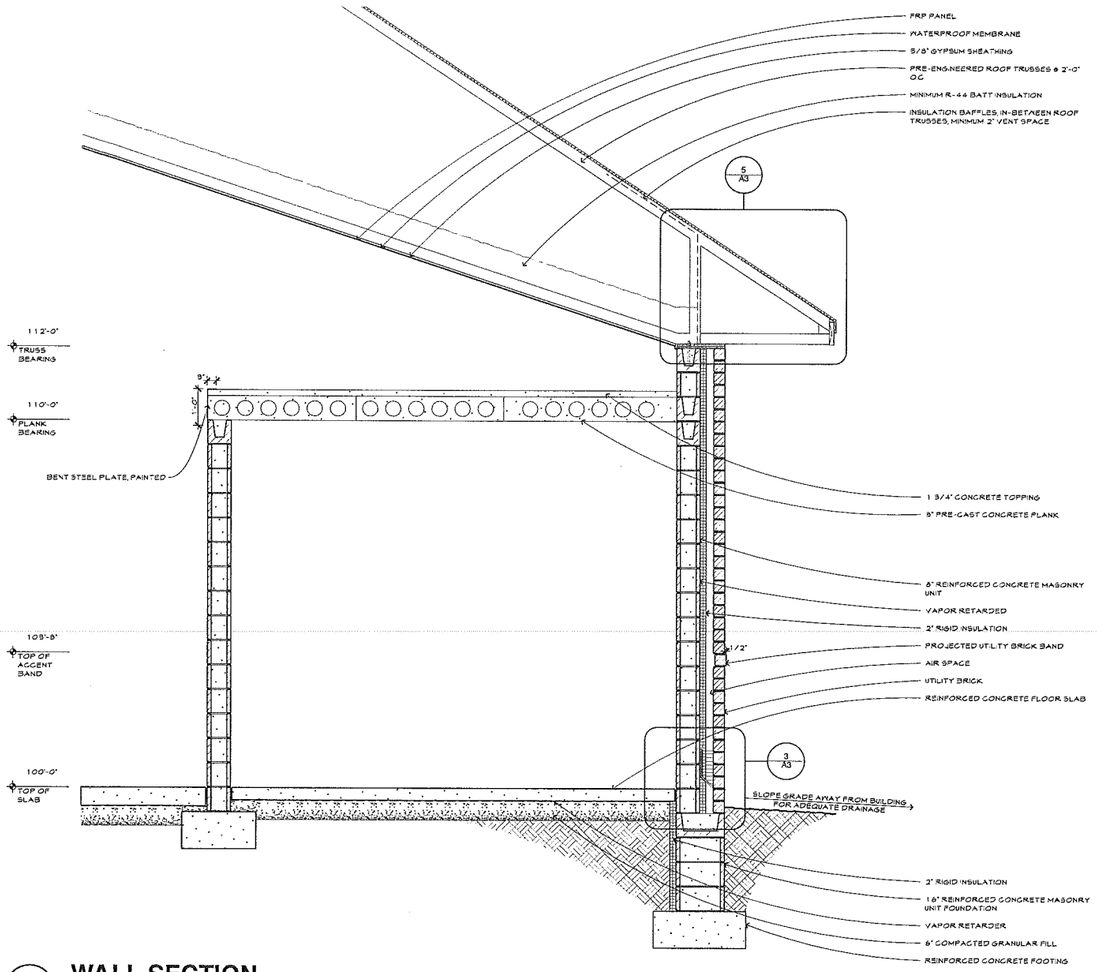
EAST BETHEL
WATER TREATMENT PLANT NO. 1

EXTERIOR ELEVATIONS

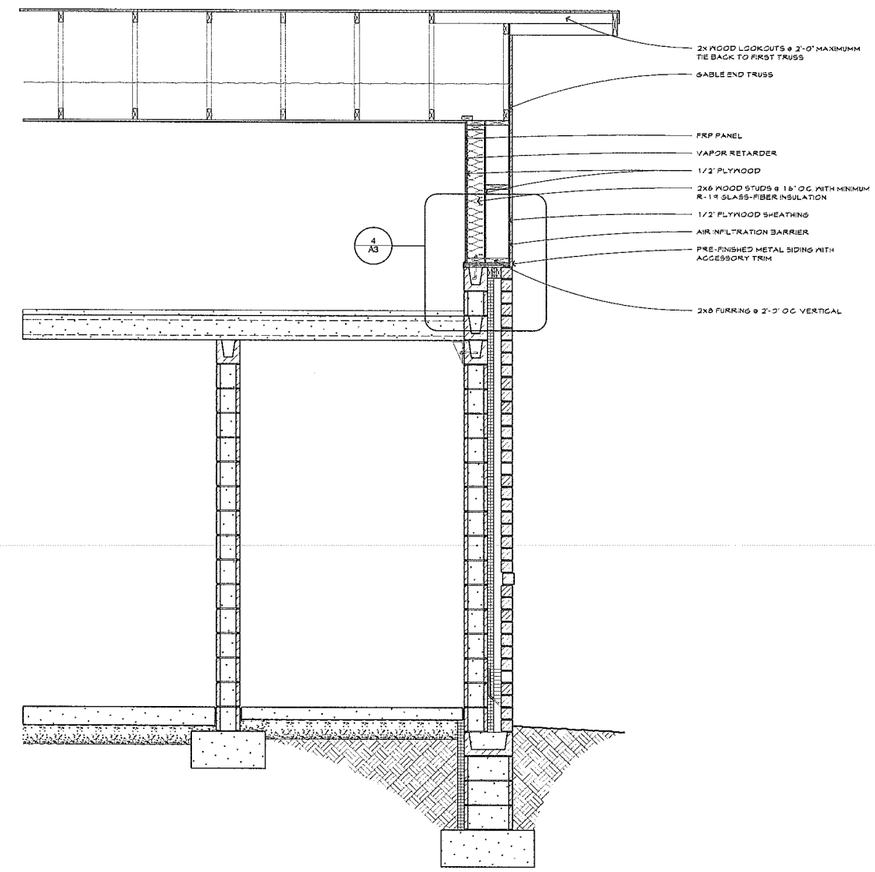
CITY OF EAST BETHEL, MINNESOTA

SHEET A2 OF 6 SHEETS



1 A3 WALL SECTION

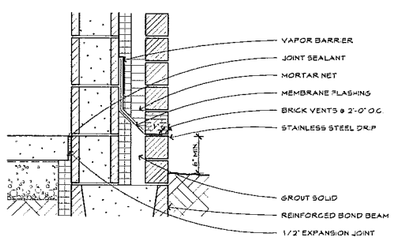
0 1' 2' 4'



2 A3 WALL SECTION

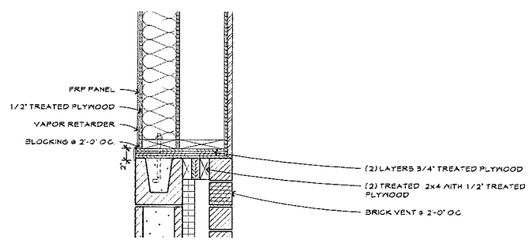
0 1' 2' 4'

NOTE SEE 1/A3 FOR ADDITIONAL INFORMATION



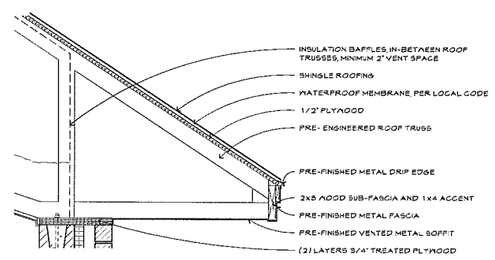
3 A3 WALL BASE DETAIL

0 6" 1' 2'



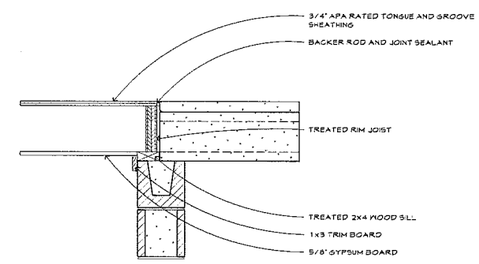
4 A3 WALL DETAIL

0 6" 1' 2'



5 A3 ROOF EDGE DETAIL

0 1' 2' 3'



6 A3 DETAIL

0 6" 1' 2'

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Lon Negen

Date August 16, 2011 License No: 41402

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DRAWN BY: AK
CHECKED BY: LDN

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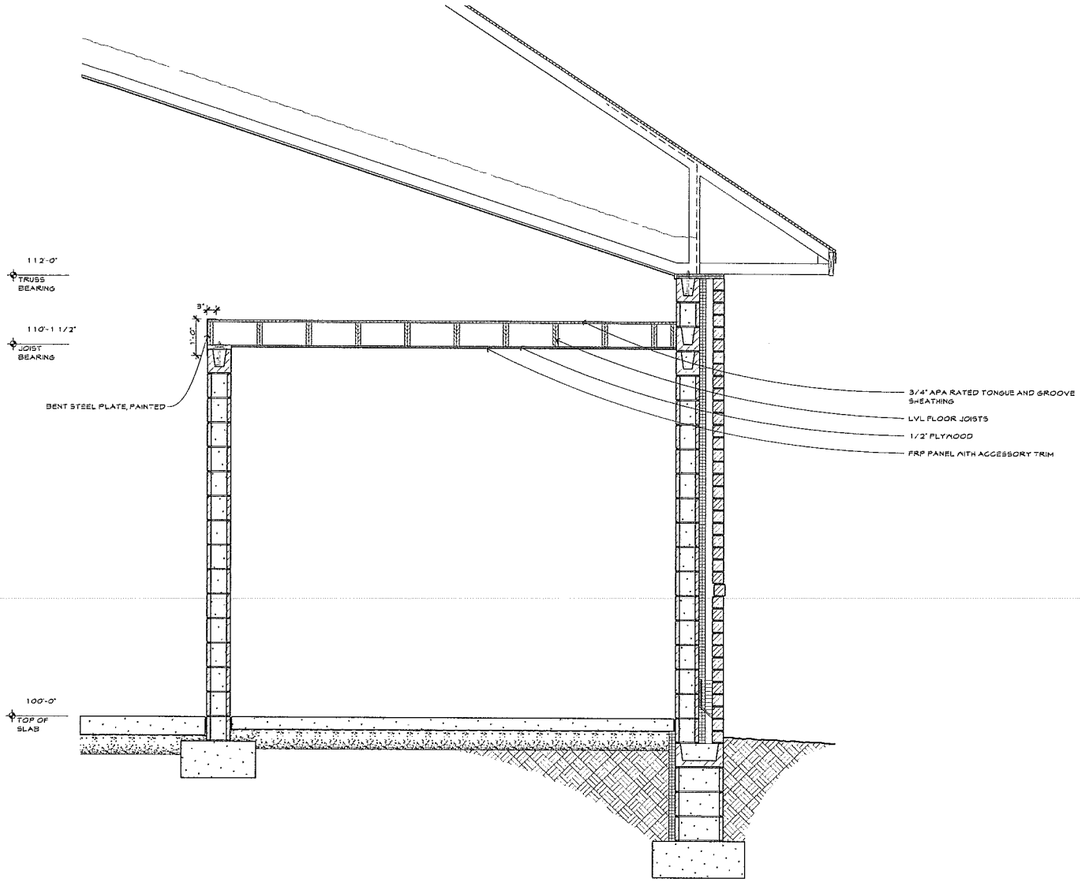
EAST BETHEL
WATER TREATMENT PLANT NO. 1

WALL SECTIONS

CITY OF EAST BETHEL, MINNESOTA

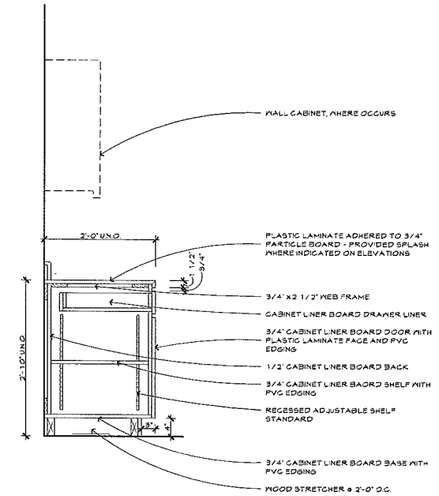
SHEET A3 OF 6 SHEETS



NOTE: SEE 1/A3 FOR ADDITIONAL INFORMATION

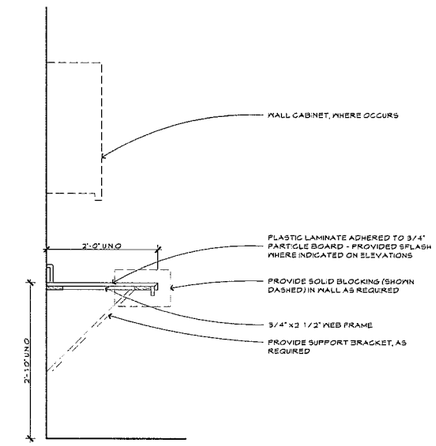
1/A4 WALL SECTION

0 1' 2' 4'



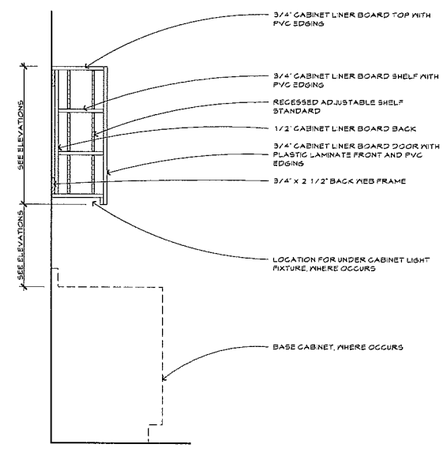
2/A4 TYPICAL BASE CABINET DETAIL

0 1' 2' 3'



3/A4 TYPICAL WORK SURFACE DETAIL

0 1' 2' 3'



4/A4 TYPICAL WALL CABINET

0 1' 2' 3'

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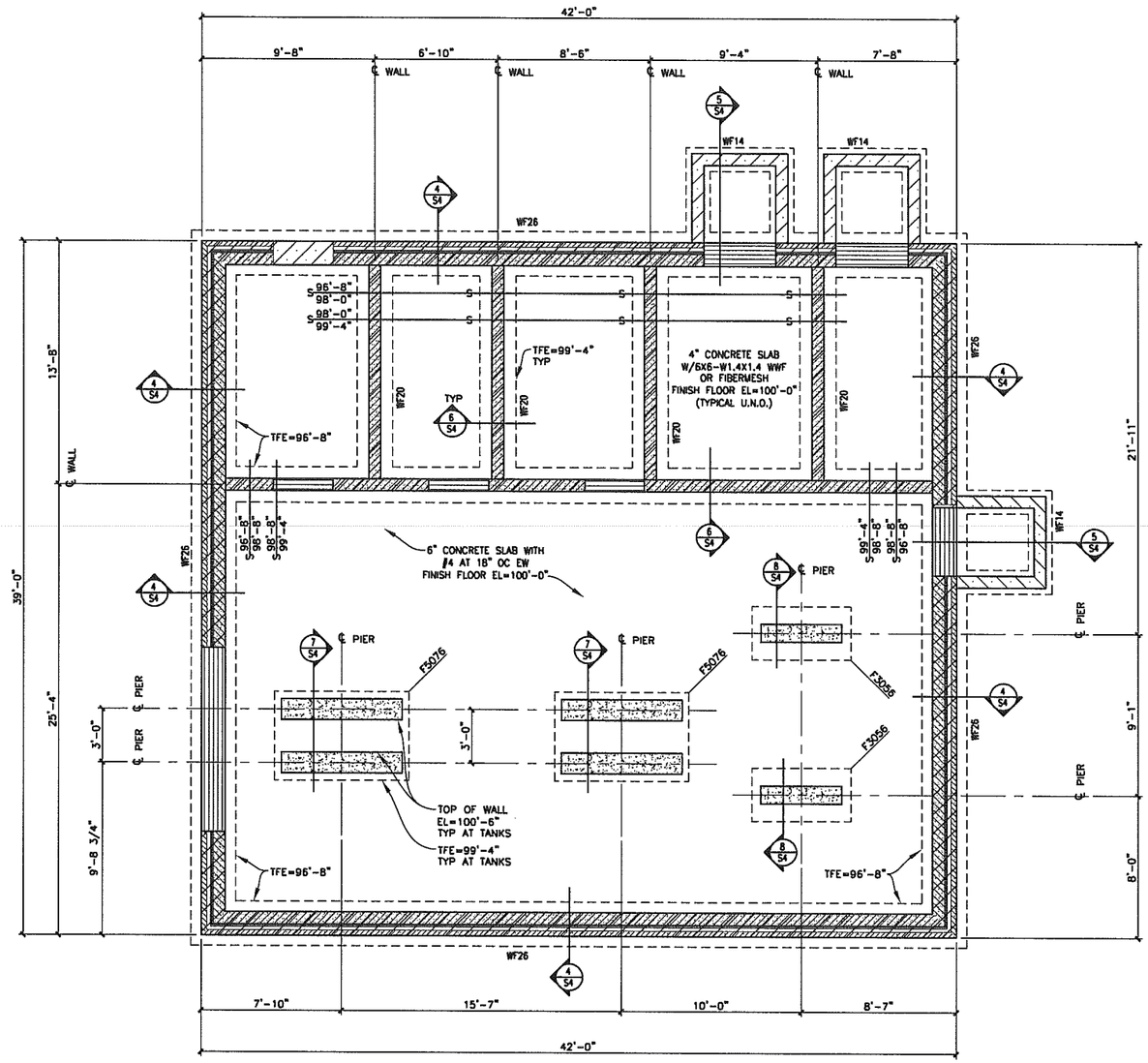
EAST BETHEL
WATER TREATMENT PLANT NO. 1

WALL SECTIONS AND CABINET DETAILS

CITY OF EAST BETHEL, MINNESOTA

SHEET A4 OF 6 SHEETS



FOUNDATION PLAN

1/4"=1'-0"

PLAN

GENERAL FOUNDATION NOTES:

1. ALL COLUMN FOOTINGS ARE CENTERED ON COLUMNS AND WALL FOOTINGS ARE CENTERED BENEATH WALL U.N.O.
2. FOR GENERAL STRUCTURAL NOTES AND SPECIFICATIONS SEE S1.
3. STEPPED WALL FOOTINGS ARE INDICATED THUS:
   TFE
   TFE-S TFE=96'-8" AT EXTERIOR U.N.O.
   SEE 2/S4
4. SEE ARCHITECTURAL PLANS FOR LOCATIONS OF RECESSED SLABS, SLOPED AREAS IN SLABS ON GRADE, AND CURBS.
5. VERIFY ALL OPENINGS AND DIMENSIONS WITH ARCHITECTURAL DRAWINGS.
6. INSTALL FOUNDATION DRAIN TILE PER RECOMMENDATIONS OF SOILS REPORT AND AS INDICATED ON ARCHITECTURAL SECTIONS.
7. COORDINATE LOCATION OF STEPPED FOOTINGS WITH CIVIL DOCUMENTS. MAINTAIN MINIMUM FROST COVER OF 3'-6" AT BUILDING FOUNDATIONS AND 5'-0" AT FOOTINGS AWAY FROM BUILDING. VERIFY COVER REQUIREMENTS WITH GEOTECHNICAL REPORT.

FOOTING SCHEDULE

MK	SIZE	REINFORCING
WF14	1'-4"x1'-0"	2-#5 CONT
WF20	2'-0"x1'-0"	2-#5 CONT
WF26	2'-6"x1'-0"	2-#5 CONT
F3056	3'-0"x5'-6"	3-#5 LONG & #5 AT 12" OC TRANS
F5076	5'-0"x7'-6"	#5 AT 12" OC EW

DATE	REVISION
8/25/11	ISSUED FOR PERMIT REVIEW

DUFFY ENGINEERING AND ASSOCIATES, INC.
STRUCTURAL - CIVIL - SURVEYING
MECHANICAL - ELECTRICAL
350 Highway 10 South
Saint Cloud, MN 56304
Phone: (320) 259-6575
Fax: (320) 259-8991
Email: mail@duffyeng.com

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.

TERRY W. DUFFY, P.E.
Date 8/25/11 Lic. No. 13750

DUFFY PROJECT NO.: 11180
DRAWN BY: CES
CHECKED BY: TWD

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

EAST BETHEL
WATER TREATMENT PLANT NO. 1

FOUNDATION PLAN

CITY OF EAST BETHEL, MINNESOTA

SHEET S2 OF 5 SHEETS

EB504

Aug 25, 2011 - 2:28pm
F:\STRUCTURAL\2011\11180 East Bethel Waste Water\11180 SF02.dwg

NON-EXCLUSIVE LICENSE AGREEMENT
CITY OF EAST BETHEL

WHEREAS, the City of EAST BETHEL has conditionally granted ANDREW F. NELSON and _____,husband and wife, of 4640 East Front Blvd. East Bethel Minnesota a non-exclusive license to locate and maintain certain well and septic improvements within lands controlled by the City of EAST BETHEL, EAST BETHEL, MN; and

WHEREAS, the proposed area of placement of the proposed well and septic improvements is controlled by the City of EAST BETHEL, being a portion of the unimproved right of way for Sylvan Street and is depicted on site drawings annexed hereto as "Exhibit A"; and

WHEREAS, the only purpose for which the encroachment is allowed is for purposes of placement and maintenance of the identified septic and well improvements as permitted by the City; and

WHEREAS, the City's permission may be rescinded by the City of EAST BETHEL at any time it deems the same necessary to serve a public purpose; and

WHEREAS, Andrew F. and _____ Nelson are in agreement with same and acknowledges that they shall construct the well and septic improvements and perform maintenance in the locations as directed by the City, and further acknowledges that no real estate interest is created or transferred by operation of this agreement, and that any placement of the well and septic improvements as allowed by this agreement is entirely at their own risk of loss should the City require its removal in the future.

NOW THEREFORE, be it agreed by and between the City of EAST BETHEL and Andrew F. and _____ Nelson as follows:

1. That the City of EAST BETHEL grants Andrew F. and _____Nelson non-exclusive license to locate and maintain specific well and septic system improvements approved by the City onto lands controlled by the City located upon the area depicted within Exhibit A for the designated improvements of a and well and septic system. No other use or encroachment is allowed by this License.

2. That all parties to this agreement understand, acknowledge, and agree that the nature of the permissive encroachment and non-exclusive license allowed by the City of EAST BETHEL is temporary in nature.

3. That in the event the City should rescind the permission affecting the placement and maintenance of the well and septic improvements, Andrew F. amd_____Nelson and/or his successors shall, if so directed by the City, immediately remove same from the area described above, at their

sole expense, restoring the area to its condition prior to the installation of the well and septic improvements.

4. That the non-exclusive license does not in any way hold Andrew F. Nelson and_____ responsible to maintain the City of EAST BETHEL property beyond routine maintenance of the well and septic system improvements.

5. Andrew F. and _____Nelson agrees they will defend, indemnify and hold harmless the City, its officers and employees against any and all liability, loss, costs, damages and expenses which the City, its officers or employees may hereafter sustain, incur, or be required to pay arising out of their construction and placement of the well and septic improvements into the city controlled property.

6. Either party may, at any time, terminate this non-exclusive license upon providing 120 days advance written notice to the other.

Dated this ____ day of _____, 2011.

_____
ANDREW F. NELSON

_____
Name-Spouse

CITY OF EAST BETHEL

By_____
Richard Lawrence, Mayor

By_____
Jack Davis, City Administrator

APPROVED AS TO FORM:

By: _____
Its: City Attorney

EXHIBIT A

SITE IMPROVEMENT DRAWING
WELL AND SEPTIC IMPROVEMENTS LOCATED WITHIN RIGHT OF WAY
SLYVAN STREET

Lashinski Services, Incorporated **M.P.C.A. Certificate # 65**

1326 161st Ave. Andover, MN 55304
Office: (763) 434-3915
Fax: (763) 434-7152

August 23, 2011

Andy Nelson
4640 East Front Blvd NE
East Bethel, MN 550292
612.750.6538

The onsite sewage treatment system at 4640 East Front Blvd in East Bethel is designed for a type I, two bedroom home in accordance with the Minnesota Pollution Control Agency (M.P.C.A.) chapter 7080 and local ordinances.

The above lot is 33' wide at the street. There is currently a shallow well and a noncompliant septic system on the property that both need to be abandoned and replaced. Because of the small lot size, a standard septic system and well cannot be installed while maintain all required setbacks. Furthermore, the lot directly to the South of this property, 4644 East Front Blvd., also has a shallow well and noncompliant septic system that cannot be replaced without the shallow well at this property being abandoned and sealed. The City of East Bethel is considering vacating the City-owned lot to the South of the property. By doing so, the homeowner would be able to installed a compliant well and septic system while maintaining all required setbacks.

The existing septic tank(s) are to be replaced. The tank(s) must be pumped and abandoned as per MPCA chapter 7080. A new 1650-gallon (minimum) double-compartment tank will need to be installed using the smaller compartment as a pumping chamber to lift the effluent to the proposed drainfield location. The main line from the house to the tank must be replaced with 4" SCH #40 PVC. The manhole covers on each tank must be brought to the surface for future maintenance. An effluent filter is required either in the outlet of the septic tank or the discharge of the lift tank.

The proposed soil treatment system must be at least 50-feet from the well, 20-feet from the house and 10-feet from the property line. The entire rockbed must be installed level and the rock materials clean as per MPCA chapter 7080. The homeowner is responsible for establishing a ground covering over the tanks and drainfield after construction is complete. Failure to do so can result in erosion and/or winter freezing problems.

The deep well to be drilled must be at least 50-feet from the tank and drainfield locations. The supply line from the tank to the drainfield must be at least 20-feet from the well location and air-tested as per MPCA chapter 7080. The existing shallow well must be sealed by a state-licensed well driller. All neighboring wells appear to be greater than 100-feet from the proposed ISTS location. **The homeowner is responsible for locating and disclosing any wells within 100-feet from the proposed ISTS location.**

The power supply and switches for the lift pump must be located outside the manhole and pumping chamber in a weatherproof enclosure. A warning device must be installed with both audible and visual alert in case of pump failure. The pressurized force main from the pump to the treatment area must be sloped to allow for drain back and prevent freezing.

Keep all heavy equipment off the proposed treatment area before and after construction. The treatment area should be marked off before construction. **Failure to protect the site of the proposed treatment area can result in this design being invalid and the system will need to be relocated.**

Nothing other than human waste, toilet tissue, laundry, showers, water softeners, etc. should be disposed into the septic tanks. **Iron filters must be diverted out of the system.** Garbage disposals are not recommended due to adding more solids and fine solids passing through the tanks and into the treatment area. Excessive amounts of soaps, especially anti-bacterial soaps, cleaning agents, and chlorine may kill the bacteria needed to treat septic effluent, limit the use of these cleaning agents. We recommend using liquid laundry and dish soap instead of powder. **Additives generally should not be used.**

Each tank should be pumped and cleaned through the manhole cover one year after construction, then at least once every three years thereafter by a state licensed professional. With proper installation and maintenance, this system should have no problem treating effluent properly.

Sincerely,

Ryan Lashinski

Soil Boring Log

Soil Boring # 1
Elevation

0-4	10YR 3/3 dark brown loam
-12	10YR 4/4 dark yellowish brown fine sand
-55	10YR 5/4 yellowish brown fine/medium sand
-64	10YR 6/4 light yellowish brown fine/medium sand
	10YR 5/8 brownish yellow loamy fine sand
	Redoximorphic mottling at 54".

Soil Boring # 2
Elevation

0-4	10YR 3/3 dark brown loam
-16	10YR 4/4 dark yellowish brown fine sand
-55	10YR 5/4 yellowish brown fine/medium sand
-64	10YR 6/4 light yellowish brown fine/medium sand
	10YR 5/8 brownish yellow loamy fine sand
	Redoximorphic mottling at 54".

Soil Boring # 3
Elevation 97.25'

0-4	10YR 3/3 dark brown loam
-18	10YR 4/4 dark yellowish brown fine sand
-50	10YR 5/4 yellowish brown fine/medium sand
-64	10YR 6/4 light yellowish brown fine/medium sand
	10YR 5/8 brownish yellow loamy fine sand
	Redoximorphic mottling at 52".

Trench and Bed Worksheet

All boxed rectangles must be entered, the rest will be calculated.

1. AVERAGE DESIGN FLOW

A. Estimated **275** gpd *(see figure A-1)*
or measured _____ x 1.5 *(safety factor)* = 0 gpd

B. Septic tank capacity 1100 gallons

A-1 Estimated Sewage Flows in GPD				
Number of Bedrooms	Class I	Class II	Class III	Class IV
2	300	225	180	60% of
3	450	300	218	the
4	600	375	256	values
5	750	450	294	in the
6	900	525	332	Class I,
7	1050	600	370	II or II
8	1200	675	408	columns

2. SOILS (Site evaluation data)

C. Depth to restricting layer = **4.3** feet

D. Maximum depth of system Item C - 3 ft = 1.3 feet

E. Texture fine sand Percolation rate <5 mpi

F. SSF 1.67 ft^2/gpd (see figure D-15)

G. % Land slope 0 %

D-15 Soil Characterisitcs & SSF		
Perc Rate mpi	Soil Tecture	SSF sq ft/gpd
< 0.1 *	Coarse sand	0.83
0.1- 5	Medium sand	0.83
	Loamy sand	
0.1- 5**	Fine sand	1.67
6 - 15	Sandy loam	1.27
16 - 30	Loam	1.67
31 - 45	Silt loam, silt	2.00
46 - 60	Clay loam, sandy clay or silty clay	2.20
61 - 120***	Clay, sandy or silty clay	4.20
>120****		

* No trench >25% of total system
** Soil with >50% fine sand particles
*** A mound must be used
**** An other or performance system

C-1 Septic Tank Capacity in Gallons			
Number of Bedrooms	Minimum Capacity	Capacity with Garb. Disp.	Capacity with Disp. and Lift
2 or less	1250	1125	1500
3 or 4	**1500**	1500	2000
5 or 6	2000	2250	3000
7, 8 or 9	2000	3000	4000

D-9: Soil Characteristics and Soil sizing factors (SSF) for Gravelless Pipe

percolation rate (minutes/inch)	soil texture	lineal feet / gallon / day
Faster than 0.1 *	Coarse Sand	-
0.1 to 5	Medium Sand	0.28
	Loamy Sand	
0.1 to 5	Fine Sand **	0.6
6 to 15	Sandy Loam	0.42
16 to 30	Loam	0.56
31 to 45	Silt Loam	0.67
	Silt	
46 to 60	Clay Loam (CL)	0.74
	Sandy CL	
	Silty CL	
slower than 60***	Clay	
	Sandy Clay	
	Silty Clay	

*Soil too coarse for sewage treatment. Use systems for rapidly permeable soils.
**Soil having 50% or more fine sand + very fine sand.
***Soil with too high a percentage of clay for installation of a standard ingrouted system.

3. TRENCH OR BED BOTTOM AREA

H. For trenches with6 inches of rock below the pipe:

A x F = 275 gpd x 1.67 ft/gpd = 459.3 ft^2

I. For trenches with 12 inches of rock below the pipe:

A x F x 0.8= 275 gpd x 1.67 ft/gpd x 0.8 = 367.4 ft^2

J. For trenches with 18 inches of rock below the pipe:

A x F x 0.66= 275 gpd x 1.67 ft/gpd x 0.66 = 303.1 ft^2

K. For trenches with 24 inches of rock below the pipe:

A x F x 0.6= 275 gpd x 1.67 ft/gpd x 0.6 = 275.6 ft^2

L. For gravity beds with 6 or 12 inches of rock below the pipe;

1.5 x A x F = 1.5 x 275 gpd x 1.67 ft/gpd = 688.9 ft^2

M. For pressure beds with 6 or 12 inches of rock below the pipe;

A x F = 275 gpd x 1.67 ft/gpd = 459.3 ft^2

4. DISTRIBUTION (Check all that apply)

x	Bed (<6% slope)		Drop Boxes (any slope)	x	Rock
	Trenches		Distribution Box (<3%)		Chamber
x	Pressure		Gravity		Gravelless

5. SYSTEM WIDTH, LENGTH AND VOLUME

M. Select width = 18.0 ft

N. If using rock, divide bottom area by width: (H, I, J or K) divided by P = lineal feet

460.0 ft^2 / 18.0 ft = 25.6 lineal feet

Rock depth below distribution pipe plus 0.5 foot times bottom area:

(Rock depth + 0.5 foot) x Area (H, I, J, K, L)

(0.5 ft + 0.5 ft) x 460.0 ft^2 = 460.0 ft^3

Volume in cubic yards = volume in cubic feet divided by 27

460.0 / 27= **17.0** yd^3

Weight of rock in tons = cubic yards times 1.4

17.0 x 1.4= **23.9** tons

O. If using 10" Gravelless Pipe, length = Flow (A) x Gravelless SSF (see figure D-9)

275.0 gpd x ft/gpd = 0.0 lineal feet

P. If using a Chamber (H, I, J, K [based on height of chamber slats] divided by width of chamber in ft)

ft^2 / ft = #DIV/0! lineal feet

7. LAWN AREA

Q. Select trench spacing, center to center = 15 feet

R. Multiply trench spacing by lineal feet R x Q = sq. ft. of lawn area

15 x 25.6 = 383 ft^2

8. LAYOUT

Select an appropriate scale; one inch = 40 feet

Show pertinent property boundaries, rights-of-way, easements.

Show location of house, garage, driveway, and all other improvements, existing or proposed.

Show location and layout of sewage treatment system, well and dimensions of all elevations

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws

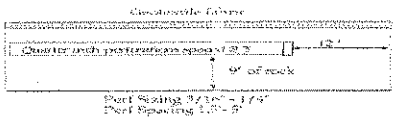
(signature) 65 (license #) (date)

PRESSURE DISTRIBUTION SYSTEM

All boxed rectangles must be entered, the rest will be calculated.

1. Select number of perforated laterals: [5]

2. Select perforation spacing = [3] ft



3. Since perforations should not be placed closer that 1 foot to the edge of the rock layer (see diagram), subtract 2 feet from the rock layer length
   [25] - 2 ft = 23 ft

4 Determine the number of spaces between perforations.
Divide the length (3) by perforation spacing (2) and round down to nearest whole number.
Perforation spacing = 23 ft / 3 ft = 7

5. Number of perforations is equal to one plus the number of perforation spaces (4).
   ** Check figure E-4 to assure the number of perforations per lateral guarantees < 10% discharge variation.*
   7 spaces + 1 = 8 perforations/lateral

E-4 Maximum Number of 1/4 inch perforations per lateral to guarantee <10% discharge variation				
Perforation Spacing feet	1 inch	1.25 inch	1.5 inch	2.0 inch
2.5	8	14	18	28
3.0	8	13	17	26
3.3	7	12	16	25
4.0	7	11	15	23
5.0	6	10	14	22

E-6 Perforation Discharge in GPM			
Head (feet)	Perforations diameter (inches)		
	3/16	7/32	1/4
1[a]	0.42	0.56	0.74
2[b]	0.59	0.80	1.04
5	0.94	1.26	1.65
a. Use 1.0 foot for single-family homes.			
b. Use 2.0 feet for anything else			

6. A. Total number of perforations = perforations per lateral (5) times number of laterals (1).
   8 perfs/ lat x 5 laterals = 40 perforations

   B. Calculate the square footage per perforation.
   Recommended value is 6-10 sqft/perf. Does not apply to at-grades.
   1. Rock bed area = rock width (ft) x rock length (ft)
   [18] ft x 25 ft = 450 ft^2
   2. Square foot per perforation=Rock Bed Area/number of perfs(6)
   450.0 ft^2 / 40 perfs = 11.3 ft^2/ perf

7. Determine required flow rate by multiplying the total number of perforations(6A) by flow per perforations (see figure E-6)
   40 perfs x [0.74] gpm / perfs = 29.6 gpm

8. If laterals are connected to header pipe as shown in Figure E-1, to select minimum required lateral diameter; enter figure E-4 with perforation spacing (2) and number of perforations per lateral (5).

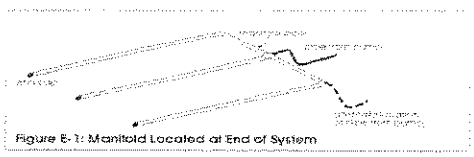


Figure E-1: Manifold Located at End of System

   Select minimum diameter for perforated laterals = [2] inches

9. If perforated lateral system is attached to manifold pipe near the center, like Figure E-2, perforated lateral length (3) and number of perforations per lateral (5) will be approximately one half of that in step 8. Using these values, select minimum diameter for perforated lateral = [2] inches.

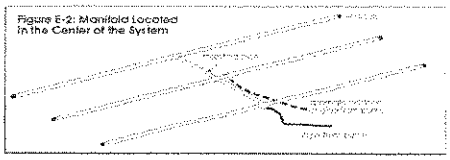


Figure E-2: Manifold Located in the Center of the System

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

[signature] (signature) 65 (license #) _____ (date)

PUMP SELECTION PROCEDURE

All boxed rectangles must be entered, the rest will be calculated.

1. Determine pump capacity:

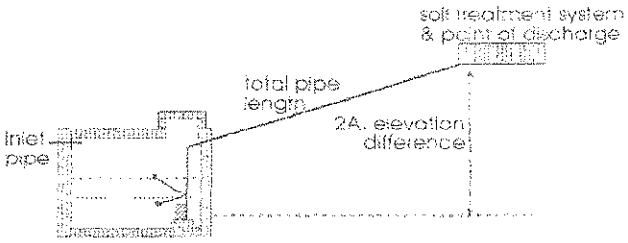
A. Gravity Distribution

1. Minimum required discharge is 10 gpm
2. Maximum suggested discharge is 45 gpm

For other establishments at least 10% greater than the water supply rate, but no faster than the rate at which effluent will flow out of the distribution device.

B. Pressure Distribution - see pressure design worksheet

Selected Pump Capacity: 30 **gpm**



2. Determine head requirements:

A. Elevation difference between pump and point of discharge.

10 feet

B. Special head requirement? *(See Figure - Special Head Requirements)*

5 feet

Special Head Requirements	
Gravity Distribution	0ft
Pressure Distribution	5ft

C. Friction loss

1. Select pipe diameter 3 in
2. Enter Figure E-9 with gpm (1A or B) and pipe diameter (C1)

Read friction loss in feet per 100 feet from Figure E-9

Friction loss= 0.23 ft/ 100 ft of pipe

3. Determine total pipe length from pump discharge to soil system discharge point. Estimate by adding 25 percent to pipe length for fitting loss.

Equivalent pipe length times 1.25 = total pipe length

110 ft x 1.25 = 137.5 feet

4. Calculate total friction loss by multiplying friction loss (C2) by the equivalent pipe length (C3) and divide by 100.

FL= 0.23 ft/100ft X 137.5 ft / 100 = 0.3 feet

E-9 Friction Loss in Plastic Pipe per 100 ft

Flow Rate	nominal pipe diameter		
gpm	1.5"	2.0"	3"
20	2.47	0.73	0.11
25	3.73	1.11	0.16
30	5.23	1.55	0.23
35	6.96	2.06	0.3
40	8.91	2.64	0.39
45	11.07	3.28	0.48
50	13.46	3.99	0.58
55		4.76	0.7
60		5.6	0.82
65		6.48	0.95
70		7.44	1.09

D. Total head requirement is the sum of elevation difference (A), special head requirements (B), and total friction loss (C4).

10 ft + 5 ft + 0.3 ft

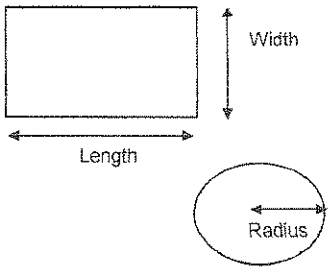
Total Head: 15.3 **feet**

3. Pump Selection

1. A pump must be selected to deliver at least 30 gpm (1A or B) with at least 15.3 *feet of total head (2D).*

DOSING CHAMBER SIZING

All boxed rectangles must be entered, the rest will be calculated.



1. Determine area
   A. Rectangle area = L x W
   [5] ft x [3.5] ft = 17.5 ft^2
   B. Circle area = 3.14 x $radius^2$
   3.14 x [ ]^2 ft = 0.0 ft^2
   C. Get area from manufacture [ ] ft^2

2. Calculate gallons per inch
   There are 7.5 gallons per cubic foot of volume, therefore multiply the area (1A, B or C) times the conversion factor and divide by 12 inches per foot to calculate gallon per inch.
   Surface area x 7.5 / 12 = 17.5 ft^2 x 7.5 / 12in/ft = 10.9 gallon per inch

Legal Tank:
1000 gallons or
100% the daily flow
or Alternating Pumps

3. Calculate total tank volume
   A. Depth from bottom of inlet pipe to tank bottom = [46] in
   B. Total tank volume = depth from bottom of inlet pipe to tank bottom(3A) x gal/in(2)
   = 46 in x 10.9 gal/in = 503.1 gallons

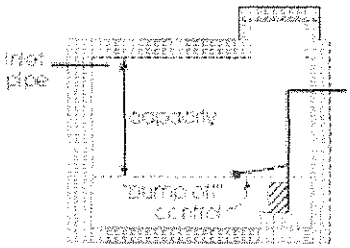
4. Calculate gallons to cover pump (with 2-3 inches of water covering pump)
   (Pump and block height + 2 inches) x gallon per inch
   (10 + 2 in) x 10.9 gal/in = 131.3 gallons

5. Calculate total pumpout volume
   A. Select pump size for 4-5 doses per day. Gallon per dose = gpd *(see Figure A-1)* / doses per day =
   [300] gpd / [3] doses/day = 100 gallons

A-1 Estimated Sewage Flows in GPD				
Number of Bedrooms	Class I	Class II	Class III	Class IV
2	300	225	180	60% of
3	450	300	218	the
4	600	375	256	values
5	750	450	294	in the
6	900	525	332	Class I,
7	1050	600	370	II or II
8	1200	675	408	columns

E-20 Volume of Liquid in Pipe	
Pipe Diameter inches	Liquid per foot gallons
1	0.045
1.25	0.078
1.5	0.110
2	0.170
2.5	0.250
3	0.380
4	0.660

   B. Calculate drainback
   1. Determine total pipe length [110.0] ft
   2. Determine liquid volume of pipe, [0.38] gal/ft *(see figure E-20)*
   3. Drainback quantity = 110.0 ft (5B1) x 0.38 gal/ft(5B2) = 41.8 gal
   C. Total pump out volume = dose volume(5A) + drainback (5B3)
   100 gallons + 41.8 gallons = 141.8 gal



6. Calculate float separation distance (using total pumpout volume)
   Total pumpout volume(5C) / gal/inch(2)
   141.8 gal / 10.9 gal/in = 13.0 inch

7. Calculate volume for alarm (typically 2 - 3 inches)
   Alarm depth (inch) x gallon/inch(2) = 2 in x 10.9 gal/in = 21.875 gal

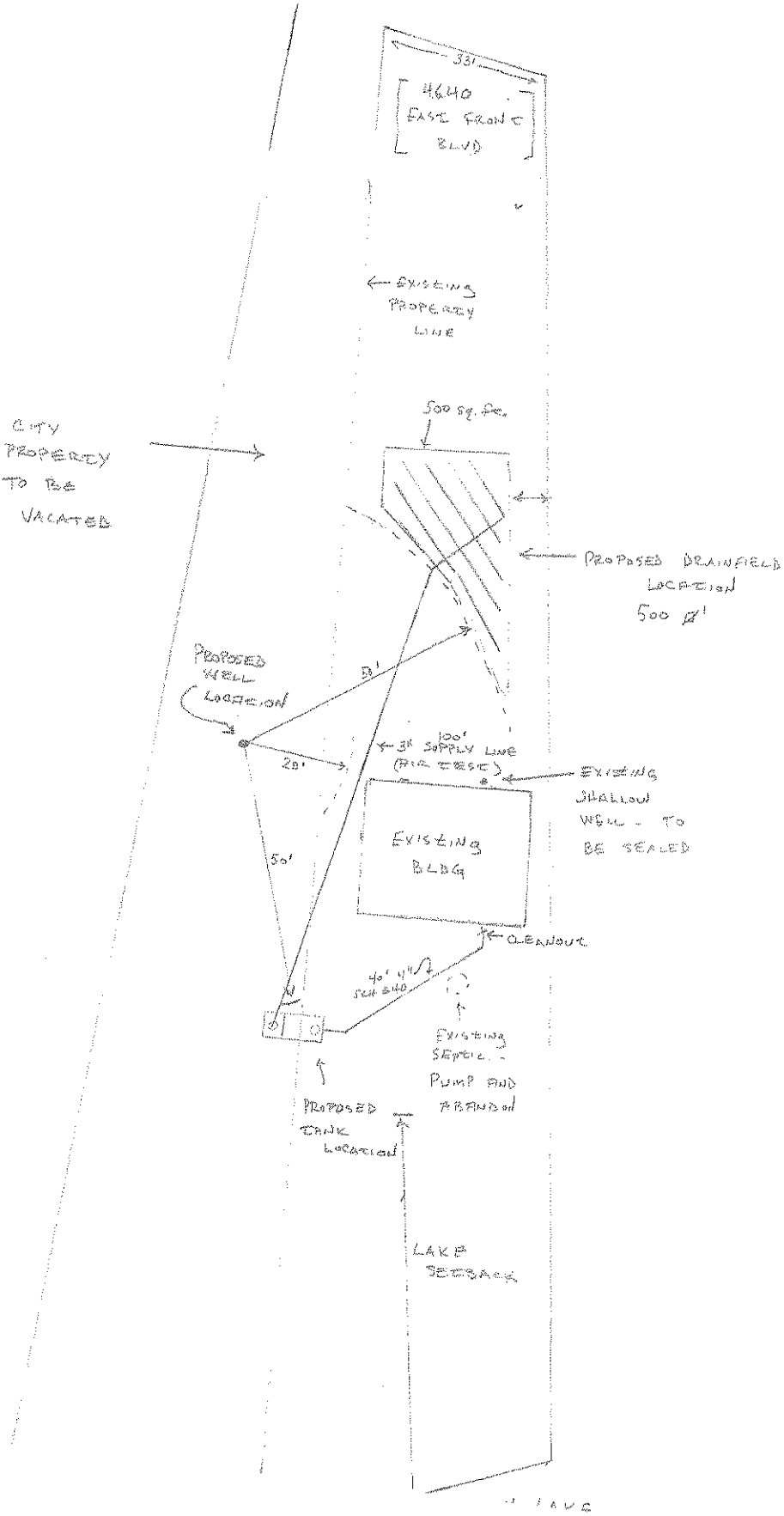
8. Calculate total gallons = gallons over pump(4) + gallons pumpout(5C) + gallons alarm(7)
   131.3 gal + 141.8 gal + 21.9 gal = 294.9 gal

9. Total tank depth = total gallons(8) / gallon/in(2)
   294.9 gallons / 10.9375 gal/in = 27.0 in

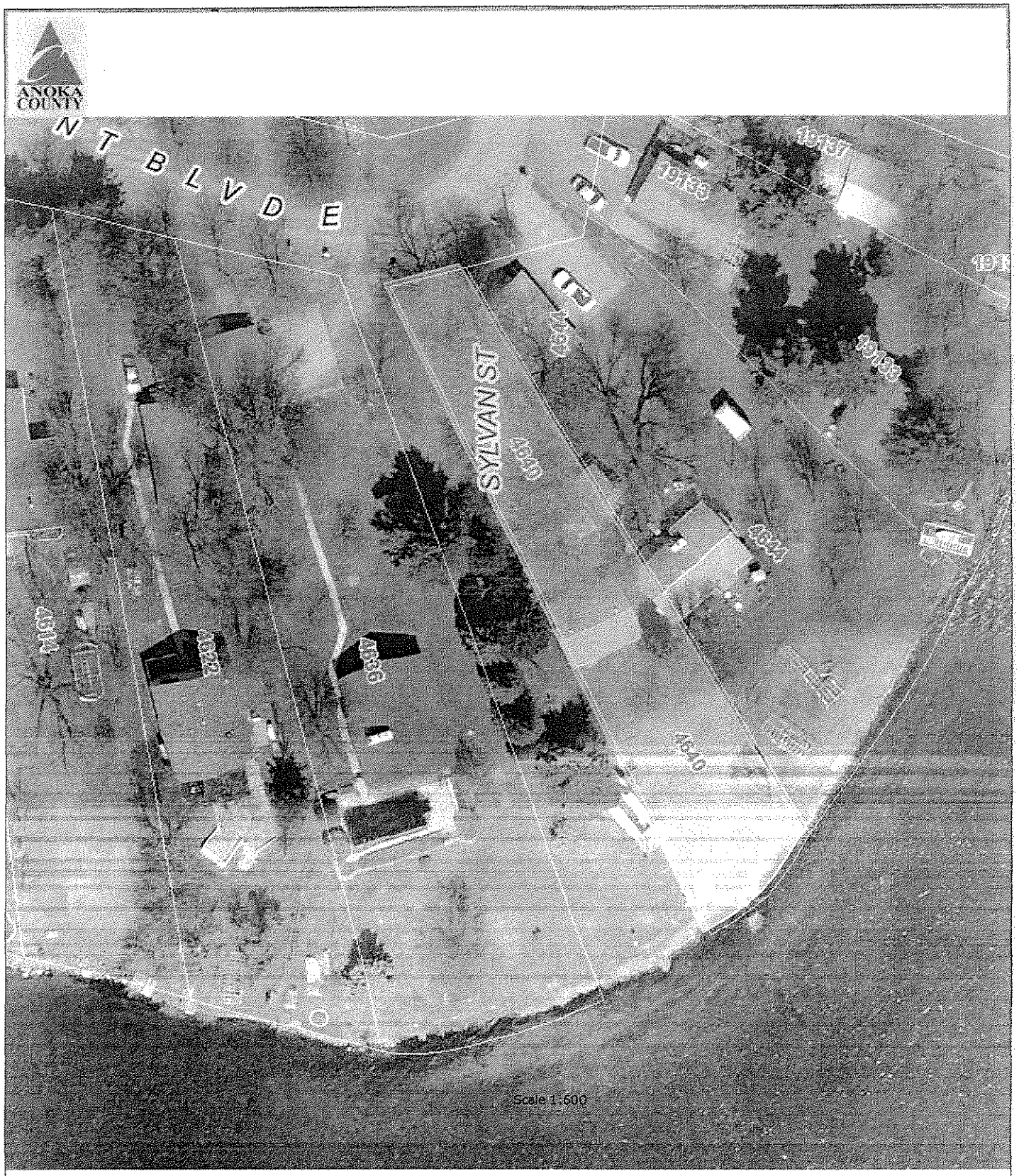
Recommended				
Calculate reserve capacity (75% of the daily flow)				
Daily flow x 0 .75 =	300	x 0.75 =	225	gallons

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws

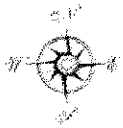
_____ (signature) _____ (license #) _____ (date)

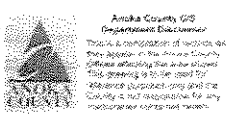


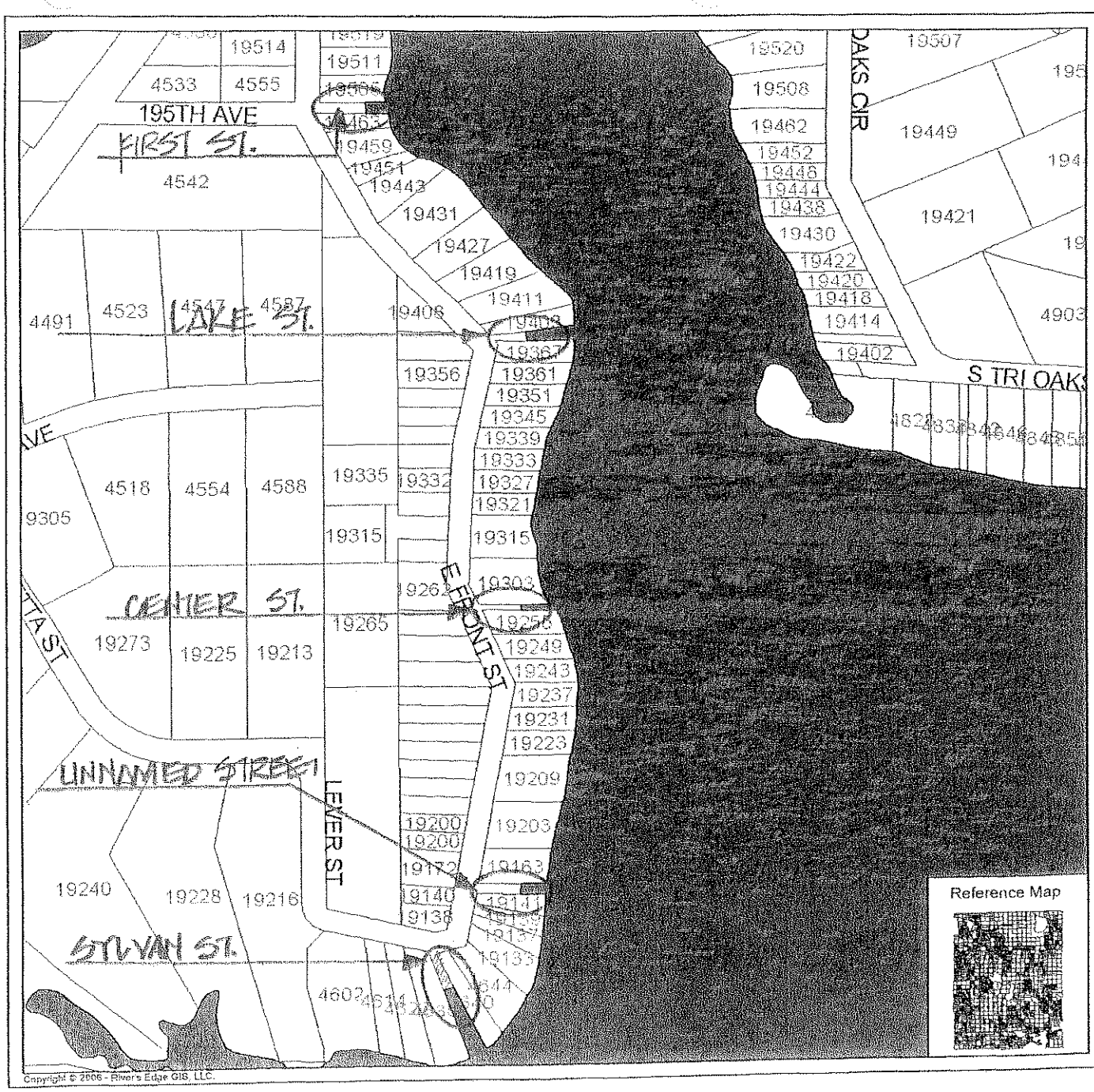
33'
4640
EAST FRONT
BLVD
EXISTING
PROPERTY
LINE
500 sq. ft.
CITY
PROPERTY
TO BE
VACATED
PROPOSED DRAINFIELD
LOCATION
500 Ø'
PROPOSED
WELL
LOCATION
50'
100'
3" SUPPLY LINE
(AIR TEST)
EXISTING
SHALLOW
WELL - TO
BE SEALED
20'
EXISTING
BLDG
50'
CLEANOUT
40' 4"
SCH 240
EXISTING
SEPTIC
PUMP AND
ABANDON
PROPOSED
TANK
LOCATION
LAKE
SETBACK



Aerial Photo: Flown Spring 2008







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CITY OF EAST BETHEL
CivicSight Map

MAP LEGEND:
- WATER
- PARKS
- PARCELS2

LOCATION MAP

Map Scale: 1 inch = 390 feet
Map Date: 8/12/2011
Data Date: June 24, 2011

Sources: EAST BETHEL GIS AND ANOKA COUNTY

Disclaimer:
Enter Map Disclaimer Here

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011
* *

Agenda Item Number:
Item 9.0 C.1
* *

Agenda Item:
Sylvan Street License Agreement
* *

Requested Action:
Consider a request for a license agreement to use Sylvan Street for septic and well improvements
* *

Background Information:
The City of East Bethel has five platted but undeveloped City streets that connect East Front Boulevard to Coon Lake (see attached map). Two of these streets, Center Street and one unnamed street, provide storm water drainage for East Front Boulevard and are locations for storm sewer culverts that discharge into Coon Lake. The other three streets, First, Lake and Sylvan Streets, appear to serve no other function other than points of pedestrian or recreational vehicle access to Coon Lake. The East Bethel Fire Department has no plans to utilize these streets to access Coon Lake for a water source for fire fighting incidents.

Sylvan Street is the street that is being petitioned for a license agreement to locate and maintain well and septic system improvements within a public lands controlled by the City of East Bethel by Andy Nelson, 4640 East Front Boulevard. Sylvan Street varies in width from 21.6’ at its intersection with East Front Boulevard to 57.2’ at its termination at Coon Lake. The street is approximately 300’ in length and features a gradual rise in elevation from East Front Boulevard to mid-way along its length before sloping off to the lake. The total street right of way is approximately 0.25 acres. The City Attorney has advised staff that platted City streets can not be sold but a license agreement could be executed with Mr. Nelson to address his problem. It is unlikely that the City would ever use this right of way but in the event its use was required the City could rescind the agreement at any time it deems necessary to serve a public purpose.

Attachment(s):
License Agreement
Septic and Well Specifications and Map
Location Maps
* *

Fiscal Impact:
To be determined
* *

Recommendation(s):
This platted but undeveloped street is rarely if ever used for lake access by the general public, possesses little benefit for a drainage easement and is not necessary for fire equipment access to

the lake. Therefore, Staff recommends the license agreement as prepared by the City Attorney and between Mr. Nelson and the City be approved.

* * * *

City of East Bethel
City Council
Agenda Information

* *

Date:
August 17, 2011

* *

Agenda Item Number:
Item 9.0 C.2

* *

Agenda Item:
Street Vacation Petition

* *

Requested Action:
Consider a request for vacating Sylvan Street

* *

Background Information:
The City of East Bethel has five platted but undeveloped City streets that connect East Front Boulevard to Coon Lake (see attached map). Two of these streets, Center Street and one unnamed street, provide storm water drainage for East Front Boulevard and are locations for storm sewer culverts that discharge into Coon Lake. The other three streets, First, Lake and Sylvan Streets, appear to serve no other function other than points of pedestrian or recreational vehicle access to Coon Lake. The East Bethel Fire Department has no plans to utilize these streets to access Coon Lake for a water source for fire fighting incidents.

Sylvan Street is the street that is being petitioned for vacation. Sylvan Street varies in width from 21.6’ at its intersection with East Front Boulevard to 57.2’ at its termination at Coon Lake. The street is approximately 300’ in length and features a gradual rise in elevation from East Front Boulevard to mid-way along its length before sloping off to the lake. The total street right of way is approximately 0.25 acres. The City Attorney has advised staff that platted City streets can not be sold but must transferred to the adjoining property owners if a vacation is approved.

The two residents that adjoin Sylvan Street, Andrew Nelson and Richard Roback, have submitted a petition to have this street vacated. These residents need additional property to remediate septic system and well issues. The residents have been advised that since these are platted City streets they must follow the requirements of State Statute 412.851 as follows:

412.851 VACATION OF STREETS.

The council may by resolution vacate any street, alley, public grounds, public way, or any part thereof, on its own motion <u>or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated.</u> When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the council. No vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. The council shall cause written notice of the hearing to be mailed to each property owner affected by the proposed vacation at least ten days before the hearing. The notice must contain, at minimum, a copy of the petition or proposed resolution as well as the time, place, and date of the hearing. In addition, if the street,

alley, public grounds, public way, or any part thereof terminates at, abuts upon, or is adjacent to any public water, written notice of the petition or proposed resolution must be served by certified mail upon the commissioner of natural resources at least 60 days before the hearing on the matter. The notice to the commissioner of natural resources does not create a right of intervention by the commissioner. At least 15 days prior to convening the hearing required under this section, the council or its designee must consult with the commissioner of natural resources to review the proposed vacation. The commissioner must evaluate:

(1) the proposed vacation and the public benefits to do so;

(2) the present and potential use of the land for access to public waters; and

(3) how the vacation would impact conservation of natural resources.

The commissioner must advise the city council or its designee accordingly upon the evaluation. After a resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceedings which shall contain the name of the city, an identification of the vacation, a statement of the time of completion thereof, and a description of the real estate and lands affected thereby. The notice shall be presented to the county auditor who shall enter the same in the transfer records and note upon the instrument, over official signature, the words "entered in the transfer record." The notice shall then be recorded with the county recorder. Any failure to file the notice shall not invalidate any vacation proceedings.

The petitioners for this street vacation have been advised that the City can not sell this property but they can be charged the City's cost for expenses for this vacation.

Attachment(s):
Location Map
Letters Petitioning Vacation
* *

Fiscal Impact:
To be determined
* *

Recommendation(s):
This platted but undeveloped street is rarely if ever used for lake access by the general public, possesses little benefit for a drainage easement and is not necessary for fire equipment access to the lake. Therefore, Staff recommends the process of vacation of Sylvan Street as prescribed by Statute 412.851 commence and upon completion of the requirements be presented to City Council for consideration.
* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

August 9, 2011

To: Mayor of East Bethel

Regarding: Petition to vacate Sylvan Street to adjacent landholders

The current landowners on either side of Sylvan Street on East Front Blvd. (4640 East Front Blvd., Andrew Nelson and 4636 East Front Blvd., Richard Roback) herein request the City of East Bethel to vacate Sylvan Street equally to the adjacent landholders. We are requesting this action in the interests of the public and due to the challenges of laying out and installing septic systems and wells for adjoining properties at 4640 and 4644 as well as the privacy and security of our homes. We understand that we will be responsible for the reasonable administrative costs incurred by the City to process and finalize this request. We appreciate your consideration as we are currently attempting to mediate the septic and well situation during this 2011 construction season.

Richard Roback and Andrew Nelson

Printed:

Wed 10 August 2011, 15:37:36 (CDT)

Subject: **Final version of vacation petition, fax to Jack David, City Administrator 763 434 9578**

From: Andy Nelson <andrewnelson.mmi@earthlink.net>

Date: Tue, 9 Aug 2011 18:04:48 -0500 (GMT-05:00)

To: Richard J Roback <robac003@tc.umn.edu>

CC: andrewnelson.mmi@earthlink.com <andrewnelson.mmi@earthlink.com>

August 9, 2011
To: Mayor of East Bethel
Regarding: Petition to vacate Sylvan Street to adjacent landholders

The current landowners on either side of Sylvan Street on East Front Blvd. (4640 East Front Blvd., Andrew Nelson and 4636 East Front Blvd., Richard Roback) herein request the City of East Bethel to vacate Sylvan Street equally to the adjacent landholders. We are requesting this action in the interests of the public and due to the challenges of laying out and installing septic systems and wells for adjoining properties at 4640 and 4644 as well as the privacy and security of our homes. We understand that we will be responsible for the reasonable administrative costs incurred by the City to process and finalize this request. We appreciate your consideration as we are currently attempting to mediate the septic and well situation during this 2011 construction season.

Richard J Roback

Richard Roback and Andrew Nelson

fax to Jack David, City Administrator 763 434 9578

CITY OF EAST BETHEL
CivicSight Map

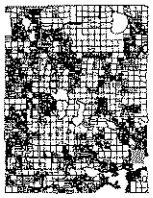
MAP LEGEND:

- WATER
- PARKS
- PARCELS2

LOCATION MAP

195TH AVE
FIRST ST.
LAKE ST.
CENTER ST.
UNNAMED STREET
SYLVAN ST.
LEVER ST
E FRONT ST
S TRI OAKS
OAKS CIR
TTA ST

Reference Map



Map Scale: 1 inch = 390 feet
Map Date: 8/12/2011
Data Date: June 24, 2011

Sources: EAST BETHEL GIS AND ANOKA COUNTY

Disclaimer:
Enter Map Disclaimer Here

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Lashinski Services, Incorporated **M.P.C.A. Certificate # 65**

1326 161st Ave. Andover, MN 55304
Office: (763) 434-3915
Fax: (763) 434-7152

August 23, 2011

Andy Nelson
4640 East Front Blvd NE
East Bethel, MN 550292
612.750.6538

The onsite sewage treatment system at 4640 East Front Blvd in East Bethel is designed for a type I, two bedroom home in accordance with the Minnesota Pollution Control Agency (M.P.C.A.) chapter 7080 and local ordinances.

The above lot is 33' wide at the street. There is currently a shallow well and a noncompliant septic system on the property that both need to be abandoned and replaced. Because of the small lot size, a standard septic system and well cannot be installed while maintain all required setbacks. Furthermore, the lot directly to the South of this property, 4644 East Front Blvd., also has a shallow well and noncompliant septic system that cannot be replaced without the shallow well at this property being abandoned and sealed. The City of East Bethel is considering vacating the City-owned lot to the South of the property. By doing so, the homeowner would be able to installed a compliant well and septic system while maintaining all required setbacks.

The existing septic tank(s) are to be replaced. The tank(s) must be pumped and abandoned as per MPCA chapter 7080. A new 1650-gallon (minimum) double-compartment tank will need to be installed using the smaller compartment as a pumping chamber to lift the effluent to the proposed drainfield location. The main line from the house to the tank must be replaced with 4" SCH #40 PVC. The manhole covers on each tank must be brought to the surface for future maintenance. An effluent filter is required either in the outlet of the septic tank or the discharge of the lift tank.

The proposed soil treatment system must be at least 50-feet from the well, 20-feet from the house and 10-feet from the property line. The entire rockbed must be installed level and the rock materials clean as per MPCA chapter 7080. The homeowner is responsible for establishing a ground covering over the tanks and drainfield after construction is complete. Failure to do so can result in erosion and/or winter freezing problems.

The deep well to be drilled must be at least 50-feet from the tank and drainfield locations. The supply line from the tank to the drainfield must be at least 20-feet from the well location and air-tested as per MPCA chapter 7080. The existing shallow well must be sealed by a state-licensed well driller. All neighboring wells appear to be greater than 100-feet from the proposed ISTS location. **The homeowner is responsible for locating and disclosing any wells within 100-feet from the proposed ISTS location.**

The power supply and switches for the lift pump must be located outside the manhole and pumping chamber in a weatherproof enclosure. A warning device must be installed with both audible and visual alert in case of pump failure. The pressurized force main from the pump to the treatment area must be sloped to allow for drain back and prevent freezing.

Keep all heavy equipment off the proposed treatment area before and after construction. The treatment area should be marked off before construction**. Failure to protect the site of the proposed treatment area can result in this design being invalid and the system will need to be relocated.**

Nothing other than human waste, toilet tissue, laundry, showers, water softeners, etc. should be disposed into the septic tanks. **Iron filters must be diverted out of the system**. Garbage disposals are not recommended due to adding more solids and fine solids passing through the tanks and into the treatment area. Excessive amounts of soaps, especially anti-bacterial soaps, cleaning agents, and chlorine may kill the bacteria needed to treat septic effluent, limit the use of these cleaning agents. We recommend using liquid laundry and dish soap instead of powder. **Additives generally should not be used.**

Each tank should be pumped and cleaned through the manhole cover one year after construction, then at least once every three years thereafter by a state licensed professional. With proper installation and maintenance, this system should have no problem treating effluent properly.

Sincerely,

Ryan Lashinski

Soil Boring Log

Soil Boring # 1
Elevation

0-4	10YR 3/3 dark brown loam
-12	10YR 4/4 dark yellowish brown fine sand
-55	10YR 5/4 yellowish brown fine/medium sand
-64	10YR 6/4 light yellowish brown fine/medium sand
	10YR 5/8 brownish yellow loamy fine sand
	Redoximorphic mottling at 54".

Soil Boring # 2
Elevation

0-4	10YR 3/3 dark brown loam
-16	10YR 4/4 dark yellowish brown fine sand
-55	10YR 5/4 yellowish brown fine/medium sand
-64	10YR 6/4 light yellowish brown fine/medium sand
	10YR 5/8 brownish yellow loamy fine sand
	Redoximorphic mottling at 54".

Soil Boring # 3
Elevation 97.25'

0-4	10YR 3/3 dark brown loam
-18	10YR 4/4 dark yellowish brown fine sand
-50	10YR 5/4 yellowish brown fine/medium sand
-64	10YR 6/4 light yellowish brown fine/medium sand
	10YR 5/8 brownish yellow loamy fine sand
	Redoximorphic mottling at 52".

Trench and Bed Worksheet

All boxed rectangles must be entered, the rest will be calculated.

1. AVERAGE DESIGN FLOW

A. Estimated **275** gpd *(see figure A-1)*
or measured _____ x 1.5 *(safety factor)* = 0 gpd

B. Septic tank capacity 1100 gallons

A-1 Estimated Sewage Flows in GPD				
Number of Bedrooms	Class I	Class II	Class III	Class IV
2	300	225	180	60% of
3	450	300	218	the
4	600	375	256	values
5	750	450	294	in the
6	900	525	332	Class I,
7	1050	600	370	II or II
8	1200	675	408	columns

2. SOILS (Site evaluation data)

C. Depth to restricting layer = **4.3** feet

D. Maximum depth of system Item C - 3 ft = 1.3 feet

E. Texture fine sand Percolation rate <5 mpi

F. SSF 1.67 ft^2/gpd (see figure D-15)

G. % Land slope 0 %

D-15 Soil Characterisitcs & SSF		
Perc Rate mpi	Soil Tecture	SSF sq ft/gpd
< 0.1 *	Coarse sand	0.83
0.1- 5	Medium sand	0.83
	Loamy sand	
0.1- 5**	Fine sand	1.67
6 - 15	Sandy loam	1.27
16 - 30	Loam	1.67
31 - 45	Silt loam, silt	2.00
46 - 60	Clay loam, sandy clay or silty clay	2.20
61 - 120***	Clay, sandy or silty clay	4.20
>120****		

* No trench >25% of total system

** Soil with >50% fine sand particles

*** A mound must be used

**** An other or performance system

C-1 Septic Tank Capacity in Gallons			
Number of Bedrooms	Minimum Capacity	Capacity with Garb. Disp.	Capacity with Disp. and Lift
2 or less	1250	1125	1500
3 or 4	**1500**	1500	2000
5 or 6	2000	2250	3000
7, 8 or 9	2000	3000	4000

D-9: Soil Characteristics and Soil sizing factors (SSF) for Gravelless Pipe		
percolation rate (minutes/inch)	soil texture	lineal feet/ gallon/day
Faster than 0.1 *	Coarse Sand	----
0.1 to 5	Medium Sand	0.28
	Loamy Sand	
0.1 to 5	Fine Sand **	0.6
6 to 15	Sandy Loam	0.42
16 to 30	Loam	0.56
31 to 45	Silt Loam	0.67
	Silt	
46 to 60	Clay Loam (CL)	0.74
	Sandy CL	
	Silty CL	
slower than 60***	Clay	----
	Sandy Clay	
	Silty Clay	

*Soil too coarse for sewage treatment. Use systems for rapidly permeable soils.
**Soil having 50% or more fine sand + very fine sand.
***Soil with too high a percentage of clay for installation of a standard inground system.

3. TRENCH OR BED BOTTOM AREA

H. For trenches with6 inches of rock below the pipe:

A x F = 275 gpd x 1.67 ft/gpd = 459.3 ft^2

I. For trenches with 12 inches of rock below the pipe:

A x F x 0.8= 275 gpd x 1.67 ft/gpd x 0.8 = 367.4 ft^2

J. For trenches with 18 inches of rock below the pipe:

A x F x 0.66= 275 gpd x 1.67 ft/gpd x 0.66 = 303.1 ft^2

K. For trenches with 24 inches of rock below the pipe:

A x F x 0.6= 275 gpd x 1.67 ft/gpd x 0.6 = 275.6 ft^2

L. For gravity beds with 6 or 12 inches of rock below the pipe;

1.5 x A x F = 1.5 x 275 gpd x 1.67 ft/gpd = 688.9 ft^2

M. For pressure beds with 6 or 12 inches of rock below the pipe;

A x F = 275 gpd x 1.67 ft/gpd = 459.3 ft^2

4. DISTRIBUTION (Check all that apply)

x	Bed (<6% slope)		Drop Boxes (any slope)	x	Rock
	Trenches		Distribution Box (<3%)		Chamber
x	Pressure		Gravity		Gravelless

5. SYSTEM WIDTH, LENGTH AND VOLUME

M. Select width = 18.0 ft

N. If using rock, divide bottom area by width: (H, I, J or K) divided by P = lineal feet

460.0 ft^2 / 18.0 ft = 25.6 lineal feet

Rock depth below distribution pipe plus 0.5 foot times bottom area:

(Rock depth + 0.5 foot) x Area (H, I, J, K, L)

(0.5 ft + 0.5 ft) x 460.0 ft^2 = 460.0 ft^3

Volume in cubic yards = volume in cubic feet divided by 27

460.0 / 27= **17.0** yd^3

Weight of rock in tons = cubic yards times 1.4

17.0 x 1.4= **23.9** tons

O. If using 10" Gravelless Pipe, length = Flow (A) x Gravelless SSF (see figure D-9)

275.0 gpd x ____ ft/gpd = 0.0 lineal feet

P. If using a Chamber (H, I, J, K [based on height of chamber slats] divided by width of chamber in ft)

____ ft^2 / ____ ft = #DIV/0! lineal feet

7. LAWN AREA

Q. Select trench spacing, center to center = 15 feet

R. Multiply trench spacing by lineal feet R x Q = sq. ft. of lawn area

15 x 25.6 = 383 ft^2

8. LAYOUT

Select an appropriate scale; one inch = 40 feet

Show pertinent property boundaries, rights-of-way, easements.

Show location of house, garage, driveway, and all other improvements, existing or proposed.

Show location and layout of sewage treatment system, well and dimensions of all elevations

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws

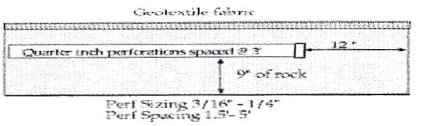
[signature] (signature) 65 (license #) _____ (date)

PRESSURE DISTRIBUTION SYSTEM

All boxed rectangles must be entered, the rest will be calculated.

1. Select number of perforated laterals: [5]

2. Select perforation spacing = [3] ft



3. Since perforations should not be placed closer that 1 foot to the edge of the rock layer (see diagram), subtract 2 feet from the rock layer length
[25] - 2 ft = 23 ft

4 Determine the number of spaces between perforations.
Divide the length (3) by perforation spacing (2) and round down to nearest whole number.
Perforation spacing = 23 ft / 3 ft = 7

5. Number of perforations is equal to one plus the number of perforation spaces (4).
** Check figure E-4 to assure the number of perforations per lateral guarantees < 10% discharge variation.*
7 spaces + 1 = 8 perforations/lateral

E-4 Maximum Number of 1/4 inch perforations per lateral to guarantee <10% discharge variation

Perforation Spacing feet	1 inch	1.25 inch	1.5 inch	2.0 inch
2.5	8	14	18	28
3.0	8	13	17	26
3.3	7	12	16	25
4.0	7	11	15	23
5.0	6	10	14	22

E-6 Perforation Discharge in GPM

Head (feet)	Perforations diameter (inches)		
	3/16	7/32	1/4
1[a]	0.42	0.56	0.74
2[b]	0.59	0.80	1.04
5	0.94	1.26	1.65

a. Use 1.0 foot for single-family homes.
b. Use 2.0 feet for anything else

6. A. Total number of perforations = perforations per lateral (5) times number of laterals (1).
8 perfs/ lat x 5 laterals = 40 perforations

B. Calculate the square footage per perforation.
Recommended value is 6-10 sqft/perf. Does not apply to at-grades.
1. Rock bed area = rock width (ft) x rock length (ft)
[18] ft x 25 ft = 450 ft^2
2. Square foot per perforation=Rock Bed Area/number of perfs(6)
450.0 ft^2 / 40 perfs = 11.3 ft^2/ perf

7. Determine required flow rate by multiplying the total number of perforations(6A) by flow per perforations (see figure E-6)
40 perfs x [0.74] gpm / perfs = 29.6 gpm

8. If laterals are connected to header pipe as shown in Figure E-1, to select minimum required lateral diameter; enter figure E-4 with perforation spacing (2) and number of perforations per lateral (5).

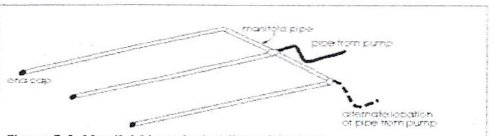


Figure E-1: Manifold Located at End of System

Select minimum diameter for perforated laterals = [2] inches

9. If perforated lateral system is attached to manifold pipe near the center, like Figure E-2, perforated lateral length (3) and number of perforations per lateral (5) will be approximately one half of that in step 8. Using these values, select minimum diameter for perforated lateral = [2] inches.

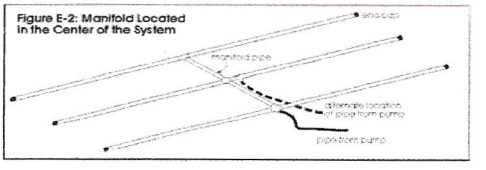


Figure E-2: Manifold Located in the Center of the System

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.

[signature] (signature) 65 (license #) _____ (date)

PUMP SELECTION PROCEDURE

All boxed rectangles must be entered, the rest will be calculated.

1. Determine pump capacity:

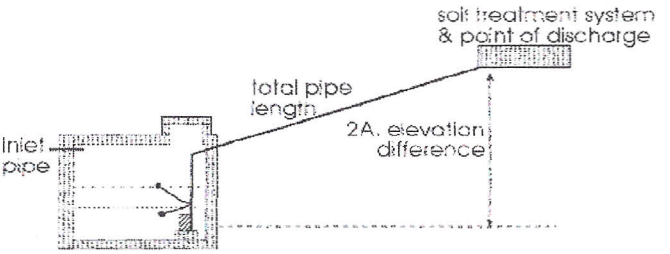
A. Gravity Distribution

1. Minimum required discharge is 10 gpm
2. Maximum suggested discharge is 45 gpm

For other establishments at least 10% greater than the water supply rate, but no faster than the rate at which effluent will flow out of the distribution device.

B. Pressure Distribution - see pressure design worksheet

Selected Pump Capacity: [30] **gpm**



2. Determine head requirements:

A. Elevation difference between pump and point of discharge.

[10] feet

B. Special head requirement? *(See Figure - Special Head Requirements)*

[5] feet

Special Head Requirements	
Gravity Distribution	0ft
Pressure Distribution	5ft

C. Friction loss

1. Select pipe diameter [3] in
2. Enter Figure E-9 with gpm (1A or B) and pipe diameter (C1)

Read friction loss in feet per 100 feet from Figure E-9

Friction loss= [0.23] ft/ 100 ft of pipe

E-9 Friction Loss in Plastic Pipe per 100 ft			
Flow Rate	nominal pipe diameter		
gpm	1.5"	2.0"	3"
20	2.47	0.73	0.11
25	3.73	1.11	0.16
30	5.23	1.55	0.23
35	6.96	2.06	0.3
40	8.91	2.64	0.39
45	11.07	3.28	0.48
50	13.46	3.99	0.58
55		4.76	0.7
60		5.6	0.82
65		6.48	0.95
70		7.44	1.09

3. Determine total pipe length from pump discharge to soil system discharge point. Estimate by adding 25 percent to pipe length for fitting loss.

Equivalent pipe length times 1.25 = total pipe length

[110] ft x 1.25 = 137.5 feet

4. Calculate total friction loss by multiplying friction loss (C2) by the equivalent pipe length (C3) and divide by 100.

FL= 0.23 ft/100ft X 137.5 ft / 100: 0.3 feet

D. Total head requirement is the sum of elevation difference (A), special head requirements (B), and total friction loss (C4).

10 ft + 5 ft + 0.3 ft

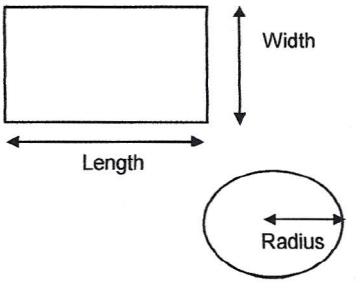
Total Head: 15.3 **feet**

3. Pump Selection

1. A pump must be selected to deliver at least 30 gpm (1A or B) with at least 15.3 *feet of total head (2D).*

DOSING CHAMBER SIZING

All boxed rectangles must be entered, the rest will be calculated.



1. Determine area
   A. Rectangle area = L x W
   [5] ft x [3.5] ft = 17.5 ft^2
   B. Circle area = 3.14 x $radius^2$
   3.14 x [ ]^2 ft = 0.0 ft^2
   C. Get area from manufacture [ ] ft^2

2. Calculate gallons per inch
   There are 7.5 gallons per cubic foot of volume, therefore multiply the area (1A, B or C) times the conversion factor and divide by 12 inches per foot to calculate gallon per inch.
   Surface area x 7.5 / 12 = 17.5 ft^2 x 7.5 / 12in/ft = 10.9 gallon per inch

Legal Tank:
1000 gallons or
100% the daily flow
or Alternating Pumps

3. Calculate total tank volume
   A. Depth from bottom of inlet pipe to tank bottom = [46] in
   B. Total tank volume = depth from bottom of inlet pipe to tank bottom(3A) x gal/in(2)
   = 46 in x 10.9 gal/in = 503.1 gallons

4. Calculate gallons to cover pump (with 2-3 inches of water covering pump)
   (Pump and block height + 2 inches) x gallon per inch
   (10 + 2 in) x 10.9 gal/in = 131.3 gallons

5. Calculate total pumpout volume
   A. Select pump size for 4-5 doses per day. Gallon per dose = gpd *(see Figure A-1)* / doses per day =
   [300] gpd / [3] doses/day = 100 gallons

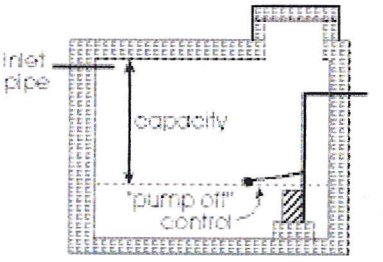
A-1 Estimated Sewage Flows in GPD

Number of Bedrooms	Class I	Class II	Class III	Class IV
2	300	225	180	60% of
3	450	300	218	the
4	600	375	256	values
5	750	450	294	in the
6	900	525	332	Class I,
7	1050	600	370	II or II
8	1200	675	408	columns

E-20 Volume of Liquid in Pipe

Pipe Diameter inches	Liquid per foot gallons
1	0.045
1.25	0.078
1.5	0.110
2	0.170
2.5	0.250
3	0.380
4	0.660

   B. Calculate drainback
      1. Determine total pipe length [110.0] ft
      2. Determine liquid volume of pipe, [0.38] gal/ft *(see figure E-20)*
      3. Drainback quantity = 110.0 ft (5B1) x 0.38 gal/ft(5B2) = 41.8 gal
   C. Total pump out volume = dose volume(5A) + drainback (5B3)
   100 gallons + 41.8 gallons = 141.8 gal



6. Calculate float separation distance (using total pumpout volume)
   Total pumpout volume(5C) / gal/inch(2)
   141.8 gal / 10.9 gal/in = 13.0 inch

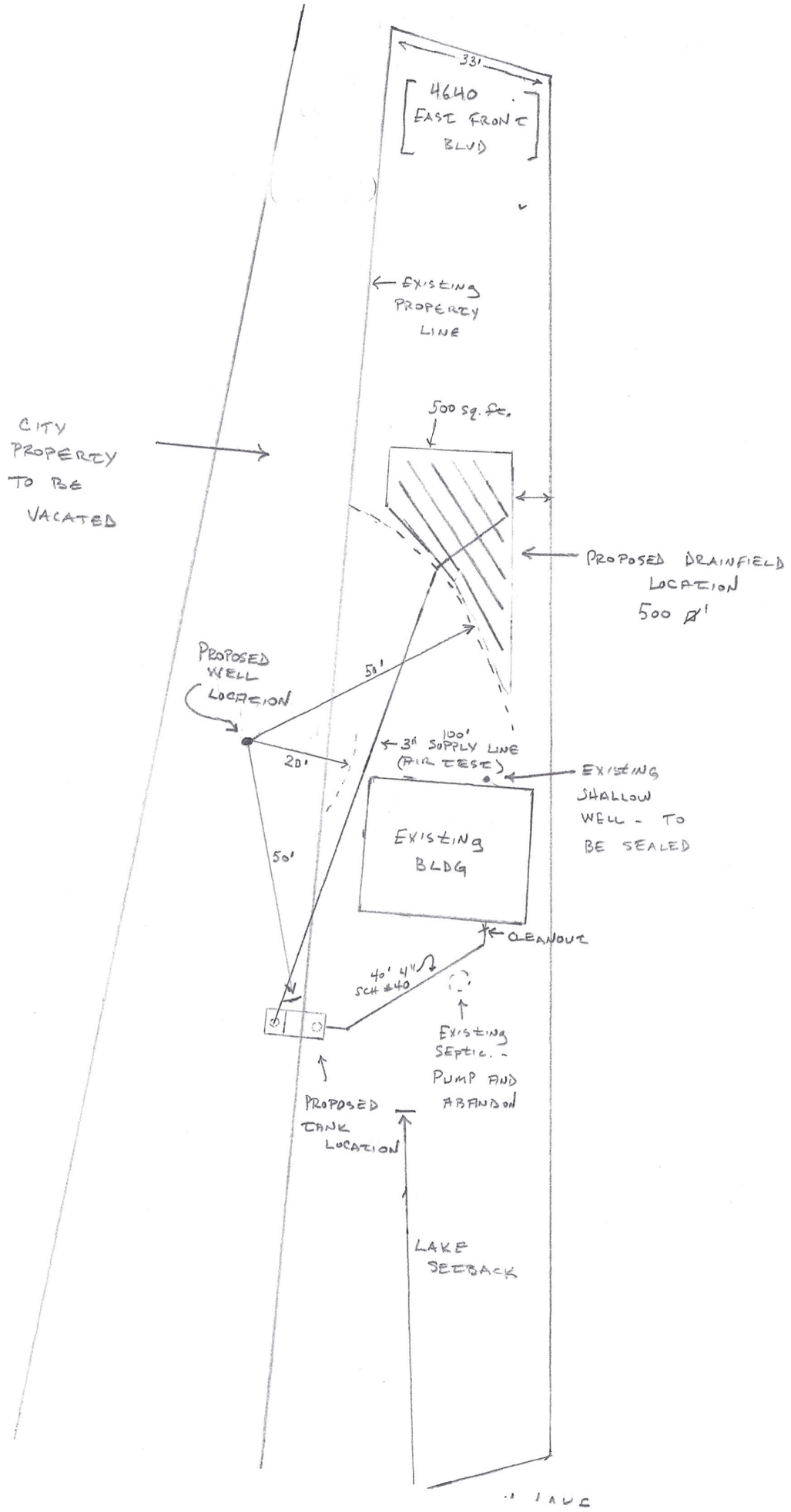
7. Calculate volume for alarm (typically 2 - 3 inches)
   Alarm depth (inch) x gallon/inch(2) = 2 in x 10.9 gal/in = 21.875 gal

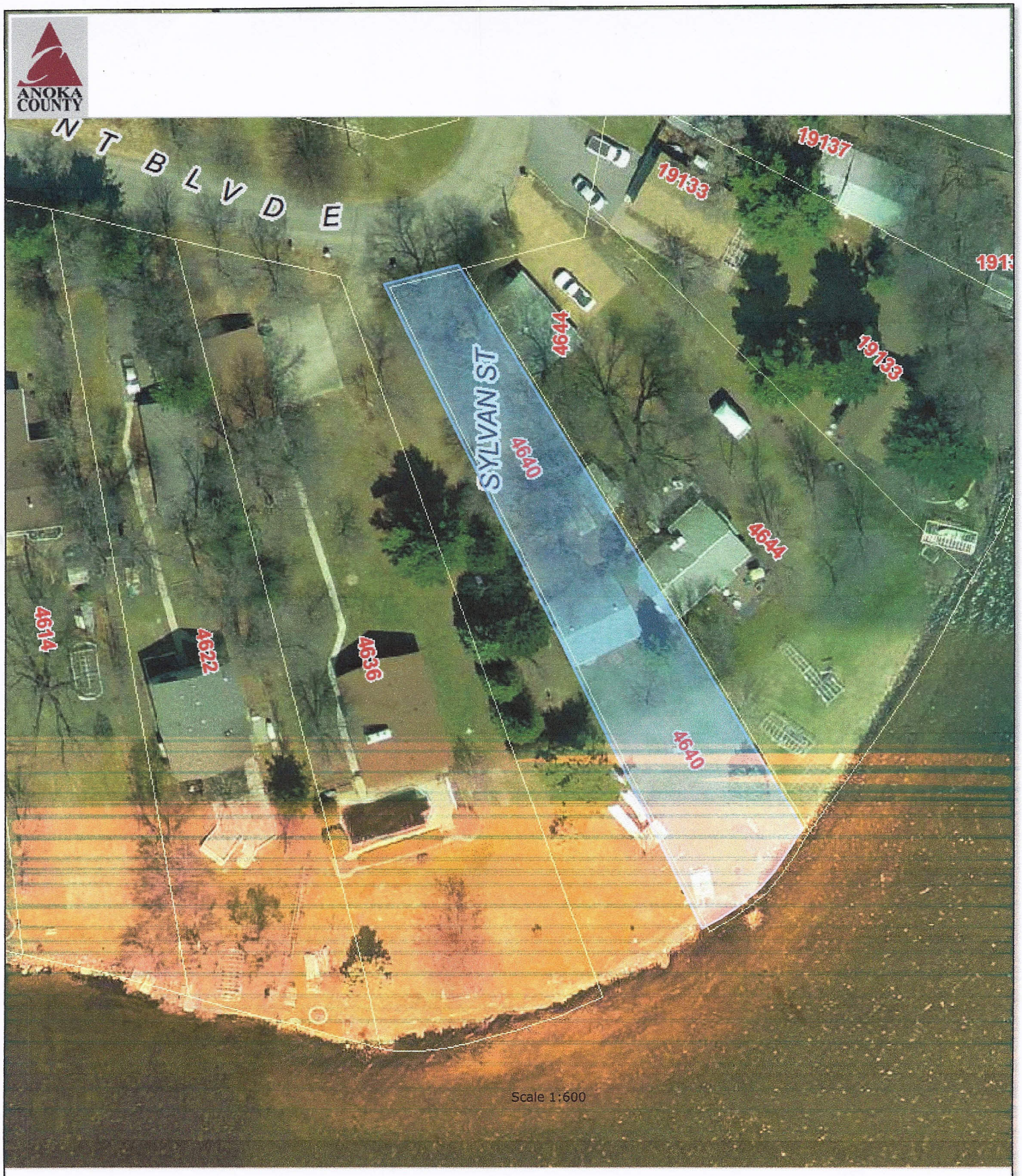
8. Calculate total gallons = gallons over pump(4) + gallons pumpout(5C) + gallons alarm(7)
   131.3 gal + 141.8 gal + 21.9 gal = 294.9 gal

9. Total tank depth = total gallons(8) / gallon/in(2)
   294.9 gallons / 10.9375 gal/in = 27.0 in

Recommended
Calculate reserve capacity (75% of the daily flow)
Daily flow x 0 .75 = 300 x 0.75 = 225 gallons

I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws
_____ (signature) _____ (license #) _____ (date)


331'
4640
EAST FRONT
BLVD
EXISTING
PROPERTY
LINE
500 sq. ft.
CITY
PROPERTY
TO BE
VACATED
PROPOSED DRAINFIELD
LOCATION
500 ø'
PROPOSED
WELL
LOCATION
50'
100'
3" SUPPLY LINE
(AIR TEST)
EXISTING
SHALLOW
WELL - TO
BE SEALED
20'
50'
EXISTING
BLDG
CLEANOUT
40' 4"
SCH #40
EXISTING
SEPTIC -
PUMP AND
ABANDON
PROPOSED
TANK
LOCATION
LAKE
SETBACK



Aerial Photo: Flown Spring 2008

Anoka County GIS Department Disclaimer:
This is a compilation of records as they appear in the Anoka County Offices affecting the area shown. This drawing is to be used for reference purposes only and the County is not responsible for any inaccuracies contained herein.

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 C.3

* *

Agenda Item:
BDM Compensation Claim

* *

Requested Action:
Council is requested to consider a claim of SAC and WAC connection fee overpayment by BDM Construction to the City of East Bethel

* *

Background Information:
Brian Mundle and the City of East Bethel entered into a purchase agreement on January 8, 2004 in which the City sold 75 acres of the property now know as Whispering Aspens to Mr. Mundle. As part of that agreement a fee was established for SAC ($6,000) and WAC ($500) charges for connection charges for each lot that is developed. The agreement further states that the contract may be amended only by a written instrument executed by both the City and Mr. Mundle.

The City raised the SAC fees for the Whispering Aspens Development in 2006 to cover the costs associated with the acquisition of the Castle Towers Sewer Treatment Plant. The SAC fees were raised from $6,000 as specified in the Purchase Agreement to $10,250 per Resolution 2006-48 as adopted on September 6, 2006 by City Council.

Mr. Mundle contends that this change in fees is not valid as he did not consent to the increase. Mr. Mundle also contends that he paid 7 seven SAC fees based on the 2006 rate adopted by Council, under protest, and this resulted in an overcharge of $29,435 in connection fees. Staff has verified that Mr. Mundle paid the $10,250 SAC charges per lot for the seven properties in dispute.

The City Attorney has reviewed this issue and in his opinion the SAC fees ($6,000) as set forth in the 2004 Amended and Restated Purchase Agreement “have application until and unless the wastewater treatment plant at the Castle Towers facility is decommissioned.”

Attached is the 2004 Amended and Restated Purchase Agreement which outlines the terms of the origination of the $6,000 SAC fee, Ordinance 2006-48 which changes the SAC fee to $10,250, correspondence from Mr. Mundle and his attorney indicating opposition to the City Council’s passage of new SAC fee, and letters from the City Attorney advising that 2004 SAC rates are the valid basis for charges up and until the time the wastewater treatment plant is decommissioned.

Mr. Mundle is also seeking interest charges on the overpayment claim of $10,689.90 or a total of $40,124.90 as repayment from the City. Staff is requesting Mr. Mundle provide additional

verification of the interest claim. This information will be forwarded to Council members prior to the September 7, 2011 meeting.

Mr. Mundle has indicated that he would consider negotiating SAC and WAC credits for future development for a portion of the claim.

Attachment(s):
Amended and Restated Purchase Agreement
Ordinance 2006-48
Correspondence from Mr. Mundle
City Attorney Recommendations
Overcharge claim by Brian Mundle
* * * *

AMENDED AND RESTATED PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT (hereinafter referred to as "Contract", "Agreement", and/or "Purchase Agreement") is entered into effective the 8th day of January, 2004, by and between the City of East Bethel (hereinafter referred to as "Seller"), whose postal address for purposes of this Contract is 2241 – 221st Avenue N.E., East Bethel, MN 55011, and Firebird Land, LLC, or its assigns (hereinafter referred to as "Purchaser"), whose postal address for the purposes of this Contract is 4091 County Rd. 5 N.E., Isanti, MN 55040.

WHEREAS, Seller is the owner of the real property legally described on Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, Purchaser wishes to purchase approximately 75 acres of real property legally described on Exhibit "A" and develop the same as single-family residences (with some commercial) (hereinafter referred to as "Lot" or "Lots") and Seller wishes to sell the same to Purchaser upon the terms and conditions stated herein.

NOW, THEREFORE, the parties hereto hereby agree as follows:

ARTICLE I
Purchase and Sale

1.1 For and in consideration of the undertakings, and mutual covenants of the parties set forth herein, Seller hereby agrees to sell and convey to Purchaser and Purchaser hereby agrees to buy and pay for the following:

(a) The real property legally described on Exhibit "A" situated in Anoka County, Minnesota, together with all and singular the rights and appurtenances pertaining to such Real Property, including any right, title and interest of Seller in and to easements, water and sanitary sewer and storm sewer rights (hereinafter referred to as the "Property").

(b) City shall make an effort to resolve with owner of adjacent property that will involve no more than 25 feet into Exhibit "A", and new survey work shall be completed and legal description to be re-written.

1.2 The legal description on Exhibit "A" is based upon the legal description for the Property at the courthouse. The precise legal description shall be based upon deeds and title certificates of record with the County Recorder and/or Registrar of Titles.

1.3. The Seller shall install a fence at Purchaser's expense between Minard Lake Estates and Castle Towers and Highway 65. This fence shall be of the same type and size as the fence that surrounds the remaining perimeter of the Property.

1.4 The Seller will resurface, retrofit and reconstruct existing streets within Phase I of Minard Lake Estates, at the expense of the Purchaser, or its successor(s) in title, as hereinafter set forth. The scope of this work is set forth in the Pavement Evaluation Report For Minard Lake Estates by Hakanson Anderson Associates, Inc. dated January 29, 2002, Table One, which is

incorporated herein by reference. The Purchaser, and/or its successor(s) in title, will pay for this work as follows:

(a) at the time each building permit for a new home within the Property is issued, the amount of $2,000.00, in addition to the building permit fees, will be collected by the Seller from the owner of the Property for which the permit is issued.

(b) Each $2,000.00 amount collected will be deposited into an interest bearing account for the resurfacing, retrofitting and reconstruction of existing streets in Phase I of Minard Lake Estates in accordance with the Hakanson Anderson Associates, Inc. Report.

(c) Funds for repair work pursuant to ARTICLE IV, paragraph 4.1(j) of this agreement will be added to this account.

(d) Excess funds will be returned to Firebird Land LLC when final resurfacing is completed.

(e) The timing of this work will be pursuant to the Schedule of Improvements in the Hakanson Anderson Associates, Inc. Report, but the Seller will have absolute discretion as to the specific date of commencement of any part of the work (so long as performance of the work does not unreasonably interfere with the Purchaser's intended use of the Property). If on the date of commencement of any part of the work, in the City Engineer's estimation there are not sufficient funds in the account established pursuant to this paragraph 1.4 to cover the cost of that part of the work, then the Purchaser will deposit additional funds in the account to cover any such deficiency. Any such deposit will be offset against the $2,000.00 amounts to be collected at the time building permits are issued.

ARTICLE II
Purchase Price

2.1 All of the Property, identified in Paragraph 1, above, Seller has this day sold to Purchaser for the sum of One Million Seven Hundred Thousand and No/100 Dollars ($1,700,000.00) (the "Purchase Price") and upon the terms hereinafter specified:

(a) $125,000.00 Earnest Money shall be paid, the receipt and sufficiency of which is acknowledged by Seller, and shall serve as consideration for this Agreement. This Earnest Money shall be deposited in an interest-bearing account and Purchaser shall receive this interest.

(b) $1,575,000.00 By Purchaser receiving, on or before the Closing Date, a commitment acceptable to Purchaser for the proceeds of financing necessary and sufficient in Purchaser's opinion to implement Purchaser's plans for and complete the purchase of the Property. See Exhibit "B" attached hereto and made a part hereof.

ARTICLE III
Covenants, Agreements and Possession

3.1 Seller hereby covenants and agrees with Purchaser as follows:

(a) Seller agrees to permit Purchaser, at Purchaser's sole cost and expense, at any time prior to the Closing Date, through its employees and representatives, to conduct such investigations and examinations of the Real Property as it deems necessary or advisable. Such investigation may include, but is not limited to, surveying, soil testing, hazardous waste testing, and other various studies.

3.2 Possession of the Property shall be delivered to Purchaser on the Date of Closing provided, however:

(a) Purchaser and Purchaser's employees, agents and representatives shall have the right to enter on the Real Property before the Date of Closing for the purpose of making soil tests, environmental tests, percolation tests, examining and surveying the Real Property, and preparing preliminary architectural, engineering and other plans and studies.

(b) Purchaser shall be allowed to commence construction of model homes before the Date of Closing, if all conditions have been met and waived. Purchaser shall be allowed to construct model homes after contract for deed is signed on lots needed for construction of the model homes. Purchaser shall post a notice that provides that the Seller is not responsible for construction costs and to look to Purchaser for payment of all improvements. Purchaser shall provide line of credit information in the amount of 150% of actual construction costs of each unit built prior to construction.

3.3 In the event Purchaser enters into possession prior to Closing for the purposes specified above, Purchaser agrees to indemnify and hold Seller harmless from all costs, damages and expenses (including reasonable attorney's fees) arising out of entry on the Property by Purchaser, its employees, agents and contractors, including, but not limited to liabilities, costs, damages and expenses arising out of personal injury, death or property damage, the filing of any lien against the Property, or the release or threatened release of any pollutants, contaminant or hazardous waste in connection with Purchaser's entry.

3.4 Seller hereby covenants and agrees that Seller will cooperate with Purchaser in the preparation, execution, and prosecution of applications for necessary development agreements, conditional use permits, variances, plats, building permits, environmental permits, wetland permits, and all other necessary permits for the development of the Real Property as Purchaser may determine to be necessary or as required of Purchaser by applicable governmental units to enable Purchaser to put the Real Property to the intended use. All expenses in order to develop the Real Property shall be paid for by the Purchaser.

ARTICLE IV
Representations and Warranties of Seller and Purchaser

4.1 Seller represents and warrants to Purchaser as follows:

(a) This Agreement is valid and binding upon Seller in accordance with its terms.

(b) Seller has the authority and power to enter into this Agreement and to consummate the transaction contemplated hereby, and neither the execution or delivery of this Agreement by Seller nor its performance by Seller will conflict with or result in a violation or breach of any law, regulation, order, writ, or injunction of any court or governmental agency, applicable to Seller or to the Real Property nor of any term, condition, or any indenture, or other contract or agreement to which Seller is a party nor cause a default thereunder nor result in the creation or imposition of any lien, charge or encumbrance of any nature whatsoever on the Real Property pursuant to the terms of any such agreement.

(c) That Seller will convey good and marketable fee simple title to the Real Property, free and clear of any and all liens, mortgages, pledges, security interests, leases, charges, encumbrances, easements, joint ownerships, or restrictions of any kind.

(d) To the best of Seller's actual knowledge, with no duty to investigate, the Real Property does not currently violate any federal, state, local or other governmental building, zoning, health, safety, platting, land use, environmental, subdivision or other law, ordinance or regulation, or any applicable private restrictions in a manner which would prevent development of the Real Property for single family residences. No written or oral notice of the violation of any of said laws, ordinances, regulations or restrictions has been received by Seller.

(e) No portion of the Real Property is subject to any leasehold interest nor are there any existing contracts or agreements affecting the Real Property.

(f) To the best of Seller's knowledge, with no duty to investigate, there is no significant deposit of hazardous substance, as defined in Minn. Stat. Section 115B.02, Subd. 8, located anywhere in or on the Real Property, nor contamination of ground water under the Real Property, including any facility, as defined in Minn. Stat. Section 115B.02, Subd. 5, that is located in or on the Real Property or in conjunction with any improvements to the Real Property.

(g) There are no private restrictions which effect the use of the Real Property, including, but not limited to: size or cost of buildings or structures; limitations on use or restriction in regard to fences, roofs, garages, and heights of buildings or structures; agreements to submit architectural plans to an association or other group; provisions requiring improvements; or provisions requiring the joining of others in group actions.

(h) To the best of Seller's actual knowledge, with no duty to investigate, there are no private wells or individual sewage treatment systems located on or about the Real Property, except as noted on the attached Well and Septic Disclosures.

(i) The Seller shall hold Purchaser harmless from all costs relating to the original development of the Real Property for any and all pollution or environmental issues, including, but not limited to, storm water runoff from the pond on the Property (any additional ponding or piping for storm water runoff will be paid for by Seller). Any ponding or retrofitting of storm water system in entire Property

shall be Sellers cost. Any new piping of storm water system in any new phase of development within the Property shall be the Purchasers cost.

(j) Since the Property is subject to a bond obligation of the City of East Bethel (Seller), which cannot be paid off in full, but must be paid annually, the Seller will deposit the entire Purchase Price of $1,700,000.00 into an interest-bearing account designed to pay down this bond. The interest from this escrow account shall be used to effect repairs to the streets, curbs, sewer and/or water within the Property. The escrow will be released to the Seller when the bonds have been paid in full and the Property released from same.

(k) The Seller agrees not to require a letter of credit or bond from the Purchaser for platting and installation of any improvements to the Property. No park dedication fee shall be required of Purchaser in the platting process, since parks are already included in the project.

(l) The Seller will provide to Purchaser, as-built drawings showing the location of water and sewer stub connections.

(m) The second phase of this development will maintain street widths and other similar design concepts to current existing streets in first phase. This clause will survive closing.

4.2 Purchaser represents and warrants to Seller:

(a) That Purchaser has the authority and power to enter into this Agreement and to consummate the transaction contemplated hereby, and neither the execution or delivery of this Agreement by Purchaser nor its performance by Purchaser will conflict with or result in a violation or breach of any law, regulation, order, writ, or injunction, of any court or governmental agency, applicable to Purchaser or to the Real Property nor of any term, condition or any indenture, mortgage, leases or other contract or agreement to which Purchaser is a party nor cause a default thereunder nor result in the creation or imposition of any lien, charge or encumbrance of any nature whatsoever on the Real Property pursuant to the terms of any such agreement.

(b) Purchaser shall, prior to entering into possession of the Real Property, procure and maintain at its expense, but for the mutual benefit of Seller and Purchaser general public liability insurance and hazard insurance. These insurance policies shall cover claims for personal injuries, wrongful death and property damage occurring in or on the premises sold hereby to Purchaser. Such insurance is to afford protection to a limit of not less than $500,000.00 with respect to injuries or death to a single person; to a limit of not less than $1,000,000.00 with respect to any one accident; and to a limit of not less than $300,000.00 with respect to property damage.

(c) That Purchaser will defend and indemnify Seller from and against any and all claims, demands, causes of action, liability, injuries, damages, judgments, decrees, fines, penalties, expenses, costs and fees and attorneys' fees of

whatsoever nature arising out of or in any way connected with any act or omission of Purchaser, its agents or employees, under this Agreement with respect to the Property.

(d) After this Purchase Agreement is consummated, Purchaser agrees to install street lighting for the Property. The cost of the operation and maintenance of street lighting shall be charged to the property owners of the plat and applied to the utility bills sent out for sewer and water charges.

(e) Seller will retain ownership of streets, curbs, sidewalks, potable water system to curb stop, sanitary sewer system to water curb stop, storm sewer, and Outlots A, B, C, D, as designated on Preliminary Plat of Whispering Aspen dated October 13, 2003, (Exhibit C). City of East Bethel shall have incidental use of the Community Center and the exclusive use of one of the offices, but other use of the Community Center will be primarily for the residents of Whispering Aspen Plat. The Purchaser shall have use of office space in the Community Center until the Whispering Aspen plat is completed.

ARTICLE V
Title Examination

5.1 Within a reasonable time after acceptance of this Agreement, Seller shall provide to Purchaser an Abstract of Title to the Property certified to date, including proper searches covering bankruptcies, state and federal judgments and liens, and levied and pending special assessments. Purchaser shall be allowed twenty (20) days after receipt of said Abstract of Title for examination of title and the making of any objections thereto, such objections (exclusive of any of the Permitted Title Exceptions) to be made in writing or deemed to be waived. If any objections are so made, the Seller shall be allowed one hundred twenty (120) days to make such title marketable. If title is not marketable and is not made so within said time period, this Agreement shall become null and void, at the option of Purchaser, and neither party hereto shall be liable for damages hereunder to the other party. All Earnest Money previously paid by Purchaser shall be immediately refunded. If the title to the Real Property is found marketable or is made so within said time, and said Purchaser shall default in any of the agreements and continue in default for a period of thirty (30) days, then in that case the Seller may terminate this Agreement, and on such termination the Earnest Money previously paid upon this Agreement shall be retained by the Seller as liquidated damages. Nothing contained herein shall be deemed to limit either party's ability to seek specific performance of this Agreement.

ARTICLE VI
Closing

6.1 The consummation of the purchase and sale contemplated hereby (herein referred to as the "Closing") shall be held on January 23, 2004, or ten (10) days after final plat approval, whichever is later. The date and hour of Closing are herein referred to as the "Date of Closing".

6.2 At the Closing, the following shall occur:

(a) Purchaser shall deliver and/or execute the following:

(i) The cash portion of the Purchase Price.

(b) Seller shall deliver to Purchaser a Warranty Deed for the Real Property fully executed and acknowledged. The Warranty Deed conveying the Real Property shall be subject to the following "Permitted Title Exceptions":

(i) Restrictions of use:

(1) Building and zoning laws, ordinances, state and federal regulations;

(2) Restrictions relating to use or improvements consistent with Purchaser's intended use;

(3) Reservation of any minerals or mineral rights to the State of Minnesota; and

(4) Utility, road and drainage easements which do not adversely affect the development of the Real Property.

(ii) Any liens, encumbrances, easements, or rights, including but not limited to, mechanic's lien rights, created, or permitted to be created by Purchaser;

(iii) Exceptions to title which are not found objectionable after title examination;

(iv) Exceptions to title which constitute encumbrances, restrictions or easements which will be removed at or prior to Closing.

(c) Seller shall deliver an Affidavit certifying that as of the date of Closing there are no outstanding unsatisfied judgments, tax liens or bankruptcies against or involving Seller, that there has been no skill, labor or material furnished to the Real Property by Seller for which mechanic's liens could be filed, that there are no other unrecorded interests in the Real Property of any kind, and that Seller, under the penalty of perjury, is not for federal income tax purposes, a non-resident alien, or a foreign corporation, partnership, trust or estate.

(d) Seller shall deliver to the Purchaser the abstract(s) of title to the Real Property purchased pursuant to the terms of this Purchase Agreement.

6.3 At Closing, costs associated with this Agreement shall be prorated as follows:

(a) Seller shall pay all costs incurred in connection with abstracting. Purchaser will pay all premiums required for the issuance of any Owner's or Mortgagee's Title Insurance Commitment and Policy required by Purchaser.

(b) Seller shall pay all state deed tax required for the Warranty Deed to be delivered by Seller under this Agreement.

(c) Seller will pay the cost of recording all documents necessary to place of record title to the Real Property in the condition warranted and represented by Seller in this Agreement.

(d) Purchaser shall pay the mortgage registration tax and the recording fees for the Warranty Deed and Mortgage.

ARTICLE VII
Taxes and Assessments

7.1 Real estate taxes due and payable in the year 2002, if any, shall be pro-rated between Seller and Purchaser as of the date of Closing based upon number of days elapsed in a calendar year commenced January 1, 2002. Special assessments certified to be paid along with the 2002 real estate taxes shall be paid by Seller.

7.2 All real estate taxes due and payable in the year following the year of Closing and thereafter shall be paid by Purchaser.

7.3 Except as provided herein, Seller shall pay all deferred real estate taxes against the Real Property up to the time of Closing. Any special assessments related to Purchaser's development of the Real Property shall be paid by Purchaser. Seller shall pay all levied special assessments. Seller shall pay all pending special assessments and deferred as of the date of this Agreement.

7.4 If the Real Property has been or is now valued and assessed in accordance with "Minnesota Agricultural Property Tax Law" (Green Acres), Seller agrees to pay the additional taxes when extended as specified in Minn. Stat. Section 273.111, Subd. 9, as amended. The Green Acres tax restoration for the year of Closing shall be prorated between Seller and Purchaser as of the Date of Closing.

ARTICLE VIII
Conditions

8.1 The obligation of Purchaser to consummate the transaction contemplated hereby is subject to the following conditions:

(a) The representations and warranties made by Seller herein shall be true and correct as of the date of the execution of this Contract and as of the Closing Date with the same force and effect as though such representations and warranties had been made as of the Closing Date, and Seller shall have performed all covenants and obligations and complied with all conditions required by this Contract to be performed or complied with by Seller prior to the Closing Date.

(b) Purchaser determining in its reasonable discretion that every governmental approval necessary for development of the Real Property for a single family residential use and commercial use according to Purchaser's proposed development plan will be obtained in a timely manner and in no event later than the Date of Closing.

(c) Purchaser determining in its reasonable discretion that all the well water on the Property is potable per Minnesota State Statutes.

(d) Seller shall obtain title to wastewater treatment facility and operate this wastewater treatment facility charging a reasonable fee for operation charges for water and sewer. The Seller shall charge a water connection charge of $500.00 per Single Family Residential lot and a sewer connection charge of $6,000.00 per Single Family Residential lot at the time the building permit for each Single Family Residential lot is issued. Seller agrees to continue to work on wastewater treatment plant Agreement with Buyer until all issues are resolved. For all commercial lots the charge for the water and sewer will be based on the facility types on each lot. The Seller shall charge 1 (one) water and sewer connection charge of $6500.00 per 1(one) "Service Availability Charge" (SAC). The total number of SACs for each commercial facility will be calculated based on the "Service Availability Charge Procedures Manual" dated January 2000 by the Metropolitan Council Environmental Services. Each commercial will be charged a minimum of 1 (one) SAC.

(e) The water and sanitary sewer service to the Property shall be public service.

(f) The City of East Bethel agreeing to rezone the Property for single-family residential and to leave as commercial zoning for the southeast section of the Property of approximately 15 to 16 acres.

(g) Purchaser obtaining necessary financing for the purchase of the Property as described on Exhibit B attached hereto.

(h) The Property must be realigned or replatted to allow up to 157 single family residential lots of a 10,000 sq. ft. minimum lot size; street frontage of 75 feet and up, except for cul-de-sac lots, corner lots and flag lots; set back requirements of front-28 feet, side-10 feet, rear-20 feet; the houses to be build will be wood construction with minimum foot prints of 1,100 sq. ft. for splits and ramblers and 960 sq. ft. for two stories and with three-stall garages.

(i) The Seller will allow realignment of lot lines, and vacating streets as shown on Purchaser's Concept Plan dated October 13, 2003, without any fees for parks or other costs relating to the replatting process over the entire Property.

(j) Johnson Street entrance to remain for commercial plat.

ARTICLE IX
Commissions

9.1 Seller hereby warrants to Purchaser and Purchaser hereby warrants to Seller that:

(a) No broker's commissions, finder's fees or like charges (hereinafter collectively called a "Commission") have been incurred in connection with this transaction by the party so warranting herein;

(b) The foregoing warranties shall survive the Closing specified, and shall inure to the benefit of the successors and assigns of Purchaser and Seller; and

(c) Purchaser and Seller further agree to give testimony in accordance with these warranties in case any action or proceeding shall be instituted by any purported broker, licensed or otherwise, or any other person claiming a commission in connection with this transaction.

9.2 Seller and Purchaser hereby agree to indemnify and to hold each other harmless from any alleged claim for any commission that may be claimed by any third party through either of them against the other party.

ARTICLE X
Termination and Remedies

10.1 Purchaser's Remedies. If Seller defaults in performing any of Seller's Closing obligations under the terms of this Contract on the Closing Date for any reason, other than Purchaser's default, Purchaser shall be entitled to terminate this Contract or to enforce specific performance of this Contract as its exclusive remedies.

10.2 Seller's Remedies. If Purchaser defaults in performing any of Purchaser's Closing obligations under the terms of this Contract on the Closing Date for any reason other than the Seller's default, Seller shall be entitled to terminate this Contract and retain the Earnest Money or to enforce specific performance of this Contract as its exclusive remedies.

ARTICLE XI
Condemnation

11.1 Condemnation. If all or any portion of the Real Property is condemned prior to Closing, Seller or Purchaser may elect to do any of the following:

(a) If the condemnation is of the fee title to a portion of the Real Property or includes a portion or interest in the Real Property, at Closing, Seller or Purchaser shall receive the condemnation award as may be paid or payable;

(b) Cancel this Agreement and Purchaser shall receive a refund of the Earnest Money paid by Purchaser to Seller.

Seller's or Purchaser's election under this Paragraph shall be exercised by written notice to the other party given within ten (10) days after receipt of written notice from Seller of such taking or of the amount of condemnation award payable with respect to such taken, whichever notice is given later.

ARTICLE XII
Miscellaneous

12.1 This Contract embodies the entire agreement between the parties and cannot be waived except by the written agreement of the parties.

12.2 The representations, warranties and covenants of Seller and Purchaser herein contained shall survive the Closing and shall not be merged into the Closing.

12.3 Any notice required or permitted hereunder shall be deposited in the United States Mail, postage prepaid, registered or certified mail, return receipt requested, addressed to Seller or Purchaser, as the case may be, at the address set forth in the first paragraph of this Contract.

12.4 The captions used in connection with the Articles of this Contract are for convenience only and shall not be deemed to construe or to limit the meaning of the language of this Contract.

12.5 This Contract may be amended only by a written instrument executed by Seller and Purchaser.

12.6 This Contract embodies the entire agreement between the parties with relation to the transactions contemplated hereby, and there have been and are no covenants, agreements, representations, warranties or restrictions between the parties with regard thereto other than those set forth herein or herein provided for.

12.7 This Contract may be executed in any number of counterparts, each of which shall be an original, but such counterparts together shall constitute one and the same instrument.

12.8 This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

IN WITNESS WHEREOF, this Contract has been signed and sealed on the day and year first above written.

SELLER:

CITY OF EAST BETHEL

By _____

Its Mayor 1/8/04

By Sharon Anderson

Its City Clerk

PURCHASER:

FIREBIRD LAND, LLC

By Brian D. Mundle

Its President 1-8-04

By _____

Its _____

AN AMENDMENT TO THE AMENDED AND RESTATED PURCHASE AGREEMENT

The Amended and Restated Purchase Agreement between the City of East Bethel ("Seller") and Firebird Land, LLC ("Purchaser") effective date of 8th day of January, 2004 is further amended by the addition of the following paragraph to ARTICLE IV, 4.1 (c):

4.1 (c)

(1) The parties acknowledge that several homes belonging to tenants of the adjacent Castle Towers Mobile Home Park encroach onto the Property along the common boundary line between the mobile home park and the Property. Seller, at its expense, the expense of the owner of the mobile home park, or Seller's and such owner's shared expense, will have the boundary line resurveyed and reconfigured in those areas where such encroachments exist so as to provide at least 25 feet of set back easterly and/or northerly, as the case may be, of the boundary line for each existing home in the mobile home park. In addition, Seller will arrange for the fence located along the boundary line to be relocated along the reconfigured line, also at Seller's expense, the expense of the owner of the mobile home park, or Seller's and such owner's shared expense. Seller will attempt to negotiate a land exchange with the owner of the mobile home park to offset the reduced area of the Property as a result of reconfiguration of the common boundary line. If a land exchange cannot be negotiated, the Purchase price for the Property will be reduced by $10,000.00 multiplied by the number of acres or fraction of an acre by which the area of the Property is reduced as a result of reconfiguration of the boundary line.

This Amendment is effective the 8th day of January, 2004.

SELLER:

CITY OF EAST BETHEL

By_____

Its Mayor

By Sharon Anderson

Its City Clerk

PURCHASER:

FIREBIRD LAND, LLC

By Brian D. Mundle

Its President Firebird Land LLC

By_____

Its_____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2006-48

RESOLUTION ESTABLISHING SEWER AVAILABILITY CHARGES (SAC)

WHEREAS, , Minnesota Statutes section 444.075 provides the basis for setting certain fees and charges relating to municipal utility services; and

WHEREAS, the City has determined that a Sewer Availability Charge (hereinafter SAC fee) is an appropriate charge for residents that connect to municipal utility services; and

WHEREAS, Pursuant to Ordinance 200, as amended, Resolution 2005-59 set SAC fees at $10,205 for all units connected as of January 31, 2004, for service provided by the Waste Water Treatment Facility acquired by the City in January, 2004 (hereinafter the Facility); and

WHEREAS, SAC fees set pursuant to Resolution 2005-59 will not be increased to pay for future maintenance or replacement of the Facility for those units connected as of January, 2004; and

WHEREAS, the charge for initial connections to the Facility for properties located within the Whispering Aspen plat, filed with the Anoka County Recorder as document number 771791, is $6,000 per connection; provided, however, that such connections, and any future connections, must provide sufficient funds to pay for the maintenance, betterment and replacement of the Facility and that increased SAC; and

WHEREAS, the City has determined that SAC fees may be increased for units connected after January 31, 2004 to pay increased costs for maintenance, betterment and replacement of the Facility; and

WHEREAS, the City has determined that expenses relating to maintenance, betterment and replacement of the waste water treatment facility will meet or exceed funds raised from the imposition of a $4,205 charge, in addition to the $6,000 initial connection charge, per unit not initially connected to the Facility as of January, 2004; and

WHEREAS, the City will continue to study costs for plant maintenance, betterment and replacement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the SAC fee for each new connection to the City's municipal waste water treatment facility is hereby set at $10,205.

Adopted this 6th day of September, 2006 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Greg Hunter, Mayor

ATTEST:

_____

Douglas Sell, City Administrator

BDM Construction
Quality Is Our Standard
763.444.0296

Doug Sells
Administrator
City of East Bethel

March 30, 2007

This letter is to inform you that I do not agree with the City of East Bethels decision to raise the SAC fee in the contract that is in effect between the city and myself. I will be paying the new SAC fee each time I pick up a permit. I would ask that the city put the excess funds over the contracted SAC fee in a separate fund. I will set up a meeting with the city in the future to discuss this issue.

I have received this letter
Doug Sells

Thank You

Brian Mundle
BDM Construction, Inc

August 29, 2008

Mr. Brian Mundle
BDM Construction
4091 County Road 5 NE
Isanti, MN 55040

RE: SAC Fees

Dear Mr. Mundle;

At the work session on Thursday evening, staff asked Council how they would like to respond to your request for a meeting to discuss the SAC fee issue you have raised. Council asked if you would be agreeable to the following regarding a meeting with the City:

1. Would a meeting with two Council Members rather than the entire Council be acceptable? If the meeting was with the entire Council it would be a public meeting. Gathering the entire Council for a special meeting of this nature is extremely difficult and not practical. However, it may be more useful to meet and work with two Council Members who would or could make a recommendation to the full Council on the matter.
2. One point the Council would insist on is that the matter be revenue neutral. That is, any reduction or consideration of a reduction to the fees would have to be generated with increased fees in those areas that have yet to be platted, re-zoned or otherwise developed. The total fees generated would have to be sufficient to retire the bonds issued to acquire the plant that services the Whispering Aspen development or other development that may connect to this facility.
3. Your proposal must be written and provided at least one week in advance of any meeting.
4. Should the City Council or a committee of the Council determine that the City Attorney is to be involved; the City Attorney will be present.

If these conditions for a meeting are acceptable, please let me know and we will ensure a two member committee of the Council will be available to meet with you. If you have any questions, please let me know.

Sincerely yours,

Douglas Sell
City Administrator

2241 221st Avenue NE East Bethel, Minnesota 55011
(763) 434-9569 Fax (763) 434-9578
www.ci.east-bethel.mn.us

RICHARD A. MERRILL
DARRELL A. JENSEN
JEFFREY S. JOHNSON
RUSSELL H. CROWDER
JON P. ERICKSON
THOMAS P. MALONE
MICHAEL F. HURLEY
DOUGLAS G. SAUTER
HERMAN L. TALLE
CHARLES M. SEYKORA
DANIEL D. GANTER, JR.
BEVERLY K. DODGE
JAMES D. HOEFT
JOAN M. QUADE
JOHN T. BUCHMAN
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KIP R. PETERSON
THOMAS J. KETTLESON
KRISTIN N. STOWELL
TAMMY J. SCHEMMEL
SUSAN E. TEOT

Writer's Direct Line: (763) 783-5136
Internet E-Mail Address: djensen@bgs.com

October 1, 2008

City of East Bethel
Attention: Douglas Sell, City Administrator
2241 221st Avenue NE
East Bethel, MN 55011

RE: SAC fees/Whispering Aspen
Our File No. 51178-006

Dear Mr. Sell:

We represent Brian Mundle with respect to the SAC fee issue in Whispering Aspen subdivision.

I have reviewed correspondence connected with that issue, including your email to Mr. Mundle dated September 17, 2008 and the purchase agreement between the City and Mr. Mundle.

It is my understanding that you take the position that the SAC fees should be $11,687.00 per connection. As I read the purchase agreement, however, the sewer and water connection charge is to be $6,500.00 per single family residential lot. Mr. Mundle indicated to you in his letter of March 30, 2007, that he did not agree with the decision to raise the SAC fees to $10,205.00 in 2006, but did pay that amount for seven (7) lots under protest, so he could get permits, and indicated that he expected there to be a credit in the future for the excess payment. While the City generally may have the authority to change the cost of the improvements to the benefited parcels, the City may also limit that authority by contract. We believe the City has done that in this case. If you have a legal rationale for ignoring the purchase agreement, we would like to hear it.

Please contact me at your earliest convenience.

Yours truly,
BARNA, GUZY & STEFFEN, LTD.

Darrell A. Jensen
DAJ/mmk

ECKBERG LAMMERS
ATTORNEYS AT LAW

Writer's Direct Dial:
(651) 351-2118

Writer's E-mail:
mvierling@eckberglammers.com

Stillwater Office:
1809 Northwestern Avenue
Stillwater, Minnesota 55082
(651) 439-2878
Fax (651) 439-2923

Hudson Office:
430 Second Street
Hudson, Wisconsin 54016
(715) 386-3733
Fax (715) 386-6456

www.eckberglammers.com

August 29, 2011

Jack Davis
City of East Bethel
2241 - 221st Avenue NE
East Bethel, MN 55011

Re: *Brian Mundle – BDM Construction*
Our File No.: 23746-21687

Dear Jack:

Relative to the City's agreement, contained within the Amended and Restated Purchase Agreement of January 2004, there is a provision which provides as follows:

> "Seller (City) shall obtain title to wastewater treatment facility and operate this wastewater treatment facility charging a reasonable fee for operation charges for water and sewer. The Seller shall charge a water connection charge of $500 per Single Family Residential lot, and a sewer connection charge of $6,000 per Single Family Residential lot at the time the building permit for each Single Family Residential lot is issued. Seller agrees to continue to work on wastewater treatment plant Agreement with Buyer until all issues are resolved. For all commercial lots the charge for the water and sewer will be based on the facility types on each lot. The Seller shall charge 1 (one) water and sewer connection charge of $6500.00 per 1 (one) "Service Availability Charge" (SAC). The total number of SACs for each commercial facility will be calculated based on the "Service Availability Charge Procedures Manual" dated January 2000 by the Metropolitan Council Environmental Services. Each commercial will be charged a minimum of 1 (one) SAC."

It is my opinion that this provision would have application until and unless the wastewater treatment plant at the Castle Towers facility is decommissioned.

If you have any further questions, please let me know.

Yours very truly,

Mark J. Vierling

MJV/ndf

ECKBERG LAMMERS
ATTORNEYS AT LAW

Writer's Direct Dial:
(651) 351-2118

Writer's E-mail:
mvierling@eckberglammers.com

Stillwater Office:
1809 Northwestern Avenue
Stillwater, Minnesota 55082
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Fax (651) 439-2923

Hudson Office:
430 Second Street
Hudson, Wisconsin 54016
(715) 386-3733
Fax (715) 386-6456

www.eckberglammers.com

August 25, 2011

Jack Davis
City Administrator
2241 - 221st Avenue NE
East Bethel, MN 55011

Re: *Castle Tower*
Our File No.: 23746-21687

Dear Jack:

You have asked our opinion on the ability of the City to institute new charges and/or assessments to affected properties and users relative to the decommissioning of the existing sewage treatment facility. The City Engineer has opined that the Castle Towers sewage treatment plant has reached the end of its useful life, and must either be completely rebuilt or alternate disposal options need to be pursued.

Relative to the infrastructure costs that will be incurred, you have asked if those costs can be recovered by assessment to benefitted lands and properties, and/or new or adjusted user charges to those same lands, users and properties can be implemented to assist in the recapture of those new infrastructure costs.

We have reviewed the City's files relative to the transactions and litigation that was involved in the City's acquisition of this facility, and we are of the opinion that the lands and users that are served by this facility are subject to any reasonable and lawful mechanisms to facilitate the payment of the City's costs to replace the infrastructure in any one of the two options the City Engineer outlined, i.e. rebuild the plant or decommission and extend trunk lines to the Met Council system now being constructed to serve other areas within the City. In essence, the existing users of the Castle Tower Sewage Treatment Plant will be treated as any city resident or property owner would be treated in the construction of new facilities benefitting their lands or to which they are connected.

Yours very truly,

Mark J. Vierling

MJV/ndf

BDM Construction
Quality Is Our Standard
763.444.0296
4091 County Road 5 NE
Isanti, Minnesota 55040
License #20630734

Aug 1st, 2011

To:
Jack Davis
City of East Bethel
2241 221st Ave NE
East Bethel, Mn. 55011

RE: Sac and Wac Fees

Jack,

After checking what I have actually paid to the city for the Sac fees the total is $29,435.00. The address for each $4205.00 overcharge fee is:

Added interest at 10.75% first year and 6.75% the following years to Sept 15, 2011. First year is $2047.95, 2nd year is $2125.10, 3rd year is $2268.54, 4th year is $2421.67, To Sept 15 ,2011 $1826.64. Total now is $40,124.90.

24347 Polk Street on 4-9-07

24333 Pierce Path on 5-3-07

1080 Fillmore Circle on 4-9-07

24120 Pierce Street on 4-9-07

24282 Fillmore Circle 5-9-07

1094 244th Ave NE on 6-14-07

24159 Pierce Street on 7-2-07

I have not paid any Wac fee overcharge at this time.

Brian Mundle
President BDM Construction, Inc.
Cell 612-751-0170
Office 763-444-0296

NON-EXCLUSIVE LICENSE AGREEMENT
CITY OF EAST BETHEL

WHEREAS, the City of EAST BETHEL has conditionally granted ANDREW F. NELSON and _____,husband and wife, of 4640 East Front Blvd. East Bethel Minnesota a non-exclusive license to locate and maintain certain well and septic improvements within lands controlled by the City of EAST BETHEL, EAST BETHEL, MN; and

WHEREAS, the proposed area of placement of the proposed well and septic improvements is controlled by the City of EAST BETHEL, being a portion of the unimproved right of way for Sylvan Street and is depicted on site drawings annexed hereto as "Exhibit A"; and

WHEREAS, the only purpose for which the encroachment is allowed is for purposes of placement and maintenance of the identified septic and well improvements as permitted by the City; and

WHEREAS, the City's permission may be rescinded by the City of EAST BETHEL at any time it deems the same necessary to serve a public purpose; and

WHEREAS, Andrew F. and _____ Nelson are in agreement with same and acknowledges that they shall construct the well and septic improvements and perform maintenance in the locations as directed by the City, and further acknowledges that no real estate interest is created or transferred by operation of this agreement, and that any placement of the well and septic improvements as allowed by this agreement is entirely at their own risk of loss should the City require its removal in the future.

NOW THEREFORE, be it agreed by and between the City of EAST BETHEL and Andrew F. and _____ Nelson as follows:

1. That the City of EAST BETHEL grants Andrew F. and _____Nelson non-exclusive license to locate and maintain specific well and septic system improvements approved by the City onto lands controlled by the City located upon the area depicted within Exhibit A for the designated improvements of a and well and septic system. No other use or encroachment is allowed by this License.

2. That all parties to this agreement understand, acknowledge, and agree that the nature of the permissive encroachment and non-exclusive license allowed by the City of EAST BETHEL is temporary in nature.

3. That in the event the City should rescind the permission affecting the placement and maintenance of the well and septic improvements, Andrew F. amd_____Nelson and/or his successors shall, if so directed by the City, immediately remove same from the area described above, at their

sole expense, restoring the area to its condition prior to the installation of the well and septic improvements.

4. That the non-exclusive license does not in any way hold Andrew F. Nelson and_____ responsible to maintain the City of EAST BETHEL property beyond routine maintenance of the well and septic system improvements.

5. Andrew F. and _____Nelson agrees they will defend, indemnify and hold harmless the City, its officers and employees against any and all liability, loss, costs, damages and expenses which the City, its officers or employees may hereafter sustain, incur, or be required to pay arising out of their construction and placement of the well and septic improvements into the city controlled property.

6. Either party may, at any time, terminate this non-exclusive license upon providing 120 days advance written notice to the other.

Dated this ____ day of _____, 2011.

_____
ANDREW F. NELSON

_____
Name-Spouse

CITY OF EAST BETHEL

By_____
Richard Lawrence, Mayor

By_____
Jack Davis, City Administrator

APPROVED AS TO FORM:

By: _____
Its: City Attorney

EXHIBIT A

SITE IMPROVEMENT DRAWING
WELL AND SEPTIC IMPROVEMENTS LOCATED WITHIN RIGHT OF WAY
SLYVAN STREET

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011
* *

Agenda Item Number:
Item 9.0 D. 1
* *

Agenda Item:
Proposed Reduction in Force
* *

Requested Action:
Consider a proposal to eliminate the Administrative Support Position for the Building Department and adjust the salaries/wages of the Building Official and Inspector
* *

Background Information:
There are staffing concerns in the Building Department that require evaluation due to a decrease in the number and value of permits issued over the past three years. This is an economic and budgetary issue and not a personnel matter.

Permit fees for this Department have declined from $304,057 in 2008 to a projected total of $77,000 for 2011. It is not anticipated that fees projected to be collected for 2012 would increase substantially over those that were projected for 2011. Fees from permits are expected to be a significant portion of the funding source for this department. The Building Department budget for 2011 is $265,066.

One proposal for reducing costs in this department is to eliminate the Administrative Support Position and reduce the salaries/wages of the Building Official and Inspector by 20%. This would result in a gross savings of $103,353. Deducting $16,341for 39 weeks of anticipated unemployment claims would produce a net savings of $87,012. This savings would be reduced by approximately $10,217 if only salaries/wages were reduced and benefits were unchanged. This proposal would allow the City to retain the accumulated knowledge of the Building Official and Inspector and permit the department to function with no disruption and continuity of service.

As part of this proposal it is recommended that the City consider hiring a full time receptionist. This position is needed to provide a consistent source of contact and information to the public and eliminate the unproductive method of rotating existing staff to perform this duty. The cost for this position would $51,545 annually.
* *

Fiscal Impact:
As noted above
* *

Recommendation(s):
Staff recommends that the administrative support position for the Building Department be eliminated and the salaries/wages of the Building Official and the Building Inspector be reduced

by 20% as per advice of legal counsel. It is also recommended, as part of this proposal, that the Building Official be required to obtain his PCA septic certification within the cycle of available classes required to sit for the certification test or face disciplinary action to be determined by the City Council.

If the recommendation of eliminating the Administrative Support Position is approved it is also requested that Council approve the creation of and advertisement for a receptionist position at a Grade 3 pay level which represents an annual compensation package of $51,545.

* * * *

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 D.2

* *

Agenda Item:
Resolution 2011-41 Setting Date for Final Budget and Tax Levy Hearing

* *

Requested Action:
Consider Resolution 2011-41 Setting the Date for the Final Budget and Tax levy for 2012

* *

Background Information:
The legislature requires that on or before September 15, 2011, at the regularly scheduled meeting at which the City Council adopts a preliminary levy, the City Council must also announce the time and place of the City Council meeting at which the budget and final property tax levy will be discussed and adopted.

Resolution 2011-41 sets the date for Wednesday, December 7, 2011 at 7:30 p.m. at City Hall for the adoption of the final budget and tax levy for 2012.

Attachments:

1. Resolution 2011-41 Setting Date for Final Budget and Tax Levy Hearing

* *

Fiscal Impact:
None

* *

Recommendation(s):
Staff recommends adoption of Resolution 2011-41 approving the date of Wednesday, December 7, 2011 at 7:30 p.m. at City Hall for discussion and adoption of the Final Budget and Tax Levy for 2012. Further, that a copy of the adopted resolution be transmitted to the County Auditor.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-41

RESOLUTION SETTING DATE FOR FINAL BUDGET AND TAX LEVY HEARING

WHEREAS, Minnesota Statutes 275.065 requires that on or before September 15th of every year, at a regularly scheduled meeting of the City Council at which the City Council adopts a preliminary property tax levy, the City Council must announce the time and place of a regularly scheduled meeting at which the final property tax levy and budget will be discussed and the final property tax levy and budget will be determined.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL, MINNESOTA THAT: the regularly scheduled meeting on Wednesday, December 7, 2011 at 7:30 PM at City Hall is hereby designated as the meeting at which City Council will discuss and adopt of the final 2012 Property Tax Levy and 2012 Budget.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: a certified copy of this Resolution be provided to the Anoka County Auditor.

Adopted this 7th day of September, 2011 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:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 D.3

* *

Agenda Item:
Resolution 2011-42 Set Preliminary Tax Levy and Budget

* *

Requested Action:
Consider Resolution 2011-42 setting the preliminary tax levy and budget for 2012.

* *

Background Information:
Council, through its discussions at City Council meetings and work sessions in August, has directed that the preliminary property tax levy for 2012 be set such that funds are available to accomplish the goals and objectives Council has identified.

At the Wednesday, August 24, 2011 City Council work session, the proposed 2012 Budget was reviewed. City Council provided staff direction and those changes are reflected in the attached summaries of revenues and expenditures for the General Fund.

Changes to the 2012 proposed budget are proposed as follows:

<u>City Administration Department</u>
101-Full Time Employees

Approved:	$153,538
Proposed:	$118,500
Increase:	$ 35,038

Reflects addition of Receptionist position.

122-PERA Coordinated

Approved:	$11,095
Proposed:	$ 8,555
Increase:	$ 2,540

Reflects addition of Receptionist position.

125-FICA/Medicare

Approved:	$12,781
Proposed:	$ 9,229
Increase:	$ 3,552

Reflects addition of Receptionist position.

126-Deferred Compensation

Approved:	$2,000
Proposed:	$3,036
Increase:	$1,036

Reflects addition of Receptionist position.

131-Cafeteria Contribution

Approved:	$22,800
Proposed:	$11,400
Increase:	$11,400

Reflects addition of Receptionist position.

151-W/C Premium

Approved:	$1,393
Proposed:	$1,077
Increase:	$ 316

Reflects addition of Receptionist position.

<u>Police Department</u>

307-Professional Services

Approved:	$ 951,272
Proposed:	$1,044,761
Decrease:	$ 93,489

Police services contract change for 2012 to 36 hours daily coverage.

<u>Fire Department</u>

421-Software Licensing

Approved:	$ 0
Proposed:	$1,000
Decrease:	$1,000

Anti-virus software licensing provided in joint powers agreement with City of Roseville funded in Central Services and Supplies department.

540-Heavy Machinery

Approved:	$16,000
Proposed:	$20,000
Decrease:	$ 4,000

Quotes were obtained for Self Contained Breathing Apparatus (SCBA) breather air compressor. Cost of equipment plus shipping will not exceed $16,000.

<u>Building Inspection Department</u>

101-Full Time Employees

Approved:	$189,947
Proposed:	$116,914
Decrease:	$ 73,033

Reflects elimination of Support position and 20% reduction in Building Official and Building Inspector positions.

122-PERA Coordinated

Approved:	$13,662
Proposed:	$ 8,404
Decrease:	$ 5,258

Reflects elimination of Support position and 20% reduction in Building Official and Building Inspector positions.

125-FICA/Medicare

Approved:	$17,470
Proposed:	$10,884
Decrease:	$ 6,586

Reflects elimination of Support position and 20% reduction in Building Official and Building Inspector positions.

126-Deferred Compensation

Approved:	$5,081
Proposed:	$3,420
Decrease:	$1,661

Reflects elimination of Support position and 20% reduction in Building Official and Building Inspector positions.

131-Cafeteria Contribution

Approved:	$34,200
Proposed:	$22,800
Decrease:	$11,400

Reflects elimination of Support position and 20% reduction in Building Official and Building Inspector positions.

151-W/C Premium

Approved:	$1,354
Proposed:	$ 765
Decrease:	$ 589

Reflects elimination of Support position and 20% reduction in Building Official and Building Inspector positions.

<u>Transfers Out and Contingency</u>

939-Transfer to Trail Capital Fund

Approved:	$ 5,000
Proposed:	$62,139
Decrease:	$57,139

Reduction in transfer to Trails Capital Fund.

939-Contingency

Approved:	$46,745
Proposed:	$ 0
Increase:	$46,745

Reflects 50% savings in reduction of police services.

To make provisions for these proposed and potential changes, which decrease the General Fund budget $153,528, a General Fund levy of $4,192,170 is necessary. The General Fund proposed levy is $489,175 or 10.45% less than last year's levy.

To service existing debt, a market based debt levy of $147,328 is required to meet the debt service requirements for the 2005A Public Safety Bonds issued for the fire station and the weather warning sirens and a tax capacity based debt levy of $158,000 is required to meet the debt service requirements for the 2008A Sewer Revenue Bonds.

The total property tax levy amount proposed is $4,497,498. Resolution 2011-xx provides for this property tax levy.

Preliminary 2012 General Fund expenditures decrease $169,967 or 3.42% from the adopted 2011 Budget.

Attachment(s):

1. General Fund Revenue Summary
2. General Fund Expenditure Summary
3. Resolution 2011-xx Establishing the Preliminary Property Tax Levy at $4,497,498 and the Preliminary 2012 Budget at $4,796,598 for General Fund and $1,563,616 for the Debt Service Funds.

* * * *

GENERAL FUND REVENUE SUMMARY

	2009 Actual	2010 Actual	2011 Final Budget	July 2011 YTD Actual	2012 Proposed Budget	2012 vs. 2011
FUND 101 GENERAL FUND						
R 101-31010 Current Ad Valorem Taxes-LL	$4,383,879	$4,583,900	$4,681,345	$2,312,508	$4,192,170	
R 101-31810 Franchise Taxes	$33,761	$35,945	$32,000	$9,113	$35,000	
R 101-32110 Alcoholic Beverages	$26,685	$25,588	$25,000	$29,605	$25,000	
R 101-32120 Garbage Hauler's License	$1,800	$1,800	$1,800	$0	$1,800	
R 101-32130 Contractor's License	$30	$25	$50	$5	$50	
R 101-32130 Tobacco Sales Licenses	$3,300	$2,850	$3,500	$0	$3,000	
R 101-32180 Other Permits/Licenses	$5,499	$5,995	$5,000	$3,008	$5,000	
R 101-32210 Building Permits	$65,293	$53,353	$70,000	$25,121	$70,000	
R 101-32212 Septic System Install	$8,125	$7,760	$6,000	$3,000	$6,000	
R 101-32230 Plumbing Connection Permits	$1,185	$1,515	$1,200	$850	$1,500	
R 101-32255 ROW Permits	$6,600	$7,500	$5,000	$3,000	$5,000	
R 101-33000 Misc Intergovernmental	$5,400	$0	$4,000	$2,468	$4,000	
R 101-33404 PERA Aid	$2,123	$2,123	$2,123	$1,061	$2,123	
R 101-33402 Mkt Value Homestead Cr Unallotment	$0	$0	($240,497)	$0	$0	
R 101-33418 Muni State Aid St Maintenance	$162,550	$167,531	$167,531	$182,423	$182,422	
R 101-33420 State Aid-Fire Relief	$40,103	$40,985	$40,103	$0	$40,103	
R 101-34103 Zoning and Subdivision	$4,065	$2,760	$4,500	$1,300	$4,000	
R 101-34104 Bldg Plan Reviews	$18,073	$14,429	$20,000	$7,845	$15,000	
R 101-34105 Sale of Maps and Publications	$245	$127	$150	$87	$150	
R 101-34107 Assessment Search Fees	$20	$160	$60	$40	$60	
R 101-34109 Other General Gov't Charges	$3,084	$51,351	$22,000	$25,988	$93,000	
R 101-34110 Election Filing Fees	$0	$35	$0	$0	$20	
R 101-34111 Contractor License	$55	$15	$100	$0	$100	
R 101-34112 Septic Pumping Tracking	$2,825	$1,370	$3,000	$380	$2,500	
R 101-34202 Fire Protection Services	$2,876	$6,285	$3,000	$1,800	$4,000	
R 101-34940 Cemetery Revenues	$3,800	$11,600	$3,000	$4,800	$3,000	
R 101-35100 Court Fines	$56,700	$56,369	$58,000	$22,824	$58,000	
R 101-35105 Tobacco Violation Fines	$400	$350	$100	$0	$100	
R 101-35106 Liquor Violation Fines	$3,000	$1,800	$0	$0	$0	
R 101-36210 Interest Earnings	$7,544	$3,985	$10,000	$3,000	$5,000	
R 101-36220 Other Rents and Royalties	$7,540	$9,230	$7,500	$5,804	$7,500	
R 101-36240 Refunds and Reimbursements	$32,580	$33,729	$31,000	$12,623	$31,000	
TOTAL GENERAL FUND	$4,889,140	$5,130,465	$4,966,565	$2,658,653	$4,796,598	-3.42%
TAX SUMMARY						
R 101-31010 Taxes, General Fund	$4,532,030	$4,862,799	$4,681,345	$0	$4,192,170	
R 101-31010 Taxes, 2005 Public Safety Bonds	$144,457	$147,354	$144,756	$0	$147,328	
R 101-31010 Taxes, 2008 Sewer Revenue Bonds		$11,220	$109,500	$0	$158,000	
Total Proposed Levy	$4,676,487	$5,021,373	$4,935,601	$0	$4,497,498	-8.88%
City HRA Levy	$0	$0	$126,058	$0	$0	
County HRA Levy	$135,566	$0	$187,920	$0	$0	
City EDA Levy	$0	$0	$0	$0	$163,428	
Total Levies, City & Special Levies	$4,812,053	$5,021,373	$5,249,579	$0	$4,660,926	-11.21%

GENERAL FUND EXPENDITURE SUMMARY

	2009 Actual	2010 Actual	2011 Final Budget	July 2011 YTD Actual	2012 Proposed Budget	2012 vs. 2011
GENERAL FUND DEPARTMENTAL TOTALS						
Dept 41110 Mayor/City Council	$78,641	$68,814	$80,049	$39,143	$85,604	7%
Dept 41320 City Administration	$234,765	$193,124	$184,925	$138,641	$208,093	13%
Dept 41410 Elections	$23	$9,556	$25	$0	$11,191	44664%
Dept 41430 City Clerk	$85,508	$84,124	$99,393	$56,443	$106,594	7%
Dept 41520 Finance	$212,745	$217,771	$225,607	$130,720	$228,206	1%
Dept 41550 Assessing	$45,361	$45,395	$50,000	$22,728	$50,000	0%
Dept 41610 Legal	$157,620	$142,632	$140,000	$80,172	$152,500	9%
Dept 41810 Human Resources	$104,204	$110,666	$115,183	$26,233	$2,975	-97%
Dept 41910 Planning and Zoning	$195,250	$197,451	$208,608	$109,186	$209,242	0%
Dept 41940 General Govt Buildings/Plant	$25,896	$32,706	$49,400	$18,388	$46,260	-6%
Dept 42110 Police	$1,004,297	$1,014,037	$1,037,218	$543,559	$959,272	-8%
Dept 42210 Fire Department	$515,442	$537,042	$551,373	$233,719	$544,591	-1%
Dept 42410 Building Inspection	$249,111	$252,267	$265,066	$140,624	$173,082	-35%
Dept 43110 Engineering	$38,082	$41,536	$48,000	$19,187	$48,000	0%
Dept 43201 Park Maintenance	$363,171	$314,541	$400,798	$185,101	$410,230	2%
Dept 43220 Street Maintenance	$735,018	$750,946	$764,781	$384,814	$732,587	-4%
Dept 45311 Civic Events	$8,210	$4,791	$5,000	$4,737	$2,500	-50%
Dept 48140 Risk Management	$82,219	$91,090	$97,784	$97,629	$102,119	4%
Dept 48150 Central Services/Supplies	$68,241	$81,612	$90,751	$44,690	$96,807	7%
Dept 49360 Transfers Out	$549,826	$787,573	$552,604	$276,302	$626,745	13%
TOTAL GENERAL FUND	$4,753,630	$4,977,674	$4,966,565	$2,552,016	$4,796,598	-3.42%

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-42

RESOLUTION SETTING THE PRELIMINARY PROPERTY TAX LEVY AND BUDGET FOR 2012

WHEREAS, Minnesota Statutes Chapter 275.065 requires that the City Council adopt a preliminary property tax levy and budget on or before September 15; and

WHEREAS, the City Council has considered the operating needs and debt service needs for fiscal year 2012.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the preliminary property tax levies and budgets for the General Fund and the Debt Service Funds for 2012 are as follows:

Levies:	General Fund	$4,192,170
	Debt Service	
	Tax Capacity Levy	$ 158,000
	Market Value Levy	$ 147,328
	Total Levy	$4,497,498
Budgets:	General Fund	$4,796,598
	Debt Service	$1,563,616

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: a certified copy of this Resolution be provided to the Anoka County Auditor.

Adopted this 7th day of September, 2011 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:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 D.4

* *

Agenda Item:
Resolution 2011-43 Set Preliminary EDA Tax Levy and Budget

* *

Requested Action:
Consider Resolution 2011-43 setting the EDA preliminary tax levy and budget for 2012.

* *

Background Information:
The East Bethel City Council passed enabling Resolution No. 2008-83 establishing the East Bethel Economic Development Authority (EBEDA) on July 16, 2008. Resolution No. 2011-27 amending Resolution No. 2008-83 was approved on August 17, 2011 and limited the powers of the EBEDA to levy a tax within the City of East Bethel.

City Council has directed the EBEDA to become an active board to address economic planning, marketing and improve the economic vitality within the City. In order to accomplish these goals the EBEDA requires financial resources.

The EBEDA is a special taxing district and the City of East Bethel is authorized by Minnesota Statute 469.107 to levy a tax in any year for the benefit of the authority. The tax must not be more than 0.01813 percent of the taxable market value.

The maximum levy allowed for pay 2012 taxes is $163,428 (East Bethel Market Value of $901,424,900 X 0.0183%). The resolution presented for your approval provides for the maximum tax levy for pay 2012.

The tax levy must be submitted to Anoka County by September 15, 2011.

Also attached is a proposed EBEDA budget for 2012. The EBEDA has not had an opportunity to review the budget.

Attachment(s):

1. Resolution 2011-43 Establishing the Preliminary EBEDA Property Tax Levy at $163,428 and the Preliminary EBEDA 2012 Budget at $163,428.
2. EBEDA Proposed 2012 Budget

* *

Fiscal Impact:
As outlined above

* *

Recommendation(s):
Staff recommends adoption of Resolution 2011-43 approving the preliminary EBEDA property tax levy and proposed budget for 2012 at $163,428. Further, that a copy of the approved resolution be transmitted to the County on or before September 15, 2011.
* * * *

2012 Budget

FUND: **232 – Economic Development Authority**
DEPT/ACTIVITY/PROJECT: **23200 – Economic Development Authority**

DEPARTMENTAL PROFILE: The EDA addresses the City's need to proactively deal with economic development, housing, and redevelopment issues within the city. It is responsible for making presentations to the EDA and City Council to facilitate their decision making. It also includes direct interaction with the business community.

DEPARTMENTAL GOALS: The East Bethel EDA goals are to assist in increasing the amounts and types of services offered within the city, help restore blighted properties by encouraging redevelopment activities, achieve commercial development, encourage development of housing with the city that is safe, diverse, and gives residents affordable options to own a home.

EXPENDITURE DETAILS

107-Commission and Boards
$1,600

201-Office Supplies
$200
Misc. office supplies

303-Legal Services
$50,000
Contracted legal services

307-Professional Services Fees
$25,000
Contract consulting services for marketing and branding

322-Postage
$200
Postage cost for mailings

331-Travel Expenses
$300
Personal auto mileage and/or meal reimbursement while conducting EDA business

342-Legal Notices
$200
Publication of legal notices

351-Printing and Duplicating
$600
Copies of economic development documents such as marketing and branding brochures and surveys

361-Insurance
$1,300

433-Dues and Subscriptions
$640
Economic Development Association of Minnesota (EDAM) & Metro North Chamber of Commerce $400

434-Conferences/Training
$500
EDAM workshops and other economic development training

933-Transfer to City General Fund
$56,000
Support Executive Director, City Planner, Fiscal Support Services Director, and Support Staff

999-Contingency
$27,488
Funds to be allocated to specific projects

CAPITAL OUTLAY

None

STAFFING

Transfer of $56,000 to City General Fund to Support from Executive Director, City Planner, Fiscal Support Services Director, and Administrative Staff.

	2009 Actual	2010 Actual	2011 Final Budget	July 2011 YTD Actual	2012 Proposed Budget
Dept 23200 Economic Development Authority					
REVENUES					
R 232-31010 Current Ad Valorem Taxes	$0	$0	$0	$0	$163,428
	$0	$0	$0	$0	$163,428
EXPENDITURES					
E 232-23200-107 Commission and Boards	$0	$0	$0	$0	$1,600
E 232-23200-201 Office Supplies	$0	$0	$0	$0	$200
E 232-23200-303 Legal Fees	$0	$0	$0	$88	$50,000
E 232-23200-307 Professional Services Fees	$0	$0	$0	$0	$25,000
E 232-23200-322 Postage	$0	$0	$0	$0	$200
E 232-23200-331 Travel Expenses	$0	$0	$0	$0	$300
E 232-23200-342 Legal Notices	$0	$0	$0	$0	$200
E 232-23200-361 Insurance	$0	$0	$0	$0	$1,300
E 232-23200-433 Dues and Subscriptions	$0	$0	$0	$0	$640
E 232-23200-434 Conferences/Training	$0	$0	$0	$0	$500
E 232-23200-933 General Fund Reimburse Transfer	$0	$0	$0	$0	$56,000
E 232-23200-999 Contingency	$0	$0	$0	$0	$27,488
	$0	$0	$0	$88	$163,428
REVENUES LESS EXPENDITURES	$0	$0	$0	($88)	$0

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-43

RESOLUTION SETTING THE PRELIMINARY ECONOMIC DEVELOPMENT AUTHORITY PROPERTY TAX LEVY AND BUDGET FOR 2012

WHEREAS, Minnesota Statutes Chapter 275.065 requires that the City Council adopt a preliminary property tax levy and budget on or before September 15; and

WHEREAS, the City Council has considered the operating needs of the Economic Development Authority for fiscal year 2012.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the preliminary property tax levy and budgets for the Economic Development Authority for 2012 are as follows:

Economic Development Authority General Levy	$163,428
Economic Development Authority Budget	$163,428

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: a certified copy of this Resolution be provided to the Anoka County Auditor.

Adopted this 7th day of September, 2011 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:
September 7, 2011

* *

Agenda Item Number:
Item 9.0 D. 5

* *

Agenda Item:
Resolution Consenting to East Bethel HRA Resolution 2011-06 Setting Final Budget and Tax Levy

* *

Requested Action:
Consider Resolution 2011-44 Consenting to EBHRA Resolution 2011-06 setting the Final HRA Budget and Tax levy for 2012

* *

Background Information:
The East Bethel City Council passed enabling Resolution No. 2009-36 establishing the East Bethel Housing and Redevelopment Authority (EBHRA) on May 20, 2009. The EBHRA is a taxing authority independent from the City of East Bethel and is authorized by Minnesota Statute 469.033 to adopt a levy on all taxable property within its area of operation, which is the City of East Bethel, Minnesota.

At the Wednesday, July 6, 2011, EBHRA meeting, a resolution adopting no tax levy collectible in 2012 was approved after review of the 2012 EBHRA Budget.

Attachments:

1. Resolution 2011-44 Consenting to the EBHRA Adopting a Tax Levy Collectible in 2012 EBHRA
2. Resolution 2011-06 Adopting a Tax Levy Collectible in 2012

* *

Fiscal Impact:
As noted above.

* *

Recommendation(s):
Staff recommends adoption of Resolution 2011-44 consenting to Resolution 2011-06 approving the HRA Budget and Tax Levy for 2012.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-44

A RESOLUTION CONSENTING TO THE HOUSING & REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF EAST BETHEL ADOPTING A 2011 TAX LEVY COLLECTIBLE IN 2012

WHEREAS, the Housing and Redevelopment Authority, in and for the City of East Bethel, at its meeting on July 6, 2011, adopted the attached HRA Resolution 2011-06: "Resolution Adopting No Tax Levy in 2011 Collectible in 2012"; and

WHEREAS, the City Council must consent to any Authority levy prior to its becoming effective, as required by Minnesota Statutes Section 469.033.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL, MINNESOTA THAT the Council hereby consents to the HRA Resolution and to the levy described therein.

Adopted this 7th day of September, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____

Richard Lawrence, Mayor

ATTEST:

_____

Jack Davis, City Administrator

HOUSING AND REDEVELOPMENT AUTHORITY
IN AND FOR THE CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

HRA RESOLUTION NO. 2011- 06

RESOLUTION ADOPTING NO TAX LEVY IN 2011 COLLECTIBLE IN 2012

WHEREAS, Minnesota Statues Chapter 275.065 requires each taxing authority to adopt a property tax levy on or before September 15; and

WHEREAS, the Housing and Redevelopment Authority in or for the City of East Bethel finds it has sufficient funds and in the best interest of the City and the Authority to adopt no General Levy to accomplish the goals of the authority for fiscal year 2012.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSING AND REDEVELOPMENT AUTHORITY OF EAST BETHEL, MINNESOTA THAT: the following be levied for the current year, collectible in 2012, upon taxable property in the City of East Bethel.

Housing & Redevelopment Authority General Levy $0

BE IT FURTHER RESOLVED BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE ACITY OF EAST BETHEL, MINNESOTA THAT:

1. The executive director of the Authority is hereby instructed to transmit a certified copy of this Resolution to the Anoka County Auditor.
2. The executive director of the Authority is hereby instructed to transmit a copy of this Resolution to the City of East Bethel City Council.

Adopted this 6th day of July, 2011 by the Housing and Redevelopment Authority of the City of East Bethel.

EAST BETHEL HOUSING AND REDEVELOPMENT AUTHORITY

Bill Boyer, Chair

ATTEST:

Jack Davis, HRA Executive Director/City Administrator

City of East Bethel
City Council
Agenda Information

* *

Date:
September 7, 2011
* *

Agenda Item Number:
Item 9.0 G.1
* *

Agenda Item:
MnDOT Grant Application for Service Road from 215th to 221st (Co. Road 74) Avenue NE
* *

Requested Action:
Consider approving a Resolution 2011-45 Requesting State Participation in Upgrading and Construction of a Frontage Road Along Trunk Highway 65 to Consolidate Access Points onto Trunk Highway 65 (MnDOT Cooperative Agreement Funds)
* *

Background Information:
Staff is seeking authorization to apply for MnDOT Cooperative Agreement Funds to finance a service road between 215th Avenue and 221st Avenue on the west side of TH 65. This project is consistent with the City's Comprehensive Plan.

This project is estimated to cost $1,590,968 and would be financed with a MnDOT grant of $702,000 and the balance being a combination of City MSA funds and Street Capital Funds.

This request authorizes us to apply for the MnDOT grant.

Attachment(s):

1. Letter to MnDOT Request for Coop Agreement Funding
2. Median Access Closure & Frontage Road System Components and Costs
3. Resolution 2011-45 Requesting State Participation in Upgrading and Construction of a Frontage Road Along Trunk Highway 65 to Consolidate Access Points onto Trunk Highway 65
4. Table 1 – 4 Estimate Construction Cost
5. Improvement Layout and Proposed Cost Participation

* *

Fiscal Impact:
As noted above.
* *

Recommendation(s):
Staff recommends approval of the request to submit the resolution authorizing the application for MnDOT Municipal Agreement Funds for this project.
* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

August 26, 2011

Mr. Gregory Kern, P.E.
Cooperative Agreement Engineer
Minnesota Department of Transportation
1500 West County Road B-2
Roseville, MN 55113

RE: Request for Municipal Agreement Funding – FY 2013
Median and Access Closure and Frontage Road System from 215th Avenue NE to County Road 74

Dear Mr. Kern:

The City of East Bethel, in cooperation with the Minnesota Department of Transportation (Mn/DOT), continues to plan transportation system improvements along the Trunk Highway 65 (TH 65) Corridor. These system improvements are consistent with the City's Comprehensive Plan as approved by the Metropolitan Council and adopted by the City Council on August 15, 2007 and the Minnesota Department of Transportation "Trunk Highway 65 Traffic Operations Study", 53rd Avenue NE to 245th Avenue NE, Final Report, February 2002.

This project is being submitted to Mn/DOT for consideration for the Fiscal Year 2013 Municipal Agreement Funds.

This project will eliminate the median cross over and the direct access at 219th Avenue NE at TH 65, which does not meet desired spacing guidelines as provided for by Mn/DOT. The current spacing is less than one-half mile between access points. Removing this cross over and access will enhance traffic safety and traffic operations along TH 65. The project will also consolidate access points for major connecting roadways.

PROPOSED IMPROVEMENTS

This project can be best evaluated by dividing the project into two components:

1. Median and Access Closure; and
2. Frontage Road Construction and Access Control.

The following provides a brief description of each of these components as well as a cost estimate. These cost estimates were prepared in an attempt to allocate a segmental cost to each of the project components and assist the State in evaluating the benefits of the overall project. The layout of the improvements and the proposed cost participation is shown on Exhibit 1.

1. <u>Median and Access Closure</u>

The proposed improvement project will eliminate the existing TH 65 median cross over along with the southbound right turn and northbound left turn lanes at 219th Avenue NE. The project will also eliminate the existing direct access at 219th Avenue NE onto TH 65. With the access removals, local traffic would be routed to the proposed frontage road as discussed below. Closure of the median cross over and direct access is consistent with the TH 65 Traffic Operation Study and City's Comprehensive Plan.

2. <u>Frontage Road Construction and Access Closure</u>

2241 221st Avenue NE East Bethel, Minnesota 55011
(763) 367-7840 Fax (763) 434-9578
www.ci.east-bethel.mn.us

Improvements, as proposed, include a frontage road that would be extended from 215th Avenue NE to County Road 74 (221st Avenue NE) as shown on Exhibit 1. The new frontage road would provide access to existing and future residents and businesses. Construction of the frontage road will allow closure of the median and the direct access at 219th Avenue NE.

Figure VIII-9 of the City's Comprehensive Plan, reflecting the existing and proposed frontage road layout, is included as Exhibit 2. The typical proposed frontage road section is shown on Exhibit 3. As shown on Exhibit 3, the proposed frontage road will be constructed to a 44-foot width. The funding request for the frontage road is based on a 32-foot wide frontage road, which is consistent with the funding policy. Table 3 summarizes the cost of the 32-foot frontage road and Table 4 summarizes the cost of the 44-foot frontage road.

PROJECT BENEFITS

The proposed improvements provide several benefits to Mn/DOT and the traveling public. The elimination of the median cross over and the direct access to TH 65 at 219th Avenue NE carries out a primary goal of the TH 65 Traffic Operations Study to consolidate and control accesses. The consolidation of access points along TH 65 reduces the number of conflict points, which can be expected to improve the traffic operations, flows and safety along this corridor.

The proposed construction of the Frontage Road from 215th Avenue NE to County Road 74 will provide a safer access to existing and future residents and businesses. Southbound travelers will access the frontage road system via County Road 74 (221st Avenue NE) and northbound travelers will access the frontage road system via County Road 86 (213th Avenue NE). The intersections at County Road 74 and 86 and TH 65 currently have full access. The planned improvements will also help alleviate TH 65 of some local traffic by shifting it to the frontage road system. A traffic signal is planned to be constructed at the intersection of County Road 74 and TH 65 in 2012. The intersection of County Road 86 and TH 65 currently has a signal.

The proposed improvement project is consistent with the TH 65 Traffic Operations Study. The improvement project seeks to reduce the number of conflict points along TH 65 by consolidating access locations.

This project also facilitates community development by providing safe and efficient access to major intersections in the City. Figure V-2, Future Land Use Map, of the City's Comprehensive Plan is included as Exhibit 4. As shown on Exhibit 4, the City is planning a mix of business and light industrial in this area.

PROJECT COSTS

The project has been divided into six components with their respective cost estimates listed below:

Improvement	Local Participation	Mn/DOT Participation
Access, Median, and Turn Lane Removal at 219th Avenue	$ 12,787	$ 81,235
Frontage Road Construction	$ 124,512	$ 791,021
Right-of-Way Acquisition	$ 290,909	$ 0
Additional Pavement Width	$ 163,125	$ 0
County Road Improvements	$ 17,324	$ 110,055
Project Participation (Subtotal)	$ 608,657	$ 982,311

Maximum Award	$ 0	$ 702,000
Additional Local Funding	$ 280,311	$ 0
Total Proposed Project Funding	**$ 888,968**	**$ 702,000**

Table 1 provides a detailed breakdown of the unit costs and requested cost participation splits.

RESOLUTION AND PROJECT FUNDING

The East Bethel City Council will approve a resolution at the September 7, 2011 Council meeting, which commits the City to constructing the proposed improvements if Mn/DOT provides the requested funding for this project. A copy of the proposed resolution is attached. The City has sufficient and readily available funds to complete this project. This project is planned to be funded with Municipal Agreement Funds, Municipal State Aid Construction Funds and possibly Assessment Funds.

CONCLUSION

On behalf of the City of East Bethel, we are requesting Mn/DOT consider the inclusion of this project in the Fiscal Year 2013 Municipal Agreement Project. If you have questions, need additional information, or wish to discuss this application in greater detail, please do not hesitate to contact me directly.

Sincerely,

Jack Davis

Jack Davis
City Administrator

cc: Stephanie Hanson, City Planner
Nate Ayshford, Public Work Manager
Craig Jochum, City Engineer

MEDIAN ACCESS CLOSURE AND
FRONTAGE ROAD SYSTEM
FROM 215TH AVENUE TO COUNTY ROAD 74

The City of East Bethel, in cooperation with the Minnesota Department of Transportation (Mn/DOT), continues to plan and implement transportation system improvements along Trunk Highway 65 (TH 65) consistent with the recommendations found in Mn/DOT's TH 65 Traffic Operations Study and the City's Comprehensive Plan.

The project proposed is being submitted to Mn/DOT for consideration for the Fiscal Year 2013 Municipal Agreement Funds.

The proposed project consists of the following four components and their estimated costs:

Proposed Improvement	**Estimated Cost**
1. Access, median and turn lane removal at 219th Avenue and TH 65.	$ 94,022
2. Construction of a paralleling frontage road along the west side of TH 65 from 215th Avenue to County Road 74.	$ 1,078,658
3. County Road Improvements.	$ 127,379
4. Right-of-Way Acquisition	$ 290,909
Total Estimated Project Cost	**$ 1,590,968**

The City is requesting $702,000 in Municipal Agreement Funding as summarized in the "Project Costs". The proposed improvement to eliminate the median and southbound right turn lane and northbound left turn lane and the direct access at 219th Avenue and to construct a new paralleling west frontage road to TH 65 provides the following benefits to the State of Minnesota and the traveling public:

- The elimination of the median and direct access at 219th Avenue carries out a primary goal of the TH 65 Corridor Study to consolidate and control access.
- The construction of the frontage road allows the 219th Avenue access to be consolidated to the existing, full-access intersections at County Road 74 (221st Avenue) and County Road 86 (213th Avenue).
- The consolidation of access points along TH 65 reduces the number of conflict points, which can be expected to improve traffic operations, flows and safety along this corridor.
- The planned improvements will also help alleviate TH 65 of some local traffic by shifting it to the frontage road system.
- This project facilitates community development by providing safe and efficient access to two major intersections in the City.

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION 2011-45

RESOLUTION REQUESTING STATE PARTICIPATION IN THE UPGRADING AND CONSTRUCTION OF A FRONTAGE ROAD ALONG TRUNK HIGHWAY 65 TO CONSOLIDATE ACCESS POINTS ONTO TRUNK HIGHWAY 65

WHEREAS, the City of East Bethel is proposing to construct a frontage road extension along the west side of Trunk Highway 65 from 215th Avenue NE to CSAH 74; and

WHEREAS, construction would include the elimination of the median opening and southbound right turn lane and northbound left turn lane at 219th Avenue NE and Trunk Highway 65; and

WHEREAS, the improvements will provide major benefit to traffic operations and traffic safety on and along Trunk Highway 65; and

WHEREAS, these proposed improvements by the City of East Bethel are consistent with the Trunk Highway 65 Traffic Operations Study dated February 2002; and

WHEREAS, the State of Minnesota Department of Transportation may be able to participate in the funding of the above-mentioned projects;

WHEREAS, these frontage road projects are consistent with the City's Transportation Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City of East Bethel hereby requests funding participation for the projects and commits to constructing the improvements should funding be provided.

Adopted by the City Council of the City of East Bethel this 7th day of September 2011.

CITY OF EAST BETHEL

_____
Richard Lawrence, Mayor

_____
Jack Davis, City Administrator

TABLE 1

Estimated Construction Cost
215th Avenue to County Road 74

	MN/DOT	CITY	TOTAL
MEDIAN REMOVAL AND TURN LANE REMOVAL[1]	$29,150	$0	$29,150
ACCESS REMOVAL AND TURN LANE REMOVAL[1]	$46,068	$0	$46,068
FRONTAGE ROAD CONSTRUCTION [2]	$732,426	$0	$732,426
COUNTY ROAD IMPROVEMENTS	$101,903	$0	$101,903
OVERHEAD (MN/DOT - 8%, CITY - 17%)			
REMOVALS	$6,017	$12,787	$18,804
32-FOOT FRONTAGE ROAD	$58,595	$124,512	$183,107
COUNTY ROAD IMPROVEMENTS[3]	$8,152	$17,324	$25,476
ADDITIONAL WIDTH [4]	$0	$163,125	$163,125
RIGHT-OF-WAY ACQUISITION ($40,000/acre)	$0	$290,909	$290,909
TOTAL PROJECT PARTICIPATION (SUBTOTAL)	$982,311	$608,657	$1,590,968
MAXIMUM AWARD	$702,000	$0	
ADDITIONAL LOCAL FUNDING	$0	$280,311	
TOTAL PROPOSED PROJECT PARTICIPATION	**$702,000**	**$888,968**	**$1,590,968**

[1] SEE TABLE 2 FOR A DETAILED ESTIMATED CONSTRUCTION COST

[2] THE REQUEST FOR MN/DOT FUNDING IS BASED ON A 32-FOOT WIDE FRONTAGE ROAD. SEE TABLE 2 FOR A DETAILED ESTIMATED CONSTRUCTION COST

[3] SEE TABLE 3 FOR DETAILED ESTIAMTED CONSTRUCTION COST

[4] THE ADDITIONAL WIDTH IS FOR A 44-FOOT WIDE FRONTAGE ROAD. SEE TABLE 4 FOR A DETAILED ESTIMATED CONSTRUCTION COST

TABLE 2
Estimated Construction Cost
215th Avenue to County Road 74

Schedule "A" - Median Removal and N.B. Left Turn Lane Removal

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT COST	ESTIMATED COST
1	MOBILIZATION	1	LS	$800.00	$800
2	SAWCUT BITUMINOUS PAVEMENT	580	LF	$3.00	$1,740
3	REMOVE BITUMINOUS PAVEMENT	1,200	SY	$2.50	$3,000
4	COMMON EXCAVATION	585	CY	$8.00	$4,680
5	HAUL AND DISPOSE EXCESS MATERIAL	585	CY	$7.00	$4,095
6	TOPSOIL BORROW	180	CY	$16.00	$2,880
7	CLASS 2 AGGREGATE SHOULDERING	35	TON	$60.00	$2,100
8	4" SOILD LINE WHITE - EPOXY	280	LF	$1.00	$280
9	SILT FENCE, TYPE MACHINE SLICED	680	LF	$2.50	$1,700
10	TURF ESTABLISHMENT	0.35	ACRE	$2,500.00	$875
11	TRAFFIC CONTROL	1	LS	$7,000.00	$7,000

Total Schedule "A" **$29,150**

Schedule "B" - S.B. Right Turn Lane Removal and Road Closure

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT COST	ESTIMATED COST
1	MOBILIZATION	1	LS	$1,300.00	$1,300
2	SAWCUT BITUMINOUS PAVEMENT	555	LF	$3.00	$1,665
3	REMOVE BITUMINOUS PAVEMENT	1,075	SY	$2.50	$2,688
4	COMMON EXCAVATION	400	CY	$8.00	$3,200
5	HAUL AND DISPOSE EXCESS MATERIAL	400	CY	$7.00	$2,800
6	TOPSOIL BORROW	190	CY	$16.00	$3,040
7	CLASS 2 AGGREGATE SHOULDERING	30	TON	$60.00	$1,800
8	CLASS 5 AGGREGATE BASE	220	TON	$16.00	$3,520
9	TYPE MV WEARING COURSE	110	TON	$76.00	$8,360
10	TYPE MV NON WEARING COURSE	110	TON	$74.00	$8,140
11	4" SOILD LINE WHITE - EPOXY	230	LF	$1.00	$230
12	SILT FENCE, TYPE MACHINE SLICED	580	LF	$2.50	$1,450
13	TURF ESTABLISHMENT	0.35	ACRE	$2,500.00	$875
14	TRAFFIC CONTROL	1	LS	$7,000.00	$7,000

Total Schedule "B" **$46,068**

TABLE 3
Estimated Construction Cost
215th Avenue to County Road 74

Schedule "A" - Frontage Road Construction from 215th Avenue to County Road 74 (32' F-F)

NO.	DESCRIPTION	QUANTITY	UNIT	COST	COST
1	MOBILIZATION	1	LS	$21,400.00	$21,400
2	CLEARING	32	TREE	$400.00	$12,800
3	GRUBBING	32	TREE	$400.00	$12,800
4	SAWCUT BITUMINOUS PAVEMENT	300	LF	$3.00	$900
5	REMOVE BITUMINOUS PAVEMENT	32	SY	$2.50	$80
6	COMMON EXCAVATION	7,705	CY	$8.00	$61,640
7	AGGREGATE BASE CLASS 5	5,610	TON	$16.00	$89,760
8	TYPE MV WEARING COURSE	1,620	TON	$76.00	$123,120
9	TYPE MV NON WEARING COURSE	1,620	TON	$74.00	$119,880
10	BITUMINOUS MATERIAL FOR TACK COAT	640	GAL	$3.00	$1,920
11	B618 CONCRETE CURB AND GUTTER	7,920	LF	$11.00	$87,120
12	15" RCP (CL V)	2,360	LF	$27.00	$63,720
13	18" RCP (CL V)	1,675	LF	$32.00	$53,600
14	15" RC APRON	4	EACH	$400.00	$1,600
15	18" RC APRON	2	EACH	$450.00	$900
16	27" DIA. CB	9	EACH	$1,800.00	$16,200
17	48" DIA. MH	15	EACH	$2,700.00	$40,500
18	CLASS III RIPRAP	24	CY	$100.00	$2,400
19	4" SOLID LINE WHITE - EPOXY	7,920	LF	$0.40	$3,168
20	4" DOUBLE SOLID LINE YELLOW - EPOXY	3,960	LF	$0.80	$3,168
21	SILT FENCE, TYPE MACHINE SLICED	4,500	LF	$2.50	$11,250
22	TURF ESTABLISHMENT	1.8	ACRE	$2,500.00	$4,500

Total Schedule "A" **$732,426**

Schedule "B" - County Road Improvements

NO.	DESCRIPTION	QUANTITY	UNIT	COST	COST
1	MOBILIZATION	1	LS	$7,400.00	$7,400
2	CLEARING	5	TREE	$400.00	$2,000
3	GRUBBING	5	TREE	$400.00	$2,000
4	MILL BITUMINOUS PAVEMENT	125	SY	$3.00	$375
5	COMMON EXCAVATION	100	CY	$8.00	$800
6	GRANULAR BORROW	2,470	CY	$10.00	$24,700
7	TOPSOIL BORROW	220	CY	$16.00	$3,520
8	AGGREGATE BASE CLASS 5	740	TON	$16.00	$11,840
9	TYPE MV WEARING COURSE	180	TON	$76.00	$13,680
10	TYPE MV NON WEARING COURSE	410	TON	$74.00	$30,340
11	BITUMINOUS MATERIAL FOR TACK COAT	185	GAL	$3.00	$555
12	4" SOLID LINE WHITE - EPOXY	1,670	LF	$0.40	$668
13	SILT FENCE, TYPE MACHINE SLICED	1,110	LF	$2.50	$2,775
14	TURF ESTABLISHMENT	0.5	ACRE	$2,500.00	$1,250

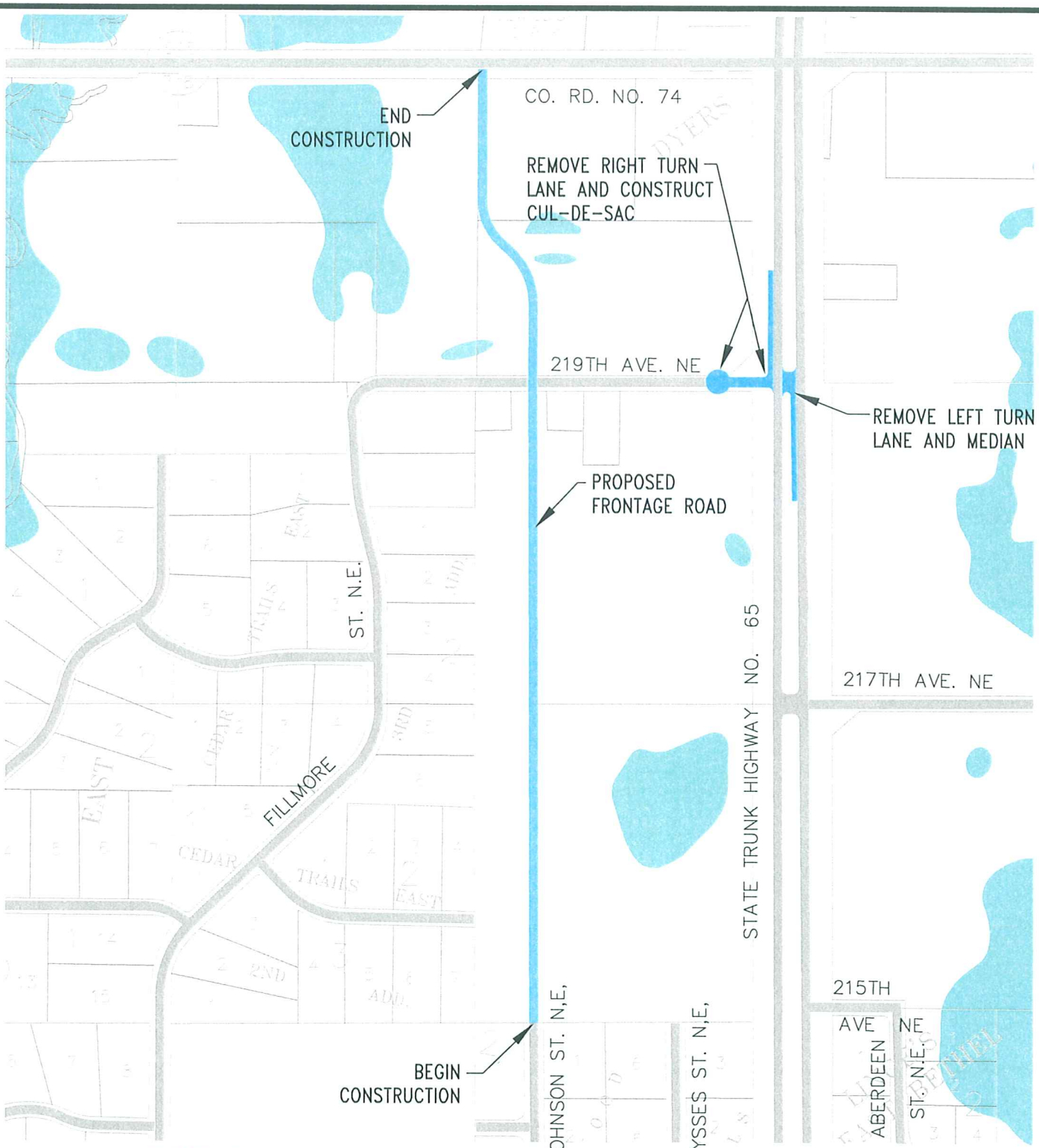
Total Schedule "B" **$101,903**

TABLE 4
Estimated Construction Cost
215th Avenue to County Road 74

Schedule "A" - Frontage Road Construction (44' F-F)

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT COST	ESTIMATED COST
1	MOBILIZATION	1	LS	$26,500.00	$26,500
2	CLEARING	32	TREE	$400.00	$12,800
3	GRUBBING	32	TREE	$400.00	$12,800
4	SAWCUT BITUMINOUS PAVEMENT	300	LF	$3.00	$900
5	REMOVE BITUMINOUS PAVEMENT	32	SY	$2.50	$80
6	COMMON EXCAVATION	10,345	CY	$8.00	$82,760
7	AGGREGATE BASE CLASS 5	7,590	TON	$16.00	$121,440
8	TYPE MV WEARING COURSE	2,290	TON	$76.00	$174,040
9	TYPE MV NON WEARING COURSE	2,290	TON	$74.00	$169,460
10	BITUMINOUS MATERIAL FOR TACK COAT	905	GAL	$3.00	$2,715
11	B618 CONCRETE CURB AND GUTTER	7,920	LF	$11.00	$87,120
12	15" RCP (CL V)	2,470	LF	$27.00	$66,690
13	18" RCP (CL V)	1,705	LF	$32.00	$54,560
14	15" RC APRON	4	EACH	$400.00	$1,600
15	18" RC APRON	2	EACH	$450.00	$900
16	27" DIA. CB	9	EACH	$1,800.00	$16,200
17	48" DIA. MH	15	EACH	$2,700.00	$40,500
18	CLASS III RIPRAP	24	CY	$100.00	$2,400
19	4" SOLID LINE WHITE - EPOXY	7,920	LF	$0.40	$3,168
20	4" DOUBLE SOLID LINE YELLOW - EPOXY	3,960	LF	$0.80	$3,168
21	SILT FENCE, TYPE MACHINE SLICED	4,500	LF	$2.50	$11,250
22	TURF ESTABLISHMENT	1.8	ACRE	$2,500.00	$4,500

Total Schedule "A" **$895,551**



LEGEND

- DENOTES 100% STATE FUNDING
- DENOTES 100% STATE FUNDING BASED ON A 32-FOOT FRONTAGE ROAD
- DENOTES EXISTING STREETS
- DENOTES WETLAND

EXHIBIT 1

IMPROVEMENT LAYOUT AND PROPOSED COST PARTICIPATION

CITY OF EAST BETHEL

Hakanson Anderson Assoc., Inc.
Engineers, Surveyors & Landscape Architects
3601 Thurston Ave., Anoka, Minnesota 55303
612-427-5860 FAX 612-427-0520

0 800 1600
SCALE IN FEET

City of East Bethel
City Council
Agenda Information

* *

Date:
Septmber 7, 2011

* *

Agenda Item Number:
Item 10.C

* *

Agenda Item:
Closed Session GRE Settlement Negotiations

* *

Requested Action:
Consider closing the regular session for an Attorney/Client discussion regarding the GRE settlement suit.

* *

Background Information:
The session is closed pursuant to Minnesota Statutes 13D.05, Subd. 3.

* *

Fiscal Impact:
None

* *

Recommendation(s):
Staff is recommending closing the regular session to closed session pursuant to Minnesota Statutes 13D.05, Subd 3 for a discussion of the GRE settlement suit.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

PUBLIC FORUM SIGN UP SHEET

September 7, 2011

The East Bethel City Council welcomes residents and property owners to the Public Forum. The purpose of the forum is to provide residents and property owners an opportunity to respectfully inform the Council of issues they are concerned about.

The following guidelines apply to the Public Forum:

1. A resident/property owner may address the Council on any matter not on the agenda during the Public Forum portion of the agenda.
2. A person desiring to speak must sign up prior to the time the Council reaches the Forum on the agenda.
3. The Mayor will invite speakers up to the podium/microphone.
4. Once the Mayor has recognized the speaker, the speaker should state his/her name, address, and phone number.
5. Each speaker should attempt to limit their presentation to 3 minutes.
6. If a group of persons wish to address the Council regarding the same issue, the group should elect a spokesperson to present the group's issue to the Council.
7. The Council will listen to the issue but will not engage in dialogue or a Q & A session. If a majority of the Council would like to address the issue in more detail, it can be added to the agenda or can be addressed during the regular agenda of a future meeting.

NAME	ADDRESS	PHONE NUMBER	TOPIC

NAME	ADDRESS	PHONE NUMBER	TOPIC