

**City of East Bethel**  
**City Council Agenda**  
**City Council Regular Meeting**  
**Date: October 23, 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-XG14pN5JrmBGq/live](http://www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGq/live))

**1.0 Call to Order**

**2.0 Pledge of Allegiance**

**3.0 Adopt Agenda**

**4.0 Presentations and Public Hearings**

- A. Anoka County Blaine Airport Advisory Commission Presentation (p. 3-10)
- B. Public Hearing: 3.2 Off-Sale Malt Liquor License, Kwik Trip #1171 (p. 11-12)
- C. Potentially Dangerous Dog Hearing (p. 13-18)
- D. Capstone Traffic Study Presentation (p. 19-30)
- E. ACSO Monthly Report (p. 31-39)
- F. Fire Dept Monthly Report/Bethel Fire Dept Contract Services (p. 40-44)

**5.0 Public Forum**

**6.0 Consent Agenda (p. 45)**

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

- A. Approve Bill List (p. 46-49)
- B. Minutes: October 9, 2023 City Council Meeting (p. 50-59)
- C. Approve Hire of Administrative Assistant (p. 60-62)
- D. Tobacco License Application, Kwik Trip #1171

**7.0 New Business - Commission, Association and Task Force Reports**

- A. Planning Commission
  - 1. Septic Variance: 243 Elm Rd (p. 63-68)
  - 2. Ordinance Amendment: Mobile Food Vendor Units, Ch. 18, Art. V (p. 69-80)
- B. Economic Development Authority
- C. Park Commission

**8.0 Department Reports**

- A. Community Development
- B. Engineer
- C. City Attorney
- D. Finance
- E. Public Works
- F. Fire Department

- G. City Administrator
  - 1. Reserve Capacity Loan Payment Schedule Approval (p. 81-89)
  - 2. City Administrator Position Update (p. 90)

**9.0 Other**

- A. Staff Report
- B. Council Reports
- C. Other

**10.0 Adjourn**

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 4.0 A

**Agenda Item:** ACBAAC Report

**Background Information:**

Suanne Erkel will present the 2023 Anoka County Blaine Airport Advisory Commission report.

**Attachment(s):**

Attachment 1 – ACBAAC Slide Presentation

**Fiscal Impact:**

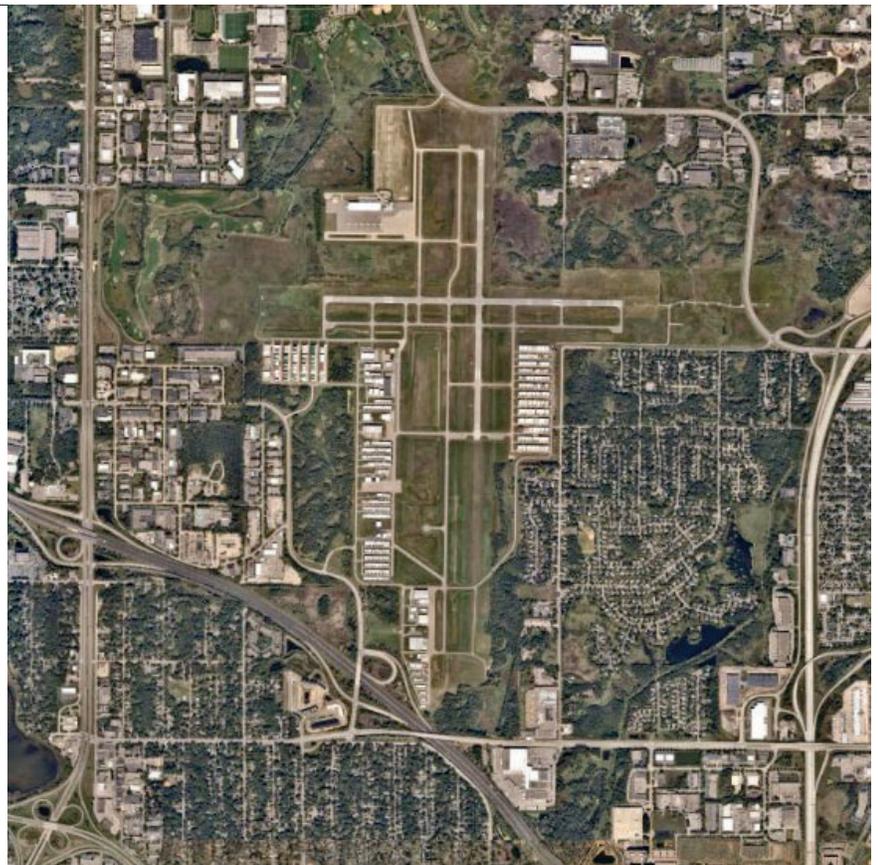
**Recommendation(s):** No Action Required



# Anoka County-Blaine Airport and Community Overview

August 21, 2023

Anoka County-  
Blaine  
Airport  
(May 2022)



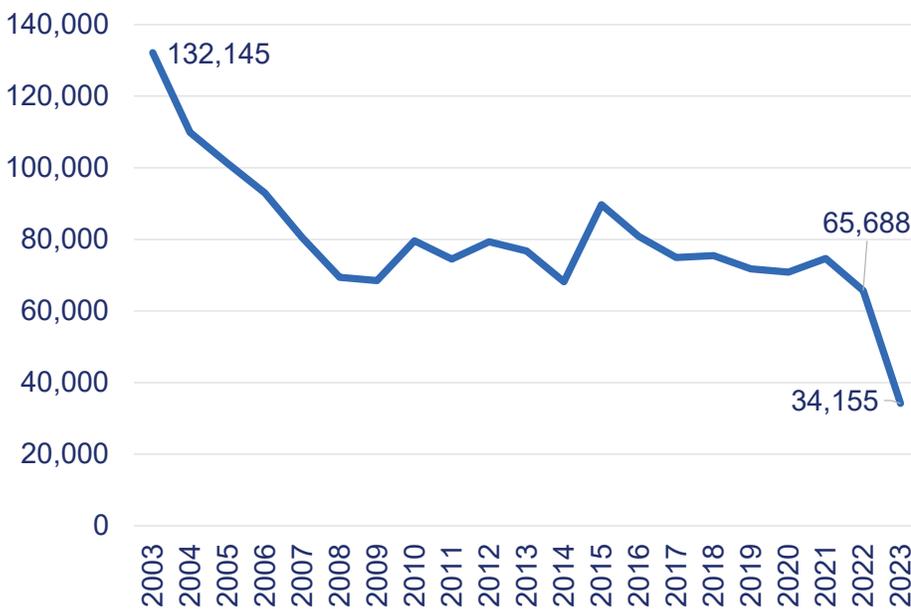
**2023 ANOKA COUNTY-BLAINE AIRPORT (ANE) BY THE NUMBERS**

- 360 based aircraft
- 20 pieces of equipment maintaining the airfield and airport grounds
- 283 leases
- 65,688 annual flight operations
- \$118M economic output annually
- \$1.73M annual operating revenue
- 1,900 acres
- 1 fixed base operator (FBO)
- 130 jobs supported
- 2 runways
- 9,855 total feet of runway pavement
- 540 runway and taxiway lights
- 1 air traffic control tower

In the community since 1950 › Owned by MAC since 1950 › On-site public viewing area › 4 Full-time employees  
 1 Civil Air Patrol › 4 Flying clubs › Only non-federal control tower in MAC's system of reliever airports  
 2 Flight schools › Has a world renowned golf course next door as an airport tenant › 1 Experimental Aircraft Association

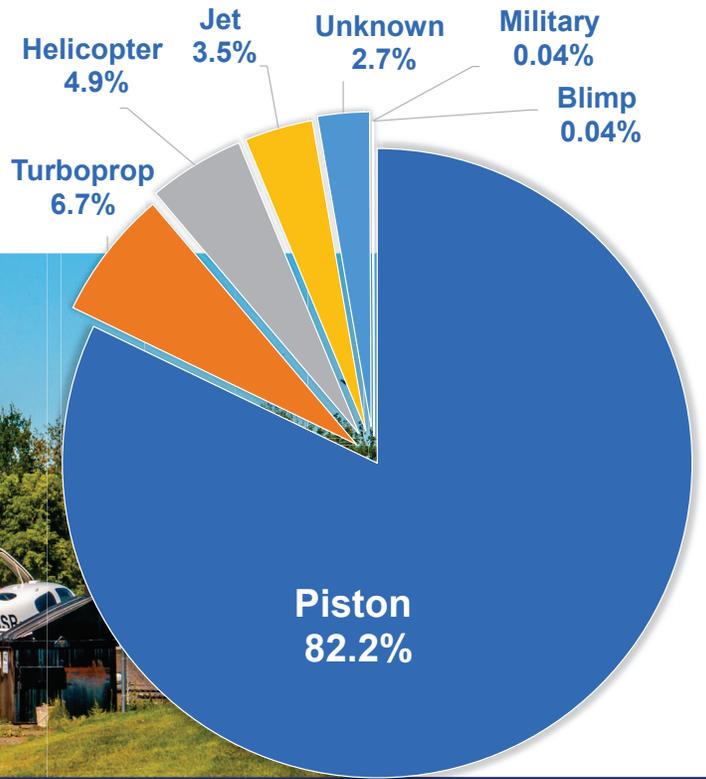
Updated August 2023

## Aircraft Operations



Source: Federal Aviation Administration Opsnet through June 2023.

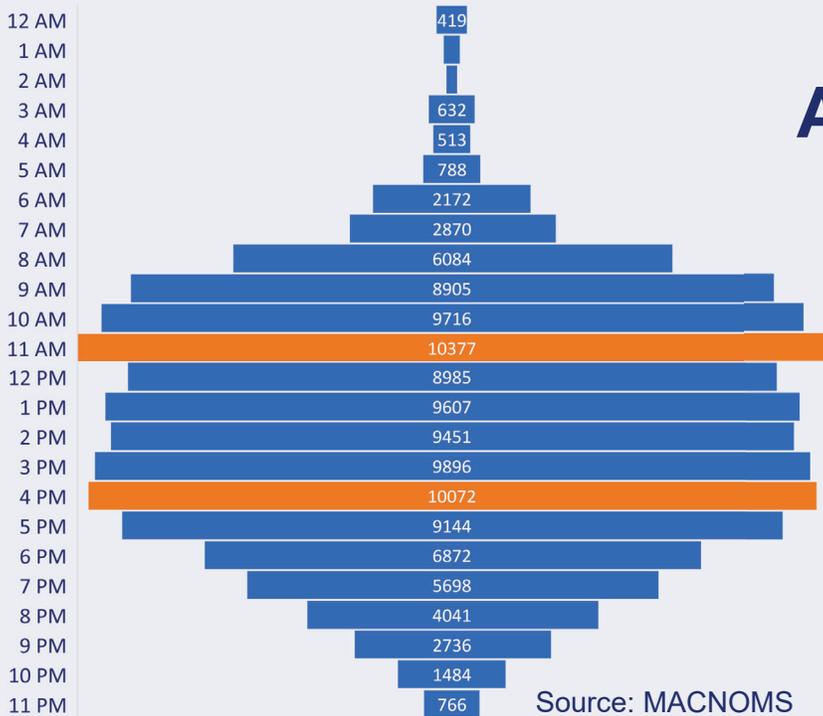
# Aircraft Types



Source: Macnoms data (July 2021-June 2023)

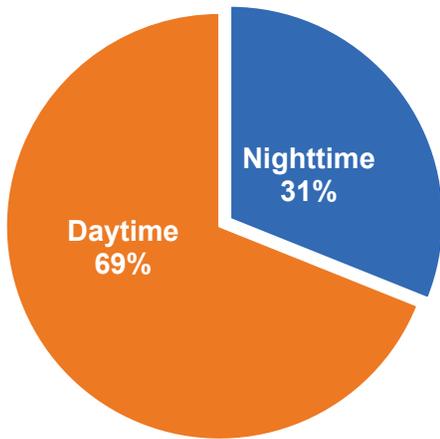
# Aircraft Operations by Hour

July 2021-June 2023

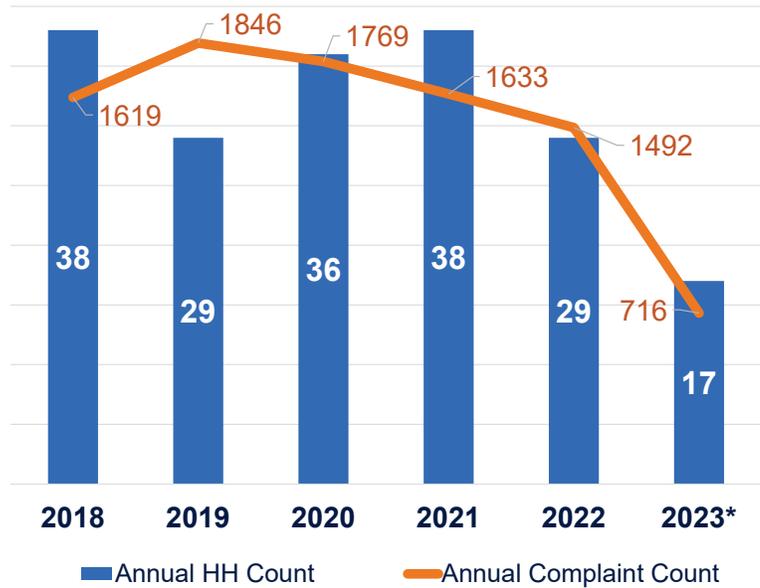


Source: MACNOMS

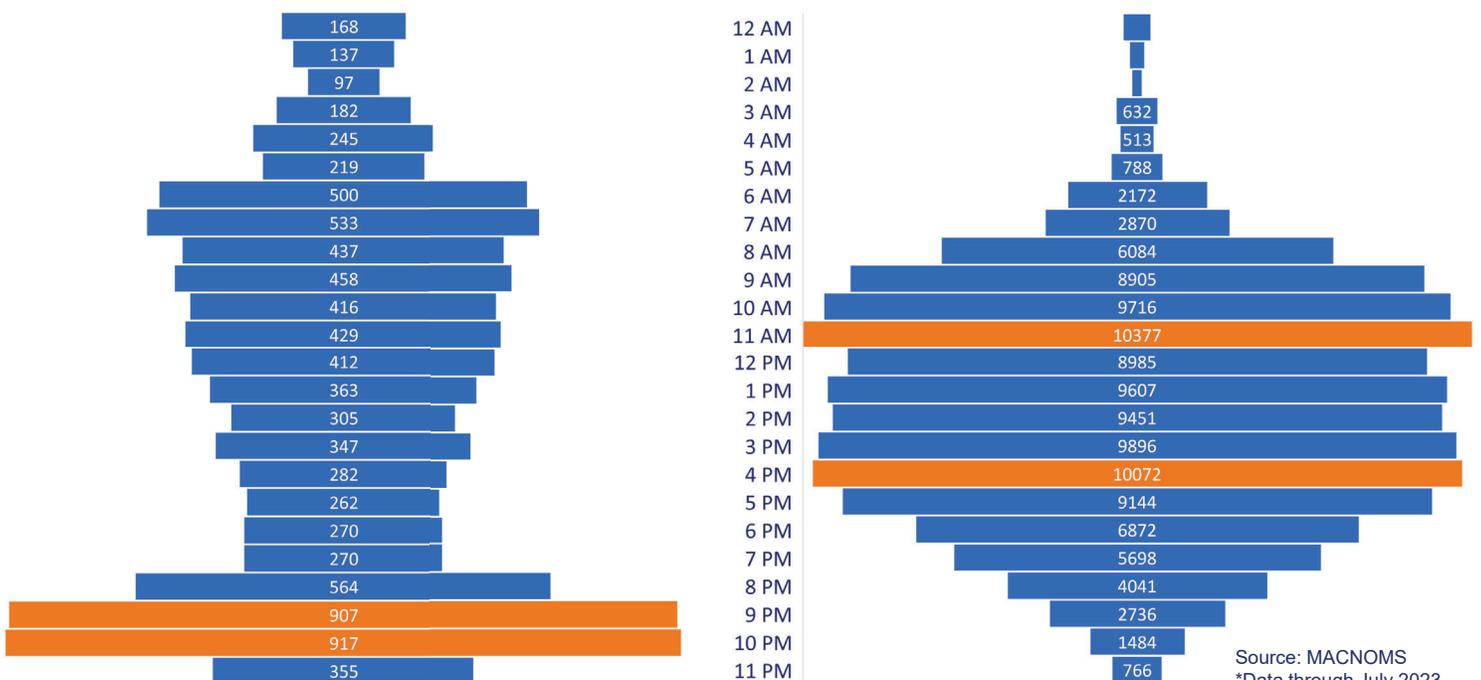
# Aircraft Noise Complaints and Households Summary



Source: MACNOMS  
\*Data through July 2023



# Aircraft Noise Complaints and Operations by Hour (2018-2023\*)



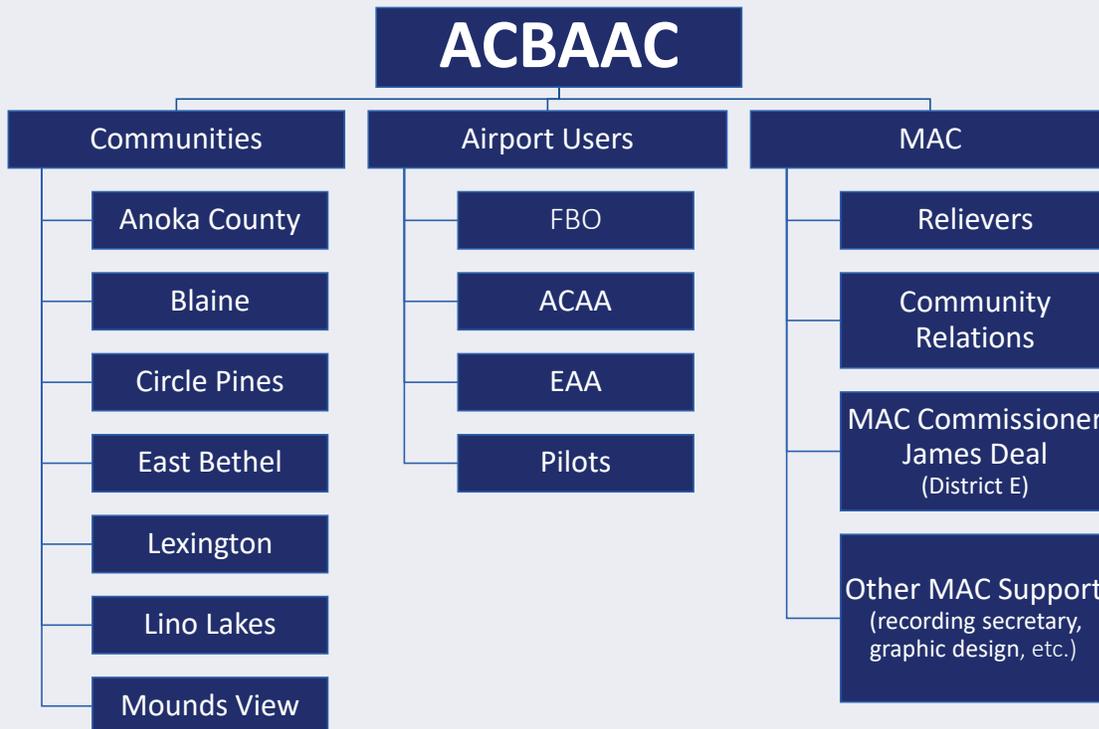
Source: MACNOMS  
\*Data through July 2023



**ANOKA COUNTY-BLAINE AIRPORT  
ADVISORY COMMISSION**  
(ACBAAC)

**Bryan Orr**  
Airport User Co-Chair

**Suzanne Erkel**  
Community Co-Chair



# Goal and Purpose

## GOAL:

This Commission is formed to further the general welfare of the community and the Anoka County-Blaine Airport, a public airport in the City of Blaine, County of Anoka, state of Minnesota, through minimizing or resolving problems created by the aircraft operations at the airport.



## PURPOSE:

1. The Commission shall advise the community and the Metropolitan Airports Commission with regard to all matters affecting the Anoka County Blaine Airport, the classification, rules and regulations supplied to the operation of the Airport and the development of lands adjacent to the Airport.
2. The Commission shall cooperate with the Metropolitan Airports Commission staff in reviewing matters affecting the use and control of the Anoka County Blaine Airport.
3. The Commission shall make its recommendations to the Metropolitan Airports Commission regarding any proposal affecting the use or operations of Anoka County-Blaine Airport.



## ACBAAC Work Plan

2022-2023

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. Review of aircraft noise complaints and aircraft operations summary</li> <li>2. Tenant Highlight and Airport User Spotlight</li> <li>3. Metropolitan Airports Commission Update</li> <li>4. MAC District E Commissioner</li> <li>5. MAC Director of Reliever Airports</li> </ol> | <ol style="list-style-type: none"> <li>6. Review airport development and planning effort, including</li> <li>7. Visioning Study</li> <li>8. Long Term Comprehensive Plan Update</li> <li>9. Airport/Community Events (e.g., open house at Aircraft Viewing Area)</li> <li>10. Airport Tour and Tenant Engagement in Summer</li> </ol> |
|--|---|



**Questions ?**

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 4.0 B

**Agenda Item:** Public Hearing for 3.2 % Off-Sale Liquor License Application by Kwik Trip, Inc.

**Background Information:**

Staff is recommending that Council conduct a public hearing regarding an application and request for a 3.2% Off Sale Liquor License for Kwik Trip, Inc..

A background check has been completed without issues. All application materials and fees have been submitted for the 3.2% Off Sale Liquor License.

Final approval of the license would be contingent on the approval of State Commissioner of Public Safety. Approval of Council is required prior to action by the State.

**Attachment(s):**

- 1.) 3.2 OFSL Malt Liquor License Application

**Fiscal Impact:**

**Recommendation(s):** Staff recommends conducting the public hearing to receive comments on the 3.2% Off Sale Liquor License for Kwik Trip, Inc. dba: Kwik Trip #1171. Once the public hearing is closed and if there are no reasons to deny the license, staff recommends Council consider approval of a 3.2% Off Sale Liquor license for Kwik Trip, Inc. dba: Kwik Trip #1171 located at 18755 Sandhill Parkway NE in East Bethel.

**City Council Action:**

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

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

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

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



Minnesota Department of Public Safety  
**Alcohol and Gambling Enforcement Division (AGED)**  
445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

**Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License**

**Cities and Counties:** You are required by law to complete and sign this form to certify the issuance of the following liquor license types: 1) City issued on sale intoxicating and Sunday liquor licenses  
2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License East Bethel License Period From: 11/1/2023 To: 6/30/2024

Circle One: New License License Transfer \_\_\_\_\_ Suspension Revocation Cancel \_\_\_\_\_  
(former licensee name) (Give dates)

License type: (check all that apply)  On Sale Intoxicating  Sunday Liquor  3.2% On sale  3.2% Off Sale

Fee(s): On Sale License fee: \$ \_\_\_\_\_ Sunday License fee: \$ \_\_\_\_\_ 3.2% On Sale fee: \$ \_\_\_\_\_ 3.2% Off Sale fee: \$ \_\_\_\_\_

Licensee Name: Kwik Trip, Inc. DOB [REDACTED] Social Security # [REDACTED]  
(corporation, partnership, LLC, or Individual)

Business Trade Name Kwik Trip #1171 Business Address 18755 Sandhill Pkwy NE City East Bethel

Zip Code 55011 County Anoka Business Phone 763-204-6267 Home Phone 608-793-4741  
Corp.

Home Address [REDACTED] City La Crosse, WI 54603

Licensee's Federal Tax ID # [REDACTED] Licensee's MN Tax ID# [REDACTED]  
(To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Scott Paul Zietlow [REDACTED] [REDACTED] [REDACTED] Rochester, MN 55902  
Partner/Officer Name (First Middle Last) DOB Social Security # Home Address

Partner/Officer Name (First Middle Last) DOB Social Security # Home Address

Partner/Officer Name (First Middle Last) DOB Social Security # Home Address

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
- 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Yes  No During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: Indemnity Insurance Co. of NA Policy # [REDACTED]

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature \_\_\_\_\_ Date \_\_\_\_\_  
(title)

**ON SALE INTOXICATING LIQUOR LICENSEES ONLY, must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7507, or visit our website at <https://dps.mn.gov/divisions/age/Pages/default.aspx>**

**City of East Bethel  
City Council Regular Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 4.0 D

**Agenda Item:** Potentially Dangerous Dog Hearing

**Requested Action:** Determine by Hearing if a Potentially Dangerous Dog Determination issued by the City Administrator to Sandra Nick should be sustained, modified or removed.

**Background Information:**

The request for the hearing relates to a bite injury incident that occurred on September 21, 2023. The Anoka County Sheriff's office reported that a Black Lab dog owned by Sandra Nick was involved in a bite incident with Richard Stone at 21232 Davenport Street NE.

Since the current matter was apparently unprovoked and not under the physical control by the owner, a Potentially Dangerous Dog notice was issued by the Anoka County Deputy reporting this incident and confirmed by the City Administrator. Ms. Nick's dog was not licensed at the time of the bite. Ms. Nick applied for a City license for the dog on October 20, 2023.

Potentially Dangerous Dog means any dog that:

- (1) When unprovoked, inflicts bites on a human or domestic animal on public or private property;
- (2) When unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or
- (3) Has a known propensity, tendency, or disposition to attack, unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Pursuant to City Code Chapter 10, Article II, Dogs, Section 10-72, an animal owner is allowed to contest the potentially dangerous dog determination. In this case, Sandra Nick, the animal's owner, has requested a hearing.

The City Council pursuant to section 10-72 has several options regarding this matter.

1. Conduct the hearing allowing the owner to present reasons why the potentially dangerous dog determination should be removed;
2. If the potentially dangerous dog determination is sustained, identify the action to be taken:
  - a. Allow the owners to keep the animal with restrictions.
  - b. dispose of the animal, if conditions of the incident are severe to the point of requiring this consideration.
3. If the potentially dangerous dog determination is not sustained, make a determination that the animal is to be released without further action from or by the City Council.

The following are requirements for maintaining the animal should the potentially dangerous dog determination be sustained. Per City Code these include:

## **Sec. 10-75. - Potentially dangerous dog requirements**

(a) *Requirements.* If after a hearing is requested under [section 10-72](#), and the City Council finds that the dog is potentially dangerous but does not order the destruction of the dog, the City Council shall order one or more of the following as the requirement(s) for the keeping of the dog in the city, which, beginning six months after the dog is declared a potentially dangerous dog, will be reviewed on an annual basis by the City Administrator. If, in reviewing the requirement(s) for keeping a potentially dangerous dog, the owner has provided the evidence required under Minn. Stats. § 347.51, subd. 3a. and there have been no ordinance violations for a period of two years, the City Council may use discretion in determining whether one or more, none or other of the requirement(s) set forth below will still be required:

- (1) That the owner provide and maintain a proper enclosure for the potentially dangerous dog as defined in [section 10-70](#)
  - (2) That the owner post the front and the rear of the premises with clearly visible warning signs, including a warning symbol, a copy of which will be furnished by the city, to inform children, that there is a potentially dangerous dog on the property in the manner specified in Minn. Stats. § 347.51 in the case of a dangerous dog. The owner must pay a reasonable fee to cover the cost of the warning symbol;
  - (3) That an easily identifiable, standardized tag identifying the dog as potentially dangerous and containing the uniform dangerous dog symbol must be affixed to the dog's collar at all times as specified in Minn. Stats. § 347.51 for a dangerous dog;
  - (4) That the owner provides and shows proof annually of public liability insurance paid in full in the minimum amount of \$300,000.00. The insurance must insure the owner for any personal injuries inflicted by the potentially dangerous dog. The owner shall have 14 business days from the request to show proof of insurance, except that if the dog is impounded, proof of insurance must be demonstrated prior to the dog's release;
  - (5) That if the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person 18 years of age or older. The muzzle must be of such design as to prevent the dog from biting any person or animal but will not cause injury to the dog or interfere with its vision or respiration;
  - (6) That all dogs deemed potentially dangerous by the city council be registered with the city within 14 days after the date the dog was so deemed and provide satisfactory proof thereof to the city administrator;
  - (7) That the dog must annually be licensed by the City;
  - (8) That the owner must allow a compliance official on the owner's property to conduct a site inspection within 14 days of determination of potentially dangerous dog by the city council.
- (b) *Seizure.* The animal control authority shall seize any potentially dangerous dog if the owner(s) does (do) not meet each of the above requirements ordered by the city council within 14 days after the date notice is sent to the owner(s) that the dog is potentially dangerous and no appeal has been filed.
- (c) *Reclaiming potentially dangerous dogs.* A potentially dangerous dog seized under this section may be reclaimed by the owner(s) of the animal upon payment of impounding and boarding fees and presenting proof to the animal control authority that each of the requirements under this division of this Code have been met. An animal not reclaimed under this section within 14 days may be disposed of in the manner provided under [section 10-73](#) in the case of a dangerous dog, and the owner(s) is(are) liable to the animal control authority for costs incurred in confining and destroying the dog.
- (d) *Subsequent offenses.* If an owner of a dog which has been declared potentially dangerous and is subject to any requirement(s) of this section has allegedly failed to comply with the requirement(s), the dog must be seized by the animal control authority. Notice shall be provided to the owner(s) of the basis for

the seizure and the right to request a hearing before the city council to determine whether the requirement(s) was/were violated. A request for hearing must be made within 14 days of the seizure. If the owner(s) fail(s) to request a hearing within 14 days, or is(are) found to have violated the requirement(s), the council shall order the dog destroyed in a proper and humane manner and the owner(s) shall pay the costs of confining and destroying the dog. If the owner(s) is (are) found not to have violated the requirement(s), the owner(s) may reclaim the dog under the provisions of this section.

(e) *Registration fee.* The owner(s) of a dog that has been declared potentially dangerous shall pay an annual registration fee to the city of \$250.00 in addition to any regular dog licensing fees and a reasonable fee to cover the city's administrative costs within 14 days of the declaration and again after annual anniversary dates. If the dog has been impounded, the fee must be paid prior to the dog's release. The animal control authority shall issue a certificate of registration to the owner of the potentially dangerous dog if the owner presents sufficient evidence of compliance with the requirements of this section.

**Attachment(s):**

Attachment 1 – Incident Report #23228402

**Fiscal Impact:** To be determined

**Recommendation:** Staff recommends that City Council conduct a hearing relating to the potentially dangerous dog determination and issue a decision regarding this incident pursuant to City Code Chapter 10, Animals, Article II. Dogs, Division 3 and any requirements for the keeping of the dog.

**City Council Action:**

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

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

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

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



# Anoka County Sheriff's Office Incident Report



13301 Hanson Blvd NW, Andover, MN 55304

Phone: 763-324-5000

**Case Number:** 23228402

**Date Reported:** 09/21/2023

**Event:**

**Description of Incident:** DOG BITE

**Address:** 21232 DAVENPORT ST NE **City:** EAST BETHEL **State:** MN **Zip Code:** 55011

**Start Date/Time:** 09/21/2023 17:19

**End Date/Time:** 09/21/2023 17:44

**Time Dispatched:** 17:19

**Time Arrived:** 17:19

**Time Cleared:** 17:44

**Summary:** On 09/21/2023 at approximately 1719 hours, I was waved down by a male on a bike. The male advised me that he was bite by a dog. The male brought me to the LOI, and I spoke with the dog owner. I then gathered the necessary information. See narrative for further.

**Photos Available:** YES

**Squad Video Available:** YES

**Body Cam Video Available:** YES

**Evidence Collected:** NO

**RFLE Completed:** NO

**Offense(s):**

**Offense:** ANIMBITEDOG ANIMAL - DOG BITES

**Person(s) Involved:**

<b>Last Name:</b> NICK	<b>First Name:</b> SANDRA	<b>Middle Name:</b> KAY
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**Incident Involvement Type:** OWNER

**Date of Birth:** XX/XX/XXXX

**Age:** XX

**Sex:** X

**Address:** XXXXX XXXXXXXXXXXX ST NE

**APT#:**

**City:** EAST BETHEL

**State:** MN

**ZIP:** 55011

**Cell Phone:** (XXX) XXX-XXXX

**Statement Taken:** NO

<b>Last Name:</b> STONE	<b>First Name:</b> RICHARD	<b>Middle Name:</b> ALLEN
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**Incident Involvement Type:** PERSON REPORTING INCIDENT

**Date of Birth:** XX/XX/XXXX

**Age:** XX

**Address:** XXXX XXXXX AVE NE

**APT#:**

**City:** EAST BETHEL

**State:** MN

**ZIP:** 55011

**Cell Phone:** (XXX) XXX-XXXX

**Statement Taken:** NO

**Narrative(s):**

**Title:** ORIGINAL OFFICER NARRATIVE



# Anoka County Sheriff's Office Supplement Report



13301 Hanson Blvd NW, Andover, MN 55304

Phone: 763-324-5000

**Case Number:** 23228402

**Date Reported:** 09/21/2023

On 09/21/2023 at approximately 1719 hours, I was waved down by a male on a bike. The male advised me that he was bite by a dog. The male biked back to the LOI with me to make a report. The male was identified as Richard Allen Stone. Richard stated that he was biking north bound on Davenport St NE. Richard said when he biked past the LOI, he noticed a black lab come out of the woods on the east side of Davenport St. Richard stated that he used his brakes, and the dog went around his bike and bit his left leg. Richard denied medical treatment. The wound was minor. Richard stated that he wanted the incident documented, I supplied Richard with a case number and advised him of the steps moving forward that the City of East Bethel will require. Richard understood.

I then spoke to the dog owner identified as Sandra Kay Nick. Sandra stated the dog's name is Bear. Bear is a 3 year old male, black lab that is neutered. Sandra stated she has had Bear for only 1 year. Sandra stated that Bear is up to date on his shots and has the information, but was unable to find it on scene. I advised Sandra to send me the vaccination information along with a picture of the dog.

I then asked Sandra how Bear bit Richard. Sandra stated that she let Bear out of the house and he immediately took off running around the house. Sandra stated she had the leash in her hand, but he ran away before she could put it on. Sandra then noticed Bear was in the woods across the road. Sandra stated she noticed Richard was biking north bound on Davenport when Richard hit his breaks. Sandra stated that Bear went around the bike and Bit Richard. Sandra grabbed Bear and placed him inside.

I advised Sandra of the dangerous dog quarantine rule that East Bethel has in place. I decided not to take Bear to the Animal Human Society for quarantine. I advised Sandra that her dog should stay quarantined in her house for 14 total days. Sandra understood the information that I provided. Nothing Further.

When Sandra sends me the dog information, I will upload the information into iCrimeFighter.  
A dangerous dog form was completed.  
See iCrimeFighter for further.

Deputy B. Eldien #386

CC:// City of East Bethel

sg 092223

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**Officer(s):**

**Involvement:** REPORTING

**Deputy Name:** Eldien, Brandon D zpd00689

**Date:**09/21/2023 19:22

**Squad #:** 411



# NOTICE OF "POTENTIALLY DANGEROUS DOG / CAT"

**Date:** 09/21/2023 17:19 **ICR:** 23228402  
**Name of Owner:** NICK, SANDRA KAY **DOB:** XX/XX/XXXX  
**Address:** XXXXX XXXXXXXXX ST NE EAST BETHEL, MN 55011  
**Home Phone:** **Cell Phone:**  
**Work Phone:** (XXX) XXX-XXXX

**Name of Dog:** BEAR  
**Breed / Sex:** LAB / MALE **Age:** 3  
**Colors:** BLACK **Neutered/Spayed:** YES

- Person or domestic animal was bitten by above dog/cat without provocation
- Person or domestic animal while on public property was chased or approached by the above dog/cat in apparent attitude of attack without provocation
- The above said dog/cat has on the following dates in the past, attacked persons or other domestic animals without provocation

Date/Time: ICR:  
Date/Time: ICR:

**Dated:** 09/21/2023 19:18:00 **Officer / Badge #:** Eldien, Brandon D zpd00689

cc: City of East Bethel Anoka County Sheriff's Office  
cc: Dog Owner

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 4.0 D

**Agenda Item:** Capstone Traffic Study

**Background Information:**

Capstone Homes, Inc. has requested that the City have a traffic study prepared to assess the impact their proposed development's access points would have on Viking Blvd, Sandhill Parkway and 187th Lane and Hwy 65. This study would be commissioned by the City and prepared by an independent consultant. The City Engineer was directed to solicit proposals for a scope of work and cost for the study. Capstone would be required to establish an escrow account in an amount to pay for any expenses associated with this work.

The attached letter of request (Attachment - 4) is Capstone's notification of their intent to have the traffic study completed through the city and independent of their input. Capstone's work items specified in their letter may or may not be included in the deliverables of the study.

The base proposal would include the intersections of Hwy 65 and Viking Blvd, Viking Blvd and Sandhill Parkway, Viking Blvd and Williams CT Way and Viking Blvd and Greenbrook Drive (CR 68). Mayor Lewis stated that the study should also include 187<sup>th</sup> Lane from its intersection with HWY 65 to the roundabout on Sandhill Parkway and in addition to this location, the intersections of Greenbrook Dr and Crosstown, Crosstown and Hwy 65, Greenbrook Dr and Briarwood Lane. Mayor Lewis also requested that the traffic impact from the Elevage project and the future Osborne development be factored into the study findings.

Capstone has no past history with SEH but has used S2 Solutions for consulting work. If S2 Solutions is selected to prepare the study, they will be contracting with the City and would have no connections with Capstone for this work.

The SEH Proposal regards the impacts to Crosstown Blvd negligible with the complete buildout of the area bounded by Viking Blvd on the north, Greenbrook Dr on the east, Briarwood Lane on the east and Hwy 65 on the west and does not recommend the inclusion of Crosstown Blvd in their analysis.

**Attachment(s):**

Attachment 1 – S2 Solutions Traffic Study Proposal

Attachment 2 – SEH Traffic Study Proposal

Attachment 3 – Location Map

Attachment 4 – Capstone Letter of Request for a Traffic Study

**Fiscal Impact:**

An escrow account in the amount of the consultant fee and any charges on the part of the City Engineer will be established by the City and funded by Capstone to pay for the cost of the study. No city funds will be used for this activity. The cost for the studies are as follows:

	<u>Phase 1</u>	<u>Phase 2</u>
S2 Solutions	\$13,400	\$12,300
SHE	\$24,000	\$15,500

The City Engineer has worked with both firms and recommends that each is capable of performing the work.

**Recommendation(s):** City Staff requests that City Council select either S2 Solutions or SEH and authorize the consultant to proceed with the project.

**City Council Action:**

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

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

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

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



October 10, 2023

Craig Jochum, P.E.  
 President  
 Hakanson Anderson  
 3601 Thurston Avenue  
 Anoka, MN 55303

**Re: Proposal for EAW Traffic Engineering Study – Viking Meadows, East Bethel, MN**

Dear Mr. Jochum,

Thank you for the opportunity to present this proposal to provide traffic engineering services for the proposed development of 150 acres as 350 single family homes in East Bethel, MN. It is our understanding the development, located to the south of Viking Blvd NE and to the east of TH 65 will be access from Viking Blvd NE via two locations, the current access to the Viking Meadows Golf Club, and the other from Davenport St NE. Given our knowledge of the area, as well as our experience with these types of studies, we propose the following scope of services to assess the impacts to area traffic associated with the development plans for this site, plus additional review requested by the City Council to understand existing and future transportation needs in the area. The scope below is identified as **Phase 1** for specific development related impacts and **Phase 2** for additional study.

- 1) Collect current AM & PM Peak Hour turning movement traffic volume data for the study area including the following intersections:

**Phase 1**

- a) Viking Blvd NE & TH 65
- b) Viking Blvd & Davenport St NE
- c) Viking Blvd NE & Williams Ct Way/Golf Course Access
- d) Viking Blvd NE & Greenbrook Dr NE

**Phase 2**

- e) Crosstown Blvd NE & Greenbrook Dr NE
  - f) Crosstown Blvd NE & TH 65
  - g) Davenport St NE & 187<sup>th</sup> Ln NE
  - h) 187<sup>th</sup> Ln NE & TH 65
  - i) Briarwood Ln NE & Greenbrook Dr NE
  - j) Briarwood Ln NE & Baltimore St NE
- 2) Develop a traffic operational model of the roadway network for both **Phase 1** and **Phase 2**. It is noted the existing private school Star of the North Academy is operational at this time and its traffic will be part of the existing AM and PM Peak counts.
  - 3) Estimate the number of trips generated by the land uses identified in the site plan and distribute the trips to the study area intersections (both **Phase 1** and **Phase 2**) per the existing and anticipated traffic patterns, and according to travel time forecasts.

- 4) Estimate the background year traffic conditions for **Phase 1** by adjusting the existing traffic to include background growth and other potential developments in the area including Osborne and Elevage development traffic, for the year after build-out (2028) and for the planning horizon year (2045). Repeat the process for **Phase 2**.
- 5) Establish the Build traffic conditions by adding the net new site generated traffic to the estimated background year traffic conditions (**Phase 1 and Phase 2**) for the year after Build out (2028) and the planning year (2045), and compare the roadway operations with and without development of the site. The realignment or change to Sandhill Parkway will be reviewed as part of this item.
- 6) Conduct a crash analysis at the **Phase 1** study area intersections using statics from the most recent 5 years to identify intersections that may have issues that would be exacerbated by the proposed development.
- 7) Author a traffic impact study report summarizing the methodology, results and conclusions suitable for inclusion in an EAW, and submission to and approval by the City of East Bethel.

The lump sum fee for preparing **Phase 1** of this traffic study is **\$13,400** half (\$6,700) due with authorization to proceed and the remainder (\$6,700) due upon receipt of the draft study. The lump sum fee for preparing **Phase 2** (assumed to be conducted simultaneously and included in the traffic impact report) **\$12,300** half (\$6,150) due with authorization to proceed and remainder (\$6,150) due upon receipt of the draft study. It is assumed meeting attendance at a kickoff meeting and a City Council meeting will be required. Further, if TEAMS meeting attendance is necessary it can be added to this scope of work for an extra \$250 per approved meeting (includes preparation and attendance).

To accept this proposal, please email me a signed, scanned copy of this agreement and mail the initial payment to S<sup>2</sup> Traffic Solution, LLC, 8112 W 16<sup>th</sup> Street, Minneapolis, MN 55426.

Sincerely,

S<sup>2</sup> TRAFFIC SOLUTION, LLC

CITY OF EAST BETHEL (Authorized signer)



Vernon E. Swing, PE  
Owner/CFO

Signature

Date

Printed Name

Title



Building a Better World  
for All of Us®

October 3, 2023

RE: City of East Bethel  
Viking Meadows Residential  
Development Traffic Impact Study  
SEH No. EASTB XXXXXX 14.00

Craig Jochum  
President  
Hakanson Anderson  
3601 Thurston Avenue  
Anoka, MN 55303

Dear Mr. Anderson:

Capstone Homes in participation with the City of East Bethel is conducting a Traffic Engineering Study for the proposed Viking Meadow Concept that has been previously approved by the City Council. The proposed development is proposed to be located south of Viking Blvd and east of TH 65 and will include two proposed access points along Viking Blvd. The following letter proposal includes an outline of scope, schedule and cost estimate of services to complete this study.

### **TASK 1 PROJECT MANAGEMENT**

1. General project management including coordination, monthly invoices.
2. Assumes up to 2 virtual project meetings including a project kick off meeting to review project scope, schedule and any important relevant project information and a second virtual meeting to discuss preliminary findings and recommendations prior to report finalization.
3. Assumes one Council presentation to discuss findings and recommendations of the study

### **TASK 2 DATA COLLECTION, ANALYSIS AND REPORT**

#### Task 2.1 Data Collection

1. SEH will collect intersection turning movement count information for 13-hours at the following intersections:
  - a. Viking Blvd NE and TH 65
  - b. Viking Blvd and Davenport St NE
  - c. Viking Blvd NE and Williams Ct Way/Golf Course Access
  - d. Viking Blvd NE and Greenbrook Dr NE

#### Task 2.2 Traffic Forecasts

1. SEH will develop traffic forecasts using the most recent traffic forecast information provided in the Cities comprehensive plan or any available historical Average Annual Daily Traffic (AADT) information and will develop intersection turning movement counts for the full build year 2028 and future design year of 2045.

#### Task 2.3 Trip Generation and Trip Distribution

1. Conduct Trip Generation and Distribution/assignment for the weekday AM and PM peak hours for the existing, full build 2028 and future design year 2045 scenarios. For each scenario,

Engineers | Architects | Planners | Scientists

**Short Elliott Hendrickson Inc.**, 3535 Vadnais Center Drive, St. Paul, MN 55110-3507

651.490.2000 | 800.325.2055 | 888.908.8166 fax | [sehinc.com](http://sehinc.com)

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SEH is 100% employee-owned. City of East Bethel, page 23

determination of level of mitigation necessary to achieve acceptable traffic operations at the study intersections will be conducted.

2. As part of the trip generation, previous trip generation estimates for the not yet completed Elevage Plat will be used and included in the No Build scenarios as this development has already been approved and Phase I is currently under construction.

#### Task 2.4 Safety and Warrant Analysis

1. Safety analysis for the study intersections listed in Task 2.1.1 will be completed by using the most recent five years of crash data available from the Minnesota Department of Transportation's Crash Mapping Analysis Tool 2.0
2. Future crash estimation for the study intersections will be developed by applying MnDOT's statewide average crash rates for different intersection types to future projected intersection volumes to develop an annual crash estimation for each intersection alternative. In addition, Federal Highway Administration (FHWA) Crash Modification Factors Clearinghouse will be used to help determine safety benefits of proposed alternatives.
3. All-way stop and traffic signal warrant analysis will be completed at this intersection in accordance with the MnMUTCD using existing and future forecasted traffic volumes as well as crash information comparing them to thresholds outlined in the MnMUTCD.

#### Task 2.5 Capacity Analysis

1. Synchro/SimTraffic 11 will be used to analyze traffic operations for the AM and PM peak hours under the existing, future 2028 and future design year 2045 conditions.

#### Task 2.6 Traffic Analysis Documentation

1. Upon completion of the analysis, recommendations for intersection improvements will be developed and reviewed with City staff before completion of the formal report documentation. The intersection report will include all completed analysis and recommendations and a draft of the report will be submitted for City and County review. Once all comments are received, the report will be finalized incorporating all feedback received.

### **OPTIONAL TASK 3 AREA WIDE REVIEW**

As part of the City of East Bethel's City Council request for a traffic study the following roadway segments and intersections were requested to be analyzed as part of this project:

1. 187<sup>th</sup> Lane NE
2. Greenbrook Drive to both the north and the south of the proposed development
3. Briarwood Lane NE
4. Crosstown Blvd NE

Based upon the preliminary Viking Meadows site plan, impacts from the proposed development to Greenbrook Drive, Briarwood Lane NE, and Crosstown Boulevard are expected to be negligible due to the proposed site access points and potential destinations of residents of the Viking Meadows development.

However, as the area surrounding the Viking Meadows development continues to be developed, roadway connections will be provided to access the surrounding roadway network. One potential development known as the Osborne Development Concept would potentially provide access to Briarwood Lane NE, Greenbrook Drive NE, and ultimately 187<sup>th</sup> Lane NE. Impacts to Crosstown Boulevard are expected to be negligible under the complete build out of the area bounded by TH 65 on the west, Viking Blvd on the north, 189<sup>th</sup> Avenue and Greenbrook Dr NE on the east and Briarwood Lane NE on the south and therefore it is not recommended to include Crosstown Boulevard in the analysis.

If the City so chooses, the following scope of work could be added to the traffic study to evaluate the land area bounded by TH 65 on the west, Viking Blvd on the north, 189<sup>th</sup> Avenue and Greenbrook Dr NE on the east and Briarwood Lane NE on the south. The following tasks outline the additional effort needed to complete an areawide review:

#### Task 3.1 Data Collection

1. SEH will collect additional 13-hour traffic turning movement counts at the following intersections
  - a. 187<sup>th</sup> Lane and TH 65 including both J-turn locations
  - b. 187<sup>th</sup> Lane NE and Frontage Road Roundabout
  - c. Greenbrook Dr NE and 189<sup>th</sup> Ave
  - d. Greenbrook Dr NE and Briarwood Lane NE
  - e. Briarwood Lane NE and Baltimore Street NE

#### Task 3.2 Traffic Forecasts

1. SEH will develop traffic forecasts using the most recent traffic forecast information provided in the City's comprehensive plan and will develop intersection turning movement counts for the full build year 2028 and future design year of 2045 for the additional proposed intersections.

#### Task 3.3 Trip Generation and Trip Distribution

1. Conduct Trip Generation and Distribution/assignment for the weekday AM and PM peak hours for the existing, full build 2028 and future design year 2045 scenarios. For each scenario, determination of level of mitigation necessary to achieve acceptable traffic operations at the study intersections will be conducted.
2. SEH will work with the City to identify any additional potential development scenarios outside of the provided Osborne Development Concept that should be included in the full build 2028 and 2045 scenarios.

#### Task 3.4 Safety and Warrant Analysis

1. Safety analysis for the study intersections listed in Task 3.1.1 will be completed by using the most recent five years of crash data available from the Minnesota Department of Transportation's Crash Mapping Analysis Tool 2.0
2. Future crash estimation for the study intersections will be developed by applying MnDOT's statewide average crash rates for different intersection types to future projected intersection volumes to develop an annual crash estimation for each intersection alternative. In addition, Federal Highway Administration (FHWA) Crash Modification Factors Clearinghouse will be used to help determine safety benefits of proposed alternatives.
3. All-way stop and traffic signal warrant analysis will be completed at this intersection in accordance with the MnMUTCD using existing and future forecasted traffic volumes as well as crash information comparing them to thresholds outlined in the MnMUTCD.

#### Task 3.5 Capacity Analysis

1. Synchro/SimTraffic 11 will be used to analyze traffic operations for the AM and PM peak hours under the existing, future 2028 and future design year 2045 conditions for the additional intersections.

#### Task 3.6 Traffic Analysis Documentation

1. Narrative will be added to the traffic analysis report to document the additional analysis and recommendations for each of the additional study intersections.

Craig Jochum  
October 3, 2023  
Page 4

## PROJECT SCHEDULE

Upon receiving notice to proceed, SEH anticipates completing this study within 6-8 weeks.

## PROJECT COST

We propose to provide the above services for an estimated lump sum cost of \$24,000. The City will be invoiced monthly on an estimated percentage of work completed to date.

If the City wishes to include optional Task 3, SEH can complete the areawide traffic review for an additional \$15,500.

We appreciate the opportunity to provide engineering services to the City East Bethel. Feel free to reach out to me directly at 612.219.7172 or at [cjorgenson@sehinc.com](mailto:cjorgenson@sehinc.com) if you have any questions or comments regarding this proposal.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Chad Jorgenson  
Associate | Project Manager  
(Lic. IA, MN, SD)

CMJ

c:\users\cjorgenson\desktop\capstone homes viking meadows traffic impact study letter proposal 100323.docx

**City of East Bethel**

**Capstone Homes - Viking Meadows Traffic Impact Study**

10/3/2023



Work Tasks	Titl	Project Manager	Sr. Traffic Engineer	Traffic Engineer	Grad Engineer/GIS Tech	Admin. Asst.	SEH, Inc.
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**Task 1.0 - Project Management, Administration, and Meetings**

1.1	General Project Management	4				4	8
1.2	2 virtual project meetings (kick-off meeting and preliminary results meeting)	4		4			8
1.3	City Council Presentation	6		2			8

<b>Task 1.0 Total Hours</b>		<b>14</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>4</b>	<b>24</b>
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**Deliverables:** Meeting exhibits and Meeting Minutes, Council Presentation

**Task 2.0 - Data, Analysis and Report**

2.1	Data Collection - 4 intersections	1			14		15
2.2	Traffic Forecasts			4			4
2.3	Trip Generation and Distribution and previous study review	1			8		9
2.4	Safety and Warrant Analysis	1			8		9
2.5	Capacity Analysis (AM and PM Peak Hours including Existing, 2028 NB, 2028 Build, 2028 Build Mitigated, 2045 NB, 2045 Build, 2045 Build Mitigated) 14 models at 3 hours per model	2		40			42
2.6	Report Documentation	10	2		30	2	44

<b>Task 2.0 Total Hours</b>		<b>15</b>	<b>2</b>	<b>44</b>	<b>60</b>	<b>2</b>	<b>123</b>
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**Task 2.0 Deliverables:** intersection turning movement counts, traffic forecasting information, intersection existing and future warrant analysis, capacity analysis, report documentation, intersection concepts and cost estimates

<b>Total Project Hours</b>		<b>29</b>	<b>2</b>	<b>50</b>	<b>60</b>	<b>6</b>	<b>147</b>
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Average Hourly Billing Rates	\$200.00	\$237.00	\$160.00	\$135.60	\$135.60		
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<b>Total Labor Based Costs</b>							<b>\$23,206</b>
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<b>SEH Reimbursable Expenses</b>							
Estimated Mileage Costs:	0	200	miles				\$130
Traffic Counters, Field Supplies, Survey Vehicle:		\$664					\$664.20
<b>Total Reimbursable Expenses</b>							<b>\$794</b>

<b>Total Estimated Cost</b>							<b>\$24,000</b>
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**City of East Bethel**  
**Capstone Homes - Viking Meadows Traffic Impact Study**  
**10/3/2023**



Work Tasks	Titl	Project Manager	Sr. Traffic Engineer	Traffic Engineer	Grad Engineer/GIS Tech	Admin. Asst.	SEH, Inc.
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**Task 3.0 - Areawide Review**

3.1	Data Collection - 5 intersections	1			20		21
3.2	Traffic Forecasts	1		6			7
3.3	Trip Generation and Distribution and previous study review	1			2		3
3.4	Safety and Warrant Analysis	1			12		13
3.5	Capacity Analysis (AM and PM Peak Hours including Existing, 2028 NB, 2028 Build, 2028 Build Mitigated, 2045 NB, 2045 Build, 2045 Build Mitigated) 14 models at 2 additional hours per model	2		28			30
3.6	Report Documentation	5			16	2	23

<b>Task 3.0 Total Hours</b>	<b>11</b>	<b>0</b>	<b>34</b>	<b>50</b>	<b>2</b>	<b>97</b>
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**Deliverables:** intersection turning movement counts, traffic forecasting information, intersection existing and future warrant analysis, capacity analysis, report documentation

<b>Total Project Hours</b>	<b>11</b>	<b>0</b>	<b>34</b>	<b>50</b>	<b>2</b>	<b>97</b>
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Average Hourly Billing Rates	\$200.00	\$237.00	\$160.00	\$135.60	\$135.60	
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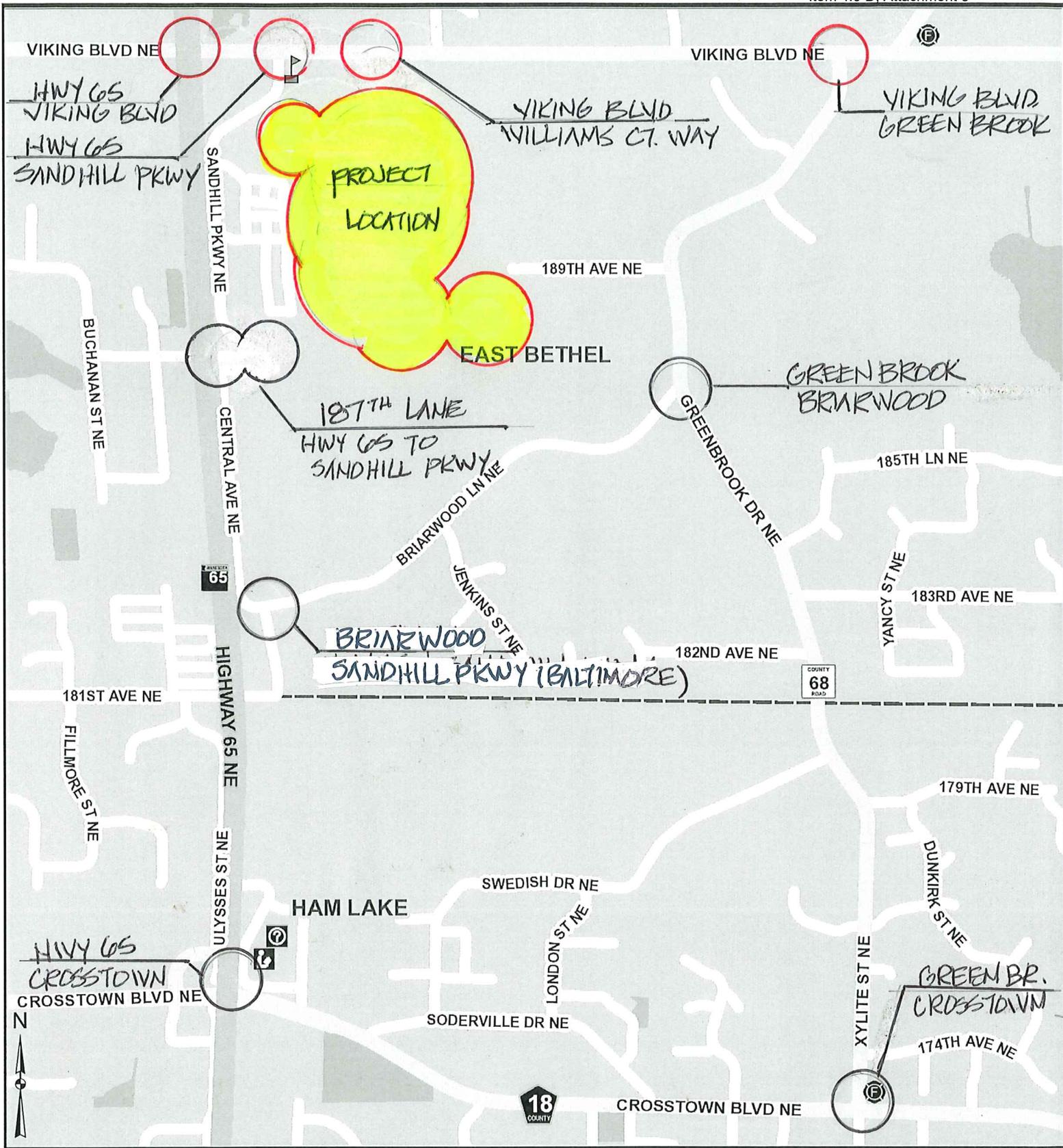
<b>Total Labor Based Costs</b>						<b>\$14,679</b>
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<b>SEH Reimbursable Expenses</b>						
Estimated Mileage Costs:	0	45	miles			\$29
Traffic Counters, Field Supplies, Survey Vehicle:		\$792				\$792.20
<b>Total Reimbursable Expenses</b>						<b>\$821</b>

<b>Total Estimated Cost</b>						<b>\$15,500</b>
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# Anoka County Parcel Viewer

Item 4.0 D, Attachment 3



**Parcel Information:**

Approx. Acres:  
Commissioner:

**Owner Information:**



Plat:

# CAPSTONE

— H O M E S —

September 7<sup>th</sup>, 2023

**Aaron Berg, Community Development Director**  
**City of East Bethel**  
**East Bethel, MN**

**Re: Request for Traffic Engineering Study – Viking Meadows, East Bethel, MN**

Dear Mr. Berg

Thank you for the city's guidance and direction in conducting a Traffic engineering study for the Viking Meadow Concept proposal, approved by the City of East Bethel Council. The development, located to the south of Viking Blvd NE and to the east of TH 65 will be accessed from Viking Blvd NE via two locations, the current access to the Viking Meadows Golf Club, and the other from Sandhill Parkway. It has been recommended that the following scope of services be used to assess the impacts to area traffic associated with the development plans for this site:

- 1) Collect current AM & PM Peak Hour turning movement traffic volume data for the study area including the following intersections:
  - a) Viking Blvd NE & TH 65
  - b) Viking Blvd & Davenport St NE
  - c) Viking Blvd NE & Williams Ct Way/Golf Course Access
  - d) Viking Blvd NE & Greenbrook DR NE
- 2) Develop a traffic operational model of the roadway network.
- 3) Estimate the number of trips generated by the land uses identified in the site plan and distribute the trips to the study area intersections per the existing and anticipated traffic patterns, and according to travel time forecasts.
- 4) Estimate the background year traffic conditions by adjusting the existing traffic to include background growth and other potential developments in the area, for the year after build-out (2028) and for the planning horizon year (2045).
- 5) Establish the Build traffic conditions by adding the net new site generated traffic to the estimated background year traffic conditions for the year after Build out (2028) and the planning year (2045), and compare the roadway operations with and without development of the site.
- 6) Conduct a crash analysis at the study area intersections using statics from the most recent 5 years to identify intersections that may have issues that would be exacerbated by the proposed development.
- 7) Author a traffic memorandum summarizing the methodology, results and conclusions suitable for submission to and approval by the City of East Bethel.

Sincerely



Matt Barker, Capstone Homes

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 4.0 E

**Agenda Item:** Sheriff's Department Report

**Background Information:**

Lieutenant Derek Peters will present the Anoka County Sheriff's Office monthly report.

**Attachment(s):**

1. Sheriff's Office September Report
2. CSO Report of Activities
3. CFS Report

**Fiscal Impact:**

**Recommendation(s):** No Action Required

# East Bethel City Council Report

September 2023



Good evening, Mayor, council members, my name is Derek Peters, and I am a Lieutenant in our patrol division.

September had a total of 376 calls for service. Deputies responded to 1 burglary, 4 assaults, 3 damage to property calls and 56 medicals. There were 5 warrant arrests in East Bethel and deputies traffic enforcement efforts resulted in the issuance of 17 traffic citations on our city roads.

## **Some notable calls our deputies have handled this past month include:**

### **Deputy Cutler-Traffic Arrest**

On 9/1/23 at 2104 hrs., Deputy Cutler stopped a vehicle on Hwy 65 NE at 221<sup>st</sup> Ave NE after observing an equipment violation. Deputy Cutler spoke with the driver who failed to provide any form of identification. Deputy Cutler was later able to identify the driver who had a revoked driving status and two active warrants for his arrest. Deputy Cutler arrested the male and searched him before securing him the rear portion of a squad car. During the search, Deputy Cutler located a loaded pistol magazine in the male's pocket. Prior to towing the vehicle, Deputy Cutler searched the truck and located a 9mm pistol inside of a pocket inside of the vehicle. Deputy Cutler secured the pistol and had Deputy Alderink transport the male to jail. The pistol was secured in evidence at the Sheriff's Office. The male was cited for the driving offenses and released to detention staff without incident.

### **Deputy Eldien-DWI Refusal**

On 9/10/23 at 1432 hrs., Deputy Eldien was dispatched to 237<sup>th</sup>/Hwy 65 at the Cooper's Corner gas station on a report of two females involved in an ATV crash. On arrival, staff at the gas station stated the females and the UTV left eastbound on 237<sup>th</sup> Ave NE. While checking for the UTV, Deputy Eldien located it at a nearby address on Goodhue St. NE with two females walking away from it. As he walked up the driveway to speak with the females, he noticed that one of them had blood on her face and a cut on her chin. He noted that both were exhibiting signs of alcohol intoxication. During his conversation with these two females, one had admitted to driving but was uncooperative with any other line of questioning. He detained this female and later had her perform SFSTs which she subsequently failed. She also refused to provide any preliminary breath test and was later arrested for DWI. The female refused any further

evidentiary testing and was charged with DWI and 3<sup>rd</sup> degree refusal. After clearing, Deputy Eldien was advised by dispatch of the “prepared live” feature which allows our dispatch center to gain permission from the reporting party to access the camera on their phone to obtain video evidence of the incident. Deputy Eldien obtained this video and included it with the case file for charging.

### Deputy Madson-Assault

On 9/18/23 at 1551 hrs., Deputies were dispatched to the 1900 block of Klondike Drive NE on a report of an assault. Remarks indicated that a male had been run over by a vehicle. On arrival, deputies contacted the victim who was laying on the ground complaining of leg pain. The victim could move his legs but had road rash type injuries across his legs, back and arms. The victim identified the suspect by name, advising that he knew this person and that the assault was carryover from an argument the weekend before. The victim admitted to kicking the suspect’s car as the suspect tried to leave at which point the suspect then drove his vehicle at the victim, hitting him. The victim was transported to Mercy Hospital for further medical care and our deputies spoke to several witnesses on scene and obtained video footage. Deputies later located the suspect in his vehicle and stopped him for questioning. CID was notified of the incident and took statements from all involved. No custodial arrests were immediately made in this case as the investigation is ongoing.

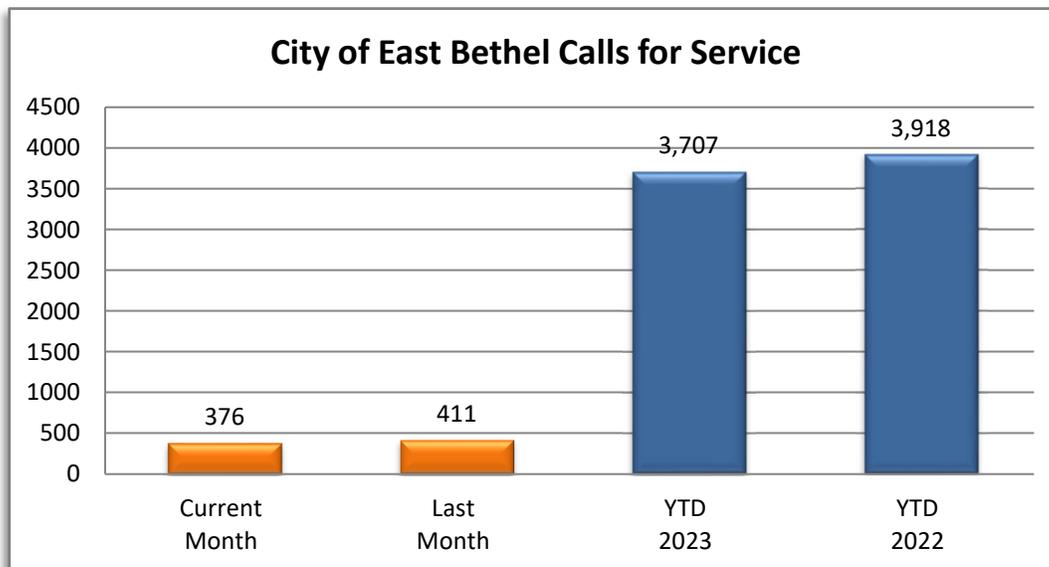
**\*\*Circling back to when I mentioned the “prepared live” feature available to us now in Anoka County: Prepared live is a new service Anoka County Central Communications utilizes that allows our dispatchers to text and provide links to your cellphones that allows the transfer of live video footage to our dispatch center which is then rerouted back to our deputies in live time (or on minimal delay). To be clear, if you need to call 911, your safety is our top priority and I am not recommending that anyone stay near a dynamic situation in the hopes of getting video footage to us but in case our dispatch center asks to send you a link for video, this is what they are referring to. The earlier DWI case I briefed this evening is a prime example of some of the benefits technology has been providing us in the field. \*\***

Thank you for allowing me to provide a quick update regarding last month’s activities.

**PATROL DIVISION**

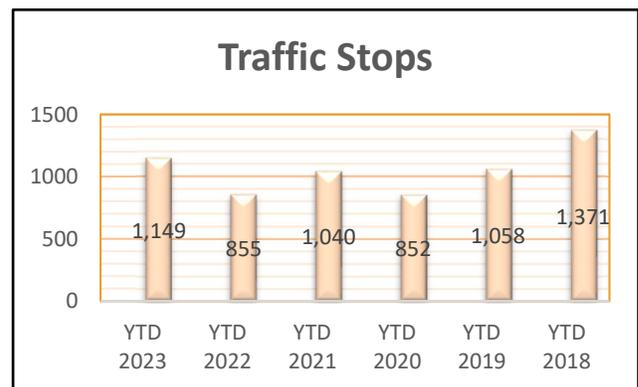
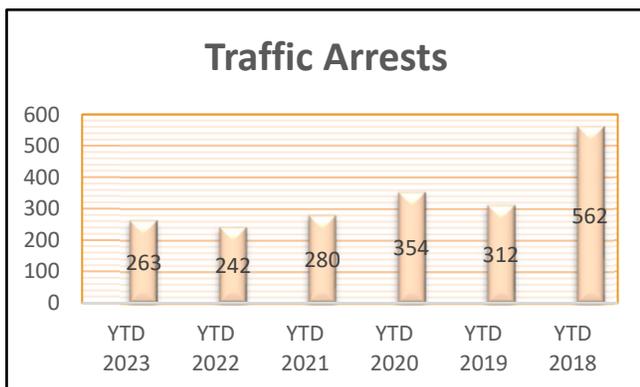
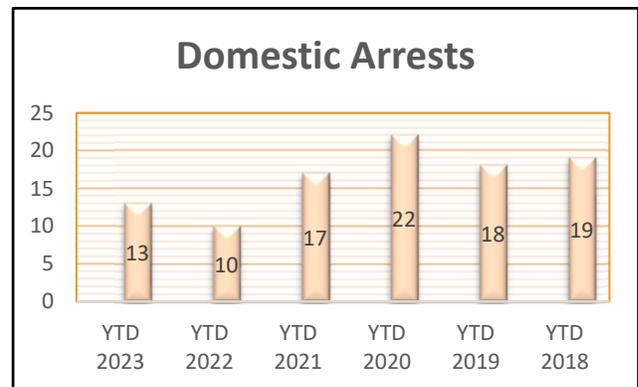
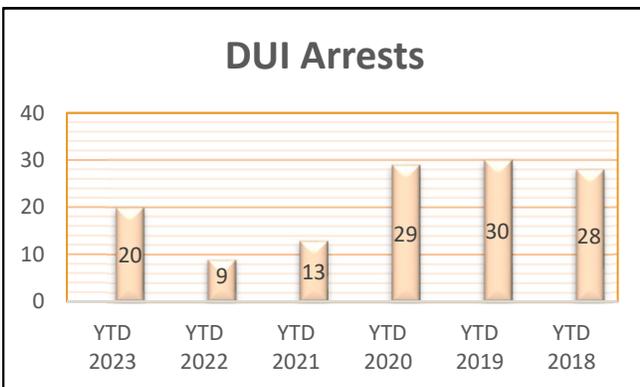
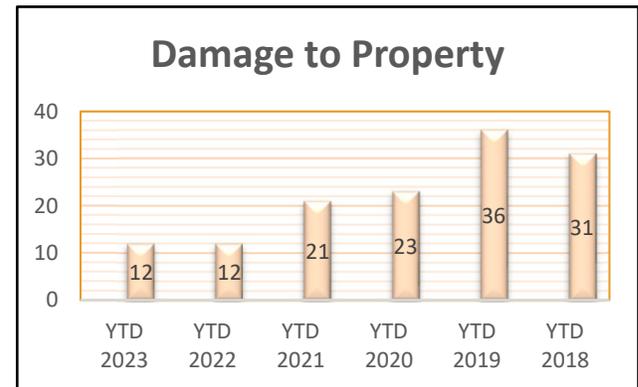
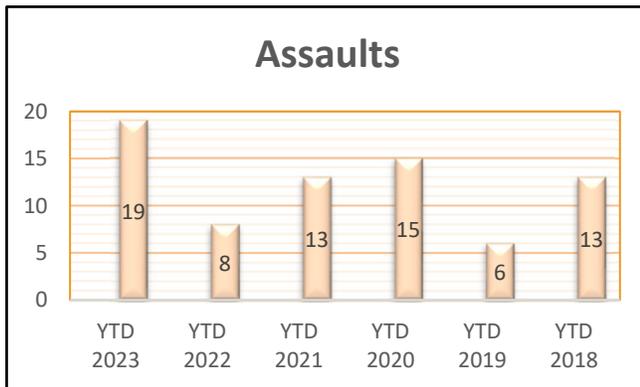
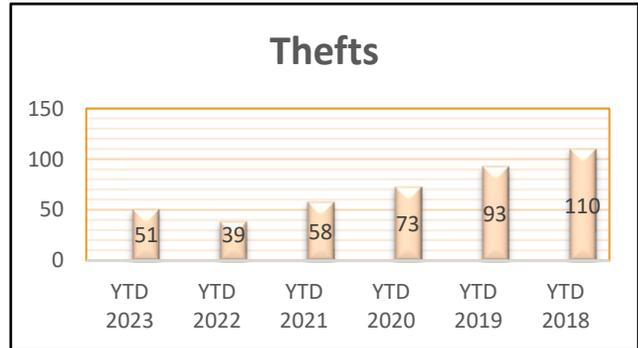
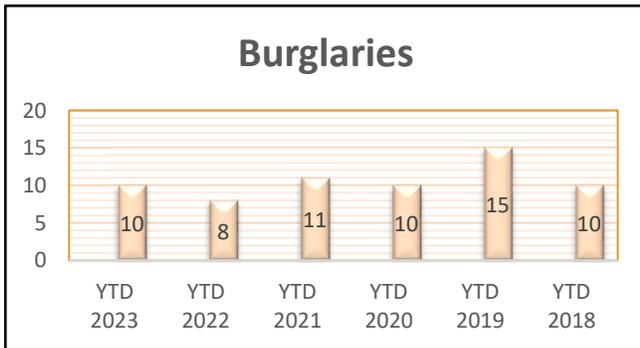
**CITY OF EAST BETHEL - SEPTEMBER 2023**

OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD 2023	YTD 2022
<b>Calls for Service*</b>	<b>330</b>	<b>360</b>	<b>357</b>	<b>457</b>	<b>485</b>	<b>476</b>	<b>455</b>	<b>411</b>	<b>376</b>				<b>3,707</b>	<b>3,918</b>
Burglaries	1	0	0	1	3	1	2	1	1				10	8
Thefts	8	1	7	8	8	2	9	3	5				51	39
Crim Sex Conduct	1	3	0	0	0	1	1	1	0				7	4
Assault	0	1	3	1	4	4	1	1	4				19	8
Dam to Property	0	2	1	1	2	1	1	1	3				12	12
Harass Comm	0	0	0	0	0	0	0	0	0				0	1
PI Accidents	8	9	4	5	2	4	2	5	8				47	45
PD Accidents	19	18	15	14	18	19	16	10	8				137	139
Medical	59	60	54	60	61	50	70	57	56				527	455
Animal Complaint	35	31	16	27	30	31	25	17	31				243	207
Alarms	12	12	14	25	14	23	26	15	11				152	188
Felony Arrests	0	1	2	2	4	1	4	0	0				14	9
Gross Misd Arrests	5	5	3	4	2	0	3	2	5				29	16
Misd Arrests	8	5	5	2	5	7	6	5	6				49	40
DUI Arrests	2	5	3	3	0	0	2	1	4				20	9
Domestic Arrests	0	0	3	1	3	3	1	0	2				13	10
Warrant Arrests	1	4	5	9	3	2	11	2	5				42	15
Traffic Stops	190	125	144	186	111	86	112	103	92				1,149	855
Traffic Arrests	28	17	37	77	19	18	22	28	17				263	242



**CITY OF EAST BETHEL**

**YEAR TO DATE - SEPTEMBER 2018-2023**

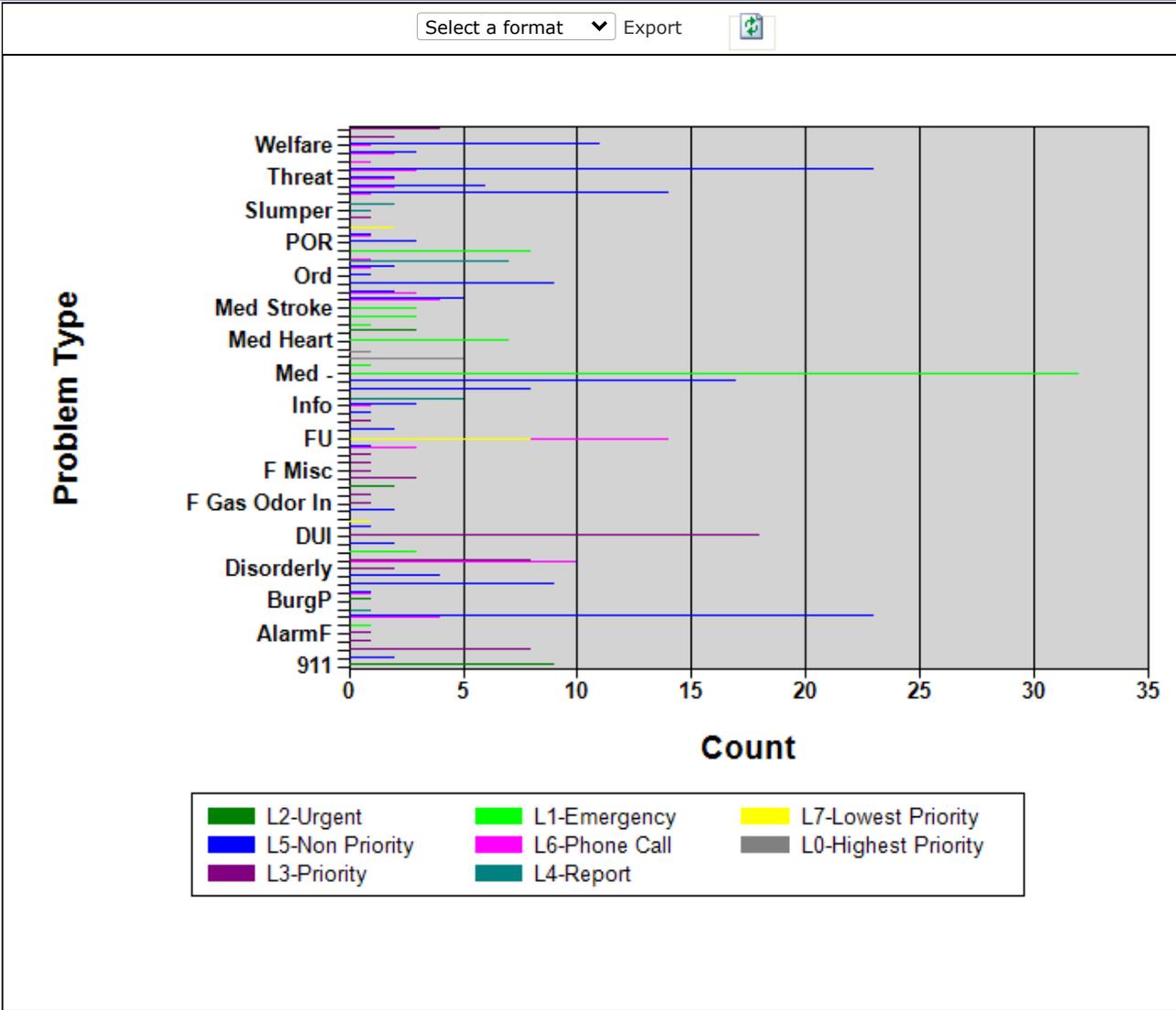


# Problem Type Summary

1:36 PM 10/05/2023

Data Source: Data Warehouse

<b>Agency:</b>	<b>LAW ENFORCEMENT</b>
<b>Division:</b>	<b>East Bethel Law</b>
<b>Day Range:</b>	<b>Date From 9/1/2023 To 9/30/2023</b>
<b>Exclusion:</b>	• <b>Calls canceled before first unit assigned</b>



Priority	Description
0	L0-Highest Priority
1	L1-Emergency
2	L2-Urgent
3	L3-Priority
4	L4-Report
5	L5-Non Priority
6	L6-Phone Call
7	L7-Lowest Priority

Problem Type	Priority								Total
	0	1	2	3	4	5	6	7	
911	0	0	9	0	0	0	0	0	9
Abandon	0	0	0	0	0	2	0	0	2
Abuse	0	0	0	0	0	0	0	0	0
AbuseP	0	0	0	0	0	0	0	0	0
AlarmB	0	0	0	8	0	0	0	0	8

AlarmCO	0	0	0	1	0	0	Item 4.0 E, Attachment 3	0	1
AlarmCOill	0	0	0	0	0	0	0	0	0
AlarmF	0	0	0	1	0	0	0	0	1
AlarmFsmoke	0	0	0	0	0	0	0	0	0
AlarmHoldup	0	1	0	0	0	0	0	0	1
AlarmV	0	0	0	0	0	0	0	0	0
AlarmWF	0	0	0	0	0	0	0	0	0
Animal	0	0	0	0	0	23	4	0	27
AnimalResc	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Assault	0	0	0	0	0	0	0	0	0
AssaultP	0	0	0	0	0	0	0	0	0
Boat Assist	0	0	0	0	0	0	0	0	0
Bomb	0	0	0	0	0	0	0	0	0
BombP	0	0	0	0	0	0	0	0	0
Broadcast	0	0	0	0	0	0	0	0	0
Burg	0	0	0	0	1	0	1	0	2
BurgP	0	0	1	0	0	0	0	0	1
Civil	0	0	0	0	0	1	1	0	2
CivilP	0	0	0	0	0	0	0	0	0
CSC	0	0	0	0	0	0	0	0	0
Debris	0	0	0	0	0	9	0	0	9
Deer	0	0	0	0	0	4	0	0	4
Disorderly	0	0	0	2	0	0	0	0	2
Dom	0	0	0	8	0	1	10	0	19
DomP	0	3	0	0	0	0	0	0	3
Drugs	0	0	0	0	0	2	0	0	2
DUI	0	0	0	18	0	0	0	0	18
Dumping	0	0	0	0	0	0	0	0	0
Escort	0	0	0	0	0	1	0	0	1
ExPat	0	0	0	0	0	0	0	1	1
F Aircraft	0	0	0	0	0	0	0	0	0
F Assist	0	0	0	0	0	2	0	0	2
F CleanUp	0	0	0	0	0	0	0	0	0
F Collapse	0	0	0	0	0	0	0	0	0
F Dump	0	0	0	0	0	0	0	0	0
F Elec Smell	0	0	0	0	0	0	0	0	0
F Expl	0	0	0	0	0	0	0	0	0
F Gas Odor In	0	0	0	1	0	0	0	0	1
F Gas Odor Out	0	0	0	1	0	0	0	0	1
F Grass fire	0	0	2	0	0	0	0	0	2
F Illegal	0	0	0	3	0	0	0	0	3
F Misc	0	0	0	1	0	0	0	0	1
F Mutual Aid	0	0	0	0	0	0	0	0	0
F Oven	0	0	0	0	0	0	0	0	0
F Powerlines	0	0	0	1	0	0	0	0	1
F SmokeIn	0	0	0	0	0	0	0	0	0
F SmokeOut	0	0	0	1	0	0	0	0	1
F Structure	0	0	0	0	0	0	0	0	0
F Train	0	0	0	0	0	0	0	0	0
F Veh	0	0	0	0	0	0	0	0	0
F Water Rescue	0	0	0	0	0	0	0	0	0
Fight	0	0	0	0	0	0	0	0	0
Flood in	0	0	0	0	0	0	0	0	0
Flood out	0	0	0	0	0	0	0	0	0
Fraud	0	0	0	0	0	1	3	0	4
FraudP	0	0	0	0	0	0	0	0	0
FU	0	0	0	0	0	0	14	8	22
FW	0	0	0	0	0	2	0	0	2
Gun	0	0	0	1	0	0	0	0	1
Harass	0	0	0	0	0	1	0	0	1
Info	0	0	0	0	0	3	1	0	4
Lift Assist	0	0	0	0	5	0	0	0	5
Liq	0	0	0	0	0	0	0	0	0
Lockout	0	0	0	0	0	8	0	0	8
LockoutP	0	0	0	0	0	0	0	0	0

MA	0	0	0	0	0	17	Item 4.0 E, Attachment 3	0	17
MASS	0	0	0	0	0	0	0	0	0
Med -	0	32	0	0	0	0	0	0	32
Med Alarm	0	1	0	0	0	0	0	0	1
Med Allergic	0	0	0	0	0	0	0	0	0
Med Assault	0	0	0	0	0	0	0	0	0
Med Bleed	0	0	0	0	0	0	0	0	0
Med Breathing Diff	5	0	0	0	0	0	0	0	5
Med Breathing Not	1	0	0	0	0	0	0	0	1
Med Choking	0	0	0	0	0	0	0	0	0
Med Drown	0	0	0	0	0	0	0	0	0
Med Electro	0	0	0	0	0	0	0	0	0
Med Fall	0	0	0	0	0	0	0	0	0
Med Heart	0	7	0	0	0	0	0	0	7
Med Hold	0	0	3	0	0	0	0	0	3
Med ILL	0	1	0	0	0	0	0	0	1
Med Info	0	0	0	0	0	0	0	0	0
Med OB	0	0	0	0	0	0	0	0	0
Med Priority	0	0	0	0	0	0	0	0	0
Med Seizure	0	3	0	0	0	0	0	0	3
Med Stab-Gunshot	0	0	0	0	0	0	0	0	0
Med Stroke	0	3	0	0	0	0	0	0	3
Med Uncon	0	0	0	0	0	0	0	0	0
Medex	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	5	4	0	9
MiscO	0	0	0	0	0	2	3	0	5
Mutual Aid Law	0	0	0	0	0	0	0	0	0
Noise	0	0	0	0	0	9	0	0	9
NoTag	0	0	0	0	0	0	0	0	0
Ord	0	0	0	0	0	1	0	0	1
Other	0	0	0	0	0	0	0	0	0
Park	0	0	0	0	0	2	1	0	3
PD	0	0	0	0	7	0	1	0	8
Person	0	0	0	0	0	0	0	0	0
PI	0	8	0	0	0	0	0	0	8
POR	0	0	0	0	0	3	0	0	3
Property	0	0	0	0	0	1	1	0	2
PW	0	0	0	0	0	0	0	0	0
REPO-TOW	0	0	0	0	0	0	0	2	2
RJ	0	0	0	0	0	0	0	0	0
RoadClosure	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
RobberyP	0	0	0	0	0	0	0	0	0
Shots	0	0	0	1	0	0	0	0	1
Slumper	0	0	0	0	1	0	0	0	1
StolenProp	0	0	0	0	0	0	0	0	0
Suicide	0	0	0	0	2	0	0	0	2
SuicideP	0	0	0	0	0	0	0	0	0
Susp	0	0	0	0	0	14	1	0	15
SuspP	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	6	2	0	8
TheftP	0	0	0	0	0	0	0	0	0
Threat	0	0	0	0	0	2	2	0	4
ThreatP	0	0	0	0	0	0	0	0	0
Traf	0	0	0	0	0	23	3	0	26
Tres	0	0	0	0	0	0	1	0	1
UNK	0	0	0	0	0	0	0	0	0
Unsecure	0	0	0	0	0	0	0	0	0
Vand	0	0	0	0	0	3	2	0	5
VandP	0	0	0	0	0	0	0	0	0
VehTheft	0	0	0	0	0	0	0	0	0
VehTheftP	0	0	0	0	0	0	0	0	0
Weapon	0	0	0	0	0	0	0	0	0
Weather	0	0	0	0	0	0	0	0	0
Welfare	0	0	0	0	0	11	1	0	12
WelfareP	0	0	0	2	0	0	0	0	2

WT

Total

0	0	0	4	0	0	Item 4.0 E, Attachment 3	0	4
<b>6</b>	<b>59</b>	<b>15</b>	<b>54</b>	<b>16</b>	<b>159</b>	<b>56</b>	<b>11</b>	<b>376</b>

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Close

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** 4.0 F

**Agenda Item:** Contract Fire Services-City of Bethel/ Fire Department Report.

**Background Information:**

Fire Chief Rodney Sanow will present a proposal for discussion of a fire services agreement with the City of Bethel and the Fire Department's monthly report.

The City of East Bethel has been approached by the City of Bethel to discuss the contracting of fire services to cover their municipality. The City of Bethel is facing serious staffing issues within their current 7 member fire department and is seeking solutions to this problem outside the continuation of operating their own fire service.

The base demographic profile for the City of Bethel is:

- Size - 1.04 square miles
- Population - 473
- Number of homes - 186 homes
- Number of Businesses - 12 businesses

The City of Bethel Fire Department has:

- 1 - 4,300 SF Fire Department Building
- 1 – 2008 Freightliner Pumper Truck
- 1- F350 Grass Rig
- Approximately 30 primary call responses per year (East Bethel responded to 923 calls in 2022 - 652 medical 271 other)
- A Fire Department budget of \$30,000 (East Bethel 2023 Fire Department Budget- \$987,500)
- A 2023 cost per resident of \$63 ( the 2023 East Bethel cost per resident is \$81)

The 2023 estimated cost to provide fire service to the City of Bethel (based on our cost per resident X Bethel population would be \$38,330. This cost increases to \$42,724 for 2024 for our draft preliminary 2024 budget increase for our fire department (the proposed 2024 fire department is \$1,100,700 and includes \$83,500 for a proposed additional full time position.)

Other Considerations

- Should we contract with the City of Bethel to provide fire services, we would use our Fire Station 2 at 2349 221<sup>st</sup> Ave as the station of service. We would not need the Bethel station and we would not want any of their equipment as we no place to garage any additional vehicles.

- The only items we could use from the Bethel Fire Department would be their tablets, radios and pagers.
- Distance from Fire Station 2 to University Ave and Main St in Bethel is 4.95 miles

**Attachment(s):**

Attachment 1 – September 2023 calls and call graph

**Fiscal Impact:**

As indicated above

**Recommendation(s):** City Council is requested to discuss the feasibility of and interest for a fire services contractual arrangement with the City of Bethel and provide staff direction as to any further action on this matter.



**East Bethel Fire Department  
September 2023  
Response Calls**

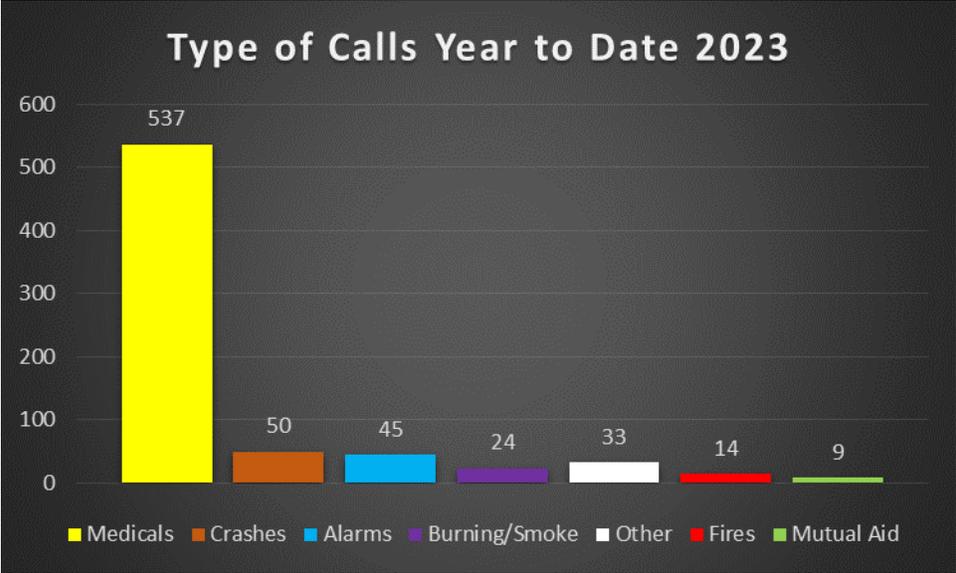
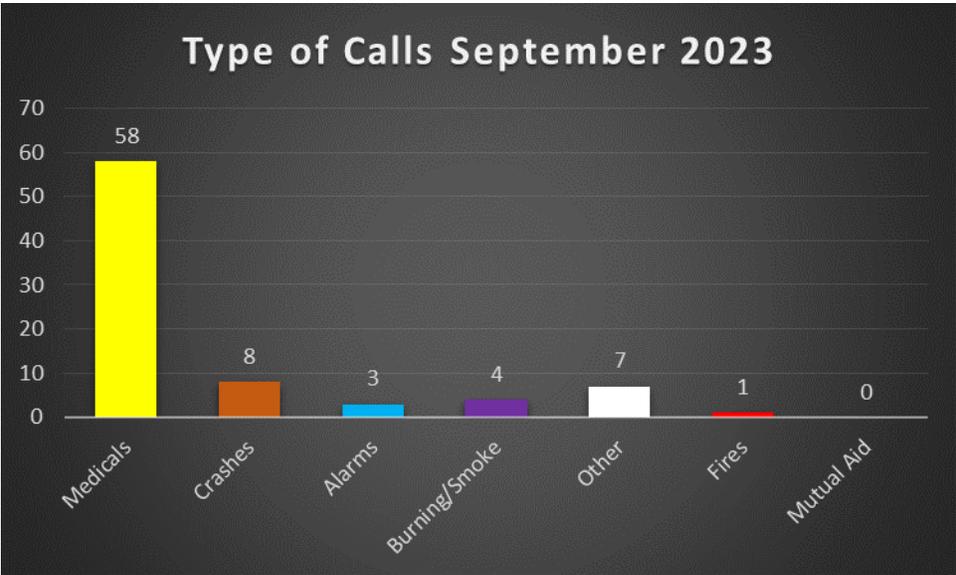
Incident No.	Incident Date	Street Address	Incident Type
632	9/1/2023	22857 Sandy Drive Northeast	Other
633	9/1/2023	401 215th Lane Northeast	EMS call
634	9/2/2023	18913 Jewell Street Northeast	EMS call
635	9/2/2023	2452 216th Avenue Northeast	EMS call
636	9/2/2023	22530 Yancy Street Northeast	EMS call
637	9/2/2023	24323 Fillmore Circle Northeast	Burning/Smoke
638	9/3/2023	19320 Jamestown Street Northeast	Crash
639	9/3/2023	401 215th Lane Northeast	EMS call
640	9/3/2023	18164 Hwy 65 Northeast Apt 6	EMS call
641	9/4/2023	1635 207th Lane Northeast	EMS call
642	9/4/2023	4806 239th Avenue Northeast	EMS call
643	9/6/2023	18215 Greenbrook Drive Northeast	Burning/Smoke
644	9/7/2023	22531 Jewell Street Northeast	EMS call
645	9/7/2023	20160 Jackson Street Northeast	Fire
646	9/7/2023	18164 Hwy 65 Northeast Apt 33	EMS call
647	9/8/2023	19131 Taylor Street Northeast Apt 201	EMS call
648	9/8/2023	Hwy 65 Northeast and Viking Blvd NE	Crash
649	9/9/2023	Fawn Lake Drive Northeast and Hupp	Crash
650	9/9/2023	24355 Hwy 65 Northeast Apt 132	EMS call
651	9/9/2023	23733 Hwy 65 Northeast	Crash
652	9/9/2023	24255 Filmore Circle Northeast	EMS call
653	9/10/2023	21334 Polk Street Northeast	EMS call
654	9/11/2023	20430 Jackson Street Northeast	EMS call
655	9/11/2023	1623 207th Avenue Northeast	EMS call
656	9/11/2023	23705 Hwy 65 Northeast	EMS call
657	9/12/2023	3858 Edmar Lane Northeast	EMS call
658	9/12/2023	18164 Hwy 65 Northeast Apt 32	EMS call
659	9/12/2023	2748 222nd Lane Northeast	EMS call
660	9/13/2023	820 203rd Lane Northeast	EMS call
661	9/13/2023	18164 Hwy 65 Northeast Apt 56	EMS call
662	9/13/2023	2726 225th Lane Northeast	EMS call
663	9/14/2023	24355 Hwy 65 Northeast Apt 38	EMS call
664	9/14/2023	1105 Klondike Drive Northeast	EMS call
665	9/15/2023	24355 Hwy 65 Northeast Apt 38	EMS call
666	9/15/2023	21210 Polk Street Northeast	EMS call
667	9/15/2023	1123 243rd Lane Northeast	Alarms
668	9/15/2023	213 Hawthorne Road Northeast	EMS call
669	9/15/2023	18164 Hwy 65 Northeast Apt 3	EMS call

Incident No.	Incident Date	Street Address	Incident Type
670	9/16/2023	20418 Hwy 65 Northeast	EMS call
671	9/16/2023	21340 Aberdeen Street Northeast	EMS call
672	9/17/2023	401 215th Lane Northeast	EMS call
673	9/17/2023	103 Sims Road Northeast	EMS call
674	9/18/2023	4148 226th Lane Northeast	Alarms
675	9/18/2023	169 Maple Road Northeast	Other
676	9/18/2023	160 Bryant Lane Northeast	EMS call
677	9/18/2023	1116 243rd Lane Northeast	Burning/Smoke
678	9/18/2023	1901 Klondike Drive Northeast	Crash
679	9/18/2023	24355 Hwy 65 Northeast Apt 131	EMS call
680	9/18/2023	Hwy 65 Northeast and 221st Ave NE	Crash
681	9/18/2023	2241 221st Avenue Northeast	Other
682	9/19/2023	22836 Staples Street Northeast	EMS call
683	9/19/2023	Hwy 65 Northeast and Viking Blvd NE	Crash
684	9/20/2023	726 200th Avenue Northeast	EMS call
685	9/20/2023	18164 Hwy 65 Northeast Apt 3	EMS call
686	9/21/2023	24300 Pierce Path Northeast	EMS call
687	9/21/2023	1252 185th Avenue Northeast	Alarms
688	9/21/2023	715 Lakeshore Drive Northeast	Other
689	9/21/2023	1635 207th Lane Northeast	EMS call
690	9/22/2023	20206 Erskine Street Northeast	EMS call
691	9/22/2023	19131 Taylor Street Northeast Apt 1	EMS call
692	9/22/2023	18164 Hwy 65 Northeast Apt 139	EMS call
693	9/23/2023	2040 Deerwood Lane Northeast	Burning/Smoke
694	9/23/2023	19503 East Tri Oak Circle Northeast	EMS call
695	9/23/2023	3734 Edmar Lane Northeast	EMS call
696	9/24/2023	23350 London Street Northeast	EMS call
697	9/25/2023	215th Lane Northeast and University Ave	Other
698	9/25/2023	215th Lane Northeast and university Ave.	Other
699	9/25/2023	3361 217th Avenue Northeast	Other
700	9/26/2023	1091 243rd Lane Northeast	EMS call
701	9/27/2023	20957 Okinawa Street Northeast	EMS call
702	9/27/2023	19312 Taylor Street Northeast	EMS call
703	9/27/2023	19131 Taylor Street Northeast Apt 228	EMS call
704	9/28/2023	4456 224th Avenue Northeast	EMS call
705	9/28/2023	401 215th Lane Northeast	EMS call
706	9/29/2023	19312 Taylor Street Northeast	EMS call
707	9/29/2023	345 Cedar Road Northeast	EMS call
708	9/30/2023	19131 Taylor Street Northeast Apt 9	EMS call
709	9/30/2023	22266 Palisade Street Northeast	EMS call
710	9/30/2023	East Bethel Boulevard Northeast and Luan Drive	Crash

Incident No.	Incident Date	Street Address	Incident Type
711	9/30/2023	401 215th Lane Northeast	EMS call
712	9/30/2023	1901 Klondike Drive Northeast	EMS call

**81 Total calls**

- 58 Medicals
- 8 Crashes
- 3 Alarms
- 4 Burning/Smoke
- 7 Other
- 1 Fires
- 0 Mutual Aid



**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 6.0 A-G

**Requested Action:** Consider approving the Consent Agenda as presented

**Background Information:**

Item A – Approve Bills

Item B – October 9, 2023 City Council Meeting Minutes

Item C – Approve the Hire of Administrative Assistant

The City of East Bethel advertised for the vacant Administrative Assistant position on September 26<sup>th</sup>, 2023. The City received twenty applications and five candidates were selected for an initial interview that was held on October 17, 2023. The interview panel consisted of the Deputy City Administrator, Finance Coordinator, Accounting Coordinator and Administrative Coordinator.

After the interview process, the interview panel’s unanimous choice for the position was Faye Bell. Ms. Bell has nine years of experience in an Administrative Assistant role and has completed courses at North Hennepin Community College in order to receive her Microsoft Office Certification. Ms. Bell’s interview, references and resume have demonstrated that she has and exceeds the qualifications for the Administrative Assistant position and will be able perform the functions and meet the expectations of this job.

A tentative offer of employment, pending a successful background check and Council approval, at Pay Grade 4, Step A has been accepted by Ms. Bell. Staff recommends Council approve the hire of Ms. Bell as the Administrative Assistant. As with all new employees, a six month probationary period will be required for this position.

Item D - Approval of Tobacco License Application, 18755 Sandhill Parkway NE

Kwik Trip, Inc. dba: Kwik Trip #1171 at 18755 Sandhill Parkway NE has applied for a tobacco license for the convenience store. The forms have been submitted and all fees have been paid. Staff is recommending Council approve the tobacco license for Kwik Trip, Inc. dba: Kwik Trip #1171 at 18755 Sandhill Parkway NE, East Bethel, MN 55011.

**Fiscal Impact:** All items listed above requiring expenditures have approved 2023 Budget funds to cover the expenses.

**Recommendation(s):** Staff recommends approval of the Consent Agenda as presented.

**City Council Action:**

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

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

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

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



**City of East Bethel**  
**October 23, 2023**  
**Payment Summary**

<b>Payments for Council Approval</b>						
Bills to be approved for payment					\$538,811.44	
Electronic Payroll Payments					\$40,146.89	
Payroll City Council - October 16, 2023					\$2,232.90	
Payroll Fire Department - October 16, 2023					\$10,360.50	
Payroll City Staff - October 12, 2023					\$48,959.00	
<b>Total to be Approved for Payment</b>					<b>\$640,510.73</b>	
Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Arena Operations	Bldg/Facility Repair Supplies	167386	ACTION FASTENINGS INC	615	49851	\$34.90
Arena Operations	Bldg/Facility Repair Supplies	901262	Lowe's	615	49851	\$449.43
Arena Operations	Bldg/Facility Repair Supplies	901863	Lowe's	615	49851	\$321.70
Arena Operations	Bldg/Facility Repair Supplies	901929	Lowe's	615	49851	\$35.94
Arena Operations	Bldg/Facility Repair Supplies	914326	Lowe's	615	49851	(\$14.23)
Arena Operations	Bldg/Facility Repair Supplies	58447	Menards Blaine	615	49851	\$34.00
Arena Operations	Bldg/Facility Repair Supplies	332369	S & S Industrial Supply	615	49851	\$9.40
Arena Operations	Bldg/Facility Repair Supplies	332414	S & S Industrial Supply	615	49851	\$22.50
Arena Operations	Bldg/Facility Repair Supplies	028077	Winnick Supply	615	49851	\$67.95
Arena Operations	Bldg/Facility Repair Supplies	028083	Winnick Supply	615	49851	\$19.53
Arena Operations	Bldgs/Facilities Repair/Maint	313992802	Trane U.S. Inc.	615	49851	\$1,399.50
Arena Operations	Cleaning Supplies	59088	Menards Blaine	615	49851	\$56.74
Arena Operations	Gas Utilities	845462271	Xcel Energy	615	49851	(\$57.04)
Arena Operations	Gas Utilities	849547872	Xcel Energy	615	49851	\$391.98
Arena Operations	General Operating Supplies	36624	Blaine Lock & Safe, Inc.	615	49851	\$35.95
Arena Operations	Repairs/Maint Machinery/Equip	0080090-IN	R & R Specialities, Inc.	615	49851	\$424.60
Building Inspection	Conferences/Meetings	10 2023	Sherri Eisenbraun	101	42410	\$28.69
Building Inspection	Escrow Reimbursement	2021-00938	RIVER WEST HOMES INC	101		\$6,600.00
Building Inspection	Information Systems	1511	Metro-Inet	101	42410	\$814.64
Building Inspection	Motor Fuels	24720556	Mansfield Oil Company	101	42410	\$332.94
City Administration	Information Systems	1511	Metro-Inet	101	41320	\$1,181.90
City Administration	Legal Notices	968733	ECM Publishers, Inc.	101	41320	\$48.40
City Administration	Office Supplies	IN4347490	Innovative Office Solutions	101	41320	\$14.25
City Administration	Postage/Delivery	16019-01	Do-Good.Biz	101	41320	\$1,502.24
City Administration	Professional Services Fees	M28576	TimeSaver Off Site Secretarial	101	41320	\$348.50
City Administration	Professional Services Fees	M28618	TimeSaver Off Site Secretarial	101	41320	\$293.00
City Administration	Telephone	101023	CenturyLink	101	41320	\$151.71
Engineering	Architect/Engineering Fees	21702	Hakanson Anderson Assoc. Inc.	101		\$264.20
Engineering	Architect/Engineering Fees	51699	Hakanson Anderson Assoc. Inc.	101		\$210.00
Engineering	Architect/Engineering Fees	51700	Hakanson Anderson Assoc. Inc.	101		\$210.00
Engineering	Architect/Engineering Fees	51700	Hakanson Anderson Assoc. Inc.	101		\$126.38
Engineering	Architect/Engineering Fees	51701	Hakanson Anderson Assoc. Inc.	101		\$239.65
Engineering	Architect/Engineering Fees	51703	Hakanson Anderson Assoc. Inc.	101		\$913.44
Engineering	Architect/Engineering Fees	51707	Hakanson Anderson Assoc. Inc.	101		\$825.00
Finance	Information Systems	1511	Metro-Inet	101	41520	\$795.49
Fire Department	Bldgs/Facilities Repair/Maint	8259152	Plunkett's Pest Control	101	42210	\$458.00
Fire Department	Clothing & Personal Equipment	320680	Aspen Mills, Inc.	101	42210	\$394.25
Fire Department	Clothing & Personal Equipment	320893	Aspen Mills, Inc.	101	42210	\$52.95
Fire Department	Conferences/Meetings	11919	MN Fire Serv Cert Board	101	42210	\$25.00



**City of East Bethel**  
**October 23, 2023**  
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Fire Department	Gas Utilities	845462271	Xcel Energy	101	42210	(\$15.07)
Fire Department	Gas Utilities	849547872	Xcel Energy	101	42210	\$56.02
Fire Department	Information Systems	1511	Metro-Net	101	42210	\$1,824.24
Fire Department	Motor Fuels	24720452	Mansfield Oil Company	101	42210	\$246.87
Fire Department	Motor Fuels	24720556	Mansfield Oil Company	101	42210	\$529.67
Fire Department	Motor Vehicles Parts	111587949	Fleet Pride	101	42210	\$18.19
Fire Department	Motor Vehicles Parts	1539-220018	O'Reilly Auto Stores Inc.	101	42210	\$167.97
Fire Department	Office Equipment Rental	35071125	GreatAmerica Financial Svcs	101	42210	\$125.78
Fire Department	Telephone	101023	CenturyLink	101	42210	\$117.74
Fire Department	Telephone	101023	CenturyLink	101	42210	\$86.65
Fire Department	Telephone	13299700113614	Midcontinent Communications	101	42210	\$20.25
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	58558	Menards Blaine	101	41940	\$308.97
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	2644	Menards Cambridge	101	41940	\$256.79
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	332432	S & S Industrial Supply	101	41940	\$11.35
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	IV00260755	Nardini	101	41940	\$468.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	47523	Robert B. Hill Company	101	41940	\$18.00
General Govt Buildings/Plant	Cleaning Supplies	IN4347490	Innovative Office Solutions	101	41940	\$90.46
General Govt Buildings/Plant	Gas Utilities	845462271	Xcel Energy	101	41940	(\$4.55)
General Govt Buildings/Plant	Gas Utilities	849547872	Xcel Energy	101	41940	\$55.57
Legal	Legal Fees	09 2023	Eckberg, Lammers, P.C.	101	41610	\$10,208.04
Legal	Legal Fees	36840	Eckberg, Lammers, P.C.	101	41610	\$122.50
Legal	Legal Fees	36840	Eckberg, Lammers, P.C.	101	41610	\$197.50
Legal	Legal Fees	36840	Eckberg, Lammers, P.C.	101	41610	\$800.00
Legal	Legal Fees	36840	Eckberg, Lammers, P.C.	101	41610	\$418.00
Legal	Legal Fees	36840	Eckberg, Lammers, P.C.	101	41610	\$245.00
Legal	Legal Fees	36840	Eckberg, Lammers, P.C.	101	41610	\$1,641.50
Mayor/City Council	Professional Services Fees	277636	CivicPlus	101	41110	\$350.00
MSA Street Construction	Architect/Engineering Fees	51704	Hakanson Anderson Assoc. Inc.	402	40200	\$1,189.75
MSA Street Construction	Professional Services Fees	000022790	City of Oak Grove	402	40200	\$176,224.54
Park Capital Projects	Park/Landscaping Materials	7281281	Cemstone Products Company	407	40700	\$761.00
Park Capital Projects	Park/Landscaping Materials	503320	Rivard Companies	407	40700	\$898.35
Park Maintenance	Chemicals and Chem Products	1258224	Federated Co-ops	101	43201	\$163.03
Park Maintenance	Clothing & Personal Equipment	4170365046	Cintas Corporation	101	43201	\$33.17
Park Maintenance	Clothing & Personal Equipment	4171077299	Cintas Corporation	101	43201	\$34.86
Park Maintenance	Equipment Parts	988415	Ham Lake Hardware	101	43201	\$5.99
Park Maintenance	Equipment Parts	02-1030709	Lano Equipment, Inc.	101	43201	\$14.72
Park Maintenance	Information Systems	1511	Metro-Net	101	43201	\$28.72
Park Maintenance	Motor Fuels	24720452	Mansfield Oil Company	101	43201	\$474.74
Park Maintenance	Motor Fuels	24720556	Mansfield Oil Company	101	43201	\$454.00
Park Maintenance	Other Equipment Rentals	MP234054	LRS	101	43201	\$260.00
Park Maintenance	Park/Landscaping Materials	90619	Bjorklund Companies, LLC	101	43201	\$346.38
Park Maintenance	Park/Landscaping Materials	59013	Menards Blaine	101	43201	\$98.55
Park Maintenance	Small Tools and Minor Equip	332492	S & S Industrial Supply	101	43201	\$29.56
Payroll	Insurance Premiums	CNS0001379504	Delta Dental	101		\$51.04
Payroll	Insurance Premiums	CNS0001379504	Delta Dental	101		\$684.47
Payroll	Insurance Premiums	265866780232	Medica	101		\$8,934.68
Payroll	Union Dues	10 2023	MN Public Employees Assn	101		\$351.00
Planning and Zoning	Filing Fees	23-36984	Anoka County Property Tax	101	41910	\$46.00
Planning and Zoning	Information Systems	1511	Metro-Net	101	41910	\$543.09
Planning and Zoning	Legal Notices	968734	ECM Publishers, Inc.	101	41910	\$66.55



**City of East Bethel**  
**October 23, 2023**  
**Payment Summary**

Planning and Zoning	Legal Notices	968735	ECM Publishers, Inc.	101	41910	\$60.50
Planning and Zoning	Legal Notices	968736	ECM Publishers, Inc.	101	41910	\$66.55
Planning and Zoning	Legal Notices	968737	ECM Publishers, Inc.	101	41910	\$72.60
Planning and Zoning	Legal Notices	968738	ECM Publishers, Inc.	101	41910	\$72.60
Planning and Zoning	Professional Services Fees	M28618	TimeSaver Off Site Secretarial	101	41910	\$236.50
Police	Professional Services Fees	S231002D	Anoka County Treasury Dept	101	42110	\$266,849.50
Recycling Operations	Gas Utilities	845462271	Xcel Energy	226	43235	\$2.65
Recycling Operations	Gas Utilities	849547872	Xcel Energy	226	43235	\$20.00
Recycling Operations	Professional Services Fees	3198b	Evergreen Recycling	226	43235	\$330.00
Recycling Operations	Professional Services Fees	CU-40439	First State Tire Recycle	226	43235	\$115.33
Recycling Operations	Professional Services Fees	20231006	Freimuth Enterprises LLC	226	43235	\$126.00
Recycling Operations	Professional Services Fees	479043	Gregory Cardey	226	43235	\$700.00
Street Capital Projects	Architect/Engineering Fees	51705	Hakanson Anderson Assoc. Inc.	406	40600	\$11,830.41
Street Capital Projects	Architect/Engineering Fees	51706	Hakanson Anderson Assoc. Inc.	406	40600	\$2,701.16
Street Capital Projects	Sign/Striping Repair Materials	3409	Warning Lites	406	40600	\$14,884.08
Street Maintenance	Bldgs/Facilities Repair/Maint	4170365046	Cintas Corporation	101	43220	\$9.05
Street Maintenance	Bldgs/Facilities Repair/Maint	4171077299	Cintas Corporation	101	43220	\$9.51
Street Maintenance	Clothing & Personal Equipment	4170365046	Cintas Corporation	101	43220	\$33.16
Street Maintenance	Clothing & Personal Equipment	4171077299	Cintas Corporation	101	43220	\$34.86
Street Maintenance	Gas Utilities	845462271	Xcel Energy	101	43220	(\$41.74)
Street Maintenance	Gas Utilities	849547872	Xcel Energy	101	43220	\$16.62
Street Maintenance	Information Systems	1511	Metro-Inet	101	43220	\$533.52
Street Maintenance	Lubricants and Additives	1539-220020	O'Reilly Auto Stores Inc.	101	43220	\$18.99
Street Maintenance	Motor Fuels	24720452	Mansfield Oil Company	101	43220	\$1,177.37
Street Maintenance	Motor Fuels	24720556	Mansfield Oil Company	101	43220	\$196.73
Street Maintenance	Motor Vehicles Parts	111754753	Fleet Pride	101	43220	\$6.74
Street Maintenance	Motor Vehicles Parts	111818318	Fleet Pride	101	43220	\$68.92
Street Maintenance	Motor Vehicles Parts	111818403	Fleet Pride	101	43220	\$68.92
Street Maintenance	Motor Vehicles Parts	111818542	Fleet Pride	101	43220	\$89.70
Street Maintenance	Motor Vehicles Parts	11522551	Fleet Pride	101	43220	\$49.35
Street Maintenance	Motor Vehicles Parts	1539-220019	O'Reilly Auto Stores Inc.	101	43220	\$6.30
Street Maintenance	Motor Vehicles Parts	1539-221889	O'Reilly Auto Stores Inc.	101	43220	\$99.28
Street Maintenance	Motor Vehicles Parts	1539-222135	O'Reilly Auto Stores Inc.	101	43220	\$259.23
Street Maintenance	Motor Vehicles Parts	401539	Standard Spring Parts	101	43220	\$925.05
Street Maintenance	Personnel/Labor Relations	99205	Trust in Us, LLC	101	43220	\$350.00
Street Maintenance	Personnel/Labor Relations	99265	Trust in Us, LLC	101	43220	\$57.00
Street Maintenance	Professional Services Fees	3090357	Gopher State One-Call	101	43220	\$24.30
Street Maintenance	Shop Supplies	176683	Metro Products, Inc.	101	43220	\$443.44
Street Maintenance	Sign/Striping Repair Materials	TRFINV050053	Newman Traffic Signs	101	43220	\$5,510.47
Street Maintenance	Small Tools and Minor Equip	332061	S & S Industrial Supply	101	43220	\$40.63
Street Maintenance	Small Tools and Minor Equip	10172375903	USA Tools LLC	101	43220	\$95.00
Street Maintenance	Tires	1-135014	Steve's Tire Inc.	101	43220	\$638.72
Water Utility Operations	Chemicals and Chem Products	6603116	Hawkins, Inc	601	49401	\$100.00
Water Utility Operations	Gas Utilities	10 2023	CenterPoint Energy	601	49401	\$102.33
Water Utility Operations	Gas Utilities	5937869-5 10	CenterPoint Energy	601	49401	\$20.55
Water Utility Operations	Information Systems	1511	Metro-Inet	601	49401	\$252.40
Water Utility Operations	Telephone	101023	CenturyLink	601	49401	\$70.95
Water Utility Operations	Telephone	101023	CenturyLink	601	49401	\$198.21
Water Utility Operations	Telephone	101023	CenturyLink	601	49401	\$154.89
						<b>\$538,811.44</b>



**City of East Bethel**  
**October 23, 2023**  
**Payment Summary**

<b>Electronic Payroll Payments</b>		
Payroll	PERA	\$10,065.28
Payroll	Federal Withholding	\$6,158.90
Payroll	Medicare Withholding	\$2,617.62
Payroll	FICA Tax Withholding	\$10,240.82
Payroll	State Withholding	\$3,815.71
Payroll	MSRS/H.S.A./HCSP	\$7,248.56
		<b>\$40,146.89</b>

# DRAFT MINUTES: NOT YET APPROVED

## EAST BETHEL CITY COUNCIL MEETING

October 10, 2023

The East Bethel City Council met on October 10, 2023, at 7:00 p.m. for the regular City Council meeting at City Hall.

MEMBERS PRESENT: Kevin Lewis Brian Mundle Bob DeRoche  
Tim Miller Jim Smith

ALSO PRESENT: Jack Davis, City Administrator  
Eric Larson, City Attorney  
Aaron Berg, Community Development Director

### 1.0 Call to Order

The October 10, 2023, City Council meeting was called to order by Mayor Lewis at 7:00 p.m.

### 2.0 Pledge of Allegiance

The Pledge of Allegiance was recited.

### 3.0 Adopt Agenda

DeRoche stated I'll make a motion to adopt tonight's agenda. Miller stated I'll second. Lewis asked any discussion? To the motion, all in favor say aye. All in favor. Lewis asked any opposed? That motion passes. Motion passes unanimously.

### 4.0 Presentations and Public Hearings

#### 4.0 A East Bethel Fire Relief Association – PERA Pension Presentation

Mr. Troy Lachinski indicated he had previously attended a Council meeting where he asked for the Council's permission to explore moving the East Bethel Firefighters Relief Association from a self-managed plan over to the State Volunteer Firefighter's Plan. He noted at the time, Council gave him permission to explore the different options which he has done.

Mr. Lachinski recommended they move forward with the State plan. He stated it was beneficial to the City to make sure they are able to recruit and retain the most talented firefighters and one of the ways they do that was through a pension plan. He summarized the pros and cons of the Firefighters Relief Association versus the State Volunteer Firefighter's plan.

Mr. Lachinski indicated the East Bethel Firefighters Relief Association consisted of all volunteers and it was meticulous and tedious. He noted nobody had a financial background and did not know how to invest and manage the funds. He stated they also paid their financial advisor in excess of \$10,000 per year. He noted they also had to go through several State audits, which also cost a lot of money. He indicated under the current plan, they assumed a 5 percent annual return on their investments and with the State plan they would assume a 6 percent annual return on their investments.

Mr. Lachinski believed for those reasons, now was the time to move to the State plan. He noted moving to the State plan would help them recruit and train firefighters who come from different cities because firefighters could move wherever they wanted to on the State plan and their years of service would move with them. He noted while he had originally not been in favor of the State plan, he now supported it and all of the objections he had in the past had been cleared up.

1 Davis pointed out that the Fire State aid the City received for this year would go away with the  
2 conversion to the State plan. Mr. Lachinski responded the plan would still get the money, but instead  
3 of him receiving the money that he needed to then deposit, the money from the State would go  
4 directly to the State plan. He stated the \$14,000 the City paid to the Plan would go into the State  
5 plan also instead of into the Firefighters Relief Association plan.

6 Mr. Lachinski stated this was before the Council for approval at this meeting and there was some  
7 time sensitivity as they needed to have it approved by the Council to move forward by November 15.  
8 He indicated they could only join the plan on January 1 and the cut off to move forward was  
9 November 15.

10 **DeRoche stated I'll make a motion to adopt Resolution 2023-70, A Resolution Opting to Join the**  
11 **Statewide Volunteer Firefighter Plan. Smith stated I'll second.** Lewis asked any discussion? To the  
12 motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion**  
13 **passes unanimously.**

#### 14 **4.0 B Tobacco Violation Hearing – Hwy i65 Dollar General, Res.2023-66**

15 Davis stated that an employee at Dollar General #22023 on 1300 209<sup>th</sup> Avenue NE in East Bethel is  
16 reported to have sold tobacco products to a minor. As part of a compliance check by the Anoka  
17 County Sheriff's Department on August 2, 2023, Ms. Emma Bookwalter was approached by an  
18 underage individual and sold the tobacco products to the underage buyer in violation of City Code,  
19 Chapter 18, Article IV, Section 18-176, Prohibited Sales. A copy of the Sheriff's Report is included as  
20 Attachment #1.

21 Davis noted the City has provided the license holder the opportunity to be heard. Notice was  
22 provided to the store manager on September 12, 2023 of the compliance violation hearing scheduled  
23 for the September 25, 2023 City Council meeting.

24 Davis stated no representatives from Dollar General appeared at the September 25, 2023 Hearing.  
25 City Council tabled the hearing until October 9, 2023. On September 27, 2023, the store manager for  
26 Dollar General #22023 was re-notified of the hearing that was rescheduled for October 9, 2023.

27 Davis indicated City Council has several options with respect to administrative action. Any person,  
28 including an individual licensee, who sells any tobacco product to a person under the age of 21 years  
29 is subject to an administrative penalty. This is Dollar General #22023's first violation of the  
30 ordinance. For a first-time violation, the city may impose a civil fine of up to \$150.00. In addition, the  
31 City may also suspend the license for a period up to 20 days. The City may agree with the licensee to  
32 waive up to ten (10) days of suspension at a rate of two days for every eight hours of community  
33 service performed by the licensee's employee.

34 Davis recommended Council review the Resolution and make a determination of the appropriate  
35 penalties to be imposed. Staff is recommending Council conduct the hearing and provide staff with  
36 direction on the penalties to be administered with adoption of Resolution 2023-66.

37 Lewis opened the public hearing at 7:19 p.m.

38 Jessica Constable stated she was the Dollar General's store manager. She noted at the time of the  
39 incident she was on vacation and Ms. Bookwalter operated the store during her absence. She  
40 indicated Ms. Bookwalter was overwhelmed and exhausted and misread the ID. She believed it was  
41 an honest mistake and noted Ms. Bookwalter did card every person for tobacco sales. She asked for  
42 forgiveness and stated that would not happen again. She stated Ms. Bookwalter is a great worker  
43 and is very dedicated to her job.

1 DeRoche thanked them for showing up at the meeting and noted everyone makes mistakes. He  
 2 asked what kind of training they did. Ms. Constable responded they did computer-based learning  
 3 training, which was up to 10 hours of training, depending on their position. She noted there were  
 4 tobacco compliance training videos where they are told to card every customer no matter what their  
 5 age was.

6 Emma Bookwalter stated she understood how important it was to check ID's, especially when it came  
 7 to minors and it was never her intention to sell to a minor. She indicated she will do everything she  
 8 can to prevent this from every happening again and will take more time in checking the ID's.

9 DeRoche stated he did not think this was an intentional act and he wanted to waive the penalties this  
 10 time. He noted though if this happened again, the penalties would be doubled.

11 Miller believed they both sounded sincere and he also believed it was an honest mistake.

12 Smith thanked them for showing up at the meeting and also agreed this was an honest mistake.

13 Larson stated he heard that Council wanted to waive the administrative penalty with respect to DG  
 14 Retail, LLC d/b/a Dollar General #22023.

15 Lewis closed the public hearing at 7:25 p.m.

16 **DeRoche stated I'll make a motion to waive the administrative penalty with respect to DG Retail,**  
 17 **LLC d/b/a Dollar General #22023, 1300 209<sup>th</sup> Avenue NE, East Bethel, Minnesota. Miller stated I'll**  
 18 **second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked  
 19 any opposed? That motion passes. **Motion passes unanimously.**

## 20 5.0 Public Forum

21 Derek Lind and Lisa Hendrickson. Mr. Lind stated they were from a citizens advocate group called  
 22 ASIC and they were pushing for election reform in Anoka County. He noted they were primarily  
 23 focusing on the County level and they have been dealing directly with the County Board.

24 Mr. Lind stated the purpose of them being at the meeting was to introduce who they were and what  
 25 they were trying to do.

26 Mr. Lind stated there were three main problems with the elections. He noted one problem was that  
 27 they lived in a world where somebody was always going to try to cheat in elections; the second  
 28 problem was that no electronic technology was totally secure; and, the third problem was that the  
 29 current system was not transparent.

30 Mr. Lind summarized six things they were trying to get the County to do, which he handed out to the  
 31 Council. He noted the way to solve this was to get it back to the local level.

## 32 6.0 Consent Agenda

33 ~~Item A: Approve Bills~~

34 Item B: Approve Meeting Minutes September 25, 2023 City Council Meeting

35 ~~Item C: Res. 2023-69, Setting Public Hearing Date: Delinquent Accounts - Utility~~

36 ~~Item D: 2024 Anoka County Law Enforcement Contract~~

37 ~~Item E: Liability Coverage Waiver Form~~

38 Item F: Pay Estimate No. 2 for the 183rd Surface Reconstruction Project

39 Item G: Final Payment for the 2022 Street Surface Improvement Project

40 Smith requested to pull Items A and C. Miller requested to pull Item A. Lewis requested to pull Items  
 41 A, C, D, and E.

1 **DeRoche stated I'll make a motion to approve Consent Agenda Items B, F, and G. Smith stated I'll**  
2 **second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked  
3 any opposed? That motion passes. **Motion passes unanimously.**

#### 4 **6.0 A Approve Bills**

5 Smith asked with respect to the Fire Department pension, was that received from the State. Davis  
6 responded those were the fund they received and were passed through and paid to the Relief  
7 Association.

8 Smith inquired what the Fire Department charge to motor vehicle services was for. Davis responded  
9 those were pump tests for three different pumper trucks. Smith asked about the Verizon bill and  
10 inquired how many of those were given to the firefighters and how did that work. Davis responded it  
11 was for the firefighters pages that went to their phones.

12 Miller asked about the \$4,000 electric bill for the arena. Davis responded they start putting in the ice  
13 the first of September and this was the cost for the cooling of the ice. He noted the electric bills for  
14 the area would probably run around \$35,000 to \$40,000 a year. He noted as soon as it got cool  
15 outside, the cost would start to go down.

16 Miller inquired about the management fee cost for the ice arena. Davis responded that fee went up  
17 and down during the year, but it stayed within the yearly \$87,000 contract amount.

18 DeRoche inquired about the Connexus charge. Davis responded those were the siren costs for the  
19 electricity for the tornado warning sirens. He noted Connexus billed out each meter.

20 **DeRoche stated I'll make a motion to approve Item A of the Consent Agenda. Smith stated I'll**  
21 **second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked  
22 any opposed? That motion passes. **Motion passes unanimously.**

#### 23 **6.0 C Resolution 2023-69, Setting Public Hearing Date: Delinquent Accounts - Utility**

24 Smith asked if these delinquencies involved the water/sewer or was it just electricity and/or gas.  
25 Davis responded these were essentially water and sewer bills.

26 Smith asked how long the residents had to take care of these bills before they were assessed. Davis  
27 responded this was done every year. He noted many balances were assessed this time of year so  
28 they could be put on taxes for the next year.

29 **Smith stated I'll make a motion to approve Item C of the Consent Agenda. Miller stated I'll second.**  
30 Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any  
31 opposed? That motion passes. **Motion passes unanimously.**

#### 32 **6.0 D 2024 Anoka County Law Enforcement Contract**

33 Lewis stated the reason he pulled this was to make come comments. He noted he had spoken with  
34 Commander Paul Lenzmeier and Lieutenant Derrick Peters recently and the number they gave him if  
35 they went from 36 hours per day of deputy sheriff to 32 hours a day with four hours of Community  
36 Service officers the cost impact would be \$80,000. He indicated he had also asked them if they had  
37 seen any impact on the increase of 14.5 percent pay rate and they said there had been a positive  
38 impact in terms of attracting and retaining qualified personnel. Lewis stated it was good news that it  
39 was having a positive effect. He indicated over the next few months some of the Mayors would be  
40 talking about this topic more and discussing options.

41 **Lewis stated I'll make a motion to approve Item D of the Consent Agenda. Mundle stated I'll**  
42 **second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked  
43 any opposed? That motion passes. **Motion passes unanimously.**

1 **6.0 E Liability Coverage Waiver Form**

2 Lewis asked for an explanation of the waiver form. Davis responded this came from the League of  
3 Minnesota Cities and the City had handled it this way since 2011. He noted he had spoken with the  
4 City Attorney about this and Larson may want to also make comment.

5 DeRoche asked if this was an umbrella policy. Larson responded it was not. He explained the policies  
6 for Council. He noted generally the City has not waived the tort cap liability cap at \$1.5 million. He  
7 noted he had spoken with Mr. Davis earlier regarding this and he liked to have all of the protections  
8 possible, so it has not been waived.

9 **Lewis stated I'll make a motion to approve Item E of the Consent Agenda. Mundle stated I'll**  
10 **second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked  
11 any opposed? That motion passes. **Motion passes unanimously.**

12 **7.0 New Business. Commission, Association, and Task Force Reports**

13 **7.0 A Planning Commission**

14 **7.0 A.1 Variance Hearing: Driveway Entrance, 3<sup>rd</sup> St. and 195<sup>th</sup> Ave**

15 Berg stated this property is located in the City of Oak Grove abutting the Bear Hollow subdivision in a  
16 Rural Residential Zone of East Bethel. The property is approximately 40 acres and is located adjacent  
17 to the right of way on 3rd Street NE (PID #36-33-24-14-0001). The applicant is looking to subdivide  
18 the property to build two single family homes. The City of Oak Grove has advised the applicant that  
19 permission from the City of East Bethel would be required prior to moving forward with a subdivision  
20 application. Berg indicated the East Bethel City Code Appendix A- Section 42 -7. A (2) – Rural  
21 Residential Development regulations require a minimum lot width of 200 feet at the public right of  
22 way.

23 Berg noted the applicants parcel has a total of 105.88 feet of frontage on the 3rd Street NE right-of-  
24 way and he is requesting a variance to the standard of 200 feet of frontage to a reduction of 52.94  
25 feet in order to subdivide the property allowing for two access points/ driveways through the East  
26 Bethel 3rd Street NE right-of-way to the parcel located in Oak Grove.

27 Berg stated Sec. 4 - 10. - Variances. To hear requests for variances from the literal provisions of the  
28 ordinance in instances where their strict enforcement would cause practical difficulties because of  
29 circumstances unique to the individual property under consideration, and to grant such variances  
30 only when it is demonstrated that such actions will be in keeping with the spirit and intent or the  
31 ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that  
32 the property owner proposes to use the property in a reasonable manner not permitted by an official  
33 control; the plight of the landowner is due to circumstances unique to the property not created by  
34 the landowner; and the variance, if granted, will not alter the essential character of the locality.  
35 Economic considerations alone do not constitute practical difficulties.

36 Berg noted on September 26, 2023, the Planning Commission held a Public Hearing. Eight residents of  
37 the Bear Hollow Subdivision attended and voiced their concerns about added traffic, driveway  
38 proximity, road repair and maintenance, tree clearing, utilization of city resources without the ability  
39 to collect tax revenue, and emergency response times. The applicant/owner was provided an  
40 opportunity to respond to the concerns. At the conclusion of the Public Hearing, the Planning  
41 Commission made a findings of fact and recommendation to the City Council to deny the variance  
42 request as presented in Resolution 2023-68 B.

43 Berg requested the City Council review the variance request, consider the Planning Commission's  
44 formal recommendation, and approve or deny the variance as presented in Resolution 2023-68 A or

1 2023-68 B. Berg stated if the variance request is denied under Sec. 4, Sub. 10. I. Reapplication, no  
2 application for a variance for a particular use on a particular parcel shall be resubmitted for a period  
3 of one year from the date of denial of the previous application unless a decision to reconsider such  
4 matter is made by a majority vote of the full City Council. The applicant is requesting a  
5 reconsideration decision be made in order for him to reapply for a variance for a Front Lot Line  
6 reduction from 200 feet to 105.88 feet, for a single access point as appose to two in his current  
7 request.

8 Mundle requested clarification. He noted they had a variance request for two accesses. He asked if  
9 this was denied could the applicant reapply for a variance for one access within one year.

10 DeRoche stated he was at the Planning Commission meeting and he was surprised the applicant had  
11 not shown up at this meeting. He noted there were concerns from the neighbors including traffic  
12 headlights coming in and out going directly into their homes, along with if they gave him one  
13 entrance what would prevent the applicant as soon as they got inside the lot from splitting it off into  
14 two driveways. He stated he did not see the advantage of allowing the variance for the driveway on  
15 the street. He also noted the neighborhood had a concern about the wear and tear on the road.

16 Smith stated he was also at the Planning Commission meeting and he agreed with DeRoche. He  
17 noted the residents of East Bethel had a lot of legitimate concerns. He noted East Bethel did not  
18 benefit from this either. He indicated he agreed with what the residents had said.

19 DeRoche noted the applicant could come in from the backside, even though it would cost the  
20 applicant more money.

21 Mundle stated he was not in favor of the split and that was too much of a big stretch. He stated he  
22 was not in favor of granting the variance.

23 DeRoche asked if they had to give the applicant access. Mundle noted the applicant did have access  
24 on the parcel to the west.

25 Larson stated he did not see that the City had any obligation based on the facts before them to give  
26 the applicant access. He noted the Council could either affirm and agree with the denial, which was  
27 the Planning Commission's recommendation, or they could reverse it.

28 Miller noted the Planning Commission had voted unanimously to deny the request. He asked if the  
29 applicant had said anything about a reapplication. Berg responded that was not brought up to the  
30 applicant. He noted the applicant had called him the next day after the Planning Commission  
31 meeting and asked what his options were. He stated he informed the applicant that the City's  
32 Ordinance stated that he could not apply for 365 days unless the Council gave him permission to do  
33 so. He indicated the applicant wanted to run with the variance tonight and if the denial was  
34 confirmed, he then immediately wanted to request the Council's permission to reconsider so that he  
35 could apply for a variance for reduced access or reduced frontage.

36 DeRoche noted that even if the applicant applied for a different variance, the issues from the  
37 neighbors were still the same.

38 **DeRoche stated I'll make a motion to deny the variance request. Smith stated I'll second.** Lewis  
39 asked any discussion?

40 Berg asked if the Council would be willing to allow the applicant to reapply for a variance for one  
41 access point. DeRoche responded that the applicant could reapply again, but his comments would  
42 not change.

1 Lewis stated he also wanted to get the Planning Commission’s advice on this if the applicant  
2 reapplied again.

3 To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes.  
4 **Motion passes unanimously.**

5 **7.0 B Economic Development Authority**

6 None.

7 **7.0 C Park Commission**

8 None.

9

10 **8.0 Department Reports**

11 **8.0 A Community Development**

12 None.

13 **8.0 B Engineer Report**

14 None.

15 **8.0 C City Attorney**

16 None

17 **8.0 D Finance**

18 None.

19 **8.0 E Public Works**

20 None.

21 **8.0 F Fire Department**

22 None.

23 **8.0 G City Administrator Report**

24 **8.0 G.1 Reserve Capacity Loan Amortization Proposal**

25 Davis stated the City of East Bethel entered into the Wastewater Service Rates and Sewer Service  
26 Charges Agreement with the Metropolitan Council in 2010. This agreement established an annual  
27 quota requirement and set a contract schedule for the Sewer Availability Connections/Charge  
28 (SAC). This quota increases at 17% per year to amortize the cost of the Met Council Wastewater  
29 Treatment Plant and effluent disposal system that serves the City of East Bethel.

30 Davis indicated the agreement created a Reserve Capacity Loan (RCL) that accumulates the unmet  
31 goals of the annual SAC quota over the 20-year term of the agreement.

32 Davis noted in 2013 and 2015, the City and Metropolitan Council (METC) executed amendments to  
33 the original agreement. The 2013 amendment allowed for a modification of SAC charges if the City  
34 could work out an agreement to connect Village Green to the City sewer system. The 2015  
35 amendment approved a not to exceed cap of \$2,000,000 on the Reserve Capacity Loan. This  
36 amendment limits the City’s liability to a maximum exposure for the loan repayment to \$2,000,000.  
37 Prior to this amendment the City could have faced a worst-case scenario of up to a \$19,000,000  
38 debt obligation to the METC in 2032.

39 Davis stated the City of East Bethel did not meet the SAC quotas for fiscal years 2012 through 2018  
40 and 2020 through 2022. Only In 2019, were equivalent connections made to the system which  
41 exceeded the SAC contract requirement for that year. The SAC contract requirement for 2023 is  
42 208. As of 9/19/23 the City has secured 17 SAC units so the City is anticipating reaching the \$2

1 million cap at year end, which would initiate the repayment of this loan starting in 2024. The  
2 Reserve Capacity Loan balance is projected to increase to \$2,130,693 at the end of December 31,  
3 2023.

4 Davis noted there is a loan amortization agreement with the MCES that was approved in the 2015  
5 amendment that allows the City to select a term between 10 - 20 years for a payback period at a  
6 fixed interest rate of 2.73% to satisfy the debt. City Staff has provided an amortization schedule  
7 that would pay the loan off in 10 years and proposes an annual payment of \$231,241.76 (principal  
8 and interest). The City has earmarked the City Sewer Fund as the source of money to pay this loan  
9 and that payment was included in the approved 2024 Preliminary Budget.

10 Davis stated going forward with a ten-year amortization period (Attachment 2 to Council's packet),  
11 the development of the Elevage and Capstone projects will generate \$1,433,250 in residential  
12 connection charges, which will cover this payment over the next 6 years, assuming 75-unit charges  
13 are received per year. Davis noted the proposed Osborne project could generate an additional  
14 \$875,875 in residential charges which could pay the balance of the debt between years 7 -10 of the  
15 loan. This scenario would utilize the SAC revenue stream for these developments to pay back the  
16 loan, leaving the current balance of the City Sewer Fund untouched and available for system  
17 maintenance, operation, and improvement costs.

18 Lewis asked what the deadline was for approving this. Davis responded if staff could have a decision  
19 by the next Council meeting that would be good.

20 Lewis stated it was worth looking at the different scenarios and he found it useful if they could  
21 prepay the loans if they wanted to.

## 22 **8.0 G.2 City Administrator Job Description**

23 Davis stated Mundle has requested that the job description for the City Administrator be added to  
24 the agenda for the October 9, 2023 council meeting. The current description was approved on  
25 January 24, 2022 replacing the one adopted in 2003. As their will be a change of personnel in this  
26 position, effective January 1, 2024, the Council may wish to review and update the job description.

27 Davis stated staff is seeking direction as to any updates to the City Administrator job description  
28 and any further directives as to the process of filling the position.

29 Lewis stated he had met with Jeziorski as he was the Deputy City Administrator to see if he would  
30 be interested in the City Administrator's position, but Jeziorski had no interest. However, Jeziorski  
31 stated he could fill in as the City Administrator until one was hired.

32 Mundle asked if the job description was accurate and current, when they would start advertising  
33 for the City Administrator's position. Lewis noted he had spoken with Larson about this and there  
34 was no State requirement for any method of advertising or publicly soliciting resumes.

35 Lewis stated he had identified somebody who seemed to meet all of the criteria extremely well,  
36 but he was keeping the name of that person confidential right now as that person was employed  
37 and they did not want it revealed. He stated at the appropriate time, this person could come before  
38 the Council, but he doubted they could possibly find someone better qualified for the job. He  
39 indicated he would reveal that person's information as soon as he could, but if it fell apart then  
40 they could go back to the typical advertising, soliciting, and accepting applications. He noted they  
41 still had time as Jeziorski had agreed to function as the City Administrator until a new administrator  
42 was hired.

1 Mundle stated he believed they should advertise for the position. Lewis stated if they had someone  
2 who was extremely qualified it would not be fair to waste an applicant's time.

3 Mundle indicated they did not know who else was out there and if there was someone better.  
4 Lewis requested he be trusted on this one and he believed they would be pleasantly surprised. He  
5 indicated he would keep them all updated and as soon as he was able to reveal the information, he  
6 would.

7 **9.0 – Other Items**

8 **9.0 A Staff Report**

9 Davis stated he had no report.

10 **9.0 B Council Reports**

11 Smith stated he understood they are not doing Work Meetings any longer. He stated he believed the  
12 Council should be receiving their packets on Wednesdays and not on Fridays. Davis noted a lot of  
13 that depended on what was going on and a lot of times they were waiting for consultants and other  
14 people to furnish staff the information. He indicated staff would try and get the packets out as soon  
15 as they could, but sometimes it was not possible to get them out on Wednesday.

16 Davis asked if it was helpful to the Council to get the agenda out early to see the topics. Lewis  
17 responded that was helpful. Davis stated staff could get the agenda out to Council on Wednesday,  
18 but the chances of getting the packets out on Wednesdays was slim, but they would do their best to  
19 get it out.

20 Lewis noted he wanted to get away from every month Council Work Meetings, but they might be  
21 necessary every so often.

22 Smith stated the Fire Department had an open house and had a good turnout. He requested the next  
23 open house not be held on a Council meeting night. Davis responded staff would check and noted  
24 the reason they were held on Mondays was due to fire training.

25 Miller stated he attended the Fire Department open house and everyone was enjoying themselves.  
26 He recommended residents attend future open houses to show support for the Fire Department.

27 **9.0 C Other**

28 None.

29 **9.0 D Closed Session**

30 **9.0 D.1 Purchase or Sale of Real Property – M.S. Section 13D.0 subd. 3(c); Discussion of Sale of City  
31 Properties: PIN 36-33-23-34-0002 and PIN 29-33-23-22-0002**

32 Larson stated thank you Mr. Mayor. For the benefit of the public, we'd note that at this time the  
33 Council's about to go into Closed Session to review M. S. Section 13D0 subd 3(c); discussion of sale of  
34 City properties.

35 This Closed Session will be tape recorded as required by Statute with that tape being maintained for a  
36 period of two years. The Council will come back into Open Session after having concluded its Closed  
37 Session and announce if there are any actions taken during the course of the Closed Session. With  
38 that being said, Mr. Mayor, I recommend that a motion be made to go into Closed Session for the  
39 purposes I've indicated.

40 *(Council moved into Closed Session.)*

41 *(Council reconvened Open Session.)*

1 Larson stated thank you Mr. Mayor. For the benefit of the public and for the record, we note the  
2 Council is back in Open Session after having concluded a Closed Session. The Closed Session was  
3 attended by the entire Council, City Administrator Davis and himself and with respect to the first  
4 property, Council direct staff to engage in an independent appraisal and upon obtaining the appraisal  
5 to inform the market that the property was on the market, approve the appraised amount, and then  
6 engage any willing and interest purchaser about the possibility of an actual negotiated purchase of  
7 that property.

8 Larson stated with respect to the second Closed Session item, Council directed staff to enter into  
9 negotiations with the adjacent property owner for the sale of that property from the City to those  
10 individuals with all costs with respect to that sale to be imposed upon the purchasers as well as any  
11 other reasonable sale items that staff felt was appropriate and when the purchase agreement was  
12 agreed to be done, to bring that purchase agreement to Council for their review, decision, and action.

13 **10.0 Adjourn**

14 **DeRoche stated I'll make a motion to adjourn. Mundle stated I'll second.** To the motion, all in favor  
15 say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

16 Meeting adjourned at 9:02 PM

17 Submitted by:

18 Kathy Altman

19 *TimeSaver Off Site Secretarial, Inc.*



October 18, 2023

Faye Bell



Appointment/Conditional Offer of Employment – Administrative Assistant

Dear Ms. Bell,

At its regular meeting on Monday October 23, 2023, the City Council will consider approval of our recommendation (pending a successful background and reference check) to make an offer of employment for the Administrative Assistant position to you. The official start date for this position is November 8, 2023 with eligibility for City benefits starting December 1, 2023.

13

- Starting Wage: \$22.37 per hour, Grade 4, Step A of the 2023 Pay Plan
- Insurance Benefits: 2023: \$1,425 per month or \$712.50 per pay period
- Vacation: Earned at a rate of ten (10) days per year or 3.08 hours per pay period. You may use the vacation as you accrue the time.
- Sick Leave: One day, eight (8) hours per month. You may use the sick leave as you accrue time.
- Holidays: Thirteen (13) holidays per year.
- Probationary period: Six (6) months.
- Pay periods: Twenty six (26) pay periods per year.

If you have any questions, please do not hesitate to contact me at 763-367-7850. Welcome aboard!

Sincerely yours,

Jack Davis  
City Administrator

I have read and understand the offer of employment from the City of East Bethel for the Administrative Assistant position. I accept the offer as presented:

Faye Bell  
Signature

10/19/23  
Date

Please sign and date the offer letter and return a copy of the signed letter for our file. Thank you.

## CITY OF EAST BETHEL POSITION DESCRIPTION

<b>Job Description Title:</b> Administrative Assistant	<b>FLSA Status:</b> Non-Exempt/Non-Union/Essential/Confidential
<b>Department/Division:</b> Administration	<b>Position Status:</b> Regular Full-Time
<b>Accountable To:</b> City Administrator	<b>Salary Grade:</b> Grade 4
<b>Prepared By:</b> City Administrator	<b>Revision Date:</b> September 25, 2023

### Position Summary

The Administrative Assistant position provides support services for the Administration and Public Works Departments.

### Essential Duties and Responsibilities

The following are representative of duties and responsibilities of the position but are not intended to be all encompassing:

- Provides customer service for walk-in traffic to City Hall by directing customers to appropriate departments or providing requested information in a courteous, respectful and professional manner
- Answers all general incoming telephone calls to City Hall in a courteous, respectful and professional manner
- Distributes incoming mail to all staff on a daily basis
- Prepares letters, memoranda and other correspondence as necessary
- Issues dog licenses and maintains database of licensed dogs
- Issues burning permits
- Processes the City facilities request applications and invoices (park/community center applications and summer ball fields)
- Assists in the preparation of notices, fliers and posters for various events and activities of the East Bethel Senior Center
- Edits minutes for all City Council and Commission meetings and assists in the preparation of meeting packets
- Updates the City reader board, website and other media outlets
- Records video files of City Council meetings and other events as required
- Converts and indexes meeting video files and processes them into various visual media outlets
- Designs and enters public service announcements on the City cable access channel
- Assists with the City's election administration responsibilities under the direction of the Administrative Coordinator and serves as a Head Election Judge if required
- Performs other duties as assigned

### Knowledge, Skills and Abilities

- Ability to operate office equipment including PC's and appropriate software
- Ability to deal tactfully with the public, city staff and outside agencies
- Knowledge of general office procedures including but not limited answering and directing phone calls, taking messages, filing, etc
- Ability to communicate effectively, both verbally and in writing. Ability to compose a variety of documents using correct grammar, punctuation, and spelling
- Ability to work with limited supervision and work direction
- Ability to efficiently organize tasks and meet deadlines
- Ability to establish and maintain effective working relationships with supervisors, co-workers, and public

### Physical Demands & Working Conditions:

- Office environment; exposure to computer screens, working closely with others, frequent interruptions
- Sit for eight hours with minimal physical activity

- Ability to operate computer keyboard for up to 8 or more hours
- Bend, stoop, squat, kneel, balance or reach as required
- Ability to lift, push or pull 25 pounds
- This position is not eligible to work remotely

**Minimum Qualifications:**

- 2-Year Degree in an office management or related curriculum, or combination of equivalent work experience and progressively-responsible administrative clerical and business background that includes working with the public
- Ability to function in a fast-paced environment and perform tasks within deadlines
- Ability to deal tactfully and respectfully with the public, city staff and outside agencies
- Ability to work some evenings and flexible hours as required
- Ability to utilize Microsoft Office products
- Ability to communicate clearly, effectively and efficiently in both verbal and written formats
- High proficiency in computer skills
- Valid driver's license

These job responsibilities are examples of various types of work performed and are not necessarily all-inclusive. The job description is subject to change as the needs of the City and requirements of the job change.

Approved by:

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City Administrator

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** 7.0 A.1

**Agenda Item:** Public Hearing - Variance – Type II Septic System- 243 Elm Rd NE

**Background Information:**

There is a pending sale on this property along with an adjacent parcel. The request for the variance was prompted by the city septic compliance inspection required by Code for the transfer of property. The closing for this sale is contingent upon the approval of this variance to satisfy City Code Section 74-48. The residence is located on a .13 acre parcel and the applicant intends on combining the adjacent parcel of .04 acres to create a single parcel of .17 acres or 80' x 100'.

The contract property owner is seeking approval of a variance for a Type II septic system at 243 Elm Rd NE. Type II Septic Systems are holding tanks that require a variance per MN Rules Chapter 7080 and the MPCA. The existing, non-compliant system which is also a tank, located on a neighboring property, has failed. It will be disconnected, the affluent will be pumped and the tank will be crushed.

Due to the limited space on the property, even after the lot combination, there would not be sufficient space for the construction of a traditional Type I system which meet setback requirements. The narrow lots are what prompted the placement of the existing tank on the neighboring property originally. A Type I system, with a drain field, requires a 20 foot setback from the house foundation and 10 foot setback from any property line. Tanks are required to be placed 10 feet from foundation and 10 feet from property lines. After the combination of the two parcels there will be approximately 30 feet between the foundation and the north property line. Attachment 3 shows an aerial of the property.

Variances for Type II systems cannot be approved if there is space on the property to install a compliant septic system. If the variance is not granted, the residential structure will be considered uninhabitable due to lack of a working septic system.

Consideration of a variance requires the following three-factor test:

A test of reasonableness - giving consideration to use of the property restricted by the rules of the ordinance in a practical manner:

Septic systems are required for a home to be considered habitable. The Minnesota Septic Code prohibits holding tanks unless approved through the variance process by the municipality in which they are located. The approval of the variance would allow this property to continue as a residential use.

The test of uniqueness - the issue for the variance is due to circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.

In this case, the property has limited space for a replacement drain field due to the lot sizes created by this 1920's era plat, current setback requirements for wells and structures and DNR lakeshore regulations. These factors support the uniqueness test for the variance.

The test of alteration of the essential character of the neighborhood - this factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area. When applying this test to a setback reduction, the visual impact or use of the building or improvement relative to the surrounding dwellings is the emphasis of assessment.

In this case, this neighborhood has had a significant number of septic variances issued due to the age of this neighborhood and the small lot sizes. With a number of older systems needing to be replaced in this area, this variance request is quite common and granting this variance will not change the essential character of the Coon Lake Beach neighborhood.

**Recommendations:**

City Council is requested to hold a public hearing regarding a variance for a Type II Septic System at 243 Elm Rd NE.

Staff recommends City Council approve Resolution 2023-71, granting a Variance to Allow for the Installation of a Type II Septic System at 243 Elm Rd NE.

**Attachments:**

1. Resolution 2023-71, Approving Variance for Type II Septic System
2. Location Map
3. Aerial of Property

**City Council Action:**

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

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

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

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

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2023-71**

A RESOLUTION **GRANTING** VARIANCE FOR THE INSTALLATION OF A TYPE II SEPTIC SYSTEM ON PROPERTY LOCATED AT 243 ELM ROAD NE; PIN's: 36-33-23-21-0083 & 36-33-23-21-0082 (to be combined), LEGALLY DESCRIBED AS:

LOTS 335, 336 & 337 BLK 5 COON LAKE BEACH, SUBJ TO EASE OF RECORD.

&

COON LAKE BEACH LOT 334, BLK 5, COON LAKE BEACH

WHEREAS, the property owner requested a variance for a Type II septic system; and,

WHEREAS, the Minnesota Septic Code requires the approval of a variance by the governing municipality for the use of a Type II septic system, per Minnesota Rule Chapter 7080; and,

WHEREAS, the City Council held a public hearing on October 23, 2023; and,

WHEREAS, the City Council finds the request:

1. Is a reasonable request:
  - The Minnesota Septic Code allows municipalities to grant variances allowing Type II septic systems.
  - The issuance of a variance for the use of a Type II septic system is necessary for this home to continue to be a habitable structure.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - Because of existing lot sizes within this subdivision, setback requirements from wells and residences, and the high water table in this area, the property has limited space for a compliant drain field.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - The Coon Lake Beach neighborhood has had numerous septic variances issued, and many residences utilize a Type II septic system.

WHEREAS, the City Council approves of the variance request.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby approves the variance to allow for the use a Type II septic system (holding tanks) on property located at 243 Elm Rd NE with the following conditions:

1. A licensed septic designer must obtain all necessary building permits, and complete all necessary inspections for the installation of the holding tanks, as required by the Minnesota Septic Code.
2. An Administrative Lot Combination must be filed with Anoka County Taxation and Records Division prior to the issuance of any necessary septic building permits.

Adopted this 23rd day of October, 2023 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

ATTEST

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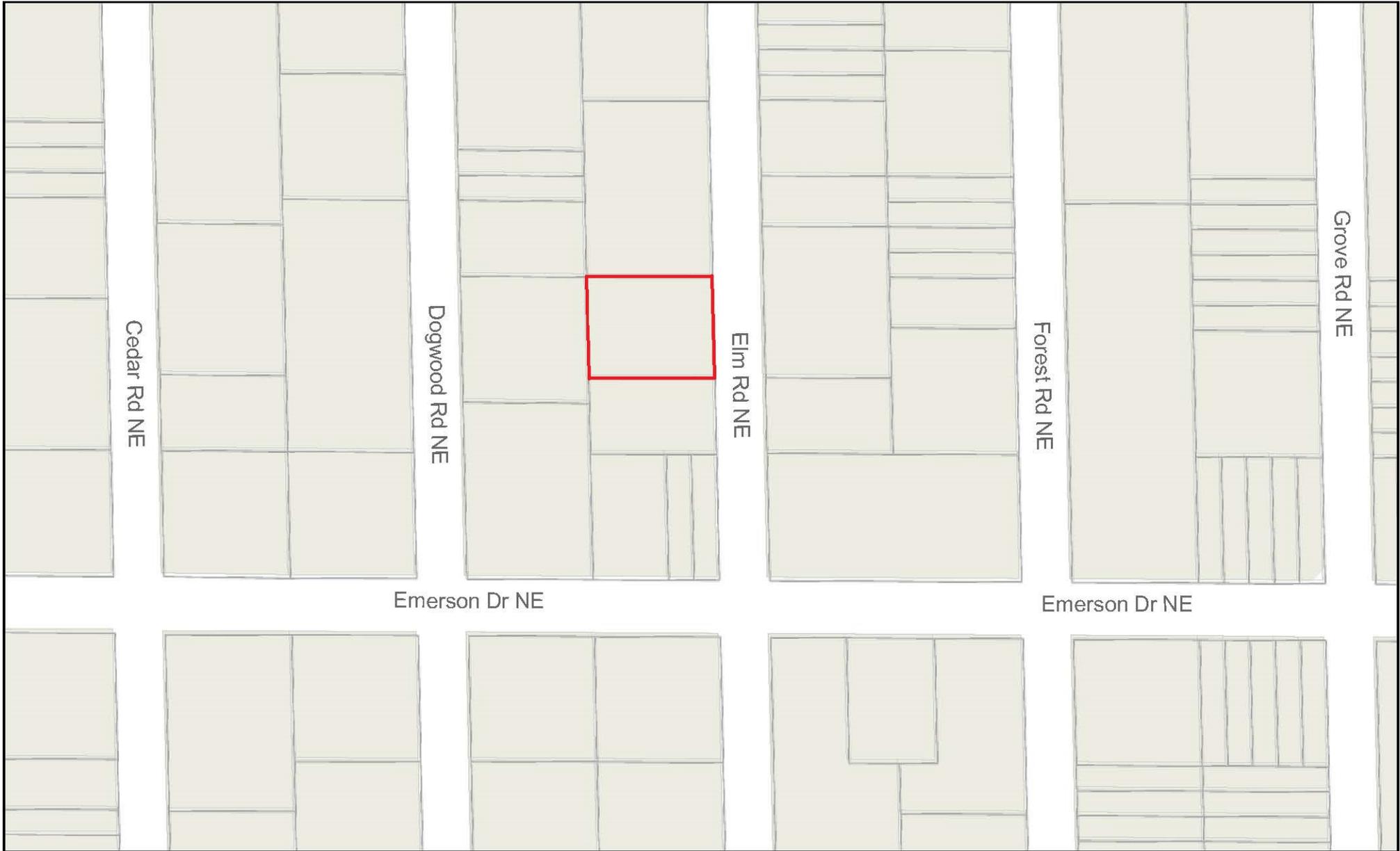
Kevin Lewis, Mayor

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Jack Davis, City Administrator

# 243 Elm Rd - Location Map

Item 7.0 A.1, Attachment 2



1 inch equals 105 feet



-  Parcels
-  City Mask

# 243 Elm Rd - Aerial Map

Item 7.0 A.1, Attachment 3



1 inch equals 80 feet



-  Parcels
-  City Mask

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** 7.0 A.2

**Agenda Item: Public Hearing Notice -Ordinance Amendment - Mobile Food Vender Units – Chapter 18 – Businesses / Article V. – Peddlers and Solicitors**

**Background:**

As the popularity of food trucks has continued to grow, city staff regularly take calls fielding questions from vendors and the public on Mobile Food Vendors and city licensing requirements. In July 2023, city staff received a complaint from a resident about enforcing licensing and regulation of food trucks currently operating in the city. At that time city staff researched the existing ordinance and determined that clarification was necessary in order to provide staff a process for registrations and a mechanism to ensure compliance.

Appendix A. – Zoning – Sec. 01. – General Provisions of Administration “East Bethel Zoning Ordinance” permits Food Trucks to operate in Highway Commercial (B3), Central Business (B2), Light Industrial (I) and Mixed Use Districts (MXU).

The general zoning code also provides the following definition: **Food truck:** *A mobile food unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed under Minnesota Statutes, chapter 157 or chapter 28A. All MFU must operate in compliance with the Minnesota food code.*

Beyond the definition and allowable zoning districts permitting operation there are no defined parameters or permitting requirements for operation within the city limits of East Bethel.

**Planning Commission:** At the July 25, 2023 Planning Commission City Staff brought a proposed Mobile Food Vendors Ordinance for review and discussion. An informal recommendation at the conclusion was to revise Article V. - Peddlers and Solicitors to include Mobile Food Vendors in the definition, add a State Licensing requirement, and research an appropriate permit fee.

After further research of nearby cities, contact with Anoka County Environmental Services, as well as consultation with city staff who handle permitting, the attached ordinance revision was presented at the September 26, 2023 Planning Commission Meeting. This proposal simply requires the Mobile Food Unit operator obtain an Anoka County Food Truck License and provide the city a copy before operating in East Bethel. By a vote of 5-0, with one member absent, Ordinance 2023-11 was recommended for approval.

**Attachments:**

- 1.) Ordinance 2023-11
- 2.) Article V. - Peddlers and Solicitors – Red Line amendments.
- 3.) Anoka County Temporary Food Truck/ Trailer License Application

**Recommendation:**

Staff is requesting City Council hold a public hearing and at the conclusion review the proposed ordinance changes in addition to the Planning Commissions formal recommendation to amend Article V. - Peddlers and Solicitors, Division 2. Licensing and Regulation, Sec. 18-230 to include the existing Zoning Code definition of Mobile Food Vendors and Section 18-236. Registration to include a provision requiring Mobile Food Vendors to furnish a copy of a valid Anoka County Temporary Food Truck/ Trailer License.

**City Council Action:**

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

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

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

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

**CITY OF EAST BETHEL  
ANOKA COUNTY, MINNESOTA  
ORDINANCE NO. 2023-11**

**AN ORDINANCE AMENDING ARTICLE V, SECTION 18,  
DIVISION 2 OF THE EAST BETHEL CODE OF ORDINANCES  
REGULATING LICENSING AND REGISTRATION  
OF MOBILD FOOD UNITS IN THE CITY OF EAST BETHEL**

**The City Council of East Bethel, Minnesota ordains:**

**Section 1.** SECTION 18 - 230. Definitions. of the East Bethel Code of Ordinances is hereby amended to read as follows:

Food truck: A mobile food unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed under Minnesota Statutes, chapter 157 or chapter 28A. All MFU must operate in compliance with the Minnesota food code.

**Section 2.** SECTION 18 - 236. Registration. of the East Bethel Code of Ordinances is hereby amended to read as follows:

- (c.) A mobile food unit (MFU) shall register with the city and provide a copy of a valid license from the state and/or county per Sec. 18-232 (a).

**Section 3.** The ordinance amendments herein become effective from and after its passage and publication.

Passed by the City Council of East Bethel, Minnesota this 23<sup>th</sup> day of October, 2023.

\_\_\_\_\_  
Kevin Lewis, Mayor

Attested:

\_\_\_\_\_  
Jack Davis, City Administrator

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## **ARTICLE V. PEDDLERS AND SOLICITORS**

### *DIVISION 1. GENERALLY*

#### **Sec. 18-203. Penalty.**

Whoever does any act forbidden by this article or omits or fails to do any act required by this article shall be guilty of a misdemeanor punishable as provided in section 1-14.

(Ord. No. 164, § 10, 11-2-1995)

#### **Secs. 18-204—18-229. Reserved.**

### *DIVISION 2. LICENSING AND REGULATING<sup>1</sup>*

#### **Sec. 18-230. Definitions.**

*Noncommercial door-to-door advocate.* A person who goes door-to-door for the primary purpose of disseminating religious, political, social, or other ideological beliefs. For purpose of this division, the term door-to-door advocate shall fall under the term solicitor and include door-to-door canvassing and pamphleteering intended for non-commercial purposes.

*Peddler.* A person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement, for the purpose of offering for sale, displaying or exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personal property that the person is carrying or otherwise transporting. For purpose of this division, the term peddler shall have the same common meaning as the term hawker.

*Person.* Any natural individual, group, organization, corporation, partnership, or similar association.

*Professional fundraiser.* Any person, including a corporation or other entity, who, for compensation, performs any solicitations or other services for a religious, politician, social, or other charitable organization.

*Regular business day.* Any day during which the City Hall is normally open for the purpose of conducting public business. Holidays defined by state law shall not be considered regular business days.

*Solicitor.* A person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as

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<sup>1</sup>Editor's note(s)—Ord. No. 16, Second Series, adopted Nov. 4, 2009, repealed the former Div. 2, §§ 18-230—18-239, and enacted a new Div. 2 as set out herein. The former Div. 2 pertained to licensing and regulating and derived from Ord. No. 164, §§ 1—9, 11-2-1995; Res. No. 1998-32, 6-17-1998; Ord. No. 201, § 3, 12-7-2005. For a complete derivation see the Code Comparative Table at the end of this volume.

discussed above. For purposes of this division, the term solicitor shall have the same meaning as the term canvasser.

*Transient merchant.* A person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of exposing or displaying for sale, selling or attempting to sell, and delivering goods, wares, products, merchandise, or other personal property and who does not remain in any one location for more than 14 consecutive days.

*Food truck: A mobile food unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed under Minnesota Statutes, chapter 157 or chapter 28A. All MFU must operate in compliance with the Minnesota food code.*

(Ord. No. 16, Second Series, 11-4-2009, 10-09-2023)

### **Sec. 18-231. Exceptions to definitions.**

For the purpose of this chapter, the terms *peddler*, *solicitor*, and *transient merchant* shall not apply to:

- (a) *Non-commercial door-to-door advocates.* Nothing within this division shall be interpreted to prohibit or restrict non-commercial door-to-door advocates. Person engaging in door-to-door advocacy shall not be required to register as a solicitor under section 18-232.
- (b) Any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a retail seller of the items being sold by the wholesaler.
- (c) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food, meat and dairy products. Any person attempting sell these types of products that are not part of an established regular customer delivery is not exempt from the license requirement.
- (d) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
- (e) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales.
- (f) Any person participating in an organized multi-person bazaar or flea market.
- (g) Any person conducting an auction as a properly licensed auctioneer.
- (h) Any officer of the court conducting a court-ordered sale.
- (i) Any person or business participating in an event on city property at city approved events.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirement provided by another city ordinance.

(Ord. No. 16, Second Series, 11-4-2009)

### **Sec. 18-232. Licensing requirements.**

- (a) *State/county license required.* No person shall conduct business as a peddler, solicitor, or transient merchant within the city limits without first having obtained the appropriate license from the state and/or county as may be required by Minn. Stats. Ch. 329 as it may be amended from time to time, if the state and/or county issues a license for the activity.

- (b) *City license required.* Except as otherwise provided for by this division, no person shall conduct business within this jurisdiction as a peddler or a transient merchant without first obtaining a city license. Solicitors need not be licensed, but are required to register with the city pursuant to section 18-236.
- (c) *Application.* An application for a city license to conduct business as a peddler or transient merchant shall be made at least 30 days, excluding holidays, before the applicant desires to begin conducting a business operation within the city. Application for a license shall be made on a form approved available at City Hall. All applications shall be signed by the applicant. All applications shall include the following information:
- (1) The applicant's full legal name.
  - (2) Any and all other names under which the applicant has or does conduct business, or to which the applicant will officially answer to.
  - (3) A physical description of the applicant (hair color, eye color, height, weight, any distinguishing marks or features, and the like).
  - (4) Full address of applicant's permanent residence.
  - (5) Telephone number of applicant's permanent residence.
  - (6) Full legal name of any and all business operations owned, managed, or operated by applicant, or for which the applicant is an employee or an agent.
  - (7) Full address of applicant's regular place of business, if any exists.
  - (8) Any and all business-related telephone numbers of the applicant, including cellular phones and facsimile (fax) machines.
  - (9) The type of business for which the applicant is applying for a license.
  - (10) Whether the applicant is applying for an annual or daily license.
  - (11) The dates during which the applicant intends to conduct business. If the applicant is applying for a daily license, the number of days he or she will be conducting business within the city, with a maximum of 14 consecutive days.
  - (12) Any and all addresses and telephone numbers where the applicant can be reached while conducting business within the city, including the location where a transient merchant intends to set up his or her business.
  - (13) A statement as to whether or not the applicant has been convicted with the last five years of any felony, gross misdemeanor or misdemeanor for violating any state or federal statute or any local ordinance, other than minor traffic offenses.
  - (14) A list of the three most recent locations where the applicant has conducted business as a peddler or transient merchant.
  - (15) Proof of any required state or county license.
  - (16) Written permission of the property owner or the property owner's agent for any location to be used by a transient merchant.
  - (17) A general description of the items to be sold or services to be provided.
  - (18) Any and all additional information as may be deemed necessary by the city council.
  - (19) The applicant's driver's license number or other acceptable form of identification.
  - (20) The license plate number, registration information, vehicle identification number (VIN) and physical description for any vehicle to be used in conjunction with the licensed business operation.
  - (21) The information shall be required of any and all persons conducting business under the license applied for under this section.

- (d) *Fee.* All applications for a license under this chapter shall be accompanied by the fee established in the city's fee schedule as it may be amended from time to time.
- (e) *Procedure.* Upon receipt of the application and payment of the license fee, the city will, within five regular business days, determine if the application is complete. An application will be considered complete if all required information is provided. If the city determines that the application is incomplete, the city will inform the applicant of the missing but required information.

If the application is complete, the city will order any investigation, including background checks, necessary to verify the information provided with the application. Within 20 days, excluding holidays, of receiving a complete application the city will issue the license unless grounds exist for denying the license application under section 18-233, in which case the city must deny the request for a city peddler or transient merchant license.

If the city denies the license application, the applicant must be notified in writing of the decision, the reason for denial and the applicant's right to appeal the denial by requesting. Within ten days, excluding holidays, of receiving notice of rejection, the applicant must submit a written request for a public hearing before the city council. If the applicant so denied fails to submit the written request for a public hearing before the city council within the prescribed time period, the applicant shall have effectively waived his right to such hearing.

Within 20 days of the date of the written request for a public hearing, the city shall schedule a hearing and notify the applicant of the date and time of the public hearing. The decision of the city council following the public hearing may be appealed by petitioning the Minnesota Court of Appeals for a writ of certiorari.

- (f) *Duration.* An annual license granted under this division shall be valid for one calendar year from the date of issuance. All other licenses granted to peddlers and transient merchants under this division shall be valid only during the time period indicated on the license.
- (g) *Professional fundraisers not exempt.* A professional fundraiser working on behalf of an otherwise exempt group or person shall not be exempt from the licensing requirements of this division.
- (h) *License exemptions.*
  - (1) No license shall be required for any person to sell or attempt to sell, or to take or attempt to take orders for, any product grown, produced, cultivated, or raised on any farm.
  - (2) No license shall be required for any person going from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement for the primary purpose of exercising that person's state or federal constitutional rights such as the freedom of speech, freedom of the press, freedom of religion, and the like. This exemption will not apply if the person's exercise of constitutional rights is merely incidental to what would properly be considered a commercial activity.
  - (3) No license shall be required for any person going from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place movement for the primary purpose of soliciting money or selling or distributing any item of literature or merchandise to non-members of the organization in the name of any religious organization, philanthropic organization, charitable organization, school or youth development organization.

(Ord. No. 16, Second Series, 11-4-2009)

### **Sec. 18-233. License ineligibility.**

The following shall be grounds for denying a peddler or transient merchant license:

- (a) The failure of an applicant to obtain and demonstrate proof of having obtained any required state and/or county license.
- (b) The failure of an applicant to truthfully provide any information requested by the city as part of the application process.

- (c) The failure of an applicant to sign the license application.
- (d) The failure of an applicant to pay the required fee at the time of application.
- (e) A conviction with the past five years of the date of application for any violation of any federal or state statute or regulation, or of any local ordinance, which adversely reflects upon the person's ability to conduct the business for which the license is being sought in a professional, honest and legal manner. Such violations shall include, but are not limited to, burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.
- (f) The revocation with the past five years of any license issued to an applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.
- (g) When an applicant has a bad business reputation. Evidence of a bad business reputation shall include, but is not limited to, the existence of three or more substantiated complaints against an applicant with the Better Business Bureau, the Office of the Minnesota Attorney General or other state attorney general's office, or other similar business or consumer rights office or agency, within the 12-month period preceding application or renewal of an application. Or three or more complaints filed with the city against an applicant within the preceding five years.

(Ord. No. 16, Second Series, 11-4-2009)

### **Sec. 18-234. License suspension and revocation.**

- (a) *Generally.* Any license issued under this section may be suspended or revoked at the discretion of the city council for violation of any of the following:
  - (1) Subsequent knowledge by the city of fraud, misrepresentation or incorrect statements provided by an applicant on the application form.
  - (2) Fraud, misrepresentation or false statements made during the course of the licensed activity.
  - (3) Subsequent conviction of any offense to which the granting of the license could have been denied under section 18-237.
  - (4) Engaging in any prohibited activity as provided under section 18-237 of this article.
  - (5) Violation of any other provision of this division.
- (b) *Multiple persons under one license.* The suspension or revocation of any license issued for the purpose of authorizing multiple persons to conduct business as peddlers or transient merchants on behalf of the licensee shall serve as a suspension or revocation of each authorized person's authority to conduct business as a peddler or transient merchant on behalf of the licensee whose license is suspended or revoked.
- (c) *Notice.* Prior to revoking or suspending any license issued under this chapter, the city shall provide a license holder with written notice of the alleged violations and inform the licensee of his or her right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, or if no residential address is listed, to the business address provided on the license application. Mailing of the notice shall fulfill the city's obligation to provide notice.
- (d) *Public hearing.* Upon receiving the notice provided in subsection (c) of this section, the licensee shall have the right to request a public hearing. If no written request for a hearing is received by the city within ten days, excluding holidays, following the service of the notice, the city may proceed with the suspension or revocation. For the purpose of a mailed notice, service shall be considered complete as of the date the notice is placed in the mail. If a public hearing is requested within the stated time frame, a hearing shall be scheduled within 20 days, excluding holidays, from the date of the request for the public hearing. Within ten days of the hearing, the city council shall notify the licensee of its decision.

- (e) *Emergency.* If, in the discretion of the city council, imminent harm to the health or safety of the public may occur because of the actions of a peddler or transient merchant licensed under this division, the city council may immediately suspend the person's license and provide notice of the right to hold a subsequent public hearing as prescribed in subsection (c) of this section.
- (f) *Appeal.* Any person whose license is suspended or revoked under this section shall have the right to appeal that decision in court.

(Ord. No. 16, Second Series, 11-4-2009)

### **Sec. 18-235. License transferability.**

No license issued under this chapter shall be transferred to any other person.

(Ord. No. 16, Second Series, 11-4-2009)

### **Sec. 18-236. Registration.**

- (a) All solicitors and any person exempt from the licensing requirements of this division under section 18-232 shall be required to register with the city prior to engaging in those activities. Registration shall be made on the same form required for a license application, but no fee shall be required. Immediately upon completion of the registration form, the city shall issue to the registrant a certificate of registration as proof of the registration. Certificates of registration shall be nontransferable. This provision shall not apply to youth development organizations or school related fund raising activities.
- (b) Individuals that will be engaging in non-commercial door-to-door advocacy shall not be required to register.
- (c) A mobile food unit (MFU) shall register with the city and provide a copy of valid license from the state and/or county per Sec. 18-232 (a).

(Ord. No. 16, Second Series, 11-4-2009, 10-09-2023)

### **Sec. 18-237. Prohibited activities.**

No peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in other similar activities shall conduct business in any of the following manner:

- (a) Calling attention to his or her business or the items to be sold by means of blowing any horn or whistle, ringing any bell, crying out, or by any other noise, so as to be unreasonably audible within an enclosed structure.
- (b) Obstruct the free flow of traffic, either vehicular or pedestrian, on any street, sidewalk, alleyway, or other public right-of-way or occupy and public right-of-way while conducting business.
- (c) Conducting business in a way as to create a threat to the health, safety, and welfare of any specific individual or the general public.
- (d) Conducting business before 9:00 a.m. or after 9:00 p.m.
- (e) Failing to provide proof of license, or registration, and identification when requested.
- (f) Using the license or registration of another person.
- (g) Alleging false or misleading statements about the products or services being sold, including untrue statements of endorsement. No peddler, solicitor, or transient merchant shall claim to have the endorsement of the city solely based on the city having issued a license or certificate of registration to that person.

- (h) Remaining on the property of another when requested to leave.
- (i) Otherwise operating their business in any manner that a reasonable person would find obscene, threatening, intimidating or abusive.
- (j) Occupy any property not located in a commercially or industrially zoning district while operating as a licensed transient merchant.
- (k) Fail to comply with any zoning regulations for a commercially or industrially zoned property while operating as a licensed transient merchant.

(Ord. No. 16, Second Series, 11-4-2009)

**Sec. 18-238. Exclusion by placard.**

Unless specifically invited by the property owner or tenant, no peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or other person engaged in other similar activities shall enter onto the property of another for the purpose of conducting business as a peddler, solicitor, transient merchant, non-commercial door-to-door advocate, or similar activity when the property is marked with a sign or placard:

- (1) At least four inches long.
- (2) At least four inches wide.
- (3) With print of at least 48 point in size.
- (4) Stating "No Peddlers, Solicitors or Transient Merchants," "Peddlers, Solicitors, and Transient Merchants Prohibited," or other comparable statement. No person other than the property owner or tenant shall remove, deface, or otherwise tamper with any sign or placard under this section.

(Ord. No. 16, Second Series, 11-4-2009)

**Sec. 18-239. Penalty.**

Any individual found in violation of any provision of this division, shall be a guilty of a misdemeanor.

(Ord. No. 16, Second Series, 11-4-2009)

**Secs. 18-240—18-250. Reserved.**



**Anoka County**  
**HUMAN SERVICES DIVISION**  
 Public Health & Environmental Services

Environmental Services  
 2100 3<sup>rd</sup> Ave. STE 600  
 Anoka, MN 55303-5042  
 763-324-4260

Environmental.Health@anokacounty.us

**Temporary Food Truck/Trailer License Application**

- This application must be accompanied with the license fee and returned 14 days prior to the first event. The fee is \$90.
- A \$25 late fee may be assessed if the application is received less than 14 days in advance.
- If licensed by the Minnesota Department of Agriculture, an additional license from Anoka County is not required.
- Food Trucks/Trailers can operate in Anoka County for 21 days or less during the licensing year under the license classification associated with this application.
- Food Trucks/Trailers that operate more than 21 days in Anoka County or are not licensed by another Health Department must obtain a license under a different category. Please call 763-324-4260 to discuss plan review and licensing requirements if you intend to operate longer or do not meet the licensing eligibility under this classification.

Licensee/Business Name:	
Truck/Trailer Name:	
Licensee Address:	
Licensee Phone Number:	
Licensee Email Address:	

Minn. Stat. § 176.182 and 270c.72 Subd. 4 requires you to provide the Department with: acceptable evidence of compliance with the Workers' Compensation Insurance Law and your Minnesota Business (tax) Identification Number. **We cannot issue this license without this information.**

a) Do you have any paid or otherwise compensated employees? Yes No \_\_\_\_ If yes, complete the following:

Insurance Company Name: \_\_\_\_\_

Policy No. \_\_\_\_\_

Effective Dates \_\_\_\_\_ to \_\_\_\_\_

b) MN Business ID No. \_\_\_\_\_ c) FED Tax ID No. \_\_\_\_\_

Responsible Person:	
Commissary Kitchen: Name and Address	
Licensing Agency:	
License Number:	
Food/Beverages to be served:	



**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 9, 2023

**Agenda Item Number:** 8.0 G.1

**Agenda Item:** Reserve Capacity Loan Payment Schedule Approval

**Background Information:**

The City of East Bethel entered into the Wastewater Service Rates and Sewer Service Charges Agreement with the Metropolitan Council in 2010. This agreement established an annual quota requirement and set a contract schedule for the Sewer Availability Connections/Charge (SAC). This quota increases at 17% per year to amortize the cost of the Met Council Wastewater Treatment Plant and effluent disposal system that serves the City of East Bethel.

The agreement created a Reserve Capacity Loan (RCL) that accumulates the unmet goals of the annual SAC quota over the 20 year term of the agreement.

In 2015, the City and Metropolitan Council (METC) executed an amendment to the original agreement that approved a not to exceed cap of \$2,000,000 on the Reserve Capacity Loan. This amendment limits the City's liability to a maximum exposure for the loan repayment to \$2,000,000. Prior to this amendment the City could have faced a worst-case scenario of up to a \$19,000,000 debt obligation to the METC in 2032.

The City of East Bethel did not meet the Sewer Access Charge (SAC) quotas for fiscal years 2012 through 2018 and 2020 through 2022. Only In 2019, were equivalent connections made to the system which exceeded the SAC contract requirement for that year. The SAC contract requirement for 2023 is 208. As of 10/11/23 the City has secured 17 SAC units so the City is anticipating reaching the \$2M cap at year end, which would initiate the repayment of this loan starting in 2024. The Reserve Capacity Loan balance is projected to increase to \$2,130,693 at the end of December 31, 2023.

The is a loan amortization agreement with the METC that was approved in the 2015 amendment allows the City to select a term between 10 - 20 years for a payback period at a fixed interest rate of 2.73% to satisfy the debt. The City has earmarked future SAC charges as the revenue source to amortize this debt. Monies from the SAC fees will be deposited in City Sewer Fund. Should these fees exceed the payments, the excess amounts can be used to prepay principal to reduce this debt at a faster rate, earn interest or combination of both, whichever options are best for the City.

Going forward with either the ten or twenty year amortization period, the development of the Elevage, Capstone and Osborne projects have the potential to generate \$2,309,125 in residential connection charges, which would cover the loan payment, assuming 725 unit charges are received by 2032. The SAC revenue stream for these developments could repay the loan, leaving the current balance of the City Sewer Fund untouched and available for system maintenance, operation and improvement costs.

Attachment 2 presents an amortization schedule for a 10 year term and an annual payment of \$231,241.76 and total interest paid of \$312,417.63. This payment schedule would provide the quickest means to payoff this loan but would require a higher annual principal and interest payment. Additional principal payment could be applied to this schedule to accelerate the payback and save additional interest costs.

Attachment 3 presents an amortization schedule for a 20 year term with an annual payment of \$131,098.09 and a total interest payment of \$621,961.89 if only the annual minimum payment is applied to the loan. This schedule provides additional financial flexibility with the reduced loan payment and still maintains the ability to prepay additional principal should SAC fees exceed loan payments due.

Whichever term is selected, annual reports should be provided to Council advising how much additional principal payments can be made for the coming year to maximize interest savings/earnings and reductions to the term of the loan. Either option can be managed to the benefit of the City.

**Attachment (s):**

Attachment 1 – 2023 Reserve Capacity Loan Projections – Clean Copy

Attachment 2 – Proposed Reserve Capacity Loan 10 Year Amortization Schedule

Attachment 3 – Proposed Reserve Capacity Loan 20 Year Amortization Schedule

Attachment 4 – METC RCL Contract Amendment (9-16-2015)

**Fiscal Impact:** As noted above

**Recommendation(s):** Staff requests Council consider approval of a loan repayment schedule from those presented as Attachments 2 – 10 year schedule or Attachment 3 – 20 year schedule.

**City Council Action**

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

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

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

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

## Rural Growth Center (RGC) - East Bethel Reserve Capacity Loan (with actual capital cost)

**Key Assumptions and Terms:**

- 1 \$25.79 million capital costs minus \$9.5M in demonstration costs so a net of \$16.3M
- 2 50 RECs are planned in 2014, growing 17% per year until 5,500 RECs in 2032 (per Comp Plan).
- 3 The SAC rate is \$700 more than urban rate each year (Amendment #2)
- 4 The SAC rate is computed to recover present value (at estimated borrow rate for this project of 2.73%) of reserve capacity portion of capital costs over 20 years.
- 5 If SAC units paid are less than planned (based on 2030 forecast), an annual Reserve Capacity Loan is automatically made (at MCES' average borrowing rate).
- 6 Principal and interest is payable on the loan annually (at year-end) with a maximum payment equal to Municipal Wastewater Charges paid in the same year.
- 7 Interest on financing at 3.6% is charged on beginning year balance payable by year end. No interest charged during year of deficiency.
- 8 Once loan balance reaches \$2M loan parameters go away and City is treated like Urban communities and loan is projected to be paid back over 10 years at 2.73%

Year	SAC Rate	SAC Units			Anticipated SAC	Actual	Reserve Capacity Loan						Year-End Balance
		Contract	Actual	Variance	Revenue based	SAC	Beginning Balance	New Borrowing	Loan Payment	Interest Rate	Interest Accrued	Principal Paid	
					on Forecast	Revenue							
2012	3,300	-	16	16	-	-	-	-	3.6%	-	-	-	(42,560)
2013	2,600	-	40	40	-	(42,560)	142,500	-	3.6%	-	-	-	99,940
2014	2,720	50	8	(42)	136,000	178,560	99,940	197,470	20,735	3.6%	3,598	-	280,273
2015	2,850	59	9	(50)	168,150	25,650	280,273	235,690	24,773	3.6%	10,090	-	501,280
2016	3,185	69	7	(62)	219,765	22,295	501,280	210,210	26,153	3.6%	18,046	-	703,384
2017	3,185	81	7	(74)	257,985	22,295	703,384	(79,625)	33,109	3.6%	25,322	-	615,971
2018	3,185	95	29	(66)	302,575	92,365	615,971	283,465	38,069	3.6%	22,175	-	883,542
2019	3,185	111	136	25	353,535	433,160	883,542	114,660	34,948	3.6%	31,808	-	995,062
2020	3,185	130	41	(89)	414,050	130,585	995,062	547,820	48,254	3.6%	35,822	-	1,530,450
2021	3,185	152	116	(36)	484,120	369,460	1,530,450	608,335	63,188	3.6%	55,096	-	2,130,693
2022	3,185	178	6	(172)	566,930	19,110							
2023	3,185	208	17	(191)	662,480	54,145							

**City of East Bethel  
MCEs Reserve Capacity Loan Agreement**

**Property Owner** City of East Bethel  
**PIN #**  
**Address**

**Loan Summary**  
Payment Type Annual  
Loan Amount 2,000,000.00  
Down Payment -  
Net Loan Amount 2,000,000.00  
Interest Rate 2.73%  
Term 10  
Annual Payment 231,241.76

**Amortization Schedule**

#	Payment Date	Loan Balance	Principal	Interest	Payment	Balance @ 12/31
1	12/31/24	2,000,000.00	176,641.76	54,600.00	231,241.76	1,823,358.24
2	12/31/25	1,823,358.24	181,464.08	49,777.68	231,241.76	1,641,894.15
3	12/31/26	1,641,894.15	186,418.05	44,823.71	231,241.76	1,455,476.10
4	12/31/27	1,455,476.10	191,507.27	39,734.50	231,241.76	1,263,968.84
5	12/31/28	1,263,968.84	196,735.41	34,506.35	231,241.76	1,067,233.42
6	12/31/29	1,067,233.42	202,106.29	29,135.47	231,241.76	865,127.13
7	12/31/30	865,127.13	207,623.79	23,617.97	231,241.76	657,503.34
8	12/31/31	657,503.34	213,291.92	17,949.84	231,241.76	444,211.42
9	12/31/32	444,211.42	219,114.79	12,126.97	231,241.76	225,096.63
10	12/31/33	225,096.63	225,096.63	6,145.14	231,241.76	0.00
		<u>2,000,000.00</u>		<u>312,417.63</u>		

**City of East Bethel**  
**MCES Reserve Capacity Loan Agreement**

**Property Owner** City of East Bethel  
**PIN #**  
**Address**

**Loan Summary**

Payment Type Annual  
 Loan Amount 2,000,000.00  
 Down Payment -  
 Net Loan Amount 2,000,000.00  
 Interest Rate 2.73%  
 Term 20  
 Annual Payment 131,098.09

**Amortization Schedule**

#	Payment Date	Loan Balance	Principal	Interest	Payment	Balance @ 12/31
1	12/31/24	2,000,000.00	76,498.09	54,600.00	131,098.09	1,923,501.91
2	12/31/25	1,923,501.91	78,586.49	52,511.60	131,098.09	1,844,915.41
3	12/31/26	1,844,915.41	80,731.90	50,366.19	131,098.09	1,764,183.51
4	12/31/27	1,764,183.51	82,935.88	48,162.21	131,098.09	1,681,247.63
5	12/31/28	1,681,247.63	85,200.03	45,898.06	131,098.09	1,596,047.59
6	12/31/29	1,596,047.59	87,526.00	43,572.10	131,098.09	1,508,521.60
7	12/31/30	1,508,521.60	89,915.45	41,182.64	131,098.09	1,418,606.14
8	12/31/31	1,418,606.14	92,370.15	38,727.95	131,098.09	1,326,235.99
9	12/31/32	1,326,235.99	94,891.85	36,206.24	131,098.09	1,231,344.14
10	12/31/33	1,231,344.14	97,482.40	33,615.70	131,098.09	1,133,861.74
11	12/31/34	1,133,861.74	100,143.67	30,954.43	131,098.09	1,033,718.07
12	12/31/35	1,033,718.07	102,877.59	28,220.50	131,098.09	930,840.48
13	12/31/36	930,840.48	105,686.15	25,411.95	131,098.09	825,154.33
14	12/31/37	825,154.33	108,571.38	22,526.71	131,098.09	716,582.95
15	12/31/38	716,582.95	111,535.38	19,562.71	131,098.09	605,047.57
16	12/31/39	605,047.57	114,580.30	16,517.80	131,098.09	490,467.28
17	12/31/40	490,467.28	117,708.34	13,389.76	131,098.09	372,758.94
18	12/31/41	372,758.94	120,921.78	10,176.32	131,098.09	251,837.17
19	12/31/42	251,837.17	124,222.94	6,875.15	131,098.09	127,614.23
20	12/31/43	127,614.23	127,614.23	3,483.87	131,098.09	(0.00)
			<u>2,000,000.00</u>	<u>621,961.89</u>		

**METROPOLITAN COUNCIL**  
390 North Robert Street, St. Paul, MN 55101  
(651) 602-1000  
**AMENDMENT**  
to  
**CONTRACT FOR SERVICES**  
Metropolitan Council Contract Number 10I024 Amendment Two  
City of East Bethel Amendment 2015 A

**WHEREAS**, the **Metropolitan Council** (“Council”) and the **City of East Bethel** (“City”), collectively, “the Parties,” entered into a Wastewater Service Agreement (“Agreement”) effective December 9, 2010, and amended on March 5, 2013; and

**WHEREAS**, the Parties have a substantially lower forecast for future growth for the region than was anticipated at the execution of the Agreement, and the City is already experiencing lower growth than anticipated; and

**WHEREAS**, the Council has determined that it is in the best interest of the Region to avoid causing the City to incur a negative credit rating through enforcing the terms of the Agreement currently in effect; and

**WHEREAS**, the Parties agree that \$9,482,681 is a reasonable estimate of the net “demonstration costs” of the effluent water infiltration permitting, design and build technology, and that this cost will provide benefits to the entire region;

**NOW THEREFORE**, in consideration of the promises made in the Agreement and through this amendment, the Agreement is amended in the following particulars:

- 1. AMENDMENT 1 to the Wastewater Service Agreement, executed on March 5, 2013, is void and will be given no legal effect.**
- 2. ARTICLE I Financial Terms and Conditions**

**ARTICLE I Financial Terms and Conditions, Sewer Availability Charges (SAC), Section 1.02 Subsection d. Paragraphs 2 and 3 and Exhibit A are all DELETED** and the following language is **INSERTED** in its place:

Council and City agree that the East Bethel SAC has been determined based on the following factors: (1) debt service and/or capital costs incurred by the Council on City-specific capital costs based on financings over a term extending to 2032 at a 2.73% interest rate for the initial facility and 4.5% for the planned future expansion (hereafter “East Bethel Cost Pool”); (2) the 2030 Comprehensive Plan forecast of 5,500 SAC units; (3) a constant SAC unit growth rate of approximately 17% annually; (4) reserve capacity determination using cumulative SAC units as forecasted for the used portion of total capacity; and (5) East Bethel SAC rate computed to recover the present value of the reserve capacity portion of debt service on the East Bethel Cost Pool as determined in (1) above, which results in an East Bethel SAC rate that will be \$700 higher than the Urban SAC Pool’s rate every year (except as noted below).

As described in Exhibit A, \$9,482,681 shall be excluded from the East Bethel Cost Pool used to determine the East Bethel SAC rate. As a result, the Council and City agree that the East Bethel SAC rate is based on \$16,302,455 of capital costs, as shown in Exhibit A, and the above factors, and the SAC rate will be \$3,185 in 2016, which is the \$2,485 urban rate plus a \$700 increment. This \$700 increment will remain in effect unless and until: i) the Reserve Capacity Loan balance reaches \$2 million, or ii) the City is qualified for and deemed a Developing Community by the Council and eligible to be treated the same for SAC purposes as the urban SAC cost pool, per the requirements of Thrive MSP 2040 and the Water Resources Policy Plan.

There will be no adjustments of charges for 2015 or prior charges.

### **3. ARTICLE I Financial Terms and Conditions**

**ARTICLE I Financial Terms and Conditions, Section 1.03 Reserve Capacity Loans** is amended with the following language being **INSERTED** as Subparagraph f:

The Reserve Capacity Loan balance will not be allowed to exceed \$2 million under any circumstances. If it reaches \$2 million, the following conditions shall immediately apply and supersede any contradictory language in this Agreement:

- 1) The then-existing East Bethel SAC rate shall be capped at the then current rate and remain fixed until the urban pool's SAC rate catches up, or until the original obligation is fully satisfied, whichever comes first. Thereafter, East Bethel will be considered part of the Urban SAC Pool.
- 2) No further Reserve Capacity Loans will accrue past the \$2,000,000 cap and the existing Reserve Capacity Loan payments will end. However, the City will pay off the \$2 million loan on a 10 - 20 year fixed amortization payment plan (with the term at the City's option) at 2.73% interest (the cost of Council's capital for the original project).

### **4. EXHIBIT A CAPITAL COSTS FOR EAST BETHEL WASTEWATER TREATMENT FACILITIES:**

EXHIBIT A CAPITAL COSTS FOR EAST BETHEL WASTEWATER TREATMENT FACILITIES is **DELETED** and EXHIBIT A Revised - FINAL CAPITAL COSTS FOR EAST BETHEL WASTEWATER TREATMENT FACILITIES is **INSERTED** in its place.

Except as amended hereby, the provisions of the above-referenced contract shall remain in force and effect without change.

*The remainder of this page is intentionally blank. Signature page to follow.*

**IN WITNESS WHEREOF**, the Parties have caused this amendment to be executed by their duly authorized representatives.

**CITY OF EAST BETHEL**

**METROPOLITAN COUNCIL**

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

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

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

\_\_\_\_\_

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

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

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

<b>EXHIBIT A REVISED</b>			
<b>FINAL CAPITAL COSTS FOR</b>			
<b>EAST BETHEL WASTEWATER TREATMENT FACILITIES</b>			
	<b>Reuse (1)</b>	<b>Non Reuse</b>	<b>Total</b>
<b>Water Reclamation Plant</b>			
Design Fees		\$1,483,069	\$1,483,069
Land Acquisition Fees (2)		\$372,111	\$372,111
Verification Total		\$565,000	\$565,000
Interceptor Storage (3)		\$600,000	\$600,000
Influent Hauling		\$175,200	\$175,200
WWTP Construction Cost (4)		\$11,827,980	\$11,827,980
61.1% of Verification Costs		\$345,215	\$345,215
MCES Administration Costs		\$346,713	\$346,713
45% of Planning		\$187,167	\$187,167
<b>Reclaimed Distribution Line and Application Basins (5)</b>			
Reclaimed Design Costs	\$660,142		\$660,142
LAB Design Costs	\$319,000		\$319,000
Reclaimed Line Land Acquisition Costs	\$363,163		\$363,163
LAB Land Acquisition Costs	\$59,800		\$59,800
MCES Reclaimed Line Construction Costs	\$6,320,851		\$6,320,851
LAB Construction Costs	\$1,096,250		\$1,096,250
Contingency	\$25,000		\$25,000
38.9% of Verification Costs	\$219,785		\$219,785
MCES Administration Costs	\$293,912		\$293,912
30% of Planning	\$124,778		\$124,778
Alternative piping cost estimate (6)		\$400,000	\$400,000
<b>Total</b>	<b>\$9,482,681</b>	<b>\$16,302,455</b>	<b>\$25,785,136</b>
<b>Wastewater Reuse Demonstration Total</b>			<b>\$9,482,681</b>
<b>Wastewater Treatment Plant Total (capital costs in the E.B. cost pool)</b>			<b>\$16,302,455</b>

**Notes:**

1. Incremental reuse demonstration costs incurred by the Region at the East Bethel plant. Costs to treat to a higher quality are not considered incremental to the reuse project because they likely would have been required for a permit to discharge into the small creek.
2. Cost of acquiring two land application sites (\$60,000 for one; free long-term use of second site) and two-thirds of the wastewater treatment plant site, which is planned to serve a portion of Oak Grove in the future.
3. Incremental cost of increasing size of influent interceptor sewer from State Trunk Highway 65 to treatment facility from 24-inch diameter to 60-inch diameter. This was built in lieu of providing storage within the wastewater treatment facility.
4. For the initial facility which has 0.41 mgd capacity.
5. Pipeline to convey treated water from wastewater treatment plant to the two initial land application facilities, and facilities designed to distribute treated water such that it infiltrates through the soil and recharges the groundwater.
6. Discharge to surface water would require a short pipeline and a discharge structure (cost is MCES engineering staff estimate; such a facility was not designed).

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** October 23, 2023

**Agenda Item Number:** Item 8.0 G.2

**Agenda Item:** City Administrator Position Update

**Background Information:**

Council member Brian Mundle has requested that any updates in the process of filling the City Administrator position be provided to City Council.

**Attachment(s):**

**Fiscal Impact:**

**Recommendation(s):**

Discussion item only.