City of East Bethel
City Council Work Meeting
Date: May 1, 2023 at 7:00 p.m.

This City Council meeting may be monitored live via the following means:
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel
(www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live)

1. Call To Order

2. Adopt Agenda

3. City Council Minutes Discussion (p. 2-26)

4. Conduit Bonds Presentation - Nexus/Cambia Hills (p. 27-35)

5. 2024 Parks Capital Improvement Plan (p. 36-39)

6. 2024 Roads Capital Improvement Plan (p. 40-43)

7. SRWMO JPA and Funding Formula Update (p. 44-53)

8. Ordinance Review – Storage Containers, Appendix A – Zoning (p. 54-55)

9. Conduct Policy (p. 56-63)

10. Adjourn

City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: 3.0

Agenda Item: City Council Minutes Format Discussion and Options

Background Material:
TimeSavers Off Site Secretarial Service, Inc. has prepared the City Council minutes since April 2, 2014. Over the course of their work, there have been several discussions regarding the type of minutes City Council has preferred. These have ranged from "semi-verbatim" type to summary minutes with the "detailed style" minutes (see Attachment 2) having been the standard since 2015.

Carla Wirth, President and CEO of Timesavers, will present options to City Council regarding different forms of minute formats that can be produced and present these to Council for review and discussion. Ms. Wirth has provided a comparison of the options available for minutes using an excerpt from our April 3, 2023 Work Meeting, Agenda Item 4.0 – Ordinance Amendments to outline the differences between the alternatives.

Attachment 1 was presented to Council at the April 3, 2023 Work Meeting and provided an estimate as to the cost of verbatim transcripts.

Attachment(s):
Attachment 1 – Verbatim Transcript Estimate
Attachment 2 – Summary of Minute options

Fiscal Impact:
To be determined

Recommendations: Information Item. Staff requests direction from City Council at the conclusion of discussion of this item.

TimeSaver Off Site Secretarial, Inc.

April 3, 2023

Mr. Jack Davis, City Administrator
City of East Bethel
2241 – 221st Avenue NE
Cedar, MN 55011

Dear Jack,

Thank you for contacting TimeSaver to request a price estimate to prepare verbatim transcripts for the East Bethel City Council. As you know, TimeSaver 2023 rates are as follows with the highest rate prevailing:

a. Base Rate: One Hundred Fifty-Nine and 00/100 dollars ($159.00) for any meeting up to one (1) hour (billable time) plus Thirty-Seven and 75/100 dollars ($37.75) for each thirty (30) minutes following the first one (1) hour; **or**

b. Unit Rate: Fifty-One and 00/00 dollars ($51.00) for the first hour of meeting time and Thirty-Four and 00/100 dollars ($34.00) for every hour after the first hour plus Sixteen and 00/100 dollars ($16.00) for each page of draft minutes for submission to the City of East Bethel for their preparation of final minutes.

Due to the number of pages generated via verbatim transcript, the invoicing would always fall to the unit rate as detailed above.

Based on the City Council meetings held so far in 2023, the cost would increase from $2,471.50 for the full-detail minutes East Bethel is currently receiving, to $4,275.00 for a verbatim transcript. This transcript estimate is based on our experience with preparing transcripts for another municipality that range from 17-19 pages per one hour of meeting time. Please see the attached spreadsheet that is based on 17 pages per one hour of meeting time for the transcript.

If you need further information or have questions, please feel free to contact me.

Best regards,

Carla Wirth

Carla Wirth
Owner

Attachment

21021 Karoline Court N. ♦ Forest Lake, MN 55025

TimeSaver Off Site Secretarial, Inc.

EAST BETHEL CITY COUNCIL

Verbatim Transcript Estimate

2022 Date	Current Hours /# of Pages	Current Cost	Transcript Hours /# of Pages	Transcript Estimate
Jan. 9	1 / 10	$ 211.00	1 / 17	$ 323.00
Jan. 23	1.75 / 20	$ 396.50	1.75 / 30	$ 556.50
Feb. 7 (Wk)	2 / 13	$ 293.00	2 / 34	$ 629.00
Feb. 13	2 / 14	$ 309.00	2 / 34	$ 629.00
Feb. 27	2 / 15	$ 333.50	2 / 34	$ 629.00
Mar. 6 (Wk)	1 / 4 (base)	$ 159.00	1 / 17	$ 323.00
Mar. 13	2 / 20	$ 405.00	2 / 34	$ 629.00
Mar. 27	1.75 / 18	$ 364.50	1.75 / 30	$ 556.50
	TOTAL	$ 2,471.50		$ 4,275.00

21021 Karoline Court N. ♦ Forest Lake, MN 55025

TimeSaver Off Site Secretarial, Inc.

April 26, 2023

Mr. Jack Davis, City Administrator
City of East Bethel
2241 – 221st Avenue NE
Cedar, MN 55011

Dear Jack,

Attached are several excerpts of meeting minutes including transcripts for an ordinance amendment agenda item discussed at the April 3, 2023 City Council Work Meeting.

Action Style Minutes: Indicates staff report was presented, Council discussion points, consensus/agreements reached, next steps/staff direction. (¼ page)

Summary Style Minutes: Indicates summary of the staff report, summarized Council comments with speaker's name, consensus/agreements reached, next steps/staff direction. (2 pages)

*Detailed Style Minutes: Indicates full staff report, detailed Council comments including repetition with speaker's name, consensus/agreements reached, next steps/staff direction. (4 pages)

Edited Transcript: Indicating all words spoken with speaker's name typed in and correction of voice recognition software errors (i.e., pool building/ pole building, etc.). (6 pages)

Unedited Transcript: Indicating all words spoken as translated by voice recognition software. (8 pages)

* East Bethel is currently using detailed style minutes.

If you need further information or have questions, please feel free to contact me.

Best regards,

Carla Wirth

Carla Wirth
Owner

Attachments

21021 Karoline Court N. ♦ Forest Lake, MN 55025

ACTION MINUTES

EXCERPT
OF EAST BETHEL CITY COUNCIL WORK MEETING
April 3, 2023

MEMBERS PRESENT:	Tim Harrington	Brian Mundle	Kevin Lewis
	Tim Miller	Jim Smith	

ALSO PRESENT: Jack Davis, City Administrator

4.0 – Ordinance Amendments

a) Sec. 74-95 – Identification and Upgrading of Substandard Sewage Treatment Facility

b) Zoning, Sec. 28 – Architectural Standards

c) Zoning Sec. 14 – Detached Accessory Structures

d) Zoning, Sec. 24 – Exterior Storage, Light Industrial and B-3 Districts

e) Zoning, Sec. 24 – Exterior Storage, B-2 District

Davis presented the staff report as included in the April 3, 2023 Work Meeting packet and provided for the Council's review.

The Council discussed the ordinance amendments as proposed by Smith and potential impacts. Discussion points included costs for inspections, adding clarity and ease of understanding, addressing County and Watershed grants, impact of reducing pole building architectural standards and increasing storage height, and potential benefit of easing restrictions to attract and retain businesses.

Following discussion, agreement was reached to make the following revisions: City staff would look up grants, removal of the 12-foot height restriction on exterior storage, referring the matter to the Planning Commission for their recommendation.

Davis stated staff would send this to the Planning Commission on April 25, 2023 to hold the public hearing and this would come back to the Council in May.

SUMMARY MINUTES

EXCERPT
OF EAST BETHEL CITY COUNCIL WORK MEETING
April 3, 2023

MEMBERS PRESENT:	Tim Harrington	Brian Mundle	Kevin Lewis
	Tim Miller	Jim Smith	

ALSO PRESENT: Jack Davis, City Administrator

4.0 – Ordinance Amendments

a) Sec. 74-95 – Identification and Upgrading of Substandard Sewage Treatment Facility

b) Zoning, Sec. 28 – Architectural Standards

c) Zoning Sec. 14 – Detached Accessory Structures

d) Zoning, Sec. 24 – Exterior Storage, Light Industrial and B-3 Districts

e) Zoning, Sec. 24 – Exterior Storage, B-2 District

Davis presented the staff report indicating Smith requested an amendment of Chapter 74, Article IV, Section 74-95 – Identification and Upgrading of Substandard Sewage Treatment Facility. The existing ordinance section and proposed change are exhibited in Attachment 1 to Council's packet.

Smith stated the reasons he brought this is because now, if a resident wants to do something they had to pull a permit and a lot of people who worked on their own homes either did not know or even if they did know, they were not interested in pulling a permit. He reviewed estimated costs for a certified inspection and belief this would scare a lot of people from pulling a permit for any work. He wrote this amendment so it would be easier for people. Davis believed this only applied to an addition or alteration to existing plumbing, but it did make it clearer.

Lewis believed this was a good change and would clarify it, noting the trigger would become the owner of the property rather than a City employee to make a determination about a substandard or insufficient sewer system. Davis noted that was not something the City did.

Smith commented on the purpose of adding Item D to address County grants. Harrington noted the watershed also had grant funds available.

Mundle suggested revising D from City Administrator to the City staff. Smith noted the City Administrator was in charge and the building official would be making the decision.

Following discussion, it was agreed to revise this wording to indicate City staff would look up grants.

Davis presented Councilperson Miller's requested amendments and indicated the proposed redline changes are exhibited in Attachment 2 to Council's packet. He noted amendments to these ordinance sections will require a public hearing have to be approved at a regular Council meeting.

Miller commented on the purpose of the architectural standards to ensure the exterior of the structures were well designed and crafted by standards of architectural designs. He did not suggest a lot of changes as what was there was a good starting point but actually was too much and deterred businesses in a sense.

Smith and Lewis believed these were good changes.

Mundle asked questions relating to number 2-2 on page 6, pole type building materials, and whether the amended wording would meet architectural standards. Miller noted not everyone has money to build with brick, there are pole buildings along Highway 65 that had been redone, and this made it easier to open a business. Smith stated it looked good to him.

Mundle inquired about page 9, 4(a)(3) exterior storage not exceeding 12 feet in height. Miller explained why that wording was removed to make it easier, along with the setbacks, to allow people to have storage for their business on their facility.

Mundle addressed the perspective of a neighboring business if there was not height restriction and someone put storage 20 feet high along the fence line and it blocked the neighboring businesses views, etc. Miller did not believe 12 feet was high enough for these businesses and he was open to extend it to the roof line of the building to. Miller did not know if there was a way to incorporate the best of both worlds with the goal of opening up the back yard to allow the businesses to bring in more inventory to use.

Davis stated one other consideration was expanding the square footage of the existing storage which would give more space so they would not need more height.

Lewis stated he would just go with it and see what happens, noting the point was to make it easier for existing businesses to use their property and more enticing for businesses to come to the City. Smith agreed that too many rules was not good. Lewis stated it discouraged people from investing in the City. Smith stated they did not want to do that.

Lewis relayed a conversation he had with someone who wanted to acquire land but restrictions were holding him back from doing it, which he felt was common. He described obstacles with running a business.

Miller noted implementing these changes, he believed businesses would benefit from it. Lewis agreed and stated the number one thing that sells business people on locating at a place was having a city that wanted to work with businesses. He noted the plan didn't govern, it was a guideline, but when circumstances changed, realty trumps the plan every time.

Davis asked if they wanted to keep the 12-foot height restriction or modify it. Lewis, Smith and Miller agreed to take it out.

Davis stated he was informed by the City Attorney that traditionally these Ordinance changes regarding zoning were referred back to the Planning Commission for their recommendations. However, the State Statute reads it can go to the Planning Commission or the governing body. Lewis stated he wanted to work with the Planning Commission and do exactly what was called for.

Davis stated staff would send this to the Planning Commission on April 25 to have the public hearing and this would come back to the Council in May.

DETAILED MINUTES

EXCERPT
OF EAST BETHEL CITY COUNCIL WORK MEETING
April 3, 2023

MEMBERS PRESENT:	Tim Harrington	Brian Mundle	Kevin Lewis
	Tim Miller	Jim Smith	

ALSO PRESENT: Jack Davis, City Administrator

4.0 – Ordinance Amendments

a) Sec. 74-95 – Identification and Upgrading of Substandard Sewage Treatment Facility

b) Zoning, Sec. 28 – Architectural Standards

c) Zoning Sec. 14 – Detached Accessory Structures

d) Zoning, Sec. 24 – Exterior Storage, Light Industrial and B-3 Districts

e) Zoning, Sec. 24 – Exterior Storage, B-2 District

Davis presented the staff report indicating Councilperson Jim Smith requested an amendment of Chapter 74, Article IV, Section 74-95 – Identification and Upgrading of Substandard Sewage Treatment Facility. The existing ordinance section and proposed change are exhibited in Attachment 1 to Council's packet.

Smith stated the reason he brought this up was because he was reading the older Ordinance and the way he read it was if a resident wants to do something they had to pull a permit and a lot of people who worked on their own homes they either did not know or even if they did know, they were not interested in pulling a permit. He indicated to get a certified inspection it could be $600 at least and if they have to upgrade, depending on what it is, would be anywhere from $15,000 or more. To him, he believed this would scare off a lot of people from pulling a permit for any work. In his opinion, he wrote this up so it would be easier and people would not have to have a septic inspection to put in a door, window, or siding on their home. To make it easier and have people not be afraid to pull a permit, he felt this was necessary. Davis believed this really only applied to an addition or alteration to existing plumbing, but it did make it clearer and spelled it out better.

Smith noted for the larger thing he could understand why it was necessary, but not for the little things.

Lewis believed this was a good change and it could clarify it. He noted the trigger would become of owner of the property rather than a City employee who would make a determination about a substandard or insufficient sewer system. Davis noted that was not something the City did.

Smith noted the purpose of adding Item D was if the County had some kind of a grant. Davis responded the County did have some programs but the big problem with that was did have some grant funds available.

Harrington noted the watershed also had grant funds available.

Mundle asked on D, could they change the City Administrator to the City staff. Smith noted the City Administrator was the one in charge and the building official would be making the decision.

Mundle asked who would be looking up grants. Smith stated it could be changed so the City staff did that work. He indicated he had no problem with that. Davis responded that change would be made.

Davis noted this needed to go to a Council meeting for approval along with a public hearing needs to be held.

Davis stated Councilperson Miller requested amendments to:

a) Zoning, Section 28 – Architectural Standards

b) Zoning, Section 14 – Detached Accessory Structures

c) Zoning, Section 24 – Exterior Storage, Light Industrial and B-3 Districts

d) Zoning, Section 24 – Exterior Storage, B-2 District

Davis indicated the proposed redline changes are exhibited in Attachment 2 to Council's packet.

Davis noted amendments to these ordinance sections will require a Public Hearing have to be approved at a regular Council meeting.

Miller stated the purpose of the architectural standards was to ensure the exterior of the structures were well designed and crafted by standards of architectural designs. He noted he did not suggest a lot of changes as what was there was a good starting point but it actually was too much and he believed it deterred businesses in a sense.

Smith and Lewis believed these were good changes.

Mundle asked on number 2-2 on page 6 where pole type building materials was stricken, was that to make it possible for pole buildings to be the primary structure. Miller replied that was correct.

Mundle asked if the pole building would meet architectural standards. Miller noted not everyone would have the money to build with brick, but if they looked at Highway 65 there were some pole buildings that had been redone and this made it easier on opening up a business or getting an existing one. He noted there were not a lot of changes being made.

Smith stated it looked good to him.

Mundle inquired on page 9, 4(a)(3) exterior storage cannot exceed 12 feet in height. Miller stated he took that out of there as there were already businesses have storage in excess of 12 feet and it was not as if they were getting rid of something the City was enforcing but this made it easier along with the setbacks for the rear of the building, etc. to allow people to have storage for their business on their facility. He noted right now it was very limited.

Mundle asked if they wanted a height restriction. Miller responded he did not know.

Mundle stated he was thinking about the perspective of a neighboring business if there was not height restriction and someone put storage 20 feet right along the fence line and it blocked the neighboring businesses views, etc. where they had some sort of a complaint that the 20-foot height they didn't like it for some reason. He saw this as an issue.

Miller did not believe 12 feet was high enough for these businesses and to extend it to the roof line of the building he was open to. He stated he saw Mundle's point, but he has situations where a business was not by other businesses that they would like to utilize that.

Miller did not know if there was a way to incorporate the best of both worlds to see if they could make it a maximum of something, but the main goal was to open up the back yard to allow the businesses to bring in more inventory to use.

Lewis advocated going with it and see if it became a problem instead of anticipating a problem in advance and try to prevent it. He stated would this be an issue. He indicated from a practical

standpoint the lift on a forklift outdoors to get things off there was a practical limit as to how high they generally went. He stated practically speaking the reach for a fork life was 15 feet in most cases or less.

Davis stated one other consideration was expanding the square footage of the existing storage which would give them more space too so they would not need more height. He could only think of one location in the City where there was storage higher than 12 feet. He did not think this was a common problem and it could be addressed down the road if this came up.

Lewis stated he would just go with it and just see what happens. He indicated the whole point of these things was to make it easier for existing businesses to use their property that they paid for and paid taxes for as much as they could so they didn't need an extra site for storage, etc. and to make it more enticing for businesses to come to the City because they didn't have a rule about everything they can possibly think of. He stated he was a libertarian so stuff like this grated his gears real good because it was like people who had no money invested had all of the control over how they used their facility. He indicated he would not be loving it if he had a million dollars in a facility and he wanted to store stuff that happened to be 13 feet high. He stated this was ridiculous.

Smith agreed that too many rules was not good. Lewis stated it discouraged people from investing in the City. Smith stated they did not want to do that.

Miller stated right now they were limited with what they could use behind there and that was going to…

Lewis interrupted and stated he was just talking to a guy the other day who wanted to acquire land and it was because of what the restrictions are as to what he could do with it that was holding him back from doing it. He indicated this a common thing whether they were already here or wanted to come. He noted they had enough obstacles running a business these days supplied by the Federal and State governments and they didn't need to be doing it on the local level too. He complimented Miller on this heavy lifting kind of work. He indicated Ordinances were not war and peace and were not captivating in anyway and to plow through them and look as to how to make changes to make it more doable for people who have businesses here or to be attracted here was the heavy lifting part of the work and so he complimented him. Miller thanked Lewis. Lewis noted he was glad it wasn't him and that he didn't have to do it.

Miller noted implementing these changes, he believed businesses would benefit from it. Lewis agreed. Miller stated this was what they wanted to do.

Lewis stated the number one think that sells business people on locating at a place was having a city that wanted to work with businesses. He stated from having done corporate planning is that plans are written to be changed. He stated nobody with any sense who was in that work said that they couldn't do it because the plan said something. He noted the plan didn't govern and it was just a guideline, but when circumstances changed because they can't anticipate every circumstance, realty trumps the plan every time and that is just the way the real world works.

Davis asked if they wanted to keep the 12-foot in there or modify it. Lewis stated he thought it was deleted. Smith and Miller agreed to take it out.

Smith thanked Miller also.

Davis stated the question remains, as he was informed by the City Attorney, that traditionally these Ordinance changes regarding zoning were referred back to the Planning Commission for their recommendations. However, the State Statute reads it can go to the Planning Commission or the governing body. He stated if this went to the Planning Commission it would go to them on the 25th

and then come back to the Council on May 8. If it went to the Council it would go on April 24 and the public hearing at that time also.

Mundle asked if it went to the Planning Commission would they hold the public hearing themselves. Davis responded that was correct and then Council would not hold the public hearing.

Lewis stated he wanted to work with the Planning Commission to as a good faith gesture he wanted to do exactly what was called for. He stated he meant that and this was sincere and not a joke.

Davis stated staff would send this to the Planning Commission on April 25 to have the public hearing and this would come back to the Council in May.

EDITED TRANSCRIPT

EXCERPT
OF EAST BETHEL CITY COUNCIL WORK MEETING
April 3, 2023

MEMBERS PRESENT: Tim Harrington, Brian Mundle, Kevin Lewis, Tim Miller, Jim Smith

ALSO PRESENT: Jack Davis, City Administrator

4.0 – Ordinance Amendments

a) Sec. 74-95 – Identification and Upgrading of Substandard Sewage Treatment Facility

b) Zoning, Sec. 28 – Architectural Standards

c) Zoning Sec. 14 – Detached Accessory Structures

d) Zoning, Sec. 24 – Exterior Storage, Light Industrial and B-3 Districts

e) Zoning, Sec. 24 – Exterior Storage, B-2 District

Harrington: Item 4.0, Ordinance Amendments, first one is a) Section 74-95 Identification and Upgrading of Standard Sewage Treatment Facility.

Davis: In your package, you'll see a request for a proposed change to that section of the ordinance and also the existing section. It's an exhibit in Attachment 1 and is open for discussion and direction from City Council.

Smith: I'll start it off. The reason I brought this up is because I was reading the old ordinance and the way it reads. If the way I read it, anyways, yeah, if a resident wants to do something, and they have to pull a permit, they have to have a sewage system treatment certification. And that's to even get a permit for anything. So the way I looked at it, it's like a lot of people when they do work on their own homes or whatever, they either don't know. Or even if they do know, they don't, they're not interested in pulling a permit. Well, with something like this, a certification usually will, inspection, will be about $600, at least. And if you have to upgrade, that depends on what it is. That can be anywhere from $15,000 or more. So to me, to me, that would scare off a lot of people to even think about pulling a permit for any work. Well, in my opinion of this whole thing is, that's why I wrote it up. So it's a lot easier and the people are not going to have to have a septic inspection to put in a door or a window, or side their house. So to make it easier, and to have people not to be afraid to come in and pull a permit, I feel this is necessary that we change this, because that way, there, hopefully they'll come in and pull a permit.

Davis: I think it clarifies a lot of things there, Jim. This really only applies to an addition or alteration of existing plumbing. But it does make it clear that, you know, if you're just doing things that don't involve those type of activities, that just doesn't apply. So it's just maybe spells that out a little bit better.

Smith: But it's also, like in C, it's the capacity. So if you're going to put an addition or something like that on, big things, then I understand we'd have to do a septic inspection. But for the little things, it's not necessary. So that's why I put it the way it is.

Lewis: I think it's a good change in the ordinance, clarifies it. And also, the trigger becomes determined by the owner of the property. It's their decision to add on, add capacity to the tank, rather than some employee at the City, looking through records and deciding who might have a substandard or an insufficient septic system. Which, you know, I don't, I don't know what criteria they work off a Ouija board or what but…

Davis: That's, that's actually something that we don't do. So we don't want to do that, literally.

Lewis: It doesn't make any sense.

Smith: That's why I like, in D, I added D to it is because I did a lot of work for ACCAP in the past years. And they always had some kind of grant for major things that we did, remodeling houses and stuff that. If we ran into something like this, like a septic type thing. And, usually the County has some kind of a grant that they can help the residents out with.

Davis: They do have several programs. The big problem with that sometimes is do they have the money in there? Right. But they do have several programs available.

Smith: Right, that's why I added it.

Harrington: ACD has got grant money too, the Watershed. I know they do for both so.

Smith: Oh, for people?

Harrington: Yeah, you can apply play with the Watershed and…

Smith: Oh really, good to know. I didn't know that.

Mundle: So on D, could we change the City Administrator to the City staff?

Smith: Well, depending I guess, I look at it like City Administrators are going to be in charge. The Building Official, I would think, would be making the decision. So…

Mundle: Yeah, but who would be looking up grant? Would it be…

Smith: Well if we have people who deal with that in the City, it would be staff. Staff would be fine. We could add that.

Mundle: Yeah, so just change it to City staff.

Smith: Sure, I don't have a problem with that. Yeah. Can we add that Jack?

Davis: Yes.

Smith: Maybe just 'and staff' or something like that?

Davis: Yeah, we'll just cross that out and just put something in.

Smith: Yeah, that will work. That won't hold up to get this still moving, right?

Davis: No.

Smith: Alright, okay.

Davis: This is just a Work Meeting. So we've got to, this still has to go to Council for direction and approval. And then we have the public hearing and go on from there.

Smith: Good. That's all I have.

Harrington: Any other questions? Comments? Do you have everything you need on that one, Jack?

Davis: Yes.

Harrington: Okay. B, Zoning Section 28, Architectural Standards.

Davis: Actually, all four of these are essentially the same, cut from the same sections of the Code, the Zoning Code. And there's one that deals with architectural standards, detached accessory structures, and exterior storage in the Light Industrial and the B-2 and B-3 Districts. And Mr. Miller has some proposals that he would like to see, some deleted and some added to the ordinance.

Miller: I think the real purpose of the agrical, architectural standards is that we can ensure the exterior, the new construction, and additions to existing buildings are well-designed details crafted to embody high standards of architectural designs. Now there hasn't been a lot of changes in it because what was here was, was, a good starting point. But it actually was a little bit too much and it deters businesses in a sense. So you can see where the red lines are on there and you can see that we've added just a few things to it. If there's any questions on it or discussions?

Lewis: I read it over. I think it's a good change

Miller: I agree.

Mundle: So on number 2-2 call it, removing pole type building materials, it would be on page 6 of the packet. Is that…

Smith: On number 2?

Mundle: Yeah, call it 2-2, where ‘and pole type building materials” are strikethrough, is that to make it possible for pole buildings to be the primary structure?

Smith: Yeah.

Mundle: So, was that if that pole building can then meet the architectural standards?

Smith: Correct.

Miller: Not everybody is going to have the money to build up, you know, a total brick, and some of these materials listed. But if you go up and down 65, there's some quality businesses that have utilized the pole buildings that were there. Just makes it a little bit easier on opening up a business or getting an existing one.

Lewis: Looks good to me.

Miller: I mean there wasn't a lot of changes. There were just some, some key changes on that, and that was one of them.

Mundle: So then, moving on to Page 9, 4(a)(3), exterior storage cannot exceed 12 feet in height.

Smith: Page 9.

Mundle: Page 9, 4 is Light Industrial and B-3 District. It would be 4(a)(3).

Miller: Basically we crossed, I took that out of there. It's on your exterior storage. The ordinance for the City of East Bethel has the purpose of allowing businesses to fully use their rear yard for storage. I mean, as we're trying to change it while maintaining the screening requirements of the original language of the ordinance. We've got businesses that have, are already using storage in excess of 12 feet. So, I mean, it's not like we're, we're getting rid of something we're enforcing. We're making it easier, along with the setbacks for, you know, the rear of the building and so forth, to allow these people to have storage for their business on their facilities. Right now, it's, it's, it's very limited.

Mundle: Do we want a height restriction?

Miller: I don't know, that's, that's, you know that’s why we’re here so let’s talk about it.

Mundle: I'm thinking of the perspective of a neighboring business where the neighboring business, if we don't have a height restriction, they put up storage 20 feet, right along the fence line and it blocks all

their views or whatever, what have you. They have some sort of complaint that the 20-foot height, they don't like it for, name or reason why they don't like it. I'm just seeing where that could be an issue.

Miller: Yeah, that's why, that's why it's crossed out. Twelve feet, I don't think it's high enough for these businesses. To extend it above the, the roof line, or the, the height of the main building. I'm open for that. I'm open for, you know, something that's fair and in between. I mean, I can see your point. And I can see points where if they're not by any buildings or other businesses too, you know, that they'd like to utilize that. So I don't know if there's a way we can incorporate the best of both worlds in this to make it a maximum of something unless, you know, we approve something different. But the main goal is to open up the backyards, to open up these places where they can bring in more inventory, where they can invest more, where they don't have to use outside storage. Or they have to, you know, order inventory, you know, right on time, stuff like that. That they can bring in stuff to use.

Lewis: I would advocate going with it and see if it becomes a problem. Instead of anticipating the problem in advance and trying to prevent it.

Harrington: Just go business by business or something.

Lewis: Well, just, is it going to be an issue? That, from a practical standpoint, the lift on a forklift, outdoors, to get stuff off, it’s a practical limit on how high they go. Generally, you're not going to buy $180,000 forklift to go pick up a piece of pipe or something, you know and have a 40-foot forklift. So you, it's really, the reach for a forklift, practically speaking, is maybe 15 feet, something like that, in most cases, or less.

Davis: One other consideration on that, too, is by expanding the square footage of existing storage is going to give them more space too so you're not going to have to do height to get more area in that one location. I can only think of one location in the City that does have storage higher than 12 feet. So I don't think it's going to, it's not a common problem. But, you know, it's something that can be addressed too as we go down the road and if it comes up again.

Lewis: Yeah, I mean, I would, I would just go with it and just see, see what happens good, get some experience. But the whole point of these things is to make it easier for existing businesses to use their property that they paid for and pay taxes on and everything, as much as they can, without an extra site for storage or what have you. And to make it more enticing for businesses that want to come to East Bethel because we don't have a rule about every dang thing you could possibly think of. I mean, I'm a Libertarian, some stuff like this grates my gears real good, because it's like people who have no money invested, have all the control over how you use your facility. And that would not be, I wouldn't be loving it if I had a million dollars tied up in a facility, I just want to store some stuff that has to be 13 feet high. Oh, no, I'm sorry, we can't do that because it says right, you know, come on. That's, that's ridiculous. It's.

Smith: I agree. Kevin, too many rules is not good.

Lewis: No. It discourages people from investing here.

Smith: You bet. We do not want to do that.

Miller: And they're limited right now with what they can use behind there. So I mean, that's gonna…

Lewis: I was just talking to a guy the other day who, he wants to acquire some land, and it's because of the restrictions on what he can do with it that's holding him back from doing it. You know, that's a common thing. That's not uncommon, it's common, whether they're already here, or they're looking at coming here. You know, you got enough obstacles running a business these days, supplied by the Federal and State governments. You don't need to be doing it on a local level too. You know and I want to compliment you, Tim, on going to the, this is the heavy lifting kind of work when you sit there. And I mean, ordinances are not *War and Peace*. You know, they're not captivating in any way, and to plow through them and look at, look how to make changes to make it more doable for

people that have businesses here or to be attracted here, is the heavy lifting part of the work so complimentary on it.

Smith: Thank you.

Lewis: Glad, it wasn't me. Glad I didn't have to do it.

Miller: So if we can get a chance to strike out that year, or that the rear yard storage limitations, you know, those operating in the Light Industrial B-2, B-3 zones, the limitations on the storage racks for inventory, it's simplified the code by combining some of this stuff. I think businesses are, are, are going to definitely benefit from it.

Lewis: Yeah, I agree.

Miller: I mean, and that's not a game. I mean, that's what we want to do.

Lewis: Yeah. If we can get, the number one thing that sells business people on locating in a place is, is, is that a City who wants to work with business people? That's the number one thing. It's not will they give us a bunch of money. It's not, you know, others things. It's, are they people who understand business and are willing to work with us. And, because I can tell you one thing from having done corporate planning, plans are written to be changed. Nobody with any sense, who's in that work, says, oh, well, we can't do it because the plan says you get that, you get thrown right out of the place. No, the plan doesn't govern. It's just a guideline. But when, when circumstances change, because you can't anticipate every change in circumstances, reality trumps the plan, every time. That's the way, that's just the way the real world works.

Davis: So do we want to keep the 12 foot in there or modify that?

Lewis: I thought it was deleted.

Miller: I took it out, okay.

Lewis: We're gonna go out on a limb and take a big risk. Could lead to disaster. But I don't think it will.

Smith: Good job Tim.

Miller: Well, thanks.

Lewis: So now all the ordinance reviews and changes we'll assign to you as you're the guy for that.

Miller: Well, I got the 612 page book at home.

Lewis: You're the one with the big book.

Davis: Now, the question now remains and I was informed by the City Attorney that traditionally these ordinance changes that refer to zoning have gone back to the Planning Commission for their change and then recommendation to City Council. However, the State Statute reads that it can go to the Planning Commission or the governing body. So if it goes to the Planning Commission, it would go the Planning Commission on the 25th and then come back to City Council on May the 8th. If it goes to the City Council, that will go to the City Council on April the 24th. And we can hold the public hearing and make the decision at that time.

Mundle: And Jack, if that went to the Planning Commission, they would hold the public hearing themselves

Davis: They would hold the public hearing on April 25.

Mundle: So Council would not have?

Davis: So, Council wouldn't have to hold the public hearing.

Lewis: Well, we want to work with the Planning Commission so as a good faith gesture, we're going to do exactly what's called for.

Davis: All right.

Lewis: Yes, I mean that. I mean that. That's sincere. That's not making a joke.

Davis: So we'll send this to the Planning Commission then on April 25.

Lewis: Yup.

Davis: They'll have the public hearing.

Lewis: Yep.

Davis: And then they can come back to City Council, at our meeting on May the 8th.

Harrington: Okay.

Lewis: We'll do things according to Hoyle. Remember that expression, Jack?

Jack: Absolutely.

Lewis: That dates me, huh? According to Hoyle.

Harrington: So, you've got everything you need there Jack?

Davis: I do.

Harrington: Okay, moving on. Item number 5, Community Development Director Update.

UNEDITED TRANSCRIPT

City Council WM 040323

Fri, Apr 21, 2023 1:25PM • 1:23:10

Harrison 18:53
Number four ordinance amendments first one a section 74 Dash 95 identification and upgrading standard sewage treatment facility.

Davis 19:04
In your package, you'll see a request for a proposed change to that section of the ordinance and also the existing section. It's an exhibit in attachment one and is open for discussion and direction from City Council.

19:27
I'll start it off. The reason I brought this up is because I was reading the Old ordinance and the way it reads If the way I read it anyways, yeah, if a resident wants to do something, and they have to pull a permit, they have to have a sewage system treatment certification. And that's even get a permit for anything. So the way I looked at it, it's like a lot of people when they do work, you on their own homes or whatever they either don't know. Or even if they do know, they don't, they're not interested in holding a permit. Well, something like this, a certification years ago, inspection will be about $600, at least. And if you have to upgrade, that depends on what it is that can be anywhere from 15,000 or more. So to me, to me, that would scare off, a lot of people even think about pulling a permit for any work. Well, in my opinion of this whole thing is, that's why I wrote it up. So it's a lot easier and the people are not going to have to have a septic inspection to put in a door or a window, or side their house. So to make it easier, and to have people not to be afraid to come in and pull a permit, I feel this is necessary that we change this, because that way there hopefully they'll come in and pull a permit.

Davis 21:00
I think it clarifies a lot of things there, Jim, this really only applies to an addition or alteration of existing plumbing. But it does make it clear that you know, if you're just doing things don't involve those type of activities, that just doesn't apply. So it's just maybe spell that out a little bit better.

21:17
But it's also like in C, it's the capacity. So if you're going to put an addition or something like that on big thing that I understand, we'd have to do a septic inspection. But for the little things, it's not necessary. So that's why I put it the way it is.

21:33

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I think it's a good change in the ordinance clarifies it. And also, the trigger becomes determined by the owner of the property. It's their decision to add on add capacity to the tank rather than some employee at the city, looking through records and deciding who might have a substandard or an insufficient septic system, which, you know, I don't I don't know what criteria they work off a Weegee board or what but

Davis 21:59
that's, that's actually something that we don't do. So we don't want to do that literally

22:06
doesn't make any sense.

22:09
That's why I like and D add a D to it is because I did a lot of work for E cap in the past years. And they always had some kind of grant for major things that we did remodeling houses and stuff that we ran into something like this, like a septic type thing. And usually the county has some kind of a grant that they can help the residents out with.

Davis 22:32
They do have several programs. The big problem with that sometimes is do they have the money in there? Right. But they do have several properties available. The deed

Harrison 22:41
it's got it's got grant money to the watershed. I know they do for both so

22:48
for people,

Harrison 22:50
yeah. You're gonna play with the watershed and

22:58
so on D Wood query change the city administrator to the city staff?

23:10
Well, depending I guess, I look at it like city administrators that are going to be in charge the building official, I would think we'd be making the decision. So

23:22
yeah, but to who would be looking up grant grants, what would it be?

23:28
All we knew was that in the city? Yeah. So staff would be fine. We could add that.

23:33

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Yeah. So just change it to city staff. Sure.

23:37
Yeah. Do we have that just Yes.

23:46
Maybe just and staff something?

Davis 23:48
Yeah, we'll just cross that out and just put something on.

23:55
Them don't hold up to give that to some moving. All right. No, good. Okay.

Davis 23:59
This is just a work meeting. So we're gonna have to discuss to go to council for direction and approval. And then we have the public hearing and go on from there. Good. That's all I

Harrison 24:13
have questions, comments. You got everything you need on that one, Jack? Yes. Okay. Be zoning section 28 architectural standards.

Davis 24:31
Actually, all four of these are essentially the same cut from the same sections of the code, zoning code. And there's one that deals with architectural standards, detached accessory structures, and exterior storage in the light industrial and the b two and B three districts. And Mr. Miller has some proposals that he would like to see some deleted and some added to the ordinance I

25:04
think the real purpose of the agricole architectural standards is that we can ensure the exterior the new construction and additions to existing buildings are well designed details crafted to embody high standards of architectural designs

25:30
now there hasn't been a lot of changes in it because what was here was was a good starting point but it actually was a little bit too much and it deters businesses in a sense so you can see where the red lines are on there and you can see that we've added just a few things to look

26:05
at if there's any questions on it or discussions

26:13
read it over I think it's a good change

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26:16
I agree

26:23
so on number two dash to call it removing Paul type building materials be on page six of the packet

26:44
is that

26:45
five six on number two

26:49
at two called dash to where and pull type building materials or strikethrough is that to make it possible for pull buildings to be the primary structure

27:16
was that if that poor building can then meet the architectural standards

27:30
not everybody is going to have the money to build up you know a total brick and some of these materials listed but if you go up and down 65 There's some quality businesses that have utilized the poll buildings that were there just makes it a little bit easier on opening up a business or getting an existing one.

28:25
Warm looks good to me. I

28:29
mean there wasn't a lot of changes that were just some some key changes on that and that was one of them.

28:44
So then, moving on to

28:53
page nine, for a three exterior storage cannot exceed 12 feet in height

29:15
page nine fours lay industrial and B three District

29:31
B four a

Transcribed by https://otter.ai

29:33
three basically we cry. I took that out of there. It's on your exterior storage. The ordinance for the city of East Bethel has the purpose of allowing businesses to fully use their rear yard for storage. I mean, as we're trying to change it while maintaining the screening requirements of the original language of the ordinance.

30:05
We've got businesses that have already are using storage in excess of 12 feet. So I mean, it's not like we're, we're getting rid of something we're enforcing, we're making it easier, along with the setbacks for, you know, the rear of the building and so forth. To allow these people to have storage for their business on their facilities. Right now, it's it's, it's very limited.

30:36
On dually, won a hate restriction.

30:41
I don't know, that's, that's, you know,

30:45
I'm thinking of the perspective of a neighboring business where the neighboring business if we don't have a height restriction, they put up storage 20 feet, right along the fence line. And it blocks all their views or whatever, what have you, they have some sort of complaint that the 20 foot height they don't like it for name or reason why they don't like it. I'm just seeing where that could be an issue.

31:24
Yeah, that's why it's, that's why it's crossed out. Cold feet, I don't think it's high enough for these businesses. To extend it above the, the roof line, or the the height of the main building. I'm open for that I'm open for, you know, something that's fair. And in between. I mean, I can see your point. And I can see points where if they're not by any buildings or other businesses to you know that they'd like to utilize that. So I don't know if there's a way we can incorporate the best of both worlds in this to make it a maximum of something unless, you know, we approve something different. But the main goal is to open up the backyards to open up these places where they can bring in more inventory where they can invest more, where they don't have to use outside storage, or they have to, you know, order inventory, you know, right on time, stuff like that, that they can bring in stuff to us.

32:32
I would advocate going with it and see if it becomes a problem. Instead of anticipating the problem in advance and trying to prevent it, it's called by business by business or some, well just isn't going to be an issue that from a practical standpoint, the lift on a forklift, outdoors, to get stuff off, there's a practical limit on how high they go, generally, you're not going to buy $180,000 forklift to go pick up a piece of pipe or something, you know, 740 foot forklift. So you, it's really, the reach for a forklift, practically speaking is maybe 15 feet, something like that, in most cases, more or less.

Davis 33:14

Transcribed by https://otter.ai

One other consideration on that, too, is by expanding the square footage, and existing storage is going to give them more space to so you're not going to have to do hot to get more airy in that one location. I can only think of one location city does have storage higher than 12 feet. So I don't think it's it's not a common problem. But you know, it's something that can be addressed to so they go down the road and if it comes up again. Yeah,

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34:42
I agree. Kevin 20 rules is not good. No.

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It discourages people from investing here.

34:49
You bet. We'd want to do that.

34:53
And they're limited right now with what they can use behind there. So I mean, that's gonna

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Oh, it's just tight. to a guy the other day who he wants to acquire some land, and it's because of the restrictions on what he can do with it that's holding him back from doing it. That's a common thing. That's not uncommon, it's common, whether they're already here, or they're looking to come in here. You know, you got enough obstacles running a business these days supply by the federal and state governments, you don't need to be doing it on a local level to you know, I want to compliment you, Tim, on going to the, this is the heavy lifting kind of work when you sit there. And I mean, ordinances are not war and peace, you know, they're not captivating in any way, and plow through them and look at, look how to make changes to make it more doable for people that have businesses here or to be attracted here is the heavy lifting part of the work so complimentary on it. Thank you, Clyde, it wasn't me.

36:06
So if we can get a chance to strike out that year, or that the rear yard storage limitations, you know, those operating in light industrial b2b, three zones, the limitations on the storage racks for inventory, it's

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simplified the code by combining some of this stuff. I think businesses are going to definitely benefit from it. Yeah. I mean, that's I agree. I mean, that's what we want to do.

36:36
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Davis 37:38
So do we want to keep the 12 foot in there or modify that?

37:43
I thought it was deleted,

37:45
I took it out, okay.

37:49
We're gonna go out on a limb and take a big risk could lead to disaster. But I don't think it will

37:58
give job to ya.

38:02
So now all the ordinance reviews and changes will assign to you as your guy for that.

38:13
Oh, I got the 612 page.

38:17
You're the one with the big book.

Davis 38:23
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39:05
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Davis 39:10
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Davis 39:29
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39:37
do things according to Hoyle. Remember that expression? Jack? Absolutely. that dates me on according.

Harrison 39:48
Got everything you need. I do. Okay. Moving on. Item number five, Community Development Director update.

Transcribed by https://otter.ai

City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: 4.0

Agenda Item: Conduit Bond Presentation

Background Material:
The City Finance Committee met with a potential purchaser for the Cambia Hills facility on Tuesday, April 4, 2023. The purchaser is Nexus Family Healing and they propose to provide the same service that was offered by the Hills Group.

A major topic of the discussion at the meeting related to the issuance of conduit bonds for the financing of the purchase of the facility. We've been assured by both our financial consultant, Ehlers, and the Nexus bond counsel that East Bethel would have no liability exposure if we should be involved in the issuance. Dorsey-Whitney representing Nexus and Ehlers will be present at the Work Meeting to explain the process, benefits and any potential issues for the City to consider in upcoming discussion regarding participation in this type of bonding for this project.

Nexus and Certas representatives will also attend the Work Meeting. As Certas is the court appointed receiver representing the previous owner's trustee, they are present only as observers. The ISD School Board Chairperson and Superintendent have also be invited to attend.

Attachment(s):
Attachment 1 – Proposed Issuance of Conduit Revenue Bonds for Nexus Diversified Community Services
Attachment 2 – ISD 15 Letter of Response, Cambia Hills Re-opening

Fiscal Impact:
A typical charge by a city for this type of assistance is 1% of the par value of the bonds. In this case the City portion of the issue would be $10,000,000 which would generate up to $100,000 to cover any expenses relating to the issuance and for our participation in this form of financing.

Recommendation(s): Discussion and information item. Any action on this matter can be set for a Regular Council Meeting at a date to be determined.

DORSEY
DORSEY & WHITNEY LLP

MEMORANDUM

TO: Mayor and City Council

CC: Jack Davis and Mike Jeziorski

FROM: Rhonda Skoby
Nate Canova

DATE: April 24, 2023

RE: Proposed issuance of conduit revenue bonds for Nexus Diversified Community Services (the "Borrower")

The City of East Bethel (the "City") has received a request from the Borrower, that the City issue tax-exempt bonds in the maximum amount of $10,000,000 (the "Bonds"), and loan the proceeds thereof to the Borrower to finance a portion of the acquisition and equipping of a residential psychiatric treatment facility located in the City (the "Project"). The Borrower has requested the City of Ham Lake finance the other portion of the Project (approximately $7,000,000). After completion of the acquisition, the Borrower will lease the Project to its affiliate, Nexus Family Healing.

Cities in the State of Minnesota are authorized pursuant to Minnesota Statutes, Sections 469.152 through 469.165, as amended (the "Act"), to issue tax-exempt bonds in their name on behalf of certain revenue-producing enterprises. Because the interest on tax-exempt bonds issued by cities are exempt from gross income for federal income purposes, purchasers will purchase the bonds and offer cities reduced interest rates, which rates can be passed along to qualifying borrowers. In this case, the Borrower will be able to finance a portion of the Project at a lower interest rate than a conventional financing would allow by having the City issue the Bonds and loan the proceeds thereof to the Borrower. This will have a beneficial impact on the Borrower's cash flow and enhance the Borrower's ability to provide services and create economic development in and around the City. Since Bremer Bank has agreed to be the purchaser of the Bonds (i.e., the lender for the Borrower), issuing no more than $10,000,000 of Bonds also allows for a better "bank qualified" interest rate which further helps the Borrower. The City of Ham Lake is expected to issue less than $10,000,000 of "bank qualified" bonds as well.

Authority of Municipalities to Issue Revenue Debt

The City is authorized pursuant the Act to issue the Bonds to defray the cost of any "project" as defined at Section 469.153, subdivision 2 of the Act. These types of financings are commonly referred to as "conduit" transactions because the City acts as a conduit between the purchasers of the Bonds and the Borrower. The bonds are issued by the City and sold to the bond purchasers (in this case, Bremer Bank). The proceeds of the sale of the Bonds are then loaned to the Borrower pursuant to a Loan Agreement in which the Borrower agrees to make payments pursuant to the Loan Agreement corresponding to the payments on the Bonds.

Revenue Bonds Are Not Constitutional Debt of the Issuing Municipality

The City is not liable for repaying the Bonds and the Bonds are payable only from the amounts paid by the Borrower under the Loan Agreement. In fact, Bonds issued pursuant to the Act are statutorily prohibited from being debt of the City within any state constitutional provision. The Act provides statutory protection to the City in Section 469.162, which reads:

> Subdivision 1. **Restrictions on payment.** Revenue bonds issued under sections 469.152 to 469.165 shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, except as provided in this section, **nor shall the municipality or redevelopment agency issuing the same be subject to any liability on them**. No holder of the bonds shall ever have the right to compel any exercise of the taxing power of the municipality or redevelopment agency to pay the bonds or the interest thereon, except as provided in subdivision 2[1], nor to enforce payment of them against any property of the municipality or redevelopment agency except those projects, or portions thereof, mortgaged or otherwise encumbered under the provisions and for the purpose of sections 469.152 to 469.165.

The documents providing for the loan from the City to the Borrower, the Bond itself, and the authorizing proceedings for the Bonds will clearly state the non-liability of the City in order to put bond purchasers on notice that the Bonds will not constitute debt of the City. In particular, Section 469.162 of the Act requires that the Bonds "recite in substance that the bond, including interest thereon, is payable solely from the revenue pledged to its payment."

No City funds or tax dollars are being provided to or on behalf of the Borrower. The Borrower is responsible for reimbursing the City for any direct costs incurred related to the issuance of the Bonds, including costs for publication of notice or other expenses. Our fees as Bond Counsel to the City will be paid directly by the Borrower. The City will not bear any expense in connection with its role in the financing.

Bank-Qualification

The Bonds are proposed to be issued as "bank-qualified bonds." Bank-qualified bonds are a subset of tax-exempt bonds that were created to encourage banks to invest in tax-exempt bonds from smaller, less-frequent municipal bond issuers.

Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code") permits partial deductibility of a financial institution's interest expense allocable to acquiring tax-exempt bonds if, among other things, the tax-exempt bond is issued by an issuer that does not reasonably anticipate issuing in excess of $10,000,000 in tax-exempt bonds during the calendar year of the bond issue (i.e., a qualified small issuer). Bonds issued in accordance with Section 265(b)(3) are, therefore, referred to as "bank-qualified bonds" or, more technically, as "qualified tax-exempt obligations."

[1] Subdivision 2 has been repealed.

With bank-qualified bonds, issuers obtain lower rates by selling bonds to investors that realize the tax-exempt benefit. As a result, bank-qualified bonds typically carry a lower rate than non-bank-qualified tax-exempt bonds.

If issued, the proposed Bonds would count against the City's $10,000,000 limit for purposes of bank qualification, leaving no room for the City to issue other tax-exempt bondsd for its own governmental purposes during calendar year 2023. It is our understanding that the City does not presently intend to issue any of its own bonds during 2023.

City Revenues

The City may charge the Borrower an issuance fee for its services in connection with Bond financing.

Fees and Expenses

If the City issues the proposed Bonds, the Borrower will be required to pay all direct and indirect expenses of the City and indemnify and hold the City harmless against any liability related to the issuance of the Bonds. As the City's bond counsel, Dorsey would prepare the bond documents and represent the City's interests in the financing, but our fees (as well as the fees of all other parties involved with the financing) would be paid by the Borrower.

Procedures for Issuing Revenue Bonds

A public hearing is required in order to issue conduit bonds of this type. Accordingly, we would ask the City Council to hold two meetings on this matter.

At the first meeting (potentially May 8), the City Council would consider a resolution calling for a public hearing on the Bonds and preliminarily authorizing their issuance. At a subsequent council meeting (potentially June 12, the City Council would hold the public hearing and then consider a resolution authorizing the City to issue the Bonds, and authorizing the Mayor and City Administrator to execute the Bonds, the related documents and closing certificates. Between the May and June meetings, Dorsey would publish a notice of public hearing in the City's official newspaper. The public notice must be published more than 14 days before the hearing.

In addition to public hearing and meeting requirements, the State of Minnesota Department of Economic Development must approve the Project and the Bonds. Our firm will work with the City and the Borrower to complete an application for State approval.

Our Role as Bond Counsel

Our office will prepare each of the documents and proceedings necessary to close the transaction in order to ensure compliance with the necessary state and federal legal requirements. On the day of closing and issuance of the Bonds we intend to issue our opinion stating, among other things, that all steps required to be taken by the City to issue the Bonds have been completed, that interest on the Bonds is exempt from taxation under the Code, and that the Bonds are not general obligations or indebtedness of the City within the meaning of any constitutional or

statutory limitation, and do not constitute or give rise to a pecuniary liability of the City or a charge against the general credit or taxing powers of the City.

We look forward to discussing the proposed Bond issue with you at the May 1 City Council Work Session. Please feel free to call (612-492-6932 or 612-492-6916) or email (skoby.rhonda@dorsey.com or canova.nathan@dorsey.com) if there is further information that would be helpful in advance of the meeting.

Representatives from the Borrower team will also be attending the May 1 City Council Work Session to answer any questions you may have about the Project.

St. Francis Area Schools

District Office
4115 Ambassador Boulevard NW | St. Francis MN 55070
763-753-7040 | www.isd15.org

April 26, 2023

Jack Davis
East Bethel City Council Members
2241 221st Ave. NE
East Bethel, MN 55011

Dear Jack Davis and East Bethel City Council Members:

The purpose of this letter is to outline concerns with the district's role in the possible reopening of the Cambia Hills site for use as a psychiatric residential treatment facility (PRTF). Concerns are primarily related to timing of decision-making, structure, finances, possible impact on local taxpayers, and personnel.

Timing of Decision-Making

District officials first met with representatives of Nexus, who will operate the program, on April 4th. Since that initial meeting, additional meetings and conversations have occurred with the Minnesota Department of Education (MDE) and others to discuss potential responsibilities for the district if Cambia reopens. The session with MDE was particularly helpful but ended with more questions than answers. More information and time are needed to fully evaluate the impact on the district. Further, changes in state funding, including partial reimbursements for special education expenses, may occur during the current legislative session.

Other time-sensitive decisions include obtaining state approval of the educational services model, posting and hiring of personnel, and determining if another entity will provide educational services. These decisions take considerable time and analysis.

Structure

Provider

Unless other arrangements are made, the district is responsible for providing educational services at Cambia Hills after the state approves an educational services model.

Intermediate School District 916 provided educational services when Cambia Hills first opened. At the time, SFAS was a member of 916. In 2021, however, the district withdrew from 916 largely because membership negatively impacted local taxpayers. 916's director indicated it would not provide services now because the district is currently not a member.

Other entities could provide the service, but considerable time and analysis will be required before decisions are made by the district and cooperative.

Location of Services and Yearly Rent

The provider determines if educational services are provided on-site or off-site; if provided off-site, the district provides transportation from the Cambia Hills site to the educational facility. The current plan is for the district to provide services on-site due to space challenges throughout the district and challenges providing transportation. If provided on-site, the district would pay rent to use the space. On April 12th, however, Nexus indicated it is too early in the process to suggest a cost because of the anticipated time it will take for Nexus to own the building.

Finances and Potential Impact on Local Taxpayers

More time is needed to analyze the financial impact on the school district. Further, changes in state funding, including partial reimbursements for special education expenses, may occur during the current legislative session.

In the short-term, providing educational services may negatively impact the financial situation of the district. Currently, the district qualifies for special education yearly revenue based on a hold harmless calculation, which is a function of student's served, not on actual expenses incurred. Additional expenses may not generate additional special education revenue until the hold harmless amount is reached.

Over a longer term, program costs would largely be reimbursed by other districts or the state after the district reaches the hold harmless threshold. However, reimbursements would lag behind payments.

In addition to personnel expenses, the district or other entity would pay for other costs:

- Yearly rent or lease, which has not yet been determined. This amount may be included in the district's lease levy, so local taxpayers could be impacted.
- Curriculum
- Furniture such as tables and student desks
- Technology such as student computers
- Other costs that may be included in yearly rent or lease
- If the district contracts with 916 or other similar entity, the district may need to increase the tax levy on local residents to pay for the lease costs for all properties owned or leased by the organization, not just the Cambia Hills site.

Personnel

The State would need to approve the educational services model, so the educational services model and resulting staffing needs are not yet known.

- The district or other entity would hire core teachers, special education teachers, and other education assistants. Nexus indicated the previous arrangement with 916 featured a classroom size of 6 students. There may also be specific needs outlined in student IEPs.
- Nexus would hire Youth Care Professionals who provide therapeutic care for youth at the facility and behavioral support to classrooms during the school day under the direction of teaching staff.

Nexus plans to gradually add students, so staff members hired by the district or other entity would be gradually added. Initially, there will likely be 1-3 students when the facility opens with plans to increase residents to 10 within 4 months. Ideally, 2-3 teachers would be hired (plus any required education assistants) during the first year.

In addition to financial consequences of staffing, the district is concerned about finding enough educators for the Cambia Hills site. As with other districts, SFAS has challenges filling its current positions. It will be extremely challenging to hire educators during the middle of the school year as Cambia proceeds with a gradual increase in patients. Further, Nexus and the district will compete to hire for positions that are similar in nature, especially because of Nexus' need to hire over 90 employees in a variety of areas when the program is full.

Summary

This type of psychiatric residential treatment facility is needed and East Bethel has a site that was built to provide this important service. The district needs time to analyze its responsibilities and address its concerns about decision-making, structure, finances, possible impact on local taxpayers, and personnel.

Please contact me if you have any questions.

Sincerely,

Karsten Anderson
Superintendent

City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: Item 5.0

Agenda Item: 2024-2028 Parks Capital Improvement Plan

Background Information:
The Parks Commission prepares an annual Capital Improvement Plan (CIP) which updates needs and costs of proposed projects, evaluates priorities and establishes funding for these works for the coming year and for each of the subsequent years for a five year period. This plan is presented to City Council for their approval and used in the preparation of the 2024 budget.

Attached is the 2024-2028 Parks CIP developed from discussions at the March 13th and April 11th Park Commission Meetings.

Approval of the plans only commits the City for the projects identified for 2024. Projects beyond 2024 are for planning purposes and will be reevaluated annually for funding prioritization during the capital improvement planning process.

Attachment(s):
Attachment 1 - 2024-2028 Parks CIP
Attachment 2 - Park Comprehensive Trail and Open Space Map

Fiscal Impact:
The budget includes a general fund transfer of $100,000 for Parks Capital Improvement Projects for 2024 and is subject to City Council approval. It is anticipated that Park Dedication Fees from developers will provide an additional $60,000 to the Parks Acquisition and Development Fund for 2024.

Recommendation(s):
The Park Commission voted unanimously to recommend the attached 2024-2028 Parks Capital Improvement Plan to the City Council for their review at the May 1, 2023 Work Meeting.

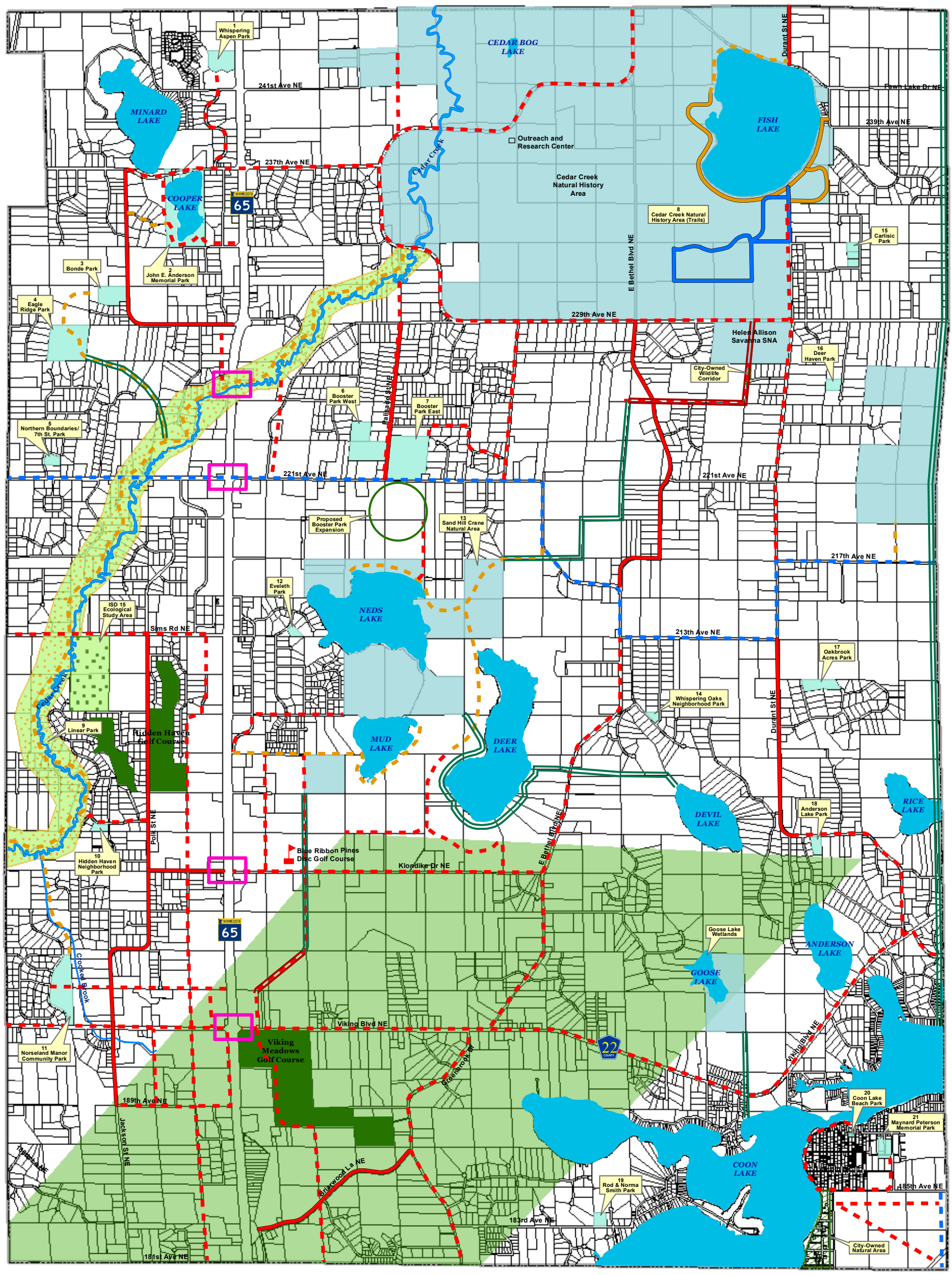
Parks Capital Improvement Plan
2024-2028
Funding Analysis

PARK ACQUISITION AND DEVELOPMENT FUND	Beginning Balance	Sources (Revenues)	Uses (Project Costs)	Ending Balance
2024 Beginning Balance	$66,800			
Park Dedication Fees		$40,000		$106,800
Shade Structures for Booster West			$50,000	$56,800
2024 Ending Balance				$56,800
2025 Beginning Balance	$56,800			
Park Dedication Fees		$60,000		$116,800
Playground Equipment			$40,000	$76,800
2025 Ending Balance				$76,800
2026 Beginning Balance	$76,800			
Park Dedication Fees		$125,000		$201,800
Park Pavillion			$50,000	$151,800
2026 Ending Balance				$151,800
2027 Beginning Balance	$151,800			
Park Dedication Fees		$125,000		$276,800
New Park Development			$100,000	$176,800
2027 Ending Balance				$176,800
2028 Beginning Balance	$176,800			
Park Dedication Fees		$125,000		$301,800
Booster West Ballfield Lights			$300,000	$1,800
2028 Ending Balance				$1,800
TOTAL PARK ACQUISITION AND DEVELOPMENT				
FUND SOURCES AND USES		$475,000	$540,000	

Park Dedication Fees- **Residential** = 10% of land or cash not to exceed $2,000 per lot. **Commercial** = 5% of land or cash not to exceed $2,000 per acre.

Parks Capital Improvement Plan
2024-2028
Funding Analysis

PARK CAPITAL FUND	Beginning Balance	Sources (Revenues)	Uses (Project Costs)	Ending Balance
2024 Beginning Balance	$33,900			
Transfer From General Fund		$100,000		$133,900
Coon Lake Beach Playground Equipment & Skate Park			$100,000	$33,900
Misc Park Projects and Tree Planting			$5,000	$28,900
2024 Ending Balance				$28,900
2025 Beginning Balance	$28,900			
Transfer From General Fund		$100,000		$128,900
Bataan St Trail Segment			$120,000	$8,900
Misc Park Projects and Tree Planting			$5,000	$3,900
2025 Ending Balance				$3,900
2026 Beginning Balance	$3,900			
Transfer From General Fund		$100,000		$103,900
New Park Development			$90,000	$13,900
Misc Park Projects and Tree Planting			$5,000	$8,900
2026 Ending Balance				$8,900
2027 Beginning Balance	$8,900			$8,900
Transfer From General Fund		$100,000		$108,900
New Park Development			$90,000	$18,900
Misc Park Projects and Tree Planting			$5,000	$13,900
2027 Ending Balance				$13,900
2028 Beginning Balance	$13,900			
Transfer From General Fund		$100,000		$113,900
New Park Development			$90,000	$23,900
Misc Park Projects and Tree Planting			$5,000	$18,900
2028 Ending Balance				$18,900
TOTAL PARK CAPITAL FUND SOURCES AND USES		$500,000	$515,000	



East City of Bethel

Revised October 2017

Comprehensive Trails and Open Space Concept Plan

0.5 0 0.5 1 MILES

Legend

- Existing City Trail - On Road
- Existing City Trail - Off Road
- Existing City Trail (Winter Use Only)
- Proposed City Trail - Bituminous
- Proposed City Trail - Natural
- Proposed County Regional Trails
- Future Connection/Greenway
- Existing Connection/Greenway
- Existing City Parks
- Open Space Managed By Others
- Future Park Location
- City-Owned Natural Area
- City-Owned Wildlife Corridor
- Future Greenway Corridor
- ISD #15 Ecological Study Area
- Road Crossing Issue

Hakanson Anderson

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City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: Item 6.0

Agenda Item: 2024-2028 Roads Capital Improvement Plan

Background Information:
Staff prepares an annual Capital Improvement Plan (CIP) which updates needs and costs of proposed projects, evaluates priorities and establishes funding for these works for the coming year and for each of the subsequent years for a five year period. This plan is presented to City Council for their approval and used in the preparation of the 2024 budget.

Attached is the draft 2024-2028 Roads CIP. Approval of the plans only commits the City for the projects identified for 2024. Projects beyond 2024 are for planning purposes and will be reevaluated annually for funding prioritization during the capital improvement planning process.

Attachment(s):
Attachment 1 - 2024-2028 Roads CIP
Attachment 2 – Road Project Location Map

Fiscal Impact:
The budget includes a proposed general fund transfer increase of $50,000 for road improvement projects for 2024 subject to City Council approval

Recommendation(s):
Staff recommends the attached 2024-2028 Roads Capital Improvement Plan to the City Council for their consideration and approval.

Street Capital Projects - Fund 402
2024-2028
Funding Analysis

MUNICIPAL STATE AID FUND - FUND 402	Beginning Balance	Sources (Revenues)	Uses (Project Costs)	Ending Balance
2024 Beginning Balance	-$1,142,333			
Municipal State Aid Funding		$641,430		-$500,903
Davenport St Reconstruction			$650,000	-$1,150,903
2024 Ending Balance				-$1,150,903
2025 Beginning Balance	-$1,150,903			
Municipal State Aid Funding		$641,430		-$509,473
MSA Project			$0	-$509,473
2025 Ending Balance				-$509,473
2026 Beginning Balance	-$509,473			
Municipal State Aid Funding		$641,430		$131,957
Polk-Jackson - Mill & Overlay			$750,000	-$618,043
Klondike Drive - Mill &Overlay			$125,000	-$743,043
2026 Ending Balance				-$743,043
2027 Beginning Balance	-$743,043			
Municipal State Aid Funding		$641,430		-$101,613
MSA Project			$0	-$101,613
2027 Ending Balance				-$101,613
2028 Beginning Balance	-$101,613			
Municipal State Aid Funding		$641,430		$539,817
MSA Project			$0	$539,817
2028 Ending Balance				$539,817
TOTAL MUNICIPAL STATE AID FUND SOURCES & USES		$3,207,150	$1,525,000	

Note: MSA Funding can be "Advanced Funded" to met certain requirements. The City can advance fund up to 4 times the construction allotment or $3,000,000 whichever is less
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 MN DOT.

Street Capital Projects - Fund 402
2024-2028
Funding Analysis

STREET CAPITAL FUND - FUND 406	Beginning Balance	Sources (Revenues)	Uses (Project Costs)	Ending Balance
2024 Beginning Balance	$367,550			
Transfer from General Fund		$550,000		$917,550
Central Avenue Assessments		$28,976		$946,526
189th Avenue Assessments		$34,345		$980,871
Fillmore Street Assessments		$3,050		$983,921
North Metro JPA Maintenance Projects			$100,000	$883,921
Edmar, Vickers, Breezy Point, Yalta, 189th- Overlay			$325,000	$558,921
2024 Ending Balance				$558,921
2025 Beginning Balance	$558,921			
Transfer from General Fund		$550,000		$1,108,921
Central Avenue Assessments		$28,976		$1,137,897
189th Avenue Assessments		$34,345		$1,172,242
Fillmore Street Assessments		$3,050		$1,175,292
North Metro JPA Maintenance Projects			$105,000	$1,070,292
Hidden Haven East - Overlay			$210,000	$860,292
Hidden Haven West - Overlay/Reconstruct			$515,000	$345,292
Cedarbrook - Overlay/Reconstruct			$250,000	$95,292
2025 Ending Balance				$95,292
2026 Beginning Balance	$95,292			
Transfer from General Fund		$600,000		$695,292
Central Avenue Assessments		$28,976		$724,268
189th Avenue Assessments		$34,345		$758,613
Fillmore Street Assessments		$3,050		$761,663
North Metro JPA Maintenance Projects			$110,000	$651,663
London, 225th, 226th - Overlay			$200,000	$451,663
Pine Crest Estates - Overlay			$90,000	$361,663
Sunset Drive- Reclaim and Pave (Linwood)			$300,000	$61,663
2026 Ending Balance				$61,663
2027 Beginning Balance	$61,663			
Transfer from General Fund		$600,000		$661,663
Central Avenue Assessments		$28,976		$690,639
189th Avenue Assessments		$34,345		$724,984
Fillmore Street Assessments		$3,050		$728,034
North Metro JPA Maintenance Projects			$115,000	$613,034
Quincy St - Overlay			$50,000	$563,034
Raintree - Overlay			$135,000	$428,034
224th Ave, 225th Ave -Overlay			$140,000	$288,034
2027 Ending Balance				$288,034
2028 Beginning Balance	$288,034			
Transfer from General Fund		$600,000		$888,034
Central Avenue Assessments		$28,976		$917,010
189th Avenue Assessments		$34,345		$951,355
Fillmore Street Assessments		$3,050		$954,405
North Metro JPA Maintenance Projects			$120,000	$834,405
Norseland Manor - Overlay			$300,000	$534,405
Naples St, Rendova St, 197th Ave- Overlay			$10,000	$524,405
2028 Ending Balance				$524,405
Total Street Capital Fund Sources and Uses		$3,231,855	$3,075,000	

City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: Item 7.0

Agenda Item: Sunrise River WMO JPA and 2024 Funding Formula Update

Background Information:
At the March 27, 2023 City Council Meeting, Council was presented with an update on the progress of updating the Sunrise River WM) JPA and member funding formula. Council was advised that the Sunrise River Water Management Organization (SRWMO) conducted meetings on October 4 and 19, December 6, 2022 and March 1, 2023 with City Administrators and Council member liaisons from each member municipality to discuss amendments to the Joint Powers Agreement (JPA) that would update the agreement to align with current state statutes and consider a new funding formula for assigning costs to the members. This JPA was adopted in 1985 and has been amended just once in 2010. That amendment only changed the timing of invoices to the members from an annual to a semi-annual basis.

These meetings did not produce any resolution on a funding formula that would be acceptable to all the members (East Bethel, Columbus, Ham Lake and Linwood) with Ham Lake being the only dissenter to an agreement.

After the March 1, 2023 Meeting, which included representatives from the Board of Water and Soil Resources (BWSR), the DNR and the Anoka County Attorney's Office, Ham Laker remained resolute in their position on the funding formula and the requirement for ratification of the proposed annual budget. Ham Lake's stance on this matter was unchanged even as attorneys made clear at our March 1 meeting, that state law prohibits requiring unanimous ratification of budgets. MN statute 103B211 Subd. 1(c) states decisions by a joint powers board may not require more than a majority vote, except a decision on a capital improvement project, which may require no more than a two-thirds vote.

The funding formula remains a point of contention. The most recent Ham Lake council meeting reaffirmed that their city will accept only one option with that option being 4-A (see Attachment 1). The financial impacts are summarized as follows:

SCENARIO 4 - Private lands, lakes and rivers

	Non-Operating		Operating			
Community	%	**Average SRWMO budget** (last 5 yrs)	%	**Average SRWMO budget** (last 5 yrs)		**Total**
Columbus	17.94%	$5,613.54	25%	$3,112.04		$8,725.58
East Bethel	29.13%	$9,111.51	25%	$3,112.04		$12,223.55
Ham Lake	6.97%	$2,178.87	25%	$3,112.04		$5,290.91
Linwood	45.96%	$14,378.37	25%	$3,112.04		$17,490.41

VARIATION 4A - Operating and non-operating not differentiated.

	All Expenses		
Community	%	**Average SRWMO budget** (last 5 yrs)	**Total**
Columbus	17.94%	$7,847.34	$7,847.34
East Bethel	29.13%	$12,737.25	$12,737.25
Ham Lake	6.97%	$3,045.91	$3,045.91
Linwood	45.96%	$20,099.95	$20,099.95

VARIATION 4B - Operating and non-operating not differentiated, and minimum contribution					
	Minimum Contribution		All Expenses after Min Contribution		
Community	%	Minimum Contribution*	%	Average SRWMO budget (last 5 yrs)	Total
Columbus	NA	$1,300.00	17.94%	$6,914.21	$8,214.21
East Bethel	NA	$1,300.00	29.13%	$11,222.66	$12,522.66
Ham Lake	NA	$1,300.00	6.97%	$2,683.72	$3,983.72
Linwood	NA	$1,300.00	45.96%	$17,709.86	$19,009.86

Financial Impact Summary:

- The table above summarizes the impact of accepting Ham Lake's preference of 4A for the funding formula in a typical year should there be agreement to accept **option 4A over our current formula**. Ham Lake will pay $1,357 less than the current funding formula. Columbus pays $1,180 less, East Bethel pays $222 more and Linwood pays $2315 more.

- The table above summarizes the impact in a typical year should there be agreement to accept **option 4A over 4B** (which 3 of the communities originally recommended as a compromise but Ham Lake did not accept). Ham Lake will pay $938 less in option 4A compared to 4b, Columbus would pay $367 less, East Bethel pays $215 more and Linwood pays $ 1,090 more).

The committee (SRWMO representatives from Columbus, East Bethel and Linwood) wants to clarify that funding formula 4a, favored by Ham Lake, does not differentiate between operating and non-operating expense, it applies the funding formula to the total budget. Ultimately, Ham Lake would accept option 4a and that is what we could offer if all three of our cities agree to this compromised offer. The committee suggested we use this revised list of possible options to request our respective councils/boards to consider.

1. Keep the Status quo
2. Request and engage in mediation
3. Compromise by non-mediation discussions between cities
    a. Use Ham Lake's favored funding formula 4a
    b. Council member not required on WMO board
    c. Budget ratification not unanimous, but there is a process to hear all budget objections
    d. All 4 cities pay $1000 for update
4. Concede to Ham Lake's demands
5. Dissolve and re-form the SRWMO and JPA

The City of Columbus would accept Option 3 and this proposal is detailed as follows:

- Funding Formula - **Proposal:** We accept Ham Lake's desire for 4A. **Rationale:** The dollar impact for each of us is relatively small compared to the cost of fighting this out should they push back legally. Also, the proposed amendments would allow a further examination and modification of the funding formula in the future should that be desired, without the risk of the current stonewalling we are getting.

- Council reps - **Proposal:** We accept Ham Lake not being required to have a council member on the WMO's. **Rationale:** They've heard the arguments. We'll never force a council member to show up and engage anyway.

- Budget ratification - **Proposal:** Ham Lake accepts that budgets can't be unanimously ratified. **Rationale:** It's not legal. We've heard this from a state, a county and a city attorney. If they disagree to this term then we ask Ham Lake to have their attorney provide a written opinion for the group to

consider supporting their stance (it's on them to provide the evidence that they are correct in their interpretation of the statute, not Troy who is paid by the other cities).

- **Proposal:** Ham Lake must also authorize $1,000 to finalize JPA costs. **Rationale:** The other three cities have authorized this and the main reason we are in the position of having to authorize more funding is because they have not engaged in a constructive way towards reaching a mutually agreeable resolution.

Should Ham Lake agree to the proposal, the outcomes of this would be:

- Ham Lake gets 2 of the 3 things they want. The 3rd isn't legally allowed.

- It will likely result in a significant savings from avoiding the WMO reorganization or mediation should Ham Lake push back on the legality of the process to amend the JPA or withdraw from the JPA after we finalize the amendment (which would require a further amendment and interfacing with County/BWSR on how it would work to have the County act on Ham Lake's behalf). This would be a win for all parties.

- I think it would be looked upon favorably by BWSR and the County that we exhausted all efforts to compromise and give Ham Lake to respond to Ham Lake's concerns, within legal limits, in an effort to bring this to resolution. If Ham Lake rejects this offer, it is hard to envision how they would possibly have any standing in mediation or in court

- Budget ratification or any other situation other than capital projects can no longer be held hostage by one party of the JPA. The revised JPA has a process for any budget concerns to heard and addressed.

At the April 11th Linwood Town Board meeting, their supervisors voiced their frustration with Ham Lake's decisive position and unanimously supported the decision to dissolve the current JPA agreement and move toward reforming a new JPA with East Bethel and Columbus.

They state that, "*The annual costs that Linwood Township incurs to maintain the many projects that have benefited the community far outweighs the amount that Ham Lake pays to be a supporting part of the JPA. Paying for the "lights on" portion of the SRWMO is the cost of doing business. No different than being asked to pay an equal share of the 25% of the Anoka County Fire Protection Council RMA software, and then the remaining costs are split according to the population it serves".*

As Linwood seems to be firm with their decision, the SRWMO Committee will be meeting shortly after East Bethel expresses their position on the matter to come to a mutual understanding as to our next step in resolving the impasse with Ham Lake.

Attachments:
Attachment 1 – Funding Formula Options
Attachment 2 – 2023 SRWMO Budget

Fiscal Impact: To be determined

Recommendation(s):

Staff is requesting the Council discuss and express a preference to one of the five options listed above provide direction for a response on this matter to the Sunrise River WMO JPA Committee.

Sunrise River
Watershed Management Organization

Member Community Contributions

SCENARIO EXPORATION: This spreadsheet compares funding contributions from each community under the current SRWMO joint powers agreement and scenarios requested at a 10/4/2022 meeting of member communities.

IMPORTANT NOTE: Land areas and market valuations used are as of **Oct 2022** for all scenarios below. Therefore the scenario 1 percents for each community will not excactly match what you see in most recent SRWMO budgets.
This method allowed the greatest comparability amongst scenarios. Market valuations vary annually and the SRWMO updates community contributions with the latest market valuations every five years (last done in 2019). The SRWMO boundary was changed in 2021.

OPTIONS CONSIDERED BY MEMBER COMMUNITY REPS AND REMOVED: Option 2: 50% weight on each private lands & public waters. Option 3: 33% weight on each private lands, public waters, & market valuation.

Summary of Scenarios				
Factor	**SCENARIO 1 - Current SRWMO formula**	**SCENARIO 4 - Private lands, lakes & rivers** (a subset of public waters where projects are most likely).	**VARIATION A: All expenses split by formula**	**VARIATION B: Minimum contribution**
Land area	50%		Operating and non-operating expenses are not differentiated. All costs split by calculated percentage.	Operating and non-operating expenses are not differentiated. Min contribution from each city req'd, then remaining costs split by calculated percentage.
Market value	50%			
Private land area		50%		
Public water area				
Lakes and rivers		50%		

SCENARIO 1 - Current SRWMO formula

	Non-Operating		Operating			
Community	**%**	**Average SRWMO budget** (last 5 yrs)	**%**	**Average SRWMO budget** (last 5 yrs)		**Total**
Columbus	18.86%	$5,900.46	25%	$3,112.04		$9,012.49
East Bethel	30.01%	$9,387.22	25%	$3,112.04		$12,499.26
Ham Lake	4.12%	$1,288.89	25%	$3,112.04		$4,400.92
Linwood	47.01%	$14,705.73	25%	$3,112.04		$17,817.77

VARIATION 1A - Operating and non-operating not differentiated.

	All Expenses		
Community	**%**	**Average SRWMO budget** (last 5 yrs)	**Total**
Columbus	18.86%	$8,248.42	$8,248.42
East Bethel	30.01%	$13,122.68	$13,122.68
Ham Lake	4.12%	$1,801.77	$1,801.77
Linwood	47.01%	$20,557.57	$20,557.57

VARIATION 1B - Operating and non-operating not differentiated, and minimum contribution

	Minimum Contribution		All Expenses after Min Contribution		
Community	**%**	**Minimum Contribution***	**%**	**Average SRWMO budget** (last 5 yrs)	**Total**
Columbus	NA	$1,300.00	18.86%	$7,267.60	$8,567.60
East Bethel	NA	$1,300.00	30.01%	$11,562.25	$12,862.25
Ham Lake	NA	$1,300.00	4.12%	$1,587.52	$2,887.52
Linwood	NA	$1,300.00	47.01%	$18,113.07	$19,413.07

SCENARIO 4 - Private lands, lakes and rivers

	Non-Operating		Operating			
Community	**%**	**Average SRWMO budget** (last 5 yrs)	**%**	**Average SRWMO budget** (last 5 yrs)		**Total**
Columbus	17.94%	$5,613.54	25%	$3,112.04		$8,725.58
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Ham Lake	6.97%	$2,178.87	25%	$3,112.04		$5,290.91
Linwood	45.96%	$14,378.37	25%	$3,112.04		$17,490.41

VARIATION 4A - Operating and non-operating not differentiated.

	All Expenses		
Community	**%**	**Average SRWMO budget** (last 5 yrs)	**Total**
Columbus	17.94%	$7,847.34	$7,847.34
East Bethel	29.13%	$12,737.25	$12,737.25
Ham Lake	6.97%	$3,045.91	$3,045.91
Linwood	45.96%	$20,099.95	$20,099.95

VARIATION 4B - Operating and non-operating not differentiated, and minimum contribution

	Minimum Contribution		All Expenses after Min Contribution		
Community	**%**	**Minimum Contribution***	**%**	**Average SRWMO budget** (last 5 yrs)	**Total**
Columbus	NA	$1,300.00	17.94%	$6,914.21	$8,214.21
East Bethel	NA	$1,300.00	29.13%	$11,222.66	$12,522.66
Ham Lake	NA	$1,300.00	6.97%	$2,683.72	$3,983.72
Linwood	NA	$1,300.00	45.96%	$17,709.86	$19,009.86

VARIATION B - MINIMUM CONTRIBUTION amount considerations

Member community reps discussed a possible minimum contribution from each community, but wished to further examine actual costs for operating expenditures in order to develop a reasoning for any minimum contribution amount. Below are actual operating costs.

Member community reps discussed, with some support but not unanimous agreement, that the minimum contribution might be based on operating costs excluding administrative staff costs. In the last five years, on average, that amount was $5,200. Therefore, in the Variation B examples above, $1,300 ($5,200 divided by 4 communities) was used as the minimum contribution. Further discussion by community officials is needed to determine any minimum contribution amount. $1,300 is an example only.

Note: The same numerical outcome is achieved by using Scenario 1 and excluding admin services from the definition of operating expenses. That option would not require regularly revisiting the minimum dollar amount becuase that amount would be percentage-based.

*Minimum contribution amount applied in Scenarios above: **$1,300.00**

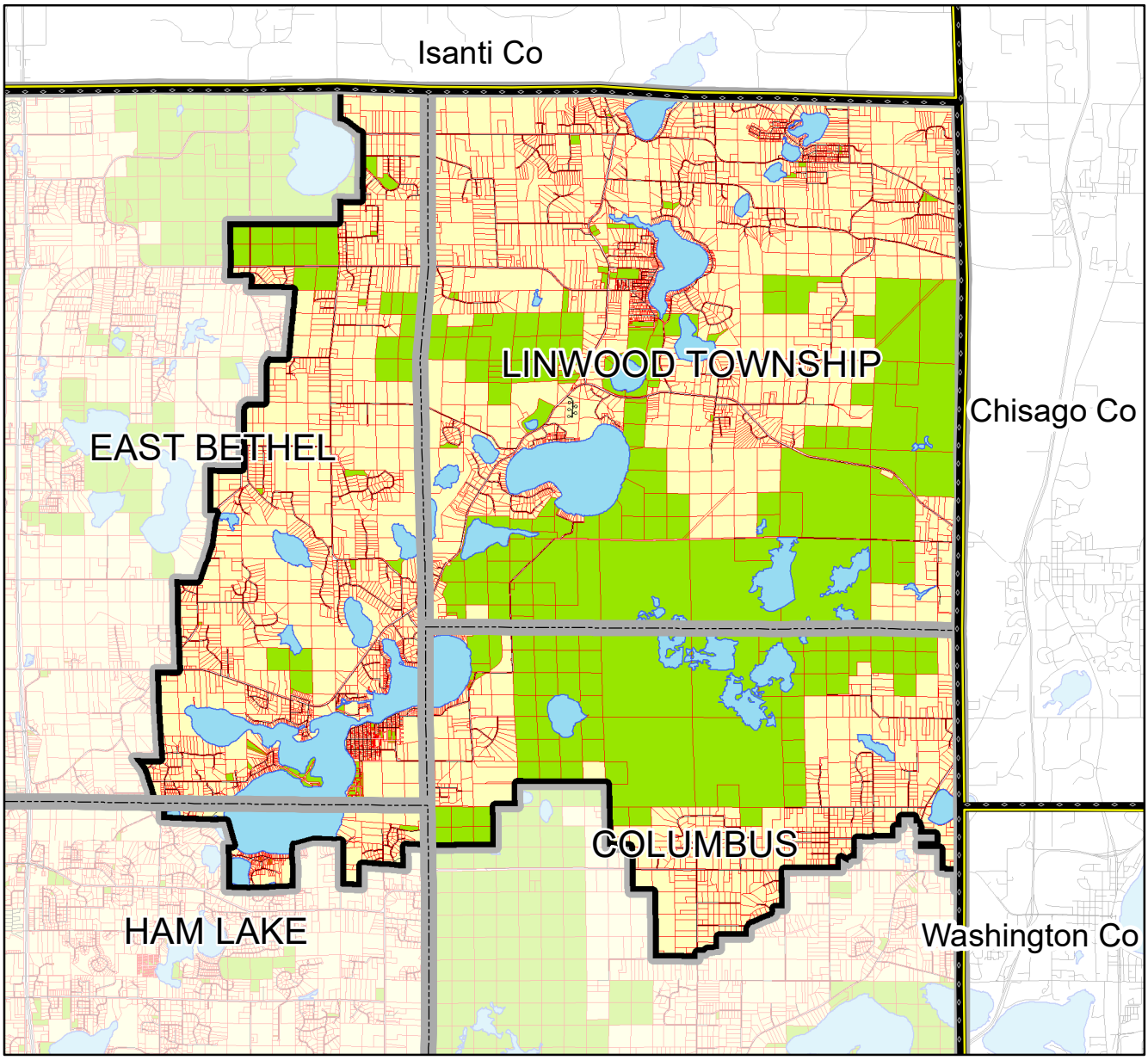
(change this cell to update all of the above tables)

Operating Breakdown

	Required by law			**Not Required, but likely essential**			**Admin Staff**	**Other**	
Year	Annual reports to State	Advertise bids for professional services	Member community local water plans review/approve	Insurance	Rec Sec	Finanical Director (EB) assist	Admin services*	Annual written communication to member communities	Market valuations update for funding formula (every 5 yrs)
2023	$1,220.00	$100.00	$0.00	$1,613.00	$1,600.00	$0.00	$8,800.00	$665.00	$0.00
2022	$1,178.00	$0.00	$0.00	$1,800.00	$1,600.00	$0.00	$8,800.00	$643.00	$0.00
2021	$1,139.00	$100.00	$0.00	$1,550.00	$1,449.00	$0.00	$8,450.00	$621.00	$0.00
2020	$1,200.00	$0.00	$1,920.00	$1,850.00	$1,400.00	$0.00	$6,000.00	$600.00	$320.00
2019	$1,200.00	$0.00	$0.00	$1,850.00	$1,750.00	$300.00	$4,645.00	$0.00	$0.00
LAST 5 YRS AVERAGE	$1,187.40	$40.00	$384.00	$1,732.60	$1,559.80	$60.00	$7,339.00	$505.80	$64.00
MAX	$1,220.00	$100.00	$1,920.00	$1,850.00	$1,750.00	$300.00	$8,800.00	$665.00	$320.00
MOST RECENT	$1,220.00	$100.00	$0.00	$1,613.00	$1,600.00	Donated by EB	$8,800.00	$665.00	$0.00

***Admin services tasks from the most recent 5 yrs:** Prepare agendas and meeting packets, advise the board, coordinate special meetings, prepare budgets, annual MN Campaign Finance Board documents, joint powers agreement updates, public notices, coordinate audits, prepare materials for State performance reviews of the WMO, WMO boundary update, secure bids for recording secretary, prepared financial management policies for the WMO under the State Auditor's guidance, respond to public and board member inquiries, respond to inquiries from member cities, recieve resident requests for SRWMO cost share grant funds, complete annual risk assessments required by the WMO's insurer, staff liasion to the Lower St. Croix One Watershed One Plan process, prepared meeting minutes in the Recording Secretary's absence, and others.

Sunrise River Watershed Management Organziation Boundary October 2022
PUBLIC PARCELS HIGHLIGHTED (SCENARIOS 2-4)



0 0.5 1 2 3 4 Miles

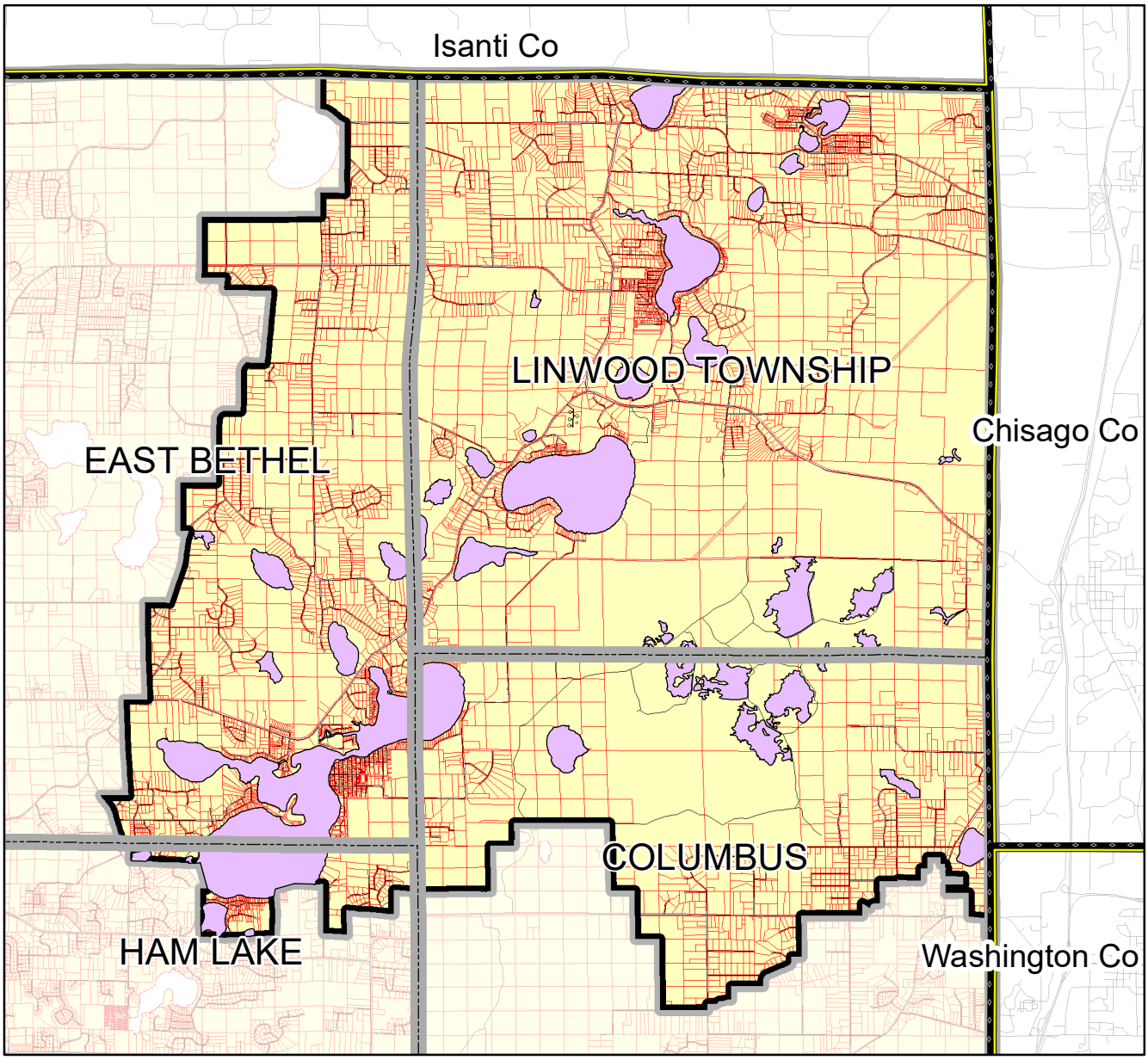
N

Legend

- City Boundaries
- SRWMO Boundary (Oct 2022)
- Public Parcels
- Parcels

Data sources:
Anoka County GIS: SRWMO boundary, parcels. public parcels.
MN Geospatial commons: MNDOT roads, public waters,lakes and streams.
All data downloaded 10/5/2022

Sunrise River Watershed Management Organziation Boundary October 2022
LAKES AND RIVERS HIGHLIGHTED (SCENARIO 4)



0 0.5 1 2 3 4 Miles

N

Legend

- City Boundaries
- SRWMO Lakes & Rivers (not in a parcel)
- SRWMO Boundary (Oct 2022)
- Parcels

Data sources:
Anoka County GIS: SRWMO boundary, parcels. public parcels.
MN Geospatial commons: MNDOT roads, public waters,lakes and streams.
All data downloaded 10/5/2022

Sunrise River
Watershed Management Organization

MEMO

To: **SRWMO Member Communities**

From: **SRWMO Board**

Date: **February 4, 2022**

Re: **2023 SRWMO budget**

The Sunrise River Watershed Management Organization (SRWMO) board has developed its recommended 2023 budget. It must be ratified by each member community before it becomes final. Please consider ratification no later than **April 7**. Notifications can be sent to jamie.schurbon@anokaswcd.org.

We mindful of the source of budgeted dollars – our taxpaying neighbors. We begin budgeting with planned expenses in our 10-year Watershed Management Plan, which was approved by member communities and the State. Then, we spend several hours evaluating whether each planned project is still a priority and alternatives to reduce costs. In most years, our process results in reductions.

Our 2023 budget is **11% lower than the amount in our Watershed Management Plan**. We achieved this reduction by cutting work that was not ready to be implemented and unlikely to be awarded grant dollars. Looking at the last three years, our actual budget requests to member communities have been 11-20% below Plan amounts. Plan amounts are capped at $50,000/yr.

For larger projects, our budgets are nearly always for grant match, not the actual project cost. Since 2014 **we and our partners have secured over $1.1M in grants**. Most grants require 10% to 25% local match. In this way, we multiply local dollars.

If you have questions about this budget, please reach out to your SRWMO representatives or Jamie Schurbon (763-434-2030 ext 210 or jamie.schurbon@anokaswcd.org).

Sunrise River Watershed Management Organization

2023 DRAFT Budget 2/4/2022

Notes:

Budget was developed 2020-2029 SRWMO Watershed Management Plan.

			Linwood	East Bethel	Columbus	Ham Lake
		Cost	47.04%	29.99%	19.17%	3.80%
	NON-OPERATING EXPENSES (split by percentages)					
1	**Non-operating General**					
2	Grant Search and Applications	$1,109.00	$521.67	$332.59	$212.60	$42.14
3	**Multi-Partner Coordination**					
4	Participate in One Watershed, One Plan (1W1P)	$710.00	$333.98	$212.93	$136.11	$26.98
5	**Effectiveness Monitoring**					
6	Lake Water Quality	$4,246.00	$1,997.32	$1,273.38	$813.96	$161.35
7	**Surveillance Monitoring**					
8	Lake Level Monitoring	$1,745.00	$820.85	$523.33	$334.52	$66.31
9	Secchi Transparency Lake Monitoring - volunteer coord.	$972.00	$457.23	$291.50	$186.33	$36.94
10	Reference Wetland Hydrology Monitoring	$2,130.00	$1,001.95	$638.79	$408.32	$80.94
11	**Water Quality Improvement Projects**					
12	SRWMO Cost Share Grant Fund - open to public	$1,500.00	$705.60	$449.85	$287.55	$57.00
13	SRWMO Cost Share Grant Fund - through lake associations	$6,250.00	$2,940.00	$1,874.38	$1,198.13	$237.50
14	Ditch 20 Wetland Restoration Outreach	$343.00	$161.35	$102.87	$65.75	$13.03
15	Carp Mgmt Feasibility Study or Maintenance Harvests	$2,000.00	$940.80	$599.80	$383.40	$76.00
16	Alum Feasibility Study or Treatment	$0.00	$0.00	$0.00	$0.00	$0.00
17	**Studies and Inventories**					
18	Linwood Lake Subwatershed Retrofitting Study	$2,000.00	$940.80	$599.80	$383.40	$76.00
19	**Education and Public Outreach**					
20	Newsletters	$938.00	$441.24	$281.31	$179.81	$35.64
21	Website	$725.00	$341.04	$217.43	$138.98	$27.55
22	Anoka Co Outreach Coordinator Position	$4,606.00	$2,166.66	$1,381.34	$882.97	$175.03
23	Promote Well Water Wise	$54.00	$25.40	$16.19	$10.35	$2.05
24	**Rollover Funds (used to maintain a flat budget of $50K, covering planned expenses over that amount in future years)**					
25	Rollover Funds	$1,174.00	$552.25	$352.08	$225.06	$44.61
26	**Undesignated reserve account spend down**					
27	Reserve spend down (negative number)	$0.00	$0.00	$0.00	$0.00	$0.00
28	SUBTOTAL	$30,502.00	$14,348.14	$9,147.55	$5,847.23	$1,159.08

			Linwood	East Bethel	Columbus	Ham Lake
		Cost	25.00%	25.00%	25.00%	25.00%
	OPERATING EXPENSES (split equally four ways)					
29	**Operating Expenses**					
30	Recording Secretary services	$1,600.00	$400.00	$400.00	$400.00	$400.00
31	Liability Insurance	$1,613.00	$403.25	$403.25	$403.25	$403.25
32	Administrative fee charged to member communities, component activities/costs listed below					
33	On-call Administrative Assistance - ACD	$8,800.00	$2,200.00	$2,200.00	$2,200.00	$2,200.00
34	Annual Written Communication to Member Communities	$665.00	$166.25	$166.25	$166.25	$166.25
35	Annual Reports to BWSR, State Auditor	$1,220.00	$305.00	$305.00	$305.00	$305.00
36	Advertise Bids for Pro Services (req'd in odd yrs)	$100.00	$25.00	$25.00	$25.00	$25.00
37	Reserve spend down (negative number)	$0.00	$0.00	$0.00	$0.00	$0.00
38	SUBTOTAL	$13,998.00	$3,499.50	$3,499.50	$3,499.50	$3,499.50
39						
40	GRAND TOTAL	$44,500.00	$17,847.64	$12,647.05	$9,346.73	$4,658.58

City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: 8.0

Agenda Item: Ordinance Amendment Discussion – Storage Containers**,** Appendix A – Zoning, Section 10-4,

Background Material:
Councilmember Tim Miller has requested that City Council review City Ordinance Appendix A – Zoning, Section 10-4, Accessory Storage Containers. That section of the ordinance reads, *"Accessory* storage containers*, as defined in Section 01. General Provisions of Administration, are not a permitted use within the City of East Bethel."*

The definition of an accessory storage container is found in Appendix A – Zoning, Section 1 -9 Definitions, and reads as; Accessory *storage container*: A *container* placed outdoors and used for the *storage* of goods, materials, or merchandise that is used in connection with a lawful principal or accessory use of the lot. The term "accessory *storage container*" includes, but is not limited to, *containers* such as boxcars, semi-trailers, roll-off *containers*, slide-off *containers*, railroad cars, piggyback *containers*, and portable moving and *storage containers*. The term "accessory *storage containers*" does not include a garage, barn, or *storage* shed accessory to a dwelling provided such structure is not of a type designed, equipped, or customarily used for over-the-road transport of goods, materials, or merchandise.

The City permitted the use of a storage container in a rural residential zone on November 8, 2021 (See Attachment 1) but only with the condition that the exterior contained architectural features and was framed and sided with material and of a color that matched the finish of the home. Complaints related to this type of accessory structure have resulted in removal of 4 of these units over the past 6 years.

Options for modification or the removal of the prohibition of these containers could include but not be limited to:

1. Allowance of these units in all zoning districts with only setback requirements,
2. Allowance of these units in limited zoning districts with restrictions on location and requirements for screening;
3. Allowance of these units in limited zoning districts with restrictions on location and requiring exterior finishes of the container units that match the materials and color of the principal structure on the site; or
4. Any of the above but with lot size restrictions required to accommodate set back and screening requirements that would set the standard for use or prohibition of the units;
5. Other considerations as appropriate.

Additional addendums may be sent after the packet is posted.

Attachment(s)
Attachment 1 – Jenkins St Storage Container Exterior Conversion

Recommendation(s): Discussion Item with Staff seeking direction on the ordinance review**.**

07/26/2022
11:36
274593

City of East Bethel
City Council Work Meeting
Agenda Item Information

Date: May 1, 2023

Agenda Item Number: 9.0

Agenda Item: Conduct Policy

Background Material:
Councilmember Miller has requested that City Council consider the adoption of an Advisory Board Etiquette/Conduct Policy. Mr. Miller's request was sent to Council on April 28, 2023 as addition to the Work Meeting Agenda.

The City Personnel Policy primarily addresses full and part-time employees but Advisory Boards and City Council are generally exempt from the rules outlined for the employee group.

Should the City desire to develop a values statement expressing core principles for and etiquette/ethical conduct, or a formal code of conduct, staff can contact the League of Minnesota Cities for policies that have been adopted that address this matter. A sample Statement of Values as a model template is exhibited in Attachment 2.

Attachment(s):

Attachment 1 – Model Statement of Values
Attachment 2 – Section 2-71, City Code – Planning Commission

Recommendation(s): At the conclusion of the discussion of this topic, Staff will be seeking direction from City Council for this item.

Model Statement of Values

Preamble

The proper operation of democratic government requires that decision-makers be independent, impartial, and accountable to the people they serve. The City of _____ has adopted this Statement of Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All (*select:* elected and appointed officials, City employees, and volunteers) are required to subscribe to this statement, understand how it applies to their specific responsibilities, and practice its (*number*) core values in their work. Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this statement.

The Values

As a Representative of the City of _____,

1. I serve the public interest.
2. I fulfill the duties and responsibilities of holding public office.
3. I am ethical.
4. I am professional.
5. I am fiscally responsible.
6. I am conscientious.
7. I communicate effectively.
8. I am collaborative.
9. I am forward thinking.
10. I am _____.

Value examples/expressions

1. **I serve the public interest. In practice this value means that:**
   a. I provide courteous, equitable, and prompt service to everyone.
   b. I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.
   c. I am interested, engaged, and responsive in my interactions with constituents.
   d. I recognize and support the public's right to know the public's business.

2. **I fulfill the duties and responsibilities of holding public office. In practice this value means that:**
   a. I observe the highest standards of integrity in my official acts and undertake my responsibilities for the benefit of the greater public good.
   b. I faithfully discharge the duties of my office regardless of my personal considerations, recognizing that the public interest is my primary concern.
   c. I uphold the Constitution of the United States and the Constitution of the State of Minnesota and carry out impartially the laws of the nation, state, and municipality and thus foster respect for all government.

d. I comply with both the letter and the spirit of the laws and policies affecting operations of the City.
e. I recognize my obligation to implement the adopted goals and objectives of the City in good faith, regardless of my personal views.
f. I conduct myself in both my official and personal actions in a manner that is above reproach.
g. I do not use my position to secure for myself or others special privileges or exemptions that are different from those available to the general public.
h. I understand and abide by the respective roles and responsibilities of elected and appointed officials and city staff and will not undermine them in their work.
i. I am independent, impartial, and fair in my judgment and actions.

3. I am ethical. In practice this value means that:

a. I am trustworthy, acting with the utmost integrity and moral courage.
b. I am truthful, do what I say I will do, and am reliable.
c. I am accountable for my actions and behavior and accept responsibility for my decisions.
d. I make impartial decisions, free of influence from unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
e. I am fair, distributing benefits and burdens according to consistent and equitable criteria.
f. I oppose all forms of harassment and unlawful discrimination.
g. I extend equal opportunities and due process to all parties in matters under consideration.
h. I show respect for confidences and confidential information.
i. I avoid giving the appearance of impropriety and of using my position for personal gain.

4. I am professional. In practice this value means that:

a. I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.
b. I approach my job and work-related relationships with a positive attitude, contributing to a supportive, respectful, and non-threatening work environment.
c. I keep my professional knowledge and skills current and growing.
d. I am respectful of all city staff, officials, volunteers, and others who participate in the City's government.

5. I am fiscally responsible. In practice this value means that:

a. I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
b. I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds), follow established procedures, and do not use public resources for personal gain.
c. I make decisions that seek to preserve the financial capacity of the City to provide programs and services for City residents.
d. I provide full disclosure of any potential financial or other private conflict of interest. I abstain from participating in the discussion and vote on these matters.

Created by the LMC Ethics Advisory Panel October 2009

e. I prevent misuse of public funds by establishing, maintaining, and following strong fiscal and management controls.
f. I report any misuse of public funds of which I am aware.

6. I am conscientious. In practice this value means that:

a. I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals.
b. I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
c. I am respectful of established City processes and guidelines.
d. I prioritize my duties so that the work of the City may move forward.
e. I prepare for all meetings by reviewing any materials provided ahead of time. When I have materials to contribute, I make sure all others involved have ample time to review these materials prior to the meeting.

7. I communicative effectively. In practice this value means that:

a. I convey the City's care for and commitment to its citizens.
b. I communicate in various ways that I am approachable, open-minded, and willing to participate in dialog.
c. I engage in effective two-way communication by listening carefully, asking questions, and responding appropriately which adds value to conversations.
d. I do not interfere with the orderly conduct of meetings by interrupting others or making personal comments not germane to the business at hand.
e. I follow up on inquiries in a timely manner.
f. I encourage and facilitate citizen involvement in policy decision-making.
g. I am respectful in disagreements and contribute constructively to discussions on the issue.

8. I am collaborative. In practice this value means that:

a. I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding to accomplish common goals.
b. I share information with others in a timely manner so that, together, we can make informed decisions.
c. I work towards consensus building and gain value from diverse opinions.
d. I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.

9. I am forward thinking. In practice this value means that:

a. I promote intelligent, proactive, and thoughtful innovation in order to advance the City's policy agenda and provide City services while considering the broader regional, state-wide, national, and international implications of the City's decisions and issues.
b. I maintain consistent standards, but am also sensitive to the need for compromise, creative problem solving, and making improvements when appropriate.
c. I am open to new ideas and processes, adopting them as they conserve resources and provide efficient and effective service.
d. I consider the potential long-term consequences and implications of my actions and inactions.

Created by the LMC Ethics Advisory Panel October 2009

ARTICLE IV. BOARDS, COMMITTEES AND COMMISSIONS

DIVISION 1. GENERALLY

Sec. 2-71. Advisory bodies.

All committee and commission members shall serve in an advisory capacity to the council. Appointments shall be offered by the mayor, and confirmed by the council. Commission members shall serve staggered terms of three years and may be removed by a majority vote of the full city council. Committees composed of two councilpersons shall serve terms of one year. New appointees shall assume office at the first meeting following appointment. Every appointed commission member and committee members that serve on a committee composed of more than two councilpersons shall take an oath of office that he/she will faithfully execute the duties of that office. All vacancies shall be filled in the same manner as for an expired term, but the appointment shall be only for the unexpired term.

(Ord. No. 104B, § 16(16-1), 10-3-2007; Ord. No. 21, Second Series, 3-3-2010; Ord. No. 2020-08, 10-12-2020)

Sec. 2-72. Membership.

All members of the committee or commission shall be residents of the city.

No member shall serve on more than one commission.

Any member of a commission absent from three consecutive regular meetings or five meetings in one year, without approval of extenuating circumstances by the city council, shall be deemed to have forfeited their seat upon declaration of the mayor, and a vacancy shall exist without formal removal proceedings.

(Ord. No. 104B, § 16(16-2), 10-3-2007; Ord. No. 2020-04, 3-23-2020)

Sec. 2-73. Chairperson.

The chairperson shall be chosen from the committee or commission membership annually to serve for one year; provided, however, that no chairperson shall be elected who has not completed at least one year as a member of the committee or commission. Any committee or commission member may be removed by the council for misfeasance, malfeasance or nonfeasance in office and his position filled as any other vacancy.

(Ord. No. 104B, § 16(16-3), 10-3-2007)

Sec. 2-74. Regular meeting.

Each commission shall hold its regular meeting at a time established and approved by the council. Committees composed of two council persons shall meet on as-needed basis and report their recommendations to the city council.

(Ord. No. 104B, § 16(16-4), 10-3-2007; Ord. No. 2020-08, 10-12-2020)

Sec. 2-75. City employees.

City employees may not serve as members on committees or commissions as this represents a conflict of interest. City employees may serve as liaisons to these bodies by designation of city council.

(Ord. No. 104B, § 16(16-5), 10-3-2007; Ord. No. 2020-08, 10-12-2020)

Sec. 2-76. Staff and council liaison.

The city administrator or designee shall be the staff liaison to all committees and commissions. One city councilmember shall be appointed annually to serve as the council liaison to each committee or commission.

(Ord. No. 104B, § 16(16-6), 10-3-2007; Ord. No. 2020-04, 3-23-2020)

Sec. 2-77. Applicability.

Unless otherwise provided, this article shall apply to all committees and commissions.

(Ord. No. 104B, § 16(16-7), 10-3-2007)

Secs. 2-78—2-97. Reserved.

DIVISION 2. RESERVED[1]

Secs. 2-98—2-134. Reserved.

DIVISION 3. PLANNING COMMISSION[2]

Sec. 2-135. Establishment.

A planning commission is hereby established. The commission shall consist of seven members.

(Ord. No. 104B, § 17(17-1), 10-3-2007; Ord. No. 2020-04, 3-23-2020)

Sec. 2-136. Duties, powers and responsibilities.

The planning commission shall have all the powers and duties defined or granted in the statutes and the city's zoning ordinance set forth in Appendix A to this Code. They shall serve as the board of adjustment and appeals with respect to zoning issues.

(Ord. No. 104B, § 17(17-2), 10-3-2007)

Secs. 2-137—2-155. Reserved.

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[1]Editor's note(s)—Ord. No. 30, Second Series, § 1, adopted Feb. 16, 2011, repealed Div. 2, §§ 2-98—2-103, which pertained to the board of health and derived from Ord. No. 9, §§ 1—6, 4-6-1960.

[2]State law reference(s)—Planning commission authorized, Minn. Stats. § 462.354, subd. 1.

From: Jack Davis
Sent: Wednesday, April 26, 2023 1:44 PM
To: Timothy Miller
Cc: Carrie Frost
Subject: RE: Work meeting for City Council

Tim,

We are waiting on quotes from an AV company for a fix for our issues. The company, EPA, looked at our system on April 18th and we expect their proposal shortly. I'll keep everyone posted.

We'll add the Conduct Policy to the work meeting Agenda.

Let me know if you need anything else.

Jack

From: Timothy Miller <timothy.miller@ci.east-bethel.mn.us>
Sent: Wednesday, April 26, 2023 1:35 PM
To: Jack Davis <jack.davis@ci.east-bethel.mn.us>
Subject: Work meeting for City Council

Jack,

I would like to add Advisory Board Etiquette and conduct to the upcoming work meeting for City Council.

During public meetings , advisory board members should always conduct themselves with professionalism and courtesy toward the public
Town representatives, elected officials, and each other. They should approach disagreements in a positive fashion, refrain from personal criticisms
And respect the decision of the council.

The city of East Bethel deserves a fair, ethical and accountable local government which earns the publics full confidence for integrity.
A close working relationship between council members and advisory board members are essential to fulfilling public responsibilities.
Once a majority decision is made , committee members should respect and honor the decision made by the elected officials of the city.

The role of an advisory committee is not to make the decisions but to provide current knowledge, critical thinking and analysis to increase the confidence of the decision-makers who represent the city as an elected official.

It is clear as can be that members of certain advisory committees , including the chair do not understand what their role actually is. It is also obvious,
That based on the current reactions and comments that were made at last nights meeting that an entire committee has no intentions of even trying to work

Elected officials of the city council. The ordinance changes that were given to the committee were very simple and most of them had no clue
of the vision or reasons why, I seriously think that no-one even prepared or looked at the purposed changes prior to sitting down for the meeting.

I was trying to avoid going this route but the lack of respect shown and continued public displays of personal criticisms leave me no choice but to add
This to our work meeting agenda. I personally am disappointed and embarrassed by how some committee members have conducted themselves and see
No other alternative in order for this council to get anything done . As an elected official I have a duty to preform to the residents that placed myself in office
and can not do my job with advisory committee members that do not understand their role, respect the position, and openly challenge the decisions
we make on city council.

Keep in mind I am not saying this about all our committee's members , I feel we have some great people on our committee's, however there are
Some that do not get or understand what the term advisory means, and how to conduct themselves when something does not go there way. I seriously have
To Question the motives behind being on an advisory committee if one has no intentions of working with this council.

On another note, what is the reason for the ongoing issue with the sound and picture quality issues that keep occurring on the You Tube feed for meetings?
The quality of our meetings being televised is very poor and is becoming an issue which needs to be fixed.

Tim Miller

Sent from Mail for Windows