

City of East Bethel
City Council Work Meeting
Date: February 10, 2025 at 6:00 p.m.



The City Council work 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).

6:00 PM

ITEM

- 1.0 Union Contract Negotiation Process
- 2.0 Appointment of EDA members
- 3.0 Secure Facility Policy
- 4.0 Dog License Ordinance

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



Date: February 10, 2025

Agenda Item Number: Item 2.0

Agenda Item: Appointment of EDA Members

Background Information:

The prior council had indicated an interest in transitioning the EDA membership over to elected officials (similar to HRA membership). After reviewing the legality of transitioning EDA membership, the city attorney advised that it would need to happen when terms expire.

If the Council chooses to move forward with citizen members, Tom Schulzetenberg's term expired January 31, 2025. Mr. Schulzetenberg has indicated interest in being reappointed. This newly appointed term would be a period of 6 years, expiring on January 31, 2031.

Attachment (s):

1. EDA Enabling Resolution 2008-53
2. Amendment to EDA Enabling Resolution 2011-27
3. EDA Bylaws – adopted 3/6/2013
4. EDA Bylaws – adopted 6/5/2013
5. EDA Conversion Opinion by Attorney

Recommendation(s): Staff is requesting that Council discuss their preferences on appointing EDA members moving forward.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

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

RESOLUTION NO. 2008-53

**RESOLUTION PROVIDING FOR THE CREATION OF AN ECONOMIC
DEVELOPMENT AUTHORITY IN THE CITY OF EAST BETHEL,
MINNESOTA**

WHEREAS, the City Council of the City of East Bethel has reviewed the potential for an Economic Development Authority.

NOW THEREFOR BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST BETHEL AS FOLLOWS:

Section 1. Background: Findings.

- 1.01. The City is authorized by Minnesota Statutes, Chapter 469 (Act) to establish an Economic Development Authority (EDA) to coordinate and administer economic development and redevelopment plans and programs of the City.
- 1.02. It is found and determined by the City Council that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.
- 1.03. It is further found and determined that the economic development and redevelopment of the City can best be accomplished by the establishment of an EDA as authorized by the Act.
- 1.04. The City Councils has in accordance with the Act provided public notice and conducted a public hearing on July 16, 2008 concerning the establishing of an EDA at which all persons wishing to be heard expressed their views.

Section 2. Enabling Resolution.

- 2.01. The Economic Development Authority of the City of East Bethel (EDA) is hereby established and granted all powers within the Act, including those of a Housing and Redevelopment Authority (HRA).
- 2.02. The EDA consists of a governing body of five commissioners who shall initially be members of the City Council and serve as Commissioners of the EDA for terms coinciding with their terms as members of the City Council. The EDA has all the powers and duties set forth in Section 469.090 to 469.108 of the Act and other law, except as limited by this resolution.
- 2.03. The following limits apply to the EDA and its operation:
 - (a) All sales of bonds or other obligations of the EDA must be approved by the City Council.

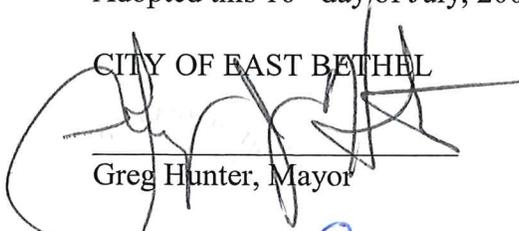
- (b) The EDA must follow the budget process for City departments in accordance with City policies, ordinances and resolutions.
 - (c) Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.
 - (d) The EDA must submit its plans for development and redevelopment to the City Council for approval in accordance with City planning procedures and law.
 - (e) The administrative structure and management practices and policies of the EDA must be approved by the City Council.
- 2.04. As provided in the Act it is the intention of the City Council that nothing in this resolution nor any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Section 3. Implementation.

- 3.01. The City Council will from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this resolution.
- 3.02. The Mayor, the Administrator, and other appropriate City officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this resolution.
- 3.03. Nothing in this resolution is intended to prevent the City from modifying this enabling resolution to impose new or different limitations on the EDA as authorized by the Act.

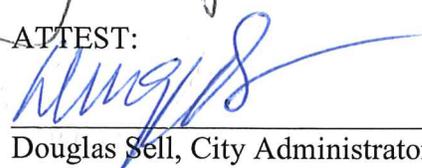
Adopted this 16th day of July, 2008 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL



Greg Hunter, Mayor

ATTEST:



Douglas Sell, City Administrator

**CITY OF EAST BETHEL,
ANOKA COUNTY, MINNESOTA**

RESOLUTION NO. 2011-27

**A RESOLUTION AMENDING THE ENABLING RESOLUTION OF THE CITY OF EAST
BETHEL, ANOKA COUNTY, MINNESOTA, PROVIDING FOR THE CREATION OF AN
ECONOMIC DEVELOPMENT AUTHORITY AND THE APPOINTMENT OF SEATED
COUNCIL MEMBERS AND COMMISSIONERS OF THE EAST BETHEL ECONOMIC
DEVELOPMENT AUTHORITY**

WHEREAS, the City Council for the City of East Bethel (hereinafter, “the City”) has the authority to establish an Economic Development Authority (hereinafter, “the Authority”) pursuant to Chapter 469.091 of the Minnesota Statutes; and,

WHEREAS, the Notice of Public Hearing is published within the legal publication for the City of East Bethel once per week for 2 weeks prior to the adoption of the original enabling Resolution of the City of East Bethel; the same having been adopted July 16, 2008; and,

WHEREAS, based upon all the information presented, the City Council then found that the establishment of an Economic Development Authority was in the best interest of the City, and thereby adopted Resolution No. 2008-53, “A Resolution Providing for the Creation of an Economic Development Authority in the City of East Bethel, Minnesota”; and,

WHEREAS, the City of East Bethel has now determined that it is best to implement amendments to the East Bethel Economic Development Authority to provide for the current membership of the Authority, expanding its membership, and establishing a seven (7) member Authority pursuant to Minn. Stat. §469.095, subd. 2(c); and,

WHEREAS, Minn. Stat. 469.093, subd. 2, requires all modifications to the enabling Resolution creating the Economic Development Authority to be, by written Resolution and adopted after Notice was given and a public hearing conducted as required for the original adoption of the enabling Resolution; and,

WHEREAS, a public hearing was conducted by the City of East Bethel with regard to the proposed amendments to the Economic Development Authority in terms of its membership and the appointment of a seven (7) member Authority pursuant to Minn. Stat. § 469.095, subd. 2 (c) on August 17, 2011, with legal notices therefore being duly published in the official publication of the City of East Bethel;

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of East Bethel that the East Bethel Economic Development Authority, having been duly established pursuant to Chapter 469.091 of the Minnesota Statutes (the Act) which Authority which operates under the terms and conditions of its original enabling Resolution, duly adopted on the 16th day of

July, 2008, being the same is hereby amended in the following respects:

1. Commissioners. (a) the Economic Development Authority Commissioners shall be comprised of a seven (7) member Authority; two (2) of whom shall be members of the City Council, being appointed by the Mayor with the approval of the City Council. Those members initially appointed shall be appointed for terms of one, two, three, four, and five years respectively, and two (2) members for six years, as required by Statute. Thereafter, all Commissioners shall be appointed for a six year term, notwithstanding however, that the two (2) City Council members to be initially appointed to the seven-member Commission, shall be appointed to terms closely related to their existing Council terms as possible, and thereafter, as each City Council member vacates or otherwise leaves their position from the City Council, the City Council shall reappoint Council members to the remaining term.
2. Officers and Meetings. The Authority shall annually elect a President, Vice President, and Secretary. A member must not serve as President or Vice President at the same time. All other offices may be held by the same member.
3. Rules and Procedures. The Authority shall adopt rules and procedures not inconsistent with the provisions of this Resolution or otherwise provided by Minn. Stat. §469.096, and as may be necessary for the proper execution and conduct of the Authority's business.
4. Annual Meetings. The Authority shall conduct an annual meeting to be held prior to the second regular meeting date at 6:30 p.m. of the month of January in each year. The Authority's regular meeting shall occur according to a meeting schedule, if any, adopted or revised from time-to-time by Resolution of the Authority. Special meetings may be called by the President as needed.
5. Section 2.02 of Resolution 2008-53. That Section 2.02 of the enabling Resolution of July 16, 2008, being Resolution No. 2008-53 is hereby deleted.
6. Section 2.01 of Resolution 2008-53. That Section 2.01 of Resolution No. 2008-53 is adopted by the City Council of the City of East Bethel on the 16th day of July, 2008, granting to the EDA, all the powers contained within the Act, including those of the Housing and Redevelopment Authority is hereby modified to limit the powers of the EDA to all of those previously supplied within the originating and enabling Resolution, accepting that the EDA shall not have authority or power to levy a tax within the city of East Bethel.

Adopted this 17th day of August, 2011 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL


Richard Lawrence, Mayor

ATTEST:



Jack Davis, City Administrator

**BY-LAWS OF THE
EAST BETHEL ECONOMIC DEVELOPMENT AUTHORITY
Dated: February 26, 2013**

1. The Authority

Section 1.1 Name of the Authority. The name of the Authority shall be the East Bethel Economic Development Authority (hereinafter, the “Authority”), and its governing body shall be called the Board of Commissioners (hereinafter, the “Board”).

Section 1.2 Office. The principal office of the Authority shall be the East Bethel City Hall.

Section 1.3 Seal. The Authority shall have an official seal.

Section 1.4 Purpose. The purpose of the East Bethel Economic Development Authority is to coordinate and administer economic development and redevelopment plans and programs within the scope of MN Statutes 469.090 et. seq. for the City of East Bethel.

2. Organization

Section 2.1a Officers. The officers of the Authority shall consist of a President, Vice President, a Secretary, a Treasurer, and an Assistant Treasurer. The President, Vice President and Treasurer shall be members of the Board and shall be elected annually, and no Commissioner may serve as President and Vice President at the same time.

Section 2.1b Ad hoc (non-voting) Members. Ad-hoc members from the East Bethel business and residential communities may be appointed to the Board by the City Council in a special capacity from time to time.

Section 2.1c Members. The Board shall consist of seven (7) voting members to include two (2) City Council and five (5) members from the business and residential communities.

Section 2.2 President. The President shall preside at all Board meetings, and be appointed by the Board.

Section 2.3 Vice President. The Vice President shall preside at any Board meeting and exercise all powers and perform all responsibilities of the President in the absence of the President, and shall be appointed by the Board.

Section 2.4 Treasurer. The Treasurer shall be the Executive Director of the Board. The Treasurer shall receive and be responsible for Authority money, shall disburse Authority money by check only, keep an account of all Authority receipts and disbursements and the nature and purpose relating thereto. Shall file the Authority’s financial statements with its Secretary at least once a year as set by the Authority and be responsible for the acts of the Assistant Treasurer.

Section 2.5 Assistant Treasurer. The Assistant Treasurer shall have all the powers and duties of the Treasurer if the Treasurer is absent or disabled. The Assistant Treasurer shall be the Fiscal and Support Services Director of the City of East Bethel (the “City”).

Section 2.6. Terms. Those commissioners appointed shall be appointed for terms of one, two, three, four, and five years respectively, and two members for six years. Thereafter, all commissioners shall be appointed for six-year terms.

Section 2.6 Secretary. The Secretary shall be appointed by the Board to keep minutes of regular meetings of the Board.

Section 2.7 Executive Director. The Executive Director shall be the City Administrator of the City and shall be appointed executive officer of the Authority and shall have such additional responsibilities as the Board may from time to time and by resolution prescribe. The City of East Bethel (or the Executive Director) shall maintain all records of the authority in accordance with applicable law and provide City Council with copies of those minutes.

3. Procedures of the Board of Commissioners

Section 3.1 Annual Meeting. The annual meeting of the Board shall be held the second regular City Council meeting date at 7:00 p.m. of the month of January in each year.

Section 3.2 Regular Meetings. The Board shall hold regular meetings the third Monday of each month and at such other time as the Board may determine and set.

Section 3.3 Special Meetings. Special meetings of the Board may be called by the President or, in the event of the President's absence or inability, by the Vice President at any time, upon three (3) days prior notice to all Commissioners and the Executive Director. The Executive Director shall post notice of any special meeting in the principal office of the Authority no less than three (3) days prior to such special meeting.

Section 3.4 Quorum. A quorum of the seven (7)-member Board shall consist of four Commissioners. A quorum shall be required for the Authority to conduct business. A meeting may not be called to order and must be adjourned if, at any time, a quorum is not present for a meeting.

Section 3.5 Adoption of Resolutions. Resolutions of the Board shall be adopted if approved by a simple majority.

Section 3.6 Rules of Order. The meeting of the Board shall be governed by modified Robert's Rules of Order.

4. Miscellaneous

Section 4.1 Fiscal Year. The fiscal year of the Authority shall be the calendar year.

Section 4.2 Treasurer's Bond. The Treasurer shall give bond to the state conditioned for the faithful discharge of official duties. The bond must be approved as to form and surety by the Authority and filed with the Secretary and must be for twice the amount of money likely to be on hand at any one time as determined at least annually by the Authority, provided, however, that said bond must not exceed \$300,000.

Section 4.3 Checks. An Authority check must be signed by the President and the Executive Director. The check must state the name of the payee and the nature for which the check was issued.

Section 4.4 Report to City. The Authority shall make an annual report to the City Council of its activities and accomplishments.

Section 4.6 Budget to City. The Authority shall annually send its budget to the City Council which budget included a written estimate of the amount of money needed by the Authority from the City in order for the Authority to conduct business during the upcoming fiscal year.

Section 4.7 Employees. The Authority may employ technical experts and agents and other employees as it may require and determine their duties, qualifications and compensation.

Section 4.8 Services. The Authority may contract for the services of consultants, agents, public accountants, attorneys and others as needed to perform its duties and to exercise its powers.

Section 4.9 Supplies, Purchasing, Facilities, and Services. The Authority may purchase the supplies and materials it needs. The Authority may use facilities of the City's Purchasing Department. The City may furnish offices, structures and space, stenographic, clerical, engineering and other assistance to the Authority.

Section 4.10 Execution of Contracts. All contracts, notes and other written agreements or instruments to which the Authority is a part or signatory or by which the Authority may be bound shall be executed by the President and Executive Director as the Board may by resolution prescribe.

Section 4.11 Amendment of By-Laws. These By-Laws may be proposed to be amended by the Board by majority vote of all the Commissioners. Amendments are to be effective only upon approval of the majority of City Council.

Section 4.12. Compensation. A commissioner, including the president, shall be paid for attending each regular or special meeting of the East Bethel Economic Development Authority in an amount to be determined by City Council.

Amended this 26th day of February 2013 by the Economic Development Authority of the City of East Bethel.

EAST BETHEL ECONOMIC DEVELOPMENT AUTHORITY

Heidi Moegerle, President

ATTEST:

Jack Davis, Executive Director

EDA Proposed Meeting Dates for 2013
Meeting Time: 7:00 PM

Monday, March 18, 2013

Monday, April 15, 2013

Monday, May 20, 2013

Monday, June 17, 2013

Monday, July 15, 2013

Monday, August 19, 2013

Monday, September 16, 2013

Monday, October 21, 2013

Monday, November 18, 2013

Monday, December 16, 2013

for catching that, because that is my statement. What it was is I thought what I expressed was that it was that the county has asked us for a long time to always have a wide, wide right-of-way there because it has always been rumored that it was going to get turned over to the state. And, I thought that is what I had expressed." Moegerle, "So for the minutes, "So for the longest time any changes on County Road 22 that were being planned for a State Highway. Put that before what your sentiment was?" Bezanson, "Yes, that would." Moegerle, "Page 3 of 9, top of page, Moegerle said Bezanson wanted to whom are the owners, it should be *who* are the owners. Probably have some more capitalizations."

Butler made a motion to approve the Economic Development Authority January 29, 2013 minutes as amended. Landwehr seconded; all in favor, motion carries.

EDA Bylaws Amendment

Winter explained you have in your packet an updated version of the EDA By-laws dated February 26, 2013 and the only change that we have proposed is the meeting date itself. If you go to Page 14, Section 3.2 I changed it to: The Board should hold regular meetings third Monday of month and at such other time as the Board may determine and set. We have also included a list of when those meetings are on Page 16. If you remember we did have the discussion about having the meetings at 7:00 p.m. instead of 6:30 p.m. Have meetings at 7:00 p.m. rather than 6:30.

Davis explained there are also some other items that I just found out earlier this evening that should also be removed. Section 4.2 Treasurer's Bond, we don't have a treasurer. Rita Pierce is named the treasurer, but she is governed by a bond through the city. Also, 4.3 Checks, the authority doesn't write checks, those come from City Council. 4.8 Services and 4.9 Supplies, Purchasing, Facilities and Services, the authority doesn't contract for services, or purchase their own supplies. The city does this. Moegerle, "But we do reimburse the city for supplies and services." Davis, "We don't reimburse the city, it comes out of this budget and the checks are written by City Council and approved by City Council. This may relieve some of the opposition to some of what the EDA does. And then 4.10 Execution of Contracts, the authority doesn't execute contracts, the City Council does."

Moegerle made a motion to approve the amendment to the EDA Bylaws Section 3.2 Regular Meetings. The Board shall hold regular meetings the third Monday of each month and at such other time as the Board may determine and set. Landwehr seconded; all in favor, motion carries.

Moegerle made a motion to delete from the EDA Bylaws Sections 4.2 Treasurer's Bond; 4.3 Checks; 4.8 Services. 4.9 Supplies, Purchasing, Facilities, and Services and 4.10 Execution of Contracts. Approval is contingent upon review by the City Attorney to make sure these items are not required to conform to Minnesota State Statute. Landwehr seconded; all in favor, motion carries.

Presentation
by Dan Butler
on Proposed
Chamber and
Bylaws

Butler, "At the last EDA meeting there was discussion about the formation of a Chamber for the City of East Bethel and other communities along the 65 corridor. I agreed to research this and bring back some recommendations to the EDA. In the packet are some bylaws for a new chamber of commerce name Gateway 65. I talked to one of the business leaders in the community about heading up this endeavor and they were willing to use

inspector's position. We had 27 applicants, we interviewed seven, felt one was qualified and offered him the position. He notified us he accepted a position with another city. So, we readvertised this, slanted more toward a building inspector and added a provision in there that if they didn't have their ISTS certification and had to have passed all the course work they could complete all the inspection qualifications while on the job here. We had seven applicants and we interviewed three. The thing that made this gentleman stand out the most was that he was very knowledgeable, possessed the expertise, we felt he had the people skills to deal with the job. He also had 22 years of experience and had excellent recommendations from the City of Ramsey. City manager said he would rehire him.

DeRoche made a motion to approve Item J) Approve Hire of Building Inspector. Moegerle seconded; all in favor, motion carries.

Amend EDA Bylaws

Davis explained that at the regularly held EDA meeting on February 25, 2013 the EDA Board made the following recommendations to the EDA bylaws, to amend Section 3.2 Regular Meetings. The Board shall hold regular meetings the third Monday of each month or at such other time as the Board may determine and set.

And in addition, the EDA recommended the deletion of Sections 4.2 Treasurer's Bond; 4.3 Checks; 4.8 Services; 4.9 Supplies, Purchasing, Facilities, and Services; and 4.10 Execution of Contracts. These relate to the authority to write checks, issue contracts, etc., when the Council has never given authority to the Authority those powers. This would eliminate the powers of the EDA and place the control solely with City Council which it does now, but it would eliminate any confusion by deleting these from the by-laws. This was sent to the City Attorney's office and reviewed and they said it was consistent.

Staff is recommending the approval of these amendments the first one for changing the meeting date is reflected in Resolution 2013-13 and all this does is sets the meeting dates.

Lawrence made a motion to amend the EDA By-Laws Section 3.2 changing the meeting dates to the third Monday and adopt Resolution 2013-13 Setting EDA Meeting Dates for 2013. Moegerle seconded; all in favor, motion carries.

Davis, "The commission did vote to amend these other changes that I had mentioned, Section 4.2, 4.3, 4.8, 4.9, and 4.10. I think in discussion with other Council Members there may be some other changes that may need to be reflected. So this is something we may need to take a look at and table until the next meeting."

DeRoche made a motion to table the EDA By-Law Amendments and have staff bring it back for consideration with the additional changes. Lawrence seconded; all in favor, motion carries.

Paul Trembl –
IUP Horses –
19928 Polk St.
NE

Mr. Trembl is requesting an IUP for the purpose of owning and caring for up to four (4) horses on the 9.7 acre parcel he owns in East Bethel.

East Bethel City Code Section 10, Article V. Farm Animals, requires that no animals that are regulated by the code can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three (3) acres (130,680 square feet). The 9.7-acre parcel is not located within a platted subdivision. Also, City Code has a limit on the number of horses per parcel and requires one (1) grazable acre per horse. For the keeping of up to four (4) horses, Mr. Trembl will be required to have a minimum of four (4) grazable acres of fenced



City of East Bethel Economic Development Authority Agenda Information

Date:

May 20, 2013

Agenda Item Number:

Item 8.0

Agenda Item:

Revised EDA By-laws

Requested Action:

Recommend approval for final Council action

Background Information:

The City Council has requested that the EDA Board consider making changes to the EDA By-laws so that they are consistent with other Boards and Commissions in the City of East Bethel. Specifically the following sections have been eliminated – Sections 4.2, 4.3, 4.8, 4.9, 4.10 – all of which had to do with financial transactions. The EDA does not operate financially independent of the City Council and so these sections were eliminated. Section 3.3 - Calling of Special meetings. The language was changed so that it was consistent with what the City Council requires to call a Special meeting.

Attachment(s):

- 1. EDA By-laws

Fiscal Impact:

NA

Recommendation(s):

Recommend approval of proposed EDA by-laws and forward to City Council.

Economic Development Authority Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

**BY-LAWS OF THE
EAST BETHEL ECONOMIC DEVELOPMENT AUTHORITY
Dated: May 20, 2013**

1. The Authority

Section 1.1 Name of the Authority. The name of the Authority shall be the East Bethel Economic Development Authority (hereinafter, the “Authority”), and its governing body shall be called the Board of Commissioners (hereinafter, the “Board”).

Section 1.2 Office. The principal office of the Authority shall be the East Bethel City Hall.

Section 1.3 Seal. The Authority shall have an official seal.

Section 1.4 Purpose. The purpose of the East Bethel Economic Development Authority is to coordinate and administer economic development and redevelopment plans and programs within the scope of MN Statutes 469.090 et. seq. for the City of East Bethel.

2. Organization

Section 2.1a Officers. The officers of the Authority shall consist of a President, Vice President, a Secretary, a Treasurer, and an Assistant Treasurer. The President, Vice President and Treasurer shall be members of the Board and shall be elected annually, and no Commissioner may serve as President and Vice President at the same time.

Section 2.1b Ad hoc (non-voting) Members. Ad-hoc members from the East Bethel business and residential communities may be appointed to the Board by the City Council in a special capacity from time to time.

Section 2.1c Members. The Board shall consist of seven (7) voting members to include two (2) City Council and five (5) members from the business and residential communities.

Section 2.2 President. The President shall preside at all Board meetings, and be appointed by the Board.

Section 2.3 Vice President. The Vice President shall preside at any Board meeting and exercise all powers and perform all responsibilities of the President in the absence of the President, and shall be appointed by the Board.

Section 2.4 Treasurer. The Treasurer shall be the Executive Director of the Board. The Treasurer shall receive and be responsible for Authority money, shall disburse Authority money by check only, keep an account of all Authority receipts and disbursements and the nature and purpose relating thereto. Shall file the Authority’s financial statements with its Secretary at least once a year as set by the Authority and be responsible for the acts of the Assistant Treasurer.

Section 2.5 Assistant Treasurer. The Assistant Treasurer shall have all the powers and duties of the Treasurer if the Treasurer is absent or disabled. The Assistant Treasurer shall be the Fiscal and Support Services Director of the City of East Bethel (the “City”).

Section 2.6 Terms. Those commissioners appointed shall be appointed for terms of one, two, three, four, and five years respectively, and two members for six years. Thereafter, all commissioners shall be appointed for six-year terms.

Section 2.6 Secretary. The Secretary shall be appointed by the Board to keep minutes of regular meetings of the Board.

Section 2.7 Executive Director. The Executive Director shall be the City Administrator of the City and shall be appointed executive officer of the Authority and shall have such additional responsibilities as the Board may from time to time and by resolution prescribe. The City of East Bethel (or the Executive Director) shall maintain all records of the authority in accordance with applicable law and provide City Council with copies of those minutes.

3. Procedures of the Board of Commissioners

Section 3.1 Annual Meeting. The annual meeting of the Board shall be held the second regular City Council meeting date at 7:00 p.m. of the month of January in each year.

Section 3.2 Regular Meetings. The Board shall hold regular meetings the third Monday of each month and at such other time as the Board may determine and set.

Section 3.3 Special Meetings. Special meetings may be called by any two board members. Written notice shall be given by the President and/or Board members to the Executive Director stating the time, place and purpose of the meeting. Notice of a special meeting shall be given by the Executive Director to each member of the Board by mailing a copy or causing a copy of such notice to be delivered to Board Members at least three days prior to the date and time stated in the notice.

The Executive Director shall post notice of any special meeting in the principal office of the Authority no less than three (3) days prior to such special meeting.

Section 3.4 Quorum. A quorum of the seven (7)-member Board shall consist of four Commissioners. A quorum shall be required for the Authority to conduct business. A meeting may not be called to order and must be adjourned if, at any time, a quorum is not present for a meeting.

Section 3.5 Adoption of Resolutions. Resolutions of the Board shall be adopted if approved by a simple majority.

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4. Miscellaneous

Section 4.1 Fiscal Year. The fiscal year of the Authority shall be the calendar year.

Section 4.4 Report to City. The Authority shall make an annual report to the City Council of its activities and accomplishments. The Authority shall provide City Council with monthly report.

Section 4.6 Budget to City. The Authority shall annually send its budget to the City Council which budget included a written estimate of the amount of money needed by the Authority from the City in order for the Authority to conduct business during the upcoming fiscal year.

Section 4.7 Employees. The Authority may employ technical experts and agents and other employees as it may require and determine their duties, qualifications and compensation.

Section 4.11 Amendment of By-Laws. These By-Laws may be proposed to be amended by the Board by majority vote of all the Commissioners. Amendments are to be effective only upon approval of the majority of City Council.

Section 4.12 Compensation. A commissioner, including the president, shall be paid for attending each regular or special meeting of the East Bethel Economic Development Authority in an amount to be determined by City Council.

Amended this 20th day of May, 2013 by the Economic Development Authority of the City of East Bethel.

EAST BETHEL ECONOMIC DEVELOPMENT AUTHORITY

Heidi Moegerle, President

ATTEST:

Jack Davis, Executive Director

Bezanson asked is a right turn in and a right turn out off the table? He understands they will end the crossovers. Davis said you can qualify for a right turn and out but you lose money. Bezanson asked could we repay MNDOT back if that were prudent at that time. We are looking at a future project it would be a closure and right turn/right out in the vicinity. Butler said another thought he had, the design of the highway, the speeds that were in effect when the highway was developed; the turn lanes are inadequate. Davis said the deceleration lanes would be doubled on rebuild of the roads.

Chamber Update – Dan Butler

June 6 there is a meeting at Village Bank at 8:00 a.m. as a follow up to the May 2nd meeting. There is a steering committee that was created. He does know that Aggressive Hydraulics would be moved on the 3rd of that week. If there were any plans for a ribbon cutting, it would be the following week. Winter said perhaps the July Chamber meeting

Loan Resolution

As part of the necessary legal action required putting the Utility Infrastructure Loan Program in place, the EDA needs to adopt the attached resolution. The HRA has lent the EDA money for other projects, such as AD Voltage. The EDA is the last official group to have to pass this.

Conner is confused. He thought this was behind us. He thought we took all the official actions. Winter said this is the legal action. This is what the attorneys have said is 'ok'. This is to make it official. Bezanson said he was glad someone brought up legal. He looked at paragraph four and he has some questions. Paragraph two; what if these things don't get repaid. As EDA members do we have liability? Winter said what it is, whoever applies for an assessment agreement, and then we have the option of assessing it on their taxes. Bezanson said it just strikes me, as this is a pretty serious thing.

Moegerle motioned to adopt a resolution authorizing the extension of loans to qualifying businesses and property owners pursuant to the utility infrastructure loan fund program and entering into with the City of East Bethel Housing and Redevelopment Authority of an interfund loan to receive funds for the administration of the loan program. Bezanson seconded, all in favor, motion carries unanimously.

Revised EDA By-Laws

The EDA talked about this two or three meetings ago, after legal review.

The City Council has requested that the EDA Board consider making changes to the EDA By-laws so that they are consistent with other Boards and Commissions in the City of East Bethel. Specifically the following sections have been eliminated – Sections 4.2, 4.3, 4.8, 4.9, 4.10 – all of which had to do with financial transactions. The EDA does not operate financially independent of the City Council and so these sections were eliminated. We don't have our own checkbook, and do not do our own finance. Section 3.3 - Calling of Special meetings. The language was changed so that it was consistent with what the City Council requires to call a Special meeting. It takes two members to call a meeting. The language before said the President could call it. Butler said he thinks two is enough. Written notice should be given by the President. What if him and Brian wanted to get together and call a special meeting? How do we need know when there are conflicts? Winter said you would contact Davis, as the Executive Director and he would do that. Moegerle said what about having it be three, which would be more members. Bezanson said he thinks it is a good idea. Davis said it should probably be three. Lux said two board members one of which would be a non City Council member.

Bezanson moved to approve the proposed EDA by-laws changes and also change the number of members in needed in Section 3.3 to three. Lux seconded, all in favor, motion carries unanimously.

Moegerle said there is still section 1.3 in there that we don't have a seal.

Davis said was there a change in reporting on monthly reports. Butler said that is draft minutes. Winter said 4.4 it is up to interpretation if the monthly report can be the minutes. Davis said it would be a tabular report for the city council. As far as that goes, he wouldn't change anything. They can take care of the details.

Davis explained that the EDA, at their May 20, 2013 meeting voted to recommend that City Council approve the following changes to the EDA By-laws so that they are consistent with other Boards and Commissions in the City of East Bethel.

Specifically the following sections have been eliminated – Sections 4.2, 4.3, 4.8, 4.9, 4.10 – all of which had to do with financial transactions. The EDA does not operate financially independent of the City Council and so these sections were eliminated.

Section 3.3 - Calling of Special meetings. The language was changed so that it was consistent with what the City Council requires to call a Special meeting.

Section 4.4 – Added language that states that the EDA will make monthly reports to the City Council.

Section 4.12 – Compensation was not changed as that is being addressed separately by the City Council.

Staff recommends approval of the revised EDA by-laws.

Moegerle motion to adopt with the amended EDA By-Laws with the following changes: with regard to section 4.0 miscellaneous those will be renumbered into numerical order. Lawrence seconded. DeRoche amended the motion have it put in writing that the reimbursement for the EDA members for Council Members is \$0 and the rest of the members is \$20. Moegerle, “We have already addressed that under the Consent Agenda, Item J.” DeRoche, “Seeing how these are the written By-Laws, I think it should be put in there.” Moegerle, “I think we already established compensation in Item J.” DeRoche, “We didn’t go over the EDA By-Laws.” Moegerle, “But we have already established the compensation in Item J, we have already set that.” DeRoche, “But when someone reads the EDA By-Laws, if they don’t go back into these other things, then it is in there. I think it is crucial it is in here. It has been kind of a barking point for a couple months now.” Moegerle, “Yeah, well, who has been barking?” DeRoche, “What was that about respect?” Moegerle, “Your words, not mine.”

Davis, “I think that J only addresses the citizen members.” Moegerle, “We are all citizens of the City of East Bethel.” Koller, “I think it should be clarified in the EDA By-Laws.” **Ronning seconded the amendment.**

Moegerle, “So then, if that becomes effective today, then retroactively the Council Members will get paid? Because they certainly haven’t been.” DeRoche, “No.” Vierling, “No.” Moegerle, “You can’t make that retroactive.” Vierling, “He is not.” Moegerle, “But there was no difference between the EDA and the citizen members serving before.” DeRoche, “There was no amount set.” Moegerle, “Why is this such a problem for you? Do you want to get paid for the HRA?” DeRoche, “Absolutely not. Being on the Council, we knew coming in that there would be liaison meetings and there would be other stuff coming in and there wasn’t any question about it. I am not in this to make money. And, I pay the same amount for my gas. As long as I am here, it is my choice to be or not to be on the Commission.”

Moegerle, “And you know what? There is a lot more work associated with being on the EDA. Richard goes to a lot of things and I go to a lot of things. Not because I sit up here, but because I am on the EDA and I wear two hats. And that makes a difference. Am I going to go to MSP 2040 is all about? Or do I just sit on my hands and wait for Ed Reynoso to come up here and tell us? The question is, do you want your EDA going out and bringing back information that brings in information to the City to make it stronger, better and more efficient? Or do you want them to sit on their hands like a Commission member and do nothing? And I think that there is a certain amount of incentive that comes with that. There is a reason that State Statute was put out for this and I will abide by the State Statute. I am sorry that is not something you appreciate.” DeRoche, “For the record, I don’t think any of our Commission members sit on their hands and do nothing. I think that is a slap in the face, that is the statement you just made. And if you think that \$20 they make, I think they are worth a lot more. But, you know what? We are in a situation here where we have to watch what we spend.” Moegerle, “\$500 a year makes or breaks this City?”

DeRoche, "Well, we were talking about saving \$149 a year so yes, \$500 makes a difference. I call the question."

Moegerle, nay; DeRoche, Koller, Lawrence and Ronning, aye; the amendment carries.

Moegerle, "What did the EDA say about this or are they at the whim of the Council?" Davis, "They are, on this, I think because it says the rate will be determined by City Council." Ronning, "This particular thing addressed monthly meetings anyhow." **Moegerle, nay; DeRoche, Koller, Lawrence, Ronning, aye; motion as amended carries.**

Road Minutes Davis explained that the meeting minutes from the May 14, 2013 Road Commission meeting are included for your review. As I proposed in an update to you last Friday, I think it would be wise to send meeting minutes to you as they are done. If you wish to bring something up as an agenda item on the minutes, you can amend the agenda. Or contact me and I will add it to the agenda.

Fence at Water Treatment Plant Davis explained that as directed at the April 17, 2013 City Council meeting staff has obtained quotes for a perimeter fence around the Water Treatment Plant and the Water Tower. The perimeter fence layout is shown on Attachment 1. A total of three quotes were requested. A total of two quotes were received. Quotes were received on a total of 4 alternatives. The alternatives considered in the quotes are summarized below:

- Alternative 1** – 6 foot chain link fence and three strands of barb wire on top. The main gate would not have a power operator.
- Alternative 2** – 6 foot chain link fence and three strands of barb wire on top. The main gate would have a power operator.
- Alternative 3** – 8 foot chain link fence without barb wire on top. The main gate would not have a power operator.
- Alternative 4** – 8 foot chain link fence without barb wire on top. The main gate would have a power operator.

The total bids for the four alternatives are summarized below:

Alternate	Century Fence Company	Town & Country Fence
1	\$26,227.50	\$27,978.25
2	\$37,624.50	\$40,778.25
3	\$30,413.91	\$34,167.00
4	\$41,808.91	\$44,967.00

The recommended staff alternative for this project would be Alternate 3 at \$30,413.91. Bond proceeds from the municipal utilities project are available and appropriate for this project.

Staff is requesting approval to award the contract for this project to Century Fence Company in the amount of \$30,413.91.

Lawrence made a motion to approve Century Fence Company Alternative 3 in the amount of \$30,413.91. Ronning seconded. Moegerle, "Why is the recommendation without barb wire?" Davis, "The eight foot fence we think would be appropriate without the barb wire. We could add it." Moegerle, "Is it a liability issue? Or an effectiveness issue?" Vierling, "Probably more of an effectiveness issue. Three strands of barb wire isn't going to stop anyone." DeRoche, "If they want to get in there that bad." **All in favor, motion carries.**

Johnson Street Service Road Project ROW Davis explained that City staff has prepared the required easement deeds for the Johnson Street and Trunk Highway 65 Improvement Project. The project will include constructing Johnson Street from 215th Avenue to 221st Avenue and eliminating the access and median crossing at 219th Avenue and Trunk Highway 65. The easement deeds are included as Attachments 1 – 3.

Eric Larson<elarson@eckbergglammers.com>

To:Matt Look

Wed 2/5/2025 9:43 AM

Matt,

Short answer is that changing the EDA Board from 7 to 5 members all of whom will be the East Bethel City Council Members can occur, but such change may have to occur over the next few years, not immediately.

Removal Prior to Official Term. My preliminary research indicates that it is an open legal question in Minnesota whether an official can be removed from office due to a governance change.

Separate from a governance change, the law is clear that, absent misfeasance, malfeasance, nonfeasance, committee or commission members may **not** be removed prior to term expiration. Whether that principle applies to a governance structure change has not been directly answered in Minnesota. But courts in other states have ruled an officer such as an EDA board member/commissioner cannot be removed through a governance change.

Therefore, I believe the questions are:

1. Does the City want to test this open legal question? If so, then I recommend more research on this issue to construct as strong an argument as possible in support of removal due to a governance change prior to term expiration.
2. If the City does not want to test this open legal question, then how does the City want to transition to a 5-member EDA Board composed of the East Bethel City Council? There are various means of doing so, but one that comes to mind is that as each resident member's term expires a City Council member is appointed until all 5 council members are on the EDA board and then when the last two resident's terms expire without any reappointment then the EDA Board is entirely composed of the East Bethel City Council and the 5-member board is obtained.

An amendment to the Enabling Resolution would need a City Council public hearing followed by adoption of the Enabling Resolution amendment. I have started a draft amendment.

Let me know next steps, anticipated process, and timeline. And, of course, if you have any questions or concerns, don't hesitate to follow up. Thanks.

Eric

Eric Larson

Attorney

1809 Northwestern Avenue | Stillwater, MN 55082

Direct: 651-351-2137 | Fax: 651-439-2923

eckbergglammers.com

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received this message in error, please immediately advise the sender by reply e-mail and delete the message and any attachments.
Thank you.

From: Matt Look <matt.look@ci.east-bethel.mn.us>
Sent: Friday, April 12, 2024 10:04 AM
To: Eric Larson <elarson@eckbergammers.com>
Subject: RE: EDA Bylaw Changes Info

Change would take place immediately

From: Eric Larson <elarson@eckbergammers.com>
Sent: Friday, April 12, 2024 10:03 AM
To: Matt Look <matt.look@ci.east-bethel.mn.us>
Subject: RE: EDA Bylaw Changes Info

Caution: This email originated outside our organization; please use caution.

Sorry, I was not clear.

Can the current EDA Board members serve out their terms or will the change take place immediately?

If the later, then I need to see if that is possible once a member as been appointed to a 6-year term. I suspect the City can terminate a members term early, but I would need to research to confirm.

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



Date: February 10, 2025

Agenda Item Number: Item 3.0

Agenda Item: Secure Facility Policy

Background Information:

City Administrator Look will present the draft policy for Safety and Security at City Facilities.

Attachment (s):

1. Draft Safety and Security Policy

Recommendation(s): Staff is requesting that Council review and discuss the draft Safety and Security policy.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

East Bethel City Owned Facilities

Policies and Procedures for Facility Access

Policy Title: Safety and Security

Section: Health and Safety

Number: 1000-0001

Authority: City Administrator

Date: 10/02/2024

Page: 1 of 4

1. PURPOSE:

The safety of the cities full time and part time employees is of the utmost concern. All employees have a responsibility to help maintain the safety and security of co-workers, customers, facilities and property. Employees should immediately contact their supervisor or sheriff if they observe anything that could pose a threat to the safety or security of employees, customers, facilities, or property.

It is the responsibility of each employee to:

- a) Understand and follow all rules and safety standards.
- b) Report all safety or security issues immediately.
- c) Know the safe and proper use of any tool, piece of equipment or vehicle before it is used.
- d) Operate all tools, equipment and vehicles in a safe and careful manner.
- e) Comply with state law and wear seat belts whenever driving or riding in City vehicles or personal vehicles while performing City business.
- f) Assure our buildings remain secure and issued access controls are secure and not loaned, issued, or copied to be distributed to those not part of our organization.

2. ACCIDENTS / INJURIES

Employees must report all accidents and injuries to their supervisor within 24 hours, no matter how small or insignificant the injury appears to be. Failure to make timely reports may jeopardize benefits and lead to termination. The supervisor (s) shall also report all accidents and injuries to the City Administrator/Deputy within twenty-four hours of the event.

3. REPORTING UNAUTHORIZED ACCESS

Incident Reporting:

Any unauthorized access or attempts to gain access by non-active personnel must be reported immediately to the City Administrator for investigation.

4. REVIEW OF SECURITY INCIDENTS:

A review committee will evaluate incidents of unauthorized access annually to improve protocols.

5. IDENTIFICATION CARDS

The City shall issue photo identification cards to all members. These cards are for the use of the assigned member only and cannot be transferred or loaned to someone else. To maintain security, lost or stolen cards must be immediately reported to the City Administrator. Employees may be charged for lost cards. Identification cards are property of the City and must be returned upon termination of employment or at the request of management.

6. ACCESS CONTROL SYSTEM

Only active employed personnel will be granted access cards. Card readers will record entry and exit times for all personnel. Logs will be reviewed on a regular basis by the department head.

7. SAFETY

Members should be vigilant in looking for any potentially hazardous conditions or unsafe practices and immediately reporting these conditions to their station officer(s). The City has established a safety committee to assist with the detection and prevention of unsafe conditions.

8. NON-PUBLIC AREAS

All non-public work areas are for employees only. Members of the general public must be invited and accompanied by an employee to be admitted to these areas. Employees are responsible for the individuals they bring into secured areas. Employees should exercise caution when dealing with angry or hostile individuals on City property. Do not invite angry or hostile individuals into non-public areas. If an individual makes threatening comments or displays other erratic behavior, notify the Anoka County Sheriff immediately.

Auxiliary Fire Department Protocol:

Auxiliary members must be supervised by at least one active firefighter while present in the fire station. This means, must be let in and let out by an active firefighter.

Scheduled shifts for auxiliary personnel should be coordinated with active firefighting staff to ensure compliance.

9. WEAPONS

Unlawful possession or use of weapons, including handguns and firearms, by City employees, members, and volunteers is prohibited on City property; in City vehicles; while driving or riding as a passenger in a personal vehicle or any types of mass transit on City business; working off-site on behalf of the City; performing emergency or on-call work after normal business hours and on weekends; working at private residences or businesses on behalf of the City, and attending training or conferences on behalf of the City.

Exceptions to this policy are as follows:

- a) This policy does not apply to an employee who is showing or transferring the weapon or firearm to law enforcement officers as part of an investigation.
- b) This policy does not apply to sworn law enforcement officers and other employees who are in possession of a weapon or firearm as part of their official duties.
- c) This does not apply to employees with lawful conceal carry permits.

Although the City cannot prohibit members of the public from possessing a weapon on public property, appropriate precautions can be taken. Following are instances when employees should dial 9-1-1 for law enforcement assistance.

- a) Individual makes threats towards someone.
- b) An individual acts suspicious or appears out of a normal state of mind.
- c) An individual uses a handgun in a manner that would cause a reasonable person to feel threatened (for example, the individual is recklessly handling a handgun or pointing the gun at someone).
- d) An individual displays a handgun or makes comments about a weapon or handgun in a manner that would cause a reasonable person to feel threatened.

10. EMERGENCY RESPONSE APPS

- a) Employees are prohibited from releasing information (to include screen shots and all forms of dissemination) from apps that are used to dispatch first responders. (example of this is the First Due app used by the Fire Department)
- b) The 911 app shall be limited exclusively to active firefighting personnel. Auxiliary members and retired personnel should not have access to this app on their devices.

- c) Active personnel must acknowledge their understanding of the proper use of the 911 app during regular training sessions. The City Administrator, Mayor , and active City Council members may also have access to app if requested .

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



Date: February 10, 2025

Agenda Item Number: Item 4.0

Agenda Item: Discussion regarding a revision of City Ordinance, Chapter 10, Article II, Dogs and Article III, Rabies Control

Background Information:

A growing number of cities in the metro area are eliminating the requirement of obtaining dog licenses, calling the practice out-of-touch in an age when rabid dogs rarely roam, and people have other ways to find their missing pets. The main reason tends to be mass noncompliance. Few pet owners keep licenses up to date, if they get them at all.

The requirement of a dog license was originally instituted to ensure that animals were vaccinated and could be easily reunited with their owners if lost. Yet, out of 4,000+ households, only a few dozen residents have licenses. Social media and microchips combine to make a highly effective way to locate lost pets, and most pets are reunited with their owners before City staff is even notified.

While applying for a license does require the owner to provide proof of a current rabies vaccination, rabies is far less common today than in the past. Owners already must present vet records to take out pet insurance or enroll in doggy day care. When a dog bite is reported, deputies go directly to the owner to ask about vaccinations rather than checking city records.

The City does not charge for a dog license, so there is no revenue generated from tracking and issuing licenses.

Staff is requesting that Council discuss and evaluate the benefits and drawbacks of the current dog licensing ordinance.

Attachment (s):

Recommendation(s): Staff is requesting that Council discuss possible revisions to the ordinance as it relates to requiring City licenses for dogs.

City Council Action:

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____