



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 4.0 A

Agenda Item:

Monthly Sheriff's Report

Requested Action:

Information Only

Background Information:

Lieutenant Orlando will review the monthly statistics and report on activities for the month of April, 2011.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

CITY OF EAST BETHEL – APRIL 2011

ITEM	APRIL	MARCH	YTD 2011	APRIL YTD 2010
Radio Calls	414	372	1,457	1,417
Incident Reports	356	296	1,200	1,452
Burglaries	4	3	10	13
Thefts	14	13	54	65
Crim.Sex Cond.	2	0	3	3
Assault	1	3	6	6
Dam to Prop.	10	1	18	25
Harr. Comm.	2	3	12	8
Felony Arrests	4	7	14	11
Gross Mis.	1	0	2	1
Misd. Arrests	5	7	19	50
DUI Arrests	4	5	15	27
Domestic Arr.	7	1	13	8
Warrant Arr.	3	4	13	22
Traffic Arr.	79	48	234	344

**CITY OF EAST BETHEL – APRIL 2011
COMMUNITY SERVICE OFFICERS**

ITEM	APRIL	MARCH	YTD 2011	APRIL YTD 2010
Radio Calls	12	9	42	60
Incident Reports	13	12	43	64
Accident Assist	0	1	8	3
Veh. Lock Out	3	5	14	4
Extra Patrol	27	41	116	136
House Check	0	4	10	1
Bus. Check	24	21	86	46
Animal Compl.	4	4	15	29
Traffic Assist	8	1	15	22
Aids: Agency	48	69	235	311
Aids: Public	48	25	135	117
Paper Service	5	0	15	3
Inspections	0	0	0	0
Ordinance Viol.	0	0	0	3



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 4.0 B

Agenda Item:

Tim Landborg - Recognition of Service on Planning Commission

Requested Action:

Recognize Tim Landborg for his years of Service to the City of East Bethel on the Planning Commission.

Background Information:

Mr. Tim Landborg served the City of East Bethel as a Planning Commission member from 2007 until 2011. We have invited Mr. Landborg to attend the meeting and will be presenting him with a plaque in honor of his service to the City.

Fiscal Impact:

None at this time.

Recommendation(s):

City staff recommends City Council recognize Mr. Landborg's service to the City of East Bethel as a Planning Commission Member.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 4.0 C

Agenda Item:

Edward Reynosa, Met Council Representative

Requested Action:

Informational Only

Background Information:

Edward Reynosa is the new Met Council Representative for East Bethel (District 9). Mr. Reynosa contacted the City and requested to be allowed to come before the Council and the residents and introduce himself and answer any questions the Council or residents have for him.

Fiscal Impact:

None at this time

Recommendation(s):

Informational Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



Payments for Council Approval May 18, 2011

Bills to be Approved for Payment	\$93,736.12
Electronic Payments	\$25,273.11
Payroll City Staff - May 12, 2011	\$36,259.68
Payroll Fire Dept - May 13, 2011	\$13,083.60
Electronic Payment - Sales & Use Tax Payable	\$648.00
Total to be Approved for Payment	\$169,000.51

City of East Bethel

May 18, 2011

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Arena Operations	Professional Services Fees	33	Gibson's Management Company	615	49851	5,655.70
Arena Operations	Telephone	50111	Qwest	615	49851	110.69
Building Capital Projects	Buildings and Structures	1279	All Elements, Inc.	401	40100	22,284.58
Building Inspection	Motor Vehicles Parts	1539-465760	O'Reilly Auto Parts	101	42410	89.05
Building Inspection	Surcharge Remittance	1st Qtr 2011	MN Dept Labor & Industry	101		322.42
Central Services/Supplies	Information Systems	214627	City of Roseville	101	48150	2,009.58
Central Services/Supplies	Information Systems	214580	City of Roseville	101	48150	44.25
Central Services/Supplies	Information Systems	40664	US Cable	101	48150	1,295.81
Central Services/Supplies	Office Equipment Rental	176148252	Loffler Companies, Inc.	101	48150	624.57
Central Services/Supplies	Office Supplies	10168	Norseman Awards	101	48150	46.76
Central Services/Supplies	Office Supplies	10151	Norseman Awards	101	48150	73.57
Central Services/Supplies	Office Supplies	562038009001	Office Depot	101	48150	31.98
Central Services/Supplies	Office Supplies	562456902001	Office Depot	101	48150	13.66
Central Services/Supplies	Office Supplies	562038042001	Office Depot	101	48150	3.10
Central Services/Supplies	Office Supplies	562600544001	Office Depot	101	48150	26.40
Central Services/Supplies	Office Supplies	562196014001	Office Depot	101	48150	29.38
Central Services/Supplies	Printing and Duplicating	44128	Business Forms & Acctg Systems	101	48150	318.88
Central Services/Supplies	Telephone	42811	Qwest	101	48150	231.40
Civic Events	Professional Services Fees	71611	Hollywood Pyrotechnics, Inc.	101	45311	4,750.00
Fire Department	Bldg/Facility Repair Supplies	41111	Arden Anderson	101	42210	14.99
Fire Department	Clothing & Personal Equipment	782622-IN	Heiman, Inc.	101	42210	1,398.00
Fire Department	Clothing & Personal Equipment	780653-IN	Heiman, Inc.	101	42210	1,298.00
Fire Department	Clothing & Personal Equipment	782409-IN	Heiman, Inc.	101	42210	1,298.00
Fire Department	Conferences/Meetings	8608	F.I.R.E.	101	42210	2,100.00
Fire Department	Conferences/Meetings	22867	MFSCB	101	42210	375.00
Fire Department	Conferences/Meetings	98950	South Central College	101	42210	180.00
Fire Department	Employer Paid Expenses	41511	Mark Duchene	231	42210	70.00
Fire Department	Employer Paid Expenses	107466	St. Cloud Technical College	231	42210	90.00
Fire Department	Employer Paid Expenses	107264	St. Cloud Technical College	231	42210	120.00
Fire Department	Employer Paid Expenses	42811	Stephanie Bragstad	231	42210	70.00
Fire Department	Professional Services Fees	50111	City of East Bethel	231	42210	1,666.67
Fire Department	Repairs/Maint Machinery/Equip	32703	Emedded Systems, Inc.	101	42210	618.33
Fire Department	Telephone	50111	Qwest	101	42210	411.40
Fire Department	Travel Expenses	41111	Arden Anderson	231	42210	187.86
Fire Department	Travel Expenses	41111	Dan Meinen	231	42210	32.89
Fire Department	Travel Expenses	41111	Jeremy Shierts	231	42210	195.34
Fire Department	Travel Expenses	41111	Mark Duchene	231	42210	43.43
Fire Department	Travel Expenses	41111	Todd Bennett	231	42210	46.22
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	470644089	Cintas Corporation #470	101	41940	20.59
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	14722	GHP Enterprises, Inc.	101	41940	368.72
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-04-11	Premium Waters, Inc.	101	41940	27.21
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	116794	Robert B. Hill Company	101	41940	19.24
Housing & Redevelopment Autho	Legal Fees	111288	Eckberg, Lammers, Briggs,	230	23000	639.20
Legal	Legal Fees	43011	Carson, Clelland & Schreder	101	41610	6,593.00
Legal	Legal Fees	111288	Eckberg, Lammers, Briggs,	101	41610	3,622.00
Mayor/City Council	Conferences/Meetings	50411	Heidi Moegerle	101	41110	25.00
Mayor/City Council	Printing and Duplicating	337-15468	Fastsigns	101	41110	252.23
Mayor/City Council	Professional Services Fees	342567	Ehlers	101	41110	1,757.50
Park Maintenance	Chemicals and Chem Products	57680014	John Deere Landscapes	101	43201	42.86
Park Maintenance	Clothing & Personal Equipment	23401	Chet's Shoes, Inc.	101	43201	100.00
Park Maintenance	Clothing & Personal Equipment	470637150	Cintas Corporation #470	101	43201	34.97
Park Maintenance	Clothing & Personal Equipment	470640647	Cintas Corporation #470	101	43201	48.35

City of East Bethel

May 18, 2011

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Park Maintenance	General Operating Supplies	2325926	Dalco	101	43201	200.00
Park Maintenance	Motor Vehicles Parts	1539-465494	O'Reilly Auto Parts	101	43201	20.51
Park Maintenance	Motor Vehicles Parts	1539-464215	O'Reilly Auto Parts	101	43201	130.00
Park Maintenance	Motor Vehicles Parts	1539-465495	O'Reilly Auto Parts	101	43201	19.49
Park Maintenance	Park/Landscaping Materials	12339	Bjorklund Trucking	101	43201	56.11
Park Maintenance	Sign/Striping Repair Materials	25081	Menards Cambridge	101	43201	18.21
Payroll	Insurance Premiums	40664	Fort Dearborn Life Insurance	101		989.85
Payroll	Insurance Premiums	40664	MN NCPERS Life Ins	101		112.00
Payroll	Union Dues	40664	MN Teamsters No. 320	101		601.35
Planning and Zoning	Office Supplies	562571227001	Office Depot	101	41910	78.14
Planning and Zoning	Professional Services Fees	400	GIS Rangers	101	41910	729.00
Police	Professional Services Fees	41111	Gopher State One-Call	101	42110	14.60
Police	Professional Services Fees	50111	Gratitude Farms	101	42110	1,090.56
Recycling Operations	Professional Services Fees	40664	Cedar East Bethel Lions	226	43235	1,000.00
Sewer Operations	Professional Services Fees	78225	Utility Consultants, Inc.	602	49451	524.37
Street Maintenance	Bldg/Facility Repair Supplies	25911	Menards Cambridge	101	43220	107.82
Street Maintenance	Bldgs/Facilities Repair/Maint	470637150	Cintas Corporation #470	101	43220	26.50
Street Maintenance	Bldgs/Facilities Repair/Maint	470640647	Cintas Corporation #470	101	43220	26.50
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-04-11	Premium Waters, Inc.	101	43220	27.21
Street Maintenance	Clothing & Personal Equipment	470640647	Cintas Corporation #470	101	43220	46.24
Street Maintenance	Clothing & Personal Equipment	470637150	Cintas Corporation #470	101	43220	46.24
Street Maintenance	Equipment Parts	C241121846	I State Truck Inc.	101	43220	86.44
Street Maintenance	General Operating Supplies	2325926	Dalco	101	43220	65.49
Street Maintenance	Legal Notices	IQ 01784798	ECM Publishers, Inc.	101	43220	61.50
Street Maintenance	Motor Vehicles Parts	FP142385	Crysteel Truck Equipment	101	43220	141.87
Street Maintenance	Motor Vehicles Parts	1539-465495	O'Reilly Auto Parts	101	43220	110.99
Street Maintenance	Motor Vehicles Parts	1539-464215	O'Reilly Auto Parts	101	43220	282.49
Street Maintenance	Motor Vehicles Parts	133244-IN	Zarnoth Brush Works, Inc.	101	43220	232.99
Street Maintenance	Sign/Striping Repair Materials	25081	Menards Cambridge	101	43220	148.40
Street Maintenance	Small Tools and Minor Equip	25911	Menards Cambridge	101	43220	110.99
Street Maintenance	Street Maint Materials	12321	Bjorklund Trucking	101	43220	510.33
Street Maintenance	Street Maint Materials	12329	Bjorklund Trucking	101	43220	74.16
Street Maintenance	Telephone	42811	Qwest	101	43220	67.84
Water Utility Capital Projects	Improvements Other Than Bldgs	Pay Est #2	Mark J. Traut Wells Inc.	433	49405	22,721.86
Water Utility Capital Projects	Legal Fees	111288	Eckberg, Lammers, Briggs,	433	49405	1,419.00
Water Utility Operations	Telephone	50111	Qwest	601	49401	108.29
						\$93,736.12

City of East Bethel

May 18, 2011

Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
	Electronic Payments					
	PERA					\$5,473.72
	Federal Withholding					\$5,806.38
	Medicare Withholding					\$1,844.34
	FICA Tax Withholding					\$6,614.52
	State Withholding					\$2,432.11
	MSRS					\$3,102.04
						\$25,273.11



City of East Bethel City Council Agenda Information

Date:

May 18, 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, May 4, 2011 Regular City Council

Meeting minutes from the May 4, 2011 Regular City Council Meeting are attached for your review and approval.

Item C

Meeting Minutes, April 27, 2011 Town Hall Meeting

Meeting minutes from the April 27, 2011 Town Hall Meeting are attached for your review and approval.

Item D

Resolution 2011-15 Approving Application for Raffle Permit for Minneapolis Police Activities League at Fat Boys Bar & Grill on June 11, 2011

This resolution approves an application with no waiting period for an exempt permit for Minneapolis Police Activities League to hold a raffle on June 11, 2011 at Fat Boys Bar & Grill, 21383 Ulysses St. NE, East Bethel, MN 55011.

Staff recommends adoption of Resolution 2011-15 Approving Application for Raffle Permit Minneapolis Police Activities League at Fat Boys Bar & Grill on June 11, 2011 with no waiting period.

Item E

Resolution 2011-16 Accepting Donation from Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP

The City of East Bethel has received a donation of four Minnesota Twins Tickets valued at \$248.00 from Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP to be used towards the Family Fun Night scheduled for Friday, July 15, 2011.

Staff is recommending adoption of Resolution 2011-16 Accepting Donation from Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP.

Item F

Approve One Day Temporary On Sale License for Alliance for Metropolitan Stability at Blue Ribbons Disc Golf Course on June 11, 2011

The Alliance for Metropolitan Stability has submitted an application for a one day temporary On Sale License at Blue Ribbons Disc Golf Course on June 11, 2011 from 10:00 a.m. to 8:00 p.m. This is proposed to be part of the Surly Brewing Company's Annual Disc Golf Tournament. They would sell on sale beverages on the deck/patio area of the clubhouse of the disc golf course. No alcohol would be permitted in any other areas. If approved this will be the third year they have held this event and there were no issues in the last two years that this event was held. Approval is conditioned on receiving the liquor liability insurance certificate.

Item G

Bids for Picnic Shelter Roof

The roofs at the pavilions at Booster West and Whispering Oaks Parks will have to be repaired or replaced by the Spring of 2011 or damage to the roof underlayment and/or the tongue and groove board ceiling finish will occur. The roofs have been damaged by vandalism and normal depreciation of the shingles. The cost for replacing the roof with asphalt shingles is estimated at \$5,520 and \$29,743 for replacement with a standing seam metal roof. These costs are for both structures. An allowance of up to \$1,200 for each option should be considered for roof deck repair. Funds are available for this project from the Parks Capital Fund.

Staff recommends that City Council consider approving the option of a new shingled roof for the Booster West and Whispering Oaks pavilions at a cost of \$5,520 and approve an allowance of up to \$2,400 to be added to the project for roof deck repair if needed.

Attached are the bids for roof replacement work.

Item H

Dorsey & Whitney LLP Engagement Agreement

Questions have been asked about the appropriate use of the 2010 bond issue proceeds related to the water and sewer infrastructure project. City staff has contacted Dorsey & Whitney LLP, the bond attorney for the 2010 bond issues, and requested their assistance. The City has received a letter from Lynnette Slater Crandall, Dorsey & Whitney LLP, to engage their services as bond counsel and special tax counsel relating to the proposed and potential changes in the use of the bonds. Estimated cost for initial questions and providing guidance on permissible use of the bond proceeds is \$5,000-\$6,000. Hourly rates are \$240-\$420/hour depending upon the appropriate level of work. The cost for this service will be paid from the bond proceeds if this is approved as an eligible expense.

Staff recommends approval of the agreement.

Item I

Ehlers Invoice

Attached is an invoice from Ehlers in the amount of \$1,757.50 for approval for payment. Ehlers provided a second opinion of the defeasance costs for the Landform Project I Phase 1 Feasibility Study.

Item J

Approve Agreement with Kristin Pechman, Desktop Impressions for Website Services
The Website Workgroup met with Kristin Pechman, Desktop Impressions on May 12, 2011 to discuss the services she offers regarding organizing and making the City of East Bethel website more aesthetically pleasing and easier for residents, businesses and staff to use. Kristin has over 30+ years of local government experience specializing in communications. She has worked with Chisago City, Little Canada, Mahtomedi, Morrison County, Rice Creek Watershed District and Taylors Falls on their website projects.

The agreement includes 25-30 hours of website content enhancement services on our existing GovOffice website at a rate of \$50 per hour. Ms. Pechman would reorganize the existing site to improve the appearance of the homepage, implementation of best website practices, basic enhancement of text, addition of community pictures and addition of GovOffice features and other miscellaneous work to improve the ease of maintenance by staff, simplicity of use and add value. Since our template with GovOffice is no longer supported, we would also integrate a new free template in this reorganization. The cost for this service is proposed to be paid from Central Services – Software Licensing which has \$2,500 budgeted and we anticipate the only expense to be approximately \$600 in 2011 leaving a balance of \$1,900.

Staff recommends Council approve the agreement with Kristin Pechman, Desktop Impressions for Website Services at a cost not to exceed \$1,500 and direction that the City Administrator execute the contract.

Attached is the contract for services.

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

May 4, 2011

The East Bethel City Council met on May 4, 2011 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bob DeRoche Richard Lawrence Heidi Moegerle
 Steve Voss (7:55 PM)

MEMBERS EXCUSED: Bill Boyer

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

Call to Order **The May 4, 2011 City Council meeting was called to order by Mayor Lawrence at 7:30 PM.**

Adopt Agenda **Moegerle made a motion to adopt the May 4, 2011 City Council Agenda with the deletion of 4.0 B Edward Reynoso, Met Council Representative (he could not attend tonight) and substitute under 4.0 B Steve Johnson, US Cable. DeRoche seconded; all in favor, motion carries.**

Presentation – Lawrence said we want to honor Barb Kunshier for her years of service as the Booster Day
Barb Kunshier Coordinator. He said even though she is not here, her work has been outstanding and we want to thank her very much. Barb Kunshier arrived and the Mayor presented her with a plaque and thanked her for her many years of dedicated service and commitment to excellence as the coordinator of Booster Day on behalf of the citizens of East Bethel. Lawrence said we want to thank you for your leadership and your many contributions to our community. Davis said and for all of us that have worked with Ms. Kunshier, it has been a pleasure and we will really miss her. He said we are extremely grateful for all the work she has done in the past. DeRoche said yes, you did a great job. Moegerle said yes, you did a great job.

Steve Johnson Steve Johnson of US Cable said he is here tonight to address a mistake we made. He said
– US Cable when we renewed the franchise with East Bethel there was a provision that allowed us to implement PEG access fees and somehow or another, it slipped his calendar and he came across it a few months ago and he started discussing it with Mr. Davis. Johnson said after a couple meetings it seemed to come to a conclusion that he should calculate the number of users and fees, it comes to \$12,828.20 and he is here with check and wants to express his apologies and present the check. He said he knows he should have come a few months ago, but he didn't do that. Johnson said he can answer any questions Council may have, he can explain what the PEG fees and franchise fees are for.

DeRoche said he can guess what the customers are going to think when they get this added on their bill. Johnson said franchise fees and PEG fees are a federal right by the franchise for the City to administer, so the City of East Bethel as well as many other cities collect franchise and PEG fees from subscribers. He said it amounts to about \$3.00 per subscriber. Johnson said the City has the right to do this, put it back into the system and could offset the access channel. He said since March of 2008 we have increased by about subscribers. Johnson said he failed to remember to incorporate this in his billing, but at the same time,

the City failed to remember this and missed it in their billing to US Cable, they were receiving the franchise fees, the PEG fees is a pass through, we are not passing this on to the rest of our customer base. He said he tried to make some recommendations to not make it so painful, but obviously we are paying you upfront and spreading over 39 months to reimburse. DeRoche said so the City activated the PEG fee, that is what you are saying. Johnson said yes, in franchise agreement.

Moegerle said she wants to thank you for admitting your mistake. She said the problem she has is when reading Page 8, it seems the contract limits the amount you can pass through to 40 cents, it seems to her to pass through the additional 35 cents and call it a PEG fee is a breach of contract, she wonders if we need to revisit this agreement between US Cable and the City. Johnson said we did recommend a resolution so it was on record. He said and by requesting the past payment we have a right to then increase this, in all reality, US Cable has a right to collect it. Johnson said if you are more comfortable to doing resolution or amendment, we can do this, but by no means are we violating federal law. Moegerle said she is not suggesting you are; you might be violating the agreement with the City that is her concern. She said we are trying to get harmony.

Vierling said the issue is the language says they shall pay to the City the fee according to schedule which they didn't do. He said he thinks your question is does this limit them from collecting a larger fee from that which they are supposed to pay to the City, you can certainly read it that way. Vierling said he thinks within the context of that, certainly they have their own attorneys that are advising them to what they can and cannot do, and he is not going to offer an opinion on that one, but they are certainly making a good faith effort to catch up and he appreciates that. He said he thinks they may have a larger issue with their customer base, in terms of their customers saying, when this fee was earned I wasn't one of your customers and now I am making up the back fee for that time. Vierling said he doesn't know how they wrestle with that one, but that is an issue they will have with their customers. Johnson said he has an issue with that also. He said they are collecting this amount of money, so you can make improvements or investments in the channel. Johnson said whether it was collected in the last 39 months or now, the customers that were customers now are going to benefit. He said he doesn't think if you look at it from that aspect, why is it on one hand tremendously wrong if they are going to benefit. Lawrence said that is probably something you are going to have to work out with you customers. Johnson said this is a line item on the bill, everything has to be uniform. He said we hope that the product you are providing on the access channel will be looked at as worth the money.

Moegerle said so you will be charging 75 cents per customer but paying 40 cents to the City. Johnson said correct, and he is making this payment tonight, and then June 1 you will get another payment which will be in a separate check for capital improvements. Moegerle said she appreciates this, thank you for your time. Johnson said he has been doing this since 1985 and cable is getting more and more complicated, he should have put this on his calendar.

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

Consent
Agenda

Moegerle made motion to approve the Consent Agenda including: A) Approve Bills; B) Meeting Minutes, April 20, 2011, Regular Meeting (with Grammatical Changes); C) Meeting Minutes, April 20, 2011 Local Board of Appeals and Equalization; D) Resolution 2011-14 Accepting Donation from Hakanson Anderson Assoc. Inc.; E) Cedar/East Bethel Lions – Booster Day – July 16, 2011 – One Day Temporary

Consumption & Display Permit. DeRoche seconded; all in favor, motion carries.

S.R. Weidema
Change Order
#1

Davis explained that S. R. Weidema is requesting consideration of the attached change order due to the temporary suspension of the Phase 1 Project 1 Utility Improvements due to the inability to place orders and secure contracts with subcontractors. A majority of the cost is due to the increase in fuel costs for construction machinery and the High Density Polyethylene (HDPE) Pipe, which is a petroleum based product. Change Order No. 1 is attached. A summary of the Change Order costs are as follows:

1.	Machinery Fuel	\$215,566.69
2.	HDPE Pipe	\$113,102.70
3.	Structure Castings	\$ 3,378.52
4.	Piling and Grade Beam Construction	<u>\$ 47,861.55</u>
	Total	\$379,909.46

Funds available from the bond proceeds which are intended to finance this project along with the water tower, wells, and water treatment plant include reserve funds of \$1.8 million. These funds are available and appropriate for this use.

Staff recommends Council approve Change Order No. 1 to S.R. Weidema in the amount of \$379,909.46.

Davis said Kreg Schmidt, Bolton and Menk are present tonight with more documentation. Schmidt said Davis covered the basics. He said he we have a change order related to fuel cost and the polyethylene piping. Schmidt said he handed out a quote based on fuel prices; the vendor is Energy Solutions Consultants. He said the fuel price on 12/6/2010 was \$2.846 and on 4/12/2011 was \$3.777, which is a pretty significant item since there is 234,609 gallons of fuel in this project. Schmidt said in general if you increase this, by the time you add sales tax and the bond, it is .9188 cents per gallon in summary which is what S.R. Weidema used to break this out. He said in addition was the fuel breakout summary used. Schmidt said there are quotes from Ferguson Waterworks for piping which is the difference between bid time and when the price was locked in. He said basically the PVC pipe industry has declared a force magre, which is like an act of god that is affecting their pricing, so to get the pipe locked in at this price at this time would be very good for the City. He said in general, he can go through the details; there is an 8% increase in piping. Schmidt said there is also an increase in castings, materials based increase, there are quotes from S. Brothers to put in castings, and this is a steel based increase. He said there is a 4% increase in the piling system from MBI who is the subcontractor on the project, we included documentation, it is rebar and concrete and mobilization. Schmidt said one thing to keep in mind in regard to that is it is the Met Council portion of the project, so the portion that will affect the City is the polyethylene piping and fuel costs.

Council Member Voss arrived. Davis said he would like to add two other items to Schmidt’s presentation, we had three meetings with S.R. Weidema prior to this presentation, and he was informed that he needed to have everything that he would consider that would be delayed or require a change order before you this one time, because we only wanted to do this once. He said we told him we recognize there are things that would happen in the course of the project that we have to deal with. Davis said the other thing is Met Council will not participate with the change order because it was not caused by their doing. Schmidt said in summary we have been though the documentation and think it is a fair representation, we have indicated to S.R. Weidema that we want this to be behind us and get the job done.

Lawrence asked the price of fuel at the beginning on 12/6/10 was \$2.84 roughly and now it is what level. Schmidt said as of 4/12/2011 it is \$3.707, but we used we used for the change order \$3.70. Moegerle asked when they locked in their fuel prices. Schmidt said on 4/12/2011. Lawrence asked why did they take so long. Schmidt asked to lock the price in. Lawrence said yes. Schmidt said we did have a discussion with them on this and he thinks overall there was still a lot of detail on the project to work out. He said and there were things that still needed to be discussed, there was change in representation so they were uncomfortable with locking this in, if they had done it immediately there was a difference, but if they had done it then it was only a slight difference like 10 cents a gallon. Schmidt said when you look at this you can see how much of an issue this is for the contractor, fair amount of money in the increase, what a contractor would derive from his project. He said to have expected S.R. Weidema to have locked in immediately would have been a significant expectation.

Moegerle asked what date did they lock this in. Schmidt said 4/12. Moegerle said that is more than a month later, this is five weeks later. Schmidt said that is correct. Lawrence said according to your gas price on 4/12 that is only one penny higher then what they originally figured the price of gas at, is he seeing something wrong. Voss said you are looking at 2010. Lawrence said it says 2011. Voss said that has to be wrong. Schmidt said they are buying fuel for the future here, so they are buying fuel at that rate. He said this is the months in 2010 when they are buying the fuel and the rate. Schmidt said they are giving you the new May price of 2011 on the next table, buying over a course of time, for a moment in time. Voss said the next two pages is the same as the table on the front, it is not tabulated. Schmidt said it is the new basis for purchasing the fuel. He said it is all based on current pricing.

Moegerle said here is what her problem is, by May 5th or whenever they received their letter, it is very clear gas prices are going up and going up quickly, so she has a problem with that kind of situation and then them waiting five weeks to lock in the fuel price, that doesn't seem reasonable to her. She said she needs a better reason; this doesn't seem like a good business decision. Moegerle said she need a better explanation and understanding if you have one, and she realizes it is there explanation to make not yours. Schmidt said he would say the explanation for that is the uniqueness of the situation that occurred, at the time there was still trepidation on the contractor's part that they may or may not want to move forward with the contract on the contractor's part. Moegerle said they had signed a contract. Schmidt said they had. He said there are contractual ways they could have gotten out of this, their concept was until they had an approved signed order for some of these items and we have since expanded that to include as many of the delay items as we could, that we can reasonably anticipate right now, their concept was that until they had that approved, until they had that taken care of, they were still in the decision making process of whether they were going to build the project for the City.

Schmidt said what we have been trying to work through with them is first of all, that we want to build the job, second that we want to be fair about what had occurred, it was a situation unique enough that there wasn't anyone that had been through negotiations thought something like that, this includes the people in the City and Met Council and what we were trying to accomplish is that we got these things behind us. He said from his personal perspective, it would have been hard for him to anticipate that given the scenario, after March 5th that they would have locked that in and gone forth with it. Schmidt said he really strongly believes it is in the best interest of the City that S.R. Weidema builds this, just based

on we would not see these types of numbers if we had to go through the bidding process again. Voss asked what would have happened if S.R. Weidema would have locked in the price for the fuel a while ago and the City would have canceled the project, what contractual obligation does S.R. Weidema have. Schmidt said they would have had a contractual obligation to take deliver of the fuel and in this case that is a lot. Voss said and he thought that would have been the case, but to him that is not apples to apples, you are buying a commodity of fuel, it is not going to go to waste, suppliers would purchase it, it would be used somewhere else. Schmidt said yes, an obligation to purchase it.

Voss said one thing would be helpful for one date in particular, when the suspension was lifted on February 19, 2011 do you know what the price was on February 19, 2011 as opposed to April 12, 2011. Schmidt said he does not have that number, he thinks the only comparison we have is that was related to this was first part of March. Davis said this was March 5th, 15 cents more a gallon. Lawrence asked what did they do from December 15th to January 5th, did they lock up anything. Schmidt said no. Lawrence said they didn't do anything. Schmidt said no. Lawrence asked when would they have started. Schmidt said he would have guessed they would have started in January. He said there were still a number of things up in the air, easements and such that are on the agenda tonight, they wouldn't have been starting wholesale construction until later anyways, so he is guessing it would have been sometime in January that they would have locked this up. Schmidt said it is really hard for him to, communicate perhaps, that these are not easy decisions for contractor to make; these are very significant or dire decisions if they don't go well, it is not easy for the contractor to absorb and he doesn't want to discount that. He said it is easy to say they should have done this or that; the question is what a reasonable expectation was. Schmidt said he can see he should have locked things in March, not March 5th but later in March. He said he is not trying to advocate for that, he is trying to communicate the discussions we have had.

Lawrence said obviously they were not going to start right away, however they weren't going to be working anyhow, then the billing would have been going to Met Council, not East Bethel. Schmidt said but they would have had a contract to purchase at these rates. Lawrence asked were they buying it at that time. Schmidt said no, but they had an agreement that this is what they would have been able to do. Jochum said as it was explained at a meeting, they would have had it locked in for a year at a time. He said after that year it is a whole new negotiations with their sub. Schmidt said that is this 12 month period on here, commodity concept, risk concept taken out of equation, purchasing at that rate.

DeRoche said the problem he has if the suspension was lifted on February 19th and they lock in on April 12th, which is almost two months, did they think we were going to suspend it again. Schmidt said he doesn't know when they received written notification that the suspension was lifted. Davis said March 5th. Voss asked and when did they purchase. Schmidt said on April 12th. Lawrence said you are telling us they would have locked in on the 5th of January and they were notified on March 5th the suspension was lifted, that is the price then that East Bethel would have to take care of, and the rest they would have to go to the Met Council because this is pretty much their project. Voss said he agrees, there are two parts. He said there is a delay caused by the City, if the letter went out March 5th, whatever reasonable time after that, maybe March 15th, and more reasonable the City caused the delay, he will frame this as the contractor made some business decisions as when they locked in based on trepidation on what the Council would do next, not a reasonable choice, but as Moegerle said, they should have brought the City into discussion at that time. Moegerle said

as of March 15, buying fuel then would have been a great business decision even if they weren't going to use it on this project it would have been a good idea to buy, and she thought the commitment on February 19 was real clear. Lawrence said he thought they should have bought on December 15th, they got the contract and they knew the price of fuel was going up, he wouldn't have waited. Voss said when the suspension went on in January; he doesn't know if we got a letter from S.R. Weidema, we got letters from the other contractors saying they needed to lock in on prices. He asked did we get a letter from S.R. Weidema. Vierling said he doesn't think we did. Lawrence said he thinks we need to sit down with S.R. Weidema and go over these issues. He said he buys materials all the time and when they are low you buy. Moegerle asked is this a time sensitive issue, do we need to make this decision today. Schmidt said it is time sensitive, he doesn't know how else to explain this, if the Council is not comfortable with this, he is not sure how S.R. Weidema will take it.

Davis said things that were discussed the last time we met with them was that March 5th would have been a reasonable date to lock in, they explained they didn't do it because of some trepidation, they weren't sure who the engineers were, they weren't sure of other things such as the City's commitment to it. He said is that a valid justification, probably not. Davis said our reason for recommending approval of the change order is we have a fear that this contractor may be looking for reasons to void his contract, and if he can do so and walk out then we have to rebid this and we anticipate the bidding will start at a million dollars higher. He said that is the reason for considering the change order. Davis said is there a reason for him not locking in the fuel prices is that a reason to reject it, certainly, but the bigger factor is it may be a bigger savings to the City to do the change order and keep the bid. Voss asked is it possible tonight to in terms of approving of what they have here, to agree as a Council the price as comparison, that the price should be a the price that fuel was a week after March 5th, then that gap is what we have left to work out. He said say for example it is \$100,000 less, there is also mediation for these contracts. Schmidt said he would like to have something like that worked out and a date, then he could go back to them and have a discussion and come back with the results. Moegerle asked what if we came back with a partial amount and this is rough but she came up with 30 cents, as the change between prices for those two dates, this is very ballpark, but we withhold that amount and approve a substantial portion of this amount, would that be an acceptable alternative. Schmidt said yes, he would say if the total was .70 cents a gallon increase and work out an agreement.

DeRoche asked how much time are you looking at, 3 or 4 days, he understands this thing has to move, how long do you think it would take you to sit down with S.R. Weidema and say this is where we are at what do you think. Schmidt said probably 3-4 days before everyone comes to a conclusion on it. Voss said but again, if we have a consensus on the date after March 5 and just say we can be conservative on it say half of it we can adjust the change order to what we think you should have locked it in. DeRoche said that make sense, and leave the door open that in two weeks after you have had a chance to have the discussions come back and see what he says. Voss said at 30 cents that is roughly \$30,000. Davis said he thinks that is a reasonable proposition and that way we can see how serious he is about negotiating this again. DeRoche said and then at least we are moving forward with it and not cutting him off and giving him a reason to get out of the contract. Schmidt said he thinks that is good step ahead. Jochum said he would like to say, the contractor was adamant that if he doesn't get this change order, he will walk away from this contract. He said and the contractor thinks he has a basis to. Jochum said and he thinks this can be negotiated, the actual price, but he will want to see the actual change order approved and he has been pretty sincere. Voss said and it would be, and it is not to say they wouldn't get the \$100,000, but at

least it keeps the project moving and if he is confident that this amount is due him and we don't come to resolution, then it can go to mediation. He said you know how mediation goes in these things. Jochum said but his point is he doesn't want to start the project until this change order is approved, and he thinks he is sincere and he doesn't want to fight the City, that is why he is anxious to get this behind this. DeRoche said this is kind of behind us.

Schmidt said what makes the most sense to him is we understand you weren't going to do it on March 5th but we think you should have done it a week after so we will agree to the pricing on that date, and then we can negotiate between that price and the price on April 12th. Voss said that is what he is trying to say. Schmidt said logically that make sense to him. Lawrence said one other question he has is what if the price of fuel goes down. Schmidt said they are not asking for an extension of completion of date. He said he just doesn't even want to deal with that, he is locking in on a one year period. Moegerle said March 5th was a Saturday, March 18th was almost two weeks.

Davis said on March 25 the contractor sent us a letter with a proposed change order in the amount of \$312,000. He said this is the date he would use. Voss said they would have based it on the price of fuel at that time. DeRoche asked so how did it go up a \$100,000. Voss said because they waited until April 12th. DeRoche asked in the future if the prices go up, is that Met Council or us. Schmidt said this should not be an issue from here on out for the duration of the project. Voss said it appears we can do one of two things, we can send this back and tell them to work it out, or we can move on what we have been discussing and he thinks the claim they had on March 25th, \$312,000, is a better starting point with the understanding we are not closing the door on further discussions, they don't have to accept it. DeRoche said that is a pretty good offer since the City didn't do anything wrong. Voss said the City stopped the contract. DeRoche said that was in good faith, it wasn't to stop it; it was stopped to take a look at it. Lawrence said they weren't planning on working on it anyhow. DeRoche said let's go with \$312,000 and open discussions.

Voss made a motion to adjust the total amount of the change order to the March 25, 2011 value approximately \$312,000, with the understanding that the City and S.R. Weidema with continue discussions between the difference of the \$312,000 and what was provided to us tonight. DeRoche seconded. Moegerle said would like more documentation on this so when it comes up again so we would have more ideas of what the discussions were between the engineer and the contractor, we just don't have enough information before us. Vierling asked did S.R. Weidema withdrawal the change order in writing from March 25th. Davis said no. Vierling said the other option would be to approve the change order from March 25th. Jochum said it wasn't in a change order format. Voss said he thinks there are timelines for change orders. **All in favor, motion carries.**

Utility Fire
Vehicle Bids

Davis explained that bid specifications were approved by the Council at their March 16, 2011 meeting. The specifications were advertised in the City's official newspaper, on the City's web site and on the LMC web site. Bids were accepted on 11:00 am on April 22, 2011 and included the following:

Kirvida	\$ 71,300.00
General Safety Fire Apparatus	\$ 56,987.00

Staff has reviewed each bid proposal comparing the proposal to the specification to ensure each vendor met the specification.

This vehicle/project has been budgeted for in the current capital equipment fund. Should the award be made to General Safety Fire Apparatus in the amount of \$56,987.00, the bid award would be at the estimated project cost of \$65,000.00 which includes a topper for the truck and trailer. The topper and trailer have not been purchased at this time, but have been priced. The total project will not exceed the budgeted \$65,000.

Staff recommends the acceptance of the General Safety Fire Apparatus's bid of \$56,987.00 and direction to execute the contract for purchase with an anticipated delivery 120 days from the date of the order. Under this proposal, the City will acquire the chassis through the state contract price and pay for the chassis upon delivery to the vendor.

Lawrence said he had a chance to talk to the fire chief and discussed the truck and why they are replacing the other truck and he said every time they use the other truck they are pretty much towing it back.

Lawrence made a motion to approve the bid from General Safety Fire in the amount of \$56,987.00 for the Fire Utility Truck. Voss seconded. Voss asked the demise of the existing truck. Davis said it will be sold on the state auction site. **All in favor, motion carries.**

City
Administrator
Position

Davis explained that he was appointed interim City Administrator on March 2, 2011. At this time it was agreed by Mr. Davis and City Council that this position would be evaluated in 60 days to determine if Mr. Davis and the City Council would be interested in having Mr. Davis filling this position on a permanent basis. Attached are the minutes of March 2, 2011 meeting that outline the discussion on this matter.

The 60 day term for the interim appointment of Mr. Davis will expire on May 2, 2011. Mr. Davis is seeking direction for his duties and is requesting appointment to the position. Mr. Davis requests the following in relation to the appointment:

1. An annual salary of \$118,000;
2. The appointment would require no probationary period nor be subject to any probationary review;
3. City Council would approve an employment agreement for this position for Mr. Davis that is mutually satisfactory to both parties by June 1, 2011. The appointment would become effective at the approval of the agreement; and
4. Approval to advertise for a new Public Works Manager at a salary which would range from \$75,000 to 90,000 depending on qualifications and experience.

The interim City Administrator is requesting appointment to the position of City Administrator as per the terms described above. If Council desires to pursue other options for this position the Interim City Administrator/Public Works Manager requests reassignment to his previous position as Public Works Manager as per Council directive as described in the minutes of the March 2, 2011 meeting.

Davis said he does have a few copies of his resume he submitted when he applied for the Public Works Manager position; it hasn't been updated to reflect some of his previous experience it was more slanted towards that. Davis said he used to work for a four county, eleven town service authority in the State of Virginia. He said we lived in very rural depressed area, 30 miles from the interstate with a very serious migration problem. Davis said as a matter of fact, we realized had to create a lot of job opportunities and we embarked

on a very ambitious economic development program. He said we created an economic development authority that encompassed one county and two towns; we laid the framework for coordinating the activities among these political groups. Davis said we got the county to appropriate money/funds for an industrial park and in the fourteen years we did this, we created three industrial parks, 2500 jobs, 5 Fortune 500 Companies (AT&T and others). He said we were also involved in a Wal-Mart commercial project which included a Wal-Mart superstore (160,000 square foot building), a strip mall and out parcels for fast food restaurants. Davis said he said this was a very interesting project and one that was very educational. He said so he has a background in economic development.

Davis said he also has a previous background with the Met Council, as the city administrator with Prescott, WI, one of the tasks he took on was to see if we could hook on to the Met Council system. He said we were facing the problem of no room for expansion in our sewer plant, so we had to build a new plant and it was going to cost between 8 and 10 million dollars. Davis said he approached Met Council and that is how he met Bill Cook, to see about joining as an out of state. He said he met with Bill Cook several times and we discussed the technical feasibility of the project which would have been very easy to accomplish and then we started working on some of the legal and the other aspects. Davis said it would have been a daunting task to accomplish, but there was some encouragement it could happen. He said however, he resigned and moved up here before that could be accomplished and after he left the project was dropped. He said but he did work with Met Council with a unique prospective from a neighboring state and he does have a strong background in economic development.

Davis said he has also been involved in at least a dozen sewer projects from there beginning to completion. He said he thinks he has a definite skills set for some of the unique challenges of this position that aren't associated with just the daily operations of a City and he has enjoyed his stint for the last 60 days. Davis said it has been very challenging and he hopes to have an opportunity to continue in this position, it is his desire to serve the citizens of the City of East Bethel.

DeRoche made a motion to appoint Jack Davis as the City Administrator. DeRoche said he has shown what he can do, this was quite a hornet's nest, there were quite a lot of things that were wrong and he has proven he can do the job. He said personality is a big part, we could get people in here with all kinds of credentials, but if they can't work with people they can't do the job. DeRoche said he would agree we need to get in a public works person and Davis should be instrumental in doing that. **Lawrence seconded.** Moegerle asked would it be fair to conclude that your motion includes all the conditions listed here. DeRoche said yes.

Moegerle said the only question she has is the date of effectiveness, what are we going to do between this date or until then. Davis said he would be interim city administrator until the contract gets approved. Voss said the understanding then would be you would have to do both jobs until we get someone to fill this other position. Davis said he understands that. DeRoche said he recommends we start looking for the public works manager immediately. Voss said he is very glad about what he is hearing. He said this whole situation is unique in what we have been dealing with the last four months. Voss said we were faced with filling the city administrator position and the typical process is you go through a search, and find someone whether regional or national, have to get to know someone in a short time frame, and it is not often a community gets in situation like this. He said not only are we looking at someone that we have had on staff for a while, but someone that has done the job

for a while, someone that is spearheading economic development and can promote this thing, Voss said also what you said about relationships is very important, everyone he has talked to on staff gets along with Davis very well. He said he still remembers when we interviewed Davis and he filled it well then. Voss said he and Boyer spoke about a due process to fill this process, but the uniqueness is good, and he challenges anyone to say there hasn't been more stability in the past two months. **All in favor, motion carries.** Davis said he appreciates your support.

Council
Reports -
DeRoche

DeRoche said he sat down the fire chief and he has a list from him to report on. He said seven fire fighters passed their EMT, and three more will be ready. DeRoche said they will be water training and chain saw training, OSHA. He said the grass trucks are ready. DeRoche said the DNR lifted the fire ban, this becomes effective Friday. He said the fire fighters did a recruitment and they are interviewing tonight, the names will be forwarded the city administrator to be brought to Council. DeRoche said \$250,000 remains from the Safer Grant for the next two years.

DeRoche said the fire chief is asking for direction on getting the ISO rating from a 7 to a 5. Davis said we talked and we feel with some of the improvements that have been made, and access to wells and sewer coming in; we would like to ask for direction from Council to pursue this. Voss said just so everyone understands when we did this and the ISO went from a 9 to a 7, everyone's homeowners insurance went down significantly. He said when this happened; he did ask what we do next to get it down further. Voss said what he recalls is the answer was we had to hydrant the City. He said he would ask to make sure we examine the issue about the hydrants. Davis said we have checked that, the fire chief has done some research on this and we feel we can make a good case on that now. He said we currently have hydrants on the north side in Whispering Aspen and will have on the south side in two years and we will have larger production wells. DeRoche said he thinks he wanted to research some things on this.

Council
Reports –
Moegerle

Moegerle said the suit Anoka County HRA vs. East Bethel HRA in the lower court was affirmed, technically we have won the lawsuit and we will have to see if they will appeal to Supreme Court. She said also today the variance bill was passed at the state house. Moegerle said it should be signed tomorrow, and then it would be effective the day after, then we will have to update our ordinances, then we can give variances again. She said this is good news for people who want variances.

Moegerle said the Coon Lake Beach community center will be celebrating Cinco De Mayo on Saturday with a big bash and the East Bethel Seniors will be serving Kookie's pancakes on Sunday and knowing Kookie they will be great, so get out there and support your community centers.

Council
Reports -
Voss

Voss said he is assuming that having the sheriff deputy at meetings is not special duty; it is a contract deputy that is normally on the road. Davis said that is correct. Voss said he asked last time and he is going to plead this time, he would rather have the deputies on our roads, that is what the residents want, that is what they pay for, rather than have them sitting here at the back of the room. He said this is three to four hours off the road; he would rather have them on the road. Voss said he understands this is at the Mayor's direction, and he doesn't understand how he has the discretion to do that, it certainly wasn't a Council directive. He said he is asking to have the deputy back on the road. Lawrence said he will take that under advisement.

Lawrence said he had a call from a resident on Front Blvd., and when the sirens went off today, he said he was not sure they are rotating. He said we had this problem last year. Davis said we have continual problems with sirens, that is why we test, he is glad someone noticed there was an issue. Voss said he thinks this is the Thielen Beach siren, right off Viking Blvd. Lawrence said this resident would also like a cat ordinance.

Lawrence said he also had a meeting with Sheriff Stuart, Davis and I met with him about a new program that was offered up. He said since then he has met with Mark Korin from Oak Grove, the mayor there and they are also pretty excited about this. Lawrence said this would help us to maintain our coverage and lower our costs.

Closed
Session –
Land
Acquisition,
Service Roads
and Utility
Projects and
Closed
Session -
MBI

Vierling said we are going into closed session per Minnesota Statute 13D to consider three issues, review matters of land acquisition for the service road, land acquisition, Phase 1, Project 1, and a closed session to discuss matters between the City and MBI contract. Vierling stated that the properties for land acquisition need to be identified for record before going into closed session. He said the properties we will be discussing in regards to the service road from 221st to 215th Avenue NE are the following: PID# 08-33-23-13-0001; 08-33-23-42-0001 (1450 217th Avenue NE); 08-33-23-11-0003 (1742 221st Avenue NE); 08-33-23-12-0006; & 05-33-23-44-0001. Vierling said the properties we will be discussing regarding the Utility Project, Phase One, Project 1 are the following: PID# 29-33-23-23-0006; 29-33-23-24-0003; 29-33-23-32-0004; 29-33-23-31-0001; 29-33-23-34-0001; 32-33-23-21-0008; 32-33-23-21-0006; 32-33-23-21-0005; 32-33-23-24-0017; 32-33-23-24-0014; 32-33-23-24-0015; 32-33-23-24-0016; 32-33-23-31-0002.

Moegerle made a motion to go into closed session to discuss land acquisition for the service road from 221st to 215th Avenue NE, land acquisition for the utility project, Phase 1, Project 1 and MBI contract discussion. DeRoche seconded; all in favor, motion carries.

Vierling said the time is 10:19 p.m. approximately, the Council concluded the closed session at 10:18 p.m. He said Council reviewed three matters, land acquisition for the service road, land acquisition for the utility project and the City contract with Municipal Builders. He said the Council reviewed all three matters with a tape recording taken as required by statute; they took no specific actions, but gave staff direction on strategy and will have staff return with information in the next couple Council meetings.

Adjourn

Voss made a motion to adjourn at 10:21 PM. DeRoche seconded; all in favor, motion carries.

Attest:
Wendy Warren
Deputy City Clerk

EAST BETHEL TOWN HALL MEETING

April 27, 2011

The East Bethel City Council met on April 27, 2011 at 7:00 P.M. for their Town Hall Meeting in Council Chambers.

COUNCIL PRESENT: Bob DeRoche Richard Lawrence Heidi Moegerle
 Steve Voss

COUNCIL EXCUSED: Bill Boyer

ALSO PRESENT: Jack Davis, Interim City Administrator
 Rita Pierce, Director of Fiscal and Support Services
 Stephanie Hanson, City Planner
 Mark DuCharme, Fire Chief
 Craig Jochum, City Engineer
 Larry Martin, Building Official/Code Enforcement Officer
 Lt. Michelle Orlando, Anoka County Sheriff's Office

Call
Meeting to
Order

Lawrence called the Town Hall Meeting to order at 7:05 P.M.

Davis introduced the staff present and Andy Westerberg, County Commissioner.

Mark DuCharme, fire chief announced that right now and since April 15th we have been under a burning restriction. He said what that means is we are limiting open burning until the green up happens, every year this happens the DNR tells us that you can't burn. DuCharme said you can have a recreational fire. He said this usually stays on until the week of May 2nd.

DuCharme said and he wants to tell you it doesn't do any good to ask for a permit, because a gentlemen came into the fire station and we called the DNR and they said no, and there was some snow on the ground. He said a lot of us have recreational fires and it is a good idea to let your neighbor know when you are going to have a recreational fire.

Andy Westerberg, county commissioner said he has a question about the sewer and water. He said as far as he knows, Anoka County isn't involved in the project on Co. Road 22 but his concern is someone checking where lines are run, is the right of way at least far back enough to conform to state limits, we want to be able to turn this road back to the state to be able to have it be a state road. Westerberg said that way it will not be an expense to taxpayers again at some time to have the lines rerun. Jochum said we met with the county and MnDOT about six months ago and we are confident that the lines are far enough back even if that ever turns into an interchange. He said there is a small part that would have to be changed. Voss said MnDOT was at this meeting and they gave us their blessing. Davis said Kate Garwood was there and we got concurrence from MnDOT and Garwood concurred.

Bob Stoner of 19315 East Front Blvd. NE said he saw in a Star Tribune article that after Phase 1 we would need private wells and sewer again. Davis said you are referring to the article in yesterday's newspaper and they did not get the facts right, as this system grows there may be a need for additional treatment plants and wells. He said that is what the article should have said.

Bob Jacobson of 20628 East Bethel Blvd. NE said in the letter from the auditor, what would

have been the outcome if they would have been told the truth. He said at the time the locksmith had been called the present Council had not been sworn in, and the acting city administrator had not been appointed. Jacobson said he has done some checking and the deputy was called before Mr. Schaaf was appointed. Moegerle said she doesn't think it would have been any different, but it would be up to the auditor to decide, but she thinks they had the truth.

Diane Jacobson of 20628 East Bethel Blvd NE said it is a fact that Schaaf lied to the state auditor or someone lied to them, because the locksmith was sitting in the audience and it cost the City \$1,300, but a private citizen said we know who you are so go change the locks now. She said so that means as a private citizen I can say go change the locks now. Jacobson said the new Council totally destroyed what it took years to build. She said you came in here like Rambo's and gave nobody a chance; you came in with your own agenda. Jacobson said you didn't want to work with anybody, it was very obvious. She said when her husband had to go out to Coon Lake Beach and sell tickets for the fire dance she would go along, they wanted a fire man, they didn't want her. Jacobson said it is time you done the City right, you lied when you campaigned, you convinced the people the sewer system was going residential, before you speak you better check your facts. She said there was so many meetings on the sewer system, didn't see you or her, didn't see you at many of them. Jacobson said she would have seen you at the meetings. Lawrence said he was asked before the locks were changed. Jacobson asked by who. Lawrence said the deputy clerk. He said and he was sworn in, and as far as being at the meetings, he was at a lot of the meetings. Lawrence said he asked for information and he couldn't get information. Jacobson said that's funny, she met with the contractors privately.

Tom Ronning of 20941 Taylor Street NE said he thinks you did the right thing and he is pleased to see the way the Council is working. He said he couldn't get information and he had been asking for six years.

Josh Sturman of 226 Elm Road NE said first he wants to wish you good luck and he has high hopes for the whole thing, he wouldn't want to be in your position. He said he is here tonight representing the Coon Lake Improvement Association (CLIA). Sturman said he has sportsman memberships that are just \$10, includes 3 meals, and golfing. He said see me if you want to sign up for that.

Voss said one of the newer things we have and wanted for along time is the Council meetings streamed on our website. He asked who has watched it. Voss said we got this at a reasonable cost and hope you are utilizing it. Dale Williams said the Council meeting on Channel 10 is not playing back correctly, it starts late in the tape. Resident asked why the acoustics in Council Chambers is not so good, but good on Channel 10. Council replied we will try to fix this eventually.

Jeff Martin of 1130 233rd Avenue NE said on his tax statement it says miscellaneous taxes and when he called Anoka County he was told they had to do with the Met Council, and the City using that for surveys. He said he is wondering if we should plan on that being continued on our taxes. Pierce said the only questions we have gotten is on a special levy. Martin said he believe it said miscellaneous and either the county or Met Council said your City did a survey about the City Center and that is the charge. Davis said that is the HRA levy, it comes from the county. He said it is subject to the change every year and this year the county levied as much as they could. Martin asked what is the HRA. Davis said Housing and Redevelopment Authority, and there is a possibility it won't be the counties program soon. He said if the City

administered the program we could lower the levy. Lawrence said we have a lawsuit with the county, the HRA levies against the City residents to do HRA, if we win the lawsuit then the HRA would go away and we could do our own HRA. Moegerle said they levy and we can use the money. Voss said it used to be a line item so you could see what it was.

Sturman said he wants to mention the good work that CLIA has done. He said we do walleye stocking, storm water prevention, etc. He said the City has been fairly supportive of those programs and might be matching some funds.

Lawrence said we have been really busy. He said the programs we have been working on is we shifted money that was allocated for trails to improve our roads, the GRE power line, the sheriff budget is up for review, we modified the water treatment plant from 5.8 million to 1.4 million, so that is kind of what we have been working on.

Katherine Kretchmar of 19739 East Bethel Blvd NE said she knows some of that money came from Met Council does the reduction of the water plant reduce their money. Davis said this does not have anything to do with the Met Council funds; the reduction is in the footprint of the water treatment plant.

Lawrence said he has had some interesting calls since he took office. He said about the snowplowing drifting so he calls Davis and he fixes it. Lawrence said he has had calls about water and sewer from people that are concerned that they are going to be taxed out of their homes and he is meeting with Mr. Schueller on Saturday to see if we meet our growth we will be okay. He said we had some scatters that moved in, we decided that Louie Le Pew had to move. Davis said these were skunks on Yancy Street NE and they had moved into a vehicle.

Moegerle said we are working on a web site update. She said we looked at all web sites for cities with populations of 10,000 to 20,000. Moegerle said our website template is no longer sponsored by GovOffice. She said we have a survey in the Community/Senior Center. Moegerle said we would like your input. She said we are hoping to see changes soon.

Deanna Kleven from Viking Meadows, also a resident at 2030 189th Avenue NE asked what the next step for sewer and water is. She said she knows you drilled test wells and the water came back favorable and the iron content was not really visible. Jochum said we had two test wells done. He said the pipe contractor is anxious to get going. Jochum said the water tower will likely be later this summer, erected this winter and paint next spring. Lawrence said this is a two year project. He said the Met council said they might not be finished in two years.

Moegerle made a motion to adjourn the Town Hall meeting at 7:38 p.m. DeRoche seconded; all in favor, motion carries.

ATTEST:

Wendy Warren
Deputy City Clerk

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

RESOLUTION 2011-15

**RESOLUTION APPROVING APPLICATION FOR A RAFFLE PERMIT FOR
MINNEAPOLIS POLICE ACTIVITIES LEAGUE AT FAT BOYS BAR & GRILL**

WHEREAS, Minneapolis Police Activities League has made application for a gambling permit for a raffle to be held on June 11, 2011 at Fat Boys Bar & Grill, 21383 Ulysses 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 Minneapolis Police Activities League for a raffle to be held on June 11, 2011 at the Fat Boys Bar & Grill, 21383 Ulysses Street NE, East Bethel, MN 55011 is approved with no waiting period.

Adopted by the East Bethel City Council on this 18th day of May, 2011.

Richard Lawrence, Mayor

ATTEST:

Jack Davis, Interim 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	more than 30 days before the event
\$100	\$50

ORGANIZATION INFORMATION Check # _____ \$ _____

Organization name MPLS Police Activities League	Previous gambling permit number
Minnesota tax ID number, if any	Federal employer ID number, if any 41-1719527

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

Mailing address City State Zip Code County
4119 Dupont Ave. N. Minneapolis, MN 55412 Henn

Name of chief executive officer (CEO) Daytime phone number Email address
Lt. Donald Harris (612)673-2985 donald.harris@ci.minneapolis.mn.us

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 gambling activity will be conducted. For raffles, list the site where the drawing will take place.
Fat Boys Motorcycle Restaurant

Address (do not use PO box) City or township Zip Code County
21383 Ulysses St. East Bethel 55011

Date(s) of activity (for raffles, indicate the date of the drawing)
June 11, 2011

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

Bingo* Raffles Paddiewheels* Pull-Tabs* Tipboards*

* Gambling equipment for pull-tabs, bingo paper, tipboards, and paddiewheels 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.

LG220 Application for Exempt Permit

Page 2 of 2 3/11

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT	
<p>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.</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> 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).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print city name _____</p> <p><i>On behalf of the city, I acknowledge this application.</i> Signature of city personnel receiving application _____</p> <p>Title _____ Date _____</p>	<p>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.</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print county name _____</p> <p><i>On behalf of the county, I acknowledge this application.</i> Signature of county personnel receiving application _____</p> <p>Title _____ Date _____</p> <p>(Optional) TOWNSHIP: <i>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])</i></p> <p>Print township name _____</p> <p>Signature of township official acknowledging application _____</p> <p>Title _____ Date _____</p>

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 *Bob Smith* Date 5/5/11

<p>Complete a separate application for each gambling activity:</p> <ul style="list-style-type: none"> • one day of gambling activity • two or more consecutive days of gambling activity • each day a raffle drawing is held <p>Send application with:</p> <ul style="list-style-type: none"> • a copy of your proof of nonprofit status, and • application fee for each event <p>Make check payable to "State of Minnesota."</p> <p>To: Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p>	<p>Financial report and recordkeeping required</p> <p>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.</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-639-4000.</p>
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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; however, if your 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

Certificate of Exempt Status

ST-17

Exempt Organizations

Original

Minneapolis Police Athletic
League, Inc.
1025 Broadway St. NE
Minneapolis - MN 55413

Certificate number ES 36057

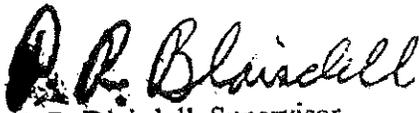
Date Issued 10/31/96

Date Reissued 04/13/2001

The organization above is exempt from sales and use tax under Minnesota law on purchases, rentals, and leases of merchandise and services to be used in the performance of its charitable, religious or educational functions. For senior citizen groups, the merchandise must be used for pleasure, recreation, or other nonprofit functions of the group.

This exemption does not apply to purchases of meals, lodging, waste collection and disposal services, or to purchases or leases of motor vehicles, except that beginning July 1, 2000, motor vehicles that are used primarily to transport goods or people, other than employees, as part of the organization's charitable, religious, or educational functions are exempt. (M.S. 297A.25, subd.16)

Commissioner of Revenue
by



P. R. Blaisdell, Supervisor
Sales and Use Tax Division

Questions? Call the MN Department of Revenue at (651) 296-6181 or toll-free 1-800-657-3777. TDD users, call the Minnesota Relay Service at (651) 297-5353 or 1-800-627-3529. Ask for (651) 296-6181.

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

RESOLUTION NO. 2011-16

**RESOLUTION ACKNOWLEDGING THE DONATION FROM
ECKBERG, LAMMERS, BRIGGS, WOLFF & VIERLING, PLLP**

WHEREAS, the City of East Bethel has received a donation of four Minnesota Twins Tickets valued at \$248.00 from Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP to be used towards the Family Fun Night scheduled for Friday, July 15, 2011.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: the City Council of the City of East Bethel acknowledges and accepts the Minnesota Twins Tickets valued at \$248.00 from Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP.

BE IT FURTHER RESOLVED THAT: the City Council of the City of East Bethel expresses its thanks and appreciation to Eckberg, Lammers, Briggs, Wolff & Vierling, PLLP for the Minnesota Twins Tickets for Family Fun Night.

Adopted this 18th day of May, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Richard Lawrence, Mayor

ATTEST:

Jack Davis, Interim City Administrator



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 222, St. Paul MN 55101-5133
 (651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



**APPLICATION AND PERMIT
 FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <u>Alliance for Metropolitan Stability</u>		DATE ORGANIZED <u>May 27, 2002</u>	TAX EXEMPT NUMBER <u>41-1977419</u>	
STREET ADDRESS <u>2525 E Franklin Ave, Ste 200</u>		CITY <u>Mpls</u>	STATE <u>MN</u>	ZIP CODE <u>55406</u>
NAME OF PERSON MAKING APPLICATION <u>Ebony Adedayo</u>		BUSINESS PHONE <u>(612) 332-9471</u>	HOME PHONE <u>(412) 909-1047</u>	
DATES LIQUOR WILL BE SOLD <u>10am - 8pm</u> <u>Sat. June 11, 2002</u>		TYPE OF ORGANIZATION <u>CLUB CHARITABLE RELIGIOUS OTHER NONPROFIT</u>		
ORGANIZATION OFFICER'S NAME <u>Board President</u> <u>Dwight Buchwald</u>		ADDRESS		
ORGANIZATION OFFICER'S NAME <u>Secretary</u> <u>Eleonore Wesselle</u>		ADDRESS		
ORGANIZATION OFFICER'S NAME <u>Treasurer</u> <u>Natalia Tretelt</u>		ADDRESS		
Location license will be used. If an outdoor area, describe <u>(see attached) Blue Hill</u> <u>Tris disc golf course, clubhouse area, east side</u>				
Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service. <u>No.</u>				
Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. <u>Yes. Minnesota Joint Underwriting Association. \$50,000/person</u> <u>\$100,000/occurrence, \$10,000 aggregate</u>				
APPROVAL				
APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT				
CITY/COUNTY _____		DATE APPROVED _____		
CITY FEE AMOUNT _____		LICENSE DATES _____		
DATE FEE PAID _____				
SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____		APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT _____		

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

QUALITY FIRST CONST.

PROPOSAL

PROPOSAL NO.	11/01
SHEET NO.	
DATE	2-3-11

PROPOSAL SUBMITTED TO:

WORK TO BE PERFORMED AT:

NAME	City of East Bethel	ADDRESS	Booster park West / Whispering pines
ADDRESS	2241 221 st Ave NE	CITY, STATE	
CITY, STATE	East Bethel MN	DATE OF PLANS	
PHONE NO.	763-434-9569	ARCHITECT	

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Re roof picnic shelters at both parks.
 To consist of - Minimum 35 year architectural shingles. New 15th roof felt. New roof edges.
 Tear off & Haulaway of old shingles.

* Any extra labor to be billed @ \$52⁰⁰ per hr. *

* Extra materials needed to be billed - cost of materials plus 10%. *

* Price subject to change as shingle prices are changing regularly! *

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

two thousand nine hundred Dollars (\$2900⁰⁰ per Bldg)

with payments to be as follows upon completion of individual building. \$2900⁰⁰ x 2 = \$5800⁰⁰ total

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted, Todd A. Siefert
 Per Quality First Const Inc License # 20638547

Note - This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

SIGNATURE	_____
DATE	_____
SIGNATURE	_____

RICK'S

ROOFING & SIDING INC.

13736 Johnson Street NE, Ham Lake, MN 55304
State Lic #3566

(763) 269-8022
(763) 269-8025 Fax

CITY OF EAST BETHEL

C/O JACK DAVIS

2375 221ST AVE. NE

EAST BETHEL MN 55011

PROPOSAL

PHONE 612-328-6830	DATE 4-29-2011
JOB NAME / LOCATION 2 PICNIC SHELTERS #1 AT PALISADE & 221ST ST. #2 AT RENDOVA ST. NE & OKINAWA ST. NE	
JOB NUMBER	JOB PHONE

We hereby submit specifications and estimates for:

> TEAR OFF AND RE ROOF:

1. TARPS WILL BE INSTALLED ON THE BUILDING AND ON THE GROUND WHEN THE SHINGLES ARE REMOVED, ANY MATERIALS TORN OFF WILL BE CLEANED UP AND PUT IN THE DUMPSTER THE SAME DAY.
2. REMOVE ALL EXISTING ROOFING MATERIALS.
3. PULL ALL ROOFING NAILS.
4. INSTALL #15 FELT PAPER UNDERLAYMENT.
5. INSTALL ATLAS PINNACLE (LIFE) ARCHITECTURAL SHINGLES, GREEN IN COLOR.
6. RUN MAGNET FOR NAILS, CLEAN UP & REMOVE ALL DEBRIS.

COST PER SHELTER = \$2,760.00
PRICE INCLUDES DUMP FEES.
PERMIT FEE TO BE ADDED TO FINAL COST.

*ANY UNFORESEEN STRUCTURAL DAMAGE IS NOT INCLUDED IN THE COST. IT WILL BE REPAIRED AT THE HOMEOWNERS REQUEST. (\$75.00 PER HOUR PLUS MATERIAL)***
**10% DOWN PAYMENT REQUIRED WITH THIS SIGNED CONTRACT, WITH BALANCE DUE UPON COMPLETION.

WE PROPOSE hereby to furnish material and labor — complete in accordance with the above specifications, for the sum of: Five Thousand Five Hundred Twenty and 00/100 Dollars dollars (\$) 5,520.00

Payment to be made as follows:
ALL BALANCES OVER 30 DAYS ARE SUBJECT TO PAY A 1.5% MONTHLY FINANCE CHARGE, MECHANICS LIEN FILING FEES, AND REASONABLE ATTORNEY FEES ASSOCIATED WITH COLLECTING FULL PAYMENT FOR THE COMPLETION OF ABOVE AGREED UPON WORK. IF ACCEPTED, PLEASE SIGN AND RETURN YELLOW COPY.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Worker's Compensation Insurance.

Authorized Signature: Jack H. Crasen
Note: This proposal may be withdrawn by us if not accepted within 60 days.

ACCEPTANCE OF PROPOSAL — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. I have read and agree with the Prelien Notice printed on back.
Date of Acceptance: 4

Signature: K
Signature: _____

DCC INC
 Dean Chester
 Oak Grove, Mn 55011
 612-282-9010

Invoice

Date
1-5-2011

ESTIMATE

TO: CITY OF EAST BETHEL
1/0 JACK DAVIS
RE: WHISPERING OAKS PARK
BOOSTER PARK SHELTER
RE-ROOF

Quantity	Description	Amount
	REMOVE EXISTING ROOF(S) ON PARK SHELTERS - • CLEAN TO THE DECK. • ALL NEW 15 LB FELT • NEW SHINGLE - (FOREST GREEN) • CLEAN & REMOVE ANY & ALL DEBRIS SHINGLES - 3-TAB-FOREST GREEN	\$17230.00
	35 YR ARCHITECTURAL SHINGLE	\$7730.00
	Additional Work	
	JACK, Thank you for the opportunity to run your business. Thanks! Dean M. Chester	
	Total	



VOGEL

SHEET METAL, INC.

10684 Lansing Avenue North · Stillwater, MN 55082 · Office (651) 430-9992 · Fax (651) 351-0808

October 11, 2010

City of East Bethel.
2241 221st Ave NE
East Bethel, MN 55011

Attn: Jack Davis
Fax: 763-434-9578

Re: Metal Roofs for Two Picnic Shelters
20675 Highway 65
East Bethel, MN 55011

We are confirming our quote for sheet metal roof work for two picnic shelters per walk-thru dated 10-6-10. We have seen no addenda's. Our installation includes the following:

- 1. Remove existing shingles.
- 2. Provide and install new metal roof (Forrest green).
- 3. Provide and install new ventilated ridge vent.
- 4. Provide and install new flashing.
- 5. Permit.

This installation will not include the following:

- 1. Bonding.
- 2. Structural framing or supports.
- 3. Dumpsters.

ALTERNATE # 1	QUOTE.....	\$ 28,768.00
Provide dumpster and bobcat to load shingles.	ADD	\$ 975.00

Respectfully submitted,
Dave Vogel

*** Pricing valid for 30 days ***

Certified Woman Owned Small Business: DBE / TG-MN (W) / WBE -CERT / SBE - CERT

LYNNETTE SLATER CRANDALL
(612) 343-8288
FAX (612) 545-1201
crandall.lynnette@dorsey.com

May 10, 2011

Mr. Jack Davis
Interim City Administrator
City of East Bethel
2241 – 221st Avenue NE
East Bethel, MN 55100

Ms. Rita Pierce
Fiscal & Support Services Director
City of East Bethel
2241 – 221st Avenue NE
East Bethel, MN 55100

Re: 2010A Taxable General Obligation Water Utility Revenue Bonds
(Recovery Zone Economic Development Bonds)
2010B Taxable General Obligation Utility Revenue Bonds
(Build America Bonds – Direct Pay)
2010C Taxable General Obligation Bonds
City of East Bethel, Minnesota

Ladies and Gentlemen:

We appreciate the opportunity to assist you in connection with the changed circumstances related to the above-referenced and previously-issued bonds (the “Bonds”) of the City of East Bethel (the “Issuer”). The purpose of this letter is to discuss the parameters of our engagement as bond counsel and special tax counsel.

We understand that the City Council is considering the expenditure of Bond proceeds for projects that may differ in size and scope and type from those set forth in the authorizing resolutions and that the current expectations with respect to expenditure of Bond proceeds may differ from the reasonable expectations set forth in the closing certificates of the Issuer. You have asked us to consider both State of Minnesota and federal tax law consequences to the Issuer, including the Issuer’s continued eligibility for the receipt of the direct payment subsidy from the federal government, based upon changes in use of Bond proceeds. We will review the proposed changes in use of Bond proceeds and advise the Issuer, in writing, as to the permissible uses and, if necessary, remedial actions to be taken in connection with the proposed actions or inactions by the Issuer.

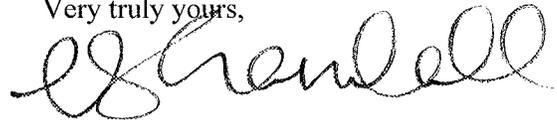
In performing the services described above, our client will be you, the Issuer, and we will represent your interests. It is mutually understood that these services are solely for the benefit of the Issuer, and we will not represent any other party in this matter.

We will bill for our services at our regular hourly rates. If this arrangement is acceptable, please sign the attached acknowledgment and return it to me at your earliest convenience.

Mr. Jack Davis
Ms. Rita Pierce
May 10, 2011
Page 2

As always, we look forward to working with you.

Very truly yours,



Lynnette Slater Crandall

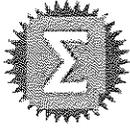
LSC:c.b.
cc: Lynn Endorf

Mr. Jack Davis
Ms. Rita Pierce
May 10, 2011
Page 3

Agreed to and accepted this ____ day of May, 2011.

City of East Bethel

By _____
Its _____



EHLERS

LEADERS IN PUBLIC FINANCE

3060 Centre Pointe Drive
Roseville, MN 55113
(651) 697-8500

Financial Advisory Services Invoice

David Schaaf
City of East Bethel
224122 1st Avenue NE
East Bethel, MN 55011

Invoice #: 342567
Invoice Date: March 10, 2011

Project: East Bethel Defeasance Analysis 2011

For financial analysis of cash defeasance of Series 2010A, B and C bonds.

<u>Date Worked</u>	<u>By</u>	<u>Description of Services</u>	<u>Hours</u>	<u>Amount</u>
02-10-2011	JN	Prepared: basis of analysis. Discussions with Landform. Research prior OS, call provisions. Phone call with Dorsey & Whitney. Phone call with Bondholder Communication - tender.	3.00	570.00
02-11-2011	JN	Prepared: analysis. Research tender. Research extraordinary redemption. Quantitative analysis. Draft and review memo.	6.25	1,187.50
			9.25	\$1,757.50

Amount Due This Invoice	\$1,757.50
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(Detach at perforation and return lower portion to Ehlers)

Invoice #: 342567
Invoice Date: March 10, 2011

Amount Due This Invoice	\$1,757.50
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Please remit payment to: Ehlers Attn: Accounts Receivable 3060 Centre Pointe Drive Roseville, MN 55113	Due Upon Receipt
--	-------------------------



From Site to Finish

105 South Fifth Avenue
Suite 513
Minneapolis, MN 55401

Tel: 612-252-9070
Fax: 612-252-9077
www.landform.net

May 9, 2011

Mr. Jack Davis
City Administrator
City of East Bethel
2241 221st Ave. NE
East Bethel MN 55011-9790

RE: Ehler's Invoice for Bond Defeasance Analysis

Dear Mr. Davis,

This letter is a follow-up to our letter of April 12, 2011 in regard to Ehler's invoice for their Bond Defeasance Analysis. A copy of this letter and the Ehler's invoice is attached.

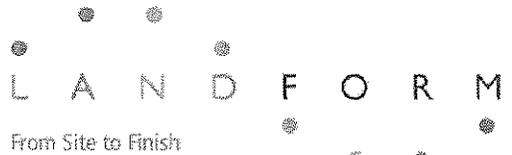
Because of the time frame of the review of the project and the potential cost impact of the bond defeasance, acting administrator David Schaaf authorized the preparation of Ehler's Bond Defeasance Analysis.

Please let me know if you need any further information.

Sincerely,
Landform

Robert G. Schunicht
Vice President

cc: Jack Davis



105 South Fifth Avenue
Suite 513
Minneapolis, MN 55401

Tel: 612-252-9070
Fax: 612-252-9077
www.landform.net

April 12, 2011

Mr. David Schaaf
City of East Bethel
2241 221st Ave. NE
East Bethel MN 55011-9790

RE: Ehler's Invoice for Bond Defeasance Ananlyis

Dear Mr. Schaaf,

Enclosed is Ehlers' invoice in the amount of \$1,757.50 for their analysis of defeasance options for Series 2010A, 2010B and 2010C bonds.

The options and costs of defeasance of the bond issues was a key piece of information that the City was to provide for our review of the 65/Viking project. The City's fiscal consultant, Springsted Inc., prepared an analysis that outlined options and costs. From the magnitude of the defeasance costs in the Springsted report, it was clear that a second opinion was necessary. Given the short time frame for preparing our review, Ehlers was engaged and produced a report in four days. Their report provided another defeasance option and essentially confirmed the potential high cost of defeasance.

We recommend payment of the Ehlers' invoice in the amount of \$1757.50.

Sincerely,
Landform

A handwritten signature in cursive script that reads "Robert G. Schunicht".

Robert G. Schunicht
Vice President

cc: Jack Davis

Kristin Pechman
Owner

Desktop Impressions
"Local Government Desktop Publishing Solutions"



QUOTATION FOR WEBSITE SERVICES

Date: May 12, 2011

From: Kristin Pechman (kpechman@desktopimpressions.com)

Client: City of East Bethel
Contact: Wendy Warren, Deputy City Clerk
Address: City of East Bethel
2241 221st Avenue NE
East Bethel, MN 55011
Email: wendy.warren@ci.east-bethel.mn.us
Phone: 763-367-7853
Fax: 763-434-9578

SCOPE OF WORK ~

Performance of website content enhancement services on existing GovOffice website located at <http://eastbethel.govoffice.com> at a rate of \$50/hour. Project estimated to take about 25-30 hours maximum. East Bethel will only be billed for hours worked, and will be kept closely advised on the progress of this project via e-mail. Services to include reorganization of existing site to improve appearance of homepage, implementation of best website practices, basic enhancement of text, addition of community pictures given to me by staff, addition of standard GovOffice features (such as sidebars, site promotions, simple forms, image galleries, etc.), addition of useful information that I notice is missing based on my city government experience, and other miscellaneous work that I feel would improve the ease of maintenance, simplicity of use, and add value. Work provided is very flexible and will be performed to help achieve a desired outcome.

PAYMENT ~

An invoice for this work will be sent via e-mail once the work is complete. Payment will be due within 30 days of the date of the invoice.

~ This quotation is valid for 60 days from the date listed above. ~

AUTHORIZED SIGNATURE:

CITY OF EAST BETHEL

Jack Davis, City Administrator

Date: _____

Next Steps:

To accept the terms of this quotation, please verify the contact information for accuracy, sign and date this form, and mail or e-mail it to me. Thank you.



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 7.0 B.1

Agenda Item:

Park Commission Meeting Minutes for April 13, 2011.

Requested Action:

Information Only

Background Information:

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

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

EAST BETHEL PARKS COMMISSION MEETING

April 13, 2011

The East Bethel Parks Commission met on April 13, 2011 at 7:02 P.M at the East Bethel City Hall for their regular monthly meeting.

MEMBERS PRESENT: Sue Jefferson Dan Butler Tim Hoffman Denise Lachinski
Kenneth Langmade Bonnie Harvey

MEMBERS EXCUSED: Dan Kretchmar

ALSO PRESENT: Jack Davis, City Public Works Manager
Richard Lawrence, Mayor

Adopt
Agenda

Butler recommended moving the monument request item up to the 3rd item on the agenda and adopt the agenda as submitted. Hoffman seconded; all in favor, motion carries.

Monument
Request

Bob and Pam Senklar donated 13.75 acres of property to the City during the right of way procurement for the Wild Rice Drive Reconstruction Project in 2010. This property is primarily classified as wet lands and has Rice Lake DNR shore land restrictions. The City has no plans at this time to construct a park on this site or improve the property.

Cindy Werner, who is in attendance tonight, has requested that a memorial or trailhead marker be placed on the site recognizing Rick Senklar who recently passed away and was the son of Bob and Pam Senklar. The marker would be paid for and installed by the Senklar family upon the City's approval of the design and material of the marker.

There are certain problems of vandalism and maintenance to consider with this request but having experienced the same situation as the Senklar's, Davis is very sympathetic and sensitive to this matter. There is precedence for this type of donation. The most recent example is a bench that was donated in memory of Tom Kelley that is located in Booster East Park.

There are no plans to develop this property at this time, but there might be a path constructed at sometime. Hoffman asked if there would be a trail in the comp plan for the area. Davis said Wild Rice is wider and has the trail area on the side.

Harvey is in favor of this. We did put the flag pole in before, as a memorial, the City organized the type of pole that was put in and we have not had any vandalism.

Butler said that there is a bit of a drop off and there are no parking lines there. If there were to be a monument, or memorial marker put there, do you know where it would be placed.

Senklar said they didn't decide where, they wanted the City's input. They would be open to many things, monument, stone or flag post.

Harvey said there was a stone that was put for a resident before too. Senklar said something that doesn't require a lot of maintenance and that would blend in. Butler said he would be hesitant on having it close to the road. He said depending on the design approval of the City.

Davis said he would work them to pick a site that would be accessible to the family and also serve the City's benefit. He would be glad to do that.

Harvey moved to approve the idea/concept of putting up a memorial for Richard with the City's. Attaching the conditions that were recommending and subject to the City's approval. Butler seconded.

Davis said a monument or a rock would be the City's recommendation.

Approve –
March 9,
2011 Meeting
Minutes
Parks
Financial
Information –
Parks Capital
Funds
Summary

Harvey made a motion to approve the March 9, 2011 minutes as submitted. Lashinski seconded; all in favor, motion carries unanimously.

Unless anyone has any questions, everything appears to be in order. There is one category that we have spent 90% of the budget. That is shop supplies, and we should be covered for the rest of the year.

On the second page on the Park Capitol Funds summary, there has not been any change. There will be funds coming out for the trail connector, there will be a pre-construction conference on that the beginning of May. The end of May construction will begin and should be completed by the end of June.

Hoffman motioned to accept the financial report as presented. Jefferson seconded; all in favor, motion carries unanimously.

Booster Park
School
Building

The school building at Booster East Park was moved from its previous location on East Bethel Blvd to Booster East Park in September 2011. Approximately \$21,000 was spent to move the building and set it on a permanent foundation. There have been no City funds budgeted for additional improvements or renovations to the building nor has a specific use been determined for the building. Some suggested uses for this building could be:

- 1.) Interpretive Center for Booster Pond Ecosystem
- 2.) Historic Restoration of a one room school
- 3.) Booster Day Center
- 4.) Booster East/West Park Program Center
- 5.) Combination of parts or all of the above
- 6.) Other

What he would like to do is get some ideas from the group that this group envisions what the building would be used for and what potential sources of funds would be for the building. What the use is, will determine the funds that are needed.

Langmade said some people have old desks and school supplies that they would donate to use it as an old school historic site. Harvey said she like the idea of it being used as a school, but not full of desks. It could be used as a combination of things. She likes the idea of the concept of a school. Langmade said he knows the people who wanted to donate the desks. Lawrence said possible the HRA and EDA might be able to help with funding

depending on what the use of the building would be. Lachinski said we could potentially talk with the Anoka County Historical Society about funding or other grants. Lawrence said the ACHS said they don't do too much, there are so many around that they aren't very valuable. Lachinski said she thought it was on the MN Historical Register. Langmade said he could check with the historical society. Davis said a recreation of the one room school is the best idea. It would be nice to have it also be a multiple use in that building.

Lachinski said her and Linda are going to start interviewing people who went to school there, and there are people who actually have books and pictures from the school. She thinks they could be displayed in the building. Harvey said maybe if we advertise that we are looking for artifacts for the building we might get items. Butler said if we come up with a concept, we might be able get some support from the charitable gambling organizations. We might be able to put a request in to some of those types of organizations for money. Harvey said the money is also tight for the charitable gambling associations. Hoffman asked if the building is still up on the blocks. Davis said yes, it is, it needs to be reroofed, needs windows, one end of it was attached to another structure. Power would need to be run to it. It won't be inexpensive. Lachinski said there are people who will volunteer to get it up and operational. Davis said there is always the possibility of securing materials.

He wanted to broach the subject, so we can come up with a plan of action. We need to do something with it on the site. Butler said they need direction from City Council. Butler wanted to know what Lawrence's opinion was. Lawrence said he would like to look into the EDA/HRA funding. Butler said he wants to know Lawrence ideas are. Davis said he believes the Council is looking for a recommendation from the Park Commission. Butler said he thinks they should ask the City residents what they see the building. Davis said we could feature it for feature at Booster Day. Hoffman said it could also be featured at the Town Hall meeting. We can let people know we are looking for ideas, or also have an opinion sheet. Langmade said the seniors have a meeting next Thursday, he would suggest to them, some of the ones that belong to the seniors did belong to the school. They might want to come up with some suggestions.

Jefferson said maybe we could put out there on who would like to be on the committee. Maybe there are people out there would volunteer for that. Hoffman said maybe people can just come to our meeting and provide input. Langmade said that the Mayor could look into the EDA/HRA funding and get back to us at the next meeting. Hoffman said we should have some indications after the Town Hall meeting and the Senior meeting. Davis said we need to get started on something. It would be a detraction if we don't get something started soon. Hoffman said it would be nice to have a direction by Booster Days, then we could kick off fundraising on that day. Butler said if we use money out of our Park Funds for this project, which fund would it come from. Davis said it would come out of the Parks Acquisition and Development fund. Butler asked how much of that money is committed to projects for 2011 already. Davis said we anticipate receiving a \$50,000 transfer at the end of June. We discussed the playground replacement at Norseland Park will take a large portion of the fund. Also mulch replacement on the parks. None of these monies are committed to the 2011 projects. Butler said he looked back through the minutes and he doesn't show any projects for 2011. He sees projects for 2012, but not 2011. The reason there are no projects for 2011, is because the sources are from development fees. We may be a little over optimistic for 2012. We didn't have any commitments out of this fund for 2011. So if we don't have money, we might be able to

use some of those funds. Does the City Council have any thoughts on using some of those funds for the School House. Lawrence said he doesn't see a problem with using some of the funds for the School House.

Davis said no action is needed, he will proceed with the directions provided this evening by the Commission.

Recreational Programming

Developing and scheduling recreational programs and activities is a service that is offered by many cities. As East Bethel grows there will be opportunities to offer these services for all age ranges. Now may be time to consider the methods which we wish to approach this subject and assess the potential for not only future uses but also for programs which could be implemented as soon as next year.

Along with our parks there are two facilities in our area that could be incorporated with short-term program development. The YMCA in Andover and the Cedar Creek Ecosystem and Scientific Reserve in East Bethel are two resources that could be used in the near term as part of an organized recreational program. In addition there is a community center facility that could be used for events and classes. In order to initiate this activity the following steps would be required:

- 1.) Determine the need for a program
- 2.) Assess existing potential and resources for program development
- 3.) Determine staffing requirements
- 4.) Prepare a budget and identify funding sources for the program.

Davis would like the Commission to start thinking about a recreation program. The only summer programming we have for kids is baseball. When he says the YMCA, he thinks there might be money in school district to bus kids from here to the Y. There also may be monies for the Y to do programming up here. The Cedar Creek representatives are also very interested in expanding their programs. He also would also like to look into partnering with Anoka County Parks. We did have a program that was run by Anoka County before, but that was cut. There are some really good programs for kids in the summer that don't involve sports. Hoffman said there are a lot of kids that aren't active in sports that we aren't reaching out to at this point. There are a lot of things that are going on in other places that we might be able to copy and get some thing up and running. We might also be able to find an intern, for instance with Hamline University.

Do we know how many graduate students/researchs students are doing research out here? If we could have a kid trail them for two days a week , that would be a learning opportunity. It would be pretty easy to do. Then you could get kids who are interested in things such as frogs, trees and ecology. Davis said they have a program coordinator, that works out there, but there are a number things they would be interested in talking with us about and also interested in expanding their offerings. Hoffman said they have some really good programs up there. Harvey said for about 2-3 years they did fishing clinics for the kids. They learned how to rig up a pole and go fishing. Davis said we also have the facilities at Coon Lake Beach.

Lachinski said are we only looking at summer or year around. Davis said currently only looking at for summer right now, but we could expand it. Lachinski said she didn't realize there was a building at Whispering Aspen. Maybe that is part of the problem, that people do not know.

Harvey said are we still doing the 55 and alive. Langmade said the seniors typically do that. Davis said he wasn't sure if they publicize it. Harvey said she would love to take the class. Langmade said he would look into it.

Hoffman said is it a Park and Recreation program that Hamline has? Davis said yes, it is he believes.

Davis said there is a lot of potential here, starting out for kids, and then you can offer a lot of things for different age groups. Along the road, hopefully this will grow with the City. Hoffman said Community Ed offers some interesting things. Harvey said that Forest Lake has a lot in their Community Ed. Davis said maybe that is another group that we could collaborate with, and have some of their courses offered here. Jefferson asked about the University of Minnesota Extension. Hoffman said their funding has been drastically hammered in the past few years.

Jefferson said we use to have swimming lessons. All the kids complained about the leeches. We worked with Anoka County and hired staff, to teach lessons and be lifeguards and teachers. Davis said was most of it done at John Anderson Park. Harvey said yes. It was also done at Coon Lake Beach Park. Lachinski said the Y has pretty much taken over the swimming lessons and also has a day-long program at Lake George.

Davis question is this an area we should explore. Lachinski said yes, we should. There is really nothing for the kids to do, other than go to DQ, the Theater, the bowling ally or hang out at a friends houses. Jefferson said we could do some gardening/beautification with kids. Davis said there are so many things we could consider. When you take it from there, the possibilities are endless.

Langmade said he belongs to the Y down in Coon Rapids. Davis said he knows the Y does some outreach programs. When he was in Prescott, WI, the Y from Hastings came over and did some outreach programs in the parks in Prescott. Lachinski said half of the building is the City's building. There is a lot more at Coon Rapids then there is at Andover. Butler also thinks this is something that should be brought up at the Town Hall meeting. He said he was also active in summer programs as kids growing up. Hoffman said it would be really nice to see something other than sports programs for the kids.

Davis will go ahead in the direction the Commission has discussed this evening. He will see what we can develop with this. Lachinski thinks people would be interested. She believes there are college students looking for internship opportunities. Lachinski will check with her contacts at the City of Blaine.

Harvey said we don't hear anything about the arena anymore. Davis said the summer time use of the arena is very limited. There is a gun show and craft show, the Lions have it rented for a weekend garage sale. The arena is another facility that is under utilized. We are not lacking for facilities. Langmade that community center at Whispering Aspen is a very nice facility. There are a number of events that could be held there. However, the lack of air conditioning limits the use of this building for certain summer activities.

Butler said he had some one approach him that was leasing time at the ice arena. The person said that we could be renting more time than we are now. People don't like renting the National Sports Center because of the cost involved. The person actually suggested to

some other organizations, we got a couple of extra times that we sold over there. He doesn't know what kind of marketing efforts are being used. There are a lot of organizations looking for space. She seems to think we could be selling a lot of space. Harvey said there was pitching machine that use to be successful.

Davis said the arena lease to Gibson Management is up in August, when it is renegotiated, there will be incentives to sell more advertising and rent more time out. Those are some crucial components. Butler said we really have no say on what is going on there. Davis said if there are ample incentives, then they would take a more active interest in the facility. It is cash flowing. Butler said didn't we put in new cooling units. Davis said we did, but part of it was an insurance claim. As far as the cash flow on the facility, if you don't count depreciation, then we are breaking even.

Council
Report &
Other
Business

Lawrence had nothing to report.

Davis informed the Commission that the City Council did approve the well locations that were approved at the last Council meeting for the PCA. Also on the Bataan Street trail project, they Council decided to retain the easements and also a definitely sign of spring all the port-a-potties will be put out on Monday.

Butler was wondering about the Council action for approving the 800 feet for \$43,000. He wondered why even spend even if we are going to commit. Lawrence said there are some monies already expended and if they didn't go forward there would be more monies lost. Davis said this is the first phase of the park. This will open up a northern entrance to Booster Park. Butler was surprised by the Council's actions, especially with the conservative budget outlook. Especially after the Commission voted 6-1 against doing that portion of the trail. It didn't seem sensible to do 800 feet of trail. Harvey said maybe if they started it would go ahead eventually.

Langmade was wondering how the roofs are doing. Davis said nothing will be done on it until the end of may and he is waiting on the third contractor bid at this point.

Lachinski stated she is now the Booster Day coordinator. Friday night will be kids night, kids related activities. They also would like to do a medallion hunt on Friday night. Booster Day committee is looking for a sponsor for the activities that evening. Harvey said are you going for a kid soccer game and baseball games. Lachinski said it would be youth. She is wondering if the Parks Commission could be the sponsor. No one objected. She wanted to bring that up and wonder if we wanted to be out there or more in the background.

Davis said we would just be lending our name to this. The residents really do not know that there are some other people that work with the Parks. Langmade had a great turnout for it and everyone thinks she is going to do a beautiful job.

She is not sure how they will do the medallion thing yet, but that will be worked out!

Adjourn

Hoffman made a motion to adjourn the April 13, 2011 meeting at 8:09 p.m. Jefferson seconded; all in favor, motion carries.

Submitted by:
Jill Teetzel
Recording Secretary

DRAFT



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 7.0 C.1

Agenda Item:

Road Commission Meeting Minutes for April 12, 2011.

Requested Action:

Information Only

Background Information:

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

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

EAST BETHEL ROAD COMMISSION MEETING

April 12, 2011

The East Bethel Road Commission met on April 12, 2011 at 6:32 PM at the City Hall for their regular monthly meeting.

MEMBERS PRESENT: Al Thunberg Jeff Jensen Deny Murphy Kathy Paavola
Brian Bezanson (arrived at 7:21 p.m.)

MEMBERS EXCUSED: Roger Virta Tanner Balfany

ALSO PRESENT: Jack Davis, City Public Works Manager
Robert DeRoche, City Council Member

Adopt
Agenda

Davis conveyed to the Commission that Virta said he still wants to be on the Commission, but his job is taking a lot of extra hours of late. The Commission is looking forward to his return hopefully at the May meeting.

The April 12, 2011 meeting was called to order by Chairman Jensen at 6:32 PM.

Thunberg made a motion to adopt the amended the April 12, 2011 agenda. Paavola seconded; all in favor, motion carries.

Approve –
March 8,
2011 Meeting
Minutes

Correction to be made on page 5 of 5, middle sentence Hunter said there is not turn lanes, should be changed to Belfany said that.

Davis said he checked with the City Engineer why it wasn't done. It would cost \$60,000 for the turn lanes to happen. Jensen said the turn lanes at Sims the slopes are cut out for 55 mph, now that you are going 65 mph, you better have good breaks. Murphy said they should not cross the fog line to turn, otherwise you might get ticketed. Murphy said he thought Hunters was for sale again.

Pavola made a motion to approve the March 8, 2011 minutes with said changes. Thunberg seconded; all in favor, motion carries.

Road
Financial
Information –
Roads Capital
Funds
Summary

Davis stated motor fuels, item 212; it shows we only have spent 12% of the budget. There are few outstanding fuels bills. We are at about 40% of that line item. Murphy asked if we contracted for a price for fuel. Davis said yes, we get it through Eagan Fuel and it is part of the State contract. It is monthly. Davis said we aren't locked in on any price, it has escalation prices.

Pavola said it could go up and we will pay. Is there a way you can lock in prices. Davis said sometime there are disadvantages to that, a few years ago, it went way up to almost four dollars again, and then dropped to \$1.50. We can't really bank on that. We can look into a locked in fuel price.

Thunberg said in January/February, you can go up to 80% of purchased of your fuel, you are buying 80% at the next year's price. Davis said it is like the salt contract.

Jensen asked if the Street Capital has the money amount for the streets. Davis said yes, the Council did a lot the monies for that fund. Thunberg asked how projects would be decided. Davis said they will be determined and approved by the Commission and Council. The extra funds will be extremely handy this year, with all of the problem areas.

Durant Street Project Davis stated Durant connects Viking to County Road 15. Traffic count is about 1500 a day. Durant Street was reconstructed in 2003 to rural section standards with 22' travel lanes and 6' wide paved shoulders on each side of the road. This road is an MSA street and a major connector route for the eastern portion of East Bethel. Certain sections of Durant Street (see attached location map)experienced severe frost heaves which have created unsafe driving conditions and damage to the pavement. It is estimated that approximately 600 SY of pavement will have to be removed and replaced and approximately 1,800 CY of undesirable material be removed and replaced with appropriate fill and other drainage and stabilization materials as required by site conditions.

Some of the areas have settled, he would like to investigate getting the areas repaired, borings done and see if there are drainage issues. There are two culverts that will have to get replaced. He would like to get the City Engineer to take a look at it and see if we can get it repaired.

Estimated costs to repair the sections shown on the map range from \$45,000 to \$60,000 depending on the soil corrections that are required to provide proper drainage and stabilization of the road base. Funding for this project could come from the balance of funds from the JPA project in the amount of \$72,861.54

DeRoche asked if it is an issue with peat. Davis said, yes potentially. He is unsure what the problems are. This is a bad situation there. Jensen said the issues are pretty deep it seems. The worse area is just north of 209th. Four more areas have developed right before you get to County Road 74. They will have to do some borings.

Jensen said he recommends that the Road Commission approve the repair work on Durant Street. Thunberg concurs and so did Paavola. Murphy didn't comment.

Davis will report back in at the next meeting.

Naples Street Project In 2006, residents of Naples Street and 197th Avenue petitioned City Council to have their street paved and have the cost assessed back to the property owners. The City Engineer performed the assessment study and the project was bid. When this information was given to the property owners, several of them decided to opt out of the petition request and the project was not approved by Council because less than 75% of the residents committed to the project.

The cost per lot for the work in 2006 was approximately \$13,500 with payments available in either a 10 or 15-year plan. If there is still interest in this project by the residents the City Engineer can update these costs. A list of the 2011 petitioners will be delivered to the City on Monday, April 11, 2011 and this list will be presented as a handout at the Roads Commission meeting.

There were persons who voted against the project that didn't live on the street. There was

a lot of confusion on that. The residents on Naples Street would like to take another look at that. Thunberg said how you would tally that. Davis said you would need a sign in sheet to take a tally it. Paavola said because of what happened prior, there would need to identify the residents. The person who was in charge of the petition would potentially be the one to identify the residents. There are 11 residents that live on Naples Street, 10 have signed the petition to ask City county to do the feasibility study and provide them the cost of having the work done.

Murphy asked about Lot 1, wouldn't it be assessed a lower amount, due to them not having access on the street. Davis said last time the assessment also included 197th Avenue. The cost for doing the project, probably hasn't changed a great deal, but the only way we will know is to have the engineer do the work and then bid to find out the cost.

Davis informed the Commission that City Council's old position was 75% must agree to get the work done. Davis is unsure what the new Council's position on this is. DeRoche asked if this will set a precedent. Davis said the residents are the ones who are making the requests, and they are the ones who determine what happens on their road. There must be a majority.

Murphy said it still needs to be looked at how each resident is assessed. Those that receive benefit from the paving from Naples. DeRoche said if your driveway doesn't enter the road, then they are not assessed. Davis said some of the lots benefit from the road. Someone might take perspective of if you are benefiting so you will be assessed.

The last time they did this, they offered two different financing plans, at 8%. Thunberg said if you are assessing them ½ for the ones that are on 197th and they aren't getting assessed full lot. Jensen said it is luck of the draw if you are on an MSA street, it is luck of the draw.

Murphy said with contractors looking for work, he would be surprised if the cost was anything different, possibly cheaper. Fuel and material prices are up but the other costs are down. Davis said with fuel prices being the way they are, he still doesn't feel there will be a big difference on the price. We were paying top dollar for construction prices in 2006. Davis said there wouldn't be any cost for the engineering costs, it would be just plugging in new figures. So we can give an assessment figure to these peoples. Thunberg said so the cost for the engineer to put this together is probably \$1500 to \$2000 dollars.

Davis said there would need to be sign another form and put a date on it, since the petition doesn't have any dates on it. Jensen said so should Council start looking at what they want, if they want a majority or how many people they have to sign. Everyone has different positions on it. Davis said he agrees. What can we do, incentive wise, to petition to get a project done. When this project first came up the class five would have to be done and two culverts that have to be done. Naples is scheduled for Class V replacement in 2013. So that would be come off the cycle. And the culvert replacement would have to be done at some point. Would that be a recommendation that we want to make to City Council. It is work that will need to be done by the City at some point. The culverts don't have a scheduled date for replacement. One issues with the southern most culvert. There is hole the road and one of the bands have slipped. Those culverts are a City cost at some point in time. Murphy said it would be cheaper for the City to do the replacement while the road is open. The City might want to consider doing as an incentive for having the

street paid.

DeRoche said there are 22 residents that would be affected. Davis said that is when 197th Avenue was included. No one on 197th Avenue is interested in the project. This is the cul-de-sac that we got the email on. Davis said they aren't going to do a petition on it, it sounds like. Haven't heard anything more on it. DeRoche said we will still put some millings down on the cul-de-sac. Davis said yes, we will take the millings down there. DeRoche wanted to know if it is a drainage problem. Davis said no, it is due to the area being wetlands. It is his opinion the cul-de-sac was constructed with poor materials. Jensen said his only suggestion on this, is residents look at the fact that you have so much for maintenance. Even if you are using it two years down the road, and help this out to lower the cost, to put this road in, it starts looking like you are favoring one group over the other. We need to watch out what we give, unless they have a direction from Council. Davis said it is a matter of wording, this is a cost we will incur, because we won't have to face this in two years.

Murphy said if you are using Klondike as an example, is that even a fair comparison. DeRoche was wondering how many houses are on Klondike. Davis said 10/11. Jensen said unless you have a direct policy that says how many have to approve it, otherwise things come back to bite you. He thinks that should be looked at by Council by how many residents have to sign a petition, prior to spending any money. Davis said 75% is not written policy. It is the unwritten rule, 75% had to respond positively. Thunberg said does the paperwork explain what the cost to each of the residents is. Davis said it doesn't say, but we can get that decided by the Council and then have the paperwork updated. From the Roads Commission stand point, they will want to see a little bit better commitment from the residents, since we have already been through the process once with these residents. The paperwork should have a preliminary cost attached to it also. Paavola said we don't have any form for a resident to petition. It needs to be spelled out that there needs to be a date, that has information needs to be initialed. Jensen said if someone is signing something that is costing more than \$15,000, acknowledging that they are committing. They are asking for an estimate. Davis said that is how it generally works. It is not going to be \$2,000 or less for the assessment.

Paavola suggested Davis get in touch with the new logo form, and make sure it is dated and give him an outline of what we want on there. It is good for City council to have that. This is definitely out of date. This is the new form, it has never been revised. This is the first time anyone has seen this since 2006. The date needs to be added next to where they sign it. Davis said we can get this back to him, to get more information and we can also bring it back to City Council to find out what they feel comfortable with for a number when they are deciding on an assessment. City Council will have to decide if they want to force one person to pay on a project. There will always be one person who is opposed to a project. DeRoche said this economy is going to be tough. Davis said that is always true, because they may not be able to afford it. If there was a 15 year payback, that is \$1000.00 additional per year on your taxes. Davis said he will proceed in that direction and get the Commission information on this.

Other

George Paavola, 213 Hawthorne Road Coon Lake Beach. When will the road replacement take place in Coon Lake Beach. With the Sewer and Water situation, are we going to do something to do those roads or not? He lives on Hawthorne and that is in rough shape, it is a 20-year life cycle. Coon Lake Beach is one of the major areas for next year. The section

of the road is not bad, it is terrible. It is a swampy area on that curve. There may be a few places that we can take a look at doing some overlays. Grove would be a candidate for that also. Aspen would also be a candidate on that.

The main roads coming in, the City has applied for MSA status on it and we are still waiting on the word on that. Even if they don't we may have to change up some of our street projects for next year. They are the worst streets we have in the City.

Paavola (G) said the lakeshore area is only 7 years old. We won't be able to do anything except on Longfellow and Lincoln, since their right-of-way requirements will not work in the Coon Lake Beach area. On 190th by the horse farm, the drainage is really bad. It is so bad, when it melts you don't know how deep it is. Can anything be done there?

Davis said the three areas that are really bad - Bryant, Grove, Aspen and at the end of King/Dahlia. This area has been ignored for a few years, due to the expectations of sewer and water coming. Now it needs to be addressed. Jensen said you have to plan so far ahead. Davis said we will be in better shape in MSA, we might have to step up our Street Capitol, for the next couple of years. We always keep some reserve funds to match any grants, but this might be an emergency situation.

Currently the City has \$73,000 extra and there are some really bad areas that we could possibly address, such at the corner of Grove. DeRoche said is there any sort of base you can put in the potholes. Davis said we have used asphalt injection patching. It is mixed with pea rock. It gets twice the life expectancy. With an asphalt patch, you need to cut the bad out, and patch it. Unfortunately a typical City doing it that way will only get 1/10 of your potholes done in a year.

DeRoche said what is Duluth is doing. He said whatever they are doing is fixing everything really well. Jensen said he thinks it might be using taconite oil and it is a MNDOT grant. Bezanson explained the process of taconite. He has never heard anything about the oil. Jensen said maybe because of taconite, the tailings don't have any metal, it is more like a powder, and it probably fills more of the voids. Jensen said you still need air voids. If you have something that is totally solid, it will crack. Paavola said you need it for expansion. Davis said yes. Jensen said you need air voids, if not it will be like glass more brittle. No matter how much weight you put on the roads, you will never get the air out.

Davis said there are a couple of culvert problems on a couple of roads, one on Skylark Drive, Quincy Street and Klondike Drive. The one on Quincy is just south of 221st. There was a wash out that developed yesterday. The middle part of the culvert rotted out. The hole in the street that was 4 or 5 wide, 8 feet deep. Davis said he likes to use concrete, but it is out of the questions. Murphy said due to cost. Yes, that but also we don't have the equipment to do the work. Bezanson said the City doesn't have a backhoe, he thought it did. Davis said we don't need one, but as we get into the water and sewer business we will need to look at those purchase in about 8-10 years down the road. It just depends on how deeply we get involved in the water and sewer system.

Thunberg complimented the increased signage on 221st at Hwy 65, did the County do that. Davis said yes, they did it at our request. Thunberg asked if there are any other roads that could use that signage. Davis said with Klondike it is a dirt road, most of those are done as

crossing over, rather than not stopping at the stop sign. Most of the other streets that cross Hwy 65, are short streets and developments. We requested that emergency flashers be put on them, but haven't heard anything back on it.

Thunberg asked about the accident on 229th. Davis said he seen the accident on 229th, in speaking with the Sheriff's Department that there was no serious injury and it seems someone had hit a deer. It was just one car, but it looked a lot worse .

Adjourn

Paavola made a motion to adjourn the April 12, 2011 meeting at 7:40 PM. Murphy seconded; all in favor, motion carries.

Submitted by:

Jill Teetzel
Recording Secretary

ASSAP



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0.A.1

Agenda Item:

Code Enforcement Report

Requested Action:

Informational Only

Background Information:

Attached is a copy of the monthly report of code enforcement activities for properties posted as Unfit or Hazardous. The report provides a snapshot of the activity and status of various properties.

Attachments:

Code Enforcement Report

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

POSTED UNFIT/HAZARDOUS PROPERTIES

04/20/2011

ADDRESS	ACTION INITIATED	LAST ACTION	STATUS	COMMENTS
22906 Jackson St.	3/19/08 Posted unfit	8/8/10 Property sold	Tracking(2/18/11)	On 8/08/10 new owner contacted Building Official and stated that she has closed on the property, currently addressing issues with oak wilt and hopes to start constructing new principle structure within the next couple of months.
204 Dahlia Dr. NE	11/6/08 Posted unfit	4/26/10 Court ordered abatement.	Tracking(08/10/10)	Owner has construction debris still stored on site working to remove. (progress slow)
Castle Towers Trailer Park	6/7/10 posted lot #106 , #149 and #122 as Hazardous/Unfit	6/8/10 Compliance letters for hazardous structures	Tracking (2/18/11)	Owners obtained demolition permits on 10/08/10 to remove the structures located on lots #149, #106 and #122. As of 12/17/10 the structures have been removed from lots #149 and #106.
22568 Sandy Dr.	12/10/08 Hazardous/Unfit Structures	8/26/10 Demolition permit issued	Tracking (2/18/11)	Letter sent to property owner on 5/9/11 requesting that site cleanup be completed with in 30 days.

191 Elm Rd. Garage	Posted structure (Garage) as unfit for human habitation on 9/22/09		Tracking	Owner was ordered not to reside in the garage and given 14 days to clean out the interior. Currently tracking. Have asked Anoka Co. Sheriff to cite individuals with trespass if staying on the property.
1203 189 th Ave	10/08/10 Principle structure posted as Hazardous Building	10/08/10 Hazardous building/property letter sent to owner.	Tracking(6/1/11)	Building Official met with property owner to discuss cleanup of site. Owner currently soliciting bids with demolition contractors to raze the structures.
1927 Jenkins St. NE.	12/01/10 Principle structure posted as unfit	01/10/11 Final notice sent	Tracking(2/17/11)	Follow up site inspection on 2/17/11 revealed windows that had been compromised have been secured.
18211 Jackson St. NE	03/09/11 Principle structure posted as unfit/hazardous building	03/09/11 Hazardous building orders sent to owner and mortgage co.	Tracking (3/9/11)	On 3/7/11 Anoka Co. drug task force seized the property and deemed it to be a clandestine lab. City fire dept. responded and ventilated the structure. Building official currently working with Anoka county Environmental Services to ensure assessments and remediation comply with state statutes, county and local ordinances.



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 A.2

Agenda Item:

EDA Funding Sources

Requested Action:

Consider Future EDA Funding Sources

Background Information:

On April 28, 2011, the EDA discussed the structure of an active EDA Board. It was unanimously decided by the EDA to move forward as an active EDA with HRA powers per Resolution 2008-53, A Resolution Providing for the Creation of an Economic Development Authority with all the powers of a Housing Redevelopment Authority. The resolution has been attached for your review (attachment #2).

To become an active EDA Board, funds will be needed to pursue marketing, professional services such as legal and consulting, and staffing. A best case funding scenario would be to discontinue the HRA levy and approve an EDA levy. The maximum allowed as part of an EDA levy is 0.1813% and the maximum HRA levy is 0.185%. The maximum levy pay for 2012 would be \$163,830 based on a property valuation of \$903,639,400. 2012 levied funds would not be available until July 2012.

Attachment #1 is MN Statute 275.067 Special Taxing District: Organization Date; Certification of Levy or Special Assessments which explains the regulations of establishing a taxing district. If City Council would like to proceed with an EDA levy, the city must notify Anoka County on or before July 1 of the taxing district within the city. City Council may want to consider adopting the EDA taxing district at the June 15, 2011 regularly scheduled City Council meeting. The city must notify Anoka County of the specific amount of the levy by September 15.

If the EDA would like to move forward on projects in 2011 funds need to be allocated to meet these needs. The best option for a funding source would be for the EDA to obtain an interest free interfund loan through the HRA. The current HRA account is approximately \$700,000. The current HRA funds can only be used for HRA type projects that address the shortage of decent, safe, and sanitary dwelling accommodations available to persons with low to moderate income, and to address substandard, slum, or blighted areas that could not be redeveloped without government assistance. At this time, there are no HRA projects that are being considered.

The interfund loan could be paid back once EDA levy funds become available in July 2012 or the EDA could pay back the loan over a certain time frame. Because of the projection of EDA

activities, staff suggests the loan be paid back over a time period. Paying back the loan in full in July 2012 would cause insufficient EDA funds for the 2012-13 year.

If the EDA were to obtain an interfund loan, staff suggests the loan be a minimum of \$158,240. The loan would cover the following operating expenses (a formal EDA budget would need to be approved by City Council):

Liability Insurance:	\$1300
Legal Notices: (Publication)	\$200
Professional Services: (Legal and Consulting)	\$50,000
Staff: (includes ALL benefits)	\$56,000
Membership Fees:	\$240
Conferences/Training:	\$500
Contingency: (Future Projects)	\$50,000

Attachments:

1. MN Statute 275.067 Special Taxing District: Organization Date; Certification of Levy or Special Assessments
2. Resolution 2008-53, Resolution Providing for the Creation of an Economic Development Authority

Fiscal Impact:

None at this time

Recommendation(s)

If City Council makes a motion to consider an EDA levy, staff seeks direction by the City Council for the following:

1. to begin the process of establishing a taxing district per MN Statute 275.067 to be brought forward to City Council on June 15, 2011, and
2. to begin the process of establishing an interfund loan from the HRA to the EDA, payable over five (5) years (as part of the process, City Council must approve the interfund loan and acknowledge the EDA anticipated levy to establish the HRA account by July 2016). Staff intention is to bring this forward to City Council on June 15, 2011.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

2010 Minnesota Statutes

275.067 SPECIAL TAXING DISTRICTS; ORGANIZATION DATE; CERTIFICATION OF LEVY OR SPECIAL ASSESSMENTS.

Special taxing districts as defined in section 275.066 organized on or before July 1 in the current calendar year, and special taxing districts organized in a prior year that have not previously certified a levy to the county auditor, are allowed to certify a levy to the county auditor in the current year for property taxes or special assessments to be payable in the following calendar year to the extent that the special taxing district is authorized by statute or special act to levy taxes or special assessments, but only if the county auditor receives written notice from the district on or before July 1 of the current year that the district may be certifying a levy in the current year, and the notice includes a complete list or other description of the tax parcels in the district and a map showing the boundaries of the district. Special taxing districts organized after July 1 in a calendar year may not certify a levy of property taxes or special assessments to the county auditor under the powers granted to them by statute or special act and subject to the requirements of this section until the following calendar year. All special taxing districts must notify the county auditor by July 1 in order for its boundaries for the levy to be certified that year to be different than its boundaries for levies certified in prior years, and the notice must include a complete list or other description of the tax parcels within the new boundaries and a map showing the new boundaries of the district.

History: 1994 c 416 art 1 s 29; 2008 c 154 art 13 s 40

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

RESOLUTION NO. 2008-53

**RESOLUTION PROVIDING FOR THE CREATION OF AN ECONOMIC
DEVELOPMENT AUTHORITY IN THE CITY OF EAST BETHEL,
MINNESOTA**

WHEREAS, the City Council of the City of East Bethel has reviewed the potential for an Economic Development Authority.

NOW THEREFOR BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL AS FOLLOWS:

Section 1. Background: Findings.

- 1.01. The City is authorized by Minnesota Statutes, Chapter 469 (Act) to establish an Economic Development Authority (EDA) to coordinate and administer economic development and redevelopment plans and programs of the City.
- 1.02. It is found and determined by the City Council that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.
- 1.03. It is further found and determined that the economic development and redevelopment of the City can best be accomplished by the establishment of an EDA as authorized by the Act.
- 1.04. The City Councils has in accordance with the Act provided public notice and conducted a public hearing on July 16, 2008 concerning the establishing of an EDA at which all persons wishing to be heard expressed their views.

Section 2. Enabling Resolution.

- 2.01. The Economic Development Authority of the City of East Bethel (EDA) is hereby established and granted all powers within the Act, including those of a Housing and Redevelopment Authority (HRA).
- 2.02. The EDA consists of a governing body of five commissioners who shall initially be members of the City Council and serve as Commissioners of the EDA for terms coinciding with their terms as members of the City Council. The EDA has all the powers and duties set forth in Section 469.090 to 469.108 of the Act and other law, except as limited by this resolution.
- 2.03. The following limits apply to the EDA and its operation:
 - (a) All sales of bonds or other obligations of the EDA must be approved by the City Council.

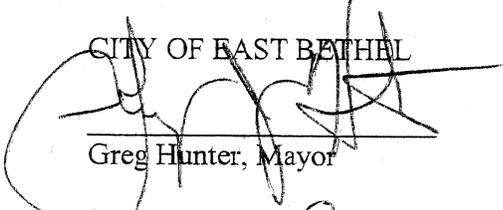
- (b) The EDA must follow the budget process for City departments in accordance with City policies, ordinances and resolutions.
 - (c) Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.
 - (d) The EDA must submit its plans for development and redevelopment to the City Council for approval in accordance with City planning procedures and law.
 - (e) The administrative structure and management practices and policies of the EDA must be approved by the City Council.
- 2.04. As provided in the Act it is the intention of the City Council that nothing in this resolution nor any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Section 3. Implementation.

- 3.01. The City Council will from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this resolution.
- 3.02. The Mayor, the Administrator, and other appropriate City officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this resolution.
- 3.03. Nothing in this resolution is intended to prevent the City from modifying this enabling resolution to impose new or different limitations on the EDA as authorized by the Act.

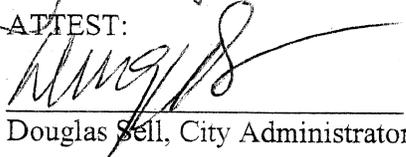
Adopted this 16th day of July, 2008 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL



Greg Hunter, Mayor

ATTEST:



Douglas Sell, City Administrator



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 A.3

Agenda Item:

EDA Composition in Metro Communities

Requested Action:

Consider Modifications to the Composition of the EBEDA

Background Information:

At the April 28, 2011 EDA work session, the existing composition of the EBEDA was discussed. Staff was directed to conduct additional research as to what the composition of other active EDA boards was in metro communities. The findings have been attached for your review (attachment #1). Of the sixteen (16) metro communities researched, seven (7) communities' EDAs are comprised of the City Council, eight (8) communities are comprised of a majority of business owners with at least one (1) City Council member on the board, and one (1) community (Shakopee) has an Economic Development Advisory Committee that advises the EDA and City Council of EDA projects.

In a majority of the communities with an EDA comprised mostly of business owners, the EDA is only empowered with the authority that the City Council has granted them through the by-laws. If the EBEDA composition is to change, City Council should begin to discuss the authority of the EDA so staff can incorporate this into the EDA By-Laws.

It is typical for communities to advertise for EDA vacancies through local newspapers, on the city website, local cable access, and through the local Chamber of Commerce. Letters of interest from local residents and business owners are submitted, City Council interviews the interested individuals, and then chooses the best candidates to fill the vacancies. Terms of the membership range from 3 – 6 years.

Attachment:

- 1. EDA Boards in Metro Communities

Fiscal Impact:

None at this time

Recommendations:

Staff suggests City Council begin the discussion of the composition of the EDA members as the EDA becomes an active board. Also, City Council may make a motion as to the composition of

the EDA. The composition could remain as is with five (5) City Council members, or possibly change to two (2) City Council members and five (5) citizens.

If City Council makes a motion to change the EDA member composition to include more citizens, staff seeks direction by City Council for the following:

1. to begin the amendment process of the existing EDA by-laws to incorporate membership, terms, and EDA authority, and
2. to begin advertisement for the vacancies through the local newspaper, local cable access channel, the city website, and city billboard. Staff suggests accepting letters of interest until June 24, 2011 and City Council complete interviews at the July 6 City Council meeting.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

EDA BOARDS FOR SELECT CITIES

<u>Community</u>	<u>EDA Board</u>
Andover	5 City Council, 2 Business Owners
Apple Valley	5 City Council
Big Lake	2 City Council, 5 Business Owners
Blaine	5 City Council
Cambridge	5 City Council
Chaska	5 City Council
Elk River	4 City Council, 3 Citizens
Forest Lake	2 City Council, 3 Business Owners
Lino Lakes	5 City Council
Minnetonka	2 City Council, 5 Business Owners
North Branch	2 City Council, 5 Business Owners
Prior Lake	1 City Council, 10 Citizens
Ramsey	2 City Council, 5 Business Owners
Savage	7 City Council
Shakopee	EDAC: 5 members (advising EDA and City Council)
Woodbury	EDC: 1 City Council, 9 Citizens

From the above 16 communities:

Seven (7) communities have EDA Boards comprised of City Council.

Eight (8) communities have EDA Boards comprised of Business Owners.

One (1) community has an Economic Development Advisory Committee that advises EDA and City Council.



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 B.1

Agenda Item:

Pay Estimate #2 for the Construction of Municipal Well No. 1 and No. 2

Requested Action:

Consider approval of Pay Estimate #2

Background Information:

Attached is a copy of Pay Estimate #2 to Traut Wells, Inc. for the Construction of Municipal Well No. 1 and No. 2. The major pay items for this pay request include the construction of a second test well, the pilot hole for Municipal Well No. 1, and the water testing and gamma logs. The Pay Estimate includes payment for work completed to date minus a five percent retainage. We recommend partial payment of \$22,721.86. A summary of the recommended payment is as follows:

Total Work Completed to Date	\$39,880.50
Less Previous Payments	\$15,164.61
Less 5% Retainage	<u>\$ 1,994.03</u>
Total payment	\$22,721.86

Attachments:

1. Project Location Map
2. Pay Estimate #2

Fiscal Impact:

Staff is recommending payment of \$22,721.86 at this time. 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 #2 in the amount of \$22,721.86 for the Construction of Municipal Well No. 1 and No. 2.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



LOCATION MAP ATTACHMENT 1

**PAY ESTIMATE #2
CITY OF EAST BETHEL
Construction of Municipal Well No. 1 and No. 2**

Date: May 18, 2011

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

RE: Construction of Municipal Well No. 1 & No. 2

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. 1

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Mobilization, demobilization, site clean-up	LS	\$ 17,750.00		\$ -
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		\$ -
4	Drill 17" dia. open hole	LF	\$ 50.00		\$ -
5	Furnish and install 12" casing	LF	\$ 54.00		\$ -
6	Grout	CY	\$ 375.00	3	\$ 1,125.00
7	Drill 11.5" dia. open hole	LF	\$ 40.00		\$ -
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		\$ -
11	Well development	HRS	\$ 135.00		\$ -
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 \$ 7,800.00

PAY ESTIMATE #2
CITY OF EAST BETHEL
Construction of Municipal Well No. 1 and No. 2

Bid Schedule "B" - Construction of Municipal Well No. 2

ITEM NO.	ITEM DESCRIPTION	UNIT	CONTRACT UNIT PRICE	USED TO DATE	EXTENSION
1	Mobilization, demobilization, site clean-up	LS	\$ 17,750.00		\$ -
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		\$ -
4	Drill 17" dia. open hole	LF	\$ 50.00		\$ -
5	Furnish and install 12" casing	LF	\$ 54.00		\$ -
6	Grout	CY	\$ 375.00		\$ -
7	Drill 11.5" dia. open hole	LF	\$ 40.00		\$ -
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		\$ -
11	Well development	HRS	\$ 135.00		\$ -
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 \$ 7,550.00

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 #2
CITY OF EAST BETHEL
Construction of Municipal Well No. 1 and No. 2**

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 "A" - Construction of Municipal Well No. 1	\$ 7,800.00
Bid Schedule "B" - Construction of Municipal Well No. 2	\$ 7,550.00
Bid Schedule "C" - Change Order No. 1	\$ 16,912.75
Bid Schedule "D" - Change Order No. 2	\$ 7,617.75
Total Work Completed to Date	\$ 39,880.50
Less Pay Estimate #1	\$ 15,164.61
Less 5% Retainage	\$ 1,994.03
WE RECOMMEND PAYMENT OF:	\$ 22,721.86

APPROVALS:

CONTRACTOR: MARK J. TRAUT WELLS, INC.

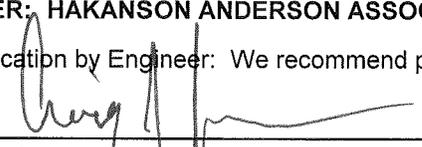
Certification by Contractor: I certify that all items and amounts are correct for the work completed to date.

Signed: _____

Title: _____ Date _____

ENGINEER: HAKANSON ANDERSON ASSOCIATES, INC.

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

Signed:  _____

Title: City Engineer Date 5/10/11

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 B.2

Agenda Item:

Water Treatment Plant Engineering Services

Requested Action:

Consider Options for Water Treatment Plant Engineering Services

Background Information:

At the April 20, 2011 City Council meeting the Council considered a number of options for the future water treatment system. The Council approved Option 5, which consisted of constructing a water treatment plant that would remove iron and manganese with pressure filters. The process would also include the addition of fluoride and chlorine. A process flow diagram of the system is included as Attachment 1. The general scope of engineering services is as follows:

1. Pilot plant study for the FIG well
2. Pilot plant study for the gravel well
3. Agency permitting and City approvals
4. Prepare plans and specifications for initial design
5. Provide layouts for ultimate design
6. Solicit bids
7. Onsite construction observation
8. Construction documentation
9. Construction management
10. Record plans
11. Project start-up
12. Punchlist and warranty items
13. Project and contract closeout

Staff is recommending that Council consider two options for the engineering services. Option 1 would include developing a request for proposals (RFP) for the engineering services and Option 2 would include authorizing the City Engineer to provide the engineering services.

The City Engineer would provide the scope of services as outlined above for a not-to-exceed cost of \$130,000 in accordance with the September 3, 2008 City Engineering Services Agreement. The not-to-exceed cost of \$130,000 is 9.3% of the estimated project cost of \$1,400,000. The City Engineer’s proposed project schedule is included as Attachment 2.

Attachment(s):

- 1. Process Flow Diagram
- 2. Proposed Project Schedule

Fiscal Impact:

At the December 15, 2010 City Council meeting the Council approved a not-to-exceed amount of \$1,135,000 for construction services and start-up costs. To date, a total of \$590,000 has been approved for the piping infrastructure, wells and water tower. The remaining amount from the previously approved not-to-exceed cost is therefore \$545,000.

Recommendation(s):

Staff is recommending that the Council authorize the City Engineer to prepare plans and specifications for the Water Treatment Plant or direct staff to prepare a RFP for Council consideration.

City Council Action

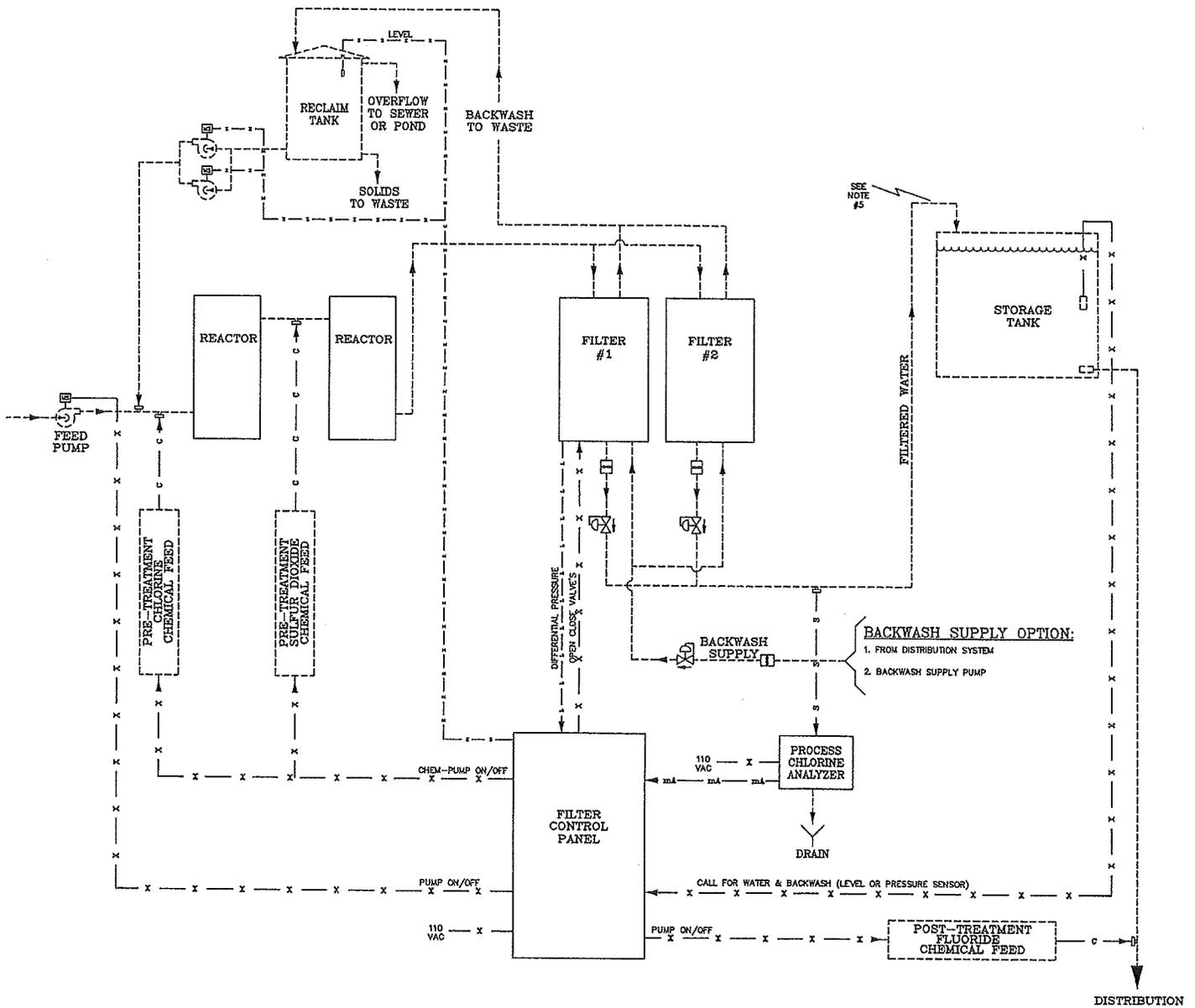
Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



PROCESS FLOW DIAMGRAM ATTACHMENT 1

**PROPOSED SCHEDULE
WATER TREATMENT PLANT NO. 1
CITY OF EAST BETHEL**

Description	May 2011			June 2011			July 2011			August 2011			September 2011			October 2011			August 2012			September 2012																		
	1	8	15	22	29	5	12	19	26	3	10	17	24	31	7	14	21	28	4	11	18	25	2	9	16	23	30	5	12	19	26	2	9	16	23	30				
Pilot Studies																																								
Plans and Specifications																																								
City Review and Approvals																																								
Solicit Bids																																								
Award Contract																																								
Plant Construction																																								
Record Plans																																								
Project Closeout																																								



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 F.1

Agenda Item:

Fire Department Reports

Requested Action:

Informational only

Background Information:

April Reports are included for your review.

To aid in your understanding, staff has included as Attachment #1 and #2 the Incident Type Codes and Station Codes as they appear on the reports.

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

INCIDENT TYPE CODES

- 100 Fire
- 200 Overpressure Rupture, Explosion, Overheat (No Ensuing Fire)
- 300 Rescue and Emergency Medical Service (EMS) Incidents
- 400 Hazardous Condition (No Fire)
- 500 Service Call
- 600 Good Intent Call
- 700 False Alarm and False Call
- 800 Severe Weather and Natural Disaster
- 900 Special Incident Type

EAST BETHEL > View Station Info

I want to:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z 1 2 3 4 5 6 7 8 9 All

Search (Station Name):

Station Number	Station Name	Address	City	State	Zip	Phone	Status
 40	Day All Stations (Weekdays)	2751 Viking Blvd	East Bethel	MN	55011		Active
 99	Duty Officer	2751 Viking Blvd.	East Bethel	MN	55011	763-367-7885	Active
 88	Night and Weekend All Stations	2751 Viking Blvd.	East Bethel	MN	55011	763-367-7885	Active
 11	Station 1 (Weekends)	2751 Viking Blvd	East Bethel	MN	55011		Active
 12	Station 1 (Night)	2751 Viking Blvd	East Bethel	MN	55011		Active
 21	Station 2 (Weekends)	2375 221st Avenue NE	East Bethel	MN	55011		Active
 22	Station 2 (Night)	2735 221st Avenue NE	East Bethel	MN	55011		Active

Records 1-7 of 7

Goto Page: 1



Fire Incident By Street Address
 From 04/01/11 To 04/30/11
 Report Printed On: 05/10/2011

Incident Number	Incident Date	Alarm Time	Location	Primary Station	Incident Type
EAST BETHEL					
152	04/30/2011	22:28	20844 Eveleth ST	11	321 EMS call, excluding vehicle accident with injury
151	04/30/2011	09:40	23359 Davenport ST NE	21	321 EMS call, excluding vehicle accident with injury
150	04/29/2011	23:01	19862 NE austion ST	21	321 EMS call, excluding vehicle accident with injury
149	04/25/2011	21:43	443 217th AVE NE	22	321 EMS call, excluding vehicle accident with injury
147	04/24/2011	03:53	23039 highway 65 HWY NE	21	321 EMS call, excluding vehicle accident with injury
146	04/23/2011	20:11	22020 xylite ST	21	321 EMS call, excluding vehicle accident with injury
145	04/23/2011	18:45	20940 Okinawa ST NE	11	321 EMS call, excluding vehicle accident with injury
144	04/23/2011	14:41	22149 Vermillion ST NE	21	321 EMS call, excluding vehicle accident with injury
143	04/21/2011	09:17	14527 Quemooy ST NE	40	611 Dispatched and cancelled en route
142	04/20/2011	20:16	503 Beaver Dam DR	22	321 EMS call, excluding vehicle accident with injury
141	04/18/2011	19:05	23614 Monroe ST NE	22	321 EMS call, excluding vehicle accident with injury
140	04/18/2011	09:29	18529 lakeview PT NE	40	321 EMS call, excluding vehicle accident with injury
139	04/17/2011	18:18	22823 Waconia CIR NE	22	321 EMS call, excluding vehicle accident with injury
138	04/17/2011	14:08	801 Lakeshore DR NE	11	321 EMS call, excluding vehicle accident with injury
137	04/17/2011	13:18	4404 NE Channel LN NE	11	321 EMS call, excluding vehicle accident with injury
136	04/16/2011	19:54	21730 NE zumbrota ST NE	22	321 EMS call, excluding vehicle accident with injury
135	04/14/2011	18:51	24355 hwy65 ne HWY	22	321 EMS call, excluding vehicle accident with injury
134	04/14/2011	13:51	2832 185th LN	40	321 EMS call, excluding vehicle accident with injury
133	04/14/2011	13:34	Highway 65 HWY NE	40	611 Dispatched and cancelled en route
132	04/11/2011	13:42	NE Hwy 65 HWY NE	40	650 Steam, other gas mistaken for smoke, other
131	04/10/2011	00:05	1903 208th LN	88	611 Dispatched and cancelled en route
130	04/09/2011	14:11	7th ST NE	21	412 Gas leak (natural gas or LPG)
129	04/08/2011	08:30	944 201 LN NE	40	321 EMS call, excluding vehicle accident with injury
128	04/07/2011	19:29	19418 W tri oak CIR	12	321 EMS call, excluding vehicle accident with injury
127	04/07/2011	16:08	3714 197 AVE NE	40	321 EMS call, excluding vehicle accident with injury
126	04/05/2011	21:05	18425 Lakeview Point DR NE	12	321 EMS call, excluding vehicle accident with injury
125	04/05/2011	14:15	24355 HWY 65@ castle towers NE	40	321 EMS call, excluding vehicle accident with injury
124	04/05/2011	10:55	20776 Buchanan ST NE	40	321 EMS call, excluding vehicle accident with injury
123	04/05/2011	05:58	18409 Lakeview point DR NE	40	321 EMS call, excluding vehicle accident with injury
122	04/04/2011	07:27	21852 FILLMORE ST NE	40	321 EMS call, excluding vehicle accident with injury
121	04/01/2011	23:28	18425 Lakeview Point DR NE	11	611 Dispatched and cancelled en route
Total					31

Search Criteria	
Dates	From 04/01/2011 To 04/30/2011
Service	EAST BETHEL
Incident Address	All
Staff	All
Apparatus	All
Station	All
Alarm Type	All
Zone/District	All



[Report Description](#)

City of East Bethel

Subject: Fire Inspector Report

April 1 – 30, 2011

City of East Bethel Fire Inspection List		
Name	Address	Comments
AAA Auto Salvage	20418 Hwy 65	NO VIOLATIONS
Hunter Inn	20454 Hwy 65	Door lock, Occupancy load sign
Economy canvas	40 Viking Blvd	NO VIOLATIONS
River City Co-op	1341 187th Lane	Emergency Lighting
Georges Repair-New Building	18611 Hwy 65	Lock box, fire extinguishers serviced and mounted
Cambridge Isanti Ins Ser.	23847 Johnson St	Key for lock box.
Bethel Marine	21155 Hwy 65	NO VIOLATIONS
Poor Richards Antiques	22330 Hwy 65	NO VIOLATIONS
Freimuth Ent. LLC	18641 Hwy 65	Lock box
Corner Express	4825 Viking Blvd	NO VIOLATIONS
NOTE: First Inspections Unless Noted		

10 Businesses Inspected

Reported by Mark Duchene
Fire Inspectors



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 F.2

Agenda Item:

Fire Relief Association Information Presentation

Requested Action:

None

Background Information:

The Fire Relief Association President, Troy Lachinski has requested to make a presentation to the Council outlining the value of the benefits paid by the Relief Association. Mr. Lachinski will talk about the current funding level of the pension fund and how it relates to retention and recruitment of Fire Fighters. Mr. Lachinski will also discuss the mission of the Relief Association and how it partners with the City of East Bethel.

Mr. Lachinski will demonstrate how an increase in pension benefits will NOT affect the overall performance of the pension fund. Later this year, the Relief Association may request a by-law change allowing an increase in pension benefits. Finally, Mr. Lachinski will propose a voluntary contribution by the City of East Bethel into the pension fund at a level less than the contribution in 2010.

Fiscal Impact:

None at this time.

Recommendation(s):

The Fire Relief Association's presentation is for discussion only at this time

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required:_____

2011 EBFRA Municipal Presentation



*Celebrating 50 years....
and looking to the future*



**East Bethel
Firefighters Relief
Association**



East Bethel Fire Relief Analysis - 2011

- Discussion Topics:
 - Overview of Relief Association
 - Relief Association Goals
 - Reason for Relief Association
 - Current status
 - City contribution for 2012 & beyond
 - Relief Benefit levels
 - Relief Association - Requests



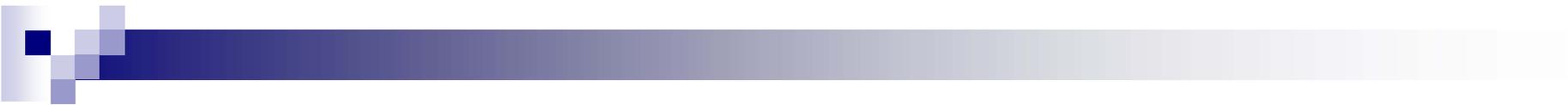
Relief Association Overview

- Provide monetary benefit to Members who have met the requirements
- Pension is payable upon retirement when:
 - Member achieves 10 Years Of Service
 - Member attains age of 50
- Currently managed by Harmon & Hartman Investments and oversight by Relief Board



Goals of Relief Association & Trustees

- Provide pension benefit that attracts and retains volunteer firefighters
- Maintain fully-funded pension plan
- Provide retirees with accurate and timely payment of benefits
- Monitor Investment performance
- Communicate effectively with members and City Council – *no surprises!*



Relief Association Goals

- Short Term Goal
 - Self-Sufficient 110% funded plan
- Long Term Goal
 - Payout of \$100,000 after 20 years of service
 - Benefit Level of \$5000/YOS



Strategy To Achieve Our Goals

- Healthy Investment Strategy
- Prudent yet Competitive Benefit levels
- Contributions from State (long term) and City (short term)
- Partnership with the City of East Bethel



Reason for Volunteer Fire Relief Association

- Pay pension to volunteer firefighters
- Provide benefits if fatality occurs
- Recruit and retain volunteer firefighters
- Maximize fire training investment
 - Requires 10 year of service for benefit
 - Requires 20 years of service for 100% vesting

Volunteer Firefighter Staffing Realities





Experienced firefighter retention

- Retention is Important to EBFD & City of East Bethel
 - EBFD RA has 14 members that are vested
 - This includes 40% of the department
 - This includes over 251 years of experience
 - This includes 70% of the total department Years of Experience
 - This includes numerous key leadership positions
 - This includes 66% of the department officers

- It takes about 3 years for new recruits to be fully trained and experienced enough to operate confidently at emergency situations.
 - Limits the ability to use new recruits to cover shifts.

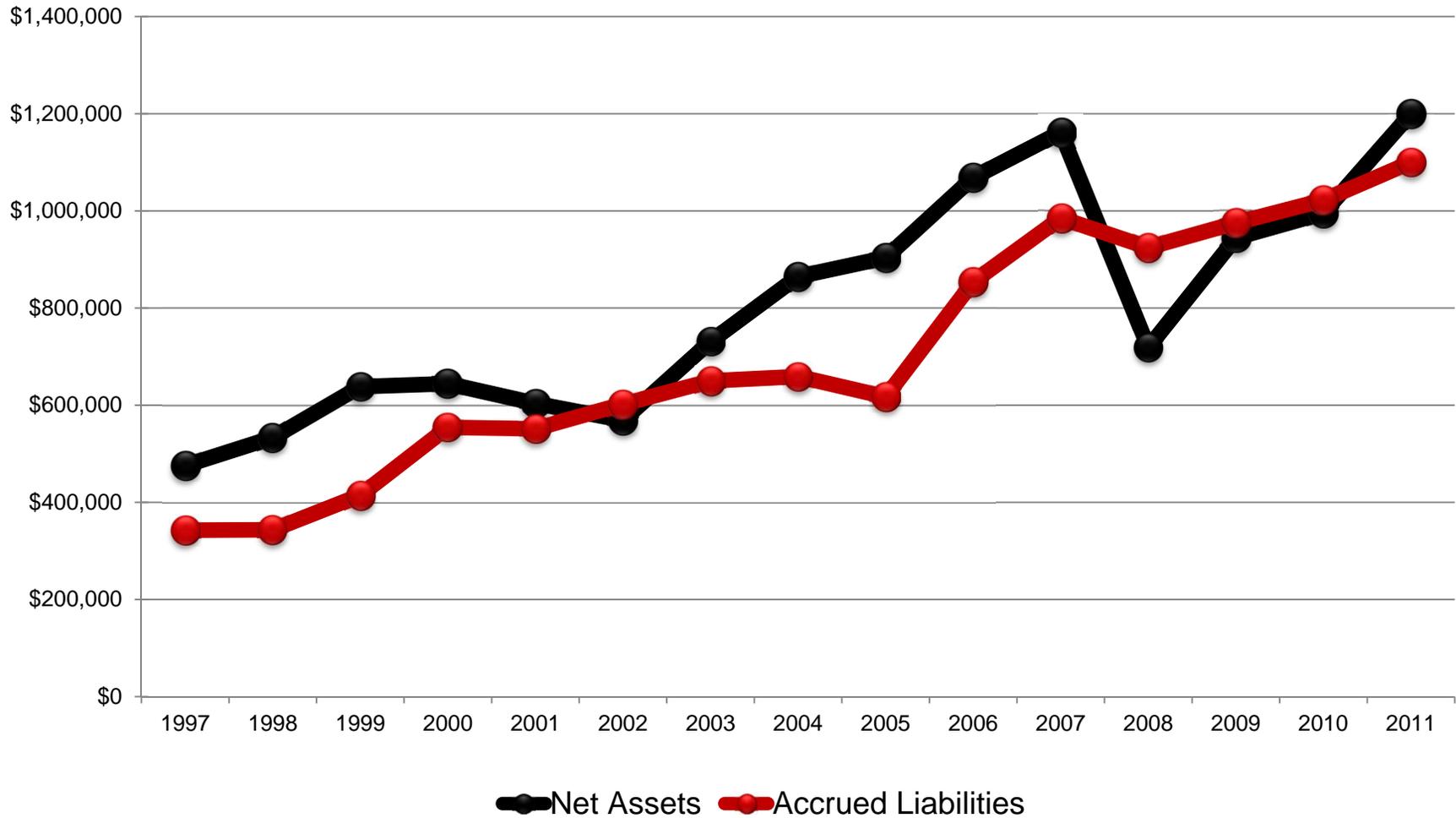
History of Relief Fund Numbers

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liabilities	Funded \$ Amount Surplus\Deficit	Funding Ratio	Benefit Level
12/31/1997	\$ 475,484	\$ 342,615	\$ 132,869	139%	\$ 1,350
12/31/1998	\$ 533,226	\$ 343,458	\$ 189,768	155%	\$ 1,500
12/31/1999	\$ 638,140	\$ 414,289	\$ 223,851	154%	\$ 2,000
12/31/2000	\$ 644,370	\$ 554,310	\$ 90,060	116%	\$ 2,400
12/31/2001	\$ 603,430	\$ 551,430	\$ 52,000	109%	\$ 2,400
12/31/2002	\$ 569,003	\$ 602,070	\$ (33,067)	95%	\$ 2,400
12/31/2003	\$ 731,303	\$ 650,166	\$ 81,137	112%	\$ 2,400
12/31/2004	\$ 864,753	\$ 658,854	\$ 205,899	131%	\$ 2,400
12/31/2005	\$ 903,550	\$ 617,142	\$ 286,408	146%	\$ 2,400
12/31/2006	\$ 1,068,582	\$ 853,990	\$ 214,592	125%	\$ 3,200
12/31/2007	\$ 1,161,782	\$ 985,140	\$ 176,642	118%	\$ 3,400
12/31/2008	\$ 718,747	\$ 924,416	\$ (205,669)	78%	\$ 3,400
12/31/2009	\$ 944,452	\$ 975,280	\$ (30,828)	97%	\$ 3,400
12/31/2010	\$ 995,535	\$1,022,064	\$ (26,529)	97%	\$ 3,400
12/31/2011	\$ 1,242,000	\$1,092,000	\$ 150,000	114%	\$ 3,400

*Projected

*Top 5 in State of MN

History of Results



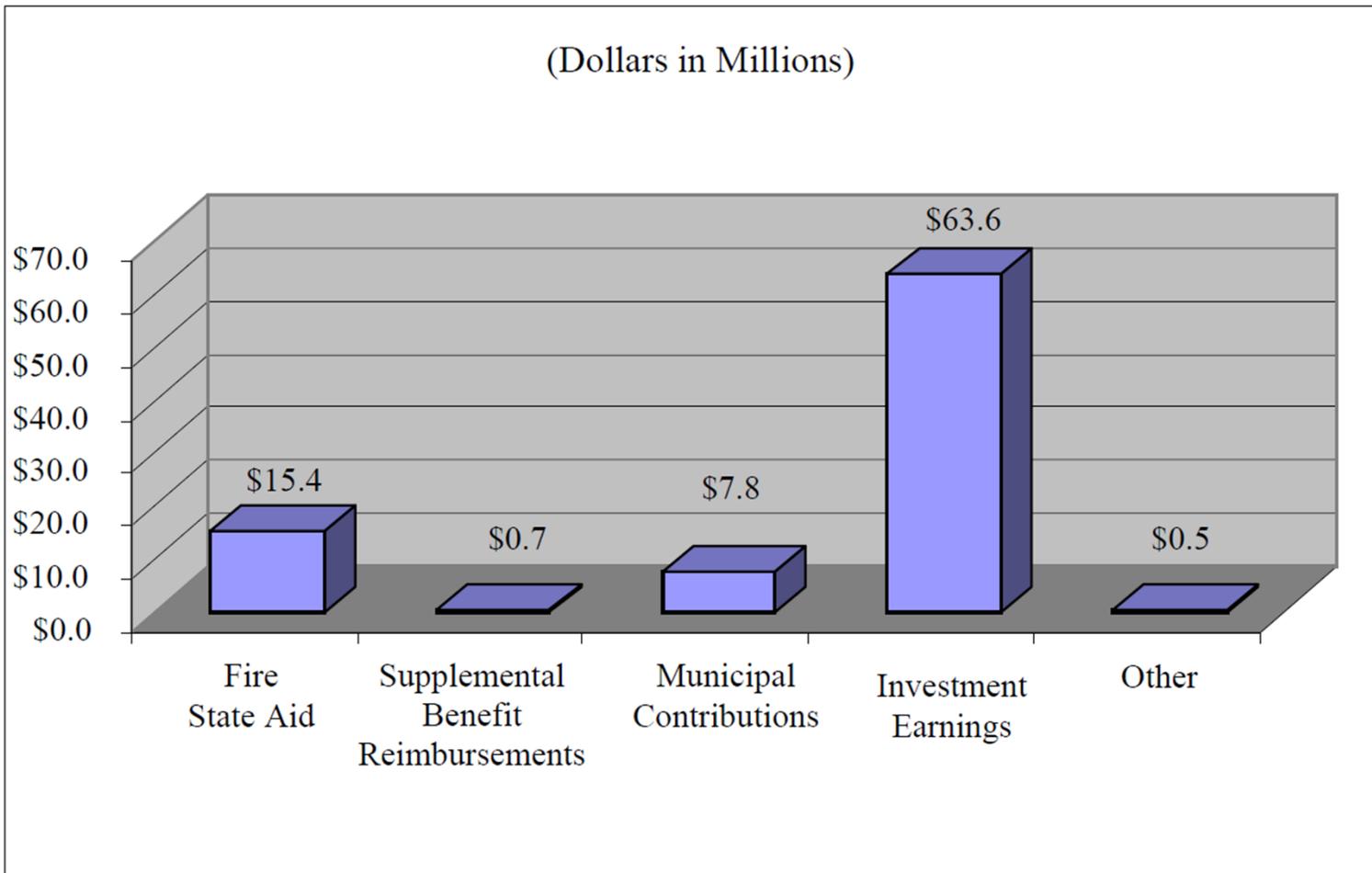
Benefit Level Competitive Landscape 2009

City	Population 2010	Benefit Level
<i>Robbinsdale city</i>	13,953	\$ 7,500
Marshall city	13,680	\$ 4,700
Brainerd city	13,590	\$ 6,200
New Ulm city	13,522	\$ 3,750
Bemidji city	13,431	\$ 5,100
North Mankato city	13,394	\$ 3,000
Hugo city	13,332	\$ 2,700
Fergus Falls city	13,138	\$ 3,900
Sauk Rapids city	12,773	\$ 3,500
Worthington city	12,764	\$ 2,725
Monticello city	12,759	\$ 2,650
Vadnais Heights city	12,302	\$ 3,600
Mounds View city	12,155	DC
East Bethel city	11,626	\$ 3,400
North St. Paul city	11,460	\$ 3,400
St. Peter city	11,196	\$ 2,400
Mendota Heights city	11,071	DC
Alexandria city	11,070	\$ 6,190
Grand Rapids city	10,869	\$ 5,000
<i>Waconia city</i>	10,697	\$ 2,300
Fairmont city	10,666	\$ 3,800
North Branch city	10,125	\$ 3,200
Big Lake city	10,060	\$ 2,600

MN Cities with Population 10K – 14K.

Relief Association Revenue Sources 2009

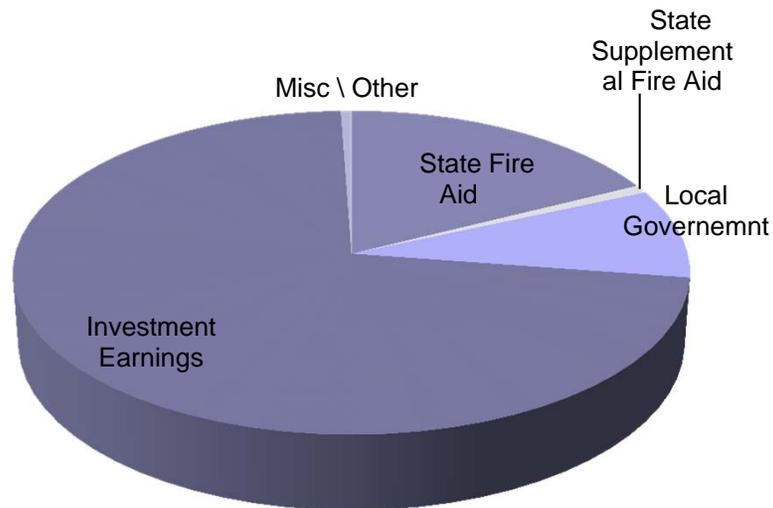
Figure 3: Relief Association Revenue Sources – 2009



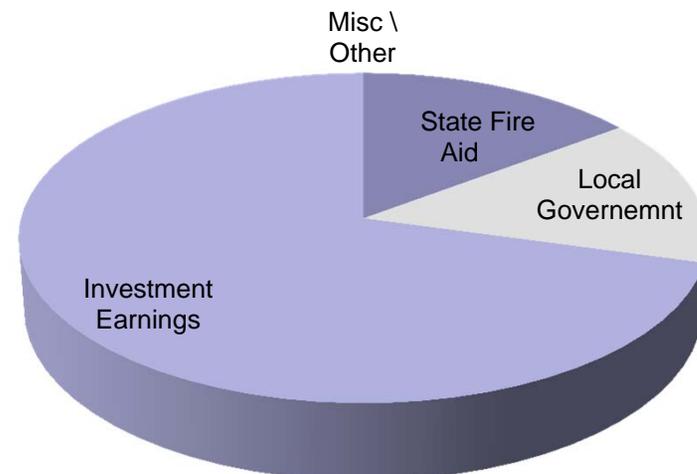
**Source: Data provided by the Office of the State Auditor, 2009 Investment Disclosure Report*

Relief Association Revenue Sources 2009

**Revenue 2009 by %
All MN RA's**



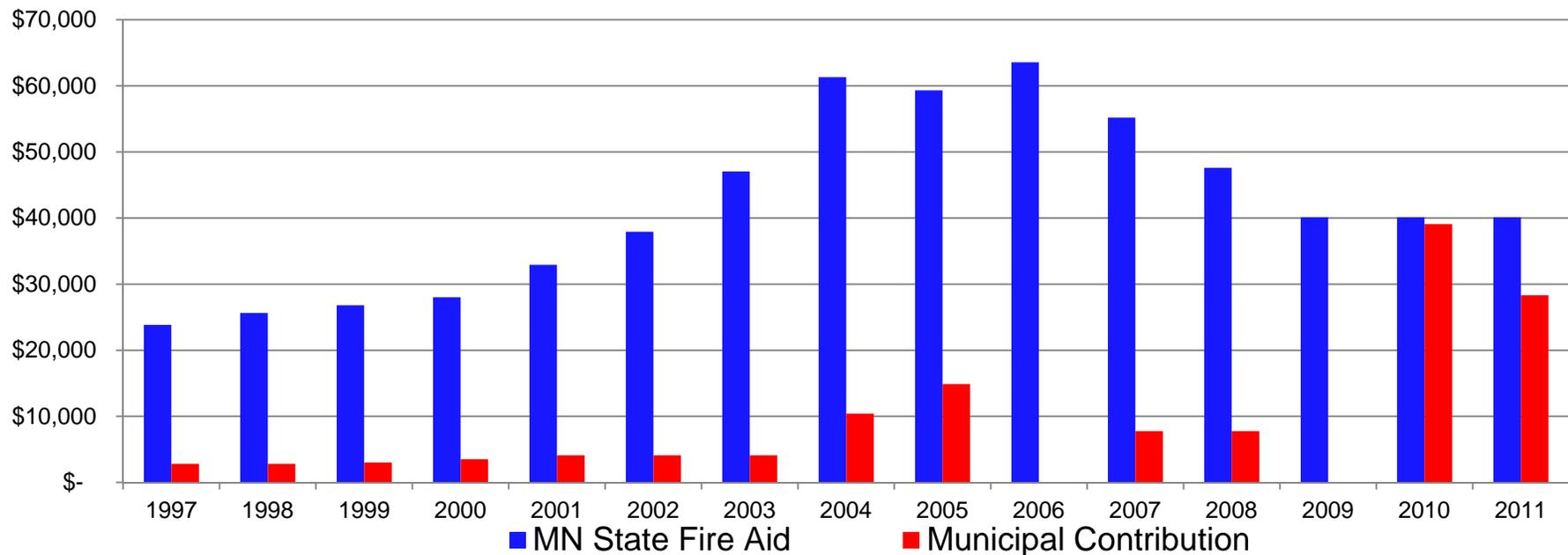
**Revenue 2009 by %
EBFD**



**Source: Data provided by the Office of the State Auditor, 2009 Investment Disclosure Report*

State and City Contributions

- State aid has been decreasing
- City aid has not been consistent



*Note 2010 & 2011 Municipal Contributions were Mandatory



Summary

- 2011 - Achieved our goal of 110% Funded status
- To maintain this goal, we need:
 - Healthy Investments
 - Prudent yet competitive Benefit Levels
 - Consistent City Contributions



Summary of Requests

- We are requesting a City contribution of \$17,500 to the relief fund (\$500 / firefighter)
- We are requesting the Council approve a 3% raise in benefit level now that we are back to 110% Funded status
 - Ratify updated Relief Association bylaws to Raise Benefit from \$3400 to \$3500 / YOS
 - Later this year after Legislative session



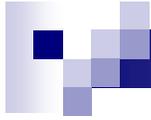
Fiscal Impact

- We are requesting a City contribution of \$17,500 to the relief fund (\$500 / firefighter)
- Recent City Contributions
 - 2010 = 39,103
 - 2011 = 28,315
 - 2012 = 17,500 (requested by RA)
 - 55% decrease from 2010 \ 38% decrease from 2011

Fiscal Impact

East Bethel Firefighters Relief Association				
Summary of Projected Assets and Liability Based on SC-11				
			Benefit Level	
			Current	Proposed
Year end 2011			\$ 3,400	\$ 3,500
Projected Assets *			\$1,242,000	\$1,242,000
Projected Liability			\$1,092,000	\$1,122,000
Projected Surplus\Deficit			\$ 150,000	\$ 120,000
Projected % Funded			114%	111%
2012 Mandatory Municipal Contribution			\$ -	\$ -

*Based on 3% rate of return on investments



Questions?



Thank You!

Troy Lachinski

763.350.9060

yordestine@gmail.com



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 8.0 G.1

Agenda Item:

Employment Contract

Requested Action:

Consider approving the City Administrator Employment Contract

Background Information

As part of the motion that approved my hiring as the City Administrator on May 4, 2010 was the approval of an employment agreement that would be satisfactory to both the City and the Administrator.

The City Administrator Employment Agreement is being reviewed by the City Attorney and will be e-mailed as separate attachment.

Attachment(s):

Fiscal Impact:

The salary in this agreement is \$21,588 less than the budget amount approved for this position for 2011 and does not include an additional \$2,792 in deferred compensation that was included in the 2011 budget for this category. The overall impact of this agreement for the City Administration budget is a reduction of \$24,380, not including any of the reduced fringe benefit costs associated with the salary.

Recommendation(s):

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 9.0 C

Agenda Item:

Closed Session MBI Settlement

Requested Action:

Consider closing the regular session for an Attorney/Client discussion regarding the MBI 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 an Attorney/Client discussion of the MBI settlement suit.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

May 18, 2011

Agenda Item Number:

Item 9.0 D

Agenda Item:

Closed Session – Land Acquisition

Requested Action:

Consider closing the regular session for an Attorney/Client discussion regarding land acquisition.

Background Information:

The session is closed pursuant to Minnesota Statutes 13D.05 Subd 3 (3) to discuss land acquisition.

Fiscal Impact:

None at this time.

Recommendation(s):

Staff is recommending recessing the regular session to closed session pursuant to Minnesota Statutes 13D.05, Subd 3 (3) an Attorney/Client discussion of land acquisition.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

Date 5/9/2011

RE: Property Address: 1562 and 1644 Viking Blvd NE
East Bethel, MN 55011
Purchaser: The City of East Bethel and or assigns

The following proposal presented Chris Fritch, KW Commercial Real Estate, hereby expresses their clients' interest in entering into a purchase agreement to purchase the subject real property under the terms and conditions listed below.

This letter/proposal is intended solely as a preliminary expression of general intentions and is to be used for discussion purposes only. The parties agree that this letter/proposal is not intended to create any agreement or obligation by either party to negotiate a definitive purchase and sale agreement and imposes no duty on either party to continue negotiations. The parties intend that neither shall have any contractual obligations to the other with respect to the matters referred herein unless and until a definitive agreement has been fully executed and delivered by the parties. Prior to delivery of a definitive executed agreement, and without any liability to the other party, either party may (1) propose different terms from those summarized herein, (2) enter into negotiations with other parties, and/or (3) unilaterally terminate all negotiations with the other party hereto.

Purchase Price: \$ 400,000

Down Payment: \$ 50,000

Financing: TBD

Purchase Agreement: Seller to deliver to Buyer a definitive purchase agreement within seven (7) days after Buyer's acceptance herein. If the purchase agreement is not accepted and signed by both parties within fifteen (15) business days following its presentation to Seller, Buyer's offer shall expire and all deposits will be returned to Buyer.

Deposit: Buyer shall deposit --- in escrow within two (3) days of the execution of a formal purchase agreement acceptable to Buyer and Seller. The deposit shall be credited toward the purchase price at close of escrow.

Title and Escrow: Title and Escrow companies will be selected by buyer

Escrow Period: Escrow to close within sixty ~~ninety~~ days from acceptance of offer.

Contingencies: Buyer's purchase of the property shall be subject to verification to Buyer's sole satisfaction of the condition of title, income stream, physical condition of the property, structural and seismic design, and the absence of hazardous or toxic materials. Buyer's contingency period will expire 30 days from acceptance of offer.

Other Terms:
BUILDING TO BE SOLD AS-IS
NO WARRANTIES EXPRESSED
NO/R IMPLIED

Closing Costs: Seller shall pay any documentary transfer tax due in connection with the consummation of the transaction contemplated herein, the premium for the Title Policy equal to the amount of a CLTA standard coverage owner's policy, and fifty percent (50%) of all other escrow and closing costs. Buyer shall pay fifty percent (50%) of all other escrow and closing costs.

This letter shall be valid through 5/18, 2011.

AGREED AND ACCEPTED:

BUYER:
By: _____
Its: _____
Date: _____

SELLER:
By: (X)  _____
Its: President _____
Date: 5-18-2011 _____

Buyer Agent:
By: _____
Its: _____
Date: _____

Seller Agent:
By: Paul H. [Signature] _____
Its: AGENT _____
Date: 5/10/11 _____

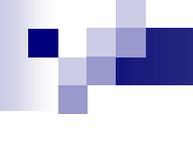
2011 EBFRA Municipal Presentation



*Celebrating 50 years....
and looking to the future*



**East Bethel
Firefighters Relief
Association**



East Bethel Fire Relief Analysis - 2011

- Discussion Topics:
 - Overview of Relief Association
 - Relief Association Goals
 - Reason for Relief Association
 - Current status
 - City contribution for 2012 & beyond
 - Relief Benefit levels
 - Relief Association - Requests



Relief Association Overview

- Provide monetary benefit to Members who have met the requirements
- Pension is payable upon retirement when:
 - Member achieves 10 Years Of Service
 - Member attains age of 50
- Currently managed by Harmon & Hartman Investments and oversight by Relief Board



Goals of Relief Association & Trustees

- Provide pension benefit that attracts and retains volunteer firefighters
- Maintain fully-funded pension plan
- Provide retirees with accurate and timely payment of benefits
- Monitor Investment performance
- Communicate effectively with members and City Council – *no surprises!*



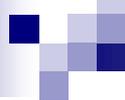
Relief Association Goals

- Short Term Goal

- Self-Sufficient 110% funded plan

- Long Term Goal

- Payout of \$100,000 after 20 years of service
- Benefit Level of \$5000/YOS



Strategy To Achieve Our Goals

- Healthy Investment Strategy
- Prudent yet Competitive Benefit levels
- Contributions from State (long term) and City (short term)
- Partnership with the City of East Bethel



Reason for Volunteer Fire Relief Association

- Pay pension to volunteer firefighters
- Provide benefits if fatality occurs
- Recruit and retain volunteer firefighters
- Maximize fire training investment
 - Requires 10 year of service for benefit
 - Requires 20 years of service for 100% vesting

Volunteer Firefighter Staffing Realities



Experienced firefighter retention

- Retention is Important to EBFD & City of East Bethel
 - EBFD RA has 14 members that are vested
 - This includes 40% of the department
 - This includes over 251 years of experience
 - This includes 70% of the total department Years of Experience
 - This includes numerous key leadership positions
 - This includes 66% of the department officers

- It takes about 3 years for new recruits to be fully trained and experienced enough to operate confidently at emergency situations.
 - Limits the ability to use new recruits to cover shifts.

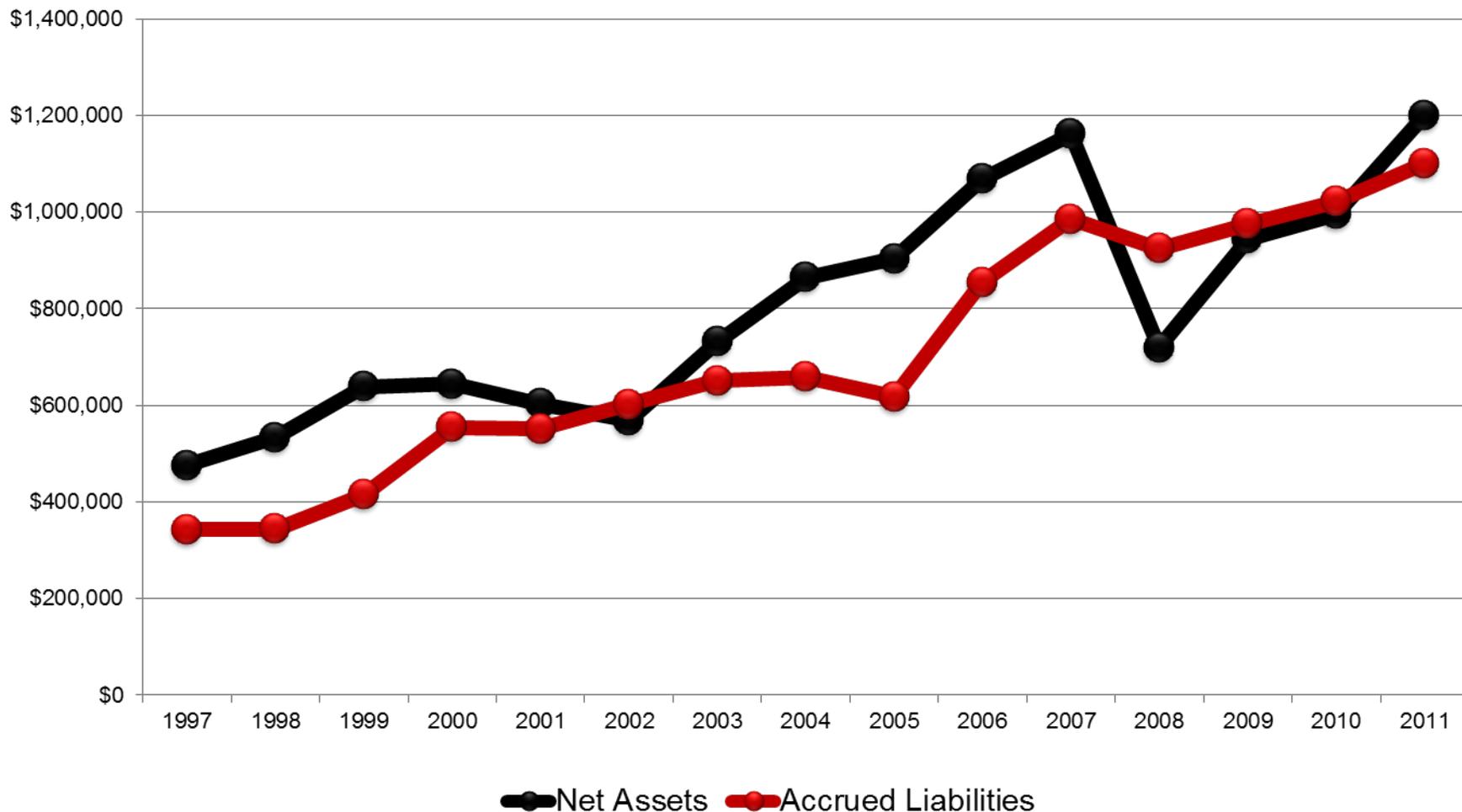
History of Relief Fund Numbers

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liabilities	Funded \$ Amount Surplus\Deficit	Funding Ratio	Benefit Level
12/31/1997	\$ 475,484	\$ 342,615	\$ 132,869	139%	\$ 1,350
12/31/1998	\$ 533,226	\$ 343,458	\$ 189,768	155%	\$ 1,500
12/31/1999	\$ 638,140	\$ 414,289	\$ 223,851	154%	\$ 2,000
12/31/2000	\$ 644,370	\$ 554,310	\$ 90,060	116%	\$ 2,400
12/31/2001	\$ 603,430	\$ 551,430	\$ 52,000	109%	\$ 2,400
12/31/2002	\$ 569,003	\$ 602,070	\$ (33,067)	95%	\$ 2,400
12/31/2003	\$ 731,303	\$ 650,166	\$ 81,137	112%	\$ 2,400
12/31/2004	\$ 864,753	\$ 658,854	\$ 205,899	131%	\$ 2,400
12/31/2005	\$ 903,550	\$ 617,142	\$ 286,408	146%	\$ 2,400
12/31/2006	\$ 1,068,582	\$ 853,990	\$ 214,592	125%	\$ 3,200
12/31/2007	\$ 1,161,782	\$ 985,140	\$ 176,642	118%	\$ 3,400
12/31/2008	\$ 718,747	\$ 924,416	\$ (205,669)	78%	\$ 3,400
12/31/2009	\$ 944,452	\$ 975,280	\$ (30,828)	97%	\$ 3,400
12/31/2010	\$ 995,535	\$1,022,064	\$ (26,529)	97%	\$ 3,400
12/31/2011	\$ 1,242,000	\$1,092,000	\$ 150,000	114%	\$ 3,400

*Projected

*Top 5 in State of MN

History of Results



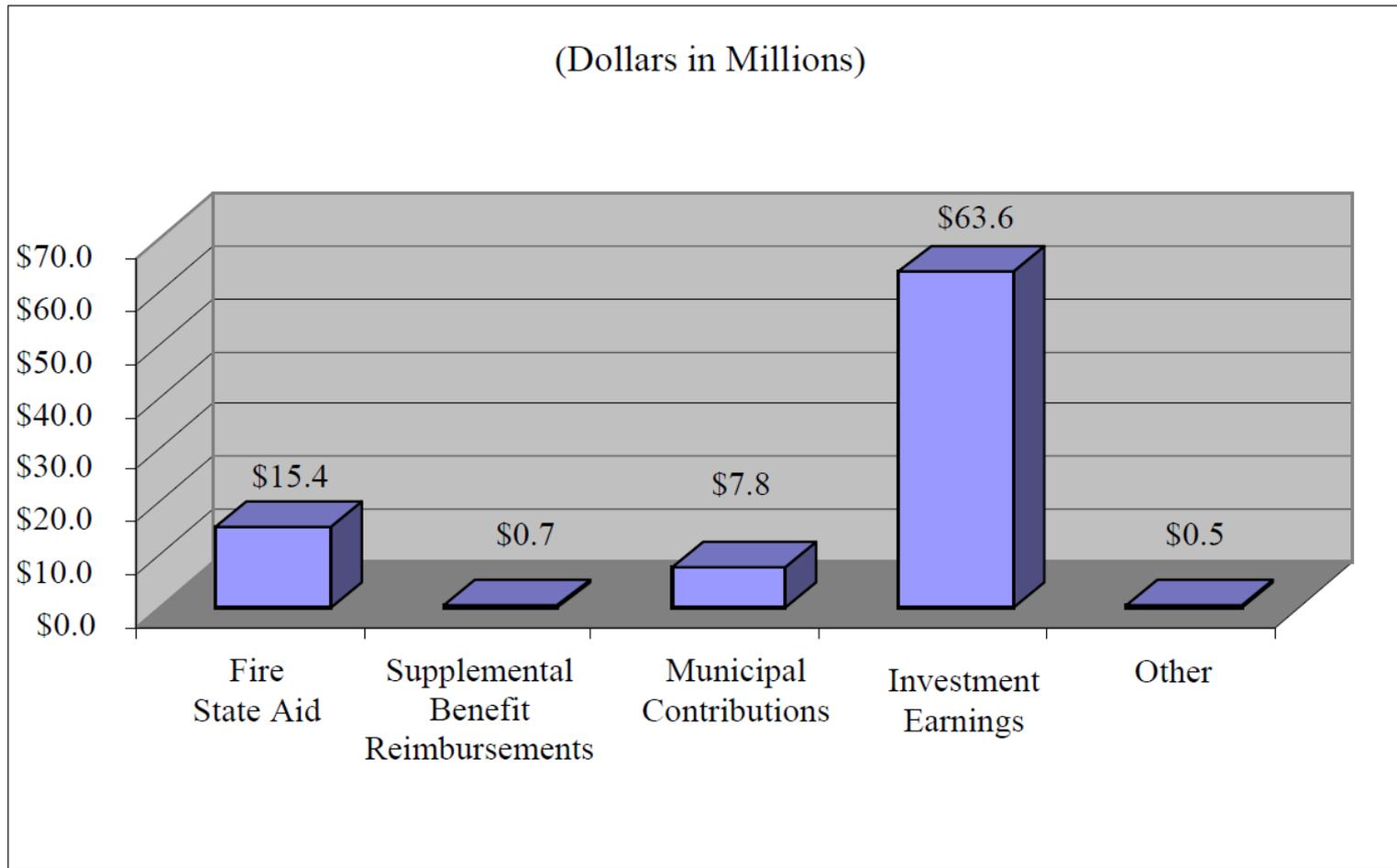
Benefit Level Competitive Landscape 2009

City	Population 2010	Benefit Level
<i>Robbinsdale city</i>	13,953	\$ 7,500
Marshall city	13,680	\$ 4,700
Brainerd city	13,590	\$ 6,200
New Ulm city	13,522	\$ 3,750
Bemidji city	13,431	\$ 5,100
North Mankato city	13,394	\$ 3,000
Hugo city	13,332	\$ 2,700
Fergus Falls city	13,138	\$ 3,900
Sauk Rapids city	12,773	\$ 3,500
Worthington city	12,764	\$ 2,725
Monticello city	12,759	\$ 2,650
Vadnais Heights city	12,302	\$ 3,600
Mounds View city	12,155	DC
East Bethel city	11,626	\$ 3,400
North St. Paul city	11,460	\$ 3,400
St. Peter city	11,196	\$ 2,400
Mendota Heights city	11,071	DC
Alexandria city	11,070	\$ 6,190
Grand Rapids city	10,869	\$ 5,000
<i>Waconia city</i>	10,697	\$ 2,300
Fairmont city	10,666	\$ 3,800
North Branch city	10,125	\$ 3,200
Big Lake city	10,060	\$ 2,600

MN Cities with Population 10K – 14K.

Relief Association Revenue Sources 2009

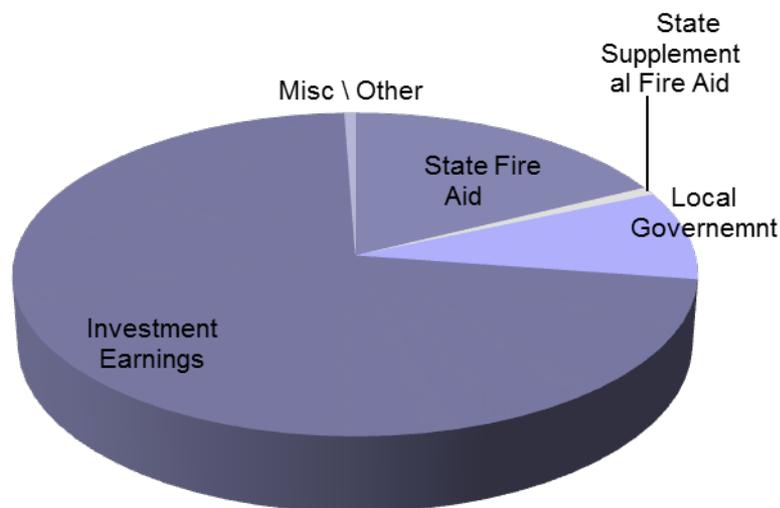
Figure 3: Relief Association Revenue Sources – 2009



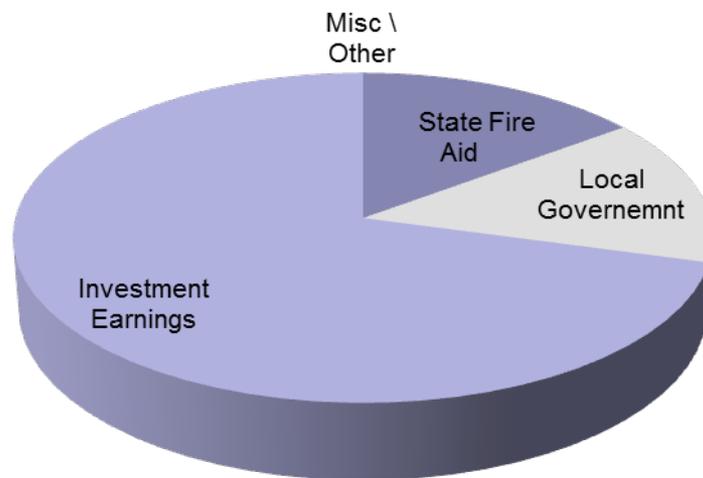
**Source: Data provided by the Office of the State Auditor, 2009 Investment Disclosure Report*

Relief Association Revenue Sources 2009

**Revenue 2009 by %
All MN RA's**



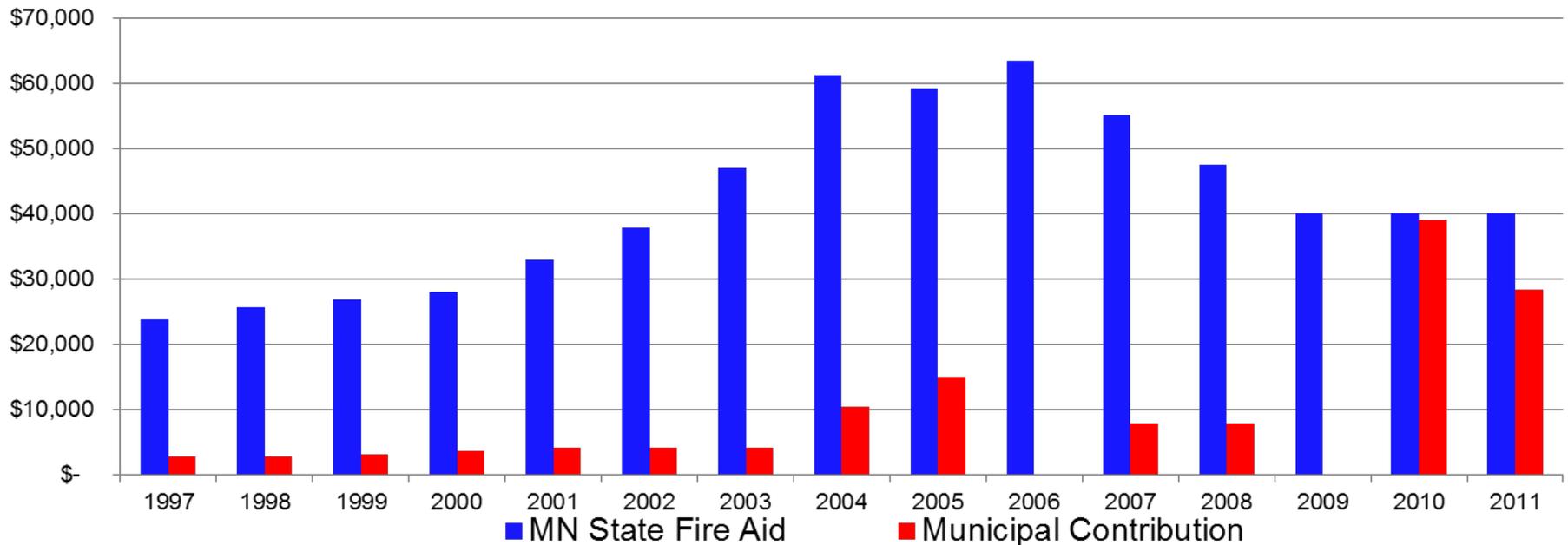
**Revenue 2009 by %
EBFD**



**Source: Data provided by the Office of the State Auditor, 2009 Investment Disclosure Report*

State and City Contributions

- State aid has been decreasing
- City aid has not been consistent



*Note 2010 & 2011 Municipal Contributions were Mandatory



Summary

- 2011 - Achieved our goal of 110% Funded status
- To maintain this goal, we need:
 - Healthy Investments
 - Prudent yet competitive Benefit Levels
 - Consistent City Contributions

Summary of Requests

- We are requesting a City contribution of \$17,500 to the relief fund (\$500 / firefighter)
- We are requesting the Council approve a 3% raise in benefit level now that we are back to 110% Funded status
 - Ratify updated Relief Association bylaws to Raise Benefit from \$3400 to \$3500 / YOS
 - Later this year after Legislative session

Fiscal Impact

- We are requesting a City contribution of \$17,500 to the relief fund (\$500 / firefighter)
- Recent City Contributions
 - 2010 = 39,103
 - 2011 = 28,315
 - 2012 = 17,500 (requested by RA)
 - 55% decrease from 2010 \ 38% decrease from 2011

Fiscal Impact

East Bethel Firefighters Relief Association

Summary of Projected Assets and Liability Based on SC-11

	Benefit Level	
	Current	Proposed
Year end 2011	\$ 3,400	\$ 3,500
Projected Assets *	\$1,242,000	\$1,242,000
Projected Liability	\$1,092,000	\$1,122,000
Projected Surplus\Deficit	\$ 150,000	\$ 120,000
Projected % Funded	114%	111%
2012 Mandatory Municipal Contribution	\$ -	\$ -

*Based on 3% rate of return on investments



Questions?



Thank You!

Troy Lachinski

763.350.9060

yordestine@gmail.com



PUBLIC FORUM SIGN UP SHEET

May 18, 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

