City of East Bethel
City Council Agenda

Regular Council Meeting – 7:30 p.m.
Date: February 16, 2011

		Item	
7:30 PM		**1.0**	**Call to Order**
7:31 PM		**2.0**	**Pledge of Allegiance**
7:32 PM		**3.0**	**Adopt Agenda**
7:33 PM	Page 1	**4.0**	**Summary Report – Mark Vierling, City Attorney – ACHRA Session on February 8, 2011**
7:38 PM		**5.0**	**Presentations**
	Page 2	A.	Introduction of 2011 Deputies
	Page 3-4	B.	Great River Energy – Peter Schaub
8:03 PM		**6.0**	**Public Forum** (Please limit your comments to 2 minutes per person)
8:13 PM		**7.0**	**Consent Agenda**
			Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration.
	Page 5-12	A.	Approve Bills
	Page 13-34	B.	Meeting Minutes, January 19, 2011 Regular Meeting
	Page 35-50	C.	Meeting Minutes, February 2, 2011, Regular Meeting
	Page 51-53	D.	Ordinance 29, Second Series, Liquor License Amendment
	Page 54	E.	Resolution 2011-08 Modifying Fee Schedule adding Wine License Fee
		F.	Appoint Regular Employee – Administrative Support I – Patty York
	Page 55	G.	Ordinance 30, Second Series, Repealing Board of Health
		New Business	
		8.0	**Commission, Association and Task Force Reports**
8:15 PM		A.	Planning Commission
	Page 56-67	1.	Meeting Minutes, January 25, 2011
	Page 68-82	2.	George Cossette – CUP/George's Boat Repair – 18649 Highway 65 NE
	Page 83-99	3.	John Freimuth – CUP/Freimuth Enterprises – 18639 Highway 65 NE
8:35 PM		B.	Park Commission
	Page 100-105	1.	Meeting Minutes, January 12, 2011
		C.	Road Commission **(No Report)**
		9.0	**Department Reports**
8:40 PM		A.	Engineer
	Page 106-110	1.	Pay Estimate #2, 2010 Improvement Projects, Rum River Contracting
	Page 111-116	2.	Engineer/Public Works Report on Castle Tower WWTF Status
	Page 117-121	3.	Engineer/Public Works Municipal Utilities Review
		B.	Attorney **(No Report)**
9:00 PM		C.	Finance

Page 122-127		1.	2011 Budget Amendment
	D.	Public Works **(No Report)**	
9:15 PM	E.	Planning and Inspection/Code Enforcement	
Page 128-129		1.	Consider Postponing Economic Development Authority (EDA) February 23, 2011 Work Meeting to Discuss Goals and Objectives
Page 130-136		2.	2011 Animal Control Contract
9:25 PM	F.	Fire Department	
Page 137-150		1.	SafeAssure Contract – 2011
9:30 PM	G.	City Administrator	
Page 151-153		1.	February 2, 2011 Unapproved Invoices
Page 154-160		2.	RFP – Legal Services
Page 161-181		3.	Upper Rum River Watershed Joint Powers Agreement
Page 182		4.	Other

10.0 Other

10:00 PM	A.	Council Reports	
Page 183-184		1.	Discuss Meeting Adjournment Time – Council Member Moegerle
10:20 PM	B.	Other	

10:30 PM **11.0 Adjourn**

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 4.0

* *

Agenda Item:
Summary Report, Mr. Vierling, City Attorney, ACHRA Closed Session on February 8, 2011

* *

Requested Action:
Mr. Vierling, City Attorney will give a summary report on the ACHRA Closed session which was the only agenda item on the special meeting held at City Hall on February 8, 2011.

* *

Background Information:
At the February 2, 2011 City Council meeting, the City Council scheduled a special meeting for February 8, 2011 to address the ACHRA lawsuit. That meeting was held as scheduled.

* *

Fiscal Impact:
None

* *

Recommendation(s):
Informational Only.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 5.0 A

* *

Agenda Item:
Introduction of Anoka County Deputies

* *

Requested Action:
Information Only

* *

Background Information:
Lieutenant Orlando will introduce the 2011 East Bethel – Anoka County Sheriff's Department Deputies.

* *

Fiscal Impact:
None

* *

Recommendation(s):
Information Only

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required: __X

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 5.0 B

* *

Agenda Item:
Great River Energy Presentation

* *

Requested Action:
Informational Only

* *

Background Information:
Ordinance 15, Second Series (adopted by City Council on January 6, 2010), establishes the requirements and criteria for conditional use permits for transmission lines in the City of East Bethel.

According to the ordinance, phase 1 includes a work group process in which the work group will conduct an analysis of the proposed routes and present its report to the city's planning commission. The work group was established by City Council in September, 2010 and has been holding work group meetings with GRE representatives since then.

On Monday, February 7, 2011, the work group made a recommendation for a transmission line location to the Planning Commission. This recommendation will be part of the February 22, 2011 Planning Commission agenda. Also, GRE will be submitting a land use request for a CUP, as required by Ordinance 15, Second Series. The public hearing is tentatively scheduled for the March 22, 2011 Planning Commission meeting and will go to City Council for consideration on April 6, 2011.

Staff has determined that a GRE presentation to the City Council and Planning Commission will ensure this particular project continues to move forward in an efficient manner. The presentation will include but is not limited to a brief overview of the project, site location analysis, and a feasibility analysis.

Attachment:

1. Great River Energy PowerPoint Presentation

* *

Fiscal Impact:
None at this time

* *

Recommendation:
Informational Only

* *

City Council Action

Motion by:________________ Second by:________________

____

____

____

Vote Yes:_____ Vote No:_____

No Action Required:_____

Athens to Martin Lake 69 kV Transmission Line Project

Route Evaluation

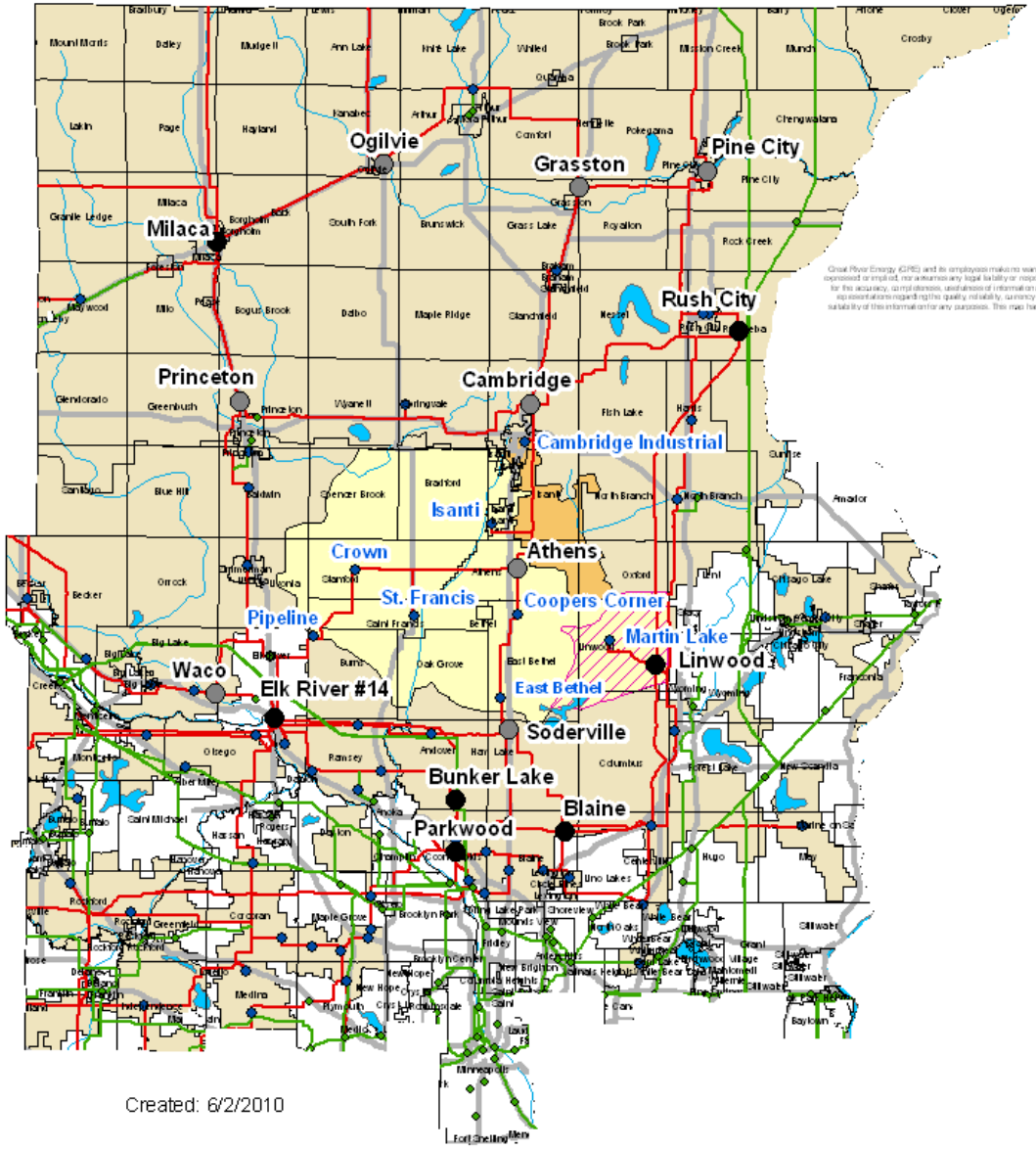
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Purpose of the Project

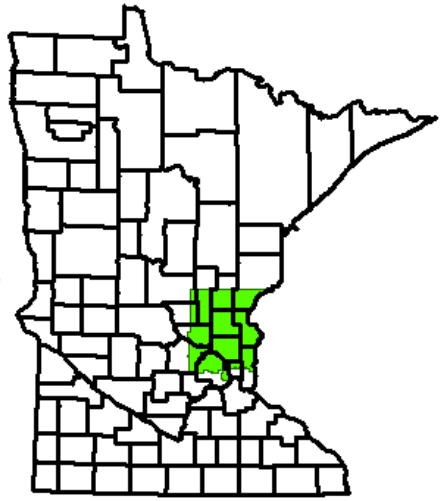
Great River Energy is responsible for ensuring the electric system meets the needs of growing areas including East Bethel, Linwood Township, Athens Township, Cambridge, Stanford Township, St. Francis and others, while also balancing the need to be fiscally responsible. Great River Energy proposes to construct a transmission line to address system deficiencies and proactively ensure the homes and businesses in these communities continue to receive reliable, quality electric service.

System Deficiencies

Due to growth in the City of East Bethel and surrounding areas, the region is at risk for interruption of electrical service. The transmission system that serves the areas along the Highway 65 and Anoka County Road 22 corridors (roughly the area between Cambridge, Elk River, and East Bethel – see Figure below) is no longer able to reliably serve the projected demand levels.



Created: 6/2/2010



Legend

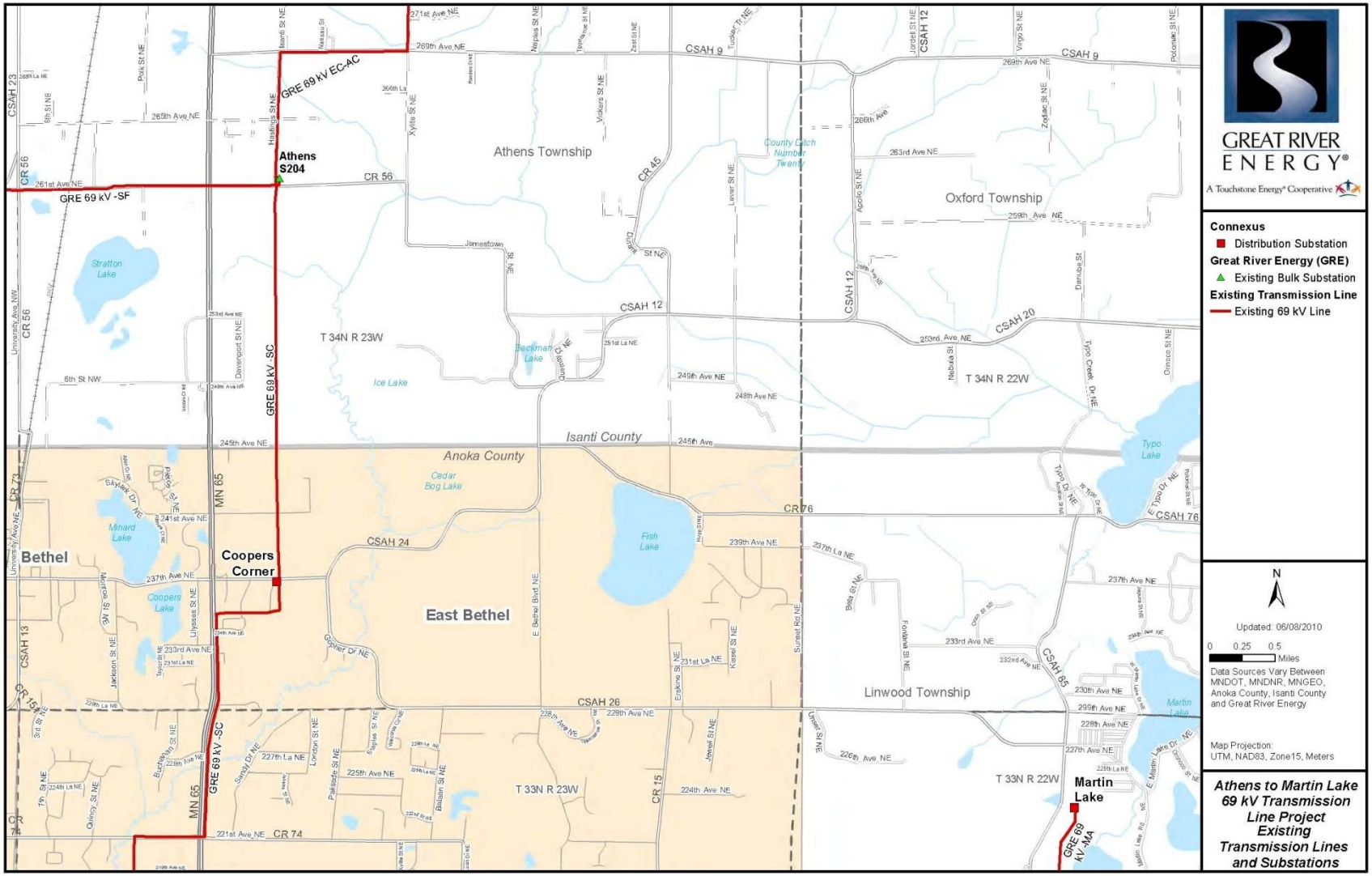
- GRE Bulk Substation
- GRE 69KV Breaker Station
- Foreign Electric Facility
- GRE Member Substations
- Foreign Transmission Line
- GRE Transmission Line
- East Central Benefit Area
- Martin Lake Service Area
- Connexus Benefit Area
- GRE Cooperative Boundary
- MN Municipal Civil Boundary
- Major Roadway
- Major Lakes (Generalized)
- Major Rivers (Generalized)

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Radial Line Substation

The Connexus Energy Martin Lake Substation is fed by a single transmission supply with no backup capability. Thus, if this supply is disrupted, the Connexus members served from this substation would be without electrical service until the line is repaired. Great River Energy's preferred solution to address this deficiency involves connecting a second transmission line to the substation to provide redundancy, or backup, to the existing transmission line.

Project Area



Transmission Line Options Considered

Great River Energy examined four alternative transmission line projects that could remedy the system deficiencies. The options considered are:

Option 1 - Athens to Martin Lake 69 kV Transmission Line

•Construct a 69 kV transmission line between the Connexus Energy Martin Lake Substation and the Great River Energy Athens Substation.

Option 2 - Chisago County - Martin Lake - Coopers Corner 115 kV line and Coopers Corner 115/69 kV Substation

•Construct approximately 25 miles of 115 kV transmission line between the Xcel Energy Chisago County Substation, the Martin Lake Substation, and the Coopers Corner Substation.

•Convert Martin Lake Substation to 115 kV service.

This option is essentially a duplicate of Option 1, but would require that significantly more transmission line be built. Additionally, the increased line mileage between breakers adds to the exposure of the line, reducing reliability.

Option 3 - Chisago County - Martin Lake - Coopers Corner - Blaine 115 kV line, Coopers Corner 115/69 kV Substation, and Blaine 230/115 kV Substation Modifications

• Continue the 115 kV line proposed in Option 2 south to the Blaine Substation. This would require about 50 miles of new 115 kV line and would provide redundant 115 kV transmission feeds to the Coopers Corner Substation. Much of this line would likely be built on existing 69 kV transmission line corridors, replacing the existing 69 kV circuits with new 115-69 kV double circuit structures.

Option 4 - Blaine – Martin Lake – Athens – Dalbo 115 kV line, Athens 115/69 kV Substation, Rush City – Dalbo - Milaca 230 kV line, and Dalbo 230/115 kV Substation

•Build a new 115 kV line between the Blaine, Martin Lake and Athens substations.

•Construct a new Dalbo 230/115 kV Substation.

•Build a new 230 kV line between the Milaca, Dalbo, and Rush City substations to support the 115 kV system.

•Add a new 115/69 kV transformer at the Athens Substation.

Option 4 problems include:

- greatly increased cost
- greater environmental impact
- difficulty scheduling construction outages
- permitting and construction schedule may take years
- does not meet timelines for system improvements
- lack of space at Athens Substation for 115 kV expansion (siting a 115/69 kV transformer there is extremely difficult)
- 115 kV line exposure is much greater than exposure offered by Option 1, and
- Reduced reliability.

Cost Analysis

The estimated cost for each of the alternatives considered are tabulated below. These include project costs that would be incurred by Great River Energy, its member cooperatives, and other transmission-owning utilities that would need to modify their electrical facilities to accommodate the changes.

Estimated Cost for Options 1- 4

	Option 1: Martin Lake-Athens 69 kV line	Option 2: Chisago County-Coopers Corner 115 kV line	Option 3: Blaine-Coopers Corner-Martin Lake-Chisago County 115 kV line	Option 4: Blaine-Martin Lake-Athens-Dalbo 115 kV line
Estimated Cost	**$6,537,000**	**$39,700,000**	**$67,340,000**	**$124,480,000**

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

No-Build Alternative

A No-Build Alternative was also considered but rejected, because to make this alternative feasible while maintaining quality, reliable electric service, electricity use would have to be reduced significantly. The risks involved in not connecting the Martin Lake and Athens substations are serious, as evidenced by the following possible consequences:

➢ Low Voltage

The unexpected dimming of lights is one result when there are low voltage problems on the power line system. While dimming lights may be a minor inconvenience, sudden reductions in voltage can cause significant problems for industrial or manufacturing companies. Additionally, low voltage can damage motors in home appliances such as air conditioners, computers, televisions, furnaces and refrigerators; the motors compensate for power needs by drawing in more electric current. This creates more heat, which may burn out motors. Uncorrected low voltage problems can ultimately lead to a blackout.

➢ Equipment Damage

When the demand for energy gets too high in an area of the system, the power flow shuts off to protect costly equipment. If there is no backup source, there will be problems, including failure of transmission lines and equipment, which can lead to outages. Also, if too much electric current is transmitted through a transmission line conductor, it overheats and the excess heat causes the conductor to become elastic. Eventually, the conductor will stretch permanently, leading to unsafe clearances to surrounding objects and limiting future current-carrying capacity. As there is no way to reverse these effects, the line must be rebuilt to restore its original capacity and safety clearances.

Transformers and other electrical equipment can also overheat and prematurely fail if too much current is transferred through such devices. To prevent thermal overloads, Great River Energy must limit the current transmitted through its lines and equipment.

➢ Rotating blackouts

When system demand exceeds capacity, which by projection will eventually happen in this region if no additional transmission facilities are constructed, the only method to protect against low voltage and system overloads is to reduce the demand to safe levels by initiating rotating blackouts.

For the transmission system serving East Bethel and the adjacent areas, rotating blackouts would not be expected under normal system configurations, but may be necessary during transmission line outage conditions under high system loading, as low voltages and line overloads would be more prevalent.

As demand continues to increase, more outage events would cause delivery issues to occur, increasing the likelihood of needing to initiate rotating blackouts to reduce system demand to acceptable levels. Eventually, demand would grow to the point where Great River Energy would no longer be able to maintain acceptable voltage during normal system conditions, which would lead to more time during the year that may require rotating blackout conditions.

Additionally, an outage of the Linwood - Martin Lake line would leave the Martin Lake Substation without electrical service. Under a no-build alternative where transmission redundancy is not achieved, as electrical demand grows and more people populate the area, the impact of an outage to this line would become more severe.

Significant demand reduction required

To make a no-build alternative feasible while maintaining quality, reliable electric service, the area electric demand would have to be reduced to below critical demand levels (the point at which low voltage or equipment overloading is first experienced) using rotating blackouts. Rotating blackouts would be implemented among all consumers served from this transmission system including those in East Bethel, St. Francis, Athens, Isanti, Oak Grove, Crown, Nowthen, and Cambridge.

The calculated critical demand level is 92.5 MW, above which Great River Energy cannot maintain acceptable service to area consumers. When the projected growth is compared to the calculated critical demand level (92.5 MW), the following reductions in demand in the area (as shown in the following table) are required to support a no-build alternative such that potential damage to the Great River Energy transmission system and end-use consumer equipment can be avoided.

Demand Reduction Requirements

Year	# Hours above Critical Demand	Required Demand Reduction in MW	% of Local Demand Reduction	Annual # of Days at Risk
2012	6	1.60	1.70	1
2013	14	5.70	5.80	3
2014	63	10.00	9.76	11
2015	145	14.50	13.55	21
2016	240	19.30	17.26	26
2017	437	24.30	20.80	60
2018	989	29.50	24.18	158
2019	2182	35.00	27.45	267
2020	4974	40.80	30.61	357

The data show that as time passes, system demand will exceed what can safely be handled by the area transmission system for significant amounts of time during a year. This would also reduce the number of hours during the year in which Great River Energy could do maintenance on its transmission lines and equipment, as it could not be de-energized without curtailing demand. Reduced equipment maintenance may lead to more failures and prolonged outage conditions. Eventually, pre-outage demand reduction would need to be implemented via rotating blackouts to prevent damage and prevent total collapse of the transmission grid serving the communities mentioned above.

Transmission Line Route Selection

Routes evaluated were reviewed and analyzed both in the field and using various geographic data (e.g., aerial photos, topographic maps, public water inventory maps, etc.). The routes that follow existing right of way (ROW) corridors are preferred to cross-country routes.

Preliminary route options were identified based on opportunities to:

- Share ROW with existing distribution lines by underbuilding where practical (underbuilding refers to including both distribution and transmission wires on one set of poles, with the distribution line underneath the transmission line).

- Reduce impacts to the reliability of existing transmission systems during construction.

- Parallel roads to help decrease the amount of ROW required.

- Minimize the length of the transmission line to reduce the impact area and costs for the project.

The routes were further refined by avoiding, to the extent possible and applicable, areas where a transmission line could create significant impacts such as:

- Existing and planned high-density residential areas;

- Areas where horizontal clearances are limited because of nearby structures;

- Environmentally sensitive sites, such as wetlands, archaeologically or historically significant sites, areas with threatened or endangered species/species of special concern, areas of significant biological or cultural significance, and state and federal lands; and,

- Areas with high potential for cultural (archaeological or historic) resources. (If archaeological or historic resources are found, the State Historic Preservation Office (SHPO) would need to be consulted to determine how to proceed. SHPO may require further excavation, mitigation and/or moving of the transmission line to avoid the areas of concern. This would mean added costs and delays due to the increased survey, mitigation and adjustments in design and materials).

Route Criteria

When selecting a route for a transmission line, Great River Energy considers the following for each viable route.

Public/Social considerations

•Distance from centerline to homes and businesses
•Distance and impact to public facilities, parks and trails
•Tree/vegetation removal
•Distance and impact to historic/ archaeological sites

Environmental/Cultural considerations

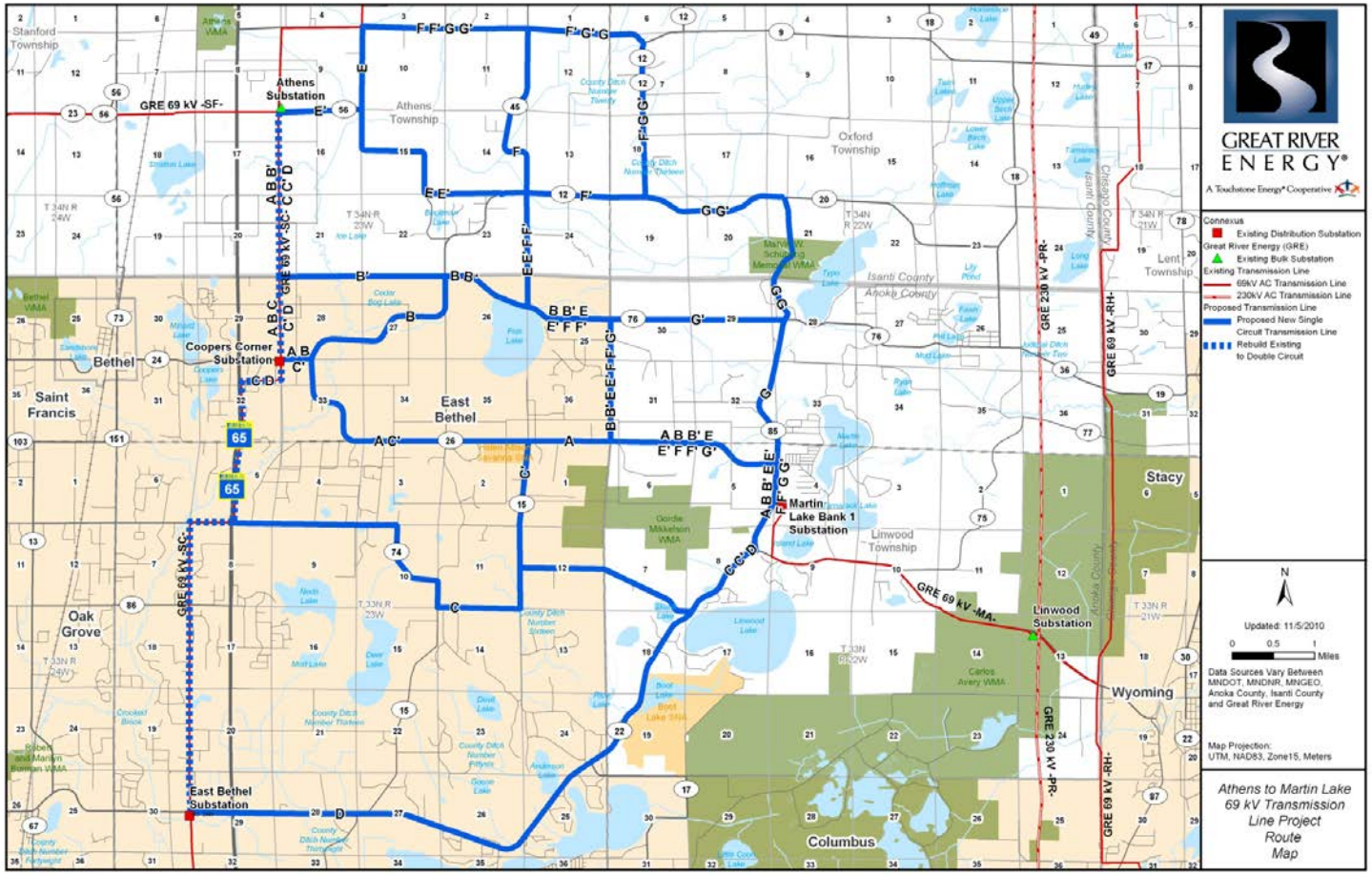
•Compliance with federal, state and local regulations
•Adherence to sound environmental principles, i.e. avoid creating new corridors, minimize length of corridor
•Identification of avoidance areas (historically and archaeologically significant areas such as burial sites, wildlife management areas (WMAs), protected wetlands, scientific research areas, and populations of threatened and endangered species of concern)
•Tree and vegetation removal on non-residential property
•Agricultural operations, i.e. center pivot irrigation systems
•Impact to existing utilities

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

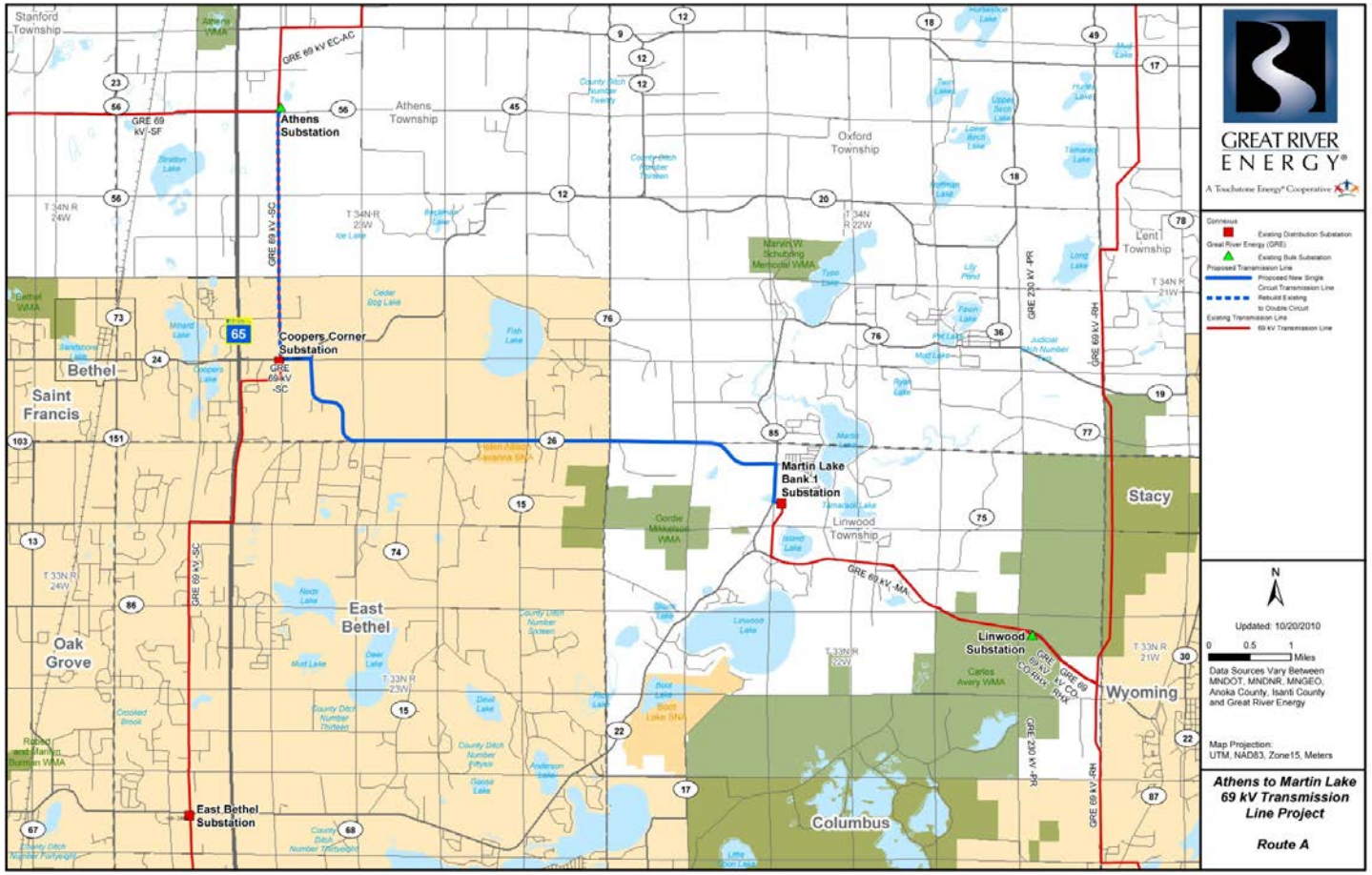
Engineering/Construction considerations

- Adherence to sound engineering/construction principles
- Safety
- Reliability
- Accessibility
- Engineering Considerations
- Suitable soil conditions
- Required angle structures
- Structure size
- Span lengths
- Total line length
- Special construction requirements
- Cost effectiveness

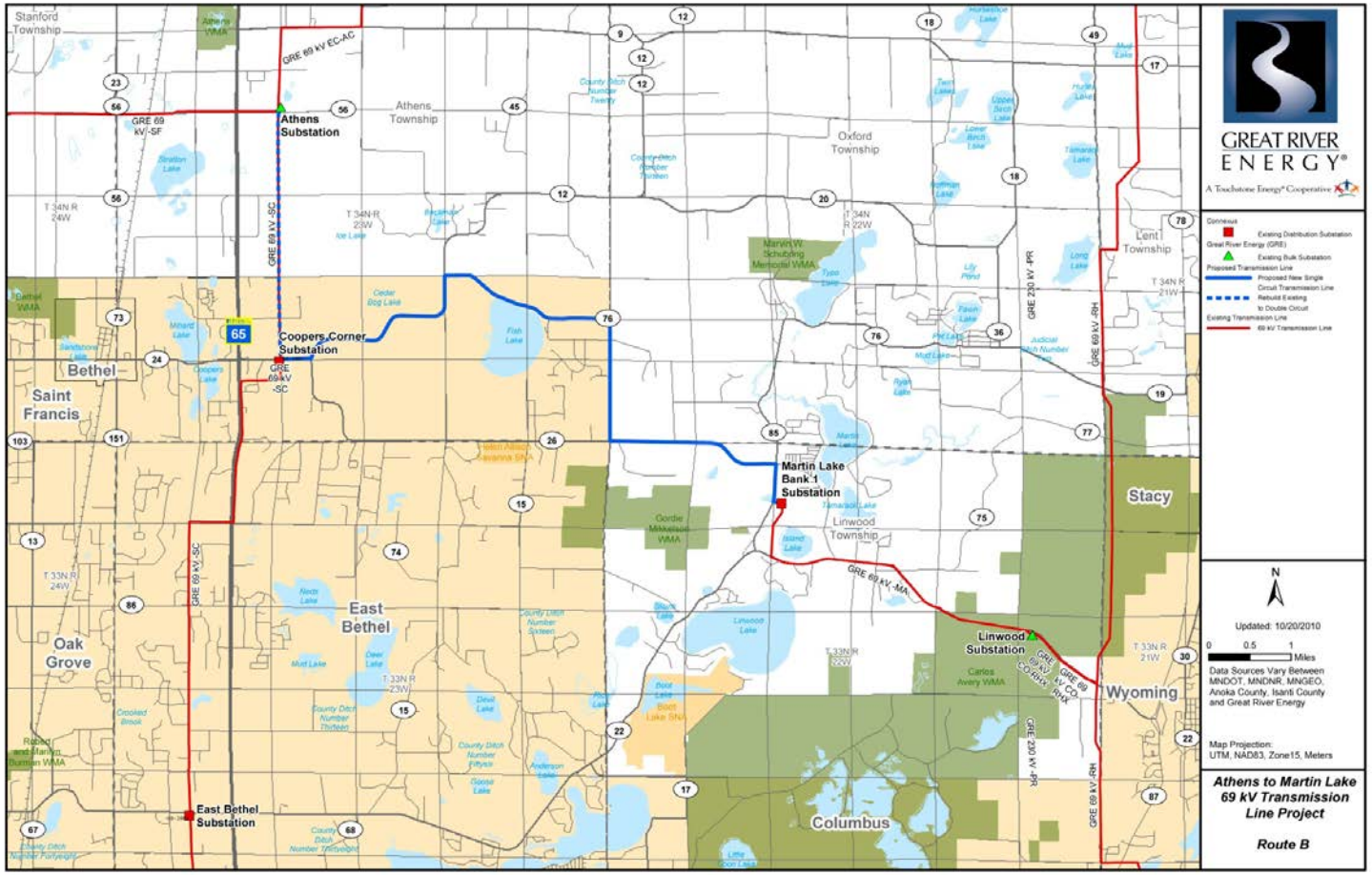
Overview of Routes



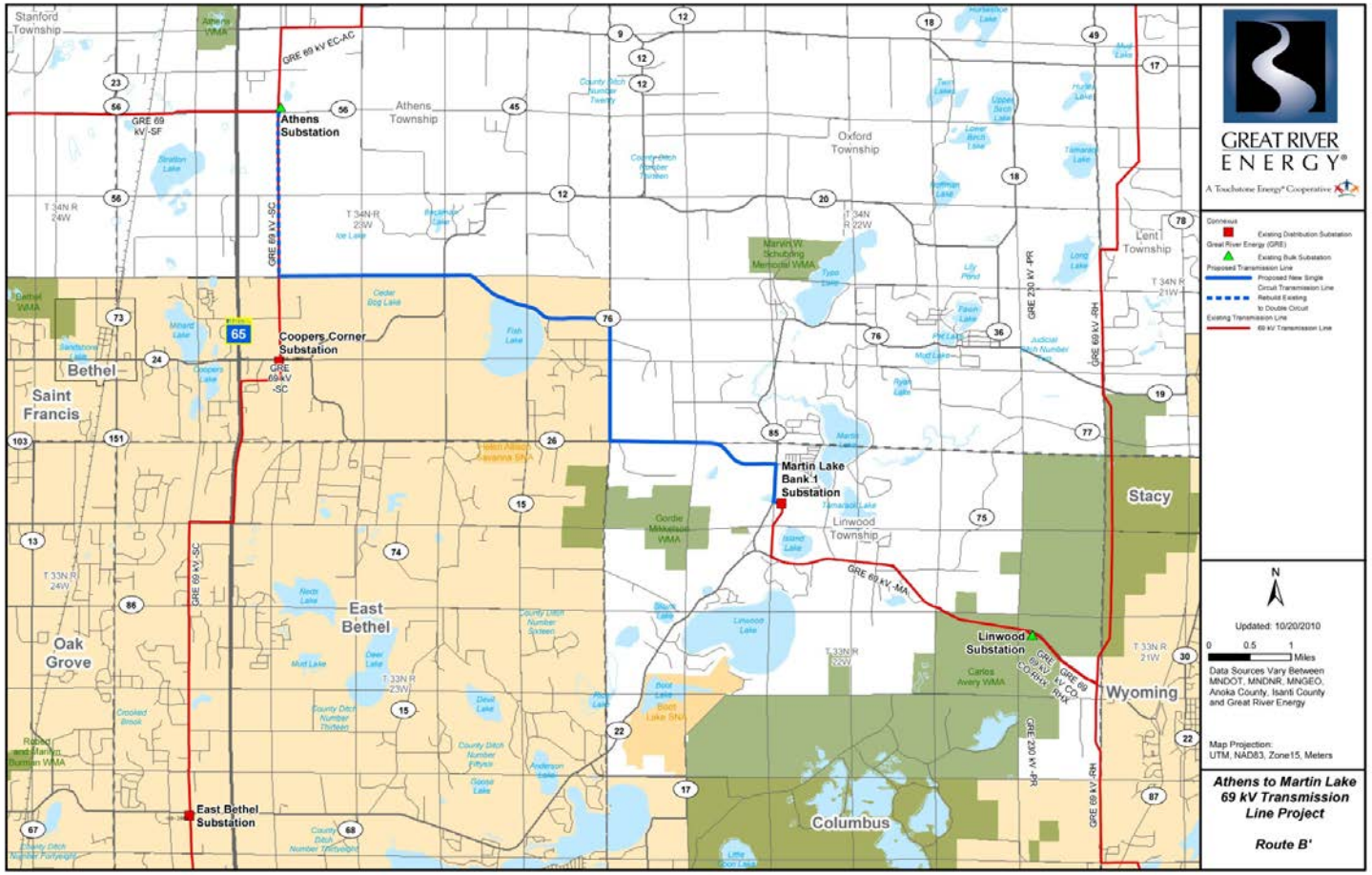
Route A


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
GRE 69 kV CO-RH
GRE 69 kV CO-RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Contours
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route A

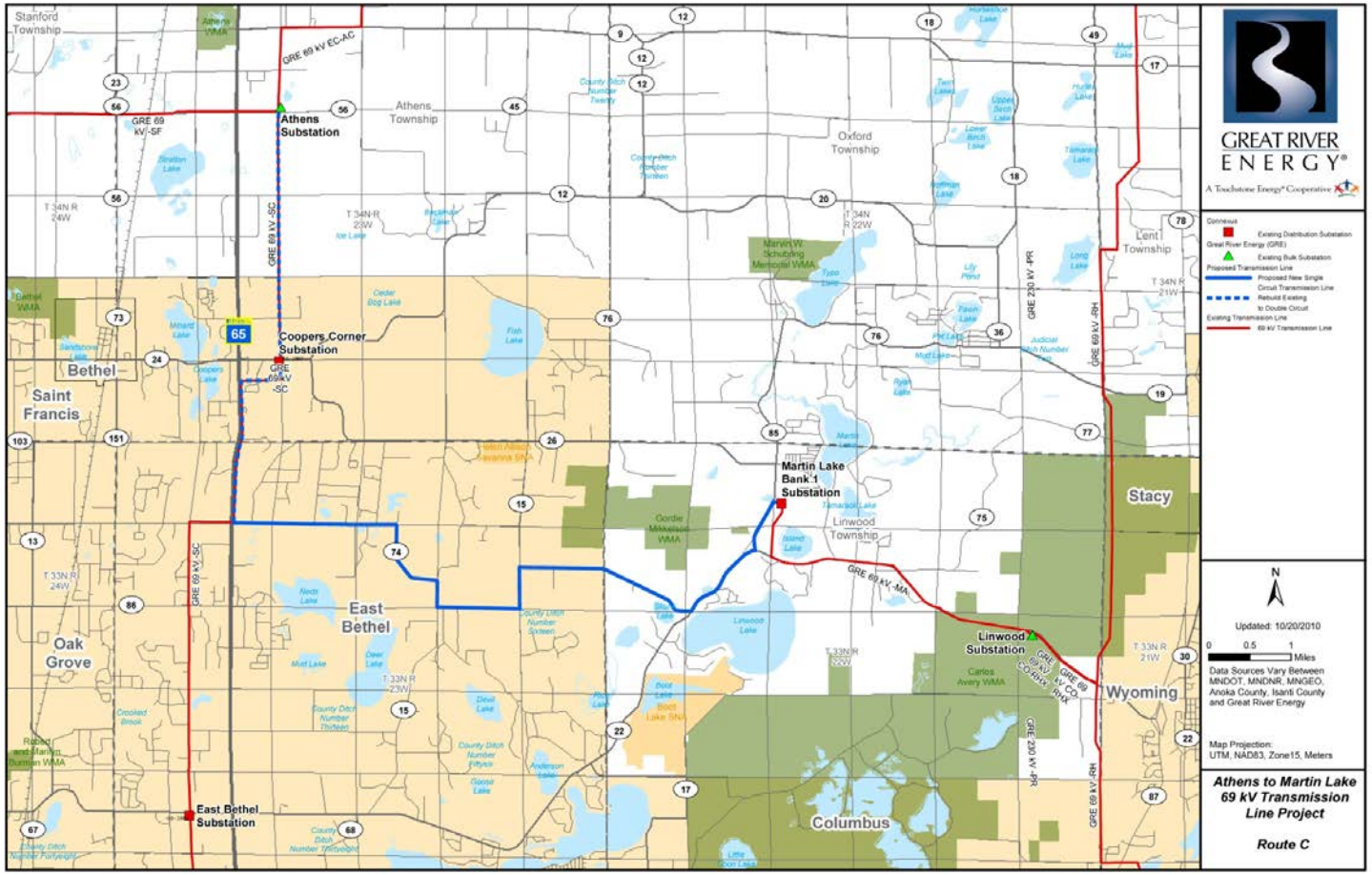
Route B


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 220 kV -PR
GRE 69 kV -RH
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route B

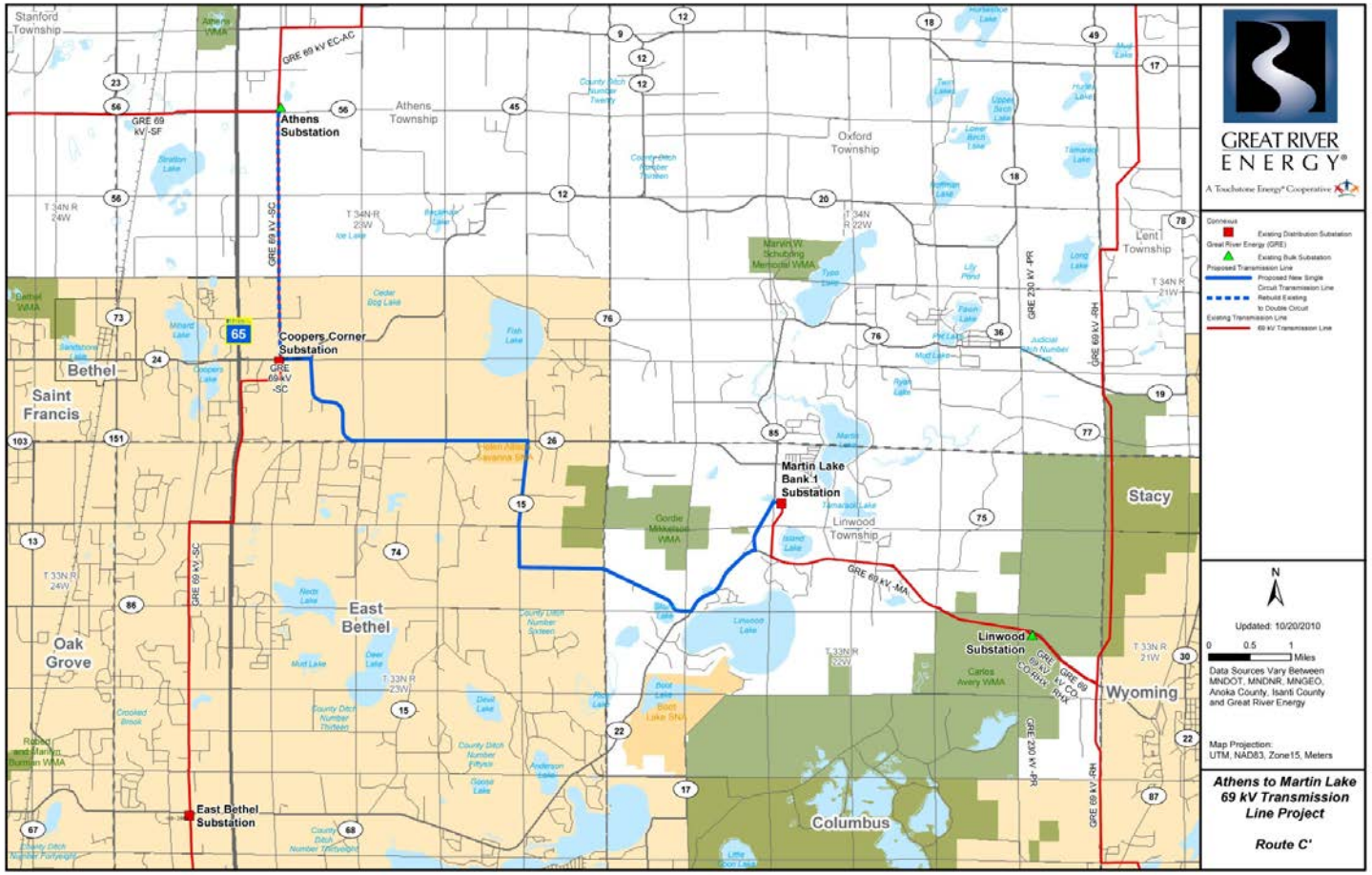
Route B1


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 230 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route B'

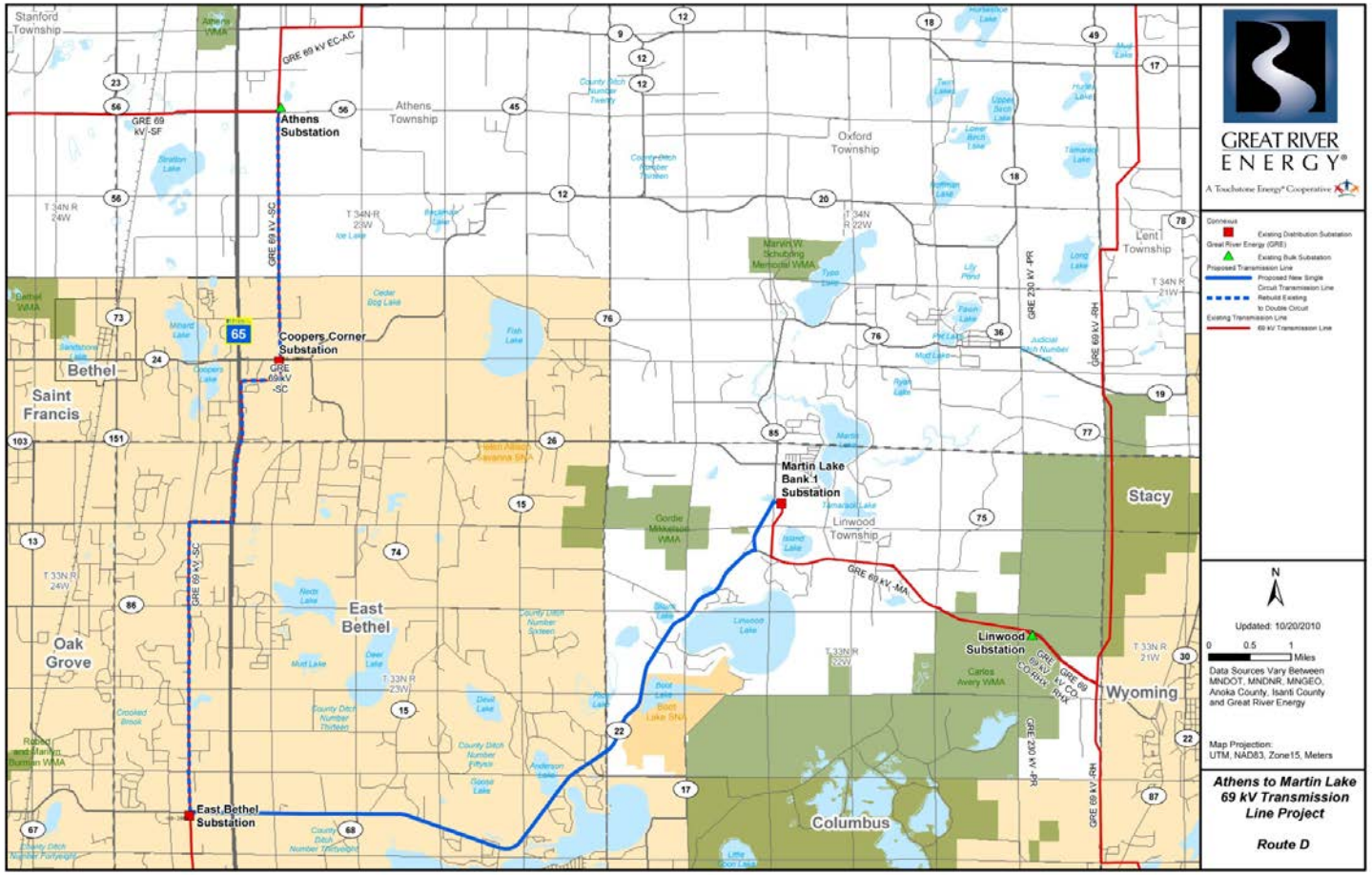
Route C


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 230 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route C

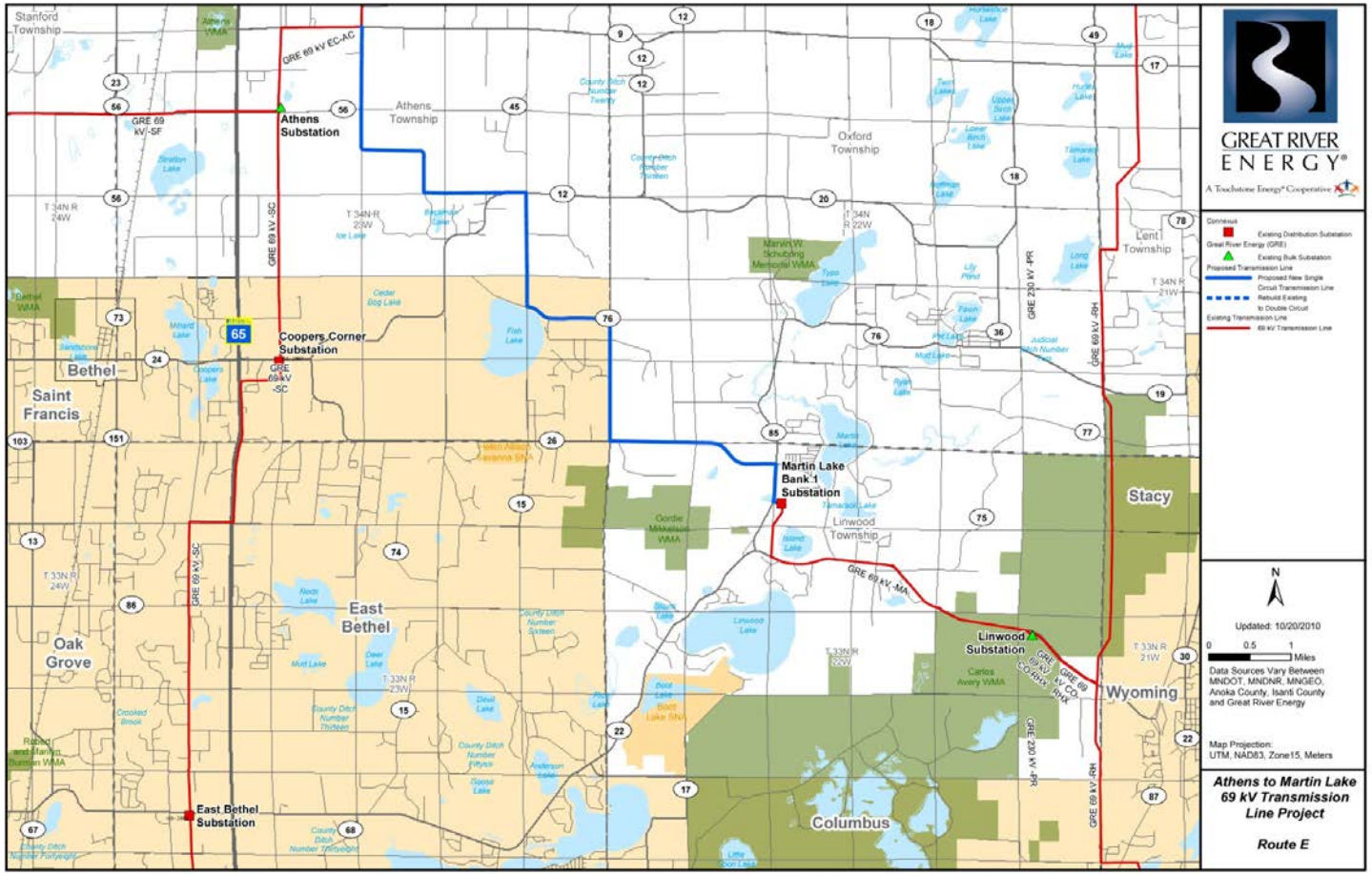
Route C1


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 220 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route C'

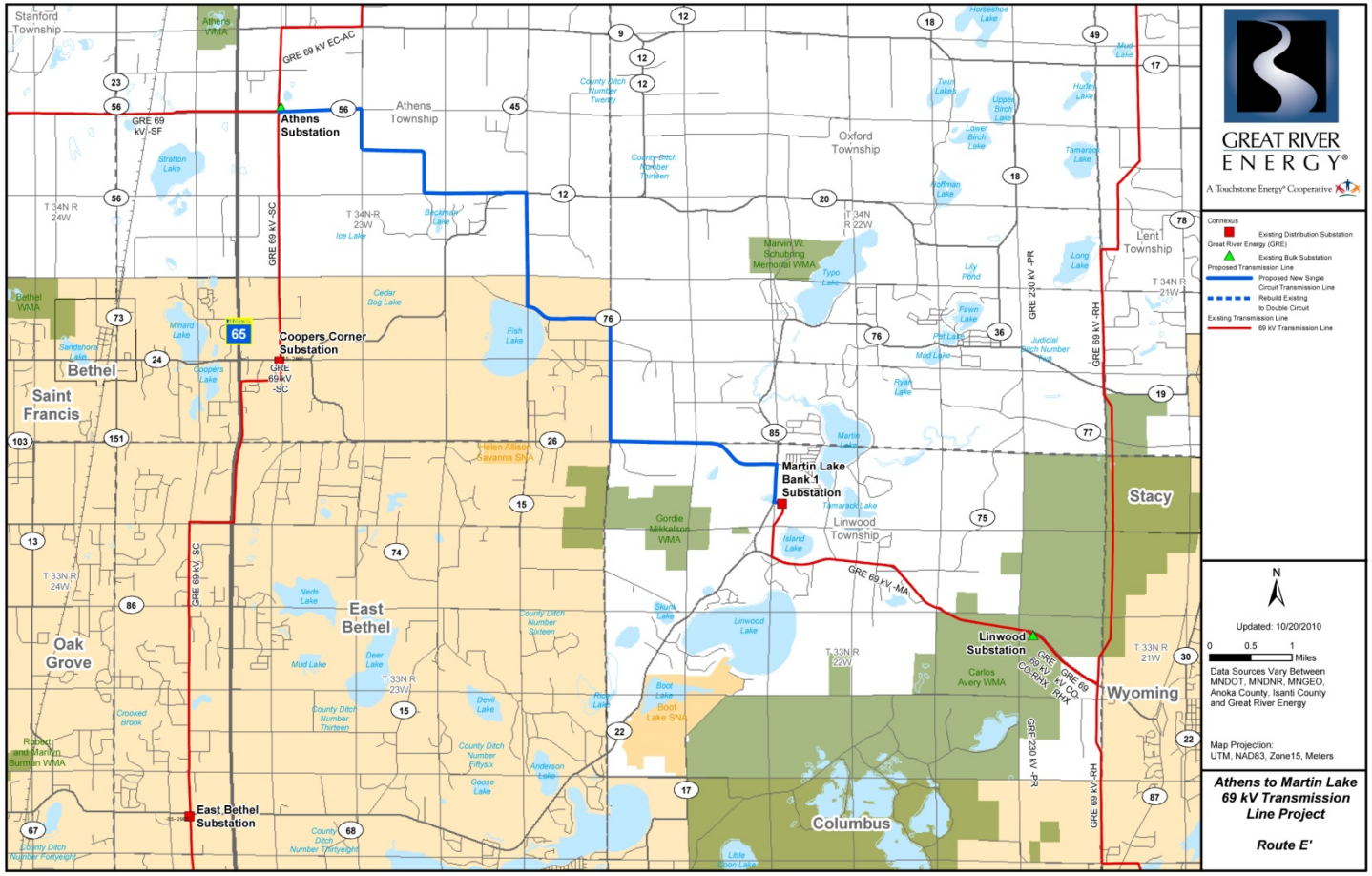
Route D


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
GRE 69 kV CO-RH
GRE 69 kV CO-RW
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route D

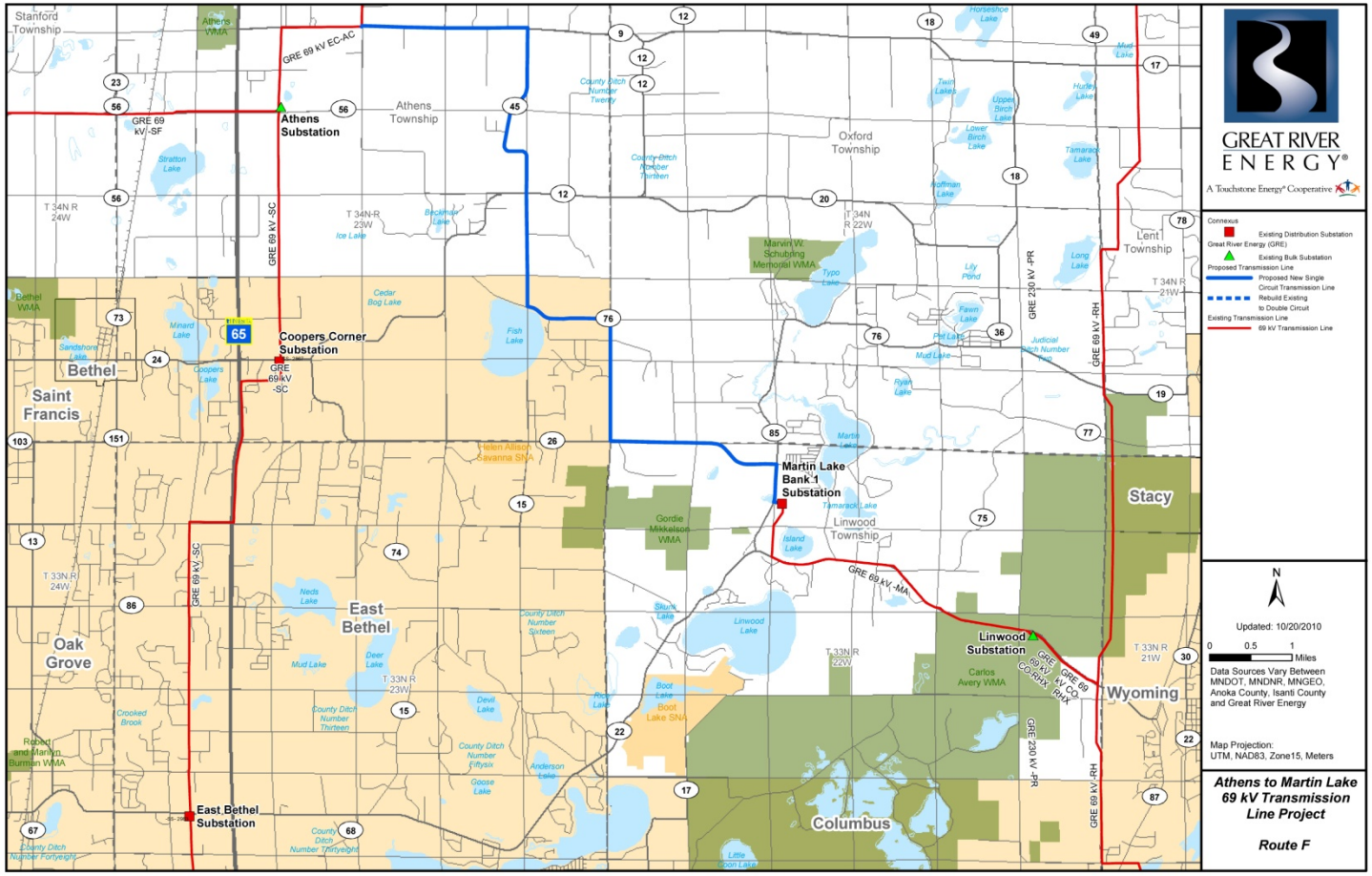
Route E


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 230 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Contours
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route E

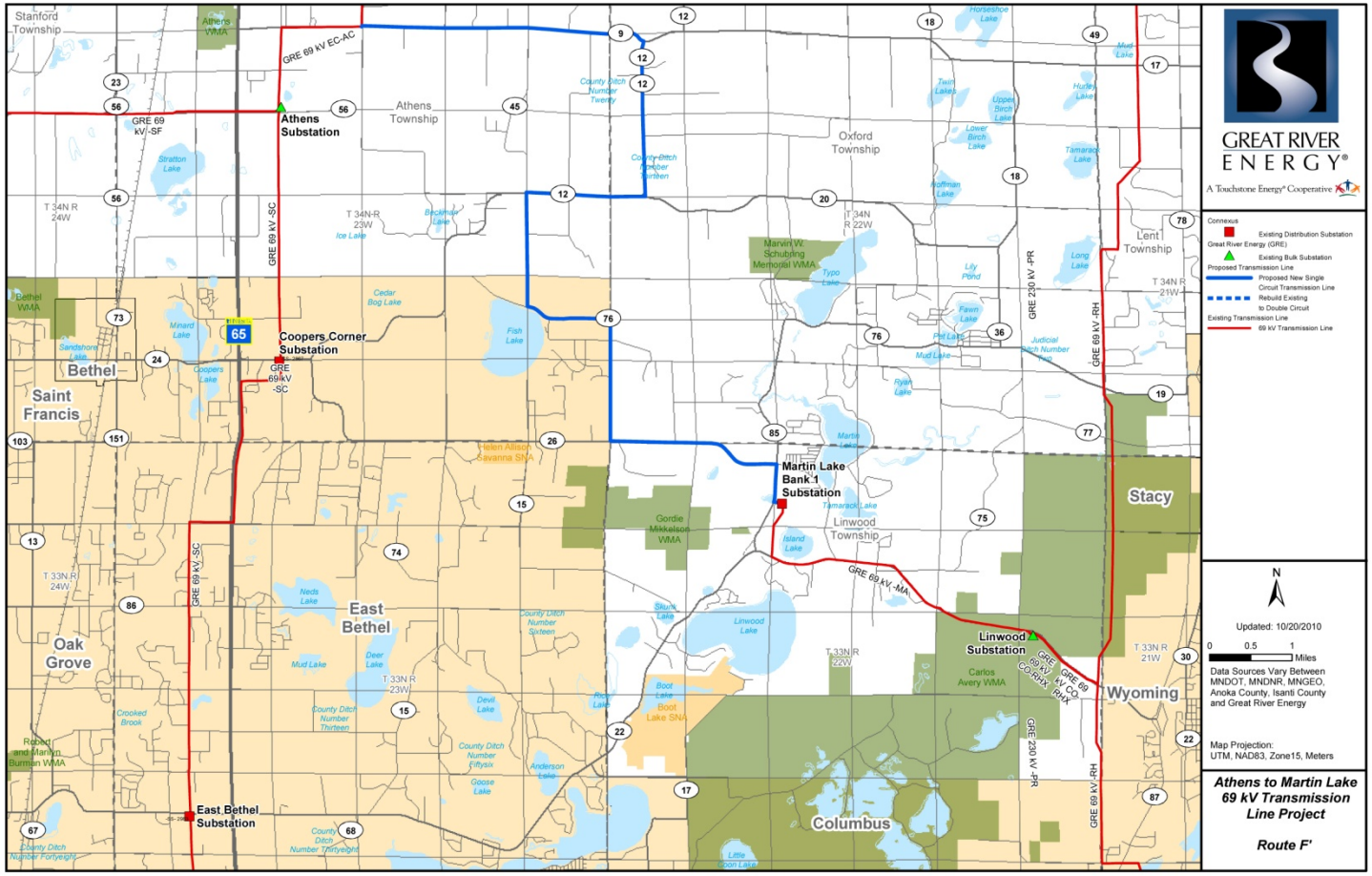
Route E1


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route E'

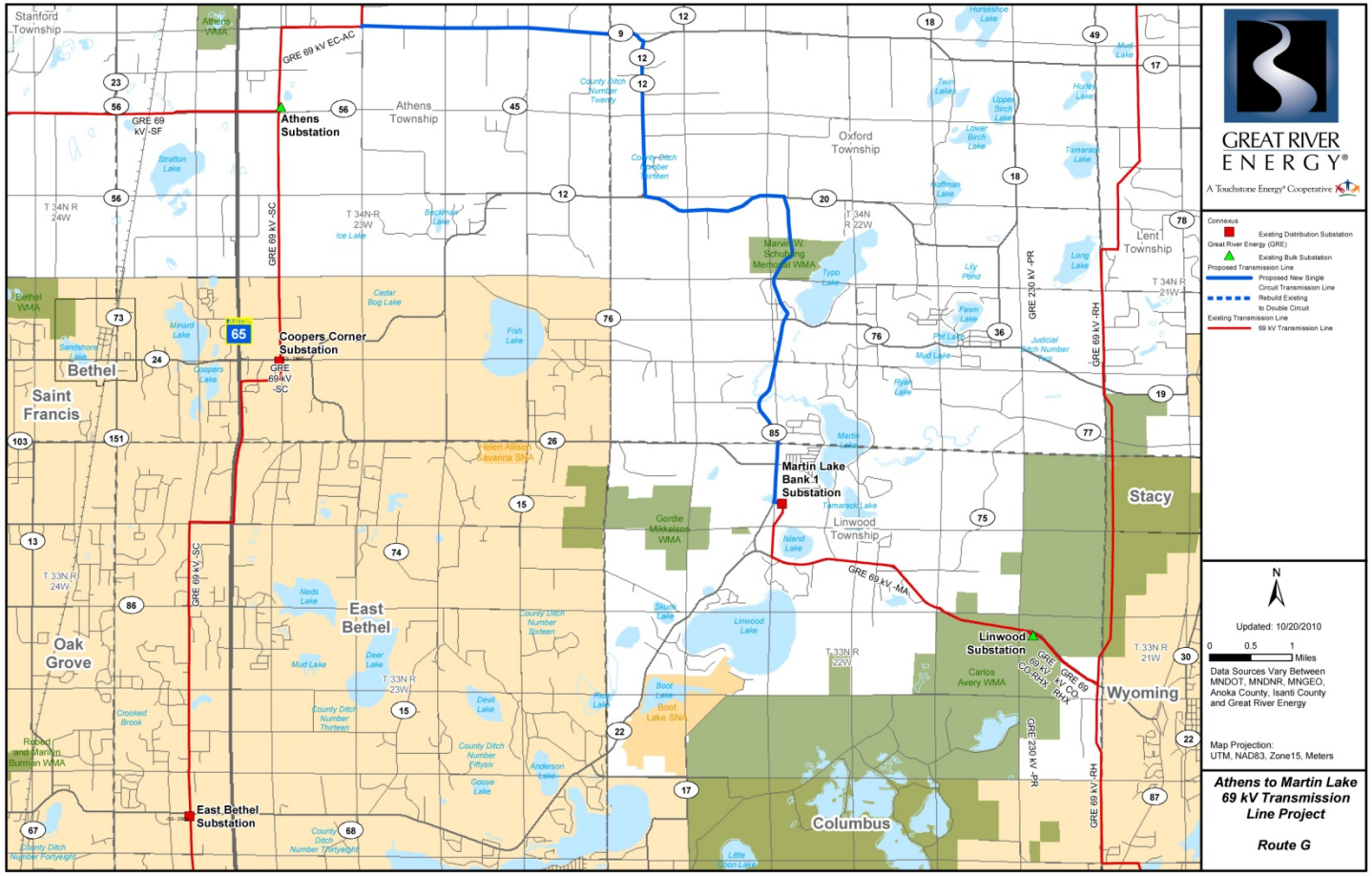
Route F


GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route F
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus

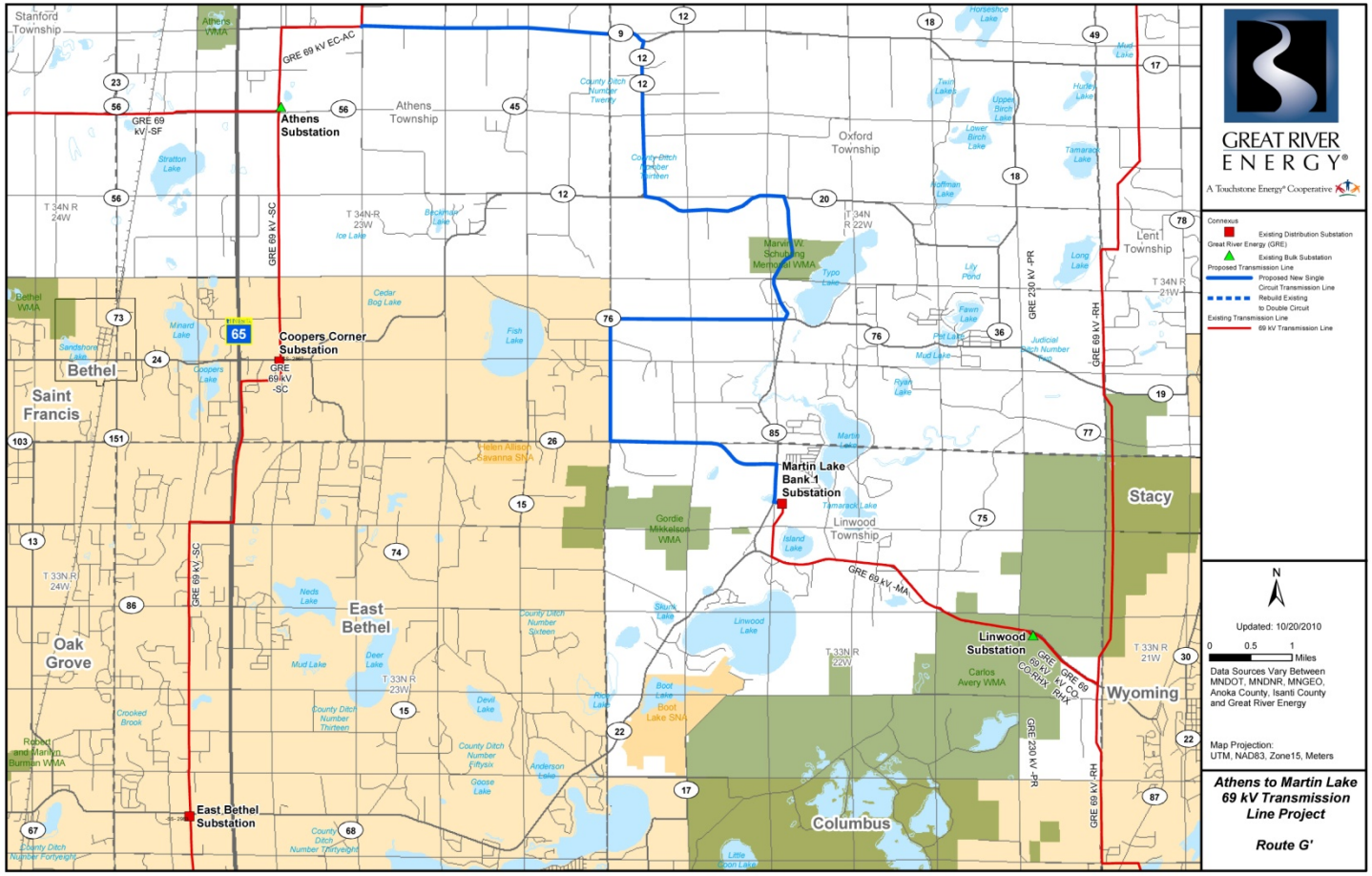
Route F1


GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route F'
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus

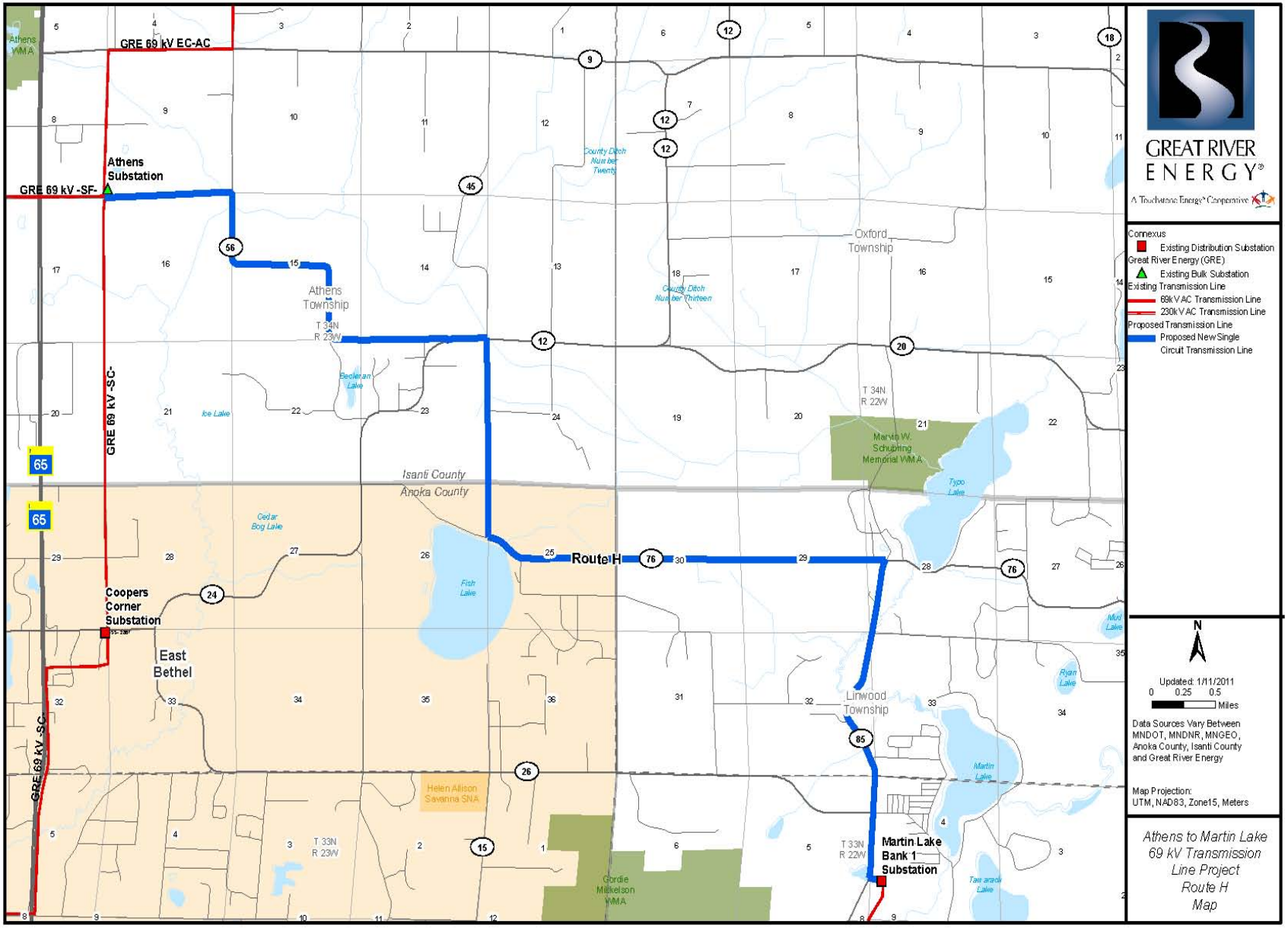
Route G


GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route G
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus

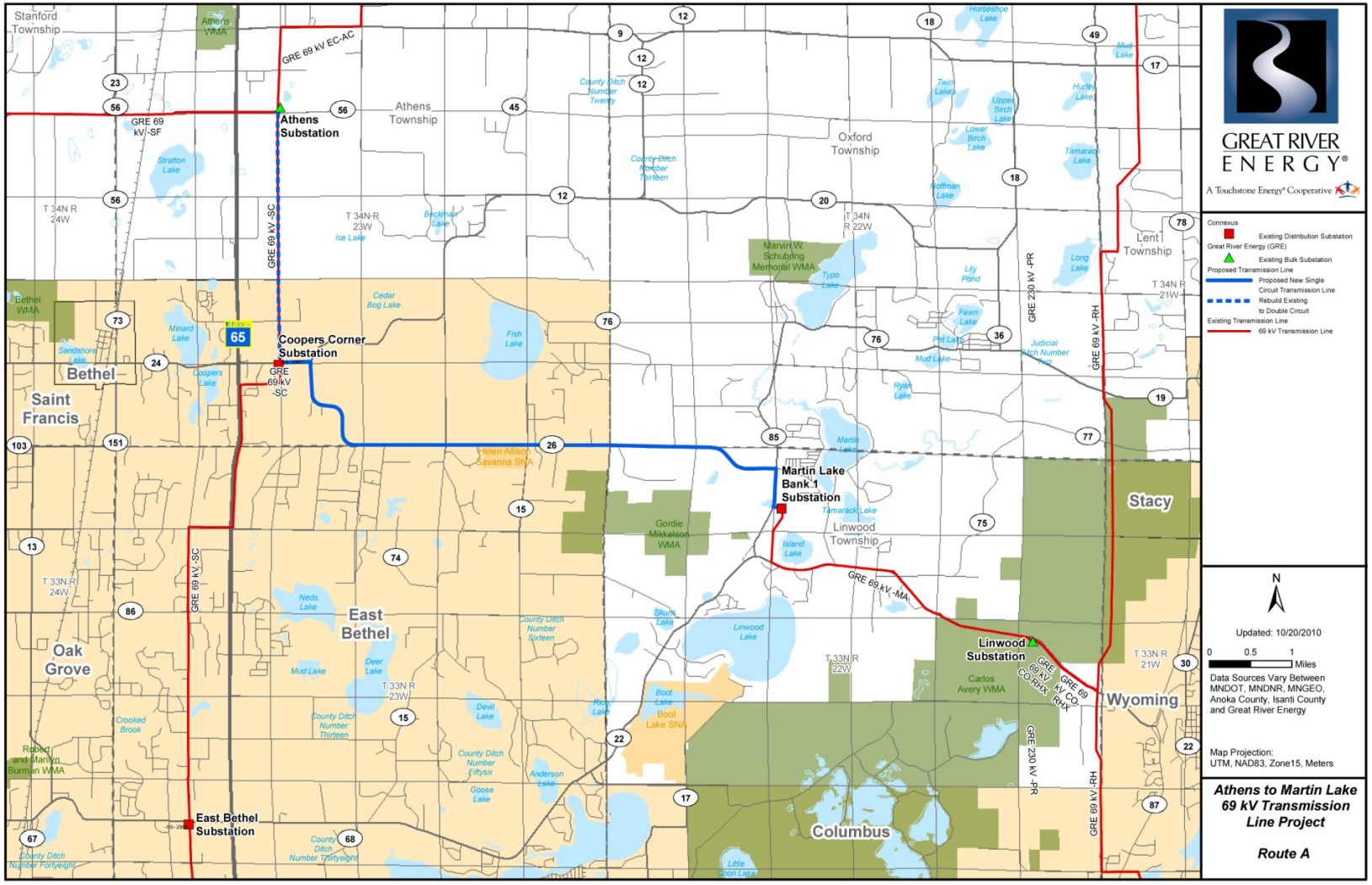
Route G1


GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route G'
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus

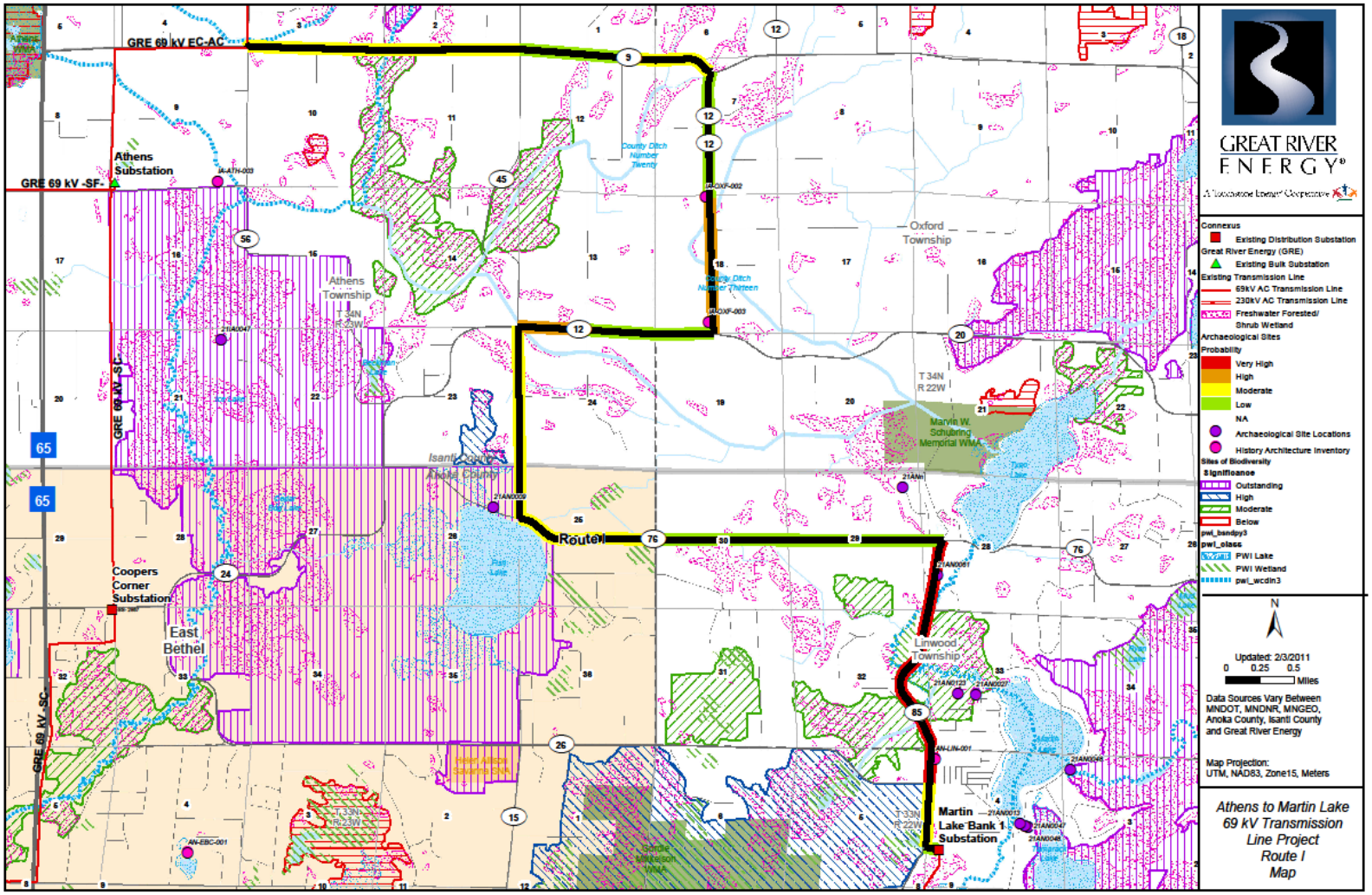
Route H


GREAT RIVER ENERGY
A Touchstone Energy Cooperative
GRE 69 kV EC-AC
Athens Substation
GRE 69 kV -SF-
GRE 69 kV -SC-
Athens Township
T 34N R 23W
Oxford Township
T 34N R 22W
Marvin W. Schupring Memorial WMA
Isanti County
Anoka County
Route H
Coopers Corner Substation
East Bethel
Linwood Township
Martin Lake Bank 1 Substation
T 33N R 23W
T 33N R 22W
Helen Allison Savanna SNA
Gordie Mikkelson WMA
Athens WMA
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Existing Transmission Line
69kV AC Transmission Line
230kV AC Transmission Line
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
N
Updated: 1/11/2011
0 0.25 0.5 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project Route H Map

Route A

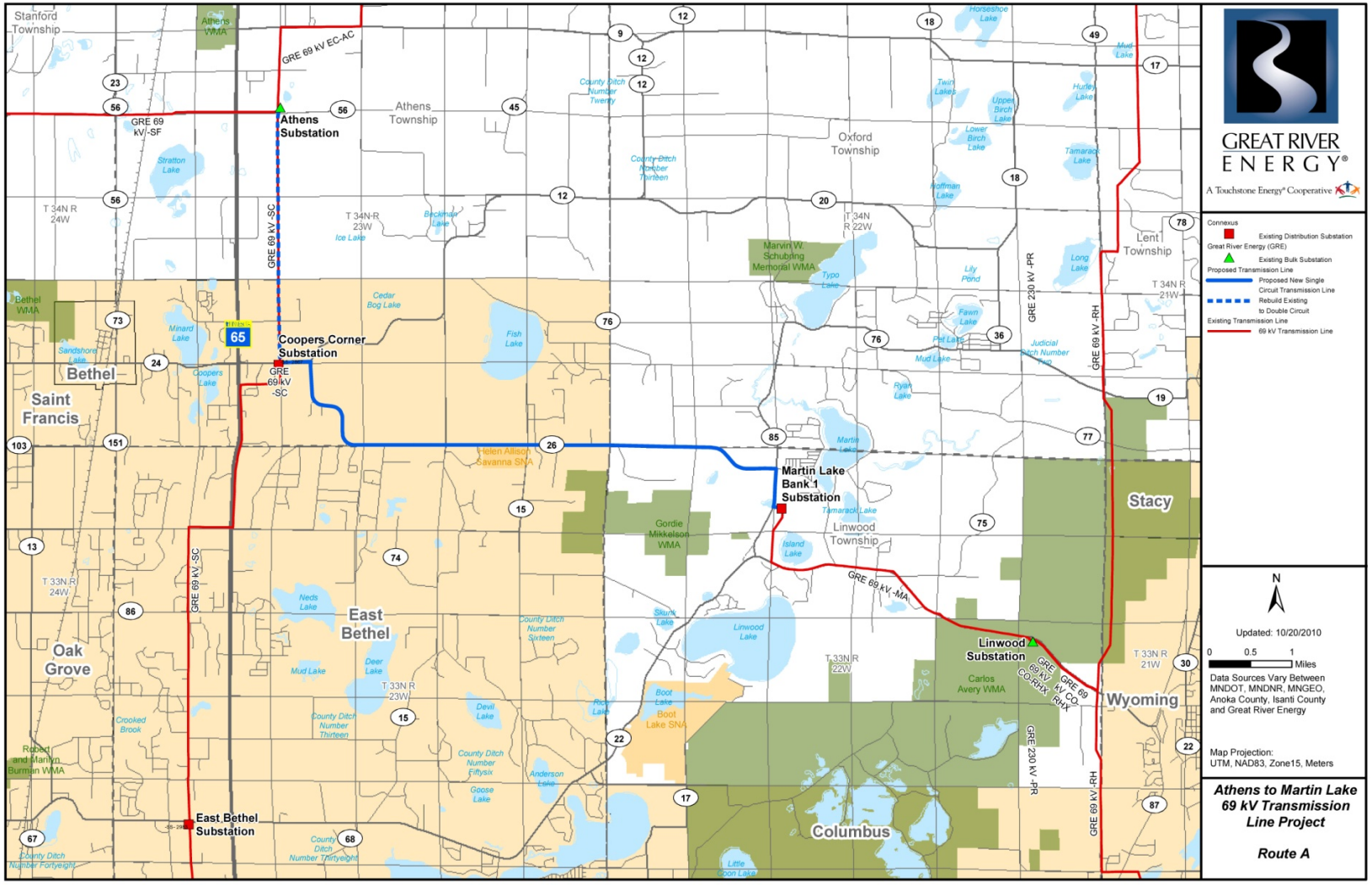

Stanford Township
Athens WMA
GRE 69 kV EC-AC
GRE 69 kV-SF
Athens Substation
Athens Township
Oxford Township
Lent Township
T 34N R 24W
T 34N-R 23W
T 34N R 22W
T 34N R 21W
GRE 69 kV -SC
Marvin W. Schubring Memorial WMA
GRE 230 kV -PR
GRE 69 kV -RH
Bethel WMA
Coopers Corner Substation
GRE 69 kV -SC
Bethel
Saint Francis
Helen Allison Savanna SNA
Martin Lake Bank 1 Substation
Stacy
Gordie Mikkelson WMA
Linwood Township
GRE 69 kV -MA
Linwood Substation
GRE 69 kV -AT, CO, RHX
GRE 69 kV -AT, CO, CO-RHX
Carlos Avery WMA
Wyoming
East Bethel
Oak Grove
T 33N R 24W
T 33N R 23W
T 33N R 22W
T 33N R 21W
GRE 230 kV -PR
Robert and Marilyn Burman WMA
East Bethel Substation
Columbus
Boot Lake SNA
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route A

Route I



GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route A


Stanford Township
Athens WMA
GRE 69 kV EC-AC
GRE 69 kV-SF
Athens Substation
Athens Township
Oxford Township
Lent Township
T 34N R 24W
T 34N-R 23W
T 34N R 22W
T 34N R 21W
GRE 69 kV -SC
Marvin W. Schubring Memorial WMA
GRE 230 kV -PR
GRE 69 kV -RH
Bethel WMA
Coopers Corner Substation
GRE 69 kV -SC
Bethel
Saint Francis
Helen Allison Savanna SNA
Martin Lake Bank 1 Substation
Stacy
Gordie Mikkelson WMA
Linwood Township
GRE 69 kV -MA
Linwood Substation
GRE 69 kV -AT, CO, RHX
GRE 69 kV -AT, CO, CO-RHX
Carlos Avery WMA
Wyoming
East Bethel
Oak Grove
T 33N R 24W
T 33N R 23W
T 33N R 22W
T 33N R 21W
GRE 230 kV -PR
Robert and Marilyn Burman WMA
East Bethel Substation
Columbus
Boot Lake SNA
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route A

Existing Great River Energy SC 69 kV transmission line - three miles from Athens Substation to Coopers Corner Substation

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Existing Connexus Energy distribution line from Coopers Corner along CSAH 24

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Facing east of Gopher Drive – at 237th Avenue

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Cedar Creek along CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Underground utilities currently in creek area

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

West end of Cedar Creek Reserve – primarily wooded

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Moving east, land opens to oak savanna

CSAH 26 – wide shoulders cleared, trees back from road ROW

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Typo Creek Drive – south of CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route A

Public/Social Considerations

➢*Homes*

• 0 homes within 100 feet of anticipated transmission centerline.
• 43 homes within 200 feet of anticipated transmission centerline.
• 84 homes within 300 feet of anticipated transmission centerline.

➢*Public Facilities, Parks, Trails*

• This route does not cross parkland.
• According to the East Bethel Comprehensive Trails and Open Space Concept Plan, a bituminous surface trail is proposed for the southern edge of the Cedar Creek Ecosystem Science Reserve ("Cedar Creek Reserve").

➢ *Tree/vegetation removal*

• The existing three-mile transmission corridor is maintained and minimal additional clearing would be required. Within the remaining 7.4 miles of the route, approximately 14 acres of trees/vegetation would need to be cleared.

➢ *Historic/Archaeological Sites*

• Two historic sites within ½ mile of the route (AN-LIN-001 and AN-LIN-004, both close to the Martin Lake Substation).

• No archaeological sites within ½ mile of Route A.

Environmental/Cultural Considerations

- Identification of avoidance areas – The University of Minnesota Cedar Creek property is an area of ecological significance. The Allison Savanna Scientific Natural Area and the Linwood School Forest are also along the route. This route has the lowest percentage of forested wetlands of all routes (0.11 % or 0.1 acres).

- Agricultural operations – this route should not affect agricultural operations.

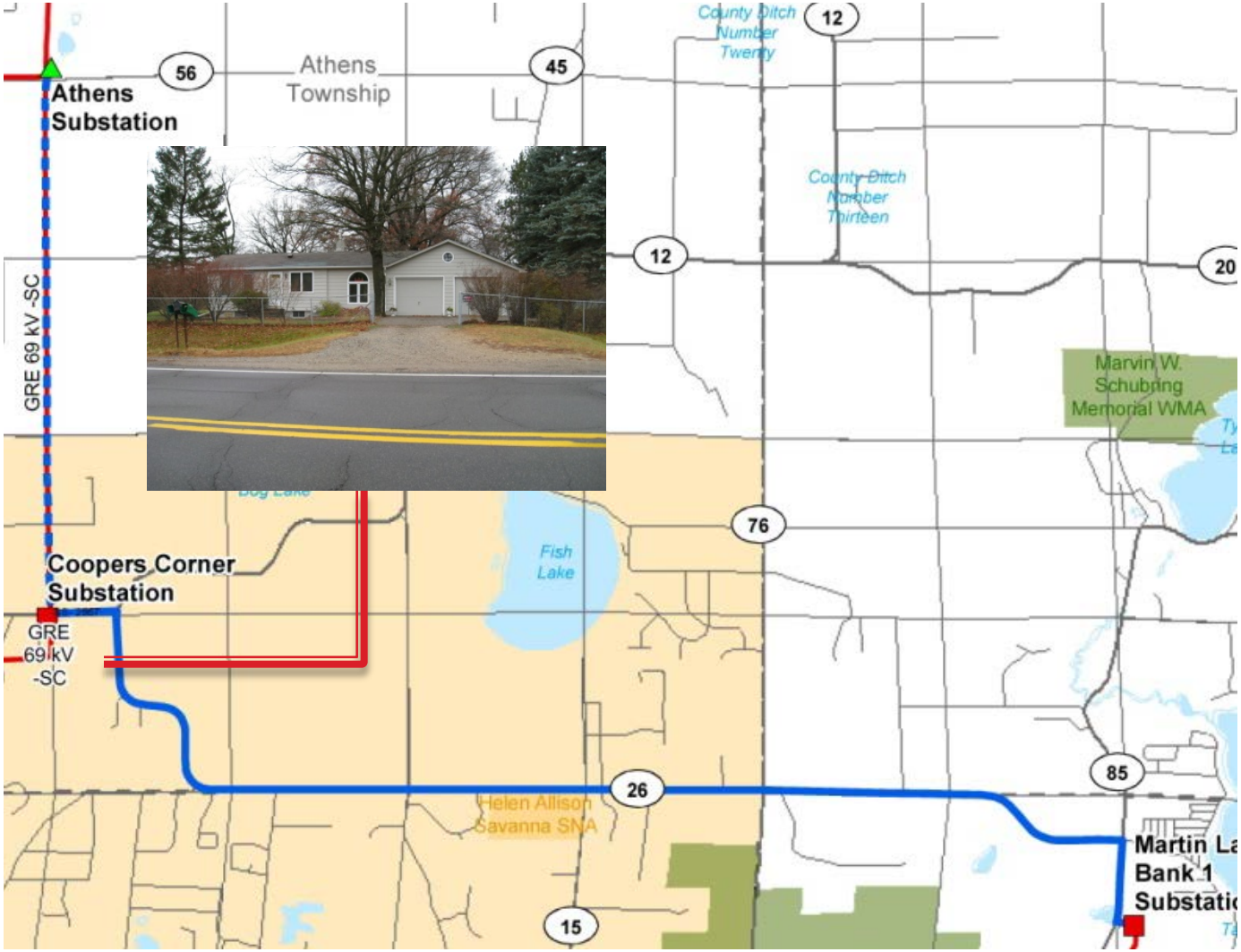
- Impact to existing utilities – There are no negative impacts to existing utilities. The distribution line along the route will be upgraded (3.3 miles). This route affects the fewest miles of distribution line.

Engineering/Construction Considerations

➢ *Route Distance*

- 10.4 miles total length
- 7.4 miles new transmission line/new easements for estimated total of 34.8 acres
- 3.0 miles existing SC 69 kV transmission line corridor – very few to no new easements required

Private home across from Cedar Creek Reserve

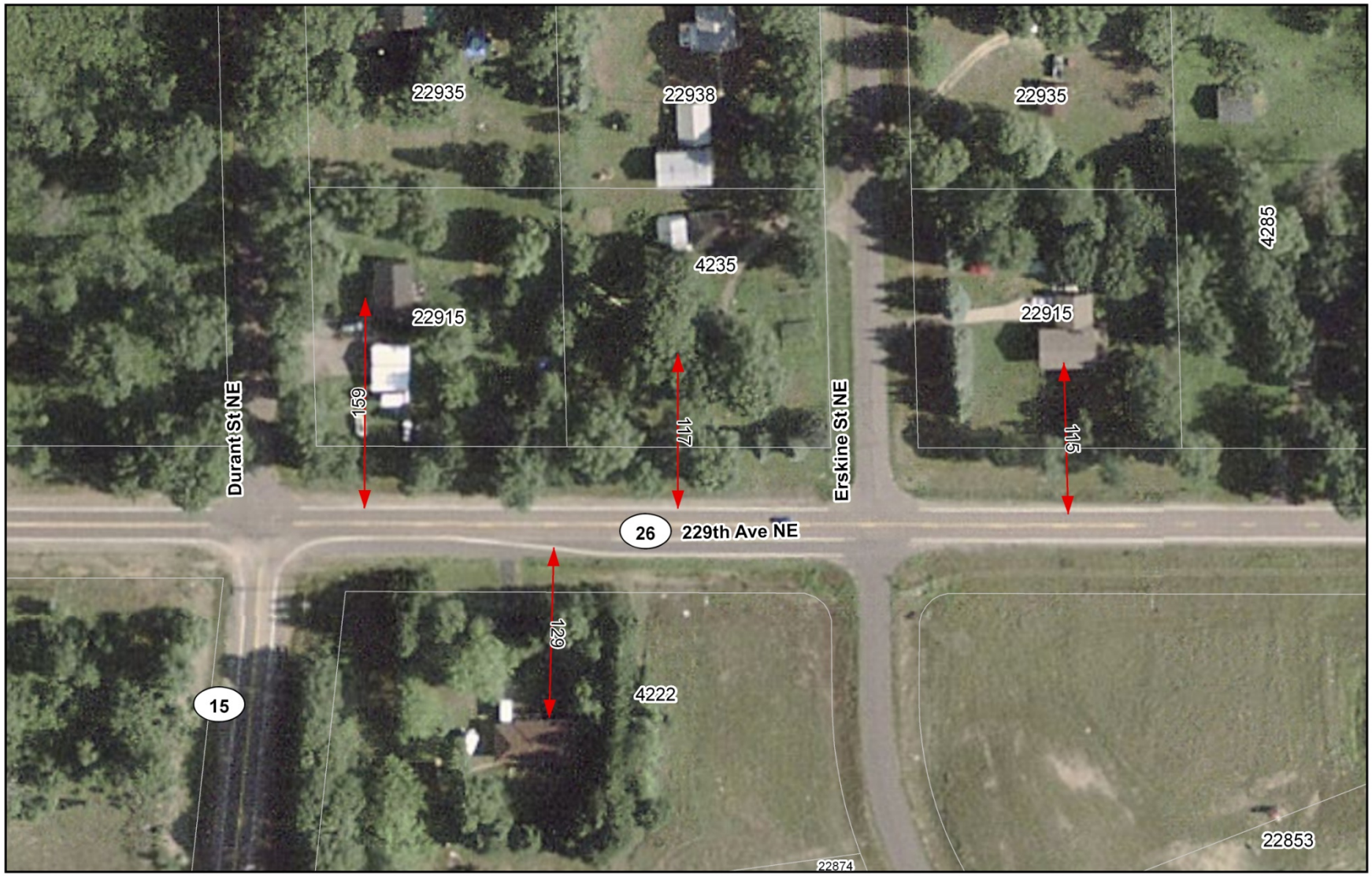


Private home surrounded by Cedar Creek Reserve

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26 and Durant Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative



Pinch point – CSAH 26 and Durant Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26 and Jewel Street

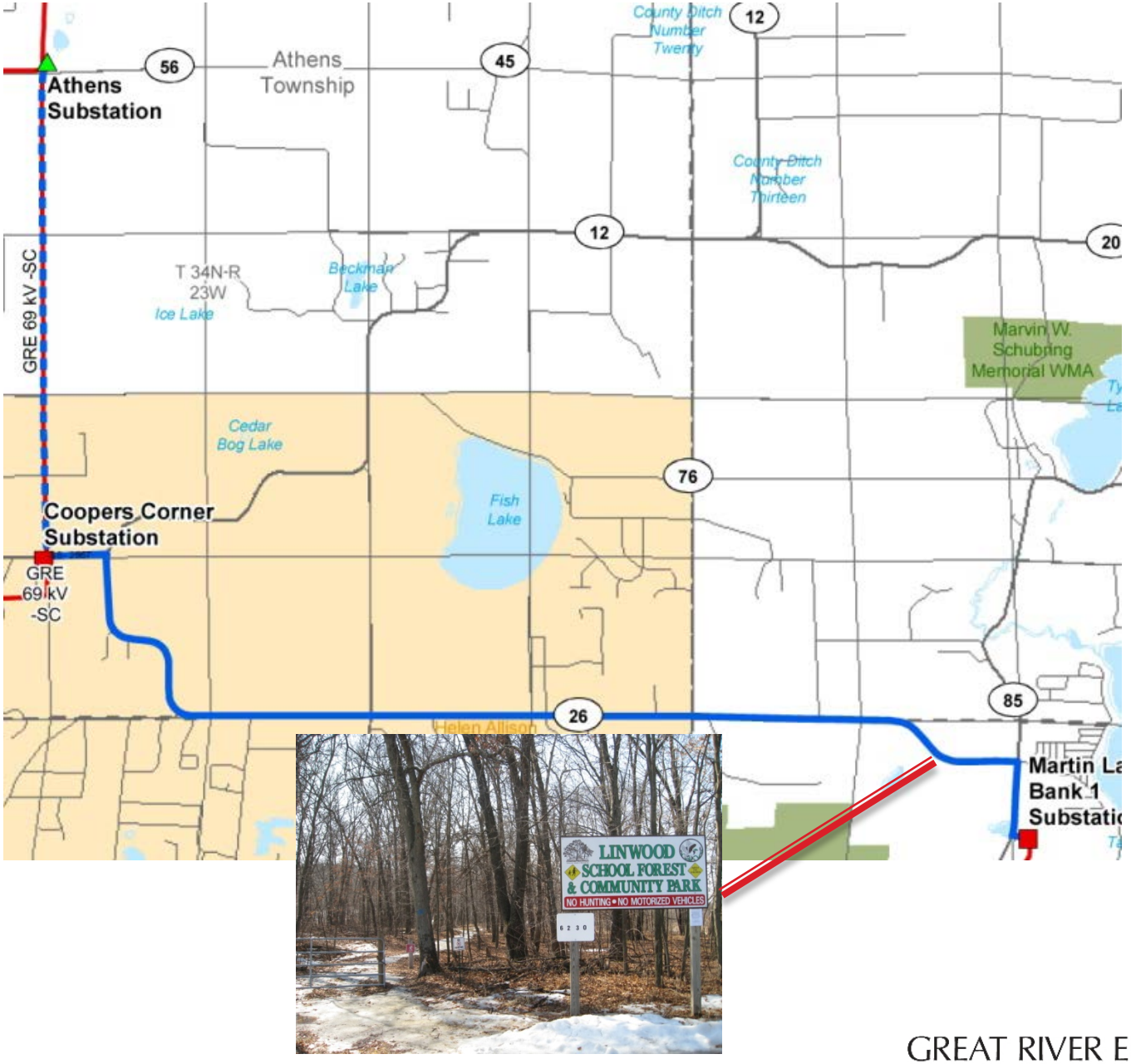
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26 and Jewel Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26, between Packard Street and Sunset Road

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

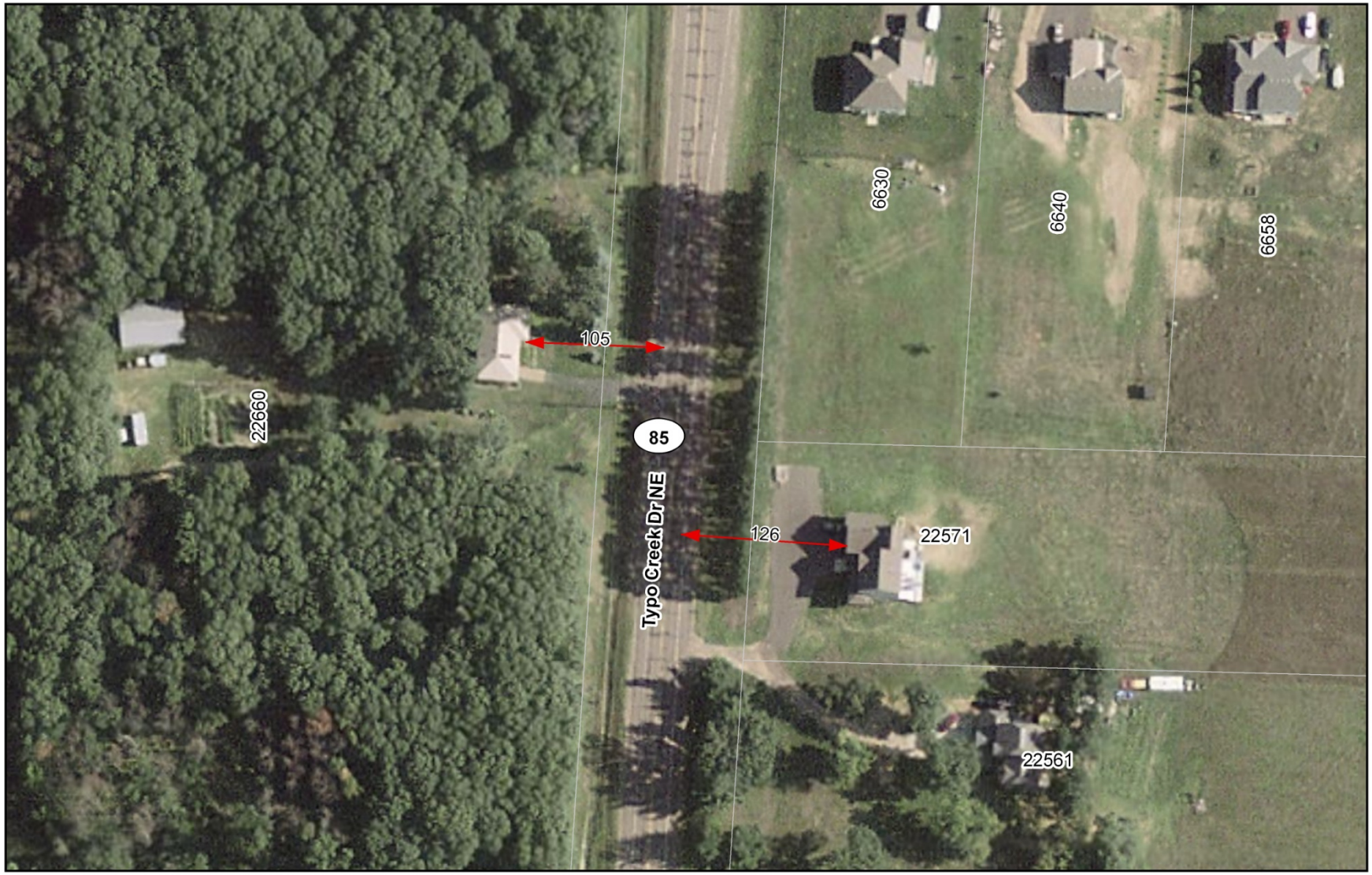


Linwood School Forest with homes across CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – South of CSAH 26 on Typo Creek Drive

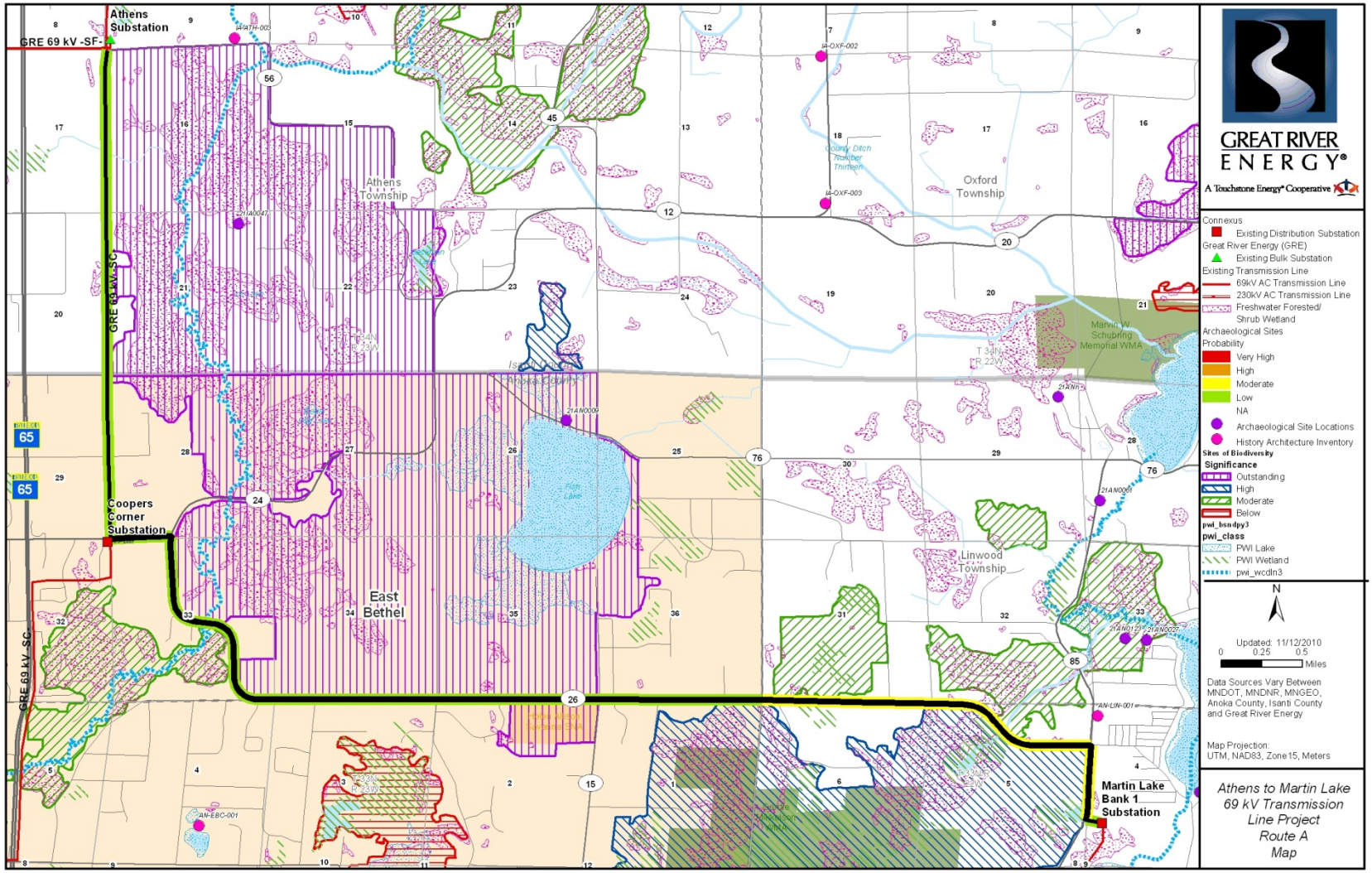
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative



Pinch point – south of CSAH 26 on Typo Creek Drive

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route A - Environmental



Environmental Issues

Species Listed in the Area of Route A

Red Shouldered Hawk - DNR has guidelines on when to do construction and precautions to take. The design of the structures and conductor spacing would keep raptors from electrocution.

Sandhill Crane - USFWS has guidelines on when to do construction and precautions to take. Bird diverters may be required in flyways.

Blanding Turtle, Gopher Snake, Jumping Spider, Leonards Skipper and Karner Blue - DNR has guidelines on when to do construction and precautions to take. Wherever possible construction would happen during the species dormant season

Oak Savanna, Dry Barrens Prairie, Wet Prairie, Walter's Barnyard Grass, Violets, Wild Indigo and all other rare native plant communities - Most of the plant communities would not be located in the transmission easement. In cases where they are DNR guidelines and mitigation would be followed. Spanning areas would also be a possibility for some species.

Agency Consultation for Project

•US Fish and Wildlife Service – consulted; no concerns noted. Rare species listing – Gray wolf.

•Minnesota Historical Society – not yet consulted. Will be consulted regarding excavation.

•US Army Corps of Engineers – not yet consulted but, will be consulted if the wetlands cannot be spanned or forested wetlands are involved.

•MnDOT – consulted, there are no airports in the area of Route A.

•DNR – consulted on the general concerns of the area.

•Cedar Creek Ecosystem Science Reserve, University of Minnesota - Have consulted with Jeffrey Corney, Ph.D.

• Anoka County and Isanti County Highway Departments - Consulted regarding plans for future highway expansion/improvements.

To avoid harming sensitive plant and animal life winter construction will be used wherever possible. Power lines have been designed to prevent electrocution of birds of prey. DNR will be consulted regarding bird diverters.

Affect on VA/FHA Financing

VA Rules state:

- No part of any residential structure may be located within a high voltage electric transmission line *easement*.
- Any detached improvements even partially in a transmission line easement will not receive value for VA purposes.

FHA Rules state:

- No dwelling or related property improvement may be located within the *engineering (designed) fall distance* of any pole, tower or support structure of a high-voltage transmission line, …. For field analysis, the appraiser may use tower height as the fall distance.

Pursuant to the FHA Handbook 4150.2, Section 2-2(J):

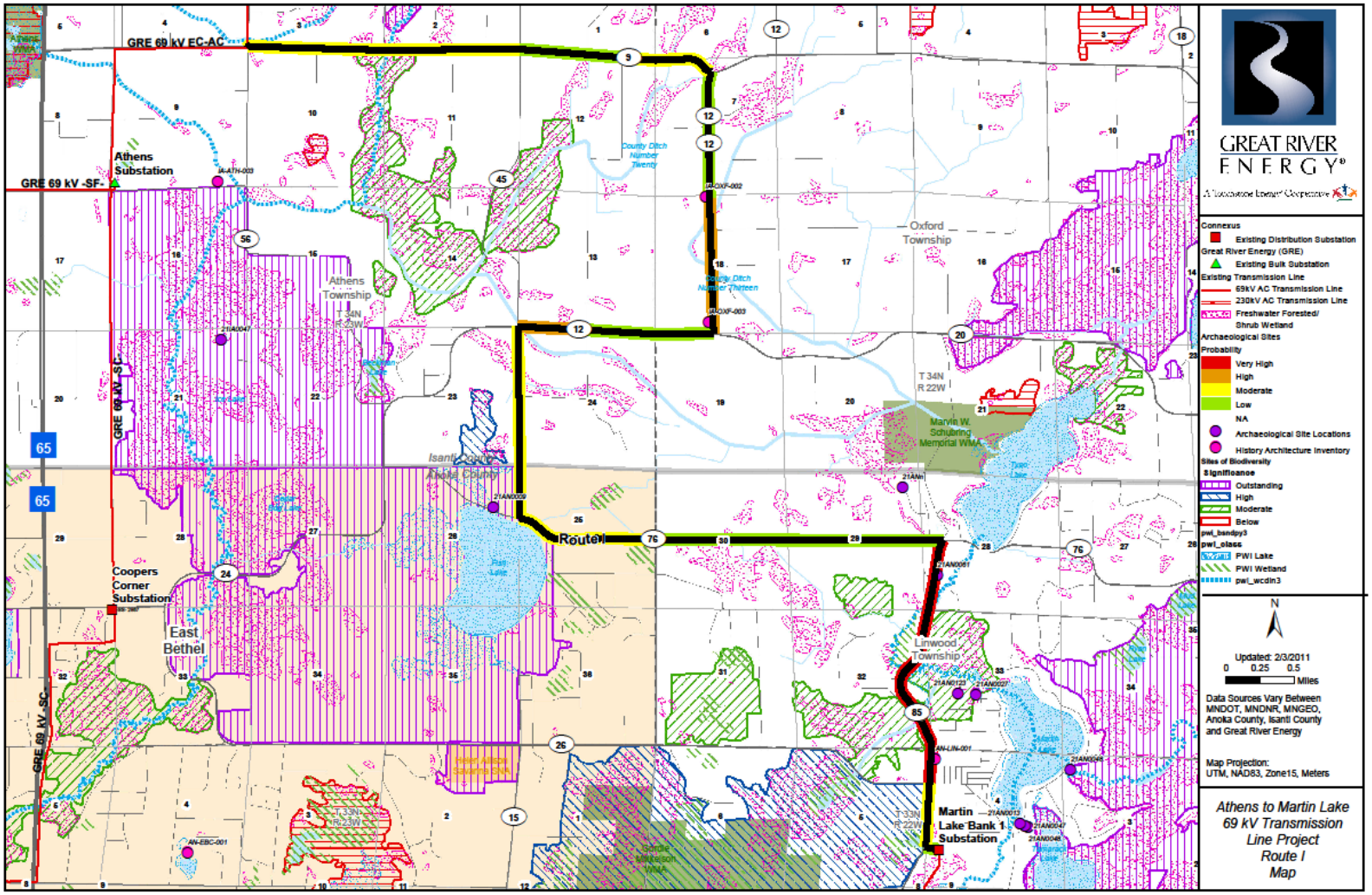
1) If the dwelling or related property improvement is located within such an easement, the lender must obtain a letter from the owner or operator of the tower indicating that the dwelling and its related property improvements are not located within the tower's (engineered) fall distance in order to waive this requirement.

2) If the dwelling and related property improvements are located outside the easement, the property is considered eligible and no further action is necessary. The appraiser, however, is instructed to note and comment on the effect on marketability resulting from the proximity to such site hazards and nuisances.

Summary of Route A Features

- Route length 10.4 miles - shortest viable route
- Shortest length of new transmission line to build – 7.4 miles
- Use three miles of existing transmission line corridor
- Fewer easements – single landowner (Cedar Creek Reserve) for much of new route
- Lowest impact to historical and cultural resources
- Moderate impact to sensitive plants and high, but temporary impact to animal populations in the area
- Fewest number of wetlands and public waters involved on new transmission line ROW
- Second most desirable soil conditions
- County Highway – wider cleared ROW entire route
- Two pinch points
- Fewer turns and angles than other routes
- Savings to Connexus - rebuild distribution line
- Existing distribution corridor along most of route
- Lowest construction cost ≈ $3,677,700.00)

Route I



GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

East of Xylite Street on CSAH 9

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Continue east on CSAH 9 – forested wetlands on both sides

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

CSAH 9 & County Road 45 Intersection

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Intersection of CSAH 9 and CSAH 12 heading south

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Durant Street approaching Fawn Lake Drive

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

East on Fawn Lake Drive

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Facing east - Fawn Lake Drive from Durant Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Looking east on Fawn Lake Drive – pinch point

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive - wetland after County Road 76

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive - wetlands on both sides

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive - cemetery and homes

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive – firehouse on west side

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive – Linwood Hall and cell tower

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Typo Creek Drive – south of CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route I

Public/Social Considerations

➢ *Homes* - GRE was informed of Work Group's decision on February 8th and attempted to prepare this information and submit it to the City of East Bethel by February 10th. Therefore, we apologize but, we do not currently have accurate information regarding proximity of homes.

➢ *Public Facilities, Parks, Trails*

• This route would run along the eastern border of the Linwood Municipal Park.
• According to the East Bethel Comprehensive Trails and Open Space Concept Plan, there is an on-road trail on Durant St. and a proposed natural surface trail on the north end of Fish Lake.

➢ *Tree/vegetation removal*

• Approximately 29.2 acres of trees/vegetation would need to be cleared.

➢ *Historic/Archaeological Sites*

• Four historic sites within ½ mile of the route (IA-OXF-002, IA-OXF-003, AN-LIN-001 and AN-LIN-004, two are located on Apollo [CSAH 12], two are on Typo Creek Drive).

• Five archaeological sites are within ½ mile of the route.

Environmental/Cultural Considerations

- Identification of avoidance areas – the areas in Oxford Township and north of Linwood have high to very high probability of cultural resources of both history and architecture (along Typo Creek Drive from Fawn Lake Drive to CSAH 26).

- This route has percent of forested wetlands (acres).

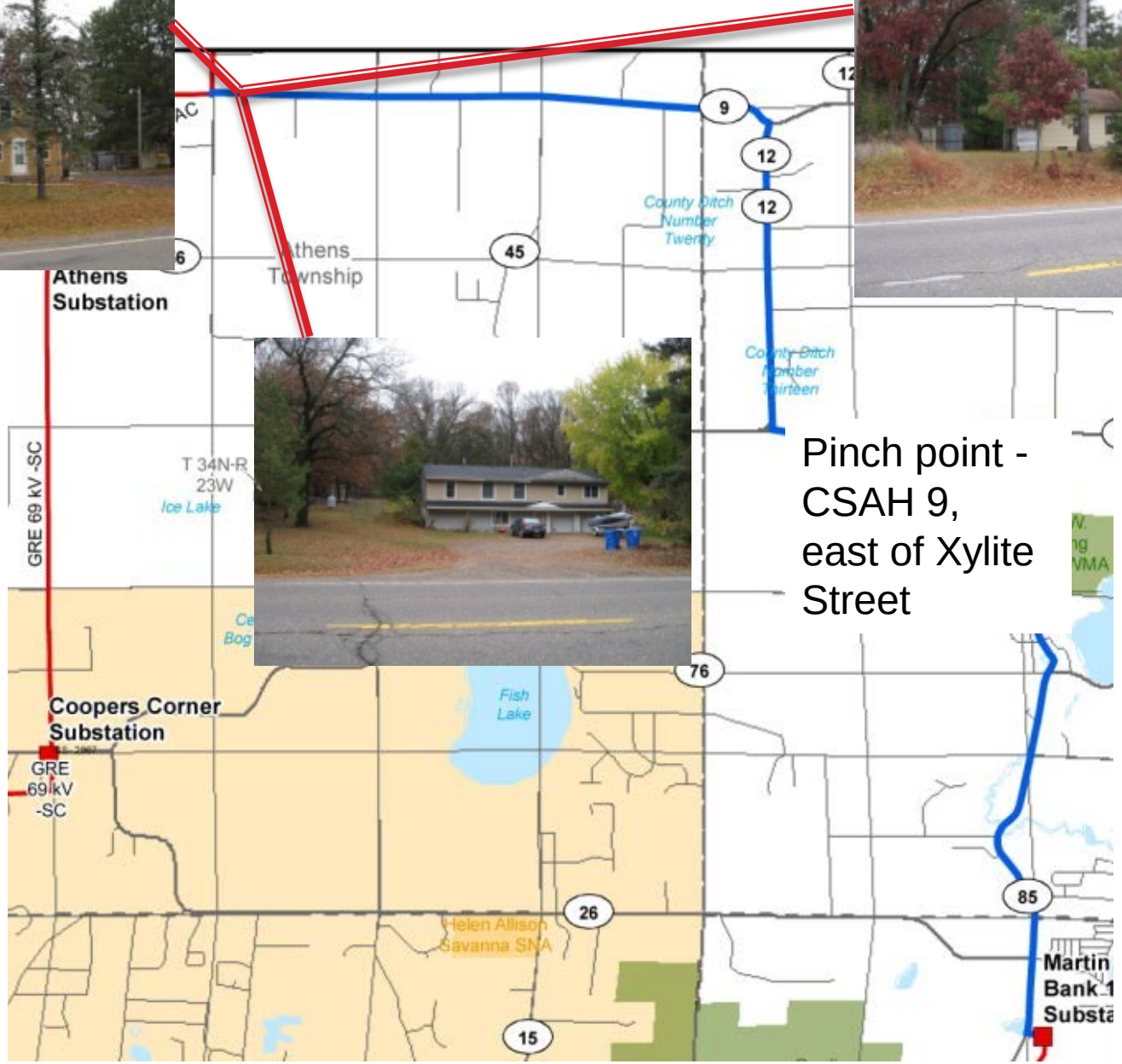
- Agricultural operations – this route should not affect agricultural operations.

- Impact to existing utilities – there are existing distribution lines along the route (approximately 7 miles). All other utilities would not be negatively affected by a new transmission line.

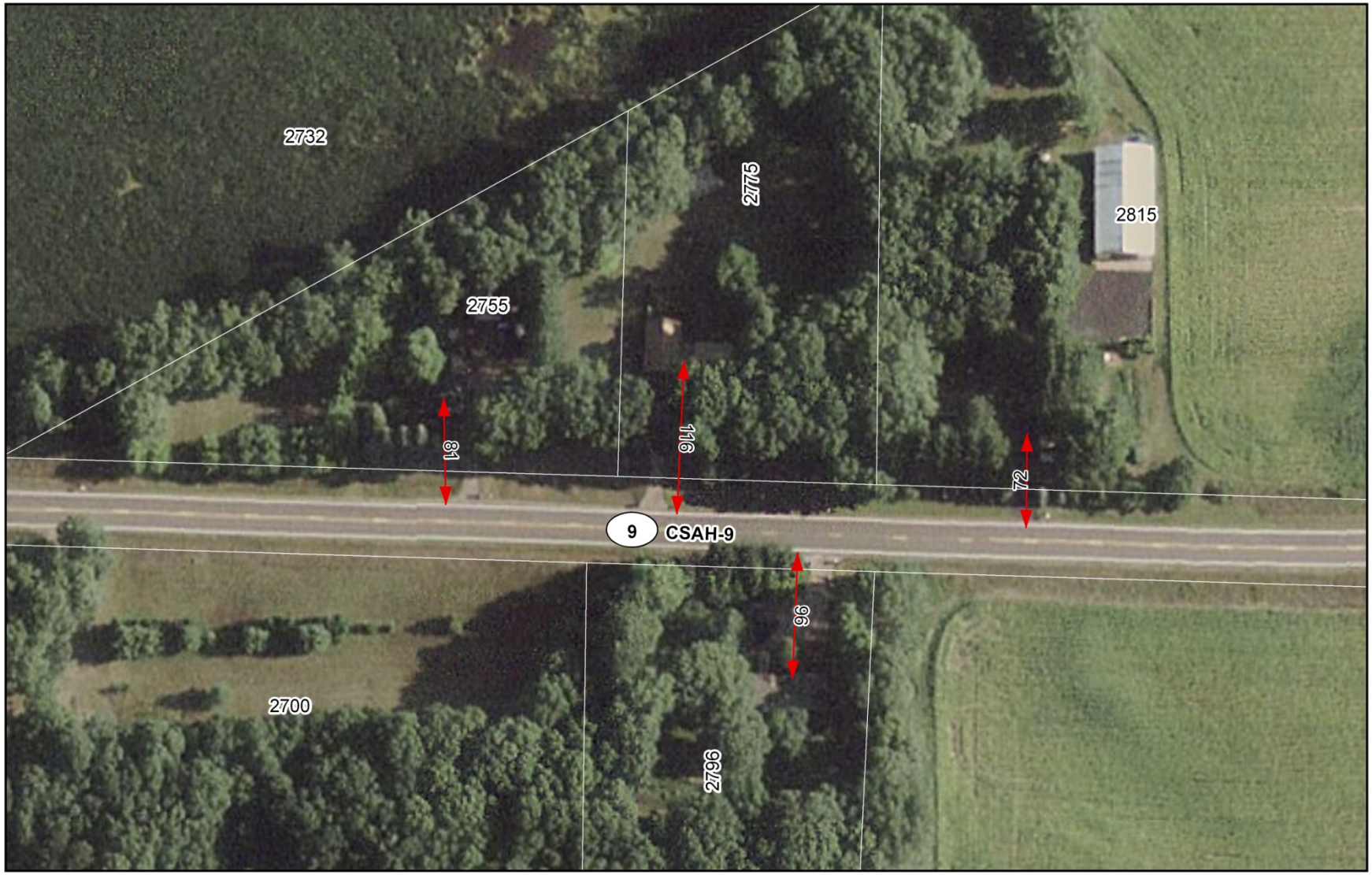
Engineering/Construction Considerations

➢ *Route Distance*

•13.7 miles total length.
•13.7 miles new transmission line.
• New easements, approximately 63 acres.
• Approximately 7 miles overhead distribution lines within route corridor.

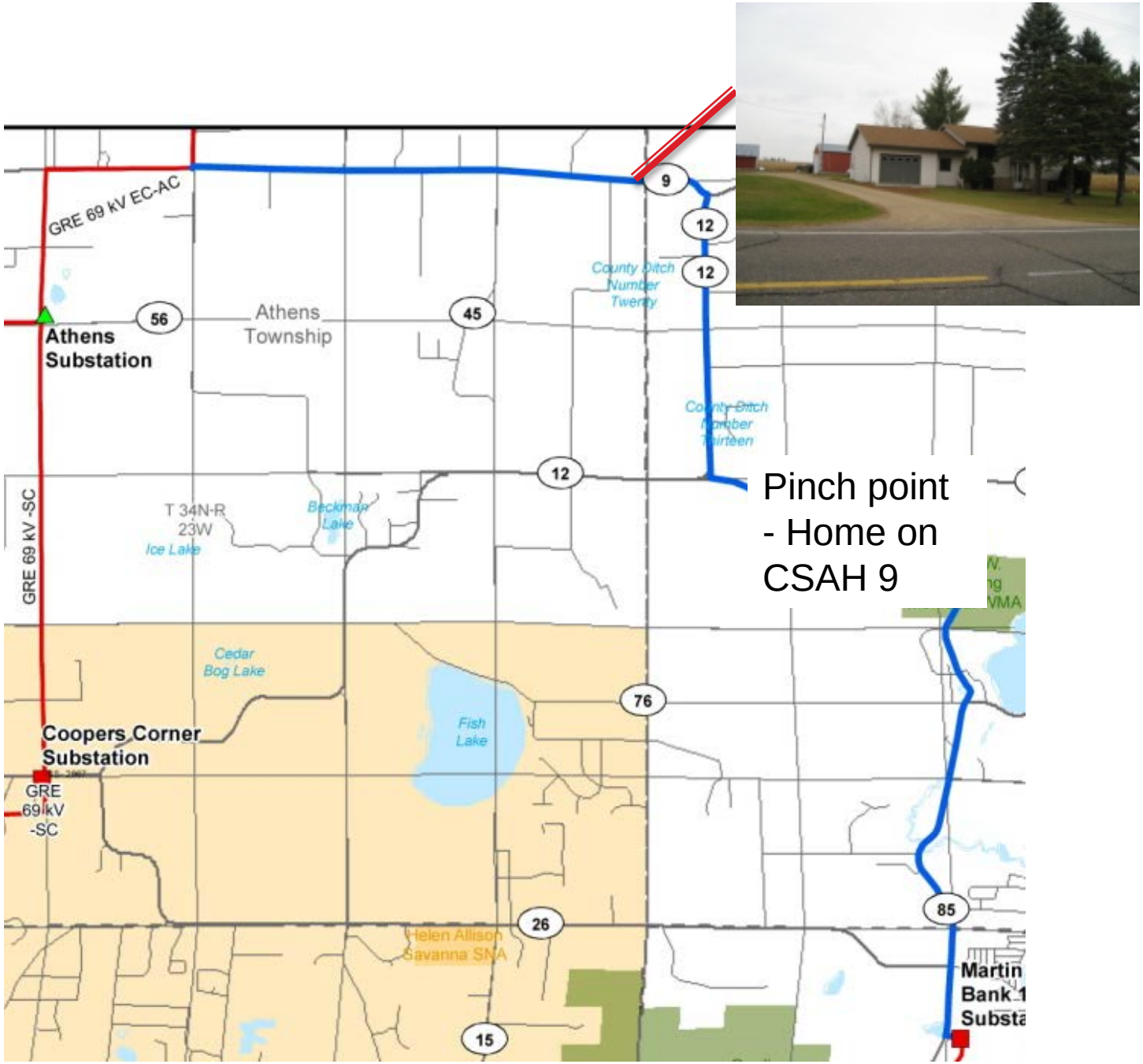


Pinch point - CSAH 9, east of Xylite Street

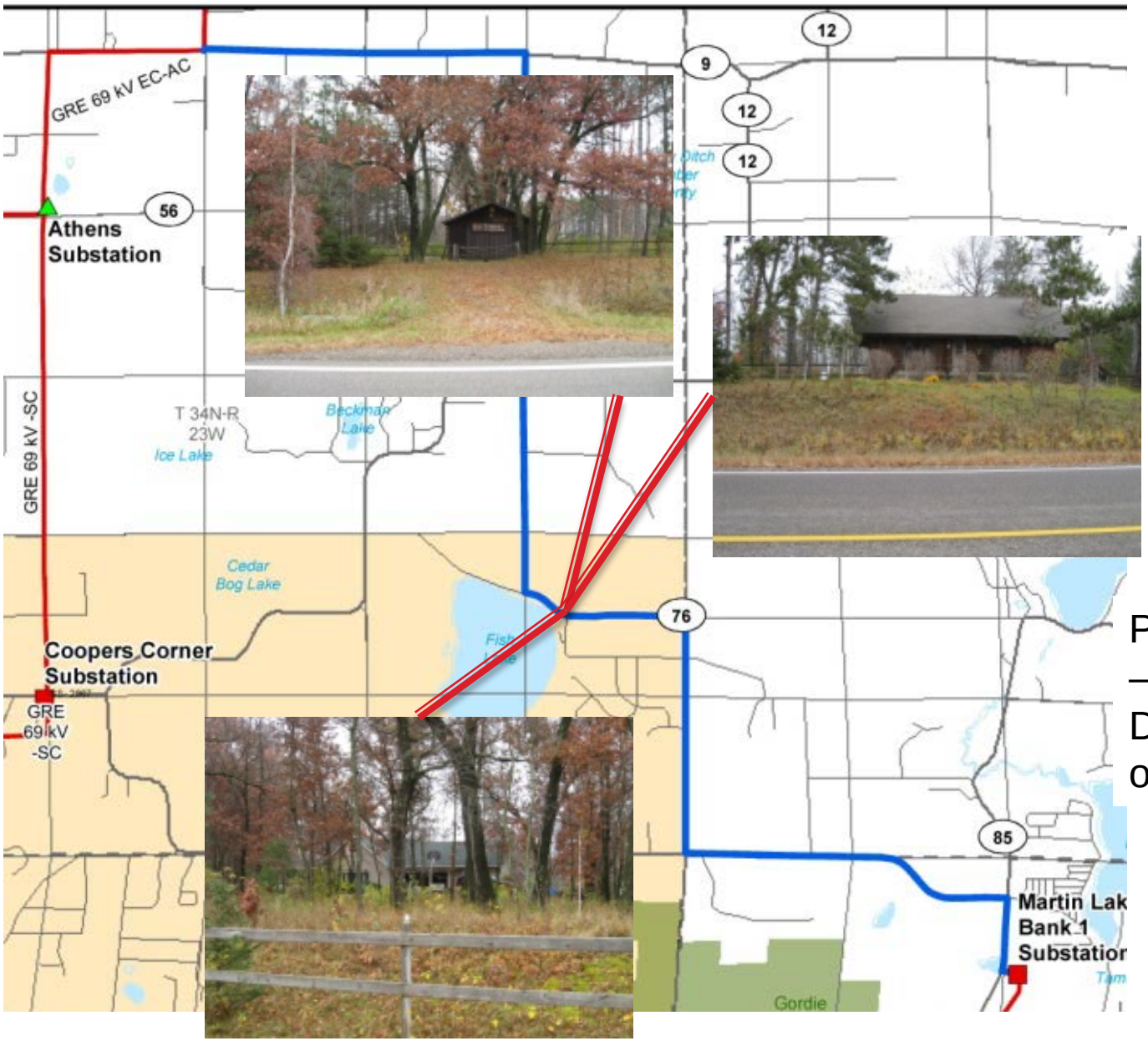


Pinch point CSAH 9 and Xylite Street

GRE 69 kV EC-AC
GRE 69 kV -SC
Coopers Corner Substation
GRE 69 kV -SC
T 34N-R 23W
Ice Lake
Beckman Lake
Cedar Bog Lake
Fish Lake
County Ditch Number Twenty
County Ditch Number Thirteen
Marvin Schubert Memorial
Helen Allison Savanna SNA
9
12
12
45
12
76
26
85
15
Pinch point - CSAH 9 and Zest Street

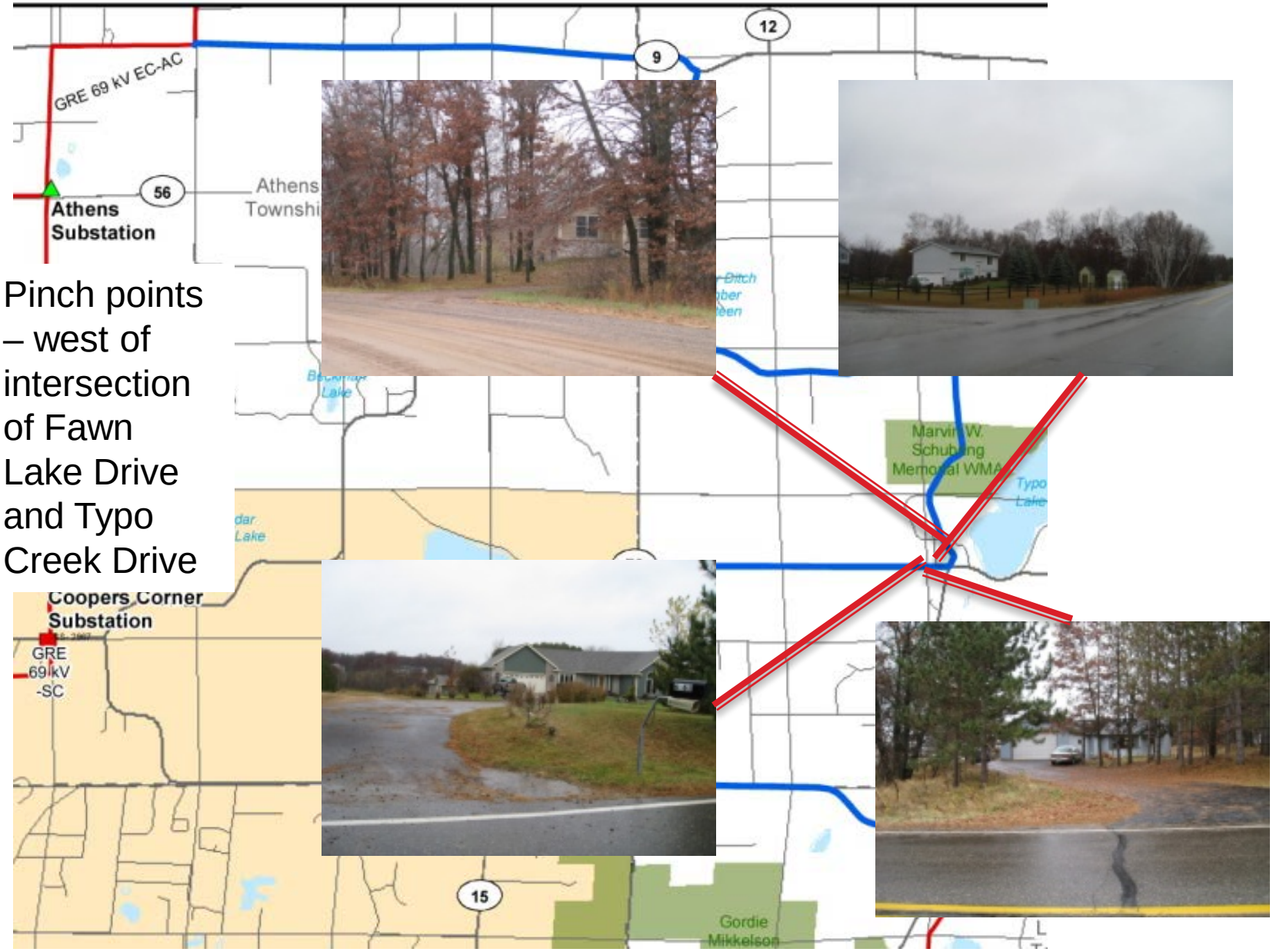

GRE 69 kV EC-AC
GRE 69 kV -SC
Athens Substation
Athens Township
56
45
9
12
12
12
County Ditch Number Twenty
County Ditch Number Thirteen
T 34N-R 23W
Beckman Lake
Ice Lake
Cedar Bog Lake
Fish Lake
76
Coopers Corner Substation
GRE 69 kV -SC
26
Helen Allison Savanna SNA
15
85
Martin
Bank 1
Substa
Pinch point - Home on CSAH 9

Pinch point – on 253rd Avenue

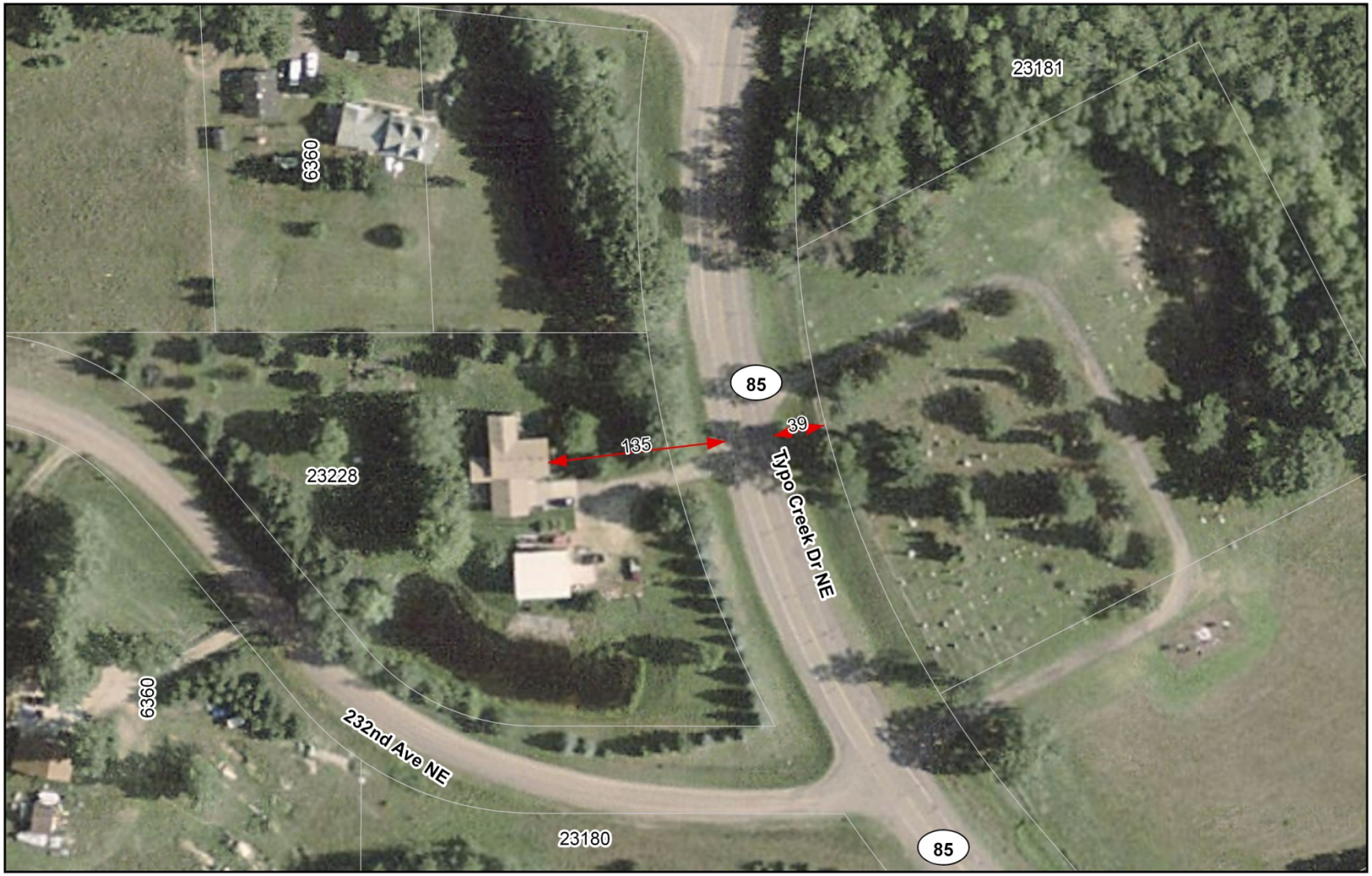


Pinch points – Fawn Lake Drive, east of Fish Lake

Pinch points – west of intersection of Fawn Lake Drive and Typo Creek Drive



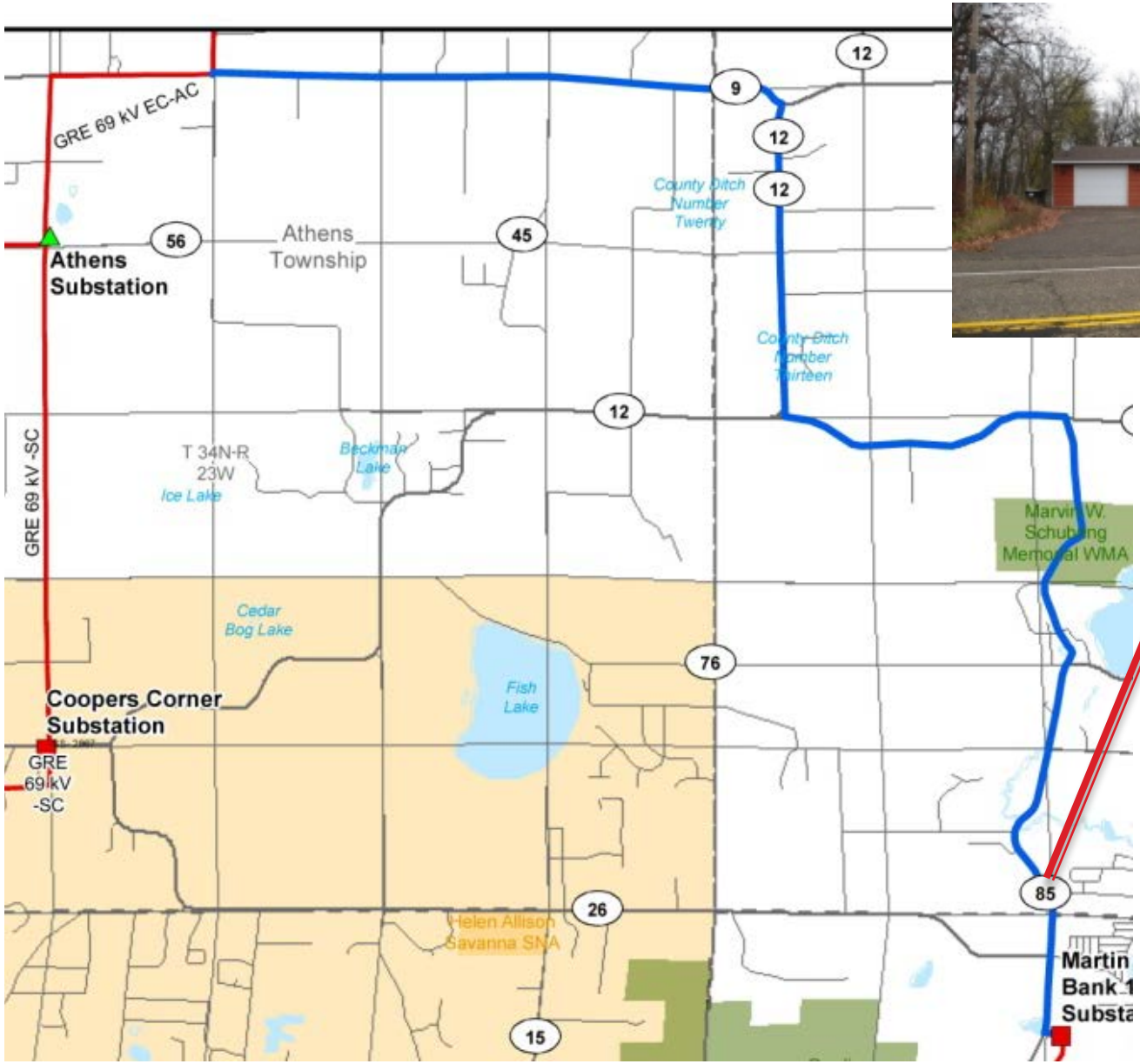
Pinch point- Cemetery and home along Typo Creek Drive



Pinch point - cemetery and home along Typo Creek Drive

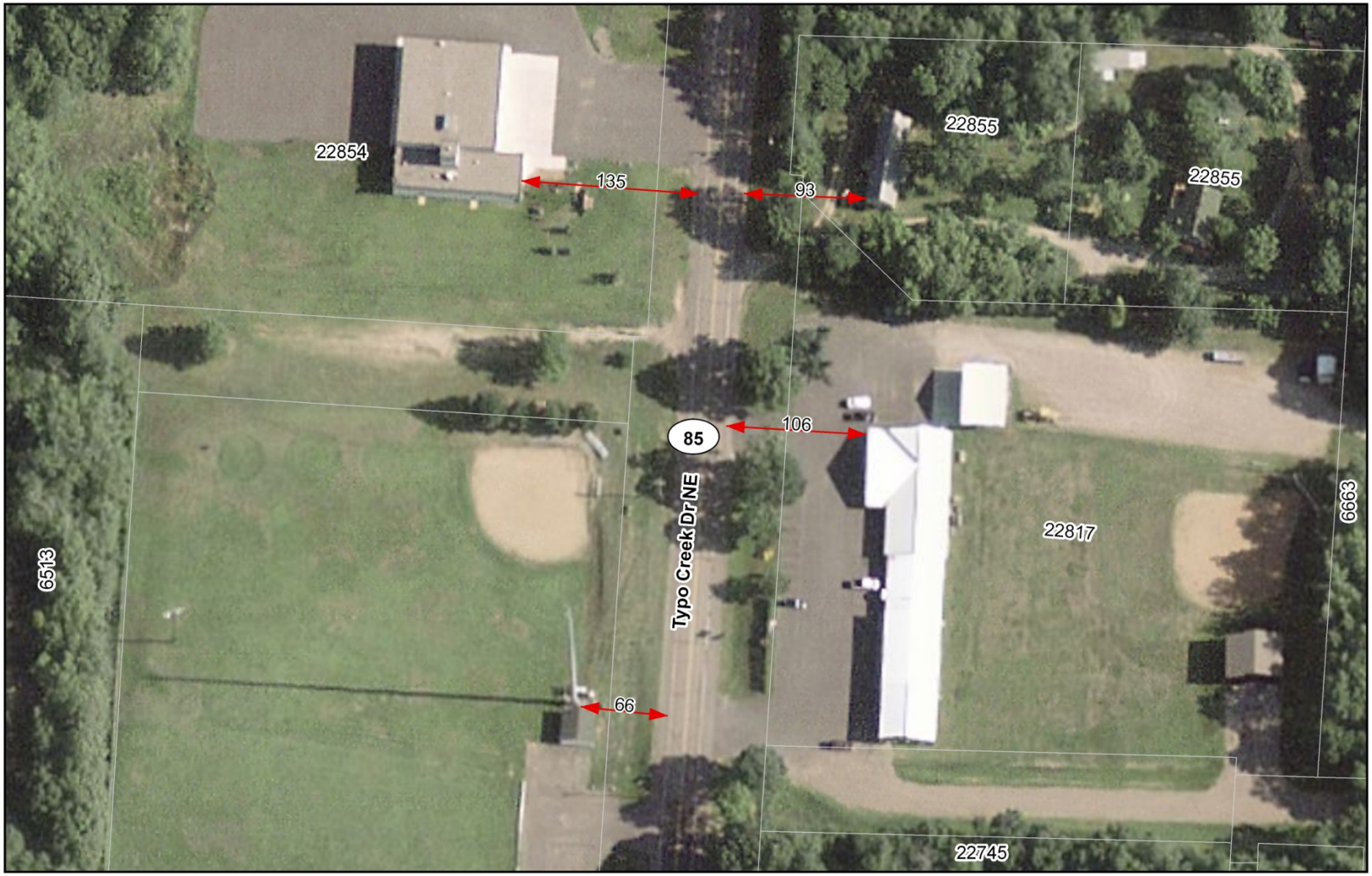
Pinch points - along Typo Creek Drive

Pinch points - Typo Creek Drive, south of 232nd Street



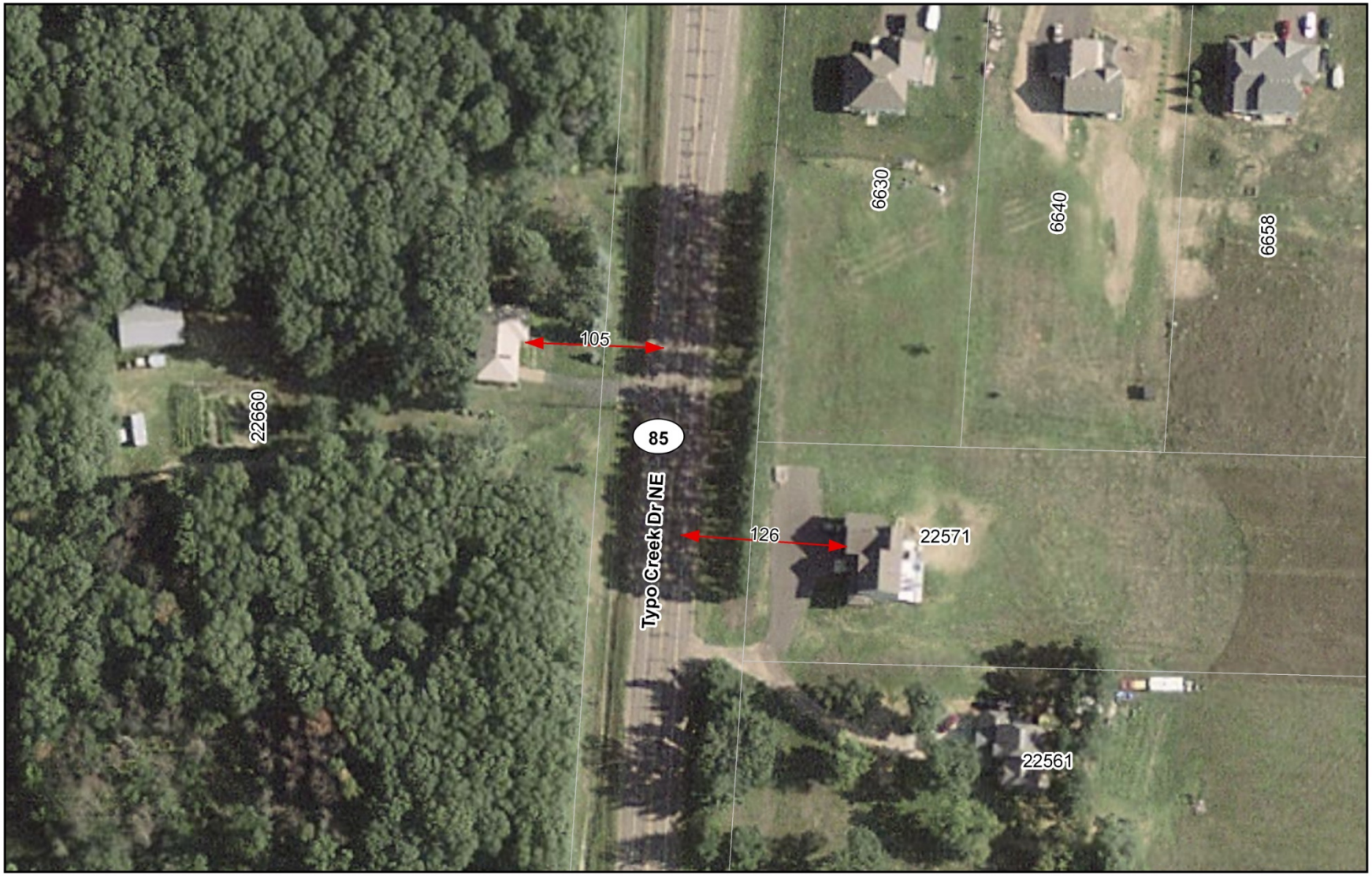
Pinch point- along Typo Creek Drive

Pinch points-
Linwood
along Typo
Creek Drive



Pinch points - Linwood along Typo Creek Drive

Pinch point – south of CSAH 26 on Typo Creek Drive



Pinch point – south of CSAH 26 on Typo Creek Drive

Species Listed in the Area of Route I

Like Route A, Route I would also have plant and animal species that are considered sensitive. These include the following:

- Blanding Turtle
- possible Fen
- Violet
- Humped Bladderwort
- Sandhill Crane
- Red Shouldered Hawk
- Native Plant communities
- Halbred-leaved Tearthumb

Summary of Route I Features

- Route length 13.7 miles
- 13.7 miles new transmission line to build
- Approximately 63 acres of new easements required
- Tree clearing – approximately acres
- Line not directly on environmentally sensitive areas
- Very tight pinch point on CSAH 9 – approximately 55 feet from house
- Pinch points along CSAH 12, Fawn Lake Dr. & Typo Creek Drive
- More culturally sensitive areas = greater uncertainty
- No direct benefit to Connexus system
- Construction cost - $5,119,400.00

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Matrix

	Corridors							Homes			Farmlands	Wetlands							
Route *(Analysis of route follows either the center of the road or is the average of a North and East or South and West route)*	Total Route Length (miles)	Total Route Acres (Includes road ROW) assumed 70' along road , 70' double circuit and 100' cross-country	New Transmission Line (Miles)	New Cross-Country Transmission Line (Miles)	New Transmission Line right of way (Acres)	Double circuit Existing Transmission Line (Miles)	Corridor Sharing - Existing Distribution OH (Miles)	0-100 ft from Route Centerline	0-200 from Route Centerline	0-300 ft from Route Centerline	Farmland within the ROW (Acres)	Total wetlands within the ROW (Acres)	Number of Wetlands Crossed	Total Wetlands within Existing Transmission ROW (Acres)	Number of Wetlands Crossed in Existing Tranmission ROW	Forested wetlands in ROW (Acres)	Number of Forested Wetlands Crossed	Total ForestedWetlands within Existing Transmission ROW (Acres)	Number of Forested Wetlands Crossed in Existing Tranmission ROW
Route A (Center or Average)	**10.4**	**88.6**	**7.4**	**0.0**	**34.8**	**3.0**	**3.3**	**0**	**43**	**84**	**23.9**	**5.8**	**17**	**5.2**	**8**	**0.1**	**3**	**0.0**	**0**
Route B (Center or Average)	**12.0**	**101.7**	**9.0**	**0.0**	**41.8**	**3.0**	**4.4**	**4**	**39**	**68**	**27.3**	**6.8**	**20**	**5.2**	**8**	**0.2**	**4**	**0.0**	**0**
Route B1 (Center or Average)	**10.3**	**94.6**	**8.3**	**2.0**	**53.7**	**2.0**	**3.2**	**4**	**38**	**62**	**15.8**	**7.3**	**19**	**4.8**	**6**	**9.7**	**8**	**0.0**	**0**
Route C (Center or Average)	**14.3**	**121.7**	**8.9**	**0.0**	**41.6**	**5.4**	**3.8**	**7**	**82**	**121**	**33.3**	**9.1**	**23**	**7.7**	**11**	**1.9**	**4**	**1.3**	**1**
Route C1 (Center or Average)	**12.4**	**105.4**	**9.4**	**0.0**	**43.8**	**3.0**	**4.4**	**2**	**54**	**99**	**27.0**	**6.3**	**20**	**5.2**	**8**	**0.6**	**3**	**0.0**	**0**
Route D (Center or Average)	**19.0**	**161.5**	**9.5**	**0.0**	**44.6**	**9.5**	**4.7**	**14**	**182**	**271**	**27.4**	**9.9**	**26**	**0.0**	**0**	**3.3**	**8**	**0.0**	**0**
Route E (Center or Average)	**10.5**	**89.4**	**10.5**	**0.0**	**48.9**	**0.0**	**5.2**	**4**	**58**	**96**	**7.6**	**1.8**	**12**	**0.0**	**0**	**0.6**	**7**	**0.0**	**0**
Route E1 (Center or Average)	**10.5**	**89.3**	**10.5**	**0.0**	**48.8**	**0.0**	**5.3**	**4**	**53**	**89**	**8.0**	**2.0**	**12**	**0.0**	**0**	**0.6**	**6**	**0.0**	**0**
Route F (Center or Average)	**10.9**	**92.2**	**10.9**	**0.0**	**50.4**	**0.0**	**5.3**	**6**	**60**	**94**	**7.9**	**1.9**	**12**	**0.0**	**0**	**0.8**	**8**	**0.0**	**0**
Route F1 (Center or Average)	**13.4**	**113.3**	**13.4**	**0.0**	**61.7**	**0.0**	**6.7**	**4**	**62**	**102**	**14.2**	**2.2**	**18**	**0.0**	**0**	**0.7**	**8**	**0.0**	**0**
Route G (Center or Average)	**11.2**	**94.9**	**11.2**	**0.0**	**51.9**	**0.0**	**5.2**	**3**	**49**	**76**	**13.0**	**2.1**	**18**	**0.0**	**0**	**0.6**	**7**	**0.0**	**0**
Route G1 (Center or Average)	**15.0**	**127.3**	**15.0**	**0.0**	**69.3**	**0.0**	**7.1**	**4**	**72**	**116**	**15.0**	**2.4**	**22**	**0.0**	**0**	**0.7**	**9**	**0.0**	**0**

Matrix

	PWI Waters						Environmental														
Route *(Analysis of route follows either the center of the road or is the average of a North and East or South and West route)*	Number of Perennial Streams and Rivers crossed by Intended Centerline	Number of Intermittent Streams and Rivers crossed by Intended Centerline	Number of PWI Streams Crossed by Intended CL	Number of PWI Wetlands within Route	Number of PWI Lakes within Corridor	Number of PWI Wetlands within Coridor	Trees Clearing along ROW (Acres)	Trees along ROW (Miles)	Number of MCBS Biodiversity sites crossed	Biodiversity area (acres) in corridor	Number of WMAs crossed in Route	Number of SNAs crossed in Route	Rare Natural Features - Zoological within 500 ft	Rare Natural Features - Botanical within 100 ft	Rare Natural Features - Ecological within 100 ft	Number of Archaeological sites within 1/2 mile	Number of Historical sites within 1/2 mile	Archaeological Probability Very High (Miles)	Archaeological Probability High (Miles)	Archaeological Probability Moderate (Miles)	Archaeological Probability NA (Miles)
Route A (Center or Average)	**2**	**1**	**1**	**1**	**0**	**1**	**14**	**4**	**8**	**12.0**	**0**	**1**	**18**	**7**	**7**	**0**	**2**	**0.0**	**0.0**	**2.6**	**0.0**
Route B (Center or Average)	**2**	**3**	**1**	**1**	**1**	**2**	**17**	**4**	**9**	**24.8**	**0**	**0**	**8**	**5**	**4**	**1**	**2**	**0.0**	**0.0**	**3.6**	**0.0**
Route B1 (Center or Average)	**2**	**2**	**1**	**1**	**1**	**2**	**31**	**5**	**10**	**43.2**	**0**	**0**	**6**	**5**	**3**	**1**	**2**	**0.0**	**0.0**	**3.6**	**0.0**
Route C (Center or Average)	**3**	**3**	**1**	**3**	**1**	**4**	**20**	**5**	**6**	**15.3**	**1**	**0**	**8**	**0**	**1**	**3**	**5**	**0.0**	**1.2**	**0.5**	**0.0**
Route C1 (Center or Average)	**2**	**1**	**1**	**2**	**0**	**2**	**19**	**5**	**7**	**15.3**	**1**	**1**	**18**	**13**	**7**	**2**	**3**	**0.0**	**1.2**	**0.5**	**0.0**
Route D (Center or Average)	**6**	**3**	**1**	**2**	**1**	**3**	**15**	**5**	**6**	**15.6**	**0**	**1**	**14**	**0**	**3**	**4**	**3**	**0.0**	**1.2**	**0.5**	**11.8**
Route E (Center or Average)	**2**	**2**	**1**	**1**	**1**	**2**	**18**	**5**	**5**	**9.8**	**0**	**0**	**4**	**1**	**1**	**1**	**3**	**0.0**	**0.0**	**6.2**	**0.0**
Route E1 (Center or Average)	**3**	**2**	**2**	**1**	**1**	**2**	**18**	**5**	**6**	**12.0**	**0**	**0**	**4**	**1**	**1**	**1**	**3**	**0.0**	**0.0**	**7.2**	**0.0**
Route F (Center or Average)	**4**	**2**	**1**	**1**	**1**	**2**	**19**	**5**	**6**	**6.5**	**0**	**0**	**4**	**1**	**1**	**1**	**2**	**0.0**	**0.0**	**7.0**	**0.0**
Route F1 (Center or Average)	**5**	**4**	**1**	**1**	**1**	**2**	**17**	**5**	**5**	**5.8**	**0**	**0**	**5**	**1**	**1**	**1**	**4**	**0.0**	**1.5**	**7.7**	**0.0**
Route G (Center or Average)	**6**	**3**	**3**	**1**	**0**	**1**	**17**	**5**	**2**	**1.8**	**1**	**0**	**3**	**0**	**0**	**4**	**4**	**3.5**	**1.0**	**4.9**	**0.0**
Route G1 (Center or Average)	**6**	**3**	**1**	**1**	**0**	**2**	**27**	**7**	**4**	**5.0**	**1**	**0**	**4**	**0**	**1**	**2**	**4**	**1.6**	**1.0**	**7.1**	**0.0**

COST ESTIMATES FOR ROUTES
ATHENS TO MARTIN LAKE PROJECT
69kV LINE

ROUTE	TOTAL MILES	STANDARD SINGLE CIRCUIT STRUCTURES MILES	STANDARD SINGLE CIRCUIT STRUCTURES COST ESTIMATE ($240,000)	STANDARD DOUBLE CIRCUIT STRUCTURES MILES	STANDARD DOUBLE CIRCUIT STRUCTURE COSTS ($360,000)	WETLAND AREAS MILES	WETLAND AREAS COST ESTIMATE ($100,000)	UNDERBUILD NORMAL STRUCTURES MILES	UNDERBUILD NORMAL STRUCTURES COST ESTIMATE ($90,000)	SPECIAL STRUCTURES W/WO UNDERBUILD	UNDERBUILD SPECIAL STRUCTURES COST ESTIMATE ($12,000)	SPECIAL ENGINEERED STRUCTURES	SPECIAL ENGINEERED STRUCTURES COST ESTIMATE ($50,000)	TOTAL ESTIMATED COST OF THE ROUTE	ROUTE
A	10.4	7.4	$1,776,000	3	$1,080,000	1.767	$176,700	3.3	$297,000	4	$48,000	6	$300,000	$3,677,700	A
B	12	9	$2,160,000	3	$1,080,000	3.538	$353,800	4.4	$396,000	9	$108,000	4	$200,000	$4,297,800	B
B1	10.3	8.3	$1,992,000	2	$720,000	3.876	$387,600	3.2	$288,000	9	$108,000	4	$200,000	$3,695,600	B1
C	14.3	8.9	$2,136,000	5.4	$1,944,000	2.718	$271,800	3.8	$342,000	8	$96,000	7	$350,000	$5,139,800	C
C1	12.4	9.4	$2,256,000	3	$1,080,000	1.687	$168,700	4.4	$396,000	6	$72,000	7	$350,000	$4,322,700	C1
D	19	9.5	$2,280,000	9.5	$3,420,000	4.083	$408,300	4.7	$423,000	14	$168,000	9	$450,000	$7,149,300	D
E	10.5	10.5	$2,520,000	0	$0	4.113	$411,300	5.2	$468,000	17	$204,000	7	$350,000	$3,953,300	E
E1	10.5	10.5	$2,520,000	0	$0	4.237	$423,700	5.3	$477,000	13	$156,000	7	$350,000	$3,926,700	E1
F	10.9	10.9	$2,616,000	0	$0	4.045	$404,500	5.3	$477,000	15	$180,000	6	$300,000	$3,977,500	F
F1	13.4	13.4	$3,216,000	0	$0	3.982	$398,200	6.7	$603,000	14	$168,000	8	$400,000	$4,785,200	F1
G	11.2	11.2	$2,688,000	0	$0	3.287	$328,700	5.2	$468,000	13	$156,000	8	$400,000	$4,040,700	G
G1	15	15	$3,600,000	0	$0	4.542	$454,200	7.1	$639,000	13	$156,000	8	$400,000	$5,249,200	G1
I	13.7	13.7	$3,288,000	0	$0	4.094	$409,400	7	$630,000	16	$192,000	12	$600,000	$5,119,400	I

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Problems with Route I

- More angles/special structures
- Road r-o-w narrower in some areas
- Greater estimated construction costs $5,119,400.00
- No ability to use existing transmission line r-o-w/easements
- Underbuilding existing distribution lines will not benefit Connexus or East Central
- More trees/vegetation to cut
- More easements to acquire - 63 acres
- Longer route – 13.7 miles
- More known culturally sensitive areas
- More pinch points
- Greater overall cost to Great River Energy
- Longer permitting process – more delays

Benefits of Route A:

- Fewer angles/special structures
- Wider road r-o-w generally
- Lowest estimated construction costs $3,677,700.00
- Use of existing transmission line r-o-w/easements
- Replacing existing distribution lines will benefit Connexus
- Fewer trees to cut
- Less easements to acquire
- Shorter route – 10.4 miles
- Fewer known culturally sensitive areas
- Fewer pinch points
- Lower cost to Connexus
- Lower cost to Connexus rate payers
- Lower overall cost to GRE

Following this transmission line project presentation at the February 16, 2011, City Council meeting and the February 22nd Planning Commission meeting, Great River Energy plans to continue to follow East Bethel city ordinances and submit a Conditional Use Permit application, which will likely seek a permit for Route A.

Athens to Martin Lake 69 kV Transmission Line Project

Route Evaluation

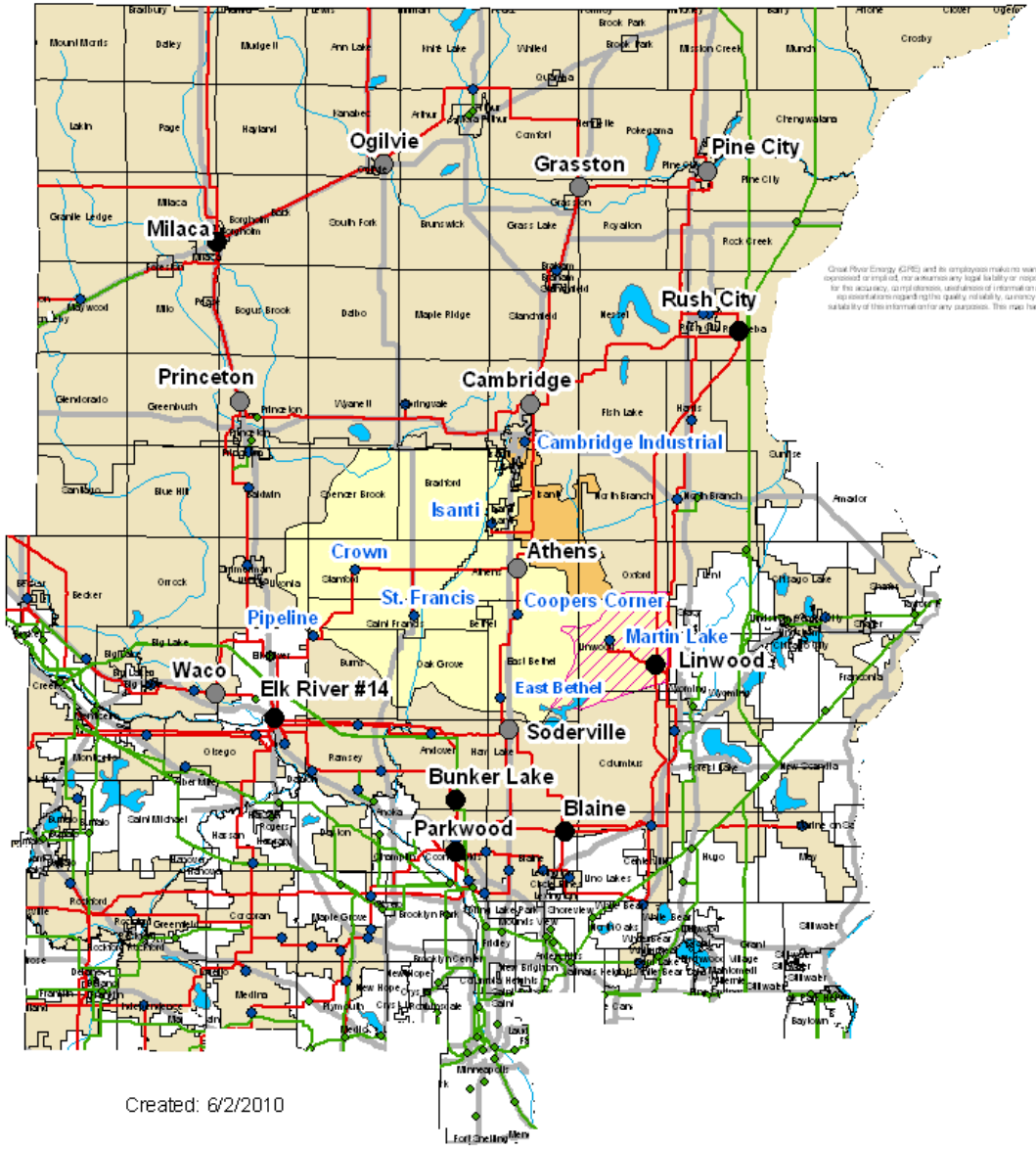
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Purpose of the Project

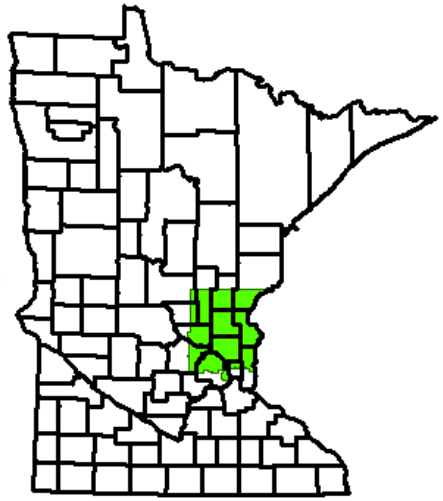
Great River Energy is responsible for ensuring the electric system meets the needs of growing areas including East Bethel, Linwood Township, Athens Township, Cambridge, Stanford Township, St. Francis and others, while also balancing the need to be fiscally responsible. Great River Energy proposes to construct a transmission line to address system deficiencies and proactively ensure the homes and businesses in these communities continue to receive reliable, quality electric service.

System Deficiencies

Due to growth in the City of East Bethel and surrounding areas, the region is at risk for interruption of electrical service. The transmission system that serves the areas along the Highway 65 and Anoka County Road 22 corridors (roughly the area between Cambridge, Elk River, and East Bethel – see Figure below) is no longer able to reliably serve the projected demand levels.



Created: 6/2/2010



Legend

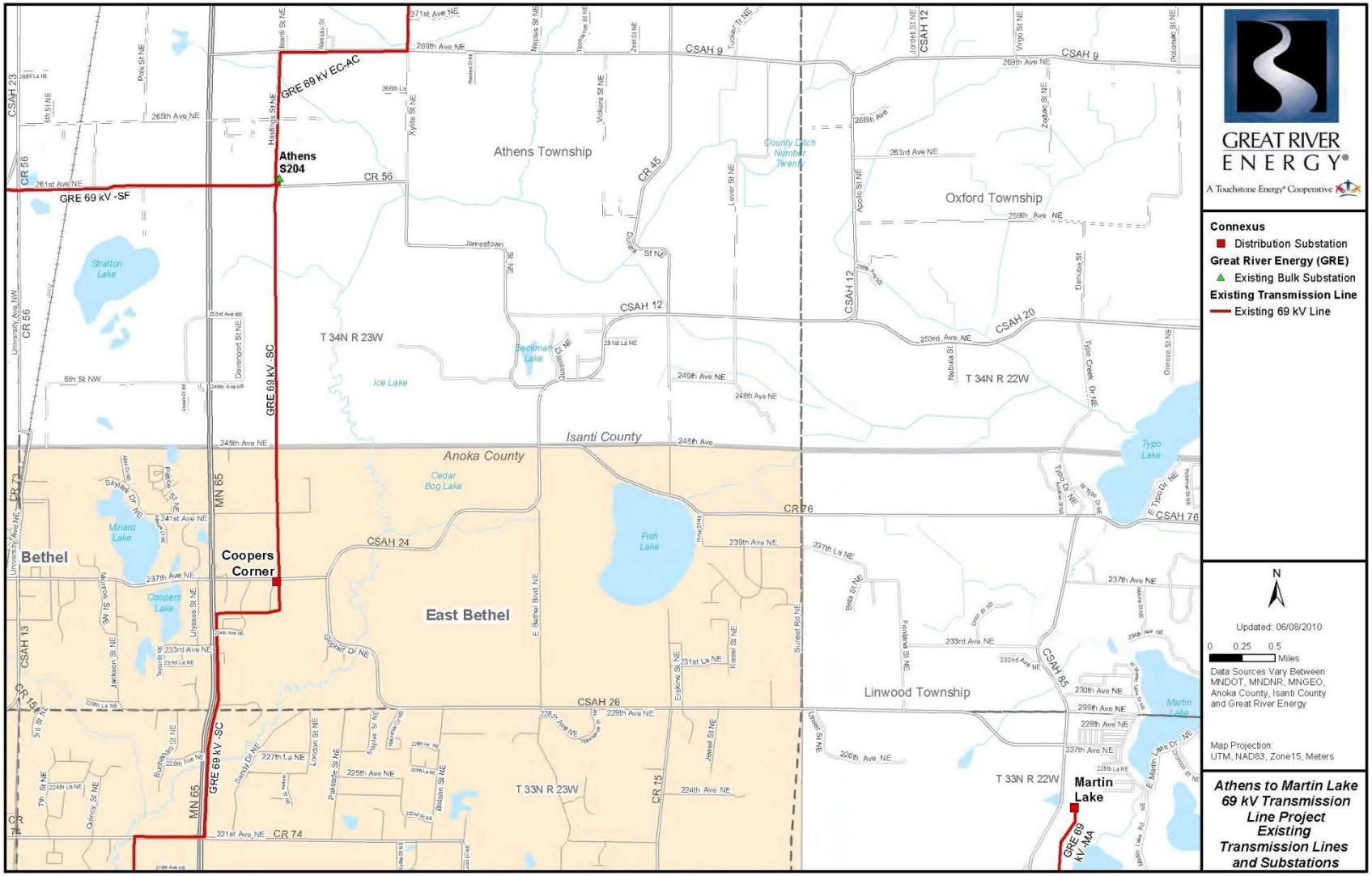
- GRE Bulk Substation
- GRE 69KV Breaker Station
- Foreign Electric Facility
- GRE Member Substations
- Foreign Transmission Line
- GRE Transmission Line
- East Central Benefit Area
- Martin Lake Service Area
- Connexus Benefit Area
- GRE Cooperative Boundary
- MN Municipal Civil Boundary
- Major Roadway
- Major Lakes (Generalized)
- Major Rivers (Generalized)

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Radial Line Substation

The Connexus Energy Martin Lake Substation is fed by a single transmission supply with no backup capability. Thus, if this supply is disrupted, the Connexus members served from this substation would be without electrical service until the line is repaired. Great River Energy's preferred solution to address this deficiency involves connecting a second transmission line to the substation to provide redundancy, or backup, to the existing transmission line.

Project Area



Transmission Line Options Considered

Great River Energy examined four alternative transmission line projects that could remedy the system deficiencies. The options considered are:

Option 1 - Athens to Martin Lake 69 kV Transmission Line

•Construct a 69 kV transmission line between the Connexus Energy Martin Lake Substation and the Great River Energy Athens Substation.

Option 2 - Chisago County - Martin Lake - Coopers Corner 115 kV line and Coopers Corner 115/69 kV Substation

•Construct approximately 25 miles of 115 kV transmission line between the Xcel Energy Chisago County Substation, the Martin Lake Substation, and the Coopers Corner Substation.

•Convert Martin Lake Substation to 115 kV service.

This option is essentially a duplicate of Option 1, but would require that significantly more transmission line be built. Additionally, the increased line mileage between breakers adds to the exposure of the line, reducing reliability.

Option 3 - Chisago County - Martin Lake - Coopers Corner - Blaine 115 kV line, Coopers Corner 115/69 kV Substation, and Blaine 230/115 kV Substation Modifications

• Continue the 115 kV line proposed in Option 2 south to the Blaine Substation. This would require about 50 miles of new 115 kV line and would provide redundant 115 kV transmission feeds to the Coopers Corner Substation. Much of this line would likely be built on existing 69 kV transmission line corridors, replacing the existing 69 kV circuits with new 115-69 kV double circuit structures.

Option 4 - Blaine – Martin Lake – Athens – Dalbo 115 kV line, Athens 115/69 kV Substation, Rush City – Dalbo - Milaca 230 kV line, and Dalbo 230/115 kV Substation

•Build a new 115 kV line between the Blaine, Martin Lake and Athens substations.

•Construct a new Dalbo 230/115 kV Substation.

•Build a new 230 kV line between the Milaca, Dalbo, and Rush City substations to support the 115 kV system.

•Add a new 115/69 kV transformer at the Athens Substation.

Option 4 problems include:

- greatly increased cost
- greater environmental impact
- difficulty scheduling construction outages
- permitting and construction schedule may take years
- does not meet timelines for system improvements
- lack of space at Athens Substation for 115 kV expansion (siting a 115/69 kV transformer there is extremely difficult)
- 115 kV line exposure is much greater than exposure offered by Option 1, and
- Reduced reliability.

Cost Analysis

The estimated cost for each of the alternatives considered are tabulated below. These include project costs that would be incurred by Great River Energy, its member cooperatives, and other transmission-owning utilities that would need to modify their electrical facilities to accommodate the changes.

Estimated Cost for Options 1- 4

	Option 1: Martin Lake-Athens 69 kV line	Option 2: Chisago County-Coopers Corner 115 kV line	Option 3: Blaine-Coopers Corner-Martin Lake-Chisago County 115 kV line	Option 4: Blaine-Martin Lake-Athens-Dalbo 115 kV line
Estimated Cost	**$6,537,000**	**$39,700,000**	**$67,340,000**	**$124,480,000**

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

No-Build Alternative

A No-Build Alternative was also considered but rejected, because to make this alternative feasible while maintaining quality, reliable electric service, electricity use would have to be reduced significantly. The risks involved in not connecting the Martin Lake and Athens substations are serious, as evidenced by the following possible consequences:

➢ Low Voltage

The unexpected dimming of lights is one result when there are low voltage problems on the power line system. While dimming lights may be a minor inconvenience, sudden reductions in voltage can cause significant problems for industrial or manufacturing companies. Additionally, low voltage can damage motors in home appliances such as air conditioners, computers, televisions, furnaces and refrigerators; the motors compensate for power needs by drawing in more electric current. This creates more heat, which may burn out motors. Uncorrected low voltage problems can ultimately lead to a blackout.

➢ Equipment Damage

When the demand for energy gets too high in an area of the system, the power flow shuts off to protect costly equipment. If there is no backup source, there will be problems, including failure of transmission lines and equipment, which can lead to outages. Also, if too much electric current is transmitted through a transmission line conductor, it overheats and the excess heat causes the conductor to become elastic. Eventually, the conductor will stretch permanently, leading to unsafe clearances to surrounding objects and limiting future current-carrying capacity. As there is no way to reverse these effects, the line must be rebuilt to restore its original capacity and safety clearances.

Transformers and other electrical equipment can also overheat and prematurely fail if too much current is transferred through such devices. To prevent thermal overloads, Great River Energy must limit the current transmitted through its lines and equipment.

➢ Rotating blackouts

When system demand exceeds capacity, which by projection will eventually happen in this region if no additional transmission facilities are constructed, the only method to protect against low voltage and system overloads is to reduce the demand to safe levels by initiating rotating blackouts.

For the transmission system serving East Bethel and the adjacent areas, rotating blackouts would not be expected under normal system configurations, but may be necessary during transmission line outage conditions under high system loading, as low voltages and line overloads would be more prevalent.

As demand continues to increase, more outage events would cause delivery issues to occur, increasing the likelihood of needing to initiate rotating blackouts to reduce system demand to acceptable levels. Eventually, demand would grow to the point where Great River Energy would no longer be able to maintain acceptable voltage during normal system conditions, which would lead to more time during the year that may require rotating blackout conditions.

Additionally, an outage of the Linwood - Martin Lake line would leave the Martin Lake Substation without electrical service. Under a no-build alternative where transmission redundancy is not achieved, as electrical demand grows and more people populate the area, the impact of an outage to this line would become more severe.

Significant demand reduction required

To make a no-build alternative feasible while maintaining quality, reliable electric service, the area electric demand would have to be reduced to below critical demand levels (the point at which low voltage or equipment overloading is first experienced) using rotating blackouts. Rotating blackouts would be implemented among all consumers served from this transmission system including those in East Bethel, St. Francis, Athens, Isanti, Oak Grove, Crown, Nowthen, and Cambridge.

The calculated critical demand level is 92.5 MW, above which Great River Energy cannot maintain acceptable service to area consumers. When the projected growth is compared to the calculated critical demand level (92.5 MW), the following reductions in demand in the area (as shown in the following table) are required to support a no-build alternative such that potential damage to the Great River Energy transmission system and end-use consumer equipment can be avoided.

Demand Reduction Requirements

Year	# Hours above Critical Demand	Required Demand Reduction in MW	% of Local Demand Reduction	Annual # of Days at Risk
2012	6	1.60	1.70	1
2013	14	5.70	5.80	3
2014	63	10.00	9.76	11
2015	145	14.50	13.55	21
2016	240	19.30	17.26	26
2017	437	24.30	20.80	60
2018	989	29.50	24.18	158
2019	2182	35.00	27.45	267
2020	4974	40.80	30.61	357

The data show that as time passes, system demand will exceed what can safely be handled by the area transmission system for significant amounts of time during a year. This would also reduce the number of hours during the year in which Great River Energy could do maintenance on its transmission lines and equipment, as it could not be de-energized without curtailing demand. Reduced equipment maintenance may lead to more failures and prolonged outage conditions. Eventually, pre-outage demand reduction would need to be implemented via rotating blackouts to prevent damage and prevent total collapse of the transmission grid serving the communities mentioned above.

Transmission Line Route Selection

Routes evaluated were reviewed and analyzed both in the field and using various geographic data (e.g., aerial photos, topographic maps, public water inventory maps, etc.). The routes that follow existing right of way (ROW) corridors are preferred to cross-country routes.

Preliminary route options were identified based on opportunities to:

- Share ROW with existing distribution lines by underbuilding where practical (underbuilding refers to including both distribution and transmission wires on one set of poles, with the distribution line underneath the transmission line).

- Reduce impacts to the reliability of existing transmission systems during construction.

- Parallel roads to help decrease the amount of ROW required.

- Minimize the length of the transmission line to reduce the impact area and costs for the project.

The routes were further refined by avoiding, to the extent possible and applicable, areas where a transmission line could create significant impacts such as:

- Existing and planned high-density residential areas;

- Areas where horizontal clearances are limited because of nearby structures;

- Environmentally sensitive sites, such as wetlands, archaeologically or historically significant sites, areas with threatened or endangered species/species of special concern, areas of significant biological or cultural significance, and state and federal lands; and,

- Areas with high potential for cultural (archaeological or historic) resources. (If archaeological or historic resources are found, the State Historic Preservation Office (SHPO) would need to be consulted to determine how to proceed. SHPO may require further excavation, mitigation and/or moving of the transmission line to avoid the areas of concern. This would mean added costs and delays due to the increased survey, mitigation and adjustments in design and materials).

Route Criteria

When selecting a route for a transmission line, Great River Energy considers the following for each viable route.

Public/Social considerations

•Distance from centerline to homes and businesses
•Distance and impact to public facilities, parks and trails
•Tree/vegetation removal
•Distance and impact to historic/ archaeological sites

Environmental/Cultural considerations

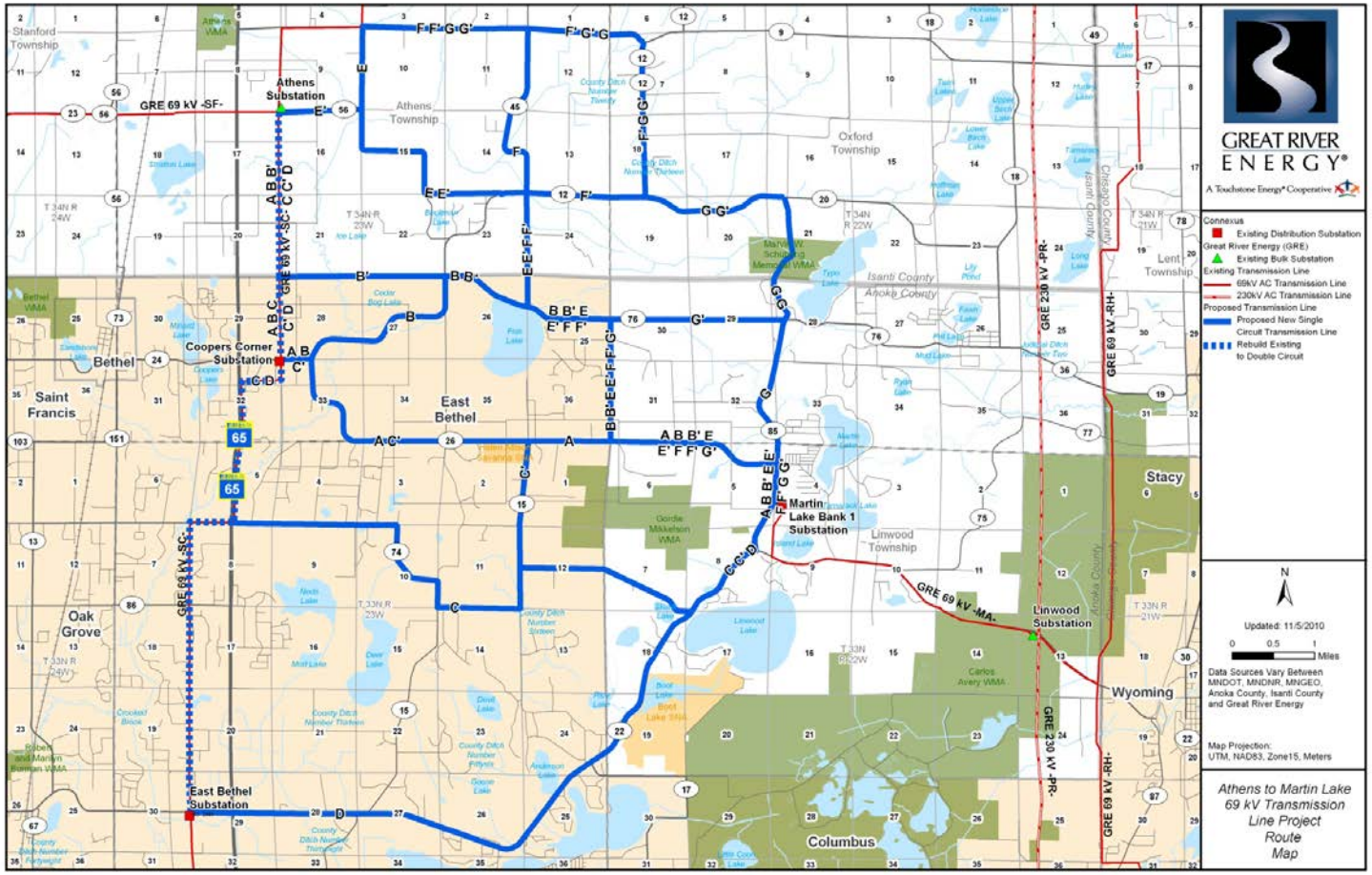
•Compliance with federal, state and local regulations
•Adherence to sound environmental principles, i.e. avoid creating new corridors, minimize length of corridor
•Identification of avoidance areas (historically and archaeologically significant areas such as burial sites, wildlife management areas (WMAs), protected wetlands, scientific research areas, and populations of threatened and endangered species of concern)
•Tree and vegetation removal on non-residential property
•Agricultural operations, i.e. center pivot irrigation systems
•Impact to existing utilities

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

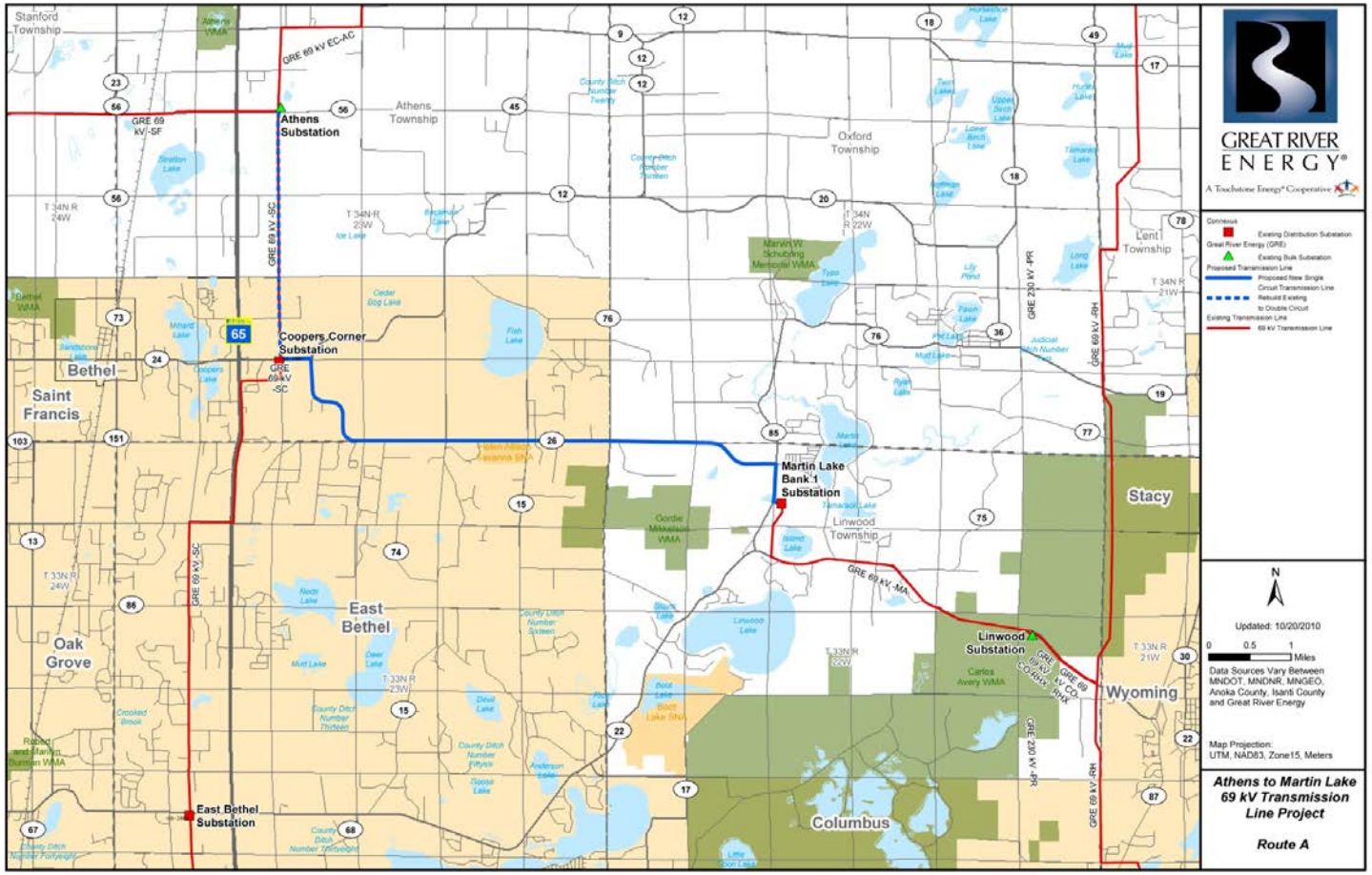
Engineering/Construction considerations

- Adherence to sound engineering/construction principles
- Safety
- Reliability
- Accessibility
- Engineering Considerations
- Suitable soil conditions
- Required angle structures
- Structure size
- Span lengths
- Total line length
- Special construction requirements
- Cost effectiveness

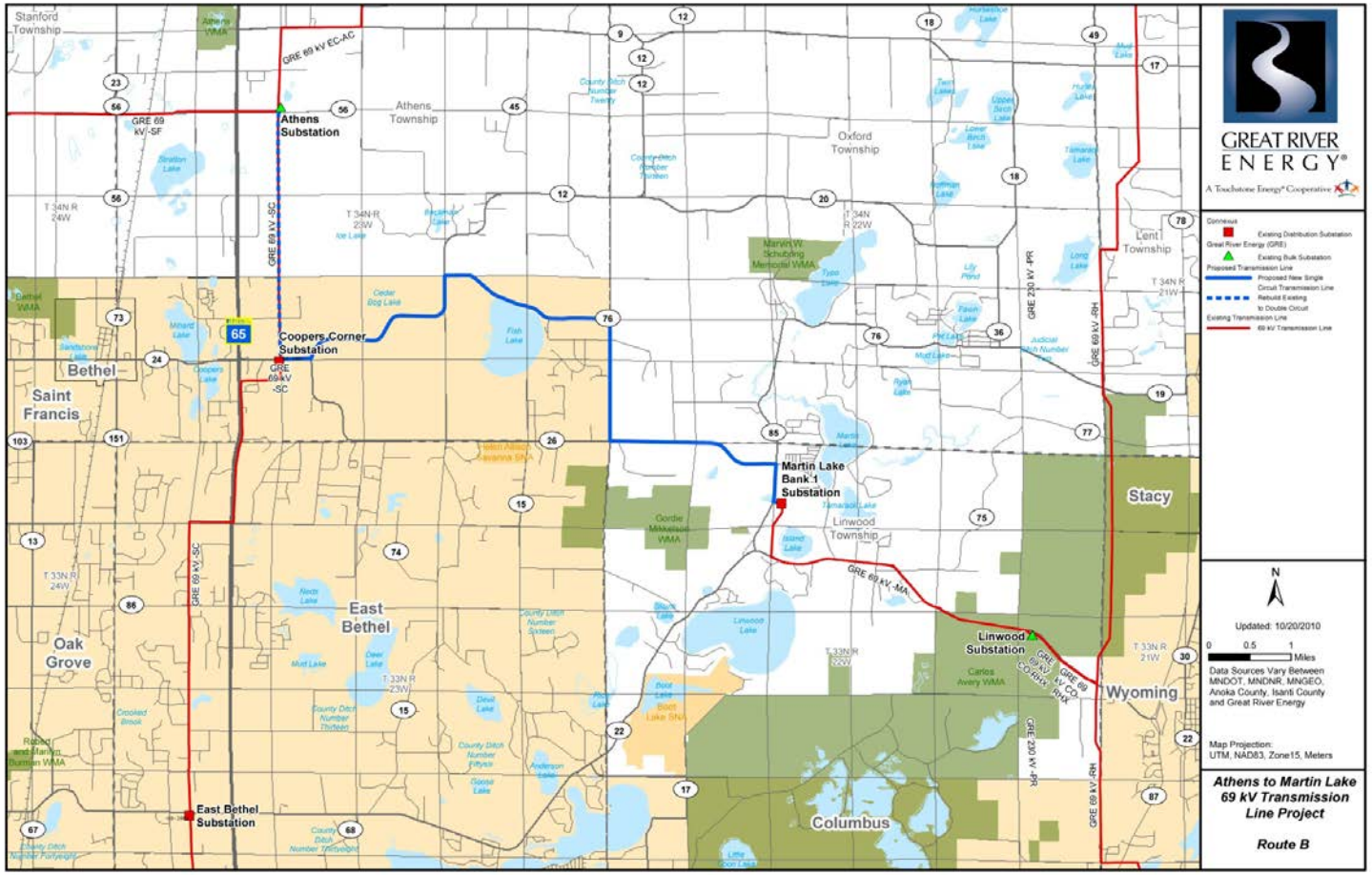
Overview of Routes



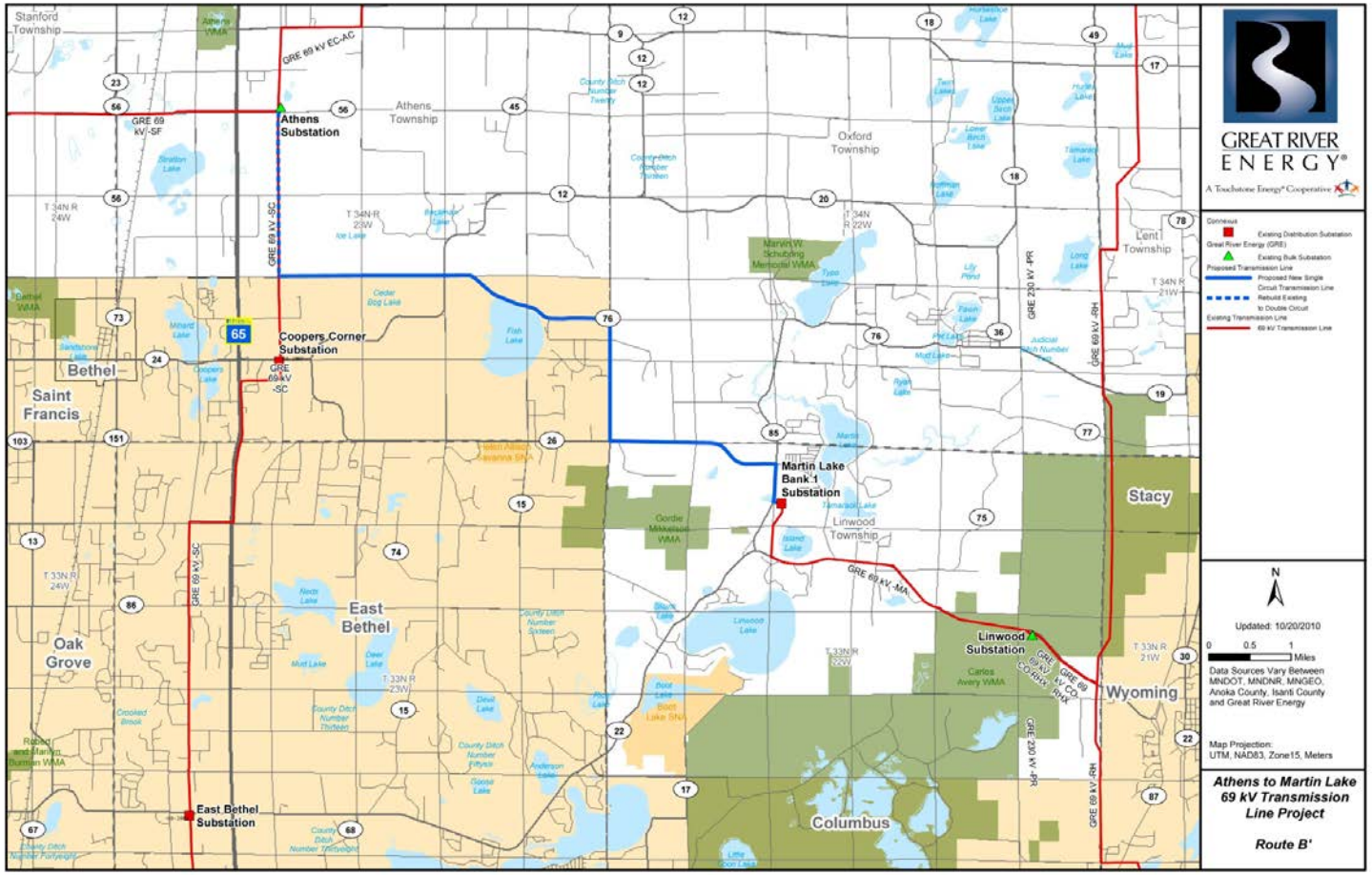
Route A


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
GRE 69 kV CO-RH
GRE 69 kV CO-RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Contours
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route A

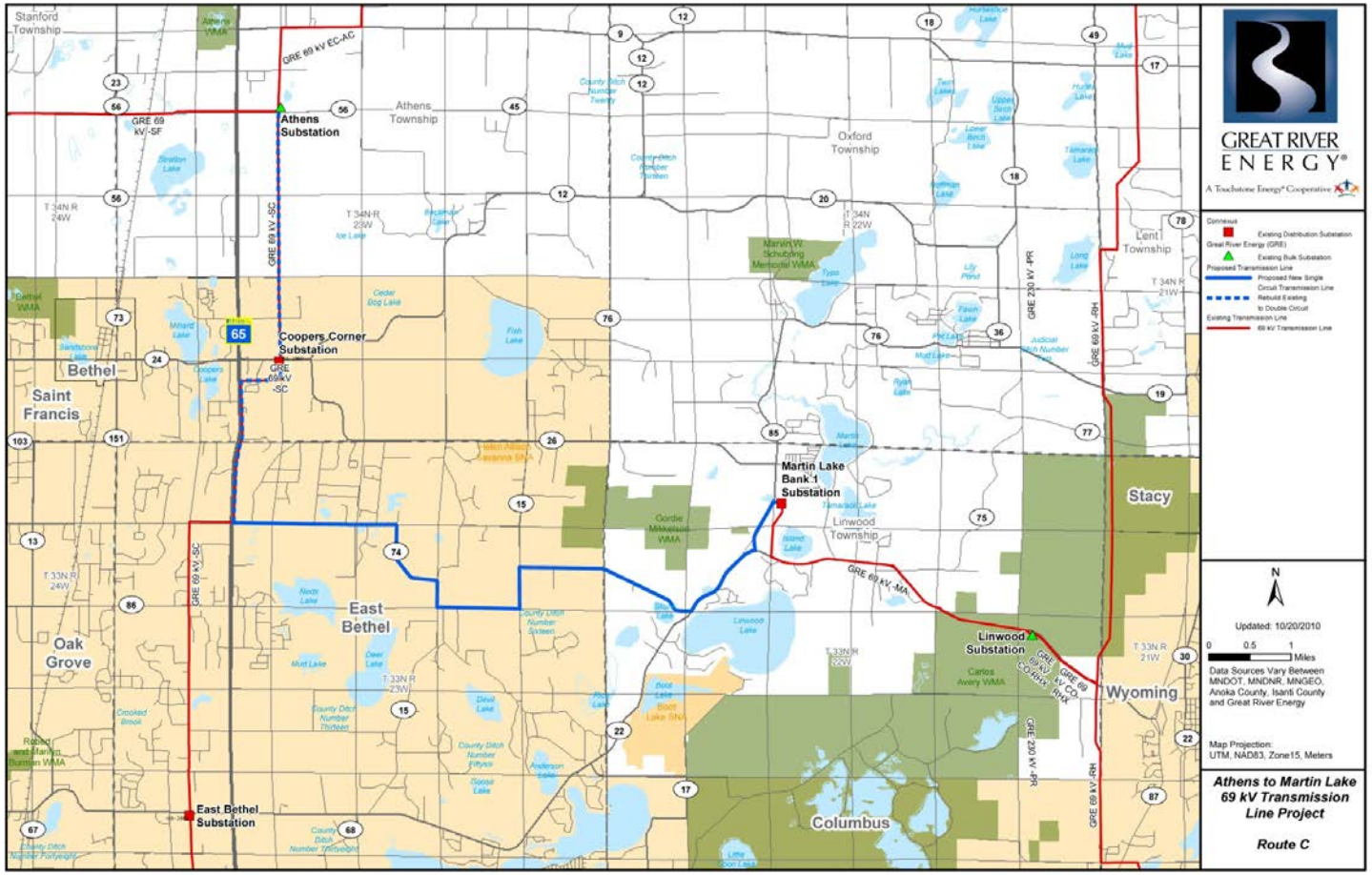
Route B


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 220 kV -PR
GRE 69 kV -RH
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route B

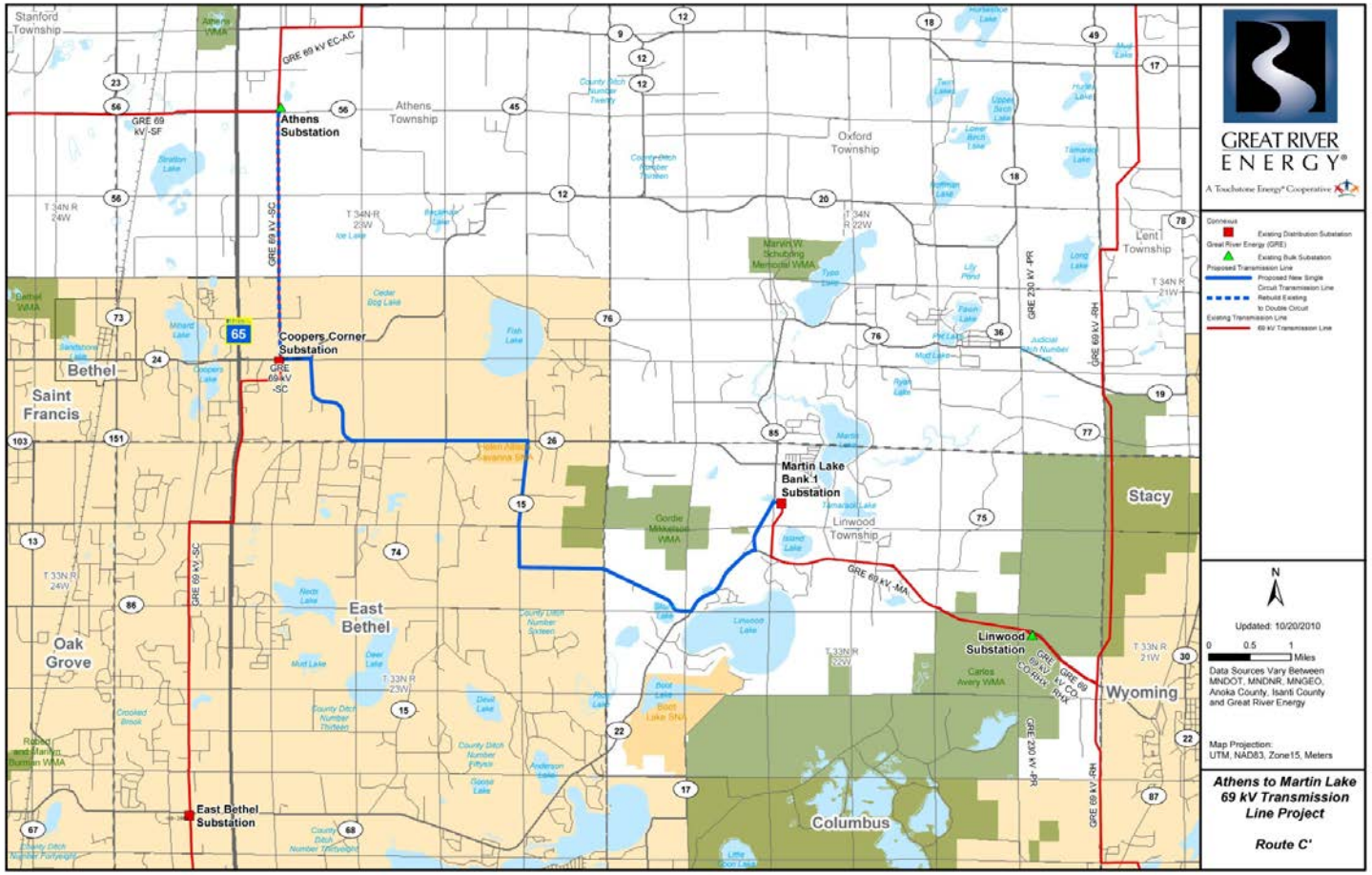
Route B1


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 230 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route B'

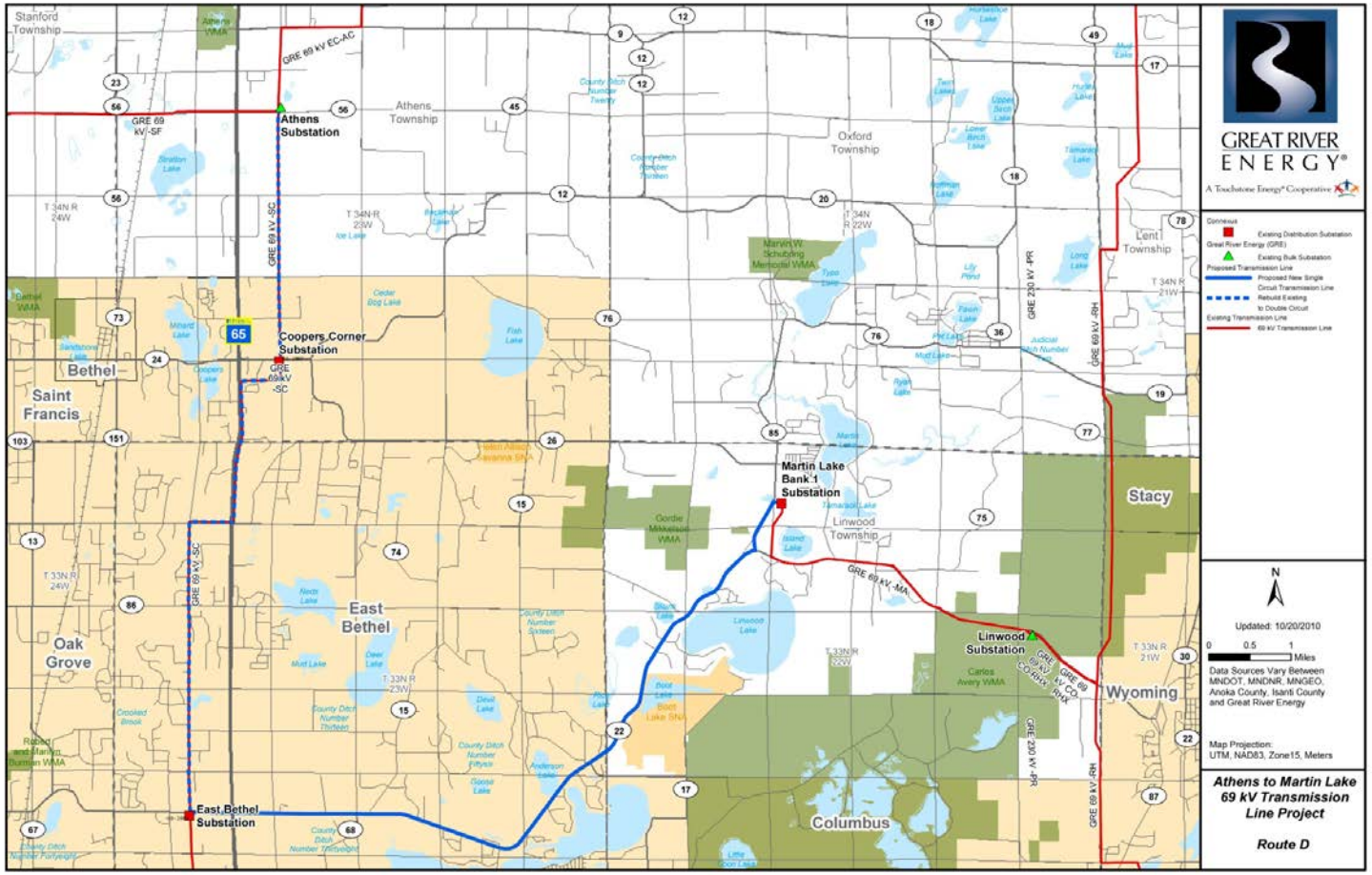
Route C


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 230 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route C

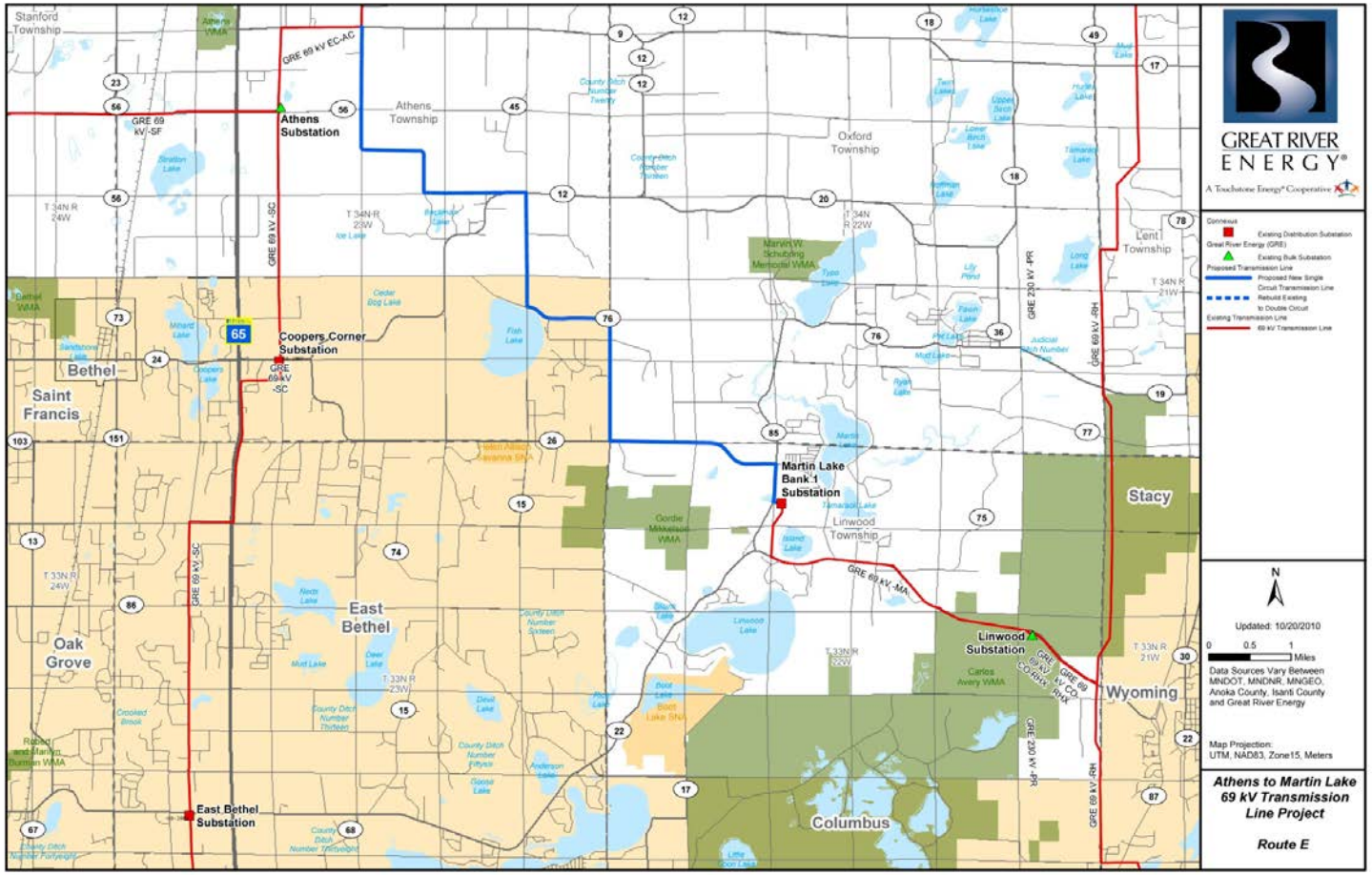
Route C1


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 220 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route C'

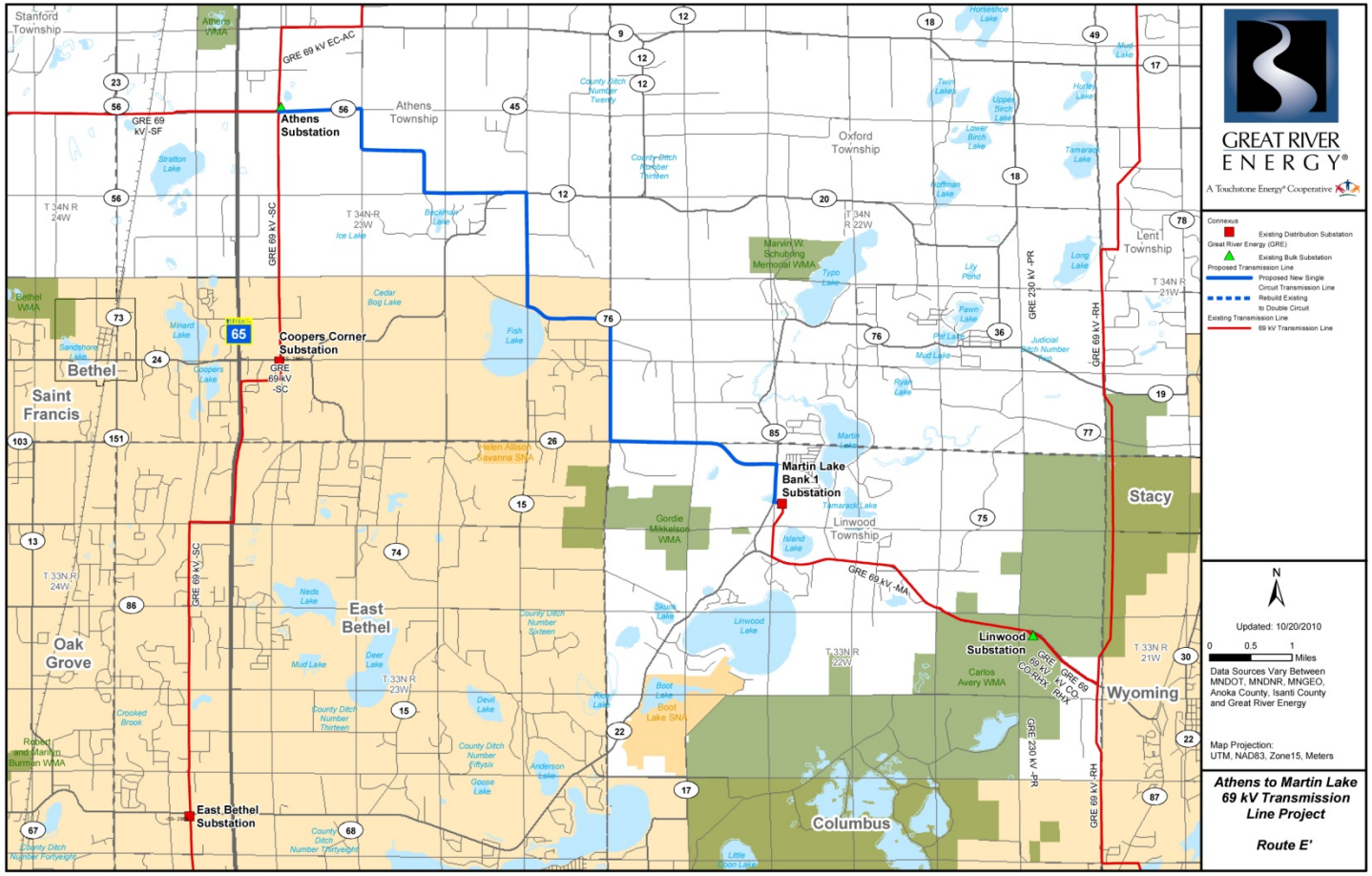
Route D


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
GRE 69 kV CO-RH
GRE 69 kV CO-RW
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Updated: 10/20/2010
Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route D

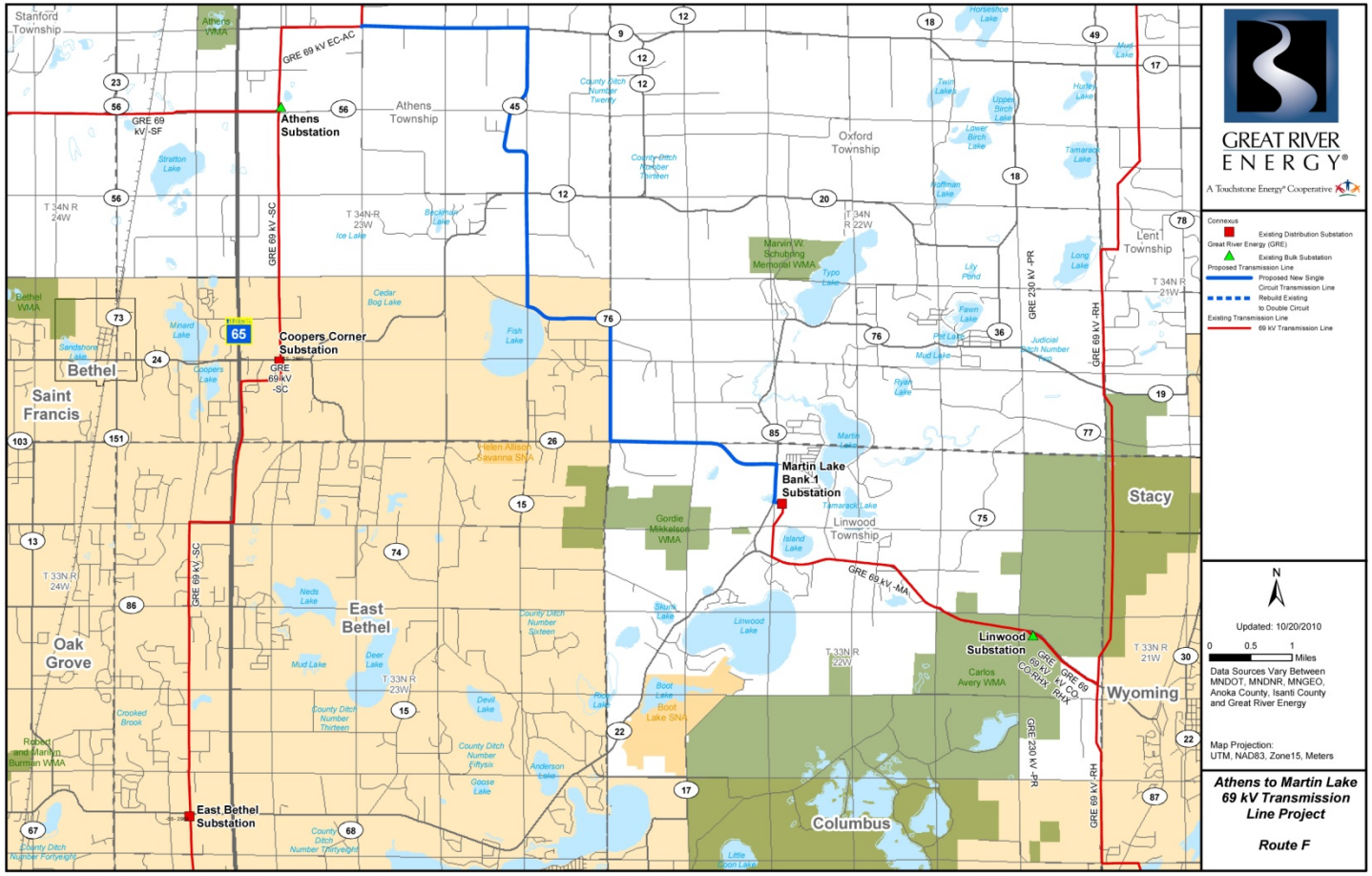
Route E


Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 230 kV -PR
GRE 69 kV -RH
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Contours
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route E

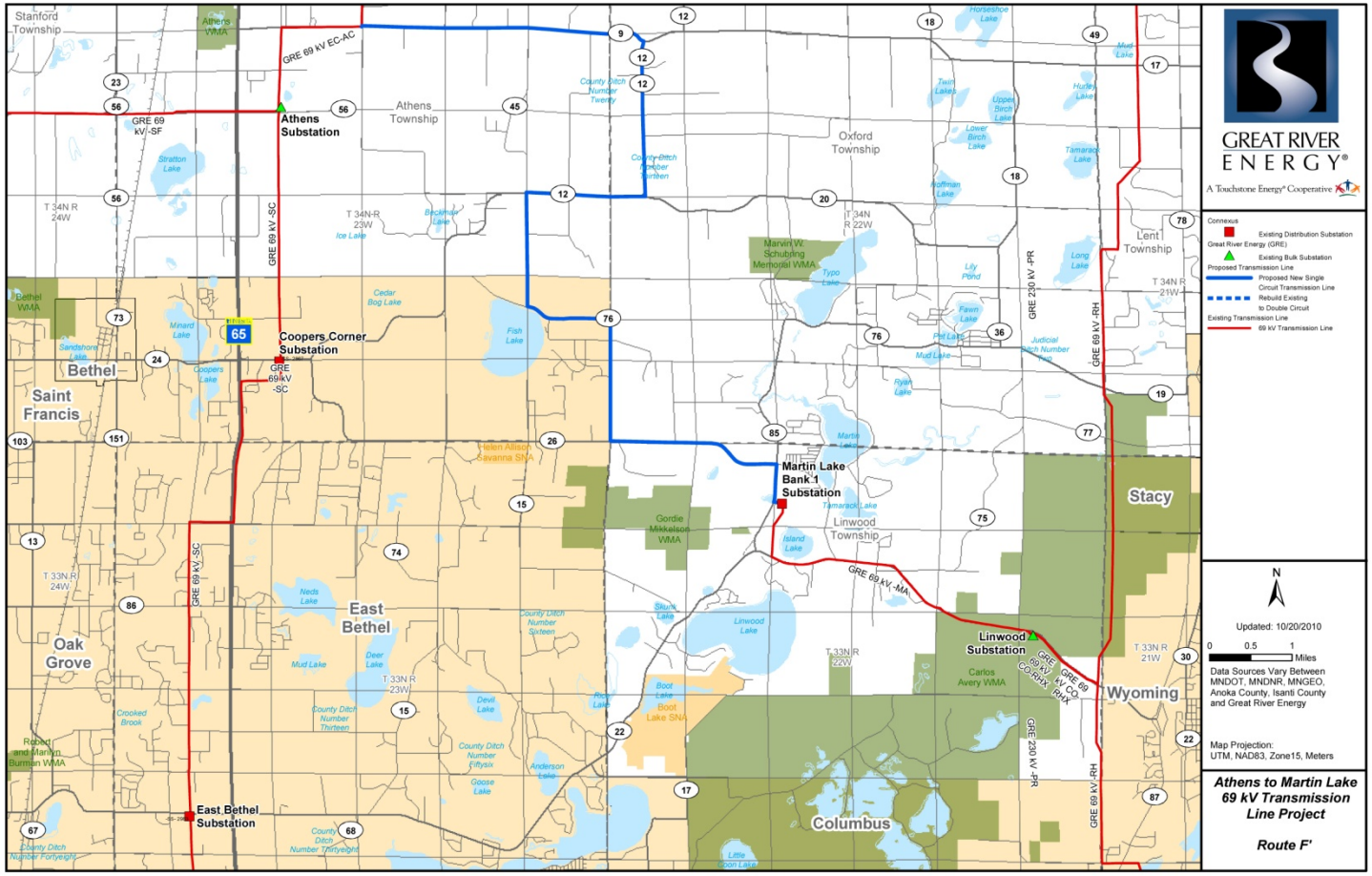
Route E1


Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus
GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route E'

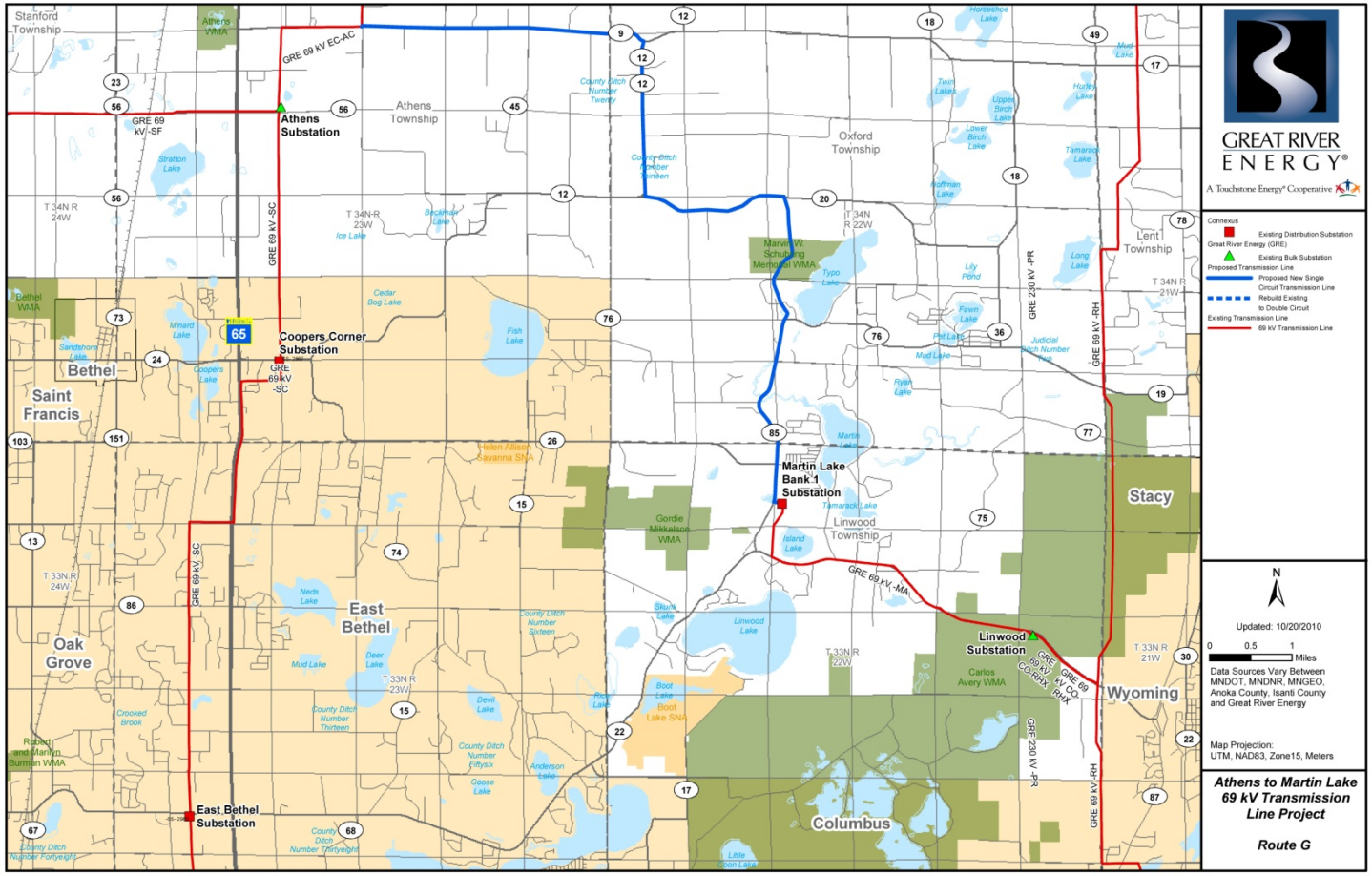
Route F


GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route F
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus

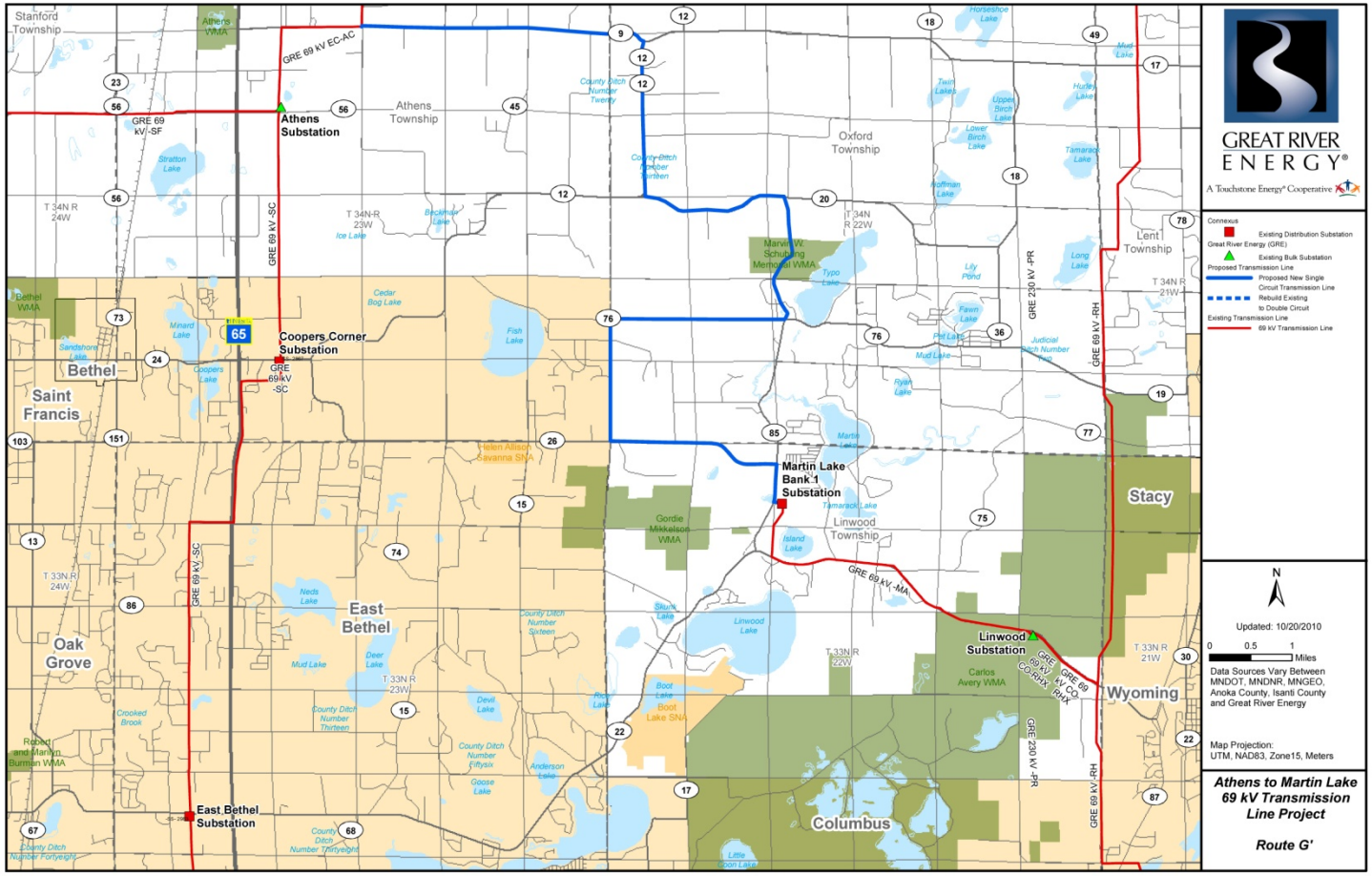
Route F1


GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route F'
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus

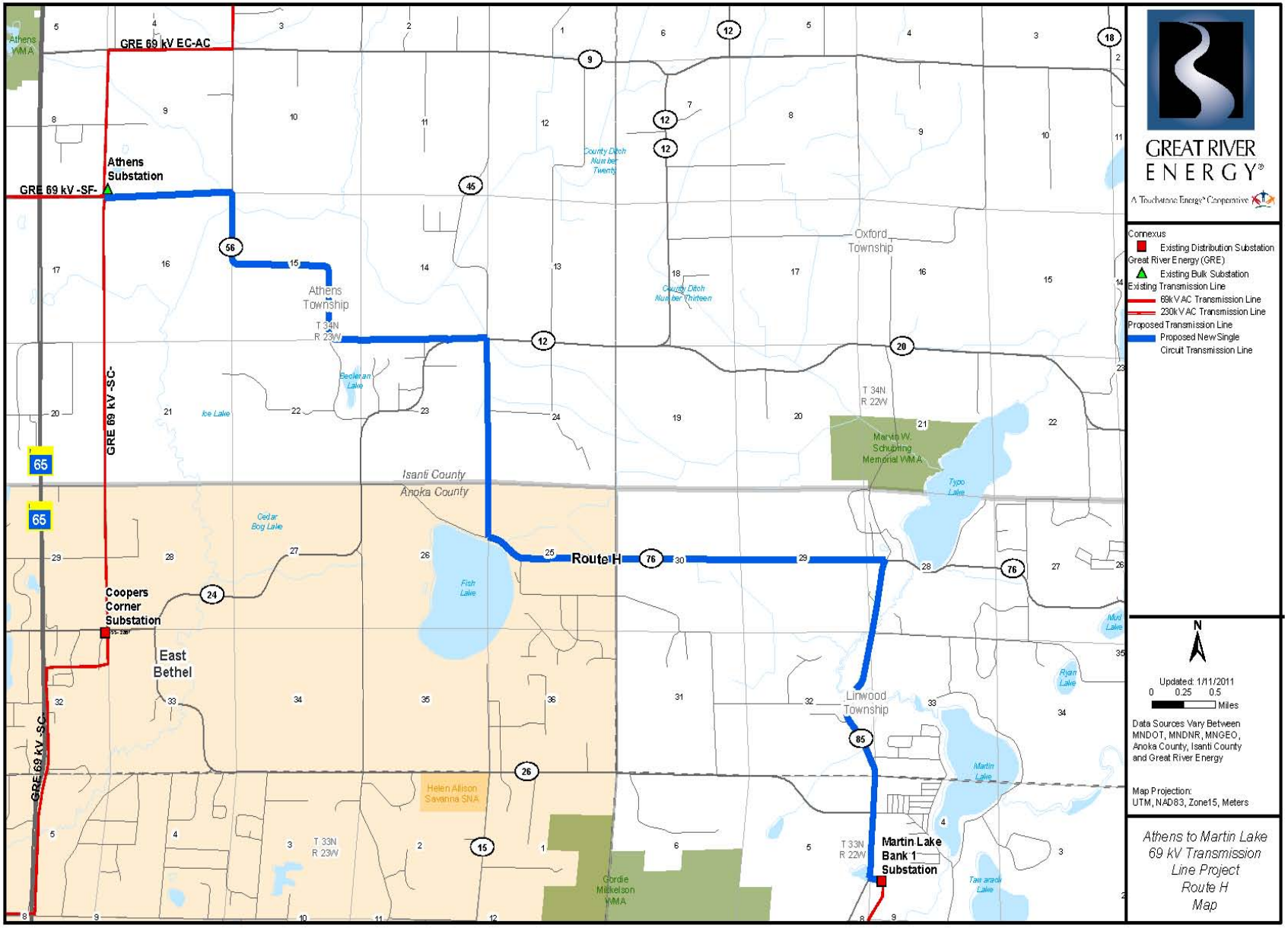
Route G


GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route G
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SF
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
East Bethel
Oak Grove
Stacy
Wyoming
Columbus

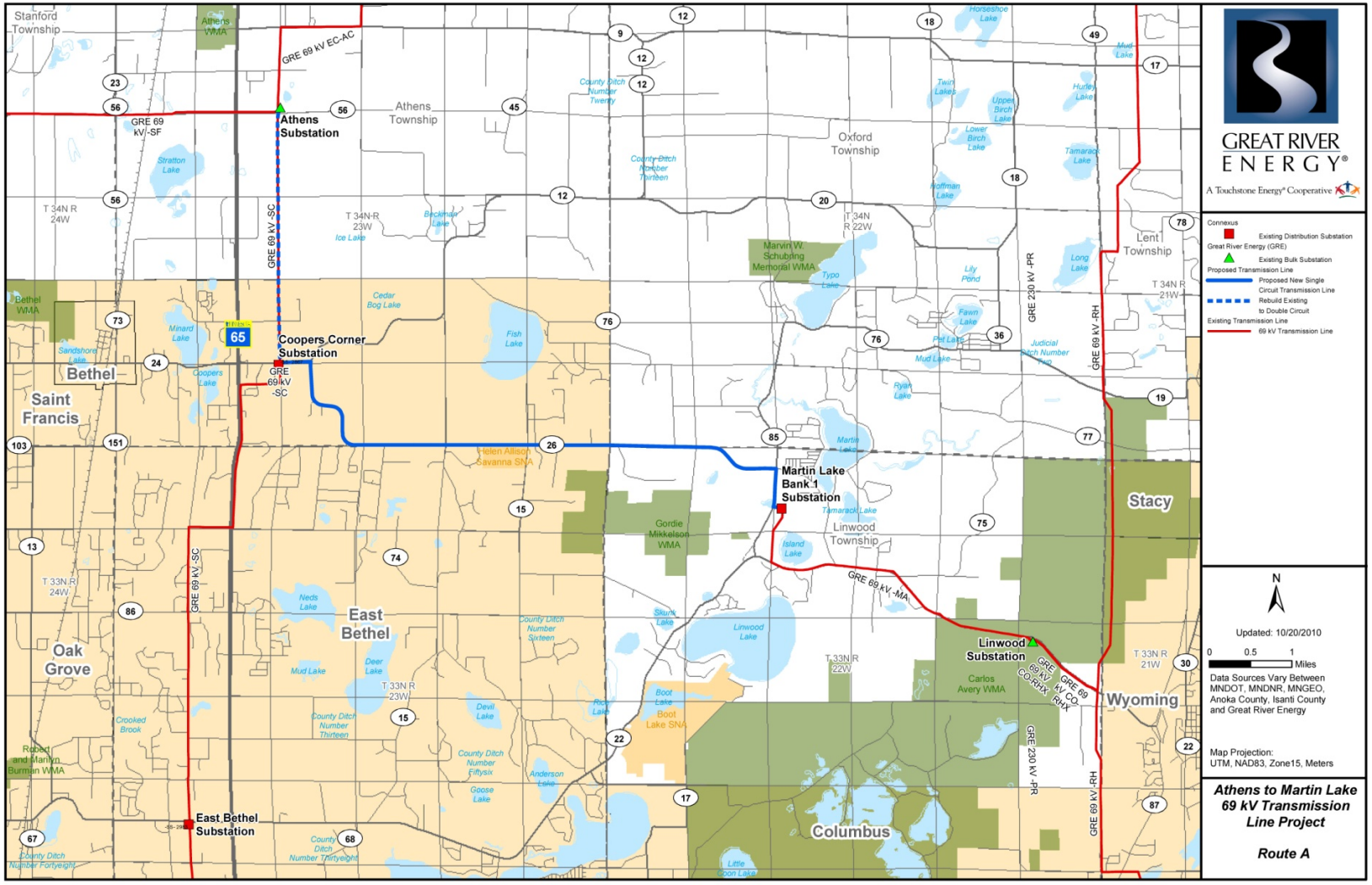
Route G1


GREAT RIVER ENERGY
A Touchstone Energy Cooperative
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route G'
Athens Substation
Coopers Corner Substation
Martin Lake Bank 1 Substation
Linwood Substation
East Bethel Substation
GRE 69 kV EC-AC
GRE 69 kV -SC
GRE 69 kV -MA
GRE 69 kV -RH
GRE 230 kV -PR
Stanford Township
Athens Township
Oxford Township
Lent Township
Linwood Township
Bethel
Saint Francis
Oak Grove
East Bethel
Stacy
Wyoming
Columbus

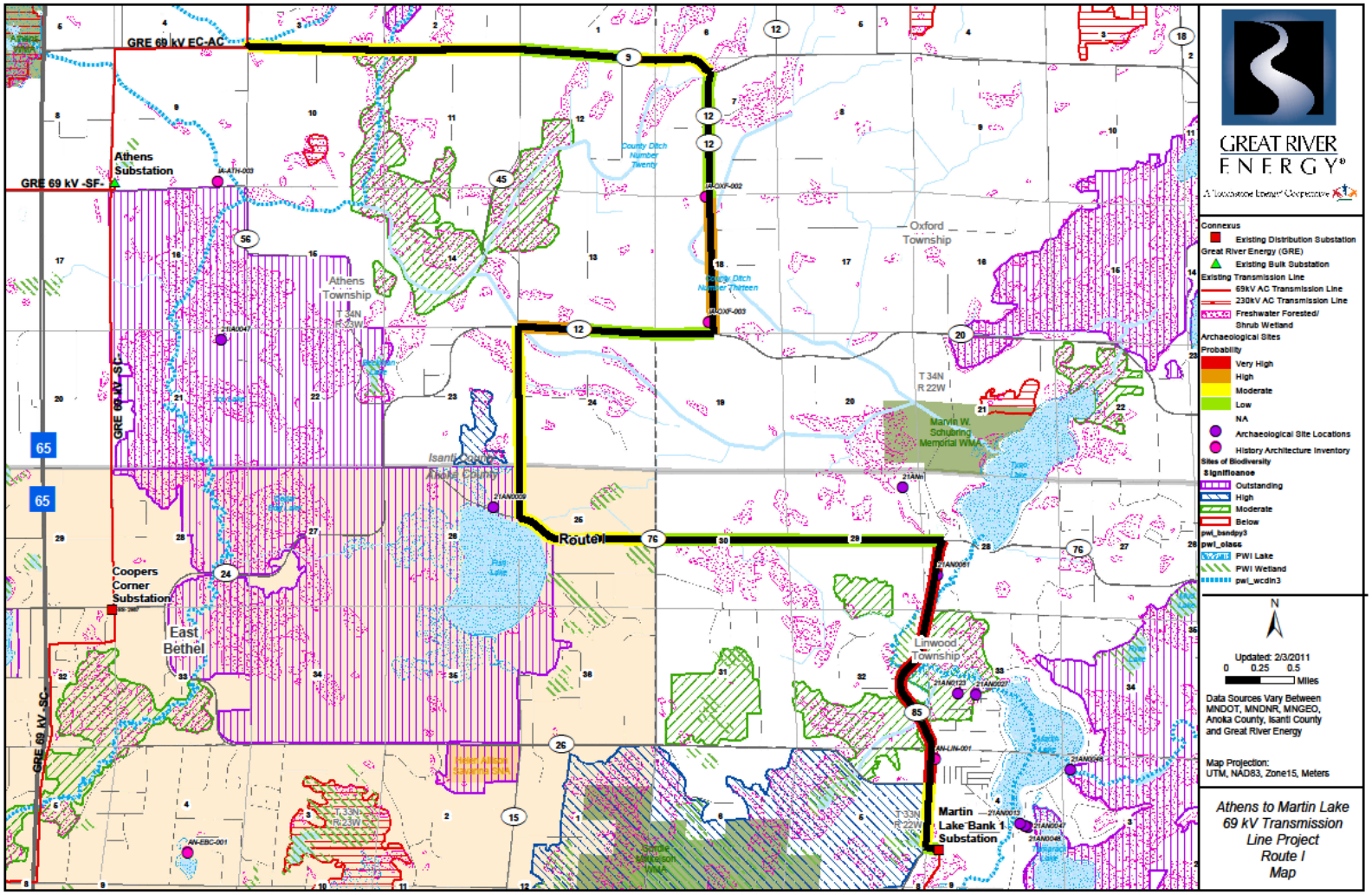
Route H


GREAT RIVER ENERGY
A Touchstone Energy Cooperative
GRE 69 kV EC-AC
Athens Substation
GRE 69 kV -SF-
GRE 69 kV -SC-
Athens Township
T 34N R 23W
Oxford Township
T 34N R 22W
Marvin W. Schupring Memorial WMA
Isanti County
Anoka County
Route H
Coopers Corner Substation
East Bethel
Linwood Township
Martin Lake Bank 1 Substation
T 33N R 23W
T 33N R 22W
Helen Allison Savanna SNA
Gordie Mikkelson WMA
Athens WMA
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Existing Transmission Line
69kV AC Transmission Line
230kV AC Transmission Line
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
N
Updated: 1/11/2011
0 0.25 0.5 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project Route H Map

Route A

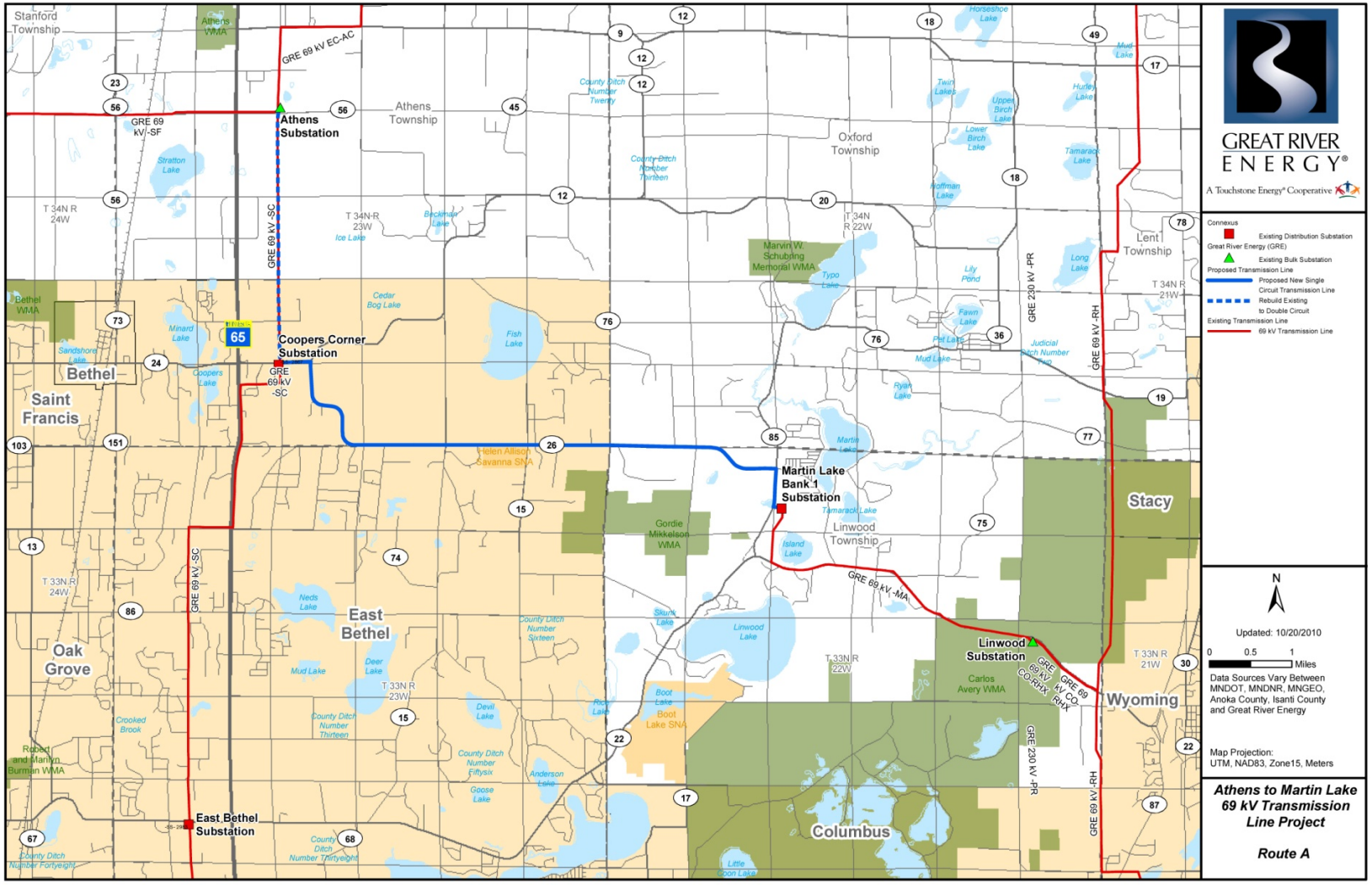

Stanford Township
Athens WMA
GRE 69 kV EC-AC
GRE 69 kV-SF
Athens Substation
Athens Township
Oxford Township
Lent Township
T 34N R 24W
T 34N-R 23W
T 34N R 22W
T 34N R 21W
GRE 69 kV -SC
Marvin W. Schubring Memorial WMA
GRE 230 kV -PR
GRE 69 kV -RH
Bethel WMA
Coopers Corner Substation
GRE 69 kV -SC
Bethel
Saint Francis
Helen Allison Savanna SNA
Martin Lake Bank 1 Substation
Stacy
Gordie Mikkelson WMA
Linwood Township
GRE 69 kV -MA
Linwood Substation
GRE 69 kV -AT, CO, RHX
GRE 69 kV -AT, CO, CO-RHX
Carlos Avery WMA
Wyoming
East Bethel
Oak Grove
T 33N R 24W
T 33N R 23W
T 33N R 22W
T 33N R 21W
GRE 230 kV -PR
Robert and Marilyn Burman WMA
East Bethel Substation
Columbus
Boot Lake SNA
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route A

Route I



GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route A


Stanford Township
Athens WMA
GRE 69 kV EC-AC
GRE 69 kV-SF
Athens Substation
Athens Township
Oxford Township
Lent Township
T 34N R 24W
T 34N-R 23W
T 34N R 22W
T 34N R 21W
GRE 69 kV -SC
Marvin W. Schubring Memorial WMA
GRE 230 kV -PR
GRE 69 kV -RH
Bethel WMA
Coopers Corner Substation
GRE 69 kV -SC
Bethel
Saint Francis
Helen Allison Savanna SNA
Martin Lake Bank 1 Substation
Stacy
Gordie Mikkelson WMA
Linwood Township
GRE 69 kV -MA
Linwood Substation
GRE 69 kV -AT, CO, RHX
GRE 69 kV -AT, CO, CO-RHX
Carlos Avery WMA
Wyoming
East Bethel
Oak Grove
T 33N R 24W
T 33N R 23W
T 33N R 22W
T 33N R 21W
GRE 230 kV -PR
Robert and Marilyn Burman WMA
East Bethel Substation
Columbus
Boot Lake SNA
Connexus
Existing Distribution Substation
Great River Energy (GRE)
Existing Bulk Substation
Proposed Transmission Line
Proposed New Single Circuit Transmission Line
Rebuild Existing to Double Circuit
Existing Transmission Line
69 kV Transmission Line
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative
N
Updated: 10/20/2010
0 0.5 1 Miles
Data Sources Vary Between MNDOT, MNDNR, MNGEO, Anoka County, Isanti County and Great River Energy
Map Projection: UTM, NAD83, Zone15, Meters
Athens to Martin Lake 69 kV Transmission Line Project
Route A

Existing Great River Energy SC 69 kV transmission line - three miles from Athens Substation to Coopers Corner Substation

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Existing Connexus Energy distribution line from Coopers Corner along CSAH 24

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Facing east of Gopher Drive – at 237th Avenue

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Cedar Creek along CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Underground utilities currently in creek area

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

West end of Cedar Creek Reserve – primarily wooded

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Moving east, land opens to oak savanna

CSAH 26 – wide shoulders cleared, trees back from road ROW

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Typo Creek Drive – south of CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route A

Public/Social Considerations

➢*Homes*

• 0 homes within 100 feet of anticipated transmission centerline.
• 43 homes within 200 feet of anticipated transmission centerline.
• 84 homes within 300 feet of anticipated transmission centerline.

➢*Public Facilities, Parks, Trails*

• This route does not cross parkland.
• According to the East Bethel Comprehensive Trails and Open Space Concept Plan, a bituminous surface trail is proposed for the southern edge of the Cedar Creek Ecosystem Science Reserve ("Cedar Creek Reserve").

➢ *Tree/vegetation removal*

• The existing three-mile transmission corridor is maintained and minimal additional clearing would be required. Within the remaining 7.4 miles of the route, approximately 14 acres of trees/vegetation would need to be cleared.

➢ *Historic/Archaeological Sites*

• Two historic sites within ½ mile of the route (AN-LIN-001 and AN-LIN-004, both close to the Martin Lake Substation).

• No archaeological sites within ½ mile of Route A.

Environmental/Cultural Considerations

- Identification of avoidance areas – The University of Minnesota Cedar Creek property is an area of ecological significance. The Allison Savanna Scientific Natural Area and the Linwood School Forest are also along the route. This route has the lowest percentage of forested wetlands of all routes (0.11 % or 0.1 acres).

- Agricultural operations – this route should not affect agricultural operations.

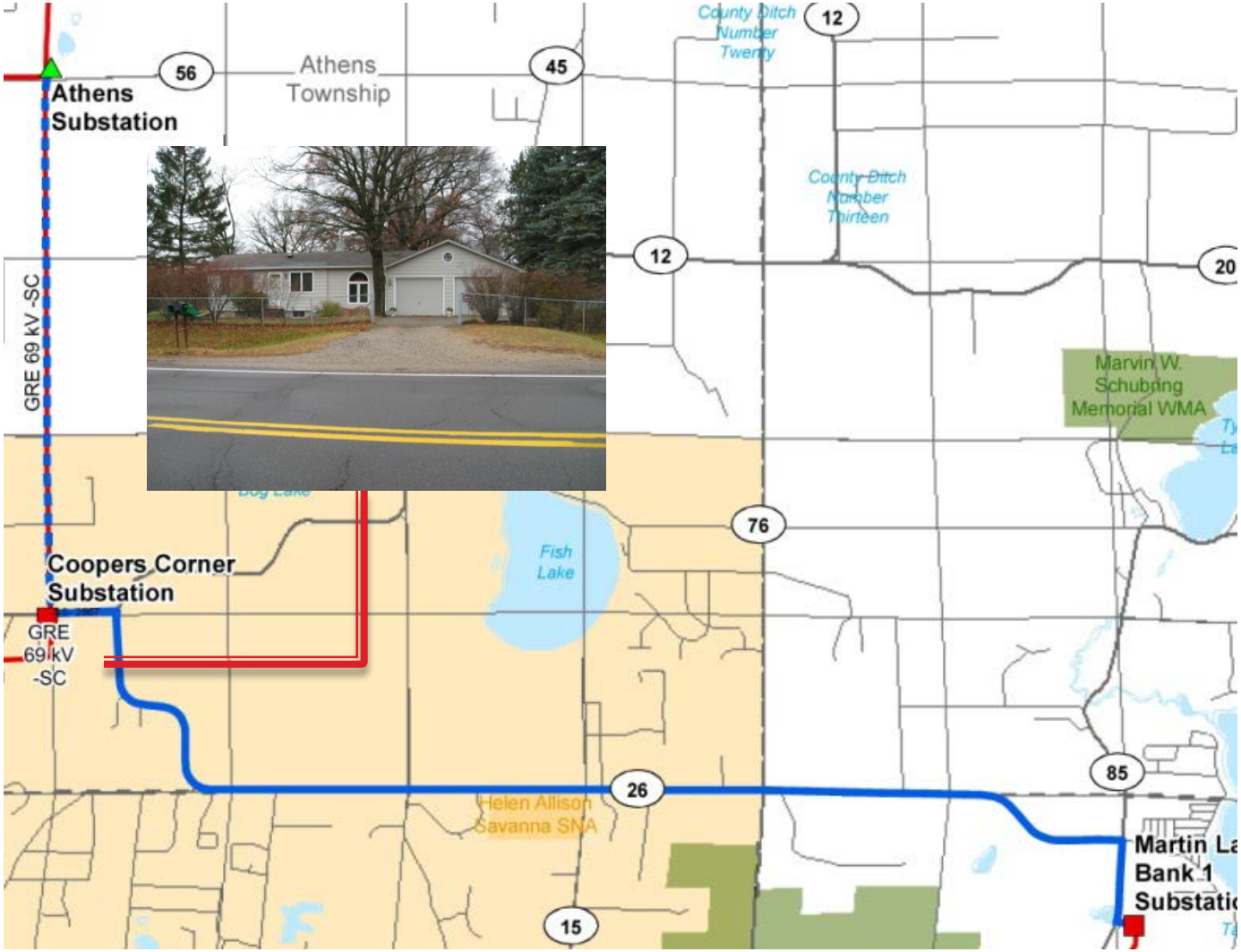
- Impact to existing utilities – There are no negative impacts to existing utilities. The distribution line along the route will be upgraded (3.3 miles). This route affects the fewest miles of distribution line.

Engineering/Construction Considerations

➢ *Route Distance*

- 10.4 miles total length
- 7.4 miles new transmission line/new easements for estimated total of 34.8 acres
- 3.0 miles existing SC 69 kV transmission line corridor – very few to no new easements required

Private home across from Cedar Creek Reserve

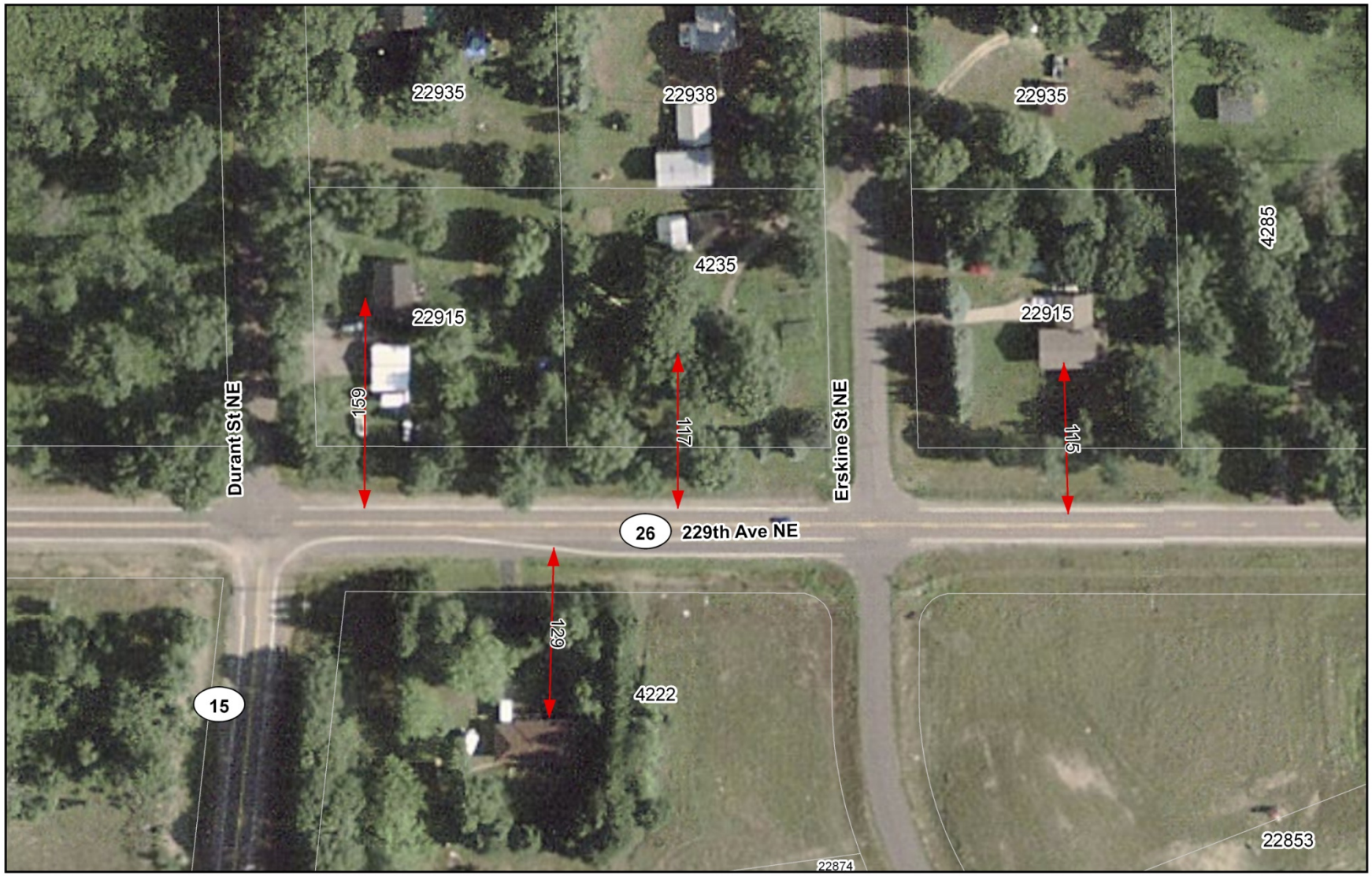


Private home surrounded by Cedar Creek Reserve

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26 and Durant Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative



Pinch point – CSAH 26 and Durant Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26 and Jewel Street

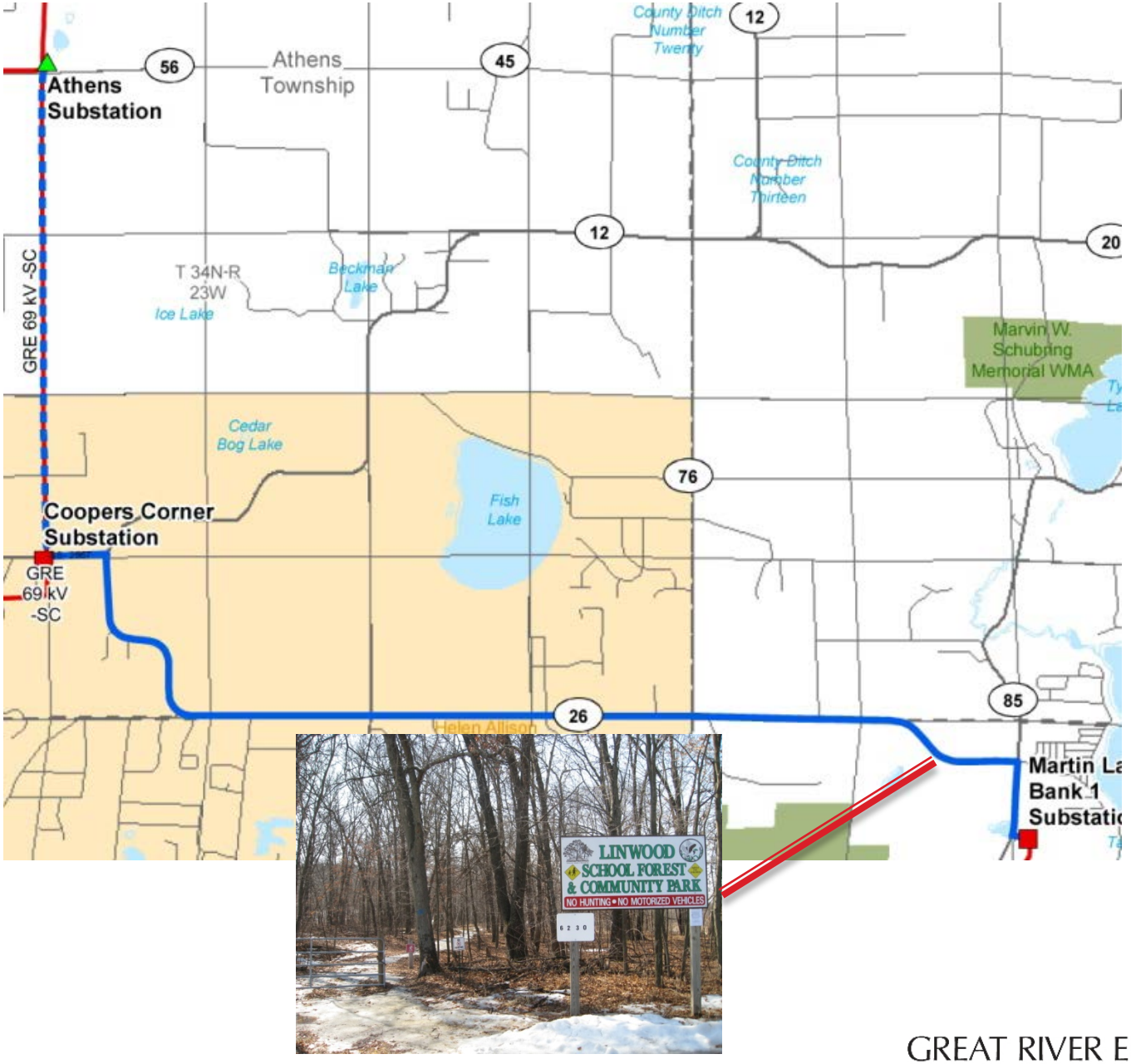
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26 and Jewel Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – CSAH 26, between Packard Street and Sunset Road

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

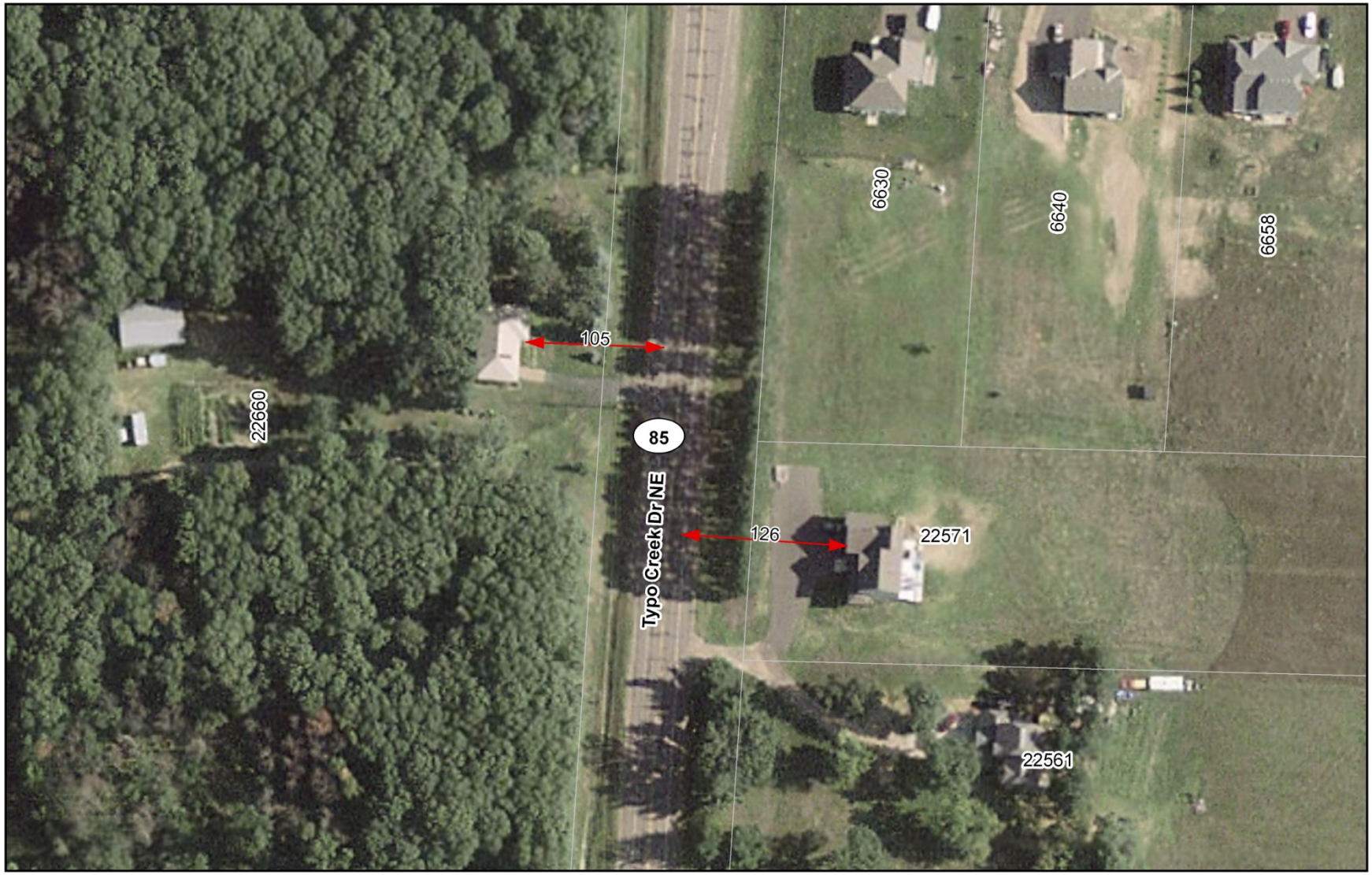


Linwood School Forest with homes across CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Pinch point – South of CSAH 26 on Typo Creek Drive

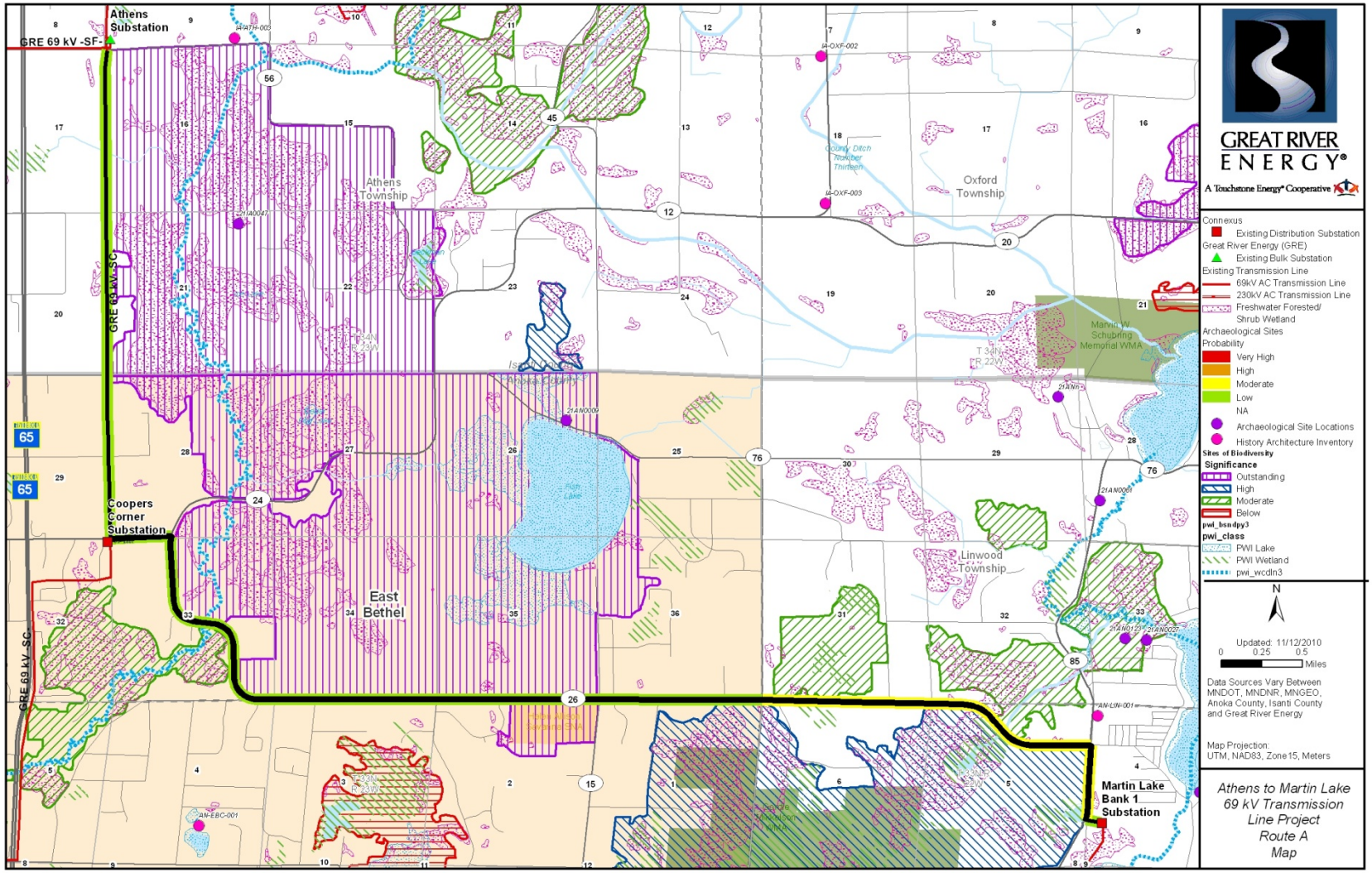
GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative



Pinch point – south of CSAH 26 on Typo Creek Drive

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route A - Environmental



Environmental Issues

Species Listed in the Area of Route A

Red Shouldered Hawk - DNR has guidelines on when to do construction and precautions to take. The design of the structures and conductor spacing would keep raptors from electrocution.

Sandhill Crane - USFWS has guidelines on when to do construction and precautions to take. Bird diverters may be required in flyways.

Blanding Turtle, Gopher Snake, Jumping Spider, Leonards Skipper and Karner Blue - DNR has guidelines on when to do construction and precautions to take. Wherever possible construction would happen during the species dormant season

Oak Savanna, Dry Barrens Prairie, Wet Prairie, Walter's Barnyard Grass, Violets, Wild Indigo and all other rare native plant communities - Most of the plant communities would not be located in the transmission easement. In cases where they are DNR guidelines and mitigation would be followed. Spanning areas would also be a possibility for some species.

Agency Consultation for Project

•US Fish and Wildlife Service – consulted; no concerns noted. Rare species listing – Gray wolf.

•Minnesota Historical Society – not yet consulted. Will be consulted regarding excavation.

•US Army Corps of Engineers – not yet consulted but, will be consulted if the wetlands cannot be spanned or forested wetlands are involved.

•MnDOT – consulted, there are no airports in the area of Route A.

•DNR – consulted on the general concerns of the area.

•Cedar Creek Ecosystem Science Reserve, University of Minnesota - Have consulted with Jeffrey Corney, Ph.D.

• Anoka County and Isanti County Highway Departments - Consulted regarding plans for future highway expansion/improvements.

To avoid harming sensitive plant and animal life winter construction will be used wherever possible. Power lines have been designed to prevent electrocution of birds of prey. DNR will be consulted regarding bird diverters.

Affect on VA/FHA Financing

VA Rules state:

- No part of any residential structure may be located within a high voltage electric transmission line *easement*.
- Any detached improvements even partially in a transmission line easement will not receive value for VA purposes.

FHA Rules state:

- No dwelling or related property improvement may be located within the *engineering (designed) fall distance* of any pole, tower or support structure of a high-voltage transmission line, …. For field analysis, the appraiser may use tower height as the fall distance.

Pursuant to the FHA Handbook 4150.2, Section 2-2(J):

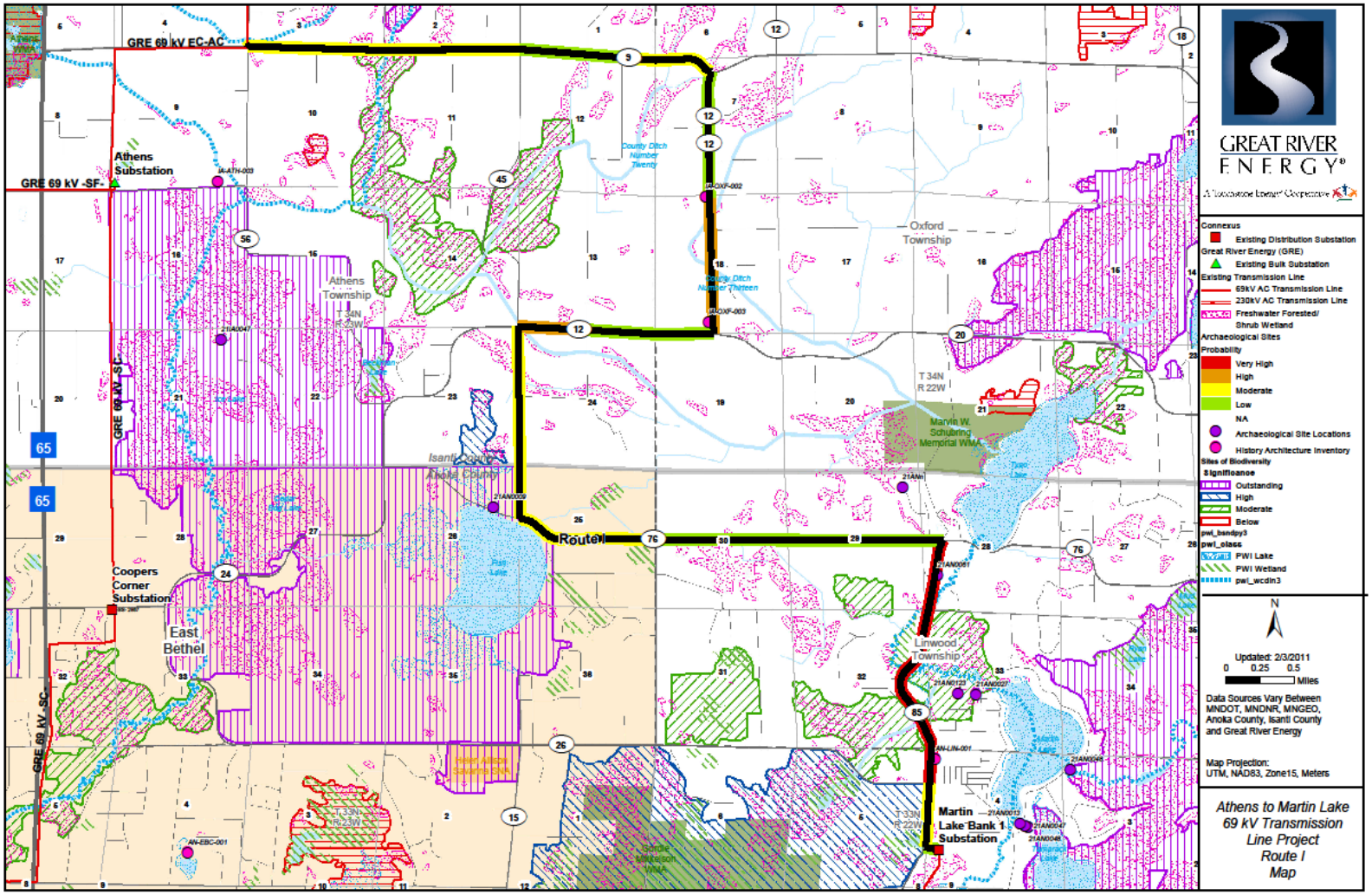
1) If the dwelling or related property improvement is located within such an easement, the lender must obtain a letter from the owner or operator of the tower indicating that the dwelling and its related property improvements are not located within the tower's (engineered) fall distance in order to waive this requirement.

2) If the dwelling and related property improvements are located outside the easement, the property is considered eligible and no further action is necessary. The appraiser, however, is instructed to note and comment on the effect on marketability resulting from the proximity to such site hazards and nuisances.

Summary of Route A Features

- Route length 10.4 miles - shortest viable route
- Shortest length of new transmission line to build – 7.4 miles
- Use three miles of existing transmission line corridor
- Fewer easements – single landowner (Cedar Creek Reserve) for much of new route
- Lowest impact to historical and cultural resources
- Moderate impact to sensitive plants and high, but temporary impact to animal populations in the area
- Fewest number of wetlands and public waters involved on new transmission line ROW
- Second most desirable soil conditions
- County Highway – wider cleared ROW entire route
- Two pinch points
- Fewer turns and angles than other routes
- Savings to Connexus - rebuild distribution line
- Existing distribution corridor along most of route
- Lowest construction cost ≈ $3,677,700.00)

Route I



GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

East of Xylite Street on CSAH 9

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Continue east on CSAH 9 – forested wetlands on both sides

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

CSAH 9 & County Road 45 Intersection

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Intersection of CSAH 9 and CSAH 12 heading south

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Durant Street approaching Fawn Lake Drive

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

East on Fawn Lake Drive

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Facing east - Fawn Lake Drive from Durant Street

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Looking east on Fawn Lake Drive – pinch point

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive - wetland after County Road 76

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive - wetlands on both sides

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive - cemetery and homes

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive – firehouse on west side

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

South on Typo Creek Drive – Linwood Hall and cell tower

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Typo Creek Drive – south of CSAH 26

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Route I

Public/Social Considerations

➢ *Homes* - GRE was informed of Work Group's decision on February 8th and attempted to prepare this information and submit it to the City of East Bethel by February 10th. Therefore, we apologize but, we do not currently have accurate information regarding proximity of homes.

➢ *Public Facilities, Parks, Trails*

• This route would run along the eastern border of the Linwood Municipal Park.
• According to the East Bethel Comprehensive Trails and Open Space Concept Plan, there is an on-road trail on Durant St. and a proposed natural surface trail on the north end of Fish Lake.

➢ *Tree/vegetation removal*

• Approximately 29.2 acres of trees/vegetation would need to be cleared.

➢ *Historic/Archaeological Sites*

• Four historic sites within ½ mile of the route (IA-OXF-002, IA-OXF-003, AN-LIN-001 and AN-LIN-004, two are located on Apollo [CSAH 12], two are on Typo Creek Drive).

• Five archaeological sites are within ½ mile of the route.

Environmental/Cultural Considerations

- Identification of avoidance areas – the areas in Oxford Township and north of Linwood have high to very high probability of cultural resources of both history and architecture (along Typo Creek Drive from Fawn Lake Drive to CSAH 26).

- This route has percent of forested wetlands (acres).

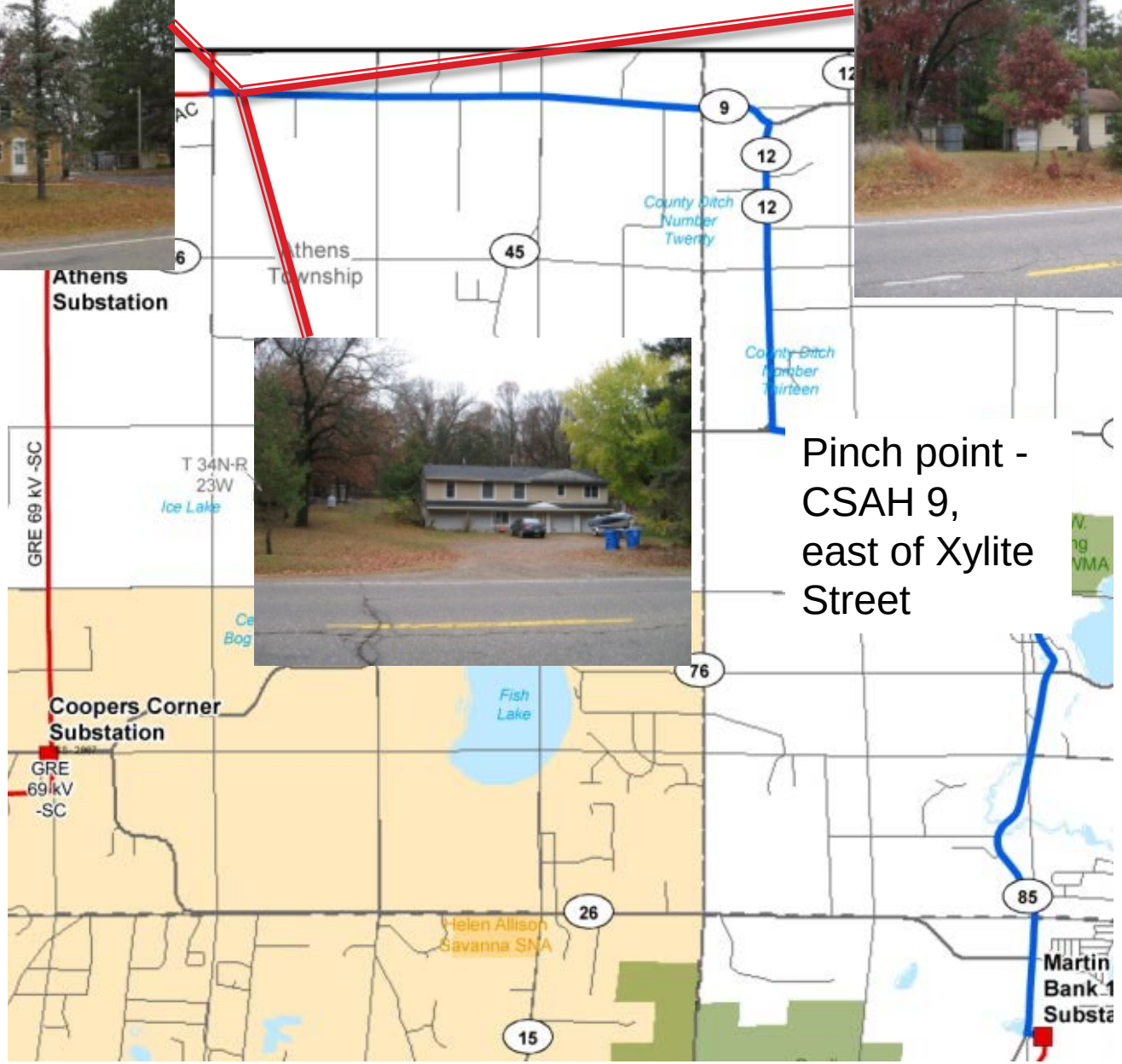
- Agricultural operations – this route should not affect agricultural operations.

- Impact to existing utilities – there are existing distribution lines along the route (approximately 7 miles). All other utilities would not be negatively affected by a new transmission line.

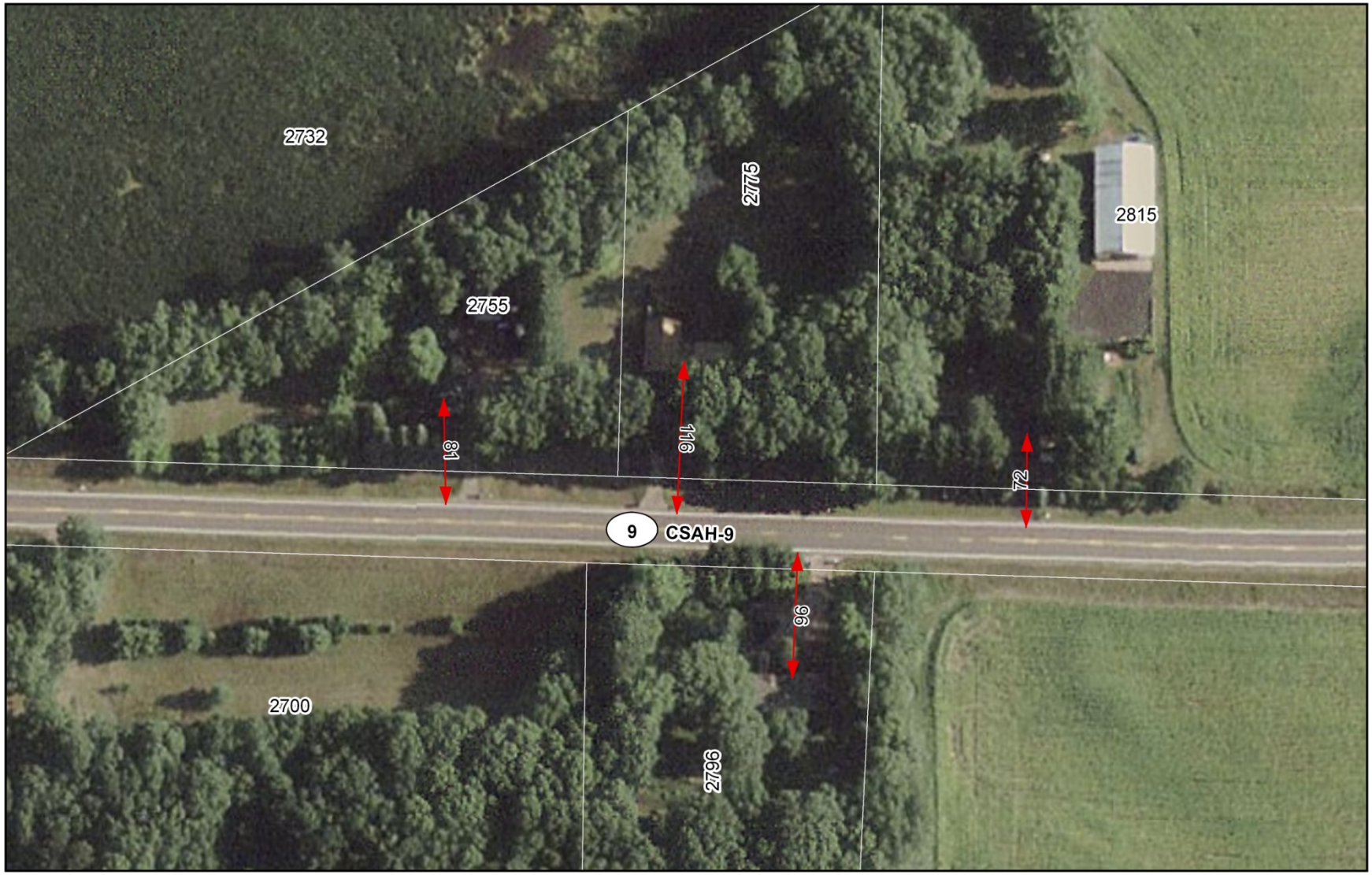
Engineering/Construction Considerations

➢ *Route Distance*

•13.7 miles total length.
•13.7 miles new transmission line.
• New easements, approximately 63 acres.
• Approximately 7 miles overhead distribution lines within route corridor.

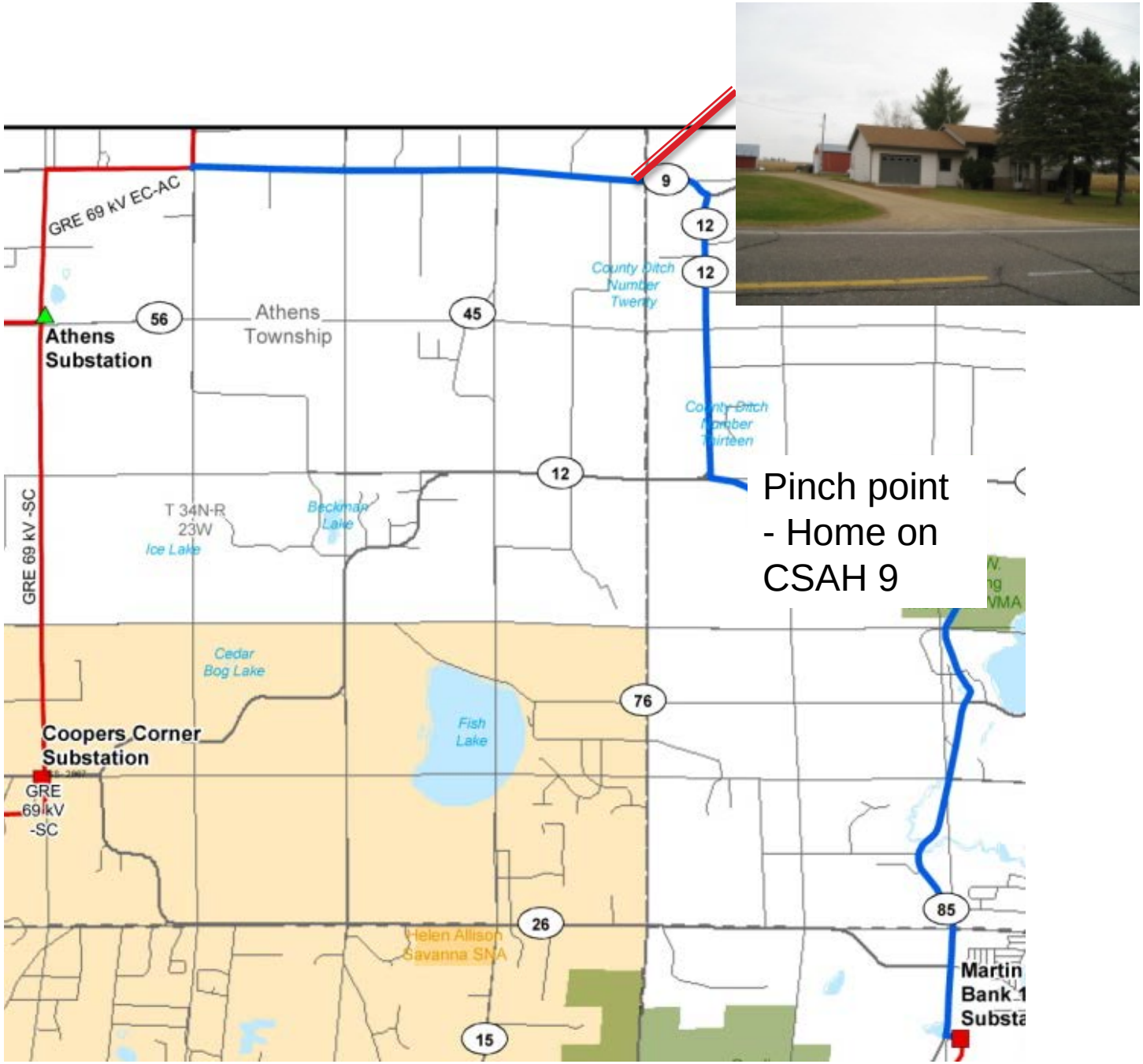


Pinch point - CSAH 9, east of Xylite Street

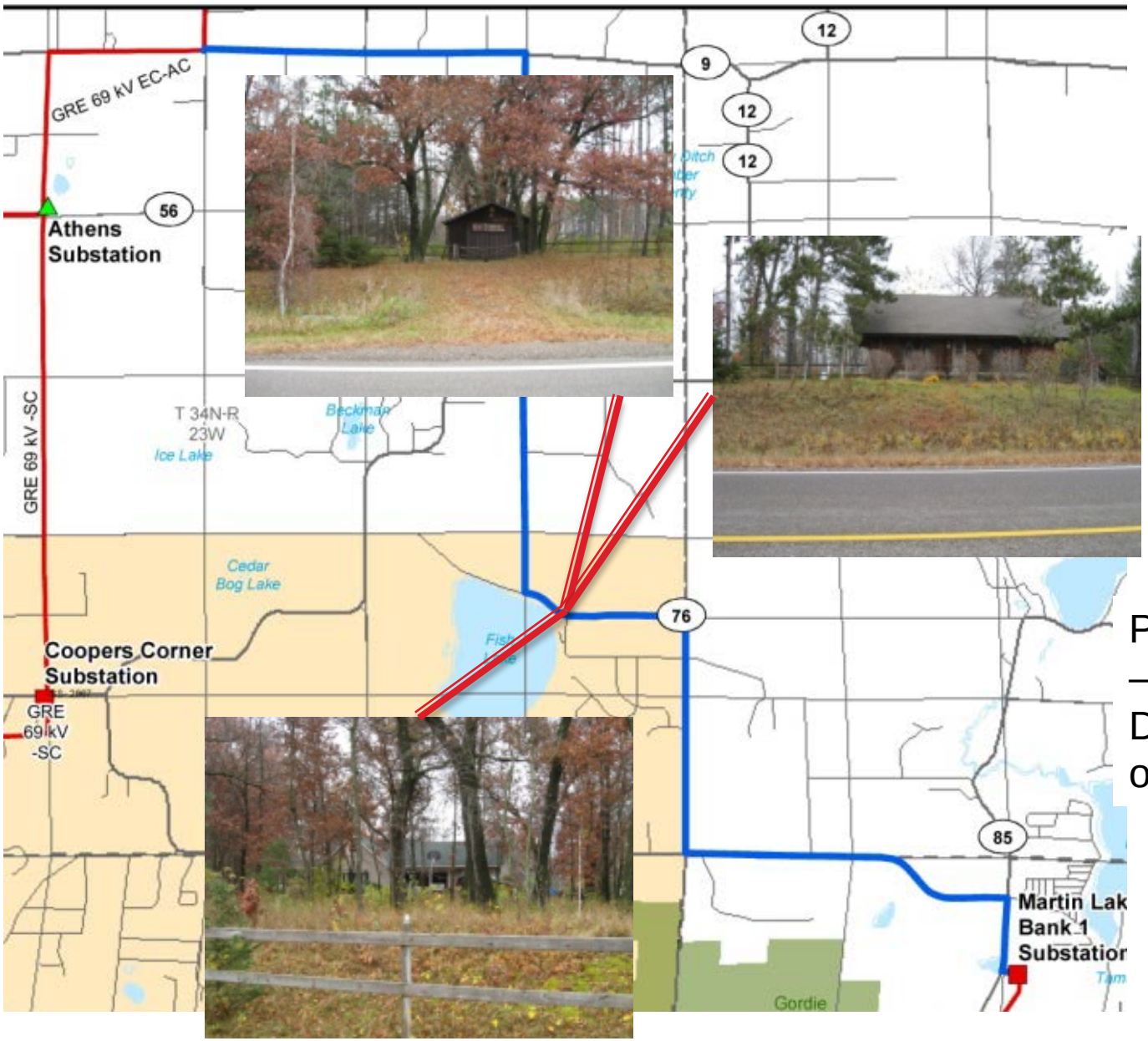


Pinch point CSAH 9 and Xylite Street

GRE 69 kV EC-AC
GRE 69 kV -SC
Coopers Corner Substation
GRE 69 kV -SC
T 34N-R 23W
Ice Lake
Beckman Lake
Cedar Bog Lake
Fish Lake
County Ditch Number Twenty
County Ditch Number Thirteen
Marvin Schubert Memorial
Helen Allison Savanna SNA
9
12
12
45
12
76
26
85
15
Pinch point - CSAH 9 and Zest Street

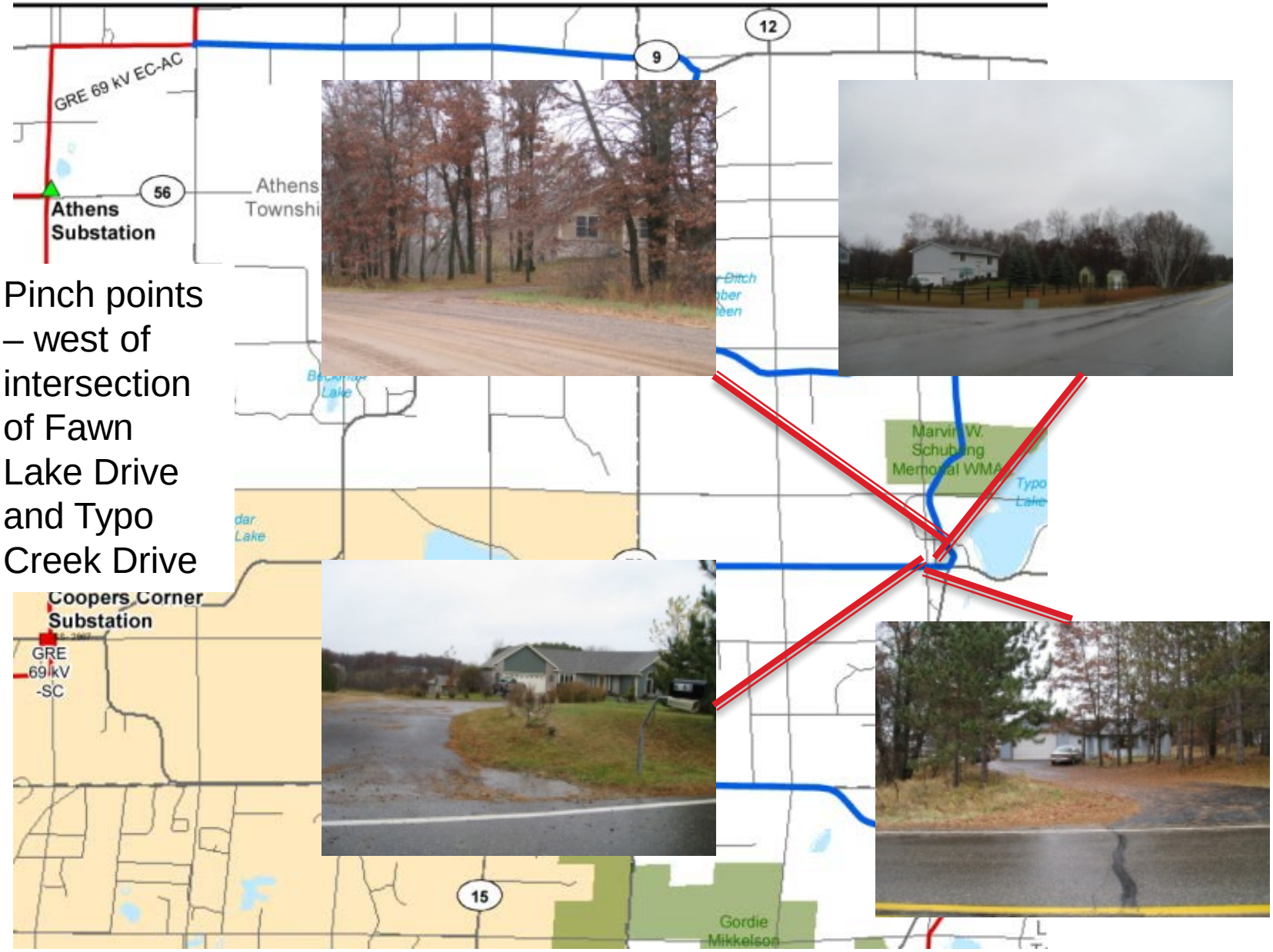

GRE 69 kV EC-AC
GRE 69 kV -SC
Athens Substation
Athens Township
56
45
9
12
12
12
County Ditch Number Twenty
County Ditch Number Thirteen
T 34N-R 23W
Beckman Lake
Ice Lake
Cedar Bog Lake
Fish Lake
76
Coopers Corner Substation
GRE 69 kV -SC
26
Helen Allison Savanna SNA
15
85
Martin
Bank 1
Substa
Pinch point - Home on CSAH 9

Pinch point – on 253rd Avenue

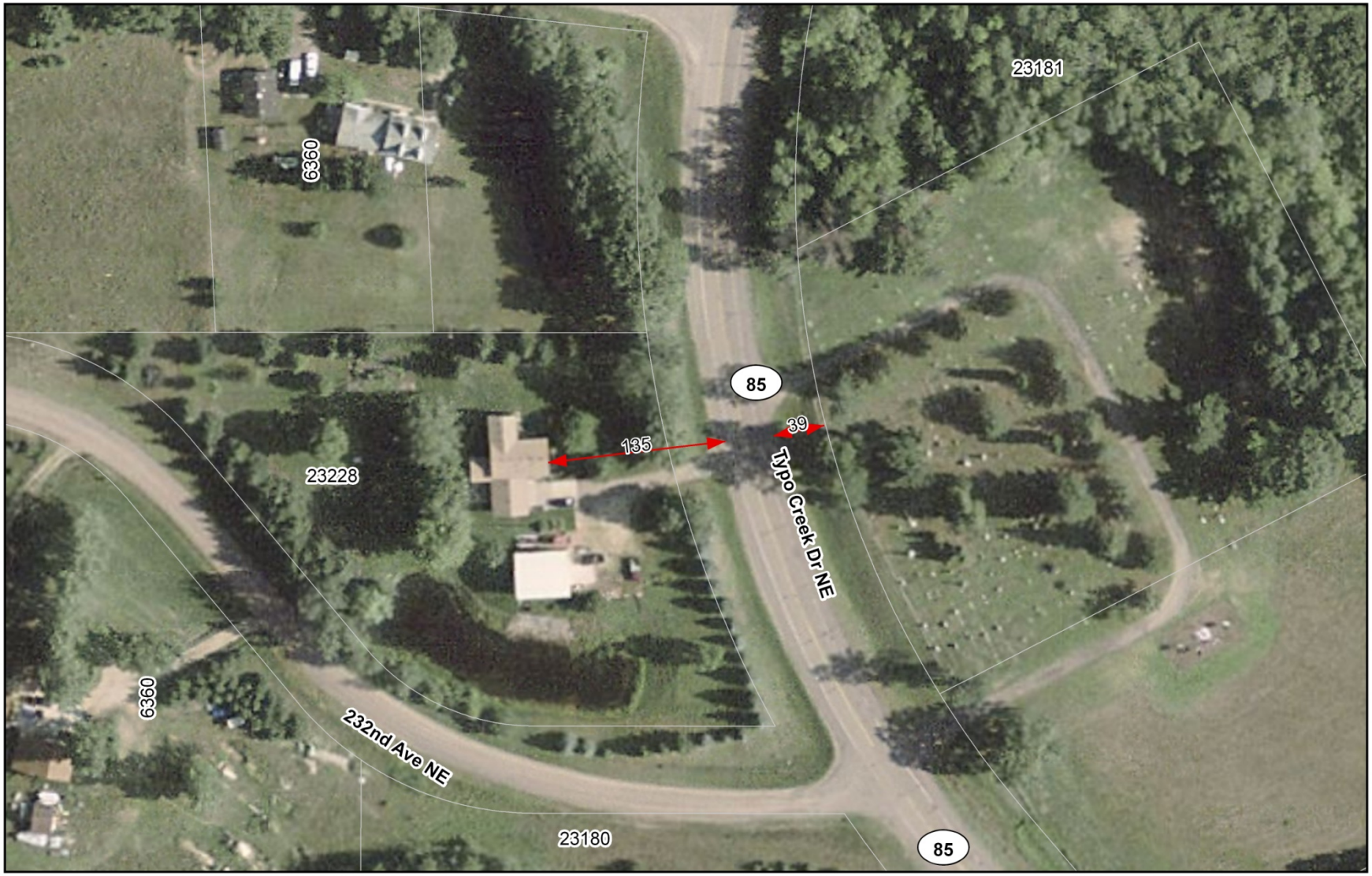


Pinch points – Fawn Lake Drive, east of Fish Lake

Pinch points – west of intersection of Fawn Lake Drive and Typo Creek Drive



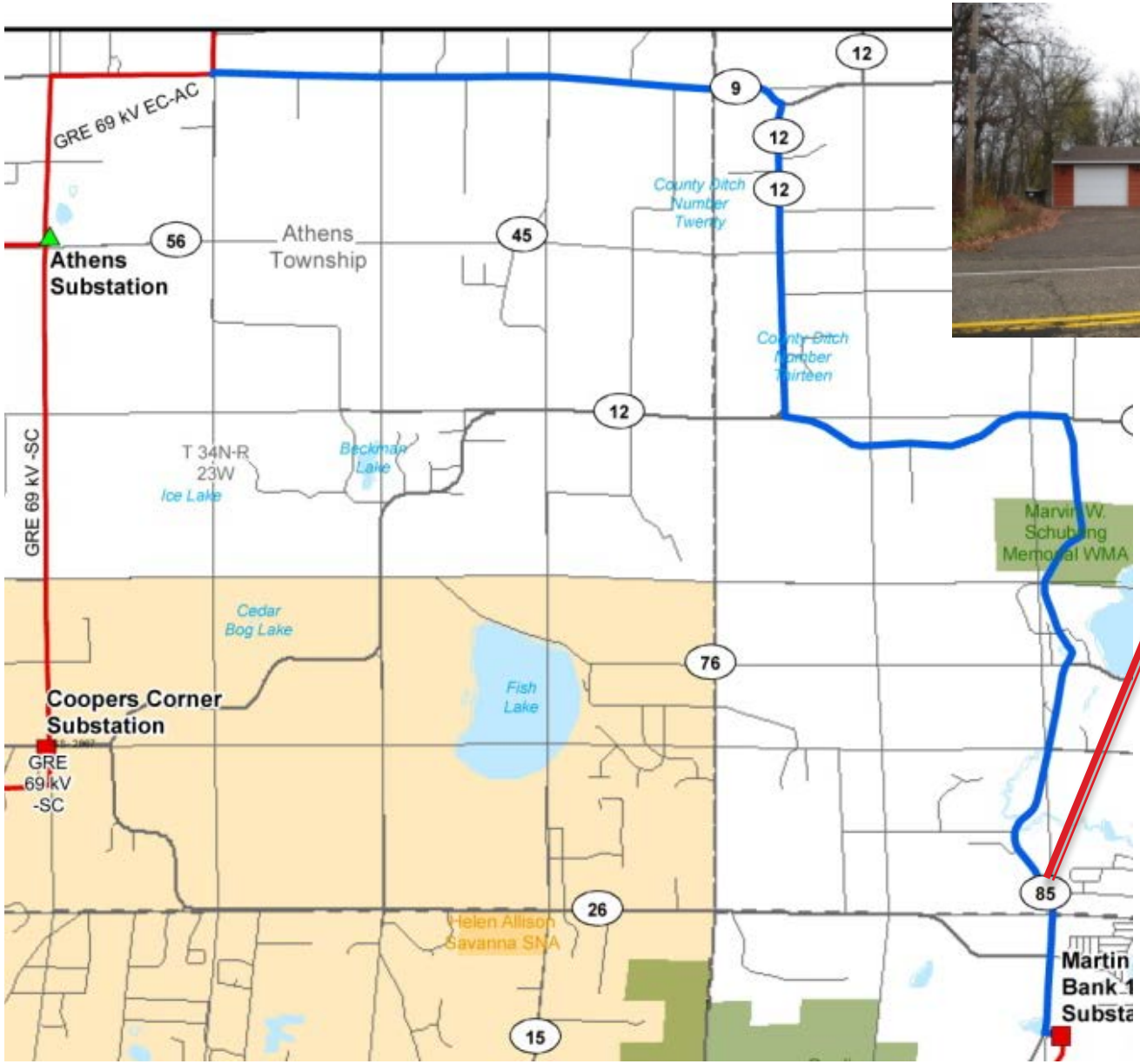
Pinch point- Cemetery and home along Typo Creek Drive



Pinch point - cemetery and home along Typo Creek Drive

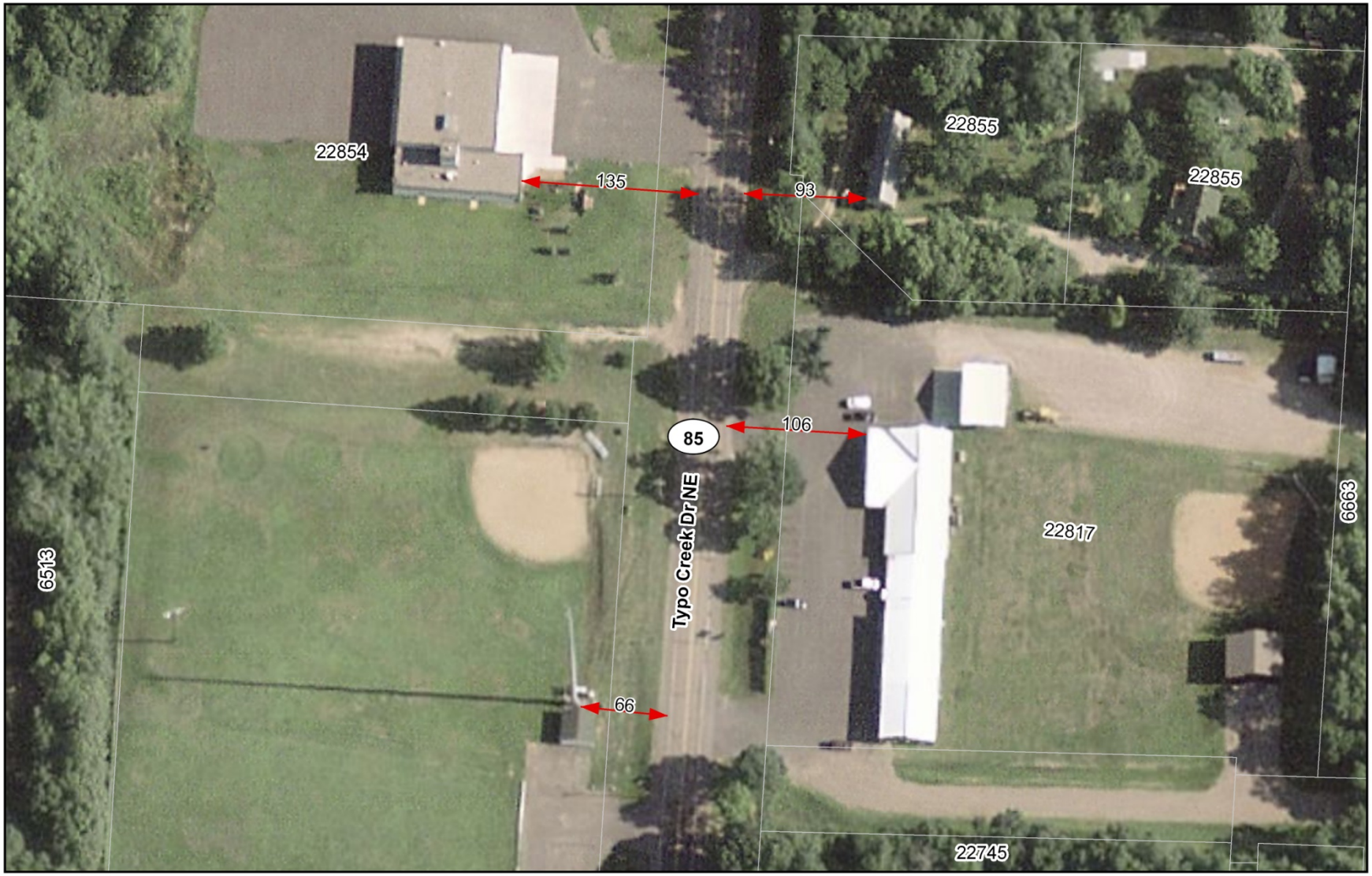
Pinch points - along Typo Creek Drive

Pinch points - Typo Creek Drive, south of 232nd Street



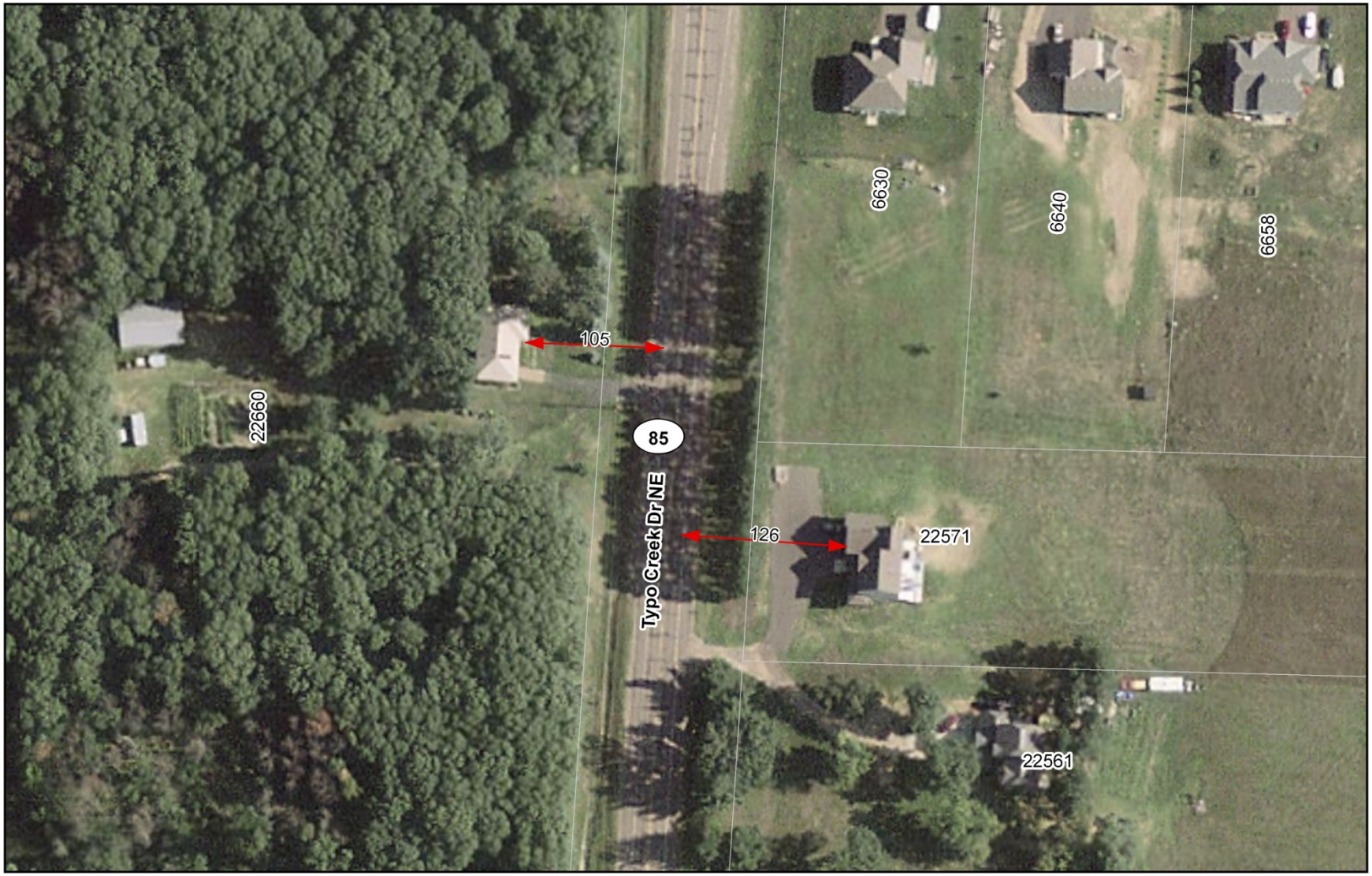
Pinch point- along Typo Creek Drive

Pinch points-
Linwood
along Typo
Creek Drive



Pinch points - Linwood along Typo Creek Drive

Pinch point – south of CSAH 26 on Typo Creek Drive



Pinch point – south of CSAH 26 on Typo Creek Drive

Species Listed in the Area of Route I

Like Route A, Route I would also have plant and animal species that are considered sensitive. These include the following:

- Blanding Turtle
- possible Fen
- Violet
- Humped Bladderwort
- Sandhill Crane
- Red Shouldered Hawk
- Native Plant communities
- Halbred-leaved Tearthumb

Summary of Route I Features

- Route length 13.7 miles
- 13.7 miles new transmission line to build
- Approximately 63 acres of new easements required
- Tree clearing – approximately acres
- Line not directly on environmentally sensitive areas
- Very tight pinch point on CSAH 9 – approximately 55 feet from house
- Pinch points along CSAH 12, Fawn Lake Dr. & Typo Creek Drive
- More culturally sensitive areas = greater uncertainty
- No direct benefit to Connexus system
- Construction cost - $5,119,400.00

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Matrix

	Corridors							Homes			Farmlands	Wetlands							
Route *(Analysis of route follows either the center of the road or is the average of a North and East or South and West route)*	Total Route Length (miles)	Total Route Acres (Includes road ROW) assumed 70' along road , 70' double circuit and 100' cross-country	New Transmission Line (Miles)	New Cross-Country Transmission Line (Miles)	New Transmission Line right of way (Acres)	Double circuit Existing Transmission Line (Miles)	Corridor Sharing - Existing Distribution OH (Miles)	0-100 ft from Route Centerline	0-200 from Route Centerline	0-300 ft from Route Centerline	Farmland within the ROW (Acres)	Total wetlands within the ROW (Acres)	Number of Wetlands Crossed	Total Wetlands within Existing Transmission ROW (Acres)	Number of Wetlands Crossed in Existing Tranmission ROW	Forested wetlands in ROW (Acres)	Number of Forested Wetlands Crossed	Total ForestedWetlands within Existing Transmission ROW (Acres)	Number of Forested Wetlands Crossed in Existing Tranmission ROW
Route A (Center or Average)	**10.4**	**88.6**	**7.4**	**0.0**	**34.8**	**3.0**	**3.3**	**0**	**43**	**84**	**23.9**	**5.8**	**17**	**5.2**	**8**	**0.1**	**3**	**0.0**	**0**
Route B (Center or Average)	**12.0**	**101.7**	**9.0**	**0.0**	**41.8**	**3.0**	**4.4**	**4**	**39**	**68**	**27.3**	**6.8**	**20**	**5.2**	**8**	**0.2**	**4**	**0.0**	**0**
Route B1 (Center or Average)	**10.3**	**94.6**	**8.3**	**2.0**	**53.7**	**2.0**	**3.2**	**4**	**38**	**62**	**15.8**	**7.3**	**19**	**4.8**	**6**	**9.7**	**8**	**0.0**	**0**
Route C (Center or Average)	**14.3**	**121.7**	**8.9**	**0.0**	**41.6**	**5.4**	**3.8**	**7**	**82**	**121**	**33.3**	**9.1**	**23**	**7.7**	**11**	**1.9**	**4**	**1.3**	**1**
Route C1 (Center or Average)	**12.4**	**105.4**	**9.4**	**0.0**	**43.8**	**3.0**	**4.4**	**2**	**54**	**99**	**27.0**	**6.3**	**20**	**5.2**	**8**	**0.6**	**3**	**0.0**	**0**
Route D (Center or Average)	**19.0**	**161.5**	**9.5**	**0.0**	**44.6**	**9.5**	**4.7**	**14**	**182**	**271**	**27.4**	**9.9**	**26**	**0.0**	**0**	**3.3**	**8**	**0.0**	**0**
Route E (Center or Average)	**10.5**	**89.4**	**10.5**	**0.0**	**48.9**	**0.0**	**5.2**	**4**	**58**	**96**	**7.6**	**1.8**	**12**	**0.0**	**0**	**0.6**	**7**	**0.0**	**0**
Route E1 (Center or Average)	**10.5**	**89.3**	**10.5**	**0.0**	**48.8**	**0.0**	**5.3**	**4**	**53**	**89**	**8.0**	**2.0**	**12**	**0.0**	**0**	**0.6**	**6**	**0.0**	**0**
Route F (Center or Average)	**10.9**	**92.2**	**10.9**	**0.0**	**50.4**	**0.0**	**5.3**	**6**	**60**	**94**	**7.9**	**1.9**	**12**	**0.0**	**0**	**0.8**	**8**	**0.0**	**0**
Route F1 (Center or Average)	**13.4**	**113.3**	**13.4**	**0.0**	**61.7**	**0.0**	**6.7**	**4**	**62**	**102**	**14.2**	**2.2**	**18**	**0.0**	**0**	**0.7**	**8**	**0.0**	**0**
Route G (Center or Average)	**11.2**	**94.9**	**11.2**	**0.0**	**51.9**	**0.0**	**5.2**	**3**	**49**	**76**	**13.0**	**2.1**	**18**	**0.0**	**0**	**0.6**	**7**	**0.0**	**0**
Route G1 (Center or Average)	**15.0**	**127.3**	**15.0**	**0.0**	**69.3**	**0.0**	**7.1**	**4**	**72**	**116**	**15.0**	**2.4**	**22**	**0.0**	**0**	**0.7**	**9**	**0.0**	**0**

Matrix

	PWI Waters						Environmental														
Route *(Analysis of route follows either the center of the road or is the average of a North and East or South and West route)*	Number of Perennial Streams and Rivers crossed by Intended Centerline	Number of Intermittent Streams and Rivers crossed by Intended Centerline	Number of PWI Streams Crossed by Intended CL	Number of PWI Wetlands within Route	Number of PWI Lakes within Corridor	Number of PWI Wetlands within Coridor	Trees Clearing along ROW (Acres)	Trees along ROW (Miles)	Number of MCBS Biodiversity sites crossed	Biodiversity area (acres) in corridor	Number of WMAs crossed in Route	Number of SNAs crossed in Route	Rare Natural Features - Zoological within 500 ft	Rare Natural Features - Botanical within 100 ft	Rare Natural Features - Ecological within 100 ft	Number of Archaeological sites within 1/2 mile	Number of Historical sites within 1/2 mile	Archaeological Probability Very High (Miles)	Archaeological Probability High (Miles)	Archaeological Probability Moderate (Miles)	Archaeological Probability NA (Miles)
Route A (Center or Average)	**2**	**1**	**1**	**1**	**0**	**1**	**14**	**4**	**8**	**12.0**	**0**	**1**	**18**	**7**	**7**	**0**	**2**	**0.0**	**0.0**	**2.6**	**0.0**
Route B (Center or Average)	**2**	**3**	**1**	**1**	**1**	**2**	**17**	**4**	**9**	**24.8**	**0**	**0**	**8**	**5**	**4**	**1**	**2**	**0.0**	**0.0**	**3.6**	**0.0**
Route B1 (Center or Average)	**2**	**2**	**1**	**1**	**1**	**2**	**31**	**5**	**10**	**43.2**	**0**	**0**	**6**	**5**	**3**	**1**	**2**	**0.0**	**0.0**	**3.6**	**0.0**
Route C (Center or Average)	**3**	**3**	**1**	**3**	**1**	**4**	**20**	**5**	**6**	**15.3**	**1**	**0**	**8**	**0**	**1**	**3**	**5**	**0.0**	**1.2**	**0.5**	**0.0**
Route C1 (Center or Average)	**2**	**1**	**1**	**2**	**0**	**2**	**19**	**5**	**7**	**15.3**	**1**	**1**	**18**	**13**	**7**	**2**	**3**	**0.0**	**1.2**	**0.5**	**0.0**
Route D (Center or Average)	**6**	**3**	**1**	**2**	**1**	**3**	**15**	**5**	**6**	**15.6**	**0**	**1**	**14**	**0**	**3**	**4**	**3**	**0.0**	**1.2**	**0.5**	**11.8**
Route E (Center or Average)	**2**	**2**	**1**	**1**	**1**	**2**	**18**	**5**	**5**	**9.8**	**0**	**0**	**4**	**1**	**1**	**1**	**3**	**0.0**	**0.0**	**6.2**	**0.0**
Route E1 (Center or Average)	**3**	**2**	**2**	**1**	**1**	**2**	**18**	**5**	**6**	**12.0**	**0**	**0**	**4**	**1**	**1**	**1**	**3**	**0.0**	**0.0**	**7.2**	**0.0**
Route F (Center or Average)	**4**	**2**	**1**	**1**	**1**	**2**	**19**	**5**	**6**	**6.5**	**0**	**0**	**4**	**1**	**1**	**1**	**2**	**0.0**	**0.0**	**7.0**	**0.0**
Route F1 (Center or Average)	**5**	**4**	**1**	**1**	**1**	**2**	**17**	**5**	**5**	**5.8**	**0**	**0**	**5**	**1**	**1**	**1**	**4**	**0.0**	**1.5**	**7.7**	**0.0**
Route G (Center or Average)	**6**	**3**	**3**	**1**	**0**	**1**	**17**	**5**	**2**	**1.8**	**1**	**0**	**3**	**0**	**0**	**4**	**4**	**3.5**	**1.0**	**4.9**	**0.0**
Route G1 (Center or Average)	**6**	**3**	**1**	**1**	**0**	**2**	**27**	**7**	**4**	**5.0**	**1**	**0**	**4**	**0**	**1**	**2**	**4**	**1.6**	**1.0**	**7.1**	**0.0**

COST ESTIMATES FOR ROUTES
ATHENS TO MARTIN LAKE PROJECT
69kV LINE

ROUTE	TOTAL MILES	STANDARD SINGLE CIRCUIT STRUCTURES MILES	STANDARD SINGLE CIRCUIT STRUCTURES COST ESTIMATE ($240,000)	STANDARD DOUBLE CIRCUIT STRUCTURES MILES	STANDARD DOUBLE CIRCUIT STRUCTURE COSTS ($360,000)	WETLAND AREAS MILES	WETLAND AREAS COST ESTIMATE ($100,000)	UNDERBUILD NORMAL STRUCTURES MILES	UNDERBUILD NORMAL STRUCTURES COST ESTIMATE ($90,000)	SPECIAL STRUCTURES W/WO UNDERBUILD	UNDERBUILD SPECIAL STRUCTURES COST ESTIMATE ($12,000)	SPECIAL ENGINEERED STRUCTURES	SPECIAL ENGINEERED STRUCTURES COST ESTIMATE ($50,000)	TOTAL ESTIMATED COST OF THE ROUTE	ROUTE
A	10.4	7.4	$1,776,000	3	$1,080,000	1.767	$176,700	3.3	$297,000	4	$48,000	6	$300,000	$3,677,700	A
B	12	9	$2,160,000	3	$1,080,000	3.538	$353,800	4.4	$396,000	9	$108,000	4	$200,000	$4,297,800	B
B1	10.3	8.3	$1,992,000	2	$720,000	3.876	$387,600	3.2	$288,000	9	$108,000	4	$200,000	$3,695,600	B1
C	14.3	8.9	$2,136,000	5.4	$1,944,000	2.718	$271,800	3.8	$342,000	8	$96,000	7	$350,000	$5,139,800	C
C1	12.4	9.4	$2,256,000	3	$1,080,000	1.687	$168,700	4.4	$396,000	6	$72,000	7	$350,000	$4,322,700	C1
D	19	9.5	$2,280,000	9.5	$3,420,000	4.083	$408,300	4.7	$423,000	14	$168,000	9	$450,000	$7,149,300	D
E	10.5	10.5	$2,520,000	0	$0	4.113	$411,300	5.2	$468,000	17	$204,000	7	$350,000	$3,953,300	E
E1	10.5	10.5	$2,520,000	0	$0	4.237	$423,700	5.3	$477,000	13	$156,000	7	$350,000	$3,926,700	E1
F	10.9	10.9	$2,616,000	0	$0	4.045	$404,500	5.3	$477,000	15	$180,000	6	$300,000	$3,977,500	F
F1	13.4	13.4	$3,216,000	0	$0	3.982	$398,200	6.7	$603,000	14	$168,000	8	$400,000	$4,785,200	F1
G	11.2	11.2	$2,688,000	0	$0	3.287	$328,700	5.2	$468,000	13	$156,000	8	$400,000	$4,040,700	G
G1	15	15	$3,600,000	0	$0	4.542	$454,200	7.1	$639,000	13	$156,000	8	$400,000	$5,249,200	G1
I	13.7	13.7	$3,288,000	0	$0	4.094	$409,400	7	$630,000	16	$192,000	12	$600,000	$5,119,400	I

GREAT RIVER ENERGY®
A Touchstone Energy® Cooperative

Problems with Route I

- More angles/special structures
- Road r-o-w narrower in some areas
- Greater estimated construction costs $5,119,400.00
- No ability to use existing transmission line r-o-w/easements
- Underbuilding existing distribution lines will not benefit Connexus or East Central
- More trees/vegetation to cut
- More easements to acquire - 63 acres
- Longer route – 13.7 miles
- More known culturally sensitive areas
- More pinch points
- Greater overall cost to Great River Energy
- Longer permitting process – more delays

Benefits of Route A:

- Fewer angles/special structures
- Wider road r-o-w generally
- Lowest estimated construction costs $3,677,700.00
- Use of existing transmission line r-o-w/easements
- Replacing existing distribution lines will benefit Connexus
- Fewer trees to cut
- Less easements to acquire
- Shorter route – 10.4 miles
- Fewer known culturally sensitive areas
- Fewer pinch points
- Lower cost to Connexus
- Lower cost to Connexus rate payers
- Lower overall cost to GRE

Following this transmission line project presentation at the February 16, 2011, City Council meeting and the February 22nd Planning Commission meeting, Great River Energy plans to continue to follow East Bethel city ordinances and submit a Conditional Use Permit application, which will likely seek a permit for Route A.

Payments for Council Approval February 16, 2011

2010 Bills to be Approved for Payment	$11,773.30
2011 Bills to be Approved for Payment	$127,141.73
Electronic Payments	$25,794.10
Payroll City Staff - February 3, 2011	$38,966.72

Total to be Approved for Payment	$203,675.85

City of East Bethel

February 16, 2011

2011 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Arena Operations	Auto/Misc Licensing Fees/Taxes	B42 ABI0002764	MN Dept Labor & Industry	615	49851	90.00
Arena Operations	Bldgs/Facilities Repair/Maint	12111	Connexus Energy	615	49851	186.31
Arena Operations	Electric Utilities	12111	Connexus Energy	615	49851	3,722.85
Arena Operations	Motor Fuels	1037136047	Ferrellgas	615	49851	308.24
Arena Operations	Professional Services Fees	30	Gibson's Management Company	615	49851	9,212.60
Arena Operations	Telephone	12811	Qwest	615	49851	110.81
Building Inspection	Motor Fuels	1860361	Lubricant Technologies, Inc.	101	42410	256.79
Cedar Creek Trail Project	Architect/Engineering Fees	27697	Hakanson Anderson Assoc. Inc.	402	43124	2,944.88
Cedar Creek Trail Project	Improvements Other Than Bldgs	Pay Est #2	Rum River Contracting	402	43124	22.50
Cedar Creek Trail Project	Legal Fees	109523	Eckberg, Lammers, Briggs,	402	43124	242.00
Central Services/Supplies	Bldg/Facility Repair Supplies	9865	Menards Cambridge	101	48150	70.00
Central Services/Supplies	Information Systems	213646	City of Roseville	101	48150	2,009.58
Central Services/Supplies	Information Systems	40575	US Cable	101	48150	1,295.81
Central Services/Supplies	Office Equipment Rental	169674199	Loffler Companies, Inc.	101	48150	435.64
Central Services/Supplies	Office Supplies	17	Norseman Awards	101	48150	251.16
Central Services/Supplies	Office Supplies	550016782001	Office Depot	101	48150	41.29
Central Services/Supplies	Office Supplies	549056019001	Office Depot	101	48150	124.30
Central Services/Supplies	Office Supplies	548510370001	Office Depot	101	48150	20.38
Central Services/Supplies	Office Supplies	550016782001	Office Depot	101	48150	38.53
Central Services/Supplies	Office Supplies	219492	St. Paul Stamp Works Inc.,	101	48150	36.22
Central Services/Supplies	Telephone	7836588	Integra Telecom	101	48150	213.81
Central Services/Supplies	Telephone	12811	Qwest	101	48150	231.83
City Administration	Conferences/Meetings	20911	David Schaaf	101	41320	24.10
Engineering	Architect/Engineering Fees	27706	Hakanson Anderson Assoc. Inc.	101	43110	7,987.56
Finance	Dues and Subscriptions	2011	Minnesota GFOA	101	41520	120.00
Fire Department	Bldgs/Facilities Repair/Maint	12111	Connexus Energy	101	42210	5.32
Fire Department	Electric Utilities	12111	Connexus Energy	101	42210	743.75
Fire Department	Motor Fuels	1860360	Lubricant Technologies, Inc.	101	42210	402.18
Fire Department	Motor Fuels	1860361	Lubricant Technologies, Inc.	101	42210	408.53
Fire Department	Office Supplies	549495700001	Office Depot	101	42210	121.82
Fire Department	Professional Services Fees	20111	City of East Bethel	231	42210	1,666.67
Fire Department	Safety Supplies	II10013021	Allina Health System	101	42210	582.61
Fire Department	Telephone	7836588	Integra Telecom	101	42210	133.66
Fire Department	Telephone	12811	Qwest	101	42210	388.33
Fire Department	Travel Expenses	20211	Janet Haapoja	101	42210	6.00
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	9427	Betz Mechanical, Inc.	101	41940	811.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	14689	GHP Enterprises, Inc.	101	41940	368.72
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-01-11	Premium Waters, Inc.	101	41940	29.56
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	116191	Robert B. Hill Company	101	41940	19.24
General Govt Buildings/Plant	Electric Utilities	12111	Connexus Energy	101	41940	894.69
Housing & Redevelopment Author	Legal Fees	109523	Eckberg, Lammers, Briggs,	230	23000	66.00
Housing & Redevelopment Author	Legal Fees	8526	Hoff, Barry & Kozar, P.A.	230	23000	387.88
Legal	Legal Fees	109523	Eckberg, Lammers, Briggs,	101	41610	4,934.46
Mayor/City Council	Professional Services Fees	20567	Landform	101	41110	4,950.00
Mayor/City Council	Professional Services Fees	-647999	North Suburban Access Corp	101	41110	120.00
Mayor/City Council	Professional Services Fees	2011	North TH65 Corridor Coalition	101	41110	250.00
MSA Street Construction	Architect/Engineering Fees	27698	Hakanson Anderson Assoc. Inc.	402	40200	17,001.99
Park Acquisition/Development	Architect/Engineering Fees	27704	Hakanson Anderson Assoc. Inc.	404	40400	31.01
Park Capital Projects	Improvements Other Than Bldgs	Pay Est #2	Rum River Contracting	407	40700	4,691.44
Park Maintenance	Bldgs/Facilities Repair/Maint	WDV2416	CDW Government, Inc.	101	43201	428.64
Park Maintenance	Clothing & Personal Equipment	470591011	Cintas Corporation #470	101	43201	23.42
Park Maintenance	Clothing & Personal Equipment	470594577	Cintas Corporation #470	101	43201	29.36

City of East Bethel

February 16, 2011

2011 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Park Maintenance	Clothing & Personal Equipment	470583906	Cintas Corporation #470	101	43201	23.42
Park Maintenance	Clothing & Personal Equipment	470587473	Cintas Corporation #470	101	43201	23.42
Park Maintenance	Electric Utilities	12111	Connexus Energy	101	43201	1,213.93
Park Maintenance	Equipment Parts	192552	Lano Equipment, Inc.	101	43201	104.49
Park Maintenance	Equipment Parts	1539-445089	O'Reilly Auto Parts	101	43201	121.78
Park Maintenance	Equipment Parts	1539-445273	O'Reilly Auto Parts	101	43201	35.53
Park Maintenance	Motor Fuels	1860361	Lubricant Technologies, Inc.	101	43201	350.17
Park Maintenance	Motor Fuels	1860360	Lubricant Technologies, Inc.	101	43201	773.43
Park Maintenance	Office Supplies	30761	Nap's Dealer Supplies, Inc.	101	43201	20.90
Park Maintenance	Other Equipment Rentals	43215	Jimmy's Johnnys, Inc.	101	43201	52.87
Park Maintenance	Safety Supplies	80529670	Bound Tree Medical, LLC	101	43201	49.88
Park Maintenance	Shop Supplies	A7637	Eagle Clan Inc	101	43201	36.42
Park Maintenance	Telephone	7836588	Integra Telecom	101	43201	48.99
Payroll	Insurance Premium	40575	Fort Dearborn Life Insurance	101		1,147.34
Payroll	Insurance Premium	40575	MN NCPERS Life Ins	101		144.00
Payroll	Union Dues	40575	MN Teamsters No. 320	101		599.35
Planning and Zoning	Professional Services Fees	374	GIS Rangers	101	41910	394.88
Recycling Operations	Electric Utilities	12111	Connexus Energy	226	43235	126.67
Recycling Operations	Other Equipment Rentals	43215	Jimmy's Johnnys, Inc.	226	43235	52.86
Recycling Operations	Repairs/Maint Machinery/Equip	101597	Rogers Electric	226	43235	177.20
Risk Management	Other Insurance	19557	League of MN Cities Ins Trust	101	48140	1,320.00
Sewer Operations	Bldgs/Facilities Repair/Maint	12111	Connexus Energy	602	49451	24.53
Sewer Operations	Electric Utilities	12111	Connexus Energy	602	49451	872.88
Sewer Operations	Heating Fuels/Propane	13111	River Country Cooperative	602	49451	269.96
Sewer Operations	Professional Services Fees	77719	Utility Consultants, Inc.	602	49451	437.00
Sewer Operations	Shop Supplies	293493	Ham Lake Hardware	602	49451	8.51
Sewer Operations	Welding Supplies	9865	Menards Cambridge	602	49451	34.97
Sewer Utility Capital Projects	Professional Services Fees	17333	Nagell Appraisal & Consulting	434	49455	200.00
Street Capital Projects	Architect/Engineering Fees	27704	Hakanson Anderson Assoc. Inc.	406	40600	53.65
Street Capital Projects	Improvements Other Than Bldgs	Pay Est #2	Rum River Contracting	406	40600	11,199.87
Street Maintenance	Auto/Misc Licensing Fees/Taxes	2011	MN State Patrol, CMV Section	101	43220	26.00
Street Maintenance	Bldgs/Facilities Repair/Maint	WDV2416	CDW Government, Inc.	101	43220	428.64
Street Maintenance	Bldgs/Facilities Repair/Maint	470594577	Cintas Corporation #470	101	43220	26.37
Street Maintenance	Bldgs/Facilities Repair/Maint	470587473	Cintas Corporation #470	101	43220	26.49
Street Maintenance	Bldgs/Facilities Repair/Maint	470591011	Cintas Corporation #470	101	43220	26.49
Street Maintenance	Bldgs/Facilities Repair/Maint	470583906	Cintas Corporation #470	101	43220	26.49
Street Maintenance	Bldgs/Facilities Repair/Maint	12111	Connexus Energy	101	43220	21.29
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-01-11	Premium Waters, Inc.	101	43220	29.55
Street Maintenance	Cleaning Supplies	9865	Menards Cambridge	101	43220	53.96
Street Maintenance	Clothing & Personal Equipment	470594577	Cintas Corporation #470	101	43220	48.17
Street Maintenance	Clothing & Personal Equipment	470587473	Cintas Corporation #470	101	43220	45.39
Street Maintenance	Clothing & Personal Equipment	470591011	Cintas Corporation #470	101	43220	48.89
Street Maintenance	Clothing & Personal Equipment	470583906	Cintas Corporation #470	101	43220	45.39
Street Maintenance	Electric Utilities	12111	Connexus Energy	101	43220	1,537.20
Street Maintenance	Equipment Parts	479568	Boyer Truck Parts	101	43220	124.34
Street Maintenance	Equipment Parts	H82106	H&L Mesabi	101	43220	548.40
Street Maintenance	Equipment Parts	H81989	H&L Mesabi	101	43220	1,724.03
Street Maintenance	Equipment Parts	C241118475	I State Truck Inc.	101	43220	89.18
Street Maintenance	Equipment Parts	192552	Lano Equipment, Inc.	101	43220	104.50
Street Maintenance	Equipment Parts	PR000119382	Ziegler Inc.	101	43220	-63.55
Street Maintenance	Equipment Parts	PC001261903	Ziegler Inc.	101	43220	75.97
Street Maintenance	Equipment Parts	PC001262768	Ziegler Inc.	101	43220	157.11

City of East Bethel

February 16, 2011

2011 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Street Maintenance	Motor Fuels	1860361	Lubricant Technologies, Inc.	101	43220	151.74
Street Maintenance	Motor Fuels	1860360	Lubricant Technologies, Inc.	101	43220	1,918.11
Street Maintenance	Office Supplies	30761	Nap's Dealer Supplies, Inc.	101	43220	20.90
Street Maintenance	Repairs/Maint Machinery/Equip	100-7971	Cummins NPower LLC	101	43220	734.76
Street Maintenance	Repairs/Maint Machinery/Equip	R241030739	I State Truck Inc.	101	43220	809.41
Street Maintenance	Safety Supplies	80529670	Bound Tree Medical, LLC	101	43220	49.86
Street Maintenance	Shop Supplies	A7637	Eagle Clan Inc	101	43220	36.42
Street Maintenance	Street Maint Materials	70620770	North American Salt Co.	101	43220	7,946.14
Street Maintenance	Telephone	7836588	Integra Telecom	101	43220	48.99
Street Maintenance	Telephone	12811	Qwest	101	43220	68.04
Street Maintenance	Travel Expenses	13111	Jack Davis	101	43220	94.86
Street Maintenance	Travel Expenses	20211	Janet Haapoja	101	43220	1.50
Water Utility Capital Projects	Professional Services Fees	17333	Nagell Appraisal & Consulting	433	49405	200.00
Water Utility Operations	Bldgs/Facilities Repair/Maint	12111	Connexus Energy	601	49401	26.67
Water Utility Operations	Cleaning Supplies	80529670	Bound Tree Medical, LLC	601	49401	49.86
Water Utility Operations	Electric Utilities	12111	Connexus Energy	601	49401	318.43
Water Utility Operations	Telephone	12811	Qwest	601	49401	108.37
Workers Compensation	Insurance Premium	19526	League of MN Cities Ins Trust	101		19,995.00
						$127,141.73

City of East Bethel

February 16, 2011

2011 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
	Electronic Payments					
	PERA					$6,168.83
	Federal Withholding					$5,988.28
	Medicare Withholding					$1,606.62
	FICA Tax Withholding					$5,761.63
	State Withholding					$2,415.84
	MSRS					$3,852.90
						$25,794.10

City of East Bethel
February 16, 2011
2010 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
'03 224th & Durant St. Project	Professional Services Fees	20211	Anoka County	588	58800	34.95
'04 205th Avenue Project	Professional Services Fees	20211	Anoka County	506	50600	34.95
2008A GO SEWER REV BONDS	Professional Services Fees	20211	Anoka County	308	30800	34.95
'99 Lunde/Jewell Street Proj	Professional Services Fees	20211	Anoka County	502	50200	34.94
Building Inspection	Motor Fuels	184224	Lubricant Technologies, Inc.	101	42410	111.37
Central Services/Supplies	Other Advertising	20211	Anoka County	101	48150	1,314.49
Fire Department	Motor Fuels	184224	Lubricant Technologies, Inc.	101	42210	177.16
Fire Department	Motor Fuels	1842223	Lubricant Technologies, Inc.	101	42210	301.80
Fire Department	Motor Fuels	1849208	Lubricant Technologies, Inc.	101	42210	351.82
Fire Department	Motor Fuels	1853237	Lubricant Technologies, Inc.	101	42210	363.00
Legal	Legal Fees	11074846	League of MN Cities Ins Trust	101	41610	1,000.00
Park Maintenance	Clothing & Personal Equipment	470566159	Cintas Corporation #470	101	43201	23.42
Park Maintenance	Motor Fuels	184224	Lubricant Technologies, Inc.	101	43201	151.85
Park Maintenance	Motor Fuels	1842223	Lubricant Technologies, Inc.	101	43201	580.40
Park Maintenance	Motor Fuels	1849208	Lubricant Technologies, Inc.	101	43201	676.59
Park Maintenance	Motor Fuels	1853237	Lubricant Technologies, Inc.	101	43201	698.09
Planning and Zoning	Professional Services Fees	331	GIS Rangers	101	41910	546.75
Sewer Operations	Professional Services Fees	20211	Anoka County	602	49451	53.00
Sewer Operations	Professional Services Fees	20211	Anoka County	602	49451	34.95
Street Capital Projects	Professional Services Fees	20211	Anoka County	406	40600	34.95
Street Maintenance	Bldgs/Facilities Repair/Maint	470566159	Cintas Corporation #470	101	43220	26.49
Street Maintenance	Clothing & Personal Equipment	470566159	Cintas Corporation #470	101	43220	46.24
Street Maintenance	Motor Fuels	184224	Lubricant Technologies, Inc.	101	43220	65.80
Street Maintenance	Motor Fuels	1842223	Lubricant Technologies, Inc.	101	43220	1,439.41
Street Maintenance	Motor Fuels	1849208	Lubricant Technologies, Inc.	101	43220	1,677.97
Street Maintenance	Motor Fuels	1853237	Lubricant Technologies, Inc.	101	43220	1,731.27
Street Maintenance	Repairs/Maint Machinery/Equip	17814	Central Truck Service, Inc	101	43220	138.74
Water Utility Operations	Professional Services Fees	20211	Anoka County	601	49401	53.00
Water Utility Operations	Professional Services Fees	20211	Anoka County	601	49401	34.95
						$11,773.30

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011
* *

Agenda Item Number:
Item 7.0 A-G
* *

Agenda Item:
Consent Agenda
* *

Requested Action:
Consider approving Consent Agenda as presented
* *

Background Information:
Item A
Bills/Claims

Item B
Meeting Minutes, January 19, 2011 Regular City Council
Meeting minutes from the January 19, 2011 Regular City Council Meeting are attached for your review and approval.

Item C
Meeting Minutes, February 2, 2011, Regular City Council
Meeting minutes from the February 2, 2011 Regular City Council Meeting are attached for your review and approval.

Item D
Ordinance 29, Second Series, Liquor License Amendment
Staff worked with the City Attorney to amend City Code Article 3 regarding intoxicating liquors, specificalling amending section 6-51 relating to definitions, section 6-52 relating to required licenses and section 6-56 relating to liability insurance and adding section 6-62 on effect of a notice of cancellation. This was prompted by a request from Viking Meadows who requested a Wine/Strong Beer license be added to the available City Liquor licenses. Wine/Strong Beer licneses are offered by the surrounding communities such as Ham Lake and Blaine.

Staff recommends Council adopt Ordinance 29, Second Series, Liquor License Amendment and direct staff to publish in official newspaper.

Item E
Resolution 2011-08 Modifying the Fee Schedule Adding Wine License Fee
This resolution allows for the City to charge a fee for a Wine license. Staff checked with other cities and the fees they were charging for wine licenses. Staff is suggesting the City charge an annual fee of $500 for a Wine License. The fee is regulated by statute: A wine license fee is

limited by statute to half of your fee for an on-sale liquor license or $2,000, whichever is less. See Minn. Stat. 340A.408, Subd. 2 (c).

Staff recommends Council adopts Resolution 2011-08 Modifying the Fee Scheduling Adding the Wine License Fee.

Item F

Appoint Regular Employee – Administrative Support I – Patty York

Ms.York joined the City August 23, 2010 as a full-time Administrative Support I position with our Building Department, under the direct supervision of the Building Official/Code Compliance Officer. Ms.York has performed varied clerical duties in an acceptable manner. Staff is recommending appointment as a regular full-time employee based on the satisfactory completion of the six month probationary period ending on February 25, 2011.

Item G

Ordinance 30, Second Series, Repealing Board of Health

East Bethel City Code Chapter 2, Division 2. Board of Health states that "a city board of health is to be appointed by city council at its first meeting of each year." Currently the City of East Bethel does not have a Board of Health. This is a service provided by Anoka County; therefore, Councilmember Moegerle has suggested a repeal of East Bethel City Code Chapter 2, Division 2. Board of Health, sections 99 - 103.

* *

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

January 19, 2011

The East Bethel City Council met on January 19, 2011 at 7:30 PM for their regular meeting at City Hall.

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

ALSO PRESENT: Dave Schaaf, Acting City Administrator
Mark Vierling, City Attorney
Craig Jochum, City Engineer

Call to Order **The January 19, 2011 City Council meeting was called to order by Acting Mayor Moegerle at 7:30 PM.**

Adopt Agenda **DeRoche made a motion to adopt the January 19, 2011 City Council Agenda. Voss seconded.** Boyer said we need to add an item to the agenda so we can go to a closed session to discuss a land deal with GRE. Moegerle asked do we have paperwork on that. Boyer said yes, and he presented this to Schaaf last Wednesday. He said he believes we have a land application and we are going to bump up against the 60-day application limit if we don't deal with this. Boyer said he could outline this fairly quickly, there are two alternatives, but this is germane to the recommendations. Vierling said he met briefly with Boyer and he needs to get more data from him before we determine the process so he suggests you hold this as an item on the agenda and recess for 10 minutes so he can discuss this further with Boyer and he will come back and advice you after the recess. Moegerle asked is this appropriate for a closed session. Vierling said he will determine that when we recess, he can advise you then whether you it is appropriate. Add under 8.0 F.2 Recess to Consider GRE Closed Session. Moegerle said she wants to add 8.0 G.4 Landform Consultants, Third Party Review/Risk Assessment and 9.0 A.3 Closed Session – Discuss Former City Administrator Settlement. Voss asked he would like to add discussion of HRA Lawsuit, closed session. Vierling said if you had representation here then you could do so, but you don't have representation, so you cannot go into closed session. Voss said so with the rumors going on tonight about discussion of settlement negotiations; he would like to discuss this in open session. Moegerle said so we will add this as Item 8.0 F.3 HRA Lawsuit. Voss said also we were handed a letter tonight and were also e-mailed it from Met Council and he would like to add it as Item 8.0 G.5 Met Council Letter. Moegerle asked Vierling if this is something we should discuss in Executive Session. Vierling said he has not had an opportunity to review it. He said if he had an opportunity to review it, he could comment on it. Vierling reviewed the letter and then said he determines that not to be a closed session item. Voss said also he doesn't know if this would be under attorney fees, and he had asked to have this on the agenda, but he would like a broader discussion on this, discussion on going out for proposals for attorney services. Voss said can we do it right after the attorney's fees, as a separate item. **DeRoche amended his motion to include all the additions to the agenda as follows: Item 8.0 F.2 Recess to Consider GRE Closed Session; Item 8.0 G.4 Landform Consultants, Third Party Review/Risk Assessments; Item 9.0 A.3 Closed Session – Discuss Former City Administrator Settlement; Item 8.0 F.3 HRA Lawsuit; Item 8.0 G.5 Met Council Letter; Item 8.0 G.3 A Legal Services RFPs. Voss seconded the amendment; all in favor, motion carries.**

DRAFT

Sheriff's Report

Lieutenant Orlando reported on the custodial arrests/significant arrests for the month of December 2010 as follows:

12-02-10 - 5th Degree Possess Controlled Substance / Warrant arrest – A Deputy stopped a vehicle for a traffic violation. While running a check on the driver, he was found to have a misdemeanor warrant. The deputy handcuffed the male, at which time the male began to resist. The deputy was able to get the male under control and into the squad with the help of a passerby and several other officers. The male was found to be possessing methamphetamine and marijuana. The male was taken to jail.

12-03-10 - 5th Degree Domestic Assault - Deputies were called to a domestic assault, where the victim's live-in girlfriend had punched him in the nose after an argument. The boyfriend advised the girlfriend was mad at him because he was working in the garage. She came out and yelled at him and then punched him. The girlfriend was arrested and taken to jail.

12-10-10 - Misdemeanor Theft / Under-age Drink and Drive - A deputy, while parked at a business doing paperwork, noticed some suspicious activity occurring. A pick-up truck with no license plates visible, had pulled up to a gas pump, and the male passenger, with a hood over his head, pumped gas and then the truck took off at a high rate of speed. The deputy stopped the vehicle, as the store was calling in a no-pay report. The driver had been drinking and neither the driver or passenger had money to pay for the $57 worth of gas that they had pumped. Citations were issued to both the driver and passenger.

12-18-10 - 5th Degree Domestic Assault - Deputies were called to a delayed domestic assault report. The live-in girlfriend of the suspect advised she is a victim of on-going domestic assault. She advised that today her boyfriend had been mad at her, after coming home high on methamphetamine and had thrown a mug filled with coffee at her while she was trying to leave. She advised that she had been able to leave, but is in fear of her boyfriend. The boyfriend was located and taken to jail.

12-20-10 - Gross Misdemeanor DUI / Hit & Run Accident - A deputy responded to a hit and run traffic accident on Hwy 65 and Viking Blvd. The victim advised that a truck was turning onto Hwy 65 from 187th Ln, and had come into her lane of travel and struck her vehicle. She followed the vehicle and was able to obtain a license plate number. Another deputy located a vehicle matching the suspect vehicle description, driving erratically, with no headlights on. The driver was found to be intoxicated. The driver failed field sobriety tests and refused to take a test to determine his blood alcohol level. The driver was jailed.

Luitenant Orlando said domestic calls (non-crime) for the month were fifteen (15) and DWI arrests for this month were eight (8).

Boyer said he was told that you were not going to be presenting monthly reports at our meetings, that the Council had asked for your reassignment. Lieutenant Orlando said yes, her direction from the City Administrator is that she won't be presenting them. Boyer said he wanted to thank you for your service; he thinks every resident is better off for having you here. Moegerle asked on page 2 of our report what is extra patrol. Lieutenant Orlando said extra patrol is if she gets calls for extra patrol such as if people have seen suspicious activity and want the squads to drive through more often and then they just document that. Moegerle asked what is aids and agency public, what does that include. Lieutenant Orlando said aids

DRAFT

to the agency is if you are looking at CSO stats, assisting deputy and go sit waiting for a tow or if they direct traffic and aid to the public is such things as if they assist when a vehicle is broken down. Schaaf asked Lieutenant Orlando is your relationship to City going to change at all. Lieutenant Orlando said no. Schaaf said you will still be responding to calls. Lieutenant Orlando said she just won't be giving monthly reports. She said she will be attending the meetings, but probably not in uniform. Moegerle said great.

Resident asked if the recreational officers had been in area patrolling for snowmobiles. Lt. Orlando yes, we have spent all of our overtime, all of our snowmobile grant. She said it seems a lot of people don't know about their snowmobile safety certificates.

Recognition of Service – Greg Hunter

Moegerle said at this time the City Council would like to recognize the service of the 2010 retirees. She said we would like to recognize Greg Hunter for his years of service. Mr. Hunter has served the City as Mayor since 2003. Schaaf read the plaque presented to Greg Hunter as follows: Presented to Greg Hunter by the City Council in Appreciation for his Dedicated Service and Commitment to Excellence. On behalf of the Citizens of East Bethel, we thank you for your leadership and your many contributions to our community.

Mayor Hunter said thank you he appreciates this a lot, he had a lot of people coming up and saying thank you and that means a lot more than this plaque.

Steve Channer

Moegerle explained this is in recognition of Steve Channer for his years of service on the City Council he served on the City Council since 2010. Channer said he has lived here for seven years and this has become his hometown. He said he served on the Planning Commission before serving on the City Council.

Kathy Paavola

Moegerle said this is in recognition of Kathy Paavola, she has served on the City Council since 2003, and this is to honor her for her years of service. Paavola said thank you, she appreciates this. She said without the support of her family and friends and supporters she couldn't have done this, it takes up a lot of time.

Public Forum

Moegerle opened the Public Forum for any comments or concerns that were not listed on the agenda.

Jill Teetzel of 20913 Rendova Street NE said she may look familiar to many of you because she takes the commission meeting minutes, and many don't know but she has twelve years experience in City government, is certified as a municipal clerk, she worked her way up until she was a city administrator. She said she is very concerned about the actions of the Council since they were sworn in and she would like to touch on four of these actions. The first would be lack of response to an e-mail she sent to the Council Members. She read the e-mail, she said for the audience's reflection. Teetzel said this e-mail states her concerns about the interim City Administrator and in City Code, Chapter 2-261, 2-262 and 2-263 which references how a City Administrator should be chosen and what qualifications he should have including knowledge and abilities. She said in reviewing the code it seems Mr. Schaaf does not meet the code to be employed based on his knowledge and abilities. Teetzel said previous to this hiring, all jobs were advertised, applications submitted, interviews completed and background checks were done. She asked who conducted a background check or a criminal check.

Teetzel said secondly she is concerned about the hiring of the City Attorney. The new attorneys service fees are considerably higher the former attorney, no request for proposals

DRAFT

were not solicited. The Minnesota State Auditor has stated pertaining to the City of Greenfield that the state auditor suggests that cities go through the "request for proposal" process instead of just hiring your own attorney which is what the City of East Bethel did. She said today a contract is being proposed.

Teetzel said the third item she would like to address is an employee luncheon. She was advised that staff and council had a luncheon to discuss changes in the City and that either Fat Boys donated the lunch or that the City paid for the lunch. Teetzel said either way the lunch was illegal. She made a request for the information on the luncheon, who was present, how the lunch was paid for, and what was discussed. Teetzel said additionally the City's past practice was for the City's supervisor's to pay for lunches for the employees and this has been the past practice since 2001/2002.

Teetzel said last the Council agenda that was published for the previous Council meeting and the Council decided to trash in lieu of their own agenda for the meeting. She said she knows that you state that staff would not put anything on the agenda as you requested. Teetzel said you could have scheduled a special meeting and published the agenda, that way everyone would have known what was going to be discussed. She said the new Council ran on a pledge to be upfront, honest and not cost the taxpayers more money. Additionally, one of the new Council Members ran on a pledge to be ethical and even went so far as to put an ethics policy together that was discussed at multiple Planning Commission meetings. She said at this point all she has seen is backroom deals and very little ethics display. Teetzel said you should take a look at your actions; she is afraid we will be on the front page of the Star Tribune and you will cause many lawsuits.

Josh Sturman of 226 Elm Road NE said as far as Coon Lake improvements, he forwarded an e-mail titled "Water Sustainable Framework" and if you were looking for avenues to get funds, this is a guideline to get funds, clean water funds, about $10,000,000 from sales tax.

Greg Hunter of 3719 Viking Blvd. NE said he just wondered if Larry Martin is still employed. Moegerle said of course. Hunter said because on 65 it seems our sign ordinance is getting lax. He said the Village Bank sign is going off every three seconds and all of a sudden we have a bunch of temporary signs that is why he was wondering if Larry is still employed. Moegerle said and this has started happening since January 5th. Hunter said yes, it has. Moegerle said we will get Larry on it.

Denise Lachinski of 22286 Vermillion Street NE said she has some questions on this letter regarding the attorney, she is not sure if this is the appropriate time to bring it up. She said the legal fees, she recalls at the January 5th meeting Mr. Snyder said their fee would be $140 is this including mileage. Lachinski said and if other employees come, will they be able to charge us mileage. She said for $400 a meeting what is she getting. Moegerle said we will be discussing that under attorney fees. She said it will be brought up and explained.

Doreen and Mike Murray of 19523 Jackson Street NE said they would like to welcome the new Mayor and Council Members it is a hopeful and refreshing beginning for people that had issues in the past and tenacity in the past. Murray said we literally had to speak with our feet in the election to get our voices heard. She said she still feels there is a huge divide of what the big business supposedly wants and ordinary, everyday people want. Murray said she hopes that the new City Council will take a long look at the sewer and water project in these economic times and if you are an East Bethel resident and you think that your property will not be affected, think again, they are putting up a 350 foot water tower, two wells and a water treatment plant and it really will come out of our pockets, it will affect our property taxes, in higher City fees, or some kind of assessments. She said the property owners need to

DRAFT

start thinking realistically.

Murray said also if you have person that is going to put up a garage with a variance it would be nice to get some kind of notice. Boyer said if you are adjacent you should have gotten a notice. Mike Murray said originally the property we are talking about said they were mining, then it was cattle, etc., we never got a notice. Voss said that wasn't affected by zoning. Murray said it was misleading stating it was going to be used for one thing, and then it was for another thing. Voss said when he did the mining thing; he had to do a ghost plat. Murray said it has gone from one thing to another thing to another thing. Doreen Murray said and now it is water treatment plant and she thinks it will adversely affect her property.

Sally Boyer of 3303 Luan Drive NE said she very much hopes you do not undo the water treatment plant. She said she has been a commercial lender for almost 25 years and a while ago when she worked for a bank someone approached us for a commercial loan and when they found out that sewer and water was so far away they decided not to pursue the loan. Boyer said she does not personally think you have backed up your figures of $50,000 in your flyer and she would like to know where you came up with those numbers, and how much was for water, how much for curb, etc. She would like it compared to what the other City Council did and she would like to see an apples to apples comparison. Moegerle said she thinks that is something you will be seeing soon. Boyer said she is disappointed in the disruption we have seen since the three new members have taken their position. She said and not just because she is a banker. Boyer said the former Council Members spent several years forming this plan, and she would like you to take at least half this much time to form your plan. Moegerle said the plan is not cancelled, it is merely suspended.

Steve Channer of 21572 Tyler Street NE said he want to go back to the meal. He said he knows this is a little thing, and he understands as a public employee how this happens, but he sees in the packet this was charged to professional service fees. Channer said he understands you have to code it to something. He asked who was present. Moegerle said she was, she answered the phones. DeRoche said he was present, and Lawrence said he was present. Voss and Boyer said they were not present. Channer asked if any City business was discussed. DeRoche said no.

Tiana Channer of 21572 Tyler Street NE said it looks like towards the end of the meeting there will be discussion about the City Administrator compensation and in the packet that was distributed there was no information about this item and she is a little naive, but it seems to her there should have been information about this. Schaaf said he did not have the information ready in time for the packet. Channer said this is public information correct, because there was lots of discussion about the former City Administrators compensation. Boyer said he sees a pattern here. Moegerle said excuse me, but we are in the public forum here, we need to stay on task. She said certainly you will have the time to address that on the agenda. Boyer said the citizen has a valuable point, the agenda has no contract for Mr. Schaaf, we are running this agenda on a mission. Moegerle said Council Member you are out of order.

Jason Anderson of 20319 Rendova Street NE said you stated no City business was discussed at the luncheon. He said he doesn't have the e-mails with him, but two Council Members said that the luncheon was held to inform employees of what was going on. Anderson said that is City business; there were three of you in this building. He said to him that doesn't smell right.

Christine Howe of 22314 7th Street NE said she is glad you are not stopping but halting, taking a step back and taking a look and seeing if this going to cost me money. She said if

DRAFT

this is going to cost me money, I want to know. So, she wants to thank you.

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

Consent Agenda

Council decided to take the Consent Agenda items one by one.

Approval of Bills - Voss made a motion to approve the January 19, 2011 Bill List. DeRoche seconded. Boyer asked under whose authority was the lunch provided to employees, who authorized the expenditure of the funds. Schaaf said he did. He said he believes you are voting tonight on whether to pay the bills. Boyer said you are not authorized to spend the funds, now you have left me no option but to either stiff a local business or pay the bill. He said you have spent funds illegally. Schaaf said are you familiar with how the City operates, he has authority to do this. Moegerle said she would caution him about calling this illegal. Boyer said we have as a City been cautioned about this in the past by the state auditor office. He said as a matter of history, the City used to provide every employee with a holiday gift certificate and we were informed by the state auditor's office that it was illegal, and giving them anything would be illegal. Schaaf said on January 5th some very strong actions were taken including eliminating staff, etc. and we met with the employees, explained changes to the staff and he did this on the recommendation of others in public administration. He said we had a great meeting, he introduced himself to staff, and we had volunteers to help facilitate this, some volunteers helped serve at the meeting, and volunteers answered phones, and as he understands good public administration, this was a good thing to do. Schaaf said if this was wrong he will reimburse the City. Voss said in terms of a meeting, this was a good thing to do, but it would have been better to invite all the Council Members. Boyer said you arranged this before the Council meeting and didn't tell Council about it. He said is this a bad Bill Clinton imitation. Schaaf said the Council meeting was January 5th. He said it is time in the best interest of the City to move on. Boyer said you certainly didn't tell Voss and me about it.

Vierling said in terms of meeting with the staff this wasn't illegal. He said in terms of the expenditure of funds, the auditor of the State of Minnesota has taken a very conservative position and many employers do some form of recognition programs that include training which include coffee, cookies, sandwiches, etc, that is the reality in which we live. Vierling said but most cities do some form of a recognition program. He said it is really an amount that is of dominium value. Schaaf said he mandated them to be there, they didn't have any choice. Boyer said you could have mandated them to be there without lunch. Voss asked why they weren't contacted. Voss asked about the bill for Blaine Lock and Safe, why were the locks changed. Schaaf said this was done for safety purposes, following the January 5th Council meeting. DeRoche said Boyer you remember you left that meeting. Voss said during the meeting you had locks changed or after the meeting. Schaaf said if the Council would like to direct staff when they can buy pencils and paper. He said this was done after the meeting. Schaaf apologized for his comment. Voss asked is there a reason you couldn't brought it up. Schaaf said there was an item on the agenda January 12, 2011, Administrator/Council Relations, under the authority the administrator had this is not a Council agenda item; if you want the administrator to act differently we need to discuss this. Boyer asked who was provided with keys. Schaaf said everyone who needed access to the City. Boyer asked was he provided with keys, was Mr. Voss provided with keys. He said he is noticing a trend here. DeRoche said you keep bringing up a trend. He said what was brought up in the workshop has everything to do with what the Administrator is doing now, it seems that everything is becoming a hijack at this particular meeting and if you wanted to bring it up, why wasn't it brought up at the general workshop, and it could have been

DRAFT

discussed, if you want to air dirty laundry in the open public, I think it is an embarrassment to the City. Boyer said he agrees with him. DeRoche asked then why was it not brought up in the workshop. Boyer said it needs to be brought up in a regular Council meeting so it is broadcast, certain members are getting the information and certain members are not, and if that is the road we are going down this City is going to be looking at a lot of different lawsuits. Moegerle said Mr. Boyer you are entitled to your opinion, but I object to your mischaracterization of what has occurred. She said now people have given you a reasonable explanation and you have chosen to take that way. Boyer asked where are the keys that were provided to me. Voss said he asked why he wasn't given keys and was told it was an oversight. Moegerle said she doesn't want keys. Schaaf said if you want keys you will be provided with keys. **Boyer, nay; DeRoche, Lawrence, Moegerle, Voss, aye; motion carries.**

Meeting Minutes, January 5, 2011 – Voss said he has a change on page 4, top paragraph, line 4 from the bottom, add ***City Administrator*** to make it clear who we are discussing. Moegerle said it is made clear in the next sentence. Schaaf said when you talk about the minutes you need to remember they are motions and seconds and votes. He said if the motion is not clear or correct that we should address that. Schaaf said that is what is important; the rest of verbiage has no force and effect on the law. Voss said in this case a lot of this is verbatim. He said he thinks this is important because the City Administrator had a choice of whether this was open or closed and the Assistant Administrator didn't. Schaaf asked if he may, Mr. Vierling said the legal actions are the motions themselves. He said the minutes are a matter of choice of body, how descriptive you want to be, but the actions are the motions. Boyer said but the description is subject and can be brought up in a court of law. Vierling said and lots of times that is why Council's choice not to be so descriptive in their minutes, more brief. Voss said at the time we were talking about multiple positions. DeRoche said he is surprised this subject has come up, when he questioned the minutes before; he was told someone determined if certain information should be in there. Voss said this is pretty close to a transcript. Voss said there is a typo on page 6, bottom of page, second sentence, and change liability to ***viability.*** Voss said having been sued a couple times in the City it is important what is in the minutes. Moegerle said on page 6, third paragraph **East Bethel** needs to be capitalized, and on page 10 under Designating Official Depositories and Newspaper it says Designate, change to ***Designating*** and again on page 10, under Board of Health, it isn't capitalized. She said on page 11, third paragraph, second sentence, change precursory to ***cursory*** gave her changes. DeRoche said he has a change on page 9, third paragraph, 5th sentence, change 20 years to ***28 years.*** **Boyer abstained; rest in favor, motion carries.**

Approve 2011 Residential Recycling Agreement with Anoka County - Voss made a motion to approve the 2011 Residential Recycling Agreement with Anoka County. DeRoche seconded. Moegerle said the goal is in tons, which was not clear to her at first so she wanted to point that out. **All in favor, motion carries.**

2011 Animal Control Contract – Moegerle said she reviewed this contract and she had some questions, so she would like to table this until February 3, 2011. **Moegerle made a motion to table the 2011 Animal Control Contract until February 3, 2011. Boyer seconded; all in favor, motion carries.** Voss asked so the existing contract stays in force until then. Moegerle said yes, our Building Official contacted Ms. Gimpl and assured me that it will.

Resolution 2011-05 Approving an Application with No Waiting Period for An Exempt

DRAFT

Permit for Cedar Creek Community School PTO to Hold a Raffle – April 9, 2011 – Boyer made a motion to adopt Resolution 2011-05 Approving an Application with No Waiting Period for An Exempt Permit for Cedar Creek Community School PTO to Hold a Raffle on April 9, 2011. DeRoche seconded; all in favor, motion carries.

FEMA Fire Safety and Prevention Grant - Voss made a motion to direct staff to move forward with preparing the FEMA Fire Safety and Prevention Grant. Boyer seconded. Boyer said he would like to say our Fire Chief has been very good at getting grants for the City; he has gotten about $600,000 in grants for the City. **All in favor, motion carries.**

Planning Comm. Minutes

Moegerle explained that the unapproved meeting minutes from the December 28, 2010 Planning Commission meeting are provided for your review and information.

Appoint Planning Comm. Members

Moegerle said a resident brought up that candidates were interviewed that applied after the advertised deadline, is there any legal liability with interviewing candidates that applied after the deadline. Vierling said they are area volunteers that serve at the pleasure of the council and it is your opportunity to do this.

Voss made a motion to appoint the following to the Planning Commission with terms as indicated: Eldon Holmes for a term beginning January 2011 until December 31, 2013, Brian Mundle for a term beginning January 2011 until December 31, 2013 and Dale Voltin for a term beginning January 2011 ending December 31, 2011. DeRoche seconded; all in favor, motion carries.

East Bethel Water Treatment Facility Site Plan Review

Hanson explained according to State Statute 15.99 the City needs to approve or deny a written request within 60 days. She said she spoke with Vierling and he recommended that Schaaf do a written request for a 60 day extension. Hanson said this will give Council until April 12, 2011 to complete the request. She said at this time, Council can act on Schaaf's request for an extension or they can go ahead and act on the written request and she can proceed with her presentation. Schaaf said the City is building something in the City and we are asking ourselves to get an extension. He said you are asking yourself for authority for an extension on your building. Voss said he understands why the extension on the building because of the suspension, but he doesn't see the any harm in approving the site plan tonight; it doesn't mean it is going to move forward.

Schaaf said weren't the bid specs put out on the water treatment facility that came in 33% high and in 10 days a bunch of stuff got ripped out and it was rebid in that short time. He said even though it will still be a water treatment facility, he would think we would want to take a look at that and we might want to put some things back in, and the plan might change. Voss said if it changes, it changes, but wouldn't it be better to have it done. He said Council is not suggesting any changes right now, and it meets all requirements that a site plan needs to meet, but one of the comments he made to the engineer is it would be nice to see how it would look from the highway and we got that. Boyer said he doesn't like granting extensions, especially to ourselves, because everybody expects then. Moegerle said she doesn't understand your concerns about granting an extension, generally especially to residents. Boyer said he hasn't thought through the ramifications of this, and once we have done this, he knows where this is going to lead. Voss said Council has been cautious to grant ourselves an extension, we need to follow our own ordinances. Vierling said you are merely granting yourself an extension to the time period in which you have to make a decision, so

DRAFT

even if you grant an extension it doesn't mean you can't take final action well before that. He said by law if you don't take action before the end of the 60 days, the application is deemed approved. Schaaf said recommendation by me and staff is that it is tabled, whatever Council chooses to do, they can do.

Moegerle made a motion to table request of the City of East Bethel for site plan review for construction of the City of East Bethel Water Treatment Facility at 19458 Taylor Street NE. Lawrence seconded. Voss and Boyer, nay; DeRoche, Lawrence, and Moegerle; aye; motion carries. Voss said he suggests you bring this back to the first Council meeting in February with a resolution granting the 60 day extension. Vierling said if you intend to grant the additional time, you should preserve that as part of your motion. Voss said we have a form letter.

DeRoche made a motion to grant a 60 day extension to the City of East Bethel for their site plan for the construction of the City of East Bethel Water Treatment Facility at 19458 Taylor Street. Moegerle seconded. Voss and Boyer, nay; DeRoche, Lawrence, and Moegerle, aye; motion carries.

Park Comm. Minutes

Moegerle explained that the December 8, 2011 Park Commission unapproved meeting minutes are provided for your review and information.

Appoint Park Commission Members

Voss made a motion to appoint Tim Hoffman, Susan Jefferson and Denise Lachinski to the Park Commission all for terms beginning February 1, 2011 through December 31, 2013. Boyer seconded; all in favor, motion carries.

Road Comm Minutes

Moegerle explained that the unapproved meeting minutes from the December 14, 2010 Road Commission meeting are provided for your review and information.

Appoint Road Commission Applicants

Voss made a motion to appoint Al Thunberg, Brian Bezanson and Kathy Paavola to the Road Commission for terms beginning February 1, 2011 through December 31, 2013. Boyer seconded; all in favor, motion carries.

Identification of Storm Water Improvement Projects – Coon Lake

Jochum said this project was discussed briefly at the January 5th meeting. He said it was presented to Council. Jochum said there was a request to put in two weir structures and from there water flows to the ditch onto a second culvert. He said we estimated the cost of the project and construction for sediment removal. Jochum said and there were ten (10) similar other projects identified. He said we met with ACD yesterday and they had other ideas for projects. Jochum said what came out of the meeting was a regional water quality study should be done for Coon Lake. He said ACD has done these types of studies before for other watersheds. Jochum said Leon Mager has agreed to take the proposal to the other cities to consider. He said their is to do the study first to see how many projects there would be and which ones would give you the biggest bang for your buck.

Voss asked when they would have the study done. Jochum said for the Sunrise Watershed Management Organization (SRWMO) February 24th meeting. He said they asked does staff want the proposal to come here first or go to SRWMO first. Voss said that is what he was asking. He said he thinks it would be good to have it go to the SRWMO first. Voss said then it gets to all the cities in the SRWMO. Jochum said one thing the study does is it identifies all the projects you have out there. Voss asked if there is any benefit down the road that we build this project as presented tonight as an example. Jochum said no, he would suggest that you would get more benefit for having a detailed study. Moegerle asked how do we build that consensus as a group, so we have that mass in that direction. Jochum

DRAFT

said Leon Mager volunteered to do that and the SRWMO will do that. He said and if the Council directs him to, he can do that. Voss said that is why he suggested this. He asked do you need direction. Jochum asked do you want them to figure out who is interested, etc. Voss said in light of keeping things moving along. Schaaf said your concern is to get input from the SRWMO. Voss said the SRWMO is the one that covers southern portion of the City, so it needs to go through there anyways. Resident said there is a minimum of $30,000 out there for grant funds, 70% in funds, and 30% in matching. Jochum said he is a firm believer that you have to have a regional plan to get the grants. He said he will have the study, in pounds per dollars.

Tierney said when they first put this in they dug down to the driveway, this was done in October of 1982 and they very next spring they filled it in and sodded and then put a planter out there. He said whatever you do, what is it to say it is not going to be messed with immediately to make his yard look better. Tierney said this has been cleaned out four times, three times by me. He said there is a depression in the road. Tierney said when they filled it in, they made a depression in the asphalt, and his actions caused harm to City. He said whatever we do needs to be protected so nothing happens to it. Voss said when this project gets to that stage; he trusts that you will remind us of that. Boyer said he remembers you reminding us of this. He asked did we notify the neighbors of this, it might be a good thing to do. Schaaf said there are environmental laws; we need to have a plan of action, so there is a regular inspection of these. He said it is going to be more and more important as we move forward. Moegerle asked do we need to amend our local water authority. Jochum said staff is addressing the local sunrise comments. He said we are way ahead of the SRWMO schedule. Jochum said if you put this as a priority in the plan, you score high. **Moegerle made a motion to amend the City Watershed Plan. DeRoche seconded.** Voss said what Jochum is saying once the plan is in place we can get grants, etc. **Moegerle withdrew her motion.** Josh Sturman asked is the SWPPP permit going to expire this year. Jochum said that is a separate program and is not an annual permit.

Code Enforcement Report

Moegerle explained that the code enforcement report is provided for your review and information.

Fire Dept Reports

Moegerle explained that the monthly Fire Department reports are provided for your review and information. Voss said he just wants to comment that Council Member DeRoche is listed as the Fire Department liaison and we haven't appointed liaisons yet. Moegerle said she agrees, however, these aren't our minutes so we can't amend them. Schaaf said he was at the meeting and he indicated that there had not been an appointment.

Recess to Discuss GRE Closed Session

Boyer said he is just going to fill everyone in. He said he sits on the task force for this; we have been meeting for a number of months. Boyer said Great River Energy is proposing to build a power line that would connect the Athens Township Substation to the Linwood Substation. He said this has been a need for future power needs in not only our City, but also in Athens and Linwood, and Oak Grove and to provide redundancy in the system. Boyer said as part of our ordinance for this, GRE was required to provide alternative routes, including a no build option. He said he doesn't speak for the committee but he doesn't think a no build option is a viable option. Boyer said there are two alternatives and one has certain inducements, things they would be willing to do for the City to get their preferred route which is basically by the University property and stays on the north side of thee City limits. He said this is at no cost to the City, and they will be building a service road 8-10 feet wide and will build a trail for the City on that road and will build a trail on Durant Street to Fish

DRAFT

Lake as an inducement. Boyer said there are other items that the 8-10 landowners along here could ask for. He said there is another favored alternative that jogs around the City. Voss asked these two you brought up, whose preferred paths are they. Boyer said GRE's. Moegerle asked do you have anything in writing from GRE. Boyer said no, he would expect that we would proceed just like we do with any other developer, enter into a development agreement and those would be the things to be negotiated. He said but if Council isn't in agreement, then we would have an issue. Boyer said we are also running against the 60 day clock. Moegerle asked if Boyer could get Council a document distributed to them. Boyer said it is an awful big document. Schaaf asked what involvement has the City staff had in this so far. Boyer said the City Planner has been at every meeting. Schaaf said does he understand the task force likes either Plan A or Plan B. Schaaf said he will work with Council Member Boyer and the City Planner on this. Boyer said we have had discussions on re-landscaping, and other additional benefits and GRE seemed amenable.

HRA Update

Schaaf said he is trying to decide what is appropriate for open session. Voss said it sounds like there have been meetings, who have they been with. Schaaf said with County staff members. Voss asked have you met with the County Attorney. Schaaf said yes, he met with the County Attorney. Moegerle asked was that a fact finding mission. Schaaf said yes, he needed to understand this. He said he was initially there to gather facts on a different issue and somebody said, oh why are you suing us and so I wanted to learn about it. Boyer said technically we aren't suing them, we won. Schaaf said right, we are in litigation. Vierling said it is still in litigation Council Member. Schaaf said he is one of those that thinks we can always sue, but if we can work something out it might be better. He said and in my view, this is my view, there may be a way to arrive at a way that all parties can feel good about. Voss asked was that discussed with the County. Moegerle asked were there specifics discussed. Schaaf said this was discussed in a way. He said he has his own way of going about this. Voss said isn't the mere fact that you are there talking about a settlement when the county is appealing a judgment, why would the City suggest a settlement to the issue. Schaaf said as he understands what the Counties concerns are, if they could be accomplished without spending anymore money, this would accomplish an end to the problem. Voss said there is years of history behind this and without consultation with the City Council you are going ahead and meeting with the folks we are in litigation with and suggesting things that City Council hasn't even suggested to you or authorized you to make those statements. Moegerle asked have you represented that this is anything but your flying ideas. Schaaf said no. He said he is initially just trying to find out why were are here and what the problem is. Voss said that is fine, but why wouldn't you ask us. Boyer said or ask our attorney. Schaaf said prior to January 5th he had discussions with the incoming Council Members so he gathered that insight.

Voss said so you don't think going to the County and discussing negotiations, there must be some seriousness, must be some reason that you wanted to go to closed session. Schaaf said if you got the County to surrender would that be good or bad. Boyer said that would depend on the terms of the surrender. Voss said you are asking a circular question. He said you are negotiating on behalf of the City Council. Schaaf said he is not sure he is negotiating. Voss said for what other reason would you go meet with the County. Schaaf said the past actions of the Council. He said would you love to have them keep suing. Boyer said what is more disturbing is you are not talking to the attorney that is handling this case. Moegerle said she understood Schaaf was over there on a different issue when he was pulled aside on this issue. She said she understands your concern, but she doesn't think we have heard enough for the two of you to realize your concerns.

DRAFT

Vierling said he talked to Mr. Hoff and the oral arguments for this case will be in front of court of appeals on February 10 and then matter will be under advisement. Voss asked and the reason why we couldn't go to closed session is the fact that Vierling is not the attorney on the case. Vierling said yes, you have to have your attorney present. Schaaf said when he originally talked to our City Attorney; he thought he would take over the lawsuit. He said but then he found out that Hoff was the representative. Vierling said and because he hasn't been able to review the file, he wouldn't really be able to advise you anyway. Moegerle said she is going to give you a short time to speak. Jill Teetzel said as co-partner in this lawsuit she said she should at least be allowed to speak. Teetzel said she represents the City's concerns for the residents. She said she e-mailed the City Administrator regarding the lawsuit. Teetzel said he responded that he was negotiating a deal. She said as a party in this lawsuit, she should know what is going on. Teetzel said she has been at every court case. She said every time the judge has said to Anoka County, you are wrong, go back, I don't want to see you again, we came back, and the judge told them again, we came back, and the County lost and now they are appealing. Teetzel said now he is going and trying to settle something that shouldn't be settled and is not in the taxpayers of East Bethel's best interest. Moegerle thanked her.

Boyer said he thinks we would be remiss if he doesn't point out that this lawsuit is about the County charging the residents $201,000 after the court said they didn't have a right to charge them on their property taxes. Schaaf said the County has retained Fagre Benson and they have raised numerous new issues, and the City put $50,000 aside to pay for this lawsuit. He said when he sent this e-mail he thought this was the direction we were going. Voss said the we you are referring to is the five member City Council and you are going to have times in life and government that you are going to be on the other side of the fence and it will not always be easy. He said he has been involved in enough litigation that you don't discuss this with your client. Schaaf said he asked to go into closed session to discuss this. Voss said you asked this tonight. Schaaf said he did a lot of fact finding and we will go into closed session when it is appropriate. Voss asked did you talk to anyone at the County about a settlement. Schaaf said no. He said he may have talked to others that could talk to him. Schaaf said he is not going to negotiate anything. He said he didn't commit anything. Voss said you have said it both ways. Schaaf said he doesn't know how to answer this to your satisfaction. Lawrence said we had a meeting at the County and talked to a person, not in charge, and they said you are spending $50,000 on legal fees on this and you should be spending it other ways. Schaaf said even if we win, it doesn't mean the legislator isn't going to make a change and it will go another way. Voss said you are jeopardizing our litigation. Moegerle asked Vierling's opinion. Vierling said Schaaf as the Interim City Administrator is like the new kid on the block, and he is sure the County knows he doesn't have any authority to negotiate, and at this court level there is no settlement unless it is written down. He said he agrees that you want the attorneys directly involved in these issues, but many settlements happen because of conversations between clients or staff members that find their way up the chain. Vierling said he understands the issue, but at this point and time he thinks it is best to move on.

Moegerle said she understands Ms. Skepper was supposed to be here and she declined. Schaaf said she didn't decline, per say, but the lawsuit imposes on what the County can and can't do with us. Voss asked was that Skepper's response. Schaaf said that was Skepper, yes. He said he thought it would be better to wait a bit to have her here. Schaaf said it was his judgment since we don't know what the relationship is going to be, until the lawsuit is done, it would be better to wait a bit. Voss said so we should stop doing anything with the County because we have a lawsuit with them. He asked wasn't she going to come present

DRAFT

information on economic growth. Moegerle said right, that was her understanding. Schaaf said if you want information on economic growth he has suggestions on that. Voss said initially she was going to be at the work meeting, he said why not have her at the Council meeting so it is broadcast. Schaaf said he thought it wouldn't be appropriate, if it is his bad, it is his bad, is on him. Voss said so because of a decision he has made, the project is maybe going to be delayed even further. He said don't take direction on your own. Voss said there are certain things you have to do to run a City. He said he is concerned about what is going to happen between now and the next meeting.

SafeAssure Contract

Moegerle asked Schaaf to address this item. Schaaf said he is not sure. Boyer said he works for the State of Minnesota. He said we are hiring an outside contractor, and he said most of this is freely available from the State of Minnesota. Boyer said the state gives free consultation services and the City got a grant on this. He said staff can call the state and see about this. Moegerle said this was discussed at the meeting with department heads and it was highly recommended. Boyer said he is in favor of having our workforce being the safest possible as could be.

Boyer made a motion to table the 2011 SafeAssure Contract. Lawrence seconded; all in favor, motion carries.

Set Meeting Date for Local Board of Appeals and Equalization

Vierling said most of the cities he works with have transitioned to the open book option, you can always go back to the other way, they get their meeting with the assessor and it is very well received. He said the assessor comes back to you with a final report. Voss asked if you go to the open book you don't have a meeting. Staff said that is correct. Voss said but they don't come back to Council. He said he would like to stay with Option One. DeRoche said so basically it is a public hearing with the assessor here. Boyer said the property owner can come before Council and say my property is valued to high, and I don't think my assessment is correct. Schaaf said but we are in a different economic value then we used to be, and five of you are sitting there now. He said he spoke with the former City Administrator and he indicated he thought open book was a good idea. DeRoche asked what does it take to get the training. Boyer said it is a 2 ½ to 3 hour training. Moegerle said she doesn't think we should be sitting in judgment on the taxpayers; this isn't something we should do. She said she doesn't think we can get trained on that. Voss said hates the idea of losing the ability. DeRoche asked if someone takes the training does that throw the open book option out.

Boyer made a motion to approve Council Member DeRoche to take the Local Board of Appeals and Equalization Training. Lawrence seconded; all in favor, motion carries.

Voss made a motion to adopt Resolution 2011-06 Setting the Meeting Date for the Local Board of Appeal and Equalization. DeRoche seconded; all in favor, motion carries.

City Attorney Fees

Vierling explained that he sent a subsequent letter to his fee schedule. He said when Dave Snyder explained the fees at the January 5th meeting; he explained the fees in a different format. Vierling said the fees as he submitted them do not include any transportation expenses, so he is charging a flat rate for the meetings. He said he would be happy to do a $140 hour charge if you so desire instead of the $400 per meeting charge. Vierling said also his form does not charge for photocopies or fax charges. He said he believes the City was paying just for photocopying $15. Moegerle said she thinks phone calls from staff and Council is generally is not billed for because they want to encourage calls from staff and Council. Boyer said he assumes there is a standard form of agreement. Voss asked what is different from the letter that you sent out. Vierling said if you want to agree to $140 an hour

DRAFT

that is fine, but then there is a transportation charge. Boyer said he thinks the whole process is skewed. He said in terms of this, he doesn't see any fiscal impact on the write-up, and he knows the fees are roughly 40-50% higher than Randall and Goodrich. Boyer said he would expect to have fiscal impact included in the packet. Voss said we need a City Attorney, we need someone here. He said and Vierling has credentials, he comes from a respected firm. Voss said in the interim you tripled the cost of City attorney.

Voss made a motion to approve engaging Mr. Mark Vierling of Eckberg and Lammers as the City Attorney with rates as outlined in the letter dated January 14, 2011, with the understanding that staff will prepare an RFP for City Attorney Services for the next City Council meeting. DeRoche seconded; all in favor, motion carries.

Council gave staff direction to have the prosecuting attorney come to the next Council meeting and give an update.

Boyer made a motion to also go out for RFPs for prosecuting attorney. Voss said we just engaged our prosecuting attorney and there are not issues with the prosecuting attorney, why would we do this. **Boyer withdrew his motion.**

Since Council did not finish their agenda by 11:00 p.m. they decided to recess their meeting.

Voss made a motion to recess the January 19, 2011 meeting until Monday, January 24, 2011 at 6:30 p.m. DeRoche seconded; all in favor, motion carries.

Call back to Order

The January 19, 2011 City Council meeting was called back to order on January 24, 2011 at 6:30 p.m. by Mayor Lawrence.

Lawrence made a motion to add a Closed Session – ACHRA Lawsuit at 7:00 p.m. Moegerle seconded; all in favor, motion carries.

Landform Third Party/Risk Assessment Proposal

Schaaf said we have a proposal from Landform before us for a Third Party/Risk Assessment. Voss asked why this was added to agenda. Schaaf said this part of the discussion is about what is going to happen with the suspended projects. Mr. Schunicht can provide us with some alternative designs. Boyer said usually when he gets these things that are going to cost $9,750 is says where the money is going to come from. Schaaf said from the savings from eliminating a position from the City. Boyer said we haven't saved a penny yet. Moegerle said she respectfully disagrees. Voss said normally this is from a Council request. He said we had a work meeting and we didn't talk about doing this. Voss said we were supposed to have Bolton and Menk coming in for a work session on Wednesday to talk about this. Moegerle said the work session was cancelled. Voss said he wasn't told the work session was cancelled. Moegerle said we talked about this at the Council meeting. Voss said we talked about this at the Council meeting, when. Boyer said he would like to see the minutes where we talked about this.

Lawrence said let's get back to Landform project. He said this is a different style, project. Voss said we didn't talk about doing this at the work session; we talked about doing something different. DeRoche said this gentleman is here to lay out what he does, and you keep saying everything is so time sensitive, so let's get the information we need. Boyer said this is about transparency; we need to let contracts out for this. Schaaf asked would you like the presentation. Voss said so the meeting is cancelled for this Wednesday, he assumes you told Bolton and Menk because you haven't told Council. He said he got an e-mail about a

DRAFT

different meeting, a luncheon. Moegerle said you were told at Council meeting. Lawrence said that is enough. Boyer said if we are proposing to spend $10,000 then we should send this out to bid. Lawrence said he is here for informational purposes. Boyer said if you are going to turn around and put out an RFP for this and you have given him an open competition for the contract, I would want the same rights as he has had for the contract. Voss asked when are you going to listen to Bolton and Menk's information. Schaaf said the Council has taken action to suspend $20,000,000 in contracts, he thinks the Council has indicated by the majority of the Council that they need information in an open meeting on how to get information. He said the election is over, let's move on.

Bob Schunicht said he is the Vice President of Landform and he is aware that East Bethel is facing a major decision on a waste water system that is ready to be implemented. He said it has to work technically and financially. Schunicht said it has been based largely on projections which are most largely almost wrong. He said you have to work some flexibility in those projections. Schunicht said you will have 50-80 years on the life of a system. He said when you are ramping up a system you are still trying to get a momentum on paying for it. Schunicht said what we laid out for you is a four part study on risk assessment. He said the first is evaluate design and funding projections, second is review current projections, third is investigate competing developments and cities and the fourth is prepare your risk assessments. Schunicht said we will do a series of spreadsheets and look at where the money is coming from. He said he has done this several times in his career. Schunicht said it is based on the risk you want to take. Then he will present it to you and say this is what we think. Moegerle said she understands that the Met Council is paying for the sewer; we are talking about the city's part correct. Schunicht said that is correct, the Met Council has the funding of that figured out; we are talking about your project. Moegerle asked who you will be contacting at Met Council. Schunicht said he will start with some meetings with the City, then meetings with Bryce Pickart, then others, they are good to work with and willing to discuss change and maintaining a good dialogue.

Schaaf asked are you familiar with the project in Ramsey. Schunicht said Ramsey hired his partner to manage their project after it failed, to bring it back. Schaaf said so you have information on neighboring communities. Schunicht said yes. Moegerle said so you evaluated that failed system and then you were hired. Schunicht said in Ramsey there were people that went bankrupt and were jailed, etc. He said so it really had to be reworked. Boyer said wasn't there a large amount of bank fraud in that project. Schunicht said he is not sure that is before he was involved in the project. Lawrence said we talked about ERUs. He asked can your systems handle 100 ERUs. Schunicht said the Mayor is talking about our systems that we do, yes they can. Schaaf said but that is not part of the study. Schunicht said true, what should come out of the study is what should be done about the suspension. Voss said he doesn't disagree that there could be value to this, but there seems to be reluctance to not only hear about how the original numbers were put together, but how they were. Moegerle said we have asked about that not only post election, we have begged for those numbers. She said the information that was given was if you do that, and if they come, then you can do that. Moegerle asked where are the numbers, based upon this and that, where are the economics, demographics. Voss said that is what this Wednesday was supposed to be for, bring in Bolton and Menk. He said he tried to set this up in December. Moegerle said she wasn't contacted. Voss said we specifically set it up at the last work meeting. Schaaf said there was no Council action. He said he contacted Bolton and Menk and they gave him no information. Voss asked Schaaf is he his still a spokesperson for Bolton and Menk. Schunicht said the numbers he has seen are the projections for the ERUs. Voss asked are you inversed to having Bolton and Menk before this Council so you can ask

DRAFT

those questions directly. He said all he is trying to do is get the person in front of you that has the answers.

Moegerle said Bolton and Menk is going to come to a meeting is that is going to be available on DVD, on tape. She said a work meeting wouldn't be televised. Boyer said it might cost us $20. Lawrence said we always wanted to meet with Bolton and Menk. He said we are well aware of the time issue we are working with; we are trying to get the most information we can. Voss said there is reluctance to do this.

Voss said you are the one making the decision now. He said if you don't want the information that you need as an elected official to make the decision, all he has done is try to get the information to you. Voss asked then why did we set up the work meeting. Schaaf said it is important for people to understand that the Mayor and I met with the former city administrator and we have no information on this. Voss said this is your opinion on this. He asked what is the timing on this if we retained Landform or someone else. Schunicht said he would have a report to you by February 23rd. Schaaf said it might be helpful to have Bolton and Menk and Landform at the same meeting. Boyer said are we talking about spending money again. Schaaf said possibly. Lawrence thanked Schunicht for his time.

Closed Session – ACHRA

Moegerle made a motion to adjourn to closed session regarding the Anoka County HRA Lawsuit. DeRoche seconded; all in favor, motion carries. Vierling explained that the Council can adjourn to closed session pursuant to Attorney/Client privilege with Mr. George Hoff the City's Attorney in this case number A-101628 to discuss the pending litigation regarding the Anoka County HRA. Boyer asked if Teetzel would be included in the closed meeting as she is a party in the lawsuit. Mr. George Hoff, the attorney representing the City in the lawsuit, after being informed who Ms. Teetzel was, agreed that it was appropriate for her to attend the closed meeting.

When Council returned from the closed session, Vierling explained that Council met in a closed session that was attended by all Council Members, himself, Mr. George Hoff, counsel for the City, Jill Teetzel, co-defendant, and Dave Schaaf, acting City Administrator. Strategy was discussed.

Landform Proposal

Moegerle asked is it necessary to send out RFPs if we wanted to enter into a relationship with Landform. Vierling said no, he said it is at will to engage into services unlike the process when it is over $100,000. He said many cities do use RFPs, many do not.

Moegerle made a motion to accept the proposal by Landform for a Third Party Review/Risk Assessment, under avance as set forth under the letter dated January 19, 2011. DeRoche seconded. Boyer said so now we are certainly spending money, $10,000. He said in the past the City has always for RFPs for things like this in sums of nature. Boyer said so you are doing this to give to some friend. He asked why this wasn't competitively bid. Moegerle said but when we discuss the letter from Met Council you are going to say there are circumstances to speed everything up. Boyer said we need to go out and get RFPs and get cost effective prices. Moegerle asked what are your facts to support that. Boyer asked you don't have facts to support that, but he was told at the beginning of the meeting that we weren't going to spend any money. He said this should go out for RFPs so you can't get the most qualified proposals and most effective person.

Schaaf said the motion is to authorize expenditures up to $9,750, is there something in the background you think is inadequate. Boyer said he thinks there are other qualified consultants around twin cities that might be cheaper and might not be cheaper. Schaaf said

DRAFT

and you are not concerned about how long that might take. Moegerle asked to call the question. Voss asked what is the timing on this. Schunicht said 3-4 weeks. Voss asked is there a way to speed that up. Schunicht said he can try to speed it up. Voss said the use of conveyance of the project is a good term, if Council so chooses to go forward with this, they should never be afraid of the truth, this should be a sign that it would be for the Council to stop pushing off the meeting with Bolton and Menk and gives more than enough time to get the information from the people that have the information. Moegerle asked are you saving we should meet with them at the same time as Schunicht gives us his information, the first meeting in February, at work meeting, the second meeting in February. Voss said for right now, he assumes the work meeting on Wednesday is still on until he hears further. Moegerle said she is asking for your preference when you want the meeting. Schaaf said he has spoken with Kreg Schmidt from Bolton and Menk and he would be available February 2nd. He said he would like advance notice. **Boyer and Voss, nay; DeRoche, Lawrence and Moegerle, aye; motion carries.**

Moegerle made a motion to direct staff to work with Bolton and Menk to have them at the February 2, 2011 City Council meeting. Boyer seconded; all in favor, motion carries. Council consensus was to have this first on the agenda.

Met Council Letter

Voss said we received a letter from Met Council. He asked Schaaf is he talked to Met Council about this letter. Schaaf said the point where he talked to Bryce Pickart he was going to into a sub-committee and he said he explained to Pickart what the Council did and Pickart indicated there was no deadline in the contract. Voss said we received a letter directed to all of us that says Met Council understands the direction Council took on January 5, 2011 and that they have expended approximately $2,000,000 and that they expect the Council to proceed with the water/sewer project as planned. Moegerle asked Schaaf if he has exchanged any additional correspondence with the Met Council. Schaaf said no, he has not. Voss said he heard about Schaaf's discussion. He said and the Met Council made it clear at the Town Hall meeting that they would want their investment back.

Voss asked how much of the bond proceeds have we expended. Schaaf said roughly $2,000,000. Voss said and we have four contracts out, all who have started work and we have received three letters from them. He said they have expressed concern and they have stated their concerns and delay costs. Moegerle asked are there any weekly costs that are being assessed by Met Council. Schaaf said no. He said they are perfectly okay with us looking at what we are going to do. Schaaf said they haven't let any contracts. Lawrence said the delay costs they are talking about are the materials. Moegerle said the delay costs are not on the agenda. She said she is objecting to the discussion of this if it is not on the agenda. DeRoche said isn't it a fact if these contracts were not shoved through in a lame duck session we would not be in this situation. Voss said we are not getting any communication from our Acting City Administrator; we are having to get communication from these contractors. Schaaf said he wanted to discuss City Administrator/Council Communications and because you removed it he hasn't been able to discuss things with you. He said he has discussed this with all four contractors. Schaaf said we need to get to a decision, we understand the ramifications. Voss said he agrees with that. He said he think it is important that the Council and the public have all the information. Voss said in that time frame if you can provide what the cost liability is if the project is stopped, here it is outlined that we have $5,000,000 daily cost delays, $18,000,000 in bond, we have already spent $2,000,000 if the project doesn't go and we have no way of paying that back, we have to talk to Springsted about that. He said if the Council does decide to stop this, how are we going to keep the City out of bankruptcy. Moegerle said her understanding is the HRA paid for

DRAFT

some of this. Voss said we have investment in this already and wee sure as heck better consider that. Schaaf said this is a very serious consequence that this Council has to face.

Commission/ Committee Liaisons

Council decided to move the Commission/Committee Liaisons up on the agenda. Lawrence asked Council Members to serve on the commissions/committees. Voss said his suggestion is for the three new Council Members to be on the Park, Road and Planning Commission. He said he would suggest someone different is assigned to the Planning Commission because Moegerle has already served.

Boyer made a motion to approve the Commission/Committee Liaisons as follows: Acting Mayor - Council Member Moegerle (previously assigned by Resolution), Road Commission – Council Member DeRoche, Park Commission – Mayor Lawrence, Planning Commission – Council Member Moegerle, Watershed Mgmt. Organizations – Council Member Voss, Cedar Creek Committee and Sandhill Crane Committee – Council Member Boyer, Fire Department – Council Member DeRoche, Police Liaison – Council Member Voss, Booster Day Committee – Mayor Lawrence and Council Member Voss and Finance Committee – Council Member Boyer and Council Member DeRoche. Voss seconded; all in favor, motion carries. Voss asked staff to complete the attachment and send to all Council Members.

Acting City Administrator Compensation

Schaaf said he has handouts on this item. He said the first handout is information from the League of Minnesota Cities (LMC) on other cities about the same size as East Bethel and what they pay their City Administrators, outstate and metro area. Schaaf said then the next sheet is something he sent to Council the 2010 Administrator expenses and the proposed 2011 Administrator expenses for the former Administrator. He said that is what the taxpayers paid to have that person work for City. Schaaf said next is what he is proposing $79,900 salary and $7,911 in benefits, FICA/Medicare, workers compensation insurance and a laptop computer for a total of $87,811.35 with no contribution for cafeteria health benefits, no cell phones, no ICMA membership, etc.

Boyer asked why are we not putting out an RFP for this position as we did for the City Attorney. Voss asked Doug Sell is still the City Administrator; he is on paid administrative leave, right. Vierling said that is correct. Voss from what he understands the LMC has a list of Interim City Administrators that we could work from. He said we have an Acting City Administrator now. Voss said at this point, we don't know what is going to happen with City Administrator Doug Sell, so for now we cannot just go out and advertise for this position; we can decide that after we make the decision about Doug Sell. He said but right now we need someone to run the ship. Voss said but this is just an Acting City Administrator. DeRoche said maybe we should meet in closed session and deal with Doug Sell first.

Voss said what we are dealing with here is what is just compensation for the role you have been playing here. He said so the proposed salary is just shy of $80,000. Voss asked how did you come up with that number. Schaaf said he had discussions with the incoming Council Members prior to January 5th. He said he is putting his foot in the quicksand. Schaaf said he indicated he would be willing to serve for a year at less than ½ the current salary of the City Administrator. Voss said and you are comfortable with this. Schaaf said yes, based on the list of cities compared to our size. Voss said so let's focus on the City Administrator in Alexandria. Schaaf said he isn't familiar with the City Administrator there, but he is familiar with Mike Robertson who is now in Otsego. Voss asked how long has he been a City Administrator. Schaaf said 12-14 years. Voss asked is there anyone else on list

DRAFT

you are familiar with. Schaaf said Jerry Urban from Vadnais heights. Voss said and he has 40 years of experience. Schaaf said the taxpayers paid $181,000 for the previous administrator.

DeRoche said when Sell was hired what kind of process was gone through. Boyer said we interviewed five candidates. He said we had a professional search firm involved. Boyer said we advertised in paper of record, and he is pretty sure it was in the Star Tribune and Pioneer Press. Schaaf said we did some investigation and we are pretty sure that you had three people set up for interviews and one backed out, then another backed out because she didn't want to work nights or something and you only interviewed Mr. Sell. Voss said he wasn't on the Council then but he remembers something like this also. Moegerle asked how many years of experience did Sell have as a City Administrator. Boyer said he came to us from Jordan. Moegerle said no, he came from Brooklyn Center. DeRoche asked what pay rate did he start at. Voss asked why are you asking this. He said he is looking at proposed salary of $79,900 with no experience in City government, except as a government official. Boyer asked do you have a master's degree in public administration. Voss said the pay is set with experience. He said this is not an unfair statement to make. Lawrence said we brought Mr. Schaaf in because of the issues at hand. Moegerle said and economic development in East Bethel and he has experience in that. Boyer asked do you have a master's degree in economic development. Schaaf said he had a business, Schaaf Floral, a small business, and a larger business in Stillwater, a Laundromat, worked on a large development in Oak Park Heights as a Council Member and a Mayor. He said he got elected as a trustee in sewer development. Schaaf said he is familiar with connection charges. He said as a legislator he dealt with metropolitan and urban affairs, he worked deeply on election issues, served on task force that reworked election laws, served as an appointee of Governor Anderson, he has dealt in the legislator on transportation, crime and crime prevention, in every aspect of the City, he has dealt with each issue.

Boyer asked have you ever held a job as a municipal employee. Schaaf said if you count an election judge as one, that would be my only job. Voss said he is looking at this with his experience, there are plenty of folks with his experience that could do what you have said you want to do for Council and the City and this is a leadership position that requires the skills of a large staff, dealing with five diverse opinions of a large Council and doesn't see your skills that are half of what our previous City administrators were. Schaaf said he had discussions with Council that he would do this for half because he doesn't have a typical resume, he would need to bring in consultants to help. Moegerle asked how many years experience do you have in economic development. Schaaf said three years in the North Suburban Sanitary Sewer District, eight years on Oak Park Heights City Council as a Mayor and Councilman and eight years on senate. He said he also had eight years as real estate broker. Voss said rather than basing your comparison on half of what the City spent on the City Administrator in the past and certainly listening to what the City has heard criticism about, what else should we consider. Schaaf said he felt he was worth this. Boyer said he would ask why we are not advertising for this position. Lawrence said this is just an interim position. Boyer said he doesn't believe this proposal is just for the next 20 minutes. Schaaf said presumably if this proposal is adopted it will include a 30 day clause that would allow either parties to terminate with a 30 day notice. Boyer asked how long is this position for. Moegerle said this is until the City Administrator's employment issues are taken care of. Schaaf said no, he is proposing this for one year with a 30 termination clause.

Voss made a motion to approve the compensation package for Acting City Administrator Mr. David Schaaf at $49,000 yearly salary. Boyer seconded. Moegerle

DRAFT

said she disagrees with this, what this man has done already has been an amazing service to the City. She said this is disingenuous as a motion and as what he brings to the City primarily as what he brings to the City; he has a proven track record to the City, and what he brought to Oak Park Heights. Voss said there is no way he would get more than this in the open procurement process. Moegerle asked is this a requirement. Schaaf said he has already incurred some cost for moving expenses and he is not charging for that. He said at this proposed salary he has no interest in the position. Boyer said he has a master's degree and he knows. He said you would not be offered an entry level job, let alone $40,000 to $50,000. Boyer said at least not at a City with a population of 13,000 in the metro area. Moegerle said if your motion passes obviously we are going to see those documents, because we are going to need to see those documents in a hurry. Boyer said he can point you at the site if you like. Voss said the survey that Schaaf referred to will have that information. Vierling said the LMC does a regional approach. Voss said he may be way out of base with the $49,000, but he is taking half like Mr. Schaaf did. He said we all have life experience. Voss said he is sure there are a few thousand out there that will take job. Lawrence said he would be on a 30 day notice. Moegerle said the issue before the Council is how long we expect this to be. Voss said this is three steps. He said first we have to get Schaaf paid. Voss said then once there is resolution with the existing City Administrator and we know that we no longer have a City Administrator then we have to fill the position with an Interim City Administer, then we get a regular City Administrator. He said he suggests that just like the City Attorney, if folks are as good as they think they are, they shouldn't be afraid to compete in the competitive market. Moegerle said Schaaf shouldn't be afraid to, he is a valuable service to the City, he has contacted major players, we have a huge financial interest at stake, and we can't hire someone at $49,000 a year and asked them to handle $2,000,000 a year contracts. Boyer said this is based on his opinion. Voss said with the other items on there, it may only be for a couple weeks. He said he is here for one reason, he talked to an incoming Council Member prior to January 5th and if they don't' want him to do this he is out of here. Voss said his actions prior to January 5th were very abrupt. He said he indicated that he had led two search committees for City Administrators previously; he should know how it works. **Boyer and Voss, aye; DeRoche, Lawrence and Moegerle, nay; motion fails.**

Lawrence made a motion approve the compensation package for Acting City Administrator Mr. David Schaaf at $79,900 and $7,911 in benefits, FICA/Medicare, workers compensation insurance and a laptop computer for a total of $87,811.35 with no contribution for cafeteria health benefits, no cell phones, no ICMA membership, etc. for a maximum one year, with 30 day termination clause for both parties. Voss said he wants it at will so we fill this gap, it may only be a week. Voss said in terms of an acting position, he doesn't have any problem with any of us being the Acting City Administrator. Vierling said the Council couldn't do that. **DeRoche seconded. Voss and Boyer; nay, DeRoche, Lawrence and Moegerle, aye; motion carries.**

Schaaf handed out information on outsourcing planning. He said this is just for informational purposes. Boyer said he feels somewhat snakbit, is it the Council's anticipation that we will take action on this also.

Anoka County Broadband Project

Moegerle said she met with Jack Davis to discuss the status of the broadband trunk lines. She said we were both surprised that the broadband had gone to the Arena and then to City Hall. She said we also had discussions about the City water process. Moegerle said she attended a CLIA meeting on Thursday as well and they are looking at how to protect Coon Lake and the Tierney project and the 13 other points.

DRAFT

Joint Law Enforcement Council

Voss said he has a couple things. He said last December, he was asked by Sheriff Stuart to serve on the Joint Law Enforcement Council, which he accepted. Voss said he thinks the first meeting is Wednesday. He said they have been around a long time, he knows the former mayor was on this Council for a long time.

Sheriff's Reports

Voss said so Lieutenant Orlando is no longer going to be giving in person reports. Schaaf said he found them embarrassing, of no value. Voss asked was there something specific in the report. Schaaf said it was the methodology of how the report was given, going through how the arrest was made, etc. Voss said we specifically asked the Sheriff to be here and to have one and one time with the Council and give these reports. Schaaf asked why you would do that. Moegerle said the statistics are still going to be presented. She said the presentation of assorted details is not reasonable. Voss said while he agrees they are not pleasant to listen to, they are eye-opening and back 4 or 5 years ago, our sheriff's reports had to be 50% meth related. He said this was very disturbing, it was a regional problem and we talked about what we had to do and when the law changed and you couldn't purchase the stuff needed to make meth so readily, those reports changed. Moegerle said you can still get those reports; just those details will be gone. Schaaf said he doesn't do those types of these things on whims. He said he checked with other cities. Voss said it is about exposure and ability to interact. He said and you don't do things we haven't asked you to do. Voss said you could tell Lieutenant Orlando was embarrassed by that. Schaaf said he didn't expect her here at the meeting. He said the reason Council needs information is to act on policy. Boyer asked you will use your judgment to control the information he gets. Schaaf said you will get those reports in writing. Voss said Council did not dismiss the sheriff from being at these meetings. He asked how does the Council feel about the sheriff being represented at the meeting. Moegerle said she thinks it is great that she comes. She said she doesn't think we need a blow by blow of this information at the meeting. Moegerle said she thinks you embarrassed her. Voss said he didn't say anything to her. Boyer said he did. Moegerle said she apologizes. She said she would like her to still come to the meeting, but not do the blow by blow.

Voss said he would like to see him raise this concern, rather than all of a sudden making changes without any discussion. Moegerle said yes, handle it in a diplomatic way, duties in an administorical way. Voss said he asked to have this on the agenda and Schaaf said no, he would not put this on the agenda. Moegerle said we need to have a discussion about how things get put on the agenda.

Mayor Update

Lawrence said he has been working with a lot of people in the City. He said he is meeting with Sheriff Stuart for lunch.

Information

Boyer said he is wondering when Voss and himself are going to be provided the same things the rest of the Council is provided.

Fire Department Meeting

DeRoche said he went to the fire department meeting on Monday night and they have a heck of a fire department. He said they are very professional and seem to really respect Chief DuCharme. DeRoche said the department has some equipment needs and the needs are going to need to be met.

Closed Session – Former City Administrator

DeRoche made a motion to move to close session to discuss the agreement with the former City Administrator pursuant to Minnesota Statutes, Section 13D.05, subd. 3. Moegerle seconded; all in favor, motion carries. Vierling said he wants the record to reflect we have written consent from Mr. Douglas Sell to go into closed session on this

DRAFT

Agreement matter.

Vierling said we are back in session, after having concluded our closed session where we reviewed the former City Administrator agreement. All Council Members were present, along with me, and Mr. Schaaf. He said the closed session concluded at 10:33 p.m.

Adjourn **Boyer made a motion to adjourn at 10:33 PM. Moegerle seconded; all in favor, motion carries.**

Attest:

Wendy Warren
Deputy City Clerk

DRAFT

EAST BETHEL CITY COUNCIL MEETING

February 2, 2011

The East Bethel City Council met on February 2, 2011 at 7:30 PM for their regular meeting at City Hall.

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

ALSO PRESENT: Dave Schaaf, Acting City Administrator
Mark Vierling, City Attorney
Craig Jochum, City Engineer

Call to Order **The February 2, 2011 City Council meeting was called to order by Mayor Lawrence at 7:39 PM.**

Adopt Agenda **Moegerle made a motion to adopt the February 2, 2011 City Council Agenda. Voss seconded.** Schaaf explained that we will need to adjourn to closed session to discuss item 8.0 G.3 Anoka County HRA Lawsuit at 9:00 p.m. because we will be contacting our legal counsel by phone and that is what time he is available. **All in favor, motion carries.**

Public Forum Lawrence opened the Public Forum for any comments or concerns that were not listed on the agenda. He explained that he is going to ask that the public keep their comments to two (2) minutes each. Boyer asked why are we doing this, we have never done this in the past. Voss asked who is making this change. Lawrence said it is a normal thing that is done; according to the Mayors Handbook from the League of Minnesota Cities (LMC) don't we follow those rules. Voss said without discussion we are making the change.

Tim Landborg of 1507 205th Avenue NE said he has a comment. He said tonight you are having a presentation by Bolton and Menk and then a presentation by Landform at your next meeting. Landborg asked are you going to do a presentation on the delays of the contracts and what it will cost if you cancel the contracts. He said he doesn't know if you will make any decisions but after your discussion regarding the letter you received from Met Council it sounded like it will cost the City at last $2,000,000, in that range. Voss said the direction from Council was for staff to have this information at the meeting on February 16th. Schaaf said we are pushing Mr. Schunicht to have this done for the meeting on February 16th, but if we have to have the information for the packet, then we are really pushing him. He said if we need to have special meeting so Council can make a decision then we will do so. Voss asked why Landform is doing this, when we specifically gave staff direction to do this. He said his point is last meeting he remembers turning to Schaaf and asking him to put numbers together for the meeting and he remembers Schaaf responding that he would. Voss said this is a totally separate exercise from what Landform is doing. He said this is an understanding of risk, totally separate exercise.

Schaaf said Schunicht has met with City staff and gathered the requested information. He said he has also met with you (Voss), the finance director, city planner, Springsted, etc. Voss said from all the people you just mentioned, there is only one that has the information that he is requesting and that is Springsted. He asked why Schunicht is doing something staff can do. Schaaf said because he can lay that all out so you can make an important decision, this was part of his duties. He asked have you had a chance to talk to Schunicht. Voss said yes. He said he doesn't have this information, the City has this information, and this is the money

DRAFT

that has been spent on the bonds.

Denise Lachinski of 22286 Vermillion Street NE said as far as the RFP for attorney services, she would like to know if the two City Council members that are going to be on the committee, can that be one Council Member from the old and one Council Member from the new. She said she thinks that is what the people would prefer so it is a bipartisan committee. Voss said we are not partisan at all. Lachinski said she is thinking old versus new. Voss said we will be dealing with this at the end of our agenda. Lachinski said and at the end of the last meeting, the broadband trunk line was brought up and Moegerle said it was going to the ice rink and you had requested it go to Castle Towers. Moegerle said she worked on this with the Public Works Manager and the broadband could go to any three City facilities. She said so we thought it makes sense to go to the Fire Department on Co. Road 22, City Hall and since it already goes up Highway 65 right past the Ice Arena, that would be a waste of our third shot, so for the purposes of serving our residents we thought it would be best to go up to Whispering Aspen. Lachinski said she can see the benefits of it going in up there if the residents can tap into it. Moegerle said yes, and then the residents in the Whispering Aspen area would have access to broadband services. She said but since that meeting, the Public Works Manager looked into this further and found out that because of the grant, it would have to be at the Fire Department, Ice Arena and City Hall. She said it would be useful at the Ice Arena. Voss asked how does this fit in with the fiber optic that we currently have. Boyer said that is right, we already have a contract for these services. Moegerle said there was not discussion about this.

Patty Bass of 2419 224th Avenue NE said she hopes you will consider having either Council Member Boyer or Voss serve on the RFP committee. She said she hopes you will be transparent, or have you picked the attorney already.

Terry Frank of 176 King Street NE said we seem to find out how important this meeting is, there is a problem with communication, you have failed at communication because this equipment you are using doesn't work as well as his car does. He said maybe in the next ten meetings you will have this thing working, it is important; it is why we are all here. Frank said usually when he buys a car he knows how much it is going to cost, when he buys a meals know how much it is going to cost, he wants to know how much the sewer and water is going to cost us. Lawrence said that is what we are researching to get accurate facts and numbers on the sewer and water project. Frank asked what is name of research outfit. Lawrence said Landform. Frank asked and what is that going to cost us. Boyer said just under $10,000. Frank said to find out it is going to cost a quarter in a Wheaties Box. He asked is this going to one outfit or is there a bid on this thing. Lawrence said it went to one outfit.

Jill Teetzel of 20913 Rendova Street NE said she wants to address the minutes from the last meeting under public forum, page 14, where she asked about the luncheon, she made a public purpose expenditure request, and she has asked for this many times and still has not received the informaiton She said also in the minutes it refers to Doug Sell as the former City Administrator and she believes he is still the City Administrator and that is also on the agenda. Teetzel said also in the RFP for Legal Services, the anticipated timeline is a crazy amount of time. She said not having a new attorney start until June 1st; it is a long time until summer. Teetzel said and the Council as a whole should be discussing any changes to rules, you are not being upfront with the public changing the public forum to a two minute limit just because you want to. Lawrence said you just don't like the public rule. Teetzel said you are being very childish. Boyer said there is nothing in any ordinance that says we are limited

DRAFT

to two minutes. He said this is a handbook you are referring to; it is not adopted by the City. Boyer said why not point to a phonebook.

John Wegner of Municipal Builders said he is the general contractor awarded the bid for the water treatment plant. He said he just has a suggestion, something for you to think about. Wegner said if we had a timeframe, if this project is to proceed, we as a contractor would be in a much better position if we had a date to give our sub-contractors and negotiating the price with them. He said if you would allow him to go to his sub-contractors and now we could lock in a date and we would have a number of what the cost would be going up, and we would be proactive. Voss asked what the value of your contract is. Wegner said $5,700,000. Voss asked how much is for sub-contractors. Wegner said about $1,500,000. He said he has about 120 suppliers and/or subcontractors. Wegner said if he contacted them with a date, then we would be more successful. He said a plumbing contractor could have fifteen subcontractors. Wegner said this could save tens of thousands of dollars, he said the downside to you is he would have another day to save so many dollars.

Christine Howell of 22314 7th Street NE said when she was here in November she brought forth a list of 14 cites, with their City Administrators and their pay and she is going to pick on Boyer for this one because we went back and forth on this. She said on the low side it was $83,000 and on the high side it was $103,000 and there was a question about Sell's starting salary, he started at $102,000. Howell said when she questioned why he started at such a high amount one of the responses was because of Sell's experience as a previous City Administrator. She said based on his application, he had only been a City Administrator at the City of Jordan. Howell said she thinks Boyer told her not only was it based on his experience as a City Administrator for three years it was also based on his past experiences. Boyer said yes. Howell said so you started Sell at this salary based on his experiences all pulled together. She said so you said Schaaf has no experience, so basically you have to give Schaaf the same thing. Howell said again, the only reason she is looking at Boyer is she had the conversation with him. She said if Sell's was based on life experience. Voss said Sell had experience in municipal government.

Howell said she sees in the minutes it was questioned who checked Schaaf's references, she would like to know who checked Mr. Sell's references because she called Brooklyn Center, his last job before he came to East Bethel and he listed his position there as Fiscal and Support Services Director/Assistant City Manager. She said she asked what is involved in this job description and the answer she was given by the current Fiscal and Support Services Director is that this is two separate positions and it has always been two separate positions even when Mr. Sell was employed there. Howell said she then asked has Mr. Sell ever been the Assistant City Manager at Brooklyn Center and he said no, he was the Fiscal and Support Services Director, never the Assistant City Manager, so if the number one out of the chute was incorrect, who checked it. Voss asked what year was Sell in Brooklyn Center. Howell said the information she was given lists 2001 to present. Boyer said there were a lot of issues with the cities you chose. Howell asked is Jordan a metro City. Boyer said yes it is. Howell said the very first one she checked was skewed.

Teetzel said she has an election flyer and she is wondering why we are doing a research project when this says the sewer and water project is going to cost a minimum of $50,000 for each homeowner. She said it seems that there are certain people that are treated hostilely and certain people that are given eight minutes to talk. Lawrence said you may sit down now. Teetzel said she is making a point of how unprofessional you are being.

DRAFT

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

Bolton & Menk Presentation

Kreg Schmidt of Bolton & Menk said it is good to be here. He said we have video, but we don't have audio, the microphones aren't working, so we will have to speak loud. Schmidt said he has been working with the City for three years and we have had a lot of discussion on this project, on a lot of different elements and tonight he is going to give an update. He said you have in front of you a presentation with a lot of information regarding the project and a lot of text on the ERUs. Schmidt said this will be a record of information, but he is not going to go over every little piece of information in here, we don't have enough time, there are a lot of things in here regarding the project. Schmidt said he has met with your consultant Mr. Schunicht and Mr. Schaaf, we spent 4 ½ hours together reviewing the project.

Schmidt said tonight we will review the overall project, the Phase 1, Project 1 status; review general development rate scenarios's considered and review the bond repayment status. He said this is a joint City and Metropolitan Council Project and the initial project was 40% City funded and 60% Met Council funded. He reviewed the overall municipal utility phasing plan per the comprehensive plan. Schmidt said the project location for Phase 1, Project 1 is Highway 65 and Co. Road 22. He said as far as the project 1 area, the sanitary sewer system, we have the regional waste water facility located along 65 ½ mile from Co. Road. 22 and the northwest intersection. From the water standpoint, we have a water tower and two wells, trunk water lines, water facility, some lateral water mains, etc. Schmidt said the discharge piping and RIBs are to be done by Met Council and not part of the current contracts, there are 4 ½ miles of piping to get to the two rapid infiltration sites that Met Council is planning on doing.

Schmidt said for the Phase 1, Project 1 Status we have four contracts awarded, the 500,000 gallon water tower, the 2-500 gpm wells, the 1,500 gpm water treatment facility which was planned for iron and manganese removal and reverse osmosis for wastewater irrigation reuse elimination, (which was taken out but will need to be put back in at a later date) and the sewer and water piping project which includes the Met Council interceptor and discharge piping within the City project area. He said there are also some additional non-City projects, to be done on the Met Council dime, the Met Council discharge piping outside the City project area and the Met Council Wastewater Treatment Facility. Lawrence asked about the infiltration basins, will they be done by Met Council. Schmidt said yes. DeRoche asked about the reverse osmosis, why was this put in to begin with. Schmidt said we bid this out as an alternate, but with all the tankage in the warehouse we thought the best time to do that would have been now, but then it came in too high so we had to take it out. DeRoche said so you said it will have to be put back in somewhere down the line what will that cost. Schmidt said $2,000,000 to $3,000,000. He said keep in mind that will be the time to open this up to discussion with Met Council. Schmidt said this is for some other time and other place. Moegerle asked how much did it cost the City to rebid this. Schmidt said in order to do the layout of the plant you would have to do this anyway, unless you wanted a very inefficient plant. Moegerle asked can we perhaps do this on Met Council's dime.

Lawrence asked whose original thought was the Water Treatment Facility (WTF). Schmidt said this was based on wanting to treat the water for iron and manganese. He said this is part of the overall process, he has seen this done for typical standard of water treatment quality and rightfully so. Schmidt said otherwise you will put water out there that customers will not be happy with. Boyer said he doesn't think there are cities out there that don't treat their water. Schmidt said you have to have chloride and fluoride. Moegerle said the plan shows that we will have eighteen wells, is that true today. Schmidt said with the FIG alternative

DRAFT

that is probably the number, but we have had discussions with the DNR and we have been talking about having Mt. Simon wells and then you could have a couple less wells. He said the DNR was not ready to discuss this at the time. Schmidt said for now it is two FIG wells. He said it is an aquifer above the Mt. Simon. Moegerle asked how many were you serving when you came up with number, are you planning on serving. Schmidt said the well with the tower is 1,000 ERUs out of the chute and eventually serving an equivalent of 3,000 to 4,000 ERUs.

DeRoche asked how much was our City engineer involved in design of this whole project. Schmidt said he gave us the engineering standards you have. Jochum said he was asked about the engineering standards. DeRoche said he has heard this is the Taj Mahal of WTFs. Schmidt said he doesn't agree with that statement, he thinks it is very prudent considering what the City has discussed. He said this is the backbone of the system. Schmidt said it will be a very reliable system. Moegerle asked how many people will work in this WTF. Schmidt said one person. Moegerle said it shows four stalls in the women's restroom. Schmidt said that is a building code issue. Resident asked will this go under the lake or around. Schmidt said right now none of these items have anything to do with the lake. Lawrence said most likely this is not feasible to go to the lake. Schmidt showed on the map that this project is not going to the lake. DeRoche said so basically all the information you have gotten to put this together was from the old City Council, correct. Schmidt said we are going to talk about the ERUs. DeRoche said someone had to come up and say this is what we want designed for East Bethel. Schmidt said this is what we were hired to do, to take this information and then design this for East Bethel. He said we had public hearings, and informational meetings, there were plans and specs prepared. DeRoche said what he is looking for is East Bethel came and said we want to put in a sewer and water system and what he has here is they gave information to Bolton & Menk and then Bolton & Menk put this report together and here we are. Schmidt said this was built on the comp plan. Boyer said it was built on the area to be served. Moegerle asked who determines how many parking spaces are needed at the WTF. Schmidt said they are needed for deliveries and such. Boyer said he believes they are related to square footage of the building, ask the building official.

Jochum said as long as we are on the WTF, there are a number of municipalities that start systems without magnesium removal, Ramsey did this and it seems Council is concerned about the total cost of the system, could you address this. Schmidt said that would not be a good plan for the City, it would be a thorn in your side. Jochum said so if the Council does not build a WTF, they should not move forward with the project. Schmidt said you would have iron and manganese to deal with in the water, no matter what you have to chlorinate and use fluoride, so you would have to have another facility for that, this would cost between $300,000 to $400,000 and you would have to figure out a way to build that stuff, he would not suggest going forward with the project without the WTF, he doesn't know that he would. Schmidt said you are going to end up running a lot of water down the gutter. Voss said he remembers having this discussion previously and the Whispering Aspen residents are having to treat their water. He said we just put a well in at Whispering Aspen to deal with the issues there. Jochum said the water is much better there, things are much better.

Moegerle said so the WTF is planned to treat the manganese and fluoride. She said she treats her water and she doesn't have rust problems. Schmidt said the quality of this water is much better than just using a pellet system or the type of systems you can use in your homes. Moegerle asked what it will cost us to build this facility. Lawrence said that he knows that car washes and other facilities have to treat the water they get from the City because they

DRAFT

have to have better quality water for their businesses. DeRoche asked have you done perk tests. Schmidt said no, that will be done when we are building. DeRoche said he would think you would do that beforehand, so all the information was available.

Voss said the question here was are we going to need a WTF. He said he is really lucky; he has probably two of the some of the only houses in the City that don't need to treat their water. Voss said we knew we needed treated water. He said we had discussions about the poor water at Whispering Aspen and wanted to make sure that didn't happen here. Lawrence said you are picking a whole new source of water to be testing, how can you be sure there is going to be an issue. Schmidt said that is true, but it won't meet the drinking water standards. He said he anticipates it will meet the primary drinking water standards, but not the secondary ones that people complain about. DeRoche asked what happens if you drill a well and it is no good and then drill another well and still have issues. Schmidt said you never know when you are drilling a well, things can happen. DeRoche said he can hear people sneering at him, but without decent information he just cannot make a decision. Voss said back to treatment of water and quality in terms of what we have in our homes, we don't have standards to compare to. Moegerle said she thought our building official was hot on water quality at Coon Lake Beach.

Voss said as a municipality that provides water there are a whole different standards we have to meet. Schmidt said and if you have a WTF you would have to meet those standards. Voss said we dealt with our radium issue by digging a new well and blending. Jochum said right now we are not blending. He said the well that was done at Whispering Aspen was blasted; a cavern and the proposed are screened. Moegerle asked for the benefits of each. Schmidt said sometimes you will have a cavern that won't stay intact. He said with the screening scenario it if does cave in it will come back up. Moegerle said it seems the screen would block up eventually how much does it cost to replace. Schmidt said acid washing is $5,000 to $10,000 and you would need to do this maybe every 5-10 years. DeRoche asked are you fairly confident this will work, are you going off data from somewhere. Schmidt said yes, from digging wells in the FIG. DeRoche said up here in the East Bethel area. Schmidt said in the metro area.

Schaaf asked the city engineer, Craig Jochum, what was his input into this. Jochum said basically he provided the engineering standards for streets and storm sewer; he helped gather data for Mr. Sell. Schaaf asked about the water quality in our FIG well in Whispering Aspen, what could we expect in the new wells we are discussing here. Jochum said he is looking at the results from Whispering Aspen and hoping to be able to compare. He asked is your plan to drill the well first and then do a drawn down, you didn't do a pump test, correct. Schmidt said time didn't allow for us to do a pump test. Jochum said it is true that a second well might need to be father away. Schmidt said yes, said it might need to be. He said our opinion is the amount is sufficient but it might not be. Voss said the second well is for backup supply. DeRoche asked can you put a rumor to rest that the backup generator has been taken out of the plant. Schmidt said the backup generator has not been taken out. Schaaf asked Jochum if he has designed wells for other cities. Jochum said wells yes. Schaaf said what would your company's recommendation be. Jochum said it would be two wells and he doesn't know if he would agree that treatment is needed. He said he doesn't know that he would scrap a project to do this, and the other thing we would look at is smaller systems, pressure systems. Schmidt said we have been looking at large systems over time and this is a facility you are going to expand over time, mirror in the future to add additional capacity and that is why we decided this is the best way to start the system. He said this facility will be 3,000 GPM. Schmidt said that is how it will develop. He said it is a very

DRAFT

nice system for a city. Schmidt said in the long term when looking at a larger City and more people being served, this is what you are going to need.

DeRoche asked is this system over designed for East Bethel. Schmidt said he doesn't think so. He said he doesn't see an over design if you want to continue to expand the system. Moegerle said she would like to see examples of cities that started with a well house and moved up to systems like this. Schmidt said cities that have first put in water plants recently, such Chanhassen, which sits on top of the Jordan aquifer, are able to go without treating the water. Lawrence asked about St. Francis. Jochum said that is fairly new. Voss said the discussion through the whole process since the City has been working with Bolton and Menk was whether we want to treat the water or not. He said the Council decided to treat the water. Voss said if we want not to do so that is an option we can take. Lawrence said an option we can do is put in a well house. Schmidt said his guess is that would cost around $500,000. Jochum asked aren't some of the controls in the water treatment bid. Schmidt said yes. Moegerle said in Phase 1 in the short term her understanding is restaurants treat their water. Schmidt said his not sure they do. Voss said an option we have is to the get the wells in and see how the water comes in. He said we can put off the WTF, we have the option to put that off, but there is a cost to do that.

Moegerle reminded Council that they needed to move to the closed session, it is 9:00 p.m.

Closed Session – Anoka County HRA Lawsuit

Voss made a motion to move to closed session pursuant to Attorney/Client privilege to discuss the ACHRA lawsuit A101628 City of East Bethel et al Anoka County HRA. Moegerle seconded; all in favor, motion carries.

Vierling said the for the benefit of the record the Council concluded their closed session regarding the Anoka County HRA lawsuit. The meeting was attended by all members of the Council, George Hoff Special Council, himself and Jill Teetzel. He said no actions and no motions were made or taken.

DeRoche made a motion to schedule a special meeting for Tuesday, February 8, 2011 at 5:30 p.m. at City Hall regarding exclusively with the Anoka County HRA lawsuit, subject to being cancelled by the chair. Boyer seconded. Voss said just so that everyone understands, this will be an open meeting where we will approve the agenda, go into closed session and then come back and adjourn the meeting, correct. Vierling said that is correct. **All in favor, motion carries.**

Council consensus was to have the Anoka County HRA and City Prosecutor Presentations proceed and then go back to the Bolton & Menk presentation.

Anoka County HRA – Karen Skepper

Karen Skepper said she is the Director of Community Development for Anoka County and the Assistant Executive Director of the HRA. She said she is going to give Council an overview of the community development and HRA programs, she will be very brief. Skepper said it has been five years since she has been out here. She said our community development department offers federal block programs, and federal urban and housing programs. She said there are three requirements we look at. Skepper said the hardest one to meet is the urgent need; the last time the urgent need was met it was Hurricane Katrina. She said the CDBG Program has been used in East Bethel around Coon Lake Beach for non-conforming lots that were purchased and re-divided to make unusable lots, funding for the fire station and we have made funds available to your residents.

DRAFT

Skepper said another program we offer is Home Investment Partnership where we build housing, new construction, or we work with an existing housing development or we provided a rental subsidy. She said our newest program is we buy homes, and rehab and resell them. Skepper said we look at postal data and how long homes were sitting vacant and the east side of your community was a target area, we operated the NSP program and grantee home ownership program. She said and the third program was an interest rate reduction program. Skepper said we had such great results with the homeownership program that we anticipate funding them out of our regular home and community block programs.

Skepper said she also serves as a staff member on the Anoka County HRA. She said the HRA was formed sixteen years ago. Skepper said the HRA core function is senior housing, and we have senior housing in Oak Grove, Centerville, Ham Lake and Ramsey. She said we have a preference system, City residence, and then after five years the preference is opened up County-wide, then second preference is opened up to family members and all buildings are market rate rentals. Skepper said the HRA is not profit motivated. She said we received extremely good interest rates. Skepper said wee offer conduit financing, for instance we helped finance all the sheets of ice at the Super Rink, and we make the deal happen. She said we helped many cities with their comprehensive plan updates; we participate with websites such as Metro MSP which has features that are great for businesses (some of your staff are coming to our offices to our offices on Friday to get training on this). Skepper said economic development powers were granted to our HRA. We had a committee on this and it included elected officials from the cities and townships, an exploratory committee. She said if a Council opts to in to this by resolution, we can take action, be we do not tax for that. Skepper said it is a five year committee and you can use HRA taxes for EDA redevelopment. She said we are a reactive agency. Skepper said we wait for the City Council to pass a resolution requesting we do a project. She said we have four senior housing properties and we have to meet the debt service on these buildings. Skepper said once the buildings are leased out, we can lower the amount that we are taxing. She said we have provided a lot of assistance to moderate to low income families. Skepper said we provided technical assistance to smaller cities. She said we have done quite a few rehab loans. Skepper said this is just a quick summary of what these two departments do. Moegerle asked how can we learn more. Skepper said you can call me and she will come out and explain more, she would love to do a work session. The thanked the Council for inviting her to the meeting.

City Prosecutor – Bill Clelland

Bill Clelland from Carson, Clelland and Schreder said he is the prosecuting attorney for East Bethel, we were selected in 2008 and the Council has liked to see me from time to time. He said we are prosecutors for eleven communities as large as Brooklyn Center. Clelland said right now East Bethel has no extraordinary matters under prosecution we are just responding to sheriff's matters, DWI's and such. Boyer said for new Council Members benefit, he has to give you kudos. He said you have really cleaned East Bethel up, not just the beach area, but more than anyone else has done. Boyer said we road you kind of hard. Clelland said we respond to requests from Council and staff. He said and in his 36 years, if it is not there, abandoned properties and derelict, if voluntary compliance is not achieved, we go directly to the lenders. Clelland said they are reluctant to do it especially during redemption period, otherwise if we have a request from Council to do this by criminal prosecution; we have been successful with this. He said with dilapidated properties and such we have effective tools to do such, you have a property where we need to deal with this, we have the means and tools to deal with this.

DRAFT

DeRoche asked if someone comes to you to deal with this, do you contact the property owner or do you drop the hammer on them. Clelland said usually we send out letters but it depends. He said if he sees a response and they are cleaning it up, they make a call to City Hall, a pledge that is great. Clelland said but if they are elderly or infirm, then we can shift gears, socially and do this. DeRoche said he lives on Coon Lake and he knows there were some people that had hardships and it got into litigation and they were afraid to meet with City. Clelland said we meet with everyone, sometimes it isn't until we get to the court level. He said there are grants that can help. Clelland said we are looking at them from the outside and sometimes when we get inside, we need to get child protection involved or adult protection has to get involved. He said and sometimes he has to structure a sentence to be corrective rather than punitive. He said he doesn't do his own investigation. Voss said he expects you deal a lot with the building official. Clelland said yes, he works closely with the building official. He said if the Council so desires, he would be pleased to submit an RFP for services, he likes working for you.

Bolton & Menk Presentation Continuation

Schmidt said where we left off was the status of the Phase 1, Project 1 construction projects relative to the fund bond proceeds. He said the funds available for construction projects are $16,294,000 and he has summarized the estimated needs for the projects as follows: Wells (bid) $336,875, Water Tower (bid) $1,072,000, Water Treatment Facility (bid) $5,790,000, Pipe-City (bid) $4,543,027, Land (estimate) $600,000 and Soft Costs (estimate) $2,200,000 for a subtotal of $14,541,902. Schmidt said that leaves a debt service contingency of $1,752,098, debt service reserves. DeRoche asked him to explain what are the soft costs. Schmidt said these are things such as engineering, administration, etc. Moegerle asked in your experience how many times has there been a debt service contingency left in a project. Schmidt said the pipe is where you might not run into issues because if there is additional piling or things, it would be a Met Council issue. He said the City still needs to acquire easements for the land for the towers and this does put us in a range of a 5% contingency and the good news is that based on the bond proceeds the money should be there for potential of contingency. Schaaf said his understanding is that some of that is to be used for interest. Schmidt said that is separate. Schaaf asked so that is not included in here.

DeRoche asked so the extra pilings along Hwy 65 are because of the peat. Schmidt said there is an 850 foot section south of Viking and then another 400 foot section and it all is associated with the Met Council intersector pipe. DeRoche said he is thinking about the southwest lot on Hwy. 65 and Co. Road 22, isn't that unbuildable. Schmidt said yes, it is unbuildable; the piece along Hwy. 65 may not have to be piled. Lawrence asked what is the challenge which soggy soil. Schmidt said he likes to use the weighted hammer comparison, as soon as you set the hammer on a pole it goes down. He said we worked on all this with Met Council and there were alternatives that they chose from, and the second alternative that they selected was cheaper. DeRoche asked this has been tried in this climate, right. Schmidt said yes, we have been talking to the contractor about this and the thought was it would be identified by the end of this year, and next year it would be constructed during the winter time. DeRoche asked with piling poles isn't it true that the ends might shift. Voss asked how deep is pipe. Schmidt said twenty-five at one location and the other location is twelve feet. He said each pile will be in the 60-70 foot range. Lawrence asked is there a way to determine if the pile will stay there before you put the pile in. Schmidt said the piling is all Met Council; there is no piling in any City pipe.

Schmidt explained that the general development rate scenarios have garnered a lot of discussion. He said it is an essential issue. Schmidt said when talking to the City Council over the years it has been a big thing we have discussed. He said the development rate was

DRAFT

considered by Council in 2009. Schmidt said also as part of the comp plan, the projected grown. He said the City and Met Council went through numbers. Schmidt said in 2009 five different scenarios were analyzed with different development rates, differing timing for Coon Lake Beach (2015, 2020 or not at all). Scenario 1 included 67% of new undeveloped ERUs and 100% of existing ERUs after 2030 with Phase 1A in 2015, Scenario 2 included 67% of new undeveloped ERUs and 100% of existing ERUs after 2030 with Phase 1A starting in 2020; Scenario 3 included 67% of new undeveloped ERUs with 100% of existing ERUs after 2030 with Phase 1A excluded; Scenario 4 included 50% new undeveloped ERUs and 100% of existing ERUs after 2030 with Phase 1A in 2015 and Scenario 5 included 50% of new undeveloped ERUs and 100% of existing ERUs after 2030 with Phase 1A excluded.

Schmidt said when we looked at the Feasibility Study in October of 2010 we refined this even further. He said with the Feasibility Study we took a harder look at the accumulative ERUs and didn't go outside of the area for cash flow analysis. Schmidt showed a table with the ERU Unit Distribution Parameters. He said what this shows is the assessed units connected to the system as it becomes operational over 2 years (2013-2014) – required by City; existing residential non-assessed units in Project 1 connected to the system over five years (2015-2019); new (undeveloped) adjacent parcel units in Project 1 connected to the system over five years (2015-2019); 50% of remaining new (undeveloped) Phase 1 parcel units connected to the system over 30 years (2015-2044); and the remaining existing Phase 1 parcel units connected to the system over 10 years. Schmidt said there are no newly constructed units figured in here until 2015. He said the Feasibility Study Cost Apportionment Mythology estimated unit distribution approximates distribution in the "Facility Plan" which is adjusted for Project 1 land use characteristics. Schmidt said the total Phase 1, Project 1 approximate ERUs are 580 and total Phase 1 ERUs are 4162. He showed graphs that compared the scenarios. Schmidt said by 2030 there should be 2,500 ERUs.

Voss asked does the Feasibility Study included Coon Lake Beach. Schmidt said it does not include Coon Lake Beach. Schaaf asked so there will be enough money with the 2500 ERU scenario to pay off the bonds with interest. Schmidt said the original bonds will be done and paid for based on this line in the graph. Moegerle asked where is the hard data that says it might actually happen like this, the olive colored line in the graph that you are referring to. She asked what is the hard data you relied on for this. Moegerle asked what is the City going to do in additional to make sure the development happens. Schmidt said projects by their nature, there is some future projections but in his experience with Met Council over the years is Met Council projections are pretty good. Moegerle said it seems to her that this is an issue that hasn't been dealt with. Schmidt said you have a market study that was completed in 2006, that was population driven; this is always the tricky question. Boyer said you taking about the when the Feasibility Study was done; he thinks she is asking was there a means and income study done. He said that is It is a great idea. Boyer said we could do this ourselves, update the Maxfield study from the census data. Moegerle said the US Census data will come out in March. Boyer said you can get year by year data. Boyer said he is answering DeRoche's question about mean and income data, which is question he was answering. Lawrence asked do we have an estimate of how many acres of land are available for retail and others. Schmidt said yes, it was done as part of the guide plan. Voss said as part of the facility plan, it is online.

Moegerle said so with that being said do you have an analysis for the 16 lots are available for a grocery store. Schmidt said it is in the appendix in the facility plan. Moegerle asked how useable is this for marketing needs. Schmidt said if you have a specific question, it

DRAFT

might be too specific for your needs, but he can work with you and par it down. He said in 2009 Council selected the green line, Scenario 4. He said this is the second most conservative scenario with 50% of the units considered. Schmidt said this was refined in the feasibility study in 2010 and 1/3 to ½ of the development rate was compared to the comp plan. He said he tried not to do a lot of reading and such as far as what he is providing here. Schaaf said so you gave someone crayons and said what is your vision for the future, the bottom line; we know how many acres are available. He asked how do you know they will come to it. Schaaf said we know you have integrity. Schmidt said thank you for the comment on his integrity, but the information before you is fact based information, based on policy decisions made by Council and math. Lawrence said when you talk about the math part and the cost of $17,000 for hook up charges in East Bethel, are we the same as other cities, or are we high. Schmidt said that is a very good point but in general when comparing cities, every City has a completely different situation, one thing he can surely say, is if you didn't have regional partner in Met Council, you would have not been able to do this and have charge rates that were comparable. He said when you look at area charges and trunk charges it is not going to price you out of market. Schmidt said with commercial entities they are always trying to beat each other out of the punch.

DeRoche said he wants to make a point for the record. Earlier you made a statement that if you don't want sewer, you don't want sewer. DeRoche said we have never made the statement that we don't want sewer but at some point if you are going to make an investment you better make sure you can pay for it. Schmidt said he agrees with what you are saying and whenever you have a change in Council there is going to be some wrestling. Boyer said 38% of this interest is differed, we don't have to pay it, the feds pay it. Schaaf said these are taxable bonds, normally cities do tax free bonds, but the interest differed does bring it down. Voss said it is a rebate. Voss asked the green line, that is the rate of growth. Schmidt said that is the accumulated rate of growth. Voss asked what happens to the cash rate analysis, charge for services, if our growth rate exceeds, can we adjust our rates. Schmidt said he has never seen a City go backwards. He said you can certainly lower it at any time.

Moegerle asked if we took out the Water Treatment Facility (WTF) would that help our rates be more competitive. Schaaf said when you process and pump water you changed people user fees, this point it is cost recovery. Moegerle said in February of 2009 you said there are eight different ways to charge for that. Voss said when Menards and Kohl's came to Blaine they paid the core charges; some of the costs for those pads came on at the onset. Schmidt said some of the costs come at the building department stage. He said there are all these different income points. Schmidt said he is trying to explain how this functions. Moegerle asked Schmidt to send Council an e-mail of what his projections would be if we took out the WTF.

Schmidt said this is the last slide. He said we are looking at the Bond Repayment Status. Schmidt said you have approximately $1,300,000 in capitalized interested, estimated $1,500,000 to $1,750,000 in contingency proceeds for debt service fund, estimated $100,000 per year in assessment revenue and with under zero growth scenario the above highlighted fund swill support the project fully until 2015. Moegerle asked so the existing businesses wouldn't' have to hook up. Schmidt said no, the bottom line of 2015 exists. Schaaf asked if we take out the WTF then it triggers another you can't assess. Schmidt said yes. Davis asked to talk about growth. He asked what kind of minimum flow do you have to have to operate the water plant. Schmidt said one of the benefits of the plant is this is a little bit simpler, it can't be simpler. Resident said he has an electric bill that goes in every month on time, what are residents paying every month for this in other cities, what will he have to pay

DRAFT

in 2015 for this. Schmidt said Coon Lake Beach is not in Phase 1, Project 1.

Resident from Oak Grove asked do any of your numbers include Oak Grove. Schmidt said no. Voss said he thinks Ham Lake and Oak Grove will flow in here. Another resident from Oak Grove asked when will the interceptor be required to hook up in here, we have been told there will be a requirement. Voss said that comes from Met Council and it goes to ten feet from Oak Grove. Schmidt said it is ½ mile west from 65. Schaaf said Met Council's comprehensive plan wants us to have a rural growth center. He said they are paying for the pipe to accommodate others in the future. Jochum said most of streets are bituminous, curb and what are you putting back and if not concrete what is the cost savings. Schmidt said we are not putting in concrete; we are going with the cost savings. Voss said this was an issue he thought about. Schaaf asked what is the cost savings. Jochum said about $70,000.

Schmidt thanked Council for inviting him to the meeting.

Consent Agenda

Boyer made a motion to approve the Consent Agenda including: A) Approve Bills; B) Meeting Minutes, January 19, 2011, Regular Meeting; C) Meeting Minutes, January 12, Work Session; D) Resolution 2011-07 – Water Treatment Facility Site Plan Review – 60 Day Extension. Boyer said he wants to pull the following bills: Michael Stokes, Blaine Lock and Safe. He said eh would like Mr. Schaaf to send us an e-mail explaining what these bills are for before they are approved. Moegerle asked to have the Verizon bill pulled. Voss asked what is invoice for Moegerle for Local Government Officials in the amount of $24.10 reimbursement for. Moegerle said this is the meeting that all Council was invited to. She said it was an Anoka County government officials meeting and it was very informative. Boyer said we have never paid for this before. Voss said and three of you went to the meeting. Moegerle said we were all invited, all Council. Voss said and he responded he couldn't be there. He said wasn't this a violation of the open meeting law. Moegerle asked because of the time, it almost being 11:00 p.m. and having other business to take care of that this bill just be pulled until the next meeting. Voss asked to have item B) Meeting Minutes, January 19, 2011, Regular Meeting pulled, because of typos. **Boyer amended his motion to pull the bills for Michael Stokes, Blaine Lock and Safe, Verizon, Heidi Moegerle and Item B) Meeting Minutes, January 19, Regular Meeting. DeRoche seconded; all in favor, motion carries.**

Pay Estimate No. 5 for the Wild Rice Drive Reconstruction Project

Jochum explained that most of the construction on this project was completed last fall. He said this essentially reduces the retainage until all turf has been established. Jochum said the construction costs for this project are financed through the City's State Aid Construction Fund.

Boyer made a motion to approve Pay Estimate No. 5 in an amount of $39,165.94 for the Wild Rice Drive Reconstruction Project to Dressel Contracting, Inc. DeRoche seconded; all in favor, motion carries.

2011 Joint Powers Agreement (JPA) Street Maintenance Projects

Davis explained that the City of East Bethel has entered into an agreement with seven other cities for joint bidding for certain street maintenance services. He said the City has been in the program since 2008 and by bidding these services collectively he estimates we have saved at least 20% over the previous cost for these services. Davis said he has broken out the cost of the projects in the table in your packet and we only commit to one year at a time. He said we would like to get approval to bid this out, with bids being taken on February 5th and we can adjust the quantities if the bids come in over what is anticipated. Davis said we do these services on an annual basis. Boyer said you are just asking to put this out to bid.

DRAFT

Davis said yes.

Boyer made a motion to approve the 2011 CIP projects to be put out to bid as part of the City's JPA Street Maintenance Agreement with the bids being presented to Council at the March 16, 2011 meeting for final approval. DeRoche seconded; all in favor, motion carries.

2011 Animal Control Contract

Moegerle made a motion to table the 2011 Animal Control Contract until the February 16, 2011 City Council meeting. Boyer seconded; all in favor, motion carries.

RFP for Legal Services

Boyer made a motion to table the RFP for Legal Services until the February 16, 2011 City Council meeting. DeRoche seconded; all in favor, motion carries.

Closed Session – Former City Admin. Agreement

Moegerle made a motion to adjourn to closed session for an attorney/client discussion regarding a settlement with the former city administrator. DeRoche seconded; all in favor, motion carries.

Vierling explained that Council has returned from a closed session for an attorney/client discussion regarding a settlement with Douglas Sell. He said no special motions were offered during that session.

Lawrence made a motion to accept the settlement with Douglas Sell subject to review of the external hard drive that was in the City office prior to and then removed on January 5, 2011. Boyer seconded. Moegerle and DeRoche, nay; Lawrence, Voss and Boyer, aye; motion carries.

Adjourn

Boyer made a motion to adjourn at 11:07 PM. DeRoche seconded; all in favor, motion carries.

Attest:

Wendy Warren
Deputy City Clerk

DRAFT

CITY OF EAST BETHEL
ANOKA COUNTY, MINNESOTA

ORDINANCE NO. 29, SECOND SERIES

AN ORDINANCE AMENDING ARTICLE 3, OF THE CODE OF ORDINANCES OF THE CITY OF EAST BETHEL REGARDING INTOXICATING LIQUORS, SPECIFICALLY AMENDING SECTION 6-51 ON DEFINITIONS, 6-52 ON REQUIRED LICENSES ; SECTION 6-56 ON ELIGIBILITY; ADDING A SECTION 6-66, REGARDING LIABILITY INSURANCE AND ADDING SECTION 6-62 ON EFFECT OF A NOTICE OF CANCELLATION

The City Council of the City of East Bethel, Anoka County, Minnesota does hereby ordain as follows:

Section 1. ;Amendment. Section 6-51 of Article II of the Code of Ordinances for the City of East Bethel shall be amended to add the following definitions, as follows:

Malt Liquor means any beer, ale, or other beverage made from malt by fermentation and containing not less than one-half of one percent of alcohol by volume.

3.2 percent malt liquor means malt liquor containing not less than one-half of one percent of alcohol by volume nor more than 3.2 percent alcohol by weight.

Table or Sparkling Wine means a beverage made without rectification or fortification and containing not more than 25 percent of alcohol by volume and made by the fermentation of grapes, grape juice, other fruits, or honey.

Wine is a product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance containing not less than one-half of one percent nor more than 24 percent alcohol by volume for non-industrial use. Wine does not include distilled spirits defined as ethyl alcohol, hydrated oxide of ethyl, spirits of wine, whiskey, rum, brandy, gin or other distilled spirits, including all dilutions and mixtures thereof for non-industrial use.

Intoxicating Liquor* or *Liquor shall mean any ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing more than one-half of one percent of alcohol by volume.

Section 2. Amendment. Section 6-52 of Article III "License Required" of the Code of Ordinances for the City of East Bethel, shall be amended to add Subparagraph E, providing as follows:

"e. The holder of an on-sale wine license who is also licensed to sell 3.2 percent malt liquors at on-sale and who carries liquor liability

insurance and the limits set forth in Minnesota Statutes § 34A.409, shall have the right to sell intoxicating malt liquors at on-sale without an additional license."

Section 3. Amendment. Section 6-56, Subparagraph 4, of Article III of the Code of Ordinances for the City of East Bethel regarding to persons ineligible for license shall be amended to read as follows:

"4. Who, within five (5) years of the license application has been convicted, or, has entered a plea of guilty to a felony, gross misdemeanor, or misdemeanor where jail sentence could have been, or was imposed; or, a willful violation of a federal or state law, or local ordinance governing the manufacture or sale, distribution or possession for sale, or distribution of an alcoholic beverage for whose liquor license has been revoked for any willful violation of any such laws or ordinances."

Section 4. Amendment. Section 6-66 of Article III, of the Code of Ordinances for the City of East Bethel regarding liability insurances hereby added providing as follows:

"(a) No retail liquor license may be issued, maintained, or renewed unless the applicant demonstrates proof of financial liability imposed by Minn. Stat. § 340A.409. The minimum requirement for proof of financial responsibility may be given by filing:

(1) A certificate that there is in effect for the license period an insurance policy issued by an issuer required to be licensed under Minn. Stat. §60A.07, subd. 4, or by an insurer recognized as an eligible surplus lines carrier pursuant to Minn. Stat. § 60A.206 or pool providing at least $50,000.00 of coverage because of bodily injury to any one person in any one occurrence, $100,000.00 because of bodily injury to two or more persons in any one occurrence, $10,000.00 because of injury to or destruction of property of others in any one occurrence, $50,000.00 for loss of means of support of any one person in any one occurrence and $100,000.00 for loss of means of support of two or more persons in any one occurrence;

(2) A bond of surety company with minimum coverage as provided in paragraph (1); or

(3) A certificate of the state treasurer that the licensee has deposited with the state treasurer $100,000.00 in cash or securities which may be legally purchased by savings banks or for trust funds having a market value of $100,000.00.

This subsection does not prohibit an insurer from providing the coverage required by this subsection in combination with other insurance coverage.

An annual aggregate policy limits for dram shop insurance of not less than $300,000.00 may be included in the policy provisions.

A liability insurance policy required by this section must provide that it may

not be canceled for: (1) any cause, except for nonpayment of premium, by either the insured or the insurer unless the canceling party has first given 30 days' notice in writing to the director of public safety of intent to cancel the policy; and (2) nonpayment of premium unless the canceling party has first given ten days' notice in writing to the issuing authority of intent to cancel the policy.

(b) Subsection (a) does not apply to licensees who by affidavit establish that:

(1) They are exclusively on-sale 3.2 percent malt liquor licensees with sales of less than $25,000.00 of 3.2 percent malt liquor for the preceding year; or

(2) They are an off-sale 3.2 percent malt liquor licensee with sale of less than $50,000.00 of 3.2 percent malt liquor for the preceding year; or

(3) They are holders of on-sale wine licenses with sales of less than $25,000.00 of wine for the preceding year.

Section 5. Amendment. Section 6-62 of Article III of the Code of Ordinances for the City of East Bethel shall be amended to add a subparagraph (c) as follows:

"The city council may either suspend for up to 60 days or revoke a license to sell alcoholic beverages or impose a civil fine of up to $5,000.00 for each violation of this ordinance or applicable statute or regulation relating to alcoholic beverages. No permanent suspension or revocation shall until the license holder has been afforded an opportunity for hearing under Sections 14.57 to 14.70 of the Administrative Procedures Act."

Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council for the City of East Bethel this 16th day of February, 2011.

For the City:

_____
Richard Lawrence, Mayor

Attest:

_____
Wendy Warren
Deputy City Clerk

Adopted: February 16, 2011
Published: February 25, 2011
Effective: February 25, 2011

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-08

A RESOLUTION MODIFYING FEES TO BE COLLECTED BY THE CITY OF EAST BETHEL IN 2011

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

WHEREAS, the 2011 Fee Schedule, originally adopted on December 1, 2010 as Resolution 2010-72, did not include a Wine License Fee.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT: Resolution 2010-72 Establishing 2011 Fee Schedule is hereby modified with the addition as follows:

GENERAL CHARGES:
Liquor Licenses:

Wine License	$500

Adopted this 16th day of February, 2011 by the City Council of the City of East Bethel.

_____
Richard Lawrence, Mayor

ATTEST:

_____
Wendy Warren, Deputy City Clerk

Page left blank intentionally

Ordinance 30, Second Series, Repeal of Board of Health will be distributed on Monday, February 14, 2011

And Posted to City Website on Monday, February 14, 2011

ORDINANCE 30, Second Series

AN ORDINANCE REPEALING CHAPTER 2, DIVISION 2, SECTIONS 2-98 to 2-134, BOARD OF HEALTH OF THE CODE OF ORDINANCES OF THE CITY OF EAST BETHEL

The City Council of the City of East Bethel ordains;

Section One. Repeal. Sections 2-98 to 2-134 of Division Two within Chapter Two of the Code of Ordinances of the City of East Bethel are hereby repealed.
Section Two. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of East Bethel, Anoka County, Minnesota, on this 16th day of February, 2011.

For the City:
:

_____
Richard Lawrence, Mayor

Attest:

_____
Wendy Warren
Deputy City Clerk

Adopted: February 16, 2011
Published: February 25, 2011
Effective: February 25, 2011

City of East Bethel
City Council
Agenda Information

* *

Date:

February 16, 2011

* *

Agenda Item Number:

Item 8.0 A.1

* *

Agenda Item:

Planning Commission Meeting Minutes for January 25, 2011

* *

Requested Action:

Information Only

* *

Background Information:

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

* *

Fiscal Impact:

None

* *

Recommendation(s):

Information Only

* *

City Council Action

Motion by:________________ Second by:________________

____

____

____

Vote Yes:_____ Vote No:_____

No Action Required:__X___

EAST BETHEL PLANNING COMMISSION MEETING

January 25, 2011

The East Bethel Planning Commission met on January 25, 2011 at 7:00 P.M. for their regular meeting at City Hall.

MEMBERS PRESENT:	Eldon Holmes	Lorraine Bonin	Glenn Terry	Brian Mundle, Jr.
	Tim Landborg	Julie Moline	Dale Voltin	

MEMBERS ABSENT: None

ALSO PRESENT: Stephanie Hanson, City Planner
Robert DeRoche Jr, City Council Member

Adopt Agenda

Chairperson Holmes called the January 25, 2011 meeting to order at 7:02 P.M.

Holmes made a motion to adopt the January 25, 2011 agenda. Terry seconded; all in favor, motion carries.

Commission Member Appointment

Commission Members Holmes and Pierson's terms expired on December 31, 2010. Ms. Moegerle was appointed to City Council beginning January 5, 2011 with her term ending December 31, 2011. As she is now on City Council, her Planning Commission seat is vacant.

On January 12, 2011, City Council held a work session and interviewed interested residents. At the January 19, 2011 regularly scheduled City Council meeting, City Council appointed the following to the Planning Commission:

1. Eldon Holmes, term expires December 31, 2013
2. Brian Mundle, Jr., term expires December 31, 2013
3. Dale Voltin, term expires December 31, 2011

The acting City Administrator was unavailable to swear in the Commission members, so City Planner Hanson swore in the new members. Hanson asked the members to repeat the oath of office after her.

I, Brian Mundle Junior, do solemnly swear or affirm that I will support the Constitution of the United States of America and the State of Minnesota and faithfully discharge the duties as a member of the City of East Bethel Planning Commission in the County of Anoka and the State of Minnesota to the best of my ability. So help me God.

I, Dale Voltin, do solemnly swear or affirm that I will support the Constitution of the United States of America and the State of Minnesota and faithfully discharge the duties as a member of the City of East Bethel Planning Commission in the County of Anoka and the State of Minnesota to the best of my ability. So help me God.

DRAFT

Public Hearing/Conditional Use Permit – A request by owner, George Cossette, for a Conditional Use Permit to operate a used boat repair shop, reconditioning of boats and docks shop, and boat lift sales. The location being 18649 Highway 65 NE, East Bethel, MN 55011, PIN 32 33 23 13 0004. The Zoning Classification is Highway Business (B-3) District.

Background Information:

Property Owner/Applicant:
George R. Cossette
18611 Highway 65 NE
East Bethel, MN 55011

Property Location:
18649 Highway 65 NE
East Bethel, MN 55011
PIN 32-33-23-13-0004

Hanson explained Mr. Cossette has owned and operated George's Boat Repair from the property located at 18611 Highway 65 NE since the late 1970s. Recently, he purchased the property to the north (18649 Highway 65 NE) with the intention of expanding his existing business. His existing business is used boat repair/reconditioning, and boat, dock, and boatlift sales. He also stores boats during the winter months. As part of the business plan, he also intends to include camper and RV repair on the new property.

On December 1, 2010, City Council approved Ordinance 28, Second Series, An Ordinance Amending Appendix A. Zoning of the East Bethel City Code. Ordinance 28, Second Series, allowing boat sales in the B3 Highway Commercial District with an approved CUP. Exterior storage associated with permitted and conditional uses also requires a CUP.

The property is 3.66 acres. It has an existing 5,244 square foot building, which is located 132 feet from the service road. Existing legal nonconforming site conditions include gravel parking, display, and exterior storage areas. The property is completely fenced, however, there are places where the fencing will need to be repaired or replaced, and screening will need to be repaired and/or replaced. There is a minimal amount of landscaping on the western side of the building.

Mr. Cossette purchased the property as a foreclosure. Along with the purchase of the property came an excessive amount of non-compliant exterior storage. Since April 2010, staff has been in the process of addressing the noncompliant issues with the previous property owners, including the bank. Because of the large quantity of noncompliant exterior storage and the associated financial burden for clean-up, staff suggests that Mr. Cossette be allowed one (1) year to dispose of the exterior storage not related to the conditional use. Staff and Mr. Cossette will continue to successfully work together to bring the property into compliance.

As the new property owner, Mr. Cossette must follow Minnesota State Statutes in the removal of the exterior storage. The current tenant must vacate the property by January 24, 2011. By law, the property owner must store the tenant's materials an additional twenty-eight (28) days after the property is vacated, at which time whatever personal belongings remain are considered abandoned and can be disposed of by a sheriff's sale. At this time, a sheriff's sale date has not been scheduled.

For the time being, Mr. Cossette plans to keep the gate shut to the new facility for at least one (1) year. Because of concerns of traffic generated from the former tenant, traffic will need to enter the property through Mr. Cossette's existing site. This will allow Mr. Cossette to monitor and control traffic to the site. Mr. Cossette and Mr. Mark DuCharme, Fire Chief, have discussed that a lock box

DRAFT

will be available for the fire department to access in case of after-hour emergencies.

The site plan shows where the display areas will be staged. Used boats will be displayed in the front area (western side of the site) while boat lifts and docks will be displayed along the southern property line. Winterized boat storage and camper and RV repairs will be stored behind screened fencing east of the building. A twenty (20) foot fire access lane is required by fire code regulations (MN State Fire Code 503.2.1). Mr. Cossette will continue to work with Mr. DuCharme to ensure this requirement is met throughout the display and exterior storage areas.

Code Appendix A. Zoning, Section 24.5, Exterior Storage, requires exterior storage to be screened from the public right-of-way and neighboring properties.

The site will need a designated parking area for customers. According to City Code Appendix A. Zoning, Section 22, twenty-six (26) parking stalls are required – two (2) being designated as accessible. There is enough room on-site to provide parking, however, for the time being, parking will be located at 18611 Highway 65 until the site is cleaned up. Mr. Cossette will be required to continue to work with staff to ensure compliance of the city parking regulations per City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements.

According to state building and fire codes, a Certificate of Occupancy is required when the occupancy of a commercial building is changed. Mr. Cossette and staff have been successfully working together to ensure Mr. Cossette is issued a Certificate of Occupancy in an efficient manner. Mr. Cossette is required to comply with state building and fire codes. Satisfactory compliance will be determined by the fire and building safety departments.

Staff is requesting Planning Commission recommend approval to City Council of a Conditional Use Permit to allow boat, trailer, and dock sales in the B3 Commercial Business District. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. Signage must comply with City Code Chapter 54, Signs.
2. Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.
3. Outdoor display area of used boats, trailers, and docks must not occur within 50 percent of the setback nearest a street as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage; therefore, outdoor display must be set back a minimum of twenty (20) feet from the front property line.
4. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.
5. At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
6. Conditional Use Permit Agreement must be executed by March 16, 2011.

DRAFT

City of East Bethel will file the agreement at Anoka County.

Staff is requesting Planning Commission recommend approval to City Council of a Conditional Use Permit to allow exterior storage of items accessory to the principal use of the property. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. Exterior storage must be an accessory use to the approved and permitted uses of the property.
2. Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
3. Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
4. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.
5. At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
6. Existing noncompliant exterior storage must be removed from the site no later than February 16, 2012.
7. Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County.

Hanson stated Mr. Cossette is here if there are any questions.

Public hearing was opened up at 7:12 p.m.

George Cossette, 18611 Hwy 65, East Bethel, MN. Mr. Cossette is available for questions. Mundle asked about the plans and if there will be any outdoor sandblasting or painting. Cossette said no there would not be any sandblasting or painting conducted outdoors. He stated one of the reasons he purchased the building is because there is a painting booth located in the building. Moline stated there was a significant amount of vehicles on the lot. Cossette said he has done a large amount of clean-up already. The previous owner rented to a lot of different people so that has made contacting the owners and having them remove their items hard. All of the debris that is covered by snow will be there in the springtime. He plans on getting dumpsters and a bobcat to literally clean up the property by scooping off the top layer. By spring he hopes to have the interior of the building up and running in accordance with code. Then they will plan on cleaning up the exterior property. Afterwards he is hoping that he will be able to paint both buildings the same color. He will also be locking the gates all the time and allow people access as needed.

Questions were posed as to how long the renters have to get their items out. Cossette stated 28 days. The 28 days is actually up on February 4, 2011. There are storage fees that are being charged, so people are acting really quickly. Holmes asked if he’s seen a need for a sheriff’s sale. Cossette said they could

DRAFT

have a sheriff's sale right after the 4th of February. But rather than having a sheriff's sale and sell the property, part of his clean-up will be to put the unclaimed items in the screened area, and maybe in a month or two months have the sheriff's sale. Some of the people have not even been contacted.

It was asked if there would be new lighting on the outside. Cossette said there wouldn't be any new lights on the outside. They will not be changing the signs at this point, but will in the future.

Holmes asked about the RV parking, and stated there is a request for boat trailer and sales. Cossette said the front two stalls, said prep and storage, that is the area where they can do camper repair. Any camper that is damaged would be put behind the fence so it is screened. Holmes asked if they plan on repairing campers and RVs. Hanson clarified they do not need a CUP for RV repair. Voltin asked Cossette if he was aware of the screening requirements and the fencing ordinance. Cossette said he is and will come and get the fence permit. Hanson said he would not need a fence permit unless it is a certain height.

Bonin was wondering why you have to only store materials for 28 days but in a residential situation you have to keep it longer. Cossette said the law states the requirements, he evicted them in early January, but they have until February 4, 2011. When it is a business climate, it is much different. If you aren't running a business properly they want to get someone in that can.

Holmes asked about the storm water run-off. Cossette said there is a pond on the property.

Public hearing closed at 7:23 p.m.

Terry motioned to recommend approval to City Council of a Conditional Use Permit to allow boat, trailer, and dock sales in the B3 Commercial Business District. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. **Signage must comply with City Code Chapter 54. Signs.**
2. **Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.**
3. **Outdoor display area of used boats, trailers, and docks must not occur within 50 percent of the setback nearest a street as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5. Exterior Storage; therefore, outdoor display must be set back a minimum of twenty (20) feet from the front property line.**
4. **Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.**
5. **At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.**

DRAFT

6. **Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County. Bonin seconded; motion carries unanimously.**

Terry motioned to recommend approval to City Council of a Conditional Use Permit to allow exterior storage of items accessory to the principal use of the property. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. **Exterior storage must be an accessory use to the approved and permitted uses of the property.**
2. **Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
3. **Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
4. **Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.**
5. **At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.**
6. **Existing noncompliant exterior storage must be removed from the site no later than February 16, 2012.**
7. **Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County. Bonin seconded; motion carries unanimously.**

This will be heard on February 16, 2011 at the East Bethel City Council Meeting.

Public Hearing/Conditional Use Permit – A request by owner, John Freimuth, for a Conditional Use Permit to operate an appliance recycling service that will include outside storage. The location being 18641 and 18639 Highway 65 NE, East Bethel, MN 55011, PINs 32 33 23 13 0002 and 32 33 23 13 0003. The Zoning Classification is

Background Information:

Property Owner/Applicant:
John Freimuth
3262 Rice Street
St. Paul, MN 55126

Property Location:
18641 & 18639 Highway 65 NE
East Bethel, MN 55011
PINs 32-33-23-13-0002
32-33-23-13-0003

Hanson explained Mr. Freimuth has recently purchased the properties located at 18639 and 18641 Highway 65 NE. He currently owns a recycling business known as Freimuth Enterprises LLC that is currently located in Columbus, MN. Hanson said she contacted the City of Columbus and they said they have had no issues with the business. They are saddened they are leaving Columbus; they have been a good business in the community. He plans to relocate the business to the East Bethel. The business provides residential and commercial recycling services. It has also been involved with recycling days in the cities of Columbus and Lino Lakes. Services include, but are not limited to, the recycling of refrigerators, computer towers, TVs and monitors, and lawn mowers.

DRAFT

Highway Business (B-3) District.

The recyclable items are dismantled and stored in roll-offs and shipping containers. Once the roll-offs and containers are filled, they are shipped to recycling businesses around the country that process the waste. In the B3 – Highway Commercial District, exterior storage associated with a permitted and conditional use requires a CUP; therefore, Mr. Freimuth is requesting a CUP for the exterior storage of the roll-offs and containers as they are an essential component of the business.

According to East Bethel City Code Appendix A. Zoning, Section 47, Highway Commercial District, exterior storage associated with permitted and conditional uses is permitted with an approved CUP.

Mr. Freimuth has purchased two (2) properties as foreclosures; 18641 and 18639 Highway 65. The property located at 18641 Highway 65 is 1.15 acres and has road frontage. It has an existing 2,560 square foot building that will be used as an office and an area to store and dismantle recycled materials. The exterior storage will be located on this particular property. Legal, non-conforming site conditions include a gravel exterior storage area.

The property located at 18639 Highway 65 is located west of 18641 Highway 65. This particular property does not have road frontage. There is an existing residential structure with a well and septic system that has been unoccupied for a number of years. Mr. Freimuth plans to use the existing garage as cold storage to store work-related items such as a bobcat and possibly files. In the future, he may modify the house to be used for additional storage. According to MN Rules Chapter 4725, water well supply systems are required to be abandoned if not in use. The MN Department of Health regulates well management and will be the point of contact for the process. Also, according to MN Pollution Control Agency Rules Chapter 7080.2500, it requires sewage treatment systems to be abandoned if not in use. The MPCA regulates on-site sewage treatment systems; however, the East Bethel Building Safety Department will be the point of contact for septic abandonment. Mr. Freimuth will continue to work with the building safety department to ensure the well and septic system are properly abandoned.

Code Appendix A. Zoning, Section 24.5, Exterior Storage, requires exterior storage to be screened from the public right-of-way and neighboring properties. The property is currently fenced, however, there are places where the fencing will need to be repaired or replaced, and screening will need to be repaired and/or replaced. The fencing that they use for tennis courts would be allowable.

According to City Code Appendix A, Zoning Section 24.5, “accessory storage containers as defined in Section 01. General Provisions of Administration shall not be permitted.” Accessory storage containers are defined as “a container placed outdoors and used for the storage of goods, materials, and merchandise that is used in connection with a lawful principal or accessory use of the lot. The term “accessory storage container” includes, but is not limited to, containers such as boxcars, semi-trailers, roll-off containers, slide-off containers, railroad cars, piggyback containers, and portable moving and storage containers. The term “accessory storage containers” does not include a garage, barn, or storage shed accessory to a dwelling provided such structure is not of a type designed,

DRAFT

equipped, or customarily used for over-the-road transport of goods, materials, or merchandise."

Staff is of the opinion that the intent of the code is to not allow these types of containers as a permanent means to store goods, merchandise, and materials that are part of a retail business. The proposed roll-offs and containers will not be permanently stored on the site, but continuously replaced/rotated as the containers are filled and removed by other businesses that process the waste. Staff recommends regulating the accessory storage containers (number, location, duration of storage) with the CUP Agreement. If a CUP is granted, containers should be allowed only to store recyclable materials associated with the permitted use.

Mr. Freimuth is requesting the keeping of twenty (20) roll-off containers and four (4) railroad/piggyback containers. This amount is needed for the business to operate efficiently. Mr. Freimuth has stated that on occasion, semi-loads of equipment to be recycled are brought to the site. Every effort is made to unload the equipment in an efficient manner; however, there are times when the semi trailer will be on-site for up to one (1) week. Staff recommends that semi trailers be required to be unloaded and removed within ten (10) days of drop-off, be currently licensed, road worthy, and only be allowed to store recyclable materials associated with the permitted use.

A twenty (20) foot fire access lane is required by fire code regulations (MN State Fire Code 503.1). Mr. Freimuth will continue to work with Mr. DuCharme to ensure this requirement is met throughout exterior storage areas.

The site will need a designated parking area for customers. According to City Code Appendix A. Zoning, Section 22, five (5) parking stalls are required – one (1) being designated as accessible. The parking area must comply with code requirements pertaining to size and striping.

Freimuth Enterprises LLC will be licensed through Anoka County Environmental Services. Anoka County will forward licensing information to MN Environmental Protection Agency and MPCA. Mr. Freimuth currently has a Hazardous Waste Identification Number through the MPCA; since it is issued in Washington County, Mr. Freimuth is in the process of becoming licensed in Anoka County.

According to state building and fire codes, a Certificate of Occupancy is required when the occupancy of a commercial building is changed. Mr. Freimuth and staff have been successfully working together to ensure Mr. Freimuth is issued a Certificate of Occupancy in an efficient manner. Mr. Freimuth is required to comply with state building and fire codes. Satisfactory compliance will be determined by the fire and building safety departments.

Staff is requesting Planning Commission recommend approval to City Council of a Conditional Use Permit to allow exterior storage as an accessory use for a recycling business known as Freimuth Enterprises LLC. The property location being 18639 and 18641 Highway 65 NE, PINs 32-33-23-13-0002 and 32-33-23-

DRAFT

13-0003, with the following conditions:

1. Signage must comply with City Code Chapter 54, Signs.
2. Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.
3. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes, EPA, and MPCA regulations.
4. At any time the property owner expands the hard surfaced area with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
5. Exterior storage must be an accessory use to the approved and permitted use of the property.
6. Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
7. Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
8. Newly delivered recycled materials must be placed within a screened enclosure within twelve (12) hours of delivery; this includes public drop-off materials.
9. Semi trailers must be unloaded and removed from the site within ten (10) days of drop-off.
10. A maximum of twenty (20) roll-off containers and four (4) railroad/piggyback containers may be stored on the site.
11. Property owner must provide five (5) parking stalls in which one (1) is accessible in accordance to City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements, no later than June 16, 2011.
12. Conditional Use Permit must be executed no later than March 16, 2011. City of East Bethel will file the agreement with Anoka County.

Public hearing was opened up at 7:32 p.m.

John Freimuth, 18641 Hwy 65 NE was available for questions.

Holmes asked about the gravel area, if it would be a storage area. Freimuth said yes it would be. Wheels do not hold up well on a hard tar surface. He stated how the roll-offs would be used is the whole appliance is put in the roll off, but then the items are brought inside and disassembled and emptied out.

Freimuth said he will be changing the color of the building and there will be some fencing repair. At the site there is already some outside lighting and a sign.

Voltin asked if there is noisy compaction equipment, and if he has a bobcat. He said if there is something too big to come inside, he uses a gas-powered demolition set but that is about it for noisy equipment. Mundle asked how he would be controlling how long the roll offs are kept in the lot. Freimuth said

DRAFT

everytime one is dropped off, a new one is picked up. Mundle said if someone from the City comes in to ask how often the roll-offs have been changed, how would he show when they were last changed out. Freimuth stated you would be able to see the snow has been removed. Hanson said if there is a problem, City staff comes by and starts checking on items.

Terry asked why it would take a week to empty a semi load. Freimuth said if a semi-full would come in and if he had to take time to empty it and disassemble items and got other things in at the same time, it might take a week.

Mundle asked if there are hazardous materials in computer towers. He said no, it is the monitors and TVs that do have hazardous materials, but he doesn't dismantle them on-site. Freimuth said the circuit boards in a computer he ships off to a company that is in Rogers, MN. Pertaining to mercury, he said they have a five-gallon bucket that they put all mercury in and a company comes out and picks it up.

Holmes asked about containments, he said he knows a company called Retrofit and they cannot move things unless they are licensed. Freimuth said it is a gray area, the MPCA said it is not considered a hazardous waste until it is disassembled. Once it is broke down and you have a whole box of an item such as mercury. Freimuth is registered as a collector and recycler with the State of Minnesota. He also does have a DOT number. Mercury he does not put in his truck and move that around, he has someone come out and get it.

Moline wanted to know how he would be handling the public drop-offs. He has a lot of things that he wants to get done with the building. He has a plumber coming out and the electrical is being brought up to code. He will take items from the public now, but he really would like to get the site updated first.

Public hearing was closed at 7:44 p.m.

Voltin asked what the time frame of the CUP is. Hanson said they run with the land and they are indefinite. The only way you get rid of them is if the City Council revokes it for failure to comply with CUP conditions.

Landborg motioned to recommend approval to City Council of a Conditional Use Permit to allow exterior storage as an accessory use for a recycling business known as Freimuth Enterprises LLC. The property location being 18639 and 18641 Highway 65 NE, PINs 32-33-23-13-0002 and 32-33-23-13-0003, with the following conditions:

1. **Signage must comply with City Code Chapter 54, Signs.**
2. **Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.**
3. **Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes, EPA, and MPCA regulations.**
4. **At any time the property owner expands the hard surfaced area with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to**

DRAFT

work being completed.

5. **Exterior storage must be an accessory use to the approved and permitted use of the property.**
6. **Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
7. **Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
8. **Newly delivered recycled materials must be placed within a screened enclosure within twelve (12) hours of delivery; this includes public drop-off materials.**
9. **Semi trailers must be unloaded and removed from the site within ten (10) days of drop-off.**
10. **A maximum of twenty (20) roll-off containers and four (4) railroad/piggyback containers may be stored on the site.**
11. **Property owner must provide five (5) parking stalls in which one (1) is accessible in accordance to City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements, no later than June 16, 2011.**
12. **Conditional Use Permit must be executed no later than March 16, 2011. City of East Bethel will file the agreement with Anoka County.**

With the conditions set forth, Mundle seconded; all in favor, motion carries unanimously.

This will be heard on February 16, 2011 at the East Bethel City Council Meeting.

Chair of the Planning Commission

Holmes opened the floor for nominations for Planning Commission Chair. **Bonin nominated Terry.** Nominations closed. **All in favor, motion carries unanimously.**

Approve December 28, 2010 Planning Commission Meeting Minutes

Terry stated on Page 3 of 4, last paragraph change to "Terry said he feels like he is in a position, where something is objectionable but requirements of code so he can't deny it."

Pierson motioned to approve the December 28, 2010 Planning Commission minutes as presented with above change. Bonin seconded; all in favor, motion carries. Landborg abstained.

Adjourn

Holmes made a motion to adjourn the meeting at 8:00 P.M. Voltin seconded; all in favor, motion carries.

Submitted by:

Jill Teetzel
Recording Secretary

DRAFT

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 8.0 A.2

* *

Agenda Item:
Request for Conditional Use Permits (CUP) in the B3 Highway Commercial District for the Sales of Boats, Docks, and Boatlifts, and Exterior Storage. The Business Being Located at 18649 Highway 65

* *

Requested Action:
Consider Approval for two (2) CUPs for Mr. George Cossette at the Property Located at 18649 Highway 65

* *

Background Information:

Property Owner/Applicant:
George R. Cossette
18611 Highway 65 NE
East Bethel, MN 55011

Property Location:
18649 Highway 65 NE
East Bethel, MN 55011
PIN 32-33-23-13-0004

Mr. Cossette has owned and operated George's Boat Repair from the property located at 18611 Highway 65 NE since the late 1970s. Recently, he purchased the property to the north (18649 Highway 65 NE) with the intention of expanding his existing business. His existing business is used boat repair/reconditioning, and boat, dock, and boatlift sales. He also stores boats during the winter months. As part of the business plan, he also intends to include camper and RV repair on the new property.

On December 1, 2010, City Council approved Ordinance 28, Second Series, An Ordinance Amending Appendix A. Zoning of the East Bethel City Code. Ordinance 28, Second Series allows boat sales in the B3 Highway Commercial District with an approved CUP. Exterior storage associated with permitted and conditional uses also requires a CUP.

The property is 3.66 acres. It has an existing 5,244 square foot building which is located 132 feet from the service road. Existing legal nonconforming site conditions include gravel parking, display, and exterior storage areas. There is a minimal amount of landscaping on the western side of the building.

Mr. Cossette purchased the property as a foreclosure. Along with the purchase of the property came an excessive amount of non-compliant exterior storage. Since April 2010, staff has been in the process of addressing the noncompliant issues with the previous property owners, including the bank. Because of the large quantity of noncompliant exterior storage and the associated

financial burden for clean-up, staff suggests that Mr. Cossette be allowed one (1) year to dispose of the exterior storage not related to the conditional use. Staff and Mr. Cossette will continue to successfully work together to bring the property into compliance.

As the new property owner, Mr. Cossette must follow Minnesota State Statutes in the removal of the exterior storage. The current tenant must vacate the property by January 24, 2011. By law, the property owner must store the tenant's materials an additional twenty-eight (28) days after the property is vacated, at which time whatever personal belongings remain are considered abandoned and can be disposed of by a sheriff's sale. At this time, a sheriff's sale date has not been scheduled.

For the time being, Mr. Cossette plans to keep the gate shut to the new facility for at least one (1) year. Because of concerns of traffic generated from the former tenant, traffic will need to enter the property through Mr. Cossette's existing site. This will allow Mr. Cossette to monitor and control traffic to the site. Mr. Cossette and Mr. Mark DuCharme, Fire Chief, have discussed that a lock box will be available for the fire department to access in case of after-hour emergencies.

The site plan (attachment 3) shows where the display areas will be staged. Used boats will be displayed in the front area (western side of the site) while boat lifts and docks will be displayed along the southern property line. Winterized boat storage and camper and RV repairs will be stored behind screened fencing east of the building. A twenty (20) foot fire access lane is required by fire code regulations (MN State Fire Code 503.2.1). Mr. Cossette will continue to work with Mr. DuCharme to ensure this requirement is met throughout the display and exterior storage areas.

Code Appendix A. Zoning, Section 24.5, Exterior Storage, requires exterior storage to be screened from the public right-of-way and neighboring properties. The property is currently fenced, however, there are places where the fencing will need to be repaired or replaced, and screening will need to be repaired and/or replaced.

The site will need a designated parking area for customers. According to City Code Appendix A. Zoning, Section 22, twenty-six (26) parking stalls are required - two (2) being designated as accessible. There is enough room on site to provide parking; however, for the time being, parking will be located at 18611 Highway 65 until the site is cleaned up. Mr. Cossette will be required to continue to work with staff to ensure compliance of the city parking regulations per City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements.

According to state building and fire codes, a Certificate of Occupancy is required when the occupancy of a commercial building is changed. Mr. Cossette and staff have been successfully working together to ensure Mr. Cossette is issued a Certificate of Occupancy in an efficient manner. Mr. Cossette is required to comply with state building and fire codes. Satisfactory compliance will be determined by the fire and building safety departments.

Attachments:

1. Site Location
2. Application
3. Site Plan

* *

Fiscal Impact:
Undetermined at this time

* *

Recommendation(s):
Planning Commission recommends approval to City Council of a Conditional Use Permit to allow boat, trailer, and dock sales in the B3 Commercial Business District. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. Signage must comply with City Code Chapter 54, Signs.
2. Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.
3. Outdoor display area of used boats, trailers, and docks must not occur within 50 percent of the setback nearest a street as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage; therefore, outdoor display must be set back a minimum of twenty (20) feet from the front property line.
4. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.
5. At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
6. Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County.

Planning Commission recommends approval to City Council of a Conditional Use Permit to allow exterior storage of items accessory to the principal use of the property. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. Exterior storage must be an accessory use to the approved and permitted uses of the property.
2. Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
3. Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
4. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.
5. At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
6. Existing noncompliant exterior storage must be removed from the site no later than February 16, 2012.
7. Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County.

* *

City Council Action

Motion by:________________ Second by:________________

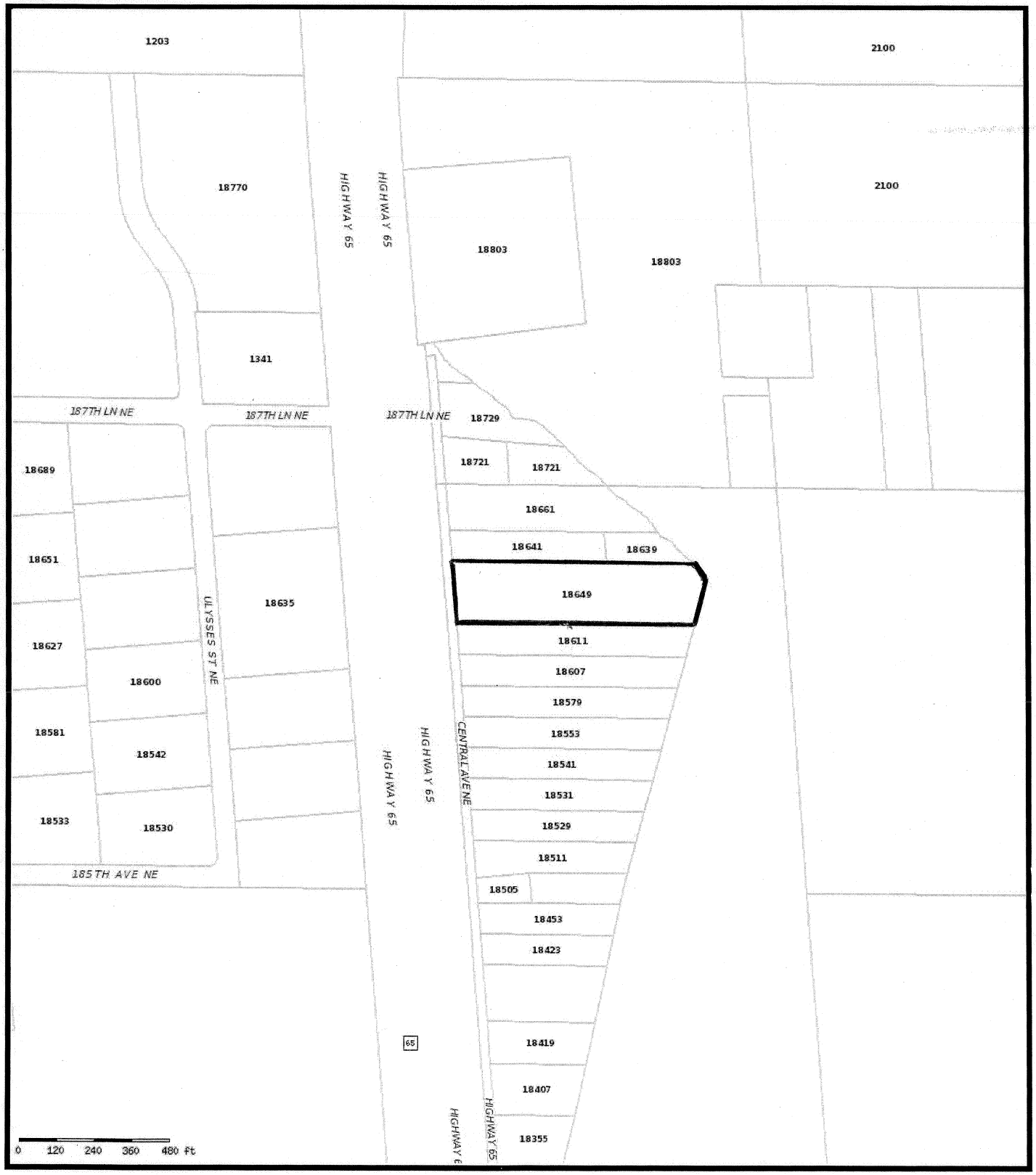
____

_____

_____

Vote Yes:_____ Vote No:_____

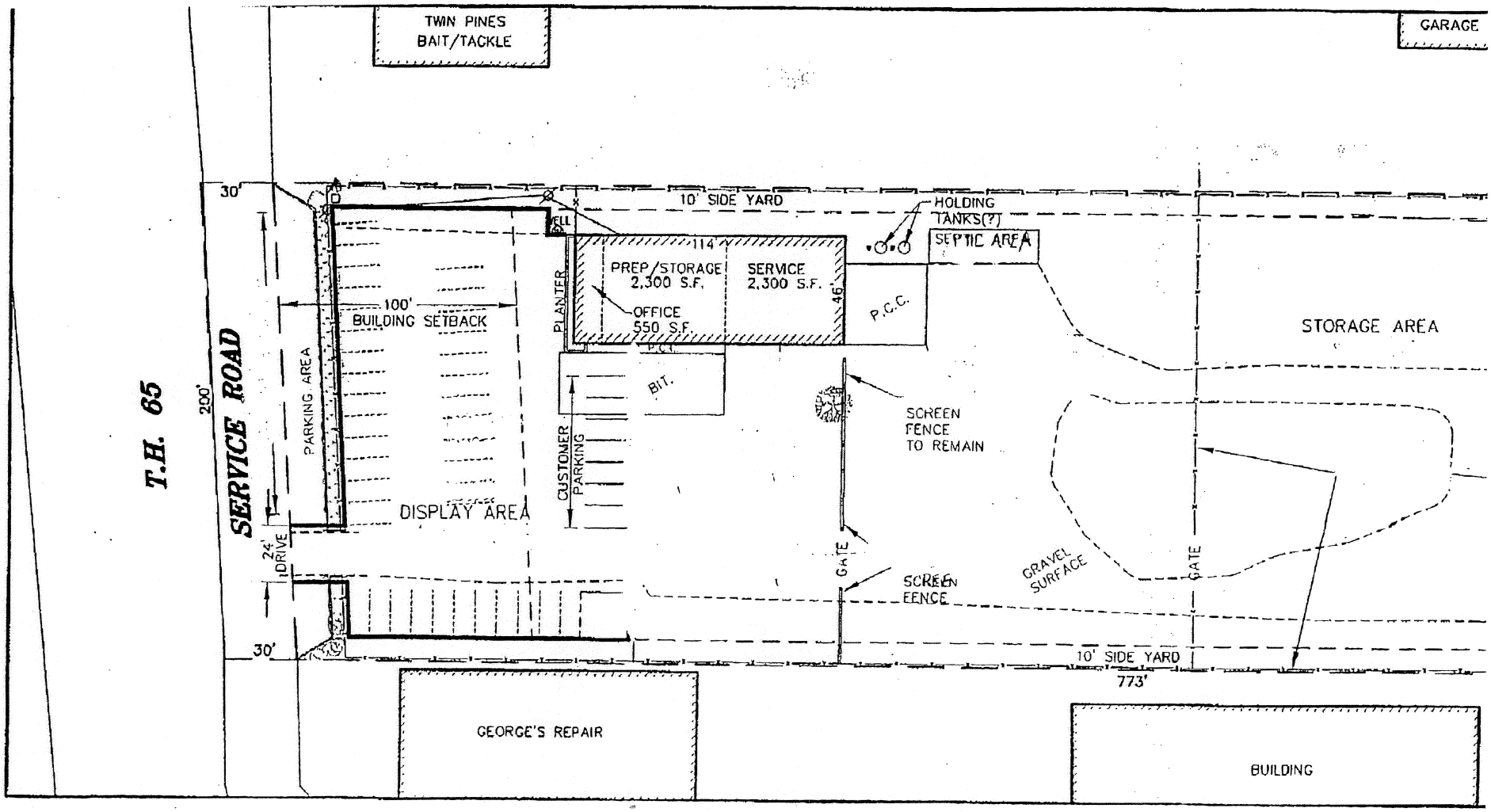
No Action Required:_____



Disclaimer: This information is being distributed as demonstration data only. You should not use the data for any other purposes at this time. This information is to be used for reference purposes only.

Copyright © 2010 City of East Bethel, All Rights Reserved

N
W E
S


TWIN PINES
BAIT/TACKLE
GARAGE
30'
10' SIDE YARD
HOLDING
TANKS(?)
SEPTIC AREA
114'
PREP/STORAGE
2,300 S.F.
SERVICE
2,300 S.F.
46'
P.C.C.
OFFICE
550 S.F.
PLANTER
100'
BUILDING SETBACK
STORAGE AREA
T.H. 65
SERVICE ROAD
200'
PARKING AREA
BIT.
SCREEN
FENCE
TO REMAIN
CUSTOMER
PARKING
DISPLAY AREA
24'
DRIVE
GATE
SCREEN
FENCE
GRAVEL
SURFACE
GATE
30'
10' SIDE YARD
773'
GEORGE'S REPAIR
BUILDING

East City of Bethel

LAND USE APPLICATION

OFFICE USE ONLY
Date Rec'd 12/30/10
By [illegible]
Fee $ 1,555.00
$500 App
$1000 escrow
$55 filing fee

Check appropriate box: ☐ VARIANCE ☑ CUP ☐ IUP ☐ FINAL PLAT

☐ BUSINESS CONCEPT PLAN ☐ PRELIMINARY PLAN ☐ SITE PLAN REVIEW ☐ OTHER_____

Application shall include the following items and be submitted thirty (30) days prior to scheduled meeting date.

Application is hereby made for _____ (provide narrative below describing proposed use).

_____

_____

LOCATION: PID 32 33 23 130004 **Legal: Lot** _____ **Block** _____ **Subdivision** _____

PROPERTY ADDRESS: 18649 Hwy 65 NE **PRESENT ZONING:** B 3

PROPERTY OWNER

CONTACT NAME GEORGE R COSSETTE PHONE 763 434 5999

ADDRESS 18611 Hwy 65 NE FAX 763 413 1863

CITY/STATE/ZIP CEDAR MINN 55011 E-MAIL _____

APPLICANT

CONTACT NAME SAME PHONE _____

ADDRESS _____ FAX _____

CITY/STATE/ZIP _____ E-MAIL _____

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

George R Cossette — Property Owner's Signature

GEORGE R COSSETTE — Printed Name

12-30-10 — Date

OFFICE USE ONLY – DO NOT COMPLETE			
	Received	Approved/Denied	Notes
Community Dvlp.	12/30/10		
Planning Commission 7pm	1/25/10		
City Council 7:30 pm	2/16/10		
2/27/11 60 Day	_____ 120 Day		

Narrative

- ☐ Depending upon the proposed use of the property, the following are required: narrative describing the proposed use, operational information, purpose and justification of the request, any other pertinent information explaining the request to allow comprehensive City review. Include history of property use and any information regarding past city approvals (variances, CUPs, etc.)

Proposed Use - Camper and RV repair

used Boat repair and reconditioning

Boat and Dock, Boat lift Sales

operational

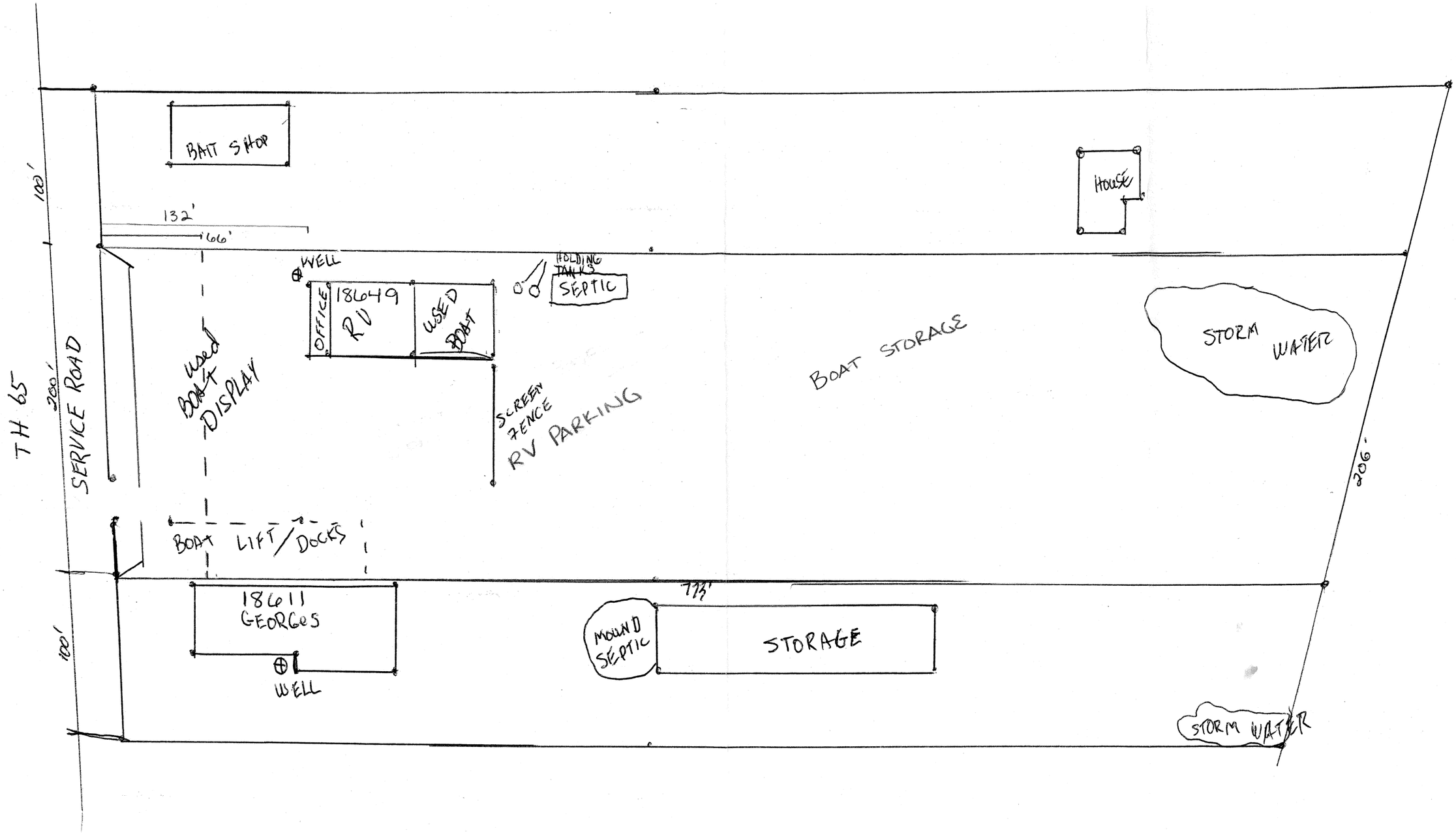
Front of Building 3 Bays Camper Repair

Rear of Building for used Boat repair

Previous Property use:

Truck repair + Reconditioning

not many city approvals


BAIT SHOP
HOUSE
100'
132'
166'
WELL
HOLDING TANKS
SEPTIC
OFFICE
18649
RV
USED BOAT
BOAT STORAGE
STORM WATER
TH 65
SERVICE ROAD
200'
USED BOAT DISPLAY
SCREEN FENCE
RV PARKING
206'
BOAT LIFT/DOCKS
18611
GEORGES
WELL
733'
MOUND SEPTIC
STORAGE
STORM WATER
88'

EAST BETHEL PLANNING COMMISSION MEETING

January 25, 2011

Public Hearing/Conditional Use Permit – A request by owner, George Cossette, for a Conditional Use Permit to operate a used boat repair shop, reconditioning of boats and docks shop, and boat lift sales. The location being 18649 Highway 65 NE, East Bethel, MN 55011, PIN 32 33 23 13 0004. The Zoning Classification is Highway Business (B-3) District.

Background Information:

Property Owner/Applicant:
George R. Cossette
18611 Highway 65 NE
East Bethel, MN 55011

Property Location:
18649 Highway 65 NE
East Bethel, MN 55011
PIN 32-33-23-13-0004

Hanson explained Mr. Cossette has owned and operated George's Boat Repair from the property located at 18611 Highway 65 NE since the late 1970s. Recently, he purchased the property to the north (18649 Highway 65 NE) with the intention of expanding his existing business. His existing business is used boat repair/reconditioning, and boat, dock, and boatlift sales. He also stores boats during the winter months. As part of the business plan, he also intends to include camper and RV repair on the new property.

On December 1, 2010, City Council approved Ordinance 28, Second Series, An Ordinance Amending Appendix A. Zoning of the East Bethel City Code. Ordinance 28, Second Series, allowing boat sales in the B3 Highway Commercial District with an approved CUP. Exterior storage associated with permitted and conditional uses also requires a CUP.

The property is 3.66 acres. It has an existing 5,244 square foot building, which is located 132 feet from the service road. Existing legal nonconforming site conditions include gravel parking, display, and exterior storage areas. The property is completely fenced, however, there are places where the fencing will need to be repaired or replaced, and screening will need to be repaired and/or replaced. There is a minimal amount of landscaping on the western side of the building.

Mr. Cossette purchased the property as a foreclosure. Along with the purchase of the property came an excessive amount of non-compliant exterior storage. Since April 2010, staff has been in the process of addressing the noncompliant issues with the previous property owners, including the bank. Because of the large quantity of noncompliant exterior storage and the associated financial burden for clean-up, staff suggests that Mr. Cossette be allowed one (1) year to dispose of the exterior storage not related to the conditional use. Staff and Mr. Cossette will continue to successfully work together to bring the property into compliance.

As the new property owner, Mr. Cossette must follow Minnesota State Statutes in the removal of the exterior storage. The current tenant must vacate the property by January 24, 2011. By law, the property owner must store the tenant's materials an additional twenty-eight (28) days after the property is vacated, at

DRAFT

which time whatever personal belongings remain are considered abandoned and can be disposed of by a sheriff's sale. At this time, a sheriff's sale date has not been scheduled.

For the time being, Mr. Cossette plans to keep the gate shut to the new facility for at least one (1) year. Because of concerns of traffic generated from the former tenant, traffic will need to enter the property through Mr. Cossette's existing site. This will allow Mr. Cossette to monitor and control traffic to the site. Mr. Cossette and Mr. Mark DuCharme, Fire Chief, have discussed that a lock box will be available for the fire department to access in case of after-hour emergencies.

The site plan shows where the display areas will be staged. Used boats will be displayed in the front area (western side of the site) while boat lifts and docks will be displayed along the southern property line. Winterized boat storage and camper and RV repairs will be stored behind screened fencing east of the building. A twenty (20) foot fire access lane is required by fire code regulations (MN State Fire Code 503.2.1). Mr. Cossette will continue to work with Mr. DuCharme to ensure this requirement is met throughout the display and exterior storage areas.

Code Appendix A. Zoning, Section 24.5, Exterior Storage, requires exterior storage to be screened from the public right-of-way and neighboring properties.

The site will need a designated parking area for customers. According to City Code Appendix A. Zoning, Section 22, twenty-six (26) parking stalls are required – two (2) being designated as accessible. There is enough room on-site to provide parking, however, for the time being, parking will be located at 18611 Highway 65 until the site is cleaned up. Mr. Cossette will be required to continue to work with staff to ensure compliance of the city parking regulations per City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements.

According to state building and fire codes, a Certificate of Occupancy is required when the occupancy of a commercial building is changed. Mr. Cossette and staff have been successfully working together to ensure Mr. Cossette is issued a Certificate of Occupancy in an efficient manner. Mr. Cossette is required to comply with state building and fire codes. Satisfactory compliance will be determined by the fire and building safety departments.

Staff is requesting Planning Commission recommend approval to City Council of a Conditional Use Permit to allow boat, trailer, and dock sales in the B3 Commercial Business District. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. Signage must comply with City Code Chapter 54, Signs.
2. Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.

DRAFT

3. Outdoor display area of used boats, trailers, and docks must not occur within 50 percent of the setback nearest a street as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage; therefore, outdoor display must be set back a minimum of twenty (20) feet from the front property line.
4. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.
5. At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
6. Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County.

Staff is requesting Planning Commission recommend approval to City Council of a Conditional Use Permit to allow exterior storage of items accessory to the principal use of the property. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. Exterior storage must be an accessory use to the approved and permitted uses of the property.
2. Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
3. Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
4. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.
5. At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
6. Existing noncompliant exterior storage must be removed from the site no later than February 16, 2012.
7. Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County.

Hanson stated Mr. Cossette is here if there are any questions.

Public hearing was opened up at 7:12 p.m.

George Cossette, 18611 Hwy 65, East Bethel, MN. Mr. Cossette is available for questions. Mundle asked about the plans and if there will be any outdoor sandblasting or painting. Cossette said no there would not be any sandblasting or

DRAFT

painting conducted outdoors. He stated one of the reasons he purchased the building is because there is a painting booth located in the building. Moline stated there was a significant amount of vehicles on the lot. Cossette said he has done a large amount of clean-up already. The previous owner rented to a lot of different people so that has made contacting the owners and having them remove their items hard. All of the debris that is covered by snow will be there in the springtime. He plans on getting dumpsters and a bobcat to literally clean up the property by scooping off the top layer. By spring he hopes to have the interior of the building up and running in accordance with code. Then they will plan on cleaning up the exterior property. Afterwards he is hoping that he will be able to paint both buildings the same color. He will also be locking the gates all the time and allow people access as needed.

Questions were posed as to how long the renters have to get their items out. Cossette stated 28 days. The 28 days is actually up on February 4, 2011. There are storage fees that are being charged, so people are acting really quickly. Holmes asked if he's seen a need for a sheriff's sale. Cossette said they could have a sheriff's sale right after the 4th of February. But rather than having a sheriff's sale and sell the property, part of his clean-up will be to put the unclaimed items in the screened area, and maybe in a month or two months have the sheriff's sale. Some of the people have not even been contacted.

It was asked if there would be new lighting on the outside. Cossette said there wouldn't be any new lights on the outside. They will not be changing the signs at this point, but will in the future.

Holmes asked about the RV parking, and stated there is a request for boat trailer and sales. Cossette said the front two stalls, said prep and storage, that is the area where they can do camper repair. Any camper that is damaged would be put behind the fence so it is screened. Holmes asked if they plan on repairing campers and RVs. Hanson clarified they do not need a CUP for RV repair. Voltin asked Cossette if he was aware of the screening requirements and the fencing ordinance. Cossette said he is and will come and get the fence permit. Hanson said he would not need a fence permit unless it is a certain height.

Bonin was wondering why you have to only store materials for 28 days but in a residential situation you have to keep it longer. Cossette said the law states the requirements, he evicted them in early January, but they have until February 4, 2011. When it is a business climate, it is much different. If you aren't running a business properly they want to get someone in that can.

Holmes asked about the storm water run-off. Cossette said there is a pond on the property.

Public hearing closed at 7:23 p.m.

DRAFT

Terry motioned to recommend approval to City Council of a Conditional Use Permit to allow boat, trailer, and dock sales in the B3 Commercial Business District. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. **Signage must comply with City Code Chapter 54. Signs.**
2. **Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.**
3. **Outdoor display area of used boats, trailers, and docks must not occur within 50 percent of the setback nearest a street as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5. Exterior Storage; therefore, outdoor display must be set back a minimum of twenty (20) feet from the front property line.**
4. **Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.**
5. **At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.**
6. **Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County. Bonin seconded; motion carries unanimously.**

Terry motioned to recommend approval to City Council of a Conditional Use Permit to allow exterior storage of items accessory to the principal use of the property. The property location being 18649 Highway 65 NE, PIN 32-33-23-13-0004, with the following conditions:

1. **Exterior storage must be an accessory use to the approved and permitted uses of the property.**
2. **Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
3. **Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
4. **Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes.**
5. **At any time the property owner hard surfaces the parking, display, or exterior storage areas with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.**
6. **Existing noncompliant exterior storage must be removed from the**

DRAFT

site no later than February 16, 2012.

7. **Conditional Use Permit Agreement must be executed by March 16, 2011. City of East Bethel will file the agreement at Anoka County. Bonin seconded; motion carries unanimously.**

This will be heard on February 16, 2011 at the East Bethel City Council Meeting.

DRAFT

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011
* *

Agenda Item Number:
Item 8.0 A.3
* *

Agenda Item:
Request for Conditional Use Permit (CUP) in the B3 Highway Commercial District for Exterior Storage. The Business Being Located at 18641 and 18639 Highway 65.
* *

Requested Action:
Consider Approval of a CUP for Mr. John Freimuth at the Property Located at 18641 and 18639 Highway 65
* *

Background Information:

Property Owner/Applicant:
John Freimuth
3262 Rice Street
St. Paul, MN 55126

Property Location:
18641 & 18639 Highway 65 NE
East Bethel, MN 55011
PINs 32-33-23-13-0002
32-33-23-13-0003

Mr. Freimuth has recently purchased the properties located at 18639 and 18641 Highway 65 NE. He currently owns a recycling business known as Freimuth Enterprises LLC that is currently located in Columbus, MN. He plans to relocate the business to East Bethel. The business provides residential and commercial recycling services. It has also been involved with recycling days in the cities of Columbus and Lino Lakes. Services include, but are not limited to, the recycling of refrigerators, computer towers, TVs and monitors, and lawn mowers.

The recyclable items are dismantled and stored in roll-offs and shipping containers. Once the roll-offs and containers are filled, they are shipped to recycling businesses around the country that process the waste. In the B3 - Highway Commercial District, exterior storage associated with a permitted and conditional use requires a CUP; therefore, Mr. Freimuth is requesting a CUP for the exterior storage of the roll-offs and containers as they are an essential component of the business.

According to East Bethel City Code Appendix A. Zoning, Section 47, Highway Commercial District, exterior storage associated with permitted and conditional uses is permitted with an approved CUP.

Mr. Freimuth has purchased two (2) properties as foreclosures; 18641 and 18639 Highway 65. The property located at 18641 Highway 65 is 1.15 acres and has road frontage. It has an existing 2,560 square foot building that will be used as an office and an area to store and dismantle

recycled materials. The exterior storage will be located on this particular property. Legal, non-conforming site conditions include a gravel exterior storage area.

The property located at 18639 Highway 65 is located west of 18641 Highway 65. This particular property does not have road frontage. There is an existing residential structure with a well and septic system that has been unoccupied for a number of years. Mr. Freimuth plans to use the existing garage as cold storage to store work-related items such as a bobcat and possibly files. In the future, he may modify the house to be used for additional storage. According to MN Rules Chapter 4725, water well supply systems are required to be abandoned if not in use. The MN Department of Health regulates well management and will be the point of contact for the process. Also, according to MN Pollution Control Agency Rules Chapter 7080.2500, it requires sewage treatment systems to be abandoned if not in use. The MPCA regulates on-site sewage treatment systems; however, the East Bethel Building Safety Department will be the point of contact for septic abandonment. Mr. Freimuth will continue to work with the building safety department to ensure the well and septic system are properly abandoned.

Code Appendix A. Zoning, Section 24.5, Exterior Storage, requires exterior storage to be screened from the public right-of-way and neighboring properties. The property is currently fenced, however, there are places where the fencing will need to be repaired or replaced, and screening will need to be repaired and/or replaced.

According to City Code Appendix A, Zoning Section 24.5, "accessory storage containers as defined in Section 01. General Provisions of Administration shall not be permitted." Accessory storage containers are defined as "a container placed outdoors and used for the storage of goods, materials, and merchandise that is used in connection with a lawful principal or accessory use of the lot. The term "accessory storage container" includes, but is not limited to, containers such as boxcars, semi-trailers, roll-off containers, slide-off containers, railroad cars, piggyback containers, and portable moving and storage containers. The term "accessory storage containers" does not include a garage, barn, or storage shed accessory to a dwelling provided such structure is not of a type designed, equipped, or customarily used for over-the-road transport of goods, materials, or merchandise."

Staff is of the opinion that the intent of the code is to not allow these types of containers as a permanent means to store goods, merchandise, and materials that are part of a retail business. The proposed roll-offs and containers will not be permanently stored on the site, but continuously replaced/rotated as the containers are filled and removed by other businesses that process the waste. Staff recommends regulating the accessory storage containers (number, location, duration of storage) with the CUP Agreement. If a CUP is granted, containers should be allowed only to store recyclable materials associated with the permitted use.

Mr. Freimuth is requesting the keeping of twenty (20) roll-off containers and four (4) railroad/piggyback containers. This amount is needed for the business to operate efficiently. Mr. Freimuth has stated that on occasion, semi loads of equipment to be recycled is brought to the site. Every effort is made to unload the equipment in an efficient manner; however, there are times when the semi trailer will be onsite for up to one (1) week. Staff recommends that semi trailers be required to be unloaded and removed within ten (10) days of drop-off, be currently licensed, road worthy, and only be allowed to store recyclable materials associated with the permitted use.

A twenty (20) foot fire access lane is required by fire code regulations (MN State Fire Code 503.1). Mr. Freimuth will continue to work with Mr. DuCharme to ensure this requirement is met throughout exterior storage areas.

The site will need a designated parking area for customers. According to City Code Appendix A. Zoning, Section 22, five (5) parking stalls are required – one (1) being designated as accessible. The parking area must comply with code requirements pertaining to size and striping.

Freimuth Enterprises LLC will be licensed through Anoka County Environmental Services. Anoka County will forward licensing information to MN Environmental Protection Agency and MPCA. Mr. Freimuth currently has a Hazardous Waste Identification Number through the MPCA; since it is issued in Washington County, Mr. Freimuth is in the process of becoming licensed in Anoka County.

According to state building and fire codes, a Certificate of Occupancy is required when the occupancy of a commercial building is changed. Mr. Freimuth and staff have been successfully working together to ensure Mr. Freimuth is issued a Certificate of Occupancy in an efficient manner. Mr. Freimuth is required to comply with state building and fire codes. Satisfactory compliance will be determined by the fire and building safety departments.

Staff has contacted the City of Columbus. Columbus staff has indicated there have not been any noncompliant issues with this business and stated that they will be losing a great part of the community.

Attachments:

1. Site Location
2. Application
3. Site Plan

* *

Fiscal Impact:

Undetermined at this time

* *

Recommendation:

Planning Commission recommends approval to City Council of a Conditional Use Permit to allow exterior storage as an accessory use for a recycling business known as Freimuth Enterprises LLC. The property location being 18639 and 18641 Highway 65 NE, PINs 32-33-23-13-0002 and 32-33-23-13-0003, with the following conditions:

1. Signage must comply with City Code Chapter 54, Signs.
2. Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.
3. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes, EPA, and MPCA regulations.
4. At any time the property owner expands the hard surfaced area with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
5. Exterior storage must be an accessory use to the approved and permitted use of the property.

6. Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
7. Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
8. Newly delivered recycled materials must be placed within a screened enclosure within twelve (12) hours of delivery; this includes public drop-off materials.
9. Semi trailers must be unloaded and removed from the site within ten (10) days of drop-off.
10. A maximum of twenty (20) roll-off containers and four (4) railroad/piggyback containers may be stored on the site.
11. Property owner must provide five (5) parking stalls in which one (1) is accessible in accordance to City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements, no later than June 16, 2011.
12. Conditional Use Permit must be executed no later than March 16, 2011. City of East Bethel will file the agreement with Anoka County.

* *

City Council Action

Motion by:________________ Second by:________________

____

____

____

Vote Yes:_____ Vote No:_____

No Action Required:_____

CITY OF EAST BETHEL
CivicSight Map

PARCEL INFORMATION:

PIN - 323323130003
Owner Info:
Name 1 - LAKE AREA BANK
Name 2 -
Owner Address - 1400 E HIGHWAY 96
Owner CSZ - WHITE BEAR LAKE, MN 55110
Site Address - 18641 HIGHWAY 65

Reference Map

Legal Description: THAT PRT OF S 100 FT OF N 250 FT OF SW1/4 OF NE1/4 OF SEC 32 TWP 33 RGE 23 LYG ELY OF ELY R/W LINE OF T H NO 65 & LYG WLY OF A LINE 532.87 FT E OF SD ELY R/W LINE AS MEAS ALG N LINE OF SD 1/4,1/4 & PR LL/W W LINE THEREOF; SUBJ TO EASE OF REC

Map Scale: 1 inch = 473 feet
Map Date: 1/20/2011
Data Date: August 12, 2010

Sources: EAST BETHEL GIS AND ANOKA COUNTY

Disclaimer:
Enter Map Disclaimer Here

Copyright © 2006 - River's Edge GIS, LLC.

East City of Bethel

LAND USE APPLICATION

OFFICE USE ONLY
Date Rec'd 12/21/10
By [illegible]
Fee $ 1,555.00

$500 app. fee
$1000 escrow
$55 filing fee

Check appropriate box: ☐ VARIANCE ☒ CUP ☐ IUP ☐ FINAL PLAT

☐ BUSINESS CONCEPT PLAN ☐ PRELIMINARY PLAN ☐ SITE PLAN REVIEW ☐ OTHER _____

Application shall include the following items and be submitted thirty (30) days prior to scheduled meeting date.

Application is hereby made for See Attached (provide narrative below describing proposed use).

LOCATION: PID 32-33-23-13-0003 32-33-23-13-0002 **Legal: Lot** _____ **Block** _____ **Subdivision** _____

PROPERTY ADDRESS: 18641 + 16439 Highway 65 NE **PRESENT ZONING:** B3 - Highway Commercial

PROPERTY OWNER

CONTACT NAME John Freimuth PHONE 612-865-9570

ADDRESS 3262 Rice St FAX 651-483-9880

CITY/STATE/ZIP St. Paul MN 55126 E-MAIL John@AllApplianceDisposal.com

APPLICANT

CONTACT NAME John Freimuth PHONE 612-865-9570

ADDRESS 3262 Rice St FAX 651-483-9880

CITY/STATE/ZIP St. Paul MN 55126 E-MAIL John@AllApplianceDisposal.com

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, an that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Counc scheduled meeting dates to ensure review by City Staff.

Property Owner's Signature — John Freimuth, Printed Name — 12-21-10, Date

OFFICE USE ONLY – DO NOT COMPLETE			
	Received	Approved/Denied	Notes
Community Dvlp.			
7pm Planning Commission	1/25/11		
7:30 pm City Council	2/16/11		
2/18/11 60 Day	_____ 120 Day		

Proposed use of property

Freimuth Enterprises LLC is currently located in Columbus MN and is relocating to East Bethel MN. We do a variety of recycling services for residential, commercial, and city recycling days. Last summer we did the recycling days for the City of Columbus and the City of Lino Lakes.

We are licensed to handle appliances, electronics, metals, equipment and other items that need processing before they can be recycled. Some examples are as follows.

Refrigerators: We remove the Freon for recycling, removed compressor and drain the approximately 2 oz of oil. The compressors are put into large bins and sent to a recycling company like NRI in Hugo or American Iron in MPLS. The refrigerator shell is then put into a large roll-off and sent to American Iron in MPLS to be shredded and the metals separated out for recycling.

Computer towers: We remove the hard drive and drill a hole in it so the data is destroyed. The steel tower is put into a roll-off for steel recycling, hard drive, disk drive, and circuit boards are separated into bins/boxes and sent to recycling companies around the country.

TV's and monitors: CRT monitors and TV's have lead in the glass. We stack them on pallets and ship them to a company in Wisconsin that specializes in the recycling of these items.

Equipment: Items like Lawn mowers need to be handled properly. We drain any oil that may be left in the motor, remove the motor and recycle it for its cast aluminum, and recycle the remaining portions of the mower for its steel.

We are requesting outside storage for the following items.

Roll-offs: We will need about 20 roll-offs to be stored outside. The roll-offs will be used for a variety of things like, White goods (appliance husks to be shredded), Clean steel, aluminum, copper, electric motors, brass, and other metals. We also have roll-offs that we leave at different companies like heating and AC. Where they fill them with old furnaces and AC units, so as I bring empty ones to our customers full ones will be coming back to the shop.

Shipping C containers: We will need about 4 C containers. A C container is a large steel box used to hold cargo on semi trailers and/or shipping in boats over seas. These containers are the same size as a semi trailer so as one is filled with say monitors and TV's we can have a semi trailer come out and get a full load. These are steel and fully enclosed with locking doors.

Semi trailers: We do from time to time get semi loads of equipment, things like large industrial printers from Delux Check. While we try to empty trailers right when they come in, there may be times where a semi trailer will be there for an extended period of time waiting to be loaded or unloaded.

Other misc items: We have a flat bed truck, F250 work truck, roll-off trailers, dump trailer, and goose neck trailer.

We will keep everything that is stored outside in a roll-off, C container, or semi trailer (except for the vehicles, trailers, and garbage bins) and outside storage will be kept orderly and clean.

We plan to allow the public to do drop offs during hours of operation (8am-6pm M-F and some Saturday's from 9am-2pm) they will pull up to the side overhead door (that will be reinstalled as it was taken out) and drop off their items and pay for the disposal. We will also be offering people to drop off all types of metals, some we will offer payment for, others we will dispose of free of charge. These metals will be sorted into bins and shipped to a recycling company.

The properties on either side of this one along with the properties outside of them all use a significant amount of outdoor storage and our storage will fit with what their storage is.

We will be hiring 2 employee's right away and most likely another 2 employee's within the year. They will be dealing with customers that are dropping off items along with sorting metals to be recycled.

This property has a history of being used as an auto repair facility and most recently as a bait shop.

There is also a residential structure on the back of the property. We would like to use it as cold storage for the time being and possibly look at removing it at a later date for a more appropriate structure to replace it. Items kept in cold storage include, bobcat in garage along with storage of processed metals waiting to be shipped.

Proposed improvements

Proposed improvements include, reinstalling overhead garage door, painting building (once weather and temperature allow), install opening gate in fence entrance opening, (no gate exists at this time and it is open) installing new face on outdoor signage. There also may be other items needed after inspection by city like, exit signs at doors.

Principal land uses within 350 feet of 18641 & 18639 Highway 65 NE

The properties directly to the south of 18641 & 18639 are first a semi tractor and trailer repair and body/paint shop. The property to the south of that is a boat repair and storage facility. To the north of the property is first a trailer repair and sales facility and to the north of that is a propane filling station. All properties are of an industrial/commercial use and all have a significant amount of outside storage.

ADVANCE SURVEYING & ENGINEERING CO.
5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474-7954 Fax (952) 474-5257

SURVEY FOR: CLAY ZIMMERMAN

SURVEYED: July, 2003 DRAFTED: August 1, 2003

REVISED: Aug 14, 2003 to correct information re the wells.

LEGAL DESCRIPTION:
Tract A: That part of the South 100 feet of the North 250 feet of the Southwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23 in Anoka County, Minnesota lying Easterly on the East right of way line of State Trunk Highway No. 65 as it is now laid out and traveled and lying westerly of a line which is 532.87 feet East of said East right of way line as measured along the North line of said Southwest Quarter of the Northeast Quarter and said line being parallel with the West line of said Southwest Quarter of the Northeast Quarter. Subject to an easement for road purposes over the west 30 feet thereof and over the South 15 feet thereof.

Tract B: That part of the South 100 feet of the North 250 feet of the Southwest Quarter of the Northeast Quarter of Section 32, Township 33, Range 23 in Anoka County, Minnesota lying Easterly of a line which is 532.87 feet East of the East right of way line of State Trunk Highway No. 65 as it is now laid out and traveled, said distance being measured parallel with the North line of said Southwest Quarter of the Northeast Quarter and said line being parallel with the West line of said Southwest Quarter of the Northeast Quarter, and lying Westerly of the centerline of County Ditch No. 28.

Together with an easement for road purposes over that part of the South 15 feet of the North 250 feet of said Southwest Quarter of the Northeast Quarter lying Easterly of the East right of way line of said State Trunk Highway No. 65 and lying Westerly of a line which is 532.87 feet East of said East right of way line as measured along the North line of said Southwest Quarter of the Northeast Quarter and said line being parallel with the West line of said Southwest Quarter of the Northeast Quarter.

together with all hereditaments and appurtenances belonging thereto (the Property).

SCOPE OF WORK:
1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
2. Showing the location of existing improvements we deemed important.
3. Setting new monuments or verifying old monuments to mark the corners of the property.

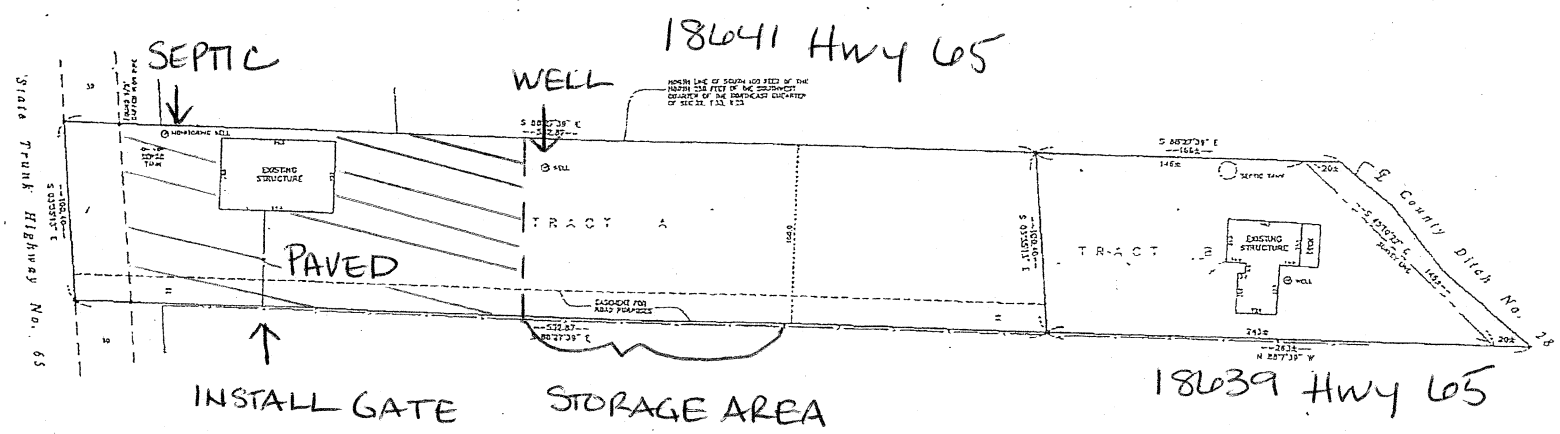
STANDARD SYMBOLS & CONVENTIONS:
"●" Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

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

James H. Parker P.E. & P.S. No. 9235

LEGEND
- CATCH BASIN
- FIRE HYDRANT
- GAS VALVE
- MANHOLE
- POWER POLE
- SEWER MANHOLE
- WATER SHUTOFF VALVE
- WATER VALVE
- WELL
- NUMBER OF PARKING SPACES
- FENCELINE
- SEWER LINE
- WATER LINE
- GAS LINE
- STORM DRAIN LINE
- ELECTRICAL LINE
- OVERHEAD TELEPHONE LINE
- TELEPHONE LINE

GRAPHIC SCALE
(IN FEET)



ADDENDUM

Dwg. No. 030933

EAST BETHEL PLANNING COMMISSION MEETING

January 25, 2011

Public Hearing/Conditional Use Permit – A request by owner, John Freimuth, for a Conditional Use Permit to operate an appliance recycling service that will include outside storage. The location being 18641 and 18639 Highway 65 NE, East Bethel, MN 55011, PINs 32 33 23 13 0002 and 32 33 23 13 0003. The Zoning Classification is Highway Business (B-3) District.

Background Information:

Property Owner/Applicant:
John Freimuth
3262 Rice Street
St. Paul, MN 55126

Property Location:
18641 & 18639 Highway 65 NE
East Bethel, MN 55011
PINs 32-33-23-13-0002
32-33-23-13-0003

Hanson explained Mr. Freimuth has recently purchased the properties located at 18639 and 18641 Highway 65 NE. He currently owns a recycling business known as Freimuth Enterprises LLC that is currently located in Columbus, MN. Hanson said she contacted the City of Columbus and they said they have had no issues with the business. They are saddened they are leaving Columbus; they have been a good business in the community. He plans to relocate the business to the East Bethel. The business provides residential and commercial recycling services. It has also been involved with recycling days in the cities of Columbus and Lino Lakes. Services include, but are not limited to, the recycling of refrigerators, computer towers, TVs and monitors, and lawn mowers.

The recyclable items are dismantled and stored in roll-offs and shipping containers. Once the roll-offs and containers are filled, they are shipped to recycling businesses around the country that process the waste. In the B3 – Highway Commercial District, exterior storage associated with a permitted and conditional use requires a CUP; therefore, Mr. Freimuth is requesting a CUP for the exterior storage of the roll-offs and containers as they are an essential component of the business.

According to East Bethel City Code Appendix A. Zoning, Section 47, Highway Commercial District, exterior storage associated with permitted and conditional uses is permitted with an approved CUP.

Mr. Freimuth has purchased two (2) properties as foreclosures; 18641 and 18639 Highway 65. The property located at 18641 Highway 65 is 1.15 acres and has road frontage. It has an existing 2,560 square foot building that will be used as an office and an area to store and dismantle recycled materials. The exterior storage will be located on this particular property. Legal, non-conforming site conditions include a gravel exterior storage area.

The property located at 18639 Highway 65 is located west of 18641 Highway 65. This particular property does not have road frontage. There is an existing residential structure with a well and septic system that has been unoccupied for a number of years. Mr. Freimuth plans to use the existing garage as cold storage to

DRAFT

store work-related items such as a bobcat and possibly files. In the future, he may modify the house to be used for additional storage. According to MN Rules Chapter 4725, water well supply systems are required to be abandoned if not in use. The MN Department of Health regulates well management and will be the point of contact for the process. Also, according to MN Pollution Control Agency Rules Chapter 7080.2500, it requires sewage treatment systems to be abandoned if not in use. The MPCA regulates on-site sewage treatment systems; however, the East Bethel Building Safety Department will be the point of contact for septic abandonment. Mr. Freimuth will continue to work with the building safety department to ensure the well and septic system are properly abandoned.

Code Appendix A. Zoning, Section 24.5, Exterior Storage, requires exterior storage to be screened from the public right-of-way and neighboring properties. The property is currently fenced, however, there are places where the fencing will need to be repaired or replaced, and screening will need to be repaired and/or replaced. The fencing that they use for tennis courts would be allowable.

According to City Code Appendix A, Zoning Section 24.5, "accessory storage containers as defined in Section 01. General Provisions of Administration shall not be permitted." Accessory storage containers are defined as "a container placed outdoors and used for the storage of goods, materials, and merchandise that is used in connection with a lawful principal or accessory use of the lot. The term "accessory storage container" includes, but is not limited to, containers such as boxcars, semi-trailers, roll-off containers, slide-off containers, railroad cars, piggyback containers, and portable moving and storage containers. The term "accessory storage containers" does not include a garage, barn, or storage shed accessory to a dwelling provided such structure is not of a type designed, equipped, or customarily used for over-the-road transport of goods, materials, or merchandise."

Staff is of the opinion that the intent of the code is to not allow these types of containers as a permanent means to store goods, merchandise, and materials that are part of a retail business. The proposed roll-offs and containers will not be permanently stored on the site, but continuously replaced/rotated as the containers are filled and removed by other businesses that process the waste. Staff recommends regulating the accessory storage containers (number, location, duration of storage) with the CUP Agreement. If a CUP is granted, containers should be allowed only to store recyclable materials associated with the permitted use.

Mr. Freimuth is requesting the keeping of twenty (20) roll-off containers and four (4) railroad/piggyback containers. This amount is needed for the business to operate efficiently. Mr. Freimuth has stated that on occasion, semi-loads of equipment to be recycled are brought to the site. Every effort is made to unload the equipment in an efficient manner; however, there are times when the semi trailer will be on-site for up to one (1) week. Staff recommends that semi trailers

DRAFT

be required to be unloaded and removed within ten (10) days of drop-off, be currently licensed, road worthy, and only be allowed to store recyclable materials associated with the permitted use.

A twenty (20) foot fire access lane is required by fire code regulations (MN State Fire Code 503.1). Mr. Freimuth will continue to work with Mr. DuCharme to ensure this requirement is met throughout exterior storage areas.

The site will need a designated parking area for customers. According to City Code Appendix A. Zoning, Section 22, five (5) parking stalls are required – one (1) being designated as accessible. The parking area must comply with code requirements pertaining to size and striping.

Freimuth Enterprises LLC will be licensed through Anoka County Environmental Services. Anoka County will forward licensing information to MN Environmental Protection Agency and MPCA. Mr. Freimuth currently has a Hazardous Waste Identification Number through the MPCA; since it is issued in Washington County, Mr. Freimuth is in the process of becoming licensed in Anoka County.

According to state building and fire codes, a Certificate of Occupancy is required when the occupancy of a commercial building is changed. Mr. Freimuth and staff have been successfully working together to ensure Mr. Freimuth is issued a Certificate of Occupancy in an efficient manner. Mr. Freimuth is required to comply with state building and fire codes. Satisfactory compliance will be determined by the fire and building safety departments.

Staff is requesting Planning Commission recommend approval to City Council of a Conditional Use Permit to allow exterior storage as an accessory use for a recycling business known as Freimuth Enterprises LLC. The property location being 18639 and 18641 Highway 65 NE, PINs 32-33-23-13-0002 and 32-33-23-13-0003, with the following conditions:

1. Signage must comply with City Code Chapter 54, Signs.
2. Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.
3. Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes, EPA, and MPCA regulations.
4. At any time the property owner expands the hard surfaced area with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.
5. Exterior storage must be an accessory use to the approved and permitted use of the property.
6. Exterior storage is limited to an area occupying no more than 50 percent

DRAFT

of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.

7. Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.
8. Newly delivered recycled materials must be placed within a screened enclosure within twelve (12) hours of delivery; this includes public drop-off materials.
9. Semi trailers must be unloaded and removed from the site within ten (10) days of drop-off.
10. A maximum of twenty (20) roll-off containers and four (4) railroad/piggyback containers may be stored on the site.
11. Property owner must provide five (5) parking stalls in which one (1) is accessible in accordance to City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements, no later than June 16, 2011.
12. Conditional Use Permit must be executed no later than March 16, 2011. City of East Bethel will file the agreement with Anoka County.

Public hearing was opened up at 7:32 p.m.

John Freimuth, 18641 Hwy 65 NE was available for questions.

Holmes asked about the gravel area, if it would be a storage area. Freimuth said yes it would be. Wheels do not hold up well on a hard tar surface. He stated how the roll-offs would be used is the whole appliance is put in the roll off, but then the items are brought inside and disassembled and emptied out.

Freimuth said he will be changing the color of the building and there will be some fencing repair. At the site there is already some outside lighting and a sign.

Voltin asked if there is noisy compaction equipment, and if he has a bobcat. He said if there is something too big to come inside, he uses a gas-powered demolition set but that is about it for noisy equipment. Mundle asked how he would be controlling how long the roll offs are kept in the lot. Freimuth said everytime one is dropped off, a new one is picked up. Mundle said if someone from the City comes in to ask how often the roll-offs have been changed, how would he show when they were last changed out. Freimuth stated you would be able to see the snow has been removed. Hanson said if there is a problem, City staff comes by and starts checking on items.

Terry asked why it would take a week to empty a semi load. Freimuth said if a semi-full would come in and if he had to take time to empty it and disassemble items and got other things in at the same time, it might take a week.

Mundle asked if there are hazardous materials in computer towers. He said no, it is the monitors and TVs that do have hazardous materials, but he doesn't

DRAFT

dismantle them on-site. Freimuth said the circuit boards in a computer he ships off to a company that is in Rogers, MN. Pertaining to mercury, he said they have a five-gallon bucket that they put all mercury in and a company comes out and picks it up.

Holmes asked about containments, he said he knows a company called Retrofit and they cannot move things unless they are licensed. Freimuth said it is a gray area, the MPCA said it is not considered a hazardous waste until it is disassembled. Once it is broke down and you have a whole box of an item such as mercury. Freimuth is registered as a collector and recycler with the State of Minnesota. He also does have a DOT number. Mercury he does not put in his truck and move that around, he has someone come out and get it.

Moline wanted to know how he would be handling the public drop-offs. He has a lot of things that he wants to get done with the building. He has a plumber coming out and the electrical is being brought up to code. He will take items from the public now, but he really would like to get the site updated first.

Public hearing was closed at 7:44 p.m.

Voltin asked what the time frame of the CUP is. Hanson said they run with the land and they are indefinite. The only way you get rid of them is if the City Council revokes it for failure to comply with CUP conditions.

Landborg motioned to recommend approval to City Council of a Conditional Use Permit to allow exterior storage as an accessory use for a recycling business known as Freimuth Enterprises LLC. The property location being 18639 and 18641 Highway 65 NE, PINs 32-33-23-13-0002 and 32-33-23-13-0003, with the following conditions:

1. **Signage must comply with City Code Chapter 54, Signs.**
2. **Certificate of Occupancy for the building must be issued from the East Bethel Building Safety Department prior to occupancy.**
3. **Property owner must continue to work with building safety and fire department staff to ensure compliance with state fire and building codes, EPA, and MPCA regulations.**
4. **At any time the property owner expands the hard surfaced area with concrete or bituminous surfaces, the property owner must submit a drainage plan to the Planning Department. The drainage plan must be approved by the City Engineer and Planning Department prior to work being completed.**
5. **Exterior storage must be an accessory use to the approved and permitted use of the property.**
6. **Exterior storage is limited to an area occupying no more than 50 percent of the rear yard as regulated by East Bethel City Code Appendix A. Zoning, Section 24.5, Exterior Storage.**
7. **Exterior storage is to be screened from public right-of-way and neighboring properties as regulated by East Bethel City Code**

DRAFT

Appendix A. Zoning, Section 24.5, Exterior Storage.

8. **Newly delivered recycled materials must be placed within a screened enclosure within twelve (12) hours of delivery; this includes public drop-off materials.**
9. **Semi trailers must be unloaded and removed from the site within ten (10) days of drop-off.**
10. **A maximum of twenty (20) roll-off containers and four (4) railroad/piggyback containers may be stored on the site.**
11. **Property owner must provide five (5) parking stalls in which one (1) is accessible in accordance to City Code Appendix A. Zoning, Section 22, Off-Street Parking and Loading Requirements, no later than June 16, 2011.**
12. **Conditional Use Permit must be executed no later than March 16, 2011. City of East Bethel will file the agreement with Anoka County.**

With the conditions set forth, Mundle seconded; all in favor, motion carries unanimously.

This will be heard on February 16, 2011 at the East Bethel City Council Meeting.

DRAFT

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 8.0 B.1

* *

Agenda Item:
Park Commission Meeting Minutes for January 12, 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
January 12, 2011

The East Bethel Parks Commission met on January 12, 2011 at 7:14 P.M at the East Bethel City Hall for their regular monthly meeting.

MEMBERS PRESENT: Dan Butler Bonnie Harvey Kenneth Langmade
Sue Jefferson Barb Hagenson Dan Kretchmar

MEMBERS EXCUSED: Tim Hoffman

ALSO PRESENT: Jack Davis, City Public Works Manager

Adopt Agenda	**Butler made a motion to adopt the agenda as presented. Kretchmar seconded; all in favor, motion carries.**
Approve – December 8, 2010 Meeting Minutes	Butler corrected the spelling of "seemed", it should be spelled "seamed". **Hagenson made a motion to approve the November 10, 2010 minutes as presented with changes. Jefferson seconded; all in favor, motion carries.**
Parks Financial Info	Davis stated the budget is through January 5, 2011, although there are still some outstanding expenditures that have not gone to Council. In all there could be about $20,000 surplus in the budget this year. Butler said the Commission did a park visit in 2009 of Anderson Park and the sign was removed and with the Wild Rice project commenced will the sign be refurbished the put back up. Additionally would we want to update all the signage at the parks, with the East Bethel logo, similar to the one at Cedar Creek. Davis said the have refurbished the sign and they will be putting it in early next spring. One of the things that he has looked into was purchasing templates so the staff can make signs, since there are so many parks that don't have signs. This way if they are vandalized, they are cheaply replaced. The Cedar Creek sign cost $6,000. Booster Park East and West are 3'x5' and were about $2,500/$3,000 a piece. In the big parks, these are fine, but at the smaller parks if they are nice attractive signs, they are better and more cost effective. Harvey said she is happy with this plan. The Cedar Creek sign is almost 5'x8' and the sign was sandblasted out of composite plastic. Davis said it would cost about $400 for the equipment to get set up to make the City's own signs. Butler asked if Davis heard anything about people wanting to build in East Bethel. Davis said there were a few new home construction permits in the fall and one this January. There weren't many building permits issued in 2010. **Butler motioned to accept the financial report as presented. Hagenson seconded; all in favor, motion carries.**

Revised Park CIP Approval

In order to reduce the City budget and tax levy for 2011 City Council, along with cuts in other departments, reduced the City's annual contribution to the Parks and Trails Capital Fund by 5.88% or $9,535. This reduction creates a negative balance in the CIP fund categories, which needs to be addressed for budget purposes. In order to correct the negative balances created by these reductions it is recommended that $880 be deleted from the irrigation repairs at Booster West in 2011, $5,000 be from the conversion of Booster soccer field to a baseball field in 2014 and $3,655 be deleted from the 2011 phase II Booster East/Cedar Creek Trail project. These reductions would balance the accounts for these two funds.

The reductions should not have an appreciable impact on the 2011 projects. The bid for the trail project, for phase I and II (Booster East to Bataan Street) is $140,110.52 and the funds available for this portion of the project are $153,431.40 as of June 30, 2011. The funds available as of June 30, 2011 reflect the budget reduction of $3,655, the current fund balance of $124,189.40 and the first half 2011 City Council transfer to the Trails Fund of $29,242. The project completion date and deadline is July 1, 2011.

Staff recommends that the Parks Commission consider approval of the 2011-2015 Adjusted Parks CIP.

Harvey motioned to approve the 2011-2015 Adjusted Parks CIP. Butler seconded; all in favor, motion carries.

SAA 2011 Field Request

SAA presented a request to the City in 2011 for field reservations for Booster West, Booster East, Anderson Lakes, Norseland, Maynard Peterson and Bonde Parks for field rentals. The Parks Commission approved use of Booster West and East for weekday use and Anderson Lakes and Norseland for use twice a week. Reserved use for Maynard Peterson and Bonde Parks was not approved as the Parks Commission wanted to keep fields open for community and local use.

SAA initially requested exclusive use of all fields at the above facilities on Monday through Friday from mid-April to the end of July 2011. However, with the exception of field #5 and 6 the other two fields at Booster East were not reserved in 2010. Fields 5 and 6 were reserved for only 23 dates in total. The fields at Norseland and Anderson Lakes Parks were reserved for seven and one dates respectively in 2010. Attached is the request by SAA for field reservations for 2011. SAA is requesting the rental of all fields in East Bethel for 2011.

Butler asked what year the schedules were from. Davis said all are 2010 schedule.
As previously presented the reserved use of East Bethel fields in 2010 for exclusive use adds approximately $6,500 to our annual maintenance costs of these facilities.

Staff recommends that the Parks Commission consider the rental of the Booster West and East Fields to SAA for weekday and tournament use as requested in their application and Norseland and Anderson Lakes Parks for use twice per week at the rate set forth in the City fee schedule less 20%. It is also recommended that Maynard Peterson and Bonde Parks not be approved for reserved use for SAA use and that SAA coordinate and cooperated with other organizations that schedule weekend tournaments at the Booster facilities. Friday the June 3rd and the 17th should be excluded from Booster West or East due to applications the City already has on file for tournaments (Friday/Saturday). Other fields will be offered to other organizations.

Kretchmar wanted to know when they SAA would know when they don't need a park. Davis said they will know exactly what they need in probably March.

Harvey motioned the City approve the rental of the Booster West and East Fields to SAA for weekday and tournament use as requested in their application and Norseland and Anderson Lakes Parks for use twice per week at the rate set forth in the City fee schedule less 20%. It is also recommended that Maynard Peterson and Bonde Parks not be approved for reserved use for SAA use and that SAA coordinate and cooperate with other organizations that schedule weekend tournaments at the Booster facilities. Friday June 3rd and the 17th will be excluded from Booster West or East due to applications the City already has on file for tournaments (Friday/Saturday). Other fields will be offered to other organizations. Butler seconded; all in favor, motion carries.

Roof Replacement Costs

Davis stated as we have documented in our previous two meetings, vandals have damaged the asphalt shingled pavilion roofs at Booster West and Whispering Oaks Parks. These roofs 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 cost for replacing the roof with asphalt shingles is estimated at $7,730 and $29,743 for replacement with a standing seam metal roof. These costs are for both structures. Allow up to $1,200 for each option for roof deck repair.

The shingled roof option is the least expensive, but this type of roofing will need to be replaced in 25-30 years and does not diminish its potential as a target for vandalism. The metal roof while being initially more expensive should have a life span of approximately 50 years and would be more resistant to damage.

There is approximately $199,429.16 remaining as a balance from the 2010 Park Improvement Projects. Of this $199,429.16 balance the following are outstanding expenses for the projects:

1.) Booster East/Cedar Creek Trail……$125,692.43
2.) Coon Lake Beach Park……..$ 10,000
3.) Booster West Parking Lot…….$ 15,000

After these expenses are incurred there will be a balance of $48,736.73. This amount could be reduced if there are any additional outstanding project expenses. Final 2010 year budget close outs will be done in February 2011. These funds could be applied to pay for the roofing project on the pavilions.

Staff recommends that Parks Commission consider approving the option of a new-shingled roof for the Booster West and Whispering Oaks pavilions.

Kretchmar asked if staff is still looking at recording systems. Davis said yes they are looking at recording systems.

Butler wanted to know about the quote from DCC and the ice shield. Davis said there wouldn't be any ice shield installed because the shelter is not heated.

Hagenson motioned that the Parks Commission recommends approving the option of a new-shingled roof for the Booster West and Whispering Oaks pavilions. Butler seconded; all in favor, motion carries.

Other Business and Council Report

Bid information for the Booster East/Cedar Creek Trail
Bid Award: Rum River Contracting
Bid Amount: $343,349.79
Total Project Cost: $440,545.04*
Phase I (Booster East to Xylite Street): $76,981.17
Phase II (Xylite to Bataan Street): $63,129.35
Phase III MSA (Bataan Street): $300,434.52
Estimated Project Cost: $457,000

*The difference between the bid award and total project cost are those expenses for overhead, easements, wetland credits and fencing costs borne by the City, which amounts to $97,195.25.

This is one project that will be evaluated by the new City Council. Hagenson asked if anything has been signed on this. Davis said the bid has been awarded but no work has been performed on the project. Butler asked where are we on the easements that were signed, and was there capital outlay from the City for those easements. Davis said one of the easements has been paid, one hasn't decided where they seek compensation in form of a payment or development credits and the one in California is requesting monetary compensation. The easements have been executed with the exception of the Roberts Trust Easement. If the project doesn't go forward or is postponed, the property owners who gave easements will need to be informed and dealt with accordingly . The construction of this project wouldn't start until March or April. Harvey wanted to know if the City received grant money on for this trail. Davis said no, but we are using MSA funds on it. .

Butler said he left a message for the City Administrator about who the Park Liaison was, but didn't hear anything back from him.

Davis advised that he has heard there are three or four young men that want to start their Eagle Scout projects. He is going to work with Cedar Creek to see if there are any projects up there.

Butler said Cedar Creek would be a really great project with Ducks Unlimited, it is a prime wood duck area. Maybe we can suggest the University contact Ducks Unlimited. Davis said he would bring that up to Don and Cedar Creek and figure something out.

The schoolhouse is another project; we will be waiting to see how the Council wants to see us proceed. It has been moved, set up and skirted. The building was also vandalized. The vandals tore the one end of the building off. Langmade said his daughter has old school desks that could possibly be used for this project.

Davis thanked Hagenson for her contributions to the committee. She has really been an asset to this committee and a very valuable member of this commission.

Adjourn

Butler made a motion to adjourn the January 12, 2011 meeting at 8:02 PM. Hagenson seconded; all in favor, motion carries.

Submitted by:
Jill Teetzel
Recording Secretary

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2011

* *

Agenda Item Number:
Item 8.0 E.2

* *

Agenda Item:
Comprehensive Plan Review

* *

Requested Action:
Set Work Meeting Date for Comprehensive Plan Review

* *

Background Information:
Chapter IX Implementation Program, of the 2008 East Bethel Comprehensive Plan states that the Comprehensive Plan will be reviewed on an annual basis to insure that the plan remains as an effective development guide for East Bethel and as necessary, corrections will be made to deal with unforeseen circumstances.

Since the 2007adoption, the Comprehensive Plan has not been reviewed. Staff is recommending a work session be scheduled so City Council can review the document.

Staff suggests a work session scheduled in the evening in the month of April to review the comprehensive plan.

* *

Fiscal Impact:
None at this time

* *

Recommendation:
Staff recommends City Council schedule a work session in the month of April to review the East Bethel Comprehensive Plan.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 A.1

* *

Agenda Item:
Pay Estimate No. 2 for the 2010 Improvement Projects

* *

Requested Action:
Consider approval of Pay Estimate No. 2

* *

Background Information:
Attached is a copy of Pay Estimate No. 2 to Rum River Contracting for the 2010 Improvement Projects. All work covered under this contract has been completed except for the seal coat on Bataan Street. The seal coat will be completed this spring. The Pay Estimate includes payment for all work completed to date minus a retainage of $4,188.73. The retainage will be held until the turf has established. We recommend partial payment of $15,913.81. A summary of the recommended payment is as follows:

Total Work Completed to Date	$ 209,436.33
Less Previous Payments	$ 189,333.79
Less Retainage	$ 4,188.73
Total payment	$ 15,913.81

Attachments:
1. Pay Estimate No. 2
2-3. Project Location Maps

* *

Fiscal Impact:
The total estimated construction cost for the Booster West Parking Lot Expansion, the 5th Street Surface and Drainage Improvements, and the Bataan Street Sealcoat is estimated to be $257,550.60. The construction costs are proposed to be financed with $79,004.74 from the Park Capital Fund, $149,161.83 from the Street Capital Fund, and $29,384.03 from Municipal State Aid Construction Fund. Funds, as noted above, are available and appropriate for these projects.

* *

Recommendation(s):
Staff recommends Council consider approval of Pay Estimate No. 2 in the amount of $15,913.81 for the 2010 Improvement Projects.

* *

City Council Action

Motion by:_____ Second by:_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

PAY ESTIMATE #2
CITY OF EAST BETHEL
2010 Improvement Projects

February 16, 2011

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

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

Dear Honorable Mayor and Council Members:

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

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

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

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

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	REMOVE CONCRETE CURB	149	LIN FT	$3.00	$ 447.00	149	$ 447.00
2	REMOVE SEWER PIPE (STORM)	134	LIN FT	$5.00	$ 670.00	190	$ 950.00
3	REMOVE BITUMINOUS PAVEMENT	783	SQ YD	$2.00	$ 1,566.00	552	$ 1,104.00
4	REMOVE MANHOLE OR CATCH BASIN	9	EACH	$200.00	$ 1,800.00	9	$ 1,800.00
5	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	455	LIN FT	$2.00	$ 910.00	459	$ 918.00
6	COMMON EXCAVATION	1,280	CU YD	$3.95	$ 5,056.00	1,280	$ 5,056.00
7	TOPSOIL BORROW (LV)	1,012	CU YD	$10.00	$ 10,120.00	953	$ 9,530.00
8	HAUL & STOCKPILE EXCESS MATERIAL (EV)	405	CU YD	$6.75	$ 2,733.75	391	$ 2,639.25
9	AGGREGATE BASE CLASS 5	828	TON	$7.50	$ 6,210.00	919	$ 6,892.50
10	MILL BITUMINOUS SURFACE (1.5")	68.0	SQ YD	$5.80	$ 394.40	68.0	$ 394.40
11	MILL BITUMINOUS SURFACE (2")	500.3	SQ YD	$4.00	$ 2,001.20	500.3	$ 2,001.20
12	MILL BITUMINOUS SURFACE (3")	131.5	SQ YD	$10.25	$ 1,347.88	131.5	$ 1,347.88
13	TYPE MV 3 WEARING COURSE MIXTURE (B)	2,102	TON	$51.75	$ 108,778.50	1,896	$ 98,118.00
14	TYPE MV 3 NON WEARING COURSE MIXTURE (B)	358	TON	$53.60	$ 19,188.80	334	$ 17,902.40
15	TYPE MV 3 BITUMINOUS MIXTURE FOR PATCHING	135	TON	$60.00	$ 8,100.00	67	$ 4,020.00
16	BITUMINOUS MATERIAL FOR TACK COAT	142	GALLON	$3.00	$ 426.00	450	$ 1,350.00
17	27" RC PIPE APRON	1	EACH	$570.00	$ 570.00	1	$ 570.00
18	TRASH GUARD FOR 27" PIPE APRON	1	EACH	$446.00	$ 446.00	1	$ 446.00
19	4" PVC PIPE SEWER, SCHEDULE 80	150	LIN FT	$3.00	$ 450.00	150	$ 450.00
20	15" RC PIPE SEWER DESIGN 3006, CL V	27	LIN FT	$23.00	$ 621.00	38	$ 874.00
21	18" RC PIPE SEWER DESIGN 3006, CL III	110	LIN FT	$25.00	$ 2,750.00	159	$ 3,975.00
22	24" RC PIPE SEWER DESIGN 3006, CL III	153	LIN FT	$31.00	$ 4,743.00	153	$ 4,743.00
23	27" RC PIPE SEWER DESIGN 3006, CL III	39	LIN FT	$39.00	$ 1,521.00	39	$ 1,521.00
24	CONNECT TO EXISTING STORM SEWER	3	EACH	$200.00	$ 600.00	1	$ 200.00
25	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48 - 4020	10	EACH	$1,049.00	$ 10,490.00	10	$ 10,490.00
26	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL	3	EACH	$919.00	$ 2,757.00	3	$ 2,757.00
27	CASTING ASSEMBLY	4	EACH	$435.00	$ 1,740.00	4	$ 1,740.00
28	ADJUST FRAME & RING CASTING	9	EACH	$353.00	$ 3,177.00	9	$ 3,177.00
29	RANDOM RIPRAP CLASS III	8.7	CU YD	$60.00	$ 522.00	19.9	$ 1,194.00
30	GEOTEXTILE FILTER TYPE IV	20	SQ YD	$1.00	$ 20.00	80	$ 80.00
31	CONCRETE CURB & GUTTER DESIGN B612	685	LIN FT	$10.80	$ 7,398.00	805	$ 8,694.00
32	4" CONCRETE DRIVEWAY PAVEMENT	8.0	SQ YD	$54.00	$ 432.00	13.0	$ 702.00

PAY ESTIMATE #2
CITY OF EAST BETHEL
2010 Improvement Projects

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

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
33	BITUMINOUS CURB (MODIFIED)	400	LIN FT	$2.25	$ 900.00	344	$ 774.00
34	SILT FENCE, TYPE MACHINE SLICED	375	LIN FT	$1.80	$ 675.00		$ -
35	STORM DRAIN INLET PROTECTION	4	EACH	$75.00	$ 300.00	4	$ 300.00
36	TEMPORARY ROCK CONSTRUCTION ENTRANCE	1	EACH	$150.00	$ 150.00		$ -
37	EROSION CONTROL BLANKETS CATEGORY 3	625	SQ YD	$1.20	$ 750.00	835	$ 1,002.00
38	TURF ESTABLISHMENT	0.75	ACRE	$1,650.00	$ 1,237.50	0.75	$ 1,237.50
39	4" SOLID LINE WHITE - EPOXY	1,933	LIN FT	$1.38	$ 2,667.54	1,840	$ 2,539.20
Total Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot							$ 201,936.33

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

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	MOBILIZATION	1	LUMP SUM	$9,000.00	$ 9,000.00	0.5	$ 4,500.00
2	TRAFFIC CONTROL	1	LUMP SUM	$6,000.00	$ 6,000.00	0.5	$ 3,000.00
Total Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control							$ 7,500.00

Alternate Bid No. 2

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

Total Schedule "A" - Alternate Bid No. 1 - Bataan Street Seal Coat (S.A.P. 203-110-002)	$ -
Total Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot	**$ 201,936.33**
Total Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control	**$ 7,500.00**
Total Alternate Bid No. 2	**$ -**
TOTAL WORK COMPLETED TO DATE	**$ 209,436.33**
LESS PAY ESTIMATE #1	**$ 189,333.79**
LESS 2% RETAINAGE:	**$ 4,188.73**
WE RECOMMEND PAYMENT OF:	**$ 15,913.81**

APPROVALS:

CONTRACTOR: RUM RIVER CONTRACTING CO.

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

Signed: Dan Ram

Title: V.P. Sales Date ~~2-11~~ 2-4-11

ENGINEER: HAKANSON ANDERSON ASSOCIATES, INC.

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

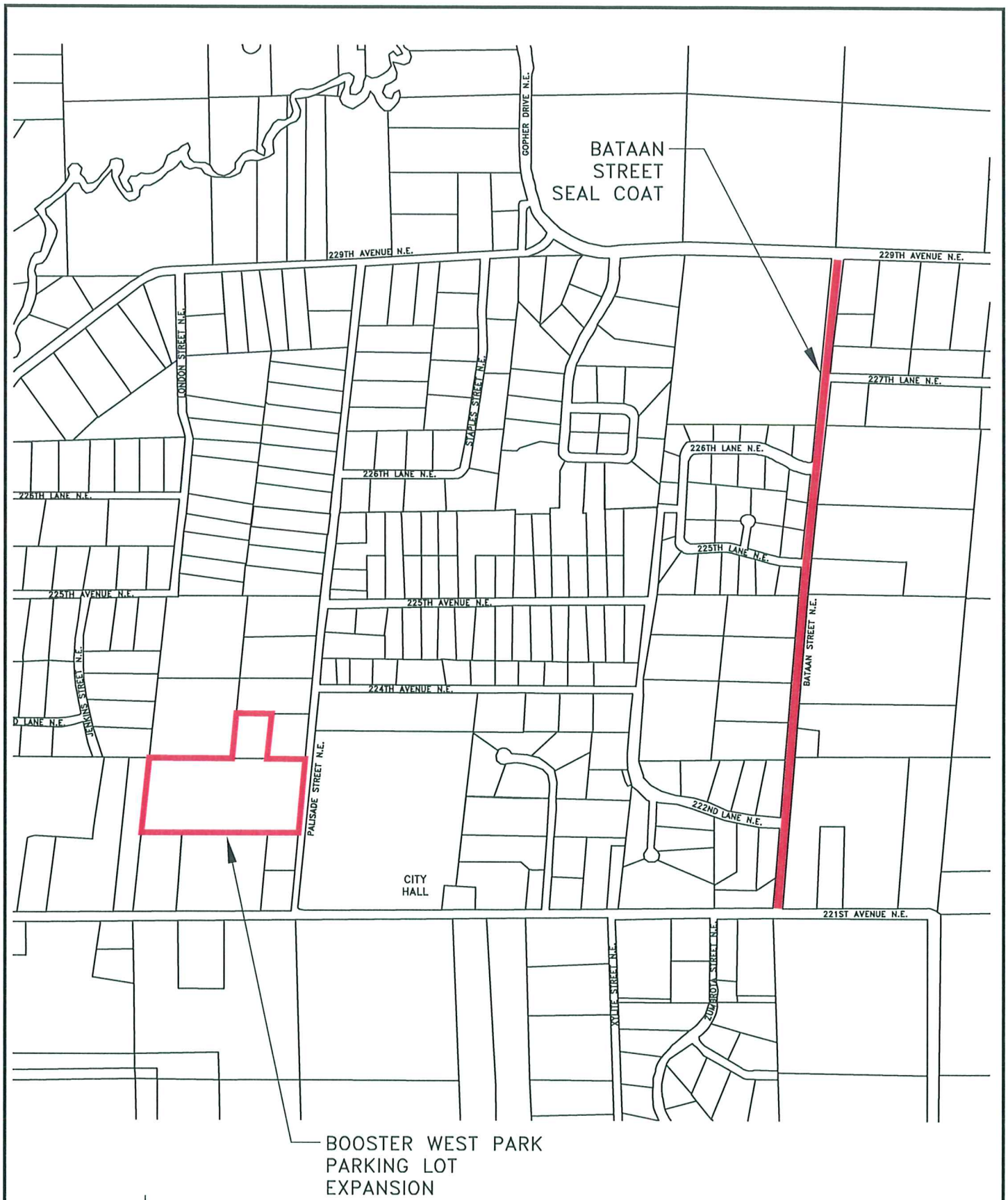
Signed: Craig H.

Title: City Engineer Date 2/4/11

OWNER: CITY OF EAST BETHEL

Signed: _____

Title: _____ Date _____



BOOSTER WEST PARK
PARKING LOT
EXPANSION

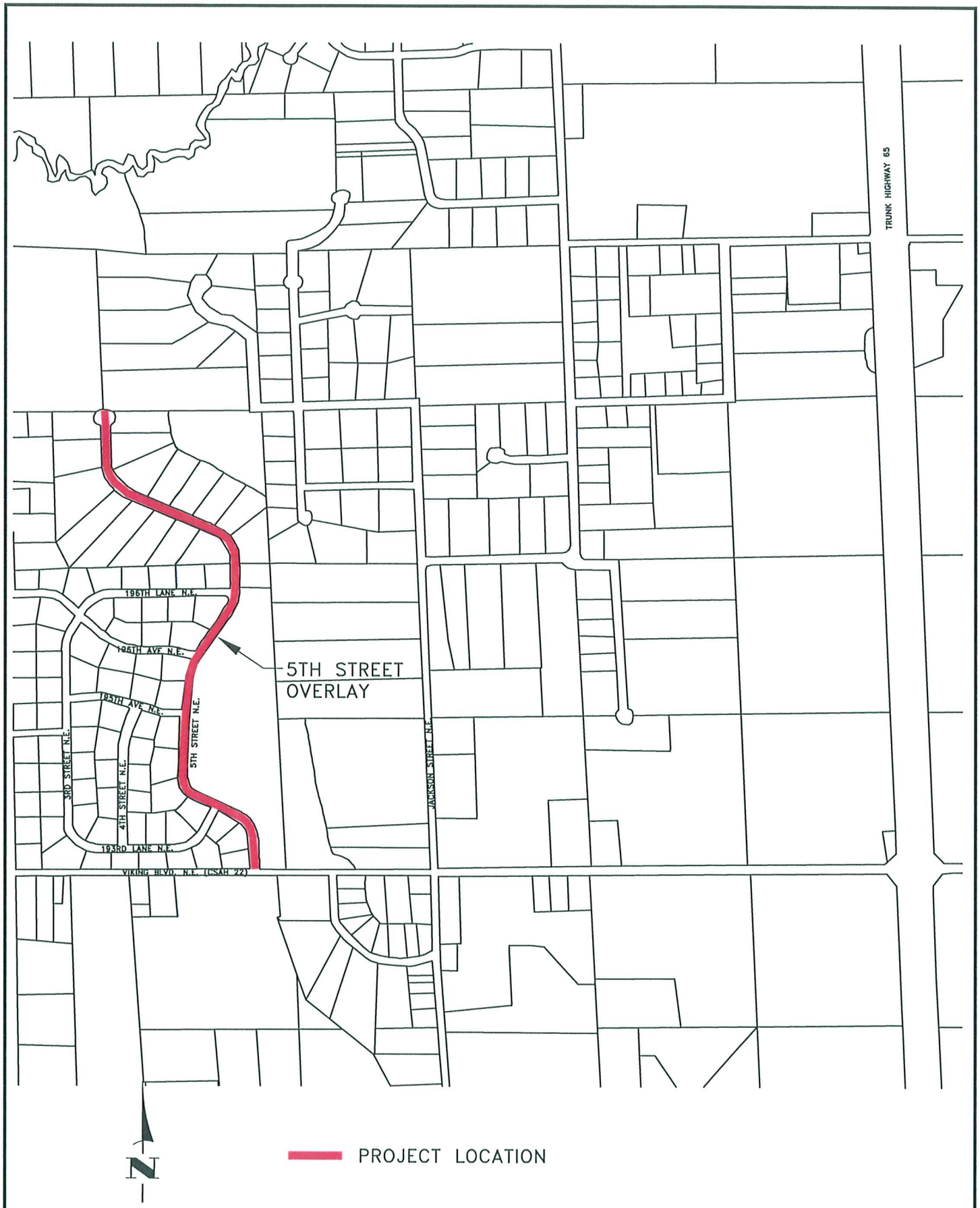
N

PROJECT LOCATION

LOCATION MAP
ATTACHMENT 2

Oct. 26, 2010 – 12:59pm
K:\cad_eng\CLIENT_FOLDERS\East Bethel\AnokaCount\Map.dwg

EB901–2008



LOCATION MAP
ATTACHMENT 3

Oct 22, 2010 – 10:14am
K:\cad_eng\CLIENT_FOLDERS\East Bethel\AnokaCountyMap.dwg

EB901–2008

City of East Bethel City Council Agenda Information

* *

Date:
February 16, 2011
* *

Agenda Item Number:
Item 9.0 A.2
* *

Agenda Item:
Castle Towers Waste Water Treatment Facility Status
* *

Requested Action:
Provided for informational purposes.
* *

Background Information:
The City currently owns and operates a Waste Water Treatment Facility (WWTF) on the north end of the City as shown on Attachment 1. The WWTF currently processes waste from Whispering Aspens and the Castle Towers mobile home park. The main components of the WWTF are shown on Attachment 2 and include:

1. Lift Station from Whispering Aspens
2. Lift Station from Castle Towers
3. Treatment Tank
4. Treatment Building
5. Sludge Drying Beds
6. Sludge Holding Bunker
7. Polishing Pond
8. Sand Filter Beds
9. Chlorination/Dechlorination Chamber
10. Chemical Building

The main components of concern for the WWTF include the lift station pumps, the integrity of the treatment tank and its mechanical components, treatment building, the polishing pond, the sludge drying beds, and the chemical building.

Lift Station Pumps
The lift station pumps are near the end of their useful life. It is anticipated that two new pumps will need to be purchased within the next two years. The estimated cost of the pumps is $16,000.

Treatment Tank and Mechanical Components
The existing steel treatment tank was constructed in 1971. The typical life of such a steel tank system is 20 to 40 years depending on maintenance history. The tank is currently 40 years old. The best expectation of the WWTF is that it would continue to serve Castle Towers and Whispering Aspens for an additional 2-10 years before total replacement would be necessary. The estimated replacement cost of the treatment tank is $900,000.

Treatment Building
The treatment structure consists of a steel pole type building that is not insulated or heated. The exact construction year of the building is not known, however is anticipated that it was constructed in the early 1970's. The building is in need of replacement. The new building should be insulated and heated to enhance the treatment process. The estimated replacement cost of the treatment building is $180,000.

Polishing Pond
The polishing Pond is in immediate need of cleaning. The 2.14-acre pond was constructed in 1987 to meet phosphorus removal requirements. The facility effluent to the pond is injected with a mixed alum liquid. The alum precipitates the phosphorous, which causes it to settle out. The pond has reached the point that removal is necessary in the immediate future. Removal and disposal of the alum-precipitated sludge is estimated to cost $125,000.

Sludge Drying Beds
The sludge dry beds were also constructed in 1987. The walls of the bed are constructed of marine plywood, which is beginning to deteriorate. The other issue with the sludge drying beds is they are not protected from rainfall. There is a significant concern for the potential for runoff from the sludge drying beds. Reconstruction of the drying beds with a roof structure is estimated to cost $65,000.

Chemical Building
The chemical building and chemical feed piping is in need of replacement. The estimated cost of replacing the chemical feed system is $35,000.

The estimated costs of maintaining or replacement of the WWTF are outlined below:

Component	Next 1-2 Years	Next 2-10 Years	Next 10-20 Years
Lift Station Pumps	$16,000		
Treatment Tank Replacement, Repairs and Maintenance	$50,000	$900,000	
Treatment Building Replacement		$180,000	
Polishing Pond Solids Disposal	$125,000		
Sludge Drying Bed Reconstruction	$65,000		
Chemical Building Replacement	$70,000		
Polishing Pond Replacement			$130,000
Sand Filter Replacement			$25,000
Totals	**$326,000**	**$1,080,000**	**$155,000**

City staff has also reviewed another option for the waste water for Whispering Aspens and Castle Towers. This option would consist of constructing a forcemain to convey the waste water to the proposed MCES facility. A layout of this option is show on Attachment 3. Phase 1, Project 1 includes the construction of an effluent forcemain from the proposed MCES WWTF to just south of 229th Avenue as shown on Attachment 3. This would leave approximately 2.2 miles of forcemain construction north of the MCES facilities.

With this option, the City would be able to decommission the Castle Towers WWTF. This option would also provide the entire north end of the City with MCES sewer service. City staff has a meeting scheduled with MCES on Friday February 11, 2011 to discuss if this would be a feasibly option. An update of the meeting will be provided at the February 16, 2011 City Council meeting.

Attachment(s):

1. Location Map
2. WWTF Layout
3. Forcemain Option Layout

****

Fiscal Impact:

As noted above.

****

Recommendation(s):

Provided for informational purposes.

****

City Council Action

Motion by:________________ Second by:________________

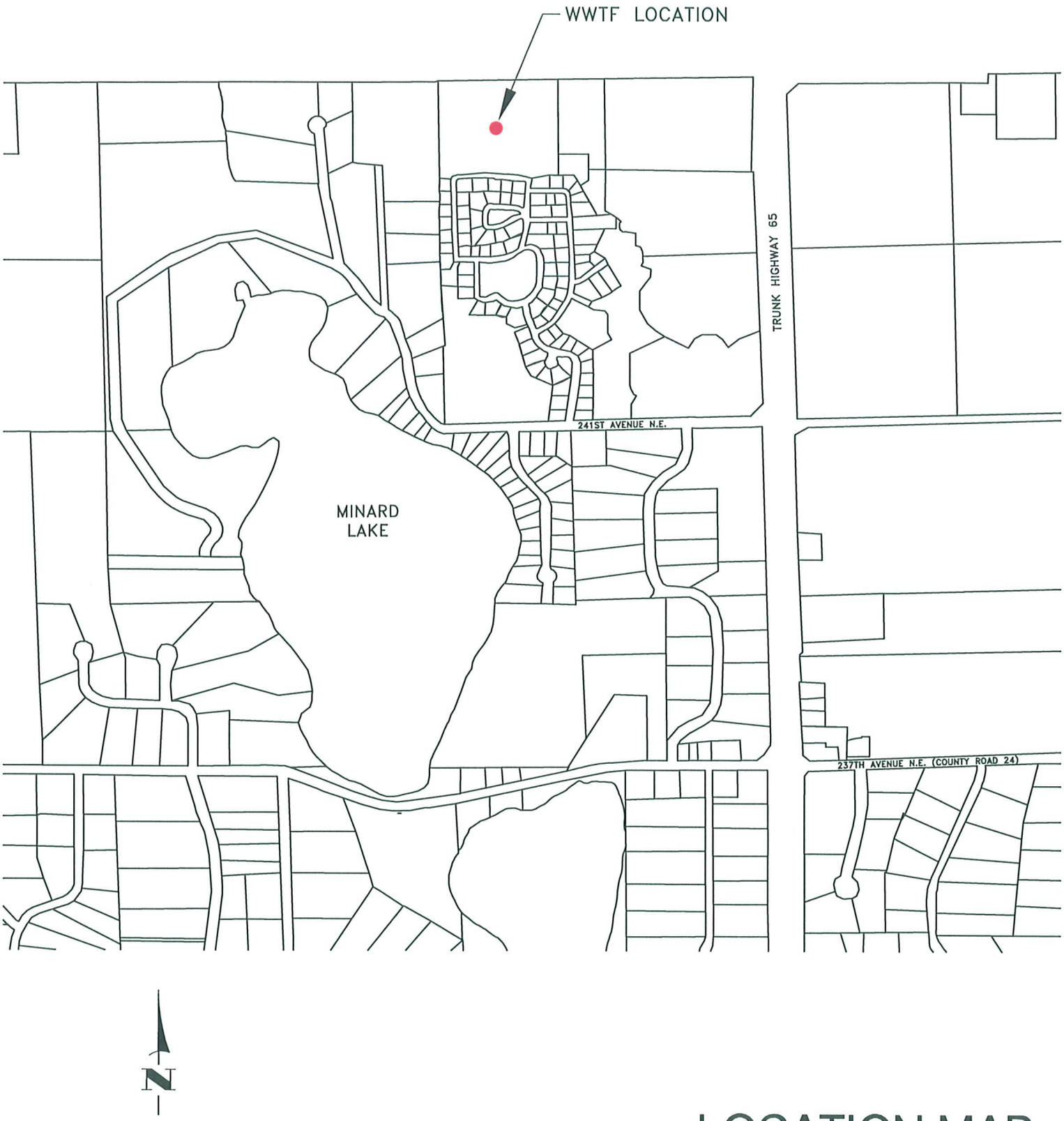
____

____

____

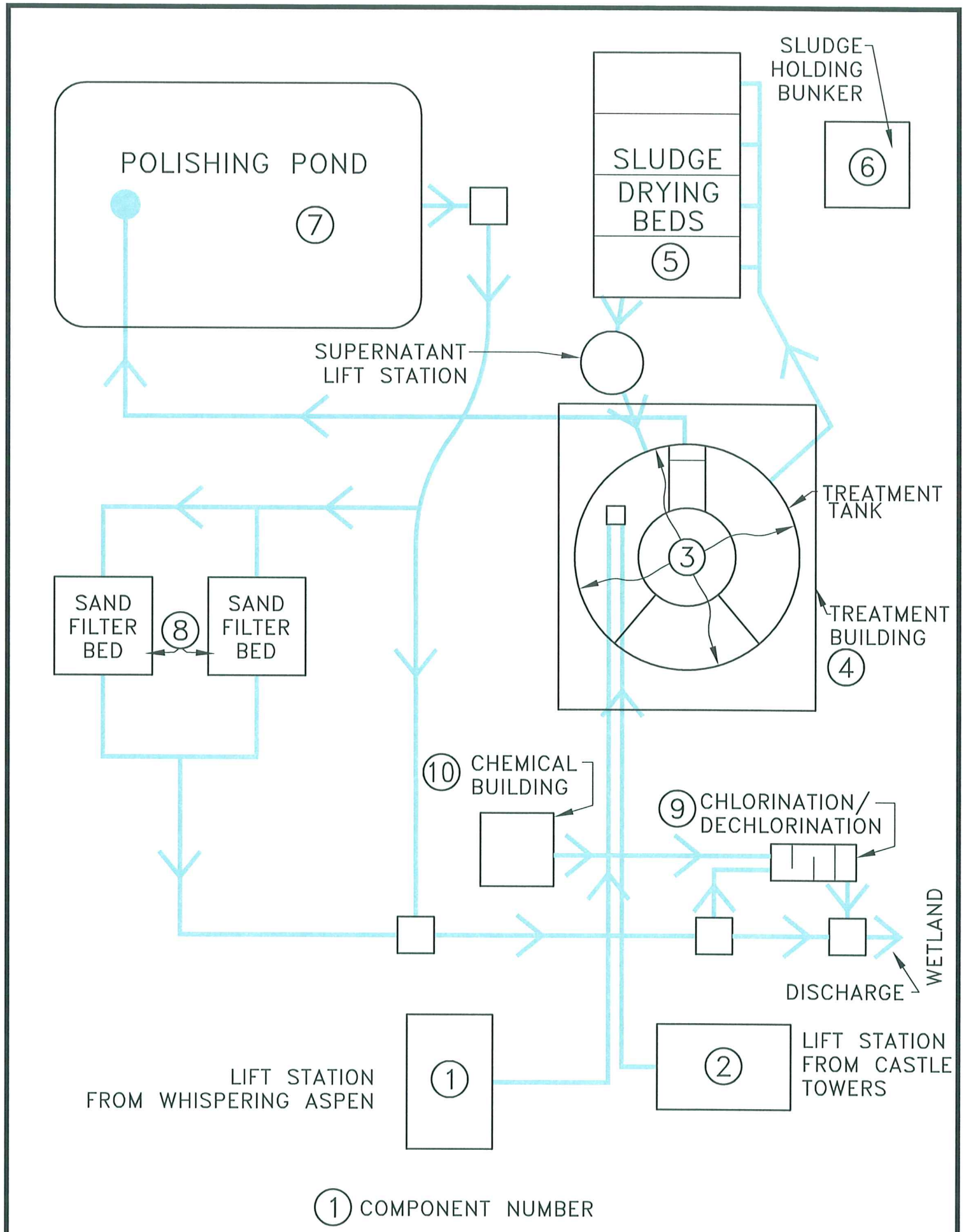
Vote Yes:_____ Vote No:_____

No Action Required:_____



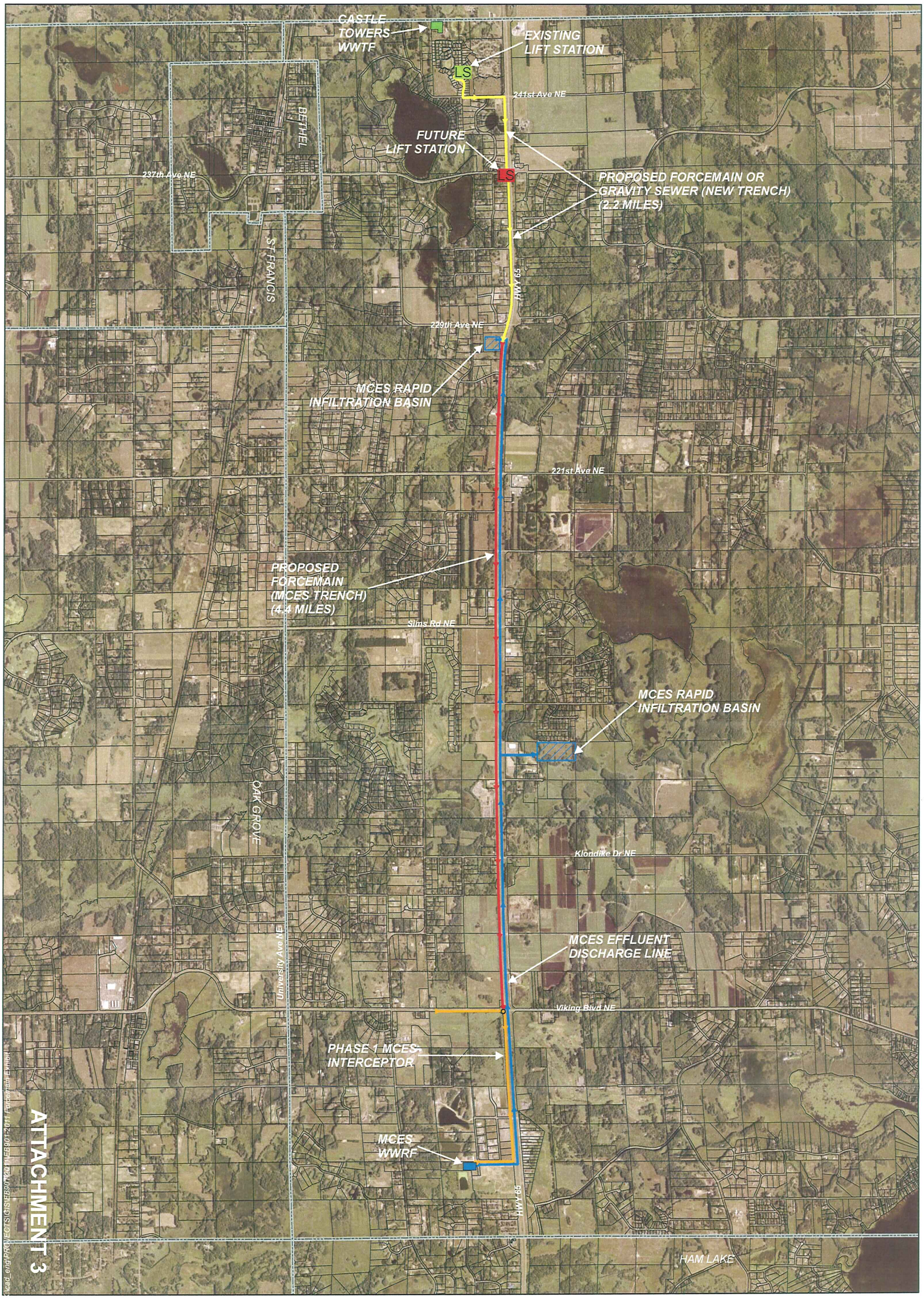
LOCATION MAP
ATTACHMENT 1

Feb 10, 2011 – 10:13am
K:\cad_eng\CLIENT_FOLDERS\East Bethel\AnokaCountyMap.dwg



Feb 10, 2011 – 10:29am
K:\cad_eng\PROJECTS\MUNICIPAL\EB603\dwg\EB603 FLOW.dwg

ATTACHMENT 2
WWTF COMPONENTS



ATTACHMENT 3

East City of Bethel

N W E S

Hakanson Anderson

0 1,500 3,000 6,000 9,000 Feet

SOURCE: ANOKA COUNTY SURVEY DEPARTMENT, MCES, CITY OF EAST BETHEL & MNDNR

ATTACHMENT 3

FORCEMAIN OPTION

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011
* *

Agenda Item Number:
Item 9.0 A.3
* *

Agenda Item:
City Engineer/Public Works – Municipal Utilities Project Review (Phase 1, Project)
* *

Requested Action:
Information provided for discussion purposes.
* *

Background Information:
As requested City Staff has reviewed the pending Municipal Utilities Project (Phase 1, Project 1). Our comments are as follows:

Water Treatment Plant
There were questions at the February 2, 2011 City Council meeting whether the Water Treatment Plant (WTP) was needed immediately upon startup of the system. The main purpose of the WTP is to remove iron and manganese, which would provide a higher quality of water to the users. As previously discussed, the answer to this question largely depends on the actual water quality. We researched two communities in further detail, that currently do not provide iron and manganese removal. These communities are Otsego and Ramsey. Otsego started their municipal water system in 1998 and Ramsey started their system in 1985.

A summary of the average iron and manganese concentrations in the water for each community are compared in the table below, with the results from East Bethel's FIG Well at Whispering Aspens, and the anticipated water quality presented in the Project Manual for the Water Treatment Plant. All results are presented in milligrams per liter.

	Whispering[1] Aspen Well	WTP[2] Project Manual	City of [3] Otsego	City of [4] Ramsey	Secondary Drinking Water Standard
Manganese	0.10	0.20	0.06	0.22	0.05
Iron	0.83	1.10	0.83	0.53	0.30

Source
[1]Water Sample analysis from the new Whispering Aspen Well, reported August 30, 2010.
[2]Project Manual, Water Treatment Facility Improvements – Rebid – East Bethel, December 1, 2010, prepared by Bolton & Menk, Inc.
[3]Feasibility Report for Water Treatment Improvements, City of Otsego, January 14, 2008, prepared by Hakanson Anderson.
[4]Water System Study, City of Ramsey, June 4, 1999, prepared by Bolton & Menk, Inc. Results are averaged from Wells 1, 3 and 4.

As shown above, although not confirmed, the anticipated iron and manganese concentrations in the City's proposed wells are very similar to Otsego and Ramsey.

We discussed the anticipated levels of iron and manganese with Hawkins, Inc. Hawkins currently provides the chemicals for the water treatment system at Whispering Aspens. In Hawkins's opinion, if the levels of iron and manganese were close to the levels as presented above the use of polyphosphate would be a feasible and effective means to sequester the iron and manganese.

To analyze the actual water quality of the new wells the City should consider the construction of a test well adjacent to one of the new proposed wells. Traut Wells is the Contractor who is currently under contract to construct the two new FIG production wells. We received a quote from Traut Wells to provide a 4-inch test well. The cost would be $14,795 however, if the project moved forward $5,250 of cost could be eliminated from the base bid which would make the actual cost of the test well $9,545. The cost would include test pumping the well for 8 hours and the cost of the sample analysis and well abandonment. It would be anticipated that the test well would remain in place and be used to determine the draw down effects from the other proposed well.

The City may want to consider other water treatment processes such as pressure filters. The current WTP design includes gravity filters and includes two clear wells that provide approximately 250,000 gallons of additional water storage. In the past, pressure filters were typically considered only for smaller water treatment systems. The advantage of pressure filters is the reduced footprint of the plant due to the smaller filter sizes. The City's of Blaine, Coon Rapids, and Anoka currently have pressure filter plants.

It should also be noted that once the City constructs the water treatment plant, it also has to be expanded as use exceeds the initial design flow. The initial design flow of the WTP is 1,500 gpm. As shown on page 4-8 of the appendix of the Facility Plan it is estimated that the plant improvements to expand the south facility from the 1,500 gpm to the ultimate 5,000 gpm is $10 million. The table that provides the Estimated Water Production, Treatment and Storage Facility Costs is included as Attachment 1.

With the discussion as provided above, we would provide the following options for consideration.

Option 1 – Current Plant – the City could construct the current plant as contracted. The as bid cost for this option, is $5.8 million.

Option 2 – Modify Current Plant – It may be possible to down size the existing plant design, for example, elimination of one of the clear wells. Input would be needed from Bolton and Menk for this option since they are most familiar with the design parameters.

Option 3 – No Iron or Manganese Removal – With this option the City would need to construct a pumphouse and provide the minimum chemical treatment for chlorine and fluoride. We would also recommend the addition of polyphosphate to sequester iron and manganese. This option is estimated to cost $550,000.

Option 4 – Over sized Pumphouse/Treatment Building – This option would be the same as Option 3 except it would include constructing an oversized pumphouse/treatment building that is large enough to accommodate two 1,000 gpm pressure filters in the future. The pressure filters

would be used for the removal of iron and manganese. This option is estimated to cost $1.1.million.

Option 5 – Water Treatment with Pressure Filters – This option would be the same as Option 4 except the pressure filters would be installed immediately for the removal of iron and manganese. The initial plant design capacity would be 2,000 gpm. This option is estimated to cost $1.95 million.

Productions Wells

As discussed at the February 2, 2011 Council meeting, the project includes two production wells that will be drilled into the FIG. The well bid provides for provision to construct a screened well or open cavern well with blasting and bailing. As previously discussed, the final decision would be made at the time of construction. Construction of a blasted and bailed well would be approximately $15,000 more per well assuming 400 c.y. of bailing.

As indicated on page 4-6 of the Facility Plan a test pump of the FIG aquifer is necessary to confirm the available well capacity and to establish the minimum separation distance. If the monitoring well is constructed as previously discussed it could be used to conduct the test pump.

Reverse Osmosis

Page 4-9 of the Facility Plan recommends that water-softening treatment would be most cost effective if done by the individual consumer. As discussed at the February 2, 2011 Council meeting reverse Osmosis was being considered in the future for softening water at the plant to facilitate the reuse of the waste water effluent as irrigation water. We would recommend that the current agreement with MCES be reviewed to ensure that this is a future negotiated items and not a requirement.

Bituminous Curb

As discussed at the February 2, 2011 Council meeting most of the streets that will be disturbed have bituminous curb. This is being done as a cost savings measure. Using the unit bid prices, the additional cost to install concrete curb would be approximately $82,000. If the budget allows we would recommend the use of concrete curb in accordance with current City standards.

Storm Sewer on 187th Lane

No trunk or lateral sewer is required on 187th lane between Buchanan Street and Ulysses Street. The watermain is being constructed north of the street surface; therefore, the street does not have to be disturbed at this time. However, the storm sewer and cross culvert at station 204+00 is deteriorated to the point that sinkholes have developed in the pavement. It is recommended that the storm sewer at station 204+00 be replaced with this project. The cost to replace the storm sewer and culvert is approximately $23,000.

Attachment(s):

1. Estimated Water Production, Treatment, and Storage Facility Costs

*** ***

Fiscal Impact:

As noted above.

*** ***

Recommendation(s):

Information is being provided for discussion purposes only.

*** ***

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

Estimated Water Production, Treatment, and Storage Facility Costs

Facility Plan for Utility
Infrastructure Needs for
City of East Bethel
February 2009

Phase	Water Service Area	Facility Improvement Project No.	Improvement	Facility Construction Cost ($)	Property Required (acres)	Estimated cost ($/acre)	Property Acquisition Cost
I	City Center	1	1500 gpm City Center WTF, 250,000 gal Clear Well Estimated Construction Cost	$5,000,000	10	$25,000	$250,000
I	City Center	1	500,000 gal City Center Tower Estimated Construction Cost	$1,300,000	2	$25,000	$37,500
I	City Center	1	1500 gpm City Center Well Field Estimated Construction Cost	$1,000,000	0	$25,000	$0
I	City Center	1	Total Facility Estimated Construction Cost No. 1	$7,300,000			
I	City Center	1	+18% Soft Cost	$1,314,000			
			Total Estimated Facility Project Cost No. 1	$8,614,000	***12***		***$287,500***
IA	Coon Lake	2	1600 gpm Coon Lake WTF, 750,000 gal Clear Well	$6,000,000	2.5	$25,000	$62,500
IA	Coon Lake	2	750,000 gal Coon Lake Tower	$2,000,000	2	$25,000	$50,000
IA	Coon Lake	2	1600 gpm Coon Lake Well Field	$1,000,000	0	$25,000	$0
IA	Coon Lake	2	Total Facility Estimated Construction Cost No. 2	$9,000,000			
			+18% Soft Cost	$1,620,000			
			Total Estimated Facility Project Cost No. 2	$10,620,000	***4.5***		***$112,500***
I & II	City Center	3	Expand CC WTF To 5000 gpm, Expand Clear Well To 1,000,000 gal	$10,000,000	0.0	$25,000	$0
I & II	City Center	3	2.5 MG City Center Tower	$3,500,000		$25,000	$0
I & II	City Center	3	Expand CC Well Field To 5000 gpm	$4,500,000		$25,000	$0
I & II	City Center	3	Total Facility Estimated Construction Cost No. 3	$18,000,000			
			+18% Soft Cost	$3,240,000			
			Total Estimated Facility Project Cost No. 3	$21,240,000	***0.0***		***$0***
III & IV	North 65	4	2600 gpm North 65 WTF, 500,000 gal Clear Well	$8,500,000	4.6	$25,000	$115,000
III & IV	North 65	4	1.5 MG North 65 Tower	$3,000,000	2.0	$25,000	$50,000
III & IV	North 65	4	2600 gpm North 65 Well Field	$1,750,000	0.0	$25,000	$0
III & IV	North 65	4	Total Facility Estimated Construction Cost No. 4	$13,250,000			
			+18% Soft Cost	$2,385,000			
			Total Estimated Facility Project Cost No. 4	$15,635,000	***6.6***		***$165,000***
			Total Water Facility Projects 1-4 Property Acquisition Cost				***$565,000***
			Total Water Facility Projects 1-4 Cost	***$56,109,000***			

ATTACHMENT #1

City of East Bethel
City Council
Agenda Information

* *

Date:

February 16, 2011

* *

Agenda Item Number:

Item 9.0 C.1

* *

Agenda Item:

Resolution 2011-09 - 2011 Budget Amendments

* *

Requested Action:

Consider adopting Resolution 2011-09 amending the budget for 2011.

* *

Background Information:

The 2011 Budget was adopted by City Council on December 1, 2010. Since that time a number of changes have occurred that affect the current years budget, resulting in both increases and decreases to several General Fund departments.

The following is a detail of proposed amendments to the adopted 2011 Budget.

<u>City Council</u>

307-Professional Services

Approved:	$14,800
Proposed:	$24,550
Increase:	$ 9,750

Increase $9,750 for Landform consulting services agreement

434-Conferences/Meetings

Approved:	$ 0
Proposed:	$1,000
Increase:	$1,000

Increase $1,000 for 3 attendees to the League of MN Cities Leadership Conference for Newly Elected Officials and expenses for other meetings that may be attended.

<u>City Administration</u>

101-Full Time Employees Regular Salaries

Approved:	$139,589
Proposed:	$148,835
Increase:	$ 9,246

Increase reflecting the City Administrator settlement and the Acting City Administrator agreement.

122-PERA-Coordinated Plan

Approved:	$10,298
Proposed:	$ 850
Decrease:	$ 9,448

Decrease reflecting the City Administrator settlement and the Acting City Administrator agreement.

125-FICA/Medicare

Approved:	$ 9,165
Proposed:	$11,386
Increase:	$ 2,221

Increase reflecting the City Administrator settlement and the Acting City Administrator agreement.

126-Deferred Compensation

Approved:	$6,500
Proposed:	$ 500
Decrease:	$6,000

Decrease reflecting the City Administrator settlement and the Acting City Administrator agreement.

131-Cafeteria Contribution

Approved:	$10,732
Proposed:	$ 1,250
Decrease:	$ 9,482

Decrease reflecting the City Administrator settlement and the Acting City Administrator agreement.

201-Office Supplies

Approved:	$ 100
Proposed:	$1,100
Increase:	$1,000

Increase $1,000 for the purchase of a laptop computer for Acting City Administrator

321-Telephone

Approved:	$500
Proposed:	$250
Decrease:	$250

Elimination of cell phone service for City Administrator and upgrade of cell phone for Acting City Administrator

331-Travel Expenses

Approved:	$2,500
Proposed:	$ 0
Decrease:	$2,500

Decrease reflecting the City Administrator settlement and the Acting City Administrator agreement.

433-Dues and Subscriptions

Approved:	$1,200
Proposed:	$ 0
Decrease:	$1,200

Elimination of ICMA (International City/County Management Association) membership.

City Clerk

102-Full Time Overtime

Approved: $ 500
Proposed: $15,000
Increase: $14,500

Increase to account for the overtime hours worked by the Deputy City Clerk and the recording of evening meetings when the cable technician is unavailable.

Human Resources

101-Full Time Employees

Approved: $85,085
Proposed: $10,276
Decrease: $74,809

Decrease reflecting elimination of Human Resources/Asst City Administrator position

122-PERA Coordinated

Approved: $6,083
Proposed: $ 383
Decrease: $5,700

Decrease reflecting elimination of Human Resources/Asst City Administrator position

125-FICA/Medicare

Approved: $7,395
Proposed: $ 818
Decrease: $6,577

Decrease reflecting elimination of Human Resources/Asst City Administrator position

126-Deferred Compensation

Approved: $2,000
Proposed: $ 0
Decrease: $2,000

Decrease reflecting elimination of Human Resources/Asst City Administrator position

131-Cafeteria Contribution

Approved: $10,732
Proposed: $ 800
Decrease: $ 9,932

Decrease reflecting elimination of Human Resources/Asst City Administrator position

141-Unemploymenet Benefits

Approved: $ 0
Proposed: $22,542
Increase: $22,542

Increase to reflect elimination of Human Resources/Asst City Administrator position and potential liability of 39 weeks of unemployment at $578/week

151-W/C Premium

Approved: $738
Proposed: $ 0
Decrease: $738

Decrease reflecting elimination of Human Resources/Asst City Administrator position

Transfer Out/Contingency

Contingency

Approved: $ 0
Proposed: $1,870 for Travel Expenses
Proposed: $5,000 for Meetings/Conferences
Proposed: $61,507 to be determined by City Council
Increase: $68,377

The resulting budget increases and decreases detailed above, prior to Transfer Out/Contingency, are $68,377. This is the amount that will go into contingency. All travel, training, meetings and conferences were removed from the adopted 2011 budget; staff is recommending that these amounts be put into contingency and to be used as determined by the Acting City Administrator. The remaining balance of $61,507 will be set aside and expended when authorized by the City Council.

Summary

With the proposed changes noted above, there is no increase or decrease in the total General Fund Budget. The result is a undesignated contingency of $61,507 which would be used when authorized by City Council.

* *

Fiscal Impact:

As noted.

* *

Recommendation(s):

Staff seeks direction on the budget amendments and approval of Resolution 2011- 09 amending the 2011 budget.

* *

City Council Action

Motion by:______________________ Second by:______________________

____

____

____

Vote Yes:_____ Vote No:_____

No Action Required:_____

CITY OF EAST BETHEL
EAST BETHEL, MINNESOTA

RESOLUTION NO. 2011-09

RESOLUTION AMENDING THE 2011 BUDGET

WHEREAS, the City Council approved the 2011 General Fund budget on December 1, 2010; and

WHEREAS, during 2011 the City Council authorized City staff changes that have had affect on the adopted 2011 General Fund budget; and

WHEREAS, during 2011 the City Council authorized expenditures for the services of the Landform which were initially not a part of the adopted General Fund budget; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL, MINNESOTA THAT: the Budget for 2011 is hereby amended as follows:

GENERAL FUND DEPARTMENT	2011 Adopted Budget	2011 Changes	2011 Amended Budget
Mayor/City Council	$80,049	$10,750	$90,799
City Administration	$184,925	($16,413)	$168,512
Elections	$25	$0	$25
City Clerk	$99,393	$14,500	$113,893
Finance	$225,607	$0	$225,607
Assessing	$50,000	$0	$50,000
Legal	$140,000	$0	$140,000
Human Resources	$115,183	($77,214)	$37,969
Planning and Zoning	$208,608	$0	$208,608
General Govt Buildings/Plant	$49,400	$0	$49,400
Police	$1,037,218	$0	$1,037,218
Fire Department	$551,373	$0	$551,373
Building Inspection	$265,066	$0	$265,066
Engineering	$48,000	$0	$48,000
Park Maintenance	$400,798	$0	$400,798
Street Maintenance	$764,781	$0	$764,781
Civic Events	$5,000	$0	$5,000
Risk Management	$97,784	$0	$97,784
Central Services/Supplies	$90,751	$0	$90,751
Transfers Out/Contingency	$552,604	$68,377	$620,981
TOTAL GENERAL FUND	$4,966,565	$0	$4,966,565

Adopted this 16th day of February, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

_____
Richard Lawrence, Mayor

ATTEST:

_____
Wendy Warren, Deputy City Clerk

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 E.1

* *

Agenda Item:
Economic Development Authority (EDA) February 23, 2011 Work Meeting to Discuss Goals and Objectives

* *

Requested Action:
Consider Postponing of EDA Work Meeting Scheduled for February 23, 2011

* *

Background Information:
On January 19, 2011, EDA members questioned the role of the East Bethel EDA and had concerns as to what role the EDA will play in the event municipal services are not available versus if municipal services are available. At that time, the EDA scheduled a work session on February 23, 2011. The purpose of the work session is to begin the process of establishing goals and objectives of the EDA.

Staff suggests the EDA goals and objectives work meeting be cancelled until there is a determination of the status of the municipal services project since the EDA's vision/direction may be affected by this information. Staff is in the opinion that once City Council makes a determination of which direction to choose for municipal services, EDA can then build their vision for the community and establish goals and objectives to support their vision.

* *

Fiscal Impact:
None at this time

* *

Recommendation:
Staff recommends City Council to delay the February 23, 2011 EDA work session until City Council makes a determination of the availability of municipal services to the community.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

ANIMAL CONTROL CONTRACT

THIS AGREEMENT made this _____ day of _____, 2011, by and between Gratitude Farms (hereinafter referred to as the "Contractor") and the CITY OF EAST BETHEL, a municipal corporation, located within the County of Anoka and State of Minnesota (hereinafter referred to as the "City").

WITNESSETH: In consideration of the covenants and agreements hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

1. This Agreement shall be effective as of January 1, 2011, and shall continue in effect until December 31, 2011 unless otherwise cancelled pursuant to paragraph 14 hereof.

2. **Patrol.** Contractor agrees to patrol the public streets of the City in a vehicle designated for transportation of animals in accordance with the schedule agreed to by both parties. The Contractor shall provide services in accordance with the attached schedule (Animal Control Proposal) and shall be directly responsible to the City. The vehicle operated by the Contractor shall have proper identification displayed on two sides and the back including the words "animal control", and Contractor further agrees to ensure service and maintain said equipment in good working order. There will also be available leashes and a snarem at all times in the vehicle. Gratitude Farms agrees to insure service and maintain said equipment at its own expense.

3. (a). **Place of Impoundment.** All animals collected and impounded shall be kept at 22359 Bataan St, East Bethel, MN 55011. Contractor agrees and warrants that all animals impounded shall be kept in a comfortable and humane manner for the period required by City Ordinance or state statute as appropriate. Contractor may temporarily board at an emergency facility if access and/or treatment are not immediately available at our facility.

The vehicle used will have at least one kennel designed for animal transportation along with being equipped with leather leashes and a snarem.

(b). **Callout.** Contractor shall respond immediately to any callout if directed by an authorized City representative. Acknowledgment of the call will be made within 15 minutes of the time of the call and will provide an estimated time of arrival at the location of the problem. Response to the site will not exceed two (2) hours from the initial call for service. Gratitude Farms will provide the City with current contact information, including but not limited to office, cell and pager numbers.

4. **Insurance.** The Contractor shall provide liability insurance on her automobile and shall provide her own automobile for purposes of supplying the services provided under the terms of this contract. The Contractor shall also provide comprehensive general liability insurance for herself to perform the services of animal control for the City as provided for within this Agreement. That a true and correct copy of the Certificate of Insurance for both automobile and general liability coverage will be filed of record with the City offices by the Contractor as of the date of execution of this contract.

5. The City authorizes the Contractor to apprehend and retain dogs and other animals and/or issue citation tags for violations of the City ordinances related thereto. However, the Contractor shall not invade private property contrary to the wishes of an owner of said property nor forcibly take an animal from any person without the approval and assistance of a peace officer of the City.

6. **Impoundment, Boarding and Related Charges**. Animal Control Services to the City of East Bethel: $250 per month, in addition to call out, patrol and boarding fees. Issuance of city dog license shall be done by appointment by the contractor at no additional cost to the city. Daily boarding fees are charged for any and all portions of a calendar day that an animal is boarded. Any and all other fees charged must be approved by the City. The attached fee schedule is incorporated by reference herein as **Exhibit A**.

7. **Reporting.** The Contractor shall provide periodic reports to the City at intervals requested which indicates the hours patrolled, the number of animals impounded, warning tags and violation notices issued, and other such information as requested by the Animal Control Commissioner for the City.

8. Prior to the release of any dog impounded by Contractor at the City's request, Contractor will request that the owner provides a valid City animal license (if applicable), owners' driver's license and/or a state issued identification card, and will obtain a copy of the current rabies vaccination certificate. Copies of drivers' licenses and rabies certificate along with animal license information can be requested by the City.

9. In the event an animal is impounded and boarded by order of the City, a court of competent jurisdiction or the City Council, or is placed under quarantine by statute or ruling of the State Department of Health, Contractor shall board such animal as required by this order or ruling plus an additional six days. At the end of such period, the City shall release all of its interest, right and control over the animal that may then be disposed of at the discretion of Contractor. In the event that any dogs, cats or other impounded animals are unclaimed after five (5) days, they shall become the property of Contractor and shall be surrendered to Contractor to be disposed of or sold at their discretion. All proceeds from the disposition of such animals may be retained by Contractor including any proceeds from any animals disposed of in accordance with Minnesota Statutes 35.71 as an offset to costs incurred.

10. The City shall furnish to Contractor any special forms or receipts specified in City Ordinances or by the City's record keeping/accounting procedures and Contractor shall keep records of all animals impounded together with description of the same.

11. The Contractor shall assume all liability for all harmed animals due to her negligence, or that of her employees, in not properly caring for same and agrees to defend all lawsuits arising therefrom. The Contractor agrees to defend and indemnify and hold the City harmless, including its officers, employees or agents, from any and all claims, suits, losses, damages or expenses on account of bodily injury, sickness, disease or death and of property damage including injury to animals as a result of, or alleged to be as a result of, the Contractor's animal control operation.

12. The Contractor agrees that during the period of time of this contract it will not, within the State of Minnesota or elsewhere, discriminate against any employee, or applicant for employment, because of race, color, creed, sex, national origin or ancestry and will include a similar provision in all subcontracts entered into for the performance hereof. This paragraph is inserted into the contract to comply with the provisions of Minnesota Statute 181.59.

13. Notices pursuant to this Contract shall be addressed as follows:

a. To Contractor: Tammy Gimpl
Gratitude Farms
22359 Bataan St NE
East Bethel, MN 55011

b. To City: City Administrator
City of East Bethel
2241 221st Ave
East Bethel, MN 55011

14. **Independent Contractor.** It is understood and agreed that the Contractor is not an employee of the City but is an independent contractor solely responsible for her own payment of federal, state and social security withholding taxes. Further, the Contractor provides her own equipment with the exception for some equipment that may be made available for her use by the City in its discretion. The Contractor at no time shall hold herself out as an employee of the City, but will always identify herself as an independent contractor. No tenure or any rights or benefits, including Workers' Compensation, Unemployment Insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available to City employees, shall accrue to the Contractor or employees of the Contractor performing services under this Agreement.

15. **Default and Cancellation**.

A. If the Contractor fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute default.

Unless the Contractor's default is executed, the City may, upon written notice, immediately cancel this Agreement in its entirety.

B. This Agreement may be cancelled with or without cause by either party upon thirty (30) days written notice.

16. **Subcontracting and Assignment**. Contractor shall not enter into any subcontract for performance of any services contemplated under this Contract without the prior written approval of the City and subject to such conditions and provisions as the City may deem necessary. The Contractor shall be responsible for the performance of all subcontractors.

17. **Records – Availability and Retention.** The Contractor agrees that the City or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the Contractor and invoice transactions relating to this Agreement.

Contractor agrees to maintain these records for a period of three (3) years from the date of termination of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF EAST BETHEL	**CONTRACTOR**
By:_____	By:_____
Richard Lawrence	Tammy Gimpl
Mayor	Gratitude Farms

EXHIBIT A
SCHEDULE OF ADDITIONAL FEES

The following fee schedule is in addition to the $250.00 fixed monthly rate for services.

Animal Owner Charges if Animal is claimed:

$50.00 one time administrative handling fee per animal
$25.00 daily board fee, statutory veterinary services at cost

City Charges if Animal is unclaimed:

$50.00 one time administrative handling fee per animal
$25.00 daily board fee, statutory veterinary services at cost

Call out and Patrol service fee:

$60.00/hr. for call out or patrol services between the hours of 8 am. – 6 pm.

$80.00/hr. for call out or patrol services between the hours of 6 pm. - 8 am.

(Call out and patrol services shall be billed in quarter hour increments.)

Contractor Consulting Services:

$75.00/hr.

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 F.1

* *

Agenda Item:
SafeAssure Contract for 2011

* *

Requested Action:
Consider approval of SafeAssure contract for 2011 for safety consultant services and direct the Fire Chief to work towards an in-house safety training program for 2012.

* *

Background Information:
The City of East Bethel has been contracting with SafeAssure along with the Cities of Ham Lake, NowThen and Oak Grove since February of 2009 for Safety Consultant Services. SafeAssure provides unlimited consulting services, conducts classroom-training sessions, writes and/or maintains mandatory Occupational Safety and Health Administration (OSHA) programs and provides a complete material safety data sheets (MSDS) management service in conjunction with DAMARCO, LLC.

The City of East Bethel paid $ $2,975 for these services in 2009 and 2010. This is an annual contract with a renewal date of March 1, 2011. Should the City of East Bethel participate in 2011, our costs would be $2,975 for the period of March 1, 2011 to February 28, 2012.

The three cities joined together to provide the required OSHA safety training for their employees. The three cities have also written into the contract for SafeAssure to provide evening safety training sessions for their fire departments. If a Ham Lake firefighter can't attend the OSHA required training session in Ham Lake, they can attend the same training at Oak Grove's training session. The same option would be available to our firefighters.

Contracting with a safety consultant for required OSHA annual training and program development took the City to the next level of safety awareness and training for its employees. SafeAssure reviewed the City's current safety program and policies. Training was provided for A.W.A.I.R. (A Workplace Accident and Injury Reduction Act), Employee Right to Know/Hazard Communication (ERTKHC), Lock Out/Tag Out (Control of Hazardous Energy), Bloodborne Pathogens, etc. SafeAssure also has on-line training available for several programs, including AWAIR, ERTKHC and Bloodborne Pathogens.

City staff is suggesting $2,975 for a safety consultant for 2011 and continuation of the regional group that was formed with the Cities of Ham Lake, Oak Grove and NowThen. Funds were provided for in the 2011 budget.

At the January 19, 2011 City Council meeting, staff was directed to contact the State of Minnesota Department of Labor and Industry to find out what types of programs they could offer the City. Staff did contact the state and found out that they have many resources that the City could utilize in becoming proficient in doing this training in house.

City Staff is also suggesting that 2011 be the last year of this arrangement and contract. For 2012, Staff recommends that Council direct the Fire Chief to schedule and present all safety training for City Staff, keeping and recording all records and documents required by regulators. This year, 2011, will allow the Fire Chief to transition the City Safety program to the in house curriculum. For the year 2012, the Fire Chief will include costs of the safety training program within the operating budget for Council review and approval. The Fire Chief will utilize outside agencies, where appropriate, as reference and training assets. The Fire Chief, currently, supervises the Safety Program of the Fire Department and has experience and schooling in safety training.

Attachments:
- Attachment #1 – SafeAssure 2011 Contract
- Attachment #2 – SafeAssure 2011 Schedule

* *

Fiscal Impact:
As noted above.

* *

Recommendation(s):
Staff seeks City Council approval of renewal of the SafeAssure Contract for safety consultant services for March 1, 2011 to February 28, 2012 with the cost not to exceed $2,975 and to have the Fire Chief supervise the City Safety Program and transition the program to an in-house program for 2012.

* *

City Council Action

Motion by: ________________ Second by: ________________

____

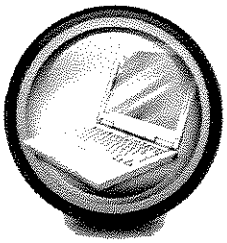
____

____

Vote Yes: _____ Vote No: _____

No Action Required: _____

City of
EAST BETHEL



SafeAssure Consultants, Inc.

MARCH 2011

The United States Department of Labor, Division of Occupational Safety and Health Administration and the Minnesota Department of Labor, Division of Occupational Safety and Health Administration require employers to have documented proof of employee training and written procedures for certain specific standards. **The attached addendum and training schedule clarifies written and training requirements.**

The required standards that apply to City of East Bethel are listed below:

A.W.A.I.R. MN Statute 182.653

"An employer covered by this section must establish a written Work-place Accident & Injury program that promotes safe & healthful working conditions".

EMERGENCY ACTION PLAN 29 CFR 1910.35 THRU .38

"The emergency action plan shall be in writing and shall cover the designated actions employers & employees must take to insure employee safety from fire & other emergencies".

CONTROL OF HAZARDOUS ENERGY 29 CFR 1910.147 & MN Statute 5207.0600

"Procedures shall be developed, documented & utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section".

HAZARD COMMUNICATIONS 29 CFR 1910.1200 & MN Statute 5206.0100 thru 5206.1200

"Evaluating the potential hazards of chemicals, and communicating information concerning hazards and appropriate protective measures to employees may include, but is not limited to, provision for: development & maintaining a written hazard communication program for the work-place..."

RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES 29 CFR 1904

"Each employer shall maintain in each establishment a log and summary of all occupational injuries and illnesses for that establishment....."

CONFINED SPACE 29 CFR 1910.146

If the employer decides that its employees will enter permit spaces, the employer shall develop and implement a written permit space program.....

RESPIRATORY PROTECTION 29 CFR 1910.134

Written standard operating procedures governing the selection and use of respirators shall be established.

OCCUPATIONAL NOISE EXPOSURE 29 CFR 1910.95

The employer shall institute a training program for all employees who are exposed to noise at or above an 8-hour time weighted average of 85 decibels, and shall ensure employee participation in such a program.

BLOODBORNE PATHOGENS 29 CFR 1910.1030

Each employer having an employee(s) with occupational exposure as defined by paragraph (b) of this section shall establish a written Exposure Control Plan designed to eliminate or minimize employee exposure.

POWERED INDUSTRIAL TRUCKS 29 CFR 1910.178

"Only trained and authorized operators shall be permitted to operate a powered industrial truck. Methods shall be devised to train operators in the safe operation of Powered Industrial Trucks".

GENERAL DUTY CLAUSE PL91-596

"Hazardous conditions or practices not covered in an O.S.H.A. Standard may be covered under section 5(a)(1) of the act, which states: Each employer shall furnish to each of {their} employees employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to {their} employees."

LOGGING OPERATIONS 1910.266 (i)(1)

The employer shall provide training for each employee, including supervisors, at no cost to the employee.

OPERATION OF MOBILE EARTH-MOVING EQUIPMENT.

Training programs shall be developed and instructed by competent individuals who have knowledge, training, experience, and the demonstrated ability to identify existing and predictable hazards related to the subject matter.

EXCAVATIONS/TRENCHING 1926.651 (k)(1)

Daily inspections of excavations, the adjacent areas, and protective systems shall be made by a competent person for evidence of a situation that could result in possible cave-ins, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions.

PERSONAL PROTECTIVE EQUIPMENT 1926.95 a)

"Application." Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.

OVERHEAD CRANES 1910.179(j)(3)

Periodic inspection. Complete inspections of the crane shall be performed at intervals as generally defined in paragraph (j)(1)(ii)(b) of this section, depending upon its activity……

ERGONOMICS 29 CFR PART 1910.900 THRU 1910.944

"Training required for each employee and their supervisors must address signs and symptoms of MSD's, MSD hazards and controls used to address MSD hazards."

In the interest of Quality Safety Management, it is recommended that written procedures and documented employee training also be provided for the following Subparts. (Subparts represent multiple standards)

1910 Subparts

Subpart D - Walking - Working Surfaces
Subpart E - Means of Egress
Subpart F - Powered Platforms, Man-lifts, and Vehicle-Mounted Work Platforms
Subpart G - Occupational Health and Environmental Control
Subpart H - Hazardous Materials
Subpart I - Personal Protective Equipment
Subpart J - General Environmental Controls
Subpart K - Medical and First Aid
Subpart L - Fire Protection
Subpart M - Compressed Gas and Compressed Air Equipment
Subpart N - Materials Handling and Storage
Subpart O - Machinery and Machine Guarding
Subpart P - Hand and Portable Powered Tools and Other Hand-Held Equipment.
Subpart Q - Welding, Cutting, and Brazing.
Subpart S - Electrical
Subpart Z - Toxic and Hazardous Substances

1926 Subparts

Subpart C - General Safety and Health Provisions
Subpart D - Occupational Health and Environmental Controls
Subpart E - Personal Protective and Life Saving Equipment
Subpart F - Fire Protection and Prevention
Subpart G - Signs, Signals, and Barricades
Subpart H - Materials Handling, Storage, Use, and Disposal
Subpart I - Tools - Hand and Power
Subpart J - Welding and Cutting
Subpart K - Electrical
Subpart L - Scaffolds
Subpart M - Fall Protection
Subpart N - Cranes, Derricks, Hoists, Elevators, and Conveyors
Subpart O - Motor Vehicles, Mechanized Equipment, and Marine Operations
Subpart P - Excavations
Subpart V - Power Transmission and Distribution
Subpart W - Rollover Protective Structures; Overhead Protection
Subpart X - Stairways and Ladders
Subpart Z - Toxic and Hazardous Substances

Applicable MN OSHA 5205 Rules
Applicable MN OSHA 5207 Rules
Applicable MN OSHA 5206 Rules (Employee Right to Know)

All training on the programs written by SafeAssure Consultants, Inc. and services provided by DAMARCO Solutions, LLC, will meet or exceed State and/or Federal OSHA requirements.

These programs/policies and procedures listed on the addendum **do not** include the cost of hardware such as labels, signs, etc. and will be the responsibility of City of East Bethel to obtain as required to comply with OSHA standards.

Our contract year will begin on the signing of this proposal/contract. Classroom training will be accomplished at a time convenient to most employees/management and so selected as to disrupt the workday as little as possible.

All documents and classroom training produced by SafeAssure Consultants for City of East Bethel are for the sole and express use by City of East Bethel and its employees and not to be shared, copied, or used by any division, department, subsidiary, or parent organization or any entity whatsoever, without prior written approval of SafeAssure Consultants.

It is always the practice of SafeAssure Consultants to make modifications and/or additions to your program when necessary to comply with changing OSHA standards/statutes. These changes or additions, when made during a contract year, will be made at no additional cost to City of East Bethel

All written programs/services that are produced by SafeAssure Consultants, Inc. are guaranteed to meet the requirements set forth by MNOSHA/OSHA. SafeAssure Consultants, Inc. will reimburse City of East Bethel should MNOSHA/OSHA assess a fine for a deficient or inadequate written program that was produced by SafeAssure Consultants, Inc. SafeAssure Consultants, Inc. does not take responsibility for financial loss due to MNOSHA/OSHA fines that are unrelated to written programs mentioned above.

ADDENDUM

SAFETY PROGRAM RECOMMENDATIONS
City of East Bethel

Written Programs & Training

A.W.A.I.R. (A Workplace Accident and Injury Reduction Act)
- maintain site specific program
- documented training of all personnel
- accident investigation
- simulated OSHA inspection
- safety committee advisor

Employee Right to Know/Hazard Communication
- maintain site specific program
- documented training of all personnel (general and specific training)
- various labeling requirements
- assist in maintaining DAMARCO Solutions, LLC, MSDS and data base
-

Lock Out/Tag Out (Control of Hazardous Energy)
- maintain site specific program
- documented training of all personnel

Emergency Action Plan
- maintain site specific program
- documented training of all personnel

Respiratory Protection
- maintain site specific program
- documented training of all personnel

Bloodborne Pathogens
- maintain site specific program
- documented training of all personnel

Cranes-Chains-Slings
- maintain site specific program
- documented training of all personnel (inspections)

Hearing Conservation (Occupational Noise Exposure)
- maintain site specific program
- documented training of all personnel
- decibel testing and documentation

Personal Protective Equipment
- maintain site specific program
- documented training of all personnel

Confined Space
- maintain site specific program
- documented training of all personal

Trenching & Excavation (competent person training in second year)
- maintain site specific program
- documented training of all personnel

Earth Moving Equipment/Motor Vehicles
- maintain site specific program
- documented training of all personnel

Powered Industrial Trucks/Forklifts
- maintain site specific program
- documented training of all personnel
- testing and licensing

Ergonomics

- maintain/write site specific program
- documented training of all personnel
    - job hazards-recognition
    - control steps
    - reporting
    - management leadership requirements
    - employee participation requirements

General Safety Requirements

- maintain site specific program
- documented training of all personnel

The "SafeAssure Advantage"

- On-Line training available for AWAIR, EAP, ERTK, ERGO., Blood Borne
- Safety Committee Advisor
- Employee Safety Progress Analysis
- SafeAssure "Client Discount Card" from "Fastenal Stores or Catalogs" (15% off any item)
- Discount on any SafeAssure Services programs
- MSDS on line data base
- Job Hazard Analysis
- Training manual maintenance
- Safety manual maintenance
- Documented decibel testing
- Documented air quality readings-(CO_2 testing in shops with 5 or more vehicle capacity)
- Documented foot-candle readings (if needed)
- OSHA recordkeeping
- General Duty Clause
- Assistance during an actual OSHA inspection
- General safety recommendations
- "ALERT" data base
- Unlimited consulting services

THIS AGREEMENT is made this first day of March, 2011 between The City of East Bethel Minnesota, herein referred to as The City of East Bethel and SafeAssure Consultants, Inc. 200 S.W. Fourth Street, Willmar, Minnesota, herein referred to as SafeAssure.

SafeAssure agrees to abide by all applicable federal and state laws including, but not limited to, OSHA regulations and local/state/national building codes. Additionally, SafeAssure will practice all reasonable and appropriate safety and loss control practices.

SafeAssure agrees to provide, at the time of execution of this contract/agreement, The City of East Bethel (upon request) with a current Certificate of Insurance with proper coverage lines and a **minimum** of $2**,000,000.00** in insurance limits of general liability and statutory for workers' compensation insurance. SafeAssure is insured by "The Harford" insurance companies.

SafeAssure further agrees that The City of East Bethel will not be held liable for any claims, injuries, or damages of whatever nature due to negligence, alleged negligence, acts or omissions of SafeAssure to third parties. SafeAssure expressly forever releases and discharges The City of East Bethel, its agents, members, officers, employees, heirs and assigns from any such claims, injuries, or damages. SafeAssure will also agree to defend, indemnify and hold harmless The City of East Bethel, its agents, members and heirs from any and all claims, injuries, or damages of whatever nature pursuant to the provisions of this agreement. SafeAssure and its employees is an independent contractor of The City of East Bethel, and nothing in this agreement shall be considered to create the relationship of an employer/employee.

In consideration of this signed agreement/contract, for the period of twelve months from the signing month, SafeAssure Consultants, Inc. agrees to provide The City of East Bethel, the aforementioned features and services. These features and services include but are not limited to OSHA compliance recommendations and consultations, providing scheduled classroom-training sessions, writing and maintaining mandatory OSHA programs, and providing DAMARCO Companies on-line MSDS management service. These features and services will be prepared to meet the specific needs of The City of East Bethel.

IN TESTIMONY WHEREOF, we agree to the day and year first above written and, if representing an organization or similar entity, further certify the undersigned are a duly authorized agent of said entity and authorized to sign on behalf of identified entity.

TOTAL ANNUAL CHARGES WITH DAMARCO MSDS SERVICE: $ 2,975.00

City of East Bethel	**SafeAssure Consultants, Inc.**
City of East Bethel	**SafeAssure Consultants, Inc.**

This contract is for the period of twelve months, from March 1, 2011 thru February 2012.

"Safety Wise We Specialize"

safeAssure

Post Office Box 756

Willmar, MN 56201

THE SAFEASSURE ADVANTAGE

Additional Benefits

- Fastenal – 15% Discount on all Products
- SafeAssure Assistance When OSHA Visits Your Entity
- Site Specific Written Programs – Annually Reviewed/Replaced
- Simulated OSHA Inspection – Written Report & Recommendations

March 2011-February 2012

March 2011 (1)

S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2011 (2)

S	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2011 (3)

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2011 (4)

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2011

S	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2011 (6)

S	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2011 (7)

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2011 (8)

S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2011 (9)

S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2011 (10)

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2012 (11)

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2012 (12)

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

NOTE: All city facilities will be inspected. These inspections are not on the schedule and will be scheduled separately.

HAM LAKE, EAST BETHEL, NOWTHEN, OAK GROVE

2011 Tentative Training Schedule

As of 011011

DATE	TOPIC	TIME	LOCATION	WHO ATTENDS
March 8 (OAK GROVE) Repeat on MARCH 29 (HAM LAKE)	TRAINING GAME (ANNUAL REVIEW) • AWAIR REVIEW • EMPLOYEE RIGHT TO KNOW REVIEW • EMERGENCY ACTION PLAN REVIEW • BLOODBORNE PATHOGENS REVIEW • FIRE EXTINGUISHERS FIRE EXTINGUISHERS (HANDS ON-EXTINGUISH A FIRE)	9AM -11AM OR 1PM - 3 PM (For Both Dates)	March OAK GROVE March HAM LAKE	ALL PERSONNEL of East Bethel, Ham Lake, Nowthen, & Oak Grove to attend 1 session
March 15	MANAGEMENT COMPLIANCE PRIORITIES AUDIT • ACCIDENT/INJURIES REDUCTION • PREVIOUS INSPECTIONS REVIEW • OSHA PRIORITIES/CITATIONS	8AM-10AM	OAK GROVE	Ham Lake, East Bethel, Nowthen, & Oak Grove PW SUPERVISORS AND LEAD PEOPLE ONLY
April 5 (same topics) April 13	TRAINING GAME (ANNUAL REVIEW) • AWAIR REVIEW • EMPLOYEE RIGHT TO KNOW REVIEW • EMERGENCY ACTION PLAN REVIEW • BLOODBORNE PATHOGENS REVIEW • FIRE EXTINGUISHERS FIRE EXTINGUISHERS (HANDS ON-EXTINGUISH A FIRE)	1PM – 3PM 7PM – 9PM	April EAST BETHEL April OAK GROVE	ALL PERSONNEL of East Bethel, Ham Lake, Nowthen, & Oak Grove to attend 1 session OAK GROVE FIRE DEPARTMENT
May10	TRAINING GAME • TRAFFIC SAFETY • SUMMER RELATED INJURIES • LOCKOUT TAGOUT LOCKOUT TESTING/PROCEDURES	8AM – 10AM	OAK GROVE	PUBLIC WORKS of East Bethel, Ham Lake, Nowthen, & Oak Grove
June TBD	SEASONAL TRAINING	8AM – 10AM	HAM LAKE	
July 12	TRAINING GAME • PPE • HEARING • ELECTRICAL SAFETY	8AM – 10AM	HAM LAKE	PUBLIC WORKS of East Bethel, Ham Lake, Nowthen, & Oak Grove
August	OSHA Concerns & Questions Call 1-800-920-SAFE **ONLINE TRAINING AVAILABLE UPON REQUEST			
September 13	TRAINING GAME • TRENCHING • WORKING AROUND HEAVY EQUIPMENT	8AM – 10AM	NOWTHEN	PUBLIC WORKS of East Bethel, Ham Lake, Nowthen, & Oak Grove
October	OSHA Concerns & Questions Call 1-800-920-SAFE **ONLINE TRAINING AVAILABLE UPON REQUEST			
November 8	TRAINING GAME • DEFENSIVE DRIVING-SNOW PLOWS • BACKING • ENTERING/EXITING VEHICLES	8AM – 10AM	OAK GROVE	PUBLIC WORKS of East Bethel, Ham Lake, Nowthen, & Oak Grove
November 21	TRAINING GAME (ANNUAL REVIEW) • AWAIR REVIEW • EMPLOYEE RIGHT TO KNOW REVIEW • EMERGENCY ACTION PLAN REVIEW • BLOODBORNE PATHOGENS REVIEW	7PM - 9PM	HAM LAKE	HAM LAKE FIRE DEPT. & EAST BETHEL FIRE DEPT.
December	OSHA Concerns & Questions Call 1-800-920-SAFE **ONLINE TRAINING AVAILABLE UPON REQUEST			
January 10 2012	TRAINING GAME • TREE TRIMMING OPERATIONS • CONFINED SPACE ENTRY	8AM – 10AM	EAST BETHEL	PUBLIC WORKS of East Bethel, Ham Lake, Nowthen, & Oak Grove
February	SAFETY COMMITTEE MEETING/ANNUAL REVIEW	8:30AM 10AM	NOWTHEN, OAK GROVE HAM LAKE EAST BETHEL	SAFETY COMMITTEES & SAFEASSURE

**SITE SPECIFIC ONLINE TRAINING TOPICS:

AWAIR
ERTK
Ergonomics
Automated External Defibrillator (AED) Manufacturer Training Video
EAP
BB

WHY ON-LINE INSTEAD OF ON-SITE TRAINING?

- Avoid on-site training scheduling conflicts
- More efficient - Employees view when they have time and in smaller increments
- 100% attendance achievable (meeting OSHA requirements)
- Tested on knowledge of subject
- Employee training progress reports available to Supervisor
- "First day" New Employee Training

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 G.1

* *

Agenda Item:
February 2, 2011 Unapproved Invoices

* *

Requested Action:
Approve the February 2, 2011 Invoices as Presented

* *

Background Information:
The attached invoices were presented as part of the Bill List at the February 2, 2011 City Council meeting. These invoices were pulled from the bill list and tabled for further explanation from the City Administrator.

The following are the bills in question and explanation of:

Blaine Lock and Safe – 16 additional keys - $104 – needed additional keys for Council Members and others that need access to City Hall.

Heidi Moegerle - $24.10 – Registration for Local Government Officials meeting on January 26, 2011

Michael Stokes - $364.23 – Recovery of Two hard drives, $75 each. Copies were made to external hard drives. External Hard Drives - $214.23.

Verizon Wireless – $31.89 - Cell phone bill for City Administrator's cell phone (Doug Sell) January 5 – February 4, 2011.

Attachment(s):
February 2, 2011 Unpaid Bill List

* *

Fiscal Impact:
$531.63

* *

Recommendation(s):
Approve the February 2, 2011 Invoices as presented.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
Unapproved Invoices
February 2, 2011 Council Meeting

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Central Services/Supplies	Small Tools and Minor Equip	12711	Michael Stokes	101	48150	364.23
City Administration	Telephone	2511714611	Verizon Wireless	101	41320	31.89
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	7051	Blaine Lock & Safe, Inc.	101	41940	111.41
Mayor/City Council	Conferences/Meetings	12711	Heidi Moegerle	101	41110	24.10
						$531.63

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 G.2

* *

Agenda Item:
RFP for Legal Services

* *

Requested Action:
Consider approving RFP for Legal services and direction to solicit quotes.

* *

Background Information:
Council directed staff at the January 19, 2011 City Council meeting to draft an RFP for legal services for consideration. We have drafted an RFP for your review and consideration. It provides for all the necessary services that the City would normally require.

* *

Fiscal Impact:
Unknown at this time.

* *

Recommendation(s):
Staff is recommending approval of the RFP for Legal Services and direction to solicit quotes.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
Request for Proposals for Legal Services

I. PURPOSE

The City of East Bethel is requesting proposals for legal services from firms experienced in municipal law and representation of municipal clients. Firms may choose to be considered for either or both of the following services:

- City Attorney
- Prosecuting Attorney

II. BACKGROUND

The City of East Bethel is located in northern Anoka County. Growth and development for the City is projected over the next several years based on recent approvals to the City's Comprehensive Plan that permits the introduction of municipal services for a significant portion of the community. The current population is approximately 13,500. The City operates under a statutory form of government consisting of a four member City Council and a Mayor. The City Council is responsible for adopting the City's budget and tax levy, adopting resolutions and ordinances, all hiring and firing decisions, policy making, development and growth planning, and overall direction of the City. In addition to providing general government services, the City offers a full range of other services including fire protection, building and other safety inspections, planning and zoning, parks, street maintenance, snow removal, infrastructure maintenance and repair, and others. The City provides limited municipal water and sewer services that will be expanded in the coming years.

III. PROCESS

The City will use the following process for selecting Legal Service Providers:

1. The City Council will establish a committee consisting of two Council Members and the City Administrator to review proposals received. A recommendation to the City Council will come from this committee. The committee may schedule interviews as they deem appropriate and/or necessary.
2. The City Council will select the firm or firms it believes would best meet the City's needs.
3. Pending a mutually agreeable contract arrangement, the City Council will appoint the firm or firms selected to provide the services indicated.

IV. GENERAL INSTRUCTIONS

A. Responses must provide complete information as described in this request. Ten (10) copies shall be submitted no later than 3:00 PM on March 18, 2011. Please forward proposals to:

City Administrator
City of East Bethel
2241 221st Avenue N.E.
East Bethel, MN 55011

B. To ensure fairness and uniformity, firms submitting responses are requested to not contact City staff or City Council members. Written questions about this RFP may be sent by e-mail to David.Schaaf@ci.east-bethel.mn.us prior to the submission deadline. Responses will be shared with all interested responders to the RFP.

C. The City will not reimburse any expenses incurred by the firm submitting a response including, but not limited to, expenses associated with the preparation and submission of the response and/or attendance at interviews.

D. The City reserves the right to reject any and all proposals, to request additional information from any and all Proposers and to suggest modifications to the terms and conditions of an agreement from that offered by a Proposer.

V. REQUIRED CONTENTS OF RESPONSE

A. Firms shall indicate which of the two legal services (City Attorney and/or Prosecuting Attorney) for which they wish to be considered. All proposals, one for City Attorney Services and one for City Prosecution Services shall not exceed 25 pages in length and provide, at a minimum, details for the following.

B. Firm Background:

1. Brief history of firm including nature of the firm's practice.
2. Number of attorneys, including number of partners and associates and areas of specialty or focused practice.
3. Provide the overall capabilities, qualifications, training, and areas of expertise for each of the principals, partners, and associates of the law firm including the length of employment for each person and his/her area of focused practice.
4. Support personnel including number and expertise.
5. Office organization and support capabilities.
6. Office locations(s).
7. Current use of technology, especially capability for computerized legal research and for sharing and editing documents electronically.

8. Statements of any malpractice claims and/or ethics complaints taken against your firm or firm's attorney(s) over the last five years and the status or outcomes of such action. Indicate whether any action is pending or is currently under review by the State Ethics Board.
9. Statement of 2010 billings for civil and criminal municipal work as a percentage of total firm billing for 2010 billings.
10. Describe malpractice insurance coverage: carrier, limits, and exemptions.
11. Statement of compliance with federal and state laws respecting civil rights.

C. Attorney Qualifications:

1. Identify the specific attorney who will serve as the lead attorney for each of the legal services you have expressed interest in providing, and indicate the following:

- Academic training and degrees
- Year admitted to the Minnesota Bar Association and License Number
- Description of background and experience
- Description of prior municipal experience including cities served in a similar capacity
- List of litigation in communities where designated attorney served as lead attorney and outcomes of litigation
- Professional affiliations

2. Identify attorney who will serve in the lead attorney's absence, and provide information as requested in No. 1 above.
3. Identify other attorneys and support staff who will supply services for which the City will be charged.
4. Indicate current firm responsibilities of person designated to serve as lead attorney.

D. List cities you currently represent and the type of service provided.

E. List cities you began representing in the last three years and cities you stopped representing in the last three years.

F. Names, telephone numbers, and contact person of at least five (5) client references, at least two (2) of which shall be cities.

G. Describe the firm's view of their responsibilities to the City in the providing of legal services.

H. Copy of Malpractice/liability Insurance Certificate in a minimum amount of $1,250,000.

I. Conflict of Interest:

1. Indicate whether designated lead attorneys or the law firm represent, or have represented, any client whose representation may conflict with your ability to provide legal services to the City.
2. Indicate whether designated lead attorneys or the law firm currently represent any real estate developers. If so, please identify those companies or persons in detail and provide a percentage breakdown of how much this work represents of your firm's total billings.
3. Identify what procedures your firm utilizes to identify and resolve conflicts of interest.

J. City/City Attorney Relationship:

1. Describe how you would structure the working relationship between the City Attorney and the City Council, City Administrator, Department Heads, and other staff members.
2. Define the standard time frames for response by the City Attorney to direction and/or inquiry from the City Council or City Administrator.
3. Describe the systems or mechanisms that would be established for monthly reporting of the status of projects, requests, and litigation.

K. Fees:

1. City Attorney-firms desiring to be considered for City Attorney services may indicate a monthly retainer amount (if appropriate) and describe specific services to be included within the retainer and any services that would be outside the retainer (refer to the list of services in Section VI.) For services outside the retainer, indicate the hourly rate for City Attorney and other attorneys and support staff that may be working on City business. Alternatively, firms may propose hourly rates for all services and/or flat fee billing services.
2. City Prosecutor-firms interested in providing City Prosecutor services may indicate a monthly retainer amount and describe specific services to be included within the retainer and provide an hourly rate for the lead attorney and hourly rates for other attorneys and staff that may be working on non-retainer City business. Alternatively, firms may propose hourly rates for all services and/or flat fee billings.
3. The City is open to exploring alternative fee arrangements other than the retainer or hourly rate. Indicate any alternate billing arrangements you would be willing to consider and under what circumstances they would be most appropriate.
4. Firms shall indicate all other costs and reimbursable expenses including travel (per mile), telephone, printing, photocopying, etc.
5. Firms shall indicate the minimum increment of time billed for each service including phone calls, correspondence, and personal conferences.
6. The City of East Bethel requests monthly billing statements which:
    - Itemize the date of services
    - Identify the personnel providing the services
    - List the time spent
    - Provide a detailed description of the services performed
    - State the fees for those services

- Organize billing on the basis of activity and City contact
- For activities that span multiple billing periods, a project-to-date summary may be requested
- Summarize monthly and annual costs by type of activity

VI. LEGAL SERVICES REQUIREMENTS

Following are the primary responsibilities for each of the two legal service areas. While this list is an attempt to identify the major areas of representation, it is not intended to be an all encompassing list.

<u>City Attorney:</u>

1. Attend City Council meetings and other City Board, Authority, Commission or Committee meetings as requested by the City Council or City Administrator.
2. Draft and/or review ordinances, resolutions, and correspondence, as requested. Review City Council agendas and meeting minutes as requested.
3. Advise and/or prepare legal opinions to the Mayor and Council members as requested or directed by the City Council and/or City Administrator.
4. Prepare and/or review municipal contracts, such as contracts for public improvements, joint powers of agreements, construction, and purchase of equipment.
5. Represent City in matters related to the enforcement of City building and zoning codes.
6. Provide legal briefings as requested to City Council and/or City Administrator regarding new or proposed legislation or judicial decisions affecting municipal operations and activities.
7. Provide advice on open meeting law, data practice, records retention and privacy issues.
8. Defend City in litigation (except in those cases where insurance companies are required to provide defense) including, but not limited to, 1) human rights claims; 2) condemnation; 3) permits and administrative actions; and 4) labor and employment matters.
9. Defend City in uninsured claims and other insurance matters.
10. In coordination with Bond Counsel, review of financing, special assessments, bonds and insurance requirements required by or for City contracts or activities.
11. Represent City in the acquisition of properties for public improvements, easements, and parks.
12. Represent City in condemnation proceedings for public improvement projects.
13. Initiate litigation on behalf of City as directed by the City Council.
14. Interpret and advise regarding State land use statutes and City Code.
15. Interpret and advise regarding impact fees and legal uses.
16. Advise and represent the City on environmental matters.
17. Prepare and/or review the following:
    a. Conditional Use Permits and Documentation
    b. Vacation of Rights-of-Way

c. Special Assessments
d. Planned Unit Developments
e. Development Agreements
f. Subdivision and Zoning Requests

18. The firm shall not subcontract out or assign any interest in the contract and shall not transfer any interest in the same without prior written consent of the City.

Prosecuting Attorney:

1. Represent and prosecute all criminal law matters within the City's jurisdiction, included but not limited to, scheduling, coordinating deputy appearances, reviewing all criminal cases presented for purposes of prosecution, determine technical compliance with criminal code and other state statutes, writing complaints, making recommendations to the Court for alternatives to prosecution where appropriate, act as a resource to the Sheriff's Department in the development of criminal cases, and provide training sessions for enforcement staff as needed.
2. Timely pursuit of disposition of criminal cases in advance of actual Court cases to avoid unnecessary officer court time.
3. Aggressively seek restitution to the City for all relevant costs of prosecution.

VII. ANTICIPATED TIMELINE

Following is the anticipated schedule the City Council expects to utilize for the review and selection of a City Attorney and Prosecuting Attorney. This is a tentative schedule and is subject to change.

1. Starting February 4, 2011 Distribute RFP
2. March 18, 2011 (3:00 p.m.) Deadline for receipts of RFP
3. March 25- April 15, 2011 Review proposals and make arrangements for interviews.
4. April 18-May 20, 2011 Interviews
5. May 25, 2011 Recommendation to City Council for appointment effective June 1, 2011

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 G.3

* *

Agenda Item:
Upper Rum River Watershed Joint Powers Agreement

* *

Requested Action:
Council Approval

* *

Background Information:

Attachment(s):
Copy of Joint Powers Agreement

* *

Fiscal Impact:
-0-

* *

Recommendation(s):
Strongly recommend a vote to approve Joint Powers Agreement

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

AMENDED
JANUARY 2011

UPPER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION
JOINT POWERS AGREEMENT

THIS AGREEMENT, made and entered into as of the date of execution by and between the Local Government Units of: City of Bethel, City of East Bethel, City of Ham Lake, City of Nowthen, City of Oak Grove, and City of St. Francis for the establishment of a watershed management organization. The purpose of this Joint Powers Agreement is to establish a Water Management Organization to assist the member local units of government with surface water, ground water, water quality and water usage issues.

WHEREAS, the parties to this Agreement have authority pursuant to Minnesota Statutes, Chapter 471.59 to jointly or cooperatively by agreement exercise any power common to the contracting parties and pursuant to Minnesota Statutes, Sections 103B.201 to 103B.255 have authority to jointly or cooperatively manage or plan for the management of surface water;

WHEREAS the parties to this Agreement desire to prepare a surface water management plan for the purpose of management and implementation of the programs required by Minnesota Statutes, Sections 103B.201 to 103B.255.

NOW, THEREFORE, the parties to this Agreement do mutually agree as follows:

SECTION I
General Purpose

1.1 It is the general purpose of the parties to this Agreement to establish an organization to jointly and cooperatively develop a Watershed Management Plan and an Implementation Program and a Capital Improvement Program for the purposes of (a) protecting, preserving, and using natural surface and groundwater storage and retention systems in the Upper Rum River Watershed; (b) minimizing public capital expenditures needed to correct flooding and water quality problems; (c) identifying and planning for means to effectively protect and improve surface and groundwater quality; (d) establishing more uniform local policies and official controls for surface and ground water management; (e) preventing erosion of soil into surface water systems; (f) promoting groundwater recharge; (g) protecting and enhancing fish and wildlife habitat and water recreational facilities; and (h) securing the other benefits associated with the proper management of surface and groundwater. The plan and programs shall operate within the boundaries of the Upper Rum River Watershed as set forth in Addendum 1 attached hereto (hereinafter "Area").

SECTION II
Upper Rum River Watershed Management Organization

2.1 <u>Establishment</u>: There is hereby established the "Upper Rum River Watershed Management Organization" whose membership shall be appointed in accordance with the

provisions of this section and whose duties shall be to carry out the purposes contained herein. The Upper Rum River Watershed Management Organization (hereinafter "Organization") shall be constituted as described in Section 2.2.

2.2 Membership Appointment: Each party to this Agreement shall appoint two (2) representatives to serve as members of the Organization board. Each representative of a party to this agreement who is current in the payment of their share of operating expenses shall have one (1) vote. Representatives appointed to the Organization board shall be evidenced by a resolution or certified copy of official meeting minutes of the governing body of each party and filed with the Organization.

2.3 Alternate Members: One (1) alternate member of the Organization board may be appointed by appropriate resolution or certified copy of official meeting minutes of the governing body of each party to this Agreement, filed with the Organization. The alternate member may attend any meeting of the Organization board when a regular member representing that party is absent and vote on behalf of the party the member represents. If an Organization board member is also an officer of the Organization, the alternate member shall not be entitled to serve as such officer.

2.4 Term: The members of the Organization board shall be filled by the governing body of the party whose membership position on the board is vacant. Removal of a board member or alternate board member shall be at the sole discretion of the appointing authority. The term of appointment is at the sole discretion of the appointing authority.

2.5 Vacancies: The Organization shall notify the Board of Water and Soil Resources of member appointments and vacancies in member positions within thirty (30) days. A vacancy on the Organization board shall be filled by ninety (90) days after the vacancy occurs by the governing body of the party whose membership position on the board is vacant.

Vacancies resulting from expiration of members' terms and other reasons shall be filled only after published notice of the vacancy once a week for two (2) successive weeks in a newspaper of general circulation in the watershed management organization area; the notices must state that the party is considering applications for appointment of a member to the Organization board and that persons interested in being appointed to serve on the board may submit their names to the appointing authority for consideration. A vacancy shall not be filled until at least fifteen (15) days have elapsed after the last published notice.

2.6 Additional Parties – Membership: The Organization, with the ratification of the governing bodies of all voting members of the Organization, may invite other local government units within the Upper Rum River Watershed to also become parties to this Agreement. The governing body of any such additional party shall appoint a member to the Organization who shall have voting rights in accordance with the provisions of Section 2.2 and in all respects thenceforth enjoy the full rights, duties, and obligations of this Agreement.

2.7 Compensation and Expenses: The Organization members shall not be entitled to compensation or reimbursement for expenses incurred in attending meetings, except to the

extent that the governing body of a party may determine to compensate or reimburse the expenses of the member(s) it appoints, in which case the obligation to make such payments shall be that of the party and not that of the Organization.

2.8 Officers: The Organization board shall elect from its membership a chair, a vice-chair, a secretary. All such officers shall hold office for a term of one (1) year and until their successors have been qualified and duly elected by the board. An officer may serve only while a member of the Organization. A vacancy in an office shall be filled from the membership of the board by election for the remainder of the unexpired term of such office.

2.9 Duties of Officers: The duties of the officers of the Organization shall be as outlined in Robert's Rules of Order Newly Revised 10th Edition.

2.10 Quorum: Voting members of the Organization board representing a majority of the parties to this Agreement shall constitute a quorum. Less than a quorum may adjourn a scheduled meeting.

2.11 Meetings:

A. Annual Meeting. The annual meeting of the Organization board will be held in May of each year at Oak Grove City Hall. At the annual meeting the board, at a minimum, shall:

   1. Elect officers;
   2. Establish the annual budget and work plan;
   3. Hear recommendations on amendments to this agreement and the watershed management plan;
   4. Biennially renew or decide on contracts for professional, legal, and administrative services; and
   5. Decide on regular meeting dates.

B. Meeting Notices. Notice of all regular and special meetings shall be provided with a minimum of seventy-two (72) hours advance notice of the meeting to all parties of this agreement. Such meeting notice shall be posted on the official notification board for each party to this Agreement.

C. Special meetings may be held at the call of the chair or by any three (3) members of the board giving not less than seventy-two (72) hours written notice of the time, place and purpose of such meeting delivered, mailed or e-mailed to the residence of each Organization member and delivered, mailed or e-mailed to the City Hall of each party to this Agreement.

D. All meetings of the board are subject to Minnesota Statutes and the notice provisions contained therein. Posted notice, when required, shall be given separately by each party to this Agreement.

2.12 Conduct of Meetings: The Organization board shall adopt rules of order and procedure

for the conduct of its meetings in accordance with Robert's Rules of Order Newly Revised 10th Edition; the board may adopt any such rules as a majority the parties to this Agreement shall agree. Decisions by the board may not require more than a majority vote, except a decision on a capital improvement project may require no more than a two-thirds vote. All meetings of the board are subject to Minn. Stat. 13D (Minnesota Open Meeting Law).

2.13 Organization Office: The office of the Organization shall be the Oak Grove City Hall, 19900 Nightingale Street NW, Cedar, Minnesota 55011. All notices to the Organization shall be delivered or served at said office.

SECTION III
Organization Powers and Duties

3.1 Authority: Upon execution of the Agreement by the parties, the Organization shall have authority provided for in Minnesota Statures, Chapter 103B.211 through 103B.255 that provides for, in part:

A. The authority to prepare, adopt, and implement a plan for the Upper Rum River Watershed meeting the requirements of Minnesota Statutes, Section 103B.231.

B. The authority to review and approve local water management plans as provided in Minnesota Statutes, Section 103B.235C. This is subject to amendment by the legislature.

3.2 Watershed Management Plan: The Organization shall prepare a Watershed Management Plan for the Upper Rum River Watershed. The plan shall be in compliance with Minnesota Statutes, Chapter 103B.231, Subd. 4 and 6 as from time to time amended. The Chapter describes plan contents to include but not limited to the following.

A. Describe the existing physical environment, land use and development in the Upper Rum River Watershed, and shall further describe the environment, land use and development proposed in existing local and metropolitan comprehensive plans;

B. Present information on the hydrologic system in the Upper Rum River Watershed and its components, including any drainage systems previously constructed under Minnesota Statutes, Chapter 103E, and existing and potential problems relating thereof;

C. State objectives and policies, including management principles, alternatives and modifications, water quality, and protection of natural characteristics;

D. Set forth a management plan, including the hydrologic and water quality conditions that will be sought and significant opportunities for improvement;

E. Describe the effect of the Watershed Management Plan on existing drainage systems;

F. Describe conflicts between the Watershed Management Plan and existing plans of local government units;

G. Set forth an Implementation Program consistent with the Watershed Management Plan, which includes a Capital Improvement Program and standards and schedules for amending the comprehensive plans and official controls of local government units in the watershed to bring about conformance with the Watershed Management Plan; and

H. Set out a procedure for amending the Watershed Management Plan.

The plan shall be amended as required from time to time.

3.3 Employment: The Organization may contract for services from parties to this Agreement, or may employ such other persons as it deems necessary. Where staff services of a party are utilized, such services shall not reduce the financial commitment of such party to the operating fund of the Organization unless the Organization so authorizes.

3.4 Committees: The Organization may appoint such committees and sub-committees as it deems necessary. The Organization shall establish citizen and technical advisory committees unless other means of public participation are established. See Addendum 2 attached.

3.5 Rules and Regulations: The Organization may prescribe and promulgate such rules and regulations as it deems necessary or expedient to carry out its powers and duties and the purpose of the Agreement.

3.6 Review and Recommendations: Review and Recommendations: Where the Organization is authorized or requested to review and make recommendations on any matter relating to the Watershed Management Plan, the Organization shall act on such matter within sixty (60) days of receipt of the matter referred. Failure of the Organization to act within sixty (60) days shall constitute approval of the matter referred, unless the Organization requests and receives from the referring unit of government an extension of time to act on the matter referred. Such extension shall be in writing and acknowledged by both parties.

The Board shall adopt an appeal procedure for any party aggrieved by a decision of the Board or an alleged failure to implement the Plan pursuant to Minnesota Statutes, Chapter 103B.231, Subd. 13.

3.7 Ratification: The Organization may, and where required by this Agreement shall, refer matters to the governing bodies of the parties for review, comment or action.

3.8 Financial Matters:

Subdivision 1 - Method of Operation: The Organization may collect and receive money and contract for services subject to the provision of the Agreement from the parties and from any other sources approved by the Organization. The Organization may incur expenses and make disbursements necessary and incidental to the effectuation of the

purposes of this Agreement. Funds may be expended by the Organization in accordance with procedures established herein. Upon Board approval, invoices shall be initialed by the chair or vice-chair for payment by the Organization office. Other legal instruments shall be executed on behalf of the Organization by the chair, vice-chair or an appointed Board member.

Subdivision 2 - Operating Funds : On or before June 1 of each year, Organization shall prepare a work plan and an operating budget for the following year. The annual budget shall budget provide details to support the proposed revenues and expenditures for the Organization. This detail shall be sufficient to meet standard budget and/or accounting principles generally recognized for governmental organizations. Expenditures may include administrative expenses, plan development costs, review expenses, capital improvement costs, Management Programs, Management Studies costs in Section 3.12, and insurance costs as authorized in Section 3.14. Upon the approval of the majority of voting members of the Organization, the budget shall be recommended to the parties for ratification along with a statement showing each party's proposed share of the budget. The budget shall be implemented only after ratification by each party to this Agreement. Failure to ratify or pay its share of the budget by any party to this Agreement shall be subject to the procedures in Section 3.6. Each party shall contribute funds toward the budget according to the following methods:

Work Plan – ((PA / WA) + (PV / WV)) / 2 = the party's percentage share of the organization's operating budget.

PA = Party's area within the watershed organization area
WA = watershed organization area
PV = party's market valuation within the watershed organization area
WV = market valuation of the watershed organization area

Operating Costs – Total amount to be divided equally between each community member of the Joint Powers Agreement. Operating costs per the operating budget are defined as copies, postage, recording secretary fees, insurance, and administrative fee charged to each member community.

After ratification the chair or vice-chair shall certify the recommended budget to each party on or before June 1 of each year together with a statement showing the amounts due from each party. Each party shall pay over to the Organization the amount owing in two equal installments, the first on or before January 1 and second on or before July 1 in accordance with the tax year for which the amount due is being paid.

Subdivision 3 - Review Services: When the Organization is authorized or requested to undertake a review and submit recommendations to a party as provided in this Agreement, the Organization shall conduct such review, without charge, except as provided below. Where the project size and complexity of review are deemed by the Organization to be extraordinary and substantial, the Organization may charge a fee for such review services, the amount to be based upon direct and indirect costs attributable to that portion of review services determined by the Organization to be extraordinary and substantial. Where the

Organization determines that a fee will be charged for extraordinary and substantial review services, or where the flowage enters the Upper Rum River, but the party is not a member of the Upper Rum River Watershed Management Organization, the party to be charged shall receive written notice from the Organization of the services to be performed and the fee therefore, prior to undertaking such review services. Unless the party to be charged objects within fifteen (15) days of receipt of such written notice to the amount of the fee to be charged, such review services shall be performed and the party shall be responsible for the cost thereof. If the party to be charged objects to the proposed fee for such services within fifteen (15) days, and the party and the Organization are unable to agree on a reasonable alternative amount for review services, such extraordinary and substantial review services shall not be undertaken by the Organization.

3.9 Annual Audits: The Organization shall annually prepare a comprehensive financial report on operations and activities for the fiscal year defined as January 1 through December 31. An annual audit shall be provided that includes a full and complete audit of all books and accounts the Organization office is charged with maintaining. Such audits shall be conducted in accordance with generally accepted auditing principles and guidelines. A copy of the annual financial report and auditor's statement shall be provided to all parties and to the Board of Water and Soil Resources. The report to the Board of Water and Soil Resources shall include an annual activity report. All of its books, reports, and records shall be available for and open to examination by any party at all reasonable times.

3.10 Gifts, Grants, Loans: The Organization may, within the scope of this Agreement, accept gifts; may apply for and use grants of money or other property from the United States, the State of Minnesota, a local government unit or other governmental unit or organization or any person or entity for the purpose described herein. The Organization may enter into any reasonable agreement required in connection therewith. The Organization shall comply with any laws or regulations applicable to grants, donations and agreements. The Organization may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, or agreement relating thereto.

3.11 Contracts: The Organization may make such contracts and enter into any such agreements as it deems necessary to make effective any power granted to it by this Agreement. Every contract for the purchase or sale of merchandise, materials, or equipment by the Organization shall be let in accordance with the Uniform Municipal Contracting Law, Minnesota Statutes, Section 471.345 and the Joint Exercise of Powers Statute, Minnesota Statues, Section 471.59. No member or employee of the Organization or officer or employee of any of the parties shall have direct or indirect interest in any contract made by the Organization.

3.12 Works of Improvement: Works of improvement for protection and management of the natural resources of the Area, including, but not limited to, improvements to property, land acquisition, easements, or right-of-way, may be initiated by:

A. Recommendation of the Organization to a party or parties; or

B. Petition to the Organization by the governing body of a party or parties.

Where works of improvement are recommended by the Organization, the Organization shall first determine whether such improvement will result in a local or regional benefit to the Area. Where the Organization determines that the benefits from the improvement will be local or not realized beyond the boundaries of the party in which the improvement is to be established, the Organization shall recommend such improvement to the governing body of the unit of government which the Organization determines will be benefited thereby, with the total estimated cost of the improvement and a description of the benefits to be realized.

The Organization shall recommend such improvement to each governing body of the units of government which the Organization determines will be benefited thereby. The recommendation of the Organization shall include the total estimated cost of the improvement, a description of the extent of the benefits to be realized by each unit of government and the portion of the cost to be borne by each party benefited in accordance with the extent of the benefit of each unit of government as described by the Organization.

Each party to whom the Organization submits such recommendation shall respond within sixty (60) days from receipt of such recommendation. Where the Organization determines that the benefits of such improvement will be local, the unit of government to whom such recommendation is made may decline to ratify and undertake said improvement. Where the Organization determines that the benefits of such improvement will be regional, unless all parties to whom such recommendation is directed decline to ratify and undertake said improvement, the Organization shall continue to review and recommend alternative methods of cooperation and implementation among those parties ratifying the recommendation of the Organization, unless and until the Organization determines that said improvement is no longer feasible.

When works of improvement are initiated by the governing body of a party or parties to this Agreement, said governing body or bodies shall submit a petition to the Organization setting forth a description of the proposed work of improvement, the benefits to be realized by said improvement, its total estimated cost and a proposed cooperative method for implementation of the improvement, if applicable. The Organization shall review and make recommendations on the proposed improvement and its compliance with the Organization's management plan in accordance with the provisions of Section 3.5 of this Agreement.

When a proposed improvement may be eligible for federal or state funds as a cost-share project, the Organization may undertake a proposed work of improvement for the area, subject to Organization recommendation to and ratification by the parties to this Agreement, as required for an improvement of regional benefit.

The Organization is further authorized to undertake experimental improvement projects within the Area to serve as a basis for evaluation of other improvements by the parties. When the Organization determines to undertake an experimental improvement project, the costs of such project shall be the obligation of the Organization and not of the parties to this Agreement.

3.13 Claims: The Organization or its agents may enter upon lands within or without the Upper Rum River Watershed to make surveys and investigations to accomplish the purpose of the Organization. The Organization shall be liable for actual damages resulting there from, but every person who claims damages shall serve the Chairperson or Secretary of the Organization with a notice of claim as required by Minnesota Statutes, Section 466.05. The Organization shall obtain court orders authorizing and directing such entries when necessary due to refusals of landowners to allow the same.

3.14 Indemnification and Insurance: Any and all claims that arise or may arise against the Organization, its agents or employees as a consequence of any act or omission on the part of the Organization or its agents or employees while engaged in the performance of this Agreement shall in no way be the obligation or responsibility of the parties. The Organization shall indemnify, hold harmless and defend the parties, their officers and employees against any and all liability, loss, costs, damages, expenses, claims, or actions, including attorney's fees which the parties, their officers, or employees may hereafter sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the Organization, its agents or employees in the execution, performance, or failure to adequately perform the Organization's obligations and understandings pursuant to the Agreement.

The Organization agrees that in order to protect itself as well as the parties under the indemnity provision set forth above, it will at all times during the term of this Agreement keep in force the following protection in the limits specified:

A. Commercial General Liability / Professional Liability ($500,000 per individual; $1,500,000 per incident) including the following endorsements:

B. Automobile Coverage ($0)

C. Worker's Compensation Coverage (statutory minimum)

The minimum liability limits shall be increased to the statutory limits provided for member local units of government in Minnesota Statutes.

Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed or not renewed without thirty (30) days prior notice thereof to each of the parties.

Prior to the effective date of this Agreement, and as a condition precedent to this Agreement, the Organization will furnish the parties with certificates of insurance listing each party to the Agreement as an additional insured.

3.15 General: The Organization may take all such other actions as are reasonably necessary and convenient to carry out the purpose of this Agreement.

SECTION IV
Mediation

4.1 The parties agree that any controversy that cannot be resolved shall be submitted for mediation. Mediation shall be conducted by a mutually agreeable process by all parties.

SECTION V
Termination of Agreement

5.1 This Agreement may be terminated by approval of two-thirds vote of the governing bodies of each party hereto, provided that all such approvals occur within a ninety (90) day period. Withdrawal of any party may be accomplished by filing written notice with the Organization and the other parties 60 days prior to the effective date of termination. No party may withdraw from this Agreement until the withdrawing party has met its full financial obligations through the effective date of such withdrawal.

SECTION VI
Dissolution of Organization

6.1 The Organization shall be dissolved under any of the following conditions:

A. Upon termination of this Agreement;

B. Upon unanimous agreement of all parties; or

C. Upon the membership of the Organization being reduced to fewer than three (3) parties.

At least 90 days notice of the intent to dissolve shall be given to affected counties and the Board of Water and Soil Resources. Upon dissolution, all personal property of the Organization shall be sold, and the proceeds thereof, together with monies on hand after payment of all obligations, shall be distributed to the parties. Such distribution of Organization assets shall be made in proportion to the total contributions to the Organization for such costs made by each party. All payments due and owing for operating costs under Section 3.8,B or other unfilled financial obligations, shall continue to be the lawful obligation of the parties.

SECTION VII
Amendment

7.1 The Organization may recommend changes and amendments to this Agreement to the governing bodies of the parties. Amendments shall be adopted by a two-thirds majority vote of the governing bodies of the parties as evidenced by meeting minutes of the governing body, within ninety (90) days of referral. Amendments shall be evidenced by appropriate resolutions or certified copies of meeting minutes of the governing bodies of each party filed with the Organization and shall, if no effective date is contained in the amendment, become effective as of the date all such filings have been completed.

SECTION VIII
Counterparts

8.1 This Agreement may be executed in several counterparts and all so executed shall constitute one Agreement, binding on all of the parties hereto. Each party to the agreement shall receive a fully executed copy of the entire document following adoption by all parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2010.

CITY OF BETHEL

By:_____
Mayor

By:_____
City Administrator / City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2010.

CITY OF EAST BETHEL

By:_____
Mayor

By:_____
City Administrator / City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2010.

CITY OF HAM LAKE

By:_____
Mayor

By:_____
City Administrator / City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2010.

CITY OF NOWTHEN

By:_____
Mayor

By:_____
City Administrator / City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2010.

CITY OF OAK GROVE

By:_____
Mayor

By:_____
City Administrator / City Clerk

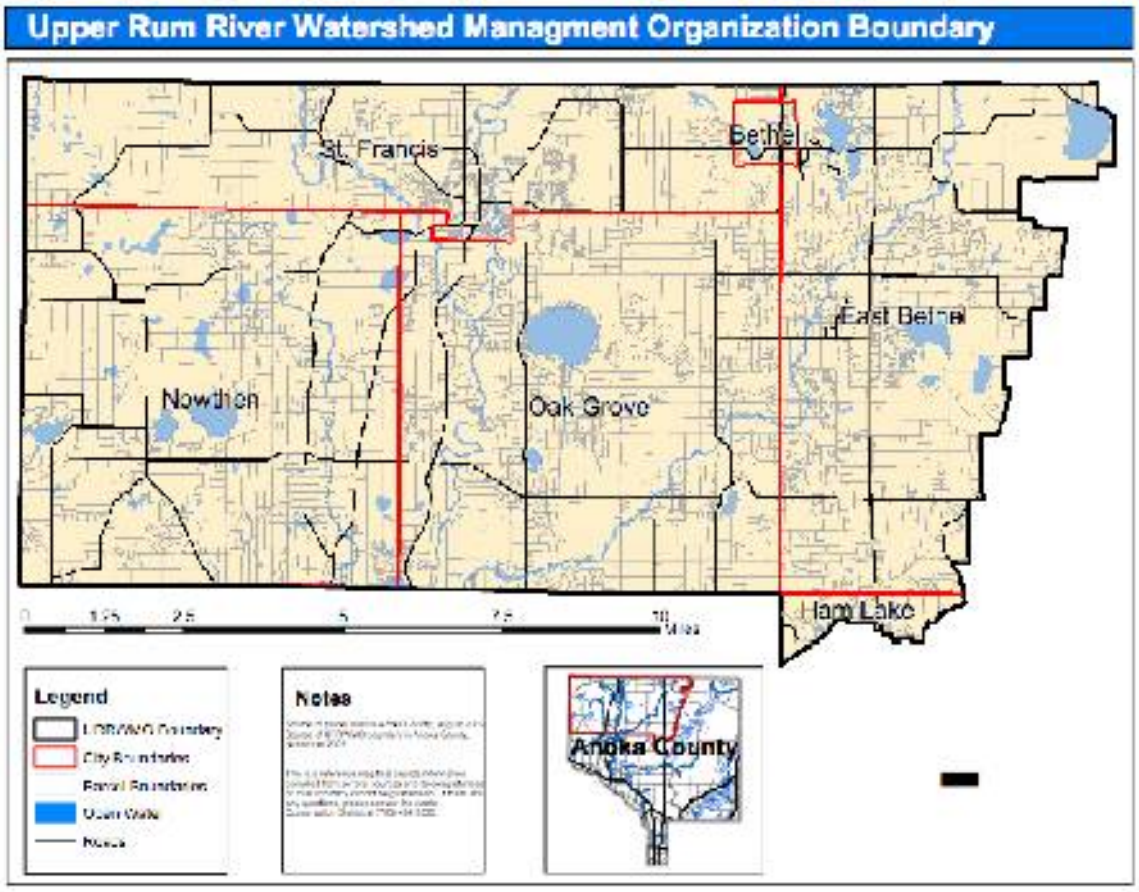
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the _____ day of _____, 2010.

CITY OF ST. FRANCIS

By:_____
Mayor

By:_____
City Administrator / City Clerk

Addendum 1


Upper Rum River Watershed Managment Organization Boundary
St. Francis
Bethel
East Bethel
Nowthen
Oak Grove
Ham Lake
Legend
Notes
Anoka County

Addendum 2

The Organization shall establish citizen and technical advisory committees and other means of public participation.

Regular, recurring public participation opportunities shall include:

- Open mike at each Organization meeting,
- Contact information posted on the Organization website, such that the public may contact an Organization representative outside of public meetings.

Citizen and/or technical advisory committees will be formed from time-to-time as deemed appropriate by the Organization and shall be issue-specific. Committees may be formed that include both citizens and technical experts. Committees shall operate by seeking consensus, while noting any dissenting opinions. Committee findings shall be reduced to writing and submitted to the Organization Board. In all cases, committees shall be advisory and their findings shall be referred to the Organization Board for final decision-making.

Issues that may warrant formation of advisory committees include:

- Amendments or updates to the Organization's watershed Management Plan
- Lake level or water quality issues,
- A total maximum daily load (TMDL) impaired waters study or implementation of the study,
- Capital improvement projects,
- Major hydrological changes in the watershed,
- Others as deemed appropriate by the Organization Board.

Technical advisory committees shall include technical experts, and invited members may include:

- Staff and/or elected officials from affected communities,
- MN Department of Natural Resources,
- MN Pollution Control Agency,
- MN Board of Water and Soil Resources,
- Metropolitan Council,
- Anoka Conservation District,
- Others, as deemed appropriate by the Organization Board.

Citizen advisory committees shall include residents and elected officials from the affected area, and invited members may include:

- Homeowners,
- Business owners
- Lake association or lake improvement district representatives,
- Others, as deemed appropriate by the Organization Board.

All advisory committees shall include at least one URRWMO Board member.

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 G.4

* *

Agenda Item:
City Administrator - Other

* *

Requested Action:

* *

Background Information:
The City Administrator directed that this agenda item be added.
Attachment(s):

* *

Fiscal Impact:
Unknown.

* *

Recommendation(s):

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

DATE: February 16, 2011

TO: Honorable Mayor
Members of the City Council

FROM: Wendy Warren
Deputy City Clerk

RE: Addition to Agenda – Agenda Item 9.0 G.5 – Schedule Spring Town Hall Meeting

Council has held a Town Hall meeting in the spring and fall of the year for the past several years. One of the ways that Council has advertised the Town Hall meetings is the City Newsletter. The 1st quarter newsletter is in the process of being written, is due to the printer by February 28, 2011and will be in residents mailboxes no later than March 25, 2011.

Staff is requesting Council add Scheduling the Spring Town Hall Meeting to the agenda so we can advertise in the 1st Quarter City newsletter.

Attachment:
Item 9.0 G.5 Town Hall Meeting

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0 G.5

* *

Agenda Item:
Town Hall Meeting

* *

Requested Action:
Consider setting dates/times for Town Hall Meeting

* *

Background Information:
Over the past several years, City Council has directed that a Town Hall meeting be convened in the spring and fall of the year. These meetings allow for citizens to see and hear about activities in the City as well as provide a forum for questions and answers regarding these activities.

In the past, the spring event has been held in April. Regular Council Meeting dates in April include April 6th and April 20th. April 27th, a Wednesday, would be available for the spring event.

* *

Fiscal Impact:
None

* *

Recommendation(s):
Staff is requesting Council direction on the date for the spring Town Hall meeting.

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011

* *

Agenda Item Number:
Item 9.0.E.2

* *

Agenda Item:
Animal Control Contract

* *

Requested Action:
Consider approval of an animal control contract with Gratitude Farms

* *

Background Information:
The proposed agreement provides for animal control services in the City of East Bethel. This includes dog licensing, patrol services, pickup and impound of dogs and other agreed upon domestic animals and for other duties as may be assigned by the City related to animal control activity. Services under this agreement will be billed at $250.00 per month in addition to fee's for call out/patrol services and boarding. **Issuance of city dog licenses will be provided by contractor by appointment, city will provide dog tags.**

Emergency Veterinary services will be provided to injured animals only to the extent necessary to keep them from suffering and to provide humane conditions while boarding the animal. These charges are the responsibility of the owner. Should the owner fail to claim the animal within six days, the animal becomes the property of Gratitude Farms.

The following fee schedule is in addition to the $250.00 monthly rate for services.

Animal Owner Charges if Animal is claimed:
$50.00 one time administrative handling fee per animal
$25.00 Daily board fee, statutory veterinary services at cost
(Fee's collected shall be retained by the contractor)

City Charges if Animal is unclaimed:
$50.00 one time administrative handling fee per animal
$25.00 daily board fee, statutory veterinary services at cost

Call out and Patrol service fee:
$60.00/hr. for call out or patrol services between the hours of 8 am. – 6 pm.
$80.00/hr. for call out or patrol services between the hours of 6 pm. - 8 am.
(Call out and patrol services shall be billed in quarter hour increments.)

Consulting services provided by contractor: $75.00/hr.
* *

Fiscal Impact:
As noted above.
* *

Recommendation(s):
Staff recommends approval of the contract with Gratitude Farms for animal control services for period of one year effective January 1, 2011.

Attachments:

1. Proposed Contract

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

No Action Required:_____

City of East Bethel
City Council
Agenda Information

* *

Date:
February 16, 2011
* *

Agenda Item Number:
Item 10.0 A.1
* *

Agenda Item:
Discuss Meeting Adjournment Time
* *

Requested Action:
Council discuss the 11:00 p.m. meeting adjournment resolution.
* *

Background Information:
In 2003, City Council adopted Resolution 2003-4 Setting the Latest Adjournment Time for Any Public Meeting for 11:00 p.m.

Attachment(s):
Resolution 2003-4
* *

Fiscal Impact:
None at this time.
* *

Recommendation(s):
Council discuss the 11:00 p.m. meeting adjournment resolution.
* *

City Council Action

Motion by:________________ Second by:________________

____

____

____

Vote Yes:_____ Vote No:_____

No Action Required:_____

RESOLUTION 2003-4

A Resolution to Set the Latest Adjournment Time for Any Public Meeting.

WHEREAS, important decisions are made at Committee and Council Meetings that affect many people, and it is imperative that members are attentive and productive, and

WHEREAS, the Public depends upon information to be provided in a timely manner without it becoming repetitive or vague, and

WHEREAS, it has been found that when public meetings are allowed to run later than 11:00 P.M., there is a loss of productivity and good decision making due to the lateness of the hour, and

WHEREAS, it is in the best interest of the Council, Committee and the Public to have meetings end by 11:00 P.M.

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

1) **to adjourn all public meetings by no later than 11:00 P.M., and**

2) **if the meeting has not addressed and completed all agenda items, a special meeting for continuance shall be stated at the public meeting or the remaining items will be continued at the next regularly scheduled meeting.**

Adopted by the East Bethel City Council this 22nd day of January, 2003.

Greg Hunter, Mayor

ATTEST:

Sherri Anderson, Clerk/Treasurer

City of East Bethel
City Council
Agenda Information

* *

Date:
March 16, 2011

* *

Agenda Item Number:
Item

* *

Agenda Item:
Comprehensive Plan Review

* *

Requested Action:
Set Work Meeting Date for Comprehensive Plan Review

* *

Background Information:
Chapter IX Implementation Program, of the 2008 East Bethel Comprehensive Plan states that the Comprehensive Plan will be reviewed on an annual basis to insure that the plan remains as an effective development guide for East Bethel and as necessary, corrections will be made to deal with unforeseen circumstances.

Since the 2007adoption, the Comprehensive Plan has not been reviewed. Staff is recommending a work session be scheduled so City Council can review the document.

Staff suggests a work session scheduled in the evening in the month of April.

Attachment(s):

* *

Fiscal Impact:

* *

Recommendation(s):

* *

City Council Action

Motion by:_____ Second by:_____

_____

_____

_____

Vote Yes:_____ Vote No:_____

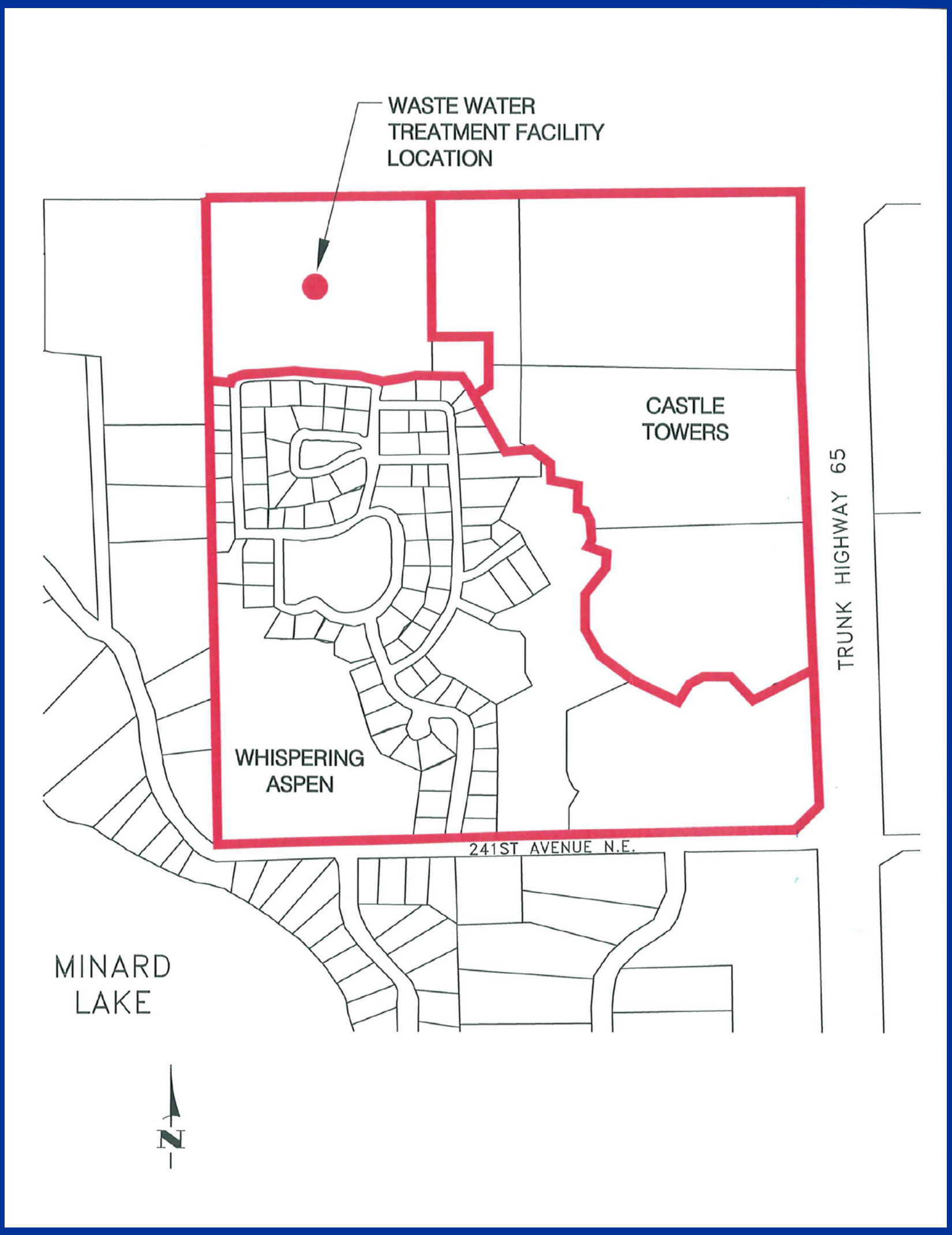
No Action Required:_____

City of East Bethel

February 16, 2011

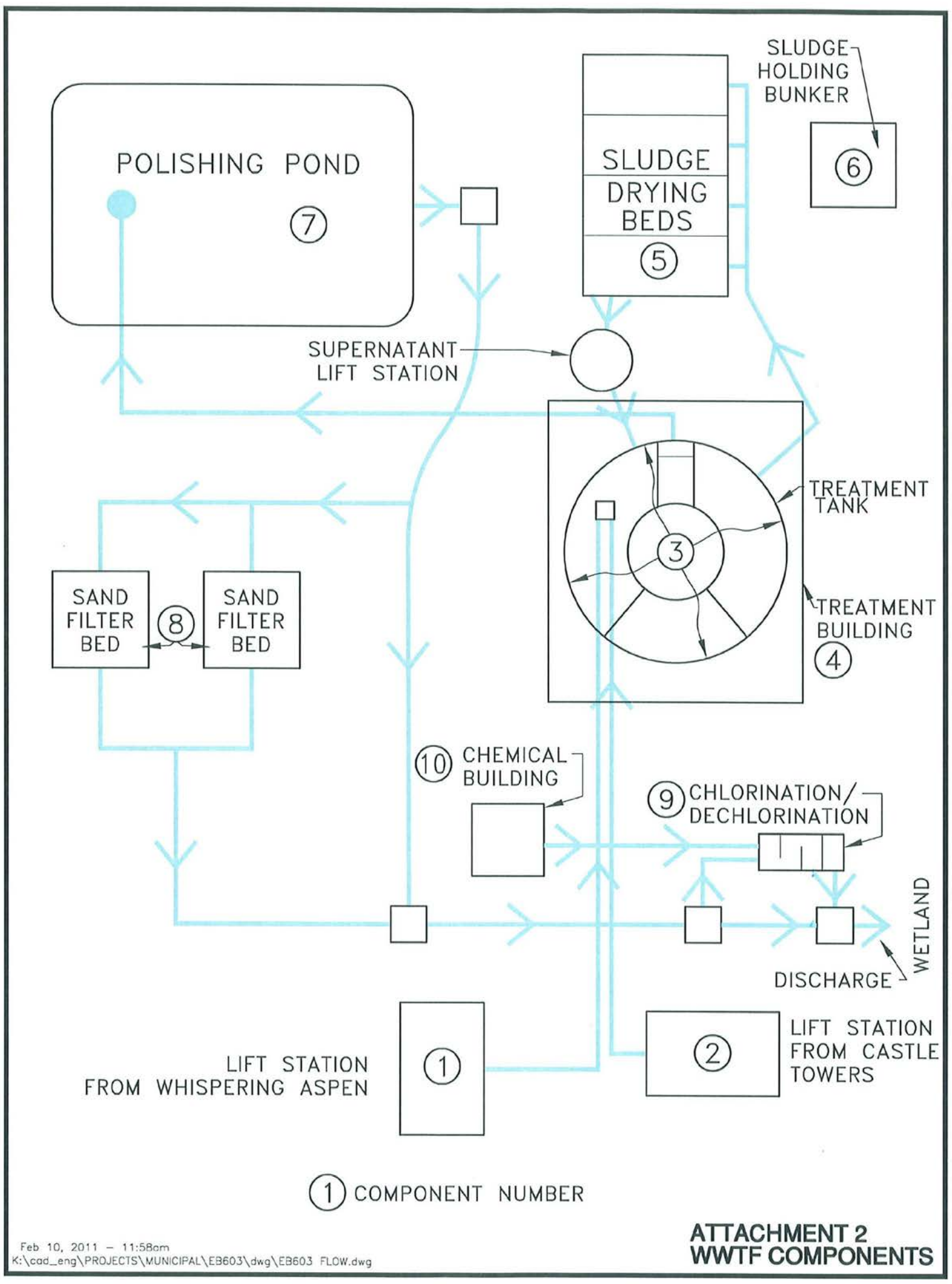
Agenda Item # 9.0 A.2

Service Area



Background

- City Operations Started in 2004
- Design Flow 105,000 gpd
- Total Current Flows 30,000 gpd
- 78% Flow Castle Towers
- 22% Flow Whispering Aspen
- Plant Built 1971



ATTACHMENT 2
WWTF COMPONENTS

Summary of Improvement Costs

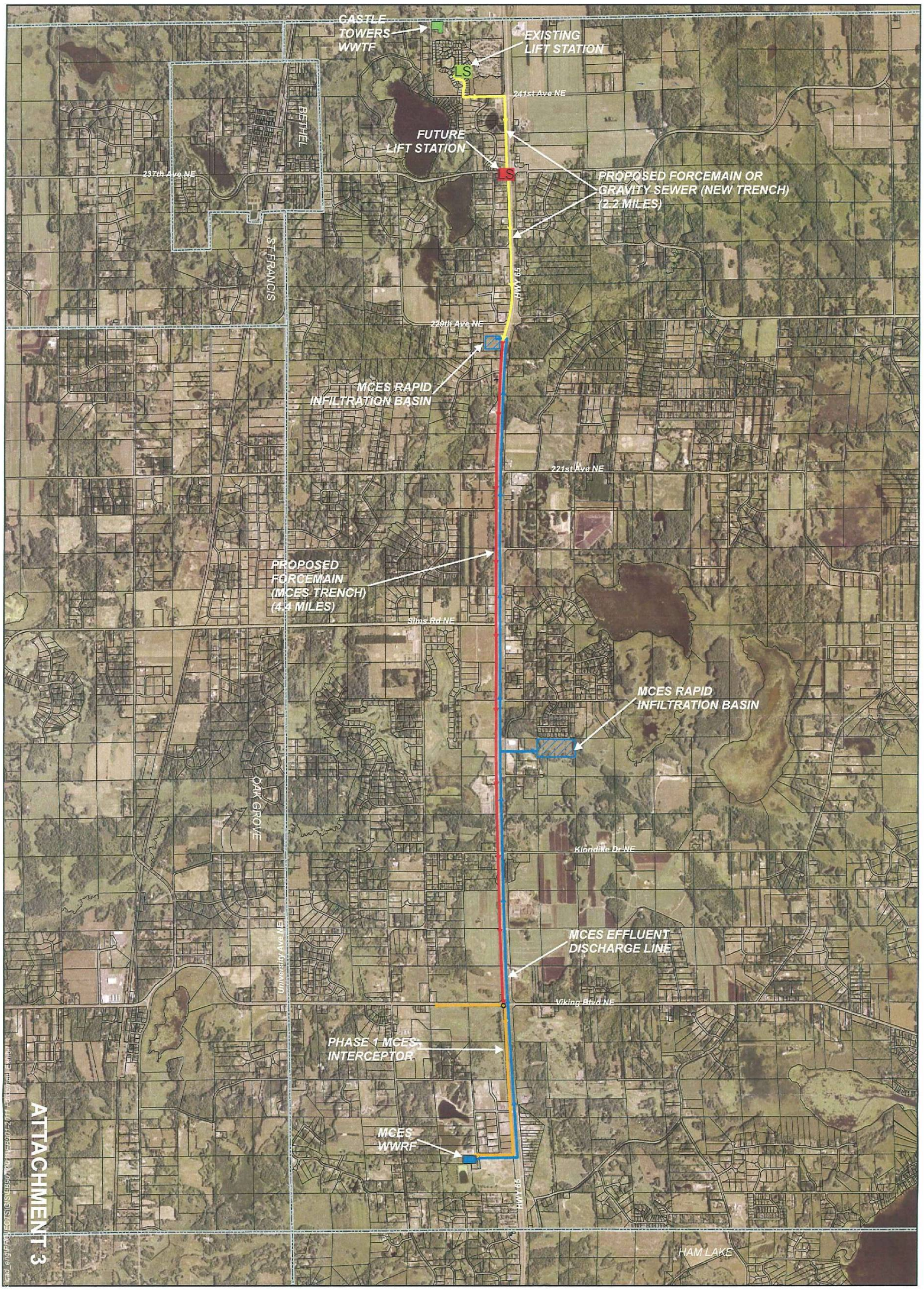
Component	Next 1-2 Years	Next 2-10 Years	Next 10-20 years
Lift Station Pumps	$ 16,000		
Treatment Tank Replacement, Repairs and Maintenance	$ 50,000	$ 900,000	
Treatment Building Replacement		$ 180,000	
Polished Pond Solids Disposal	$125,000		
Sludge Drying Bed Reconstruction	$ 65,000		
Chemical Building Replacement	$ 70,000		
Polishing Pond Replacement			$ 130,000
Sand Filter Replacement			$ 25,000
Totals	$326,000	$1,080,000	$ 155,000

Current Sewer Fund Summary
12/31/2010
Unaudited

Operating revenues:	
Customer charges	$ 71,870
Refunds/reimbursements	$ 7,525
Total operating revenues	$ 79,395
Operating expenses:	
Wage and fringe	$ 18,560
Maintenance and repairs	$ 2,469
Utilities	$ 10,713
Professional services	$ 8,603
Supplies	$ 16,700
Depreciation	$ 23,050
Total operating expenses	$ 80,095
Net Income (loss)	($ 700)
Cash Balance 12/31/2010	($202,654)

Bond Payment Summary

Date	Principal	Interest
2/1/2011	$115,000.00	$30,380.00
8/1/2011		$28,655.00
2/1/2012	$120,000.00	$28,655.00
8/1/2012		$26,855.00
2/1/2013	$145,000.00	$26,855.00
8/1/2013		$24,498.75
2/1/2014	$150,000.00	$24,498.75
8/1/2014		$22,061.25
2/1/2015	$155,000.00	$22,061.25
8/1/2015		$19,542.50
2/1/2016	$135,000.00	$19,542.50
8/1/2016		$17,180.00
2/1/2017	$140,000.00	$17,180.00
8/1/2017		$14,380.00
2/1/2018	$155,000.00	$14,380.00
8/1/2018		$11,280.00
2/1/2019	$170,000.00	$11,280.00
8/1/2019		$7,880.00
2/1/2020	$175,000.00	$7,880.00
8/1/2020		$4,380.00
2/1/2021	$125,000.00	$4,380.00
8/1/2021		$1,880.00
2/1/2022	$10,000.00	$1,880.00
8/1/2022		$1,645.00
2/1/2023	$10,000.00	$1,645.00
8/1/2023		$1,410.00
2/1/2024	$10,000.00	$1,410.00
8/1/2024		$1,175.00
2/1/2025	$10,000.00	$1,175.00
8/1/2025		$940.00
2/1/2026	$10,000.00	$940.00
8/1/2026		$705.00
2/1/2027	$10,000.00	$705.00
8/1/2027		$470.00
2/1/2028	$10,000.00	$470.00
8/1/2028		$235.00
2/1/2029	$10,000.00	$235.00
	$1,665,000.00	$400,725.00



ATTACHMENT 3

East City of Bethel

N W E S

Hakanson Anderson

0 1,500 3,000 6,000 9,000 Feet

SOURCE: ANOKA COUNTY SURVEY DEPARTMENT, MCES, CITY OF EAST BETHEL & MNDNR

ATTACHMENT 3

FORCEMAIN OPTION

City of East Bethel

February 16, 2011

Agenda Item # 9.0 A.3

Iron and Manganese Comparisons

	Whispering Aspen Well	WTP Project Manual	City of3 Otsego	City of Ramsey	Secondary Drinking Water Standard
Manganese	0.10	0.20	0.06	0.22	0.05
Iron	0.83	1.10	0.83	0.53	0.30

Test Well

- Analyze Actual Water Quality
- Test Well Cost - $14,795
- Net Cost - $9,545
- Existing Private Well

Project Options

Option 1 –Current Plant

- Iron and Manganese Removal
- 250,000 Gallons Additional Storage
- $5.8 Million Construction Bid

Option 2 – Modify Current Plant

- Value Engineering
- Cost Unknown

Option 3 – No Iron or Manganese Removal

- Construct Pumphouse
- Chemicals – Chlorine, Fluoride, Polyphosphate
- Estimated Construction Cost $550,000

Option 4 – Over Sized Pumphouse/Treatment Building

- Same as Option 3 with oversized building
- Building sized for 2-1,000 gpm pressure filters
- Estimated construction cost $1.1 million

Option 5 – Water Treatment with Pressure Filters

- Same as Option 4 with treatment equipment
- Removal of Iron and Manganese
- Plant Capacity of 2,000 gpm
- Systems currently in use in Anoka, Blaine, Coon Rapids
- Estimated construction cost $1.95 million

Other Items

- Production Wells
- Bituminous Curb
- Storm Sewer on 187th Lane