

# EAST BETHEL CITY COUNCIL MEETING

June 24, 2024

The East Bethel City Council met on June 24, 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: Matt Look, City Administrator  
Eric Larson, City Attorney  
Rodney Sanow, Fire Chief

## 1.0 Call to Order

The June 24, 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? Mundle moved Item No. 5 Public Forum after Item 6. 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 May 2024, Sheriff's Report, stating the Sheriff's Department had responded to 449 calls for service including 2 thefts, 1 criminal sexual conduct, 8 assaults, 4 damage to property, 11 PI accidents, 29 PD accidents, 76 medical, 38 animal complaints, 15 alarms, 3 felony arrests, 7 gross misdemeanor arrests, 21 misdemeanor arrests, 1 domestic assault, 2 warrant arrests, 100 traffic stops, and 26 traffic arrests.

**Informational; no action required.**

### 4.0 B Fire Department Monthly Report

Fire Chief Sanow presented the May 2024 report and noted that they responded to 96 calls, of which 76 were medical, 10 crashes, 2 alarms, 3 burning/smoke, and 5 other.

Mundle inquired about the fire danger. Sanow responded it still happened, but it was low.

**Informational; no action required.**

## 6.0 Consent Agenda

Item A: Approve Bills

Item B: Approve Meeting Minutes May 29, 2024 City Council Work Meeting

Item C: Approve Meeting Minutes, June 10, 2024 City Council Work Meeting

Item D: Approve Meeting Minutes, June 10, 2024 City Council Meeting

Item E: Amendment to Personnel Policy – Section 7.3 Earned Safe and Sick Time

~~Item F: Approval for Advertisement of Seasonal Employee Positions – Ice Arena~~

~~Item G: Res 2024-42 Designation of Surplus Property – Ice Arena Turf~~

~~Item H: Res 2024-43 Fee Schedule Amendment – Ice Arena Advertisement Fees~~

~~Item I: Software Purchase – Ice Arena~~

~~Item J: Security System Update – Ice Arena~~

Item K: Cannabinoid Edibles Vendor License Application – Kwik Trip #1171

Item L: Set Budget Work Session Date

Item M: Klondike Drive Chloride Application Quote

Smith requested to pull Items F, G, H, I, and J. **Mundle stated I'll make a motion to approve Consent Agenda as amended. 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 F Approval for Advertisement of Seasonal Employee Positions – Ice Arena

#### 6.0 G Resolution 2024-43 Designation of Surplus Property – Ice Arena Turf

#### 6.0 H Resolution 2024-43 Fee Schedule Amendment – Ice Arena Advertisement Fees

#### 6.0 I Software Purchase – Ice Arena

#### 6.0 J Security System Update – Ice Arena

Smith stated all of the items he pulled were charges that he did not know anything about when they decided they were going to have the City take over the management of the Ice Arena.

Lewis asked if these were included in the numbers for start-up costs. Look stated this was part of the dollar amount that would be transferred from the user fees to the General Fund to cover these costs.

Smith asked if the costs were due to the City taking over the Ice Arena. Look responded they were.

Smith asked if Gibson already had that covered in their contract. Look responded the City paid Gibson and Gibson ended up paying for a lot of the costs out of their contract and now the City would be bearing the costs.

Smith inquired about the hiring of a seasonal employee of which he was not aware. He asked if the City had somebody on staff that could do this. Look noted a staff member would manage the Ice Arena, but these were the seasonal employees that currently worked there right now that would be transitioned over as City employees and paid the same or a similar amount.

Lewis asked if the seasonal employee would receive benefits. Look responded they would be part-time employees with no benefits.

**Smith stated I'll make a motion to approve Consent Agenda Items F, G, H, I, and J. 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.**

### 5.0 Public Forum

Lewis stated he had received four emails from residents with three of them being identical to which he had responded. This is the email text he used in reply to three (identical) resident emails expressing concerns about the proposed Justice Center being located (or even being discussed, apparently!) in East Bethel. He read into the record how he responded, as follows:

*"I'm replying without copying other Council Members to avoid any Open Meeting violation.*

*The only thing that has been proposed is that we DISCUSS the matter of locating a new Anoka County "Justice Center" in East Bethel. That's it.*

*And, my personal opinion as a 28-year resident of East Bethel is that there would be little appetite for such a development, regardless of its potential positive economic impact. I have shared this*

*opinion with our City Administrator. Understand that his responsibilities include being aware of potential economic development opportunities for our City and bringing them to the attention of the City Council, which he did at our Work Meeting Monday evening. I have assured him that our Quality of Life is highly prized among East Bethel residents and that all development opportunities that come up must be evaluated within the context of impact on that Quality of Life, including access to natural spaces and "Quiet Enjoyment" of our properties.*

*I hope this speaks to your concerns. Thanks for reaching out to me to share them."*

Lewis noted in any situation like this they needed to drill down on the facts which was what was being discussed and what they were discussing was not just a jail, but a justice center which would include a courthouse(s) and satellite lawyer offices, approximately 1,000 employees, and a \$350 to \$500 million dollar building construction. He noted this was a major project and it absolutely required the Council's discussion and attention. Otherwise, they would be delinquent in doing their responsibilities if they did not look at this or discuss it.

Lewis stated discussion did not equal action and they were two different things. He stated in the Minutes of the Work Meeting and in the newspaper article it was noted that resident input would be required prior to any action. He noted that was Council's intent all along and there was no effort to make a decision without getting resident input. He stated that was a mistake or a lie. He stated Council had even discussed putting it on the ballot in November.

Lewis stated everyone on the Council had been in the City long enough to know how the water/sewer deal happened and a similar situation was not going to happen on their watch, which was to ignore what the residents want. He stated the Council knew better than to do this and this would not be Council's approach. He acknowledged the residents might not like the Council's approach to all things, but at least the residents would be involved in this one.

Lewis reviewed the rules of the Open Forum.

James Linder, 19423 East Tri Oak Circle, stated he had been trying for five weeks to get access to view some public records from the city. He noted he had sent in the request five weeks ago and came to the Council meeting two weeks ago, but nobody had gotten back to him. Look responded staff was working on that request today to get it finished up. He noted it was an extremely large file and it would not be something that could be emailed. He indicated based on the size and time in compiling all of this, which was in excess of 30 staff hours, this was not a small request. He stated staff would arrange with Mr. Linder to bring in his laptop and the City would provide him a thumb drive to view this information, but if Mr. Linder wanted anything printed out there would be charges associated with those copies. He indicated staff should have this available to Mr. Linder within the next couple of days.

Don Sivigny located on Madison Street NE is going to be speaking on behalf of the residents listed in regards to the City Council work meeting jail discussion, Kathy Schorn - Channel Ln NE, Don Lamourex- Sandy Drive NE, Mary Olson - Channel Ln NE, Nathan Wicklund - Able Street NE, Larry Morrison - East Front Blvd, Nancy Morrison - East Front Blvd, Don Sivigny - Madison Street NE, Shelley Dowd-Sivigny - Madison Street NE, Aiden Ladner - Channel Ln NE, Valerie Johnson - Durant Street NE, Tony Ladner - Channel Ln NE, Jamie Ladner Channel Ln NE and Suzanne Erkle - Okinawa Street.

Donald Sivigny, 20010 Madison Street, stated the citizens had no clue that the discussion of a jail was going on and there was a lot of misinformation happening. Lewis noted this was a recent development. Mundle stated the Council had only discussed this once.

Look stated the law changed as of the end of the Legislative Session.

Mr. Sivigny stated there were a lot of concerns by citizens regarding this. He indicated he remembered the sewer/water situation as well as the mental health facility. He noted the citizens still remembered those. He stated people didn't want to live next to a facility like this. Mundle and DeRoche stated there had been no discussions regarding any site locations.

DeRoche suggested Mr. Sivigny read the Minutes of Council's last Work Session and Council meeting for the correct information.

Mr. Sivigny did not believe the residents had the whole story and maybe Council didn't even have the whole story. He stated the residents believed the location was going to be at the intersection of Highways 65 and 22. DeRoche pointed out that the City did not own that property.

Mr. Sivigny noted the City had eminent domain and he believed this was talked about by the City staff that eminent domain could be used to take that property. He noted Oak Grove did it. He stated they did not want this in the community. He noted people were living by the water tower and schools were nearby, along with the Senior Center right there. He indicated East Bethel was in the most northern part of the County and if they looked at the County's crime statistics, the majority of the crimes committed in Anoka County were in Columbia Heights, Fridley, and in southern Spring Lake Park. He asked what would happen to these individuals when they got out of jail.

Mr. Sivigny stated when his wife asked what would happen to the individuals when they were let out of jail, she was informed that they would need to figure out a way to transport them back. He asked who was paying for that. He noted there was no bus structure and when someone was let out of jail at 3:00 a.m. there was nothing for them to do but wander around. He believed crime would go up with this facility and that was shown by statistics. He noted Federal prisoners would also be housed in the jail.

Mr. Sivigny stated this would be urbanizing the character of the City and this is against what the citizens wanted.

Mr. Sivigny asked Lewis if he had received any emails from residents who wanted the jail in the City. Lewis responded he had not and that was the reason he had read his response to the emails he had received. He noted he was on the same page as Mr. Sivigny.

Mr. Sivigny stated if they wanted to put this facility somewhere in the County, it should go into Andover as they had the new Sheriff's and 911 facility. He noted the County also owned additional property in that area. Lewis noted what was driving this was the cost of land in Andover, which was considerably more. He stated as County residents, everyone would pay for the jail, whether it was in East Bethel or not.

Mr. Sivigny stated there would also be an increase in traffic with additional accidents occurring.

Mr. Sivigny stated in the Council Work Meeting, it was noted that they needed to get the citizens involved, which was a good thing and he believed they needed to let the citizens know in a public form/meeting setting that the City was discussing this. He requested the City tell residents that this was only in discussions, that no decisions had been made, no site had been chosen, and the Council was open to feedback from the residents. He stated if they wanted to build the trust of the residents, the City needed to start getting them involved. He recommended a non-slanted survey be sent out to the residents. He stated if this came from City staff the residents would say it was slanted one way and it was important to get the residents involved. Lewis noted it was Look's responsibility and job to

bring this to the Council as the Council had to know about any potential development, even if the Council did not like the development it still had to be brought to the Council's attention.

Mr Sivigny agreed it was the City's Administrator's job to bring a potential development to the Council, but right now the residents had very little trust as to what came out of the City offices. Lewis stated he understood.

Mr. Sivigny stated past developments have left a very bad taste in the citizen's mouths. DeRoche noted for the record he had voted against the sewer/water project. Lewis noted DeRoche was the only member of the City Council at that time who did that, and that was the reason DeRoche was on the Council now, because they knew he had integrity.

DeRoche noted once Cambria came in, that property was zoned for that type of a facility and the City could not refuse them because if the City had refused Cambria, they would have a multi-million-dollar lawsuit against the City. He noted he was not on the Council when that property had been rezoned, but once it was rezoned the CUP went with the property. He did not believe any Councilmembers were on the Council when Cambria came in.

Mr. Sivigny stated nobody knew what happened previously because the Council and Mayor did things behind the scenes and that was the implication of what was happening now. He noted people were not trusting their government and that was a bad thing for the City. Lewis hoped with the Council being open tonight would help with respect to this.

Mr. Sivigny requested the City reach out and tell the citizens what was going on and not keep things behind the scenes. Lewis agreed they could not run a local government that way.

DeRoche stated it was great to see this many people at a Council meeting and the Council did not know what everyone in the City was thinking. He noted that was why the Public Forum was put back into the Council meetings.

Mr. Sivigny requested the Council provide the facts to the citizens. He noted when he was searching for tonight's agenda, he had to contact the staff to find out where on the website it was located. He stated it needed to be easier than it was to locate information such as this. He stated the citizens had not been informed about this potential project. Lewis indicated this was a new thing that just came up and the Council had not been sitting on it or keeping it to themselves.

Mr. Sivigny stated everyone he had spoken to questioned why the County would be interested in putting this in the most northern most City in the County because every police car would need to drive up here. Lewis stated the Work Meeting Minutes said that he (Lewis) had pointed out that normally County seats were located in the center of a County, which would be Andover. He stated this was frustrating, but it was part of the job to be accused of things that were untrue or to have words put in their mouths, but it was part of the job of being a Councilmember.

Mr. Sivigny stated he was not here accusing the Council of anything, but the citizens wanted more information and when they try to find it, they run into roadblocks like he did today.

DeRoche stated the newspaper did not interview the Mayor or the Councilmembers and it did not matter if it was true or not. Mr. Sivigny stated the City should talk to the newspaper if they were not giving the correct information.

Look thanked the audience for the civil conversation and indicated this was a very unusual law that had changed and it had created a significant problem for the Anoka County Sheriff. He stated the jail that they currently had in the County was at capacity and so they were sending people out to other jails and communities which was costly and dangerous. He indicated the challenge they were having

was that the Judges when they were hearing a case and they knew the jail was full the people would be released because there was nowhere to put them, which he believed made the community less safe because of that. He noted they were incarcerating the worst of the worst and that was filling up the jails.

Look stated they had had a conversation at the County which was strictly a conversation where they looked at some hypotheticals and unfortunately, the newspaper article was misleading. He stated the one thing that was discussed at the Work Session was that the public needed to be involved, that this could potentially go on a ballot, and that there would also have to be a public campaign on this to give the pros and cons. He believed at that point people could look at the upside, the downside, and see if it were even worth considering. He stated this would be a longer process than the five-minute article that was written by ABC Newspaper to sell the newspaper. He indicated the newspapers jumped the gun and created this problem. He believed the newspaper was a "social media arsonists" in that they were just trying to burn it down. He believed East Bethel was pro law enforcement and they enjoyed that although they see some numbers going up, there was a great job being done in keeping the numbers down as much as possible. He believed the City wanted to support the Sheriff in any way that they could and while this might not be an option, there were other options the City could support them with.

Look stated this was a conversation and just a conversation. He noted there had been some positive conversations on social media though from people who thought this might be a good idea, but he recognized the audience members tonight were not in favor of this idea. He believed once all of the information was out there, both the pros and cons, people could make their decisions at that point. He believed there could be a civil conversation that the community could weight on.

Lewis stated he was appreciative of the comments that were made tonight.

Mr. Sivigny believed it did not make any fiscal sense to move the jail to East Bethel. Lewis agreed and he thought East Bethel was being used as a "stalking horse" to get Anoka to agree to what they have so far resisted because it did not make any sense to move the jail. He noted this would put heat on Anoka to knock it off and agree to do it, which was his personal opinion only.

Mr. Sivigny stated the Minutes said there would be more Police presence in the City, but that Police presence would be for transporting purposes, and they would not be coming into the City to patrol or enforce the laws in East Bethel. He stated he supported the Police Officers 100 percent for everything they did and he believed the City was very much for law enforcement, but this did not make fiscal or security sense. He asked who would be paying for this also. He thanked the Council for letting him speak.

Michelle Sivigny, stated she was a Deputy at the Anoka County jail and she was fully aware of the issues. She noted it had been said a lot of the Judges might not sentence the inmates because there was not enough room in the jail, which was not true. She stated when they were sentenced, then they went to prison and very seldom did anyone do 15 to 30 days at the jail. She stated when they were full, inmates were sent to Sherburn and Sherburn would send inmates to them when they were full. She indicted they had Federal inmates and it depended on the dynamics of the jail. She indicated the Judges would not base their decision on room at the jail.

Look stated as Chair of the County Board he was dealing with budgetary factors as it related to this and they would never say that on record, but that in fact was happening and it still happened. He noted inmates were released on their own recognizance.

Suzanne Erkel, Okinawa Street, stated residents having to give their address to their homes when their homes could be vandalized if they said something someone did not like was not a good idea. She stated the City had addresses on the sign-in sheet, which should be good enough. Lewis noted Ms. Erkel had not given her address on the paper he had. Ms. Erkel acknowledged she had not given her address on the paper because she was in a hurry, but the City had her address as she had given it many times.

Ms. Erkel noted the Met Council forced a lot on the City. She asked how could the City and Council be assured that the State or the Met Council or somebody else would not force the jail on the City because it had been brought up. She noted the Council could vote against it, but then the City could be sued if it were not accepted. Lewis stated one of his biggest surprises he had as a resident was when he got involved in this and learned from people who were on the inside, such as DeRoche, he found out that the Met Council actually recommended a delay of 7 to 9 years on the water/sewer project and it was the City's staff and Council who were the proponents of it. He noted that was the biggest shock to him because for years he thought it was the Met Council who had forced it on the City and that was not correct. He stated that really infuriated him.

Erkel asked for reassurance that this jail would not be forced upon the City because it had been brought up. Lewis stated he could not assure her of anything with the type of State government they had.

Erkel stated she wanted to discuss B-Rock as she was on the Council at that time. She indicated when she was on the Council, there was a roomful of people who were in support of this business and there was one resident who did not like it because he had recently retired and didn't want the business in the neighborhood. She did not believe this took down anyone's property values and the business had been there for many years. She believed with the variance, they had to go through State inspections and they had been in the City for a long time and it was their livelihood. She did not believe that because this company was granted a variance, the City did not need to grant all variances like this.

Lewis asked if Erkel was a neighbor to this business. Erkel responded she was not, but she had been by there and had spoken with the neighbors who complained about the person who had complained. Lewis stated the Council did not want to do this, but zoning laws existed for a reason. He recommended the neighbors get the one complainant to relent, then the entire matter would go away and the City would not pursue it if the complaint were withdrawn as the City was complaint based.

Erkel stated she wanted to give her opinion and requested the Council double think this one.

Erkel asked if the Sheriff's report could be put on the website under its own spot as people did not see it and everyone did not watch the Council meetings. She stated everyone needed to be aware of what was going on and what they need to watch for.

DeRoche asked if this would be a privacy issue. Look responded the basic data the City received and read was all public and it could be posted. Lewis noted they could have a link to the packet page that had the data also.

Larson stated since there was once spokesperson who spoke on behalf of a lot of the people in the audience, he recommended everyone print their name and give it to staff so the City could ensure they had a record of who was in support of what the spokesperson said.

## **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**

None.

**8.0 D Finance**

None.

**8.0 E Public Works**

None.

**8.0 F Fire Department**

None.

**8.0 G City Administrator Report**

Look gave an update on urbanizing the City. He noted the City was starting to get more requests on commercial spots and some of the interested parties were common/retail/fast food businesses.

Look stated tomorrow there was a County Board meeting at 9:30 a.m. which he would be attending.

Look noted the League of Minnesota Cities Conference would be attended by himself and Berg.

Look stated he had a good recent conversation with the new Met Council Administrator about the Met Council plant and the efficient operation of it, along with some of the options that were on the table regarding the debt.

Look stated the City was continuing to have issues with the audio/video equipment in the Council Chamber and at some point, the City was going to need to look at getting new equipment. He indicated the software was no longer supported and it was difficult for the staff to continue to do band aids and workarounds, etc. He stated staff was doing the best they could with the current system but wanted to bring this to the Council's attention that the audio/video should be changed out for more current, state-of-the-art equipment that could be serviced more easily.

DeRoche stated previously the City had spent over \$250,000 for audio/video equipment and he did not think it worked any better than the previous equipment. Look believed \$250,000 might be high, but he would not be surprised if it came in at \$50,000.

**9.0 – Other Items****9.0 A Staff Report**

None.

**9.0 B Council Reports**

Mundle wished everyone a happy and safe Fourth of July.

Mundle requested Council reconsider broadcasting their Work Meetings again. He noted without that, there were only rumors and the Minutes did not come out until they had their next meeting. He noted if the meeting where they discussed the jail was broadcasted, the residents could have watched it and seen what was actually said by the Council. He stated any future conversation the Council had about the jail should absolutely be broadcast.

DeRoche suggested whatever would go on a Work Session agenda be put on a regular Council meeting agenda like it used to be.

Mundle stated Work Meetings always used to be broadcast. DeRoche stated he was referring to awhile ago when the Work Meetings were a part of the Council agenda.

Lewis asked if they had only discussion items with no action. DeRoche stated on a normal night, they would still get out at 9 or 9:30 p.m. He noted if it were that critical, they could call a special meeting.

DeRoche stated last weekend there was an event on Coon Lake where someone was pulling an inter-tube around and kept deliberately trying to run over the geese. He stated unfortunately a goose was killed and if someone saw this "kind of crap," they needed to get the boat numbers so they could be tracked down. He believed the DNR and Sheriff's Department were involved in this incident.

#### **10.0 Adjourn**

**DeRoche stated I'll make a motion to adjourn. Mundle 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 8:08 PM.

Submitted by:

Kathy Altman

*TimeSaver Off Site Secretarial, Inc.*