

# EAST BETHEL CITY COUNCIL MEETING

October 14, 2024

The East Bethel City Council met on October 14, 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  
Aaron Berg, Community Development Director  
Nate Ayshford, Public Works Manager

## 1.0 Call to Order

The October 14, 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. Miller stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

## 4.0 Presentations and Public Hearings

None.

## 5.0 Public Forum

Tammy Gimple, 22359 Baton Street, stated there was a Facebook post that included a private active 911 call. Ms. Gimple stated that her opponent in the Mayoral election still has access to the app. She stated that nobody wants private information from that app out for the public to see. She also asked if the bill to pay for the Capstone report could be tabled.

Lewis stated that he was planning to table the bill for the Capstone report until the next City Council meeting when the report would be presented.

Ms. Gimple stated that there are lots of disturbing things in the report about the Fire Department and lots of unqualified people who work there.

## 6.0 Consent Agenda

~~Item A: Approve Bill List~~

Item B: Approve Meeting Minutes September 23, 2024 City Council Meeting

~~Item C: Resolution 2024-67, Setting Public Hearing Date: Delinquent Accounts — Utility~~

Item D: Liability Coverage Waiver Form

Item E: Approve 2025 Anoka County Residential Recycling Contract

Item F: Resolution 2024-68, Permanent Fund Transfer

Item G: Final Payment for the 183<sup>rd</sup> Avenue Street Reconstruction Project

Item H: Pay Estimate No. 2 for the 2024 Street Surface Improvement Project

Item I: Pay Estimate No. 3 for the 2024 Street Reconstruction Project

Item J: Resolution 2024-69, Approve Gambling Premises Permit for St. Francis Youth Hockey

Smith requested to pull Item A. DeRoche requested to pull Item C.

**DeRoche stated I'll make a motion to approve Consent Agenda as amended, removing Items A and C. Mundle stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

#### **6.0 A Approve Bill List**

Smith asked about the escrow release on page 6. Berg stated that whenever there is a failing septic system and a transfer of property, there is an ordinance that obligates the seller of the property to provide an escrow to cover the cost of repairing the septic system. He stated that a time is coordinated to replace/repair the septic system, and the buyer's money that is held in a City account is released to Lashinski to pay for his work.

Smith also asked about the Minnesota Department of Labor and Industry State surcharges. Berg stated that every permit that is kicked out that is connected to sewer and water is collected on the front end when the permit is paid for and then the State is given the surcharge.

Smith asked about the lack of department codes on some of the Hakanson Anderson charges. Berg stated that may be due to City-based street projects that come out of escrow.

Smith asked about the bill for the SAC fee to Met Council. Berg stated that as homes start coming online, every plumbing permit that is pulled there is a SAC connection charge.

Smith asked about the conference of meetings bill for the Fire Chief. Look stated that is regarding the cost of the hotel rooms and food for the off-site training conferences.

Smith asked about the phone bills from T Mobile and Verizon for the Fire Department. DeRoche asked if they could find out how many phones were included and if the phones were being used for personal use. Look said he will find that answer.

**DeRoche stated I'll make a motion to table the payment of the Capstone LLC. bill until after the presentation at the October 28, 2024 City Council Meeting. Miller stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

**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 C Resolution 2024-67, Setting Public Hearing Date: Delinquent Accounts – Utility**

DeRoche asked why the delinquencies seem to be coming out of the same area and is wondering what the reason behind that is. Lewis requested staff to give them a report soon after the public hearing on November 13<sup>th</sup> so the Council has an update.

**Lewis stated I'll make a motion to approve Item C 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.**

In response to an earlier question, Look clarified that there are 2 lines on the T Mobile bill and 15 lines on the Verizon bill.

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

#### **7.0 A Planning Commission**

##### **7.0 A.1 CUP, Exterior Storage 23035 Ulysses Street NE, North County Concrete**

Berg stated that on September 9, 2024, the City received an application from Karl Virkus, owner of North County Concrete, Inc., for a Conditional Use Permit (CUP) for exterior storage on a vacant parcel, across Ulysses Street NE to the west of the existing North County Concrete, Inc. location.

Berg noted that the vacant parcel is over three acres in size and is located at the Northwest corner of 230th Lane NE and Ulysses Street NE, in a Light Industrial (I) Zoning District. It borders a 17.50-acre Single Family Residential (R1) parcel on the West lot line and three Single Family Residential (R1) parcels of the Cooper Lake Estates subdivision to the North.

Berg stated that Virkus is proposing the exterior storage of equipment, trucks, and trailers for the associated business across the street at 23035 Ulysses Street NE. He is proposing the construction of a six-foot privacy fence with an entrance gate onto Ulysses Street NE and one the cul-de-sac onto 230th Lane NE, landscape boulevard areas with evergreen trees and bushes to match the North County Concrete, Inc. location.

Berg also stated that the proposal includes stripping and removing the topsoil and replace with crushed asphalt millings to provide a positive drainage to the roads for watershed, as well as installing drive-over curb and concrete approach aprons at each gate location. Berg noted that there is not a building included in the proposal however Virkus indicated he would be constructing a build on the parcel someday.

Berg referenced Section 48. – Light Industrial (I) District permits Exterior Storage as regulated under Section 24 as a Conditional Use.

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

Berg stated that under the current proposal, the Exterior Storage on a separate parcel, without a principal building, would not meet the conditions of the City ordinance. Berg referenced Section 22. Off-Street Parking and Loading Requirements, including:

- 1. - Purpose. This section establishes off-street parking standards to allow for the orderly and adequate parking of vehicles on property, to alleviate and prevent congestion on public right-of-way, and to control the appearance and maintenance of parking areas and surfaces.
- 2. - Scope of regulations. -The regulations and requirements set forth in this chapter shall apply to all off-street parking facilities in all of the zoning districts.
- 3. - General provisions. B. - Prohibited uses in required parking areas. Required off-street parking areas in the B-1, B-2, B-3, I, and MXU districts, shall not be used for open storage of goods, recreational vehicles and equipment, commercial vehicles and equipment, unlicensed/inoperable vehicles, or vehicles displayed for sale.
- 4. - Design, construction, and maintenance. A. - All parking facilities and streets are subject to the City of East Bethel engineering standards.

Berg referenced Section 48. – E. which does however identify: Other similar uses to those permitted in this section as determined by the planning commission and approved by the City Council.

Berg referenced Section 23. – Screening Regulations – B. Any business, industrial, non-residential uses, and residential dwellings other than detached single-family adjacent to any residential district shall provide screening along the boundary of residential property.

Berg referenced Section 35. – Grading, Filling, and Excavation 7. - Stormwater management. No land shall be developed and no use shall be allowed that results in water runoff causing flooding, erosion, or increased runoff on adjacent property. Such runoff shall be properly channeled into a watercourse, ditch, storm pond, or other appropriate facility subject to review and approval by the City Engineer.

Berg stated that on September 24, 2024, the Planning Commission held a Public Hearing in which there was a neighboring residential property owner present. Her questions were related to property surveying and how the runoff will be directed. After a review of the application material, hearing from the neighbor as well as the applicant, the Planning Commission by a 5-1 vote recommended approval of the CUPA with three added conditions.

Berg stated that the City Council should review the request, consider the Planning Commission's formal recommendation and either approval, approval with alternative conditions or a denial of the CUP for Exterior Storage on a vacant parcel, PID: 32-34-23-34-0013. Additionally, if approved a CUP Agreement must be fully executed by the owner prior to any site work, grading or construction.

Mundle asked if the three conditions were included in the packet they have. Berg stated that they are.

Lewis asked if North Country Concrete had seen and approved conditions A-J. Berg stated that the applicants were at the meeting when the conditions were discussed. Virkus stated that all the conditions are acceptable for them.

DeRoche asked what the plans were for the road in between. Berg stated that the cul-de-sac makes a connection to 231<sup>st</sup> Lane and to the North. DeRoche asked what kind of screening is being anticipated. Berg presented an image of what the existing screening on the site is currently.

DeRoche asked how this fits into the Comprehensive Plan. Berg stated that when the amendments to the Comprehensive Plan were made, storage on an exterior lot was somewhat zoned out, forced to the rear of construction companies, not to exceed twice the floor print of the existing building.

**Smith stated I'll make a motion to adopt Resolution 2024-66, CUP, Exterior Storage 23035 Ulysses Street NE, North Country Concrete. Miller stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

#### **7.0 B Economic Development Authority**

None.

#### **7.0 C Park Commission**

None.

### **8.0 Department Reports**

#### **8.0 A Community Development**

##### **8.0 A1 Final Plat: Viking Meadows**

Berg stated that on July 8, 2024, the City received a Final Plat approval request for the redevelopment of the Viking Meadows Golf Course. This is a multi-phased, multi-year development plan with the first 47 single family units included in the initial Final Plat Application. Future phases will be platted as Outlots and will require Final Plat applications for each subsequent phase. Berg noted that Staff have

reviewed the submission and concluded that the Final Plat complies with the Preliminary Plat which was approved by Resolution 2024-04 on February 12, 2024.

Berg stated that City staff, Public Works Director, City Engineer, and City Attorney along with the Developer's employees, engineer, and attorney have worked through all City required items including, but not limited to, engineer plans, landscape plans, wetland review and replacement plan, permitting, a robust Developer's Agreement, along with a covenants, and declarations HOA document.

Berg stated that the City has received the following approvals: MPCA Sewer Extension approval, a MN Dept. of Health water extension approval, an Anoka County Engineer approval for a Viking Boulevard entrance, the County Board has approved ditch abandonment, a wetland replacement plan, and an agreement to purchase wetland credits has been submitted.

Berg noted that any outstanding items identified in the City Engineer's October 7, 2024 Review No. 3 will be conditions of approval and the Final Plat will not be released for filing until all items are satisfied and approved by the City Engineer. Berg stated that City Staff recommends the City Council review the Final Plat submission and consider approving the Final Plat as presented in Resolution 2024-70.

**DeRoche stated I'll make a motion to adopt Resolution 2024-70, approving the subdivision and Final Plat for Viking Meadows. Mundle stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

**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**

None.

**9.0 – Other Items**

**9.0 A Staff Report**

Look updated the City has 2 applications for the Building Permit Technician and the City Planner positions. He stated that the 4 applicants who will be interviewed for the Building Permit Technicians and no applicants to interview for the City Planner position.

Look gave a run down on his conference in Pittsburg. He stated there were lots of interesting classes on things like target-based budgeting and building the bench, among other classes. He stated that overall it was very helpful and insightful.

**9.0 B Council Reports**

Smith stated that after the discussion about the facility access policy he believes the access codes to the Fire Department should be changed immediately. DeRoche asked who is included in the Auxiliary members of the Fire Department.

**Smith stated I'll make a motion to change access codes immediately to include only active safety personnel, not including the Auxiliary members, and all inactive firefighters to be removed from the 911 app. Miller stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

Mundle stated that the Council received an email to do a review of the City Administrator, and reviews to be returned to the Mayor via email. He stated that in past years, it has been conducted by the City Attorney. He suggested that any reviews that have not been received yet should be sent to the City Attorney to reduce any liability exposure to the City.

Look stated that he does not want to see the reviews. Larson stated that it is akin to sending the reviews to an outside HR to compile the reviews and summarize the quality information without determining who submitted the particular review.

**9.0 C Other**

None.

**10.0 Adjourn**

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

Meeting adjourned at 8:01 p.m.

Submitted by:

Lilian Rokosz

*TimeSaver Off Site Secretarial, Inc.*