

**City of East Bethel  
City Council Agenda  
City Council Regular Meeting  
Date: March 11, 2024 at 7:00 p.m.**



The regular City Council meeting may be monitored live via the following means:  
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel  
([www.youtube.com/channel/UC8\\_7ShcME-XG14pN5JrmBGg/live](http://www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live))

**7:00 PM**

**1.0 Call to Order**

**2.0 Pledge of Allegiance**

**3.0 Adopt Agenda**

**4.0 Presentations and Public Hearings**

**5.0 Public Forum**

**6.0 Consent Agenda (p. 3-4)**

***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. 5-8)
- B. Minutes: February 24, 2024 City Council meeting (p. 9-12)
- C. MCES Reserve Capacity Loan Agreement Ratification (p. 13-15)
- D. Approve MN Lawful Gambling 2023 LG510 Report (p. 16-18)
- E. Successful Completion of Probationary Period: Finance Coordinator

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

- A. Planning Commission
  - 1. Variance Request – 19455 4<sup>th</sup> St NE (p. 19-24)
- 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

**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:** March 11, 2024

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

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

**Background Information:**

Item A - Approve Bills

Item B – February 24, 2024 City Council Meeting Minutes

Minutes from the February 24, 2024 City Council meeting are attached for your review.

Item C – MCES Reserve Capacity Loan Agreement Ratification

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 MCES in 2032.

The Reserve Capacity Loan balance hit the maximum level of \$2,000,000 at the end of December 31, 2023 and thus has triggered the initiation of the payback of this loan. The loan amortization agreement with the MCES that was approved in the 2015 amendment allowed 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 past and future SAC charges as the revenue source to pay this debt. Council has discussed length of loan options at past Council meetings. After these discussions the direction given was to follow the amortization schedule for a 10 year term with an annual payment of \$231,241.76 and total interest paid of \$312,417.63.

Staff recommends that Council approve the attached Loan Agreement with MCES that stipulates a 10 year amortization at 2.73% for the \$2,000,000 Reserve Capacity Loan.

Item D – Approve MN Lawful Gambling 2023 LG510 Report

The City of East Bethel has five licensed organizations that offer charitable gambling at various locations throughout the City. Per City ordinance, each organization is required to contribute 10% of their net profits to the City on a monthly basis. The City recorded \$79,460.74 in gambling contribution revenue for 2023. Each year the City is required to submit a LG510 Annual Report, 10% Lawful Gambling Contribution Fund report to the MN Lawful Gambling Board. This report chronicles the amount of gambling contribution revenue earned and identifies where the gambling funds were used. Staff has completed this form and earmarked that the funds were

used for (A10) expenditures for police, fire, and other emergency or public safety-related services, equipment and training—more specifically the 2023 Law Enforcement Contract with Anoka County. Staff recommends Council approve the LG510 Annual Report and direct its submission to the MN Lawful Gambling Board before the 3/15/24 deadline.

**Item E – Successful Completion of Probationary Period: Finance Coordinator**

Emily Jabs began as the City of East Bethel Finance Coordinator on September 26, 2023. As a condition of the hire, a 6 month probationary period is required of all new employees to enable the City to evaluate their performance and ensure they have demonstrated the ability to perform the duties of the position. Ms. Jabs has completed her probationary period and has met all the requirements of the position, has been proficient in her duties and her performance has been excellent. Staff recommends her appointment as a regular employee based on the successful completion of the six month probationary period.

**Fiscal Impact:** As noted above

**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

March 11, 2024

## Payment Summary

| Payments for Council Approval          |                               |                |                                    |      |       |              |
|--|-------------------------------|----------------|------------------------------------|------|-------|--------------|
| Bills to be approved for payment       |                               |                |                                    |      |       | \$121,816.32 |
| Electronic Payroll Payments            |                               |                |                                    |      |       | \$32,371.12  |
| Payroll City Staff - February 29, 2024 |                               |                |                                    |      |       | \$41,645.14  |
| Total to be Approved for Payment       |                               |                |                                    |      |       | \$195,832.58 |
| Dept Descr                             | Object Descr                  | Invoice        | Check Name                         | Fund | Dept  | Amount       |
| Arena Operations                       | Bldg/Facility Repair Supplies | 45092          | AIM Electronics, Inc.              | 615  | 49851 | \$39,495.00  |
| Arena Operations                       | Bldg/Facility Repair Supplies | 37712          | Blaine Lock & Safe, Inc.           | 615  | 49851 | \$25.50      |
| Arena Operations                       | Bldg/Facility Repair Supplies | S103482316.001 | Dakota Supply Group                | 615  | 49851 | \$85.01      |
| Arena Operations                       | Bldg/Facility Repair Supplies | 27788          | Menards - Forest Lake              | 615  | 49851 | \$66.89      |
| Arena Operations                       | Bldg/Facility Repair Supplies | 27814          | Menards - Forest Lake              | 615  | 49851 | (\$31.96)    |
| Arena Operations                       | Bldg/Facility Repair Supplies | 27816          | Menards - Forest Lake              | 615  | 49851 | \$37.96      |
| Arena Operations                       | Bldg/Facility Repair Supplies | 27860          | Menards - Forest Lake              | 615  | 49851 | (\$37.96)    |
| Arena Operations                       | Bldg/Facility Repair Supplies | 27862          | Menards - Forest Lake              | 615  | 49851 | \$32.98      |
| Arena Operations                       | Bldg/Facility Repair Supplies | 9645           | Menards Cambridge                  | 615  | 49851 | (\$12.38)    |
| Arena Operations                       | Bldgs/Facilities Repair/Maint | 35031160185    | Wright-Hennepin Coop Electric      | 615  | 49851 | \$30.95      |
| Arena Operations                       | General Operating Supplies    | 37611          | Blaine Lock & Safe, Inc.           | 615  | 49851 | \$11.25      |
| Arena Operations                       | Professional Services Fees    | 100115         | Gibson's Management Company        | 615  | 49851 | \$10,000.00  |
| Arena Operations                       | Refuse Removal                | 10271490T067   | Ace Solid Waste, Inc.              | 615  | 49851 | \$322.10     |
| Arena Operations                       | Telephone                     | 03 2024        | T MOBILE                           | 615  | 49851 | \$29.36      |
| Assessing                              | Professional Services Fees    | 1st Qtr 2025   | Kenneth A. Tolzmann                | 101  | 41550 | \$14,877.50  |
| Building Inspection                    | Motor Fuels                   | 25136039       | Mansfield Oil Company              | 101  | 42410 | \$220.79     |
| Central Services/Supplies              | Office Supplies               | 1024863178     | Pitney Bowes Inc.                  | 101  | 48150 | \$149.38     |
| City Administration                    | Legal Notices                 | 986844         | ECM Publishers, Inc.               | 101  | 41320 | \$108.90     |
| City Administration                    | Office Equipment Rental       | 3106524508     | Pitney Bowes Global Financial Svcs | 101  | 41320 | \$165.33     |
| City Administration                    | Office Supplies               | IN4474899      | Innovative Office Solutions        | 101  | 41320 | \$103.53     |
| City Administration                    | Professional Services Fees    | 1768           | Metro-Inet                         | 101  | 41320 | \$149.00     |
| City Administration                    | Professional Services Fees    | M28958         | TimeSaver Off Site Secretarial     | 101  | 41320 | \$410.63     |
| Elections                              | General Operating Supplies    |                | Carrie Frost                       | 101  | 41410 | \$25.92      |
| Finance                                | Auditing and Acct g Services  | 484432         | Abdo LLP                           | 101  | 41520 | \$13,500.00  |
| Finance                                | Sales Tax Remittance          | 02 2024        | Minnesota Revenue                  | 101  |       | \$186.00     |
| Fire Department                        | General Operating Supplies    | 1004860        | Ham Lake Hardware                  | 101  | 42210 | \$27.97      |
| Fire Department                        | General Operating Supplies    | 9680           | Menards Cambridge                  | 101  | 42210 | \$210.46     |
| Fire Department                        | Motor Fuels                   | 25136002       | Mansfield Oil Company              | 101  | 42210 | \$440.52     |
| Fire Department                        | Motor Fuels                   | 25136039       | Mansfield Oil Company              | 101  | 42210 | \$351.25     |
| Fire Department                        | Motor Vehicles Parts          | 0000062414     | Rosenbauer Minnesota LLC           | 101  | 42210 | \$477.87     |
| Fire Department                        | Refuse Removal                | 10271490T067   | Ace Solid Waste, Inc.              | 101  | 42210 | \$37.84      |
| Fire Department                        | Refuse Removal                | 10271490T067   | Ace Solid Waste, Inc.              | 101  | 42210 | \$92.06      |
| Fire Department                        | Repairs/Maint Machinery/Equip | 7902           | Alex Air Apparatus 2 Inc           | 101  | 42210 | \$904.37     |
| Fire Department                        | Repairs/Maint Machinery/Equip | 7903           | Alex Air Apparatus 2 Inc           | 101  | 42210 | \$802.47     |
| Fire Department                        | Shop Supplies                 | ABR0326508X    | MN Dept Labor & Industry           | 101  | 42210 | \$20.00      |
| Fire Department                        | Telephone                     | 13864340213877 | Midcontinent Communications        | 101  | 42210 | \$435.67     |
| Fire Department                        | Telephone                     | 03 2024        | T MOBILE                           | 101  | 42210 | \$29.36      |
| Fire Department                        | Telephone                     | 03 2024 - 2    | T MOBILE                           | 101  | 42210 | \$99.70      |
| Fire Department                        | Telephone                     | 9956988066     | Verizon                            | 101  | 42210 | \$1,120.28   |



# City of East Bethel

March 11, 2024

## Payment Summary

|                              |                               |              |                               |     |       |            |
|------------------------------|-------------------------------|--------------|-------------------------------|-----|-------|------------|
| General Govt Buildings/Plant | Bldg/Facility Repair Supplies | 28708        | Menards - Forest Lake         | 101 | 41940 | \$37.49    |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 319931183    | Premium Waters, Inc.          | 101 | 41940 | \$9.40     |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 319931184    | Premium Waters, Inc.          | 101 | 41940 | (\$0.90)   |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 50045        | Robert B. Hill Company        | 101 | 41940 | \$18.00    |
| General Govt Buildings/Plant | Bldgs/Facilities Repair/Maint | 35031160040  | Wright-Hennepin Coop Electric | 101 | 41940 | \$23.95    |
| General Govt Buildings/Plant | General Operating Supplies    | 17023        | The Collins Group, Inc.       | 101 | 41940 | \$741.51   |
| General Govt Buildings/Plant | Refuse Removal                | 10271490T067 | Ace Solid Waste, Inc.         | 101 | 41940 | \$93.46    |
| Mayor/City Council           | Professional Services Fees    | 294123       | CivicPlus                     | 101 | 41110 | \$602.32   |
| Park Maintenance             | Clothing & Personal Equipment | 4184709926   | Cintas Corporation            | 101 | 43201 | \$33.69    |
| Park Maintenance             | Clothing & Personal Equipment | 4185432173   | Cintas Corporation            | 101 | 43201 | \$35.38    |
| Park Maintenance             | Equipment Parts               | 258947       | Diamond Mowers                | 101 | 43201 | \$364.04   |
| Park Maintenance             | Equipment Parts               | 114536032    | Fleet Pride                   | 101 | 43201 | \$28.70    |
| Park Maintenance             | Equipment Parts               | 114779246    | Fleet Pride                   | 101 | 43201 | \$31.64    |
| Park Maintenance             | Equipment Parts               | 114779377    | Fleet Pride                   | 101 | 43201 | \$21.88    |
| Park Maintenance             | Equipment Parts               | 114871508    | Fleet Pride                   | 101 | 43201 | \$18.00    |
| Park Maintenance             | Equipment Parts               | 114871613    | Fleet Pride                   | 101 | 43201 | \$43.22    |
| Park Maintenance             | Equipment Parts               | P55292       | MN Equipment                  | 101 | 43201 | \$185.61   |
| Park Maintenance             | Equipment Parts               | P55293       | MN Equipment                  | 101 | 43201 | \$138.53   |
| Park Maintenance             | Equipment Parts               | P55308       | MN Equipment                  | 101 | 43201 | \$186.99   |
| Park Maintenance             | Equipment Parts               | 1539-248524  | O'Reilly Auto Stores Inc.     | 101 | 43201 | \$16.64    |
| Park Maintenance             | Motor Fuels                   | 25136002     | Mansfield Oil Company         | 101 | 43201 | \$847.16   |
| Park Maintenance             | Motor Fuels                   | 25136039     | Mansfield Oil Company         | 101 | 43201 | \$301.07   |
| Park Maintenance             | Motor Fuels                   |              | River Country Cooperative     | 101 | 43201 | \$36.56    |
| Park Maintenance             | Park/Landscaping Materials    | 0585382-IN   | Beacon Athletics              | 101 | 43201 | \$253.00   |
| Recycling Operations         | Professional Services Fees    | 03 2024      | Cedar East Bethel Lions       | 226 | 43235 | \$419.72   |
| Recycling Operations         | Professional Services Fees    | 03 2024      | Cedar East Bethel Lions       | 226 | 43235 | \$1,300.00 |
| Recycling Operations         | Professional Services Fees    | 3334b        | Evergreen Recycling           | 226 | 43235 | \$960.00   |
| Recycling Operations         | Refuse Removal                | 10271490T067 | Ace Solid Waste, Inc.         | 226 | 43235 | \$604.53   |
| Sewer Operations             | Bldgs/Facilities Repair/Maint | INV023584    | Minnesota Pump Works          | 602 | 49451 | \$5,137.75 |
| Sewer Operations             | Professional Services Fees    | 0001169397   | Metropolitan Council Env Svcs | 602 | 49451 | \$6,071.09 |
| Street Maintenance           | Bldg/Facility Repair Supplies | 27935        | Menards - Forest Lake         | 101 | 43220 | \$32.19    |
| Street Maintenance           | Bldgs/Facilities Repair/Maint | 4184709926   | Cintas Corporation            | 101 | 43220 | \$9.19     |
| Street Maintenance           | Bldgs/Facilities Repair/Maint | 4185432173   | Cintas Corporation            | 101 | 43220 | \$9.65     |
| Street Maintenance           | Bldgs/Facilities Repair/Maint | 319931183    | Premium Waters, Inc.          | 101 | 43220 | \$9.40     |
| Street Maintenance           | Bldgs/Facilities Repair/Maint | 319931184    | Premium Waters, Inc.          | 101 | 43220 | (\$0.90)   |
| Street Maintenance           | Clothing & Personal Equipment | 4184709926   | Cintas Corporation            | 101 | 43220 | \$33.68    |
| Street Maintenance           | Clothing & Personal Equipment | 4185432173   | Cintas Corporation            | 101 | 43220 | \$35.38    |
| Street Maintenance           | Clothing & Personal Equipment |              | Jeremiah Haller               | 101 | 43220 | \$99.99    |
| Street Maintenance           | Equipment Parts               | 138752       | AMERICAN PRESSURE INC         | 101 | 43220 | \$638.46   |
| Street Maintenance           | Equipment Parts               | 140007       | AMERICAN PRESSURE INC         | 101 | 43220 | \$51.33    |
| Street Maintenance           | Equipment Parts               | 334693       | S & S Industrial Supply       | 101 | 43220 | \$4.20     |
| Street Maintenance           | Motor Fuels                   | 25136002     | Mansfield Oil Company         | 101 | 43220 | \$2,100.95 |
| Street Maintenance           | Motor Fuels                   | 25136039     | Mansfield Oil Company         | 101 | 43220 | \$130.46   |
| Street Maintenance           | Motor Vehicles Parts          | 114662169    | Fleet Pride                   | 101 | 43220 | (\$119.36) |
| Street Maintenance           | Motor Vehicles Parts          | 467035       | Towmaster                     | 101 | 43220 | \$153.33   |
| Street Maintenance           | Professional Services Fees    | 4020358      | Gopher State One-Call         | 101 | 43220 | \$12.15    |
| Street Maintenance           | Refuse Removal                | 10271490T067 | Ace Solid Waste, Inc.         | 101 | 43220 | \$269.97   |



# City of East Bethel

March 11, 2024

## Payment Summary

|                          |                               |             |                               |     |       |                     |
|--------------------------|-------------------------------|-------------|-------------------------------|-----|-------|---------------------|
| Street Maintenance       | Small Tools and Minor Equip   | 1539-248720 | O'Reilly Auto Stores Inc.     | 101 | 43220 | \$15.99             |
| Street Maintenance       | Street Maint Materials        | 1305530     | Compass Minerals              | 101 | 43220 | \$14,684.17         |
| Street Maintenance       | Telephone                     | 03 2024     | T MOBILE                      | 101 | 43220 | \$29.36             |
| Water Utility Operations | Bldgs/Facilities Repair/Maint | 35031160040 | Wright-Hennepin Coop Electric | 601 | 49401 | \$42.95             |
| Water Utility Operations | Refund Overpayment            |             | Foxx, Tyler and Morgan        | 601 |       | \$11.85             |
|                          |                               |             |                               |     |       | <b>\$121,816.32</b> |



# City of East Bethel

March 11, 2024

## Payment Summary

| Electronic Payroll Payments |                      |                    |
|-----------------------------|----------------------|--------------------|
| Payroll                     | PERA                 | \$9,869.83         |
| Payroll                     | Federal Withholding  | \$4,505.27         |
| Payroll                     | Medicare Withholding | \$1,859.44         |
| Payroll                     | FICA Tax Withholding | \$7,061.50         |
| Payroll                     | State Withholding    | \$2,768.73         |
| Payroll                     | MSRS/H.S.A./HCSP     | \$6,306.35         |
|                             |                      | <b>\$32,371.12</b> |
|                             |                      |                    |

# DRAFT MINUTES: NOT YET APPROVED

## EAST BETHEL CITY COUNCIL MEETING

February 26, 2024

The East Bethel City Council met on February 26, 2024, 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:** Eric Larson, City Attorney  
Rodney Sanow, Fire Chief  
Aaron Berg, Community Development Director  
Mike Jeziorski, Deputy City Administrator/Finance Director

### **1.0 Call to Order**

The February 26, 2024, 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. 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.**

### **4.0 Presentations and Public Hearings**

#### **4.0 A Anoka County Sheriff's Report**

Lieutenant Derek Peters presented the January 2024, Sheriff's Report, stating the Sheriff's Department responded to 363 calls for service including five thefts, 5 assaults, 4 PI accidents, 23 PD accidents, 62 medical, 19 animal complaints, 24 alarms, 6 felony arrests, 2 Gross Misdemeanor arrests, 10 Misdemeanor arrests, 3 DUI arrests, 1 drug arrest, 1 domestic arrests, 2 warrant arrests, 106 traffic stops, and 16 traffic arrests.

Mundle thanked, in light of the events that occurred in Burnsville recently, Lieutenant Peters, his co-workers, and the Fire Department for doing the jobs they did and putting themselves in potentially dangerous situations for everyone else.

DeRoche inquired if that was the reason Lieutenant Peters was wearing a black ribbon. Lieutenant Peters responded that was correct and all staff would be wearing the black ribbons in honor of the officers and paramedic who were killed last week.

DeRoche and Lewis also thanked Lieutenant Peters.

**Informational; no action required.**

#### **4.0 B Fire Department Monthly Report**

Fire Chief Sanow presented the January 2024 report and noted that they responded to 77 calls, of which 59 were medical, 5 crashes, 7 alarms, 1 burning/smoke, 2 other, 1 fire, 2 mutual aid. He stated with the dryer weather, residents should check the DNR website for any burning restrictions.

Mundle thanked the Chief and all of the firefighters for all they did.

**Informational; no action required.**

**4.0 C Public Hearing: On-Site Liquor License for MC’s Garage East Bethel**

Jeziorski recommended the Council conduct a public hearing regarding On Sale/Sunday Sale Liquor License for Muddy Cow East Bethel, LLC. He indicated this public hearing was properly noticed.

Jeziorski indicated the applicant is the new owner of this building and all application materials, completed background checks, and fees have been submitted. He noted final approval of the license would be contingent upon approval of the State Commissioner of Public Safety.

Lewis opened the public hearing at 7:11 p.m.

There were no comments.

Lewis closed the public hearing at 7:12 p.m.

**Miller stated I’ll make a motion to approve the On Sale/Sunday Liquor License for Muddy Cow East Bethel, LLC, dba: MC’s Garage – East Bethel located at 21383 Ulysses Street NE, East Bethel, MN.**

**Smith stated I’ll second.** Lewis asked any discussion?

DeRoche inquired about the names. Jeziorski responded he did not know the answer to that but he would find out and let the Council know tomorrow.

Mundle asked with this business, would they be taking a different direction than the other Muddy Cows in the area. Berg responded they would have a different theme. Jeziorski indicated it was his understanding it would be the same kind of a restaurant with a different theme.

Berg noted Muddy Cow had submitted a preliminary sign, but it had not been approved yet.

DeRoche asked if the septic system was being worked on. Berg responded no work was being done without a permit. He noted when the transfer of property was completed a compliance inspection would be done in compliance with the City Ordinance and State rules.

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

**Motion passes unanimously.**

**5.0 Public Forum**

There were no comments.

**6.0 Consent Agenda**

Item A: Approve Bills

Item B: Approve Meeting Minutes February 12, 2024 City Council Work Meeting

Item C: Resolution 2024-18, Amending Deadline in Resolution 2023-26

~~Item D: Resolution 2024-19, Gambling Permit for Coon Rapids Youth Hockey Assoc.~~

Item E: IUP 2016-16 Renewal

Item F: Resolution 2024-20, Restricting Parking on 209th Avenue & Davenport Street

DeRoche requested to pull Item D.

**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 D Resolution 2024-19, Gambling Permit for Coon Rapids Youth Hockey Association**

DeRoche asked if Coon Rapids Youth Hockey Association would receive all of the proceeds. Lewis indicated it was his understanding that St. Francis would receive the proceeds. Mundle stated he also understood that.

DeRoche asked what part of it went to the East Bethel kids. Jeziorski responded all of the entities on a monthly basis supplied the City with ten percent of their net profits which at the end of the year the City has historically used that to fund the law enforcement contract.

Lewis noted right now St. Francis Youth Hockey were the only organized group playing there.

Mundle stated St. Francis Youth Hockey Association was not just St. Francis and it did cover East Bethel as well as a couple of other cities and before any funds were turned over to the City, the funds they received went back to them to benefit their group. The ten percent to the City was applied towards the law enforcement contract, which was decided because there were only a certain number of allowable ways the City could spend those funds. Lewis agreed the funds were restricted.

DeRoche stated he would take this as is and would follow-up on this another time.

**DeRoche 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.**

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

No reports given.

**8.0 Department Reports**

**8.0 A Community Development**

None.

**8.0 B Engineer Report**

None.

**8.0 C City Attorney**

Larson stated this was his one-year anniversary serving as the City Attorney and he thanked the Council for the honor and privilege that he has had serving as the City Attorney for the last 12 months and he looked forward to the remainder of 2024. Lewis stated they appreciated his efforts on their behalf. Mundle and Lewis wished him a Happy Anniversary.

**8.0 D Finance**

Lewis asked how was the audit coming along. Jeziorski responded the audit was complete and now they were waiting for the final reports to be reviewed to be ready at either the last meeting in March or the first meeting in April for the Council to review.

Lewis asked if there were any big surprises. Jeziorski responded there were not and everything finished out the way that was previously discussed.

Lewis stated with Jeziorski in charge, he expected nothing else.

**8.0 E Public Works**

None.

**8.0 F Fire Department**

None.

1 **8.0 G City Administrator Report**

2 None.

3

4 **9.0 – Other Items**

5 **9.0 A Staff Report**

6 None.

7

8 **9.0 B Council Reports**

9 DeRoche asked on the piece of land on Coon Lake beach that was going to be bought, did it ever go  
10 through. Berg responded they were still working on it and they were getting close. He noted he had  
11 worked on it today with the City Attorney.

12 **9.0 C Other**

13 None.

14

15 **10.0 Adjourn**

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

18 Meeting adjourned at 7:22 PM.

19 Submitted by:

20 Kathy Altman

21 *TimeSaver Off Site Secretarial, Inc.*

**METROPOLITAN COUNCIL**  
390 North Robert Street, St. Paul, MN 55101  
(651) 602-1000  
**LOAN AGREEMENT TERMS**  
For \$2 million loan referred to in  
**Amendment 2 of Metropolitan Council Contract #10I024**  
City of East Bethel

**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, which was amended March 2013 and June 2017 (Amendment 2)

**WHEREAS, AMENDMENT 2**, executed in June 2017, states:

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).

**WHEREAS**, East Bethel had 17 SAC units in 2023 which resulted in a year-end reserve capacity loan balance of \$2.1 million, which exceeds the \$2 million maximum.

**NOW THEREFORE**, East Bethel will not need to make its usual reserve capacity loan payment in 2023 but instead agrees to the following repayment terms and amortization schedule to pay off the \$2 million loan:

1. A 10-year term with additional principal payments allowed at any time to reduce the loan balance, interest cost, and term.
2. 2.73% interest rate.
3. Annual payments due end of September.
4. Amortization schedule as follows:

|      | 2.73%               |                   | Loan Amount:        | <b>\$2,000,000</b>      |
|------|---------------------|-------------------|---------------------|-------------------------|
|      | <u>principal</u>    | <u>interest</u>   | <u>payment</u>      | <u>Year-end balance</u> |
| 2024 | \$176,641.76        | \$54,600.00       | \$231,241.76        | \$1,823,358.24          |
| 2025 | \$181,464.08        | \$49,777.68       | \$231,241.76        | \$1,641,894.15          |
| 2026 | \$186,418.05        | \$44,823.71       | \$231,241.76        | \$1,455,476.10          |
| 2027 | \$191,507.27        | \$39,734.50       | \$231,241.76        | \$1,263,968.84          |
| 2028 | \$196,735.41        | \$34,506.35       | \$231,241.76        | \$1,067,233.42          |
| 2029 | \$202,106.29        | \$29,135.47       | \$231,241.76        | \$865,127.13            |
| 2030 | \$207,623.79        | \$23,617.97       | \$231,241.76        | \$657,503.34            |
| 2031 | \$213,291.92        | \$17,949.84       | \$231,241.76        | \$444,211.42            |
| 2032 | \$219,114.79        | \$12,126.97       | \$231,241.76        | \$225,096.63            |
| 2033 | <u>\$225,096.63</u> | <u>\$6,145.14</u> | <u>\$231,241.76</u> | \$0.00                  |
|      | \$2,000,000.00      | \$312,417.63      | \$2,312,417.63      |                         |

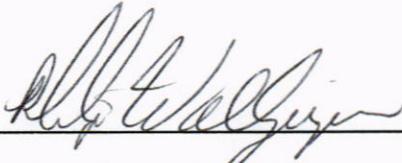
*The remainder of this page is intentionally blank. Signature page to follow.*

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: Philip Walljasper**

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

**Its: Interim Regional Administrator**

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

**Date:** 2-13-2024

\_\_\_\_\_

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

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

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

**LG510 City or County Annual Report, 10% Lawful Gambling Contribution Fund**

**10% Lawful Gambling Contribution Fund Allowance**

Minnesota Statutes, Section 349.213, Subdivision 1, Paragraph (f)(2), allows a city or county to require (by ordinance) an organization to contribute up to 10% per year of net profits to a fund that the city or county administers.

**For purposes of the 10% contribution, net profits are gross profits less amounts expended for that site's allowable expenses and portion of lawful gambling taxes.**

- \* The 10% contribution requirement may only be applied to net profits derived from lawful gambling conducted at premises within the city or county's jurisdiction.
- \* A city or county may request from an organization a copy of the site's LG100A showing that site's net profit.
- \* Organizations must make 10% fund checks payable to the city or county requiring the funds, and not to any other payee.
- \* A licensed organization that contributes to the 10% fund may not be a beneficiary of that fund.
- \* A required contribution is different from a voluntary contribution to units of government (under lawful purpose Code A10) for government programs and projects, and cities or counties are not required to report voluntary contributions to the Board.

**City or County Information**

City or County Name (may not be township): \_\_\_\_\_ This report is for calendar year 20\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_, MN Zip: \_\_\_\_\_

**Financial Information, 10% Lawful Gambling Contribution Fund**

- 1. Contribution rate** ..... 1. \_\_\_\_\_ %
  - Up to 10% per year of net profits (may not exceed 10%; may not be a variable rate).
- 2. Fund balance as of December 31 of previous calendar year** ..... 2. \$ \_\_\_\_\_
  - If none or negative, enter 0.
- 3. Interest earned, if any, on fund balance for the calendar year** ..... 3. \$ \_\_\_\_\_
- 4. Contributions received from licensed organizations for the 10% contribution fund:**
  - Use separate line for each site in your jurisdiction; use additional sheets if necessary.
  - You may use one total for "Amount Contributed" per organization, rather than per site.
  - Checks for contributions to the 10% fund **must be written to the city or county** and deposited in a fund administered by the city or county before the city or county may make expenditures from this fund.
  - Do not include amounts received for a local gambling regulatory tax or an investigation fee, or any voluntary contributions made to a city or county by an organization (see LG555).

| Name of Licensed Organization | Organization License # | Site/Premises Name | Amount Contributed |
|-------------------------------|------------------------|--------------------|--------------------|
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |
|                               |                        |                    |                    |

**Enter total amount contributed on Line 4** 4. \$ \_\_\_\_\_

- 5. Total required contributions and interest (add Lines 2, 3, and 4)** ..... 5. \$ \_\_\_\_\_
- 6. From Page 2, enter total of expenditures the city or county made from its 10% fund** ..... 6. \$ \_\_\_\_\_  
 (Note: The Line 6 amount may not exceed the amount of Line 5.)
- 7. Year-end balance on December 31** (Line 5 minus Line 6; enter 0 if negative balance) ..... 7. \$ \_\_\_\_\_

**Continued on Page 2**

**LG510 City or County Annual Report—10% Lawful Gambling Contribution Fund**

City or County Name:

**Expenditures from 10% Contribution Fund - Payee/Recipient Information**

6. List all expenditures made from the 10% contribution fund, using the A codes listed on Page 3 to describe the purpose of the contribution. Expenditures may only be used for the A code purposes listed on Page 3. Include a detailed description of each expenditure. Note: Contributions made from a city’s or county’s 10% lawful gambling contribution fund are subject to the same expenditure requirements as licensed lawful gambling organizations. Contributions may not be made to organization contributing to the 10% fund.

| Code*           | Payee/Recipient | Detailed Description/Purpose of Expenditure | Amount |
|-----------------|-----------------|---|--------|
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
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| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| A               |                 |   |        |
| <b>6. TOTAL</b> |                 |   | \$     |

\* Use the Codes listed on Page 3

(Enter Total on Page 1, Line 6)



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



**Date:** March 11, 2024

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

**Agenda Item:** Variance Request – General Regulations -Detached Accessory Structure placement nearer to Front Lot Line than Primary Structure – 19455 4TH St NE – Geno Brese.

**Background Information:** This property is located in the RR Rural Residential Zoning District and is located within the Norseland Manor Subdivision. The property owner is requesting a variance for the placement of a detached accessory structure closer to the street than the primary structure, on the South side of the lot.

Zoning Appendix A. General Regulations – Section 14-2.F states, “No accessory building or detached private garage shall be located nearer the front lot line than the principal building except when the lot is three acres or greater and the existing principal building is located a minimum of 200 feet from the lot line. Then the accessory building or detached private garage may be located closer to the front lot line than the principal dwelling, but not closer than 50 percent of the principal dwelling’s setback. This property is 1.09 acres, with the primary structure set back approximately 95 feet from the front lot line. This request does not meet the criteria set forth to allow the structure to be placed closer to the road, so a variance would be required for the placement of a detached accessory structure.

Consideration of a variance requires the Planning Commission to consider a three-factor test for practical difficulties:

- The first factor, a test of reasonableness, means that the landowner would like to use the property in a practical way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.
- In this case:
  - ***Accessory Structures are a permitted accessory use in the RR Single Family Residential Zoning District.***
- The second factor is that the landowner’s problem 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 piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands.
- In this case:
  - ***This property is relatively flat with a 2 foot change in elevation across the 1 + acre lot.***
  - ***The primary residence was constructed in 1986 and built in the center of the lot.***
  - ***The well and septic are located on the North side of the residence.***
  - ***There are 25 foot side yard setbacks in the RR Single Family Residential Zoning District. The house is located approximately 88 feet from the side yard property line.***

- ***There are 25 foot rear yard setbacks in the RR Single Family Residential Zoning District. There is 125 feet between the front foundation and the rear property line.***
  - ***Zoning code allows for a 1,240 sq. foot detached accessory building (30' X 40') maximum for a property this size.***
  - ***The adjacent property has a significant stand of evergreen trees which straddle the property line.***
  - ***There is a 10 foot concrete slab on the South side of the attached garage.***
  - ***There is a row of arborvitae bushes/ trees (5) adjacent to the slab.***
- The third factor is that a variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.
  - In this case:
    - ***Thirty seven (37) of the 74 parcels in Norseland Manor have detached accessory structures.***
    - ***Three (3) of the thirty seven (37) are nearer the front line than the primary structure were constructed prior to 2008.***
    - ***Section 14 - Detached Accessory Structure Ordinance was amended on 3/9/2020.***
    - ***Standing tree growth between the proposed detached accessory structure and the front property line may screen it from view from the public roadway.***

**Planning Commission:** On 2/27/2404, the Planning Commission Meeting held a Public Hearing and after discussion recommends approval of the variance to the City Council.

**Recommendation:** City Council should review the request, consider the Planning Commission’s formal recommendation and approve the variance as presented in Resolution 2024-21.

**Attachments:**

1. Resolution 2024-21, Approving Variance
2. Location Map
3. Aerial Map

**City Council Action:**

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

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

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

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

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

**RES. NO. 2024-21**

**A RESOLUTION GRANTING A VARIANCE FOR THE PLACEMENT OF A STRUCTURE NEARER TO THE FRONT PROPERTY LINE THAN THE PRINCIPAL STRUCTURE FOR THE CONSTRUCTION OF A RESIDENTIAL DETACHED ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 19455 4<sup>TH</sup> ST NE (PIN: 30-33-23-24-0016 )**

**NORSELAND MANOR LOT 10 BLK 5 NORSELAND MANOR (SUBJ TO EASE AS SHOWN ON PLAT)**

**WHEREAS**, the property owner requested a variance for the placement of a detached accessory structure nearer to the front property line than the principal structure for the construction of a residential detached accessory structure, and;

**WHEREAS**, the Planning Commission held a public hearing on February 27, 2024; and,

**WHEREAS**, the Planning Commission finds the request:

1. Is a reasonable use of the property;
  - The property owner is requesting looking to build a detached accessory structure in which he may keep his vehicles and general storage. This use is listed as an accessory use in the RR Single Family Residential Zoning District.
2. Is a unique situation to this property due to circumstances not caused by the landowner;
  - The primary residence was built in the center of the lot in 1986, not by the current owner.
  - There is standing tree growth straddling the side yard property line.
3. Will not have a negative effect the characteristic of the neighborhood;
  - There are multiple properties in this subdivision with detached accessory structures. Three (3) are closer to the front lot line of the property than the principal structure.
  - The proposed detached accessory structure will not encroach on any other required setbacks.
  - The construction of a detached accessory structure will also maintain the character of the neighborhood by providing an enclosed structure in

which the property owner can store vehicles, screening them from all adjacent properties.

**WHEREAS**, the Planning Commission recommends to the City Council approval of the variance.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby approves the variance to allow for the placement of a detached accessory structure closer to the front property line than the principal structure for the construction of a residential detached accessory structure on property located at 19455 4<sup>th</sup> ST NE with the following conditions:

1. No accessory structure larger than allowed by zoning code for the size of the property shall be permitted.
2. Property owner must obtain a building permit and complete all necessary inspections as required by the Minnesota Uniform Building Code.
3. A certificate of survey, including the proposed detached accessory building, must be submitted with the building permit application.

Adopted by the City Council of the City of East Bethel on this 11<sup>th</sup> day of March, 2024.

CITY OF EAST BETHEL

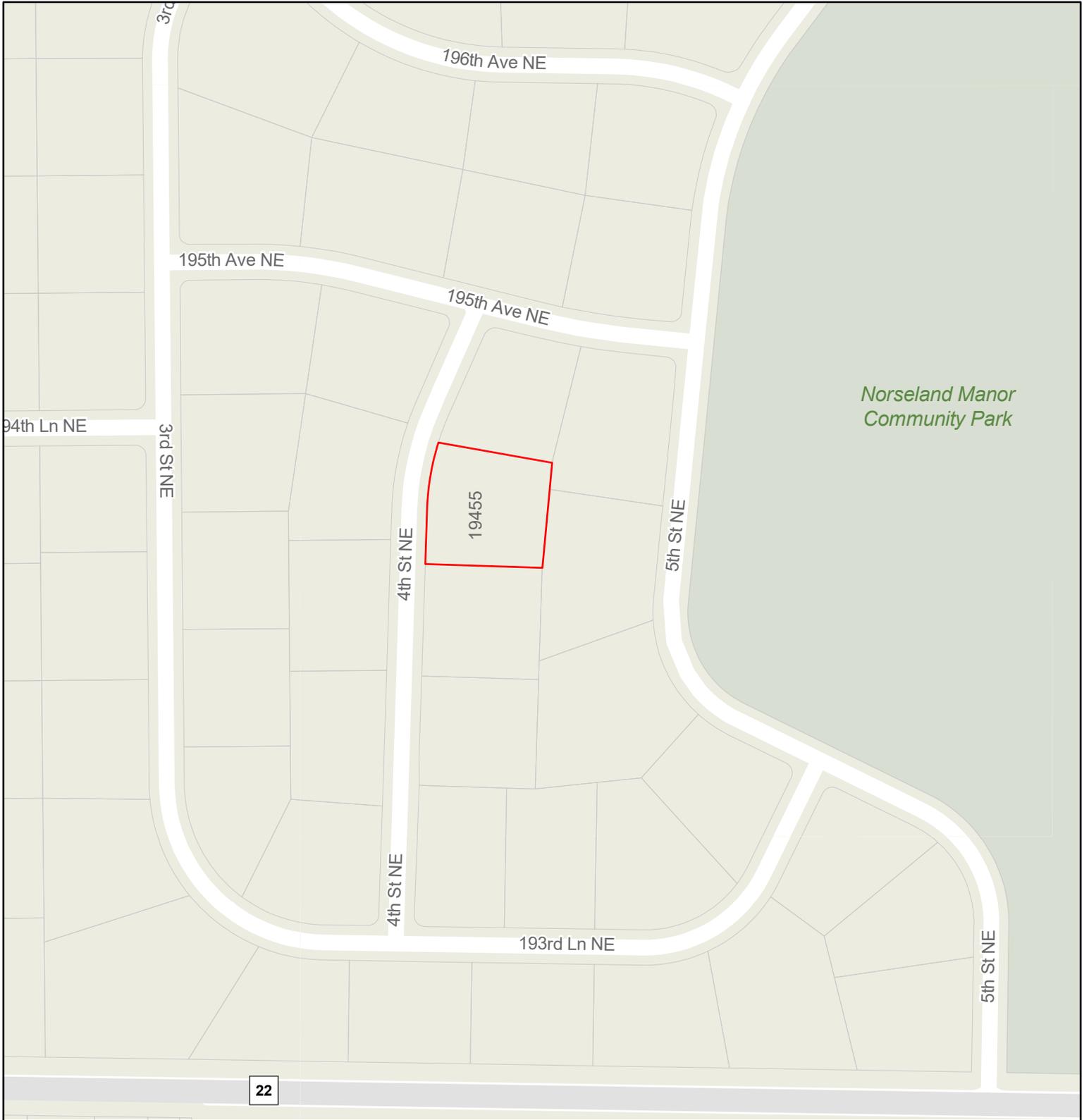
\_\_\_\_\_  
Kevin Lewis, Mayor

ATTEST:

\_\_\_\_\_  
Matt Look, City Administrator

# 19455 4th St NE - Location Map

Item 7.0 A.1, Attachment 2



1 inch equals 359 feet

Parcels

City Mask



# 19455 4th St NE - Aerial Map

Item 7.0 A.1, Attachment 3



1 inch equals 271 feet

Parcels

City Mask

