

EAST BETHEL CITY COUNCIL MEETING

November 27, 2023

The East Bethel City Council met on November 27, 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
Rodney Sanow, Fire Chief
Aaron Berg, Community Development Director
Nate Ayshford, Public Works Manager
Mike Jeziorski, Deputy City Administrator/Finance Director

1.0 Call to Order

The November 27, 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

Mundle 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 Anoka County Sheriff's Report

Lieutenant Derek Peters presented the October 2023, Sheriff's Report, stating the Sheriff's Department responded to 375 calls for service including 2 burglaries, 8 thefts, 4 assaults, 1 damage to property, 4 PI accidents, 16 PD accidents, 58 medical, 32 animal complaints, 17 alarms, 1 felony arrest, 6 Gross Misdemeanor arrests, 4 Misdemeanor arrests, 1 drug arrest, 3 domestic assaults, 6 warrant arrests, 109 traffic stops, and 30 traffic arrests.

Miller asked if there was any update on the armed robbery. Lieutenant Peters responded that two people were placed into custody. He indicated it was still an ongoing investigation and he would not share anything specific.

Mundle asked how was the call volume in 2023 compared to other years. Lieutenant Peters responded they were within approximately 300 calls down compared to 2022. He noted with the colder months ahead, calls generally slowed down.

Informational; no action required.

4.0 B Fire Department Monthly Report

Fire Chief Sanow presented the October 2023 report and noted that they responded to 69 calls, of which 54 were medical, 4 crashes, 4 alarms, 1 burning/smoke, 2 other, 2 fires, and 2 mutual aid. He stated as of now the Fire Department has responded to 870 calls for service compared to 833 calls for service in 2022.

Sanow stated on December 9, the Fire Department along with Santa Claus will be out in the fire trucks collecting non-perishable food and other items for the North Anoka County Emergency Food

Shelf (NACE). He indicated the routes will be posted on social media. He stated food items needed were canned fruit, personal care items, box or bag cereal, juices particularly apple juice, and toilet paper.

Sanow reminded people who purchased real Christmas trees to make sure they are watered well. He stated a six-foot tree took approximately a gallon of water per day to keep it from drying out.

Mundle requested the map of Santa's route be posted on the City's website.

Lewis thanked Sanow.

Informational; no action required.

5.0 Public Forum

There were no comments made at the Public Forum.

6.0 Consent Agenda

~~Item A: Approve Bills~~

~~Item B: Cancellation of VieBit Indexing Service for Website Media Center~~

~~Item C: Resolution 2023-81, 2024 Fee Schedule Adoption~~

~~Item D: Personnel Policy Amendment: Sick and Safe Time Personnel Policy Update~~

~~Item E: Recording Secretary Contract Addendum for 2024~~

~~Item F: Approve the Successful Probationary Period Completion for Paid on Call Firefighters~~

~~Item G: Paid on Call Firefighter Hiring Request~~

~~Item H: Re-Appointment of Park Commissioner Member Al Westlund~~

~~Item I: Purchase of Playground Equipment for Coon Lake Beach Park~~

Mundle requested to pull Items F and G.

DeRoche noted there were no Minutes from the last Council meeting. Davis responded there was an issue with getting the information to the recording secretary and Carrie Frost had to correct a file. He indicated TimeSaver had the files now and both sets of Minutes would be available for approval at the next Council meeting.

Miller stated he wanted to pull Item A. Smith stated he wanted to pull Item E. Mundle stated he wanted to pull Items F and G. Lewis stated he wanted to pull Items A, B, C, D, E, and I. DeRoche stated he wanted to pull Item I.

Mundle stated I'll make a motion to approve Consent Agenda as amended. DeRoche 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.**

6.0 A Approve Bills

Lewis stated Davis had brought up before the meeting that there is a correction to one of the legal bills that was overstated, so it was a correction in the right direction, or a good direction from the City's point of view. Davis stated he had received an email from the City Attorney today who informed him there was an error in his billing. He noted the final bill will be reduced from \$5,757 to \$5,267. He recommended that correction be made.

Larson apologized for the error and stated he was glad he caught it. Lewis thanked Larson.

Miller asked what the bill for Kangas Tank was for. Davis responded that was the service the City used to clean the bottom of the water tank. He indicated there was extreme mold growth on the tank. He stated they had received 3 bids for this with the lowest bidder not being qualified to do the service, and Kangas was the second lowest bid. He noted this was the second time they have had to clean the tank and it appeared this was something that would need to be done every five to six years.

DeRoche asked what kind of chemicals were used to clean it. Davis responded it was just power washed.

Miller inquired about the professional services fee for the Summit Fire Protection. Davis responded one bill was for the monitoring of the emergency or burglary system at the water treatment plant, and the other bill was for the fire reporting system layer. He stated the bills were identical, but they were for two different services.

Lewis stated I'll make a motion to approve Item A of the Consent 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.**

6.0 B Cancellation of VieBit Indexing Service for Website Media Center

Lewis stated this was the first he has ever heard of this. He asked if they cancelled the service, which was the posting service. Davis responded it was the indexing which comes up where you can turn the broadcast or the replay on and you can go directly to the item you want to select, but the City can get the same thing done on YouTube at no charge.

Lewis asked if it would still be on the City's Media Center. Davis responded that was correct. Lewis asked if it would be loaded over from YouTube. Davis responded that was correct.

DeRoche stated the City had a terrible problem getting communication out on either YouTube which would stop or the City's Channel 10 would stop. He asked if anyone had figured this out. Davis responded there were several reasons for this. He noted the last time there was a power outage, it burned up a box that had to be replaced. He indicated staff would be recommending to the City Council in the near future to put out RFPs to explore looking at having an upgrade to the entire system to be done at the beginning of next year.

DeRoche asked if somebody could check and see during the meeting if it was broadcasting out. He indicated they would not have to sit there all night, but within the first hour or first hour and a half was usually when it would happen. Davis stated normally the City received calls, texts, and complaints that it was not working. He suggested if anyone had any issues with the broadcast, they should email or text the City, or call the next day and let Carrie Frost or him know what the issue was. He indicated that way it could be documented.

DeRoche asked the audience if they could hear them in the back of the room or was it muffled. The audience's response was inaudible. He noted they did not know how to rectify the problem as they had tried having microphones of people, but somebody forgot to take one off. He stated one of the biggest things he has heard is that people can't see the meetings.

DeRoche stated I'll make a motion to approve Item B of the Consent 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.**

6.0 C Resolution 2023-81, 2024 Fee Schedule Adoption

Lewis stated he was not "keen" on the changes and these all fall on the homeowners.

DeRoche asked what drove this from \$50 to \$100 for a permit. Davis responded generally staff had found that these were a little over the time it took to issue a permit, process a permit, and follow up on it. He noted they generally allowed 2 hours. He noted the increased charge was necessary to cover the actual cost of the time spent on it.

Lewis stated it was his feelings that these all pretty much fall on the homeowners, and he did not see the point of it, especially miscellaneous permits that do not require plan review, to increase it from 50 to 100 bucks. He stated he did not see the point of that stuff.

DeRoche stated I'll make a motion to table Item C to the next meeting. Smith 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.**

6.0 D Personnel Policy Amendment: Sick and Safe Time Personnel Policy Update

Lewis asked what did this mean and was safe time a new thing. Davis responded that is the moniker that the State of Minnesota had attached to how sick time was to be addressed. He noted this was a new law passed by the legislature effective January 1, 2024. He indicated that was their title for the revisions that are necessary to be complaint with State law.

Lewis stated I'll make a motion to approve Item D of the Consent Agenda. Mundle 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.**

6.0 E Recording Secretary Contract Addendum for 2024

Lewis stated the reason he pulled this was because of two recent episodes where there were errors made. One being the October 9 Minutes where it specifically omitted the positive comments he made about Troy Lachinski. He noted he was at the EDA meeting last week and when he reviewed the materials for the meeting where it said that Aaron Berg and Davis were at the meeting. He noted Berg was not at that meeting. He asked why would it say that Berg was at the EDA meeting when he had never been at a meeting. He stated he wanted Ms. Wirth to come before them at the next meeting to explain how these things are happening with omissions and co-missions. He stated he really would like to understand because it seemed it was not a misprint or a grammatical error or something. He stated he was perplexed since they have become the permanent record. He indicated in addition to the videos for however long they are held onto, he wanted to make sure that the minutes were right and correct. He requested Ms. Wirth attend the next meeting to answer these questions because he was still perplexed about it.

Lewis stated I'll make a motion to table approval of Item I. DeRoche 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.**

6.0 F Approve the Successful Probationary Period Completion for Paid on Call Firefighters

Mundle congratulated Tyus Carlson and Lindsay Synowczinski on their completion of the probationary period and being paid on call firefighters.

Mundle stated I'll make a motion to approve Item F of the Consent Agenda. Miller stated I'll second. Lewis asked any discussion?

DeRoche stated in the past it was normal for the Fire Chief to have those two show up at the Council meeting and introduce them to the public. He asked if this was not done any longer. An audience member made a comment which was inaudible.

DeRoche noted he was asking this because everybody knows how fair they are and this could get some more coming in. He stated this was great news.

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

6.0 G Paid on Call Firefighter Hiring Request

Mundle stated new recruit Jack Olson had applied to join the Fire Department. He congratulated Mr. Olson for initiating this endeavor and wished him luck through the probationary period and hoped after the probationary period, they could approve him as a full-time firefighter.

Mundle stated I'll make a motion to approve Item G of the Consent Agenda. Lewis 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.**

6.0 I Purchase of Playground Equipment for Coon Lake Beach Park

Lewis stated he had talked enough and requested DeRoche take this one.

DeRoche stated the purchase of playground equipment for Coon Lake Beach was long overdue. He indicated he had been on Coon Lake for two years and it seemed like they had either gotten used to the "crappy" equipment, or nothing at all. He thanked Park Council Liaison Miller for his work on this and for doing quite a bit for the beach.

Miller thanked DeRoche and stated that was one of the better meetings they had this year. He noted residents came from just about every area over there, and it was packed. He stated they had their input and got to put the choices in what they wanted. He noted Ayshford did a great job. He stated they had about \$100,000 to use this year and \$50,000 of it was going into buying all new equipment and the remaining \$50,000 was going to go into security measures, some resurfacing stuff to make it safer for the kids, safer for people who are in the area. He indicated this will really, really make the place nice and it was well overdue.

Lewis asked if the ballfield was going to be getting new equipment. DeRoche responded they got new dugouts.

Lewis asked if the little playground next to the parking lot was any of this going toward that. DeRoche responded it was kind of asking for trouble to put swing sets and stuff that close.

Lewis stated because there really isn't much space at the back of the parking lot on the east, on the west side of the parking lot where the skateboarding thing is.

Miller indicated all those demands were going to be addressed with the second half of the money. Davis stated the second half of the \$50,000 would probably be at the next Parks Commission meeting, or the first one in January to see what could be done.

Lewis stated additionally, at Maynard Peterson Park, one of the interesting things that Miller did was research on grants that were available to help exactly this kind of local investment. He asked if any grant money played into this at all, or if that is something for down the road to keep in mind. Miller responded that was something once they purchased the items, he believed some of it could be sent for reimbursement.

Davis did not believe there was any grant money associated with this. He believed it was all from either the Parks Capital or Parks Acquisition and Development Fund. He stated he did not know if the grant request had been submitted because that always gets approved by the City Council before a submission was made, but he would check that.

Lewis stated he thought that showed good initiative on your part and was promising because this is long overdue and he did not say that as someone who lives down there. He noted he was a little past the age of using the playground equipment, but he did talk to some young people down there one day and they said that what was needed was some stuff that did not have broken chunks falling off every few minutes.

Miller stated it was great that when they had a meeting in that area, they all came out in droves, which was great.

Lewis stated he was proud of them.

DeRoche stated I'll make a motion to approve Item I of the Consent 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.**

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

7.0 A Planning Commission

7.0 A.1 Conditional Use Permit: 18651 Buchanan St NE, Matt's Plumbing

Berg stated Mr. Matt Ariola, owner of Matt's Plumbing Solutions / Fish Investments, LLC., a licensed commercial and residential plumbing contractor, serving the Twin Cities Metro and surrounding area since 2009, is in search of a suitable industrial location to relocate his growing business. Matt's intends on purchasing, contingent Conditional Use Permit (CUP) approval, the existing Designing Earth Contracting location at 18651 Buchanan Street NE; Lot 2, Block 1, Saunters Commercial Park, PID: 32-33-23-24-0003.

Berg indicated the 2.16-acre property has an existing 3,000 Sq. Ft office, 5,000 sq. ft of customer parking lot, 4,500 sq. ft warehouse, and 47,000 Sq. Ft of screened exterior rear and side yard storage.

Berg stated the property is zoned Light Industrial (I) and in accordance with Appendix A, Sec. 48 (4), Construction, Trade, and Service Business are permitted by a Condition Use Permit (CUP).

Berg noted Sec. 24 (4) states that: *Exterior storage is permitted in I-1 and B-3 districts as a conditional use permit and subject to the following conditions:*

1. *Exterior storage shall be limited to the rear yard and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.*
2. *Maximum amount of exterior storage cannot exceed 2 times the square footage of the Principal Building.*
3. *Exterior storage cannot exceed the maximum allowable height of the principal building.*

Construction yards are exempt from exterior storage requirements as outlined in Section 24, 4-A, provided they are located in the rear yard behind the principal building and cannot exceed the square footage of the Principal building and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

Berg stated the 18651 Buchanan Street NE location has an existing exterior storage area, rear and side yard, approximately five times the size of the principal building; however, it's fully fenced meeting all of the screening requirements of the ordinance and reducing the visual impact from the right of way.

Berg noted accessory storage containers, as defined in Section 01. General Provisions of Administration shall not be permitted.

Berg stated Matt's seven employees and equipment will be out on jobsites daily as this is skilled labor residential or commercial jobsite service-based business. The existing 5,000 sq. ft. parking area is designated for 14 vehicles and with the abundance of exterior yard there should be sufficient parking for employees in the event more employees are added. Vehicles over 20,000 GVWR, construction equipment, and trailers shall be required to be parked in the Exterior Storage yard or behind screening.

Berg indicated the light industrial (I) district is intended and designed to provide areas of the city suitable for activities and uses that are industrial in nature. The proposed use aligns with the approved 2040 Comprehensive Plan.

Berg stated on October 14th, 2023, the Planning Commission Meet and held a public hearing. At the conclusion made a unanimous recommendation to the city council of approval of the Conditional Use Permit.

Berg recommended the City Council review the request, consider the Planning Commission's formal recommendation and approve the Conditional Use Permit as presented in Resolution 2023-77.

Lewis stated to whoever was transcribing the audio that Berg just said October 14, 2023, even though it says November. He noted he was just letting them know in the interest since he is the one "whining" about the accuracy of the minutes. He stated he would try to do his part to help.

Berg apologized and noted he was a month behind. Lewis stated, "we all do it."

Mundle stated I'll make a motion to approve the CUP as presented in Resolution 2023-77. DeRoche stated I'll second. Lewis asked any discussion?

Lewis stated it sounded like this sort of fits Mr. Ariola's business perfectly and they were happy for him and happy to have him.

Mundle thanked Mr. Ariola for coming to East Bethel, and stated if there was any way that they could be of help or assistance, to reach out.

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

7.0 B Economic Development Authority

None.

7.0 C Park Commission

None.

8.0 Department Reports

8.0 A Community Development

None.

8.0 B Engineer Report

None.

8.0 C City Attorney

None.

8.0 D Finance

None.

8.0 E Public Works

None.

8.0 F Fire Department

None.

8.0 G City Administrator Report

9.0 – Other Items

9.0 A Staff Report

None.

9.0 B Council Reports

Mundle stated he attended the EDA meeting where Gregory Frahm-Gillis provided an update on the internet solution that Anoka County was working on. He noted the grant applied for, for the fixed wireless solution was not approved. He indicated right now they are seeking a new Chief Technology Officer and once they have one in place, they would be creating a plan for 2024. He stated when they originally started this, they did set aside funds and those funds were still available, so they would be looking at how to use them to help things out.

Mundle stated the EDA also discussed some next steps in the Business Retention and Expansion program.

Mundle noted this was the last meeting Davis would be at before taking a much-deserved vacation. He thanked Davis for his 12 plus years of service to the City. Davis thanked Mundle and stated he appreciated it very much.

Lewis stated Davis had 17 years all together with East Bethel and 12 years of that as the City Administrator. He indicated they were going to give Davis a presentation of a plaque.

Mundle asked Davis if he would like to do that at a future meeting. Davis stated that was fine.

Lewis stated Matt Look was there and it seemed like a good idea to him for the incoming City Administrator to give the recognition plaque to the outgoing City Administration. He hoped it was okay. He asked if Mr. Look had anything he wanted to say.

Mr. Look stated to Davis, on behalf of a grateful community, we have a token of appreciation for your years of service, recognition of all those years of service during this time. For 17 years you've led on very difficult times. I mean, whether it's City sewer projects, or whether it's COVID or other, you know, other difficulties like that, your leadership has been very important during this time. So we want to thank you for that leadership. And we want to wish you well in your new ventures. And thank you again for everything you've done for the City of East Bethel. We have a token of appreciation for you. Davis thanked him.

9.0 C Other

None.

9.0 D Closed Session

9.0 D.1 Purchase or Sale of Real Property M.S. Section 13D.0 subd. 3(c); Discussion of Sale of City Property: PIN 36-33-23-34-0002

Larson stated thank you Mr. Mayor. For the benefit of the public, we'd note that at this time the Council's about to go into Closed Session to review purchase or sale of real property M.S. Section 13D.0 Subd. 3(c); Discussion of Sale of City Property: PIN 36-33-23-34-0002.

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

Mundle stated I'll make a motion to go into Closed Session at 7:46 p.m. for the purposes that City Attorney's indicated. Miller stated I'll second. Lewis asked any discussion? All in favor say aye? **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

(Council moved into Closed Session.)

(Council reconvenes Open Session.)

Larson stated thank you Mr. Mayor. For the benefit of the public and for the record, we note the Council is back in Open Session after having concluded a Closed Session. He indicated the results of the Closed Session, a motion was made and seconded and passed an action item that the City staff should pursue the discussion of the sale of City property.

10.0 Adjourn

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

Meeting adjourned at 8:03 PM.

Submitted by:

Kathy Altman

TimeSaver Off Site Secretarial, Inc.