

City of East Bethel

City Council Agenda

Regular Council Meeting – 7:30 p.m.

Date: February 17, 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/Introductions**

- Page 1 A. Sheriff's Monthly Report and Introduction of East Bethel Deputies
- Page 2 B. Introduction of Fire Department Officers
- Page 3-7 C. Tinklenberg Group Work Program Presentation and Agreement

7:43 PM **5.0 Public Forum**

7:58 PM **6.0 Hearings**

- Page 8-10 A. Wild Rice Drive Tree Removal Within City Easement
- Page 11-15 B. Potentially Dangerous Dog – Shannon Batson - 18164 Hwy 65 NE, Lot 175

8:08 PM **7.0 Consent Agenda**

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

- Page 18-23 A. Approve Bills
- Page 24-35 B. Meeting Minutes, February 3, 2010 Regular Meeting
- Page 36-39 C. Resolution 2010-09 Approving an Application with No Waiting Period for An Exempt Permit for Cedar Creek Community School PTO to Hold a Raffle
- D. Appoint Regular Full Time Employee
- Page 40-53 E. Resolution 2010-10 2010 G. O. Water Revenue Note Issuance and Sale

New Business

8.0 Commission, Association and Task Force Reports

- 8:50 PM A. Planning Commission
 - Page 54-62 1. Meeting Minutes, January 26, 2010
- 8:55 PM B. Park Commission
 - Page 63-71 1. Meeting Minutes, January 13, 2010
 - Page 72-78 2. Booster East/Cedar Creek Trail
 - Page 79-82 3. Contract Addendum No. 4 to City Engineer Agreement for Booster East/Cedar Creek Trail
- 9:10 PM C. Road Commission
 - Page 83-88 1. Meeting Minutes, January 12, 2010
 - Page 89-95 2. 2010 Roads Capital Improvement Plan Amendment

9.0 Department Reports

9:15 PM A. Engineer

- Page 96-99 1. Resolution 2010-11 Direction Removal of Trees in City Easement
- 9:20 PM B. Attorney
- Page 100 1. Castle Towers/Whispering Aspen Boundary/Fence Line Update
- 9:30 PM C. Finance (**No Report**)
- Page 101-103 D. Public Works
- 9:35 PM E. Planning and Inspection/Code Enforcement
- Page 104-108 1. Code Enforcement Report
- 9:40 PM F. Fire Department
- Page 109-116 1. February Monthly Meeting and January Reports
- 9:45 PM G. City Administrator
- Page 117-118 1. ISTS Survey – Coon Lake Area
- Page 119-120 2. Booster Day Weekend – Friday Fun Night Events

10.0 Other

- 10:00 PM A. Council Reports
- 10:10 PM B. Other

10:15 PM 11.0 Adjourn



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 4.0 A

Agenda Item:

Monthly Sheriff's Report & Introduction of East Bethel Deputies

Requested Action:

Information Only

Background Information:

Lieutenant Orlando will review the monthly statistics and report on activities for the month of January, 2010 and introduce the 2010 East Bethel Deputies.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

CITY OF EAST BETHEL – JANUARY 2010

ITEM	JANUARY	DECEMBER	YTD 2010	JANUARY YTD 2009
Radio Calls	* N/A	433	* N/A	336
Incident Reports	362	426	362	360
Burglaries	1	4	17	4
Thefts	17	22	1	12
Crim.Sex. Cond.	2	2	2	1
Assault	2	2	2	5
Dam to Prop.	5	12	5	3
Harr. Comm.	1	8	1	5
Felony Arrests	3	3	3	2
GM. Arrests	1	0	1	1
Misd. Arrests	10	21	10	25
DUI Arrests	4	3	4	4
Domestic Arr.	2	0	2	3
Warrant Arr.	10	7	10	7
Traffic Arrests	80	86	80	67

* Indicates the calls for service report for Radio Calls were not available from Central Communications upon completion of monthly report.

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

ITEM	JANUARY	DECEMBER	YTD 2010	JANUARY YTD 2009
Radio Calls	18	26	18	14
Incident Reports	21	32	21	9
Accident Assist	2	5	2	3
Veh. Lock Out	2	2	2	1
Extra Patrol	35	27	35	20
House Check	0	0	0	2
Bus. Check	17	20	17	7
Animal Compl.	8	9	8	9
Traffic Assist	11	0	11	3
Aids: Agency	102	81	102	42
Aids: Public	16	12	16	25
Paper Service	1	0	1	1
Inspections	0	0	0	0
Ordinance Viol.	2	0	2	0



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 4.0 B

Agenda Item:

Introduction of Fire Department Officers

Requested Action:

Information Only

Background Information:

Fire Chief Mark DuCharme will introduce the East Bethel Fire Department Officers.

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: X

The total agreement would be for \$25,000 including all expenses.

Attachment(s):

- 1. Proposed Agreement Tinklenberg Group

Fiscal Impact:

As noted above

Recommendation(s):

Staff is recommending approval of the agreement with the Tinklenberg Group in an amount not to exceed \$25,000 for services to present and secure funding for public works projects.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



The Tinklenberg Group

City of East Bethel Transportation and Recreational Trails Funding and Coordination Proposal Effective February 1, 2010

Transportation

The Tinklenberg Group shall assist the City of East Bethel in its efforts to pursue federal funding to advance transportation improvements along the Trunk Highway 65 corridor in East Bethel and areas adjacent to East Bethel as may promote the need in East Bethel. This calendar year presents significant federal funding opportunities as Congress acts on the FY11 Appropriations Bill. The Tinklenberg Group will work with and on behalf of the City to secure planning dollars that would allow for various project development studies to be conducted along the corridor, particularly as they relate to future access and safety improvements. Initial emphasis of this work will include the funding for a corridor study for Trunk Highway 65 extending into the southern reaches of Isanti County.

This work will include the development and submittal of FY11 Appropriations requests, monitoring application processes, and communicating project needs to Minnesota's local, state and federal elected officials. The tasks The Tinklenberg Group shall perform in detail are provided below:

- Identify and complete FY11 Appropriations request forms from Congressional offices to include Senators Klobuchar and Franken and Representatives Oberstar and Bachman.
- Utilize project materials developed by the City, County and State reflecting needs along the corridor as provided in the City's Comprehensive Plan.
- Include letters and/or Resolutions of Support on behalf of the City from various sources including the Trunk Highway 65 Corridor Coalition, area chambers of commerce, local businesses and other supporters to include in funding packets. Such documents to be prepared by the Tinklenberg Group for presentation to supporting agencies and businesses.
- Monitor submittal process to ensure Congressional leaders and staff representatives in both the House and Senate receive and process funding requests; maintain contact with appropriate federal offices responsible for tracking and management of requests.
- Work with other Congressional offices to exchange information and encourage support; respond to questions and requests for additional information.
- Maintain a regular presence in Washington D.C. on behalf of the City to ensure a high

level of project awareness and exposure by making contact and discussing specific proposals.

- Arrange visits with congressional leaders and city policy leaders/staff as directed-locally as well as Washington D.C.

Bicycle/Pedestrian Trails

The Tinklenberg Group shall assist the City in identifying and pursuing funding opportunities that would allow for construction of proposed trail ways connecting open spaces within the community and linking to the county/regional network of trails. The most significant federal funding opportunity will be the FY11 Appropriations Bill.

The tasks The Tinklenberg Group shall perform in detail are provided below:

- Coordinate efforts with potential partner agencies including the Metropolitan Council, Department of Natural Resources, Minnesota Department of Transportation, University of Minnesota, Anoka County and others to maximize the use of funds.
- Identify and complete FY11 Appropriations request forms from Congressional offices to include Senators Klobuchar and Franken and Representatives Oberstar and Bachman.
- Utilize project materials developed by the City, County and State reflecting need for trails in the region as provided in the City's Comprehensive Plan.
- Identify opportunities to connect with trails in Isanti County, which is in Congressman Oberstar's district; the Chairman is a champion for pedestrian and bicycle infrastructure improvements and the development of regional trail systems.
- Utilize contacts at various stakeholder agencies to maximize opportunities for communication and project exposure.

Estimated Costs for Services

Work shall begin immediately upon signing of the consulting services agreement and be in effect through August 31, 2010. The majority of activities identified at the federal level will occur within the first two months of the agreement, and are based on the federal funding schedule. Following the first two months of the agreement, activities will be focused on monitoring and tracking federal legislation and activities. Total cost shall not exceed \$25,000, including expenses.

Other Project Requirements

The Tinklenberg Group will regularly provide written updates and progress reports on their activities, contacts and successes. Copies of applications, communications and correspondence should accompany these updates and reports. These reports should be provided at least monthly beginning the end of February, 2010.

Signed:

Representing the City of East Bethel

Name: _____

Signature: _____

Title: _____

Date: _____

Representing The Tinklenberg Group

Name: _____

Signature: _____

Title: _____

Date: _____



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 6.0 A

Agenda Item:

Public Hearing - Tree Removal within City Easements on Wild Rice Drive

Requested Action:

Public Hearing – Tree Removal

Background Information:

Reconstruction of Wild Rice Drive will begin in the spring of 2010. All construction will be performed within City owned ROW and/or easements. Provisions and/or limitations of previously acquired easements along the construction route do not include language that specifically provides for tree removal within the easement. When trees are not specifically acquired as part of the easement, Minnesota Statute 160.22 requires that a hearing be conducted that provides property owners of the abutting land an opportunity to be heard. This hearing is required because Wild Rice Drive is an MSA roadway. The tree removal is proposed in those areas where they interfere with the reconstruction of Wild Rice Drive or if they interfere with the safety of public travel. There are a total of 13 owners affected by the tree removal. Staff has provided the owners written notice of the hearing on February 5, 2010.

The process for the hearing would be as follows:

1. A brief opening statement as to the purpose of the hearing.
2. The Mayor should announce that anyone wishing to be heard must step to the podium, and state their name and address for the record.
3. The Mayor should open the hearing.
4. Public comment is taken.
5. When public comment is completed, a motion to close the hearing should be offered.

Once the hearing is closed Council may discuss the comments. A resolution will be before Council under Agenda Item 9.0 A.1 to consider directing the removal of trees from the construction area.

Attachments:

1. Project Location Map

Fiscal Impact:

None

Recommendation(s):

Staff recommends conducting the public hearing to allow owners adjacent to City easement along Wild Rice Drive to be heard regarding tree removal.

City Council Action

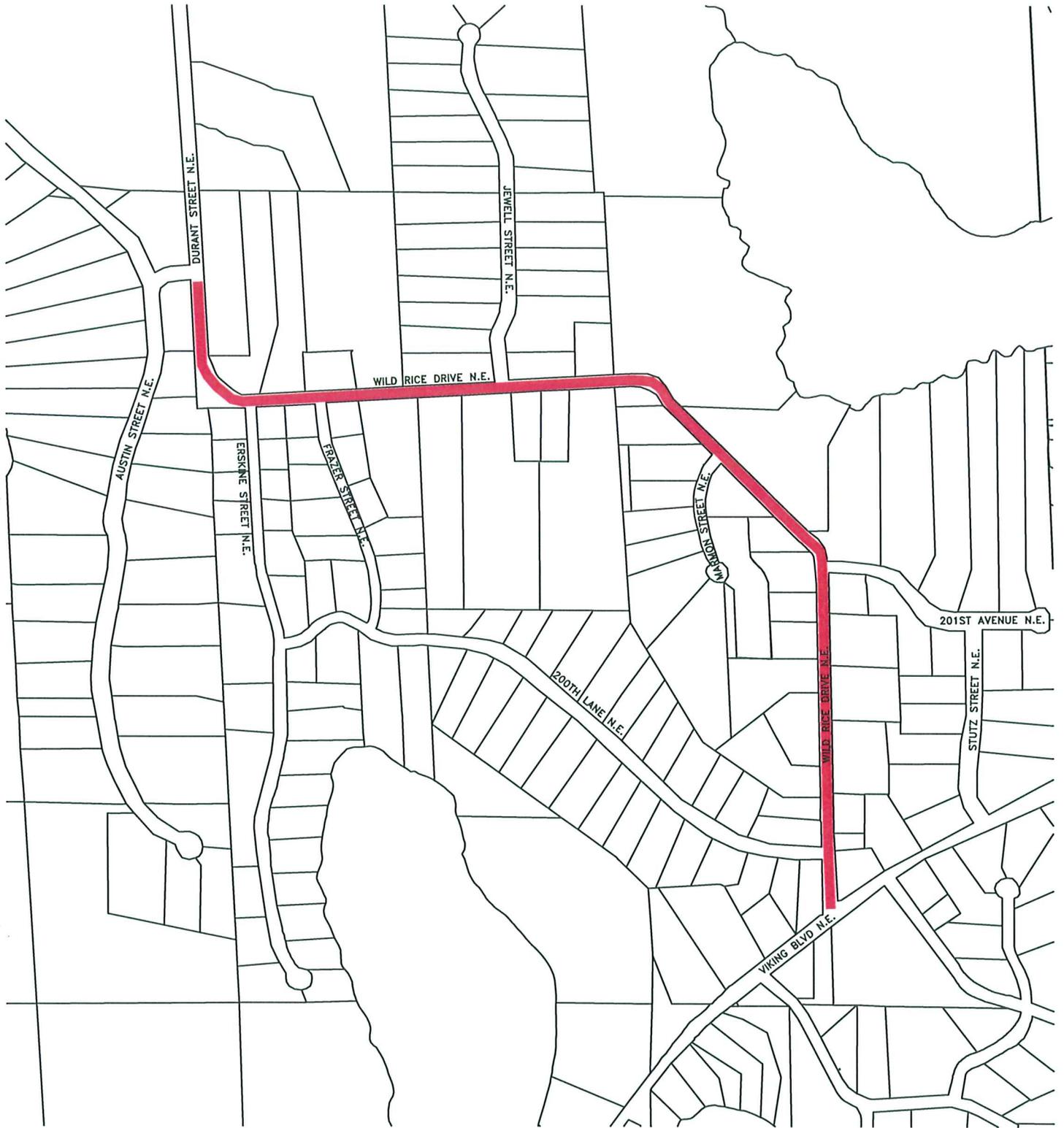
Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



 PROJECT LOCATION

LOCATION MAP ATTACHMENT 1



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 6.0.B

Agenda Item:

Potentially Dangerous Dog Determination

Requested Action:

Determine if the Potentially Dangerous Dog determination should be maintained, modified or removed.

Background Information:

Pursuant to City Code Chapter 10, Article II. Dogs, Division 3. Section 10-72(c) (2), the animal owner, Ms. Shannon Batson, was notified of her right to appeal the City Administrator's determination that a dog involved in a dog bite incident, is potentially dangerous. Ms. Batson did not request a hearing within 14 days of the date of the notice provided.

However, the City Council has the obligation, based on the facts before the Council, whether or not the determination of a Potentially Dangerous Dog should be maintained, modified or removed.

The Anoka County Sherriff's officer reported that Justin, the three year old son of Ms. Shannon Batson had been bitten by their family dog. Officer Wold observed a small cut on the inside of the Justin's nose. Paramedics treated Justin on site and released him back to Ms. Batson.

The city animal control officer removed the dog from the property due to the lack of current vaccination record and no current dog license. The animal was quarantined for a period of three days until the animal control officer verified that the dog had current vaccinations and a city issued dog license. The animal was released to the owner on XXXXX.

The incident was unprovoked and it is now sufficient to issue a "Potentially Dangerous Dog Notice" pursuant to City Code Chapter 10 Art. II Division III, Potentially Dangerous and Dangerous Dogs. Staff has included a copy of the incident report with your agenda materials.

The City Council pursuant to Section 10-72 has several obligations and options regarding this matter.

1. Discuss why the potentially dangerous dog determination should be lifted or sustained.

2. If the potentially dangerous dog determination is sustained, identify the action to be taken:
 - a. dispose of the animal, or
 - b. allow the owners to keep the animal with restrictions.
3. If the potentially dangerous dog determination is not sustained, make a determination that the animal is to be released without further action from or by the City Council.

We have outlined the requirements for maintaining the animal should the potentially dangerous dog determination be sustained. These include:

(a) Requirements. If, after deliberating, the City Council finds that the dog is potentially dangerous but does not order the destruction of the dog, the City Council shall order one or more of the following as the requirement(s) for the keeping of the dog in the City, which, beginning six months after the dog is declared a potentially dangerous dog, will be reviewed on an annual basis by the City Administrator. If, in reviewing the requirement(s) for keeping a potentially dangerous dog, the owner has provided the evidence required under Minnesota Statutes, Sec. 347.51, Subd. 3a. and there have been no ordinance violations for a period of two years, the City Administrator may use discretion in determining whether one or more or none of the requirement(s) set forth below will still be required:

(1) That the owner provide and maintain a proper enclosure for the potentially dangerous dog as defined in Section 10 - 70; and

(2) That the owner post the front and the rear of the premises with clearly visible warning signs, including a warning symbol, a copy of which will be furnished by the City, to inform children, that there is a potentially dangerous dog on the property in the manner specified in Minnesota Statutes, Sec. 347.51 in the case of a dangerous dog. The owner must pay a reasonable fee to cover the cost of the warning symbol; and

(3) That an easily identifiable, standardized tag identifying the dog as potentially dangerous and containing the uniform dangerous dog symbol must be affixed to the dog's collar at all times as specified in Minnesota Statutes, Sec. 347.51 for a dangerous dog; and

(4) That the owner provides and shows proof annually of public liability insurance paid in full in the minimum amount of \$300,000.00. The insurance must insure the owner for any personal injuries inflicted by the potentially dangerous dog. The owner shall have 14 business days from the request to show proof of insurance, except that if the dog is impounded, proof of insurance must be demonstrated prior to the dog's release; and

(5) That if the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person 18 years of age or older. The muzzle must be of such design as to prevent the dog from biting any person or animal but will not cause injury to the dog or interfere with its vision or respiration; and

(6) That all dogs deemed potentially dangerous by the City Council be registered with the City within 14 days after the date the dog was so deemed and provide satisfactory proof thereof to the City Administrator.

(7) That the dog must have a lifetime license and be up to date on rabies vaccination.

(8) That the owner must allow a compliance official on the owner's property to conduct a site inspection within 14 days of determination of potentially dangerous dog by the City Council.

Attachments:

1. Incident Report #10002456, dated 01/04/2010

Fiscal Impact:

None at this time

Recommendation(s):

City Staff seeks a determination from Council regarding the potentially dangerous dog determination in this incident pursuant to City Code, Chapter 10, Animals, Article II. Dogs, Division 3.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

Larry Martin

From: Michelle Orlando [Michelle.Orlando@co.anoka.mn.us]
Sent: Thursday, January 21, 2010 12:35 PM
To: Larry Martin
Subject: Dog bite - no idea why this wasn't forwarded....

RECEIVED
 JAN 21 2010
 BY: *hm*

ANOKA COUNTY SHERIFF'S OFFICE				JCF	CASE NUMBER	
325 E MAIN ST, ANOKA MN 55303				ADD'L PAGES	10002456	
CLASSIFICATION	CODE	DISP	CLASSIFICATION	CODE	DISP	
ANIMAL - DOG BITES	09561	S				
CLASSIFICATION	CODE	DISP	CLASSIFICATION	CODE	DISP	
CLASSIFICATION	CODE	DISP	CLASSIFICATION	CODE	DISP	
REPORTING OFFICER(S) 18356 WOLD, TRAVIS 13189 BECK, CHRIS						
DATE REPORTED	ASSIGNED	ARRIVED	CLEARED	EARLIEST DATE/TIME OCCURRED	LATEST DATE/TIME OCCURRED	
1/4/2010	1232	1239	1316			
LOCATION OF OFFENSE/INCIDENT			APT #	GRID	VALUE STOLEN	
18164 HWY 65 NE, EAST BETHEL, MN 55011-			175	L60	\$	
					VALUE DAMAGED	
					\$	
					VALUE RECOVERED	
					\$	
A/J	REPORTING PARTY'S NAME			DATE OF BIRTH	SEX RACE HOME PHONE	
A	SHANNON ELIZABETH BATSON			11/25/1981	F W 763-237-2153	
ADDRESS		APT	CITY	STATE	ZIP WORK PHONE	
18164 HWY 65 NE		175	EAST BETHEL	MN	55011-	
NARRATIVE						
<p>ON 1/4/10 AT 1232 HOURS I, DEPUTY WOLD ALONG WITH DEPUTY BECK RESPONDED TO VILLAGE GREEN LOT 175 FOR A DOG BITE REPORT. DEPUTIES ARRIVED AND I SPOKE WITH THE CALLER, SHANNON, WHO STATED THAT HER 3 YEAR OLD SON, JUSTIN, WAS BITEN BY THEIR FAMILY DOG. I OBSERVED SHANNON'S SON JUSTIN TO HAVE MINOR INJURIES TO HIS FACE, WHICH WAS ACTUALLY A SMALL CUT INSIDE OF JUSTIN'S NOSE. HE WAS CHECKED OUT BY PARAMEDICS AND SHANNON DECIDED THAT SHE WOULD TAKE HER SON TO THE HOSPITAL IF IT WAS NEEDED.</p> <p>SHANNON WAS UNABLE TO PRODUCE ANY CURRENT INFORMATION ABOUT THE DOG'S SHOT RECORDS OR IF IT HAD A RABBIES VACCINATION. I CALLED BOTH VET CLINICS IN CAMBRIDGE WHERE THE DOG WAS SUPPOSEDLY SEEN IN THE PAST AND BOTH VET'S STATED THAT THEY DIDNT HAVE ANY CURRENT INFORMATION FOR THE DOG. THE DOG WAS QUARANTINED BY EAST BETHEL ANIMAL CONTROL AND NO FURTHER ACTIONS WERE TAKEN.</p> <p>DEPUTY WOLD</p> <p>KW: 01-13-10</p>						
A/J/J	CODE	NAME			DOB	SEX RACE HGT WGT HAIR EYES
J	V	JUSTIN ALAN HAYES			5/6/2006	M W
ADDRESS		APT	CITY	STATE	ZIP	
18164 HWY 65		175	EAST BETHEL	MN	55011-	
ALIAS		HOME / BUS PHONE		WORK / 2ND BUS PHONE		
A/J/J	CODE	NAME			DOB	SEX RACE HGT WGT HAIR EYES
ADDRESS		APT	CITY	STATE	ZIP	
ALIAS		HOME / BUS PHONE		WORK / 2ND BUS PHONE		

Attachment 1

AJ/U	CODE	NAME			DOB	SEX	RACE	HGT	WGT	HAIR	EYES	
ADDRESS					APT	CITY			STATE	ZIP		
ALIAS				HOME / BUS PHONE		WORK / 2ND BUS PHONE			CELL / PAGER / FAX			
AJ/U	CODE	NAME			DOB	SEX	RACE	HGT	WGT	HAIR	EYES	
ADDRESS					APT	CITY			STATE	ZIP		
ALIAS				HOME / BUS PHONE		WORK / 2ND BUS PHONE			CELL / PAGER / FAX			
ENTRY 1	ENTRY 2	ENTRY 3	ENTRY 4	SUPERVISOR		COPY TO EAST BETHEL CIT			RELATED CASE NUMBERS:			

NOTICE: Unless restricted by law, email correspondence to and from Anoka County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 7.0 A-E

Agenda Item:

Consent Agenda

Requested Action:

Consider approving Consent Agenda as presented

Background Information:

Item A

Bills/Claims

Item B

Meeting Minutes, February 3, 2009 Regular City Council

Meeting minutes from the February 3, 2010 Regular City Council meeting are attached for your review and approval.

Item C

Resolution 2010-09 Approving an Application with No Waiting Period for An Exempt Permit for Cedar Creek Community School PTO to Hold a Raffle

This resolution approves an application with no waiting period for an exempt permit for Cedar Creek Community School PTO to hold a raffle on March 20, 2010 at the Cedar Creek Community School.

Item D

Appoint Regular Full Time Employee

Ms. Elfering joined the City August 11, 2008 as the part-time Administrative Support position with our Public Works Department. The City Council appointed Ms. Elfering for the full-time Administrative Support Position for Public Works and Fire Department Effective August 24, 2009. Since that time, she has performed in an exceptional manner. Staff is recommending appointment as a regular full-time employee based on the satisfactory completion of the six month probationary period on February 24, 2010.

Item E

Resolution 2010-10 2010 G. O. Water Revenue Note Issuance and Sale

Resolution 2010-10 provides for the issuance and sale of the 2010 General Obligation Water Revenue Note for \$74,601 to the Minnesota Public Facilities Authority (PFA). The note will be paid back over 20 years at a 1% interest rate. The proceeds of the note will be used to finance

20% of the total cost of the Whispering Aspen Well project and the remaining 80% will come from Disadvantaged Community Assistance Grant in the amount of \$298,403.

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: _____



2009 Bills to be Approved for Payment February 17, 2010	\$41,986.38
2010 Bills to be Approved for Payment February 17, 2010	\$95,278.23
Electronic Payments	\$29,147.22
Payroll City Staff - February 4, 2010	\$36,684.71
Payroll Fire Dept - February 12, 2010	\$11,148.52
Total to be Approved for Payment February 17, 2010	\$214,245.06

Approved by Council Member:

Steve Voss	Kathy Paavola	Greg Hunter	Steve Channer	Bill Boyer
<input type="text"/>				

City of East Bethel
February 17, 2010
2009 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
'03 224th & Durant St. Project	Professional Services Fees	20210	Anoka County	588	58800	71.50
'04 205th Avenue Project	Professional Services Fees	20210	Anoka County	506	50600	14.30
2005B 207th Serv Rd SA Bonds	Professional Services Fees	20210	Anoka County	303	30300	14.30
2008A GO SEWER REV BONDS	Professional Services Fees	20210	Anoka County	308	30800	7.15
'99 Lunde/Jewell Street Proj	Professional Services Fees	20210	Anoka County	502	50200	78.47
Arena Operations	Cleaning Supplies	326433-CRC-1	Continental Research Corp	615	49851	176.04
Arena Operations	Concession for Resale	780691	The Watson Co, Inc.	615	49851	891.07
Arena Operations	Concession for Resale	780831	The Watson Co, Inc.	615	49851	279.38
Arena Operations	Professional Services Fees	822	Perform Art	615	49851	159.75
Central Services/Supplies	Other Advertising	20210	Anoka County	101	48150	1,246.16
Fire Department	Employer Paid Expenses	166	MFSCB	231	42210	490.00
Fire Department	Heavy Machinery	17172	Alex Air Apparatus	101	42210	10,000.00
Fire Department	Motor Vehicles	17172	Alex Air Apparatus	701	42210	21,486.37
Fire Department	Other Advertising	120109	Tammi Gimpl	231	42210	215.89
Fire Department	Repairs/Maint Machinery/Equip	44453	Robotronics Inc.	101	42210	856.50
Legal	Legal Fees	11068607	League of MN Cities Ins Trust	101	41610	1,000.00
Recycling Operations	Hazardous Waste Disposal	11069402	League of MN Cities Ins Trust	226	43235	1,000.00
Sewer Operations	Professional Services Fees	20210	Anoka County	602	49451	36.00
Sewer Operations	Professional Services Fees	20210	Anoka County	602	49451	11.91
Street Capital Projects	Professional Services Fees	20210	Anoka County	406	40600	35.75
Water Utility Capital Projects	Professional Services Fees	20210	Anoka County	408	49405	36.00
Water Utility Capital Projects	Professional Services Fees	20210	Anoka County	408	49405	11.92
Water Utility Operations	Professional Services Fees	20210	Anoka County	601	49401	11.92
Water Utility Operations	Professional Services Fees	20210	Anoka County	601	49401	36.00
Whispering Aspen Well Project	Professional Services Fees	1191.103-1	Springsted Incorporated	432	43200	3,820.00
						\$41,986.38

City of East Bethel
February 17, 2010
2010 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Arena Operations	Bldgs/Facilities Repair/Maint	12110	Connexus Energy	615	49851	21.32
Arena Operations	Bldgs/Facilities Repair/Maint	9169230944	Grainger	615	49851	14.00
Arena Operations	Bldgs/Facilities Repair/Maint	9169230969	Grainger	615	49851	-14.16
Arena Operations	Bldgs/Facilities Repair/Maint	9167199208	Grainger	615	49851	14.16
Arena Operations	Bldgs/Facilities Repair/Maint	9167199216	Grainger	615	49851	71.77
Arena Operations	Bldgs/Facilities Repair/Maint	9166900069	Grainger	615	49851	561.96
Arena Operations	Bldgs/Facilities Repair/Maint	9167199190	Grainger	615	49851	236.40
Arena Operations	Bldgs/Facilities Repair/Maint	9167199224	Grainger	615	49851	-279.49
Arena Operations	Bldgs/Facilities Repair/Maint	9169230951	Grainger	615	49851	43.06
Arena Operations	Bldgs/Facilities Repair/Maint	8396	Vogel Sheet Metal, Inc.	615	49851	1,026.00
Arena Operations	Bldgs/Facilities Repair/Maint	8389	Vogel Sheet Metal, Inc.	615	49851	1,455.00
Arena Operations	Concession for Resale	754158	Indianhead Foodservice Distrib	615	49851	445.08
Arena Operations	Concession for Resale	118279132	Midwest Coca Cola Bottling	615	49851	938.40
Arena Operations	Concession for Resale	118276831	Midwest Coca Cola Bottling	615	49851	738.30
Arena Operations	Concession for Resale	781190	The Watson Co, Inc.	615	49851	55.49
Arena Operations	Electric Utilities	12110	Connexus Energy	615	49851	4,229.42
Arena Operations	Motor Fuels	1031397383	Ferrellgas	615	49851	265.50
Arena Operations	Motor Fuels	1031766689	Ferrellgas	615	49851	228.11
Arena Operations	Professional Services Fees	18	Gibson's Management Company	615	49851	9,203.78
Arena Operations	Repairs/Maint Machinery/Equip	389508	Minnesota Conway	615	49851	252.37
Arena Operations	Small Tools and Minor Equip	77760	Becker Arena Products, In	615	49851	219.74
Arena Operations	Telephone	20110	Qwest	615	49851	100.69
Building Inspection	Software Licensing	32104	TR Computer Sales, LLC	101	42410	1,008.68
Central Services/Supplies	Cleaning Supplies	2179305	Dalco	101	48150	281.64
Central Services/Supplies	Information Systems	10554	City of Roseville	101	48150	1,251.83
Central Services/Supplies	Information Systems	40219	US Cable	101	48150	1,331.44
Central Services/Supplies	Office Equipment Rental	143006633	Loffler Companies, Inc.	101	48150	446.73
Central Services/Supplies	Office Supplies	505869720001	Office Depot	101	48150	13.68
Central Services/Supplies	Office Supplies	506532376001	Office Depot	101	48150	37.66
Central Services/Supplies	Postage/Delivery	63531	Customgraphix	101	48150	782.27
Central Services/Supplies	Printing and Duplicating	63531	Customgraphix	101	48150	2,033.83
Central Services/Supplies	Telephone	12810	Qwest	101	48150	214.57
City Clerk	Conferences/Meetings	22523785	Gov't Training Services	101	41430	200.00
Finance	Dues and Subscriptions	2010	Minnesota GFOA	101	41520	60.00
Finance	Dues and Subscriptions	2010	Minnesota GFOA	101	41520	60.00
Finance	Office Supplies	506532406001	Office Depot	101	41520	16.30
Finance	Office Supplies	506532376001	Office Depot	101	41520	17.28
Fire Department	Bldgs/Facilities Repair/Maint	12110	Connexus Energy	101	42210	5.32
Fire Department	Bldgs/Facilities Repair/Maint	2734-IN	Optimum Mechanical Systems Inc	101	42210	939.32
Fire Department	Electric Utilities	12110	Connexus Energy	101	42210	718.46
Fire Department	Equipment Parts	13338	Ancom Communications	101	42210	105.15
Fire Department	Equipment Parts	13339	Ancom Communications	101	42210	13.36
Fire Department	Professional Services Fees	12910	City of East Bethel	231	42210	1,666.67
Fire Department	Repairs/Maint Machinery/Equip	389512	Minnesota Conway	101	42210	399.74
Fire Department	Safety Supplies	110010774	Allina Health System	101	42210	536.48
Fire Department	Small Tools and Minor Equip	13417	Ancom Communications	101	42210	1,711.67
Fire Department	Telephone	12810	Qwest	101	42210	404.60
Fire Department	Travel Expenses	20410	Tammi Gimpl	231	42210	168.56
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	14577	GHP Enterprises, Inc.	101	41940	368.72
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	455408-01-10	Premium Waters, Inc.	101	41940	17.00

City of East Bethel
February 17, 2010
2010 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	113675	Robert B. Hill Company	101	41940	19.24
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	8394	Vogel Sheet Metal, Inc.	101	41940	2,139.00
General Govt Buildings/Plant	Electric Utilities	12110	Connexus Energy	101	41940	793.82
General Govt Buildings/Plant	Repairs/Maint Machinery/Equip	389505	Minnesota Conway	101	41940	252.36
Housing & Redevelopment Autho	Office Supplies	8844	Norseman Awards	230	23000	47.78
Human Resources	Professional Services Fees	245	Safe Assure Consultants Inc.	101	41810	2,975.00
Legal	Legal Fees	12910	Carson, Clelland & Schreder	101	41610	4,929.92
Legal	Legal Fees	20910	Randall and Goodrich, P.L.C.	101	41610	1,341.25
Mayor/City Council	Office Supplies	8844	Norseman Awards	101	41110	23.89
Mayor/City Council	Professional Services Fees	2010	North TH65 Corridor Coalition	101	41110	250.00
Park Maintenance	Clothing & Personal Equipment	470401262	Cintas Corporation #470	101	43201	45.81
Park Maintenance	Clothing & Personal Equipment	470404789	Cintas Corporation #470	101	43201	45.81
Park Maintenance	Electric Utilities	12110	Connexus Energy	101	43201	922.48
Park Maintenance	Professional Services Fees	389507	Minnesota Conway	101	43201	110.85
Park Maintenance	Safety Supplies	54188534	Zee Medical Service	101	43201	50.91
Park Maintenance	Telephone	20110	Qwest	101	43201	90.29
Payroll	Insurance Premium	40219	Fort Dearborn Life Insurance	101		1,056.77
Payroll	Insurance Premium	40219	MN NCPERS Life Ins	101		144.00
Payroll	Union Dues	40219	MN Teamsters No. 320	101		642.70
Planning and Zoning	Filing Fees	20110	Anoka County Property Records	101	41910	46.00
Planning and Zoning	Office Supplies	8844	Norseman Awards	101	41910	15.33
Planning and Zoning	Professional Services Fees	245	GIS Rangers	101	41910	729.00
Police	Professional Services Fees	20110	Gratitude Farms	101	42110	176.34
Recycling Operations	Electric Utilities	12110	Connexus Energy	226	43235	118.60
Recycling Operations	Professional Services Fees	40219	Cedar East Bethel Lions	226	43235	1,000.00
Recycling Operations	Professional Services Fees	389509	Minnesota Conway	226	43235	5.90
Sewer Operations	Bldg/Facility Repair Supplies	12045	St Francis True Value Hdw	602	49451	121.81
Sewer Operations	Bldgs/Facilities Repair/Maint	12110	Connexus Energy	602	49451	24.53
Sewer Operations	Electric Utilities	12110	Connexus Energy	602	49451	951.90
Sewer Operations	Legal Fees	20910	Randall and Goodrich, P.L.C.	602	49451	158.50
Street Maintenance	Bldgs/Facilities Repair/Maint	69482	Aker Doors, Inc.	101	43220	124.00
Street Maintenance	Bldgs/Facilities Repair/Maint	470401262	Cintas Corporation #470	101	43220	26.48
Street Maintenance	Bldgs/Facilities Repair/Maint	470404789	Cintas Corporation #470	101	43220	26.48
Street Maintenance	Bldgs/Facilities Repair/Maint	12110	Connexus Energy	101	43220	21.29
Street Maintenance	Bldgs/Facilities Repair/Maint	455408-01-10	Premium Waters, Inc.	101	43220	17.00
Street Maintenance	Bldgs/Facilities Repair/Maint	159822-IN	Zahl Petroleum Maintenance Co.	101	43220	887.86
Street Maintenance	Clothing & Personal Equipment	470404789	Cintas Corporation #470	101	43220	45.86
Street Maintenance	Clothing & Personal Equipment	470401262	Cintas Corporation #470	101	43220	45.86
Street Maintenance	Electric Utilities	12110	Connexus Energy	101	43220	1,506.12
Street Maintenance	Professional Services Fees	389507	Minnesota Conway	101	43220	110.86
Street Maintenance	Safety Supplies	54188534	Zee Medical Service	101	43220	50.91
Street Maintenance	Small Tools and Minor Equip	211161	S & S Industrial Supply	101	43220	392.92
Street Maintenance	Street Maint Materials	70474653	North American Salt Co.	101	43220	9,457.77
Street Maintenance	Telephone	12810	Qwest	101	43220	66.52
Water Utility Operations	Bldgs/Facilities Repair/Maint	12110	Connexus Energy	601	49401	26.67
Water Utility Operations	Electric Utilities	12110	Connexus Energy	601	49401	258.48
Water Utility Operations	Gas Utilities	11910	CenterPoint Energy	601	49401	358.90
Water Utility Operations	Professional Services Fees	389506	Minnesota Conway	601	49401	126.71
Water Utility Operations	Professional Services Fees	75427	Utility Consultants, Inc.	601	49401	377.00
Water Utility Operations	Telephone	20110	Qwest	601	49401	108.14

City of East Bethel
February 17, 2010
2010 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
Wild Rice Drive	Legal Fees	20910	Randall and Goodrich, P.L.C.	402	43123	118.75
	Work Comp Premium	17243	League of MN Cities Ins Trust	101		27,256.00
						\$95,278.23

City of East Bethel
February 17, 2010
2010 Payment Summary

Department	Description	Invoice	Vendor	Fund	Dept	Amount
	Electronic Payments - Payroll					
		PERA				\$6,389.76
		Federal Withholding				\$5,652.29
		Medicare Withholding				\$1,922.60
		FICA Tax Withholding				\$8,220.70
		State Withholding				\$2,464.41
		MSRS				\$4,497.46
						\$29,147.22

EAST BETHEL CITY COUNCIL MEETING

February 3, 2010

The East Bethel City Council met on February 3, 2010 at 7:30 PM for their regular meeting at City Hall.

MEMBERS PRESENT: Bill Boyer Steve Channer Greg Hunter
Kathy Paavola Steven 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 February 3, 2010 City Council meeting was called to order by Mayor Hunter at 7:30 PM.**

Adopt Agenda **Boyer made a motion to adopt the February 3, 2010 City Council agenda. Hunter seconded; all in favor, motion carries.**

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

Delores Crass of 1150 216th Ave. NE, East Bethel, said her and her husband Robert are here. She said they live on the corner and their neighbor is parking his tractor and trailer, but not always his trailer in his driveway. Crass said and every time we go outside and look to the left we see this great big tractor. She said many years ago it started with dogs, then they got an electronic fence, and then the batteries run out. Crass said the dogs wrecked her garden. She said her neighbor trained his dogs to go on here property line and do their duty. Crass said he was ordered by council to clean it up and he never did. She said he comes in on Fridays and goes out on Tuesdays. Crass said we are tired of it. She said we have a lot of little children in the neighborhood.

Hunter asked does your neighbor only park his tractor on his property. Crass said yes. She said he parks it on the street and in the summer he uses a refrigerated trailer and we are up all night because of it. She said she is only about 200 feet from him, maybe a little more, all these years and she has never been on his property. Crass said he is giving us an awful lot of trouble. She said she can't understand when he comes back from run he has to get rid of the trailer, why can't he park tractor where he parks the trailer and have his wife pick him up, she doesn't work.

Voss asked about the City code, what are the regulations. Sells aid the traffic control states the tractor can be parked in their driveway for 24 hours, but the zoning code restricts parking a tractor trailer in R1 and R2 zoned locations in the City. Voss said and they are zoned R1. Sell said yes, they are. Hunter said he can understand combination tractor trailers and restricting them from parking in driveways. He said but he drives a one ton truck and if these are the restrictions, he cannot park his own personal vehicle in his driveway. Hunter said he is assuming this is the same situation as we had talked about before.

Crass said her neighbor was here at Council complaining that he had to leave his van parked where he parks his trailer when he goes out on a run. She said no he doesn't, he has a wife

that doesn't work. Hunter said we really need to just deal with the ordinance. Crass said she has a copy of the ordinance. She said Larry Martin gave this to her, he highlighted what her neighbor cannot do. Crass said Martin said neighbor cannot park there. She said he parks there and we can't do anything about it. Crass said he parks his tractor on Friday night and doesn't move it until Sunday. She said if one part states he is not supposed to park at all and one says he can park for 24 hours, he is not in compliance. Sell said that is right, one says you can park for 24 hours and one says you can't. He said this is what Council is going to be looking at correcting. Sell said it will say where you can park them, in what zoning districts.

Crass said she has not seen another tractor/trailer in another driveway from 219th Ave. Ne to Coopers Corner. Sell said we had another incident but he has found another place to park it. Voss said it sounds like there will be other changes not just the parking of tractor/trailers, but with this issue is there a hearing required. Randall said it has already been held. Crass said we have a lot of children there and you know how they are, if they are riding a bike they are going to scoot out in the street. Voss said what staff is saying is the conflict in the ordinance is going to be resolved. Sell said it will be back before Council on March 3rd and we can send Mr. and Mrs. Crass a notice on this. Crass said this has been going on since January. She said and Martin told her to just let it go. Sell said part of the problem is if we issue a citation it will just be thrown out because our ordinance is in conflict. He said so if we get the ordinance fixed, then we can issue a citation and it will not be in conflict. Crass said she had a real estate company come out and they told us that with that tractor parked there her house would go down \$10,000 to \$12,000. Hunter said he would like a copy of that. Sell said he would also like a copy. Crass said she had this done four years ago. She said this has been going on for nine years. T

Channer said if the truck running, is that a violation of noise ordinance. Sell said it could be if it violates the noise standards. Voss said it would be a nuisance. There were no more comments so the Public Forum was closed.

Hunter asked does this have to be every ten years. Census statement. Get from Doug.

Census 2010 Hunter explained that every 10 years, the number of elected representatives we sent to Congress is recalculated using the results of the Census. Current population projections indicate that Minnesota could lose a seat in the US House of Representatives.

In addition to representation, approximately \$300 billion dollars in federal dollars are distributed to the states annually based on the results of the Census. Over a decade, this means our state loses \$10,000 for every person missed in the 2010 Census. This money is needed for things like roads, clean water, transit and housing to name a few.

Surveys will be mailed in mid-March. Please return the completed census questionnaires to make Census 2010 a Success! Let's make sure every "1" counts in Minnesota!

Economic Value of Open Space Sell explained that Embrace Open Space (EOS), a collaborative including McKnight Foundation, Met Council and the Trust for Public Land that serves as a catalyst for conserving and stewarding natural areas including parks, lakes and rivers in the expanded 11-county Twin Cities area. In 2009-2010, EOS sought to share information directly with community leaders regarding measurable impacts of open space on community property values based on their proximity to parks, wetlands and other open space. This evening, Mr. Schiffman will make that presentation to the City Council.

Mr. Schiffman has created and managed a local government outreach effort to share the open space information. Since August 2009, he has conducted more than 20 presentations to metro area city councils, planning commissions, park boards and other local government organizations introducing the concept of open space value/benefits.

Mr. Schiffman spent 12 years in local government in Waconia as Mayor, City Councilmember and Planning Commissioner. Mr. Schiffman currently teaches State and Local Government Process and PR/marketing courses at the University of Phoenix, Minneapolis/St. Paul campus and has been invited to teach Public Relations in the Public Sector at Hamline University this fall.

Mr. Schiffman has a presentation he will share with Council on Wednesday evening on the value of Open Space and its relationship to over all City goals and objectives regarding preservation.

Schiffman said it is a pleasure to be here. He said he wants to thank Council and staff for your work in local government, as someone who has served 12 years doing the same job it is a big job. Schiffman said this information is purely educational. He said he thinks you will find this information interesting. Schiffman said Embrace Open Space is a collaborative of Twin Cities organizations to protect open space in our region. He said he thinks this information is useful to you and your future. It looks like you will be moving ahead with things like this in the near future. Schiffman said we have given resources to the City Planner for grants and such so as you go through the process of open space she has the tools she needs. He said when we say open space there is no formal definition of what open space means. Schiffman said we are talking golf courses, etc. He said the challenges have been anecdotically, people understand that we need open space, but don't know how to do it.

Schiffman said what does this mean in the Twin Cities. He said the challenge the Twin Cities faces is there is 255,000 acres, only 32% is currently protected, 68% is at risk of being developed. He said the open space is going at a premium. In 2007 a single family home with one acre or less within 200 feet of open space went for \$16,570 more. Schiffman said this can be compared to when someone buys a home on a lake; they pay more to be on the lake. He said it is an open space premium; homeowners are willing to purchase homes near open space and willing to pay a premium.

Schiffman said in 2009 Embrace Open Space conducted the same kind of study in Hennepin County. He said 218,000 properties sold benefitted from an "Open Space Premium". These were single family homes on one acre or less. Schiffman said from the city wide prospective the open space premium was \$16,300. He said there was a countywide property tax value impact of \$3.6 billion and an annual countywide property tax revenue impact of \$36 million. Schiffman said both of these projects were done with assessment and GIS information. He said in many cases they did site visits. Schiffman said a sample model was used.

Schiffman said so the question is how you can use this information. He said many communities are having this type of discussion. Schiffman said many communities park planning boards are using this information to plan. He said a lot of communities are struggling with plats and developments that are half or a quarter way done and how do we get this done. Schiffman said this information might help to make those decisions.

Schiffman said the lake analogy brings home the message, communities that embrace open space find out there is a market impact. He said in discussion with developers this is a

mutual decision. Schiffman said again, he is optimistic about the future. Hunter asked is this information on line. Schiffman said yes, at embraceopenspace.org. He said the studies are there and a copy of the slide show is there. Schiffman said if you have more specific questions, he can put you in touch with if more specific questions can put them in touch with the people from Embrace Open Space. Schiffman said what he has tried to put out here for you is a scaled back version.

Sell said we also have an electronic copy of the PowerPoint. Council thanked Mr. Schiffman for coming out and presenting this information to them.

Consent
Agenda

Boyer made a motion to approve the Consent Agenda including: A) Approve Bills; B) Meeting Minutes, January 20, 2010, Regular CC Meeting; C) SafeAssure Contract from March 1, 2010 to February 28, 2011. Voss asked that Item D) Contract Addendum No. 4 to City Engineer Agreement for Booster East/Cedar Creek Trail be moved to Item 7.0 B.2. **Voss seconded with that amendment.** Sell said there was a typo in the agenda write up and the January 20, 2010 City Council Minutes should be changed as follows: , Page 7, ninth paragraph change as follows: **January 2010 to December 2012** and Page 8, fifth paragraph: **January 2010 to December 2012. All in favor, motion carries.**

Booster
East/Cedar
Creek Trail

Sell explained that the Parks Commission recommended approval of the first phase of the Booster East to Cedar Creek Trail on August 12, 2009. Phase I begins in Booster Park East, connects to 224th Avenue and then to Xylite Street. This segment is reflected on Attach #1.

The trail follows Xylite Street to 222nd Lane to Bataan Street as reflected on Attach #2. The trail then follows Bataan Street to 229th Avenue to the University of Minnesota property as reflected on Attach #3.

The trail alignment was presented and reviewed by City Council on September 2, 2009, September 16, 2009 and again on October 7, 2009. City Council directed that the 2010 Trail CIP projects move forward as presented including the Booster Park East to Cedar Creek trail, Phase 1 portion at the October 7, 2009 meeting.

Since the October meeting, staff has developed the specific trail alignment maps such that all necessary easements and/or ROW is identified. The easements/ROW requirements are reflected on Attach #1 - #3. Staff is requesting direction to proceed with negotiation for necessary easements/ROW.

Following the negotiation of easement/ROW agreements, the agreements will be returned to Council for approval.

If Phase 1 is scheduled over a two year period, 2010 would include the trail across the Oney easement and 224th Avenue to Xylite and, 2011 would include Xylite to 222nd Lane to Bataan Street, the costs can be managed within budget. It is recommended that engineering for this entire segment, Booster East to Bataan Street, be included in the 2010 budget for this project as it more cost effective to perform the survey and related design work at the same time. The project costs for phasing this project were provided in your agenda materials.

Final Plans and Specifications for the 2010 and 2011 projects will be returned to Council for review and direction to solicit bids. It is anticipated that the Plans and Specifications for the Trail Capital Fund portion of Phase 1 in 2010 will be completed and returned no later than April, 2010. The MSA Fund Plans and Specifications for the Bataan Street portion of these

improvements in 2010 will be completed and returned no later than May, 2010.

Consider directing staff to negotiate easement agreements for Phase 1 of the Booster Park East to Cedar Creek Trail project and the MSA Funded project along Bataan Street.

Boyer made a motion to direct staff to negotiate easement agreements for Phase 1 of the Booster Park East to Cedar Creek Trail project and the MSA Funded project along Bataan Street with the exception of on page 34, on Xylite and 222nd as was presented to Council the trail shall be completely on the north side of the street. Voss seconded.

Jochum said typically it is desired that bikes drive with the traffic. He said this is the option the Park Commission choice was to have the trail on both sides. Voss said he wants to build this on both sides. He said he just wants to stripe it on one side. Jochum said the Park Commission is recommending three feet on each side. Hunter said we are just approving negotiation for Right of Way tonight. Boyer said he said he thinks staff is incorrect in what was presented to Council.

Voss said he was thinking it was a separated trail. Jochum said the costs go up a lot for easements. He said as Boyer stated it was presented to Council all on the north side. Jochum said we went to the Park Commission with a number of options and this is the option they chose. Boyer said the residents on north side were more in favor of the trail then the residents on the south side at the public hearing. Voss asked we had a public hearing on this. Sell said we sent letters inviting the residents to the meeting. Voss said as a parent we teach our children to ride with the traffic, we would be forcing them to ride against the traffic. Jochum said the only odd part is the crown has shifted. Channer said this could cause the cars to veer especially on corners.

Voss said all we are doing is spending money to widen the road in a neighborhood that doesn't get a lot of traffic right now and never will. Sell said as the Mayor indicated, we are just approving negotiating the right of way right now. Voss said but the next thing we will be approving is the design. He said we didn't even think about the crown design. Jochum said if you choose to do this at a later date, at least both sides were surveyed. Voss asked have we had discussion with Mr. Oney. Sell said yes, he asked us to see if the neighbor was interested. Sell said the neighbor was not interested. He said so we will need to discuss this with Oney. Voss asked what if Oney doesn't want to give this to us. Sell said there are other things Oney wants that makes him eager to do this.

Channer asked about ground line placement. Jochum said 5 feet on Bataan. Channer said so we are 15 feet out on the slope. He asked is that returning it to the original position. Channer asked if we are only taking temporary easements, we have to return it to the original position. Sell asked are we talking permanent easements. Voss said they are marked as temporary, but it is obvious they are permanent. Channer said if the majority of fill is sloped it will be also hard to fill. Jochum said we would match the current slope. Voss asked with the 6 foot trail does that meet ADA requirements. Jochum said yes. He said we have 8 feet on Bataan to meet state aid rules. **Boyer said his motion was to direct staff to negotiate easement agreements for Phase 1 of the Booster Park East to Cedar Creek Trail project and the MSA Funded project along Bataan Street with the exception of on page 34, on Xylite and 222nd as was presented to Council the trail shall be completely on the north side of the street. Voss said his second stands.** Channer asked do we really want to put the change to the north on there since we are just being asked to authorize staff to negotiate easements. Sell said we will bring back the plans with this change and you will be

voting on this before it goes farther. **Voss and Channer, nay; Hunter and Boyer, aye; motion fails.**

Hunter directed staff to put this item on the February 17, 2010 City Council agenda where we can vote on it again and hopefully have more information on whether the easements are temporary or permanent, etc.

Contract Addendum No. 4 to City Engineer Agreement for Booster East/Cedar Creek Trail

Sell explained that the City engineer has submitted a “not to exceed” addendum for engineer services for the design, bid and construction management of the Booster Park East to Cedar Creek Environmental Science Reserve trail project. A copy of that addendum is attached.

Sell asked if there are any questions or concerns with agreement.

Voss made a motion to table Contract Addendum No. 4 to City Engineer Agreement for Booster East/Cedar Creek Trail until the February 17, 2010 City Council meeting where we will consider the Booster East/Cedar Creek Trail negotiation of easements. Hunter seconded. Boyer, nay; Channer, Hunter and Voss; aye; motion carries.

Res. 2010-07 Setting Rural Residential Speed Limits

Sell explained that Minnesota Statutes regulate the posting of speed limits on City streets. This statute was modified in the 2009 legislative session and the new law became effective August 1, 2009. The amendment now allows City Councils more latitude in setting speed limits on City streets. This new legislation allows Cities to designate Rural Residential Districts where speed limits may be posted at 35 mph if the streets meet the density requirements as outlined for this street category.

City staff has reviewed all streets in the City to determine which meet the new definitions and has determined which roads in the City now meet the new criteria for “Rural Residential Streets and Residential Roadways.”

The original definition for a Rural Residential District was deleted in the new legislation. Definitions were refined and incorporated into the new legislation that provides for identification of a rural residential district as the territory contiguous to and including any street or highway that is built up with visible dwelling houses on one or both sides of the road with their primary access points at intervals averaging 300 feet or less for a distance of one-quarter mile or more. (b) For purposes of this subdivision, “interval” means the measured distance between the primary access points for each dwelling house whether houses are on one or both sides of the road.

There are 76 miles of City Streets that qualify for a rural residential district classification. Staff is suggesting that these 76 miles be posted at 35 MPH based on the new statute. Attachment #2 is a map that reflects the 76 miles that are being suggested for the 35 MPH speed limits

There are 40 miles of City streets that don’t meet any of the posting criteria, either Rural Residential or Urban Districts, or, are already posted with reduced speed limits as a result of MnDOT speed studies related to MSA projects or petition by the City.

The City has a total of 138 miles of streets.

Signage costs for the 105 streets that qualify for these speed limit postings will be approximately \$6,000. There is signage in City inventory to post 35 streets. The remainder

of the signage which would cost approximately \$4,200 would be paid from the Sign/Striping Repair Materials category in the Street Maintenance budget.

The Road Commission has recommends the approval of the designation of the streets listed on Attachment A to Resolution 2010-07 that qualify for the "Rural Residential Districts" classification and posting of the appropriate speed limit signs on these roadways in accordance with MnDOT standards.

Boyer made a motion to adopt Resolution 2010-07 Setting Rural Residential Speed limits and Attachment A. Voss seconded.

Voss asked so the statute sets the speed limit at 35 mph. He asked if we want to lower it to 30 mph do we have to do a speed study. Sell said we have the urban district for the 30 mph designation, but that is a higher density and we have done that to just about every area that met that criteria. He said these are lower density areas. Sell said the Andover public works manager has been advocating this for many years.

Voss said he is glad it happened, it doesn't sound like much but for traffic calming 30 mph and 35 mph are a big difference. He said if we can't go to 30 mph that is fine. Voss said he has other questions. He said two roads on this drawing we share with neighboring communities, are we able to post them or do they have to agree to post them as well. Sell said we can post our side. Voss said you can't post two different speed limits. Sell said yes we can. Voss said we need to approach Linwood and Oak Grove first. Sell said why doesn't Council pull those two segments from the resolution and we will bring them back if Linwood and Oak Grove are agreeable.

Boyer said he would set a timetable that this has to be done by, for them to agree or disagree. Voss said he doesn't think they will disagree. Boyer said that is probably right, but we know how long City government can take to do things. Channer asked is there a sign there where the speed limit is different. Sell said no. Channer said at least if they see our 35 mph sign then they see 35mph. He said the only problem will be if get a ticket. Sell asked if they agree can we offer to post it. Council said yes. Voss asked and why is Bataan not on here. Sell said it is posted at 45 mph and it was done as a MSA study. Voss said so because it was posted 45 mph under MSA agreement we cannot change it. Jochum said he thinks you can change it. Sell said if it meets the standards.

Voss said on the heels of putting a public trail there, you mentioned this went to roads. He asked did the list go to roads. Sell said the whole thing went to roads. Voss said reason he asked is when we do things like this, it seems there is always a reason we shouldn't do this. He asked some of these roads are a 500 foot dead end, do we need to post it or can we save our dollars. Voss said he just wants to make sure we aren't doing something we shouldn't. He said he suggests staff take another look at the list and make sure they need to be done. Voss said if there are four houses on the road, we might not put a sign on. Channer asked when you enter Polk street from Sims there is a 30 mph sign up. Sell said he doubts it is our sign. Sell asked where the University segment is. Voss said it ought to be north of Viking. He said it is high density there. Voss said on the Oak Grove side it has very few houses on it. Hunter said we have less on ours that post off of University. Voss said he is talking about off of Viking. He said he is taking a close look at it. Boyer said put University and Sunset at the end of the list and talk to them. **All in favor, motion carries.**

for direction following the City Attorney's presentation.

Randall said Bethel Properties attorney has completed his due diligence and is at the stage to deposit the deeds and pay the fees. He said he cannot file the deeds until the taxes are paid. Randall said these two parcels have sizable taxes on them and deeds couldn't be filed until October 15th or a day after. Randall said he discussed this with the attorney for Bethel Properties and Mundel's attorney just before the end of the year. He said Mundel's attorney suggested Randall hold the deeds until October 15 and then he would file them and charge them for it. Randall said in the last couple days he got an e-mail and in it, Bethel Properties attorney proposed how the escrow will work, you will hold escrow and he will hold the deed for Firebird Properties. He said he hasn't talked to him, but he doesn't know why he has suggested why he would hold the deed, and not Firebird Land. Randall said plus the money he is to pay to the city he wants to be applied toward taxes for the Firebird Land property if they don't pay their taxes. Randall said he wrote back and said no, that money has to be paid up front. Bethel properties has got what they are going to get and the City and Mundel have been waiting for their money for six years and he is not going to sit and hold the money for ten months. He said he hasn't had a response to that, but he doesn't think this is going to be a deal breaker, that is where we sit.

Hunter asked weren't we trying to accommodate the Peterson's by moving the fence. Randall said ye. Hunter asked then why don't we put up a temporary fence where it should be. Randall said you can do that, but it will be an expense to the City you won't recoup. Hunter said just a temporary type fence. He said we would be protecting our current property right now. Hunter said it would get some pressure on them. He said they are playing the system. Boyer said let's give them until March 3rd, and then he will agree to run them off. He said we could have liability on this. Hunter said it is just frustrating. Randall said he suggests Council gives us a chance to resolve this before the next meeting, or whatever deadline, and then tell them the City is going to start litigation. He said he believes it will be solved. Council consensus was to wait until the next Council meeting.

Res. 2010-08
and Order for
Correction of
Hazardous
Conditions
and Further
for the
Abatement of
Public
Nuisances at
221 Birch
Road, East
Bethel

Sell explained that Chronology of events is provided for in the resolution document. In summary, Minnesota Statutes, Section 463.15, defines a hazardous building or hazardous property as any building or property which because of inadequate maintenance, physical damage, open excavation, or abandonment constitutes a fire hazard or hazard to the public safety or health. Minnesota Statutes, Section 463.25, specifically provides that if any excavation is open longer than six months without a building erected thereon or if any excavation or basement is not filled to grade or otherwise protected after a building is destroyed, the excavation is considered a hazardous excavation. If these conditions exist, the city has an obligation to correct these situations. Chapter 26 of the City Code of the City of East Bethel Minnesota requires that public nuisances of this nature may be declared to be a hazardous building and with this declaration, the owner is required to make the property safe.

The St. Hilaire's are the owners of the property at 221 Birch Road and Wells Fargo Bank has a mortgage on the property. The dwelling at 221 Birch Road suffered a fire in 2008 that severely damaged the structure. The foundation has been an open excavation for longer than six months without any construction activity on the site. In addition to the open excavation, there is a lack of maintenance. The St. Hilaire's have been served with compliance orders on several occasions but have yet to comply. All permits issued for the correction of the issues on this site have long since expired without any action by the owners.

Staff is recommending that Resolution 2010-08 be adopted to include an order for abatement for the property located at 221 Birch Road, East Bethel, Minnesota.

Voss made a motion to adopt Resolution 2010-08 and Order for the Correction of Hazardous Conditions and Further for the Abatement of Public Nuisances at 221 Birch Road, East Bethel. Channer seconded; all in favor, motion carries.

Joint Meeting
–
Conservation
Design/
Development

Sell explained that the City of East Bethel has taken great strides to achieving the goals as identified in the Comprehensive Plan utilizing natural resources and environmental quality as part of the foundation for planning for future growth and development of the City. The objectives outlined in the Comprehensive Plan can be successfully addressed by requiring conservation design elements be implemented on not only environmentally sensitive parcels, but also on conventional residential and commercial developments. Conservation design is a relatively new concept that is being implemented in a handful of communities throughout Minnesota.

As part of the conservation design ordinance development, there are other supporting components that will need to be developed and/or amended at the same time. These include but are not limited to the following: updating parts of the zoning ordinance such as PUD's and the Significant Natural Environmental Areas (SNEA); creation of a Storm Water Management Ordinance and Storm Water Utility Fund; update the Water Management Plan; and, creation of educational documents/brochures for staff, land owners, stakeholders, etc. explaining the goals and objectives as well as the processes to implement the program.

Staff is suggesting an initial joint work session on March 3, 2010 beginning at 6:00 PM, prior to the regular Council meeting, with an educational presentation along with a request for direction by City Council for project development. The joint meeting would be with Planning Commission and Parks Commission as each will be involved in certain aspects of the project.

Boyer asked while we were at the Planning Commission meeting, just filling in, the Mayor and myself, he was we were lead to believe that the Planning Commission were going to bring the zoning ordinance to Council on March 3rd. Sell said yes, that is the date. Boyer said this concerns him, since their meeting is the 4th Tuesday of the month, which only leaves Council five days to review the zoning ordinance changes. Sell said you will receive the changes this week in the update so you will have more than five days to review.

Voss said this was passed at the last Planning Commission meeting. Boyer said some of it was passed. He said so you want me to start another process when the other process is not done. Sell said the changes they considered at their last meeting you will have in your update. He said he is not sure if there are other changes that were not at the last meeting. Sell said he understands there were some changes brought forward by the new Planning Commission member, but those were generally just housekeeping issues. He said the Planning Commission directed staff to make those changes. Sell said what Planning Commission had at their last meeting; you will have in this weeks update. Boyer said and there are no changes in February. Sell said not that he knows of.

Voss said if the Planning Commission changes something at their next meeting there will not be enough time. Sell said he would agree there is not enough time. Boyer said he is agreeable about going down this path, but wants to ration our work. He said we have been through a similar process with the comprehensive plan; he wants to have text clear before we

undertake this new task.

Voss asked what is going to be presented at this joint meeting. Sell said there is an expanding educational part on parks and how the City can best use natural areas to their best use. Voss said so from three of us, this will be at least the third time we have come down this path, so he hopes we are not starting from step one. He said our education curve is very short, this should not take more than 30 minutes, and we have been through this although we might not be in agreement on how to move forward. Voss said and that includes a lot of Planning Commission members. Sell said he will try to get a tentative agenda to you this Friday. Boyer said that is one of his problems with having this be a joint meeting. Voss said he doesn't have a problem with it; these are the groups that will be stakeholders. He said he doesn't want an open forum where we have 16 or 17 people debating what they want. Voss said but a guided discussion is nice. Boyer said he thinks back about other meetings and we have had 10 or 12 people speaking and nothing got done. Voss said he doesn't have a problem having this as long as we are in agreement; we are not going to resolve this in one night. He said we set framework for this in our comp plan. Sell said he will get a tentative agenda out to you and if you have apprehension, we can always change it. Voss said he wants it on the agenda for the next City Council meeting.

Agreement
with HRA for
Administra-
tive Support
Services

Sell explained that the East Bethel Housing and Redevelopment Authority (HRA) is a separate unit of government as defined in state statute. The HRA has used and will continue to use many City services, including shared staff as part of its operational structure. It is important to manage the relationship between the two entities. Staff drafted an agreement between the Housing and Redevelopment Authority and the City of East Bethel to provide administrative support services to support the administrative undertakings of the HRA. At the January 20, 2010 meeting, the HRA reviewed and approved the Administrative Support Agreement. The proposed agreement is presented for City Council for review and approval. Fees for City services will be paid as a transfer of funds from the HRA to the City. The fee for 2010 is \$15,000.

Staff recommends approval of the Administrative Support Agreement with the City of East Bethel HRA.

Boyer asked since the HRA has no funds to transfer at the current moment, hopefully there will be a fund on May 3rd; this seems premature to transfer non-existent funds. Sell said we wouldn't transfer funds until the property taxes come in, and we will bring a resolution before you for this transfer. Boyer asked will the City attorney expect us to have a check in hand on May 13th. Randall said we will not have a check in hand, hopefully have a judgment. Sell said the City has levied \$120,000 for 2010. He said only when those dollars come forward would the monies be transferred.

Boyer made a motion to approve the Administrative Support Agreement with the City of East Bethel HRA. Voss seconded; all in favor, motion carries.

Metro Transit
Taxing
District

Sell explained that this is an informational item. Ms. Kate Garwood of the Anoka County Highway Department made a presentation to the City Council relating to the Congestion Mitigation Air Quality (CMAQ) grant that may have an impact in the City. Under the terms of this grant, the County would receive grant dollars to assist with commuter/express bus service from the City's Park and Ride lot at the Ice Arena to downtown locations. Ms. Garwood suggested the City consider joining the Metro Transit Taxing District. By doing so, this would allow Metro Transit to serve East Bethel.

Over the past several weeks, staff has obtained additional information regarding the Metro Transit Taxing District. Minnesota Statutes provide that City and Metropolitan Council must agree on a service expansion plan if the City is not currently serviced by the Metro Transit District. The East Bethel Finance Committee met on Tuesday, January 26, 2010, to review this information and discuss steps necessary to join the Metro Transit Taxing District.

The CMAQ grant is set to begin July 1, 2012. Staff has learned that a transit service agreement between Met Council and the City of East Bethel for transit services would not need to be in place until June 30, 2011 for Metro Transit to begin levying taxes in East Bethel for collection in 2012. However, Met Council has expressed their concern to both City staff and Anoka County regarding membership in the Transit Taxing District. Under the current economy, there may not be sufficient resources available to Metro Transit to provide such services.

Staff talked with Ms. Garwood about the CMAQ Grant. As part of this grant, Anoka County High Department is currently preparing an RFP soliciting consulting services to assist the County with the Transportation Service Study. The draft RFP will be completed within the next three to four weeks. Ms. Garwood has stated that she will meet with City officials to review the draft RFP for City input before soliciting proposals. Once a qualified consultant is selected, it will take approximately 4 to 5 months to complete the Transportation Service Study. If Met Council cannot provide transit service, this Transportation Service Study will look at the possibility of Anoka Traveler servicing East Bethel. If the Anoka Traveler were to provide the service in East Bethel, there wouldn't be a need to join the Metro Transit Taxing District.

The Metro Transit District Tax Rate for 2010 is approximately 1.22% of tax capacity value. For the average valued home in East Bethel, this would mean a tax of approximately \$27.06 annually based on the average home value of \$221,753 with a tax capacity value of \$2,217.53. City staff will continue to provide updates to the City Council as new information is obtained.

Sell said this past Monday he had a discussion with an employee of Met Council who said it is not a slam dunk for East Bethel to get an agreement with Met Council, it is not sure that we can even join or get service out here. Voss said the transportation study will give us a better idea of services needed. He said it seems to him we should just wait for this to be done. Sell said Natalie from Met Council was concerned that the City thought if we want in we can get service, it is not that easy.

Fire Dept.
Meeting

Channer said he had his first meeting with the fire department on Monday. He said they implemented some sort of training at every meeting, whether something simple or complicated. Channer said they will start training on their new database next week. He said they were very interested in money for new interchange down here. Channer said they made a report on the last accident out here, the victim contacted the chief and thanked him for extricating him, and he only remembered the fire fighter who rescued him. He said the victim may lose his arm. Hunter asked was the victim a resident. Sell said he doesn't believe so. Channer said he knew three fire fighters, but he only knew one was a fire fighter. He said the new system is the official record, no longer is the paper the official record.

Feasibility
Study

Hunter said he has a couple questions. Now that Met Council had their meeting, is the feasibility study going forward on the commercial property south of Viking Blvd. and west

of TH 65. Sell said yes, he talked to Craig, Bolton Menk today and hoping by May or June they are done and we can start our series of hearings.

Met Council Hearings

Hunter said at the meeting that Met Council held, he thinks there was confusion about costs of the wastewater treatment plant for hookups. He said there was a statement made by Met Council about \$4,000 for a hook up. Hunter said that is just a fraction of the cots. He said there will be street costs, and many other costs. Again, that is just the fraction of the cost.

Booster Day Mtg.

Hunter said a Booster Day meeting has been scheduled for Wednesday, February 24, 2010 at 6:30 pm at the Senior/Community Center, 2241 221st Avenue NE, East Bethel, Minnesota. He said everyone is welcome to attend.

Adjourn

Boyer made a motion to adjourn at 9:06 PM. Voss seconded; all in favor, motion carries.

Attest:

Wendy Warren
Deputy City Clerk

DRAFT

LG220 Application for Exempt Permit

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

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

ORGANIZATION INFORMATION

Check # _____ \$ _____

Organization name: Cedar Creek Community Sch Pro Previous gambling permit number: X-35490-09-001

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

Mailing address: 21108 Palk St NE City: Cedar State: MN Zip Code: 55011 County: Anoka

Name of chief executive officer (CEO): Patricia Norberg Daytime phone number: 612.747.029 Email address: pmnorberg@29.com

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

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

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

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

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

IRS - proof previously submitted to Gambling Control Board
 If you previously submitted proof of nonprofit status from the IRS, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place)

Cedar Creek Community Sch.
 Address (do not use PO box): 21108 Palk St NE City: Cedar Zip Code: MN 55011 County: Anoka

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

03.20.2010

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

Bingo* Raffles Paddlewheels* Pull-Tabs* Tipboards*

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

Also complete
Page 2 of this form.

Print Form

Reset Form

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT	
<p>If the gambling premises is within city limits, a city official must check the action that the city is taking on this application and sign the application.</p> <p> <input type="checkbox"/> The application is acknowledged with no waiting period. <input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city). <input type="checkbox"/> The application is denied. </p> <p>Print city name _____ <i>On behalf of the city, I acknowledge this application.</i></p> <p>Signature of city official receiving application _____</p> <p>Title _____ Date ____/____/____</p>	<p>If the gambling premises is located in a township, a county official must check the action that the county is taking on this application and sign the application.</p> <p>A township official is not required to sign the application.</p> <p> <input type="checkbox"/> The application is acknowledged with no waiting period. <input type="checkbox"/> The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days. <input type="checkbox"/> The application is denied. </p> <p>Print county name _____ <i>On behalf of the county, I acknowledge this application.</i> Signature of county official receiving application _____</p> <p>Title _____ Date ____/____/____</p>
<p>Signature of township official acknowledging application _____</p> <p>Title _____ Date ____/____/____</p>	<p>(Optional) TOWNSHIP: On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within township limits. [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.166]]</p> <p>Print township name _____</p> <p>Signature of township official acknowledging application _____</p> <p>Title _____ Date ____/____/____</p>

CHIEF EXECUTIVE OFFICER'S SIGNATURE

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

Chief executive officer's signature *Patricia Norberg* Date 01.18.2010

<p>Complete a separate application for each gambling activity:</p> <ul style="list-style-type: none"> - one day of gambling activity, - two or more consecutive days of gambling activity, - each day a raffle drawing is held <p>Send application with:</p> <ul style="list-style-type: none"> - a copy of your proof of nonprofit status, and - application fee for each event. <p>Make check payable to "State of Minnesota."</p> <p>To: Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p>	<p>Financial report and recordkeeping required</p> <p>A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-639-4076.</p>
<p>Print Form</p>	<p>Reset Form</p>

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

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information requested; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If you supply the information requested,

the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data are available to: Board members, Board staff whose work requires access to the

information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this Notice was given; and anyone with your written consent.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: OCT 23 2008

CEDAR CREEK COMMUNITY SCHOOL PTO
21108 POLK ST NE CEDAR, MN
55011

Employer Identification Number:
41-2009853
DLN:
17053171318028
Contact Person:
SUSAN Y MALONEY ID# 31210
Contact Telephone Number:
(877) 829-5500 Accounting
Period Ending:
June 30 Public Charity
Status:
170 (b) (1) (A) (vi)
Form 990 Required:
Yes Effective Date of
Exemption:
June 15, 2006 Contribution
Deductibility:
Yes Addendum
Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501 (c) (3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501 (c) (3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

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

RESOLUTION 2010-09

**RESOLUTION APPROVING APPLICATION FOR A RAFFLE PERMIT FOR
CEDAR CREEK COMMUNITY SCHOOL PTO**

WHEREAS, Cedar Creek Community School PTO has made application for a gambling permit for a raffle to be held on March 20, 2010 at the Cedar Creek Community School, 21108 Polk Street NE, East Bethel, MN 55011.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL, MINNESOTA that the gambling permit application for the Cedar Creek Community School PTO for a raffle to be held on March 20, 2010 at the Cedar Creek Community School, 21108 Polk Street NE, East Bethel, MN 55011 is approved.

Adopted by the East Bethel City Council on this 17th day of February, 2010.

CITY OF EAST BETHEL

Greg Hunter, Mayor

ATTEST:

Douglas Sell, City Administrator

CERTIFICATION OF MINUTES RELATING TO
\$74,601 GENERAL OBLIGATION WATER REVENUE NOTE, SERIES 2010

Issuer: City of East Bethel, Minnesota

Governing Body: City Council

Kind, date, time and place of meeting: A regular meeting held on February 17, 2010 at 7:30 p.m., at the City offices.

Members present:

Members absent:

Documents Attached:

Minutes of said meeting (including):

RESOLUTION NO. 2010-10

RESOLUTION RELATING TO \$74,601 GENERAL
OBLIGATION WATER REVENUE NOTE, SERIES 2010;
AUTHORIZING THE ISSUANCE, FIXING THE FORM AND
DETAILS THEREOF, AND PROVIDING THE SECURITY
THEREFOR

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the bonds referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said bonds; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such recording officer February 17, 2010.

City Administrator

Councilmember _____ introduced the following resolution and moved its adoption, which motion was seconded by Councilmember _____:

RESOLUTION NO. 2010-10

RESOLUTION RELATING TO \$74,601 GENERAL OBLIGATION WATER REVENUE NOTE, SERIES 2010; AUTHORIZING THE ISSUANCE AND SALE, FIXING THE FORM AND DETAILS THEREOF, AND PROVIDING THE SECURITY THEREFOR

BE IT RESOLVED by the City Council of the City of East Bethel, Minnesota (the City), as follows:

SECTION 1. AUTHORIZATION AND SALE.

1.01. Authorization. The City is authorized pursuant to Minnesota Statutes, Section 444.075, as amended, to issue and sell its general obligation bonds in order to finance improvements to its municipal water system (the "System"). The City is proposing to undertake improvements to the System, consisting of construction of a new well and modifications to the existing well house (the "Project"). The estimated cost of the Project is \$375,000.

1.02 PFA Loan. The Minnesota Public Facilities Authority (the "PFA") has agreed, subject to certain terms and conditions contained in a Bond Purchase and Project Loan Agreement, dated January 8, 2010, entered into between the City and the PFA (the "Loan Agreement"), to lend the City \$74,601 from the Clean Water Revolving Fund (the "PFA Loan") to finance the cost of the Project. This Council hereby accepts such offer, authorizes the execution and delivery of the Loan Agreement by the Mayor and the City Administrator in substantially the form presented to the Council and agrees to issue its \$74,601 General Obligation Water Revenue Note, Series 2010 (the "Note"), to the PFA evidencing the PFA Loan. The proceeds from the Note will be disbursed to the City from the PFA on a cost reimbursement basis consistent with a budget presented to the PFA in connection with the application for financing. Each and all of the provisions of this resolution relating to the Note are intended to be consistent with the provisions of the Loan Agreement, and to the extent that any provision in the Loan Agreement is in conflict with this resolution as it relates to the Note, that provision shall control and this resolution shall be deemed accordingly modified. The Loan Agreement may be attached to the Note, and shall be attached to the Note if the holder of the Note is any person other than the PFA.

1.03 Tax Exemption. The Loan Agreement requires that the Note be tax-exempt, and that the City take the actions required to assure the tax-exemption of the Note; and

1.04. Private Sale. The PFA has represented to the City that it is a duly organized agency of the State of Minnesota, and the City is authorized under Minnesota Statutes, Section 475.60, Subdivision 2(4), as amended, to sell its obligations at private sale to an agency of the State of Minnesota.

1.05. Recitals. All acts, conditions, and things which are required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen, and to be performed prior to

the issuance of the Note having been done, existing, and having happened, it is now necessary for this Council to establish the form and terms of the Note, to provide for the security thereof, and to issue the Note forthwith.

SECTION 2. TERMS AND EXECUTION.

2.01. Terms. In order to finance costs of the Project and to evidence the PFA Loan referred to in Section 1.02, the City shall forthwith issue the Note in the principal amount of \$74,601. The Note shall be dated as of the date of its delivery to the PFA and shall be payable in annual installments of principal maturing on August 20 of the years and in the amounts set forth below:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2010	\$601	2020	\$4,000
2011	3,000	2021	4,000
2012	3,000	2022	4,000
2013	4,000	2023	4,000
2014	4,000	2024	4,000
2015	4,000	2025	4,000
2016	4,000	2026	4,000
2017	4,000	2027	4,000
2018	4,000	2028	4,000
2019	4,000	2029	4,000

The Note shall bear interest and service fees at the rate of 1.000% per annum from the date of the first disbursement of the Loan through the date on which no principal remains unpaid; provided, however, that interest shall accrue only on the aggregate principal amount of the Note actually disbursed by the PFA. Interest shall be payable on each February 20 and August 20, commencing August 20, 2010. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months. The principal of and interest on the Note shall be payable to the registered holder thereof at the address appearing on the Note register of the City on the date of payment.

2.02. Registration. The Note shall be fully registered as to both principal and interest and shall be initially registered in the name of and payable to the PFA. While so registered, principal of and interest on the Note shall be payable at the address of the registered holder thereof, as it appears on the note register maintained by the City Administrator, or such other place as may be designated by the registered holder in writing, and delivered to the City Administrator. The City Administrator shall act as bond registrar and as such shall establish and maintain a note register for the purpose of recording the name and addresses of the registered holder and its assigns, and the date of registration of any transfer.

2.03. Redemption. The City shall have the option to prepay the Note in whole or in part on any February 20 or August 20, upon forty-five days prior written notice to the PFA and subject to the approval of the PFA at its sole discretion and approval at a price equal to 100% of the principal amount to be prepaid, together with accrued interest to the redemption date and a premium equal to all fees and expenses of the PFA incurred in connection with such prepayment

as determined by the PFA and subject to the approval of the PFA at its sole discretion and approval. The PFA may require an opinion of a law firm, selected by the PFA, having a national reputation in the field of municipal law whose legal opinions are generally accepted by purchasers of municipal bonds to the effect that such prepayment will not cause the interest on the Note to be included in the gross income of the recipient thereof for federal income tax purposes.

In the event that special assessments are pledged to the payment of the Note, and the City receives prepayments of such special assessments, the City is hereby required, and hereby agrees, to apply such prepayments to the prepayment of the principal of the Note and the PFA Loan on the February 20 and August 20 next following the receipt thereof. Such prepayment shall be without a premium.

The principal amount of a partial prepayment shall be applied to reduce each unpaid annual principal installment required with respect to the PFA Loan in the proportion that such installment bears to the total of all unpaid principal installments (i.e., the remaining principal payment schedule shall be re-amortized to provide proportionately reduced principal payments in each year) with respect to the PFA Loan. The PFA Loan and the Note shall be re-amortized on the same basis to result in identical amortization of the PFA Loan and the Note.

Any payments received by the PFA in excess of the principal of and interest on the Loan and the Note not expressly designated by the City to be treated as a prepayment may, in the sole discretion of the PFA, be (i) held without interest payable by the PFA and applied to the next payment due on the Note, (ii) treated as a prepayment of principal on the Note; or (iii) returned to the City as an overpayment.

2.04. Execution and Delivery. The Note shall be prepared under the direction of the City Administrator and shall be executed on behalf of the City by the signature of the Mayor, attested by the City Administrator. When the Note has been so executed and authenticated, it shall be delivered by the City Administrator to the PFA to evidence the obligation of the City under the Loan Agreement.

2.05. Assignment and Exchange. The Note shall be transferable by the registered owner or the owner's attorney duly authorized in writing upon presentation thereof to the City Administrator together with a written instrument of transfer satisfactory to the City Administrator and duly executed by the registered owner or the owner's attorney. The following form of assignment shall be sufficient for the purpose:

For value received _____ hereby sells, assigns and transfers unto _____ the within Note of the City of East Bethel, Minnesota, and does hereby irrevocably constitute and appoint _____, Attorney, to transfer the Note on the books of the City with full power of substitution in the premises.

Dated: _____

Registered Owner

Such transfer shall also be noted on the Note and in the bond register. No service charge shall be made for such transfer, but the City may require payment of a sum sufficient to cover any tax, fee or governmental charge or other expense incurred by the City with respect thereto.

SECTION 3. FORM OF NOTE. The Note shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF ANOKA

CITY OF EAST BETHEL

GENERAL OBLIGATION WATER REVENUE NOTE, SERIES 2010

No. R-1

\$74,601

FOR VALUE RECEIVED, THE CITY OF EAST BETHEL, Anoka County, Minnesota (the "City"), acknowledges itself to be indebted and hereby promises to pay to the Minnesota Public Facility Authority (the "PFA"), or registered assigns, the principal sum of Seventy Four Thousand Six Hundred One Dollars (\$74,601), or such lesser amount as may be advanced by the PFA to the City hereunder, in the following installments on August 20 in the following years:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2010	\$601	2020	\$4,000
2011	3,000	2021	4,000
2012	3,000	2022	4,000
2013	4,000	2023	4,000
2014	4,000	2024	4,000
2015	4,000	2025	4,000
2016	4,000	2026	4,000
2017	4,000	2027	4,000
2018	4,000	2028	4,000
2019	4,000	2029	4,000

and promises to pay interest and service fees at the rate of 1.000% per annum from the date of the first disbursement of the Loan through the date on which no principal remains unpaid; said interest being payable semiannually on February 20 and August 20 of each year, commencing August 20, 2010. The principal installments of and interest on this Note are payable by wire payment, or by check or draft mailed at least five business days prior to the payment date to the registered holder hereof as it appears on the note register of the City as of the payment date, in any coin or currency of the United States of America which on the respective dates of payment is legal tender for public and private debts. For the prompt and full payment of such principal installments and interest when due, the full faith, credit and taxing powers of the City are hereby irrevocably pledged.

This Note constitutes an issue in the aggregate principal amount of \$74,601, issued to defray a portion of the cost of construction of improvements (the "Project") to the municipal water system of the City (the "System"), and is issued pursuant to and in full conformity with the provisions of the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Section 444.075, as amended. This Note is payable primarily from the Water Revenue Debt Service Fund (the "PFA Debt Service Account ") of the City, but the City is required by law to pay maturing principal hereof and interest thereon out of any funds in the treasury if money on hand in the PFA Debt Service Account is insufficient therefore. This Note

is being issued in conformity with the terms of a Public Facilities Authority Bond Purchase Agreement and Project Loan Agreement, dated January 8, 2010, between the City and the PFA (the "Loan Agreement"). In the case of any conflict between the terms of the Loan Agreement and the terms of this Note, the terms of the Loan Agreement shall control and shall be deemed to amend this Note without further action or instrument in writing.

The Note has been designated by the City as a "qualified tax-exempt obligation" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended.

The City shall have the option to prepay the Note in whole or in part on any February 20 or August 20, upon forty-five days prior written notice to the PFA and subject to the approval of the PFA at its sole discretion and approval at a price equal to 100% of the principal amount to be prepaid, together with accrued interest to the redemption date and a premium equal to all fees and expenses of the PFA incurred in connection with such prepayment as determined by the PFA and subject to the approval of the PFA at its sole discretion and approval. The PFA may require an opinion of a law firm, selected by the PFA, having a national reputation in the field of municipal law whose legal opinions are generally accepted by purchasers of municipal bonds to the effect that such prepayment will not cause the interest on the Note to be included in the gross income of the recipient thereof for federal income tax purposes.

In the event that special assessments are pledged to the payment of the Note, and the City receives prepayments of such special assessments, the City is hereby required, and hereby agrees, to apply such prepayments to the prepayment of the principal of the Note and the PFA Loan on the February 20 and August 20 next following the receipt thereof. Such prepayment shall be without a premium.

The principal amount of a partial prepayment shall be applied to reduce each unpaid annual principal installment required with respect to the PFA Loan in the proportion that such installment bears to the total of all unpaid principal installments (i.e., the remaining principal payment schedule shall be re-amortized to provide proportionately reduced principal payments in each year) with respect to the PFA Loan. The PFA Loan and the Note shall be re-amortized on the same basis to result in identical amortization of the PFA Loan and the Note.

Any payments received by the PFA in excess of the principal of and interest on the Loan and the Note not expressly designed by the City to be treated as a prepayment may, in the sole discretion of the PFA, be (i) held without interest payable by the PFA and applied to the next payment due on the Note, (ii) treated as a prepayment of principal on the Note; or (iii) returned to the City as an overpayment.

This Note shall be registered in the name of the owner on the note register of the City kept by the City Administrator as Bond Registrar. This Note is transferable by the registered owner or the owner's attorney duly authorized in writing, upon presentation hereof with a written instrument of transfer satisfactory to the City and duly executed by the registered owner or the owner's attorney, subject to reimbursement for any tax, fee or governmental charge or other expense incurred by the City with respect to such transfer. Such transfer shall be noted on the note register and hereon. The City may treat the person in whose name this Note is registered as the absolute owner hereof, whether this Note is overdue or not, for the purpose of receiving

payment of principal and interest and all other purposes, and shall not be affected by any notice to the contrary.

The City intends that the interest on this Note will be excluded from gross income for United States income tax purposes and from both gross income and taxable net income for State of Minnesota income tax purposes.

The City may deem and treat the person in whose name this Note is registered as the absolute owner hereof, whether this Note is overdue or not, for the purpose of receiving payment and for all other purposes, and the City shall not be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the issuance of this Note in order to make it a valid and binding general obligation of the City according to its terms have been done, do exist, have happened and have been performed in regular and due time, form and manner as so required; that in and by the resolution authorizing the issuance of the Note, the City has covenanted and agreed with the owners of the Note that it will impose and collect charges for the service, use and availability of the System according to schedules sufficient to produce net revenues adequate to pay all principal of and interest on the Note and any other bonds payable therefrom, as such principal and interest respectively become due; that, if necessary to pay such principal and interest, the City is required by law to levy ad valorem taxes upon all taxable property within its corporate limits, without limitation as to rate or amount; and that the issuance of this Note does not cause the indebtedness of the City to exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of East Bethel, Minnesota, by its City Council, has caused this Note to be executed on its behalf by the signature of the Mayor, attested by the signature of the City Administrator, and has caused this Note to be dated as of _____, 2010.

ATTEST:

City Administrator

Mayor

NO WRITING HEREON EXCEPT BY THE CITY ADMINISTRATOR AS BOND REGISTRAR

The Bond Registrar has transferred on the books of the City of East Bethel, Minnesota, on the last date noted below, to the registered assign noted opposite said date, ownership of the principal amount of and interest on this Note, except the amounts of principal and interest theretofore paid:

<u>Date of Transfer</u>	<u>Registered Assign</u>	<u>Signature of Bond Registrar</u>
-------------------------	--------------------------	------------------------------------

(End of Form of Note)

SECTION 4. USE OF PROCEEDS; SECURITY PROVISIONS

4.01. Use of Proceeds. Upon advancement of principal of the Note by the PFA, the City Administrator shall deposit such proceeds in a separate construction fund to be created on the books of the City and expended to pay for the costs of the Project, including the costs of issuance of the Note, as further provided in the Loan Agreement. Any amounts remaining upon completion of the Project shall be transferred to the PFA Debt Service Account as described in Section 4.02.

No portion of the proceeds of the Note shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Note was issued, and (2) in addition to the above in an amount not greater than the lesser of five percent (5%) of the proceeds of the Note or \$100,000. To this effect, any proceeds of the Note or any sums from time to time held in the PFA Construction Account, Operation and Maintenance Account or PFA Debt Service Account (or any other City account which will be used to pay principal or interest to become due on the Note) in excess of amounts which under then-applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. In addition, moneys in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Note to be "federally guaranteed" within the meaning of Section 149 (b) of the federal Internal Revenue Code of 1986, as amended (the Code).

4.02. Fund and Accounts. There has heretofore been created a separate fund in the City treasury designated the "Water Fund" (the Fund). The City Administrator and all municipal officials and employees concerned therewith shall establish and maintain financial records of the receipts and disbursements of the System in accordance with this resolution. There shall be maintained in the Fund, in addition to any accounts heretofore created, the following separate accounts:

(a) A "PFA Construction Account" to which shall be credited all proceeds received from the sale of the Note. It is recognized that the sale proceeds of the Note are received in reimbursement for costs expended on the Project or in direct payment of such costs, and that accordingly the moneys need not be placed in the PFA Construction Account upon receipt but may be applied immediately to reimburse the source from which the expenditure was made. The

moneys in the PFA Construction Account shall be used solely for the purpose of paying for the cost of constructing the Project, including all costs enumerated in Minnesota Statutes, Section 475.65, provided that such moneys shall only be expended for costs and expenses which are permitted under the Loan Agreement. The PFA prohibits the use of proceeds of the Note to reimburse costs initially paid from proceeds of other obligations of the City unless otherwise specifically approved. Upon completion of the Project and the payment of the costs thereof, any surplus shall be transferred to the PFA Debt Service Account.

(b) An "Operation and Maintenance Account" into which shall be paid all gross revenues and earnings derived from the operation of the System, including all charges for the service, use and availability of and connection to the System, when collected, and all moneys received from the sale of any facilities or equipment of the System or any by-products thereof. From this account there shall be paid all the normal, reasonable and current costs of operating and maintaining the System. Current expenses include the reasonable and necessary costs of operating, maintaining and insuring the System, salaries, wages, costs of materials and supplies, necessary legal, engineering and auditing services, and all other items which, by sound accounting practices, constitute normal, reasonable and current costs of operating and maintenance, but excluding any allowance for depreciation, extraordinary repairs and payments into any debt service account. All moneys remaining in the Operation and Maintenance Account after paying or providing for the foregoing items constitute, and are referred to in this resolution as "net revenues."

(c) A "PFA Debt Service Account" to which shall be irrevocably appropriated, pledged and credited: (1) net revenues of the System in an amount sufficient, with other moneys, to pay the principal of, and interest on, the Note when due; (2) all collections of taxes which may hereafter be levied for the payment of the principal of, and interest on, the Note; (3) all investment earnings on moneys held in the PFA Debt Service Account; (4) any amounts transferred from the PFA Construction Account; and (5) any other moneys which are properly available and are appropriated by the City Council to the PFA Debt Service Account. The moneys in said account shall be used only to pay or prepay the principal of, and interest on, the Note and any other general obligation bonds hereafter issued and made payable from said account, and to pay any rebate due to the United States with respect to the Bonds in connection with the Note.

4.03. Sufficiency of Revenues. It is hereby found, determined and declared that the City owns and operates the System as a revenue-producing utility and convenience; and that the net operating revenues of the System, after deducting from the gross receipts derived from charges for the service, use and availability of the System the normal, current and reasonable expenses of operation and maintenance thereof, will be sufficient, together with any other pledged funds, for the payment when due of the principal of and interest on the Note and on any other outstanding bonds of the City to which such revenues are pledged.

4.04. Rate Covenant; Pledge of Revenues; Additional Bonds. Pursuant to the provisions of Minnesota Statutes, Section 444.075, as amended, the City hereby covenants and agrees with the owners from time to time of the Note that so long as the Note is outstanding, the City will impose and collect reasonable charges for the service, use and availability of the System to the City and its inhabitants according to schedules calculated to produce net revenues

which will be sufficient to pay one hundred five percent of the principal of and interest on the Note when due and any other bonds payable therefrom, and said net revenues, to the extent necessary, are hereby irrevocably pledged and appropriated to the payment of the Note and interest thereon. Nothing herein shall preclude the City from hereafter making further pledges and appropriations of net revenues of the System for the payment of additional obligations of the City hereafter authorized if the Council determines before the authorization of such additional obligations that the estimated net revenues of the System will, with any other sources of funds pledged, be sufficient for the payment of the Note, any other bonds then payable therefrom and such additional obligations. Such further pledges and appropriations of said net revenues may be made superior or subordinate to or on a parity with the pledge and appropriation herein made.

4.05. Full Faith and Credit Pledged. The full faith and credit and taxing powers of the City shall be and are hereby irrevocably pledged for the prompt and full payment of the principal of and interest on the Note, and the City covenants and agrees that it will make good any deficiency from the general fund of the City. On or before October 1 of each year, beginning in 2010, the City Administrator will calculate and certify to this Council the total amount of cash on hand in the PFA Debt Service Account and the available net revenues of the System on hand and estimated to be received and available on or before the 20th day of August of the next succeeding year, and shall determine the sufficiency of such total amount for the payment of principal of and interest on the Note coming due on such August 20 and the immediately preceding February 20 as shown by the following debt service schedule:

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
August 20, 2010	\$ 601.00	\$420.67	\$1,021.67
February 20, 2011		370.00	370.00
August 20, 2011	3,000.00	370.00	3,370.00
February 20, 2012		355.00	355.00
August 20, 2012	3,000.00	355.00	3,355.00
February 20, 2013		340.00	340.00
August 20, 2013	4,000.00	340.00	4,340.00
February 20, 2014		320.00	320.00
August 20, 2014	4,000.00	320.00	4,320.00
February 20, 2015		300.00	300.00
August 20, 2015	4,000.00	300.00	4,300.00
February 20, 2016		280.00	280.00
August 20, 2016	4,000.00	280.00	4,280.00
February 20, 2017		260.00	260.00
August 20, 2017	4,000.00	260.00	4,260.00
February 20, 2018		240.00	240.00

<u>Date</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
August 20, 2018	\$4,000.00	\$240.00	\$4,240.00
February 20, 2019		220.00	220.00
August 20, 2019	4,000.00	220.00	4,220.00
February 20, 2020		200.00	200.00
August 20, 2020	4,000.00	200.00	4,200.00

February 20, 2021		180.00	180.00
August 20, 2021	4,000.00	180.00	4,180.00
February 20, 2022		160.00	160.00
August 20, 2022	4,000.00	160.00	4,160.00
February 20, 2023		140.00	140.00
August 20, 2023	4,000.00	140.00	4,140.00
February 20, 2024		120.00	120.00
August 20, 2024	4,000.00	120.00	4,120.00
February 20, 2025		100.00	100.00
August 20, 2025	4,000.00	100.00	4,100.00
February 20, 2026		80.00	80.00
August 20, 2026	4,000.00	80.00	4,080.00
February 20, 2027		60.00	60.00
August 20, 2027	4,000.00	60.00	4,060.00
February 20, 2028		40.00	40.00
August 20, 2028	4,000.00	40.00	4,040.00
February 20, 2029		20.00	20.00
August 20, 2029	4,000.00	20.00	4,020.00

If such total amount is determined to be insufficient for such payments, this Council shall forthwith appropriate to the PFA Debt Service Account sufficient available moneys of the City to make good the deficiency, and if available moneys of the City are not on hand in amounts sufficient for this purpose, this Council shall forthwith levy and certify to the County Auditor of Anoka County for collection in the following year a tax at least five percent in excess of the amounts adequate to make good the deficiency. The City Administrator shall also at the same time estimate and certify to this Council the amount which will be on hand in the PFA Debt Service Account after payment of principal and interest payable on the 20th day of August of the second succeeding year, and the amount of net revenues of the System to be received and available for such purpose in the period of twelve months ending on said 20th day of August and shall determine the sufficiency of such estimated amounts for the payment of the principal of and interest on the Note coming due during and immediately at the end of such twelve-month period. If the amount of estimated net revenues to become available during such period is determined to be insufficient for such payment, this Council shall forthwith cause to be levied and certified to the County Auditor of Anoka County for collection in the following year a tax at least five percent in excess of amounts adequate to make good the deficiency.

SECTION 5. REGISTRATION AND CERTIFICATION OF PROCEEDINGS.

5.01. Registration. The City Administrator is hereby authorized and directed to file a certified copy of this resolution with the County Auditor of Anoka County, together with such other information as shall be required, and to obtain from the County Auditor a certificate that the Note have been entered on his note register as required by law.

5.02. Certification of Proceedings. The officers of the City and the County Auditor of Anoka County are hereby authorized and directed to prepare and furnish to the PFA and to Dorsey & Whitney LLP, Bond Counsel to the City, certified copies of all proceedings and records of the City, and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Note as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

5.03. Negative Covenants as to Use of Proceeds and Project. The City hereby covenants not to use the proceeds of the Note or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Note to be a “private activity bond” within the meaning of Sections 103 and 141 through 150 of the Code. The City reasonably expects that no actions will be taken over the term of the Note that would cause it to be a private activity bond, and the average term of the Note is not longer than reasonably necessary for the governmental purpose of the issue. The City hereby covenants not to use the proceeds of the Note in such a manner as to cause the Note to be a “hedge bond” within the meaning of Section 149 (g) of the Code.

5.04. Tax-Exempt Status of the Note; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Note, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Note, and (3) the rebate of excess investment earnings to the United States.

Mayor

Attest:

City Administrator

Upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 8.0 A.1

Agenda Item:

Planning Commission Meeting Minutes for January 26, 2010

Requested Action:

Information Only

Background Information:

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

Fiscal Impact:

None

Recommendation(s):

Information Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required: X

EAST BETHEL PLANNING COMMISSION MEETING

January 26, 2010

The East Bethel Planning Commission met on January 26, 2010 at 7:00 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Eldon Holmes Heidi Moegerle Lori Pierson Glenn Terry
Julie Moline Tim Landborg Lorraine Bonin

MEMBERS ABSENT: None

ALSO PRESENT: Stephanie Hanson, City Planner
Greg Hunter, City Council

Adopt Agenda The January 26, 2010 meeting was called to order by Chairperson Holmes at 7:00 PM. **Holmes made a motion to adopt the January 26, 2010 agenda. Pierson seconded; all in favor, motion carries.**

Commission Member Appointment Hanson explained the terms of Commission Members Landborg and Bonin expire February 2010. Members Landborg and Bonin expressed interested to continue to serve on the Planning Commission and on January 20, 2010, City Council reappointed each of them to the commission.

There is currently a vacancy on Planning Commission as Mr. Channer has been appointed to fill the vacancy on City Council. At the January 20, 2010 City Council meeting, Ms. Heidi Moegerle was appointed to fill the vacancy. She will fill the remainder of Mr. Channer's term which expires January 2011.

Terry asked if there is a swearing in for Ms. Moegerle. City Administrator Sell asked Ms. Moegerle to please stand and raise her left hand. Ms. Moegerle took the Oath of Office for the Planning Commission.

Elect 2010 Chairperson City staff is requesting Planning Commission elect a member of the commission as chairperson for the term of one year, starting on February 23, 2010 and expiring on January 31, 2011. Terry said the Commission would now need to elect a new chairperson.

Terry nominated Holmes as Chair of the Planning Commission for 2010, seconded by Pierson.

Bonin asked do we have a policy where we only serve one year. Hanson said yes, it is only a one-year term. Terry said if there were no other nominations, we would close nominations.

All in favor; motion carries.

Hanson said starting in February, Holmes will be the new chair.

Continuation of Public Hearing/Proposed Amendments to City Code: Appendix A. Zoning

Hanson explained on November 23, 2009, Planning Commission held a public hearing for proposed changes to the current zoning ordinance. Planning Commission directed staff to make additional changes and bring the changes back to Planning Commission for review. The changes have been incorporated by staff with the exception of language regarding required fencing around outdoor patios for establishments serving intoxicating liquors.

Planning Commission members directed staff to eliminate the wording that would require fencing; however, after review and comments from the City Attorney and the Anoka County Sheriff's Department, staff concluded it is in the best interest of the city to require fencing around outdoor patio areas serving intoxicating liquors. These letters are attached for your review as attachments 4 and 5. If Planning Commission does not agree with the opinions of the City Attorney and Anoka County Sheriff's Department, staff recommends the Planning Commission make a motion to City Council to eliminate the proposed changes. Staff proposed a six-foot fence structure, the ASCO said it should be at least four feet. Holmes said what is the difference between a six-foot fence and a four-foot fence, people can reach over. Landborg said people could walk out the door. Holmes agreed and said you aren't going to stop what will happen. Bonin stated she didn't think a four-foot fence would be a deterrent and it should be higher. Holmes agreed if someone wants to do something illegal they would do it. He said make them as high as possible.

Hanson said Holmes talked at the last meeting about fences around pools, he added pool steps should be removable when not in use. The change is not in the document before the Commission. It will be added to the final document.

Commission Landborg had questions about Section 25; he wanted justification on changes in that area. What had happened in Section 2.B – there were some contradictions in the permitting process. Hanson said she had to clear up the language requirements since they contradicted each other. The section stated there was no permits for less than 50 yards, but permits were required for over 500 yards. There was nothing that stated what occurred between 50 yards and 500 yards. Hanson said there was just a change so there weren't any conflicts. Terry said it might make things consistent, but this doesn't seem like a good rule at this point. Hanson said we don't have the whole section open at this point. Terry questioned number A; any change in topography doesn't make sense to him. Hanson said it is an existing ordinance, so she is unsure what the meaning is. Landborg said 50 yards is absurd. Landborg said the minor is from 500 to 1000. Hanson reiterated the commission does not have the full ordinance in front of them and there are some exemptions.

Resident asked what is the point of the permit. Councilmember Boyer, who was seated in the audience, said the purpose is to ensure there isn't mining, which could have a major impact on a neighborhood. Landborg would possibly consider the 50 yards in a platted subdivision. If in a platted division, for instance a townhouse development that could affect drainage. Hunter said it possibly should be a percentage of the property. Holmes said even 1,000 yards is not much. Hanson said this is a section that could be removed out of zoning because we do have a mining ordinance. Landborg said he would agree with 50 yards in a platted residential area. Terry asked if we could add this section to the development portion of the ordinance and strike this one. Holmes asked if you could use an and/or, to have it make more sense. Such as if you moved 10% of the property, then you would need one.

Moegerle asked who would measure it. Holmes agreed, but you need a basis to start with. Moegerle said she went online to see what 50 yards is. Landborg said it is about three truckloads. Typically there is 15 yards in a truckload. Hanson said we could change it to how it was. Landborg said he would like to leave it the way it was. Holmes said if we leave it the way it was, you're not going to come back next year and ask us to change it then. Moegerle asked what the exemptions are. Hanson didn't have all the information available.

Moving on, Hanson explained the City Attorney reviewed the proposed changes and has provided comments to staff. The City Attorney did not have comments on the substance of the changes, rather some housekeeping items such as grammar, definitions, etc.

State law requires that the Minnesota Department of Natural Resources (DNR) review and approve any changes to municipal shore land regulations. Initially, staff submitted the changes to the DNR. However, DNR staff would not accept the changes since the document was significantly different than what was originally approved in 1993. After staff investigation, it was determined that the changes to the shore land regulations that took place in 2003 as it was incorporated into Zoning Ordinance 168 was not reviewed or approved by DNR. In the past months, staff has worked with the DNR to approve the changes. On November 19, 2009, DNR approved the City of East Bethel shore land regulations.

Hanson also provided a revised agenda write-up, on the second page are comments Moegerle suggested. She was given a copy of the proposed changes to the Zoning Ordinance and has had an opportunity to thoroughly review the document; this document is known as Ordinance 19, Second Series. An Ordinance Amending Appendix A, Zoning, of the East Bethel City Code. She is suggesting some changes to make the document more consistent, concise, and easier to interpret. A few examples of those changes include:

1. Section 4, Applications and Procedures, outlines the procedures for revocation of IUP's, CUP's, variances and site plan approvals. The revocation process is similar in each case, however, the language and procedure process in the code is not consistent.
2. "Lot" is defined as a parcel of land; however, throughout the code, the words lot, parcel, properties, and home site are used interchangeably. A parcel of land should be defined as a "lot" throughout the document for consistency.
3. "Agricultural composting" is defined as the direct incorporation by disking or plowing of yard waste into the soil surface of agricultural production lands. Per definition, this type of composting would not be practiced on the majority of lots within the city, however; code states that agricultural composting in the residential districts shall not be permitted in the front, side, or front yard setback. This discrepancy should be addressed.

Ms. Moegerle's changes are considered housekeeping items since the changes do not affect the content but rather makes the document more consistent, concise, and easier to interpret. Staff recommends Ms. Moegerle's changes be reviewed by Planning Commission. Staff suggests the changes be reviewed in one of two ways:

1. Planning Commission set a work session the week of February 1, 2010 to review the

changes. Available meeting dates and times are Monday, February 1 from 6-8 P.M., Wednesday, February 3 from 6-7 P.M., or Thursday, February 4 from 6-8 P.M., or

2. Planning Commission direct staff to make the additional proposed changes and present it at the February 23, 2010 Planning Commission meeting.

Planning Commission could also recommend the document remain unchanged and forward it onto the February 3, 2010 City Council meeting.

The attachments commission members received are:

1. Ordinance 19, Second Series, An Ordinance Amending Appendix A, Zoning, of the East Bethel City Code
2. MNDNR Letter, Dated November 19, 2009
3. City Attorney Letter, Dated November 18, 2009, Regarding Proposed Language Changes
4. City Attorney Letter, Dated January 11, 2010, Regarding Fence Regulations
5. Anoka County Sheriff Department Letter, Dated December 28, 2009, Regarding Fence Regulation

Terry said it would seem prudent to discuss the changes if it was substance changes, but since they are grammatical and clean-up he doesn't see the need for an additional meeting. Terry confirmed he would be fine with the changes being brought back and then to Council. Moegerle asked what about future housekeeping changes. Terry asked regarding which ordinance. Moegerle was referencing other ordinances. Terry explained that is addressed when then the ordinances come up for revision. Hanson said right now this public hearing has to do with this ordinance. Possibly in another year, the zoning ordinance will be opened up again for review. This may be just a housekeeping item. Holmes said you could almost go through it on a monthly basis and find something to clean up. Hanson said every time we go to work on an ordinance, the City Attorney has recommended having a public hearing. Boyer said you could recommend making the housekeeping changes and sending it to the City Council. Hanson asked if you are comfortable with staff making the changes and moving it forward to Council. Bonin said she would be. Terry had some things that need to be adjusted. Boyer said we aren't going to address this at the March 3, 2010 City Council meeting if you give us a document the fourth Wednesday of February. Terry asked if we are ready to go through this again.

Bonin had a question on Section 33, on residential. Is this something that came up? Hanson said the retreat center is something that has come up. Bonin's question is if there is a retreat center in a residential area, why can't it look like a retreat center. It seems to her people should be aware there is a retreat center. Terry said we are addressing in a residential area, where someone in a residential area wants to come in and create a retreat center. It might be a converted residence. Maybe if it were in a residential district, that would make sense. Bonin said that is what it says. Terry said no, it doesn't say with R1. If they wanted to do it in a commercial district, it would have to be a converted home. Hanson said the intent was to have it in a residential area, not a commercial district. Bonin clarified to take a single family home and convert it into a retreat center. Moegerle said just adding the language of residential areas. Hanson said it is not allowed in commercial areas, it was only proposed for residential areas. Hanson explained retreat centers are defined. Bonin said they should be somewhat isolated from commercial and residential

areas. Boyer said he was not sure if it is size that would be the issue. Bonin said it is limited to 20 people. If there were 20 people there, there wouldn't be more than 20 cars. Hanson said Planning Commission recommends 5-acre minimums.

Hanson asked what is it the Planning Commission would like to see? Bonin said she thinks this is something that needs a lot more thought. She thinks it should be more like ten acres or twenty acres. Landborg said acreage doesn't matter. What does it matter the size, how many will we have. We could have a serious problem if there is a lot of traffic. Ten people going into a two-acre lot wouldn't be any different than ten people there. Landborg said we have discussed this to death last time. We didn't have anything before this. So if something comes up next year, then address it again. Boyer said he doesn't think parking is a way to regulate. Landborg said no more than twenty guests, require a parking plan and also have a plan how they handle people. Landborg said we are dealing with the problems, people, parking, landscaping. Bonin said twenty cars parking in a residential area isn't optimal. Landborg said you could only cover so much of your lot, with the lot coverage rules. Hanson said that is why we left it at five acres so you could accommodate parking and screening.

Terry said his only issue is that you cannot create a structure for the sole purpose of creating a retreat center. Bonin said if you are going to allow it in the converted residential, why couldn't they build it. She also thinks it should be a minimum of ten acres. Holmes said you could build a commercial type building in a residential area and that wouldn't look right. Hanson said we could take out the portion on no structures shall be constructed for the sole purpose of having a retreat center.

Terry motioned to strike the sentence in Section 33 Retreat Center, B. No structure shall be constructed for the sole purpose of being utilized as a retreat center; an existing structure enlarged for the purpose of providing additional rooms for guest must be specifically approved by the CUP. Moegerle seconded; all in favor, motion carries.

Bonin motioned to make the minimum acreage 10 instead of 5. Motion fails for lack of a second.

Boyer wanted to know why the Planning Commission wasn't allowing them in the Commercial District. Terry said it does not say it isn't allowed. Hanson said they were taken out of the section.

At 7:40 p.m. the public hearing was officially opened.

Landborg said there should be a site plan. Resident asked what is the ultimate goal of the ordinance. Landborg said these are guidelines on what direction the City will go. Hanson said the reason this came up is because someone approached the Council about having a scrap booking retreat center or a quilting retreat center. The City didn't have anything to govern this sort of item.

Hanson said the way it was viewed is it might be a home occupation and you can't impact the neighborhoods. Boyer said what if it is a yoga retreat center. Hanson reminded the commission the couple at the last meeting talked about the quilting retreat center. Resident

said the concerns are: impact of the neighborhood, parking, and impact on neighbors. Hanson said we don't want the residents to feel like there is a business in the neighborhood and it is not in the commercial district. Would planning commission want it in the Commercial district?

Terry motioned to have it added to the Agricultural District and Commercial District. Bonin seconded; all in favor, motion carries.

Landborg said if it is in a Commercial district, does it then change it to a true business. Hanson said why would you list them as a CUP in the business district. Landborg said we have areas that are considered commercial right now; there are existing houses where they could do something like this with the house. Boyer said maybe then you give them an IUP.

Boyer wanted to thank everyone for his or her contributions.

Terry wanted to look at Page 9, Section 14. Driveway, B. Surface, 2. He wanted clarification on the sentence about "Driveway width shall be a minimum of 12 feet wide and cannot exceed 24 feet in width at the right of way with a minimum culvert diameter of 15 inches. He wanted to add, "if required" at the end of the sentence.

Holmes said if you redo your driveway going over it, then you have to change it. He is unsure if it is the DNR that requires this. Bonin said 15 inches is a good size culvert. Holmes said where there is a lot of leaves requires a larger culvert. Landborg said there are a lot of ditches where you wouldn't be able to put in a 15-inch culvert. Terry wanted to know if there was a standards manual. Hanson said the City doesn't have a standards manual. Hanson will make it as a separate sentence. She will play with the sentence, to make sure it reads "if required."

Terry said he has a question on Page 13 Section 13, General Regulations, A. "All single-family dwelling and accessory structures", he doesn't know that they should be linked that way. Hanson said she believed with what it had to do with roof pitch. That is the next thing Terry had a question on, on Page 15. Terry's thought was after last meeting, we changed it all to be the same. Terry said Page 15.3, Size and Number of Accessory Structures, 1.a) Accessory structures greater than 120 square feet in the R-1 and R-2 districts shall be limited to a ten (10) foot sidewall height. Roof pitch and style match the principal structure. Landborg said it is because that is the new high-density area. Terry said that is correct, we did want it that way. Terry said if we struck accessory structure it would be ok. Hanson said she would prefer not to do that.

Hunter asked if the residents had a particular interest they wanted to discuss this evening. The residents stated they are very interested in watching this but were not at the meeting to discuss anything in particular.

Hanson said the first two items in Section 13. General Regulations, A, reference two items not referenced in the section of the ordinance you are reviewing: (1) an anchored treated foundation, and (2) must conform with building codes.

Terry said we have covered everything he had wanted to discuss.

Moegerle said she has a few items. Number 10, dirty pools, that is exclusively about outdoor swimming pools. She thinks that the title should be changed to outdoor swimming pools. Hanson said that is a change she has on her change sheet that will be incorporated.

Terry said regarding excavating and grading, that he would need a permit if he planted a tree because he lives in a shoreland district. Moegerle reminded him there are some exceptions. Hunter said that is in the grading permit area. Moline asked how would you know that. Terry said if you live in East Bethel, you probably are. Bonin said you aren't changing the topography if you are planting a tree. Moline asked if these are state laws that we need to follow.

Hanson said this is not the time to omit section 35, staff does think this section could be omitted in the future, and it could be added to the mining ordinance. Landborg said he thinks some of this came from the mining ordinance.

Moegerle asked about page 39, E. Topographic alterations/grading and filling, 3, A. Could we adopt in this section the 10 cubic yards, because we are talking here about the districts. Hanson said it could be, but it is already dealt with in shoreland section. She said it is more of a DNR and Anoka County issue for enforcement. Terry said he would be inclined to make a motion to strike this section. Hanson would like to have staff take a look at it and compare the changes.

Terry said he is still concerned about A. saying any excavating. Anything more than 10 cubic yards might be more appropriate. Landborg said it is a little contradictory. Moegerle said it could be changed to in excess of 10 cubic yards would require a permit. Hunter said you wouldn't be able to rake your leaves. Moegerle said do you have 10 cubic yards of leaves. He said yes.

Hanson said staff is recommending leaving it as is. Terry said if you leave in language like this, it leaves us open. It is bad language. He would rather have this be cleaned up. Hanson said it doesn't include trees after looking more closely at the rest of the ordinance.

Terry motioned to change in E. Topographic alterations/grading and filling, Section A from more than 10 cubic yards to in excess of 10 cubic yards. Moegerle seconded; all in favor, motion carries.

Public hearing was closed at 8:20.

Terry motioned to recommend approval to City Council of Ordinance 19, Second Series, An Ordinance Amending Appendix A, Zoning, of the East Bethel City Code with changes as indicated, including housekeeping changes that are consistent with staff review and for this to be heard at the March 3, 2010 City Council meeting. Pierson seconded; all in favor, motion carries.

Approve
November
24, 2009
Minutes

Terry said on page 50 in the middle, change, “Terry explained there is only the administrative aspect of saying how come they can do it but we can’t.” to “Terry explained there is only the administrative aspect of saying how could they can do it but others can’t.”

Pierson made a motion to approve the Planning Committee November 24, 2009 minutes with said changes. Holmes seconded; all in favor, motion carries.

Adjourn

Pierson made a motion to adjourn the meeting at 8:25 PM. Holmes seconded; all in favor, motion carries.

Submitted by:

Jill Teetzel
Recording Secretary

DRAFT



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 8.0 B.1

Agenda Item:

Park Commission Meeting Minutes for February 13, 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 PARK COMMISSION MEETING
January 13, 2010

The East Bethel Park Commission met on January 13, 2010 at 7:00 P.M at the City Hall for their regular monthly meeting.

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

ALSO PRESENT: Jack Davis, City Public Works Manager
 Bill Boyer, Council Liaison
 Craig Jochum, City Engineer

Adopt The January 13, 2010 Park Commission meeting was called to order by Chairman
Agenda Langmade at 7:00 PM.

Davis said the election of officers will need to be postponed because two members have not been appointed by the City Council. Butler asked if the SAA request should be moved in front of the Trail Plan.

Butler made a motion to adopt the agenda, tabling the election of officers until next meeting and moving SAA request to number 5.0. Kretchmar seconded; all in favor, motion carries.

Approve There was one change recommended, on Page 3, second to last paragraph change gong to
12-9-2009 going.
Minutes

Hoffman made a motion to approve the December 9, 2009 minutes with said change on page 3. Butler seconded; all in favor, motion carries.

Parks Davis said the final 2009 budget is before the Commission, but there are still some
Financial outstanding bills but the final budget won't come in until the end of January. He said if you
Info – Parks have any questions, he would be happy to answer them.

Capitol Funds Hoffman asked if you have seen anything on the electrical bills over at the building in
Summary Booster West. Davis said the bill is down with the changes made at the facility. He said it
 has had an impact.

Hagenson asked if the 2010 budget will reflect better budgeting for 2010. Davis said sometimes it is the way things are charged out, and the telephone is always over budget. He said it is due to the formula used. Davis said some of things that are over budget do equal out with the ones that are under budget. He said what we are mainly concerned about is the budget bottom line. Davis said we do use the previous year's budget for planning.

Butler questioned the motor fuels, does the City enter into contracts with gasoline and diesel providers for so many gallons. Davis said there is a state program that you can enroll in, but the City has not elected to do that so far. He said one of our Road Commission members works for a different City and they were locked into paying a higher rate than what the going rate is on the street because they had a contract for gasoline/diesel

and the price on the street went down lower than their contract price. Butler asked if we had storage on site. Davis stated yes we do.

Langmade questioned about an equipment replacement charge, and wondered what it was used for. Davis said it goes in the escrow for equipment replacement. Boyer said Council puts monies into an equipment replacement fund to plan for the life span of equipment. He said if equipment fails early then the City has to come up with monies sooner. Davis said for Parks the equipment replacement we would be looking at is replacing mowers and small trucks.

Langmade asked what the \$11,000 equipment replacement charge is. Davis said that was charged to the wrong line item and will be corrected. He said it should be charged to the equipment replacement fund.

Harvey made a motion to accept the Park Financial Information as presented with the correction on the equipment replacement charge. Hagenson seconded; all in favor, motion carries.

SAA Field
Request

Davis explained SAA has requested the use of Booster West, Booster East, Bonde Park, Maynard Peterson Park, Anderson Lakes Park and Norseland Park ball fields for Monday through Friday from April 19-July 30, 2010.

Davis said the contributions by SAA from 2003 to 2009 for Booster West improvements were as follows: 2003 Purchase bases for various fields \$600.00 and 2005 Fencing at Norseland and Anderson Lakes Park \$5,386.00.

Davis said it is estimated that SAA has contributed in the range of \$30,000 to \$100,000 for development of the fields and fencing at Booster West Park. He said this amount varies as to sources and there are no records to indicate the value or amount of SAA's contribution.

Davis explained that SAA has used Booster West Parks four fields since they opened in 1995. He said SAA has an agreement with the City of East Bethel that gives them exclusive use of the Booster West fields on Monday through Fridays during the baseball season. Davis said this agreement will expire in 2010.

Davis stated he couldn't find any specific dates but SAA used the fields at Bonde and Maynard Peterson Parks for a number of years prior to 1995. He said SAA's history of involvement in East Bethel dates back approximately 50 years according to information furnished on their website.

Davis explained that fees for field usage were approved by the Park Commission and City Council in 2006. He said the adoption of the fee schedule was after SAA had submitted their application for facilities use and as a result no usage fees were charged to SAA in 2006. Davis explained that in 2007 SAA was billed \$2,900 for field usage, \$1,000 for concession fees and \$200 per tournament. He said in 2008 the fees that were charged to SAA remained the same for field usage and concessions but tournament fees increased to \$350 per tournament plus the cost of any additional sanitation services or any requested field maintenance services.

Davis said the City of Ham Lake considered a charge of \$15,000 per year for SAA's use of

their facilities for the 2008 season but postponed their decision to enact the fee. He said Ham Lake has not charged SAA for field use in the past and did not charge the association for 2009. Davis said that Tom Reiner, Ham Lake’s Public Works Director, stated that SAA has normally paid half the portable toilet bill in years past and he estimates that SAA has contributed approximately \$200,000 for major projects in Ham Lake over the years and donated \$10,000 for a well for the baseball field at Soderquist in 2009. He said SAA uses approximately 15 fields in Ham Lake and 11 in East Bethel.

Butler asked if it records the amount for the field rentals. Davis said no, but they did not pay field rentals until 2007. He said since then they have had about \$3,900 for field rentals for three years.

Davis said in speaking with Ham Lake they said SAA has contributed about \$200,000 for field development. He said just last year they contributed \$10,000 for irrigation systems. Davis said during this time the City has made vast improvements to Booster Park. He said the City has done the lion share of the financing. Davis said the fees were instituted in 2006, but they put in their request before the fees system was implemented. He said SAA has to be commended on the work they do. Davis explained that at the last Park Commission meeting you asked me to come up with the costs for keeping the fields operational during the summer, and it is estimated at \$6,500 a season for SAA use. He said this number is broken down to labor, supplies and electricity. Davis said this is maintaining it at the minimal level. He said he just received an application from St. Francis Baseball and they want to reserve two (2) Booster Park fields from April 12 to July 1, 2010. Davis said he believes we need to get a more detailed request from SAA. He said if you total the costs for all the dates requested by SAA the fee would be approximately \$13,500.

If we follow our fee schedule the cost for these reservations would be as follows:

Booster West, 75 days @ \$80/day(4 fields)	\$6,000
Booster East, 75 days @ \$40/day(4 fields)	\$3,000
Bonde Park, 75 days @ \$20/day(2 fields)	\$1,500
Maynard Peterson Park, 75 days @ \$20/day(1 field)	\$1,500
Anderson Lakes Park, 75 days @ \$10/day(1 field)	\$ 750
Norseland Park, 75 days @ \$10/day(1 field)	<u>\$ 750</u>
Total	\$13,500

Butler asked if there is a problem working with St. Francis. Greg Zimmer from SAA said no. Butler asked what percent of the kids playing are from the City of East Bethel. Zimmer stated 31%. He said that is from Oak Grove, East Bethel, and St. Francis. Harvey said is that only East Bethel. Zimmer stated no, there is 15% from East Bethel. Harvey asked if they are playing with all the kids of East Bethel. Zimmer said yes they are put together according to cities.

Davis said Zimmer is here looking for something longer term than what we are talking about here. He said this is not the forum to negotiate a lease with the Park Commission. Davis said we are looking for your recommendation on how you would like to proceed with this. Kretchmar asked who would work this out, negotiate it. Boyer said the Park Commission doesn’t work with negotiating agreements. He said Council would recommend staff negotiate the agreement. Boyer said Council probably would do a three

year lease agreement. Butler asked if it was on the agenda. Harvey said wasn't it on your agenda. Davis said Zimmer would like to explore something longer than that. Butler said we want to accommodate SAA and continue our partnership and we do not want to hold up SAA's plans for 2010. Davis said it costs us \$6,500 for us to maintain the fields for their use. Butler said that does not include the regular usage for the parks. Davis said correct these costs are over and above. Boyer said last time we talked about hiring part time people to maintain the fields. Harvey agreed that is what we talked about last time. She said that is something that would have to be brought to Council.

Davis said staff recommends that the Park Commission utilize the rates that are specified for Booster East, Norseland and Anderson Lakes Park for field reservation costs and offer a one year rate for Booster West Park ball fields or require a donation satisfactory to the Park Commission and City Council. Staff recommends that the tournament dates requested by SAA be approved.

Butler asked why staff recommends denying the field use at Bonde and Maynard Peterson Park and that field usage at Anderson Lakes and Norseland is limited to 2 days per week. Davis explained staff felt it would be good to have parks open for neighborhood kids to go and play and enjoy a field. He said these parks should be kept open for other users.

Butler made a motion to accept staffs recommendation to enter into a one year lease for the seasonal cost \$6,439 discounted by 31%. He would also that we continue to charge the concession building rental at the normal rate and denying the field use at Bonde and Maynard Peterson Park and that field usage at Anderson Lakes and Norseland is limited to 2 days per week.

Hagenson asked why is it 30%. Harvey said it is reduced by about \$2,000. She said Butler's motion is that we would charge them what we would charge anyone else less what the percentage of the amount of persons using the area. Butler said he is looking at what the costs are and a discount for the persons in the area using the park. Langmade said are they going to pay what is on the fee schedule. Davis said the fee schedule works out to about our maintenance costs. Harvey said then you are saying there is no fee for Norseland, Maynard Peterson, Anderson Lakes and Bonde. Butler said he would like to offer them a lease for one year. Boyer said it might be illegal. Butler said then the City Attorney would need to look at it. Boyer said this is not following the fee schedule. Zimmer said there is no preferential treatment. He said Booster East/West we do not pay to use those fields; we pay \$1,000 up front. Hagenson said that is your previous lease. Davis said Booster East was calculated in those fees, but not Booster West and that lease agreement no longer exist. Butler said he didn't take into account for some of the other costs.

Butler withdrew his motion.

Davis said the \$6,439 is just for Booster West. He said if they leased Booster West it would cost approximately the same amount. Langmade said the overall cost would be about \$10,000. Harvey said you did pay for Booster East correct. Davis said when you see the final schedule of what they will be using; the numbers will be substantially reduced. Butler asked if there is a long term lease with someone, such as SAA, would it be out of the ordinary to offer them an advantage in price. Boyer said yes, there are many advantages that could be translated into monetary value. Harvey said if we are going to

deviate from our fees, are you saying we can't. Boyer said you can't do that and he doesn't think that you can arbitrarily offer people discounts. Harvey said then there is really no discussion on this so then why are we here to discuss this. Boyer said the lease probably isn't illegal because there was not a fee schedule implemented at that time for Parks. Kretchmar said we did not start charging for park usage until 2006. Davis said there may have been some small user fees prior to this. Boyer said we did charge an application fee, like \$15.00.

Zimmer said the big concern is about Booster West, we have done the same thing down in Ham Lake. He said Booster is the only field we are looking for a lease agreement on. He said this thing that was built 15 years ago. Hagenson said you are looking for another 15 years. Kretchmar said so it says you can have another 15 years. Harvey said her memory says SAA put in about \$57,000 into the park to begin with. She said the City bought the land and continued to maintain it. Harvey said SAA was to assist in contributing to the park. Jefferson said at the beginning the majority of the work was done by the Army Corp of Engineers.

Langmade suggested going with what the staff recommends on this, they have the records on what has gone on in the past. He said they have done some studies on it. Harvey said they are specifying a donation, not a fee. Hagenson said Butler's original motion doesn't sound so crazy, maybe he was reading further than us all. Butler agreed. He said we are talking about something that will deviate and give preferential treatment. Boyer said it does mean we could get sued. Davis said now we will have other people asking for discounts. Harvey asked why staff recommended a donation. Davis said that is a wash.

Davis said lets forget about the donation. Boyer asked why we don't just approve the request from SAA. He said if SAA wants to negotiate a lease agreement they can do that, and that is how the agreement will sit. Boyer said if you want to go back on what the fees are, we changed our minds and this is how we think the fees should be. Zimmer said SAA is not looking for any different treatment on those fields to what you want us to pay. He said if Davis wants to see others use the field that is okay. Zimmer said SAA came here a month ago looking for a lease agreement for Booster West, if you want to charge us more than \$1,000 we will talk about that. He said SAA is looking for a recommendation to the Council on Booster West. Zimmer declared he doesn't think SAA is hoarding the fields. He said he believes it is getting blown out of proportion.

Jefferson said that is not what they are asking us to do. Butler said he wants to take another stab at this. Hoffman said their registration is just starting. Hagenson said you are willing to pay for the use of Booster West, and also \$2,000 for a donation, according to the e-mail you sent for the other fields you are using.

Kretchmar asked Zimmer would you be willing to pay whatever the fee schedule is for Booster West for whatever time you request the park. Zimmer said there is no way he could plan for that amount each year. He said the \$3,000 contribution is based on our Capitol Improvement fund. Zimmer said on a yearly basis, if Davis needs a \$1,000 we can do that. Boyer said this is not what we should be doing.

Hagenson made a motion to recommend approval of SAA's 2010 reservation schedule per the staff recommendation being for the field reservation request also recommends that field use at Bonde and Maynard Peterson Park be denied and that field usage at

Anderson Lakes and Norseland be limited to 2 days per week. Jefferson seconded. Butler, nay; Harvey and Hoffman, abstain; Kretchmar, Langmade, Hagenson and Jefferson, aye; motion carries.

224th Avenue
Trail Plan

Davis introduced the City Engineer Craig Jochum. Park Commission approved the first phase of the Booster East to Cedar Creek Trail on August 12, 2009. This matter was presented to City Council on September 2nd, 16th and October 7, 2009.

Jochum presented the preliminary plan for the trail alignment and other alternatives for trail widths and separations on the 222nd Lane segment of this trail. He presented maps and other materials regarding the trail plan at the meeting. He went over the trail from west to east.

Jochum said the first segment we do not show is from 224th to Booster, this will be shown once the City has an agreement with Mr. Onie. He said the cost for that is on the first line item. Jefferson asked where we were talking about. Jochum said it is pretty much straight north of where we are. Davis explained where the warming house is at. Jochum said it is the east end of the Onie property. He said on each sheet you will see a typical section of the trail. Jochum said the one on 224th lays out fairly decent.

Jochum said this is a six foot trail separated, which does fit well into our right of way. Hoffman asked what the surface would be. Jochum said it is all bituminous. He said the next section has two alternatives, going south. Jochum said there are two alternatives, the trail on one side of the street being either 6 feet wide or 4 feet wide. He said the pavements are the same width but either having a trail on each side or a trail on one side. Hagenson asked does it account for any crossing if there is a trail on one side. Davis said there would be a painted crosswalk.

Jochum said the last segment of the trail goes from 222nd to Bataan. He said there are three alternatives on this street. Jochum said two are the same, with one being on the west side of Bataan. He said the one on the west side of Bataan is 1A. Jochum said the only difference between 1A and 1B is the separation between the road and the trail. He said you can go as little as 2 feet but staff recommends a 5 foot separation. He said this is a separated trail. Jochum said 2A and 2B are the other side of the street. He said if the City doesn't want to go after right of way, there would be the additional cost of a retaining wall versus an easement. Jochum said this project has both platted right of way and easement. He said there is a 66 foot easement and the road is shifted to the east in this easement.

Hoffman asked if you put in a wall you don't have to get an easement. Boyer said what we are talking about is 2 or 3 feet for easement. Jochum said it is mainly the slope. He said we put the option in there, just so you all know. Jochum said we put that in there so we can offer residents the option and the costs include right of way. He said there is the long term cost of maintaining wall maintenance. Jochum said Option 2A requires purchasing right of way because of the road being shifted. Butler asked on the right of ways, which is going to be less intrusive to the natural character of Bataan. He said the Holmes resident on 222nd on the west side of Bataan it looks like there are trees close up. Jochum said they are in the platted right of way. He said on the east side there are two parallel utility lines on that side. Jochum said the other consideration on the east side it is very tight because the road is shifted. He said the west side would be preferred.

Jochum said when you get to 229th we can either go on the east or west side, because there is decent site distance. He said going west there is a nice crossing and only one big land owner to work with. Jochum said the area on the east is somewhat hilly and multiple landowners. He said he is currently trying to get a meeting with the County to see if they have right of way in the area.

Butler said that being a County road would there be a crossing solar powered flashing light thing to put in at the area. Jochum said they haven't been very willing to contribute anything at this point.

Jochum said the last alternative is working on both sides, widening the whole payment, taking the curbs off and making a whole new street. He said the costs ended up very expensive. Jochum said but it would leave basically a new road. Davis said this road is scheduled to be seal coated as part of this project. Hagenson asked if this means that this will be a whole new road, will Roads be chipping in for the cost of this project. Davis said yes, because we are using MSA funds. He said Bataan comes out of MSA funds, so Parks only has to pay for the first portion of this project.

Butler asked for clarification on sheet two. He asked if we go to the 2 foot widening what does that mean. Butler asked we will add 2-3 feet, but we will steal a foot and add it to the trail. Harvey asked so we end up with a total of how many feet. She said the total trail that can be ridden on. Jochum said there is 1A or 1B; the road can either be 3 or 4 feet wide. He said the other consideration is going the 3 feet would be nice, but you will impact every property there. Hagenson clarified these costs are already included in estimate. Kretchmar said we will be destroying all of their lawns. Jochum said if it is a 2 foot wide trail we wouldn't do much to their lawns, 3 foot wide would cause problems with their lawns. He said for the one sided trail, the crown of the road will change. Harvey said she didn't like the one sided trail. Kretchmar said cars will drive on the trail in the winter time. Boyer said there are three couples walking on the road every night.

Harvey asked if the trail will be plowed at the same rate as the streets. Davis said the trail is generally where we store the snow to begin with, until the snow is cleaned up on the street and then trails are maintained. Harvey said this trail would be plowed in the winter time. Davis agreed.

Jochum said the preliminary cost estimate for this project is \$171,000 not including any easements that may be required. He said project bids will determine the final costs and the options for funding.

Jefferson said she wanted to know if there was any benefit to having them be on different sides of the streets or different types of trails. Harvey said we do not want it all the same. Hagenson asked do we want it all different throughout the trail. Harvey said the first one we have no choice on it. Hagenson asked should we would be uniform throughout the trail. Jochum said they should be different. Kretchmar asked why not all separated. Jochum said that is due to the costs. Kretchmar said he wonders if they will remember to cross the road when it crosses over to the other side. He said most kids will just keep riding where they are.

Harvey made a motion to recommend the design plan for the Booster East Park to 229th Avenue segment of the Booster Park/Cedar Creek Trail, Booster East to 224th

Avenue cost \$30,200.00, 224th Avenue Plan Sheet One at a cost of \$31,415.00, Xylite Street/222 Avenue NE Plan Sheet 3 Alternative 2 – 3 Foot Widening cost \$86,369.00 both sides of the street, Bataan Street Trail Plan Sheet 4 Alternative 1A – 5 Foot Separated Trail cost of \$240,896.00, if portions of this section of the trail needs be 2 feet that is acceptable. Butler seconded. Kretchmar, nay; Langmade, Hagenson, Jefferson, Harvey, Hoffman and Butler, aye; motion carries.

Jochum asked do you care if where we get the five feet, do you care if the trail meanders. The Commission members agreed that it is okay if the trail has to meander. Davis said the problem with a 2 foot trail in the winter is it may be harder to keep the trail maintained in the winter time. Hoffman said we would be better off with 1A then there is room for a wider trail. Davis asked if that would increase the costs with easements. He said he thinks we might want to be at 5 feet but possibly drop the footage down to 2 feet if we need to base it on the costs. Jochum said this helps with wetlands; it is a lot easier to permit the wetlands.

Council
Report

Boyer told the Commission the Council appointed Steve Channer as the new Council Member. He said he is expecting the Commission/Committee appointments to be done shortly. Boyer said he reappointed as the Council Liaison for Parks. He said there is not much else to report. Boyer said Council members stayed where they were last time. Hagenson said the minutes didn't say what the straw votes were. Boyer said it took three motions. He said there were three people who were finalists.

Adjourn

Harvey made a motion to adjourn the January 13, 2010 meeting at 8:58 PM. Hoffman seconded; all in favor, motion carries.

Submitted by:

Jill Teetzel
Recording Secretary



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 8.0 B.2

Agenda Item:

Booster Park/Cedar Creek Trail Plan

Requested Action:

Consider directing staff to negotiate acquisition of necessary permanent easements for the Booster Park/Cedar Creek Trail Plan

Background Information:

Parks Commission recommended approval of the first phase of the Booster East to Cedar Creek Trail on August 12, 2009. Phase I begins in Booster Park East, connects to 224th Avenue and then to Xylite Street. This segment is reflected on Attach #1.

The trail follows Xylite Street to 222nd Lane to Bataan Street as reflected on Attach #2. The trail then follows Bataan Street to 229th Avenue to the University of Minnesota property as reflected on Attach #3.

The trail alignment was presented and reviewed by City Council on September 2, 2009, September 16, 2009 and again on October 7, 2009. City Council directed that the 2010 Trail CIP projects move forward as presented including the Booster Park East to Cedar Creek trail, Phase 1 portion at the October 7, 2009 meeting.

Since the October meeting, staff has developed the specific trail alignment maps such that all necessary easements and/or ROW is identified. The easements/ROW requirements are reflected on Attach #1 - #3. Staff is requesting direction to proceed with negotiation for necessary easements/ROW.

Following the negotiation of easement/ROW agreements, the agreements will be returned to Council for approval.

If Phase 1 is scheduled over a two year period, 2010 would include the trail across the Oney easement and 224th Avenue to Xylite and, 2011 would include Xylite to 222nd Lane to Bataan Street, the costs can be managed within budget. It is recommended that engineering for this entire segment, Booster East to Bataan Street, be included in the 2010 budget for this project as it more cost effective to perform the survey and related design work at the same time. The project costs for phasing this project over a two year period would be as follows:

Trail Capital Fund

Project Year 2010, Booster East and 224th Avenue Trail

Estimated Construction Costs	\$62,000
Engineering (2010 and 2011)	\$22,000
Easements	<u>\$15,000</u>
Total Estimated Cost Trail Capital Fund 2010	\$99,000

Project Year 2011, Xylite across 222nd Lane to Bataan Street

Estimated Construction Costs	\$87,000
Engineering (Included in 2010)	
Easements (None required)	
Total Estimated Costs Trail Capital Fund 2011	<u>\$87,000</u>

MSA Fund

Bataan Street to 229th Avenue

Estimated Constructed Costs	\$205,000
Engineering	\$ 41,000
Easements and Wetland Credit Purchase	<u>\$ 25,000</u>
Total Estimated Costs MSA Fund 2010	\$271,000

Final Plans and Specifications for the 2010 and 2011 projects will be returned to Council for review and direction to solicit bids. It is anticipated that the Plans and Specifications for the Trail Capital Fund portion of Phase 1 in 2010 will be completed and returned no later than April, 2010. The MSA Fund Plans and Specifications for the Bataan Street portion of these improvements in 2010 will be completed and returned no later than May, 2010.

Attachment(s):

1. Project Map Oney Easement and 224th Avenue segment
2. Project Map Xylite Street and 222nd Lane segment
3. Project Map Bataan Street segment
4. Project Easements – Property owner list

Fiscal Impact:

To be determined.

Recommendation(s):

Consider directing staff to negotiate easement agreements for Phase 1 of the Booster Park East to Cedar Creek Trail project and the MSA Funded project along Bataan Street.

City Council Action

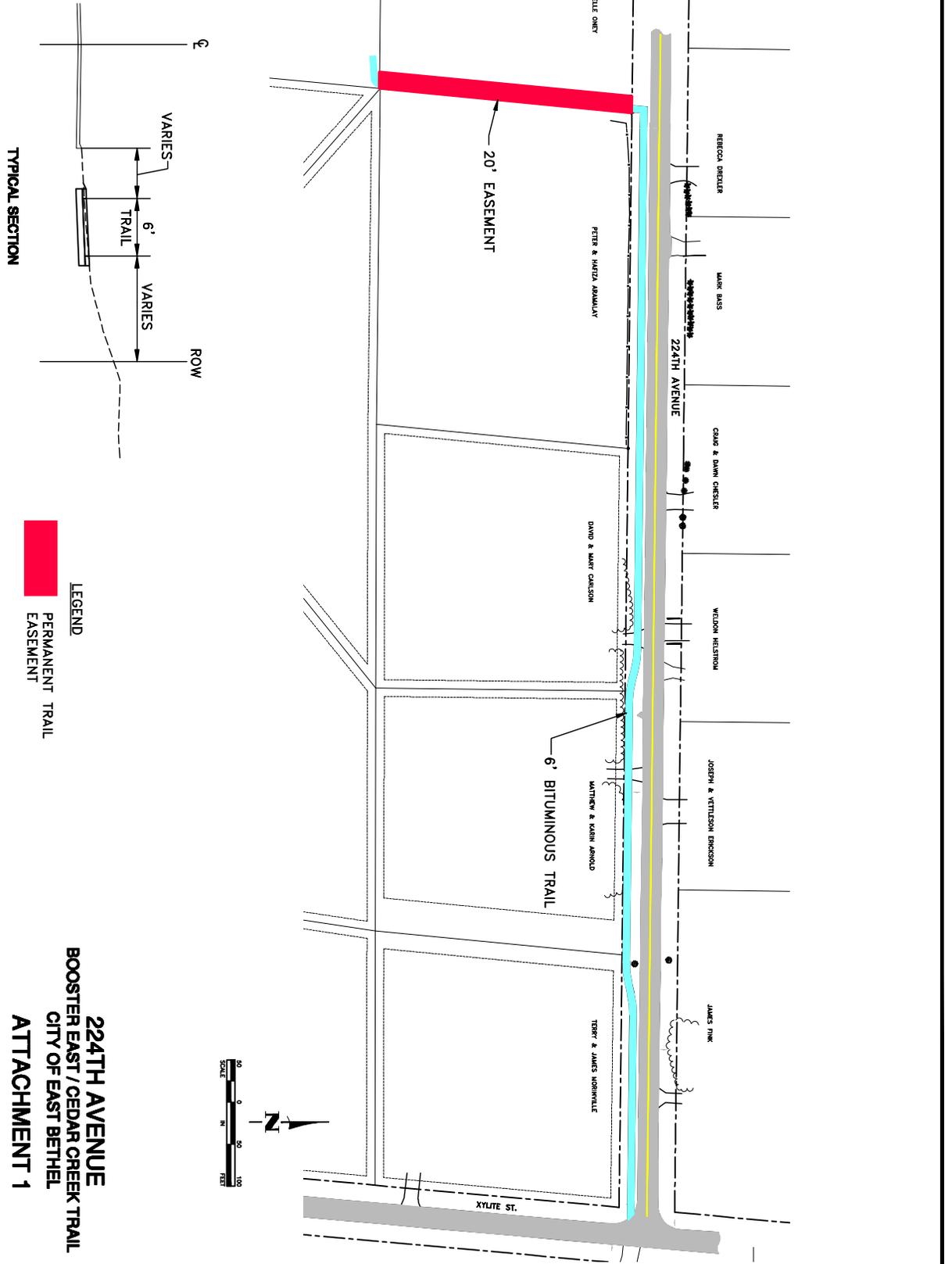
Motion by: _____

Second by: _____

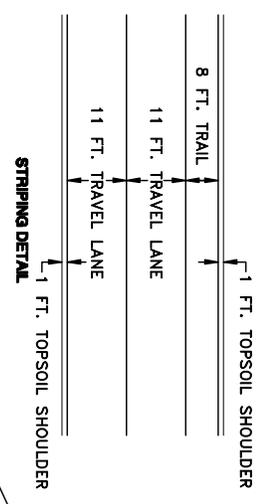
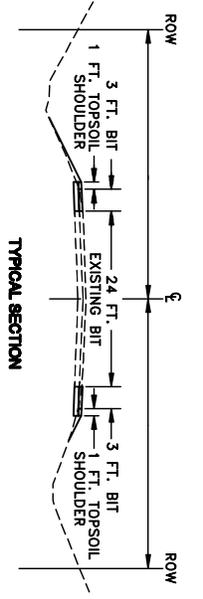
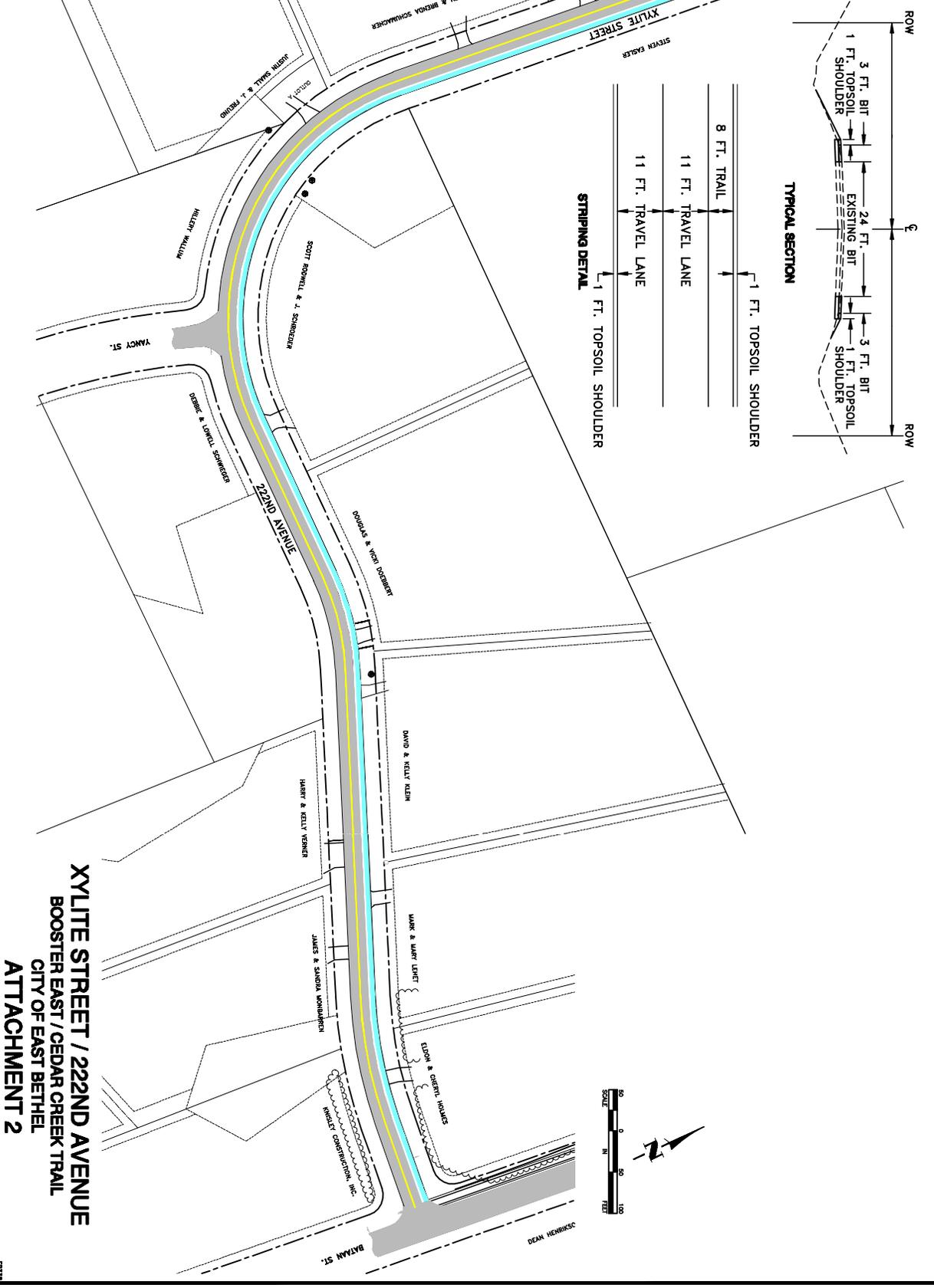
Vote Yes: _____

Vote No: _____

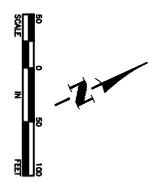
No Action Required: _____



224TH AVENUE
BOOSTER EAST / CEDAR CREEK TRAIL
CITY OF EAST BETHEL
ATTACHMENT 1



XYLITE STREET / 222ND AVENUE
BOOSTER EAST / CEDAR CREEK TRAIL
CITY OF EAST BETHEL
ATTACHMENT 2



Bataan Street Trail Easements

Eldon and Cheryl Holmes 2773 222 nd Lane NE East Bethel, MN 55011	Korey A. Kron 22320 Bataan Street NE East Bethel, MN 55011
Jim L. Cashin 22350 Bataan St. NE East Bethel, MN 55011	V.A. Fuller & L.L. Erickson 22420 Bataan St. NE East Bethel, MN 55011
Jesse W. Koch 2752 225 th Lane NE East Bethel, MN 55011	Lisa Tschida and Nick Jones 2755 226 th Lane NE East Bethel, MN 55011
M.H. & G.A. Roberts Trustees 3626 Roble Ct. Eldorado Hills, CA 95762	



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 8.0 B.3

Agenda Item:

City Engineer – Contract Addendum #4

Requested Action:

Consider Contract Addendum #4 for engineering services for Booster Park/Cedar Creek Trail Plan

Background Information:

As required by the Engineering Service Contract between the City and Hakanson Anderson the City Engineer has prepared a Contract Addendum to identify for Council the cost for engineering services for this project. The amount quoted in the addendum is a not to exceed amount. Total engineering services will be \$62,592.00 for this project. The contract addendum is included as Attachment 1.

This Project, City Project 2010-01, includes the construction of a trail from Booster Park to 229th Avenue. Work to be performed includes project desing, survey and staking, plans and specifications, advertising and bidding, bid evaluation, construction supervision, contractor payment verification, project close out, preparation of State Aid documents, draw requests, obtaining quotes for sub-contractor services, as built drawings, and facilitating easement acquisition.

The proposed Addendum #4 is in the amount not to exceed \$62,592. As presented in the addendum the City will also be responsible for other costs including appraisals, soil borings and material testing. The costs are estimated at \$11,600.

Attachment(s):

- 1. City Engineering Services Agreement dated January 28, 2010.

Fiscal Impact:

As noted above

Recommendation(s):

Staff is recommending approval of Addendum #4 to the Contract for City Engineering Services dated September 3, 2008.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**City Engineering Services Agreement
Dated January 28, 2010
Consulting Services Contract Addendum #4**

PROJECT: City Project #2010 - 01

Booster East to 229th Avenue Trail Construction

SCOPE OF SERVICES

The scope of this project will include engineering, construction supervision, construction surveying and staking, bidding and contract development and as-built plans for the Booster East to 229th Avenue trail construction and all documents necessary to obtain Municipal State Aid Construction Funding for the trail construction on Bataan Street. These services and deliverables are further described in Section II of the City of East Bethel Agreement for City Professional Engineering Services between the City of East Bethel and Hakanson Anderson Associates, Inc.

FEES:

TOTAL NOT-TO-EXCEED COST ASSOCIATED WITH THIS PROPOSAL: <i>(Cost for Services and Deliverables + Reimbursable Expenses)</i>	\$62,592.00
---	--------------------

Attachment A identifies the projected hours, rates and total "not-to-exceed" costs for this project.

This Proposal is based on the following assumptions:

1. This project will not be specially assessed.
2. This project will be funded through a combination of Municipal State Aid Construction Funds and Park/Trail Funds.
3. The City Engineer will be responsible for preparing the application and all related construction documents (plans, specifications, contracts, etc.) for this project including but not limited to all MnDOT required materials and request for approvals.
4. The City Engineer will be responsible for preparation of all draw requests from MnDOT for MSA Funds to be applied to this project.

Other important information is:

None

Designated Representative is:

Craig J. Jochum, P.E.
3601 Thurston Avenue
Anoka, MN 55303
763-427-5860 phone
763-427-0520 fax
Craigj@haa-inc.com

SUB-CONTRACTORS/CONSULTANTS

The sub-contractors/consultants retained at Hakanson Anderson Associates expense are:

None

The sub-contractors/consultants required for this project that will be retained at the City's expense, in addition to engineering service costs identified above are:

- 1. Geotechnical Investigation, estimated cost \$2,500
- 2. Construction Materials Testing, estimated cost \$3,500
- 3. Land Appraiser, estimated cost, \$5,600

Hakanson Anderson will solicit quotes for this work and forward all quotes to the City with a recommendation and proposed agreement for services. Hakanson Anderson will coordinate all sub-contractor/consultant work on behalf of the City.

No modifications, changes, exceptions to or exclusions from this Addendum shall be permitted except those mutually agreed upon, in writing, by both parties to the agreement and this addendum.

For the City:

For Hakanson Anderson Associates, Inc.:

Greg Hunter, Mayor

Craig Jochum

ATTEST:

Date:_____

Douglas Sell
City Administrator

Date:_____



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 8.0 C.1

Agenda Item:

Road Commission Meeting Minutes for February 12, 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
January 12, 2010

The East Bethel Road Commission met on January 12, 2010 at 6:30 PM at the City Hall for their regular monthly meeting.

MEMBERS PRESENT: Pat Monnier Deny Murphy Roger Virta
 Michael Warsko Jeff Jensen Al Thunberg

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

Adopt The January 12, 2010 meeting was called to order by Chairman Jensen at 6:33 PM.
Agenda **Thunberg made a motion to adopt the January 12, 2010 agenda and strike item number 5.0. Warsko seconded; all in favor, motion carries.**

Approve – Monnier had a question on page 2 of 4, the first paragraph, last sentence, he doesn't quite
September understand it. Murphy clarified it was about the speed they go on that street, they start
2009 and drifting. Monnier agreed there is a lot of that there.

December On the second page third paragraph, clarification on the sentence about the County receiving
8, 2009 prenotification. Clarification was received. On page 4 second to last paragraph, she said the
Meeting Federal money is something the City can advance, but there is no interest payment. This was
Minutes clarified by Davis that the County would not reimburse us for the interest.

Monnier made a motion to approve the September 8, 2009 minutes and the December 8, 2009 minutes with a changes to the December 8, 2009 minutes as follows: on the first page, first paragraph last sentence in Road Financial, change from Jensen to Virta, second change on page 5 third paragraph Garwood sais to Garwood said, third change on page 6 first paragraph change Jensen said and change: we just put in to Jensen said the City of Fridley just put in. Thunberg seconded; all in favor, motion carries.

Road Davis explained the Road Financial Information presented doesn't include the overhead
Financial expenditures that were expended over the last two weeks of December (the large snowfall
Information removal). The figure will be substantially reduced when you get the final next month. The
– Roads amount will be reduced by about \$60,000. Staff was encouraged to stay as tight to the
Capital budget as possible. Staff didn't go buy things to use up the budget, and only items needed
Funds were purchased. Paavola asked if the City is doing any salting and sanding right now. Davis
Summary said no, we are letting mother nature help us with the sun, but we have salted and sanded
 some slippery areas that need help. He said the City does have 130 tons of sand/salt on
 hand, but the salt does not go very far. Davis explained the City of East Bethel does not
 have the budget the County has. He said currently the City is using a 3/1 sand/salt mix.
 Paavola stated on the Beach roads she travels everyday, Laurel and Dahlia, the whole
 intersection is very slippery. Davis said they would take a look at it the intersection and do
 what was necessary to address the issue.

Monnier asked about the Capitol Funds Summary. He asked does the 2009 project total of \$611,000 leave a carryover of about \$400,000. Davis said no, not necessarily, it is

dependent on if the projects are completed. He said if the second ¼ mile of Klondike is completed the funds will be used.

Thunberg asked when the City would be starting on Wild Rice. Davis said it will be started in the spring and the project has been awarded. He said when the paving is completed on Wild Rice Drive, the contractor will also do 200th Lane. Murphy asked if the project completion was dependent on road restrictions. Davis said yes, it will be dependent on road restrictions but they will be able to do some work prior to the road restrictions being removed such as utility work.

HSIP
Project
Update

Davis explained that Kate Garwood with the Anoka County Highway Department attended our last meeting and provided preliminary information regarding the HSIP traffic signalization project at the intersection of Hwy 65 and 221st Ave. He said since that meeting, we have had further conversations with Ms. Garwood and Doug Fischer, Anoka County Engineer, concerning advancing this project and completing it in a shorter time duration than the projected five (5) year schedule which is currently planned.

Davis laid out the possibilities of the City taking the lead role. He said that Fischer seemed interested in this. Davis said he thinks the City can get this project done faster than the County. He said the City is currently exploring the possibility of assuming the entire responsibilities for design, right of way acquisition and implementation in an effort to expedite the timing of the project. Davis explained that advance funding of all costs by the City would also be required to start this project on a fast track for a completion time of less than two (2) years. He said the City will receive information from the County within the next 2 weeks as to what can be done to finish this project in an acceptable time frame. Davis said the City could contribute some money to the County, and that could up this on their priority list. He said we are waiting on Fischer to provide the City with scenarios and costs.

Thunberg asked if we have conceded that we will not get a bridge Monnier said the killer on this project is we can't take the funds and use them in a different fashion, such as for a bridge. Davis said with that in mind, the overpass proposal doesn't look as promising. The signalization project the City will look to expedite as fast as we can. Paavola said the overpass would be a nice package, but she doesn't think it will happen. Monnier confirmed the best situation on the light would be two years.

Davis explained it would take the City about two/three months to get the County's approvals. He said it will then take the City two/three months to do the design. Davis said toward the end of this year the project could go to bid and the construction would be done in the spring of 2011. Virta asked the County's timeline would put project completion when. Davis answered 2013 or 2014. Jensen asked who would be paying for the costs if we take this on, for environmental, etc. Davis said some of the costs would be born by the City. He said the engineers have said it is about \$70,000 for the environmental studies. Davis said there is a good possibility we wouldn't need to acquire any right of way.

Thunberg asked about building up the road. Davis stated he didn't think that much had to be done in the area, but that might be a MnDOT requirement. Monnier said it is strange that they would not require the elevation changes for a stop sign. Monnier clarified for a stop sign you would think you would want a good site line.

Jensen said it would be interesting to see if the City does the project, if the cost will be as

expensive as what the County was estimating for the project. Jensen said there are no drainage issues or storm sewer issues. Virta asked Davis if his expectations are to have a cost estimate and bring it home cheaper than what the County would bid it out as. Davis said the County and the City would like to do it less expensive.

Thunberg said moving the project up two years is worth the cost of advancing the funds. Monnier said if we get the grant for \$1,000,000, if it comes in at \$700,000 does the City keep the rest of the money. Davis said no. Warsko said if there is extra we might have lots of landscaping. Monnier clarified that the City would have to kick in some money. Davis said yes.

Monnier asked if we could have longer turn lanes. Warsko agreed, that would be nice, and elaborated that the one at Crosstown is too short. Monnier agreed with Warsko. He said it would have made more sense to put in two (2) turn lanes at Crosstown or a longer turn lane. Davis said we could talk about those changes. Monnier reiterated we should put in a longer one. Davis said that would be based on traffic counts. He said the smart thing to do is to plan for the future, traffic will increase. Davis said that is one thing that we can look at when it comes to design.

Thunberg asked what is the status of 219th crossover and getting that closed. Davis said when the service road is done on the other side then that will be closed. That will be the trade off for the service road. We have submitted a grant application to put in a service road from Teddy Bear Daycare up to 221st.

Rural District Speed Limits

Davis said as we discussed at our last meeting, a new law was passed that gives the Cities more latitude in setting speed limits on City streets. He said that this legislation allows Cities to designate Rural Residential Districts where speed limits can be posted at 35mph if these streets meet the density requirements as outlined for this street category. Davis said City staff determined which roads in the City of East Bethel fall within the definition of Rural Residential Streets and Residential Roadways. He said in addition streets that are less than ½ mile in length can be designated as Residential Roadways and posted at 25mph. Davis said this allows us to post signs on almost every City street.

Thunberg explained if his street were posted at 35mph people would drive faster. He said he doesn't believe the City should post on all the streets. Davis explained the urban districts were approved by the City Council and those streets are posted for speed based on request/complaints. Davis requested that the Commission follow staffs recommendation to recommend that Council approve these streets as Rural Residential District and post only when they are requested or on an as needed basis.

Warsko asked if any of the streets would meet the 25mph section of the statute. Davis said yes they could, but this portion of the statute is very vague. Jensen said the Council could implement the 25mph.

Virta made a motion to recommend to Council approval of the recommended streets as Rural Residential District and post 35mph only when there are requested or on an as needed basis. Monnier seconded; all in favor, motion carries.

Murphy said if we mention the 35mph, could the City drop it to the 25mph. Jensen stated yes, but the Council would have to approve it.

Snow
Removal
Costs

Davis said he provided this to show the Commission what the costs of the most recent snow removal were and also some snow removal facts. Thunberg asked if there were eight (8) guys out working. Davis said there were seven (7) people out working. Thunberg said these aren't bad costs especially for a holiday weekend.

Jensen asked what you use on the gravel roads. Davis said we use sand. He said when it is a dry snow like the first one, when we touch it with the plow it just breaks up. Monnier said there is a resident who drops his plow and likes to plow the streets by his house. Davis explained the resident has been sent a letter.

Davis explained that the costs are itemized for snow plowing for the snow event of December 24 and 25, 2009. He said these costs only cover those dates and Saturday December 26, 2009. Davis said cleanup activities which have occurred since these times are not included in these costs. He said costs for snow cleanup from December 28, 2009 through January 5, 2010 have totaled approximately \$13,000.

Measurable precipitation for this snow event was approximately 10".

Snow Removal Costs for December 24, 25 and 26, 2009 Storm Event

Total Wages (280 hrs @ \$33/hr)	\$9,240
Road Salt (80 tons @ \$65/ton)	\$5,100
Sand (240 tons @\$9.70/ton)	\$2,328
4- Single Axle Dump/Plow Trucks (26 hrs ea@\$55/hr)	\$5,720
3-1 Ton Plow Trucks (26 hrs. ea@ \$35/hr)	\$2,730
1- IT 28 Loader (26 hours @ \$70/hr)	\$1,820
1- JD 6400 Tractor/Loader (6 hrs@ \$40/hr)	\$ 240
Fuel (650 gals @ \$ 2.60/gal)	<u>\$1,690</u>
Total Cost	\$28,868

Other Snow Removal Facts

Cost of snow removal/mile	\$68.73
Cost of snow removal/hour	\$1,110
Pounds of salt per mile	270
Pounds of sand per mile	800
Miles of paved roads	124
Miles of unpaved roads	16
Cul-de-sacs	143
Intersections	390

Other Davis explained staff will try to get as much information back to you as quick as they can about the traffic light project. He said he hopes to have some information by the end of January. Monnier said that would be good.

Paavola asked if the packets come via CSO or via mail. Thunberg said his wife was a little shocked by the Sheriff coming to his house. He said he was running late getting home from work and the Sheriff's visit worried her. Paavola explained the reason the Council wanted CSOs to deliver the packets to the Council is because they have the presence in the neighborhoods.

Paavola explained the Council members were invited to visit the new Anoka County Sheriff's Department. She said she did go to the tour and attended the ribbon cutting yesterday. Paavola said it is a very nice building, lots of room to expand and they will probably need it. She said she believes it is a blessing they have this new place to be. Paavola said it was very interesting to see the forensics lab. She said everything is under one roof. Paavola explained that there will be an open house for the public, if you have a chance to go. arsko said with all the forensics work available they will be busy for two years. Paavola said the first thing they need to do is get the workers and they will advertise nationally. She said they didn't really go into a whole lot of detail about that. Jensen said prior to having their own lab, when they sent evidence away it took forever to get it back. Thunberg asked weren't a couple of other counties going to bring their items there. Paavola stated yes, Sherburne and Wright counties.

Adjourn **Monnier made a motion to adjourn the January 12, 2010 meeting at 7:30 PM. Thunberg seconded; all in favor, motion carries.**

Submitted by:

Jill Teetzel
Recording Secretary



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 8.0 C.2

Agenda Item:

Roads Capital Improvement Plan Amendment

Requested Action:

Consider amending the 2010 Roads Capital Improvement Plan (CIP)

Background Information:

City Council approved the 2010-2014 Street Capital Improvement Program (CIP) at the October 7, 2009 Council meeting. The CIP provides for certain road improvements including seal coating and crack sealing the following streets:

- 1.) Sunset Road
- 2.) Bataan Street
- 3.) 224th Avenue, 225th Avenue and Xylite Street
- 4.) 233rd Avenue
- 5.) Eveleth Street
- 6.) 184th Avenue and Yancy Street
- 7.) 214th Avenue, 215th Avenue, 216th Avenue and 217th Avenues

The Street Capital Budget for these projects is \$245,000.

With continued lower pricing for street improvement and maintenance services, and, the proximity of the following streets to streets identified for improvement in 2010, the Roads Commission is suggesting that these streets be added to the project list for 2010 improvements.

- 1.) 219th Avenue and Filmore Street
- 2.) 225th Avenue, 226th Lane and Yancy Street

All of the segments identified above are extensions of the 214th Avenue, 215th Avenue, 216th Avenue and 217th Avenue and the Bataan Street projects and could cost less to complete if included with other projects in the same location.

The Street Capital Budget for these additional projects is \$88,000. If these projects are approved, the budget for the total JPA projects would be \$333,000. Funds are currently available in the Street Capital Budget for these additional projects as noted in Attach #2.

Staff is suggesting that the 225th Avenue, 226th Lane and Yancy Street projects be moved from the 2011 project list and that the 219th Avenue and Filmore Street projects be moved from the 2012 project list and that these four projects be moved to the approved 2010 Street Capital Improvement Project list. These changes were reviewed by the Roads Commission at their February 9, 2010 meeting and recommended for approval. A modified 2010-2014 Street CIP is included reflecting these changes.

Attachment(s):

1. Attach #1 Project Location Map
2. Attach #2 Revised Street CIP 2010-2014

Fiscal Impact:

As noted above

Recommendation(s):

Roads Commission is recommending approval of the modified 2010-2014 Street CIP.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

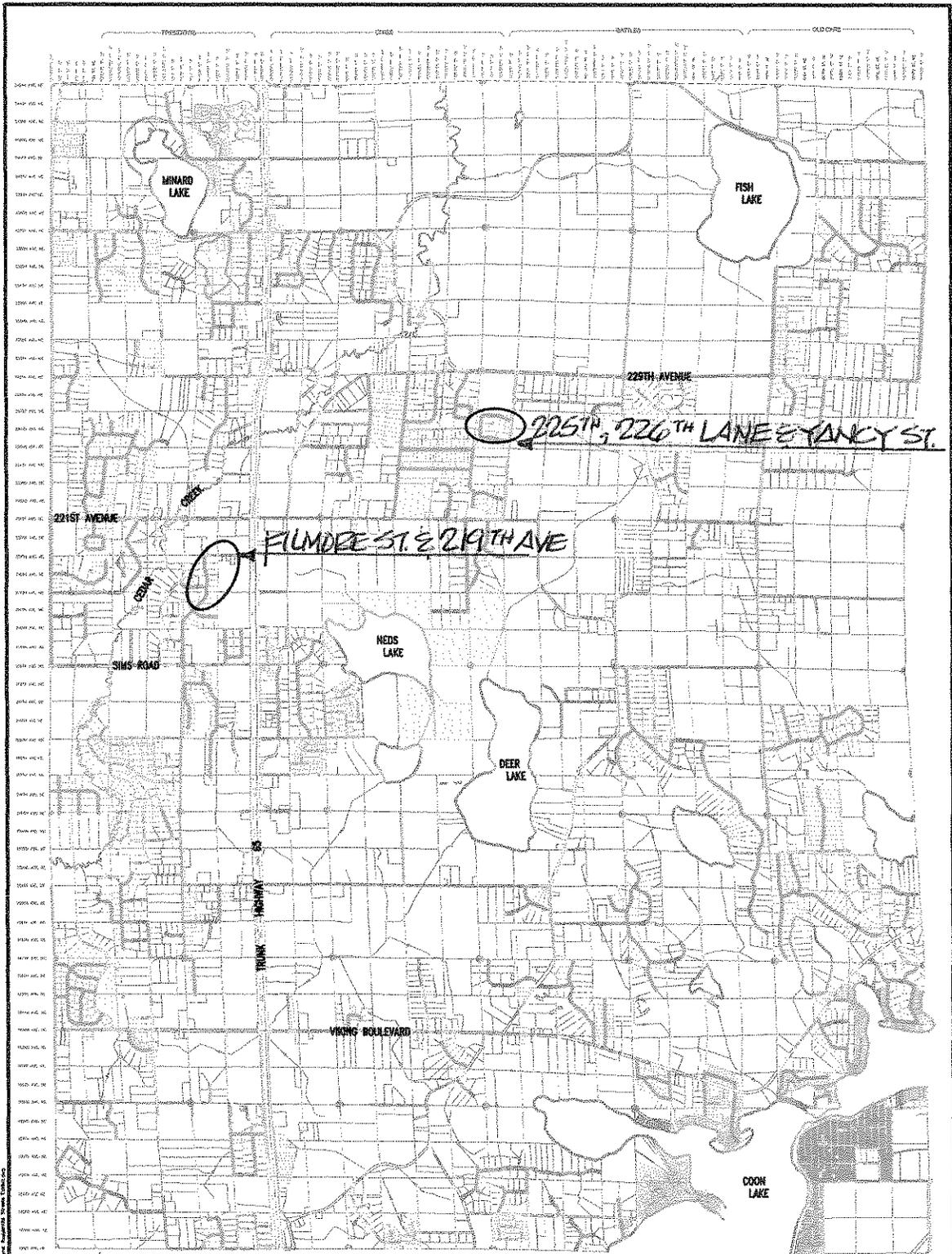
No Action Required:_____

Street Capital Projects CIP				
2010-2014				
Funding Analysis				
STREET CAPITAL FUND	Beginning Balance	Sources (Revenues)	Uses (Project Costs)	Ending Balance
2010 Beginning Balance	\$1,053,362			\$1,053,362
Transfer from General Fund		\$425,000		\$1,478,362
Sunset Rd (Joint Project with Linwood Township)-Sealcoat			\$31,000	\$1,447,362
224th Ave (Palisade to Xylite)-Sealcoat			\$25,000	\$1,422,362
225th Ave (Palisade to Xylite)-Sealcoat			\$25,000	\$1,397,362
226th Ave-Sealcoat			\$25,000	\$1,372,362
233rd Ave-Sealcoat			\$17,000	\$1,355,362
5th Street Overlay			\$255,000	\$1,100,362
Eveleth-Sealcoat			\$38,000	\$1,062,362
Bataan, 184th, and Yancy-Sealcoat			\$30,000	\$1,032,362
217th, 216th, 215th, 214th & Van Buren-Sealcoat			\$54,000	\$978,362
225th, 226th & Yancy (Shawnee Woods)-Sealcoat			\$35,000	\$967,362
2010 Ending Balance				\$978,362
2011 Beginning Balance	\$978,362			\$978,362
Transfer from General Fund		\$425,000		\$1,403,362
Erskine, Frazier, Marmon Streets-Sealcoat			\$61,000	\$1,342,362
Deerwood and 182nd Ave. Overlay			\$240,000	\$1,102,362
196th Lane-Sealcoat			\$15,000	\$1,087,362
196th Ave-Sealcoat			\$18,000	\$1,069,362
195th Ave-Sealcoat			\$11,000	\$1,058,362
194th Lane-Sealcoat			\$6,000	\$1,052,362
4th Street-Sealcoat			\$14,000	\$1,038,362
3rd Street-Sealcoat			\$22,000	\$1,016,362
193rd Lane-Sealcoat			\$14,000	\$1,002,362
219th & Fillmore Street-Sealcoat			\$53,000	\$949,362
2011 Ending Balance				\$949,362
2012 Beginning Balance	\$949,362			\$949,362
Transfer from General Fund		\$425,000		\$1,374,362
Whispering Aspens-Sealcoat			\$145,000	\$1,229,362
Okinawa and Tippecanoe-Overlay			\$245,000	\$984,362
Hupp St.-Sealcoat			\$18,000	\$966,362
2012 Ending Balance				\$966,362

Street Capital Projects CIP				
2010-2014				
Funding Analysis				
2013 Beginning Balance	\$966,362			\$966,362
Transfer from General Fund		\$425,000		\$1,391,362
Thielan Road-Sealcoat			\$36,000	\$1,355,362
Sportsman Road -Sealcoat			\$12,000	\$1,343,362
Breezy Point Drive-Sealcoat			\$25,000	\$1,318,362
Edmar Lane-Sealcoat			\$40,000	\$1,278,362
Vickers Street-Sealcoat			\$13,000	\$1,265,362
Yalta Street -Sealcoat			\$6,000	\$1,259,362
189th Avenue-Sealcoat			\$6,000	\$1,253,362
190th Lane-Sealcoat			\$7,000	\$1,246,362
Naples Street-Sealcoat			\$12,000	\$1,234,362
190th Avenue-Sealcoat			\$12,000	\$1,222,362
191st Avenue-Sealcoat			\$18,000	\$1,204,362
195th Ave & E. Front Blvd-Sealcoat			\$38,000	\$1,166,362
Rendova Street-Sealcoat			\$12,000	\$1,154,362
187th Avenue Service Road - Overlay			\$200,000	\$954,362
2013 Ending Balance				\$954,362
2014 Beginning Balance	\$954,362			\$954,362
Transfer from General Fund		\$425,000		\$1,379,362
209th, Austin, and 204th-Overlay			\$290,000	\$1,089,362
Austin-Sealcoat			\$60,000	\$1,029,362
239th Ave-Sealcoat			\$55,000	\$974,362
221st Ave and Wake Street-Sealcoat			\$65,000	\$909,362
2014 Ending Balance				\$909,362
TOTAL STREET CAPITAL FUND		\$2,125,000	\$2,304,000	
SOURCES AND USES				

Street Capital Projects CIP				
2010-2014				
Funding Analysis				
MUNICIPAL STATE AID FUND	Beginning Balance	Sources (Revenues)	Uses (Project Costs)	Ending Balance
2010 Beginning Balance	\$54,000			\$54,000
Municipal State Aid Funding		\$556,000		\$610,000
Bataan St. Sealcoat and shoulder widening			\$315,000	\$295,000
2010 Ending Balance				\$295,000
2011 Beginning Balance	\$295,000			\$295,000
Municipal State Aid Funding		\$556,000		\$851,000
Jackson St. Reconstruction-181st Ave to Viking Blvd			\$1,380,000	-\$529,000
2011 Ending Balance				-\$529,000
2012 Beginning Balance	-\$529,000			-\$529,000
Municipal State Aid Funding		\$556,000		\$27,000
187th Lane - Reconstruct			\$365,000	-\$338,000
Sandy Drive Sealcoat and shoulder widening			\$275,000	-\$613,000
2012 Ending Balance				-\$613,000
2013 Beginning Balance	-\$613,000			-\$613,000
Municipal State Aid Funding		\$556,000		-\$57,000
181st Ave Reconstruction			\$375,000	-\$432,000
2013 Ending Balance				-\$432,000
2014 Beginning Balance	-\$432,000			-\$432,000
Municipal State Aid Funding		\$556,000		\$124,000
University Ave Sealcoat - 221st Ave to Sims Ave			\$120,000	\$4,000
				\$4,000
2014 Ending Balance				\$4,000
TOTAL MUNICIPAL STATE AID FUND SOURCES AND USES		\$2,780,000	\$2,830,000	

Note: MSA Funding can be "Advanced Funded" to met certain requirements. The City is permitted to Advance Fund	
up to two years allocations. A negative balance is not an indication of too many projects. It simply means the City	
has anticipated numerous projects and can fund this within the regulations identified by MnDOT. The annual allocation will	
increase over time.	



LEGEND
 [Symbol: Dashed line] RURAL RESIDENTIAL STREETS

CITY OF EAST BETHEL
 2010 CIP
 AMENDED ROADS
 REQUEST

ALASKA DEPARTMENT OF HIGHWAYS AND PUBLIC SAFETY, 2010 CIP AMENDED ROADS REQUEST, 2010



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0 A.1

Agenda Item:

Resolution 2010-11 Determination of Tree Removal within City Easements for Wild Rice Drive

Requested Action:

Consider Resolution 2010-11 Determination of Tree Removal within City Easements for Wild Rice Drive

Background Information:

Reconstruction of Wild Rice Drive will begin in the spring of 2010. All construction will be performed within City owned ROW and/or City easements.

Easements and ROW that were acquired along Wild Rice Drive prior to this construction project that did not include language providing for tree removal within the ROW and/or easement can only be removed following a hearing. This hearing requirement is provided for in Minnesota Statutes 160.22. When trees are not specifically acquired as part of the ROW and/or easement or the project is on an MSA roadway, Minnesota Statute 160.22 requires that a hearing be held to give the owners of the adjacent property an opportunity to be heard.

Earlier, Council conducted the required hearing regarding removal of trees within the City ROW and/or City easements along Wild Rice Drive. After the hearing but prior to removal of any trees the City must serve notice to the abutting owners of its determination of the tree removal. The attached resolution will serve as the determination and a copy will be provided to all affected owners.

Attachments:

1. Resolution 2010-11 Determination of Tree Removal within City Easements for Wild Rice Drive

Fiscal Impact:

None

Recommendation(s):

Staff recommends adoption of Resolution 2010-11, Determination of Tree Removal within City Easements for Wild Rice Drive, and directs staff to serve notice to the affected property owners regarding its determination of the tree removal.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

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

RESOLUTION NO. 2010-11

**DETERMINATION OF TREE REMOVAL WITHIN CITY EASEMENTS ALONG
WILD RICE DRIVE**

WHEREAS, The City has prepared plans and specifications, solicited bids and has awarded a contract for the reconstruction of a portion of Wild Rice Drive; and

WHEREAS, construction on Wild Rice Drive as part of the improvement project will require the removal of trees within City easements and/or ROW; and

WHEREAS, Minnesota Statutes 160.22 requires that the Road Authority recommending removal of trees from an easement and/or ROW where such trees were not specifically noted in the easement and/or ROW document conduct a hearing allowing adjacent landowners the opportunity to be heard; and

WHEREAS, adjacent landowners affected by this project were mailed notice of the hearing on February 5, 2010; and

WHEREAS, Council conducted a hearing on February 17, 2010 allowing owners of the abutting land an opportunity to be heard regarding tree removal in the City easement and/or ROW; and

WHEREAS, The Council has determined that the tree removal is necessary in those areas where the trees will interfere with the reconstruction of Wild Rice Drive or where the trees will interfere with the safety of public travel.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EAST BETHEL MINNESOTA: City Council directs staff to mail a copy of this resolution to land owners along Wild Rice Drive that are adjacent to tree removal areas and further more this notice will serve as the Council's determination as required by Minnesota Statute 160.22.

Adopted this 17Th day of February, 2010 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Greg Hunter, Mayor

ATTEST:

Douglas Sell, City Administrator

ATTACHMENT #1



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0 B.1

Agenda Item:

Whispering Aspen/Castle Towers Boundary Fence Line

Requested Action:

Informational Only

Background Information:

The City Attorney will have updated information for Council regarding this issue on Wednesday. He has been working with the Castle Towers (Bethel Properties) Attorney, Mr. Speeter, to bring this matter to closure.

Fiscal Impact:

None at this time

Recommendation(s):

Informational Only

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0 D.1

Agenda Item:

2010 Joint Powers Agreement (JPA) Street Maintenance Projects

Requested Action:

Consider approving the listed projects to be bid for the 2010 Street Projects

Background Information:

The Cities of Coon Rapids, Andover, Brooklyn Center, Columbia Heights and Fridley entered into a Joint Powers Agreement on February 1, 2005 for the purpose of joint bidding for certain street maintenance services. This Joint Powers Agreement allows smaller cities to achieve more economies of scale in the bidding process and potentially achieve lower bids from contractors for crack sealing, seal coating and striping. The City East Bethel joined the group in February, 2008.

The City of Coon Rapids is the lead agency by the agreement for this group. As the lead agency, they draft the specifications, solicit bids and provide the necessary documents for member cities to sign to participate in the program. The agreement is structured such that it permits each member city to accept or reject the bids for their portion of the proposed contract. Each city will pay the contractor directly for their share of the work and contracts will be awarded separately for the various items.

The process is as follows:

- 1.) The City of East Bethel submits the quantities for crack sealing, seal coating and striping to the City of Coon Rapids for inclusion in the collective bid.
- 2.) The City of Coon Rapids develops all bid specifications and solicits bids for all quantities submitted by member cities. Bid specifications follow MnDOT guidelines requirements.
- 3.) Each City may modify the quantities they have submitted to maintain budgets for these projects after the low bid has been identified.
- 4.) Bids for these projects will be opened on February 26, 2010. The City of East Bethel is required to submit a letter of concurrence to the City of Coon Rapids by March 18, 2010 authorizing the City's level of participation in the program for 2010. The bid award date will be April 6, 2010.
- 5.)

The City of East Bethel realized savings of nearly 40% over previous costs for these services through participation in the JPA Street Maintenance program. Some of the savings were due to the pricing in the current construction market. But some of the savings can be attributed to a larger base of purchasing power afforded by the group bid.

The following projects are recommended to bid as part of the 2010 JPA Street Maintenance program. These projects have been identified in the 2010 Street Capital Improvement Plan (CIP) and recommended by the Roads Commission.

- 1. Seal coat and crack seal Sunset Road, Bataan Street, 224th Avenue, 225th Avenue, Xylite Street, 233rd Avenue, Eveleth Street, 184th Avenue, Yancy Street, 214th Avenue, 215th Avenue, 216th Avenue and 217th Avenue.

Linwood Township has provided a verbal commitment to participate in the Sunset Road Project and pay half the cost. We will obtain a written commitment from Linwood Township prior to any award for work on Sunset Road. The Township Board meets on February 26, 2010 and an agreement will be presented for their approval. In the event they should decide not to participate this year, this portion of the project can be deleted and scheduled for another year.

- 2. Crack-seal 20,000 LF as part of the annual street maintenance program. Crack sealing will be performed prior to any seal coating applications. This project item should begin around June 1, 2010.
- 3. 32,000 LF of striping to be determined.

Bidding the item does not obligate the City to accept the bid. The bid for individual items can be rejected or amended to reflect the bid costs.

The estimate for seal coating and crack sealing the above listed streets is \$333,000 including the four additional projects provided for in the mended Street CIP. \$292,000 has been identified in the Street Capital Fund and \$41,000 in the MSA account for these projects. Crack sealing and striping are provided in the 2010 General Fund Street Maintenance budget.

Attachments

Attach #1: Location map for seal coating and crack sealing

Fiscal Impact:

As noted above

Recommendation(s):

Roads Commission recommends approval of the projects identified above including the additional work from the amended 2010-2014 Street CIP.

City Council Action

Motion by: _____

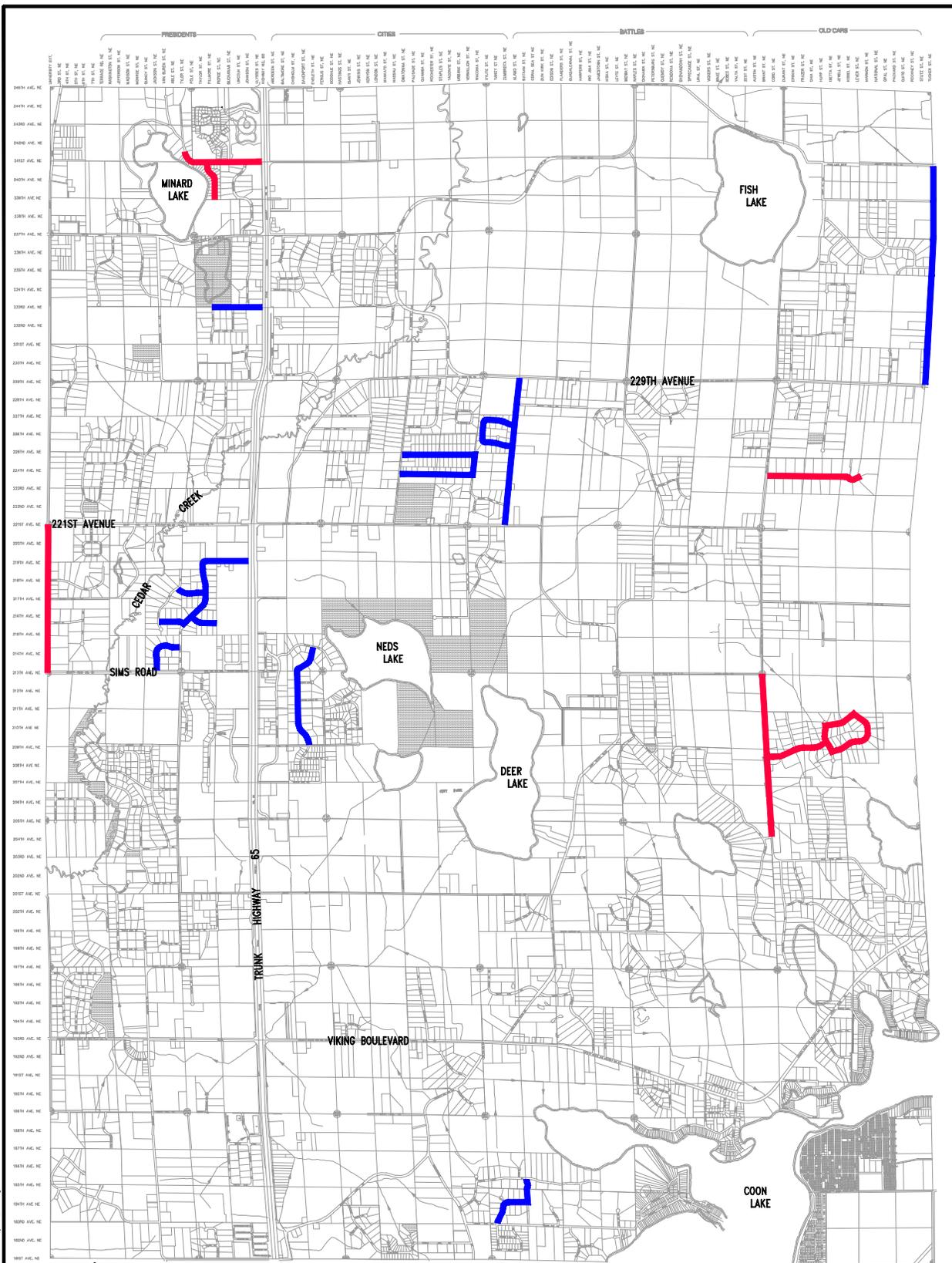
Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

16. 03. 2010 - 04:16
 A:\GIS\PROJECTS\MANUAL\1601-2010\Map\1601-2010_04_Street Projects Labeling



LEGEND

- █ CRACK SEAL AND SEAL COAT
- █ CRACK SEAL ONLY

**2010
 CITY OF EAST BETHEL
 JPA STREET PROJECTS**



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0.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:

1. 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 02/17/10

ADDRESS	ACTION INITIATED	LAST ACTION	FORWARDED TO CITY PROSECUTOR	COMMENTS
607 Viking Blvd.	2/20/08 Posted unfit	5/28/09 court approved abatement	11/01/08	Hearing scheduled before Anoka Co. Judge on 28 May, 2009. City granted permission to clean up interior of structure. City will have to return to court to recover assessments.
22906 Jackson St.	3/19/08 Posted unfit	Demo permit issued 4/29/08, Haz. Excavation orders sent 6/29/09	Tracking	Owner contacted Building Official and stated that he has a purchase agreement pending.
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
204 Dahlia Dr. NE	11/6/08 Posted unfit	7/6/09 Court ordered abatement.	01/15/09	Judge will hear case (order for abatement) on 02/18/10.

ADDRESS	ACTION INITIATED	LAST ACTION	FOWARDED TO CITY PROSECUTOR	COMMENTS
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	Eleven structures posted as Unfit/Hazardous since Oct 2008	01/27/09 Compliance letters for hazardous structures	Tracking	Owners applied and received two demolition permits (Lots 86, 148) on 10/7/09.
22568 Sandy Dr.	12/10/08 Hazardous/Unfit Structures	02/8/10 Final Compliance letter sent	Tracking	Revised letter sent to abate nuisance by 1 June 2010.
234 Birch Rd. Rev. Bullock property	3/10/09	6/10/09 Meeting with new owner	Closed	New owner has abated nuisance.

ADDRESS	ACTION INITIATED	LAST ACTION	FOWARDED TO CITY PROSECUTOR	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	Demo permit issued on 5/8/09	Closed	Structure has been removed.
221 Birch Rd.	Demo permit issued 6/24/08	Building permit issued 4/16/09	Tracking	01/20/10 City Council approved orders to abate hazardous conditions. Prosecutor has forwarded request to courts to hear complaint. Staff has also forwarded charges for a formal complaint against the owners.
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. Building department may move forward and secure the structure. Currently tracking. Have asked Anoka Co. sheriff to trespass individuals staying at 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. Wok completed on 12/7/09.

ADDRESS	ACTION INITIATED	LAST ACTION	FOWARDED TO CITY PROSECUTOR	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		Contacted contractor on 01/11/10 regarding building permit application. Contractor stated that insurance co. is currently reviewing proposal.
330 Dogwood Rd.	12/1/09 Primary residence unfit to occupy (public health issue) (no posting on property)	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 moving out of the home on 12/5/09, permits will be required to improve the sanitary facilities.
19079 Greenbrook Dr.	01/05/10 Residential structure posted as Unfit to Occupy	Spoke with manager for maintenance co. for mortgage lender on 01/11/10	Tracking	Building and Fire department responded to the property to investigate a call that an uninhabited home may have had the water left on. Upon arrival it was determined that the home was abandoned and that running water had caused extensive damage. Staff forced entry and secured the water. Contact has been made with representatives for the lender and staff is tracking progress.



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0 F.1

Agenda Item:

Fire Department Staff Monthly Meeting Notes and Reports

Requested Action:

Informational only

Background Information:

February Fire Department Monthly Meeting Notes and January Reports are included for your review.

Fiscal Impact:

None

Recommendation(s):

Informational only.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____

East Bethel Fire Department

Monthly Staff Meeting

February 1, 2010

Call to Order:

Chief DuCharme called the meeting to order at 7pm. There were 25 Fire Fighters (including the day staff) and Council Liaison, Steve Channer present for the meeting.

Meeting minutes from January 4, 2010 were posted previously.

Introduction of new City Council Member Steve Channer. Welcome!

Chief's Report:

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

The schedule for this month is:

February 1	Meeting Night / Sign Payroll
February 8	Training on Dispatch Computers
February 11	NIMS 300 & 400
February 15	Maintenance Night
February 16	Fat Tuesday
February 22	Officer Meeting @ 6pm & Medical Training @ 7pm

The schedule for March is:

March 1	Fire Fighters will start entering their own calls on Image Trend
March 8	Training NFIRS Dispatch
March 15	Maintenance Night
March 17	St. Patrick's Day
March 22	Officer Meeting

Explorers

Meeting Tuesday, February 2, 2010 – By-laws

On January 19, 2010 the Explorers met at the Ham Lake VFW where the Lions announced that they were going to donate \$200 to the Explorer program.

Chief had sent out an email looking for gear and it sounds like we have plenty to choose from.

Tammy Gimpl is now the Lead Advisor of the Explorer program. They are still looking for a couple more Advisors if anyone is interested.

Congratulations & Anniversaries

Jason Novak	10 years
Rod Sanow	10 years

Certifications

Congratulations to Bill Hunt who has passed his Instructor I and Officer I Certifications. Rumor has it that he has also passed the Officer II Certification.

Mask Inspection

East Bethel monthly mask inspection sheets have been placed in each of your lockers. Please make sure that you are testing your mask every month. A suggestion was made that you include it in your Maintenance Night assignments. Make sure to replace the batteries once every 6 months or as needed.

Incident Form

The Incident form has a couple of changes to it. Mainly the narrative section, please make sure that you are indicating what was done on the scene by our crew. You will notice that the form follows along with the new Image Trend reporting that we are doing. When entering the grid number also notice that we have set up 2 sub grids for Castle Towers and Village Green for tracking purposes.

Image Trend

We will start training for Image Trend within the next few weeks. Each fire fighter already has a username and password set up. The first time you go into the system you will be required to change your password. This will allow you to check your own stats each month. An overview of the screens was presented by the Chief.

Review of Calls

Chief DuCharme provided a year to date call comparison for the last 4 years.
2010=49 2009=37 2008=43 2007=45 2006=29

Incident Command Review (ICS)

CFLOP =

C – Command

F – Finance

L – Logistics

O – Operations

P – Planning

Span of control is 3 to 7

Important Aspects of Incident Control are:

Size up

Report back

Command Post – know where it is and where to stage the trucks on scene

Rumor Control

By-laws are due March 31, 2010

Administration Report

Remember to turn in all training requests. All requests that have already been turned in are processed and once I receive confirmation on them I will be placing them in your mailboxes. Also, remember that all lodging reservations will need to be made on your own and will be reimbursed once all receipts, reimbursement forms, and certificates are turned in upon completion of the course.

Chief 2 – Ardie

Attended the North Suburban Meeting and they are lobbying for a number of different things:

Car insurance to cover firefighter response

Training Board

CO Monitors

Supplemental budget for Safety Grant

St. Francis was voted as a member

Dispatch center is under construction

Working on Radio Rules and Mutual Aide

DNR Training in Eagan coming up

Officer Training in Linwood

Talk of switching to electronic burning permits

There are quite a few benefits and funds set up to help the Clearwater Fire Fighter who was injured during the line of duty.

Need to have roof markings on all rigs

Attended the Chief's meeting on Sunday and discussed the following:

- Fire Service Day March 15, 2010

- Fire Safety Account

- Shared Services

- Blue Card (50 hour online course plus simulators) for Incident Commanders

- No more grandfathering for Certifications

- Fire School Scholarship

- Fire Fighter license plates cannot be kept forever anymore

Need to look at tools for the new truck

Engine 21 is back in service

As of February 1, 2010 Oak Grove's new Fire Chief is Curt Hallermann.

Chief 3 – Ron

Ron expressed his concern for the Deputies not helping with traffic control on the scene of an accident and was looking for a remedy to the situation.

It was requested that the Deputies and Sheriffs would come in to a meeting and explain their expectations.

Chief 4 - Dan

Dan Meinen and Dan Berry attended the mutual aid drill meeting and are strongly encouraging all firefighters to participate in the Bus extrication drill that is being held on May 1st. There will also be a preparation night before the drill is held which would be beneficial to attend.

Dan asked Chief if he was still willing to write the Grant for this, Chief agreed.

Inspection Report

Mark Duchene reported that there were 9 new businesses checked and 6 re-checks.

Training Report

NIMS 300 & 400 is required for all supervisory positions

Emergency Vehicle Operator (EVO) will take place in Ham Lake and includes Certification

For all State Fire School requests please make sure that you are filling out both the request form from East Bethel as well as the registration form from the school.

Old Business

Chief asked if there were any questions on the Health Insurance program through the SAFER Grant...no questions.

There is an interest in EMT Training that will be looked into.

Doug Doebbert is still missing his vest.

New Business

Thank you card from the Boy Scouts for allowing them to spend the night at the Fire Station.

The entry codes on the doors will be changed soon due to someone giving out the code to the building. Please do not give out the codes to the Fire Stations.

Fire Station 1 would be used as an Emergency Operations System in case of a disaster.

Relief Association

The Relief Association quarterly meeting will be held Wednesday, February 3, 2010 at 6pm.

Council Report

Steve Channer thanked the firefighters for having him. He asked if they would like him to bring up the need for more assistance from the deputies and sheriffs and it was decided to have him proceed.

Adjournment – The meeting was adjourned at 8:45pm



Fire Incident By Street Address
 From 01/01/10 To 01/31/10
 Report Printed On: 02/10/2010

Incident Number	Incident Date	Alarm Time	Location	Primary Station	Incident Type
EAST BETHEL					
049	01/31/2010	12:36	22147 Quincy ST NE	2	321 EMS call, excluding vehicle accident with injury
048	01/31/2010	00:37	930 203 LN NE	1	611 Dispatched and cancelled en route
047	01/30/2010	21:18	18635 Ulysses ST NE	1	321 EMS call, excluding vehicle accident with injury
046	01/29/2010	13:47	18153 Fillmore ST NE	1	321 EMS call, excluding vehicle accident with injury
045	01/29/2010	02:42	-	1	611 Dispatched and cancelled en route
044	01/28/2010	12:33	1545 209th AVE NE	1	611 Dispatched and cancelled en route
043	01/27/2010	08:40	7445 Viking BLVD	1	571 Cover assignment, standby, moveup
042	01/27/2010	06:14	22027 Luan DR NE	2	321 EMS call, excluding vehicle accident with injury
041	01/25/2010	18:13	3665 Viking BLVD NE	1	321 EMS call, excluding vehicle accident with injury
040	01/25/2010	12:56	19354 Jamestown ST NE	1	321 EMS call, excluding vehicle accident with injury
039	01/24/2010	16:58	19015 Channel LN NE	1	321 EMS call, excluding vehicle accident with injury
038	01/22/2010	15:54	SW 237th	1	142 Brush or brush-and-grass mixture fire
037	01/21/2010	11:31	2241 221st AVE NE	2	321 EMS call, excluding vehicle accident with injury
036	01/21/2010	-	237th	2	611 Dispatched and cancelled en route
035	01/20/2010	21:13	19410 Leyte ST NE	1	611 Dispatched and cancelled en route
034	01/20/2010	11:52	18164 Hwy 65	1	321 EMS call, excluding vehicle accident with injury
033	01/18/2010	20:06	20675 Hwy 65 NE	1	321 EMS call, excluding vehicle accident with injury
032	01/18/2010	17:35	Hwy 65 NE	1	322 Motor vehicle accident with injuries
031	01/17/2010	18:22	1809 Viking BLVD NE	1	321 EMS call, excluding vehicle accident with injury
030	01/15/2010	15:22	833 221st AVE NE	2	321 EMS call, excluding vehicle accident with injury
029	01/15/2010	13:42	237th AVE NE	2	300 Rescue, EMS incident, other
028	01/14/2010	15:26	3800 189th AVE NE	1	321 EMS call, excluding vehicle accident with injury
027	01/13/2010	17:56	-	1	651 Smoke scare, odor of smoke
026	01/13/2010	17:23	19921 Stutz ST NE	2	321 EMS call, excluding vehicle accident with injury
025	01/13/2010	08:50	18164 Hwy 65	1	321 EMS call, excluding vehicle accident with injury
024	01/13/2010	00:14	18164 Hwy 65	1	611 Dispatched and cancelled en route
023	01/09/2010	01:45	18164 Hwy 65 NE	1	321 EMS call, excluding vehicle accident with injury
022	01/08/2010	22:56	23555 Monroe ST NE	2	600 Good intent call, other
021	01/08/2010	22:30	-	2	600 Good intent call, other
020	01/07/2010	12:23	-	40	324 Motor vehicle accident with no injuries.
019	01/07/2010	11:26	24355 Hwy 65	21	321 EMS call, excluding vehicle accident with injury
018	01/07/2010	10:33	24355 Hwy 65	21	321 EMS call, excluding vehicle accident with injury
017	01/06/2010	19:09	24355 Hwy 65	2	321 EMS call, excluding vehicle accident with injury
016	01/06/2010	06:13	18164 Hwy 65	11	321 EMS call, excluding vehicle accident with injury
015	01/06/2010	05:11	Hwy 65	40	611 Dispatched and cancelled en route
014	01/06/2010	00:54	18162 Yancy ST NE	1	611 Dispatched and cancelled en route
013	01/05/2010	19:35	21870 Xylite ST NE	2	600 Good intent call, other
012	01/04/2010	20:20	22548 Alamo ST NE	2	611 Dispatched and cancelled en route
011	01/04/2010	16:12	18164 Hwy 65 NE	11	321 EMS call, excluding vehicle accident with injury
010	01/04/2010	12:33	18164 NE Hwy 65	11	321 EMS call, excluding vehicle accident with injury
009	01/04/2010	12:03	4906 S Tri Oak CIR	11	321 EMS call, excluding vehicle accident with injury
008	01/04/2010	11:42	423 NE Dogwood RD	11	321 EMS call, excluding vehicle accident with injury
007	01/04/2010	11:23	19079 NE Greenbrook DR	1	551 Assist police or other governmental agency
006	01/04/2010	07:50	18941 NE Vickers ST	11	321 EMS call, excluding vehicle accident with injury
005	01/03/2010	08:04	18164 Hwy 65	11	321 EMS call, excluding vehicle accident with injury
004	01/02/2010	23:15	671 NW Sims RD	2	111 Building fire
003	01/02/2010	17:38	19079 Greenbrook DR	2	550 Public service assistance, other
002	01/02/2010	16:20	18357 Everglade DR	11	321 EMS call, excluding vehicle accident with injury
001	01/01/2010	09:16	24355 Hwy 65 NE	40	321 EMS call, excluding vehicle accident with injury
Total					49

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

[Report Description](#)

To the City of East Bethel

Subject: Fire Inspector Report

This report is to inform the City of East Bethel of business inspections completed by the East Bethel Fire Inspectors since the last report.

January 2010

City of East Bethel Inspection List

Name	Address	Comments
Truck Body Specialist	18581 Buchanan St.	Emergency Lighting
Kokesh	18607 Hwy 65	Moved to: 14745 Aberdeen St. Ham Lake 763-786-9050
Classic Construction	18542 Ulysses St.	3rd Inspection: Fire extinguisher and secure cylinders
Print Plus	18507 Hwy 65	2 nd Inspection: Fire extinguisher
Merrimac Construction	18651 Buchanan St.	2 nd Inspection: NO VIOLATIONS
Touro Travel Inc	18530 Ulysses St.	2 nd Inspection: NO VIOLATIONS
Gopher State Ins	18447 Hwy 65	2 nd Inspection: NO VIOLATIONS
River City Co op	1341 187 th Lane	Will have vehicle impact protection installed with in the next 60 days.
Quality Carpentry of Cedar	21434 Johnson #100	No Violations
Minnesota Jobs.com	21434 Johnson #200	No Violations
Detail Drafting & Design	21434 Johnson #300	No Violations
A-Blast	21473 Johnson St	No Violations
Plow World	18649 Hwy 65	Secure pressurized cylinder
Oakridge Auto Body	23428 Hwy 65	No Violations
American Tool	23773 Johnson St	Emergency lighting, fire extinguishers serviced and mounted, snow cleared from door

09 Businesses Inspected

06 Recheck

Reported by: Mark Duchene

Fire Inspectors



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0 G.1

Agenda Item:

ISTS Survey – Coon lake Area

Requested Action:

Staff is seeking direction to proceed with development of an agreement for survey/data collection services with Bolton and Menk, Inc.

Background Information:

Staff has had several discussions with the Public Facilities Authority (PFA) regarding the potential funding of the City’s municipal infrastructure, water and sewer. One of the issues they have identified is the evidence that sewer systems are failing and causing issues. Or, that drinking water from private wells does not meet current drinking water standards for whatever reason. PFA has indicated, and MPCA has concurred, that without specific data, it is unknown how many systems are actually failing and/or causing a problem. They have suggested a system by system survey to make that determination. They have also suggested that should it be discovered that the “majority of systems” are failing, grant monies might be more readily available to fund municipal improvements to eliminate the problem systems.

The recent survey of household income and household size triggered grant monies for the new well at Whispering Aspen. The unsafe drinking water from the original well had already been established. However, based on the household size and household income, PFA determined that the City would be eligible for funding up to 80% of the project cost.

It is clear that a survey of systems that may be affected by municipal services will be required at some point in time to trigger grants and/or low interest loans for these projects from the PFA. During this period of time when inspection activity is slower than normal, it would seem now is the time to tackle this project to determine the adequacy of individual on site sanitary sewer systems and private wells.

We have an employee that is qualified and capable of doing the inspections and making the determination as to whether or not systems are adequate or failing. The entire area around Coon Lake and those areas along County Road #22 would be included in the study area. This project would take about one year and would provide the necessary data for MPCA and PFA to make decisions regarding the funding, grants or loans, for these projects.

The cost of this survey is eligible for funding from the HRA Grant from the County as it goes to the heart of the issue for septic systems and wells in the Coon Lake area.

We have discussed this survey/data collection with the City's municipal utility engineers, Bolton and Menk. The project would be through an Agreement with Bolton and Menk. Simply, Bolton and Menk would contract with the City for survey/data collection services where in Bolton and Menk would reimburse the City for its costs. In turn, Bolton and Menk would bill the City and the City would submit the claim to the County HRA for reimbursement as we have for all project costs to date. We have discussed this in concept with Mr. Kreg Schmidt from Bolton and Menk and they are willing to move forward.

Staff is seeking direction to move forward by develop[ping and agreement for Council consideration wherein the City will provide survey/data collection services to determine the adequacy of ISTS and private wells around the Coon Lake basin. Any agreement would be returned to Council for final approval.

Fiscal Impact:

To be determined

Recommendation(s):

Staff is seeking direction to proceed with development of an agreement for survey/data collection services with Bolton and Menk, Inc.

City Council Action

Motion by:_____

Second by:_____

Vote Yes:_____

Vote No:_____

No Action Required:_____



City of East Bethel City Council Agenda Information

Date:

February 17, 2010

Agenda Item Number:

Item 9.0 G.4

Agenda Item:

Booster Day – Friday Fun Night

Requested Action:

Staff is seeking City Council direction

Background Information:

The City of East Bethel recently celebrated its 50th Anniversary. As part of that celebration, the City sponsored a Family Fun Night on Friday, July 17, 2009. Events included a Kiddie Parade for toddlers to age 12, a demonstration by the K-9 Unit from the Sheriff’s Department and a “Movie in the Park” event. Several organizations co-sponsored these events to include the East Bethel Royalty and the North Suburban Area Chamber of Commerce. Boy Scout Troop 733 hosted a concession stand and East Bethel Movie Theatre provided the popcorn. The Family Fun Night was a huge success in 2009 with over 250 participants. Family Fun Night’s expenses were approximately \$1,100.

There have been several inquiries and requests for these events as part of the 2010 Booster Day celebration. Before moving forward, staff is seeking Council direction. Is the City Council interested in sponsoring a Family Fun Night for Friday, July 16, 2010? Family Fun Night would cost approximately \$1,100 for equipment rental, movie license and parade supplies. The City Council could consider asking local businesses to co-sponsoring Family Fun Night as it did in 2009. It would be a great way for local businesses to become involved in the community and be recognized for their contributions.

Fiscal Impact:

As noted above.

Recommendation(s):

Staff is seeking City Council direction.

City Council Action

Motion by:_____

Second by:_____

Vote Yes: _____

Vote No: _____

No Action Required: _____