

**City of East Bethel
City Council Agenda
City Council Regular Meeting
Date: August 12, 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)

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. 5-10)
- B. Minutes: July 22, 2024 City Council work meeting (p. 11-15)
- C. Minutes: July 22, 2024 City Council meeting (p. 16-23)
- D. Approve the Advertisement for City Planner Position (p. 24-25)
- E. Approve the Hire of Seasonal Ice Arena Attendants
- F. Pay Estimate No. 1 for the 2024 Street Reconstruction Project (p. 26-31)
- G. Approve ICMA conference for Administrator Look 9/21-9/26

7.0 New Business - Commission, Association and Task Force Reports

- A. Planning Commission
 - 1. 20738 Tyler St NE – Variance – Rear Yard Setback (p. 32-41)
 - 2. 20063 University Ave Ext. NE – Variance - Structure Placement (p. 42-49)
 - 3. 23785 Marmon St NE – Variance – Side Yard Setback (p. 50-57)
- B. Economic Development Authority (None)
- C. Park Commission (None)

8.0 Department Reports

- A. Community Development
 - 1. Rezoning – R-2 to B-2 West Hwy 65 - Klondike Drive to 207th Ave NE (p. 58-62)
- B. Engineer (None)
- C. City Attorney (None)
- D. Finance (None)
- E. Public Works (None)
- F. Fire Department (None)

- G. City Administrator
 - 1. Set Fall Town Hall Meeting Date (p. 63)

9.0 Other

- A. Staff Report
- B. Council Reports

10.0 Adjourn

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



Date: August 12, 2024

Agenda Item Number: Item 6.0 A-G

Requested Action: Consider approving the Consent Agenda as presented

Background Information:

Item A – Approve Bills

Item B – July 22, 2024 City Council Work Meeting Minutes

Minutes from the July 22, 2024 City Council work meeting are attached for your review.

Item C – July 22, 2024 City Council Meeting Minutes

Minutes from the July 22, 2024 City Council meeting are attached for your review.

Item D – Approve the Advertisement of the City Planner Position

During discussions at Department Head meetings, the Finance Committee and the Council budget work session it was determined that the City would like to explore re-instating the City Planner position. The City Planner position was eliminated in the 2024 budget in order to save costs and to provide some time in order to evaluate its true need. The City Planner position is needed in order to maintain an adequate level of service in this department given the ever increasing work load. The City Planner position would report directly to the Community Development Director and be responsible for code compliance, responding to zoning questions, preliminary land use application screening, scheduling of public hearings, attending the monthly planning and zoning meetings, and other duties necessary to assist in the building department.

Based upon the 2024 City wage schedule the hourly rate for this position ranges from \$28.03 per hour to \$34.19 per hour. Funding for this position was provided for in the 2024 Fire Department budget and the 2025 Planning and Zoning budget. Staff is seeking approval to advertise for the City Planner position.

Item E – Approve the Hire of Seasonal Ice Arena Attendant

The City Council authorized advertising for the Seasonal Ice Arena Attendant positions at the June 24th Council Meeting. The City advertised this position on the City webpage, EB Chamber job site, and the League of MN Cities website. The City will continue to receive applications on a rolling basis and interview candidates as necessary in order to ensure the proper number of seasonal staff is hired to meet the demands of the arena.

City staff recommends the hiring of John Witkowski and Gabriel Kelley for the seasonal ice arena attendant position. Mr. Witkowski and Mr. Kelley worked the previous season at the East Bethel Ice Arena. Staff is recommending an hourly wage of \$20.00/hour due to their experience and proven job performance.

Funding for these positions is provided for in the Ice Arena Enterprise Fund for 2024-2025.

Item F - Pay Estimate No. 1 for the 2024 Street Reconstruction Project

This item includes Pay Estimate No. 1 to Knife River Corporation for the 2024 Street Reconstruction Project. The major work items on this pay estimate include payment for mobilization, reclamation,

storm sewer construction and erosion control. Staff recommends partial payment of \$131,365.71. A summary of the recommended payment is as follows:

Total Work Completed to Date	\$138,279.70
Less 5% Retainage	<u>\$ 6,913.99</u>
Total Payment	\$131,365.71

Payment for this project will be financed with Municipal State Aid funds and Street Capital Funds. Funds, as noted, are available and appropriate for this project. A copy of the Pay Estimate is attached.

Item G – ICMA (International City/County Management) Annual Conf. Sept 21-25, 2024 Pittsburgh, PA
Estimated cost for airfare, hotel, meals and transportation, not to exceed \$5,000. (Conference cost is \$1763, Airfare, \$500, Hotel \$1200, \$700 food). Conference offers educational sessions/workshops that focus on leadership, best management practices, strategic planning, budgeting and training for local government operations.

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
August 12, 2024
Payment Summary

Payments for Council Approval						
Bills to be approved for payment						\$262,126.95
Electronic Payroll Payments						\$78,564.05
Payroll City Staff - July 18, 2024						\$49,479.14
Payroll City Staff - August 1, 2024						\$50,313.47
Total to be Approved for Payment						\$440,483.61
Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Arena Operations	Bldg/Facility Repair Supplies	9206671712	Grainger	615	49851	\$145.68
Arena Operations	Bldg/Facility Repair Supplies	9926343873	Grainger	615	49851	\$33.47
Arena Operations	Bldg/Facility Repair Supplies	9954172483	Grainger	615	49851	\$295.17
Arena Operations	Bldg/Facility Repair Supplies	39776	Menards - Forest Lake	615	49851	\$222.21
Arena Operations	Bldg/Facility Repair Supplies	18542	Menards Cambridge	615	49851	\$69.93
Arena Operations	Bldg/Facility Repair Supplies	337976	S & S Industrial Supply	615	49851	\$13.04
Arena Operations	Bldgs/Facilities Repair/Maint	35031506975	Wright-Hennepin Coop Electric	615	49851	\$30.95
Arena Operations	Electric Utilities	072224	Connexus Energy	615	49851	\$581.73
Arena Operations	Gas Utilities	886212833	Xcel Energy	615	49851	\$83.05
Arena Operations	Information Systems	B240716J	Anoka County Treasury Dept	615	49851	\$75.00
Arena Operations	Refuse Removal	10804811T067	Ace Solid Waste, Inc.	615	49851	\$282.50
Arena Operations	Small Tools and Minor Equip	10755281292	Dell Marketing L.P.	615	49851	\$980.30
Building Inspection	Information Systems	2113	Metro-Inet	101	42410	\$952.54
Building Inspection	Motor Fuels	25571104	Mansfield Oil Company	101	42410	\$315.08
Building Inspection	Telephone	08 2024-1	T MOBILE	101	42410	\$36.99
City Administration	Information Systems	B240716J	Anoka County Treasury Dept	101	41320	\$75.00
City Administration	Information Systems	2113	Metro-Inet	101	41320	\$1,044.15
City Administration	Office Equipment Rental	534058755	US Bank Equipment Finance	101	41320	\$315.00
City Administration	Office Equipment Rental	534910815	US Bank Equipment Finance	101	41320	\$638.00
City Administration	Professional Services Fees	M29363	TimeSaver Off Site Secretarial	101	41320	\$246.00
City Administration	Professional Services Fees	M29363	TimeSaver Off Site Secretarial	101	41320	\$246.00
Elections	Legal Notices	1008255	ECM Publishers, Inc.	101	41410	\$42.35
Finance	Information Systems	2113	Metro-Inet	101	41520	\$952.54
Finance	SAC Remittance	07 2024	Metropolitan Council	602		\$3,185.00
Finance	SAC Remittance	07 2024	Metropolitan Council	602		(\$31.85)
Finance	Sales Tax Remittance	07 2024	Minnesota Revenue	101		\$393.00
Fire Department	Bldgs/Facilities Repair/Maint	2627	Bill's Quality Cleaning	101	42210	\$168.00
Fire Department	Bldgs/Facilities Repair/Maint	2628	Bill's Quality Cleaning	101	42210	\$53.00
Fire Department	Clothing & Personal Equipment	336903	Aspen Mills, Inc.	101	42210	\$143.94
Fire Department	Electric Utilities	072224	Connexus Energy	101	42210	\$122.32
Fire Department	Electric Utilities	072224	Connexus Energy	101	42210	\$77.38
Fire Department	Electric Utilities	072224	Connexus Energy	101	42210	\$7.81
Fire Department	Electric Utilities	072224	Connexus Energy	101	42210	\$739.64
Fire Department	Gas Utilities	886212833	Xcel Energy	101	42210	\$60.96
Fire Department	General Operating Supplies	16344	Granny May's	101	42210	\$480.00
Fire Department	General Operating Supplies	18153	Menards Cambridge	101	42210	\$51.00
Fire Department	General Operating Supplies	8704704	Plunkett's Pest Control	101	42210	\$213.20
Fire Department	General Operating Supplies	20240726	Rodney Sanow	101	42210	\$74.63
Fire Department	Information Systems	B240716J	Anoka County Treasury Dept	101	42210	\$75.00
Fire Department	Information Systems	2113	Metro-Inet	101	42210	\$2,733.79



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Fire Department	Motor Fuels	25571103	Mansfield Oil Company	101	42210	\$346.02
Fire Department	Motor Fuels	25571104	Mansfield Oil Company	101	42210	\$501.27
Fire Department	Office Equipment Rental	36987187	GreatAmerica Financial Svcs	101	42210	\$125.78
Fire Department	Professional Services Fees	SI-154778	Aufderworld	101	42210	\$315.00
Fire Department	Refuse Removal	10804811T067	Ace Solid Waste, Inc.	101	42210	\$37.84
Fire Department	Refuse Removal	10804811T067	Ace Solid Waste, Inc.	101	42210	\$92.06
Fire Department	Safety Supplies	CI00053166	Allina Health System	101	42210	\$625.00
Fire Department	Safety Supplies	CI00053976	Allina Health System	101	42210	\$158.25
Fire Department	Safety Supplies	337071	Aspen Mills, Inc.	101	42210	\$139.94
Fire Department	Safety Supplies	98534645	Henry Schein, Inc.	101	42210	\$115.81
Fire Department	Small Tools and Minor Equip	9894310979	Grainger	101	42210	\$528.26
Fire Department	Small Tools and Minor Equip	9913262821	Grainger	101	42210	\$437.38
Fire Department	Telephone	13864340214163	Midcontinent Communications	101	42210	\$213.60
Fire Department	Telephone	08 2024-2	T MOBILE	101	42210	\$99.68
Fire Department	Telephone	9969352384	Verizon	101	42210	\$560.14
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	118678413	Fleet Pride	101	41940	\$3.39
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	9201477552	Grainger	101	41940	\$114.10
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	9963537601	Grainger	101	41940	\$134.53
General Govt Buildings/Plant	Bldg/Facility Repair Supplies	38969	Menards - Forest Lake	101	41940	\$15.74
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	2625	Bill's Quality Cleaning	101	41940	\$380.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	2629	Bill's Quality Cleaning	101	41940	\$168.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	52494	Robert B. Hill Company	101	41940	\$18.00
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	35031506835	Wright-Hennepin Coop Electric	101	41940	\$23.95
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	35031506975	Wright-Hennepin Coop Electric	101	41940	\$23.95
General Govt Buildings/Plant	Electric Utilities	072224	Connexus Energy	101	41940	\$16.28
General Govt Buildings/Plant	Electric Utilities	072224	Connexus Energy	101	41940	\$154.27
General Govt Buildings/Plant	Electric Utilities	072224	Connexus Energy	101	41940	\$910.71
General Govt Buildings/Plant	Gas Utilities	886212833	Xcel Energy	101	41940	\$37.64
General Govt Buildings/Plant	General Operating Supplies	5222196611	CINTAS	101	41940	\$22.95
General Govt Buildings/Plant	General Operating Supplies	39399	Menards - Forest Lake	101	41940	\$88.23
General Govt Buildings/Plant	Refuse Removal	10804811T067	Ace Solid Waste, Inc.	101	41940	\$93.46
Legal	Legal Fees	07 2024	Eckberg, Lammers, P.C.	101	41610	\$10,464.45
MSA Street Construction	Professional Services Fees	Pay Est #1 2024	Knife River Corporation	402	40200	\$44,505.79
MSA Street Construction	Professional Services Fees	Pay Est #1 2024	Knife River Corporation	402	40200	\$79,427.84
Park Maintenance	Bldg/Facility Repair Supplies	1028564	Ham Lake Hardware	101	43201	\$34.21
Park Maintenance	Bldg/Facility Repair Supplies	1028699	Ham Lake Hardware	101	43201	(\$3.58)
Park Maintenance	Bldg/Facility Repair Supplies	18101	Menards Cambridge	101	43201	\$14.32
Park Maintenance	Chemicals and Chem Products	143858467-001	SiteOne Landscape Supply	101	43201	\$158.69
Park Maintenance	Cleaning Supplies	9203011045	Grainger	101	43201	\$272.94
Park Maintenance	Cleaning Supplies	17860	Menards Cambridge	101	43201	\$23.34
Park Maintenance	Clothing & Personal Equipment	4199755307	Cintas Corporation	101	43201	\$33.69
Park Maintenance	Clothing & Personal Equipment	4200471043	Cintas Corporation	101	43201	\$33.55
Park Maintenance	Clothing & Personal Equipment	4201168003	Cintas Corporation	101	43201	\$35.25
Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$211.25
Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$25.82
Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$19.34
Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$30.30
Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$52.26



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Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$29.31
Park Maintenance	Electric Utilities	072224	Connexus Energy	101	43201	\$16.28
Park Maintenance	Equipment Parts	9110530079	Grainger	101	43201	\$124.27
Park Maintenance	Equipment Parts	p26740	MN Equipment	101	43201	\$476.55
Park Maintenance	Equipment Parts	p26741	MN Equipment	101	43201	\$57.47
Park Maintenance	Equipment Parts	P26742	MN Equipment	101	43201	\$46.52
Park Maintenance	Equipment Parts	IN001561424	Ziegler Inc.	101	43201	\$76.35
Park Maintenance	General Operating Supplies	337938	S & S Industrial Supply	101	43201	\$14.17
Park Maintenance	Information Systems	2113	Metro-Inet	101	43201	\$22.90
Park Maintenance	Lubricants and Additives	118764572	Fleet Pride	101	43201	\$96.20
Park Maintenance	Motor Fuels	25571103	Mansfield Oil Company	101	43201	\$665.43
Park Maintenance	Motor Fuels	25571104	Mansfield Oil Company	101	43201	\$429.66
Park Maintenance	Other Equipment Rentals	MP253958	LRS	101	43201	\$310.00
Park Maintenance	Other Equipment Rentals	MP253959	LRS	101	43201	\$430.00
Park Maintenance	Other Equipment Rentals	MP253960	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP253961	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP253962	LRS	101	43201	\$150.00
Park Maintenance	Other Equipment Rentals	MP253963	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP253965	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP253966	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP253967	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP253968	LRS	101	43201	\$610.00
Park Maintenance	Park/Landscaping Materials	144124692-001	SiteOne Landscape Supply	101	43201	\$63.58
Park Maintenance	Park/Landscaping Materials	144273460-001	SiteOne Landscape Supply	101	43201	\$239.31
Park Maintenance	Safety Supplies	5222196611	CINTAS	101	43201	\$75.07
Park Maintenance	Safety Supplies	9010939586	Grainger	101	43201	\$144.33
Park Maintenance	Safety Supplies	9197854244	Grainger	101	43201	\$92.88
Park Maintenance	Tires	119678	PTL Tire & Automotive Ctr	101	43201	\$139.99
Payroll	Insurance Premiums	08 2024	Dearborn Group	101		\$2,016.26
Planning and Zoning	Filing Fees	24-26188	Anoka County Property Tax	101	41910	\$46.00
Planning and Zoning	Filing Fees	24-26195	Anoka County Property Tax	101	41910	\$46.00
Planning and Zoning	Information Systems	2113	Metro-Inet	101	41910	\$635.03
Planning and Zoning	Professional Services Fees	M29363	TimeSaver Off Site Secretarial	101	41910	\$252.50
Recycling Operations	Electric Utilities	072224	Connexus Energy	226	43235	\$60.54
Recycling Operations	Gas Utilities	886212833	Xcel Energy	226	43235	\$24.18
Recycling Operations	Other Equipment Rentals	MP253964	LRS	226	43235	\$80.00
Recycling Operations	Other Equipment Rentals	MP253966	LRS	226	43235	\$0.00
Recycling Operations	Refuse Removal	10804811T067	Ace Solid Waste, Inc.	226	43235	\$604.53
Sewer Operations	Bldg/Facility Repair Supplies	118678855	Fleet Pride	602	49451	\$44.24
Sewer Operations	Electric Utilities	072224	Connexus Energy	602	49451	\$324.00
Sewer Operations	Electric Utilities	072224	Connexus Energy	602	49451	\$112.09
Sewer Operations	Professional Services Fees	0001175722	Metropolitan Council Env Svcs	602	49451	\$6,071.09
Street Capital Projects	Professional Services Fees	Pay Est #1 2024	Knife River Corporation	406	40600	\$7,432.08
Street Capital Projects	Sign/Striping Repair Materials	H24-0302-06P-00	Sir Lines-A-Lot	406	40600	\$18,412.50
Street Capital Projects	Street Maint Services	11833	Allied Blacktop Co.	406	40600	\$40,256.00
Street Maintenance	Auto/Misc Licensing Fees/Taxes	113622997	Fleet Pride	101	43220	\$2,080.00
Street Maintenance	Bldg/Facility Repair Supplies	1029489	Ham Lake Hardware	101	43220	\$29.99
Street Maintenance	Bldgs/Facilities Repair/Maint	4199755307	Cintas Corporation	101	43220	\$9.19
Street Maintenance	Bldgs/Facilities Repair/Maint	4200471043	Cintas Corporation	101	43220	\$9.15
Street Maintenance	Bldgs/Facilities Repair/Maint	4201168003	Cintas Corporation	101	43220	\$9.61
Street Maintenance	Bldgs/Facilities Repair/Maint	0211024	Zahl Petroleum Maintenance Co.	101	43220	\$489.50
Street Maintenance	Cleaning Supplies	9059388190	Grainger	101	43220	\$214.63
Street Maintenance	Cleaning Supplies	9899400320	Grainger	101	43220	\$525.66



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Street Maintenance	Clothing & Personal Equipment	4199755307	Cintas Corporation	101	43220	\$33.68
Street Maintenance	Clothing & Personal Equipment	4200471043	Cintas Corporation	101	43220	\$33.56
Street Maintenance	Clothing & Personal Equipment	4201168003	Cintas Corporation	101	43220	\$35.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$31.43
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$108.12
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$73.85
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$36.91
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$39.45
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$560.51
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$107.49
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$32.07
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$157.29
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$489.30
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$11.66
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Electric Utilities	072224	Connexus Energy	101	43220	\$5.25
Street Maintenance	Equipment Parts	65517	Central Trailer Sales, Inc.	101	43220	\$83.59
Street Maintenance	Equipment Parts	118308586	Fleet Pride	101	43220	\$83.05
Street Maintenance	Gas Utilities	886212833	Xcel Energy	101	43220	\$19.34
Street Maintenance	General Operating Supplies	9950200924	Grainger	101	43220	\$46.10
Street Maintenance	Information Systems	2113	Metro-Inet	101	43220	\$627.40
Street Maintenance	Lubricants and Additives	118656872	Fleet Pride	101	43220	\$39.42
Street Maintenance	Lubricants and Additives	1539-284560	O'Reilly Auto Stores Inc.	101	43220	\$78.98
Street Maintenance	Motor Fuels	25571103	Mansfield Oil Company	101	43220	\$1,650.26
Street Maintenance	Motor Fuels	25571104	Mansfield Oil Company	101	43220	\$186.18
Street Maintenance	Motor Vehicles Parts	10843	MORRIES FOREST LAKE CHEV	101	43220	\$24.05
Street Maintenance	Motor Vehicles Parts	471057	Towmaster	101	43220	\$58.94
Street Maintenance	Professional Services Fees	4070357	Gopher State One-Call	101	43220	\$63.45
Street Maintenance	Refuse Removal	1660	A Family Tree & Brush Service	101	43220	\$1,400.00
Street Maintenance	Refuse Removal	10804811T067	Ace Solid Waste, Inc.	101	43220	\$483.39
Street Maintenance	Refuse Removal	506935	Central Wood Products	101	43220	\$100.00
Street Maintenance	Safety Supplies	5222196611	CINTAS	101	43220	\$67.19
Street Maintenance	Safety Supplies	9087732484	Grainger	101	43220	\$52.32
Street Maintenance	Small Tools and Minor Equip	118774078	Fleet Pride	101	43220	\$15.04
Street Maintenance	Street Maint Materials	IN59114	City of St. Paul	101	43220	\$1,509.80
Street Maintenance	Street Maint Services	5757	Central MN Dust Control	101	43220	\$6,825.00
Street Maintenance	Telephone	08 2024-1	T MOBILE	101	43220	\$36.99
Water Utility Operations	Bldg/Facility Repair Supplies	118678581	Fleet Pride	601	49401	\$33.60
Water Utility Operations	Bldg/Facility Repair Supplies	118678694	Fleet Pride	601	49401	\$52.24
Water Utility Operations	Bldgs/Facilities Repair/Maint	35031506835	Wright-Hennepin Coop Electric	601	49401	\$42.95
Water Utility Operations	Bldgs/Facilities Repair/Maint	35031506975	Wright-Hennepin Coop Electric	601	49401	\$42.95
Water Utility Operations	Chemicals and Chem Products	6817906	Hawkins, Inc	601	49401	\$1,657.64
Water Utility Operations	Electric Utilities	072224	Connexus Energy	601	49401	\$316.08
Water Utility Operations	Electric Utilities	072224	Connexus Energy	601	49401	\$363.96



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Water Utility Operations	Electric Utilities	072224	Connexus Energy	601	49401	\$1,376.25
Water Utility Operations	Gas Utilities	07 2024-5937869	CenterPoint Energy	601	49401	\$29.84
Water Utility Operations	Information Systems	2113	Metro-Net	601	49401	\$297.65
						\$262,126.95



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Electronic Payroll Payments		
Payroll	PERA	\$20,690.84
Payroll	Federal Withholding	\$15,038.40
Payroll	Medicare Withholding	\$4,558.90
Payroll	FICA Tax Withholding	\$17,526.02
Payroll	State Withholding	\$7,225.23
Payroll	MSRS/H.S.A./HCSP	\$13,524.66
		\$78,564.05

DRAFT MINUTES: NOT YET APPROVED

EAST BETHEL CITY COUNCIL WORK MEETING

July 22, 2024

The East Bethel City Council met on July 22, 2024, at 5:00 p.m. for the regular City Council Work meeting at City Hall.

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

ALSO PRESENT: Matt Look, City Administrator
Mike Jeziorski, Deputy City Administrator/Finance Director
Rodney Sanow, Fire Chief
Aaron Berg, Community Development Director
Nate Ayshford, Public Works Manager

1.0 – 2025 Proposed Budget Discussion

Jeziorski reviewed the proposed 2025 budget and requested the Council discuss the initial draft and give direction to staff regarding any adjustments. He noted Department heads were in attendance to give updates also.

Fire Chief Sanow stated the Fire Department's budget had been reduce by 12 percent from last year due to the elimination of the proposed community outreach position and fire aid dollars not flowing through to the City. He noted there were a few increases due to the cost of goods and services going up.

Lewis noted that the heavy equipment cost had really gone up. Sanow responded fire trucks were generally custom built and were going for around a million dollars. He noted each year they put aside into an account some funds for the equipment replacement.

Jeziorski noted the function of the equipment replacement fund was to set aside each year to replace equipment items that become depreciated over the years. He noted they were a little behind in how much they were funding, but the strategy was to bump it up incrementally over the years instead of trying to make it up all in one year.

Sanow noted they had no major engines or tankers coming up for replacement for a few years and the next big cost would be the SCBAs in approximately seven years.

DeRoche inquired if interfund loans were still done. Jeziorski responded they were no longer being done.

DeRoche asked once the money was shuffled and the City decided to not do this any longer, did the money just stay gone. Jeziorski responded he would have to go back and look as he didn't remember the last time they had an interfund loan, but he recommended the City steer away from interfund loans unless there was a dedicated payback schedule.

Lewis stated one of the reasons he valued Jeziorski was because he managed the finances well.

1 Commander Paul Lenzmeier, Anoka County Sheriff's Office, stated for the 2025 law enforcement
2 contract there would be a 5.3 percent increase from 2024 which consisted of four main areas of
3 increased in 2025 and those are 5 percent in wages. He noted the 5 percent was the estimated wages
4 they believe will be negotiated and if it went lower, then the City would get a credit but they were
5 confident in this number.

6 Commander Lenzmeier summarized where the other increases would occur such as in phones, Joint
7 Law Enforcement Committee, and public safety data system costs were increased also. He noted
8 another increase was the worker's compensation that doubled to \$16,000.

9 Miller stated he had heard that the Sheriff's Department was building a new facility in Lynwood. He
10 asked if East Bethel would be getting coverage out of that new facility since it was closer to East Bethel.
11 He asked since Coon Lake was by that new facility, would it make sense to move one of the
12 Department's boats to that location. Commander Lenzmeier responded that their current substation
13 was right down the street where they had three squads parked there, along with office space. He
14 noted they would not have a substation, but would have a cubicle, a workspace, and some parking
15 spots, which would be a nice central location for the east side Countywide cars. With respect to the
16 boat, which had been discussed in the past but they did not have a lot of extra boats to do that, but this
17 is something they could look at again.

18 Sheriff Wise noted they were doing great for staffing and they work very hard to recruit their own
19 community service officers, but the fundamental challenge still existed that young people did not go
20 into the profession the way they used to. He believed the only way they were going to recover for
21 staffing was through wages.

22 Jeziorski stated the Community Development Department was proposed to increase by 19 percent with
23 the primary driver of that being the reinstatement of the City Planner position.

24 Berg summarized what the Community Development Department responsibilities were. He noted a
25 City Planner was being proposed to be put back into the 2025 budget in order to assist him with
26 improving the ability to answer zoning questions across the City as well as continue to facilitate all of
27 the other duties that happen within the office to include supervision of the building department.

28 Lewis wanted to make sure that a City Planner was absolutely necessary because hiring people cost a
29 lot of money in salary and benefits. However, with the developments coming up, it might be time to
30 make a move to hire a City Planner.

31 DeRoche asked what happened to their conversation previously that a City Planner was not necessary.
32 Lewis responded things changed.

33 Smith stated he understood that when the Community Development Director was hired, he would be
34 able to handle both positions. He asked why had this changed so much. Berg responded the previous
35 City Administrator and himself split duties. He noted Mr. Davis had done all of the EDA work, so the
36 City Planner's position was split between Mr. Davis and himself.

37 Look noted with the advent of the \$100 million being invested in Highway 65 he anticipated there
38 would be a wave of requests come in and they wanted to be prepared for what he anticipated would
39 be coming in. Lewis noted this did not need to be done immediately, but he could see things are

1 probably going to be coming in and it did not good to bury a high valued person with a bunch of things
2 that could be a training ground for another person who was learning the ropes.

3 Berg stated a City Planner would need time for training and would not be able to come in and start
4 answering questions the first day. He noted the job takes time and they don't want to get behind.

5 DeRoche stated he felt mislead and he did not know if things were laid out the way they should have
6 been from the start. Berg noted when he was hired, they actually had three people in the Department
7 – Stephanie Hanson, Aaron McDermott, and then himself as the intern.

8 Lewis believed it might be a good idea to get someone in house. Berg believed the best way to serve
9 the customers was to try and get them an answer to their question, application, permit, etc. within 14
10 days and when he started in the position he promised them 7 days, but now they had to move the
11 needle because they could not get to them in that amount of time.

12 Miller suggested putting information on the City's website so people didn't need to ask Berg. Berg
13 responded that the information was on the website, but people didn't want to do the research to find
14 it. He noted they would rather just call and ask their questions.

15 DeRoche noted even if people got the information off the website, the City had their own opinion on
16 the Ordinances. He did not know if the City Planner position was the answer. Berg stated it was up to
17 the Council if they were going to hire a City Planner, but the timeframe in which staff was able to
18 respond to applicants and the residents was going to get longer and longer as the applications would
19 continue to come in.

20 Lewis noted there was the reality that there was a defined capacity to any human being and he
21 believed Berg has just informed the Council that he was at his limit. He indicated he never thought that
22 Berg's abilities were limitless and he believed Berg was at his limit.

23 Mundle noted historically employees in the Planning Department went up and down due to the
24 workload.

25 Berg stated it "pained him" to tell someone he would get back to them and then he would keep getting
26 calls from that person because he had not had the time to get back to them. Lewis noted they did want
27 a certain acceptable level of customer/resident responsiveness also.

28 Look noted the last thing they wanted was to have a reputation that the City did not want a business in
29 the City because of not being able to get back to someone timely. He noted Ramsey had that kind of a
30 reputation and a lot of businesses won't do business in Ramsey because of that.

31 Look stated this position would be wearing multiple hats, one of which would be looking at the City's
32 Ordinances and making sure they were up to date. He indicated while this might be boring, it had to be
33 done.

34 Ayshford reviewed the park maintenance budget, the street budget, the CIP, recycling budget, and
35 water and sewer noting where they were increasing the amounts to reflect what they have been in the
36 past few years. He noted on the equipment replacement schedule, all of those items would come back
37 to the Council when it came time for a purchase.

1 Lewis asked Look if there were any new developments on the reserve capacity loan as a result of his
2 meeting with the Met. Look summarized his conversations he had had and noted more information
3 would be upcoming when the Legislature started up.

4 Jeziorski stated with respect to the general government section (administration, finance departments,
5 attorney, and city assessor) there would be a net of zero percent for these.

6 **2.0 – B-Roc Auto Repair Discussion**

7 Look stated both interested parties were in attendance and he believed there was potentially some
8 agreement.

9 Broc Vierzba, 655 198th Avenue NE, stated they have been running an auto shop for a long time as a
10 family-owned business and at one point he did have an employee, which did not work out and he
11 understood why the neighborhood did not want that person around. He noted he had let this person
12 go over a year ago. He indicated he was trying to cut down on work and eliminate traffic as much as
13 possible. He stated he did not consciously make noise that the neighbors would hear and he would
14 have one AC in the summer in there, so the doors would be closed when it was hot outside. He
15 indicated when he was using electric tools that made noise, he would close the doors. He had done the
16 same thing for 13 years and for the first 11 years, the City didn't even know he was there, so he
17 obviously did a good job with noise.

18 Mr. Vierzba stated he wanted to reach some agreement; he was not a bad guy; he was not trying to
19 cause a problem in the neighborhood; but, he could also not afford a million-dollar shop somewhere
20 with a handful of employees.

21 Mr. Vierzba noted he was currently working on something else and as soon as he took this over, he
22 would not be working on cars any longer out of his home. He noted he was working hard on his exit
23 strategy every day.

24 Mr. Vierzba acknowledged he should have taken his neighbor's concerns seriously from the start, but
25 they have had a good conversation and they were now back on a neutral playing field.

26 Lewis stated he had no interest in shutting down businesses even if they are not compliant with the
27 zoning, but it should be done the right way with CUPs or IUPs.

28 Look believed it was an anomaly for neighbors coming together and working with a company, which
29 was great and it was what they should all be looking for. He recommended for any agreement that the
30 conditions were clear so in the event there was a violation, there would be no question at that point.
31 He noted the Council would be given the opportunity to review whatever complaint was received and
32 determine if it were valid or not.

33 Mundle noted while this was a good, clean business, there were other mechanic shops that might not
34 be and he wanted to make sure they don't have those types of businesses.

35 Look recommended they rewrite the contract with the terms laid out at this meeting, have it reviewed
36 by both parties, and have both parties agree to it.

37 Berg stated ultimately the Council had the governing authority to do what they want to do. He did not
38 advise having an IUP for a motor vehicle operation in a residential neighborhood though. He noted the
39 contract was for Vierzba to relocate his business within a year and then that contract was extended
40 another year and has expired, which was why they were here today.

1 Mr. Vierzba stated he tried to keep his place as clean as he could. He noted he had a fenced gated area
2 and he pulled everything behind it, so nothing is seen from the road. Lewis suggested doing this and
3 see what happens. He thanked both parties for working this out.

4 **3.0 – Rooster Ordinance**

5 Look requested additional guidance from the Council in terms of the direction they wanted to go, such
6 as there an acreage limitation and if there is no acreage limitation was that unlimited roosters, or one
7 rooster.

8 Lewis stated he did not have a particularly strong position on this.

9 Miller asked if the complaints received were from a planned subdivision. Berg responded that was
10 correct.

11 Look stated right now the Ordinance states that chickens had to be in a coop and contained so free-
12 range chickens were not allowed under the Ordinance and if everyone followed the Ordinance, this
13 became less of an issue. He noted some people wanted roosters to protect the rest of the chickens
14 from predators, but he was not sure if roosters really were able to defend against predators.

15 Lewis believed this might be more of a zoning issue rather than an acreage issue. Berg noted each lot
16 in the City had its own unique situation.

17 Mundle recommended roosters be prohibited on lots smaller than 1.5 acres or any lots in applied
18 subdivisions, and no more than one rooster permitted on other parcels.

19 Lewis noted a person could have 20 acres, but their coop could be located next to their neighbors
20 which could create issues. He stated it should be that it could not be located within X number of feet
21 from the nearest neighbor.

22 DeRoche stated he could see someone complaining and then wanting them to go out there with a
23 noise meter to file a noise complaint. Berg explained that in order to enforce the public nuisance of
24 noise, the neighbor would have to be willing to testify and he did not know how many people would be
25 willing to do that. He did not know how they were going to solve this, except to say no roosters were
26 allowed.

27 Lewis stated the IUP fee could be so high that people would not want roosters.

28 Berg stated he would check with the neighboring communities to see what their ordinances said and
29 bring that information back to the Council. DeRoche requested Berg email that information to the
30 Council.

31 **4.0 – Adjourn**

32 Meeting adjourned at 6:45 p.m.

33 Submitted by:

34 Kathy Altman

35 *TimeSaver Off Site Secretarial, Inc.*

36

DRAFT MINUTES: NOT YET APPROVED

EAST BETHEL CITY COUNCIL MEETING

July 22, 2024

The East Bethel City Council met on July 22, 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
Aaron Berg, Community Development Director

1.0 Call to Order

The July 22, 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. 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.**

4.0 Presentations and Public Hearings

4.0 A Anoka County Sheriff's Report

Sergeant Scott Wickland presented the June 2024, Sheriff's Report, stating the Sheriff's Department responded to 422 calls for service including 4 thefts, 2 criminal sexual conduct, 6 assaults, 2 damage to property, 7 PI accidents, 2 PD accidents, 58 medicals, 30 animal complaints, 14 alarms, 6 felony arrests, 8 gross misdemeanor arrests, 7 misdemeanor arrests, 3 DUI arrests, 1 drug arrest, 5 warrant arrests, 186 traffic stops, and 49 traffic arrests.

DeRoche inquired if the Sheriff's Department was responding to fireworks complaints. Sergeant Wickland responded during the 4th of July weekend, they had so many complaints about fireworks that they were being more lenient with their responses. But how that the 4th of July was over, the Sheriff's Department officers were responding to the fireworks complaints.

Informational; no action required.

4.0 B Fire Department Monthly Report

Fire Chief Sanow presented the June 2024 report and noted that they responded to 83 calls, of which 55 were medicals, 7 crashes, 2 alarms, 2 burning/smoke, 14 other, 1 fire, and 2 mutual aid. He thanked CenterPoint Energy for the \$2,200 grant they gave to the Fire Department, which would be used for the purchase of AEDs.

Informational; no action required.

5.0 Public Forum

No comments were received.

6.0 Consent Agenda

~~Item A: Approve Bills~~

~~Item B: Approve Meeting Minutes July 8, 2024 City Council Meeting~~

Item C: Res. 2024-48, Accepting Donation from CenterPoint Energy

Mundle requested to pull Item B. Larson stated was not in attendance at that meeting, but Christina Benson was the attorney present in his place. Lewis requested to pull Item A.

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 inquired about the EDA professional services fee to ECM Publishers for \$11,284. Look responded ECM Publishers was \$375.10 which was for legal notices, variance notices, candidate filing notices. And the charge Lewis was referring to of \$11,284 was for Civic Plus, which was the City's one time charge for the website. **Lewis stated I'll make a motion to approve Item A of the Consent 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.**

6.0 B Approve Meeting Minutes July 8, 2024 City Council Meeting

Mundle requested a correction to show Christina Benson replaced Eric Larson as the City Attorney who was present at the meeting. He indicated there were various places where that would need to be changed. **Mundle stated I'll make a motion to approve Item B of the Consent Agenda with the changes as noted. 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.**

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

No reports given.

8.0 Department Reports**8.0 A Community Development****8.0 A.1 Variance: 18164 Hwy 65 NE – Cedarwood Estates**

Berg reviewed the staff report requesting the Council consider a variance request for the placement of manufactured homes on Lot 17 and Lot 125 for Cedarwood Estates.

Look noted the applicant and their attorney were in attendance at the meeting. He stated the City wanted to work with Cedarwood Estates and help them be as successful as possible, but public safety was also paramount. He believed it would be beneficial for everyone to try and find some common ground.

Brian Huntington, Attorney with Larkin Hoffman, stated he wanted to respond to the City Attorney's letter of July 19, 2024. He indicated Conditional Use Permits were of indefinite duration and this property received Special Use Permits in 1970 and 1971. He noted nobody had taken the position at any time there was a violation warranting the termination or rescission of those Special Use Permits; that the Special Use Permits were still alive today; and, it was not accurate to say that this was a non-conforming use. He noted this is a conforming use, those Special Use Permits were still there, and had never been terminated.

1 Lewis asked if anyone had ever seen the Special Use Permits he was referring to. Mr. Huntington
2 responded he believed an investigation had been undertaken; however, he pointed out that
3 according to the State Statutes, it was the City that records the Permits.

4 Lewis believed it was the property owner's responsibility to produce the Permit. Mr. Huntington
5 responded he did not believe that was true and he had never encountered a situation where a City
6 did not have a copy of a Permit that had been issued, so this was an unusual situation.

7 Mr. Huntington stated he believed this was significant because this property, for more than 50 years,
8 has had a Special Use Permit. With respect to the comment made in the July 19, 2024, letter where it
9 referred to the landowner's prior knowledge under Minnesota Law, he noted a landowner's prior
10 knowledge of a non-conformity (which they disagree there is a non-conformity), could not be taken
11 into account in acting on a variance. He quoted from Schultz vs. Town of Duluth, 2022 Westlaw
12 433255, Page 9, which held that the property owner did not create his own plight by purchasing
13 property with knowledge of its nonconforming status, so the City should not be placing weight upon
14 what it believed the landowner knew or should have known.

15 Mr. Huntington noted there had been a lot of discussion about MN Stat 62.357, Subd. 1(a) and it was
16 significant in the context of the variance because the City should be deciding this based on the
17 context.

18 Mr. Huntington indicated the statement in the July 19, 2024, letter that Statute neither changed or
19 invalidated non-conforming law along with a citation to Croy Holdings vs. City of Newport. He stated
20 he had reviewed that case, the case did not talk about this section of the Statute, and it was not
21 about the specific question that the Council was being asked to decide on, which was could the City
22 enforce Statutes subsequent to the adoption of the construction of the park if at the time it was
23 constructed, it conformed with the existing Ordinance. He asked if it met the side lot and the density
24 and all of those types of dimensional requirements, could the City enforce or even adopt subsequent
25 Ordinances that seek to modify that. He stated the answer was no and this could not be done. He
26 indicated the Statute was very clear and specific. He noted this was a very unique Statute regulation
27 campground use, and it did not look at the landowner.

28 Mr. Huntington stated there has been a lot of discussion about whether there was continued use by
29 the landowner and was there a year plus lapse of time. He indicated that was relevant under the
30 non-conforming use section of the Statute and if not relevant to this section of the Statute as this
31 section of the Statute looked at if it were confirming at the time it was constructed, and if so, the City
32 could not adopt or enforce standards that seek to alter.

33 Mr. Huntington indicated this was a great example of why that must be the rule. He stated they have
34 a campground where lots are being developed on either side of the subject lots they were discussing
35 and these lots had existed for a long time. He noted this campground has seen many changes to the
36 City's Ordinances, which have become more restrictive over time. He stated the City should not
37 judge the campground from 1970 based on today's standards as that was not reasonable. He noted
38 the City should be looking at what was the context. He stated the landowner did not create the
39 situation and just acquired the property a few years ago, but they were stuck with a practical
40 difficulty under the variance criteria.

41 Mr. Huntington stated it was very reasonable to approve these campsites when there is a variety of
42 sizes and because this is a campground for five plus decades in terms of the dimensions, and if they
43 looked at the letter from the EDA director that letter referenced a conversation with the Fire Chief,
44 who said that 15 feet of separation was adequate. However, he indicated there were a lot of sites

1 which were 15 feet or less, so there was no fire safety concern. He stated nobody came before the
2 Planning Commission and voiced any concern about public welfare or safety, as there was no basis for
3 such a finding when this lot was very much in compliance with the campground as it exists.

4 Mr. Huntington requested the variance be approved to memorialize the fact that these lots may be
5 used consistent with the application.

6 Mundle asked Mr. Huntington why he kept referring to the mobile home park as a campground. Mr.
7 Huntington responded that was the correct terminology for a manufactured home park.

8 Larson stated as suspected Mr. Huntington has basically indicated that the Council had no choice but
9 to grant the variance as a matter of law. However, he indicated, rarely does the City have an absolute
10 obligation to grant a variance. He stated the standard was practical difficulties. He noted the Council
11 needed to decide if there were facts to support the application, or if there were facts to deny the
12 request, or approve the request with conditions. He stated the Council had quasi-judicial capacity in
13 this matter. He acknowledged the Council did, at times, have the law constrain them, but a lot of
14 times the law just provided some guidance.

15 Larson indicated there was nothing in the State Statute, nor was there any appellate Court (Court of
16 Appeals or Minnesota Supreme Court) with such a holding. He stated he could not guarantee what
17 the Courts would do, but he believed the Court would not ever go and break this apart just a little bit.

18 Larson stated a Special Use Permit was not a Conditional Use Permit and if they were, they would not
19 have two different terms. He acknowledged a Special Use Permit was still valid as a matter of law,
20 but the question was if some Special Use Permits run with the property. He indicated some Special
21 Use Permits are very personal and only the holder could rely upon them.

22 Larson noted whether this is a Special Use Permit or a Conditional Use Permit, based on the facts this
23 mobile home park has been operating fairly consistently with respect to the number of units, the
24 number of lots, and the dimensions of those lots. He stated he had gone back to look from 1979 to
25 the present and the zoning with respect to those lots had been fairly consistent, but now those lots
26 are too small. He stated the State Statute said as long as they kept those lots and they continued to
27 use them, the City had no choice and the owner got to have the mobile homes, with the size and
28 structure in place into perpetuity. However, the Statute also said that when they are no longer
29 conforming, then they were no longer conforming.

30 Larson requested the Council focus on the variance requests which included an expansion, in which
31 Council could deny because of the expansion or grant it. He indicated he represented the City and
32 empowered the Council to make a choice, but he was not there to tell the Council what their choice
33 should be. He stated the Council could accept the variance without any conditions, they could reject
34 it outright, or they could do something in between. He requested the Council not have attorneys
35 representing a single applicant tell them otherwise.

36 Mundle asked how long the Council had to act on this. Berg responded they needed to make a
37 decision tonight unless they wanted to call a Special Session Meeting.

38 Larson noted the applicant could also wave the 120 days, but the City would need that in writing.

39 Look stated the applicant's attorney indicated that it would be difficult to find a manufacturer home
40 of this size that was originally on there; however, it had been validated earlier through research that
41 homes that size would be bought, but whether a customer wanted to live in that size of a home was
42 not the responsibility of the City. He indicated while the City wanted this business to be successful,
43 that was independent of whether a home of the same size that was removed before could be placed

1 safely in this location. He understood people wanted a larger home, but it needed to be taken into
2 account the sight lines, the close proximity to the other homes, and the fire risk.

3 Smith stated his concern was if they were going to issue permits to do all of this stuff, they needed to
4 pay attention to the setbacks as well because they were now being asked to do a variance. He did
5 not understand why the other ones were approved and now they were sitting here with two new
6 ones where the setbacks were different. Berg responded the reason he provided the memo for Lot
7 45 was that the Building Inspector at that time was questioning the standards and brought it to his
8 Supervisor, who went to the City Administrator, and then went to the Fire Chief to come to the
9 conclusion that it would be acceptable.

10 Berg noted not one City employee was allowed to change the City Code by making a decision in their
11 office. He indicated that was an administrative decision and they didn't have the authority to do
12 these replacements or to approve the replacements. He stated this should have been tackled years
13 go, but it was not.

14 Smith agreed, but noted other permits were approved for similar situations and asked why where
15 they zeroing these out as an issue when the other ones were approved. He stated if the City was
16 going to issue permits, they had to know what they were doing and he believed they should approve
17 this variance because of the way the City handled it. Berg responded the difference between the past
18 and now was that the City had a different Community Development Director who saw the Code in
19 black and white as it was written whereas the other Community Development Director sought the
20 approval of the City Administrator and the Fire Chief in their decision making.

21 DeRoche asked if all of the others were conforming or non-conforming when they were issued
22 permits. Berg responded he could not answer that as he did not know whether there was a home on
23 those lots and then the home was removed or if there was a permit issued. He noted he would need
24 to research historical data to determine what happened.

25 Lewis stated he heard what Smith and Berg were saying and his position was that the City wanted to
26 see this business succeed and they had seen the changes being made, which have been great. He
27 indicated this was being well taken care of in the places that were being worked on. He stated he
28 would not in good conscious approve this because of the way it was done and he did not think it
29 should have been done that way. He did not want to create precedence that the City would have to
30 follow. He recommended the City and the applicant work together to pursue a mutually acceptable
31 and beneficial path, which would be his desire. He noted the way this had been handled in the past,
32 was not the way it should have been handled.

33 Mundle stated he had an issue with expanding a non-conformity when it specifically said that could
34 not be done. Lewis agreed.

35 Mundle recommended the applicant meet with the City to figure out how to replat everything so that
36 it would fit and have clear expectations of setbacks, trailer size, etc. in the future so they do not have
37 this situation again.

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

40 Smith stated he had already expressed his opinion.

41 Miller stated this was a tough one as he did not like telling a business something when they are an
42 established business. He indicated he understood where the Planning Commission was coming from

1 though. He did not think the City had handled this properly, but he did not think they should punish a
2 business. He believed a business of this caliber should know exactly what it was doing though.

3 DeRoche stated he did not know what difference it would make if they approved these two variances
4 and then make it clear that no more variances would be issued.

5 Lewis stated at the end of the day, it was two mobile homes that could be sold and other ones could
6 be brought in that are the right size. He noted this was not life or death.

7 Miller stated he did not want to sit here 31 more times discussing the same thing. Lewis agreed and
8 that was why he was recommending the City and the applicant come up with a plan that made sense
9 for both parties.

10 Mundle stated at this specific moment, without have a Special Meeting, they need to make a
11 decision. He noted they could work out things in the future, if needed.

12 Lewis stated he did not want to set a precedent. Mundle noted they also had other businesses where
13 precedent could be applied if the Council approved this.

14 Larson noted they could approve the variance with the condition that the mobile home had to be of
15 the same dimension as the last known mobile home as documented.

16 Mundle asked if anyone would be open to having an amendment to deny unless the mobile home
17 was the same dimension.

18 Lewis asked if the lots have been vacant more than a year. Berg responded that both Lot 17 and Lot
19 125 have been vacant since 2008.

20 Lewis recommended this be denied and then the City and the applicant sit down to discuss this.

21 Smith responded the City had issued the permits and the City knew the size and gave the applicant
22 permission to put them there. Lewis noted based on the information, that was not properly
23 communicated and vetted by the Council at that time.

24 Smith stated the City cannot issue permits if they don't know the size that was going in, but they did.
25 Lewis noted the lots had been vacant for a long time and he disagreed with Smith.

26 Miller asked how far off were the trailer setbacks. Larson responded that the setback requirements
27 were in his report in the third column. Berg used a map to show the setbacks.

28 Miller asked if there would be an official survey of the site. Berg responded it was up to the City to
29 make that request, which he would encourage if they were going to continue a conversation about
30 future placements.

31 Lewis stated that might be a condition put on a future variance request. Berg noted he would need
32 to explore this further. He stated a survey was required with any single-family construction project,
33 but they do not do that in a manufactured home community. He indicated they could require a
34 Certificate of Survey for every lot, for every placement, and some of these issues that showed up.

35 Larson asked the City Attorney if this was a good idea. Larson agreed this was an excellent idea and it
36 could be part of tonight's motion. Berg stated the Council could also make it a procedural
37 requirement for an application for placement or the construction of a new single-family home which
38 would apply to every single-family home in the City.

39 To the motion, all in favor say aye. **Mundle, DeRoche, Smith, and Lewis.** Lewis asked any opposed?
40 **Smith.** That motion passes. **Motion passes 4-1.**

Larson believed this was a good opportunity for the City and the applicant to sit down and start thinking about what makes sense for the entire Cedar Estates as well as the adjacent properties owned by Continental Communities.

Mundle stated the City wanted the applicant to be successful and if this can be done within the rules the City had, he was absolutely open towards that. He suggested the City and applicant figure this out so the applicant never has to come forward with the variance again.

8.0 A.2 Variance: 23558 Ulysses St NE – Dan Graff

Berg reviewed the staff report requesting the Council consider a variance request for a setback reduction from the Shoreland Overlay standard for the placement of an in-ground pool at 23558 Ulysses Street NE.

1:20:41 DeRoche stated I’ll make a motion to open this up for discussion. Mundle stated I’ll second.

Mundle thanked Mr. Graff for his patience and in trying to work with the City. He believed the original submission was 64 feet into the 150-foot overlay and he thought Mr. Graff had done a very good job of reducing it down to 14.5 feet or 18.7 feet, which either one he would live with.

DeRoche stated the packet submitted today answered a lot of the questions. Lewis noted this information just showed up last minute and he had not had time to review this.

Lewis asked if there had been alternative places looked at for the pool.

1:26:28 Look stated the motion was to approve the Resolution. Mundle stated it was his understanding the motion for discussion.

1:27:48 Look said the Council needs to vote on the amendment and then on the original motion.

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

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

8.0 G.1 Blue Ribbon Festival

Look stated the City had received some responses from the Deputies regarding the Blue Ribbon Festival. He noted five calls had been received with one confirmed noise violation on Friday, which Mr. Jordan was notified of and Mr. Jordan had remedied immediately. Look read emails he received into the record as follows: **(Staff, please insert the emails here).**

1 Lewis stated they had received complaints about the noise level, but also about the content with
2 extreme profanity being used which did not need to be broadcast into everyone's homes, and would
3 need to be addressed next year if this Festival took place.

4 DeRoche stated the use of profanity was the biggest complaint he received.

5 **8.0 G.2 Computer update**

6 Look stated the City's laptops had been affected by the CrowdStrike computer update, which had
7 been fixed on a timely basis.

8 **8.0 G.3 Booster Days Festival**

9 Look thanked everyone involved in the Booster Days Festival. He believed a parade might have
10 drawn more people and suggested the Lions might want to participate in coordinating the parade
11 next year. Mundle believed this might also get more volunteers.

12 **8.0 G.4 Voting Machines Public Accuracy Testing**

13 Look stated that voting machine public accuracy testing was scheduled for tomorrow at 9 a.m. He
14 stated this was open to the public to come and view that accuracy test.

15 **9.0 – Other Items**

16 **9.0 A Staff Report**

17 None.

18 **9.0 B Council Reports**

19 Miller noted that all people involved in the Booster Day Committee were volunteers, they did a good
20 job, and pulled off a nice event. He commended Stephanie Dorn for her great job. He also thanked
21 Cub Scouts Pack 387 for picking up the park.

22 Mundle echoed Miller's comments and stated it was great to keep the tradition going, which brings
23 the community together. He thanked Stephanie Dorn and all of the volunteers along with the City
24 workers and Council Liaison Miller for their work.

25 Smith also thanked everyone for a successful Booster Days. He noted there were a lot of older
26 people volunteering too.

27 **10.0 Adjourn**

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

30 Meeting adjourned at 8:40 p.m.

31 Submitted by:

32 Kathy Altman

33 *TimeSaver Off Site Secretarial, Inc.*

CITY OF EAST BETHEL POSITION DESCRIPTION

Job Description Title: City Planner	FLSA Status: Non-Exempt /Confidential /Non-Union
Department/Division: Community Development Department	Position Status: Regular Full-Time
Accountable To: Community Development Director	Salary Grade: Grade 6
Prepared By: City Administrator	Revision Date: July 25, 2024

Position Summary:

Under the supervision of the Community Development Director, the City Planner position provides basic planning and zoning duties, assists with subdivision ordinance administration, reviews land use applications and assists with code enforcement duties.

Essential Duties and Responsibilities:

- Interprets and applies applicable local codes and ordinances.
- Provides public assistance to residents regarding zoning questions.
- Accepts, processes, and maintains land use applications for conditional and interim use permits, variances, plats, parcel divisions, site plan reviews, wetland use and re-zonings.
- Conducts review and administers various development applications including but not limited to interim use permits, conditional use permits, and variances requests.
- Assists with the administration of all parts of the Subdivision Ordinance, site plan review, preliminary plats, final plats, and other Ordinance related land development matters.
- Oversee the scheduling of all Planning related public hearings, including the preparation of notices and staff documentation.
- Recommends updates to the Zoning Map as necessary.
- Assists in the reviews and preparation of the City’s Codes and Ordinances.
- Provides customer service to the general public including telephone, email, and front counter assistance with land use applications and related requirements, GIS information, parcel information, zoning, complaints, building information and other general information.
- Maintain department files in accordance with applicable state, federal or local laws/ordinances and records retention schedule.
- Maintains land use application, development and address file system and database for IUP renewal schedules.
- Assists in the preparation of agendas for and attends Planning Commission meetings as required.
- Initiates actions necessary to correct deficiencies or violations of regulations.
- Responsible for responding to complaints and city code violations and code compliance letters and records.
- Responsible for providing all documentation for code compliance cases to the City Attorney’s office.
- Assists the building department with onsite inspections of code violations.
- Assists at front counter as needed.
- Provide backup administrative services to the Building Department as needed.
- Performs other duties as assigned or directed that relate to the Department or other City functions.

Knowledge, Skills and Abilities

- Basic knowledge of planning principles and practices
- Knowledge of principles, methodology, practices of research and data collection.
- Must have technical writing skills as required to address the requirements of the job description.
- Ability to operate office equipment including PC's and appropriate software.
- Ability to deal tactfully with the public, city staff and outside agencies.
- Knowledge of general office procedures including but not limited answering and directing phone calls, taking messages, filing, etc.
- Ability to communicate effectively, in English, both verbally and in writing. Ability to compose a variety of documents using correct grammar, punctuation, and spelling.
- Ability to coordinate inspections schedules for multiple inspectors.
- Ability to work with limited supervision and work direction.
- Ability to function in a fast paced environment and perform tasks within deadlines.
- Ability to efficiently organize tasks and meet deadlines.
- Ability to establish and maintain effective working relationships with supervisors, co-workers and the general public.

Minimum Qualifications:

- Bachelor's degree in land use planning, urban planning, or related field or a minimum three years equivalent experience in a building or planning department.
- Ability to work some evenings and flexible hours as required.
- Ability to utilize Microsoft Office products.
- Ability to utilize GIS and PermitWorks software.
- Ability to communicate clearly, effectively and efficiently in both verbal and written formats.
- Ability to multi task and work in a fast-paced environment.
- High proficiency in computer skills.
- Valid driver's license.

These job responsibilities are examples of various types of work performed and are not necessarily all-inclusive.

Approved by:

City Administrator

Date

Contractor's Application for Payment No.

1

To (Owner): City of East Bethel	Application Period: 6-Aug-24	Application Date: August 6, 2024
Project: 2024 Street Reconstruction Project	From (Contractor): Knife River Corporation	Via (Engineer): Hakanson Anderson

**Application For Payment
Change Order Summary**

Approved Change Orders		
Number	Additions	Deductions
TOTALS	\$0.00	\$0.00
NET CHANGE BY CHANGE ORDERS	\$0.00	

1. ORIGINAL CONTRACT PRICE.....	\$	\$837,085.77
2. Net change by Change Orders.....	\$	\$0.00
3. Current Contract Price (Line 1 ± 2).....	\$	\$837,085.77
4. TOTAL COMPLETED AND STORED TO DATE	\$	\$138,279.70
5. RETAINAGE:	\$	
a. 5% X Work Completed.....	\$	\$6,913.99
b. 0% X Stored Material.....	\$	\$0.00
c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$6,913.99
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$131,365.71
7. LESS PREVIOUS PAYMENTS.....	\$	
8. AMOUNT DUE THIS APPLICATION.....	\$	\$131,365.71

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

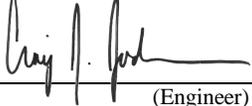
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By: 	Date: 8/7/24
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ENGINEER: HAKANSON ANDERSON

Certification: We recommend payment for work and quantities shown.

 8/7/24

(Engineer) Date

OWNER: CITY OF EAST BETHEL

(Owner) Date

PAY ESTIMATE #1
City of East Bethel
2024 Street Reconstruction Project

Bid Schedule 'A': Davenport Street; SAP 203-102-009

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	MOBILIZATION	0.60	LUMP SUM	\$ 59,000.00	\$ 35,400.00	0.20	\$ 11,800.00
2	REMOVE CATCH BASIN	2	EACH	\$ 200.00	\$ 400.00		\$ -
3	REMOVE SIGN	8	EACH	\$ 25.00	\$ 200.00		\$ -
4	REMOVE MAIL BOX SUPPORT	12	EACH	\$ 100.00	\$ 1,200.00		\$ -
5	SAWING CONCRETE PAVEMENT - FULL DEPTH	13	LIN FT	\$ 5.50	\$ 71.50		\$ -
6	SAWING BITUMINOUS PAVEMENT - FULL DEPTH	234	LIN FT	\$ 1.85	\$ 432.90		\$ -
8	REMOVE SEWER PIPE (STORM)	249	LIN FT	\$ 12.00	\$ 2,988.00		\$ -
9	REMOVE CURB AND GUTTER	132	LIN FT	\$ 4.00	\$ 528.00		\$ -
10	REMOVE BITUMINOUS PAVEMENT	770	SQ YD	\$ 9.00	\$ 6,930.00		\$ -
12	EXCAVATION - COMMON (P)	223	CU YD	\$ 9.00	\$ 2,007.00		\$ -
14	EXCAVATION - CHANNEL AND POND	890	CU YD	\$ 13.00	\$ 11,570.00		\$ -
16	SUBGRADE PREPARATION	27.5	ROAD STATION	\$ 230.00	\$ 6,325.00		\$ -
17	AGGREGATE BASE CLASS 5	713	TON	\$ 21.00	\$ 14,973.00		\$ -
18	FULL DEPTH RECLAMATION	7755	SQ YD	\$ 1.45	\$ 11,244.75	7,755	\$ 11,244.75
19	HAUL FULL DEPTH RECLAMATION (LV) (P)	1680	CU YD	\$ 15.00	\$ 25,200.00		\$ -
20	MILL BITUMINOUS SURFACE (2.0")	8.2	SQ YD	\$ 22.50	\$ 184.50		\$ -
21	BITUMINOUS MATERIAL FOR TACK COAT	411	GALLONS	\$ 2.50	\$ 1,027.50		\$ -
22	TYPE SP 9.5 WEARING COURSE MIXTURE (2,B) 3.0" THICK	603	SQ YD	\$ 21.00	\$ 12,663.00		\$ -
23	TYPE SP 12.5 WEARING COURSE MIXTURE (2,B)	1040	TON	\$ 76.00	\$ 79,040.00		\$ -
24	TYPE SP 12.5 NON WEARING COURSE MIXTURE (2,B)	1040	TON	\$ 76.00	\$ 79,040.00		\$ -
25	12" RC PIPE APRON	1	EACH	\$ 715.00	\$ 715.00		\$ -
26	15" RC PIPE APRON	1	EACH	\$ 775.00	\$ 775.00	1	\$ 775.00
27	12" RC PIPE SEWER DESIGN 3006 CLASS V	107	LIN FT	\$ 58.00	\$ 6,206.00	90	\$ 5,220.00
28	15" RC PIPE SEWER DESIGN 3006 CLASS V	498	LIN FT	\$ 70.00	\$ 34,860.00	498	\$ 34,860.00
29	CASTING ASSEMBLY	6	EACH	\$ 1,300.00	\$ 7,800.00		\$ -
30	CONSTRUCT DRAINAGE STRUCTURE DESIGN H	6.5	LIN FT	\$ 475.00	\$ 3,087.50	6.5	\$ 3,087.50
31	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	13.6	LIN FT	\$ 610.00	\$ 8,296.00	13.6	\$ 8,296.00
32	RANDOM RIPRAP CLASS II	5	CU YD	\$ 125.00	\$ 625.00		\$ -
36	CONCRETE CURB AND GUTTER DESIGN B418	5162	LIN FT	\$ 16.58	\$ 85,585.96		\$ -
37	CONCRETE CURB AND GUTTER DESIGN B612	73	LIN FT	\$ 31.50	\$ 2,299.50		\$ -
38	CONCRETE CURB AND GUTTER DESIGN B618	211	LIN FT	\$ 16.37	\$ 3,454.07		\$ -
39	8" CONCRETE DRIVEWAY PAVEMENT	22.3	SQ YD	\$ 122.73	\$ 2,736.88		\$ -

Bid Schedule 'A': Davenport Street; SAP 203-102-009 (CONTINUED)

PAY ESTIMATE #1
City of East Bethel
2024 Street Reconstruction Project

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
42	MAIL BOX SUPPORT	12	EACH	\$ 200.00	\$ 2,400.00		\$ -
43	TRAFFIC CONTROL	0.60	LUMP SUM	\$ 12,000.00	\$ 7,200.00	0.35	\$ 4,200.00
44	SIGN PANELS TYPE C	93	SQ FT	\$ 65.00	\$ 6,045.00		\$ -
46	STABILIZED CONSTRUCTION EXIT	0.80	LUMP SUM	\$ 0.01			\$ -
47	EROSION CONTROL SUPERVISOR	0.80	LUMP SUM	\$ 906.06	\$ 724.85		\$ -
48	STORM DRAIN INLET PROTECTION	6	EACH	\$ 200.00	\$ 1,200.00		\$ -
49	CULVERT END CONTROLS	2	EACH	\$ 250.00	\$ 500.00		\$ -
50	SILT FENCE, TYPE MS	2500	LIN FT	\$ 1.65	\$ 4,125.00	2,500	\$ 4,125.00
51	FILTER TOPSOIL BORROW	63	CU YD	\$ 50.00	\$ 3,150.00		\$ -
52	FERTILIZER TYPE 1	837	POUND	\$ 0.85	\$ 711.45		\$ -
53	ROLLED EROSION PREVENTION CATEGORY 25	820	SQ YD	\$ 1.98	\$ 1,623.60		\$ -
54	SEEDING (P)	2.8	ACRE	\$ 250.00	\$ 700.00		\$ -
55	HYDRAULIC BONDED FIBER MATRIX	9800	POUND	\$ 1.45	\$ 14,210.00		\$ -
56	SEED MIXTURE 25-131	616	POUND	\$ 4.00	\$ 2,464.00		\$ -
57	SEED MIXTURE 33-261	5	POUND	\$ 25.00	\$ 125.00		\$ -
58	6" SOLID LINE MULTI-COMPONENT	5175	LIN FT	\$ 0.71	\$ 3,674.25		\$ -
59	4" BROKEN LINE MULTI-COMPONENT	530	LIN FT	\$ 0.51	\$ 270.30		\$ -
61	24" SOLID LINE MULTI-COMPONENT	44	LIN FT	\$ 12.00	\$ 528.00		\$ -
Total Bid Schedule 'A'					\$ 497,517.51		\$ 83,608.25

PAY ESTIMATE #1
City of East Bethel
2024 Street Reconstruction Project

Bid Schedule 'B': 209th Avenue; SAP 203-121-001

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	MOBILIZATION	0.25	LUMP SUM	\$ 59,000.00	\$ 14,750.00	0.10	\$ 5,900.00
2	REMOVE CATCH BASIN	1	EACH	\$ 200.00	\$ 200.00		\$ -
3	REMOVE SIGN	2	EACH	\$ 25.00	\$ 50.00		\$ -
5	SAWING CONCRETE PAVEMENT - FULL DEPTH	2	LIN FT	\$ 5.50	\$ 11.00		\$ -
6	SAWING BITUMINOUS PAVEMENT - FULL DEPTH	159	LIN FT	\$ 1.85	\$ 294.15		\$ -
7	REMOVE PIPE CULVERT	60	LIN FT	\$ 10.00	\$ 600.00		\$ -
8	REMOVE SEWER PIPE (STORM)	165	LIN FT	\$ 12.00	\$ 1,980.00		\$ -
9	REMOVE CURB AND GUTTER	15	LIN FT	\$ 4.00	\$ 60.00		\$ -
12	EXCAVATION - COMMON (P)	79	CU YD	\$ 9.00	\$ 711.00		\$ -
13	EXCAVATION - MUCK	2065	CU YD	\$ 12.25	\$ 25,296.25		\$ -
15	SELECT GRANULAR EMBANKMENT (CV)	664	CU YD	\$ 20.00	\$ 13,280.00		\$ -
16	SUBGRADE PREPARATION	7.9	ROAD STATION	\$ 230.00	\$ 1,817.00		\$ -
18	FULL DEPTH RECLAMATION	2476	SQ YD	\$ 1.45	\$ 3,590.20	2,476	\$ 3,590.20
19	HAUL FULL DEPTH RECLAMATION (LV) (P)	715	CU YD	\$ 15.00	\$ 10,725.00		\$ -
20	MILL BITUMINOUS SURFACE (2.0")	35.2	SQ YD	\$ 22.50	\$ 792.00		\$ -
21	BITUMINOUS MATERIAL FOR TACK COAT	119	GALLONS	\$ 2.50	\$ 297.50		\$ -
23	TYPE SP 12.5 WEARING COURSE MIXTURE (2,B)	302	TON	\$ 76.00	\$ 22,952.00		\$ -
24	TYPE SP 12.5 NON WEARING COURSE MIXTURE (2,B)	302	TON	\$ 76.00	\$ 22,952.00		\$ -
26	15" RC PIPE APRON	2	EACH	\$ 775.00	\$ 1,550.00	1	\$ 775.00
28	15" RC PIPE SEWER DESIGN 3006 CLASS V	342	LIN FT	\$ 70.00	\$ 23,940.00	330	\$ 23,100.00
29	CASTING ASSEMBLY	3	EACH	\$ 1,300.00	\$ 3,900.00		\$ -
31	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	13.3	LIN FT	\$ 610.00	\$ 8,113.00	13.3	\$ 8,113.00
32	RANDOM RIPRAP CLASS II	3	CU YD	\$ 125.00	\$ 375.00		\$ -
36	CONCRETE CURB AND GUTTER DESIGN B418	1370	LIN FT	\$ 16.58	\$ 22,714.60		\$ -
43	TRAFFIC CONTROL	0.25	LUMP SUM	\$ 12,000.00	\$ 3,000.00	0.2	\$ 2,400.00
44	SIGN PANELS TYPE C	16	SQ FT	\$ 65.00	\$ 1,040.00		\$ -
46	STABILIZED CONSTRUCTION EXIT	0.10	LUMP SUM	\$ 0.01			\$ -
47	EROSION CONTROL SUPERVISOR	0.10	LUMP SUM	\$ 906.06	\$ 90.61		\$ -
48	STORM DRAIN INLET PROTECTION	2	EACH	\$ 200.00	\$ 400.00		\$ -
49	CULVERT END CONTROLS	2	EACH	\$ 250.00	\$ 500.00		\$ -
50	SILT FENCE, TYPE MS	1800	LIN FT	\$ 1.65	\$ 2,970.00	1,800	\$ 2,970.00
52	FERTILIZER TYPE 1	218	POUND	\$ 0.85	\$ 185.30		\$ -
54	SEEDING (P)	0.7	ACRE	\$ 250.00	\$ 175.00		\$ -

Bid Schedule 'B': 209th Avenue; SAP 203-121-001 (CONTINUED)

PAY ESTIMATE #1
City of East Bethel
2024 Street Reconstruction Project

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
55	HYDRAULIC BONDED FIBER MATRIX	2450	POUND	\$ 1.45	\$ 3,552.50		\$ -
56	SEED MIXTURE 25-131	154	POUND	\$ 4.00	\$ 616.00		\$ -
58	6" SOLID LINE MULTI-COMPONENT	1300	LIN FT	\$ 0.71	\$ 923.00		\$ -
60	4" DOUBLE SOLID LINE MULTI-COMPONENT	650	LIN FT	\$ 1.02	\$ 663.00		\$ -
61	24" SOLID LINE MULTI-COMPONENT	12	LIN FT	\$ 12.00	\$ 144.00		\$ -
Total Bid Schedule 'B'					\$ 195,210.11		\$ 46,848.20

Bid Schedule 'C': Local Funding

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
1	MOBILIZATION	0.15	LUMP SUM	\$ 59,000.00	\$ 8,850.00	0.05	\$ 2,950.00
3	REMOVE SIGN	4	EACH	\$ 25.00	\$ 100.00		\$ -
4	REMOVE MAIL BOX SUPPORT	7	EACH	\$ 100.00	\$ 700.00		\$ -
5	SAWING CONCRETE PAVEMENT - FULL DEPTH	4	LIN FT	\$ 5.50	\$ 22.00		\$ -
6	SAWING BITUMINOUS PAVEMENT - FULL DEPTH	179	LIN FT	\$ 1.85	\$ 331.15		\$ -
9	REMOVE CURB AND GUTTER	259	LIN FT	\$ 4.00	\$ 1,036.00		\$ -
10	REMOVE BITUMINOUS PAVEMENT	324	SQ YD	\$ 9.00	\$ 2,916.00		\$ -
11	REMOVE CONCRETE PAVEMENT	46	SQ YD	\$ 12.00	\$ 552.00		\$ -
12	EXCAVATION - COMMON (P)	209	CU YD	\$ 9.00	\$ 1,881.00		\$ -
16	SUBGRADE PREPARATION	7.6	ROAD STATION	\$ 230.00	\$ 1,748.00		\$ -
17	AGGREGATE BASE CLASS 5	417	TON	\$ 21.00	\$ 8,757.00		\$ -
18	FULL DEPTH RECLAMATION	2435	SQ YD	\$ 1.45	\$ 3,530.75	2,435	\$ 3,530.75
19	HAUL FULL DEPTH RECLAMATION (LV) (P)	440	CU YD	\$ 15.00	\$ 6,600.00		\$ -
20	MILL BITUMINOUS SURFACE (2.0")	255.3	SQ YD	\$ 22.50	\$ 5,744.25		\$ -
21	BITUMINOUS MATERIAL FOR TACK COAT	131	GALLONS	\$ 2.50	\$ 327.50		\$ -
22	TYPE SP 9.5 WEARING COURSE MIXTURE (2,B) 3.0" THICK	165	SQ YD	\$ 21.00	\$ 3,465.00		\$ -
23	TYPE SP 12.5 WEARING COURSE MIXTURE (2,B)	332	TON	\$ 76.00	\$ 25,232.00		\$ -
24	TYPE SP 12.5 NON WEARING COURSE MIXTURE (2,B)	302	TON	\$ 76.00	\$ 22,952.00		\$ -
33	4" CONCRETE WALK	175	SQ FT	\$ 7.50	\$ 1,312.50		\$ -
34	DRILL AND GROUT REINF BAR (EPOXY COATED)	13	EACH	\$ 10.00	\$ 130.00		\$ -
35	CONCRETE CURB RAMP WALK	75	SQ FT	\$ 16.21	\$ 1,215.75		\$ -
37	CONCRETE CURB AND GUTTER DESIGN B612	70	LIN FT	\$ 31.50	\$ 2,205.00		\$ -

Bid Schedule 'C': Local Funding (CONTINUED)

PAY ESTIMATE #1
City of East Bethel
2024 Street Reconstruction Project

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	CONTRACT UNIT PRICE	CONTRACT AMOUNT	USED TO DATE	EXTENSION
38	CONCRETE CURB AND GUTTER DESIGN B618	1251	LIN FT	\$ 16.37	\$ 20,478.87		\$ -
39	8" CONCRETE DRIVEWAY PAVEMENT	77.5	SQ YD	\$ 122.73	\$ 9,511.58		\$ -
40	CONCRETE CURB AND GUTTER	8	LIN FT	\$ 40.00	\$ 320.00		\$ -
41	TRUNCATED DOMES	12	SQ FT	\$ 60.00	\$ 720.00		\$ -
42	MAIL BOX SUPPORT	7	EACH	\$ 200.00	\$ 1,400.00		\$ -
43	TRAFFIC CONTROL	0.15	LUMP SUM	\$ 12,000.00	\$ 1,800.00	0.05	\$ 600.00
44	SIGN PANELS TYPE C	11.3	SQ FT	\$ 65.00	\$ 734.50		\$ -
45	SIGN SPECIAL	48	SQ FT	\$ 38.00	\$ 1,824.00		\$ -
46	STABILIZED CONSTRUCTION EXIT	0.10	LUMP SUM	\$ 0.01	\$ 0.01		\$ -
47	EROSION CONTROL SUPERVISOR	0.10	LUMP SUM	\$ 906.06	\$ 90.60		\$ -
50	SILT FENCE, TYPE MS	450	LIN FT	\$ 1.65	\$ 742.50	450	\$ 742.50
52	FERTILIZER TYPE 1	209	POUND	\$ 0.85	\$ 177.65		\$ -
54	SEEDING (P)	0.7	ACRE	\$ 250.00	\$ 175.00		\$ -
55	HYDRAULIC BONDED FIBER MATRIX	2450	POUND	\$ 1.45	\$ 3,552.50		\$ -
56	SEED MIXTURE 25-131	154	POUND	\$ 4.00	\$ 616.00		\$ -
58	6" SOLID LINE MULTI-COMPONENT	1480	LIN FT	\$ 0.71	\$ 1,050.80		\$ -
60	4" DOUBLE SOLID LINE MULTI-COMPONENT	725	LIN FT	\$ 1.02	\$ 739.50		\$ -
61	24" SOLID LINE MULTI-COMPONENT	40	LIN FT	\$ 12.00	\$ 480.00		\$ -
62	PAVEMENT MESSAGE MULTI-COMPONENT	30	SQ FT	\$ 11.00	\$ 330.00		\$ -
Total Bid Schedule 'C'					\$ 144,351.41		\$ 7,823.25

Bid Schedule 'A': Davenport Street; SAP 203-102-009	\$83,608.25
Bid Schedule 'B': 209th Avenue; SAP 203-121-001	\$46,848.20
Bid Schedule 'C': Local Funding	\$7,823.25
TOTAL	\$138,279.70

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



Date: August 12th, 2024

Agenda Item Number: 7.0 A1

Agenda Item: Rear Yard Setback Variance - 20738 Tyler St NE – John Stewart

Background Information: On June 12, 2024, the city received a variance application from John Stewart, owner of 20738 Tyler St NE, to reduce the rear yard setback on his property from 10 feet to 5 feet, for the placement of a detached accessory building.

Stewart's property, 20738 Tyler St NE, is located in a Single Family R-1 Zoning District and in the Hidden Haven Country Club Estates Development where accessory structures are an approved accessory use in an R-1 Zoning District.

The property is recorded as .87 Acres and would be permitted one (1) Detached Accessory Structure at a maximum square footage of 1,100 square feet in size by East Bethel Zoning Code.

Documents on file with the city show that the well is located in the front yard and the SSTS (septic) is located in the south west corner of the rear yard.

All properties in the Hidden Haven Country Club Estates have a platted drainage and utility easement on all lot lines of the perimeter of the properties. For maintenance, drainage and utility placement factors the city does not permit the placement of structures in drainage and utility easements. Stewart's property has a ten (10) foot easement along the rear property line which overlaps and matches the ten (10) foot rear yard setback required by city ordinance. In order to reduce the setback a variance would be required.

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

The consideration of a variance requires 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.

In this case:

- ***Accessory structures are an approved accessory use in an R-1 Zoning District.***
- ***Placing the Accessory Building, as required by ordinance, would not deny the landowner reasonable use of their property.***

- ***There is 85 feet of rear yard on this property.***
- ***Well placement and SSTs locations do not interfere with the placement of a detached accessory structure in compliance with ordinance requirements.***
 - 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.

In this case:

- ***This property is 182 feet in depth and the house was placed 48 feet from the ROW, leaving 85 feet of rear yard.***
 - ***A majority of the lots in the development are .75 to 1 Acre in size.***
 - ***There is a small grove of trees stretching across the rear property line.***
- 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.

In this case:

- ***Every lot in the Hidden Haven Country Club Estates has a 10 foot drainage and utility easement following the perimeter of their property.***
- ***There are other accessory buildings in rear yards throughout the development however none required a variance for placement.***
- ***The proposed accessory building placement is to the rear of the house and in combination of the tree cover the Accessory Building would not be visible from ROW.***

Planning Commission: On July 23, 2024, the Planning Commission held a Public Hearing which there was no public comment. After a review of the application material and discussion the Planning Commission, by a 6-0 vote recommended denial of the variance request due to a lack of practical difficulties test being met.

Recommendation: City Council should review the request, consider the Planning Commission’s formal recommendation and approve or deny the variance request, to reduce the rear yard setback from 10 feet to 5 feet, for the placement of an Accessory Structure as presented in Resolution 2024-51A or 2024-51B.

Attachments:

1. Resolution 2024-51
2. Location Map
3. Aerial Map
4. Site Plan
5. Photo of proposed location

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

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

RESOLUTION NO. 2024-51

A RESOLUTION **GRANTING** A VARIANCE FOR THE REDUCTION OF THE REAR YARD SETBACK FROM 10 FEET TO 5 FEET FOR THE PLACEMENT OF AN ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 20738 TYLERS ST NE, PIN: 183323410030, LEAGLLY DESCRIBED AS:

LOT 11 BLOCK 3 HIDDEN HAVEN COUNTRY CLUB ESTATES

WHEREAS, the property owner requested a variance to reduce the rear yard setback from 10 feet to 5 feet for the placement of an accessory building, and;

WHEREAS, the Planning Commission held a public hearing on July 22, 2024; and,

WHEREAS, the City Council finds the request:

1. Is a reasonable use of the property;
 - Accessory structures are an approved accessory use in an R-1 Zoning District.

2. Is a unique situation to this property due to circumstances not caused by the landowner;
 - This property is 182 feet in depth and the house was placed 48 feet from the ROW, leaving almost 85 feet of rear yard.
 - A majority of the lots in the development are .75 to 1 Acre in size.
 - There is a small grove of trees stretching across the rear property line.

3. Will not have a negative effect the characteristic of the neighborhood;
 - The proposed accessory building placement is to the rear of the house and in combination of the tree cover the Accessory Building would not be visible from ROW.
 - There are other accessory buildings in rear yards throughout the development.
 - A detached accessory structure will also maintain the character of the neighborhood by providing an enclosed structure in which the property owner can a detached accessory structure in which he may keep general storage and screening items from all adjacent properties.

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby approves the variance to reduce the rear yard setback from 10 feet to 5 feet for the placement of an accessory building on property located at 20738 Tyler 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.
4. If future drainage or utility work needs to be completed the owner will be required for removal and replacement.

Adopted by the City Council of the City of East Bethel on this 12th day of August, 2024.

CITY OF EAST BETHEL

Kevin Lewis, Mayor

ATTEST:

Matt Look, City Administrator

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

RESOLUTION NO. 2024-51

A RESOLUTION **DENYING** A VARIANCE FOR THE REDUCTION OF THE REAR YARD SETBACK FROM 10 FEET TO 5 FEET FOR THE PLACEMENT OF AN ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 20738 TYLERS ST NE, PIN: 183323410030, LEAGLLY DESCRIBED AS:

LOT 11 BLOCK 3 HIDDEN HAVEN COUNTRY CLUB ESTATES

WHEREAS, the property owner requested a variance to reduce the rear yard setback from 10 feet to 5 feet for the placement of an accessory building, and;

WHEREAS, the Planning Commission held a public hearing on July 22, 2024; and,

WHEREAS, as a result of such public hearing the Planning Commission recommends to the City Council the denial of the variance request to reduce the rear yard setback from 10 feet to 5 feet for the placement of an accessory building, and;

WHEREAS, City Council completed a review of the variance, along with Planning and Zoning Commission recommendation; and

WHEREAS, City Council denies the variance request to reduce the rear yard setback from 10 feet to 5 feet for the placement of an accessory building, and;

WHEREAS, based on the criteria for granting a variance under City Code Appendix A, Section 4-10 D.4, City Council finds the following findings of fact to support the denial of the variance request:

1. The property owner proposed to use the property in a reasonable manner not permitted by an official control.
 - The denial of a variance to reduce the rear yard setback from 10 feet to 5 feet does not deny the landowner reasonable use of the property, as there is sufficient room for the placement of a detached accessory structure in the rear yard without the variance.
2. The plight of the property owner is due to circumstances unique to the property not created by the landowner.
 - The current size of the property and available rear yard space is not unique to this property.
 - A majority of the lots in the development are .75 to 1 Acre in size.
 - This property is 182 feet in depth and the house was placed 48 feet from the ROW, leaving 85 feet of rear yard.
 - Standing trees straddling the rear yard lot line in the proposed placement location do not extend beyond the required ten (10) foot rear yard setback or drainage and utility easement.

- Well placement and SSTS locations do not interfere with the placement of a detached accessory structure in other locations on the property.
3. Will have a negative effect the characteristic of the neighborhood.
- Every lot in the Hidden Haven Country Club Estates have a platted ten (10) foot drainage and utility easement on all lot lines of the perimeter of their property.
 - There are other accessory buildings in rear yards throughout the development however none required a variance for placement or are placed in the platted drainage and utility easement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of East Bethel hereby denies the variance to reduce the rear yard setback from 10 feet to 5 feet, for the placement of a detached accessory building.

Adopted by the City Council of the City of East Bethel this 12th day of August, 2024.

CITY OF EAST BETHEL

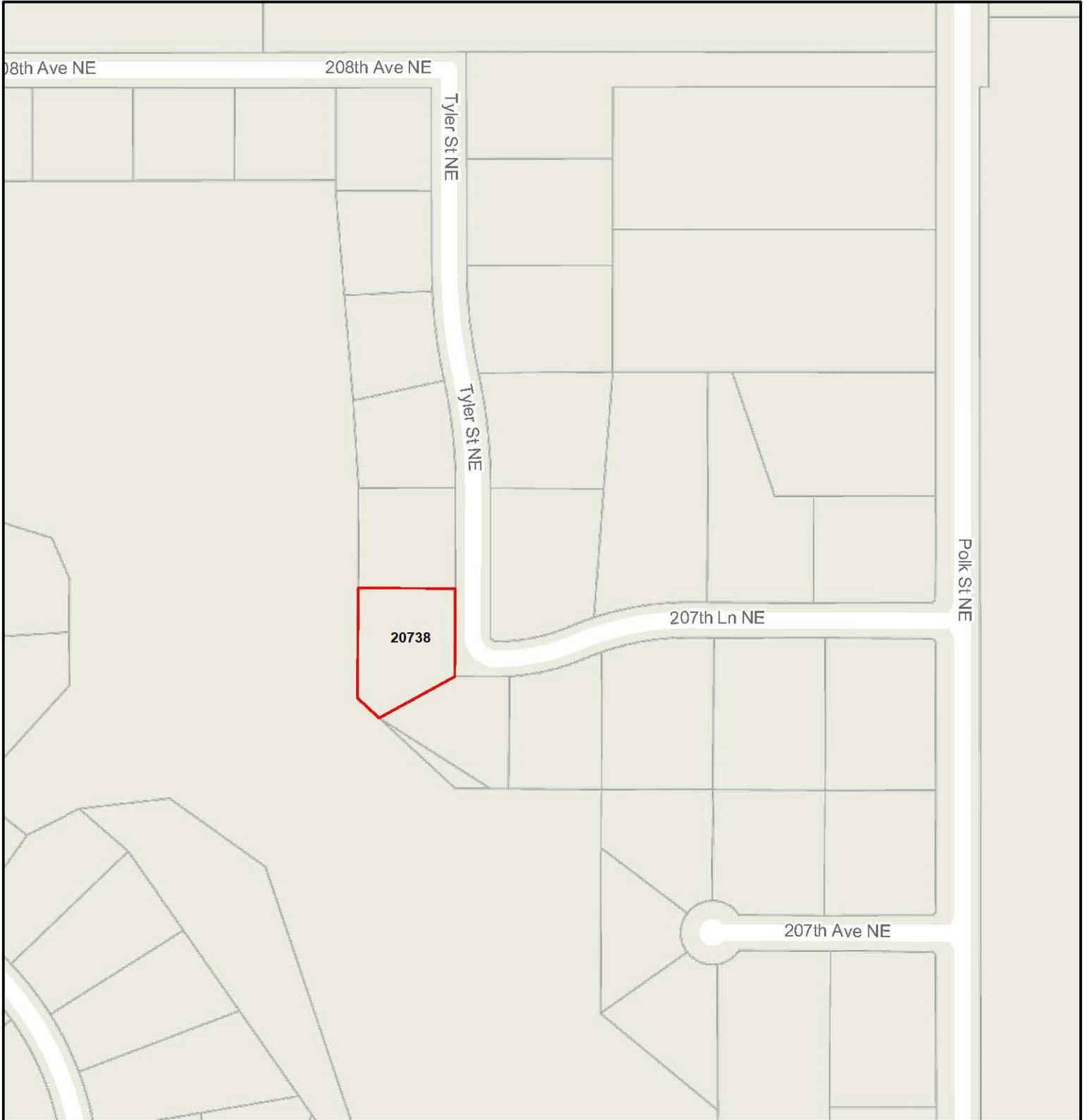
Kevin Lewis, Mayor

ATTEST:

Matt Look, City Administrator

20738 Tyler St NE - Location Map

Item 7.0 A.1, Attachment 2



-  Parcels
-  City Mask

1 inch equals 359 feet



20738 Tyler St NE - Aerial Map

Item 7.0 A.1, Attachment 3



-  Parcels
-  City Mask

1 inch equals 136 feet





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



Date: August 12, 2024

Agenda Item Number: 7.0 A2

Agenda Item: Variance Request – General Regulations -Detached Accessory Structure placement nearer to Front Lot Line than Primary Structure – 20063 University Ave NE – Paolo Fanucci.

Background Information: On June 18, 2024 the city received a variance application from Paolo Fanucci for the placement of a detached accessory structure closer to the street than the primary structure due to wetland restrictions on his property. Fanucci’s property is located in a RR Rural Residential Zoning District.

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 5.37 acres, with the primary structure set back approximately 125 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.

The applicant’s property is over 5 acres in size however nearly two (2) acres are wetlands/ lowlands that extend from the Northeast corner of the lot diagonally to the South Property line. (Attachment 5)

Sec. 66-255 requires a Minimum Building and Septic System Setback from Delineated Wetland Edge of 25 feet.

Additionally, since this variance request is for a placement in front of the primary residence according to **Sec. 42-7 B (2)** the Front Yard Setback distance for structural placement is 40 feet. Therefore, if a variance for this placement is approved the detached accessory structure would need to meet the 40 foot setback.

The consideration of a variance requires 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 SSTS (Septic System) is located on the North side of the property.***
- 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 over 5 acres in size however nearly 2 acres are wetlands that extend from the Northeast corner of the lot diagonally to the South Property line.*
 - *Wetland Setbacks as defined in Artic IX, Sec. 66-255 require a 25 foot setback from the delineated Wetland Edge.*
- 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:

- **The accessory structure will be used for general storage, allowing for personal property to not be visible to adjoining property and the city Right of Way, as required by Sec. 24-3A.**
- **Standing tree growth between the proposed detached accessory structure and the front property line will screen it from view from the public roadway.**

Planning Commission: On July 23, 2024, the Planning Commission held a Public Hearing which there was no public comment. After a review of the application material and discussion Planning Commission, by a 6-0 vote recommended approval of the variance for the placement of a detached accessory structure nearer to Front Lot Line than Primary Structure.

Recommendation: City Council should review the request, consider the Planning Commission’s formal recommendation and approve the variance request as presented in Resolution 2024-49.

Attachments:

1. Resolution 2024-49
2. Location Map
3. Aerial Map
4. Site Plan
5. Wetland Overlay

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

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

RES. NO. 2024-49

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 20063 UNIVERSITY AVE NE (PIN: 19-33-23-32-0002), LEAGLLY DESCRIBED AS:

THE S 537 FT OF N 570 FT OF W 406 FT OF NW1/4 OF SW1/4 OF SEC 19
TWP 33 RGE 23, EX RD, SUBJ TO EASE OF REC

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 July 23, 2024; and,

WHEREAS, the Planning Commission finds the request:

1. Is a reasonable use of the property;
 - Accessory Structures are a permitted accessory use in the Rural Residential Zoning District.
2. Is a unique situation to this property due to circumstances not caused by the landowner;
 - This property is over 5 acres in size however nearly 2 acres are wetlands that extend from the Northeast corner of the lot diagonally to the South Property line.
 - Wetland Setbacks as defined in Artic IX, Sec. 66-255 require a 25 foot setback from the delineated Wetland Edge.
3. Will not have a negative effect the characteristic of the neighborhood;
 - Standing tree growth between the proposed detached accessory structure and the front property line will screen it from view from the public roadway.
 - The accessory structure will be used for general storage, allowing for personal property to not be visible to adjoining property and the city Right of Way, as required by Sec. 24-3A.

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 detached accessory structure on property located at 20063 University Ave NE with the following conditions:

1. Proposed Accessory Structure must meet all other zoning code regulations.
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 12th day of August, 2024.

CITY OF EAST BETHEL

Kevin Lewis, Mayor

ATTEST:

Matt Look, City Administrator

Location Map

Item 7.0 A.2, Attachment 2



-  Parcels
-  City Mask

1 inch equals 359 feet



Aerial Map

Item 7.0 A.2, Attachment 3



-  Parcels
-  City Mask

1 inch equals 271 feet



CERTIFICATE OF SURVEY

FOR: LARRY FANUCCI

SW 1/4 OF NW 1/4

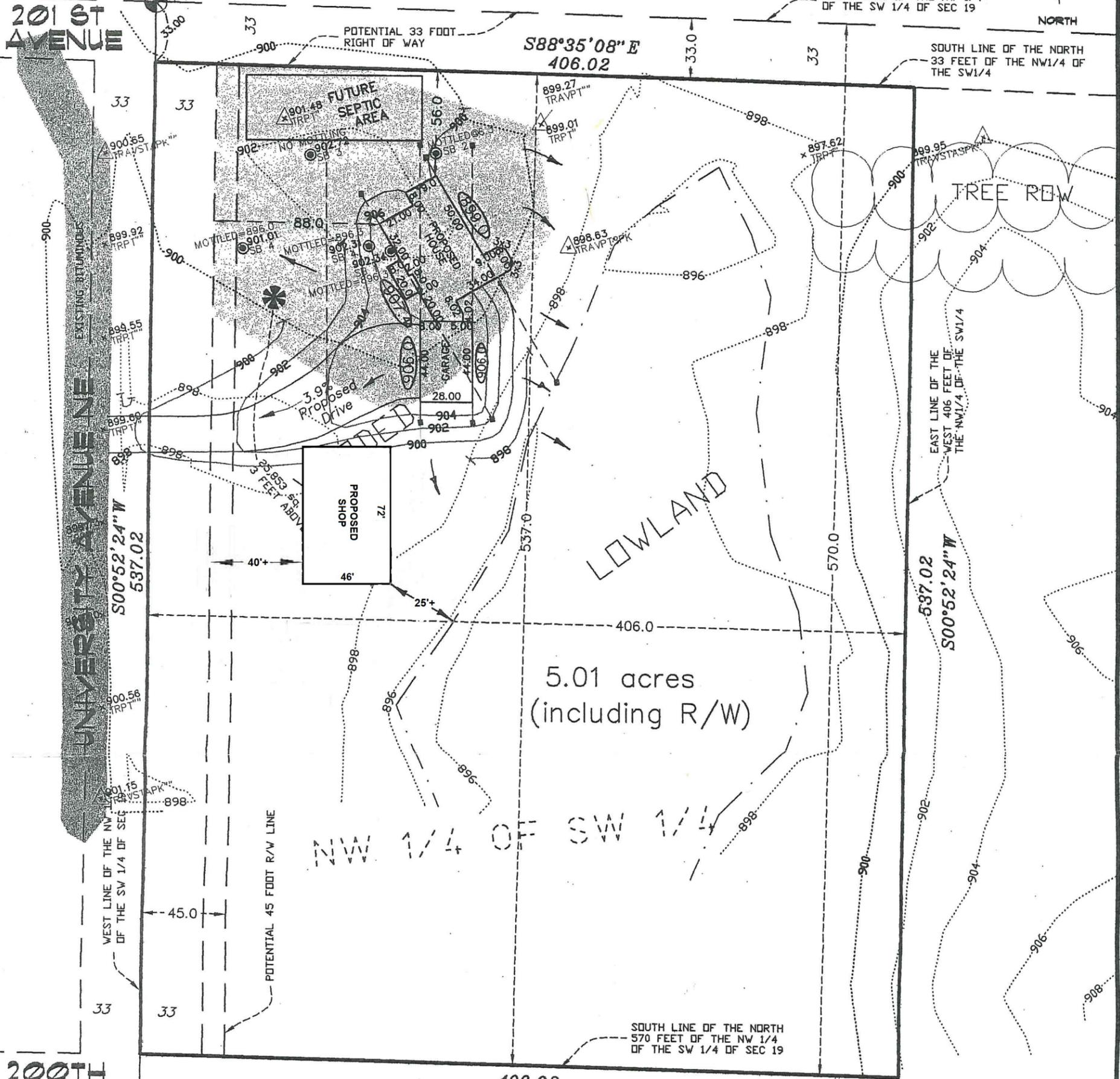
WEST 1/4 CORNER ANOKA COUNTY CIM

201 ST AVENUE

NORTH LINE OF THE NW 1/4 OF THE SW 1/4 OF SEC 19

NORTH

SOUTH LINE OF THE NORTH 33 FEET OF THE NW1/4 OF THE SW1/4



5.01 acres (including R/W)

20063 University

*BUILDER TO VERIFY HOUSE DIMENSIONS, SEWER DEPTH AND FOUNDATION DEPTH

LEGEND:

- ☒ Denotes Wood Hub / Metal Spike at 11 foot offset.
- x1011.2 Denotes Existing Elevation
- (1023) Denotes Proposed Elevations
- ↙ Denotes Direction of Drainage
- ⊙ Denotes Soil Boring
- ⊕ Denotes Anoka County Cast Iron Monument

- * 13 COURSE WALKOUT *
- PROPOSED ELEVATIONS:**
- TOP OF BLOCK = 908.1
- GARAGE FLOOR = 906.3 (drop 2 crs)
- LOWEST FLOOR = 899.3
- TOP OF FOOTING = 899.0

LEGAL DESCRIPTION:

The South 537.0 feet of the North 570.0 feet of the West 406.0 feet of the Northwest Quarter of the Southwest Quarter of Section 19, Township 33, Range 23, Anoka County, Minnesota.

Subject to University Avenue NW and any other easements or encumbrances of record.

Scale 1" = 60'	Drawn By: NAA	Project Manager: JER	Job No.: 04392HS
○ Denotes Iron Set	● Denotes Iron Found	Bearings shown are on an assumed datum.	

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota. Dated this 12th day of October, 2004.

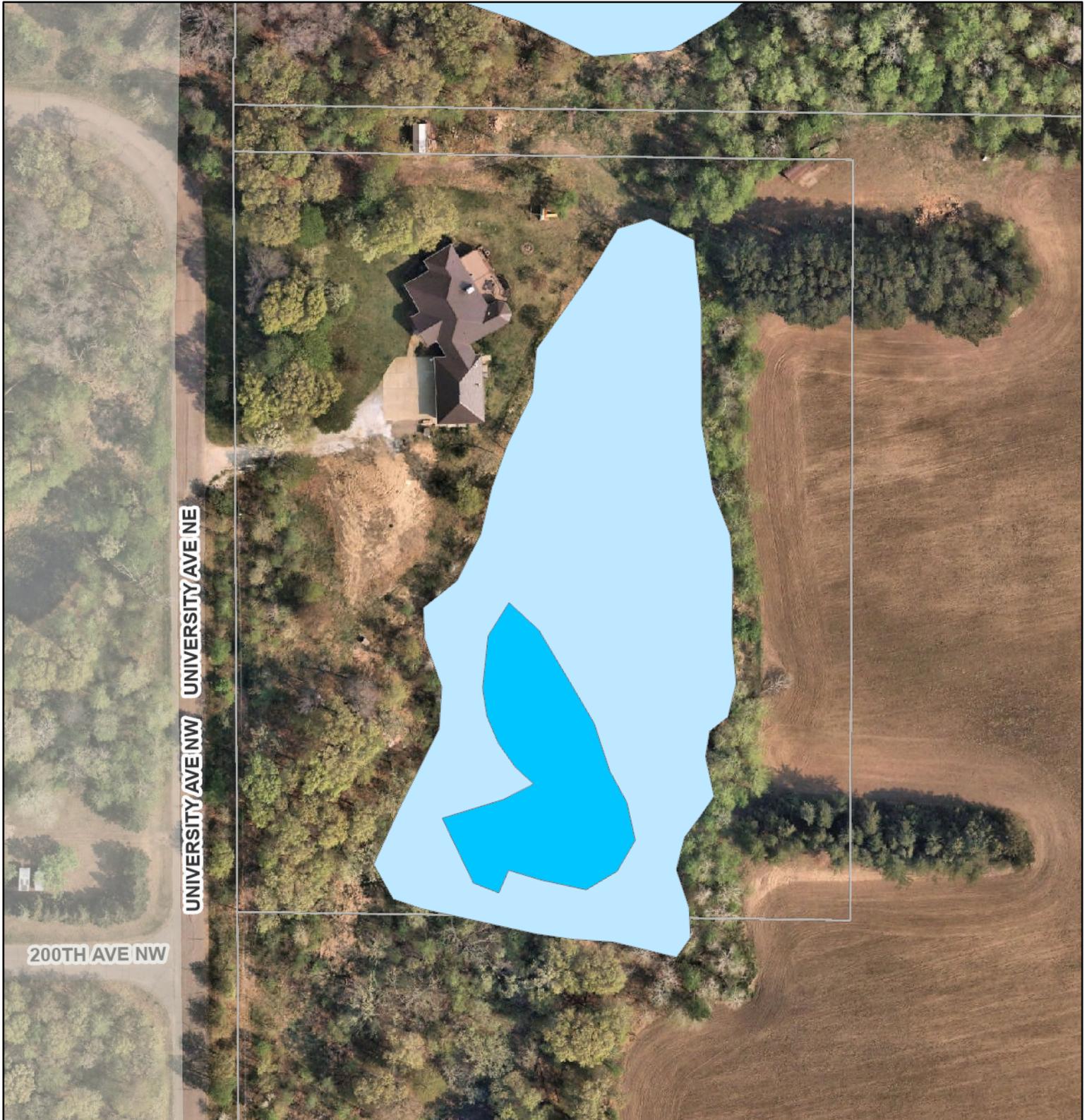
JASON E. RUD

License No. 41578
City Council Packet Page 48

E.G. RUD & SONS, INC.
LAND SURVEYORS
9180 LEXINGTON AVE. NO.
CIRCLE PINES, MINNESOTA 55014-3625
TEL. 763-786-5556 FAX 763-786-6007

20063 University Ave NE - Wetland Overlay

Item 7.0 A.2, Attachment 5



Wetlands

- | | | | |
|---|-----------------------------------|--|-----------|
|  | Freshwater Emergent Wetland |  | Lake |
|  | Freshwater Forested/Shrub Wetland |  | Riverine |
|  | Freshwater Pond |  | Parcels |
| | |  | City Mask |

1 inch equals 136 feet



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



Date: August 12th, 2024

Agenda Item Number: 7.0 A3

Agenda Item: Side Yard Setback Variance - 23785 Marmon St NE – Carl Mitchell

Background Information: On June 6, 2024 the city received a variance application from, Carl Mitchell, owner of 23785 Marmon St NE, to reduce the side yard setback standard from 25 feet to 10 feet on his south property line for the placement of a Detached Accessory Structure.

The applicant's property is located in the Meadows of Fish Lake Subdivision and in a RR-Rural Residential zoning district where accessory structures are an approved accessory use. The property is recorded as 1.45 Acres in size and would be permitted one (1) Detached Accessory Structure at a maximum square footage of 1,520 square feet in size. According to **Sec. 42-7 B (1) c** the side yard setbacks in the RR - Rural Residential zoning districts is 25 feet.

This request for a reduction to the setback is due to the grade and existing elevations on the property. When the Meadows of Fish Lake Subdivision was graded by the developer in 2005 home sites were raised in order to achieve walk out basement elevations. Mitchell's property has an eight (8) foot elevation difference between the front of the house and the rear yard. Due to the elevation changes, a terraced boulder wall was constructed to support a driveway and parking pad which limit the buildable area available in the side yard.

Additionally, the SSTS (septic) is located in the Southeast corner of the rear yard limiting the depth of the lot area available for detached accessory structure placement. In order to meet the required SSTS setbacks of 10 feet as well as the zoning requirements of **Section 14-2. F** which states, ***No accessory building or detached private garage shall be located nearer the front lot line than the principal building***, a side yard setback reduction would be necessary.

The Meadows of Fish Lake Subdivision has a platted 10 foot Draining and Utility Easement (D&U) on the side yard property lines of all lots. For maintenance, drainage and utility placement factors the city does not permit the placement of structures in drainage and utility easements.

The consideration of a variance requires the Planning Commission 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:

- ***Detached accessory structures are an approved accessory use in the RR - Rural Residential zoning district per the City Ordinance.***
- 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 or trees.

In this case:

- **Elevations of the property limit area for the construction of an accessory structure.**
 - **There are zoning regulations restricting placement of accessory structures in the front yard.**
 - **The rear yard location of SSTS limits the depth of the lots available buildable area.**
- 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:

- **There are multiple detached accessory structures throughout the Meadows of Fish Lake Development.**
- **The accessory structure will be used for general storage, allowing for personal property to not be visible to adjoining property and the city Right of Way, as required by Sec. 24-3A.**
- **By maintaining the 10 foot Draining and Utility Easement distance throughout the development, the proposed structure would not alter the character of the neighborhood.**

Planning Commission: On July 23, 2024, the Planning Commission held a Public Hearing which there was no public comment. After a review of the application material, a discussion and hearing from the applicant the Planning Commission, by a 5-1 vote, recommended approval of the variance request to reduce the side yard setback standard from 25 feet to 10 feet on the South property line at 23785 Marmon St NE for the placement of a Detached Accessory Structure.

Recommendation: City Council should review the request, consider the Planning Commission’s formal recommendation and approve the variance request to reduce the side yard setback standard from 25 feet to 10 feet on the South property line at 23785 Marmon St NE for the placement of a Detached Accessory Structure as presented in Resolution 2024-50.

Attachments:

1. Resolution 2024-50
2. Location Map
3. Aerial Map
4. Site Plan
5. Photo

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

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

RESOLUTION NO. 2024-50

A RESOLUTION **GRANTING** A VARIANCE FOR THE REDUCTION OF A SIDE YARD SETBACK STANDARD FROM TWENTY FIVE FEET TO TEN FEET ON THE SOUTH PROPERTY LINE FOR THE CONSTRUCTION OF A DETACHED ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 23785 MARMON ST NE (PIN 25-34-23-43-001218-33-23-24-0002), LEGALLY DESCRIBED AS;

LOT 4 BLOCK 2 MEADOWS OF FISH LAKE

WHEREAS, the property owner requested a variance for a reduction of the setback requirement from the RR- Rural Residential of 25 feet to 10 feet for the construction of a detached accessory structure, and;

WHEREAS, the Planning and Zoning Commission held a public hearing on July 23, 2024, and;

WHEREAS, the Planning and Zoning Commission finds the request:

1. Is a reasonable use of the property;
 - Detached accessory structures are an approved accessory use in the RR - Rural Residential zoning district per the City Ordinance.
2. Is a unique situation to this property due to circumstances not caused by the landowner;
 - Elevations of the property limit area for the construction of an accessory structure.
 - There are zoning regulations restricting placement of accessory structures in the front yard.
 - The rear yard location of SSTS limits the depth of the lots available buildable area.
3. Will not have a negative effect the characteristic of the neighborhood;
 - There are multiple detached accessory structures throughout the Meadows of Fish Lake Development.
 - The accessory structure will be used for general storage, allowing for personal property to not be visible to adjoining property and the city Right of Way, as required by Sec. 24-3A.
 - By maintaining the 10 foot Draining and Utility Easement distance throughout the development, the proposed structure would not alter the character of the neighborhood.

WHEREAS, the Planning and Zoning 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 a setback reduction from 25 feet to 10 feet for the construction of a detached accessory structure on property located at 23785 Marmon St NE with the following conditions:

- 1. Proposed Accessory Structure must meet all other zoning code regulations.
- 2. Property owner must obtain a building permit and complete all necessary inspections of the deck as required by the Minnesota Uniform Building Code.

Adopted this 12th day of August 2024, by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

Kevin Lewis, Mayor

ATTEST:

Matt Look, City Administrator

Location Map

Item 7.0 A.3, Attachment 12



-  Parcels
-  City Mask

1 inch equals 180 feet



Aerial Map

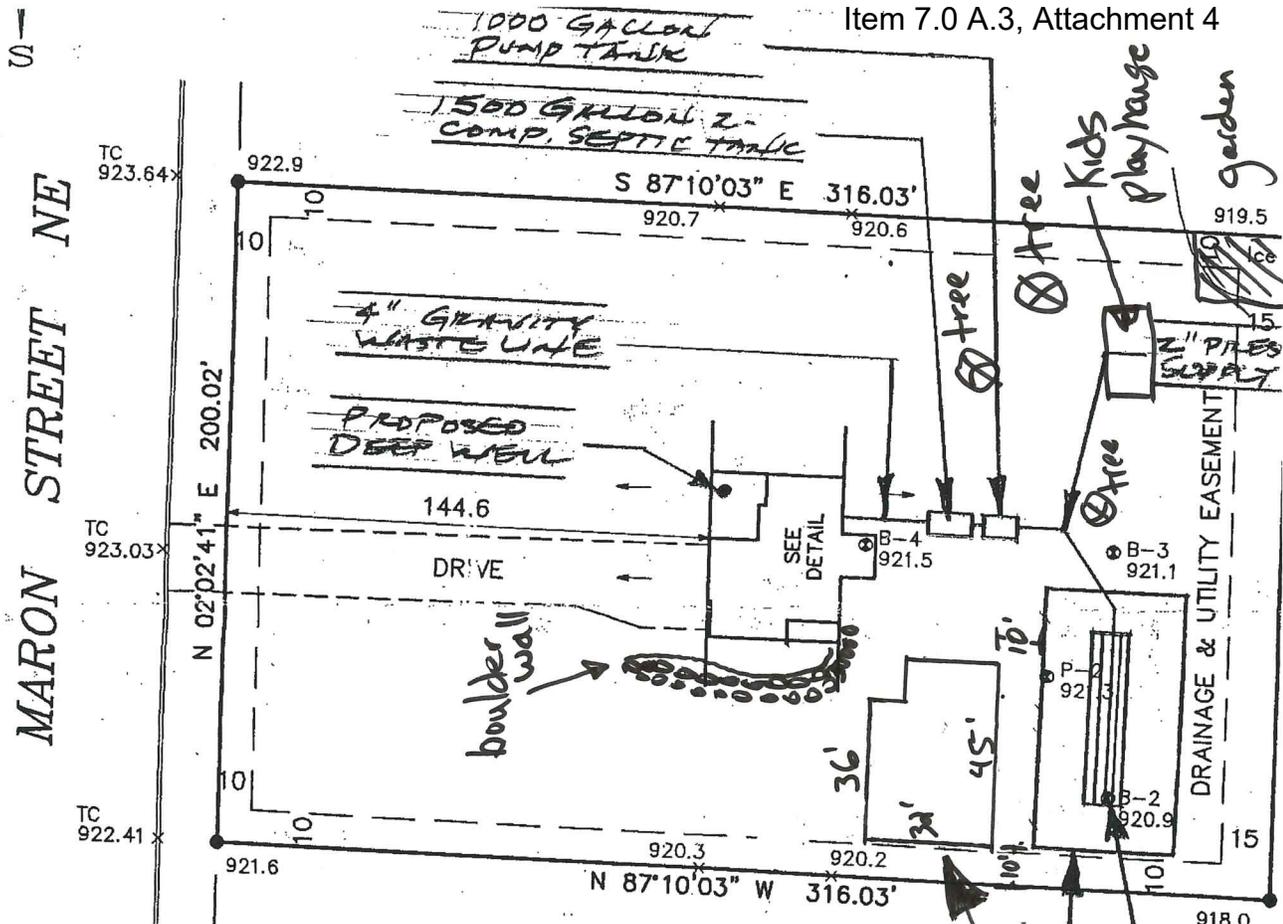
Item 7.0 A.3, Attachment 3



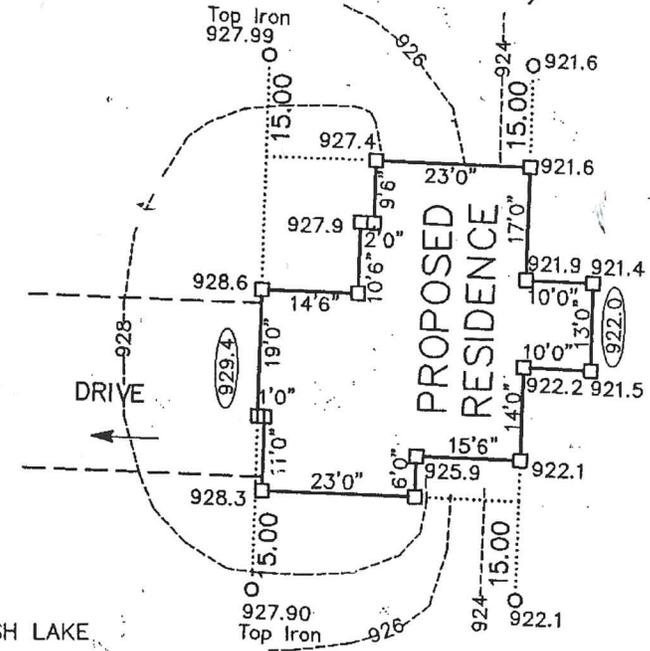
-  Parcels
-  City Mask

1 inch equals 136 feet





DETAIL
(Not to Scale)



Proposed location

LOT 4, BLOCK 2, MEADOWS OF FISH LAKE

This survey is certified only to the above named person or persons and not to subsequent owners, mortgages or title insurers.
 The only easements shown are from plats of record of information provided by client. All building dimensions and floor elevations must be verified by client.
 I hereby certify that this survey was prepared by me or under my direct supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Signed Milton E. Hyland
 Milton E. Hyland, Minn. Reg. S

Surveyed by us this 21ST day of DECEMBER, 20 15



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



Date: August 12, 2024

Agenda Item Number: 8.0 A1

Agenda Item: Rezoning consideration and formal direction

Requested Action: Consider rezoning parcels along west side of Hwy 65 in an R-2 Zone between Klondike Drive and 207th Ave NE.

Background Information: This items was discussed at the March 11th, 2024 Council Work Meeting with staff direction to explore the requirements to initiate rezoning to include MET Council requirements, public hearings and possible Comprehensive Plan Amendments.

City Staff have received requests from the owner of 20454 Highway 65 NE (Hunter's Inn) for a rezoning of the property in order to facilitate the sale of the property. This property, although once an active commercial use in a residential zone, has been discontinued for more than 365 days. As a non-conformity it loses its ability to be used as a non – conformity after 1 year of discontinued use. This provision is contained in East Bethel Ordinance and State Statute.

Additionally, city staff have responded to zoning information requests for the property at 1351 Klondike Dr. NE, which is also currently on the market for sale. As a corner lot it may have more value as a commercial parcel than a residential parcel due to its proximity to Highway 65.

These two properties are located in a larger area, approximately 120 acres, zoned Single Family and Townhome Residential (R-2) which stretches from Klondike Drive NE north to the area of 207th Ave NE. Although there are two single family residential parcels directly on Hwy 65 in this R-2 Zone, it also contains the over 35 acre U-Pull R-Parts Salvage Yard parcel which was approved by a Conditional Use Permit on July 17, 1996, when this area was a B-2 Zone.

In summary according to Anoka County Tax Assessor Alex Guggenberger, as long as the existing use of a property remains the same use, the tax classification would remain the same. Tax classification is how a property is assessed, not the underling zoning designation. The properties zoning designation might change but that would not change the actual use or tax classification. The underlining zoning classification helps determine a Highest and Best Use of a property from a valuation perspective. If a rezoning were to be approved, the two residences located in the area would be allowed to remain as residential uses, located in a Commercial Zone and taxed as a residential use.

This rezoning would also create a continuous Commercial Zone on the west side of Hwy 65 from Sims Road NE south to 197th Ave NE.

Eric Wojchik, the city's MET Council Sector Representative has been consulted and does not believe they would be opposed to a Rezoning of this area as it is currently outside of the MUSA area. In the City's 2040 Plan, Commercial and Industrial development is allowed with the Future Growth Area, provided each site can be supported by a viable septic system. Staff are waiting on a more definitive answer to determine if this change will require an Administrative Comp Plan Amendment now or if this can be updated during the next required update since the change is outside the MUSA boundaries.

Section 04 -11. B1 - Zoning ordinance text and map amendments. *An amendment to the text of this chapter or a change in the boundaries or designations in the official zoning map may be initiated by a simple majority of the city council.*

Recommendation: City Staff are requesting the City Council, as required by city ordinance, provide formal direction to staff to take the steps necessary to rezone this area from Single Family and Townhome Residential (R-2) to Central Business (B-2) District, in order to better align the use in this area with the city’s overall goals. In addition to the rezoning, staff are seeking formal direction, if necessary to complete the accompanying Comprehensive Plan Amendment steps.

Attachments:

1. Existing Zoning Map
2. Area of Consideration Map
3. Map with Rezoning Overlay

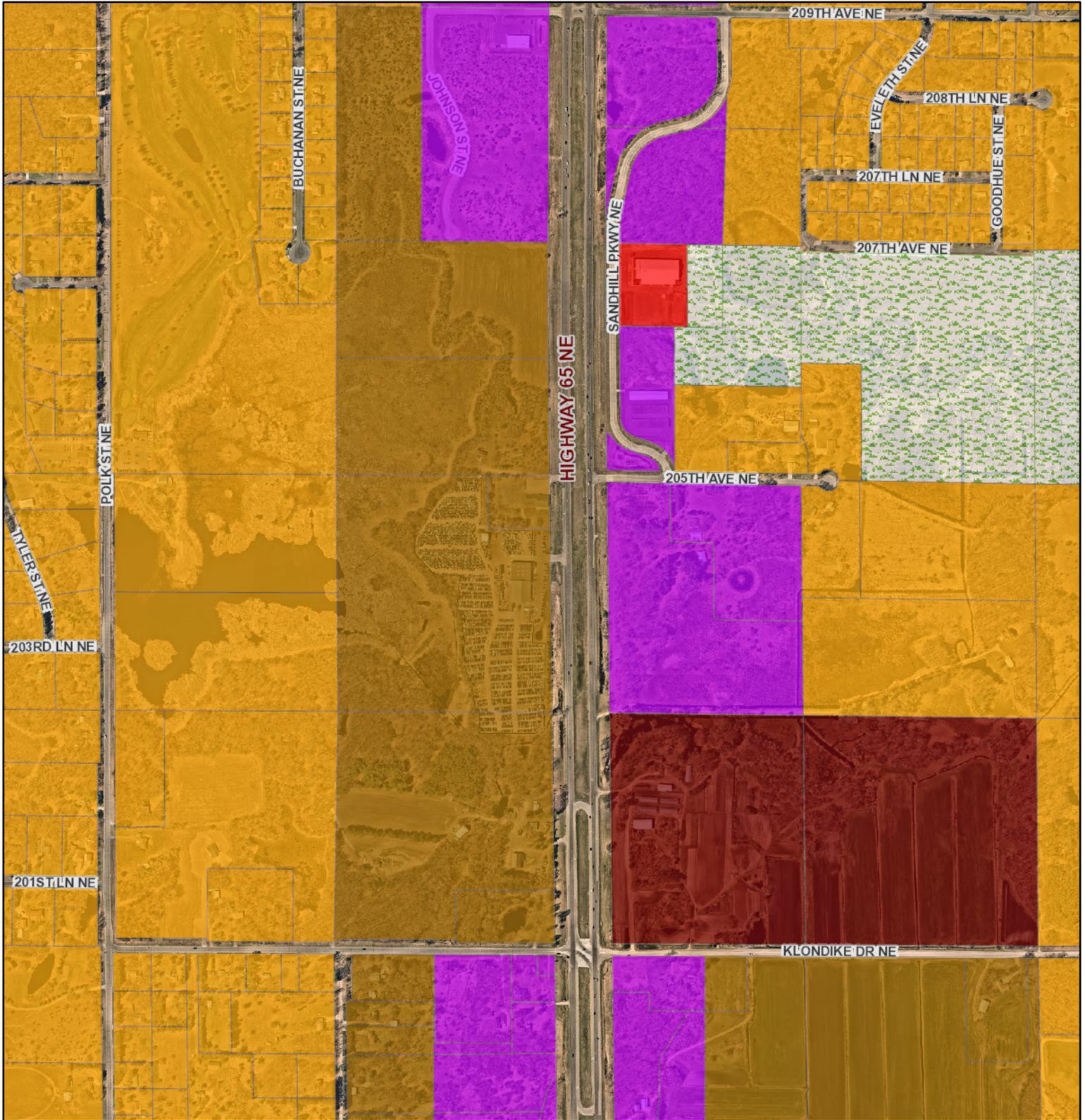
City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____



Current Zoning

- | | |
|---|--|
|  AG - Agriculture |  R-2 - Single Family & Townhome Residential |
|  B-1 - Limited Business |  CL - Coon Lake |
|  B-2 - Central Business |  Public/Institutional |
|  B-3 - Highway Business |  Park/Open Space |
|  I - Light Industrial |  Natural Area |
|  MXU - Mixed Use |  ROW |
|  RR - Rural Residential |  Water |
|  R-1 - Single Family Residential |  City Mask |

1 inch equals 1,085 feet



Area of Consideration

Item 8.0 A.1, Attachment 2



1 inch equals 1,085 feet

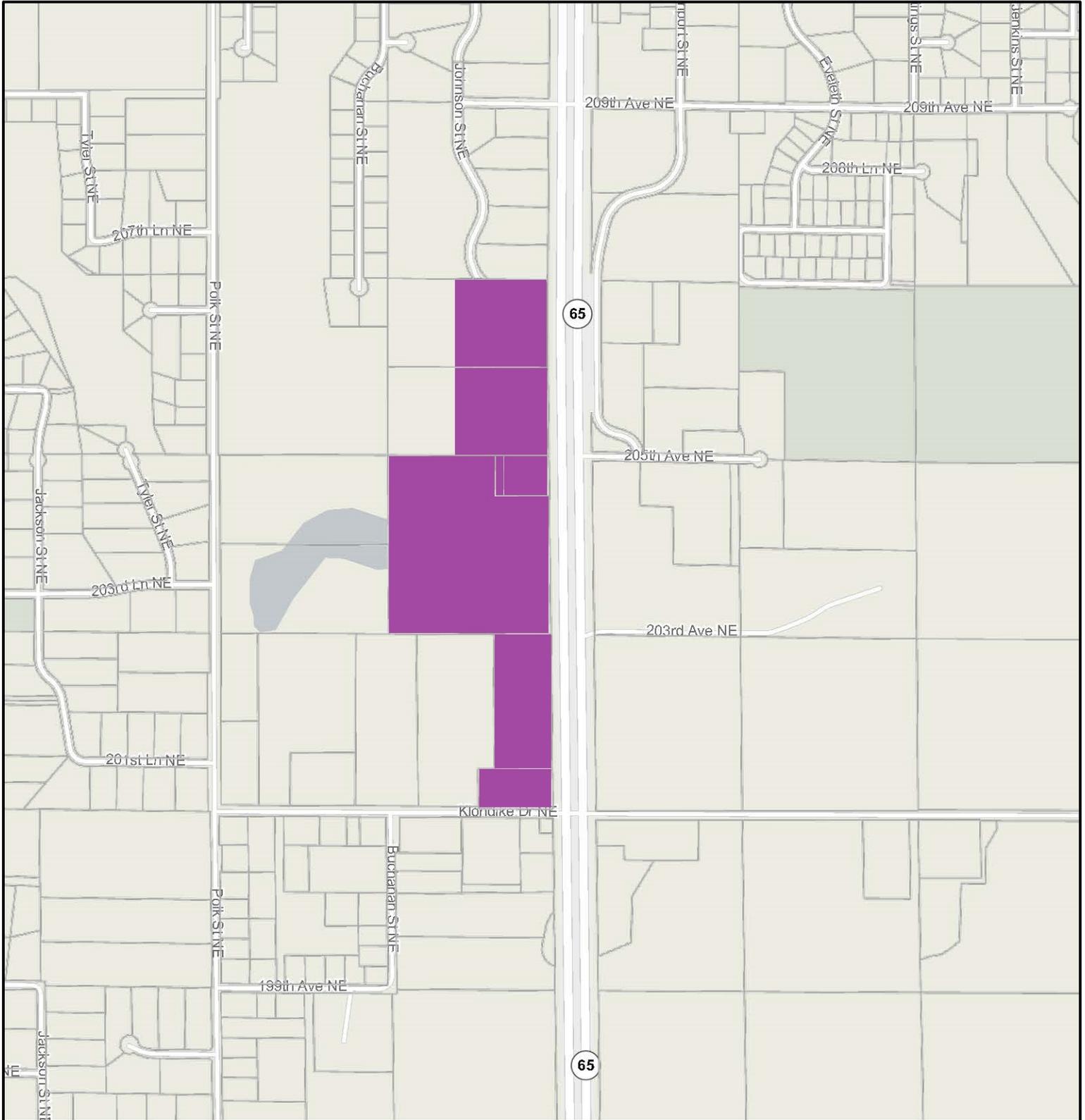
Parcels

City Mask



HWY 65 R2 - B2 Rezoning

Item 8.0 A.1, Attachment 3



-  Parcels
-  City Mask

1 inch equals 1,437 feet



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



Date: August 12, 2024

Agenda Item Number: Item 8.0 G.1

Agenda Item: Set Fall Town Hall Meeting Date

Background Information:

The Fall Town Hall meeting is held in November and is proposed for a date after the General Election that doesn't conflict with any other municipal or school district meetings. Staff has reviewed and found there to be no conflicts with the evening meeting schedules for ISD #15, ISD #831, or any East Bethel Commissions or Committees in November 2024 for the dates listed below.

Available dates:

- Thursday, November 14th
- Wednesday, November 20th
- Wednesday, November 27th
- Tuesday, November 19th
- Thursday, November 21st

This meeting presents an opportunity for residents to express concerns and present questions to City Council, staff and other officials in both a formal and informal setting.

We set the date for this meeting in advance so that we can place the notice on our website calendar, social media accounts, and newsletter.

Fiscal Impact:

Recommendation(s):

Staff is requesting that City Council set a date for the 2024 Fall Town Hall Meeting.

City Council Action:

Motion by: _____ Second by: _____

Vote Yes: _____ Vote No: _____