

# City of East Bethel

## City Council Agenda

Regular Council Meeting – 7:30 p.m.

Date: August 18, 2010



### Item

7:30 PM **1.0 Call to Order**

7:31 PM **2.0 Pledge of Allegiance**

7:32 PM **3.0 Adopt Agenda**

7:33 PM **4.0 Reports/Presentations**

- Page 1-3 A. Sheriff's Monthly Report
- Page 4-5 B. Introduction of New Fire Fighters
- Page 6-10 C. Springsted, Inc. 2010 RZED Bonds

7:58 PM **5.0 Public Forum**

8:08 PM **6.0 Consent Agenda**

*Any item on the consent agenda may be removed for consideration by request of any one Council Member and put on the regular agenda for discussion and consideration.*

- Page 13-16 A. Approve Bills
- Page 17-28 B. Meeting Minutes, August 4, 2010 Regular Meeting
- ~~Page ~~C. Meeting Minutes, July 21, 2010, CC Work Meeting~~~~
- Page 33-34 D. Whispering Aspen Well #2 Change Order #1
- Page 35 E. Resolution 2010-46 Proclaiming September 17 – 23, 2010 Constitution Week

### New Business

#### **7.0 Commission, Association and Task Force Reports**

- A. Planning Commission (**No Report**)
- B. Park Commission
  - 1. Meeting Minutes, July 14, 2010
- C. Road Commission
  - 1. Meeting Minutes, July 13, 2010

#### **8.0 Department Reports**

- A. Engineer
  - 1. Award Bids – 2010 Improvement Project
- B. Attorney (**No Report**)
- C. Finance
  - 1. Special Assessment Policy
- D. Public Works (**No Report**)
- E. Planning and Inspection/Code Enforcement
  - 1. Code Enforcement Report
  - 2. Transmission Line Work Group and Calendar
- F. Fire Department
  - 1. August Monthly Meeting and July Reports
- G. City Administrator

- |              |    |                              |
|--------------|----|------------------------------|
| Page 102-103 | 1. | Roof Repairs – City Hall     |
| Page 104-105 | 2. | Schoolhouse Relocation       |
| Page 106-108 | 3. | Our Saviour’s Zoning Request |

**9.0 Other**

- |                 |    |                        |
|-----------------|----|------------------------|
| 9:20 PM         | A. | Council Reports        |
| 9:25 PM         | B. | Other                  |
| 9:30 PM 109-113 | C. | 2011 Budget Discussion |

9:45 PM      **10.0 Adjourn**



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 4.0 A

\*\*\*\*\*

**Agenda Item:**

Monthly Sheriff's Report

\*\*\*\*\*

**Requested Action:**

Information Only

\*\*\*\*\*

**Background Information:**

Lieutenant Orlando will review the monthly statistics and report on activities for the month of July, 2010.

\*\*\*\*\*

**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 – JULY 2010**

<b>ITEM</b>	<b>JULY</b>	<b>JUNE</b>	<b>YTD 2010</b>	<b>JULY YTD 2009</b>
Radio Calls	524	405	2,789	2,699
<b>Incident Reports</b>	423	375	2,698	2,752
Burglaries	4	5	30	21
Thefts	19	23	130	121
Crim.Sex. Cond.	2	1	7	7
Assault	4	2	18	20
Dam to Prop.	16	9	59	53
Harr. Comm.	4	5	19	21
Felony Arrests	6	2	20	26
GM. Arrests	0	1	3	3
Misd. Arrests	18	27	110	108
DUI Arrests	6	6	44	30
Domestic Arr.	1	5	17	16
Warrant Arr.	9	5	43	52
Traffic Arrests	80	72	587	576

**CITY OF EAST BETHEL - JULY 2010  
COMMUNITY SERVICE OFFICERS**

<b>ITEM</b>	<b>JULY</b>	<b>JUNE</b>	<b>YTD 2010</b>	<b>JULY YTD 2009</b>
Radio Calls	14	12	99	133
<b>Incident Reports</b>	15	10	99	99
Accident Assist	2	1	6	13
Veh. Lock Out	5	1	11	19
Extra Patrol	42	29	234	272
House Check	0	0	1	6
Bus. Check	24	15	96	131
Animal Compl.	7	6	47	73
Traffic Assist	2	1	27	14
Aids: Agency	74	43	483	359
Aids: Public	26	18	185	174
Paper Service	7	0	19	11
Inspections	0	0	0	0
Ordinance Viol.	0	0	4	0



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 4.0 B

\*\*\*\*\*

**Agenda Item:**

Introduction of Probationary Fire Fighters

\*\*\*\*\*

**Requested Action:**

Consider appointing eight probationary firefighters

\*\*\*\*\*

**Background Information:**

The Fire Chief has recommended appointment of the following as probationary firefighters:

- Stephanie Bragstad
- Chad Fish
- William Folwarski
- Kalli Haapoja
- Ryan Henry
- Wade Hoffman
- Matthew Knealing
- Nikole Novak

The interview and selection panel has interviewed these applicants and found them to meet the requirements for appointment as probationary members of the Fire Department. The applicants have also completed 20 hours of Firefighter I, Part I.

Each of these eight members will be required to complete one year of service, attend the required drills and meetings and successfully complete Fire Fighter I training. Each probationary firefighter will also be required to obtain their Class B license within 6 months.

Prior to the completion of the one year probationary period, the Fire chief will evaluate the performance of these probationary members and report to the Council which are recommended as regular members of the Fire Department.

With these appointments, the Fire Department will have a total of 36 Fire Fighters.

\*\*\*\*\*

**Fiscal Impact:**

Provisions for training and physicals are provided for from the Fire Department budget in the General Fund.

\*\*\*\*\*

**Recommendation(s):**

Staff is recommending appointment of Stephanie Bragstad, Chad Fish, William Folwarski, Kalli Haapoja, Ryan Henry, Wade Hoffman, Matthew Knealing and Nikole Novak as probationary Fire Fighters effective September 1, 2010.

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

---

---

---

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 4.0 C

\*\*\*\*\*

**Agenda Item:**

RZED Bonds – Springsted, Inc

\*\*\*\*\*

**Requested Action:**

Following presentation, staff will ask for direction to proceed with development of Official Offering Statement

\*\*\*\*\*

**Background Information:**

With the assignment of the Recovery Zone Economic Development Bonds from Anoka County to the City, the City is now in a position to begin work on the official offering statement. The official offering statement provides the prospective buyer background information about the City and the project to be funded from the debt issue.

Mr. Paul Steinman from Springsted, Inc. will be present to provide background information regarding the development of the offering statement and several options as it relates to the sale of the bonds.

The cost of preparation and marketing of the bond issue is provided for in the cost of issuance expense category and will come from the bond proceeds. The cost for this service is estimated at \$120,000 based on the size and type of issue and the buyer incentives included.

**Attachment(s):**

1. Calendar of Events
2. Contact Information

\*\*\*\*\*

**Fiscal Impact:**

None at this time

\*\*\*\*\*

**Recommendation(s):**

Staff is recommending Council consider the presentation by Mr. Steinman and direct development of the Official Offering statement.

\*\*\*\*\*

**City Council Action**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

---

---

---

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_

City of East Bethel, Minnesota  
 Taxable General Obligation Utility Revenue Bonds, Series 2010A  
 (Recovery Zone Economic Development Bonds – Direct Pay)  
 Recommended Email Subject Line: **East Bethel MN**

September 2010						
S	M	T	W	Th	F	S
			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 2010						
S	M	T	W	Th	F	S
					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 2010						
S	M	T	W	Th	F	S
	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 2010						
S	M	T	W	Th	F	S
			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	

Schedule of Events		
Date	Event	Responsible Party
September 3, 2010	Finalize Bond structure and prepare Terms of Proposal.	Springsted
September 9, 2010	Sale Recommendations and Bond Resolution delivered to City.	Springsted Dorsey & Whitney
September 15, 2010	Request for Official Statement Information sent to City Staff.	Springsted
September 15, 2010	Information forwarded to Springsted for preparation of the Official Statement.	City Staff

## Schedule of Events

Date	Event	Responsible Party
September 15, 2010	City Council considers Resolution authorizing the Bond sale.	City Staff
October 13, 2010	Rough draft of Official Statement sent out to City and Dorsey & Whitney for review.	Springsted
October 19, 2010	Final comments to Springsted on Official Statement draft (no later than noon).	City Staff Dorsey & Whitney
October 20, 2010	Posting of Official Statement and application for rating forwarded to rating agency.	Springsted
Week of October 25, 2010	Rating of the Bonds.	Moody's City Staff Springsted
November 3, 2010	Sale and consideration and award of the Bonds by City Council.	City Staff Springsted
November 10, 2010	Distribution of addendum to Official Statement.	Springsted
Early in December, 2010	Settlement of the Bonds; City receipt of Bond proceeds.	City Staff Dorsey & Whitney Springsted

DISTRIBUTION LIST

July 24, 2013

City of East Bethel, Minnesota  
Taxable General Obligation Utility Revenue Bonds, Series 2010A  
(Recovery Zone Economic Development Bonds – Direct Pay)

Recommended Email Subject Line: **East Bethel MN**

**Email List:** rita.pierce@ci.east-bethel.mn.us; hedtke.andrea@dorsey.com; stromgren.judy@dorsey.com; psteinman@springsted.com; chogan@springsted.com; kmeverden@springsted.com; gsorenson@springsted.com

**Issuer**

City of East Bethel

2241 221st Avenue NE  
East Bethel, MN 55011  
Fax: 763-434-9578

Ms. Rita Pierce, Fiscal and Support Services Director  
763-367-7840  
rita.pierce@ci.east-bethel.mn.us

**Bond Counsel**

Dorsey & Whitney, LLP

50 South Sixth Street, Suite 1500  
Minneapolis, MN 55402  
Fax: 612-492-5055

Ms. Andrea Hedtke, Attorney  
612-492-6912  
hedtke.andrea@dorsey.com

Ms. Judy Stromgren, Legal Secretary  
612-340-2814  
stromgren.judy@dorsey.com

**Financial Advisor**

Springsted Incorporated

380 Jackson Street, Suite 300  
St. Paul, MN 55101-2887  
Fax: 651-223-3002

Mr. Paul Steinman, Client Representative  
651-223-3066  
psteinman@springsted.com

Ms. Chris Hogan, Project Manager  
651-223-3034  
chogan@springsted.com

Ms. Kara Meverden, Associate Bond Services Analyst  
651-223-3027  
kmeverden@springsted.com

cc: gsorenson@springsted.com



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 6.0 A-E

\*\*\*\*\*

**Agenda Item:**

Consent Agenda

\*\*\*\*\*

**Requested Action:**

Consider approving Consent Agenda as presented

\*\*\*\*\*

**Background Information:**

Item A

Bills/Claims

Item B

Meeting Minutes, August 18, 2010 Regular City Council

Meeting minutes from the August 18, 2010 Regular City Council meeting are attached for your review and approval.

Item C

Meeting Minutes, July 21, 2010, City Council Work Meeting Minutes

Meetings minutes from the July 21, 2010 City Council work meeting are attached for your review and approval.

Item D

Whispering Aspen Well #2 Change Order #1

Bids for this project were accepted and opened on November 11, 2009. The City Council accepted the bid from Municipal Builders, Inc. on January 20, 2010. The Contractor has requested an extension on the completion date to September 10, 2010. The Contractors request letter dated July 22, 2010 is attached.

In accordance with the Contract Agreement this project had a final completion date of July 30, 2010. This Change Order would extend the final completion date for this project to September 10, 2010 or 42 calendar days.

A typical award period from the date of the bid opening is approximately 3 weeks or 21 calendar days. At the time of the bid opening, the PFA grant money was pending. The City did not award the project until the PFA grant money was secured. There was 71 calendar days from the bid opening to the bid award date which is approximately 50 calendar days more than a typical award period. The Contractor is requesting an extension of 42 calendar days. This Change Order does not change the Contract Amount.

Staff recommends approval of Change Order #1 to the Agreement with Municipal Builders, changing the completion date from July 30, 2010 to September 10, 2010.

Item E

Resolution 2010-46 Proclaiming September 17 – 23, 2010 Constitution Week  
The Daughters of the American Revolution, Anoka Chapter, requested that Council adopt a resolution proclaiming September 17-23, 2010 as Constitution Week.

Staff recommends adoption of Resolution 2010-46 Proclaiming September 17-23, 2010 Constitution Week.

\*\*\*\*\*

**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:\_\_\_\_\_



Bills to be Approved for Payment August 18, 2010	\$96,981.54
Electronic Payments	\$25,757.77
Payroll City Staff - August 5, 2010	\$34,274.75
<b>Total to be Approved for Payment August 18, 2010</b>	<b>\$157,014.06</b>

Approved by Council Member:

Steve Voss

Kathy Paavola

Greg Hunter

Steve Channer

Bill Boyer

--	--	--	--	--

# City of East Bethel

August 18, 2010

## Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Arena Operations	Bldgs/Facilities Repair/Maint	72110	Connexus Energy	615	49851	21.32
Arena Operations	Electric Utilities	72110	Connexus Energy	615	49851	973.34
Arena Operations	Professional Services Fees	24	Gibson's Management Company	615	49851	5,655.70
Arena Operations	Repairs/Maint Machinery/Equip	45500-IN	R & R Specialities, Inc.	615	49851	45.15
Arena Operations	Telephone	80110	Qwest	615	49851	99.78
Building Inspection	Motor Fuels	183192	Egan Oil Company	101	42410	242.02
Cedar Creek Trail Project	Legal Fees	81810	Randall and Goodrich, P.L.C.	402	43124	549.50
Central Services/Supplies	Information Systems	10950	City of Roseville	101	48150	1,251.83
Central Services/Supplies	Information Systems	40391	US Cable	101	48150	1,331.44
Central Services/Supplies	Office Equipment Rental	156228918	Loffler Companies, Inc.	101	48150	488.71
Central Services/Supplies	Office Supplies	527821416001	Office Depot	101	48150	163.67
Central Services/Supplies	Printing and Duplicating	58000003190	FedEx Kinko's	101	48150	285.30
Central Services/Supplies	Telephone	72810	Qwest	101	48150	209.78
Cty HRA Grant Utility System	Architect/Engineering Fees	134111	Bolton & Menk, Inc.	228	22800	44,459.00
Elections	Legal Notices	IQ 01772713	ECM Publishers, Inc.	101	41410	30.75
Fire Department	Bldgs/Facilities Repair/Maint	72110	Connexus Energy	101	42210	5.32
Fire Department	Bldgs/Facilities Repair/Maint	91222-006	Titan Energy Systems	101	42210	872.65
Fire Department	Electric Utilities	72110	Connexus Energy	101	42210	733.71
Fire Department	Employer Paid Expenses	2125428	Jones & Bartlett Learning, LLC	231	42210	449.30
Fire Department	Information Systems	10927	City of Roseville	101	42210	1,200.47
Fire Department	Motor Fuels	183192	Egan Oil Company	101	42210	385.04
Fire Department	Motor Fuels	183193	Egan Oil Company	101	42210	331.14
Fire Department	Office Supplies	527932143001	Office Depot	101	42210	88.78
Fire Department	Professional Services Fees	40391	City of East Bethel	231	42210	1,666.67
Fire Department	Repairs/Maint Machinery/Equip	32496	Emedded Systems, Inc.	101	42210	350.62
Fire Department	Repairs/Maint Machinery/Equip	32495	Emedded Systems, Inc.	101	42210	143.78
Fire Department	Safety Supplies	110011592	Allina Health System	101	42210	536.48
Fire Department	Telephone	72810	Qwest	101	42210	402.56
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	40391	Orkin Commercial Services	101	41940	74.81
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	470504964	Cintas Corporation #470	101	41940	19.63
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	14634	GHP Enterprises, Inc.	101	41940	368.72
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-07-10	Premium Waters, Inc.	101	41940	27.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	114954	Robert B. Hill Company	101	41940	19.24
General Govt Buildings/Plant	Electric Utilities	72110	Connexus Energy	101	41940	1,226.43
Legal	Legal Fees	73010	Carson, Clelland & Schreder	101	41610	6,731.58
Legal	Legal Fees	81810	Randall and Goodrich, P.L.C.	101	41610	2,066.00
Park Acquisition/Development	Park & Landscape Services	11689	Bjorklund Trucking	404	40400	2,208.13
Park Acquisition/Development	Park/Landscaping Materials	11681	Bjorklund Trucking	404	40400	73.48
Park Capital Projects	Park & Landscape Services	12013	Classic Construction	407	40700	2,200.00
Park Capital Projects	Park/Landscaping Materials	7691	Great Northern Landscapes, Inc	407	40700	998.41
Park Maintenance	Bldgs/Facilities Repair/Maint	5228	Mork Well Company, Inc.	101	43201	165.00
Park Maintenance	Bldgs/Facilities Repair/Maint	5243	Mork Well Company, Inc.	101	43201	165.00
Park Maintenance	Bldgs/Facilities Repair/Maint	101509	Rogers Electric	101	43201	54.64
Park Maintenance	Clothing & Personal Equipment	470498192	Cintas Corporation #470	101	43201	45.81
Park Maintenance	Electric Utilities	72110	Connexus Energy	101	43201	389.37
Park Maintenance	Equipment Parts	03 3035902	Isanti County Equipment	101	43201	14.06
Park Maintenance	Equipment Parts	185070	Lano Equipment, Inc.	101	43201	340.13
Park Maintenance	Equipment Parts	160016	Lehmann's Power Equipment	101	43201	55.77
Park Maintenance	Equipment Parts	1539-408919	O'Reilly Auto Parts	101	43201	-120.81
Park Maintenance	Equipment Parts	1539-408777	O'Reilly Auto Parts	101	43201	131.52
Park Maintenance	Equipment Parts	1539-408954	O'Reilly Auto Parts	101	43201	202.51
Park Maintenance	General Operating Supplies	S2752344.001	Pipeline Supply, Inc.	101	43201	1.44

# City of East Bethel

August 18, 2010

## Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Park Maintenance	General Operating Supplies	217896	S & S Industrial Supply	101	43201	14.65
Park Maintenance	Motor Fuels	183192	Egan Oil Company	101	43201	330.04
Park Maintenance	Motor Fuels	183193	Egan Oil Company	101	43201	636.80
Park Maintenance	Other Equipment Rentals	39708	Jimmy's Johnnys, Inc.	101	43201	2,137.00
Park Maintenance	Park/Landscaping Materials	62758	Menards Cambridge	101	43201	30.26
Park Maintenance	Reimbursement-3rd Party Exp.	5385	Steele's Collision	101	43201	1,024.26
Park Maintenance	Safety Supplies	PAI0951200	Parts Associates, Inc.	101	43201	74.92
Park Maintenance	Small Tools and Minor Equip	365335	Acme Tools - Plymouth	101	43201	32.06
Park Maintenance	Telephone	80110	Qwest	101	43201	92.58
Payroll	Union Dues	40391	MN Teamsters No. 320	101		548.35
Planning and Zoning	Dues and Subscriptions	80210	MN Secretary of State - Notary	101	41910	120.00
Planning and Zoning	Legal Fees	81810	Randall and Goodrich, P.L.C.	914		23.75
Planning and Zoning	Professional Services Fees	307	GIS Rangers	101	41910	637.88
Recycling Operations	Electric Utilities	72110	Connexus Energy	226	43235	106.22
Recycling Operations	Other Equipment Rentals	39708	Jimmy's Johnnys, Inc.	226	43235	132.77
Recycling Operations	Professional Services Fees	40391	Cedar East Bethel Lions	226	43235	1,000.00
Sewer Operations	Bldg/Facility Repair Supplies	27013	Menards Cambridge	602	49451	33.26
Sewer Operations	Bldgs/Facilities Repair/Maint	72110	Connexus Energy	602	49451	24.53
Sewer Operations	Chemicals and Chem Products	3144097 RI	Hawkins, Inc	602	49451	15.00
Sewer Operations	Electric Utilities	72110	Connexus Energy	602	49451	706.03
Sewer Operations	Legal Fees	81810	Randall and Goodrich, P.L.C.	602	49451	442.25
Sewer Operations	Professional Services Fees	76558	Utility Consultants, Inc.	602	49451	492.50
Street Capital Projects	Legal Notices	IQ 01772712	ECM Publishers, Inc.	406	40600	246.00
Street Capital Projects	Legal Notices	22249443	Finance and Commerce	406	40600	116.83
Street Maintenance	Bldgs/Facilities Repair/Maint	470498192	Cintas Corporation #470	101	43220	26.48
Street Maintenance	Bldgs/Facilities Repair/Maint	72110	Connexus Energy	101	43220	21.29
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-07-10	Premium Waters, Inc.	101	43220	27.00
Street Maintenance	Clothing & Personal Equipment	470498192	Cintas Corporation #470	101	43220	45.86
Street Maintenance	Electric Utilities	72110	Connexus Energy	101	43220	1,478.67
Street Maintenance	Equipment Parts	1226518	Cemstone Products Company	101	43220	201.80
Street Maintenance	Equipment Parts	185070	Lano Equipment, Inc.	101	43220	340.12
Street Maintenance	Equipment Parts	SI80062	St. Joseph Equipment, Inc.	101	43220	119.97
Street Maintenance	Equipment Parts	323076	Towmaster	101	43220	46.35
Street Maintenance	Motor Fuels	183193	Egan Oil Company	101	43220	1,579.26
Street Maintenance	Motor Fuels	183192	Egan Oil Company	101	43220	143.02
Street Maintenance	Office Supplies	527046456001	Office Depot	101	43220	23.42
Street Maintenance	Safety Supplies	PAI0951200	Parts Associates, Inc.	101	43220	74.91
Street Maintenance	Small Tools and Minor Equip	365335	Acme Tools - Plymouth	101	43220	32.05
Street Maintenance	Street Maint Materials	84538	Commercial Asphalt Co.	101	43220	167.03
Street Maintenance	Street Maint Materials	85259	Commercial Asphalt Co.	101	43220	334.61
Street Maintenance	Street Maint Materials	85260	Commercial Asphalt Co.	101	43220	37.41
Street Maintenance	Telephone	72810	Qwest	101	43220	67.62
Transfers Out	Contingency	1787	The Tinklenberg Group	101	49360	2,129.78
Water Utility Operations	Bldgs/Facilities Repair/Maint	72110	Connexus Energy	601	49401	26.67
Water Utility Operations	Electric Utilities	72110	Connexus Energy	601	49401	491.68
Water Utility Operations	Professional Services Fees	70474	Gopher State One-Call	601	49401	8.70
Water Utility Operations	Telephone	80110	Qwest	601	49401	108.22
						<b>\$96,981.54</b>



## EAST BETHEL CITY COUNCIL MEETING

August 4, 2010

The East Bethel City Council met on August 4, 2010 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bill Boyer Steven Channer Greg Hunter  
Kathy Paavola Steve Voss

ALSO PRESENT: Douglas Sell, City Administrator  
Tammy Schutta, Asst. City Administrator/HR Director  
Jerry Randall, City Attorney  
Craig Jochum, City Engineer

Call to Order **The August 4, 2010 City Council meeting was called to order by Acting Mayor Voss at 7:30 PM.**

Adopt Agenda **Boyer made a motion to adopt the August 4, 2010 City Council agenda. Paavola seconded; all in favor, motion carries.**

Metropolitan Council Presentation Sell explained that Bryce Pickart from the Metropolitan Council is with us this evening to provide information relating to several agreements with the City that are part of the waste water treatment facility project. Sell said one agreement relates to construction activities while the second relates to SAC fees.

Pickart said he hasn't been here for a while; it is good to see you all. He said the waste water plans have been preceding quiet well. Pickart said we will be doing the PCA public notice soon, and once we get past that we should be getting the permit. He said what he is going to talk about is the need to deal with practical issues, finances, he is working with City staff and Bolton Menk, but we need to move forward and see if it makes sense to have a construction cost sharing agreement.

Pickart said for him, his Council makes decisions on policy and then we will move forward in August and our Council will tells us to negotiate an agreement with East Bethel. He said the basics are (an outline): appoint City to act as agent for design, we would be the owner, we would provide the financing, we would make the financial transactions, and we have done this with other cities. Pickart said the other part of the first agreement would be cost sharing. He said because of the trunk the community would have to pay their share of cost and in this case the pipeline at Viking and 65, the last section into the plant needs to be upsized for storage. Pickart said but the pipeline along Viking and 65 we look at two aspects of cost sharing. The first part is paying for the incremental cost of pipe and we are working with Bolton and Menk for the final cost of the pipe. He said the cost estimate he is using at the moment is about 5.1 million, he added about 10% on Bolton and Menk's number. Pickart said the incremental cost of that is 1.2 million.

Pickart said another part of that case is we are not thinking of serving Oak Grove before 2030, so we are building the interceptor early, so if we take 5.2 million minus 1.2 million, we are asking for the cost share for acceleration, 3.9 million, then it ends up less than 1 million, but we haven't determined what we think is fair. He said the other part is we would figure out what we think is fair for the structuring of repayment, might go to 30 years of repayment. Pickart said the practical problem is in regional process, if we are looking at a facility that is serving a community right now, we might want to look at growth rate, and then think about being in a recession, structuring it that way gives a break to the City. He said it allows the City to make the payments to us like a SAC fee. Pickart said take 2.2

million for 30 years, it would be about \$400 a SAC unit.

Pickart said the second agreement we have been starting to talk to staff about, but we have not gone to his council yet about he is calling a wastewater service agreement, and basically it is how we are going to compute the SAC rate for East Bethel. He said are we going to use an assumption for what the growth rate is going to be. Pickart said the cost estimate we are using at the moment for the plant and affluent unit for storage is \$22 to \$23 million; the plant is phased so there will be a \$10 million plant expansion down the road. He said we mentioned \$3,500 for hookups that is assuming our rates would increase; they are still relatively low still. Pickart said the economy can hit us all for a loop and we are trying to come up with something that is good for all.

Pickart said the other caveat is this methodology builds in an automatic loan process. He said then we can ask for a repayment that raises the rates for users. Voss said Pickart talked about how the first agreement went through his council. Pickart said it goes through our council in August. He said he would like one of your council members to attend. Pickart said it is on Tuesday, August 10, 2010 at 9:30 AM. Voss said so process wise if it is approved by Met Council will it come back here. Pickart said yet, then we will get it to the City Administrator and he can bring it to Council or I can come back and talk to you about it. He said also your attorney can take a look at it. Boyer said it might behoove us to make it know that the number Pickart is throwing out is the Met Council's SAC fees, not the City's.

Resolutions  
Acknowledging  
East Bethel  
Royalty

Sell explained that several weeks ago, East Bethel Royalty for 2010-2011 were crowned as part of the East Bethel Scholarship Pageant. This evening, we have the four individuals that will represent the City of East Bethel for the coming year.

Over the past several years, the City Council has taken the time to recognize these young people for the efforts.

Sell read the resolution as follows: Resolution 2010-38 Recognizing the 2010-2011 East Bethel Royalty. Whereas, the East Bethel Scholarship Pageant organizes and sponsors the annual Scholarship Pageant; and Whereas, the individuals recognized through this competition represent the City of East Bethel as an Ambassador for a twelve month period by appearing at numerous City festivals and celebrations and other official functions; and Whereas, the City of East Bethel is appreciative of the time and effort these pageant winners devote to representing the City. Now Therefore, be it resolved by the City Council of East Bethel, Minnesota that: Ms. Katie Mueller is hereby recognized as Miss East Bethel and an Ambassador for the City for the next year. Be it further resolved by the City Council of the City of East Bethel that: the City Council hereby expresses its thanks and appreciation for the time and effort Ms. Katie Mueller will devote to representing the City for the next twelve months. Adopted this 4<sup>th</sup> day of August, 2010 by the City Council of the City of East Bethel.

**Paavola made a motion to adopt Resolution 2010-38 Recognizing the 2010-2011 East Bethel Royalty – Miss East Bethel Katy Mueller. Boyer seconded; all in favor, motion carries.**

Sell read the resolution as follows: Resolution 2010-39 Recognizing the 2010-2011 East Bethel Royalty. Whereas, the East Bethel Scholarship Pageant organizes and sponsors the annual Scholarship Pageant; and Whereas, the individuals recognized through this competition represent the City of East Bethel as an Ambassador for a twelve month period by appearing at numerous City festivals and celebrations and other official functions; and Whereas, the City of East Bethel is appreciative of the time and effort these pageant winners

devote to representing the City. Now Therefore, be it resolved by the City Council of the City of East Bethel, Minnesota that: Ms. Erica Sundem Mallak is hereby recognized as Miss East Bethel Princess and an Ambassador for the City for the next year. Be it further resolved by the City Council of the City of East Bethel, Minnesota that: the City Council hereby expresses it thanks and appreciation for the time and effort Ms. Erica Sundem Mallak will devote to representing the City for the next twelve months. Adopted this 4th day of August, 2010 by the City Council of the City of East Bethel.

**Boyer made a motion to adopt Resolution 2010-39 Recognizing 2010-2011 Miss East Bethel Royalty – Princess Erica Sundem Mallek. Channer seconded; all in favor, motion carries.**

Sell read the resolution as follows: Resolution 2010-40 Recognizing the 2010-2011 East Bethel Royalty. Whereas, the East Bethel Scholarship Pageant organizes and sponsors the annual Scholarship Pageant; and Whereas, the individuals recognized through this competition represent the City of East Bethel as an Ambassador for a twelve month period by appearing at numerous City festivals and celebrations and other official functions; and Whereas, the City of East Bethel is appreciative of the time and effort these pageant winners devote to representing the City. Now Therefore, be it resolved by the City Council of East Bethel, Minnesota that: Ms. Abigail Mau is hereby recognized as Little Miss East Bethel and an Ambassador for the City for the next year. B Be it further resolved by the City Council of the City of East Bethel, Minnesota that: the City Council hereby expresses it thanks and appreciation for the time and effort Ms. Abigail Mau will devote to representing the City for the next twelve months. Adopted this 4<sup>th</sup> day of August, 2010 by the City Council of the City of East Bethel.

**Voss made a motion to adopt Resolution 2010-40 Recognizing the 2010-2011 East Bethel Royalty – Little Miss Abigail Mau. Boyer seconded; all in favor, motion carries.**

Sell read the resolution as follows: Resolution 2010-41 Recognizing the 2010-2011 East Bethel Royalty. Whereas, the East Bethel Scholarship Pageant organizes and sponsors the annual Scholarship Pageant; and Whereas, the individuals recognized through this competition represent the City of East Bethel as an Ambassador for a twelve month period by appearing at numerous City festivals and celebrations and other official functions; and Whereas, the City of East Bethel is appreciative of the time and effort these pageant winners devote to representing the City. Now Therefore, be it resolved by the City Council of East Bethel, Minnesota that: Ms. Madelyn Johnson is hereby recognized as Little Miss East Bethel and an Ambassador for the City for the next year. Be it further resolved by the City Council or the City of East Bethel that: the City Council hereby expresses it thanks and appreciation for the time and effort Ms. Madelyn Johnson will devote to representing the City for the next twelve months. Adopted this 4<sup>th</sup> day of August, 2010 by the City Council of the City of East Bethel.

**Channer made a motion to adopt Resolution 2010-41 Recognizing the 2010-2011 East Bethel Royalty – Little Miss Madelyn Johnson. Paavola seconded; all in favor, motion carries.**

Liquor  
Ordinance  
Violation –  
Ms. Shannon  
Converse

Sell explained that on June 17, 2010, the Anoka County Sheriff's Office conducted a compliance inspection pursuant to City Code, Section 6-94. It is alleged that Ms. Shannon Converse, the bartender at the Purple Reign Supper Club that evening, served alcoholic beverages to two individuals under the age of 21 in violation of City Code, Section 6-91, (1).

According to the Sheriff's Report, two underage individuals entered the Purple Reign Supper Club around 8:45 PM on June 17<sup>th</sup> and ordered beer. The bartender served the beer to the underage individuals but did not ask for identification to verify the age. The Sheriff's Deputy then approached the bartender advising of the compliance check failure. A copy of the Sheriff's Report was included with your agenda materials. We have redacted the non-public information from the report.

Under City Code, Section 6-93, the City is required and permitted to impose certain sanctions. These sanctions were outlined in your agenda materials. A first violation results in a \$250.00 administrative penalty to the individual clerk, bartender, or employee involved in the violation.

In addition to the above penalties, any clerk, bartender, or employee, including a licensee if such be the case, who violates this article, shall be required to serve eight hours of community service for a first offense.

This is the first violation in the past 24 months for this licensed establishment. As Under Section 6-93 (b) (1), the administrative penalty for the bartender in this case is \$250.00. In addition, the bartender is required to serve 8 hours of community service under Section 6-93 (d).

Staff recommends Council conduct the hearing as requested and then consider Resolution 2010-42 imposing penalties against Ms. Shannon Converse.

Sell said he wants it noted that Deputy Chris Johnson is with us if Council has any questions about the compliance check.

Voss opened the hearing. Shannon Renee Converse of 2049 Fillmore St. South, Cambridge, MN said the individuals came into the bar and sat at the bar where others had been sitting. She said she never collected money for the drinks, there were already drinks sitting there because the seats were taken by others. Converse said never collected their money or got identification. She said she opened the beers and put them on the back bar rail. Voss asked but you put beers out. Converse said she was going to card them but before she could they left. Voss said but you were going to card them after you gave them the beer. Converse said they were sitting at someone else's spot.

Converse said she then went back and was making other drinks. She said then she was told she served underage minors. Voss said so you prepared beers and then you were going to collect the cost for them. He asked is this the process that happens a lot. Converse said they were sitting in someone else's spot. She said she had the beers open in the railing. Converse said they were in the prep area. Voss asked so they didn't have to reach over to get them. Converse said her intent was to ask for two ID's. She said didn't serve them to them. Voss said you had already served them. He said you did this by opening them. Voss said before you checked the ID's you prepared the drinks for them.

Paavola said she is struggling with opening the beer and they didn't get the drinks, but she didn't card them. Boyer said they still go them. Voss said it would have been one thing if she still had the beers in her hand and she had asked for their IDs. He said she had put the beers in front of them. Converse said she didn't ask for any money or IDs. She said they had left, they were gone. Voss said he understands you would have to see two IDs. Converse said when the guy came up and ordered the beer and they weren't together, right away there was a flag there. She said she knew she couldn't put the drinks there. Converse said

someone else was sitting there. She said she was busy; she didn't have the time to wait for her to come back. Voss said he understands that she needed two IDs. He said what he doesn't understand is why she didn't ask for IDs right off the bat. Voss asked did you say anything to them. He asked did you indicate to him that you needed to see two IDs. Channer asked her again to tell him where the beers were. Converse said on the back rail.

**Voss closed the hearing.**

Deputy Chris Johnson came forward. Boyer asked the deputy to describe the situation at Purple Reign on June 17<sup>th</sup>. Deputy Johnson said we were out doing alcohol compliance checks. He said prior to doing these checks, he makes sure that the underage buyers do not have an IDs or cash of their own on them. Deputy Johnson said he took pictures of the underage buyers. He said he is not familiar with Purple Reign; it seems to be a corner bar where everyone knows everyone. Deputy Johnson said because of that he didn't want to go in with the underage buyers; otherwise it would not be a true test. He said he instructed them if they got served to call him.

Deputy Johnson said the underage buyers went into Purple Reign and he did get a call from the young man saying he had been served. When Deputy Johnson entered the bar, they were sitting at the bar with two beers in front of them. Deputy Johnson said he doesn't know if they got them from the rail, they didn't have them in their hands, but they did have them in front of them. He said he asked them who served the beer to them and they pointed out Ms. Converse. Deputy Johnson said the young man did tell him on the way out that he had not paid for the beer yet, because she did not ask for him to pay for it yet. He said he asked Ms. Converse if he could talk to her about a couple of illegal sales she had just made to minors. Deputy Johnson asked Ms. Converse if she wanted to go in the back room to talk for some privacy and they did. He said he explained to her what the process was. Deputy Johnson said Ms. Converse told him her reason for what had happened was she was busy and she had to get a lime for someone. He said there were 10-15 people in the bar. Voss asked about the issue with the rail. Deputy Johnson said he takes everything into consideration, but that was not the scenario in this matter. He said when he walked in the beers were in front of the minors. Deputy Johnson said if that would have been the case when he walked in, he would have taken that into consideration.

**Boyer made a motion to adopt Resolution 2010-42 Providing for Findings of Facts, Conclusions and Administrative Penalties Pursuant to City Code, Article IV, Section 6-93. Voss seconded; all in favor, motion carries.**

Liquor  
Ordinance  
Violation –  
Michael Hill –  
Purple Reign  
Supper Club

Sell explained that On June 17, 2010, the Anoka County Sheriff's Office conducted a compliance inspection pursuant to City Code, Section 6-94. It is alleged that Ms. Shannon Converse, the bartender at the Purple Reign Supper Club that evening, served alcoholic beverages to two individuals under the age of 21 in violation of City Code, Section 6-91, (1).

According to the Sheriff's Report, two underage individuals entered the Purple Reign Supper Club around 8:45 PM on June 17<sup>th</sup> and ordered beer. The bartender served the beer to the underage individuals but did not ask for identification to verify the age. The Sheriff's Deputy then approached the bartender advising of the compliance check failure. A copy of the Sheriff's Report was included with your agenda materials. We have redacted the non-public information from the report.

Under City Code, Section 6-93, the City is required and permitted to impose certain sanctions. These sanctions were outlined in your agenda materials. Under City Code,

licensees are responsible for the actions of their clerks, bartenders, and employees in regard to the sale of alcoholic beverages on the licensed premises. The sale of such an item by any clerk, bartender, or employee shall be considered a sale by the licensee. A first violation results in a \$500.00 administrative penalty to the licensee involved in the violation.

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

Staff recommends Council conduct the hearing as requested and then consider Resolution 2010-42 imposing penalties against Mr. Michael Hill.

Michael Hill, owner of Purple Reign Supper Club said he thinks this is bogus. He said he has the City Code and in this it talks about a sale and there was no sale. Hill said no where does it talk about serving where there was no sale. Randall said state law talks more broadly than that. He said but our City Codes says sell, barter or furnish. Randall said it doesn't have to be a sale, and it is up to the Council to decide if there has been a violation.

Hill said the guy came up to the bar first and asked for two drinks. He said Converse's first thought was where are the two drinks going. Hill said the inside rail is the bartenders territory. He said Converse was waiting to see who the second person was going to be. Hill said by the time she got done taking the olives over there and comes back they are gone. Voss said this comes back to Converse's testimony, she never asks where the other person went, and she put the beers there. He asked how do the patrons know when she didn't ask the patrons for anything that those beers are not theirs. Voss said he doesn't know how you are supposed to communicate to the person that you have to see the ID before they drink the beer if she didn't say anything. He said you can't ask Mr. Hill to say what Converse was thinking why wouldn't she ask "Can I see some id."

Randall asked had the beers been opened. Hill said yes. Randall said that is a very important part of this. He said you don't usually open beers if you aren't going to sell them. Voss said the protocol whether you are going to sell cigarettes or beer is to ask for ID first. Hill asked what is the procedure after this. Voss said we are going to pass the resolution and then you can talk to the City Administrator.

**Boyer made a motion to adopt Resolution 2010-43 Providing for Findings and Facts, Conclusions and Administrative Penalties Pursuant to City Code, Article IV, Section 6-93. Channer seconded; all in favor, motion carries.**

Liquor License Violation – Double H Entertainment, LLC – Hunter's Inn

Sell explained that the City Attorney has collected and provided a resolution that identifies the facts in this situation as it relates to Hunter's Inn. Notice of the hearing on this matter was served on Mr. Matt Hansen and Mr. Leroy Hoefs, Jr. on July 20, 2010.

Mr. Randall will make a short presentation of the facts as outlined in the resolution and then recommend Council conduct the hearing offering the owners the opportunity to respond. Following the hearing, Council should consider Resolution 2010-44 regarding action against the liquor license issued to Hunter's Inn.

On Friday, July 20<sup>th</sup>, we received a call from one of the owners indicating that they paid or made arrangements to pay the delinquent taxes and were no longer on the delinquent tax list. After consulting with the City Attorney, we advised the owners that the City Council can cancel the hearing if they so choose. However, staff, once the agenda and hearing have been set, do not have the authority to cancel the hearing. We advised that they appear at the

Council meeting to make their request regarding the hearing and any potential action against their license.

Staff is recommending Council conduct the hearing and then consider Resolution 2010-44 Findings, Conclusions and Penalties relating to Hunter's Inn.

Randall said Council has been through an identical hearing to this at the last meeting, we are here because Double H Entertainment, LLC was on the Minnesota Revenue Posting List as it relates to delinquent taxes. He said Council can suspend up to 60 days. Randall said this licensee has not been in compliance since the June 15, 2010 Posting.

Leroy Hoefs, Jr. of 16620 Dogwood St., Oak Grove MN said being on this list does not stop us from selling alcohol. He said when we got this letter we were really frustrated. Hoefs said he talked to another proprietor and they said they got two weeks to take care of it. He said we just got our license with the City renewed, we got a background check done, and we paid a bunch of fees. Hoefs said in our scenario, when the turnaround on Hwy. 65 was taken out, we lost about \$5-10,000 a month. He said if you suspend our license for selling alcohol, if we know we are going to go on the list, we can still sell it appropriately. Hoefs said his question is suspending the license for 30 days how is that going to help the City, can his little Bar and Grill sustain itself on food for 30 days. He said you should ask any other establishments on Hwy 65 if they could. Hoef's said one just closed on Monday night, it is getting harder and harder to make it. He said when his turnaround got closed, did his taxes go down, no.

Hoefs said he has made dramatic changes at their place of business, we don't have problems/police calls, and we have changed the place. He said when we got this letter he wanted to come up and voice his opinion. Hoefs said he has gotten a letter about the new sign ordinance where he can only put a sign out there three times a year, his turnaround was taken out, how do you expect a business to survive in East Bethel. Voss asked do you understand why there is a penalty for a violation of the law. He said it is meant so that you don't break the law. Voss said it is an incentive to be in compliance. He said we don't want a business shut down for 30 days, we don't want it shut down for one day. Voss said we have businesses that are always non-compliant. Channer said we can't cancel the hearing if it is part of the posted agenda. Randall said we told staff to send you the notice. Channer said when you are talking about liquor the rules are way different. Hoefs said if we know we were going on the list, we order extra and we pay them. Channer said it is not the sale of it, it is the violation of the ordinance. Boyer said when everyone's liquor license came up for renewal, had Council known they were on the list, we would not have been able to not renew them. Sell said that is why they were renewed, they were not on the list at that time. He said there is more than one way to establish your business for tax revenues and he wants you to talk to our tax assessor about this. Voss said so you are now paid up and off the list, correct. Hoefs said yes, we are paid up and off the list. Staff agreed, Double H Entertainment, LLC is paid up and off the list.

**Voss made a motion to adopt Resolution 2010-44 Imposing Sanctions. Boyer seconded. Boyer, Channer, Voss and Paavola, nay, motion fails.**

#### Public Forum

Voss opened the Public Forum for any comments or concerns that were not listed on the agenda. Heidi Moegerle of 179 Forest Road said she heard Met Council talk about SAC Unit tonight, are they going to come and take money out of my pocket by the SAC load. She said please explain to us what that means. Voss said the purpose of Bryce Pickart's from Met Council's visit here tonight was to update Council on where they are at. Moegerle said he

was using an acronym she didn't understand. Sell said SAC means service availability charge. He said it is charges for facilities. Voss said charges related to the plant. Moegerle said so it is a complicated method that trickles back to the taxpayers. She said so it is a hookup fee. There were no comments so the public forum was closed.

Consent  
Agenda

**Boyer made motion to approve the Consent Agenda including: A) Approve Bills; B) Meeting Minutes, July 21, 2010, Regular CC Meeting; C) Accept Fire Fighter Resignations; D) Appoint Administrative Support I Position. Channer seconded; all in favor, motion carries.**

Pay Estimate  
#4 for the  
Wild Rice  
Drive  
Reconstruc-  
tion Project

Sell explained that a copy of Pay Estimate No. 4 to Dresel Contracting, Inc for the Wild Rice Drive Reconstruction Project was included with your agenda materials. The major pay items for this pay request include installation of signs and erosion control items and striping. The Pay Estimate includes payment for work completed to date minus a five percent retainage. The total construction cost for this project is estimated to be \$982,244.32. Construction costs for this project are financed through the City's State Aid Construction fund.

Staff recommends Council approval of Pay Estimate No. 4 in the amount of \$ 82,175.38 for the Wild Rice Drive Reconstruction Project.

**Boyer made a motion to approve Pay Estimate No. 4 in the amount of \$82,175.38 to Dresel Contracting, Inc. for the Wild Rice Drive Reconstruction Project. Paavola seconded; all in favor, motion carries.**

Pay Estimate  
No. 4 for Well  
No. 2  
Construction ,  
Well Pump,  
Piping and  
Electrical  
Revisions to  
Pumphouse  
No. 1

Sell explained that a copy of Pay Estimate No. 4 to Municipal Builders, Inc for the Well No. 2 Construction project as included with your agenda materials. Major pay items for this pay request include well development and sandstone removal. The Pay Estimate includes payment for work completed to date minus a five percent retainage. The total project cost is estimated to be \$373,004. The city received a PFA Grant in the amount \$298,403. The remaining \$74,601 has been financed through the Public Facilities Authority's Drinking Water Loan program. The loan will be repaid through user fees over 20 years at a 1% interest rate.

Staff recommends Council consider approval of Pay Estimate No. 4 in the amount of \$57,502.43 for the Well No. 2 Construction project

**Channer made a motion to approve Pay Estimate No. 4 in the amount of \$57,502.43 to Municipal Builders, Inc. for the Well No. 2 Construction project. Boyer seconded.**

Voss asked how long before this is up and running. Jochum said it was supposed to be up and running by July 30. He said then we had some issues with the control panel. Jochum said we will have a change order on next agenda. Voss asked will we notify the users. Jochum said yes, and we have until September 15 to finish this. **All in favor, motion carries.**

Magda  
Properties –  
Letter of  
Credit –  
Wetland  
Mitigation Site

Sell explained that this project consisted of excavating non-wetland areas to create a new wetland and upland buffer totaling more than 119,000 square feet. The wetland credits, in part, were necessary to replace wetlands that were impacted as part of the mining/grading project that was completed in the northwest quadrant of Highway 65 and Viking Boulevard in 2009. The excess wetland credits could be established in a wetland bank through the Board of Water and Soil Resources for future use. A location map for the project is shown on Attach #1.

In 2007, the applicant completed the grading and seeding for the project. The City Engineer and the Anoka Conservation District have completed an inspection of the site. The site is in general conformance with the approved grading plan and the wetland vegetation has established.

The applicant currently has a letter of credit in the amount of \$15,000 that is set to expire on August 20, 2010. The City Engineer sent the applicant a letter advising that certain conditions must be met prior to allowing the current LOC to expire. The letter dated July 22, 2010 is included as Attach #2.

The applicant has also considered establishing a wetland bank for the excess credits. To date this process has not been completed. If the applicant's intention is to pursue the wetland bank, the current LOC would need to be extended until the wetland banking process is completed.

Staff is recommending that the City Council allow the LOC for the Magda Properties wetland mitigation site to expire on August 20, 2010 with the following conditions. If these conditions are not met in a timely manner, staff will draw down the current letter of credit to ensure project completion.

1. Provide proof that the Declaration of Restrictions and Covenants for the project have been recorded at the County no later than August 13, 2010.
2. Provide payment for all outstanding escrow amounts no later than August 13, 2010.
3. Provide written confirmation regarding the applicant's intention on the wetland banking no later than August 13, 2010. If the applicant has intentions of pursuing a wetland bank, the current letter of credit in the amount of \$15,000 be extended for a minimum of one year until August 20, 2011.

Voss said are the other things going to even be done by next week. Sell said for number three (3) he just has to give us written notice. Voss asked if he doesn't want to bank them what happens. Jochum said he would recommend the City do it. He said they are pretty valuable. Voss said yes, and we shouldn't let the letter of credit expire. He said he wants to make sure we aren't giving something up. Jochum said banking is more intense, more difficult. He said items 1 & 2 he could do and just walk away here. Jochum said the other thing is if he wants to bank is he doesn't know if the letter of credit will cover it.

Sell said when he talked to Landborg he said everything had been recorded. Jochum said the city planner called him and it sounds like Landborg doesn't know if he wants to bank them. Sell said so it might be worth our while to continue with if he doesn't want to bank, then we should look at banking. Boyer said so if he doesn't want to bank, then he has to do 1 & 2. Jochum or if he wants to bank then he has to extend his letter of credit.

**Boyer made a motion to allow the Letter of Credit for Magda Properties (Tim Landborg) wetland mitigation site to expire if the following items are completed no later than August 13, 2010: 1. Provide proof that the Declaration of Restrictions and Covenants for the project have been recorded at the County no later than August 13, 2010; 2. Provide payment for all outstanding escrow amounts no later than August 13, 2010. If Mr. Landborg does intend to bank the wetland credits, he has to extend his Letter of Credit. If Mr. Landborg does not want to bank his wetland credit, he must provide council with a letter stating that he does not want to bank the wetland credits. The deadline for either submitting a letter or extending the Letter of Credit is August**

**13, 2010. Paavola seconded; all in favor, motion carries.**

Administrative  
Subdivision –  
Lot Line  
Adjustment –  
20941 Taylor  
Street NE –  
Tom Ronning

Sell explained that East Bethel City Code Chapter 66, Subdivisions, allows lot boundary line adjustments where the division is to permit the adding of a parcel of land to an abutting lot. Administrative subdivisions do not require a public hearing.

Mr. Ronning's parcel is 0.83 acre in size. He has requested an adjustment of the property lines that would increase his parcel by 0.17 acre making this parcel one acre. Attachment 3 is the Certificate of Survey for the proposed Administrative Subdivision. Mr. Ronning has entered into a tentative agreement with Hidden Haven Golf Club to purchase the additional 0.17 of an acre. The 0.17 acre parcel is depicted on the Certificate of Survey as Parcel A. Attachment 2 is a letter from Hidden Haven Club supporting the Administrative Subdivision request and Attachment 5 is the tentative purchase agreement between the two parties.

The City Attorney and City Engineer have received the application for review. The City Attorney comments were provided in Attachment 4. City Engineer comments will be received prior to the City Council meeting. Mr. Ronning will be required to satisfy all conditions of the City Attorney, City Engineer, and City Staff prior to the city executing the parcel combination documents.

Based on information from the Certificate of Survey, Attachment 3, the 0.17 acre parcel being added to Mr. Ronning's property is a recorded drainage easement. Staff recommends this particular area be recorded as a drainage and utility easement thereby allowing utilities if there should be a need. This type of easement has been required on all newly created parcels for more than 10 years. This may permit a vacation of the existing 10 foot drainage and utility easement along the southeasterly portion of Mr. Ronning's existing property line and added to the new property boundary. An updated survey and documents to be recorded would be required to reflect the changes.

City Staff is recommending approval of the Administrative Subdivision that would allow a lot line adjustment adding .17 acres to the Ronning parcel and reducing by .17 acres the Hidden Haven property as outlined in the Certificate of Survey dated June 7, 2010. The approval should include the six conditions outlined in your agenda materials.

**Boyer made a motion to approve the request of Tom Ronning and Hidden Haven Golf Course, Deanna Lee, President for and Administrative Subdivision for a Lot Line Adjustment at 20941 Taylor St. NE (PIN 17 33 23 23 0007) adding .17 acres to the Ronning parcel and reducing the Hidden Haven property by .17 acres as outlined in the Certificate of Survey dated June 7, 2010 with the following conditions: 1) The property owners shall record the deed and survey at the Office of the County Registrar of Titles no later than 90 days after the date of approval. Failure to promptly record this transaction will void the administrative subdivision granted by the City Council; 2) The property owners shall submit one (1) digital electronic file of the lot line adjustment with Anoka County Coordinates, datum NAD83 (NAD 1983 Stateplane MN fips 2203 south) prior to the signing of the parcel deeds. This information will be obtained from E.G. Rud & Sons, Inc; 3) The property owners are required to submit certification from the surveyor that all lot corners have been set or establish a \$2,500 cash escrow to ensure the property monuments are set. Property monuments must be set no later than August 31, 2010. Should the property owners fail to set the monuments as required, the City will draw down on the escrow to have the work performed following a ten day written notice to the property owners. Should the property owners perform within the time constraints noted, any remaining escrow**

**shall be returned upon receipt of the final certificate of survey showing all monuments have been set. This shall be completed prior to the signing of the parcel deeds; 4) Certificate of Survey must show the existing drainage easement on Parcel A as a drainage and utility easement; 5) Parcel A must be combined with Mr. Ronning's existing lot known as Lot 6, Block 1, Hidden Haven Country Club Estates 3<sup>rd</sup> Addition, PIN 173323230007. New property description must be reviewed and approved by City Engineer prior to the signing of the parcel deeds; 6) All comments from City Staff, City Engineer, and City Attorney must be satisfactorily met prior to the signing of the parcel deeds. Channer seconded; all in favor, motion carries.**

Resolution  
2010-45  
Requesting  
ACHRA  
Funding

Sell explained that at the June 4, 2008 City Council meeting, Resolution 2008-41 requesting funding support from the Anoka County HRA was adopted. This resolution requested funding from the ACHRA for the Public Utilities Planning. The request was for all funds available as the project costs would exceed \$1.0 million.

The ACHRA Board unanimously adopted a motion on June 24, 2008 approving the request of the City that all available funds in the City's account with the ACHRA be provided for Public Utilities Planning and that funding will be provided on a reimbursement basis.

On July 23, 2010, ACHRA Executive Director Mr. Tim Yantos notified the City that an additional resolution is now required requesting funding support from the ACHRA for this same project. Mr. Yantos has indicated that there is \$281,284.54 remaining with the ACHRA for this project work. Today, Ms. Guthman from the CHRA e-mailed indicating after the reduction for Administrative charges, there would be \$254,819.44 remaining. We have requests for reimbursement totaling \$251,340.69 with the County as of July 31<sup>st</sup>.

Staff consulted with the City Attorney on the language of this newly required resolution. The new resolution is an affirmation of the original resolution adopted in 2008. A copy of the proposed resolution was included with your agenda materials. This resolution will satisfy the additional resolution requirement of the Anoka County HRA.

Staff recommends approval of Resolution 2010-45 requesting ACHRA funding support for the utility infrastructure project.

**Channer made a motion to approve Resolution 2010-45 Requesting Anoka County HRA Funding. Paavola seconded.** Boyer asked if staff is sure this is not going to impact the recent court decision. Sell said Randall was in favor of doing this. **All in favor, motion carries.**

CLB Park

Paavola said the City park at Coon Lake Beach is coming along nicely. She said the sod is laid, and it is really looking nice.

Night to Unite

Paavola said we had Night to Unite at Coon Lake Beach. She said we had NA there and she is really proud of them, for what they have been doing, things can really turn around. Paavola said a lot of people attended. She said the City fireworks were good.

Night to Unite

Boyer apologized for not making it to Night to Unite. He had a family emergency. Boyer said he has always been at Night to Unite and he really missed everyone.

Fire Dept.  
Update

Channer said he went to the Fire Department meeting and we are going to have eight (8) new fire fighters, one is our new administrative assistant's daughter. He said Image Trend goes on line tomorrow. Channer said we got an update on vehicle suicide, people are making their own chemicals. He said he also went to the fireworks. Channer said he want to four Night to Unite

parties.

- Budget** Voss said he missed the last Council meeting, where are we at on budget, was there discussion. Sell said there was discussion at the last Council meeting, but no one had any real questions, so direction was to just move ahead. He said we were also given direction to start negotiations with the union. Voss said he would like the budget on the next meeting agenda. Boyer said we talked about moving school house, but there are funds to do this in this year's budget. Voss said he read that part in the minutes and then it stopped. Boyer said that is because that is how it really happened. Sell said he will add it to the next agenda.
- Wild Rice Drive** Voss said he wanted to say that Wild Rice looks wonderful. He said he noticed it is 50 MPH now. Voss asked did they lower the speed limit, because it was 55 MPH before. Jochum said this is the speed that was brought to MnDOT. Voss said he hates 50's. Jochum said we are still fighting with Qwest. Voss said they were out there tonight and they didn't have any signs out and they should have.
- Farmer's Market** Sell said he asked Council how they felt about a Farmer's Market, is there any interest. He said as he indicated, if we can concentrate, focus this in one place we think we can get this done. Voss said have staff contact him because he knows a resident that does it and would be a good person to contact.
- School House** Sell said we have a revised quote for moving the Old Schoolhouse.
- Mtg. at Coon Lake Beach** Sell said he will be attending a meeting next Monday at Coon Lake Beach to talk about City sewer and water. He said we will try to put to rest the rumors that are running rampant.
- Closed Session – Discussion of Real Estate Purchase – Minn. Statute Sec. 13D.05, subd.3** Staff recommends Council close the regular City Council meeting pursuant to Minnesota Statutes, Section 13D.05, subd. 3 to discuss and provide direction regarding the purchase of real estate related to the public utility project.
- Boyer made a motion to move to closed session. Paavola seconded; all in favor, motion carries.**
- Boyer made a motion to move back to open session. Paavola seconded; all in favor, motion carries.**
- Adjourn** **Boyer made a motion to adjourn at 9:51 PM. Paavola seconded; all in favor, motion carries.**
- Attest:
- Wendy Warren  
Deputy City Clerk



July 22, 2010

Hakanson Anderson  
Attn: Craig Jochum  
3601 Thurston  
Anoka, MN 55303

Re: East Bethel Well Schedule

Dear Craig,

It has been brought to our attention recently that the project completion date of July 30, 2010 is approaching and the project will not be completed by this date.

If you will remember, we sent you a letter after the bid allowing our bid to stay open for an additional 90 days. The project was awarded 3 weeks before this period expired. We assumed that this delay would be taken into consideration and completion dates adjusted accordingly if required.

At the Pre-Construction meeting on February 18, 2010, a preliminary schedule was handed out by Bergeron Caswell and was reviewed at the meeting. (copy attached) This schedule showed the well being completed by Bergerson Caswell on July 15, 2010. As I recall, we felt then that two weeks would be adequate time to complete the work and run the well. The actual schedule now is to set the pit-less unit on July 29-30, 2010. The electrical work will still need to be completed once the pit-less unit is set.

The piece of equipment we are waiting for to complete the project is the electrical control panel for the well. After approval the order for the control panel was placed on hold by the project engineer until the test pumping results were known. This was done to properly size the well pump for the best efficiencies and economy for the benefit of the Owner. This equipment had a quoted lead time of 8 to 10 weeks. The control panel was just released by the Engineer on July 7, 2010 and is expected to be on site by August 20, 2010. This is a 6 week delivery and betters their estimated delivery time by 2 to 4 weeks. We then need 10 days to complete the electrical installation which will then allow the well to run. This brings us to August 30, 2010, it would be wise to allow another 10 days for flushing, testing and de-bugging the control for the well.

We therefore require an extension to the completion date for this project to September 10, 2010. I hope you can agree from the above that we have done all we could have to expedite this project.

Sincerely,

  
Nathan Neubauer  
Project Coordinator  
Municipal Builders, Inc.

# CHANGE ORDER #1

Contractor: Municipal Builders, Inc.  
Address: 17125 Roanoke Street NW  
Andover, MN 55304

City Project No.: 2009-02

Location: Whispering Aspen Well No. 2 Construction

In accordance with the terms of this Contract, you are hereby authorized and instructed to perform the Work as altered by the following provisions.

---

Bids for this project were accepted and opened on November 11, 2009. The City Council accepted the bid from Municipal Builders, Inc. on January 20, 2010.

In accordance with the Contract Agreement this project had a final completion date of July 30, 2010. This Change Order would extend the final completion date for this project to September 10, 2010 or 42 calendar days. This Change Order does not change the Contract Amount.

Issued By: \_\_\_\_\_  
City Engineer Date

**CHANGE IN CONTRACT TIME**

Due to this change the Contract Time:

- a. Is increased ( ) by \_\_\_\_\_ Working Days
- Is decreased ( ) by \_\_\_\_\_ Working Days
- Is increased (X) by 42 Calendar Days
- Is decreased ( ) by \_\_\_\_\_ Calendar Days
- b. Is not changed ( )
- c. May be revised if the work affected the controlling operation ( )

Approved By: \_\_\_\_\_  
City Administrator Date

Approved By: \_\_\_\_\_  
Contractor's Authorized Representative Date

Original to City of East Bethel; copies to Contractor, and City Engineer

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

**RESOLUTION NO. 2010-46**

**RESOLUTION PROCLAIMING SEPTEMBER 17 – 23, 2010 AS  
CONSTITUTION WEEK**

**WHEREAS**, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States; and,

**WHEREAS**, it is important that all citizens fully understand the provisions and principles contained in the Constitution in order to effectively support, preserve and defend against all enemies; and,

**WHEREAS**, September 17, 2010, marks the two hundred twenty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and,

**WHEREAS**, it is fitting and proper to accord official recognition of this magnificent document and its memorable anniversary; and,

**WHEREAS**, the independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated during Constitution Week, September 17 through 23, 2010 as designated by proclamation of the President of the United States of America in accordance with Public Law 915;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT:** the week of September 17 - 23, 2010 be proclaimed Constitution Week.

Adopted this 18<sup>th</sup> day of August, 2010 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

---

Greg Hunter, Mayor

ATTEST:

---

Douglas Sell, City Administrator



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 7.0 B.1

\*\*\*\*\*

**Agenda Item:**

Park Commission Meeting Minutes for July 14, 2010

\*\*\*\*\*

**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

July 14, 2010

The East Bethel Parks Commission met on July 14, 2010 at 6:05 P.M at the City Hall for their regular monthly meeting.

MEMBERS PRESENT: Kenneth Langmade Dan Butler Tim Hoffman  
Dan Kretchmar Sue Jefferson

MEMBERS EXCUSED: Bonnie Harvey Barb Hagenson

ALSO PRESENT: Jack Davis, City Public Works Manager  
Kathy Pavola, Council Liaison

Adopt Agenda Approve June 9, 2010 Minutes  
**Kretchmar made a motion to adopt the agenda as presented. Hoffman seconded; all in favor, motion carries.**  
**Hoffman made a motion to approve the June 9, 2010 minutes. Butler seconded; all in favor, motion carries.**

Parks Financial Info  
Langmade said we are over on the license fees. Davis said that is for taxes we have to pay on four properties in Coon Lake Beach that weren't included in the budget. Butler had a question on sign striping line item. He was wondering about the sign at John Anderson Park. Davis said they will be refurbishing the old sign and putting it back up.

**Butler motioned to accept the financial report as presented. Kretchmar seconded; all in favor, motion carries.**

Parks Tour  
Kretchmar was wondering if we were going to go to all of the parks tonight. Davis said no, we will only be going to a few of the 17 parks.

Langmade thanked Paavola for attending the meeting tonight. Davis said some kids got into the concrete at Coon Lake Beach. It was an accident. We have had a rash of vandalism at Booster Park. They have stripped a number of shingles off the shelters. They have also burned a few porta-potties. Paavola said that is very unfortunate. Fortunately with the porta-potties the City had a damage waiver. Paavola said it is not just our City that is having these problems. Davis said in Elk River they set a number of them on fire at a business. Butler said wouldn't this be a little bit older kids. Davis said they are in the 12 – 15 year old range.

### Coon Lake Beach Park

The park looks great. There will be a gazebo built soon and there is an irrigation system. About a thousand dollars worth of trees were also installed. Unfortunately when the slide was installed, the concrete was not dried and the slide got kinked. Davis will get that replaced or fixed.

### Maynard Peterson Park

The parking lot was installed in the past two years and it looks great! The skateboard park

was installed and it has been used a lot here. Many commented that the baseball field looks great. There is graffiti in the skate park and Davis said they will get that addressed. Harvey brought up creating a walking path from the park to the Fire Station. Davis said that the majority of the path would probably be a boardwalk. Davis said someone needs to walk the proposed path location in the fall to see where the higher ground is located.

### **Whispering Oaks Park**

The pedestal has been installed and the building is ordered. Once that is installed, then the sprinkler system will be hooked up. When that is completed, Davis foresees adding/replacing the playground equipment. Butler suggested putting in a backstop. Hoffman asked if a parking lot was needed. He was advised there is enough parking on the street at this time.

### **Deerwood Park**

This gets used very rarely. One of the indications, is we change the trash bags about twice a year. There are swing sets here, a shelter, a backstop and a basketball hoop. This might be a place where we may let it go to being more natural. Kretchmar thought this might be a nice location for an archery practice range. This park is about 3/3.5 acres. Hoffman asked if you let it go back to natural, would you ask the University of Minnesota to come in. Davis said the prairie grasses need to be burned, so the seeds will open. Wildflowers though, do not need the heat. Kretchmar asked how he would go about getting an archery target set up. Davis said it might not be feasible to do that because of insurance. Davis said Bonde Park might be a good location for that.

### **Cedar Creek Park**

Everything on the west side of Durant is the University of Minnesota property. The cross country ski trails are back here. There is about six miles of trails. The shelter area is the trailhead for the Fish Lake nature trail.

There is one easement they are still waiting on getting for the trail from a man who owns the property. He lives in California and will be back in Minnesota at the end of the month.

### **John Anderson Park**

The water on the lake at this park is very low. This lake is fed from Menard lake, and unless Menard lake is high it will not be very full. Davis said the building will need to be painted and hopefully the color will be a little darker in with the next coat of paint. Commission members commented that they liked the roof of the shelter, less room for destruction. The City owns about ten additional acres that is not developed and in the future, it will be.

### **Booster West and Booster East Park**

Booster West had some damage to porta-potties. Davis also pointed out the location for a new baseball field with a raised mound. It was asked if a raised mound is needed and members clarified the need. Booster East building is in need of a little repair, otherwise the park looks good. There are some trees that need to be trimmed by the baseball fields. Hoffman stated they get a lot of compliments on this park when they have baseball tournaments.

Adjourn

**Kretchmar made a motion to adjourn the July 14, 2010 meeting at 8:15 PM. Butler seconded; all in favor, motion carries.**

Submitted by:  
Jill Teetzel  
Recording Secretary

DRAFT



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 7.0 C.1

\*\*\*\*\*

**Agenda Item:**

Road Commission Meeting Minutes for July 13, 2010

\*\*\*\*\*

**Requested Action:**

Information Only

\*\*\*\*\*

**Background Information:**

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

\*\*\*\*\*

**Fiscal Impact:**

None

\*\*\*\*\*

**Recommendation(s):**

Information Only

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:  X

**EAST BETHEL ROAD COMMISSION MEETING**  
**July 13, 2010**

The East Bethel Road Commission met on July 13, 2010 at 6:30 PM at the City Hall for their regular monthly meeting.

MEMBERS PRESENT:     Roger Virta     Al Thunberg     Pat Monnier  
                                 Tyler Balfany     Deny Murphy

MEMBERS EXCUSED:     Michael Warsko     Jeff Jensen

ALSO PRESENT:     Jack Davis, City Public Works Manager  
                                 Kathy Paavola, Council Liaison

Adopt                     The July 13, 2010 meeting was called to order by Chairman Thunberg at 6:32 PM.  
Agenda

**Virta made a motion to adopt the July 13, 2010 agenda. Monnier seconded; all in favor, motion carries.**

Approve –             **Monnier made a motion to approve the June 8, 2010 minutes. Murphy seconded; all**  
June 8, 2010         **in favor, motion carries.**

Meeting  
Minutes

Oath of                 Davis administered the oath of office to Tyler Balfany.  
Office Tyler

Balfany                 Balfany stated: I, Tyler Balfany, 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 Road Commission in the County  
                                 of Anoka and the State of Minnesota to the best of my ability. So help me god.

Road                     Monnier stated the equipment replacement fund has \$325,000 in it, is that true. That is  
Financial                 correct, \$140,000 was spent on the new street sweeper and the City also got a new plow  
Information             truck. The next report will show the fund is now near empty. This was a replacement of a  
– Roads                     truck and sweeper.

Capital                 The other L8000 plow truck will be replaced in 2011. The City's oldest vehicle then will be  
Funds                     a 2006. The loader will be replaced in 2012, and a big John Deere multi-purpose tractor will  
Summary                 be replaced in 2014.

Balfany asked about the sale of the vehicles we just replaced. Davis said they will be auctioned off on the State online auction, and the funds received will go back into the general fund. He anticipates getting about \$8,000 for the plow truck, the sweeper was bought used and he doesn't anticipate receiving much for that. The chassis and the truck portion are good.

205<sup>th</sup> Street             Davis said this is one of the stops we are planned to make on the tour tonight. This is an  
Plan Review             asphalt overlay project that serves a large residential neighborhood and there are also some  
                                 drainage issues on this street. Three projects will be bid together, the seal coating of Bataan  
                                 Street, addition to the parking lot at Booster and 5<sup>th</sup> Street.

Monnier asked Davis what is the feeling of the prices for construction work. Davis said the labor portion is reduced, but the materials prices are up. We have been able to achieve some fairly significant cost savings on the projects.

Monnier asked how thick the overlay is. Davis said about an inch and half compacted. Monnier asked what is the lifespan. Davis said about 15 to 20 years. Monnier asked if it is a 7 or 9 ton road. Davis said it would be a 9-ton road. He stated that all East Bethel roads constructed from this point forward would be 9-ton roads.

Thunberg asked if Bataan is just a seal coat. Davis said yes, just a seal coat. Thunberg asked about the trail, if this would be doing that portion too. Davis said they are still waiting on easements for the trail on Bataan. There is one resident that still needs to meet with the City about the easement, but he lives in California. Thunberg asked where the trail monies are coming from. Davis said Council decided years ago that any improvements to MSA streets would have trails and would be part of the Roads budget.

Davis stated Wild Rice is now complete, it is a very significant improvement compared to what it was. The speed limit is 50 mph.

#### Roads Tour **Service Road from 221<sup>st</sup> to 215<sup>th</sup>**

The service road will go east of Sylvester's, and will hopefully line up with Sandy Drive. If it doesn't come out matching up, Sandy drive will be moved at some point to meet up with it. Everything is pretty wet in behind Sylvester's.

#### **Davenport Street Service Road to Ice Arena**

Davenport Street was seal coated four years ago, but it is wearing very well. This has held up very good. The service roads by the ice arena were completed in the last two years. The service roads at 221<sup>st</sup> and 215<sup>th</sup> will be similar to this one.

#### **5<sup>th</sup> Street (2010 overlay project)**

There are problem drainage areas on this street and sinkholes. All of the area where there are drainage issues will be replaced. All the catch basins have deteriorated and have to be replaced. Davis said this would be just an overlay of a compacted inch and a half. That will get this road up to a 9-ton standard.

#### **187<sup>th</sup> Lane**

This is an MSA project. There will be turn lanes put in and the intersection will be widened to make it safer. This road is deteriorating and needs to be fixing. There also is a culvert that needs to be replaced, and that will be the biggest cost of this project.

#### **Lincoln and Lakeshore Drive (Coon Lake Beach)**

This is the section that we applied to have designated an MSA road. Coon Lake Beach has the worst streets in the City of East Bethel. Longfellow turns into Lincoln Drive at the corner going into the Coon Lake Beach area.

At the corner of Lincoln and Lakeshore Drive there is a platted and undeveloped portion of Lakeshore Drive. There are a number of things in the City right of way in this area, including the gazebo, a fence and a corner of a deck.

Lakeshore Drive is proposed to be designated as an MSA street, but probably will not be expanded to meet those requirements. Lake Shore Drive was overlaid about six years ago.

**Wild Rice Drive**

There were drainage problems on the west side of the road this spring, resulting in the ditches needing to be pumped. The last curve going north was a severe traffic hazard, since it was elevated the wrong way. That has been fixed.

**Bataan Street**

The trail will start at 222<sup>nd</sup> Lane and will be on the west side. The trail will be 8 feet wide with a full separation between the trail and road. There is enough room for it though some slope easements will be required for construction.

**Sandy Drive**

This will be an MSA seal-coating project for 2012.

**Xylite and Zumbrota Streets**

Zumbrota is the next road we will be doing lime rock on. There are some grading issues on this road. Xylite Street had lime rock/class five put on it last year. We haven't graded this in two weeks, due to the complaints on dust control. Thunberg asked if there was anything we could do for dust control for this year. Davis said no, that money was deleted from the budget.

Adjourn **Monnier made a motion to adjourn the July 13, 2010 meeting at 8:18 PM. Balfany seconded; all in favor, motion carries.**

Submitted by:

Jill Teetzel  
Recording Secretary



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 A.1

\*\*\*\*\*

**Agenda Item:**

Resolution 2010-47 Awarding 2010 Improvement Projects

\*\*\*\*\*

**Requested Action:**

Consider adopting Resolution 2010-47 Awarding Bid for 2010 Improvement Projects

\*\*\*\*\*

**Background Information:**

The 2010 Improvement Projects include the Bataan Street Sealcoat, 5<sup>th</sup> Street Overlay and Drainage Improvements and, the Booster West Parking Lot Expansion. As directed by Council the staff received and opened bids for these projects at 11:00 am at City Hall on August 10, 2010. A total of four bids were received. The bids are summarized on the resolution which is included as Attachment 1. A detailed summary of the bids is shown on the Bid Tabulation which is included as Attachment 2. Project location maps are included as Attachments 3 through 5.

Rum River Contracting, Inc. was the low bidder with a base bid of \$240,194.10. This contractor has worked in the City of East Bethel recently. Rum River completed the paving on the 2007 Klondike Drive project and was the general Contractor for the 2008 Improvement Projects and constructed the Trunk Highway 65 Service roads from 205<sup>th</sup> Avenue to 209<sup>th</sup> Avenue. Staff has verified submitted references for example projects, proposed project superintendents, project subcontractors, bank references, and bonding company references. Staff has received positive feedback from the reference sources regarding Rum River’s personnel, work and financial status.

As shown on the Bid Tabulation, the bids included a Base Bid and four Alternate Bids. The Base Bid includes the sealcoat on Bataan Street, the Booster West Parking Lot Expansion and the 5<sup>th</sup> Street Overlay with replacement of three of the existing storm sewer manholes along with the associated pipe between them. Alternate Bid No. 1 is the same as the Base Bid except this proposal includes replacement of all nine of the storm sewer manholes and associated pipe between them on the 5<sup>th</sup> Street overlay project. Since Alternate Bid No. 1 includes more storm sewer than the Base Bid, the unit prices on the storm sewer items decreased. With this, the parking lot project which includes some storm sewer decreased as the unit price decreased with no increase in quantity. The cost saving is reflected below. Unit prices decreased for the 5<sup>th</sup> Street project storm sewer portion of the project. However, the quantity increased from replacement of three to none inlets such that the overall cost of the project increased as shown below.

Alternate Bid No. 2 includes adding a fog seal to the bituminous sealcoat. Fog seal is a thin layer of asphalt that is sprayed over the seal coat rocks. The fog seal improves water proofing of

the surface, prevents stone loss by holding aggregate in place, and improves the surface appearance. Alternate Bid No. 3 includes substituting the dresser trap rock with granite rock for the sealcoat project. Alternate Bid No. 4 includes leveling the small stock pile that is currently northwest of the proposed parking lot in Booster West Park.

Staff also obtained cost estimates from Connexus Energy to provide lights for the Booster West Parking Lot. The cost presented below for the Booster West Parking Lot Expansion includes conduit installation for future lights but does not include lights. Assuming four lights would be used to illuminate the parking lot, the cost for the four lights would range from \$7,400 to \$12,628. The less expensive cost includes a wood pole mounted light and the \$12,628 includes a bronze fiberglass pole mounted light with a 2.5 foot raised concrete base. The concrete base and bronze pole would match the lights in the current parking lot section at Booster Park West.

Staff recommends accepting Alternate Bid No. 1 and Alternate Bid No. 2. The cost breakdowns for each project using Alternate Bid No. 1 and Alternate Bid No. 2 is summarized below.

Booster West Parking Lot Expansion

Construction of a 74 Stall Parking Lot  
Concrete Curb and Gutter and Bituminous Surface

Total Base Bid	\$80,256.74
Alternate Bid #1	\$ -1,252.00
Construction Contingency (5%)	\$ 3,950.24
Overhead Costs	<u>\$11,512.00</u>
Total Estimated Project Cost	\$94,466.98

CIP Estimated Project Budget	\$95,000.00
------------------------------	-------------

5<sup>th</sup> Street Surface and Drainage Improvements

2 Inch Bituminous Overlay  
Isolated Patching  
Replace Nine Storm Sewer Manholes and Associated Pipe  
Match Existing Driveways and Intersections

Total Base Bid	\$134,921.33
Alternate Bid #1	\$ 14,240.50
Construction Contingency (5%)	\$ 7,458.09
Overhead Costs	<u>\$ 27,552.00</u>
Total Estimated Project Cost	\$184,171.92

CIP Estimated Project Budget	\$255,000.00
------------------------------	--------------

Bataan Street Sealcoat

New Sealcoat and Fog Seal

Total Base Bid	\$ 25,016.03
Alternate Bid #2	\$ 4,368.00
Construction Contingency (5%)	\$ 1,469.20
Overhead Costs	<u>\$ 5,400.00</u>
Total Estimated Project Cost	\$ 36,253.23

CIP Estimated Project Budget	\$ 44,000.00
------------------------------	--------------

**Attachment(s):**

- 1. Resolution 2010-47 Accepting Bid
- 2. Bid Tabulation
- 3-5. Location Maps

\*\*\*\*\*

**Fiscal Impact:**

The total estimated construction cost for the Booster West Parking Lot Expansion, the 5<sup>th</sup> Street Surface and Drainage Improvements, and the Bataan Street Sealcoat is estimated to be \$257,550.60. The total project cost with contingency and overhead is estimated to be \$314,892.13. These projects are proposed to be financed with \$94,466.98 from the Park Capital Fund, \$184,171.92 from the Street Capital Fund, and \$36,253.23 from Municipal State Aid Construction Fund. Funds, as noted above, are available and appropriate for these projects.

\*\*\*\*\*

**Recommendation(s):**

Staff is recommending approval of Resolution 2010-47 Awarding the Bid to Rum River Contracting in the amount of \$257,550.60 for the 2010 Improvement Projects.

\*\*\*\*\*

**City Council Action**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

---



---



---

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_

No Action Required: \_\_\_\_\_

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

**RESOLUTION NO. 2010-47**

**RESOLUTION AWARDING BID FOR 2010 IMPROVEMENT PROJECTS**

**WHEREAS**, pursuant to the advertisement for bids for the 2010 Improvement Projects, bids were received, opened and tabulated according to law; and

**WHEREAS**, the following Base Bids were received complying with the advertisement:

Rum River Contracting	\$240,194.10
North Valley, Inc.	\$269,040.71
Northwest Asphalt	\$311,490.08
Hardrives	\$316,838.14; and

**WHEREAS**, the City received bids, opened and tabulated according to law, the following Alternate Bids:

Alternate Bid No. 1-Storm sewer improvements

Rum River Contracting, Inc	\$ 12,988.50
North Valley, Inc.	\$ 19,091.50
Northwest Asphalt, Inc	\$ 21,064.25
Hardrives, Inc	\$ 18,474.95

Alternate Bid No. 2-Fog seal with sealcoat

Rum River Contracting, Inc	\$ 4,368.00
North Valley, Inc.	\$ 4,499.04
Northwest Asphalt, Inc	\$ 8,190.00
Hardrives, Inc	\$ 8,190.00

Alternate Bid No. 3-Granite chips versus trap rock for sealcoat

Rum River Contracting, Inc	\$ 5,500.05
North Valley, Inc.	\$ 5,664.70
Northwest Asphalt, Inc	\$ 11,100.00
Hardrives, Inc	\$ 11,137.00

Alternate Bid No. 4-Removal of stock pile hill at Booster Park West

Rum River Contracting, Inc	\$ 13,430.00
North Valley, Inc.	\$ 14,034.00
Northwest Asphalt, Inc	\$ 15,960.00
Hardrives, Inc	\$ 13,496.00; and

**WHEREAS**, Rum River Contracting, Inc of Princeton, Minnesota is the lowest responsible bidder for the Base Bid and the Alternate Bids #1 and #2; and

**WHEREAS**, the City accepts the Base Bid proposals and Alternate Bid #1 and Alternate Bid #2 in the total amount of \$257,550.60.

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

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Rum River Contracting of Princeton, Minnesota in the name of the City of East Bethel for the construction of the 2010 Improvement Projects in an amount of \$257,550.60 to include the Base Bid of \$240,194.10, Alternate Bid No. 1 \$12,988.50, Alternate Bid No. 2 \$4,368.00 according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

2. The City Engineer is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted this 18<sup>th</sup> day of August, 2010 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

---

Greg Hunter, Mayor

ATTEST:

---

Douglas Sell, City Administrator

**BID TABULATION  
CITY OF EAST BETHEL  
2010 Improvement Projects**

Bids opened 11:00 a.m., Tuesday, August 10, 2010.  
There were 4 bids received, as shown herein.

Schedule "A" - Base Bid - Bataan Street Seal Coat (S.A.P. 203-110-002)			North Valley, Inc.			Northwest Asphalt			Harddrives		
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2356.505	BITUMINOUS MATERIAL FOR SEAL COAT	4,536	\$3.63	\$16,465.68	\$4.50	\$20,412.00	\$4.50	\$20,412.00	\$4.50	\$20,412.00
2	2356.507	SEAL COAT AGGREGATE (FA-2) - TRAP ROCK	185	\$38.11	\$7,050.35	\$39.25	\$7,261.25	\$75.00	\$13,875.00	\$76.30	\$14,115.50
<b>Total Schedule "A" - Base Bid - Bataan Street Seal Coat (S.A.P. 203-110-002)</b>					\$23,516.03		\$24,225.89		\$34,287.00		\$34,527.50
Schedule "B" - Base Bid - 8th Street Overlay and Booster West Parking Lot			North Valley, Inc.			Northwest Asphalt			Harddrives		
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2104.501	REMOVE CONCRETE CURB	149	\$3.00	\$447.00	\$4.12	\$613.88	\$4.00	\$596.00	\$4.30	\$640.70
2	2104.501	REMOVE SEWER PIPE (STORM)	27	\$5.00	\$135.00	\$15.45	\$417.15	\$10.00	\$270.00	\$16.10	\$434.70
3	2104.505	REMOVE BITUMINOUS PAVEMENT	541	\$2.00	\$1,082.00	\$2.06	\$1,114.46	\$2.00	\$1,082.00	\$2.15	\$1,163.15
4	2104.509	REMOVE MANHOLE OR CATCH BASIN	3	\$200.00	\$600.00	\$206.00	\$618.00	\$350.00	\$1,050.00	\$215.00	\$645.00
5	2104.513	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	272	\$3.00	\$816.00	\$2.25	\$612.00	\$3.00	\$816.00	\$3.25	\$884.00
6	2105.501	COMMON EXCAVATION	1,280	\$3.95	\$5,056.00	\$9.83	\$12,582.40	\$6.00	\$7,680.00	\$10.30	\$13,184.00
7	2105.525	TOPSOIL BORROW (LV)	1,012	\$10.00	\$10,120.00	\$9.27	\$9,381.24	\$14.50	\$14,674.00	\$9.70	\$9,816.40
8	2105.607	HAUL & STOCKPILE EXCESS MATERIAL (EV)	405	\$6.75	\$2,733.75	\$4.12	\$1,668.60	\$20.00	\$8,100.00	\$4.30	\$1,741.50
9	2211.501	AGGREGATE BASE CLASS 5	767	\$7.50	\$5,752.50	\$14.50	\$11,121.50	\$13.75	\$10,546.25	\$17.80	\$13,652.60
10	2232.501	MILL BITUMINOUS SURFACE (1.5")	68.0	\$5.80	\$394.40	\$6.85	\$465.80	\$15.00	\$1,020.00	\$10.10	\$686.80
11	2232.501	MILL BITUMINOUS SURFACE (2")	500.3	\$4.00	\$2,001.20	\$9.00	\$4,502.70	\$9.00	\$4,502.70	\$4.35	\$2,176.31
12	2232.501	MILL BITUMINOUS SURFACE (3")	131.5	\$10.25	\$1,347.88	\$6.85	\$900.78	\$20.00	\$2,630.00	\$15.50	\$2,035.25
13	2350.501	TYPE MV.3 WEARING COURSE MIXTURE (B)	2,102	\$51.75	\$108,778.50	\$54.00	\$113,508.00	\$52.80	\$110,985.60	\$59.60	\$125,279.20
14	2350.502	TYPE MV.3 NON WEARING COURSE MIXTURE (B)	358	\$53.60	\$19,188.80	\$55.40	\$19,833.20	\$55.65	\$19,922.70	\$61.20	\$21,909.60
15	2350.505	TYPE MV.3 BITUMINOUS MIXTURE FOR PATCHING	104	\$60.00	\$6,240.00	\$65.00	\$6,840.00	\$110.00	\$11,440.00	\$103.00	\$10,712.00
16	2357.502	BITUMINOUS MATERIAL FOR TACK COAT	142	\$3.00	\$426.00	\$3.00	\$426.00	\$5.00	\$710.00	\$4.50	\$639.00
17	2501.515	27" RC PIPE APRON	1	\$570.00	\$570.00	\$600.00	\$600.00	\$665.00	\$665.00	\$626.00	\$626.00
18	2501.602	TRASH GUARD FOR 27" PIPE APRON	1	\$466.00	\$466.00	\$642.50	\$642.50	\$690.00	\$690.00	\$671.00	\$671.00
19	2503.511	4" PVC PIPE SEWER, SCHEDULE 80	150	\$12.20	\$1,830.00	\$6.90	\$1,035.00	\$14.18	\$2,127.00	\$7.25	\$1,087.50
20	2503.541	15" RC PIPE SEWER DESIGN 3006, CL V	27	\$23.00	\$621.00	\$27.93	\$754.11	\$32.48	\$876.96	\$29.20	\$785.40
21	2503.541	24" RC PIPE SEWER DESIGN 3006, CL III	153	\$31.00	\$4,743.00	\$37.35	\$5,714.55	\$37.13	\$5,680.89	\$39.00	\$5,967.00
22	2503.541	27" RC PIPE SEWER DESIGN 3006, CL III	39	\$39.00	\$1,521.00	\$45.70	\$1,782.30	\$47.46	\$1,850.94	\$47.70	\$1,860.30
23	2503.602	CONNECT TO EXISTING STORM SEWER	1	\$300.00	\$300.00	\$2,060.00	\$2,060.00	\$630.00	\$630.00	\$2,150.00	\$2,150.00
24	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48 - 4020	6	\$980.00	\$5,880.00	\$1,221.50	\$7,329.00	\$1,555.00	\$9,330.00	\$1,280.00	\$7,680.00
25	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL	1	\$659.00	\$659.00	\$670.00	\$670.00	\$1,165.00	\$1,165.00	\$699.00	\$699.00
26	2506.516	CASTING ASSEMBLY	4	\$435.00	\$1,740.00	\$575.00	\$2,300.00	\$475.00	\$1,900.00	\$599.00	\$2,396.00
27	2506.522	ADJUST FRAME & RING CASTING	9	\$353.00	\$3,177.00	\$445.00	\$4,005.00	\$700.00	\$6,300.00	\$1,550.00	\$13,950.00
28	2511.501	RANDOM RIPRAP CLASS III	8.7	\$60.00	\$522.00	\$87.55	\$761.69	\$80.00	\$696.00	\$91.40	\$795.18

**BID TABULATION  
CITY OF EAST BETHEL  
2010 Improvement Projects**

ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	North River Contracting	North Valley, Inc.	Northwest Asphalt	Hardrives		
29	2511.515	GEOTEXTILE FILTER TYPE IV	20	SQ YD	\$1.00	\$20.00	\$2.63	\$2.50	\$50.00	\$2.75	\$55.00
30	2531.501	CONCRETE CURB & GUTTER DESIGN B612	685	LIN FT	\$10.80	\$7,398.00	\$13.13	\$12.30	\$8,425.50	\$13.70	\$9,384.50
31	2531.507	4" CONCRETE DRIVEWAY PAVEMENT	8.0	SQ YD	\$64.00	\$432.00	\$65.00	\$100.00	\$600.00	\$64.50	\$516.00
32	2535.501	BITUMINOUS CURB (MODIFIED)	400	LIN FT	\$2.25	\$900.00	\$3.85	\$7.50	\$3,000.00	\$8.30	\$3,320.00
33	2573.502	SILT FENCE, TYPE MACHINE SLICED	375	LIN FT	\$1.80	\$675.00	\$1.91	\$3.00	\$1,125.00	\$3.25	\$1,218.75
34	2573.530	STORM DRAIN INLET PROTECTION	4	EACH	\$75.00	\$300.00	\$900.00	\$200.00	\$800.00	\$96.80	\$387.20
35	2573.602	TEMPORARY ROCK CONSTRUCTION ENTRANCE	1	EACH	\$150.00	\$150.00	\$515.00	\$750.00	\$760.00	\$703.00	\$703.00
36	2575.523	EROSION CONTROL BLANKETS CATEGORY 3	625	SQ YD	\$1.20	\$750.00	\$1.70	\$2.00	\$1,250.00	\$2.05	\$1,281.25
37	2575.605	TURF ESTABLISHMENT	0.75	ACRE	\$1,650.00	\$1,237.50	\$5,280.00	\$5,200.00	\$3,900.00	\$3,230.00	\$2,422.50
38	2582.502	4" SOLID LINE WHITE - EPOXY	1.933	LIN FT	\$1.38	\$2,667.54	\$1.42	\$1.38	\$2,667.54	\$3.45	\$6,668.85
Total Schedule "B" - Base Bid - 5th Street Overlay and Booster West Parking Lot						\$201,678.07	\$235,064.82	\$250,703.08	\$270,230.64		

Schedule "C" - Base Bid - Mobilization and Traffic Control									
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	North River Contracting	North Valley, Inc.	Northwest Asphalt	Hardrives
1	2021.501	MOBILIZATION	1	LUMP SUM	\$9,000.00	\$9,000.00	\$7,000.00	\$24,000.00	\$7,890.00
2	2563.601	TRAFFIC CONTROL	1	LUMP SUM	\$6,000.00	\$6,000.00	\$2,750.00	\$2,500.00	\$4,190.00
Total Schedule "C" - Base Bid - Mobilization and Traffic Control						\$15,000.00	\$9,750.00	\$26,500.00	\$12,080.00
Total Bid - Schedules "A", "B" and "C" - Base Bid						\$240,194.10	\$289,040.71	\$311,490.08	\$316,638.14

Schedule "A" - Alternate Bid No. 1 - Bataan Street Seal Coat (S.A.P. 203-110-002)										
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	North Valley, Inc.	Northwest Asphalt	Hardrives		
1	2336.505	BITUMINOUS MATERIAL FOR SEAL COAT	4,536	GALLON	\$3.63	\$16,465.68	\$3.74	\$16,964.64	\$4.50	\$20,412.00
2	2356.507	SEAL COAT AGGREGATE (FA-2) - TRAP ROCK	185	TON	\$38.11	\$7,060.35	\$39.25	\$7,261.25	\$76.30	\$14,115.50
Total Schedule "A" - Alternate Bid No. 1 - Bataan Street Seal Coat (S.A.P. 203-110-002)						\$23,526.03	\$24,225.89	\$24,287.00	\$34,527.50	

Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot										
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	North Valley, Inc.	Northwest Asphalt	Hardrives		
1	2104.501	REMOVE CONCRETE CURB	149	LIN FT	\$3.00	\$447.00	\$4.12	\$613.88	\$4.30	\$640.70
2	2104.501	REMOVE SEWER PIPE (STORM)	134	LIN FT	\$5.00	\$670.00	\$15.45	\$2,070.30	\$7.00	\$938.00
3	2104.505	REMOVE BITUMINOUS PAVEMENT	783	SQ YD	\$2.00	\$1,566.00	\$2.06	\$1,612.98	\$2.15	\$1,683.45
4	2104.509	REMOVE MANHOLE OR CATCH BASIN	9	EACH	\$200.00	\$1,800.00	\$206.00	\$1,854.00	\$215.00	\$1,935.00
5	2104.513	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	465	LIN FT	\$2.00	\$910.00	\$2.25	\$1,023.75	\$3.25	\$1,478.75
6	2105.501	COMMON EXCAVATION	1,280	CU YD	\$3.95	\$5,056.00	\$9.83	\$12,582.40	\$6.00	\$7,680.00
7	2105.525	TOPSOIL BORROW (LV)	1,012	CU YD	\$10.00	\$10,120.00	\$9.27	\$9,381.24	\$14.50	\$14,674.00
8	2105.607	HAUL & STOCKPILE EXCESS MATERIAL (EV)	405	CU YD	\$6.75	\$2,733.75	\$4.12	\$1,668.60	\$8.100.00	\$8,100.00
9	2211.501	AGGREGATE BASE CLASS 5	828	TON	\$7.50	\$6,210.00	\$14.50	\$12,006.00	\$13.75	\$11,385.00
10	2232.501	MILL BITUMINOUS SURFACE (1.5")	68.0	SQ YD	\$5.80	\$394.40	\$6.85	\$465.80	\$15.00	\$1,020.00
Total Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot						\$23,526.03	\$24,225.89	\$24,287.00	\$34,527.50	

**BID TABULATION  
CITY OF EAST BETHEL  
2010 Improvement Projects**

ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION		
11	2232.501	MILL BITUMINOUS SURFACE (2")	500.3	SQ YD	\$4.00	\$2,001.20	\$9.00	\$4,002.40	\$9.00	\$4,502.70	\$4.35	\$2,176.31
12	2232.501	MILL BITUMINOUS SURFACE (3")	131.5	SQ YD	\$10.25	\$1,347.88	\$6.85	\$900.78	\$20.00	\$2,630.00	\$15.50	\$2,039.25
13	2350.501	TYPE MV 3 WEARING COURSE MIXTURE (B)	2,102	TON	\$51.75	\$108,778.50	\$54.00	\$113,508.00	\$52.80	\$110,985.60	\$59.60	\$125,279.20
14	2350.502	TYPE MV 3 NON WEARING COURSE MIXTURE (B)	358	TON	\$53.60	\$19,188.80	\$55.40	\$19,933.20	\$55.65	\$19,922.70	\$61.20	\$21,909.60
15	2350.505	TYPE MV 3 BITUMINOUS MIXTURE FOR PATCHING	135	TON	\$60.00	\$8,100.00	\$65.00	\$8,850.00	\$110.00	\$14,850.00	\$103.00	\$13,905.00
16	2357.502	BITUMINOUS MATERIAL FOR TACK COAT	142	GALLON	\$3.00	\$426.00	\$3.00	\$426.00	\$3.00	\$426.00	\$4.50	\$639.00
17	2501.515	27" RC PIPE APRON	1	EACH	\$570.00	\$570.00	\$600.00	\$600.00	\$665.00	\$665.00	\$626.00	\$626.00
18	2501.602	TRASH GUARD FOR 27" PIPE APRON	1	EACH	\$446.00	\$446.00	\$642.50	\$642.50	\$690.00	\$690.00	\$671.00	\$671.00
19	2503.511	4" PVC PIPE SEWER, SCHEDULE 80	150	LIN FT	\$3.00	\$450.00	\$6.93	\$1,039.50	\$13.30	\$1,995.00	\$7.25	\$1,087.50
20	2503.541	15" RC PIPE SEWER DESIGN 3006, CL V	27	LIN FT	\$23.00	\$621.00	\$27.94	\$754.38	\$32.48	\$876.96	\$29.20	\$788.40
21	2503.541	18" RC PIPE SEWER DESIGN 3006, CL III	110	LIN FT	\$25.00	\$2,750.00	\$31.85	\$3,503.50	\$32.95	\$3,624.50	\$33.20	\$3,652.00
22	2503.541	24" RC PIPE SEWER DESIGN 3006, CL III	153	LIN FT	\$31.00	\$4,743.00	\$37.35	\$5,714.55	\$37.13	\$5,680.89	\$39.00	\$5,967.00
23	2503.541	27" RC PIPE SEWER DESIGN 3006, CL III	39	LIN FT	\$39.00	\$1,521.00	\$44.54	\$1,737.06	\$47.46	\$1,850.94	\$46.50	\$1,813.50
24	2503.602	CONNECT TO EXISTING STORM SEWER	3	EACH	\$200.00	\$600.00	\$695.25	\$2,085.75	\$630.00	\$1,890.00	\$726.00	\$2,178.00
25	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48 - 4020	10	EACH	\$1,049.00	\$10,490.00	\$1,221.58	\$12,215.80	\$1,555.00	\$15,550.00	\$1,280.00	\$12,800.00
26	2506.502	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL	3	EACH	\$919.00	\$2,757.00	\$970.00	\$2,910.00	\$1,163.00	\$3,489.00	\$699.00	\$2,097.00
27	2506.516	CASTING ASSEMBLY	4	EACH	\$435.00	\$1,740.00	\$974.25	\$2,297.00	\$475.00	\$1,900.00	\$599.00	\$2,395.00
28	2506.522	ADJUST FRAME & RING CASTING	9	EACH	\$353.00	\$3,177.00	\$445.00	\$4,005.00	\$709.00	\$6,300.00	\$1,550.00	\$13,950.00
29	2511.501	RANDOM RIPRAP CLASS III	8.7	CU YD	\$60.00	\$522.00	\$87.55	\$761.69	\$80.00	\$696.00	\$91.40	\$795.18
30	2511.515	GEOTEXTILE FILTER TYPE IV	20	SQ YD	\$1.00	\$20.00	\$2.63	\$52.60	\$2.50	\$50.00	\$2.75	\$55.00
31	2531.501	CONCRETE CURB & GUTTER DESIGN B612	685	LIN FT	\$10.80	\$7,398.00	\$13.13	\$9,084.05	\$12.30	\$8,425.50	\$13.70	\$9,384.50
32	2531.507	4" CONCRETE DRIVEWAY PAVEMENT	8.0	SQ YD	\$54.00	\$432.00	\$65.00	\$520.00	\$100.00	\$800.00	\$64.50	\$515.00
33	2535.501	BITUMINOUS CURB (MODIFIED)	400	LIN FT	\$2.25	\$900.00	\$3.85	\$1,540.00	\$7.50	\$3,000.00	\$8.30	\$3,320.00
34	2573.502	SILT FENCE, TYPE MACHINE SLICED	375	LIN FT	\$1.80	\$675.00	\$1.91	\$716.25	\$3.00	\$1,125.00	\$3.25	\$1,218.75
35	2573.530	STORM DRAIN INLET PROTECTION	4	EACH	\$75.00	\$300.00	\$300.00	\$1,200.00	\$200.00	\$800.00	\$96.80	\$387.20
36	2573.602	TEMPORARY ROCK CONSTRUCTION ENTRANCE	1	EACH	\$150.00	\$150.00	\$575.00	\$575.00	\$750.00	\$750.00	\$703.00	\$703.00
37	2575.523	EROSION CONTROL BLANKETS CATEGORY 3	625	SQ YD	\$1.20	\$750.00	\$1.70	\$1,062.50	\$2.00	\$1,250.00	\$2.05	\$1,281.25
38	2575.605	TURF ESTABLISHMENT	0.75	ACRE	\$1,650.00	\$1,237.50	\$5,280.00	\$3,960.00	\$5,200.00	\$3,900.00	\$3,230.00	\$2,422.50
39	2582.502	4" SOLID LINE WHITE - EPOXY	1,933	LIN FT	\$1.38	\$2,667.54	\$1.42	\$2,744.86	\$1.38	\$2,667.54	\$3.45	\$6,668.85
<b>Total Schedule "B" - Alternate Bid No. 1 - 5th Street Overlay and Booster West Parking Lot</b>						\$214,666.57		\$252,156.32		\$271,767.33		\$288,705.59

Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control			North Valley, Inc.			Northwest Asphalt			Herathives			
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2021.501	MOBILIZATION	1	LUMP SUM	\$9,000.00	\$9,000.00	\$9,000.00	\$9,000.00	\$24,000.00	\$24,000.00	\$7,890.00	\$7,890.00
2	2563.601	TRAFFIC CONTROL	1	LUMP SUM	\$6,000.00	\$6,000.00	\$2,750.00	\$2,750.00	\$2,500.00	\$2,500.00	\$4,190.00	\$4,190.00
<b>Schedule "C" - Alternate Bid No. 1 - Mobilization and Traffic Control</b>						\$15,000.00		\$11,750.00		\$26,500.00		\$12,080.00
<b>Total Bid - Schedules "A", "B" and "C" - Alternate Bid No. 1</b>						\$253,182.60		\$286,132.21		\$332,554.33		\$335,313.09

**BID TABULATION  
CITY OF EAST BETHEL  
2010 Improvement Projects**

Alternate Bid No. 2		Rum River Contracting		North Valley, Inc.		Northwest Asphalt		Harddrives	
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2355.502	BITUMINOUS MATERIAL FOR FOG SEAL	2,184 GALLON	\$2.00	\$4,368.00	\$2.06	\$4,499.04	\$3.75	\$8,190.00
<b>Total Bid - Alternate Bid No. 2</b>					\$4,368.00		\$4,499.04		\$8,190.00

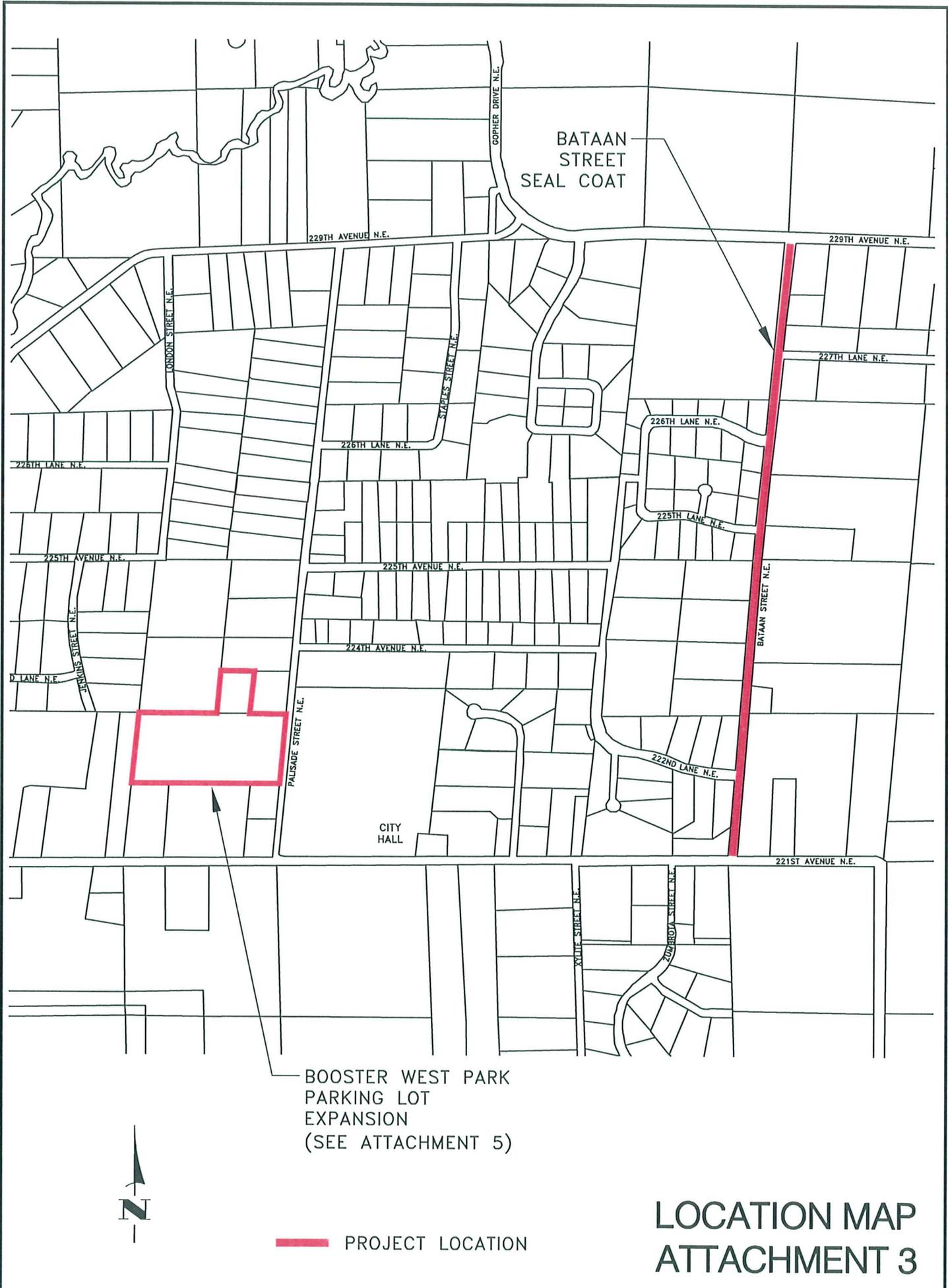
Alternate Bid No. 3		Rum River Contracting		North Valley, Inc.		Northwest Asphalt		Harddrives	
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2386.507	SEAL COAT AGGREGATE (FA-2) - GRANITE	185 TON	\$29.73	\$5,500.05	\$30.62	\$5,664.70	\$60.00	\$11,100.00
<b>Total Bid - Alternate Bid No. 3</b>					\$5,500.05		\$5,664.70		\$11,137.00

Alternate Bid No. 4		Rum River Contracting		North Valley, Inc.		Northwest Asphalt		Harddrives	
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	2105.501	COMMON EXCAVATION	1,260 CU YD	\$6.75	\$8,505.00	\$6.10	\$7,686.00	\$6.00	\$7,560.00
2	2105.525	TOPSOIL BORROW (LV)	400 CU YD	\$10.00	\$4,000.00	\$9.27	\$3,708.00	\$14.50	\$5,800.00
3	2575.605	TURF ESTABLISHMENT	0.50 ACRE	\$1,850.00	\$925.00	\$5,280.00	\$2,640.00	\$5,200.00	\$2,600.00
<b>Total Bid - Alternate Bid No. 4</b>					\$13,430.00		\$14,034.00		\$15,960.00

**SUMMARY OF BIDDING:**

Rum River Contracting		North Valley, Inc.		Northwest Asphalt		Harddrives	
ITEM NO.	SPEC.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
<b>Total Bid - Base Bid</b>					\$240,194.10		\$311,490.08
<b>Total Bid - Alternate Bid No. 1</b>					\$269,040.71		\$316,838.14
<b>Total Bid - Alternate Bid No. 2</b>					\$253,182.60		\$335,313.09
<b>Total Bid - Alternate Bid No. 3</b>					\$4,499.04		\$8,190.00
<b>Total Bid - Alternate Bid No. 4</b>					\$5,500.05		\$11,137.00
<b>Total Bid - Alternate Bid No. 4</b>					\$13,430.00		\$13,496.00

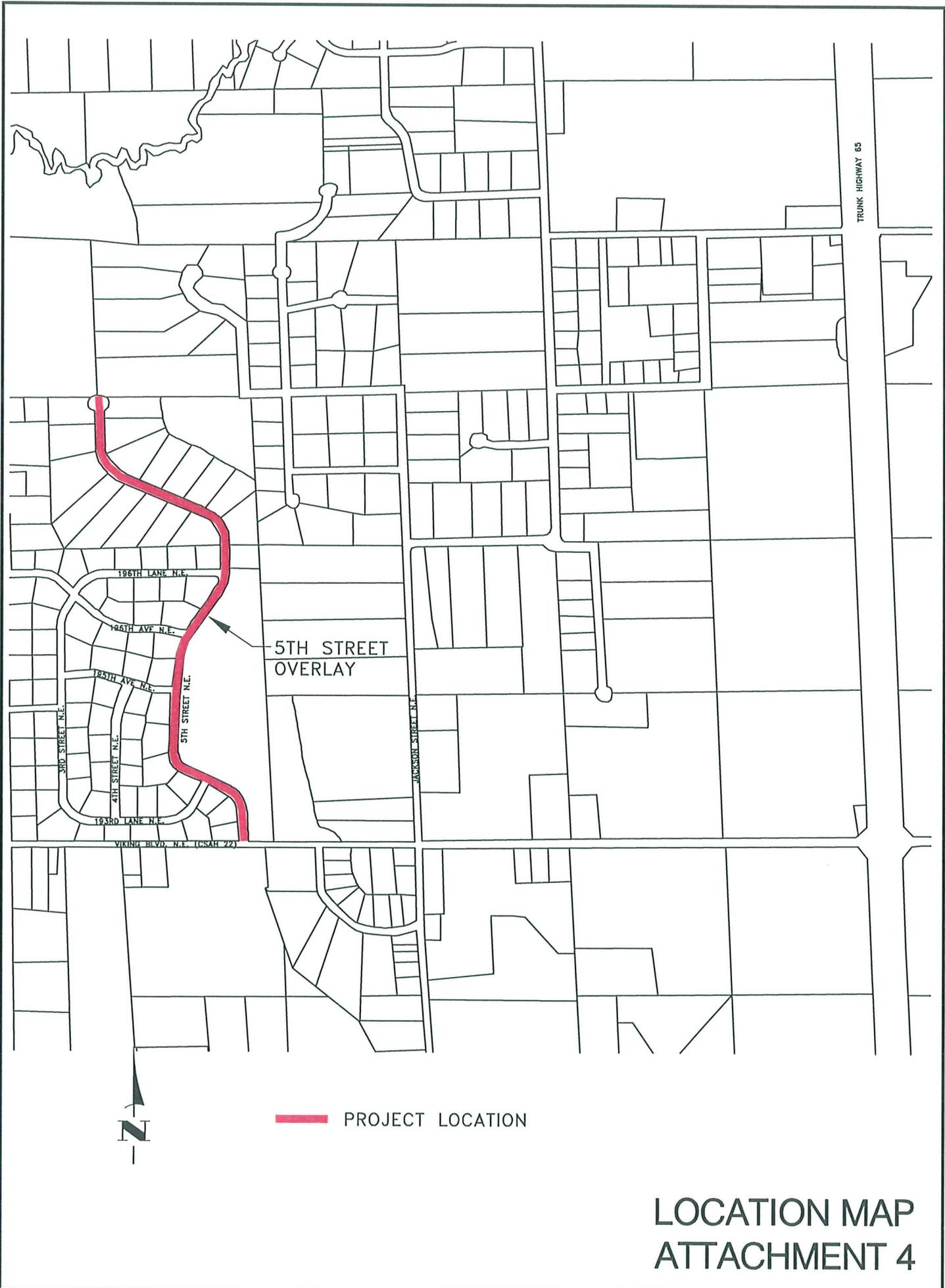
Calculation Correction



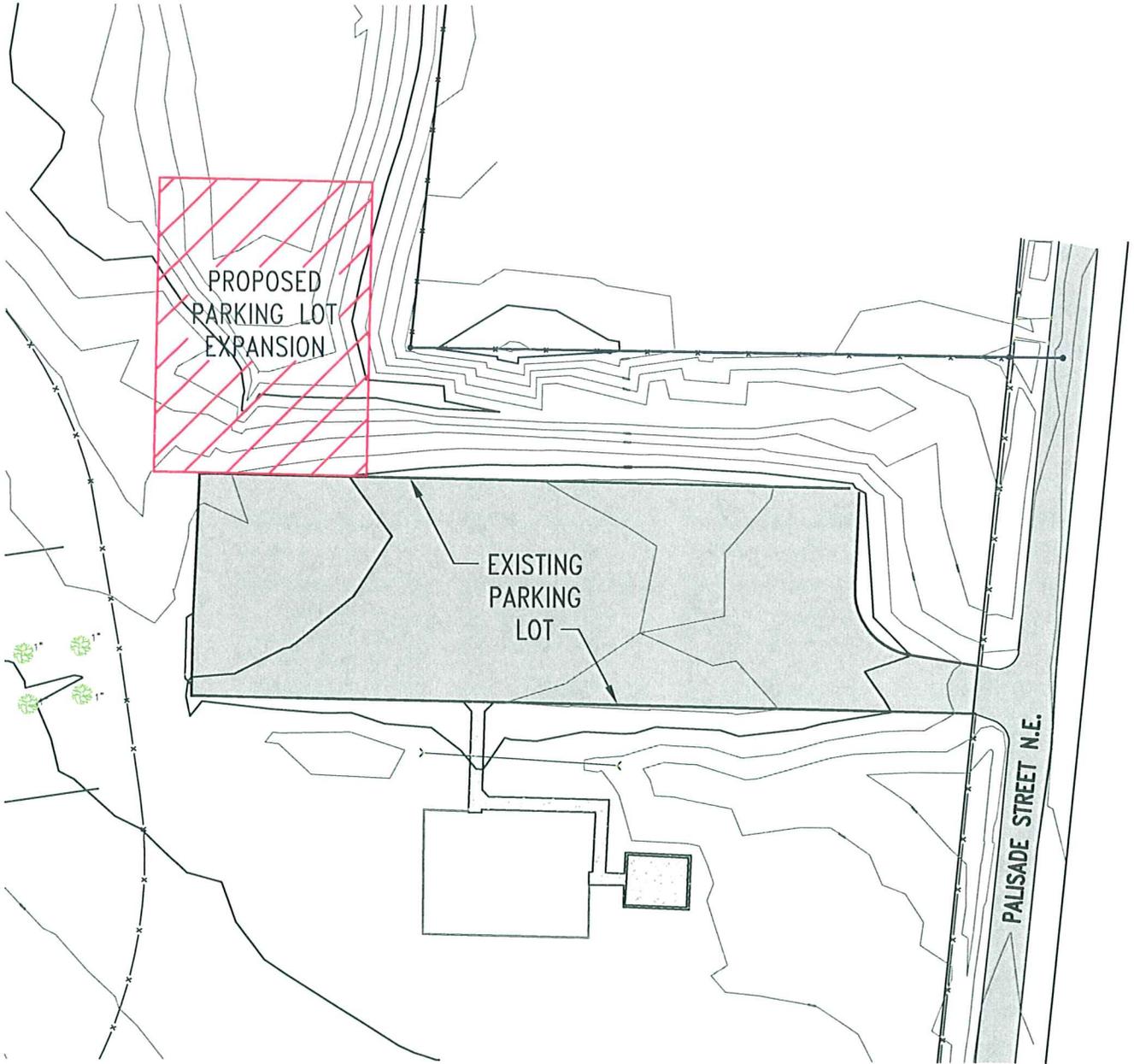
BOOSTER WEST PARK  
PARKING LOT  
EXPANSION  
(SEE ATTACHMENT 5)

— PROJECT LOCATION

# LOCATION MAP ATTACHMENT 3



# LOCATION MAP ATTACHMENT 4



# PARKING LOT LOCATION MAP ATTACHMENT 5



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 C.1

\*\*\*\*\*

**Agenda Item:**

Special Assessment Policy

\*\*\*\*\*

**Requested Action:**

Staff requests review of a special assessment policy

\*\*\*\*\*

**Background Information:**

The purpose of a Special Assessment Policy is to establish a fair and equitable manner of recovering and distributing the cost of public improvements. The procedures used by the City of East Bethel for levying special assessments are those specified by Minnesota Statutes, Chapter 429 which provides that all or part of the cost of improvements may be assessed against benefiting properties. In addition, Minnesota Statutes, Chapter 444 provides for collection of Service Availability Charges (SAC/WAC) which can be specially assessed under the process and provisions of Chapter 429.

Three basic criteria must be satisfied before a particular parcel can be assessed. They are:

- A. The land must have received special benefit from the improvements.
- B. The amount of the assessment must not exceed the special benefit (except in cases where the project is 100% petitioned by the property owner(s)).
- C. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending public improvements to or past a particular parcel is not the only factor to be considered in determining the amount to be assessed. However, in most cases, the method for determining the value of the benefit to the parcel and therefore the amount to be assessed shall be the cost of the improvement, as long as the cost does not exceed the increase in the market value of the property being assessed. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate.

The City must recover the expense of installing public improvements, while ensuring that each parcel pays its fair share of the project cost in accordance with these special assessment guidelines. While there is no perfect assessment policy. However, it is important that assessments be implemented in a reasonable, consistent and fair manner. There may be exceptions to the policy or unique circumstances or situations which may require special

consideration by the City Council. Such special situations will require the City Staff and City Council to use their best judgment in determining an appropriate amount to specially assess for a public improvement.

This assessment policy is intended to serve as a guide for a systematic special assessment process in the City of East Bethel.

The following issues are addressed in the special assessment policy:

**Water and Sewer Availability Charges**

1. Existing residential parcels are assessed 100% of the improvements when they connect to water and sewer system.
2. Existing or future developed commercial/non-residential parcels located adjacent to a trunk or interceptor facility are assessed 100% of the improvements when the service or services are extended and water and sewer are available to the parcels. No future lateral facility installation is required to provide service to the parcel.
3. Existing or future developed commercial/non residential parcels not located adjacent to a trunk or interceptor facility for which future lateral facility installation will be required are assessed 100% of the improvements when the service is provided to the parcel.

We have provided a copy of the policy to the City Attorney for review and comment.

\*\*\*\*\*

**Fiscal Impact:**

None at this time

\*\*\*\*\*

**Recommendation(s):**

Staff requests Council review the attached Special Assessment Policy and provide direction as it relates to changes, corrections, assumptions, etc. contained in this policy.

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_

CITY OF EAST BETHEL  
SPECIAL ASSESSMENT POLICIES  
AND PROCEDURES  
MANUAL  
FOR  
PUBLIC IMPROVEMENTS

## TABLE OF CONTENTS

		<b><u>PAGES</u></b>
SECTION I.	GENERAL POLICY STATEMENT	1
SECTION II.	DEFINITION OF IMPROVEMENTS ELIGIBLE FOR SPECIAL ASSESSMENT	2
SECTION III.	INITIATION OF PUBLIC IMPROVEMENT PROJECTS	3
SECTION IV.	PUBLIC IMPROVEMENT PROCEDURES	3
SECTION V.	FINANCING OF PUBLIC IMPROVEMENTS	4
SECTION VI.	GENERAL ASSESSMENT POLICIES	5
SECTION VII.	METHODS OF ASSESSMENT	9
SECTION VIII.	STANDARDS FOR PUBLIC IMPROVEMENT PROJECTS	15
	A. SURFACE IMPROVEMENTS	15
	B. SUBSURFACE IMPROVEMENTS	16
SECTION IX.	POLICIES OF REASSESSMENT	16
SECTION X.	ASSESSMENT COMPUTATIONS	18
SECTION XI.	PROPERTIES NOT ASSESSED	23

## SECTION I

### GENERAL POLICY STATEMENT

The purpose of this Assessment Policy is to establish a fair and equitable manner of recovering and distributing the cost of public improvements. The procedures used by the City of East Bethel ("City") for levying special assessments are those specified by Minnesota Statutes (MS) Chapter 429 and Chapter 444 which provide that all or part of the cost of improvements may be assessed against benefiting properties.

Three basic criteria must be satisfied before a particular parcel can be assessed. They are:

- A. The land must have received special benefit from the improvements.
- B. The amount of the assessment must not exceed the special benefit. The exception is the case where the project is 100% petitioned by the property owner(s) and they waive their rights to appeal the assessment.
- C. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending public improvements to a particular parcel is not the only factor to be considered in determining the amount to be assessed. However, in most cases, the method for determining the value of the benefit to the parcel and therefore the amount to be assessed shall be the cost of the improvement, as long as the cost does not exceed the increase in the market value of the property being assessed. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate. In the event City staff has doubt as to whether or not the costs of the project may exceed any value added to the parcels pre-construction value, the City Council may direct appraisals as may be necessary to support the proposed assessment.

The City must recover the expense of installing public improvements, while ensuring that each parcel pays its fair share of the project cost in accordance with these assessment guidelines. While there is no perfect assessment policy, it is important that assessments be implemented in a reasonable, consistent and fair manner. There may be exceptions to the policy or unique circumstances or situations which may require special consideration by City Staff and the City Council. Such special situations will require the City Staff and City Council to use their best judgment in determining an appropriate amount to specially assess for a public improvement.

This assessment policy is intended to serve as a guide for a systematic assessment process in the City of East Bethel.

**SECTION II**  
**DEFINITION OF IMPROVEMENTS ELIGIBLE**  
**FOR SPECIAL ASSESSMENT**

- A. The following public improvements, authorized by Minnesota Statutes, Chapter 429.021, are eligible for special assessment within the City of East Bethel:
1. Streets, Sidewalks, Alleys, and Curbs and Gutters
  2. Water Systems
  3. Sanitary Sewer and Storm Sewer Systems
  4. Street Boulevard Trees
  5. Street Lights
- B. The City of East Bethel also retains authority to recover, through special assessment, the following:
1. Snow and ice removal from sidewalks.
  2. Rubbish removal and litter pickup from streets and sidewalks.
  3. Weed elimination from street and private property.
  4. Street lighting, sprinkling, dust treatment, surfacing and patching.
  5. Care of trees and removal of deceased and/or unsound trees.
  6. Removal of obstructions, signs or vegetation within the sight triangles of intersections.
  7. Unpaid utility bills
  8. Nuisance abatement
- C. Minnesota Statutes, Chapter 444 permits the assessment of certain fees related to other public improvements. These charges are generally related to costs of general benefits of public utility systems such as wastewater treatment plants, water treatment plants, wells and water storage facilities such as:
1. Sewer Availability Charges (SAC)
  2. Water Availability Charges (WAC)

3. Sewer Connection Charges
4. Water Connection Charges
5. Sewer Area Charges
6. Water Area Charges

This section shall not be construed to limit the City's authority to assess for public improvements pursuant to other provisions of Minnesota Statutes.

### **SECTION III INITIATION OF PUBLIC IMPROVEMENT PROJECTS**

Initiation of public improvement projects can be undertaken in any of the three following methods:

1. A petition signed by the owners of not less than 35% of the footage of the real property abutting the street(s) named in the petition as the location for the improvement.
2. By a petition signed by all of the owner(s) of real property abutting the street(s) named in the petition as the location for the improvement. (This would include a developer's request as permitted by the City's standard developer's agreement or as provided for in the City's subdivision ordinance.)
3. By the City Council when, in its judgment, such action is in the public interest.

### **SECTION IV PUBLIC IMPROVEMENT PROCEDURES**

The following is the general procedure which will be followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment roll to the County Auditor. Formats for the various reports and resolutions referenced in this section are made a part of the policies and procedures of the City of East Bethel. This process is generally initiated in the fall of the year such that construction activity can begin in the spring or summer of the following year.

1. Staff reviews petition for completion and submits petition with recommendation to the City Council; or, City Council directs staff to initiate improvement process when the public interest is served.

2. If Council determines the petition is complete and that the project is necessary. Council orders preparation of a feasibility report.
3. Staff prepares the feasibility report, or reviews report submitted by another agency to satisfy the statutory requirement.
4. Council reviews, accepts or rejects the feasibility report. If accepted, Council orders a public hearing on the petitioned or proposed improvements.
5. Staff publishes hearing notice and mails notice to the affected property owners as prescribed by statute.
6. Council conducts public hearing and adopts or rejects resolution ordering the improvement.
7. If the resolution approving the project is adopted, Staff prepares final plans and specifications for Council review and approval. If approved, Council directs the project be advertised for bids. Bids are solicited, reviewed and tabulated by staff for Council review.
8. Council awards/rejects a contract based on the bids received.
9. If a bid is awarded, staff supervises construction, prepares payment requests for Council approval, and, when the project is completed, prepares an assessment roll.
10. Council reviews assessment roll and orders assessment hearing.
11. Staff publishes hearing notice and mails notice of hearing date and proposed assessments to the affected property owners as prescribed by statute.
12. Council conducts assessment hearing, adopts, revises, or rejects resolution adopting the assessment roll. If adopted, Council authorizes certification of the assessment to the County Auditor for collection with property taxes.
13. Staff certifies the assessments to the County Auditor.

## **SECTION V FINANCING OF PUBLIC IMPROVEMENTS**

The City of East Bethel may consider issuing municipal bonds for projects as new development occurs and require public improvements. New development requires

public improvements (e.g. – parks, water, sewer, and street improvements). These improvements will be assessed against the benefiting property owners in accordance with this policy if debt is issued to finance these improvements.

Special assessments are generally accepted as a means by which property owners are permitted to obtain public improvements or services. However, the method of financing these is a critical factor to both the City and the Property owner. Total project costs spread over a very short term can cause an undue hardship on the property owner. Therefore, by this policy, the City recognizes that a fair and equitable finance term is in the best interests of property owners and the City.

Bonds issued by the City to finance public improvements to be assessed are generally issued at the time the contract for the public improvements is awarded.

**SECTION VI  
GENERAL ASSESSMENT POLICIES  
APPLICABLE TO ALL TYPES OF IMPROVEMENTS**

DEFINITIONS:

ADJUSTED FRONT FOOTAGE	The number of feet actually utilized in calculating an assessment for a particular property. This may differ from the actual front footage of the property.
ASSESSMENT	A dollar amount charged against a property receiving an improvement benefit.
CONDOMINIUM	Individual ownership of a unit in a multi-unit structure (similar to an apartment building). A special relationship exists whereby the individual owns the actual air space within the physical confines of the unit but not the barrier walls themselves.
DRAINAGE DISTRICT	An area defined by the City Engineer which shall form the physical boundaries where benefit exists within a storm sewer project. Property to be included within a district shall be all land which contributes to storm sewer runoff as well as land serving as a collection basin for storing such water. Natural geographical features normally form these boundaries.

## LATERAL

A lateral sewer is designed to collect the sewage from a project area for conveyance to a trunk facility. A water lateral is sized to provide water in sufficient volumes and pressure as required to serve a defined project area.

## MULTI-FAMILY

A structure of more than two units, the primary purpose of which is to provide rental or leased living space to the general public. Building characteristics include common hallways for access purposes and a common parking lot.

## NUISANCE ABATEMENTS

The elimination of a nuisance whereby the City acts on behalf of the property owner as authorized by ordinance or State Law to eliminate problems such as junk, weeds, dead trees, etc. The City may collect the charges for all or any part of the cost of eliminating any such nuisance by levying a special assessment against the property benefited.

## OVERSIZING

A pipe which is designed and constructed larger and/or deeper than necessary to serve a specific project area.

## PUBLIC IMPROVEMENT

A project undertaken by the City under the authority granted in MS 429.021 for the purpose of the installation of improvements such as street, curb & gutter, sewer, water etc. A public hearing shall be conducted to determine the feasibility of the project as it affects the community. Upon authorization, the City will proceed with construction and administration of the project.

## RECONSTRUCTION

A roadway or other improvement which previously existed as a paved surface or conveyance of a public utility sewer or water, sanitary sewer or storm sewer. Improvements not previously in place are considered new construction.

## TOWNHOUSE

Single family attached units in structures housing three or more contiguous dwelling units, sharing a common wall, each having

separate individual front and rear entrances; the structure is that of a row-type house as distinguished from multiple-dwelling apartment buildings.

TRUNK

Water and sewer lines that are large mains requiring greater size capacity and deeper pipe construction than the immediate surrounding area requires. However, trunk lines may also be used to provide lateral service.

UTILITY IMPROVEMENT

A defined area within which all area properties are deemed to have been served by an improvement project and are considered to receive benefit.

The cost of an improvement shall be assessed upon property benefited by the improvements based upon the benefit received. The following general principles shall be used as a basis of the City's assessment policy:

The project cost of an improvement includes the cost of all necessary construction work required to accomplish the improvement, plus engineering, legal, administrative, financing and other contingent costs including acquisition of right-of-way and/or other property. Financing charges include all costs of financing the project. These costs generally include, but are not limited to, financial consultant's fees, bond attorney's fees, discount charges and capitalized interest. When the project is started and funds are expended prior to receiving the proceeds from a bond sale, the project will be charged interest on the funds expended from the date of expenditure to the date the bond proceeds are received. Council shall take action by resolution to approve any inter-fund loans for improvement projects.

1. Term of Assessments. Special assessments shall be collected in equal annual installments of principal for a period of years. Any assessment that is less than \$100.00 shall be prepaid or shall be certified as the entire amount in one year. Public improvement projects that are financed by the City should have a term not great than the term of the bond issued to finance the project. All other special assessments including but not limited to the following shall carry a term of one year.

1. Nuisance Abatements – 1 year
2. Delinquent Utility Charges – 1 year
3. Emergency Service Charges – 1 year

2. Interest Rate. The interest rate charge on assessments for all projects financed by dept issuance shall be one percent (1%) greater than then the interest rate of the bond issue rounded to the next whole percent. All assessments due within 1 year shall

be charged 8% interest rate. This is necessary to ensure adequate funds are available to make principal and interest payments from the special assessment collections allowing for certain delinquencies. Interest on initial special assessment installments shall begin to accrue 30 days from the date of the resolution adopting the special assessment roll. Owners must be notified by mail of any changes adopted by the City Council regarding interest rates or prepayment requirements which differ from those contained in the notice of the proposed assessment.

3. Payment Procedures. The property owner has four options when making assessments payments.

- a. Tax Payment – If no action is taken by the property owner, the special assessment installments will appear annually on the individual's property tax statement for the duration of the assessment term.
- b. Full Payment – No interest will be charged if the entire assessment is paid in full within 30 days from the date of adoption of the resolution incorporating the special assessment roll.
- c. Partial Payment – The property owner has a one time opportunity to make a partial payment to recue the principal amount of the special assessment. This option may only be exercised within 30 days from the date of adoption of the resolution incorporating the special assessment roll.
- d. Prepayment – The property owner may at any time prior to November 15<sup>th</sup> of any year following the adoption of the assessment roll prepay the balance of the assessment with interest accrued through December 31 of the year of payment. The property owner may also choose to pay the remaining assessment balance at any time prior to November 15<sup>th</sup> of any year with the exception of the current year's installment of principal and interest. Assessments under \$100.00 that are not prepaid will be due and payable in one installment in the year following adoption of the assessment roll.

4. Appeal Procedures. No appeal may be taken as to the amount of any assessment adopted unless a written objection signed by the affected property owner is filed with the City Administrator's office prior to the assessment hearing or presented to the presiding officer at the public hearing at which the special assessment roll will be considered.

If unsuccessful in the appeal of the special assessment to the City Council, the property owner may appeal the assessment to District Court by serving notice of the appeal upon the Mayor and City Administrator within 30 days after the adoption of the special

assessment roll and filing such notice with the District Court within 30 days after the adoption of the special assessment roll and filing such notice with the District Court within 10 days after service of the appeal upon the Mayor or City Administrator.

5. Reapportionment Upon Land Division. When a tract of land against which a special assessment has been levied is subsequently divided or subdivided by plat or otherwise, the City Council may, on application of the owner of any part of the tract or on its own motion, equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid and not then due if it determines that such apportionment will not materially impair collection of the unpaid balance of the original assessment against the tract. The City Council may require furnishing of a satisfactory surety bond in certain cases as specified in Minnesota Statutes Section 429.071, Subd. 3. Notice of the apportionment and of the right to appeal shall be mailed to or personally served upon all owners of any part of the tract. In most cases, dividing the assessment balance evenly on a unit or lot basis would result in equitable apportionment. If equitable in a particular case, such a procedure would be most practical and administratively effective.

## **SECTION VII METHODS OF ASSESSMENT**

### **A. GENERAL STATEMENT**

There are several different methods of assessment for public improvements that include but are not limited to adjusted front foot per lot and area. For any particular project one of these methods will more adequately reflect the true benefit received in the project than the other methods. The City Engineer, in the feasibility study to the Council, will recommend one or a combination of these methods for each project, based on the method that would best reflect the benefit received. The City Council will select the preferred method of calculating the assessments at the time the project is awarded.

### **B. POLICY STATEMENT**

The following methods of assessment, as described and defined below, are hereby established as the official methods of assessment in the City of East Bethel:

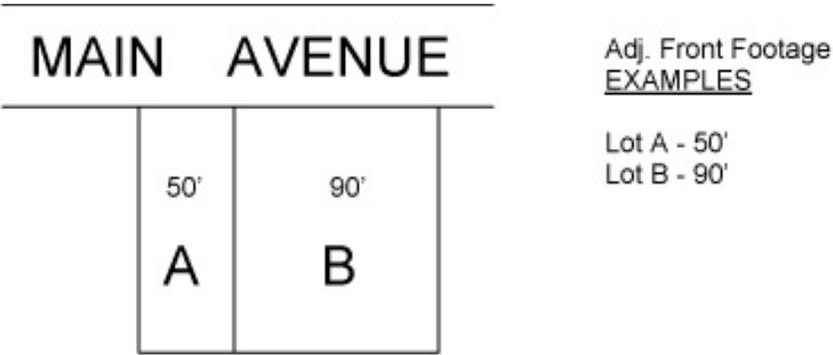
A. Adjustment Front Footage Assessment. The actual physical dimension of a parcel abutting an improvement (i.e., street, etc.) shall **NOT** be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an “adjusted front footage” will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature, differ considerably in shape and area. The following procedures will apply when calculating adjusted front footages. The selection of the appropriate procedure will be

determined by the specific configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted. Categorical type descriptions are as follows:

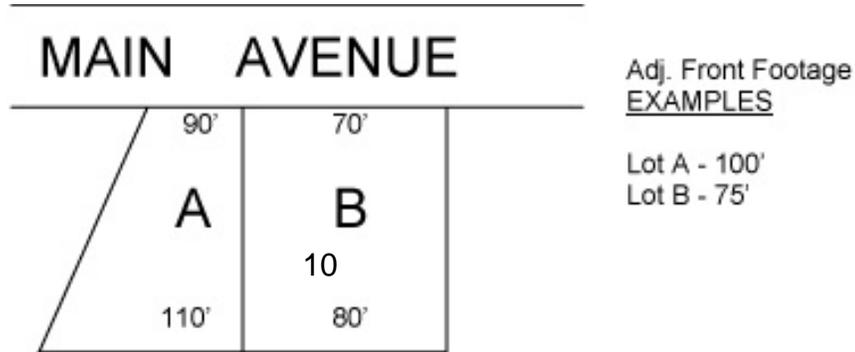
1. Standard Lots
2. Rectangular Variation Lots
3. Triangular Lots
4. Cul-de-sac Lots
5. Curved Lots
6. Irregularly Shaped Lots
7. Corner Lots
8. Flag Lots
9. Double Frontage Lots
10. Large Tracts

The ultimate objective of these procedures is to arrive at fair and equitable distributions of the cost whereby consideration is given to lot size and all parcels are comparably assessed.

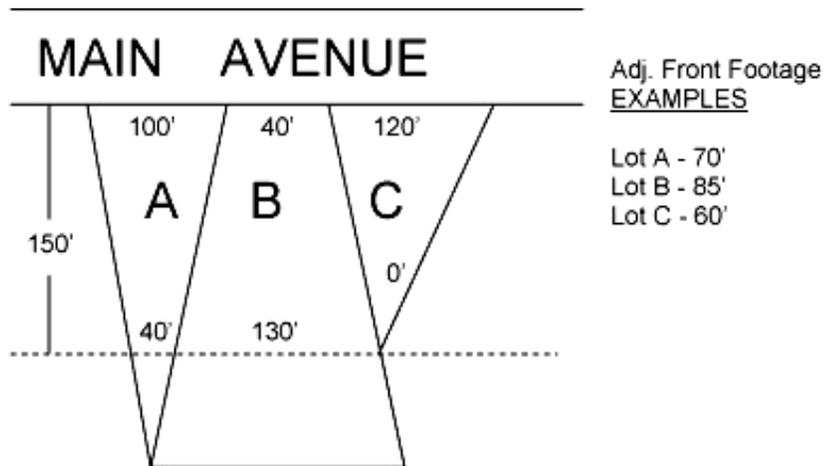
1. Standard Lots. In this instance, the adjusted front footage for rectangular lots will be actual footage of the lot. The frontage measured shall be the lot width at the front lot line.



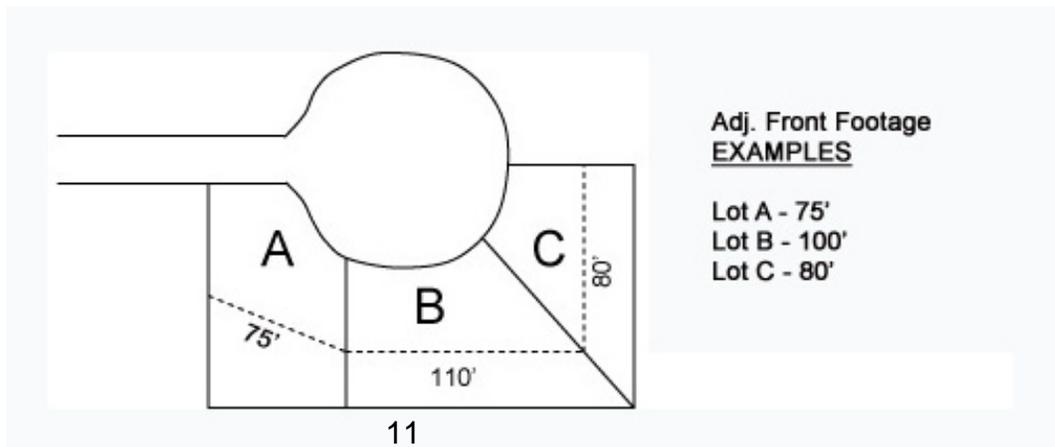
2. Rectangular Variation Lots. For a lot which is approximately rectangular and uniform in shape, the adjusted front footage is computed by averaging the front and back sides of the lot. This method is used only where the divergence between front and rear lot lines is 20 feet or less. If greater than 20 feet, use the irregular shaped lot formula.



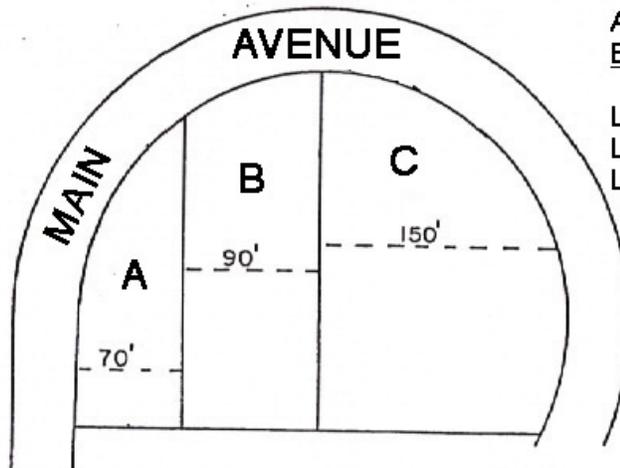
3. Triangular Lots. For a triangular shaped lot, the adjusted front footage is computed by averaging the front and back lot lines. The measurement at the back lot width shall not exceed a maximum distance in depth of 150 feet.



4. Cul-de-sac Lots. The adjusted front footage for those lots that exist on cul-de-sacs will be calculated at the midsection of the lot at the most reasonably defined and determinable position.



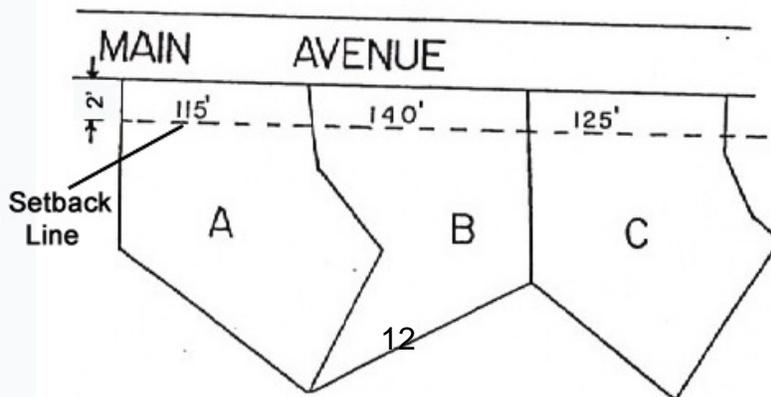
5. Curved Lots. In certain situations such as those where lots are located along meandering trail system streets, road patterns create curvilinear frontages. In such instances, the adjusted front footage will be the width of the lot measured at the midpoint of the shortest side lot line.



**Adj. Front Footage  
EXAMPLES**

Lot A - 70'  
Lot B - 90'  
Lot C - 150'

6. Irregularly Shaped Lots. In many cases, unplatted parcels that are legally described by a metes and bounds description, are irregular and odd shaped. The adjusted front footage will be calculated by measuring the lot width at the building setback line.

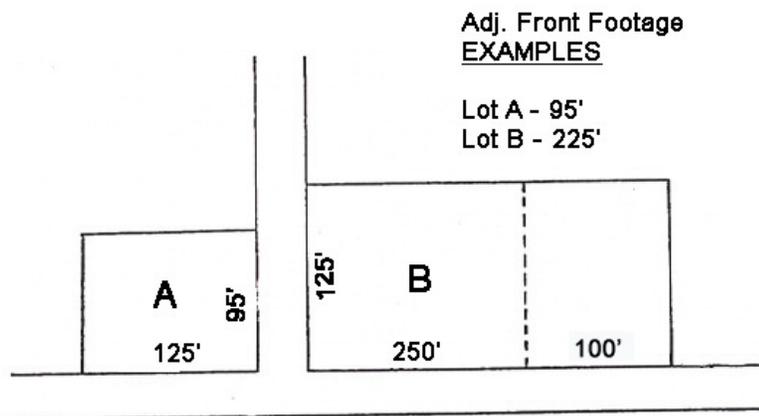


**Adj. Front Footage  
EXAMPLES**

Lot A - 115'  
Lot B - 140'  
Lot C - 125'

7. Corner Lots.

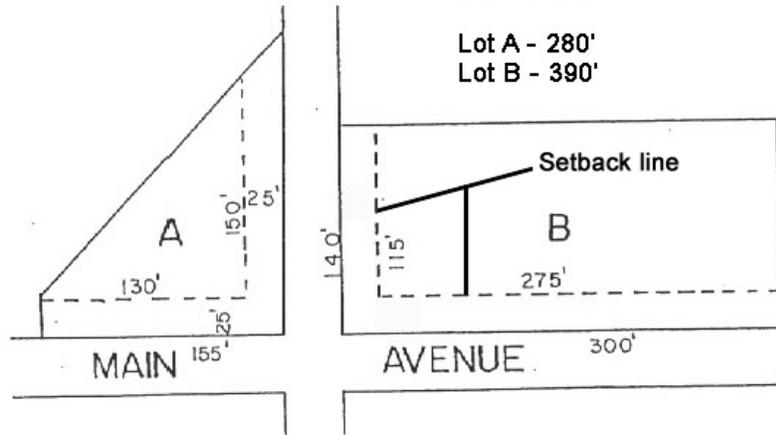
- a. Residentially Zoned Corner Lots. The adjusted front footage will be assessed on the short side. A 150 foot side lot allowance credit will apply along the adjacent side street. Any remaining frontage will constitute an additional assessment. The short side will be assessed in those cases where the improvement may exist on one side only as well as for improvements abutting on both sides.



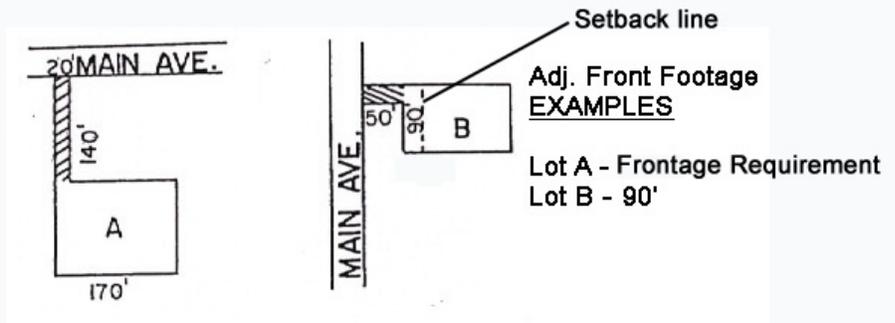
- b. Commercial & Industrial Zoned Corner Lots. No allowance relief will be granted because of the higher inherent property value associated with improved traffic frontage and greater visibility along business district and industrial park intersections. The adjusted front footage calculation shall be the entire frontage measured along the setback line comprising the buildable area.

Adj. Front Footage  
EXAMPLES

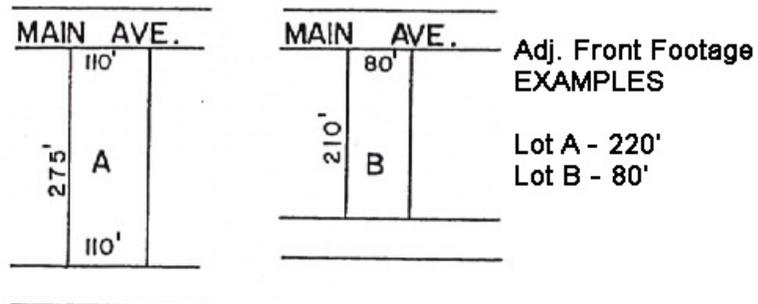
Lot A - 280'  
Lot B - 390'



8. Flag Lots. Properties which utilize a narrow private easement or maintain ownership of such access to their property exceeding a minimum length of 125 feet, thereby having a small frontage on a street, will be assigned an adjusted front footage equal to the dimension which is consistent with the subdivision ordinance which prescribes such length as a minimum lot frontage along a public roadway. The adjusted front footage for flag lots whose driveway access is under 125 feet will be measured at the building setback line from the access terminus.



9. Double Frontage Lots. If a parcel, other than a corner lot, comprises frontage on two streets and is eligible for subdivision, then an adjusted front footage assessment will be charged along each street. For double frontage lots lacking the necessary depth for subdivision, only a single adjusted front footage only will be computed.



10. Large Tracts Lots. Large tracts may have adjusted front footage on two or more sides. This adjusted front footage shall apply only to improvements on the particular street upon which the adjusted front footage faces. The corner of these large tracts shall be considered as side frontage.

- B. Residential Lot. A residential lot is a platted single family residential lot which in accordance with the City of East Bethel zoning and subdivision regulations, cannot be further subdivided and which has only one (1) development right.
- C. Equivalent Residential Units (ERU's). A “typical” single family household, based on typical water and sewer use for said single family household. The number of ERU's apportioned to a particular parcel shall be calculated based upon the number of developable lots as governed by the City of East Bethel Zoning Ordinance in effect at the time charges are levied, and as computed in the general conformance with the “reserve Capacity Manual” as published by the Metropolitan Council Environmental Services and all subsequent modifications or revisions thereto. The City may modify ERU calculations from time to time at their own discretion for individual parcels.
- D. Gross Area. The total area, in acres or square feet, of a lot or parcel of land including all easements. The gross area of a lot or parcel of land does not include any of the abutting right-of-way.
- E. Net Buildable Area. The net buildable area, in acres or square feet, of a lot or parcel of land is its gross area minus the undevelopable or unbuildable area(s) due to the existence of wetlands, floodplains, DNR protected wetlands and/or having restricted soils as determined by an engineered study.

## **SECTION VIII STANDARDS FOR PUBLIC IMPROVEMENT PROJECTS**

The following standards are hereby established by the City of East Bethel to provide a uniform guide for improvements within the City and also to be used by the City Engineer in establishing “system costs” as differentiated from “assessable costs” and “City costs.”

### **A. Surface Improvements**

Surface improvements shall normally be interpreted to include all improvements visible on or above the ground within the right-of-way, and includes, but is not limited to trees, lighting, sidewalks, signing, street and accessory improvements such as surfacing, curb and gutter, drainage facilities, grading, signalization; and other public improvements such as drainage ponds and facilities, parking lots, parks and playgrounds.

## **Policy Statement**

Prior to public street construction and/or surfacing, or prior to resurfacing of public streets, all utilities and utility service lines, (including but not limited to sanitary sewer, storm sewer, water main, gas, telephone, cable and electric service) shall be installed to serve each known or potential building location when practicable.

When practicable, no surface improvements to less than both sides of a full block of street shall be approved except as necessary to complete the improvement of a block which has previously been partially completed. Concrete curbing or curb and gutter shall be installed at the same time as street surfacing, except that where a permanent "rural" street design is approved by the City Council, curbs will not be required.

### **B. Subsurface Improvements**

Subsurface improvements shall normally include such items as water distribution, sanitary sewer and storm sewer lines and electric, gas, telephone and gas utilities.

For purpose of definition, main lines are defined as the publicly owned and maintained lines such as trunk lines, interceptors, mains, laterals, etc.

The service lines are those privately owned service lines going from the main line to the property line.

## **Policy Statement**

Subsurface improvements shall be made to serve current and projected land use. All installations shall conform to City standards or standards as established by state and/or federal agencies having jurisdiction over utility operations.

Service lines from the lateral or trunk to the property line for each known or potential building locations may be installed in conjunction with the construction of the lateral or main.

## **SECTION IX POLICIES OF REASSESSMENT**

The City of East Bethel in constructing or reconstructing any public improvement shall design such improvement to last for a minimum period of time. The life expectancy or service life is stated in the policy statement of this section.

Deviations from these standards may be considered by the Council based on unique or special conditions.

## **Policy Statement**

The following are hereby established as the “life expectancies” or “service life” of public improvements.

1. Sidewalks – 15 years
2. Street improvements, including surfacing and curb and gutter – 20 years
3. Ornamental street lighting (commercial district) – 20 years
4. Water Mains – 30 years
5. Sanitary Sewers – 30 years
6. Storm Sewers – 30 years
7. Wastewater Treatment Plants – 30 years
8. Water Treatment Plants – 30 years
9. Water Storage Facilities – 30 years
10. Municipal Wells – 25 years

## **Policy Statement – Residential Property**

When assessing residential property for reconstruction of improvements that have exceeded their life expectancy, (I.E. sidewalks life expectancy is 15 years) 70% of the total replacement cost will be provided by the City and 30% shall be assessed against the benefiting property.

Reconstruction of improvements that have not exceeded their life expectancy shall be prorated. For instance, a reconstruction project of a street (20 year life expectancy) that is 10 years old will yield an assessment of 50% of the 30% cost share (15%) with the balance being covered by the City.

## **Policy Statement – Commercial Property**

When assessing commercial property for reconstruction of improvements that have exceeded their life expectancy, (i.e. sidewalks life expectancy is 15 years) 100% shall be assessed against the benefiting property.

Reconstruction of improvements that have not exceeded their life expectancy shall be prorated. For instance, a reconstruction project of a street (20 year life expectancy) that is 10 years old will yield an assessment of 50% of the 100% cost share (50%) with the balance being covered by the City.

## **SECTION X ASSESSMENT COMPUTATIONS**

### **A. STREET AND CURB AND GUTTER IMPROVEMENTS**

#### **1. New Constructions**

All new streets will be assessed 100% to the abutting benefited parcels. Street and curb and gutter improvements will normally be assessed by the adjusted front foot method, however other methods may be utilized if conditions warrant.

Cost of construction of streets shall be assessed based on the minimum design standards outlined in the City of East Bethel's Engineering Manual. Oversizing costs which are incurred in excess of the standard design may be paid by larger assessment rates to benefited properties.

#### **2. Collector Streets**

Collector streets assessed against residential property will be assessed to the equivalent local street costs. All street oversizing costs associated with collector streets will not be assessed. Street oversize costs will be funded through the City Street Capital Fund, Municipal State Aid Construction Fund, Stormwater Utility Fund or other sources deemed appropriate by the City Council.

#### **3. Gravel Streets**

Upgrading an existing gravel street located in the Urban Service Area by adding pavement, curb and gutter shall be considered new construction. Costs shall be 100% assessed.

#### **4. Overlay, Seal Coats**

Generally overlays will not be assessed, but rather funded through other resources.

### **B. SIDEWALKS**

#### **1. New Construction**

New sidewalks installed adjacent to local streets will be assessed 100% to the abutting property on which the sidewalk is located.

**2. Reconstruction**

Replacement of sidewalks adjacent to local streets will be assessed to abutting residential property at a rate of 30% to the property owner and 70% to the City. Replacement of sidewalks adjacent to local streets will be assessed to abutting commercial property at a rate of 100% to the property owner.

**C. STORM WATER DRAINAGE IMPROVEMENTS**

**1. New Construction**

The fundamental concept underlying a storm sewer assessment is that all parcels within a drainage area are considered to be benefited as every parcel contributes runoff to the system. The City Engineer shall evaluate each development proposal to ensure that the necessary storm water improvements have been incorporated into the improvement plans. Assessments for storm sewer costs shall be assessed against the benefiting parcel based on the total storm water improvement costs for the drainage district.

**2. Replacement of Storm Sewers**

Replacement costs or reconstruction of existing storm sewers will be assessed at the 30% to the property owner and 70% to the City. The City's cost may be generated through the Storm Water Utility Fund by user fees and capital replacement charges or other sources deemed appropriate by the City Council.

**3. Maintenance of Storm Sewer Systems**

All maintenance costs for storm sewers, and drainage ponds on public property or in the easements granted for drainage and utilities will be maintained by the City. Revenues to support maintenance activities will come from the Storm Water Utility Fund or other sources deemed appropriate by the City Council.

**D. SANITARY SEWER ASSESSMENTS**

**1. New Construction**

Residential Parcels Assessed 100% of the costs to each benefitting parcel on a per ERU basis at the time of permit for connecting to the utility is issued. Assessments for sanitary sewer costs shall be assessed against the benefiting parcel based on the total sanitary sewer improvement costs for the area served.

### Commercial/Non Residential

- a. Service provided to the parcel. Existing or future developed parcel located adjacent to a trunk or interceptor facility from which a service or services is or are to be extended from the facility to the Right of Way line or some other logical termination point for connection to a structure. 100% of the cost to each benefitting parcel based on a per ERU basis.
- b. No service is extended from the facility to the Right of Way line. Future developed parcel located adjacent to a trunk or interceptor facility. Lateral facilities may be extended to the Right of Way line for future extension into the parcel to provide service to multiple units and or to extend to other adjacent parcels. 100% of the cost to each benefitting parcel based on a per ERU basis when connection to utility system permit is approved for existing units or as defined in the Developments Agreement for future development parcels as determined by the City.
- c. Future lateral facility installation will be required since parcel not located adjacent to a trunk or interceptor facility. 100% of the cost to each benefitting parcel based on a per ERU basis when connection to utility system permit is approved for existing units or as defined in the Developments Agreement for future development parcels as determined by the City.

## **2. Sanitary Sewer Systems**

Sanitary Sewer Core Facilities include lift stations, intercept lines and other improvements that have a city-wide and/or system-wide purpose. Costs for these improvements will be provided in part, through the collection of a sewer availability and/or connection charges. The collected fee shall be used to cover costs associated with core facility improvements. These fees will be set annually by the City Council by resolution.

## **3. Sanitary Sewer Trunk Pipe Area Charge**

Charge for the costs associated with installing trunk sewer facilities in order to provide municipal service to the service area for future connection by lateral systems.

## **4. Sanitary Sewer Trunk Charge**

Charge for the costs associated with the increased pipe size for sewer facilities necessary to convey sewer throughout the service area.

## 5. Sanitary Sewer Lateral

Sanitary sewer lateral costs shall be apportioned to the property benefiting from the lateral sanitary sewer line. Apportioning the costs of the lateral will be done by dividing the costs of the lateral line construction and charging benefiting parcels based upon ERU's.

Where lateral benefit is received from a trunk, the benefiting properties are assessed a lateral benefit charge for the costs associated with installing sewer facilities in order to provide service to benefitting parcels. Costs include, at a minimum, those required to install minimum size facilities, typical 8-inch diameter sewer, required to provide municipal service to the benefitting parcel. In addition to minimum facility costs, additional costs as determined by the City Council necessary to recapture costs associated with the additional benefit to the parcel for the completion of the overall trunk utility collection and distribution system may be included.

## E. WATER ASSESSMENTS

### 1. New Construction

Residential Parcels Assessed 100% of the costs to each benefitting parcel on a per ERU basis at the time of permit for connecting to the utility is issued. Assessments for water costs shall be assessed against the benefitting parcel based on the total water improvement costs for the area served.

#### Commercial/Non Residential

- a. Service provided to the parcel. Existing or future developed parcel located adjacent to a trunk or interceptor facility from which a service or services is or are to be extended from the facility to the Right of Way line or some other logical termination point for connection to a structure. 100% of the cost to each benefitting parcel based on a per ERU basis.
- b. No service is extended from the facility to the Right of Way line. Future developed parcel located adjacent to a trunk or interceptor facility. Lateral facilities may be extended to the Right of Way line for future extension into the parcel to provide service to multiple units and or to extend to other adjacent parcels. 100% of the cost to each benefitting parcel based on a per ERU basis when connection to utility system permit is approved for existing units or as defined in the Developments Agreement for future development parcels as determined by the City.
- c. Future lateral facility installation will be required since parcel not located adjacent to a trunk or interceptor facility. 100% of the cost to each benefitting parcel based on a per ERU basis when connection

to utility system permit is approved for existing units or as defined in the Developments Agreement for future development parcels as determined by the City.

**2. Water Facility Availability Charge**

Water system core facilities include wells, water towers, water treatment and other improvements that have a city-wide and/or system-wide purpose. Costs for construction improvements will be provided in part, through the collection of a water facility availability and/or connection charge. These fees will be set annually by the City Council by resolution

**3. Water Trunk Pipe Area Charge**

Charge for the costs associated with installing trunk water facilities in order to provide municipal service to the service area for future connection by lateral systems.

**4. Water Trunk Charge**

Charge for the costs associated with the increased pipe size for water facilities necessary to convey water throughout the service area.

**5. Water Lateral**

Water lateral costs shall be apportioned to the property benefiting from the lateral water line. Apportioning the costs of the lateral will be done by dividing the costs of the lateral line construction and charging benefiting parcels based upon ERU's.

Where lateral benefit is received from a trunk, the benefiting properties are assessed a lateral benefit charge for the costs associated with installing water facilities in order to provide service to benefiting parcels. Costs include, at a minimum, those required to install minimum size facilities, typical 6-inch diameter water, required to provide municipal service to the benefiting parcel. In addition to minimum facility costs, additional costs as determined by the City Council necessary to recapture costs associated with the additional benefit to the parcel for the completion of the overall trunk utility collection and distribution system may be included.

**F. STREET BOULEVARD TREES**

All street boulevard trees installed as part of new street construction or in reconstructing existing streets shall be include as part of the overall project cost and include in the assessment calculations.

**G. STREET LIGHTS**

All costs for new street lights installed as part of constructing new streets or street lights relocated as part of reconstructing streets will be include in the overall project cost and included in the assessment calculations.

**H. OTHER IMPROVEMENTS**

Based on the City Council determination, all other improvements listed in Section II may be fully assessed or accessed in part as determined by City Council.

**SECTION XI  
PROPERTIES NOT ASSESSED**

Special assessments may not be levied against the properties described as follows as determined by the City Council.

- A. A parcel deemed unbuildable because the parcel lies wholly and completely within a National Wetland Inventory wetland, floodplains, DNR protected wetland and/or having restricted soils as determined by an engineering study. No building or fill permits will be issued for such lands where assessments have been removed from the assessment rolls under this provision. All parcels are assumed to be buildable unless it is demonstrated by an engineered study or other government agency study to clearly indicate soils or other mitigating circumstances are clearly present. Demonstration of “unbuildable” is the responsibility of the property owner.
- B. Cemeteries.
- C. Public transportation rights-of-way.



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0.E.1

\*\*\*\*\*

**Agenda Item:**

Code Enforcement Report

\*\*\*\*\*

**Requested Action:**

Informational Only

\*\*\*\*\*

**Background Information:**

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

**Attachments:**

Code Enforcement Report

\*\*\*\*\*

**Fiscal Impact:**

None

\*\*\*\*\*

**Recommendation(s):**

Information Only

\*\*\*\*\*

**City Council Action**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

---

---

---

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_

No Action Required:  X

## POSTED UNFIT/HAZARDOUS PROPERTIES 08/18/10

ADDRESS	ACTION INITIATED	LAST ACTION	STATUS	COMMENTS
607 Viking Blvd.	2/20/08 Posted unfit	5/28/09 court approved abatement	Tracking	Property has gone to Sheriff sale and is currently in the redemption period. Building department has been in contact with the mortgage company's property preservation contractor and they have recently mowed the lawn. Mortgage lender is addressing the special assessments. (Currently for sale)
22906 Jackson St.	3/19/08 Posted unfit	Demo permit issued 4/29/08, Haz. Excavation orders sent 6/29/09	Tracking	On 8/08/10 new owner contacted Building Official and stated that she has closed on the property, currently addressing issues with oak wilt and hopes to start constructing new principle structure within the next couple of months.
19245 Greenbrook Dr NE	5/23/08 Posted unfit	4/9/09	Closed	New owner has removed accessory structures and paid outstanding City assessments.
191 Elm RD	6/6/08 Posted unfit	11/15/08 exterior abatement	Closed	Principle structure has been razed by the county.
2403 Viking Blvd.	7/18/08 Posted unfit		Closed	New owner has razed the structure and cleaned exterior of property
220 Dogwood Rd.	11/6/08 Posted unfit	11/26/08	Closed	Structures removed

<b>ADDRESS</b>	<b>ACTION INITIATED</b>	<b>LAST ACTION</b>	<b>STATUS</b>	<b>COMMENTS</b>
204 Dahlia Dr. NE	11/6/08 Posted unfit	4/26/10 Court ordered abatement.	08/10/10 Tracking	Owner has started removing the principle structure. Building department tracking progress.
619 Lakeshore Dr.	11/13/08 Post as a Hazardous structure	12/04/08	Closed	Structure removed
348 Aspen/ Rev. Bullock property	11/13/08 Blight/Public Nuisance	6/10/09 Meeting with new property owner	Closed	Owner has abated nuisance
172 Juniper Rd.	11/6/08 Posted Unfit	11/24/08	Closed	Structure removed
Castle Towers Trailer Park	6/7/10 posted lot #106 , #149 and #122 as Hazardous/Unfit	6/8/10 Compliance letters for hazardous structures	Tracking	Owner has not addressed completed securing trailers. Building Official is scheduled to meet with City Prosecutor on 08/16/10 to discuss criminal complaint against owners.
22568 Sandy Dr.	12/10/08 Hazardous/Unfit Structures	02/8/10 Final Compliance letter sent	07/13/10 Tracking	Property owner has ignored orders to abate public/hazardous nuisance. Forwarding to city prosecutor for action.
234 Birch Rd.	3/10/09	6/10/09	Closed	New owner has abated nuisance.

ADDRESS	ACTION INITIATED	LAST ACTION	STATUS	COMMENTS
4631 Viking Blvd.	3/13/09 Posted Unfit	4/1/09 Contractor Abated Property	Closed	Property sold and assessments have been paid. New owner plans on rehabilitating the property.
604 Lincoln Dr.	Posted principle structure located on east end of lot 3/16/09	5/8/09 Demo permit issued on May 8, 2009	Closed	Structure has been removed.
221 Birch Rd.	Demo permit issued 6/4/10	Site inspection by Building Official conducted on 6/7/10	7/01/10 Tracking	Property abatement is complete, awaiting payment for services, prosecution fee's etc. from Wells Fargo.
191 Elm Rd. Garage	Posted structure (Garage) as unfit for human habitation on 9/22/09		Tracking	Owner was ordered not to reside in the garage and given 14 days to clean out the interior. Currently tracking. Have asked Anoka Co. Sheriff to cite individuals with trespass if staying on the property.
421 Cedar Rd	11/17/09 Sent letter to owner to abate nuisance	Issued demo permits 12/02/09	Closed	Demolition permits issued on 12/2/09. Contractor started razing the structure on 12/2/09. Work completed on 12/7/09.

ADDRESS	ACTION INITIATED	LAST ACTION	STATUS	COMMENTS
4306 Channel Ln.	11/19/09 Residential structure posted as unfit for human habitation due to fire damage	12/08/10 Owner reviewing permit requirements with Building Official	Closed	Building permits issues 04/2010
330 Dogwood Rd.	12/1/09 Primary residence unfit to occupy, public health issue,	Letter sent to owner on 12/02/09	Tracking	On 12/1/09 Building Official met with property care taker who represents the owner's interest. Building department found that the home was being occupied without having compliant sanitary facilities. It was determined by the building official that continued use of the home would be a public health issue. The occupant is moved out of the home on 12/5/09. Permits will be required to improve the sanitary facilities before occupancy is permitted
19079 Greenbrook Dr.	01/05/10 Residential structure posted as Unfit to Occupy	Spoke with maintenance Co. for mortgage lender on 01/11/10	Closed	Property sold, outstanding assessments paid to city, building permits issued for repairs.
775 199 <sup>th</sup> Ave NE.	02/17/10 Residential structure posted as Unfit to Occupy	02/22/10 Sent abatement letter to mortgage company	Tracking	Building Official contacted by lenders representative on 5/6/10. Will ensure outside is cleaned up and building is secured. Lender waiting for expiration of the redemption period.

ADDRESS	ACTION INITIATED	LAST ACTION	STATUS	COMMENTS
3424 Edmar Ln.	Sent Hazardous Bldg. Orders	4/22/10	Tracking	Owner had communicated with the Building Official that they needed 90 days to hire contractors and complete work. As of July 22 <sup>nd</sup> no action had be taken by the owner. Building department sent final notice and as of 08/10/10 owner contacted Building Official stating that demolition contractor had just been hired to raze all the structures on the property.
22779 Sandy Dr.	Sent Hazardous Bldg. Orders	06/21/10	Tracking	Building Official has had contact with mortgage lender property preservation department. The mortgage lender is moving forward with the exterior clean up during the redemption period.



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 E.2

\*\*\*\*\*

**Agenda Item:**

Great River Energy (GRE) Request to Initiate Conditional Use Permit (CUP) Work Group Process for Transmission Line

\*\*\*\*\*

**Requested Action:**

Staff seeks Direction to begin the Work Group Process

\*\*\*\*\*

**Background Information:**

GRE has submitted a request to initiate the CUP work group process for the construction of a 69 Kilovolt (KV) electric transmission system in the East Bethel area as required by Ordinance 15, Second Series, An Ordinance Establishing a Requirement and Criteria for Conditional Use Permits for Transmission Lines in the City of East Bethel.

Staff completed a review of the submitted request and analysis of the proposed project and recommends the establishment of a work group to begin the process as outlined in city code. The applicant submitted the required information as regulated by city code, which included the following:

- a. documentation demonstrating the need and purpose for such a transmission line so alternatives to the transmission line can be adequately assessed;
- b. all of the alternatives and associated costs considered by the applicant;
- c. alternative locations;
- d. A “no-build” alternative that discusses measures that could be taken in an attempt to meet the documented need without construction of the transmission line; and
- e. designation of the applicant's preferred location.

According to city code, Phase I of the preliminary process is the establishment of a work group. The work groups’ responsibility is to meet with the applicant to review the proposed project and alternatives for the proposed locations of the electric transmission system. The work group will consist of the applicant, city planner, one council member, one member of each of the city’s commissions, and up to two (2) city residents appointed by the City Council. Following the Phase I process, the applicant may submit an application for a CUP.

Phase I of the process should be completed no later than sixty (60) days of the first scheduled work group session. A tentative timeline for the completion of Phase I is as follows:

Wednesday, August 18, 2010:	Begin process of establishing work group
Wednesday, September 1, 2010:	City Council appoints work group members

Thursday, September 16, 2010: First scheduled work group session  
Monday, November 15, 2010: Phase I to be completed by this date

Following the completion of the Phase I process, the applicant may submit an application for a CUP. Required submittal information is outlined in City Code and has been provided to GRE.

**Attachment(s):**

- 1. August 9, 2010 GRE Letter Request

\*\*\*\*\*

**Fiscal Impact:**

Unknown at this time

\*\*\*\*\*

**Recommendation(s):**

Staff seeks direction to begin the process of work group selection to be placed before City Council at the regularly scheduled meeting on September 1, 2010 and the approval of the Phase I completion timeline.

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

---

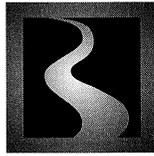
---

---

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_



GREAT RIVER  
ENERGY®

12300 Elm Creek Boulevard • Maple Grove, Minnesota 55369-4718 • 763-445-5000 • Fax 763-445-5050 • www.GreatRiverEnergy.com

August 9, 2010

WO #54101  
CO-LA Line

East Bethel City Council  
c/o Mr. Douglas Sell  
City Administrator  
City of East Bethel  
2241 221st Avenue NE  
East Bethel, MN 55011

Re: Request to Initiate Conditional Use Permit Work Group Process for Transmission Line.

Dear Council Members & Mr. Sell:

Great River Energy has determined that a new high voltage transmission line is required to address load growth in the City of East Bethel and its neighboring communities. The planned high voltage transmission line will connect two existing electrical substations, the Athens Substation in Athens Township and the Martin Lake Substation in Linwood Township. A portion of the planned transmission line needs to be constructed in East Bethel. To ensure continued reliable operation of the electric transmission system in the East Bethel area, the planned transmission line needs to be complete and in-service by March 31, 2012. This transmittal, including the enclosed materials, is our request that the City initiate its process for considering a conditional use permit for the planned transmission line.

This will be Great River Energy's first experience requesting a conditional use permit (CUP) under the new Ordinance 15 Second Series. Great River Energy has carefully considered the requirements of the ordinance, and to facilitate the ordinance process, we enclose a copy of our most current draft of the CUP application to serve as the analysis for the work group. It responds to the requirements for submitting a CUP application, although it is not yet the formal CUP application as described in the ordinance.

The enclosed document includes an analysis of the electrical transmission grid in the area and the reasons for the project. Great River Energy's analytic process is also described. Great River Energy considered several alternatives for improving capacity in the transmission area, and based on a number of important criteria, concluded that the proposed alternative is the best for providing the additional needed capacity. For the proposed alternative, Great River Energy evaluated two route alternatives for traversing parts of East Bethel. Great River Energy developed information and applied criteria consistent with the requirements of the ordinance.

Great River Energy has attempted to include in the draft document all of the information required for the application. Inevitably, there will be questions and requests for clarification and elaboration. Please keep us informed of such matters. Great River Energy is committed to being responsive to the City during its review of the project and will furnish information as required by the ordinance and as helpful to the deliberative process.

Direct Dial (763) 445-5976

E-mail pschaub@grenergy.com

Fax (763) 445-6776

City Council and Mr. Sell  
August 9, 2010  
Page 2

As noted on page one, to assure system reliability, Great River Energy needs to have the line completed and in service by March 31, 2012. To meet that deadline, we anticipate that the City's process must be finished by May 1, 2011. Determination of the final route alignment and receipt of the conditional use permit by that date are essential for Great River Energy to be able to acquire right-of-way, complete environmental surveys, perform route-specific planning, procure materials, and perform final design and construction and have the line in-service by March 31, 2012. In support of the May 1, 2011 date, Great River Energy anticipates submitting to the City a complete CUP application with the final version of the enclosed document by January 1, 2011.

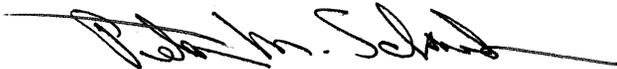
Great River Energy recognizes that the City intends to use a two-part process. As described in the ordinance, the first phase involves review of the project by a work group that reports to the planning commission. The enclosed materials are intended to assist the city in getting the work group underway.

Please let us know how the City will proceed with the work group and what we can do to make it a successful undertaking. Great River Energy is ready to work diligently with the City and will make resources available to accomplish that objective. A collaborative approach will make it possible to get this important work done in a timely manner, and for Great River Energy to continue to provide reliable electrical power to East Bethel and adjacent communities.

We propose that we meet within the next few days to review the City schedule and process. With your indulgence, I will call you on August 16<sup>th</sup> to talk about the schedule and any questions you might have. However, should you have questions or wish to discuss the schedule and process before August 16<sup>th</sup>, please feel free to call me at your convenience.

Sincerely,

GREAT RIVER ENERGY



Peter M. Schaub  
Sr. Field Representative

Enclosures

PS:jh:\r:\CO-LA-54101\lettertoEastBethelw\draftCUPApplication9.9.10.doc



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 F.1

\*\*\*\*\*

**Agenda Item:**

Fire Department Staff Monthly Meeting Notes and Reports

\*\*\*\*\*

**Requested Action:**

Informational only

\*\*\*\*\*

**Background Information:**

August Fire Department Monthly Meeting Notes and July Reports are included for your review.

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

\*\*\*\*\*

**Fiscal Impact:**

None

\*\*\*\*\*

**Recommendation(s):**

Informational only.

\*\*\*\*\*

**City Council Action**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

---

---

---

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_

No Action Required: \_\_\_\_\_

## **INCIDENT TYPE CODES**

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

EAST BETHEL > View Station Info

I want to:

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

Search (Station Name):

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

Records 1-7 of 7

Goto Page: 1

# East Bethel Fire Department

## Monthly Staff Meeting

August 2, 2010

### Call to Order:

Chief DuCharme called the meeting to order at 19:00. There were 26 Fire Fighters (including the day staff) and Council Liaison, Steve Channer present for the meeting.

Meeting minutes from the July 6, 2010 were posted previously.

### New Member Matt Knealing:

Chief DuCharme gave a warm welcome and introduced a new firefighter to the department. Matt Knealing is a great addition to the fire department and comes to the department with experience. He is Firefighter II certified, EMT, Paramedic student and has had DNR training. He will be an active responder starting September 1, 2010 with city council approval.

### Training and Maintenance Change:

Chief DuCharme announced that the Training and Maintenance nights would be switched in the month of August due to a trainer coming in to teach the subject of LP Fires.

### Chief's Report:

Payroll needs to be signed before you leave tonight. Pay day is August 15, 2010.

### The schedule for this month is:

August 2	Meeting & Payroll Signing
August 3	Night to Unite / Fireworks
August 4	Agility Testing
August 9	Maintenance Night
August 16	Training
August 23	Medical Training
August 30	Officer Meeting

### The schedule for September is:

September 6	Labor Day
September 7	Meeting & Payroll Signing
September 13	Training
September 20	Maintenance Night
September 25	Firefighter I Testing
September 27	Officer Meeting

Maintenance nights: Need to contact Ron within 24 hours of missing to receive assignment and that needs to be completed within 10 days.

### **New Firefighters in Training:**

Chief DuCharme announced that there are currently 8 new firefighters in training at the present time. The agility testing will take place on August 4<sup>th</sup>. A medical physical and council approval will follow. These new firefighters will then be approved to start responding to calls as of September 1, 2010.

### **Congratulations & Anniversaries**

Jeff Borstner	22 Years
Ron Stanley	25 Years

### **Fire Fighter Updates:**

Greg Henderson	Resignation
Stephanie Nutter	Resignation

### **Updates:**

Linwood Fire Department dance is scheduled for September 11, 2010.

Clean out your mailboxes in the communications room.

### **Administration Report**

Please make sure to turn in all reimbursement requests for lodging, fuel, and food as soon as possible so that we can get them on the next bill run.

Health Insurance Reimbursement Requests were due by July 15, 2010.

### **Chief 2 – Ardie**

- Chief Anderson attended the North Suburban Mutual Aid Meeting in July. He explained to the group about information he obtained regarding many chemicals for firefighters to be aware of.
- Discussion was held regarding bringing in an instructor for an awareness course.
- SBM Fire's driving simulator is available for training.
- Open House for the new dispatch center will take place on August 24.
- North Suburban School starts on September 5, 2010.
- Fire Chief Conference will take place in October 2010.

### **Chief 3 – Ron**

- Chief Stanley discussed a new policy for the Radio Room.
- Discussion was held regarding misplacement of a chainsaw.

### **Chief 4 - Dan**

- Chief Berry stressed his concern with an engine light on Rescue 21.
- He expressed his appreciation to all firefighters that assisted with the firefighters dance. Due to weather, the dance had been cancelled. However, pre-sales of raffle tickets did bring in a profit of \$2,600.
- The “Firefighter Birthday Visit” drawing was held and two winners were chosen.

### **Inspector Report:**

Inspector Duchene reported that 12 businesses were inspected in July.

### **Relief Association Presentation: Troy Lachinski**

Mr. Lachinski discussed the funding in the Relief Account. He talked about the shortage due to the economy and the low stock market. He announced that the yearly \$3400, approved by council, was not in the fund at this time. He stated that an approximate \$3000 was present. He did not feel concerned due to the market increasing.

### **Old Business**

Chief DuCharme gave an update on the status of the new Rescue 11 that is being built. He was pleased to announce that if everything stays on schedule, the truck should arrive in late September.

### **New Business**

Chief DuCharme announced that all firefighters should be alert for grass fires. He discussed that it is common to see more grass fires at this time of year.

### **Council Report**

Steve Channer stated that the Frontage Road from Sims to 221<sup>st</sup> Ave on the east side is planned.

**Adjournment** – The meeting was adjourned at 8:30pm



Fire Incident By Street Address  
 From 07/01/10 To 07/31/10  
 Report Printed On: 08/09/2010

Incident Number	Incident Date	Alarm Time	Location	Primary Station	Incident Type
<b>EAST BETHEL</b>					
296	07/31/2010	19:42	4350 Viking BLVD NE	11	321 EMS call, excluding vehicle accident with injury
295	07/31/2010	06:00	18164 Hwy. 65 HWY NE	11	321 EMS call, excluding vehicle accident with injury
294	07/31/2010	03:11	4878 N Tri Oak CIR NE	12	321 EMS call, excluding vehicle accident with injury
293	07/30/2010	21:43	4658 Viking BLVD NE	12	321 EMS call, excluding vehicle accident with injury
292	07/29/2010	15:58	20633 Monroe ST NE	40	321 EMS call, excluding vehicle accident with injury
291	07/29/2010	13:43	23558 Ulyssey ST NE	40	321 EMS call, excluding vehicle accident with injury
290	07/26/2010	09:30	23815 Johnson ST NE	40	321 EMS call, excluding vehicle accident with injury
289	07/25/2010	17:09	22530 Yancy ST NE	21	321 EMS call, excluding vehicle accident with injury
288	07/24/2010	21:14	3724 Edmar LN NE	12	321 EMS call, excluding vehicle accident with injury
287	07/24/2010	02:23	604 189th AVE NE	12	700 False alarm or false call, other
286	07/23/2010	23:25	24355 Hwy. 65 HWY NE	22	321 EMS call, excluding vehicle accident with injury
285	07/22/2010	18:37	4231 Sportsman RD NE	12	611 Dispatched and cancelled en route
284	07/21/2010	16:07	18137 Alamo ST NE	40	321 EMS call, excluding vehicle accident with injury
283	07/20/2010	13:49	Hwy. 65 HWY NE	40	322 Motor vehicle accident with injuries
282	07/20/2010	06:21	18165 Greenbrook DR NE	40	143 Grass fire
281	07/18/2010	17:17	Viking BLVD NE	11	611 Dispatched and cancelled en route
280	07/18/2010	16:36	Viking BLVD NE	11	321 EMS call, excluding vehicle accident with injury
279	07/18/2010	16:26	Viking BLVD NE	11	321 EMS call, excluding vehicle accident with injury
278	07/17/2010	22:45	22736 London ST NE	21	444 Power line down
277	07/17/2010	22:22	22736 London ST NE	21	444 Power line down
276	07/17/2010	22:18	20534 Washington ST NE	21	444 Power line down
275	07/17/2010	22:09	20680 University AVE NE	21	444 Power line down
274	07/17/2010	21:54	3920 Breezy Point DR NE	11	444 Power line down
273	07/17/2010	21:32	3756 221st LN NE	21	444 Power line down
272	07/17/2010	20:21	19458 Leyte ST NE	11	321 EMS call, excluding vehicle accident with injury
271	07/17/2010	18:40	18429 Lakeview Point DR NE	11	321 EMS call, excluding vehicle accident with injury
270	07/16/2010	22:49	24355 Hwy. 65	12	321 EMS call, excluding vehicle accident with injury
269	07/16/2010	05:13	18164 Hwy. 65 NE	40	321 EMS call, excluding vehicle accident with injury
268	07/15/2010	19:57	2951 183rd AVE	12	321 EMS call, excluding vehicle accident with injury
267	07/14/2010	18:50	1760 290th AVE NE	12	641 Vicinity alarm (incident in other location)
266	07/14/2010	18:44	24355 Highway 65 NE	22	321 EMS call, excluding vehicle accident with injury
265	07/13/2010	23:35	23125 Taylor ST NE	22	321 EMS call, excluding vehicle accident with injury
264	07/13/2010	20:58	930 203 LN NE	12	321 EMS call, excluding vehicle accident with injury
263	07/12/2010	06:34	221st AVE NE	40	322 Motor vehicle accident with injuries
262	07/11/2010	16:07	18635 Ulysses ST NE	11	138 Off-road vehicle or heavy equipment fire
261	07/10/2010	12:34	Hwy 65 NE	21	321 EMS call, excluding vehicle accident with injury
260	07/09/2010	16:32	20952 Ghia ST NE	40	321 EMS call, excluding vehicle accident with injury
259	07/08/2010	17:33	Viking BLVD NE	-	410 Combustible/flammable gas/liquid condition, other
258	07/08/2010	13:31	1341 187th ST NE	40	130 Mobile property (vehicle) fire, other
257	07/08/2010	06:30	23455 hwy 65 HWY	40	321 EMS call, excluding vehicle accident with injury
256	07/07/2010	13:38	23230 Taylor ST NE	40	321 EMS call, excluding vehicle accident with injury
255	07/07/2010	11:12	18553 Hwy 65 HWY NE	40	321 EMS call, excluding vehicle accident with injury
254	07/07/2010	10:09	1836 NE 209th CT NE	40	321 EMS call, excluding vehicle accident with injury
253	07/06/2010	16:46	24355 hwy 65 HWY	22	321 EMS call, excluding vehicle accident with injury
252	07/06/2010	05:44	209 243 rd AVE NE	40	611 Dispatched and cancelled en route
251	07/05/2010	17:44	2736 Klondike DR NE	11	321 EMS call, excluding vehicle accident with injury
250	07/04/2010	23:01	2241 221st AVE NE	21	112 Fires in structure other than in a building
249	07/04/2010	14:19	4160 221st AVE NE	21	321 EMS call, excluding vehicle accident with injury
248	07/03/2010	11:22	20418 65 HWY NE	88	321 EMS call, excluding vehicle accident with injury
247	07/01/2010	23:28	Taylor ST NE	99	444 Power line down
246	07/01/2010	06:34	229th AVE NE	40	321 EMS call, excluding vehicle accident with injury
<b>Total</b>					<b>51</b>

<b>Search Criteria</b>	
<b>Dates</b>	From 07/01/2010 To 07/31/2010
<b>Service</b>	EAST BETHEL
<b>Incident Address</b>	All
<b>Staff</b>	All
<b>Apparatus</b>	All
<b>Station</b>	All
<b>Alarm Type</b>	All
<b>Zone/District</b>	All

[Report Description](#)

# City of East Bethel

Subject: Fire Inspector Report

July 1 – 31, 2010

City of East Bethel Fire Inspection List		
Name	Address	Comments
Transworks	18607 Hwy 65 A	Extension cord, fire extinguishers, outlet covers, exit signs and emergency lighting, MSDS, Spill containment
Arrow Fence	18607 Hwy 65 B	Fire extinguishers, exit signs and emergency lighting
Coon Lake Market	515 Lincoln rd	Extension cord, fire extinguishers, label door to be unlocked during business hours.
Northstar Driving School	18419 Hwy 65	2 <sup>nd</sup> inspection: Emergency lighting
Wholesale Marine	18801 Hwy 65	No Violations
Ham Lake Therapy	18415 Hwy 65	No Violations
Northway Sports	21429 Ulysses St.	2 <sup>nd</sup> inspection: No Violations
Merit Development	21471 Ulysses St.	2 <sup>nd</sup> inspection: No Violations
Hidden Haven	20520 Polk St.	2 <sup>nd</sup> inspection: No Violations
Arrow Fence	18607 Hwy 65 B	2 <sup>nd</sup> inspection: No Violations
Peoples Bank	21420 Aberdeen St.	2 <sup>nd</sup> inspection: No Violations
Fireworks Inspection	Booster Park West	Fireworks were inspected about ½ way through assembly. Final inspection was completed minutes before severe weather caused the evacuation of park. Show was cancelled.
NOTE: First Inspections Unless Noted		

09 Businesses Inspected

Reported by: Mark Duchene  
Fire Inspector



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 G.1

\*\*\*\*\*

**Agenda Item:**

City Hall Roof Repair

\*\*\*\*\*

**Requested Action:**

Consider awarding roof repair proposal to All Elements, Inc.

\*\*\*\*\*

**Background Information:**

The roof over the conference room and the back half of City Hall is more than 25 years old. As such, it has exceeded its useful life. And, there are a number of places where the roof leaks, has caused damage to ceiling tiles in this room and has stained the carpet.

Replacement of this roof segment was proposed as part of the remodel of City Hall in 2007. However, the cost exceeded the budget amounts available to expand City Hall and upgrade technology.

With the damage to the conference room, staff solicited quotes from several roofing contractors for the repair of this roof. Both contractors, after an on-site review, indicated that repairs would not be an efficient corrective method. A City staff member with expertise in this area of construction agreed with the assessment. All suggested that replacement of the roof with modern roofing materials would be the least expensive alternative and would provide for a membrane with a full warranty of 15 years to include repair and replacement of the roof and coverage for any damages as a result of improper installation or material defects.

The proposed membrane is a poly vinyl chloride (pvc) based material that is recognized as a superior product to the rubber roofing materials used over the past decades. It is flame retardant, Ultra Violet (UV) ray resistant and meets all Factory Mutual Ratings. These ratings are the industry standard for this type of roofing products and assemblies. It is rated by Underwriters Laboratories (UL) as Class A material, the highest rating for flame retardant roofing materials.

The installation is prefabricated one piece to the exact specifications of the structure. No on site seaming or welding is required. Work will be completed within four weeks of contract execution.

The proposals include:





# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 G.2

\*\*\*\*\*

**Agenda Item:**

Schoolhouse Relocation

\*\*\*\*\*

**Requested Action:**

Provide staff direction regarding the relocation of a schoolhouse

\*\*\*\*\*

**Background Information:**

Several months ago, East Bethel resident Mr. Bruce Plochocki contacted the City regarding an old schoolhouse currently located on his property. Mr. Plochocki indicated that he would like to donate the schoolhouse to the City.

This facility meets the historic preservation requirements as provided for in the City's Comprehensive Plan. The City does address historic preservation in the most recent Comprehensive Plan as required by statute. The Comprehensive Plan directs the City create an inventory of historically significant features, landmarks and buildings and make an effort to preserve these areas and structures. Staff has learned that this one room schoolhouse served as School District #37 beginning in 1873. The schoolhouse was moved to the Higgins property and used as a residence. The new owners moved the building to the backyard and used the building for farm storage.

City staff has viewed the building and found it to be in reasonable shape. The hardwood flooring is in good shape but will require refinishing. The windows are damaged or missing. Doors in the structure would require replacing. The electrical is antiquated and would require upgrading to meet current code. A 10' x 14' addition was added to the schoolhouse and used as the entry way. This was not part of the original school house based on historical pictures. Staff is recommending the addition be removed from the original building and the siding be used to replace siding on the original schoolhouse where the back would be framed and siding applied.

A location for the schoolhouse has been identified in Booster East Park on the north side of the parking lot near the horseshoe pits. There is thought that the schoolhouse could be used as a trail head and interpretive center. Based on staff research, the schoolhouse would not qualify for a historical preservation grant because it's not in its original location. To our knowledge, it has been moved twice and this would be the third move.

Staff has gathered several estimates for the move from moving contractors, foundation contractors and Connexus. The cost to move the structure, excluding the removal of the addition

noted above, reframing to close the structure are estimated at approximately \$26,600 to \$30,000. The breakdown is as follows:

Building Moving Company:	\$10,600 - \$11,800
Utility Moving Costs (Connexus/Cable):	\$6,000
New foundation:	\$8,000
Misc. supplies to secure the building:	\$2,000

Funding would be from the 2010 Budget General Fund, under Parks Maintenance. These costs do not address any restoration work required to bring the facility up to current code.

\*\*\*\*\*

**Fiscal Impact:**

As noted above.

\*\*\*\*\*

**Recommendation(s):**

Staff is seeking direction from Council.

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 8.0 G.3

\*\*\*\*\*

**Agenda Item:**

Our Saviour's Request

\*\*\*\*\*

**Requested Action:**

Provide staff direction regarding the request of Our Saviour's Church for zoning action

\*\*\*\*\*

**Background Information:**

Following the last Council meeting where direction was provided to meet with Our Saviour's to discuss the purchase of the old church site and the additional seven acres on the west side of TH 65, staff met with Pastor Fragodt and Mr. Tom Olson, the congregation president.

We discussed the potential for a package deal on both the old site and the seven acres on the west side of TH 65. It seemed somewhat evident that neither of the two representatives of the church had much interest in selling the seven acres. They stated that the issue surrounding the old church site on Viking Boulevard had to be resolved before any discussion about the additional seven acres would take place.

With that, City staff met with members of the Our Saviour's congregation, their realtor and the pastor and realtor for the prospective purchaser of the old church site on Viking Boulevard. As noted, it appears that the prospective buyer is a bona-fide church with the intent of holding regular worship services following a rehabilitation of the facility.

Our Saviour's, with a prospective buyer, have requested that the City consider a zoning change that would permit the use of this property, 1562 Viking Boulevard, as a church. We advised church council members that a formal request to resolve the zoning issue would be required such that staff would ask for direction from the City Council to move forward with an action to resolve the zoning for this parcel. A copy of that request is attached.

Staff is asking for direction from Council to develop, for Council consideration, a proposal that would resolve the zoning issue thereby permitting a church to actively use the parcel located at 1562 Viking Boulevard. With the recent Supreme Court decision regarding variances, this request does not meet the new variance standards, ie: no other reasonable use of the property. Any proposed solution would likely require an application by the church for a land use action. Further, a public hearing would likely be required before any zoning change could be considered by Council.

**Attachment(s):**

1. Letter Our Saviour's Church dated August 9, 2010

\*\*\*\*\*

**Fiscal Impact:**

None at this time.

\*\*\*\*\*

**Recommendation(s):**

Staff is seeking direction from Council to proceed with a proposal to resolve the zoning issue on the parcel located at 1562 Viking Boulevard.

\*\*\*\*\*

**City Council Action**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_

No Action Required: \_\_\_\_\_

---



# OUR SAVIOUR'S LUTHERAN CHURCH



*Growing the Family Tree of God*

Pastor Brian Fragodt  
Pastor Maria Pederson  
Pastor Dan Nordin

Date: August 9, 2010

To: Doug Sell, City Administrator of the City of East Bethel, Minnesota.

From: Executive Council of Our Saviour's Lutheran Church, East Bethel, Minnesota

Mr. Sell:

We, the Executive Council of Our Saviour's Lutheran Church of East Bethel, and representing the congregation of said church, formally request your assistance (and the assistance of the East Bethel City Council) in facilitating the sale of and resolving the zoning issue related to our Property at 1562 Viking Blvd NE, East Bethel (also know as the Our Saviour's Lutheran Church Ministry Center). We respectfully and formally request that the zoning of said property be resolved to meet the city's requirements to allow for it to be sold and used as a church. We ask this so we may proceed urgently with the sale of that property.

A current perspective buyer (as you are aware) is the Radisson Road Baptist Church (a merger of two long-standing congregations, Calvary Baptist and Bunker Lake Baptist). It is our understanding that both of these churches that make up the Radisson Road congregation have been in existence prior to 1987. It is also our understanding that they intend to use the property to hold regularly scheduled worship services.

We thank you in advance for your consideration and assistance in this matter. Please feel free to contact us directly if there are any actionable items that we need to do to expedite this process. You can contact us at Our Saviour's (763-434-6117).

Respectfully,



The Executive Council of Our Saviour's Lutheran Church:

Council President, Tom Olson  
Council VP, Ron Thomsen  
Secretary, Sherry Allenspach  
Treasurer, Jim Bermel  
Pastor Brian Fragodt  
Pastor Dan Nordin  
Pastor Maria Pederson



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 9.0 C

\*\*\*\*\*

**Agenda Item:**

2011 Budget

\*\*\*\*\*

**Requested Action:**

Information only

\*\*\*\*\*

**Background Information:**

At the Wednesday, July 21, 2010, City Council meeting, the proposed 2011 Budget was reviewed. City Council provided staff direction regarding wage and benefit proposals and directed those changes be incorporated into the budget. Staff has incorporated these changes and these changes are reflected in the attached summaries of revenues and expenditures for the General Fund.

Proposed 2011 General Fund expenditures decrease \$112,772 or 2.17% from the adopted 2010 Budget. The General Fund tax levy will decrease \$64,546. However, with the tax levy required for the 2008A Sewer Revenue bond payments, the total tax levy will increase \$31,136 or .62% over the 2010 total tax levy.

The following table reflects the impact of the total property tax levy on residential property owners. Residential property declined in value by an average of 12% according to data provided by Anoka County and this reduction is reflected in the 2011 tax calculations. This is the City's share of the total property tax bill.

Home Value 2010	\$200,000	2010 Property Taxes	\$812.52	Difference 2010/2011
Home Value 2011	\$176,000	2011 Property Taxes	\$814.40	\$1.88
Home Value 2010	\$250,000	2010 Property Taxes	\$1,015.65	Difference 2010/2011
Home Value 2011	\$220,000	2011 Property Taxes	\$1,018.00	\$2.35
Home Value 2010	\$300,000	2010 Property Taxes	\$1,218.78	Difference 2010/2011
Home Value 2011	\$264,000	2011 Property Taxes	\$1,221.60	\$2.82

Although levy limits are applicable for 2011, the Minnesota Department of Revenue does not provide levy limit information until the end of August. Levy limits have been estimated using information from the League of Minnesota Cities. The 2011 proposed levy is \$470,000 less than the estimated levy limit.

At the September 1, 2010 City Council meeting, a resolution adopting a preliminary tax levy and budget will be presented for consideration; a sample resolution is attached. A preliminary budget and tax levy must be adopted and provided to the County Auditor by September 15, 2010. In addition, Council will be asked to set the date for a budget hearing in December, 2010 to review the final budget and tax levy. This date is printed on the proposed tax statement provided to residents.

**Attachment(s):**

1. General Fund Revenue Summary and Tax Levy Information
2. General Fund Expenditure Summary
3. Sample Tax Levy and Budget Resolution

\*\*\*\*\*

**Fiscal Impact:**

None at this time

\*\*\*\*\*

**Recommendation(s):**

Staff is seeks direction on the 2011 Proposed Budget.

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

---

---

---

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_

**GENERAL FUND REVENUE SUMMARY**



	2008 Actual	2009 Actual	2010 Adopted Budget	2011 Proposed Budget	2011 vs. 2010
<b>FUND 101 GENERAL FUND</b>					
R 101-31010 Current Ad Valorem Taxes-LL	\$3,993,491	\$4,383,879	\$4,862,799	\$4,798,253	
R 101-31810 Franchise Taxes	\$29,085	\$33,761	\$28,000	\$32,000	
R 101-32110 Alcoholic Beverages	\$23,051	\$26,685	\$23,000	\$25,000	
R 101-32120 Garbage Hauler's License	\$600	\$1,800	\$1,800	\$1,800	
R 101-32130 Contractor's License	\$50	\$30	\$50	\$50	
R 101-32130 Tobacco Sales Licenses	\$4,000	\$3,300	\$4,000	\$3,500	
R 101-32180 Other Permits/Licenses	\$6,354	\$5,499	\$3,000	\$5,000	
R 101-32210 Building Permits	\$100,372	\$65,293	\$100,000	\$70,000	
R 101-32212 Septic System Install	\$5,220	\$8,125	\$5,000	\$6,000	
R 101-32230 Plumbing Connection Permits	\$1,765	\$1,185	\$1,500	\$1,200	
R 101-32255 ROW Permits	\$7,200	\$6,600	\$4,000	\$5,000	
R 101-33000 Misc Intergovernmental	\$5,200	\$5,400	\$0	\$4,000	
R 101-33404 PERA Aid	\$2,123	\$2,123	\$2,123	\$2,123	
R 101-33402 Mkt Value Homestead Cr Unallotment			(\$250,152)	(\$240,497)	
R 101-33418 Muni State Aid St Maintenance	\$149,939	\$162,550	\$162,550	\$167,531	
R 101-33420 State Aid-Fire Relief	\$47,605	\$40,103	\$47,605	\$40,103	
R 101-34103 Zoning and Subdivision	\$5,805	\$4,065	\$6,000	\$4,500	
R 101-34104 Bldg Plan Reviews	\$22,425	\$18,073	\$23,000	\$20,000	
R 101-34105 Sale of Maps and Publications	\$185	\$245	\$150	\$150	
R 101-34107 Assessment Search Fees	\$60	\$20	\$100	\$60	
R 101-34109 Other General Gov't Charges	\$2,448	\$3,084	\$52,000	\$22,000	
R 101-34110 Election Filing Fees	\$20	\$0	\$20	\$0	
R 101-34111 Contractor License	\$70	\$55	\$100	\$100	
R 101-34112 Septic Pumping Tracking	\$3,015	\$2,825	\$3,000	\$3,000	
R 101-34202 Fire Protection Services	\$300	\$2,876	\$1,000	\$3,000	
R 101-34940 Cemetery Revenues	\$10,200	\$3,800	\$2,000	\$3,000	
R 101-35100 Court Fines	\$47,585	\$56,700	\$58,000	\$58,000	
R 101-35105 Tobacco Violation Fines	\$150	\$400	\$100	\$100	
R 101-35106 Liquor Violation Fines	\$0	\$3,000	\$0	\$0	
R 101-36210 Interest Earnings	\$40,002	\$7,544	\$20,000	\$10,000	
R 101-36220 Other Rents and Royalties	\$7,759	\$7,540	\$5,000	\$7,500	
R 101-36240 Refunds and Reimbursements	\$37,853	\$32,580	\$30,500	\$31,000	
<b>TOTAL GENERAL FUND</b>	<b>\$4,553,932</b>	<b>\$4,889,140</b>	<b>\$5,196,245</b>	<b>\$5,083,473</b>	<b>-2.17%</b>
<b>TAX SUMMARY</b>					
R 101-31010 Taxes, General Fund-LL	\$3,999,787	\$4,532,030	\$4,862,799	\$4,798,253	
R 101-31010 Taxes, 2005 Public Safety Bonds	\$146,735	\$144,457	\$147,354	\$144,756	
R 101-31010 Taxes, 2008 Sewer Revenue Bonds			\$11,220	\$109,500	
R 101-31010 Taxes, Sewer/Aberdeen Bonds	\$66,700				
R 101-31010 Taxes, 2005 Fire Cert of Indebtedness	\$50,902				
<b>Total Proposed Levy</b>	<b>\$4,264,124</b>	<b>\$4,676,487</b>	<b>\$5,021,373</b>	<b>\$5,052,509</b>	<b>0.62%</b>



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

**RESOLUTION NO. 2010-XX**

**RESOLUTION SETTING THE PRELIMINARY PROPERTY TAX LEVY AND BUDGET FOR  
2011**

**WHEREAS**, Minnesota Statutes Chapter 275.065 requires that the City Council adopt a preliminary property tax levy and budget on or before September 15; and

**WHEREAS**, the City Council has considered the operating needs and debt service needs for fiscal year 2011.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT:** the preliminary property tax levies and budgets for the General Fund and the Debt Service Funds for 2011 are as follows:

<u>Levies:</u>	General Fund	\$4,798,253
	Debt Service	
	Tax Capacity Levy	\$ 109,500
	Market Value Levy	<u>\$ 144,756</u>
	Total Levy	\$5,052,509
<u>Budgets:</u>	General Fund	\$5,083,473
	Debt Service	\$ 379,620

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA THAT:** a certified copy of this Resolution be provided to the Anoka County Auditor.

Adopted this 1<sup>st</sup> day of September, 2010 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

---

Greg Hunter, Mayor

ATTEST:

---

Douglas Sell, City Administrator



# City of East Bethel City Council Agenda Information

\*\*\*\*\*

**Date:**

August 18, 2010

\*\*\*\*\*

**Agenda Item Number:**

Item 9.0 D

\*\*\*\*\*

**Agenda Item:**

Closed Session – Discussion of ACHRA Litigation and Real Estate Purchase

\*\*\*\*\*

**Requested Action:**

Consider closing the regular City Council meeting pursuant to M.S. Section 13D.05, subd. 3 for discussion of real estate purchase.

\*\*\*\*\*

**Background Information:**

Discussion and direction is required regarding the litigation with ACHRA and purchase of the real estate located in the City of East Bethel related to the public utility project.

**Attachment(s):**

None

\*\*\*\*\*

**Fiscal Impact:**

None at this time

\*\*\*\*\*

**Recommendation(s):**

Staff recommends Council close the regular City Council meeting pursuant to Minnesota Statutes, Section 13D.05, subd. 3.

\*\*\*\*\*

**City Council Action**

Motion by:\_\_\_\_\_

Second by:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Vote Yes:\_\_\_\_\_

Vote No:\_\_\_\_\_

No Action Required:\_\_\_\_\_