

City of East Bethel
City Council Agenda
Special Meeting – 6:30 PM
Date: August 17, 2011



	Item	
6:30 PM	1.0	Call to Order
6:31 PM	2.0	Adopt Agenda
6:33 PM	3.0	Public Hearing – Amendments to the Enabling Resolution Creating the Economic Development Authority (EDA) Amending the Enabling Resolution creating the EDA and to change the membership composition and to limit the EDA powers.
7:05 PM	4.0	Appoint Two City Council Members to EDA
7:25 PM	5.0	Adjourn

**CITY OF EAST BETHEL
NOTICE OF PUBLIC HEARING
CITY COUNCIL OF EAST BETHEL
AMENDMENTS TO THE ENABLING RESOLUTION CREATING THE
ECONOMIC DEVELOPMENT AUTHORITY (EDA)
City of East Bethel
County of Anoka
State of Minnesota**

NOTICE IS HEREBY GIVEN that the City Council of East Bethel will hold a Public Hearing on Wednesday, August 17, 2011 at 6:30 p.m. in the Council Chambers of City Hall, 2241 221st Avenue NE, East Bethel, Minnesota.

The purpose of the Public Hearing is to receive comments on amending the enabling resolution creating the Economic Development Authority (EDA) to change the membership composition and to limit the EDA powers.

If you would like to be heard in reference to this matter, you should attend this meeting. Contact City Hall at 763-367-7840 if you have any questions about the public hearing.

Jack Davis
City Administrator

Published in the Anoka County Union on August 5 & August 12, 2011



City of East Bethel City Council Agenda Information

Date:

August 17, 2011

Agenda Item Number:

Item 3.0

Agenda Item:

Public Hearing: 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

Requested Action:

Conduct a public hearing to gather public input, and then discuss and possibly 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

Background Information:

A public hearing is to be held to take public input of the proposed amendments to the EDA enabling resolution. The proposed resolution has been attached as attachment #1. On July 16, 2008, Resolution 2008-53 was approved by City Council, therefore, the East Bethel EDA was established and granted all the powers within Minnesota Statutes, Chapter 469, including those of a Housing Redevelopment Authority (HRA).

On May 18, 2011, City Council discussed the possibility of changing the membership of the EDA to consist of two (2) City Council members and five (5) citizens, and limiting the taxing powers of the EDA.

Attachment #1 is 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 2008-53 is amended in the following respects:

1. Commissioners. (a) the Economic Development Authority Commissioners shall be comprised of a seven (7) member Authority; two (2) of whom shall be members of the City Council, being appointed by the Mayor with the approval of the City Council. Those members initially appointed shall be appointed for terms of one, two, three, four, and five years respectively, and two (2) members for six years, as required by Statute. Thereafter, all Commissioners shall be appointed for a six year term, notwithstanding

however, that the two (2) City Council members to be initially appointed to the seven-member Commission, shall be appointed to terms closely related to their existing Council terms as possible, and thereafter, as each City Council member vacates or otherwise leaves their position from the City Council, the City Council shall reappoint Council members to the remaining term.

- 6. Section 2.01 of Resolution 2008-53. That Section 2.01 of Resolution No. 2008-53 is adopted by the City Council of the City of East Bethel on the 16th day of July, 2008, granting to the EDA, all the powers contained within the Act, including those of the Housing and Redevelopment Authority is hereby modified to limit the powers of the EDA to all of those previously supplied within the originating and enabling Resolution, accepting that the EDA shall not have authority or power to levy a tax within the city of East Bethel.

Attachment:

- 1. 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

Fiscal Impact:

Undetermined

Recommendation:

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.

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.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**CITY OF EAST BETHEL,
ANOKA COUNTY, MINNESOTA**

RESOLUTION NO. 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**

WHEREAS, the City Council for the City of East Bethel (hereinafter, “the City”) has the authority to establish an Economic Development Authority (hereinafter, “the Authority”) pursuant to Chapter 469.091 of the Minnesota Statutes; and,

WHEREAS, the Notice of Public Hearing is published within the legal publication for the City of East Bethel once per week for 2 weeks prior to the adoption of the original enabling Resolution of the City of East Bethel; the same having been adopted July 16, 2008; and,

WHEREAS, based upon all the information presented, the City Council then found that the establishment of an Economic Development Authority was in the best interest of the City, and thereby adopted Resolution No. 2008-53, “A Resolution Providing for the Creation of an Economic Development Authority in the City of East Bethel, Minnesota”; and,

WHEREAS, the City of East Bethel has now determined that it is best to implement amendments to the East Bethel Economic Development Authority to provide for the current membership of the Authority, expanding its membership, and establishing a seven (7) member Authority pursuant to Minn. Stat. §469.095, subd. 2(c); and,

WHEREAS, Minn. Stat. 469.093, subd. 2, requires all modifications to the enabling Resolution creating the Economic Development Authority to be, by written Resolution and adopted after Notice was given and a public hearing conducted as required for the original adoption of the enabling Resolution; and,

WHEREAS, a public hearing was conducted by the City of East Bethel with regard to the proposed amendments to the Economic Development Authority in terms of its membership and the appointment of a seven (7) member Authority pursuant to Minn. Stat. § 469.095, subd. 2 (c) on August 17, 2011, with legal notices therefore being duly published in the official publication of the City of East Bethel;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of East Bethel that the East Bethel Economic Development Authority, having been duly established pursuant to Chapter 469.091 of the Minnesota Statutes (the Act) which Authority which operates under the terms and conditions of its original enabling Resolution, duly adopted on the 16th day of

July, 2008, being the same is hereby amended in the following respects:

1. Commissioners. (a) the Economic Development Authority Commissioners shall be comprised of a seven (7) member Authority; two (2) of whom shall be members of the City Council, being appointed by the Mayor with the approval of the City Council. Those members initially appointed shall be appointed for terms of one, two, three, four, and five years respectively, and two (2) members for six years, as required by Statute. Thereafter, all Commissioners shall be appointed for a six year term, notwithstanding however, that the two (2) City Council members to be initially appointed to the seven-member Commission, shall be appointed to terms closely related to their existing Council terms as possible, and thereafter, as each City Council member vacates or otherwise leaves their position from the City Council, the City Council shall reappoint Council members to the remaining term.
2. Officers and Meetings. The Authority shall annually elect a President, Vice President, and Secretary. A member must not serve as President or Vice President at the same time. All other offices may be held by the same member.
3. Rules and Procedures. The Authority shall adopt rules and procedures not inconsistent with the provisions of this Resolution or otherwise provided by Minn. Stat. §469.096, and as may be necessary for the proper execution and conduct of the Authority's business.
4. Annual Meetings. The Authority shall conduct an annual meeting to be held prior to the second regular meeting date at 6:30 p.m. of the month of January in each year. The Authority's regular meeting shall occur according to a meeting schedule, if any, adopted or revised from time-to-time by Resolution of the Authority. Special meetings may be called by the President as needed.
5. Section 2.02 of Resolution 2008-53. That Section 2.02 of the enabling Resolution of July 16, 2008, being Resolution No. 2008-53 is hereby deleted.
6. Section 2.01 of Resolution 2008-53. That Section 2.01 of Resolution No. 2008-53 is adopted by the City Council of the City of East Bethel on the 16th day of July, 2008, granting to the EDA, all the powers contained within the Act, including those of the Housing and Redevelopment Authority is hereby modified to limit the powers of the EDA to all of those previously supplied within the originating and enabling Resolution, accepting that the EDA shall not have authority or power to levy a tax within the city of East Bethel.

Adopted this 17th day of August, 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:

August 17, 2011

Agenda Item Number:

Item 4.0

Agenda Item:

Appointment of Two (2) City Council Members to Serve on Economic Development Authority

Requested Action:

Consider Appointment of Two (2) City Council Members to Serve on Economic Development Authority

Background Information:

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.

Fiscal Impact:

Undetermined

Recommendation:

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.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____