



*Council Work Session - 6:15 p.m.
HRA Meeting - Immediately Following Regular Meeting
EDA Meeting - Immediately Following HRA Meeting*

CITY COUNCIL AGENDA
Tuesday, January 3, 2012
7:00 p.m.
Coon Rapids City Center
Council Chambers

Open Mic/Public Comment

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations (Council Business)

1. Designating Council Secretary:
 - a. Cons. Resolution 12-1 Designating TimeSaver Off Site Secretarial, Inc. as Council secretary for 2012
 - b. Approve Addendum to Recording Secretary Service Agreement
2. Council Rules of Procedure:
 - a. Cons. Resolution 12-2 Establishing Council Rules of Procedure
 - b. Cons. Addendum to Resolution 12-2, Definitions and Explanations of City Council Order of Business
3. Cons. Resolution 12-3 Designating the Coon Rapids Herald as the Official Newspaper for 2012
4. Cons. Resolution 12-9 Designating Depositories and Investment Collateral Management Procedures
5. Council Appointments:
 - a. Cons. Resolution 12-4 Appointing Chief of Police and One Other Voting Member and Alternate to the Anoka County Joint Law Enforcement Council
 - b. Cons. Resolution 12-5 Appointing a Delegate and Alternate to the Anoka-Hennepin District 11 Community Education Advisory Council
 - c. Cons. Resolution 12-6 Appointing a Delegate and Alternate to Metro Cities
 - d. Cons. Resolution 12-7 Appointing a Delegate and Alternate to the League of Minnesota Cities
 - e. Cons. Resolution 12-8 Appointing a Representative and Alternate to the Local Government Information Systems (LOGIS)
 - f. Cons. Resolution 12-10 Appointing a Representative, Alternate, and Two Lodging Representatives to Minnesota Metro North Tourism (Twin Cities Gateway)
 - g. Cons. Resolution 12-11 Appointing Two Members and Alternate to the Schwan's Super Rink Joint Board
 - h. Cons. Resolution 12-12 Appointing a Representative and Alternate to the Northstar Corridor Development Authority
 - i. Cons. Resolution 12-19 Appointing Two Representatives and Alternate to Coon Rapids Youth First
 - j. Cons. Resolution 12-22 Appointing a Representative to the North Metro Crossing Coalition

6. Board and Commission Appointments:
 - a. Cons. Resolution 12-16 Resolution Approving the Reappointment of Two Members, Appointment of One Member, and Appointment of a Chair and Vice Chair for 2012 to the Arts Commission
 - b. Cons. Resolution 12-13 Approving the Reappointment of One Member and Appointment of a Chair for 2012 to the Board of Adjustment and Appeals
 - c. Cons. Resolution 12-14 Approving the Reappointment of One Member and Appointment of a Chair for 2012 to the Police and Firefighter's Civil Service Commission
 - d. Cons. Resolution 12-17 Approving the Reappointment of Two Members and Appointing a Chair and Vice Chair for 2012 to the Historical Commission
 - e. Cons. Resolution 12-15 Approving the Reappointment of Two Members and Appointment of One Member to the Planning Commission
 - f. Cons. Resolution 12-18 Approving the Reappointment of Two Members and Appoint a Chair for 2012 to the Safety Commission
 - g. Cons. Resolution 12-20 Approving the Reappointment of One Member and Appointment of a Chair for 2012 for the Sustainability Commission

Approval of Minutes from Previous Meeting(s)

December 6, 2011 - Council Meeting
December 13, 2011 - Work Session
December 20, 2011 - Council Meeting
December 20, 2011 - Work Session

Consent Agenda

7. Authorize Final Payment, Project 11-11, Bituminous Patching - Large Areas
8. Authorize Final Payment, Project 11-2, 121st Avenue and Shenandoah Boulevard Street Reconstruction
9. Authorize Final Payment, Project 11-3 & 11-16, Xeon Street and 121st Avenue Street Reconstruction
10. Authorize Final Payment, Project 11-1A, Street Reconstruction
11. Authorize Final Payment , Project 11-10, Bituminous Patching - Small Areas
12. Authorize Final Payment, Project 11-9, Emergency Concrete Repairs
13. Approve Class A On-Sale and Sunday Liquor License to AZAR LLC d.b.a. La Casita, 8955 Springbrook Drive
14. Approve 2012 Agreement for Residential Recycling Program

Reports on Previous Open Mic

15. Open Mic Report - Donna Naeve, 535 - 127th Lane NW, Re: Lack of Directional Detour Signage for Main Street Reconstruction Project

New Business

16. Cons. Resolution 12-25 Miscellaneous Assessment, Declaring Cost to be Assessed, Ordering Preparation of Proposed Assessment Roll and Ordering Public Hearing for February 8, 2012
17. Approve Specifications for Water Treatment Chemicals and Order Advertisement for Bids

Other Business

Adjourn



City Council Regular

Meeting Date: 01/03/2012

SUBJECT: Approval of Minutes from Previous Meetings

Attachments

12-6 Council Meeting

12-13 Work Session

12-20 Council Meeting

12-20 Work Session

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF DECEMBER 6, 2011

1. OPEN MIC/PUBLIC COMMENT

None.

2. CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of December was called to order by Mayor Tim Howe at 7:00 p.m. on Tuesday, December 6, 2011, in the Council Chambers.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. ROLL CALL

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Melissa Larson, Paul Johnson, Jerry Koch, Bruce Sanders and Scott Schulte

Members Absent: None

5. ADOPT AGENDA

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

6. PROCLAMATIONS/PRESENTATIONS – NONE

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS:

A. NOVEMBER 15, 2011, WORK SESSION

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, FOR APPROVAL OF THE MINUTES OF THE NOVEMBER 15, 2011, WORK SESSION MEETING AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

B. NOVEMBER 15, 2011, COUNCIL MEETING

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE MINUTES OF THE NOVEMBER 15, 2011, COUNCIL MEETING AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

8. **CONSENT AGENDA:**
- A. ACCEPT DONATIONS FOR THE FIRE PREVENTION BUREAU
 - B. APPROVE THERAPEUTIC MASSAGE ENTERPRISE LICENSE FOR THERAPEUTIC INC. DBA ORIENTAL MASSAGE, 2740 MAIN STREET, SUITE 116
 - C. APPROVE 2012 LICENSE RENEWALS
 - D. ACCEPT EASEMENT – PONDS TOWNHOME ASSOCIATION, INC.
 - E. AUTHORIZE FINAL PAYMENT FOR LIFT STATION #3, PROJECT 10-28
 - F. AUTHORIZE FINAL PAYMENT FOR STREET RECONSTRUCTION, PHEASANT RIDGE DRIVE, PROJECT 11-4
-

Councilmember Schulte noted a sign board was propped up against a tree along Pheasant Ridge Drive. He requested staff has this removed as the work was completed. On another topic, he requested a plaque be added to the park benches built by the Boy Scout Troop in Pheasant Ridge Park.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KOCH, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Mayor Howe thanked the organizations that had made donations to the Fire Prevention Bureau, including the Residential Mortgage Group, Anoka County Safe Kids, Mercy/Unity Foundation, Jim and Linda Kresch, Teresa Prescott, Doris Atkins, Weston Woods of Bunker Hills Association and the Wal-Mart Foundation for their contributions to the Coon Rapids Fire Department.

THE MOTION PASSED UNANIMOUSLY.

9. **OPEN MIC REPORTS:**
- A. JOSEPH MURREL, 9950 BLUEBIRD STREET NW, #110
-

Mayor Howe presented a memorandum from staff stating Joseph Murrell, 9950 Bluebird Street NW, #110, shared his concerns about the general direction of the City.

During the Open Mic portion of the November 15 Council meeting, Mr. Murrell shared his concerns about the general direction the City was taking, including job creation, past developments, and the proposed prepay ordinance. Council thanked Mr. Murrell for sharing his concerns and encouraged him to become more involved in City Commissions as a way to share his suggestions and ideas.

10. **PUBLIC HEARINGS:**
- A. 2012 FEE REVISIONS
-

Finance Director Legg presented a memorandum to Council stating on November 15th, the attached ordinance adjusting certain fees was introduced by the City Council. This ordinance is now being

presented for adoption along with resolutions which include fees not set by ordinance. Rates for the ice arena, golf course and utility funds are set by separate City Council action throughout the year.

The fees for 2012 have been adjusted by the 2011 annual adjustment of 1.0% with exceptions noted below. A request for a rate change is made only if the adjustment is enough for the fee to be rounded to the next significant dollar amount. Items to note are as follows:

Ordinance Adjusting Certain Fees (see reference number in ordinance)

(1) *Fees set by State Statute.* Certain fees under Section 5-209 (alcoholic beverages) and the gambling investigation fee under Section 5-2008 of the City Code are set by Minnesota Statutes and did not change for 2012.

(2) *On-sale liquor license.* The on-sale liquor license was compared to the amount charged by other cities. Based on this review, staff determined that it should remain at the current rate of \$9,350 for 2012.

(3) *Waste and Recycling Hauler License Fees.* Based on a review of comparable cities, these fees were increased in 2008 from \$55 to \$150 for the first vehicle with each additional vehicle at \$25 each. It is recommended that these rates be increased to \$160 for the first vehicle and \$27 for each additional vehicle to reflect the percentage increase made to other fees since 2008.

(4) *Property Monitoring Fees.* A property monitoring fee was approved by the City Council in 2006. The 2007 fees were set at \$600 per year for residential property and \$1,000 per year for commercial property to cover related costs. Staff recommends no change for 2012.

(5) In certain cases there may be no change in the fee due to rounding. For example, the tobacco license investigation fee which is rounded to the nearest \$5 had a calculated base amount of \$119.41 in 2011 and was rounded to \$120. For 2012, the calculated base increased to \$120.60, which rounded to the nearest \$5 leaves the fee at \$120.

(6) Staff recommends that certain other fees not be increased for 2012 if they are adequate to cover current costs, are seldom used and therefore difficult to establish a cost basis, and/or are comparable to rates charged by other cities.

Resolution Establishing Certain Fees and Charges for CTN Studios

The CTN fee schedule has been updated to reflect a revised daily rental rate for production truck(A) which was equipped with new high definition equipment during 2011. Also, in addition to the fee for program copies in the DVD format, there is now a fee for Blu-ray copies.

Resolution Establishing Certain Fees and Charges

Items not increased by the annual adjustment are as follows:

Fees set by State Statute. These include the notary fee, returned check charge, day care inspection fee and document charges. The State did not change these fees for 2012.

Water Meters. The City purchases water meters and sells them to contractors for installation in new construction. The rate consists of our cost (including sales tax) and a markup of 33% to cover handling and future replacements since there is no charge for the replacement of water meters.

Water Flow Test. This fee for the fire department is being increased from \$125 to \$150 to offset costs actually incurred.

Resolution Establishing Sewer Availability Charges (SAC)

Metropolitan Council Environmental Services (MCES) has notified the City that the basic metropolitan SAC charge will be increased \$135 or 6.1%. SAC charges are collected by the City and remitted to MCES for all new or expanding sewer system users. The funds are used by MCES to retire debt incurred to build and expand the metro sewer system. Resolution 11-132 provides for the increase, changing the single family SAC from \$2,280 to \$2,440 which includes \$75 that the City retains. Other housing types are increased on a pro rata basis as detailed in the resolution. The portion that the City retains to cover administrative expenses is proposed to increase from \$50 to \$75 to cover increased monitoring of property usage required by MCES. Staff will be doing an analysis in the future to determine monitoring costs for commercial properties and whether they should have a separate administrative fee.

Councilmember Klint questioned if each fee was reviewed on a yearly basis. Finance Director Legg stated the City had completed a rate study five years ago to assure that the time spent by staff was being covered by the fees charged. This was a comprehensive and time consuming process which has since led to the cost of living increase proposed this evening.

Mayor Howe opened and closed the public hearing at 7:15 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT AN ORDINANCE REVISING CERTAIN LICENSE FEES, SERVICE FEES AND RELATED CHARGES EFFECTIVE JANUARY 1, 2012; RESOLUTION NO. 11-129 ESTABLISHING CERTAIN FEES AND CHARGES FOR USE OF CTN STUDIO FACILITIES EFFECTIVE JANUARY 1, 2012; ADOPT RESOLUTION NO. 11-131 ESTABLISHING CERTAIN FEES AND CHARGES EFFECTIVE JANUARY 1, 2012; AND RESOLUTION NO. 11-132 REVISING SEWER AVAILABILITY CHARGES (SAC) EFFECTIVE JANUARY 1, 2012. THE MOTION PASSED UNANIMOUSLY.

B. TRUTH-IN-TAXATION HEARING AND ADOPTION OF 2012 BUDGET AND TAX LEVY

City Manager Fulton presented a memorandum to requesting the City Council hold the Truth-In-Taxation (TNT) hearing and consider adoption of the 2012 budget and tax levy.

The budget was discussed at a work session on August 10 and continued to August 30. A preliminary levy was certified to the County. December 6 was set as the Truth in Taxation public meeting at which the proposed budget for taxes payable year 2012 must be discussed. The public must be given a reasonable amount of time to comment on the proposed property tax levy and budget and to ask questions. Mr. Fulton made a short budget presentation.

City Manager Fulton reviewed the yearlong budget process and discussed the significant budget principles promoted by the Council and Staff. He indicated the Council was committed to addressing core community responsibilities, while supporting the Council's long range strategic vision assuring the City would maintain a 45% fund balance.

City Manager Fulton explained homestead laws have changed at the State level. This has affected the Market Value Homestead Credit and the funding provided to the City of Coon Rapids. The State was now completing a Market Value Exclusion. This had a higher impact on commercial properties than residential. The result and impact on properties hinged on property values and taxing jurisdictions.

City Manager Fulton reviewed the property tax levy in detail. He indicated the proposed tax levy was just over 3% and would assist the City in maintaining all City Services such as public works and public safety services to the City's residents.

After the public hearing, resolutions adopting the budget and the tax levy are included for adoption.

Mayor Howe opened the Truth-In-Taxation hearing at 7:30 p.m.

Bernice Olson, 1883 121st Lane NW, indicated she did not completely understand the tax levy increase proposed for 2012. City Manager Fulton clarified the increase would be a little over 3%. He then discussed how properties were valued throughout the City.

Ms. Olson expressed frustration with the tax levy increase. She encouraged City staff to seek further efficiencies to reduce overall expenses. City Manager Fulton indicated staff would be completing a comprehensive internal study regarding its staff and processes to assure that when new employees were brought on board the work completed was being done efficiently without an overlap of services.

Councilmember Schulte discussed the differences between the Market Value Credit and the Market Value Exclusion in further detail.

Mayor Howe believed a good portion of the State's surplus was from a change in this program.

George Gillespie, 11555 Kerry Street NW, questioned why fines were predicted to increase by 38%. City Manager Fulton explained fines have historically decreased over time as the State charged a surcharge of \$75 on each ticket. The City has since created a program called the Citizen Awareness Program (CAP) which charged residents with an administrative fine. This fine did not go onto a resident's record, was dealt with at a City administrative level and reduced the need for time spent in court.

City Attorney Hiljus stated this program has proved successful for the City as it was increasing fine revenues while reducing the City's time spent in court, adding both were positive for the City.

Mr. Gillespie felt there was a disconnect with the increase in his property tax increase as his property went up 7% with his taxes increasing 13%. City Manager Fulton stated he could review this information further with Mr. Gillespie.

Mr. Gillespie asked if the Council was taking any measures to reduce spending. Councilmember Schulte noted when he took office in 2000 the City staff was at 242 members. In 2011, this number had been decreased to 218. Staff has had layoffs and retirements in which the staff members have not been replaced. He explained that Coon Rapids is a fully developed City and no longer growing, which was attributing to the slight increase. He commented that the Council was committed to maintaining its critical services for the residents and the budget as tight as it could be.

Councilmember Sanders explained that 12 full-time positions were lost three years ago, which lead to combining positions and departments for greater efficiencies. He indicated that maintenance issues could not be delayed as the City would either have to pay now or pay even more in the future.

City Manager Fulton stated the City had just gone paperless with its Council agenda packets which had a year and half payback period. The City would reduce paper expenses and staff time spent on this each and every Friday. He reviewed several other savings items with Mr. Gillespie. City Manager Fulton stated that the City was becoming more and more efficient with its processes, but the fact was, revenues for the City were down both at a local and State level.

Mayor Howe closed the Truth-In-Taxation hearing at 7:54 p.m.

Mayor Howe thanked the residents for their comments, questions and discussion this evening. He appreciated the time spent on clarifying these issues for the public.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 11-124 ADOPTING THE 2012 BUDGET; AND ADOPT RESOLUTION NO. 11-125 ADOPTING THE 2012 TAX LEVY. THE MOTION PASSED UNANIMOUSLY.

11. **BID OPENINGS AND CONTRACT AWARDS – NONE.**

12. OLD BUSINESS:
 A. ADOPTION OF ORDINANCE ADDING CHAPTER 8-1500, PREPAYMENT FOR
 GASOLINE AND DIESEL FUEL

Police Chief Wise presented a memorandum to Council stating the City Code requires some revisions in the Health, Safety and Sanitation chapter in order to prevent ongoing criminal activity at and in the proximity of Retail Fuel Businesses. Council is requested to adopt the ordinance.

The Police Department has recognized an increasing burden on its resources in the form of theft reports regarding failure to pay for gasoline, "No Pays," at some of our retail fuel businesses. In 2009 theft reports for gas "No Pays" numbered 314. There were 492 of these theft reports in 2010 and 374 as of 09/01/2011. These numbers represent considerable expenditure of limited police resources and detract from proactive policing opportunities concerning other matters in the community.

An investigation into these "No Pays" reveals that frequently an offending vehicle is registered to locations outside of Coon Rapids. This indicates that a criminal element has recognized the opportunity to enter our City and commit this crime at the handful of retail fuel businesses that do not require payment at the pump/pre-pay. In addition, many offending vehicles temporarily display license plates stolen from other vehicles to facilitate this theft of fuel. Unless the price of fuel dramatically drops these types of thefts are bound to increase.

The Police Department recognizes that regulating how private businesses choose to operate is a serious matter. Over the last several years as the price of fuel spiked, we expected all of our retail fuel businesses to convert to a payment at the pump/prepay model. However, this has not happened. It has become apparent that some of the larger corporate fuel companies that aggressively market in-store purchases of other products are not inclined to implement a pre-pay/pay at the pump policy without a specific directive from local government. And, if these larger companies do not have this policy, smaller establishments would likely feel obligated to operate their businesses in the same manner in order to remain competitive. Therefore, we are hopeful that most retail fuel businesses would welcome an ordinance requiring payment at the pump/pre-pay as long as all establishments in Coon Rapids are affected in the same manner.

Police Chief Wise reviewed a presentation with the Council regarding the top eight Level 1 crimes in the City. It was explained the number one crime was larceny or theft. Of that crime, gas thefts were highest in the City. He discussed how the increased price of gas has been directly correlated with the rising number of crimes. Police Chief Wise explained the ordinance before the Council this evening would assist the City in addressing this growing concern while reducing the crime levels in the City.

Other cities have established similar ordinances with positive results.

The ordinance implementation date is proposed to be effective January, 1, 2012.

Mayor Howe commented this was an area of concern in the City and the Council needed to seek a solution. He noted the Council could push this item to January to allow for further discussion with

the local business owners. He recommended the Council allow comments this evening from the public as well. At this time, the City does not have an alternative solution to address this concern.

Councilmember Sanders recommended the ordinance be delayed as local businesses would not be ready by January 1st. He explained he believed in the ordinance and the role of government in this issue. He suggested an exception be included in the ordinance to allow the industry to regulate the concern while extending the compliance date. He stated he would not support the ordinance based on policy if voted on this evening.

Councilmember Klint questioned which policy Councilmember Sanders did not support. Councilmember Sanders commented he felt additional research should be completed and that more discussion should be had with local business owners before this ordinance proceeded.

Councilmember Larson supported the ordinance but felt it would be fair to postpone the item to allow the local businesses time to seek alternatives before the Council took further action.

Councilmember Schulte clarified that he did not sell gasoline in the City and has not since 2006. He expressed concern with how the ordinance would affect the businesses in the City and the residents. He noted he would support delaying the ordinance only if the Council was committed to taking action in reducing the Level 1 crimes in the City, as this was a growing concern to residents. He recommended the item be postponed to a date certain.

Mayor Howe noted comments were received from the public that customers may drive to a neighboring community to buy gas if the ordinance were to proceed.

Councilmember Klint asked if the business community was involved in this process. Police Chief Wise stated the local business owners were invited to a recent meeting and representation was made by Holiday Corp., QuickTrip, Marathon, three independent station owners and several others from SuperAmerica.

Councilmember Klint indicated this issue was similar to the rental licensing process. She did not want to see this issue delayed and that the Council should seriously consider the concerns from the Police Department. She felt the business owners could work out the payment issues after the Ordinance was enacted. There were options available to allow for cash payments.

Mayor Howe addressed the exception in Councilmember Sanders' suggested ordinance.

Councilmember Koch said he was in favor of postponing the item to allow staff time to review the technology available for gas pump payments and allowing for further comments from business owners. He did not want to see the City further regulate this issue unnecessarily if possible. He felt the business owners were capable of addressing this issue themselves.

Councilmember Klint agreed it would be great if the businesses assumed this task. However, with varying sizes of the gas stations, she wanted to be assured the playing field was level.

Councilmember Koch stated this was a free market and the Council did not have the right to regulate this issue.

Councilmember Schulte commented the Council has been reaching out to these businesses since October of 2009 to find a way to address drive-offs.

Councilmember Sanders felt by delaying the ordinance, the time would allow businesses to review how to bring their pumps into compliance.

Councilmember Schulte suggested the Council and staff speak with the City of Fridley and how their pre-pay program was working.

Councilmember Johnson indicated he met with representatives from local businesses and noted he supported the ordinance with Councilmember Sanders' language to the Ordinance with the implementation date pushed back. He expressed frustration that the public has not been engaged until this time. He recommended the Council take the time to receive comments from the public.

Mayor Howe said he was not prepared to take public comment as Council has heard both sides of the argument to date and he interested in hearing new ideas or solutions to this problem. The Council was serious about this issue and was ready to take action to reduce the crime levels in the City. The challenge would be for the local businesses to create solutions to this problem to prevent drive-offs over the coming weeks.

Councilmember Schulte suggested the companies also look into how the rest of the country was preventing drive-offs other than pre-pay pumps.

Mayor Howe indicated Kansas City had a system that identified a customer similar to the process used by Costco.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT AN ORDINANCE ADDING CHAPTER 8-1500, PREPAYMENT FOR GASOLINE AND DIESEL FUEL AND THEREBY AMENDING REVISED CITY CODE – 1982, TITLE 8, HEALTH, SAFETY AND SANITATION, REVISING THE LANGUAGE PRESENTED BY COUNCILMEMBER SANDERS WITH THE IMPLEMENTATION DATE BEING MARCH 1, 2012.

Councilmember Schulte asked if a friendly amendment could be added to include a mandatory work session between now and mid-February to review the ordinance with an amendment if necessary. This would allow the Council to address the concerns raised this evening.

FRIENDLY AMENDMENT: TO HOLD A MANDATORY WORKSHOP BETWEEN NOW AND MID-FEBRUARY TO REVIEW THE ORDINANCE WITH AN AMENDMENT IF NECESSARY.

Councilmember Sanders and Councilmember Klint agreed to the friendly amendment.

Councilmember Koch indicated he would not support the ordinance as it intruded on local businesses. He felt the right ordinance should be created and then passed. He suggested the item be tabled after receiving input from the stakeholders.

Mayor Howe agreed with these comments and questioned if March 1st was the correct date.

Councilmember Sanders recommended the item be tabled to January 24th. City Attorney Hiljus stated a motion to postpone or table could be made even with the motion pending.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO TABLE ACTION INDEFINITELY ON THE ORDINANCE WITH THE ITEM DISCUSSED AT THE JANUARY 24th CITY COUNCIL WORK SESSION.

THE MOTION PASSED 4-3, COUNCILMEMBERS KLINT, JOHNSON AND SCHULTE OPPOSED.

Councilmember Schulte cautioned the Council from taking no action on this issue. He stated the Police Chief has been extremely clear on the concerns of drive-offs and action had to be taken. He understood this was a politically hot topic that the Council had to address.

Mayor Howe agreed and encouraged the public to attend the January 24th work session meeting to present comments and to discuss the issue further.

Councilmember Koch encouraged the representatives present this evening to discuss the issue amongst them to begin formulating a solution to this concern.

The Council took a short recess at 8:55 p.m.

The meeting reconvened at 8:57 p.m.

**B. COON RAPIDS ICE CENTER CONTRACT WITH ANOKA-HENNEPIN
 SCHOOL DISTRICT**

Ice Arena Manager Scott presented a memorandum to Council stating the Anoka-Hennepin School District will use our new Coon Rapids Ice Center (CRIC) as their home ice for both practices and games for the High School Boys and Girls Cardinal Hockey teams.

The School District provides their standard contract which we have slightly modified to specifically address exclusive use and maintenance of certain locker rooms and language covering CRIC access and security. In the future, an addendum to this agreement will be required to outline School District financing for locker room construction. The new agreement also provides for School District rental of the outdoor rink.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO APPROVE THE COON RAPIDS ICE CENTER CONTRACT WITH THE ANOKA-HENNEPIN SCHOOL DISTRICT AND AUTHORIZE EXECUTION OF THE AGREEMENT BY APPROPRIATE CITY OFFICIALS. THE MOTION PASSED UNANIMOUSLY.

C. 2011/2012 COON RAPIDS ICE CENTER USE POLICY

Ice Arena Manager Scott presented a memorandum to Council stating at the November 15, 2011 Council meeting, City Council adopted a resolution establishing rental fees for ice rental for the new Coon Rapids Ice Center. Additional action is needed to consider a policy for the use of the new facility.

The Coon Rapids Ice Center Manager, Craig Scott, has prepared a proposed policy for use of the Ice Center facilities. In addition, he has established room rental rates for the various rooms in the new Ice Center. The new policy is modeled after the current policy in place for the City Center facilities. The policy contains the following components:

- Classification and priority of users
- Description of various areas for rental
- Hours of use
- General rules for facility use
- Supervision
- Liability
- Smoking policy
- Application for use
- Permit for use
- Alcohol
- Fee structure

Mayor Howe requested staff review the user trends over the first winter and summer of use to allow the Council to review this information in the future.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, TO APPROVE THE POLICY FOR USE OF THE COON RAPIDS ICE CENTER FACILITIES. THE MOTION PASSED UNANIMOUSLY.

13. NEW BUSINESS:

- A. ORDER PREPARATION OF FEASIBILITY REPORT FOR STREET RECONSTRUCTION – PROJECT 12-6, 9TH AVENUE – 115TH AVENUE TO OAKWOOD DRIVE
-

City Engineer Vierzba presented a memorandum to Council stating the City of Anoka is planning to reconstruct streets in the area adjacent to Coon Rapids border, south of Coon Rapids Boulevard. Ninth Avenue is the border street in that area that provides access to Coon Rapids residents. Coon Rapids will share in the costs of street reconstruction and proposes to assess the benefiting properties within Coon Rapids. A feasibility report is required as part of the assessment process. Council is requested to order preparation of a feasibility report at this time.

The City of Anoka has notified City staff that they have plans to reconstruct 9th Avenue, a City border street, in 2012. The street and right-of-way is within the City of Anoka but the street provides access for several Coon Rapids homes that front onto the street. Therefore, it is proposed that Coon Rapids share in the cost of the project and a joint powers agreement will be considered by both City Councils in the near future. The City proposes to assess the properties that benefit from this project at the same rate as any other street reconstruction project within the City. A feasibility report is required before a public hearing can be held.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 12-6(3) ORDERING PREPARATION OF A FEASIBILITY REPORT. THE MOTION PASSED UNANIMOUSLY.

B. CONSIDERATION OF PROPOSAL FROM SEH, INC. FOR ENGINEERING SERVICES FOR SANITARY SEWER LIFT STATION NO. 1 REPLACEMENT – PROJECT 12-7

City Engineer Vierzba presented a memorandum to Council stating as part of the five year sanitary sewer capital improvement program, we have selected Lift Station No. 1 for replacement in 2012. Lift Station No. 1 is located at 923 88th Avenue. SEH, Inc. has provided engineering services for us as part of our sanitary sewer comprehensive plan and capital improvement program. They have submitted a proposal for engineering services for this project. Consideration of the proposal is requested at this time.

As part of our ongoing capital improvement program, Lift Station No. 1 is planned for replacement in 2012. Lift Station No. 1 services the extreme southwest portion of the City west of East River Road. The proposal from SEH, Inc. is to provide engineering services to prepare a preliminary design report, plans and specifications, assist the City in bidding, and provide inspection services during the construction.

If Council approves the proposal, design work will begin immediately. We plan to have the project bid in the spring with construction beginning in early summer. Completion is planned by the fall of 2012.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KOCH, TO ACCEPT THE PROPOSAL FOR ENGINEERING SERVICES FOR RECONSTRUCTION OF SANITARY SEWER LIFT STATION NO. 1 FROM SEH, INC. AND AUTHORIZE EXECUTION

OF THE AGREEMENT FOR ENGINEERING SERVICES IN ACCORDANCE WITH THE PROPOSAL DATED NOVEMBER 10, 2011. THE MOTION PASSED UNANIMOUSLY.

C. CONSIDERATION OF PROPOSAL FROM SEH, INC. FOR ENGINEERING SERVICES FOR THE 2012 SANITARY SEWER RELINING PROGRAM – PROJECT 12-8

City Engineer Vierzba presented a memorandum to Council stating as part of the five year capital improvement program, we have selected several neighborhoods to continue the sanitary sewer relining program. Relining for 2012 will be done in several areas. SEH has provided engineering services for us as part of our sanitary sewer comprehensive plan and capital improvement program. They have submitted a proposal for engineering services for the relining project. Consideration of the proposal is appropriate at this time.

We are continuing our relining program for our sanitary sewer system that began in 2008. The relining will be done in areas where the clay pipe sanitary sewer exhibits significant maintenance problems. The proposal from SEH, Inc. is to provide engineering services to prepare a preliminary design report, plans and specifications, assist the City in bidding, and provide inspection services during construction for the relining project.

If Council approves the proposal, design work will begin immediately. We plan to have the project bid in early summer with construction beginning in late summer. Completion is planned by fall of 2012.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ACCEPT THE PROPOSAL FOR ENGINEERING SERVICES FOR SANITARY SEWER RELINING AND AUTHORIZE EXECUTION OF THE AGREEMENT FOR ENGINEERING SERVICES IN ACCORDANCE WITH THE PROPOSAL DATED NOVEMBER 10, 2011. THE MOTION PASSED UNANIMOUSLY.

D. CONSIDERATION OF NEW VEHICLE STORAGE BUILDING – PROJECT 11-28

Public Services Director Gatlin presented a memorandum to Council stating at the Council work session on November 29, 2011, Kodet Architects presented two preliminary design alternates for the proposed vehicle storage building adjacent to the police station. Council reviewed the designs and wishes to proceed with the project.

At the November 29, 2011 work session, Kodet Architects presented design alternates for the new vehicle storage building to be located east of the present police station. Two alternate designs have been reviewed by a staff committee representing various departments who would use the facility.

The two concept designs presented were as follows:

Option 1 - Building design based on the original building budget of \$1.5M

Option 2 - Building design based on required space needs to meet current department requirements. The two alternates were reviewed in detail by the architect and Council. The two alternates are shown on the attached aerial photos.

After a detailed discussion Council preferred Option 2. This design provides for a building of approximately 19,150 SF and parking for 54 vehicles. In addition, storage space is provided for police and fire needs. Also, a small wash bay and air compressor are included.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER LARSON, TO APPROVE OPTION 2 OF THE PRELIMINARY DESIGN FOR THE PROPOSED VEHICLE STORAGE BUILDING; AUTHORIZE THE ARCHITECT TO PROCEED TO COMPLETE FINAL DESIGN AND CONSTRUCTION DRAWINGS FOR THE PROJECT; AND APPROVE A PROJECT BUDGET OF \$2,100,000.

Councilmember Klint commented she did not attend the work session meeting where this item was discussed. She struggled with the expense and need for a building this size.

Councilmember Schulte discussed the proposed option that staff was recommending this evening. He noted the cost of the City's fleet far exceeded \$2.1 million and the building would assist the City with maintaining its vehicles.

Mayor Howe indicated he questioned the size and scope of the storage building as well. He noted each piece of equipment the City owns was reviewed at the work session and discussed in great detail. He supported the recommendation from staff.

Councilmember Johnson noted this was an extended conversation held between the Council and Staff at the last work session meeting. He believed the storage building was a wise decision.

Councilmember Koch thanked Councilmember Schulte for his summation at the work session when he stated that the City requires its residents to house vehicles in a garage and that this vehicle storage building would bring the City into compliance.

Public Services Director Gatlin commented the annual operation of the facility was estimated to be \$1.90-\$2.00 per square foot for lights and heat. This would equate to \$3,500 per month.

Councilmember Johnson felt the investment was well worth the expense as it would allow first responders and public safety personnel to begin working immediately versus spending the time to warm up vehicles.

Councilmember Klint stated she was not against the building but supported Option 1 over Option 2.

Mayor Howe encouraged the Sustainability Commission to review the building to create options to further to reduce operating expenses.

Councilmember Larson felt Option 2 provided the necessary storage both now and going into the future. She did not want to see a potential expansion back before the Council in the future.

THE MOTION PASSED 6-1, COUNCILMEMBER KLINT OPPOSED.

E. **LAND PURCHASE OPTION, ROLLING FRITO LAY SALES LP, 9160
EVERGREEN BOULEVARD**

Community Development Specialist Brown presented a memorandum requesting the Council consider a purchase option for Rolling Frito Lay Sales LP to purchase approximately 3 acres of City-owned land at 9160 Evergreen Boulevard.

In 2009, the City entered into an option with Rolling Frito Lay Sales LP to purchase a portion of a 12 acre parcel located across Evergreen Boulevard from its distribution facility. Frito Lay paid the City \$10,000 for the option, which expires on December 15, 2011. Because Frito Lay has not executed the option, it wishes to extend it for one additional year. Frito Lay has agreed to pay an additional \$10,000 to extend the option through December 15, 2012. Frito Lay proposes an eventual sale price of \$4 per square foot, or about \$500,000 for the site. The amount of the proposed option is \$10,000. The purchase agreement is contingent on Frito Lay completing a survey of the site to determine the exact dimensions of the parcel to be sold and soil borings to ensure suitability for the proposed use. Frito Lay would be required to obtain site plan approval for its new facility within 180 days of executing the purchase agreement.

Previously owned by Shamrock Development, the parcel was donated to the City in 2004 and about half of it is currently used as a public works “boneyard.” A protected wetland covers about 6 acres of the site and the remainder contains substantial fill, making it unsuitable for most types of development. Frito Lay wishes to purchase about 3 acres for a future traffic management facility and parking area for its trailers. Frito Lay has few options to expand on its existing site, but would like to remain in its current location. The City should retain several acres of usable land at the site for its existing operations. A portion of the site could also be used for a future water tower. Due to the soil conditions, Frito Lay’s proposed use is probably the highest and best use of the land; constructing a larger building would most likely be cost-prohibitive.

Staff recommends that the Council introduce an ordinance approving execution of an option for Rolling Frito Lay Sales LP to purchase the real property at 9160 Evergreen Boulevard. At the December 20 meeting, Council will consider adoption of the ordinance and authorize and direct the Mayor and City Manager to execute the necessary documents to enter into the option.

Hearing no objections, Mayor Howe declared the ordinance to have been introduced.

F. **REDEMPTION OF OUTSTANDING BONDS**

Finance Director Legg presented a memorandum to Council stating bonds maturing in 2018 and later of 2002B, G.O. Tax Increment, should be called to save interest costs.

The 2002B, G.O. Tax Increment Bonds are callable on February 1, 2012. The remaining bonds bear interest at rates ranging from 3.55% to 4.7%. Staff is recommending that the bonds maturing in 2018 and later be called as of February 1, 2012. The rates on these range from 4.20 percent to 4.70 percent and outstanding balance of these bonds is \$510,000.

Although these are not sufficient funds available in the corresponding tax increment district, the district will incur less interest expense if the bonds are called and the fund runs a deficit balance drawing from the cash available in the City. Presently, City investments are earning roughly 2.25 percent, which is credited to the tax increment district. The present value savings amounts to roughly \$78,000. The City also has the option of refunding the bonds, locking in lower rates. However, by doing so, approximately \$40,000 would be spent in fees to financial advisors, rating agencies and bond attorneys. By paying off the bonds and using City cash on hand, these costs can be avoided. A six percent or greater investment yield would be needed to pay for the bond issuance fee.

Therefore staff is recommending that the higher cost bonds be called on February 1, 2012.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 11-127 CALLING FOR REDEMPTION OF THE 2018 THROUGH 2025 BONDS OF 2002B, G.O. TAX INCREMENT REVENUE BONDS. THE MOTION PASSED UNANIMOUSLY.

G. 2012 INSURANCE RENEWALS

Finance Director Legg presented a memorandum to Council stating the City's property/liability policy year ended on December 1, 2011. The Worker's Compensation policy is set to expire on January 1, 2012. The League of Minnesota Cities Insurance Trust (L.M.C.I.T.) is in the process of setting the rates and preparing quotations for both of these policies for the coming policy year.

To ensure that there is no lapse in insurance coverage staff has obtained an insurance binder from the L.M.C.I.T. continuing all current policies until the renewal rates can be analyzed. Staff assured Council that the City's policy had not lapsed and that the City was covered through a binder.

No action is necessary at this time. Staff will make a recommendation for insurance renewals after reviewing the quotations.

H. 2011-2013 LAW ENFORCEMENT LABOR SERVICES LOCAL #207 LABOR AGREEMENT

City Manager Fulton presented a memorandum requesting the Council formally ratify the terms of the negotiated labor agreement for 2011-2013 between the City of Coon Rapids and Law Enforcement Labor Services Local 207 representing the Police bargaining unit.

A three-year (2011-2013) agreement was reached after two formal negotiation sessions. The Law Enforcement Labor Services Local 207 membership voted and ratified the tentative agreement on October 27, 2011.

The substantive terms of the agreement are summarized below.

1. Contract Duration: Three years, calendar years 2011 – 2013.
2. Amend Article 24.1, Injury on Duty, to read as follows:

An officer injured in the line of duty, covered by Workers' Compensation laws of the State of Minnesota, and eligible for Workers' Compensation pay, shall be guaranteed his/her regular pay by the Employer for 90 work days. The Employer will pay the difference between the officer's weekly pay and his/her weekly Workers' Compensation check. Employees will receive credit for sick leave used in bona fide injury cases prior to receipt to their Workers' Compensation checks. At the end of the 90-day work day period, an officer may draw on his/her accumulated sick leave and vacation subject to approval of the Chief of Police. Employees drawing workers compensation benefits will not receive supplementary injury on duty pay pursuant to this Article or sick leave pay which provides for more after-tax pay than the employee made while working. The Employer may require the employee to provide a doctor's certificate stating that the employee is capable of returning to work, either in a limited duty capacity or to resume his/her normal duties.

3. Wages: Amend Appendix A to increase wages:

1% increase effective January 1, 2011; 1% increase effective January 1, 2012; 1% increase effective July 1, 2012; 1% increase effective January 1, 2013; and 1.5% increase effective July 1, 2013.
Signed contracts have been submitted for execution.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 11-128, APPROVING THE LABOR AGREEMENT BETWEEN THE CITY AND LAW ENFORCEMENT LABOR SERVICES LOCAL #207. THE MOTION PASSED UNANIMOUSLY.

I. 2012-2013 LAW ENFORCEMENT LABOR SERVICES LOCAL #362
 AGREEMENT

City Manager Fulton presented a memorandum requesting the Council formally ratify the terms of the negotiated labor agreement for 2012-2013 between the City of Coon Rapids and Law Enforcement Labor Services Local #362 representing the Sergeants bargaining unit.

A two-year (2012-2013) agreement was reached through the collective bargaining process. The Law Enforcement Labor Services Local 362 membership voted and ratified the tentative agreement on November 29, 2011.

The substantive terms of the agreement are summarized below.

1. Contract Duration: Two years, calendar years 2012 – 2013.
2. Amend Article 24.1, Injury on Duty, to read as follows:

An officer injured in the line of duty, covered by Workers' Compensation laws of the State of Minnesota, and eligible for Workers' Compensation pay, shall be guaranteed his/her regular pay by the Employer for 90 work days. The Employer will pay the difference between the officer's weekly pay and his/her weekly Workers' Compensation check. Employees will receive credit for sick leave used in bona fide injury cases prior to receipt to their Workers' Compensation checks. At the end of the 90-day work day period, an officer may draw on his/her accumulated sick leave and vacation subject to approval of the Chief of Police. Employees drawing workers compensation benefits will not receive supplementary injury on duty pay pursuant to this Article or sick leave pay which provides for more after-tax pay than the employee made while working. The Employer may require the employee to provide a doctor's certificate stating that the employee is capable of returning to work, either in a limited duty capacity or to resume his/her normal duties.

3. Wages: Amend Appendix A to increase wages:

1% increase effective January 1, 2012; 1% increase effective July 1, 2012; 1% increase effective January 1, 2013; and 1.5% increase effective July 1, 2013. Signed contracts have been submitted for execution.

Staff recommends the Council adopt Resolution No. 11-130, approving the labor agreement between the City and Law Enforcement Labor Services Local 362.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 11-130, APPROVING THE LABOR AGREEMENT BETWEEN THE CITY AND LAW ENFORCEMENT LABOR SERVICES LOCAL #362. THE MOTION PASSED UNANIMOUSLY.

J. INTRODUCE ORDINANCE AMENDING THE CITY'S ZONING MAP, STEVE CULLEY, 325/311/295 NORTHDALÉ BOULEVARD, PC 11-31

Planner Harlicker presented a memorandum to Council stating the applicants are requesting the introduction of an ordinance rezoning certain properties from Office to Community Commercial.

The proposed action is a change to the land use designation and zoning from *Office* to *Community Commercial*. The area consists of three lots and total 1.52 acres.

Address	Lot Size	Building size	Use
325 Northdale	26,299 sf.	4,797 sf.	Beauty salon
311 Northdale	15,271 sf.	608 sf.	Vacant house
295 Northdale	24,817 sf.	6,450 sf	Vacant building

The subject properties are adjacent to the Community Commercial zoned properties that make up the Foley Boulevard/ Northdale Boulevard commercial area. The abutting properties to the north are a day care center and a municipal water treatment facility. These uses serve as a buffer between the businesses along Northdale Boulevard and the single family neighborhood to the north. The property to the east is a medical office and is zoned Office/PUD. This parcel and Dogwood Street would serve as a buffer to the residences and the school on the east side of Dogwood Street.

Rezoning the subject parcels to *Community Commercial* would be the logical extension of the existing commercial zoning at the intersection Northdale and Foley Boulevards. It is consistent with the *Community Commercial* zoning on the south side of Northdale Boulevard. It would allow the redevelopment or revitalization of the subject parcels in a manner that is compatible and consistent with the other parcels in the commercial node.

The Council should also give consideration to the evaluation criteria found in Section 11- 307 when making their decision on this rezoning request.

Section 11-307 Criteria

Comments

Effect of public health, safety, order, convenience, and general welfare in the area.

OK - The proposed zoning will not adversely impact area. The property is adjacent to community commercial, office and utility land uses.

Effect on present and potential surrounding land uses.

OK– The proposed zoning will not adversely impact the surrounding residential land uses.

Conformance with the Comprehensive Land Use Plan.

OK – Assuming the proposed land use amendment is approved, the proposed zone change will be consistent with the City’s Comprehensive Land Use Plan. The proposed land use designation is Community Commercial.

Conformance with any applicable development district.

N/A – There are is no applicable district plan in this area.

At the Planning Commission meeting held on November 17th, two residents spoke at the public hearing. They were concerned the rezoning would result in increased traffic and noise. The Commission discussed the types of uses allowed in the *Community Commercial* district and compared them to the uses allowed in the *Office* district. Since most of the additional uses allowed in the *Community Commercial* district require a conditional use permit, noise, as well as any other adverse impacts, can be addressed as part of the conditional use permit process.

Some Commissioners believed that the site constraints on the individual properties would limit redevelopment and reuse possibilities to smaller, less intrusive uses.

Other Commissioners thought that since the *Office* district allows many smaller uses such as office and retail that are suitable for these sites, *Office* is the appropriate zoning district. They believed that

the zone change is not required for these properties to be redeveloped or be reused and the proposed change may have detrimental impacts on the area. Prior to considering the proposed zone change, the Commission made a motion to recommend denial of a proposed Comprehensive Plan amendment from *Office to Community Commercial* based on the following:

1. The current land use designation is compatible with the surrounding land use designations and land uses.
2. A change in the land use may have a detrimental impact on the area.
3. A change is not required to allow these parcels to redevelop, the land use designation of office fits more appropriately on these parcels.

The motion failed with a 3:3 vote.

The Commission then made a motion to recommend approval of the proposed zone change based on the following:

1. The proposed rezoning is compatible with the surrounding zoning and land uses.
2. The proposed rezoning would not have an adverse impact on the area.
3. Redeveloping these is parcels as *Community Commercial* would be a logical extension of the existing *Community Commercial* zoning to the south and west.
4. The proposed rezoning is consistent with the proposed land use designation of *Community Commercial*.

The motion failed with a 3:3 vote.

Staff recommends the City Council **introduce** the ordinance **approving** the proposed zone change based on the following findings:

1. The proposed rezoning is compatible with the surrounding zoning and land uses.
2. The proposed rezoning would not have an adverse impact on the area.
3. Redeveloping these is parcels as *Community Commercial* would be a logical extension of the existing *Community Commercial* zoning to the south and west.
4. The proposed rezoning is consistent with the proposed land use designation of *Community Commercial*.

Hearing no objections, Mayor Howe declared the ordinance to have been introduced.

K. **INTRODUCE ORDINANCE ESTABLISHING A STOP SIGN ON 108TH LANE AT EAGLE STREET**

Public Services Director Gatlin presented a memorandum to Council stating Councilmember Sanders contacted City staff regarding traffic issues at 108th Lane and Eagle Street. This request was forwarded to the Traffic Review Committee for review.

The Traffic Review Committee met in the field on November 10, 2011 to evaluate Councilmember Sanders traffic concerns at 108th Lane and Eagle Street. During the field review it was determined that sight distance problems exist at the intersection. Due to a combination of planting materials, electric utility equipment and the curvature of the road on Eagle Street, it is difficult to see when traffic on 108th Lane approaches Eagle Street. Removing vegetation may not completely solve this problem. Because Eagle Street functions as a through street, stopping traffic on 108th Lane to allow adequate visibility is appropriate at the intersection.

Hearing no objections, Mayor Howe declared the ordinance to have been introduced.

L. **INTRODUCE ORDINANCE REGULATING PARKING ON THE SOUTH SIDE
OF 128TH AVENUE FROM CROOKED LAKE BOULEVARD TO COON CREEK
BOULEVARD**

Public Services Director Gatlin presented a memorandum to Council stating this past summer, the Traffic Review Committee received complaints about speeding traffic on 128th Avenue. Upon review, staff discovered that action was taken by the City Council in 1989 to impose parking restrictions on both sides of 128th Avenue from Coon Creek Boulevard to Crooked Lake Boulevard. This was required because of State Aid standards at the time.

Since that date the signs have been removed - apparently by the neighborhood. The Public Works Department reinstalled signs restricting parking on both sides of the street. Residents have requested consideration for removal of parking restrictions on at least one side of the roadway. Consideration of that request is appropriate at this time.

After the recent installation of parking restriction signs on both sides of the street, residents on 128th Avenue between Crooked Lake Boulevard and Coon Creek Boulevard have asked for possible consideration to remove parking restrictions on at least one side. Originally restrictions were imposed because of State Aid standards requiring parking prohibitions on both sides of the street for a roadway of 32 feet in width. These State Aid standards have since been changed to allow a roadway of 32 feet to be posted on one side only for no parking. Staff confirmed this change in the State Aid rules. State Aid has indicated that it is possible to remove the old parking restrictions and restrict parking on one side only, based on the new State Aid standards.

This issue has been discussed with the neighborhood and they would prefer to have parking restrictions imposed on the south side of 128th Avenue, the side with mailboxes. Since State Aid has approved this change based on the rule change, it is appropriate to consider action to repeal former parking restrictions and impose new parking restrictions on the south side only. A resolution and ordinance accomplishing these changes have been prepared for Council consideration.

Hearing no objections, Mayor Howe declared the ordinance to have been introduced.

Councilmember Schulte questioned if the sign and fence would be removed in the demolition area along Coon Rapids Boulevard. Public Services Director Gatlin stated he has spoken with the contractor and the sign would be removed, but the fence would remain until the work was completed in the spring.

Councilmember Johnson was pleased with the greenery that remained along this corridor.

Mayor Howe indicated he attended a boys' hockey game at the new arena. He was pleased with the attendance at the game but questioned if the parking lot size was adequate.

Councilmember Sanders agreed this was a concern that the Council should further address.

City Manager Fulton indicated the Council would be holding interviews of potential Planning Commissions next Tuesday, December 13th at 6:15 p.m.

15. **ADJOURN**

**MOTION BY COUNCILMEMBER SANDERS SECONDED BY COUNCILMEMBER LARSON,
TO ADJOURN THE MEETING AT 9:30 P.M. THE MOTION PASSED UNANIMOUSLY.**

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF DECEMBER 13, 2011

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, December 13, 2011, at 6:15 p.m. in Conference Room #1 at Coon Rapids City Hall.

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Melissa Larson, Paul Johnson, Jerry Koch, and Scott Schulte

Members Absent: None

Staff Present: City Manager Matt Fulton, City Clerk Cathy Sorensen

1. CALL TO ORDER

Mayor Howe called the work session to order at 6:15 p.m.

The City Council conducted interviews of the following Planning Commission applicants: Steven Jankowski, Afton Martens, and Zachary Stephenson.

2. PAPERLESS AGENDA FORMAT

Council and staff discussed enhancements for the new paperless Council agenda format.

3. OTHER BUSINESS

There was no other business.

4. ADJOURN

Mayor Howe adjourned the work session at 8:45 p.m.

Respectfully submitted,

Matt Fulton
City Manager

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF DECEMBER 20, 2011

OPEN MIC/PUBLIC COMMENT

Donna Naeve, 535 127th Lane, shared her concerns about the lack of directional signage for the Main Street reconstruction project. She asked for the City's assistance in contacting the County to add clearer detour signage.

Mayor Howe stated that staff will contact Anoka County regarding Ms. Naeve's concern, adding that attendees for the recent North Metro Mayors Association meeting at The Harvest Grill traveled through Bunker Hills Park.

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of December was called to order by Mayor Tim Howe at 7:00 p.m. on Tuesday, December 20, 2011, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Done.

ROLL CALL

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Paul Johnson, Jerry Koch, Bruce Sanders and Scott Schulte

Members Absent: Councilmember Melissa Larson

ADOPT AGENDA

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT THE AGENDA AS AMENDED, REMOVING APPROVAL OF MINUTES OF PREVIOUS MEETINGS. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

1. PRESENT PROCLAMATION AND CONSIDER RESOLUTION 11-141 ACCEPTING THE DONATION OF FUNDS FROM THE 2011 EISENHOWER ELEMENTARY

SCHOOL PENNY DRIVE

Mayor Howe indicated Patty Sathre from Eisenhower Elementary School would be presenting monies collected from this year's Kookies Penny Drive.

Mayor Howe explained that Eisenhower Elementary's child nutrition staff is giving back to the community through a penny drive that lasts all school year. Proceeds from their penny drives are donated monthly to several different agencies and nonprofit organizations. "So many people have helped our school, we were just looking for a way to give back to the community," said Patty Sathre, child nutrition site supervisor. Students place pennies in a large jar in the cafeteria designated for a different organization each month. Ms. Sathre said the children are excited to place their pennies in the jar and often comment that they have been saving their pennies for a long time.

Mayor Howe, Fire Chief John Piper, Police Chief Brad Wise, Officer Ken Young, and Fire Marshal Todd Williams served lunch and visited with students in September, October, and November. Proceeds collected will be donated to the Crime Prevention Association, Fire Prevention Association for Safety Camp, and to Senior Services. Students will be donating other collections to organizations such as the Christmas Committee, Coon Rapids North Star Lions Club, American Cancer Society, Alexandra House, and Anoka County Brotherhood Council Food Shelf.

Patty Sathre presented the Council with their total donation of \$114.34 and accepted the Proclamation from Mayor Howe. The Council and staff offered Ms. Sathre a round of applause and thanked the students at Eisenhower Elementary for their generous donation to the City.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 11-141, ACCEPTING THE DONATION OF FUNDS FROM THE 2011 EISENHOWER ELEMENTARY SCHOOL PENNY DRIVE.

Councilmember Sanders indicated this contribution was extremely generous and took a great deal of effort from the elementary students. He thanked the students for their contribution.

THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**DECEMBER 6, 2011, COUNCIL MEETING
DECEMBER 13, 2011, WORK SESSION**

This item was removed from the agenda by the Council.

CONSENT AGENDA/INFORMATIONAL BUSINESS

2. AUTHORIZE FINAL PAYMENT, BUNKER HILLS CLUBHOUSE – PROJECT 08-20, C-27 FOLDING PARTITIONS
 3. AUTHORIZE FINAL PAYMENT, BUNKER HILLS CLUBHOUSE – PROJECT 08-20, C-23 MISCELLANEOUS SPECIALTIES
 4. AUTHORIZE FINAL PAYMENT, BUNKER HILLS CLUBHOUSE – PROJECT 08-20, C-08 STEEL ERECTION
 5. APPROVE 2012 WORKERS COMPENSATION COVERAGE WITH THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST
 6. APPROVE 2012 ADDITIONAL LICENSE RENEWALS
 7. INFORMATION ITEMS – CORPORATE OFFICER CHANGE – TEXAS ROADHOUSE, 2780 MAIN STREET
-

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER SCHULTE, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Councilmember Schulte suggested the Council proceed with Option 3 for Item 5 on the Consent Agenda. The Council agreed with this recommendation.

THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

8. COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION:
 - A. PUBLIC HEARING, 7:00 P.M.
 - B. AUTHORIZE APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PROGRAM YEAR 2012 FOR HOUSING REHABILITATION PROGRAM
 - C. AUTHORIZE EXECUTION OF AGREEMENT FOR IMPLEMENTATION OF 2012 PROGRAM
-

A memorandum was presented from Housing and Zoning Coordinator Bennett stating staff requests the City Council authorize the Community Development Block Grant application for 2012 encompassing an 18-month program running from July 1, 2012, through December 31, 2013. Council is requested to conduct a public hearing on the proposed use of the funds for a Housing Rehabilitation Program. The 2012 CDBG project application must be placed on file with the Anoka County Community Development Department by January 12, 2012.

The City receives funds from the federal Community Development Block Grant (CDBG) program through a Joint Cooperation Agreement with the Anoka County Housing and Redevelopment Authority. The Agreement, in effect since program year 2001, provides for pass-through funding from the County to the City removing the City from Anoka County's competitive application process for CDBG funds. The City receives an allocation in accordance with the funding guidelines established by the U.S. Department of Housing and Urban Development (HUD). The Anoka County

Community Development Department requests the City complete the application process to provide program description and project documentation for HUD purposes.

Staff recommends the CDBG allocation continue to be designated for a Housing Rehabilitation Program reflecting previous Council direction to use block grant funds to assist our housing program efforts. Housing rehabilitation activities assisting low- and moderate-income persons is a Housing Goal of the Anoka County Consolidated Plan, a required component of the federal block grant program.

The amount of the CDBG award will be made according to HUD's allocation guidelines; however, because funding levels have not yet been established for program year 2012, last year's funding level has been used for planning purposes. Funding in 2011 provided \$228,094 for housing rehabilitation projects in Coon Rapids. This represented 70 percent of our allocation; the remaining 30 percent is set aside for County program administration costs (15 percent) and County-administered public service program funding (15 percent) as provided for in a Memorandum of Understanding that is part of the Joint Cooperation Agreement.

The City's Housing Rehabilitation Loan Program provides deferred, zero-interest loans to low- and moderate-income residents; 50 percent of the loan is forgiven after five years. The funds assist homeowners in maintaining minimum housing standards in single- and two-family dwellings, including interior improvements on townhouse and other common interest community properties. Funds can also be used on exterior rehab work on a dwelling unit within a common interest community property when the homeowner, and not the association, is responsible for the work. The program also provides assistance with energy related improvements. A one-year tenancy requirement of the program is waived for the rehabilitation of foreclosed properties. This allows residents of low- or moderate-income who have purchased a foreclosed property to begin the rehabilitation process immediately upon purchase.

It is anticipated that the proposed project funding will provide assistance for eight to twelve homeowners. The maximum rehab loan amount is \$20,000, however, additional funds of not more than \$4,999 per project may be provided to homeowners for lead paint abatement projects or other rehabilitation needs. Funds used for lead paint abatement are granted to the homeowner and are not included in the loan amount.

The application process requires the City Council hold a public hearing to take comments on the proposal. Council is also requested to authorize the application for Community Development Block Grant funds for program year 2012 and to authorize the Mayor and City Manager to execute all necessary documents with Anoka County to implement the 2012 CDBG program.

Mayor Howe opened and closed the public hearing at 7:13 p.m. since no one appeared to address the Council.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT,
TO AUTHORIZE THE APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT**

FUNDS FOR PROGRAM YEAR 2012 FOR A HOUSING REHABILITATION PROGRAM; AND AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE A CDBG AGREEMENT, TOGETHER WITH ANY OTHER NECESSARY DOCUMENTS, WITH ANOKA COUNTY REGARDING THE IMPLEMENTATION OF THE 2012 CDBG PROGRAM.

Councilmember Schulte explained the CDBG funds were used throughout the City for housing rehabilitation. He felt this was a positive use for these funds in the community.

Councilmember Johnson indicated this was a federal program that ran through Anoka County in order to benefit the City of Coon Rapids.

THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

9. CONSIDER PURCHASE OPTION FOR ROLLING FRITO LAY SALES LP, 9160 EVERGREEN BOULEVARD:
 - A. ADOPT ORDINANCE APPROVING EXECUTION OF OPTION TO PURCHASE REAL PROPERTY
 - B. AUTHORIZE AND DIRECT THE MAYOR AND CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS TO ENTER INTO OPTION
-

Community Development Specialist Brown presented a memorandum requesting the Council to consider a purchase option for Rolling Frito Lay Sales LP to purchase approximately 3 acres of City-owned land at 9160 Evergreen Boulevard.

In 2009, the City entered into an option with Rolling Frito Lay Sales LP to purchase a portion of a 12 acre parcel located across Evergreen Boulevard from its distribution facility. Frito Lay paid the City \$10,000 for the option, which expires on December 15, 2011. Because Frito Lay has not executed the option, it wishes to extend it for one additional year. Frito Lay has agreed to pay an additional \$10,000 to extend the option through December 15, 2012. Frito Lay proposes an eventual sale price of \$4 per square foot, or about \$500,000 for the site. The amount of the proposed option is \$10,000. The purchase agreement is contingent on Frito Lay completing a survey of the site to determine the exact dimensions of the parcel to be sold and soil borings to ensure suitability for the proposed use. Frito Lay would be required to obtain site plan approval for its new facility within 180 days of executing the purchase agreement. The Council introduced an ordinance approving execution of the purchase option at its December 6, 2011 meeting.

Previously owned by Shamrock Development, the parcel was donated to the City in 2004 and about half of it is currently used as a public works “boneyard.” A protected wetland covers about 6 acres of the site and the remainder contains substantial fill, making it unsuitable for most types of development. Frito Lay wishes to purchase about 3 acres for a future traffic management facility and parking area for its trailers. Frito Lay has few options to expand on its existing site, but would like to

remain in its current location. The City should retain several acres of usable land at the site for its existing operations. A portion of the site could also be used for a future water tower. Due to the soil conditions, Frito Lay's proposed use is probably the highest and best use of the land; constructing a larger building would most likely be cost-prohibitive.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KOCH, TO ADOPT AN ORDINANCE APPROVING EXECUTION OF AN OPTION FOR ROLLING FRITO LAY SALES LP TO PURCHASE THE REAL PROPERTY AT 9160 EVERGREEN BOULEVARD; AND AUTHORIZE AND DIRECT THE MAYOR AND CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO ENTER INTO THE OPTION.

Councilmember Sanders requested a change to Paragraph 10.10, regarding choice of law and venue, that Texas be changed to Minnesota. Community Development Director Nevinski indicated Frito Lay was based out of Texas. City Attorney Hiljus requested the document be approved subject to this change. The Council was in agreement with this recommendation.

Councilmember Johnson stated the purchasing option would place funds into the City's General Fund. He was in favor of the sale proceeding.

Mayor Howe questioned if the property had any stipulations after being deeded over to the City. Community Development Specialist Brown explained there were no deed restrictions on the site, however, the soil conditions were leading Frito Lay to turn the site into a parking lot due to its proximity to its existing site.

Councilmember Sanders felt this was an excellent opportunity for the City and would meet a need for Frito Lay.

THE MOTION PASSED UNANIMOUSLY.

10. CONSIDER ADOPTION OF ORDINANCE AMENDING THE CITY'S ZONING MAP, STEVE CULLEY AND THE CITY OF COON RAPIDS, 325/311/295 NORTHDALE BOULEVARD, PC 11-31

Planner Harlicker presented a memorandum to Council stating the applicants are requesting adoption of an ordinance rezoning certain properties from Office to Community Commercial.

The proposed action is a change to the land use designation and zoning from *Office* to *Community Commercial*. The area consists of three lots and total 1.52 acres.

Address	Lot Size	Building size	Use
325 Northdale	26,299 sf.	4,797 sf.	Beauty salon
311 Northdale	15,271 sf.	608 sf.	Vacant house

295 Northdale	24,817 sf.	6,450 s.f.	Vacant building
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The subject properties are adjacent to the Community Commercial zoned properties that make up the Foley Boulevard/ Northdale Boulevard commercial area. The abutting properties to the north are a day care center and a municipal water treatment facility. These uses serve as a buffer between the businesses along Northdale Boulevard and the single family neighborhood to the north. The property to the east is a medical office and is zoned Office/PUD. This parcel and Dogwood Street would serve as a buffer to the residences and the school on the east side of Dogwood Street.

ANALYSIS

Rezoning the subject parcels to *Community Commercial* would be the logical extension of the existing commercial zoning at the intersection Northdale and Foley Boulevards. It is consistent with the *Community Commercial* zoning on the south side of Northdale Boulevard. It would allow the redevelopment or revitalization of the subject parcels in a manner that is compatible and consistent with the other parcels in the commercial node.

The Council should also give consideration to the evaluation criteria found in Section 11- 307 when making their decision on this rezoning request.

Section 11-307 Criteria	Comments
Effect of public health, safety, order, convenience, and general welfare in the area.	OK - The proposed zoning will not adversely impact area. The property is adjacent to community commercial, office and utility land uses.
Effect on present and potential surrounding land uses.	OK – The proposed zoning will not adversely impact the surrounding residential land uses.
Conformance with the Comprehensive Land Use Plan.	OK – Assuming the proposed land use amendment is approved, the proposed zone change will be consistent with the City’s Comprehensive Land Use Plan. The proposed land use designation is Community Commercial.
Conformance with any applicable development district.	N/A – There are is no applicable district plan in this area.

Planning Commission

At the Planning Commission meeting held on November 17th, two residents spoke at the public hearing. They were concerned the rezoning would result in increased traffic and noise. The

Commission discussed the types of uses allowed in the *Community Commercial* district and compared them to the uses allowed in the *Office* district. Since most of the additional uses allowed in the *Community Commercial* district require a conditional use permit, noise, as well as any other adverse impacts, can be addressed as part of the conditional use permit process.

Some Commissioners believed that the site constraints on the individual properties would limit redevelopment and reuse possibilities to smaller, less intrusive uses.

Other Commissioners thought that since the *Office* district allows many smaller uses such as office and retail that are suitable for these sites, *Office* is the appropriate zoning district. They believed that the zone change is not required for these properties to be redeveloped or be reused and the proposed change may have detrimental impacts on the area.

Prior to considering the proposed zone change, the Commission made a motion to recommend denial of a proposed Comprehensive Plan amendment from *Office* to *Community Commercial* based on the following:

1. The current land use designation is compatible with the surrounding land use designations and land uses.
2. A change in the land use may have a detrimental impact on the area.
3. A change is not required to allow these parcels to redevelop, the land use designation of office fits more appropriately on these parcels.

The motion failed with a 3:3 vote.

The Commission then made a motion to recommend approval of the proposed zone change based on the following:

1. The proposed rezoning is compatible with the surrounding zoning and land uses.
2. The proposed rezoning would not have an adverse impact on the area.
3. Redeveloping these parcels as *Community Commercial* would be a logical extension of the existing *Community Commercial* zoning to the south and west.
4. The proposed rezoning is consistent with the proposed land use designation of *Community Commercial*.

The motion failed with a 3:3 vote.

This item was introduced at the December 6th City Council meeting.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT AN ORDINANCE APPROVING THE PROPOSED ZONE CHANGE BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED REZONING IS COMPATIBLE WITH THE SURROUNDING ZONING AND LAND USES.
2. THE PROPOSED REZONING WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
3. REDEVELOPING THESE IS PARCELS AS *COMMUNITY COMMERCIAL* WOULD BE A LOGICAL EXTENSION OF THE EXISTING *COMMUNITY COMMERCIAL* ZONING TO THE SOUTH AND WEST.
4. THE PROPOSED REZONING IS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION OF *COMMUNITY COMMERCIAL*.

Councilmember Klint questioned why the rezoning was necessary. Community Development Director Nevinski indicated Mr. Culley's proposed use did not fit with the Office land use. Staff felt the property fit better with the Community Commercial land use.

Councilmember Klint expressed concern that the City was making a change for one specific business. Community Development Director Nevinski stated this was correct, however, an application was before the Council to change the land use for three properties based on the needs of the area.

Councilmember Klint asked if the property value would be affected by the land use change. Community Development Director Nevinski indicated this may have an impact on the price.

Councilmember Sanders reviewed the discussion from the Planning Commission with the Council. He indicated the objections were a potential for noise and increased traffic along Northdale Boulevard. He did not find these to be concerns.

Councilmember Koch supported the land use change. He stated the property was now vacant and a renovation of the area was needed.

THE MOTION PASSED 5-1, COUNCILMEMBER KLINT OPPOSED.

11. CONSIDER RESOLUTION 11-134, AMENDING THE CITY'S COMPREHENSIVE PLAN, STEVE CULLEY AND CITY OF COON RAPIDS, NORTHDAL BOULEVARD, AND FLINTWOOD STREET, PC 11-30
-

Planner Harlicker presented a memorandum to Council stating the applicants are requesting approval of an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Office to Community Commercial.

The proposed action is a change to the land use designation from *Office* to *Community Commercial*. The area consists of three lots and total 1.52 acres.

Address	Lot Size	Building size	Use
325 Northdale	26,299 sf.	4,797 sf.	Beauty salon
311 Northdale	15,271 sf.	608 sf.	Vacant house
295 Northdale	24,817 sf.	6,450 s.f.	Vacant building

The subject properties are adjacent to the Community Commercial zoned properties that comprise the Foley Boulevard/ Northdale Boulevard commercial area. The abutting properties to the north are a day care center and a municipal water treatment facility. These uses serve as a buffer between the businesses along Northdale Boulevard and the single family neighborhood to the north. The property to the east is a medical office and is zoned Office/PUD. This parcel and Dogwood Street serve as a buffer to the residences and school on the east side of Dogwood Street.

Changing the land use designation of the subject parcels to *Community Commercial* would be the logical extension of the existing commercial land uses at the intersection Northdale and Foley Boulevards. It is consistent with the *Community Commercial* land use designation on the south side of Northdale Boulevard. It would allow the redevelopment or use of the subject parcels in a manner that is compatible and consistent with the other parcels in the commercial node.

The City's Comprehensive Plan identified the Northdale and Foley Boulevard commercial area as an area that may require some revitalization. Changing the subject properties land use designation to *Community Commercial* would allow these properties be rehabbed and redeveloped in a manner consistent with the community commercial character of the area.

The stated intent of the *Community Commercial* land use designation is to provide for moderate intensity shopping centers and peripheral businesses serving wide areas of the city and having minimal detrimental influences on surrounding residential area.

Planning Commission

At the Planning Commission meeting held on November 17th, two residents spoke at the public hearing. They were concerned the proposed amendment would result in increased traffic and noise. The Commission discussed the types of uses allowed in the *Community Commercial* district and compared them to the uses allowed in the *Office* district. Since most of the additional uses allowed in the *Community Commercial* district require a conditional use permit, noise, as well as any other adverse impacts, can be addressed as part of the conditional use permit process.

Some Commissioners believed that the site constraints on the individual properties would limit redevelopment and reuse possibilities to smaller, less intrusive uses.

Other Commissioners thought that since the *Office* district allows many smaller uses such as office and retail that are suitable for these sites, *Office* is the appropriate zoning district. They believed that

the amendment is not required for these properties to be redeveloped or be reused and the proposed change may have detrimental impacts on the area.

The Commission made a motion to recommend denial of a proposed Comprehensive Plan amendment from *Office* to *Community Commercial* based on the following:

1. The current land use designation is compatible with the surrounding land use designations and land uses.
2. A change in the land use may have a detrimental impact on the area.
3. A change is not required to allow these parcels to redevelop, the land use designation of office fits more appropriately on these parcels.

The motion failed with a 3:3 vote.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION 11-134 APPROVING THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED LAND USE AMENDMENT IS COMPATIBLE WITH THE SURROUNDING LAND USE DESIGNATIONS AND LAND USES.
2. THE PROPOSED LAND USE AMENDMENT WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
3. REDEVELOPING THESE IS PARCELS AS *COMMUNITY COMMERCIAL* WOULD BE A LOGICAL EXTENSION OF THE EXISTING *COMMUNITY COMMERCIAL* LAND USES TO THE SOUTH AND WEST.

THE MOTION PASSED 5-1, COUNCILMEBER KLINT OPPOSED.

12. **CONSIDER ADOPTION OF ORDINANCE ESTABLISHING A STOP SIGN ON 108TH LANE AT EAGLE STREET**

Public Services Director Gatlin presented a memorandum to Council stating Councilmember Sanders contacted City staff regarding traffic issues at 108th Lane and Eagle Street. This request was forwarded to the Traffic Review Committee for review. Council introduced an ordinance to install a stop sign stopping eastbound traffic on 108th Lane at Eagle Street at their December 6, 2011 meeting. Council is requested to adopt the ordinance establishing a stop sign at this location.

The Traffic Review Committee met in the field on November 10, 2011 to evaluate Councilmember Sanders traffic concerns at 108th Lane and Eagle Street. During the field review it was determined that sight distance problems exist at the intersection. Due to a combination of planting materials, electric utility equipment and the curvature of the road on Eagle Street, it is difficult to see when traffic on 108th Lane approaches Eagle Street. Removing vegetation may not completely solve this

problem. Because Eagle Street functions as a through street, stopping traffic on 108th Lane to allow adequate visibility is appropriate at the intersection.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT AN ORDINANCE ESTABLISHING A STOP SIGN STOPPING EASTBOUND TRAFFIC ON 108TH LANE AT EAGLE STREET. THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER PARKING ON THE SOUTH SIDE OF 128TH AVENUE FROM CROOKED LAKE BOULEVARD TO COON CREEK BOULEVARD:
 - A. ADOPT RESOLUTION NO. 11-126 RELATING TO PARKING RESTRICTIONS ON 128TH AVENUE FROM CROOKED LAKE BOULEVARD TO COON CREEK BOULEVARD
 - B. ADOPT AN ORDINANCE REPEALING SECTION 2 OF ORDINANCE NO. 1292 AND BANNING PARKING ON THE SOUTH SIDE OF 128TH AVENUE FROM CROOKED LAKE BOULEVARD TO COON CREEK BOULEVARD
-

Public Services Director Gatlin presented a memorandum to Council stating this past summer the Traffic Review Committee received complaints about speeding traffic on 128th Avenue. Upon review, staff discovered that action was taken by the City Council in 1989 to impose parking restrictions on both sides of 128th Avenue from Coon Creek Boulevard to Crooked Lake Boulevard. This was required because of State Aid standards at the time.

Since that date the signs have been removed - apparently by the neighborhood. The Public Works Department reinstalled signs restricting parking on both sides of the street. Residents have requested consideration for removal of parking restrictions on at least one side of the roadway. Consideration of that request is appropriate at this time.

After the recent installation of parking restriction signs on both sides of the street, residents on 128th Avenue between Crooked Lake Boulevard and Coon Creek Boulevard have asked for possible consideration to remove parking restrictions on at least one side. Originally restrictions were imposed because of State Aid standards requiring parking prohibitions on both sides of the street for a roadway of 32 feet in width. These State Aid standards have since been changed to allow a roadway of 32 feet to be posted on one side only for no parking. Staff confirmed this change in the State Aid rules. State Aid has indicated that it is possible to remove the old parking restrictions and restrict parking on one side only, based on the new State Aid standards.

This issue has been discussed with the neighborhood and they would prefer to have parking restrictions imposed on the south side of 128th Avenue, the side with mailboxes. Since State Aid has approved this change based on the rule change, it is appropriate to consider action to repeal former parking restrictions and impose new parking restrictions on the south side only.

Mayor Howe was pleased that the City would be posting signs and striping the road in the spring.

He felt the residents along this roadway would be pleased and that the action taken by the City would increase safety to the area.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 11-126 RELATING TO PARKING RESTRICTIONS ON 128TH AVENUE FROM CROOKED LAKE BOULEVARD TO COON CREEK BOULEVARD; AND ADOPT AN ORDINANCE REPEALING SECTION 2 OF ORDINANCE NO. 1292 AND BANNING PARKING ON THE SOUTH SIDE OF 128TH AVENUE FROM CROOKED LAKE BOULEVARD TO COON CREEK BOULEVARD. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

14. CONSIDER FIRST AMENDMENT TO THE HARVEST GRILL LEASE AT BUNKER HILLS GOLF CLUB

City Manager Fulton presented a memorandum requesting the Council consider a first amendment to The Harvest Grill lease at Bunker Hills Golf Club. He recognized the impact of the road closure on the Harvest Grill and discussed the first amendment details further with the Council, adding that Council discussed this during their work session prior to the Council meeting. It was noted the interests of the City would be protected through personal guarantees and collateral positions throughout the term of the lease.

Councilmember Johnson requested an update on the County's timeline. Public Services Director Gatlin noted this was a design build project and the City has been told this stage would be constructed from July 2011 through August of 2012. A delay was anticipated as the County got a late start on this section of the roadway.

Councilmember Johnson felt this would adversely impact the golf course and The Harvest Grill. He encouraged staff to put pressure on the County to meet the construction timeline.

City Manager Fulton indicated the partnership between the City and The Harvest Grill was going extremely well. He was encouraged by the management and staff at this facility.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO APPROVE THE PROPOSED FIRST AMENDMENT TO THE HARVEST GRILL LEASE AT BUNKER HILLS GOLF CLUB. THE MOTION PASSED UNANIMOUSLY.

15. APPROVE CONTRACT WITH SRF CONSULTING TO COMPLETE A HIGHWAY INTERCHANGE REQUEST AT COON RAPIDS BOULEVARD AND STATE TRUNK HIGHWAY 610

Community Development Director Nevinski presented a memorandum to Council stating Council is asked to approve a contract with SRF Consulting to complete a Highway Interchange Request (HIR) for a full access interchange at Coon Rapids Boulevard and State Trunk Highway 610. DISCUSSION Earlier this year the Council reviewed the findings of a study by SRF Consulting which identified several feasible alternatives to construct a full access interchange at Coon Rapids Boulevard and TH 610. The preferred alternative included a "folded diamond" interchange on the south side of TH 610 and a "button hook" design touching down on Foley Boulevard on the north side of TH 610. With a concept identified, the next step in the process is to submit an HIR to MNDOT and the Met Council for review.

Staff shared a proposal from SRF Consulting details the HIR process, which is divided into three tasks.

1. Presentation of and feedback on the proposed project.
2. Completion of Qualifying Criteria based on previously completed work.
3. Completion of Technical Criteria based largely on feedback from the MNDOT / Met Council committee.

It should be noted that this proposal is only for Tasks 1 and 2 due to the unknown scope yet to emerge for Task 3. Tasks 1 and 2 are anticipated to be completed in March. Task 3 could be completed by May.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SCHULTE, TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE ATTACHED PROPOSAL FROM SRF CONSULTING TO COMPLETE A HIGHWAY INTERCHANGE REQUEST FOR COON RAPIDS BOULEVARD AND TRUNK HIGHWAY 610 IN THE AMOUNT OF \$6,500.

Councilmember Johnson supported the interchange and welcomed the addition to the community.

Mayor Howe agreed stating the commercial and industrial uses in this area of the City would benefit from the interchange.

Councilmember Klint agreed the interchange was needed, but did not want to invest City funds into the feasibility study until the State's position was addressed.

Councilmember Schulte indicated this step would create proper documentation that could be brought to the State for further review. Community Development Director Nevinski stated this was a part of the formal process required by MNDOT. The City needed to take this step in order to move forward with this interchange and seek approval from the State.

Councilmember Sanders explained if the project were funded by the State, action on this item would prepare the City for the project. He supported the Council taking action this evening.

Councilmember Johnson supported the Council proceeding as well as it would create a shovel ready project in the City if funding were available. Public Services Director Gatlin indicated a design process would need to be completed before the project was shovel-ready.

THE MOTION PASSED 5-1, COUNCILMEMBER KLINT OPPOSED.

16. ACCEPT PROPOSAL FROM SEH, INC. FOR ENGINEERING SERVICES FOR WATERMAIN LINING ON 93RD AVENUE/EVERGREEN BOULEVARD, PROJECT 12-9

Public Services Director Gatlin presented a memorandum to Council stating in 2010, as part of our street reconstruction program, we completed a watermain relining project on Xeon Street south of 121st Avenue. This project was done as a demonstration to explore new technology for lining watermains similar to the lining operation done for the last several years on our sanitary sewer system. The project was very successful and allowed the watermain to be relined rather than excavated and replaced. Staff wishes to continue with the watermain lining program similar to the sanitary sewer lining program. SEH, Inc. provided engineering services for us on the Xeon Street project in 2010. They have submitted a proposal for engineering services for the relining project planned on 93rd Avenue for 2012. Consideration of the proposal is appropriate at this time.

In 2010, the Public Works Department began a relining program for our watermain system. The first segment was done on Xeon Street south of 121st Avenue in conjunction with the reconstruction of Xeon Street. The project was successfully completed and staff feels the program should be continued on other sections of watermain throughout the City that are experiencing maintenance difficulties. We have had several watermain breaks on 93rd Avenue and Evergreen Boulevard. This segment to be considered is shown on Figure No. 1 in the SEH proposal and includes 93rd Avenue from Coon Rapids Boulevard to Evergreen Boulevard, and Evergreen Boulevard from 93rd Avenue to 93rd Lane. The project will include relining this section of watermain and providing temporary water services to the businesses in the area during construction. The proposal from SEH provides engineering services to prepare the preliminary design report, plans and specifications, assist the City in the bidding process, and provide construction and inspection services for the watermain relining project.

If Council approves the proposal, design work will begin immediately. We plan to have the project bid in the spring of 2012. Construction will start in May, 2012 and be completed by July, 2012.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO ACCEPT THE PROPOSAL FOR ENGINEERING SERVICES FOR WATERMAIN LINING ON 93RD AVENUE AND AUTHORIZE EXECUTION OF THE AGREEMENT FOR ENGINEERING SERVICES IN ACCORDANCE WITH THE PROPOSAL DATED DECEMBER 2, 2011.

Councilmember Johnson asked if the soil in this area would be corrected. Public Services Director Gatlin indicated the soil in this area was corrosive and the relining would address the concerns.

Councilmember Schulte requested further information on the relining process. Public Services Director Gatlin indicated this was a new process, pioneered first in Canada. He stated the City has had great success with the relining process.

THE MOTION PASSED UNANIMOUSLY.

17. RECEIVE COON RAPIDS MORTGAGE ASSISTANCE FOUNDATION REPORT

A memorandum was presented from Housing and Zoning Coordinator Bennett stating the Coon Rapids Mortgage Assistance Foundation (CRMAF) By-Laws, Article. III, Section. 14, require that minutes of meetings of the Board of Directors be forwarded to the Coon Rapids City Council. Forwarded herewith are minutes of the Annual Meeting and the Board of Directors meeting which were both held on December 1, 2011. The By Laws also include the provision that the City Council may veto the election of Foundation Directors.

President Donna Naeve reviewed the minutes of the Annual Meeting of the Foundation, along with the minutes of the Board of Directors meeting for December 1, 2011. Included were the following actions:

1. Lyle Haney and Jim Stanton were re-elected to three-year terms on the Board of Directors.
2. Donna Naeve, Jim Stanton, Lyle Haney and Brad Crandall were elected to the offices of President, Vice President, Treasurer and Secretary, respectively.
3. Staff was directed to develop a visioning process to assist the Board of Directors in establishing goals and objectives in identifying the purpose and use of the funds of the Coon Rapids Mortgage Assistance Foundation. This visioning process will engage an outside facilitator and will be paid for by Foundation funds held in Deposit Fund 82000.
4. The potential of new programming was briefly discussed but development efforts will not begin until the conclusion of the Opportunity City Program which will assess our current tools and practices.
5. The Bylaws were amended to recognize the compliance with the Minnesota Open Meeting Law, to create a gender neutral document, to permit meeting notice provided to directors by way of electronic mail and to correct several typographical errors. The proposed amendments to the Bylaws are attached together with the Resolution of the Coon Rapids Mortgage Assistance Foundation providing for said amendments. (A signed copy of the resolution is on file.) Article XII of the Bylaws provides for amendments to the Bylaws; it also provides that the City Council may veto any amendment to the Bylaws. In the absence of a veto by Council, the Bylaw amendments will become effective on December 21, 2011.

Financial reports were reviewed and approved. The Board of Directors is recommending program modifications including 1) \$250,000 in additional funding to the Coon Rapids Home Improvement Loan Program, 2) extension of the existing service contract for program administration with the Center for Energy and Environment for a three year period, and 3) the expansion of the ReGenerations Down Payment Assistance Fund to include the refinancing of existing mortgages. City staff will provide recommendations to the City Council for consideration of these matters in action following this memorandum.

The Foundation requests that the City Council receive this report with attached minutes and place it on file.

Article III, Section 3. of the Bylaws of the Coon Rapids Mortgage Assistance Foundation provides the City Council with the power of veto over the election of the directors elected at the Annual Meeting. If no veto is forthcoming, the election of the Lyle Haney and Jim Stanton will stand.

Article XII of the Bylaws of the Coon Rapids Mortgage Assistance Foundation provides the City Council with the power of veto over amendments of the Bylaws adopted by the Board of Directors. If no veto is forthcoming, the amendments to the Bylaws will be effective December 21, 2011.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KOCH, TO RECEIVE THIS REPORT WITH THE APPROPRIATE MINUTES AND PLACE IT ON FILE. THE MOTION PASSED UNANIMOUSLY.

18. **COON RAPIDS MORTGAGE ASSISTANCE FOUNDATION RECOMMENDATIONS CONCERNING HOUSING LOAN AND DOWN PAYMENT ASSISTANCE PROGRAM:**
- A. **APPROVE FUNDING INCREASES FOR THE COON RAPIDS HOUSING PROGRAM LOAN FUNDS**
 - B. **AUTHORIZE EXECUTION OF AMENDMENT TO THE SERVICE CONTRACT WITH THE CENTER FOR ENERGY AND ENVIRONMENT**
 - C. **APPROVE AMENDMENT TO THE PROGRAM GUIDELINES OF THE REGENERATIONS DOWN PAYMENT ASSISTANCE LOAN PROGRAM**
-

A memorandum was presented requesting The Coon Rapids Mortgage Assistance Foundation (CRMAF) Board of Directors convened their annual meeting and the first 2011-2012 Board of Directors meeting on December 1, 2011. Board President Naeve's report to Council, including draft minutes of their meetings, precedes this item on your agenda. Upon recommendation of the Board of Directors, the City Council is asked to authorize certain changes to the Coon Rapids Housing Program Loan Fund and the ReGenerations Down Payment Assistance Loan Program.

Allocation of Additional Funding for Housing Improvement Loan Programs

The City of Coon Rapids Housing Program was developed by the CRMAF Board of Directors with the assistance of City staff. The program includes the following loan funds: Home Improvement Incentive Program Loan Fund, Home Rehabilitation Assistance Program Loan Fund, Two-Family

Home Rehabilitation Program Loan Fund and the Emergency Home Repair Program Loan Fund. The first loans were issued in July 2005. To date, \$2,425,000 has been allocated to this program. As of October 31, 2011, 170 loans have been funded and 95 percent of the funds committed. A map showing the general locations of properties assisted with our program is attached.

At their meeting on December 1, the Board of Directors reviewed loan activity in each loan program fund and is recommending that additional funds be made available for home improvement loans made through the program. The Board is recommending that an additional \$250,000 be allocated for the loan program. Previous action by the City Council authorizes the Executive Committee of the Board of Directors to place the allocation among the individual loan funds at their discretion. At this time it is proposed to be allocated in the following manner: \$150,000 to the Home Improvement Incentive Program and \$100,000 to the Home Rehabilitation Assistance Program. It is anticipated that upon conclusion of the Opportunity City Program process currently underway, new program development and funding will be forwarded for Council action.

Extension of Service Contract

The Service Contract with the Center for Energy and Environment (CEE) to administer the Housing Program loan funds terminates on December 31, 2011. CEE has successfully administered this program for the City of Coon Rapids since March 1, 2005, and has indicated their interest in continuing program administration. They seek an extension of the Service Contract under the existing terms of the contract, including compensation. Staff review of their performance is positive and believes there is benefit of program continuity by extending the contract with CEE. The Board of Directors is recommending the contract be extended through December 31, 2014.

Expansion of ReGenerations Down Payment Assistance Loan Program to Refinancing Mortgages

The Regenerations Down Payment Assistance Loan Program has been available to home buyers in Coon Rapids since April 2010. The program promotes and facilitates the repair or modernization of existing single-family housing units through the use of a federally insured FHA Section 203(k) mortgage. The program provides down payment assistance of up to 3.5% of the purchase price of the property plus the rehab costs in the form of a forgivable loan; the maximum amount of down payment assistance is \$6,000. The loan is fully forgiven after ten years of principal residence occupancy by the borrower. There is no maximum purchase price on property assisted with this program, however, the maximum mortgage under the FHA Section 203(k) program is currently \$318,550 for property in Anoka County.

As of the end of November, 13 down payment assistance loans have been made under this program. Down payment assistance loans totaling \$62,664 have resulted in over \$218,127 in rehab investment in these properties and returned twelve vacant, foreclosed properties to owner occupancy. Eight of the 13 households (62%) have minor children of school and pre-school age; 85 percent are first-time home buyers. A map showing the geographic distribution of properties purchased using the ReGenerations Down Payment Assistance Loan Program is attached.

Following discussion on the matter, the Coon Rapids Mortgage Assistance Foundation recommends expanding this program to provide incentive for current residents refinancing an existing mortgage to

use the FHA Section 203(k) mortgage to make needed repairs or renovations to their properties. The program terms would be the same as for a new home buyer – up to \$6,000 in assistance forgiven after ten years. Participation would require at least \$10,000 in improvements. Program guidelines would be amended to prohibit cashing out any equity during the refinancing of the mortgage. Equity could be used, however, to partially fund renovations included in the 203(k) mortgage. The ReGenerations Down Payment Assistance Loan Program was originally funded at \$300,000 and no additional allocation to the program is needed at this time.

Councilmember Schulte was pleased with the success of this program and how the funding was being disbursed throughout the entire City. He thanked the Committee and Foundation for being good stewards of the dollars available to the citizens of Coon Rapids.

Mayor Howe indicated the success of this program was also due to staff and Ms. Bennett's ability to pass along the information to local realtors.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO APPROVE FUNDING INCREASES FOR THE COON RAPIDS HOUSING PROGRAM LOAN FUNDS AS PROPOSED IN THE AMOUNT OF \$250,000; AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE AN AMENDMENT TO THE SERVICE CONTRACT, TOGETHER WITH ANY OTHER NECESSARY DOCUMENTS, WITH THE CENTER FOR ENERGY AND ENVIRONMENT TO ADMINISTER THE COON RAPIDS HOME IMPROVEMENT LOAN AND EMERGENCY HOME REPAIR LOAN PROGRAMS OF THE CITY OF COON RAPIDS HOUSING PROGRAM EXTENDING THE TERM OF THE CONTRACT THROUGH DECEMBER 31, 2014; AND APPROVE AN AMENDMENT TO THE PROGRAM GUIDELINES OF THE REGENERATIONS DOWN PAYMENT ASSISTANCE LOAN PROGRAM EXPANDING THE USE OF THE PROGRAM TO PROPERTY OWNERS REFINANCING AN EXISTING MORTGAGE WITH AN FHA SECTION 203(K) MORTGAGE AS DESCRIBED HEREIN.

Councilmember Johnson was pleased that the entire City was well-represented by the benefits of this program. He thanked all those involved in this program for serving the community well.

THE MOTION PASSED UNANIMOUSLY.

19. CONSIDER RESOLUTION NO. 11-136 RE-APPROVING FUNDS WITHIN THE 2011 GENERAL FUND BUDGET AND AMENDING THE 2011 AND 2012 BUDGETS

Finance Director Legg presented a memorandum to Council stating at the close of each year, the General Fund budget is compared to year-to-date revenues and expenditures ensuring that each activity does not exceed budgeted amounts. Net adjustments equal to zero are being recommended.

General Fund expenditures were reviewed with activity managers or department heads. It is anticipated that overall expenditures for 2011 will be \$23,987,590, which includes \$98,160 being

carried forward to the next year. This is \$410,674 under the 2011 estimate shown in the 2012 budget document. The carry-forwards include budgeted amounts that will not be received before year-end or are not needed until 2012. Accounting standards require that purchases be recorded in the year the items or services are actually received.

The 2011 revenues are estimated to be \$25,616,516 or \$439,885 more than previously estimated in the 2011 budget document.

The 2011 General Fund balance is projected to increase by \$850,529, after carry-forwards, over the estimate shown in the 2012 budget.

Comparisons of the 2011 estimated General Fund revenues and expenditures to the 2011 amended budget are as follows:

REVENUES

Revenues are estimated to be \$25,616,516 which is \$606,640 or 2.4% over the amended revenue budget of \$25,009,876. A summary of budgeted General Fund revenues compared to the current estimate is as follows:

	Amended Budget	Mid Year Estimate	Current Estimate	Current Estimate Over (Under) Amended Budget
General Property Taxes	\$17,319,408	\$17,002,463	\$17,146,000	(\$173,408)
Business Licenses	424,020	475,747	546,949	122,929
Non-business Licenses/Permits	950,700	998,700	990,695	39,995
Fines and Forfeitures	365,000	501,425	488,700	123,700
Investment Income	216,400	218,000	325,000	108,600
Intergovernmental Revenue	999,085	916,495	953,580	(45,505)
Charges for Services	1,398,650	1,541,700	1,632,135	233,485
Utilities Tax	3,013,613	3,161,101	3,158,153	144,540
Other	323,000	361,000	375,304	52,304
TOTAL	\$25,009,876	\$25,176,631	\$25,616,516	\$606,640

EXPENDITURES

Expenditures, including carry-forwards of \$98,160, are estimated to be \$23,987,590 which is \$701,805 or 2.8% under the amended budget of \$24,689,395. A summary of expenditure estimates compared to budget by department is as follows:

Amended	Mid Estimate	Current Year Estimate (Including	Current Estimate Over (Under) Amended Budget
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	Budget*		carry-forwards)	
City Manager Department	\$1,661,369	\$1,619,908	\$1,432,969	(\$228,400)
Legal Department	767,598	781,919	725,798	(41,800)
City Clerk Department	253,340	240,439	190,640	(62,700)
Finance Department	1,651,038	1,608,508	1,580,238	(70,800)
Community Development Dept.	1,900,758	1,818,183	1,785,058	(115,700)
Police Department	8,109,066	8,153,165	8,056,866	(52,200)
Fire Department	3,880,449	3,820,139	3,751,349	(129,100)
Public Works Department	6,330,272	6,252,613	6,464,672	134,400
Contingency	135,505	103,390		(135,505)
TOTAL	\$24,689,395	\$24,398,264	\$23,987,590	(\$701,805)

*prior to reallocating funds

Personal Services

It is estimated that expenditures in the Personal Services category will be \$18,857,948. This is \$597,205 under budget due to vacancies and fewer seasonal employee hours than budgeted.

Other Charges and Services

It is estimated that expenditures in the Other Charges and Services category will be \$3,547,888 or \$3,604,908 with carry-forwards. This is \$83,700 under budget primarily due to less being spent than was budgeted for utilities, travel and conferences.

Supplies

It is estimated that expenditures in the Supplies category will be \$1,294,921 or \$1,301,921 with carry-forwards. This is \$6,200 over budget primarily due to an increase in motor fuels and lubricants.

Capital Outlay

It is estimated that expenditures in the Capital Outlay category will be \$171,273 or \$205,413 with carry-forwards. This is \$41,500 under budget primarily due to savings from the amounts originally budgeted.

Other Disbursements

It is estimated that expenditures in the other disbursements category will be \$17,400 which is \$14,400 over budget due to unbudgeted concession merchandise at the Ice Center.

2011 CARRY-OVER TO 2012 BUDGET

Council is asked to consider carrying forward \$98,160 in the General Fund and \$1,103,196 for other funds into fiscal year 2012 for items not purchased or completed in 2011.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 11-136 RE-APPROPRIATING FUNDS WITHIN THE 2011 GENERAL FUND BUDGET AND AMENDING THE 2011 AND 2012 BUDGETS.

City Manager Fulton indicated the City's revenues were higher than projected and commended the Finance Department for their efforts on the budget on behalf of the citizens.

Councilmember Schulte agreed and thanked staff for their efforts.

THE MOTION PASSED UNANIMOUSLY.

20. CONSIDER RESOLUTION NO. 11-135 PROVIDING RE-APPROPRIATION OF THE 2011 GENERAL FUND CONTINGENCY

Finance Director Legg presented a memorandum to Council stating labor and benefits for 2011 should be allocated to the General Fund activities. All 2011 contracts have now been settled.

Re-appropriation to the personal services line item is now being requested based on the 2011 labor contracts and approved salary adjustments. Resolution 11-135 re-appropriating the personal services line item to the General Fund activities is attached for your consideration. The allocation totals \$164,495. The resolution moves funds from the contingency account to individual activities within the General Fund for budgetary purposes.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 11-135 PROVIDING RE-APPROPRIATION OF THE 2011 GENERAL FUND CONTINGENCY. THE MOTION PASSED UNANIMOUSLY.

21. GOVERNMENT ACCOUNTING STANDARD BOARD (GASB) STATEMENT 54 IMPLEMENTATION:

- A. CONSIDER RESOLUTION NO. 11-137 COMMITTING SPECIFIC REVENUE SOURCES IN SPECIAL REVENUE FUNDS**
- B. CONSIDER RESOLUTION NO. 11-138 COMMITTING FUND BALANCES AND DELEGATING THE AUTHORITY TO ASSIGN FUND BALANCES**

Finance Director Legg presented a memorandum to Council stating the Government Accounting Standards Board (GASB) requires implementation of GASB Statement #54 for the 2011 financial statement by formalizing the commitment of the specific revenue sources to specified purposes for all its Special Revenue Funds and requiring new fund balance classifications for financial reporting.

GASB's Statement #54 definition of Special Revenue Funds states that special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditures for specified purposes other than debt service or capital projects. The term "proceeds of specific revenue sources" establishes that one or more specific restricted or committed revenues should be the foundation for a special revenue fund and comprise a substantial portion of the fund's revenues. Resolution 11-137 defines the specific revenue source of each Special Revenue Fund and the specific purposes for which they are committed.

The Statement also separates fund balance into five categories versus three under old standards (reserved, designated and undesignated):

1. Nonspendable fund balance - amounts not in a spendable form or are required to be maintained intact.
2. Restricted fund balance - amounts subject to externally enforceable legal restrictions.
3. Committed fund balance - amounts that can be used only for specific purposes determined by formal action of the City Council. Only the City Council can lift or change the commitment with formal action similar to the original constraint.
4. Assigned fund balance - amounts intended for specific purposes. Intent can be expressed by the governmental body or by an official the governing body delegates the authority to. Staff recommends the Finance Director.
5. Unassigned fund balance - residual amounts that are available for any purpose in the General Fund. This category can only be found in the General Fund since other funds are for very specific purposes.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 11-137 COMMITTING SPECIFIC REVENUE SOURCES IN SPECIAL REVENUE FUNDS; AND ADOPT RESOLUTION NO. 11-138 COMMITTING FUND BALANCES AND DELEGATING THE AUTHORITY TO ASSIGN FUND BALANCES.

Councilmember Johnson thanked staff for the thorough report on this item.

THE MOTION PASSED UNANIMOUSLY.

22. APPROVE CARPET REPLACEMENT AND OTHER REPAIRS AT CITY HALL

A memorandum was presented from Facilities/Fleet Maintenance Doherty stating the 2011 Facility Construction Fund includes funds for carpet replacement. Council is requested to approve this work.

The hallway carpet from the Civic Center entrance to the Police Department is the original carpet installed in 1996. It is beginning to show signs of wear and should be replaced. Staff has secured a bid from St. Paul Linoleum and Carpet, an approved contractor on the State of Minnesota Materials

Management contract site, in the amount of \$77,430. The City has used this firm for previous carpet projects at City Hall with very good results. The scope of work includes replacement of all carpet in the hallway from the Civic Center entrance to the Police Department, the Council Chambers and the IT office area. A professional designer was consulted with to select the colors and patterns for the project to preserve the architectural elements of the original design.

In addition to the carpet replacement, baseboard repairs and painting is needed in the main hallway and the Police Department. The City has received a quote from Sovia's Painting and Decorating based on estimated time and materials in the amount of \$12,000 for the painting. RAK construction, used to remodel the HR/ Legal office window, has proposed \$2,100 to repair existing baseboards. The majority of this project will be completed during City Hall off hours and should not result in any substantial disruption of normal operations.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE CARPET REPLACEMENT AND OTHER REPAIRS IN THE CITY HALL IN THE AMOUNT OF \$91,430. THE MOTION PASSED UNANIMOUSLY.

23. AUTHORIZE PURCHASE OF NEW CIVIC CHAIRS AND THREE-WHEELED HAND TRUCK

Finance Director Legg presented a memorandum to Council stating Staff is requesting authorization to purchase new stackable chairs and a three-wheeled hand truck to move the stacks of chairs for the Civic Center banquet room.

As you know, the Civic Center has banquet rooms that are rented to the public as well as used by the Senior Center daily. About half of the current chairs were purchased when the facility opened in 1996 and are still used heavily. Over the last ten years, about 80 chairs have been replaced, using the original vendor to match the chairs as closely as possible. However, the original chair design has changed making the size of the chair smaller. With the smaller size of the chair, stacking the old and the new chairs has been an issue causing damage to many of the chairs. Staff is recommending that all of the chairs be replaced due to the condition and the damage caused by having mismatched chairs, along with the age and high volume of use. The new chairs are less expensive, lighter and easier to stack. The total estimated cost for 250 new chairs and a three-wheeled hand truck is \$25,405.23. The total cost includes freight charges and tax.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT RESOLUTION NO. 11-139 AMENDING BUDGETS FOR CHAIRS TO ALLOW FOR A TRANSFER TO THE GENERAL FUND IN THE AMOUNT OF \$13,405 FROM THE SENIOR ACTIVITY FUND; AND AUTHORIZE THE PURCHASE OF NEW CIVIC CENTER CHAIRS AND THE THREE-WHEELED HAND TRUCK IN THE AMOUNT OF \$25,405. THE MOTION PASSED UNANIMOUSLY.

24. AUTHORIZE PURCHASE OF TREADMILL FOR FIRE STATION 2

Finance Director Legg presented a memorandum to Council stating Staff is recommending the purchase of a treadmill for Fire Station 2.

A treadmill at Fire Station 2 was anticipated to be replaced in 2013. However, the treadmill is in a deteriorated condition and staff is recommending that it not be repaired, but replaced early. The cost of a new one is \$4,215 including tax and freight. This was not anticipated for the 2012 budget. The City Code requires that capital outlay items be specifically identified in the budget.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO AUTHORIZE THE PURCHASE OF A TREADMILL IN THE AMOUNT OF \$4,215. THE MOTION PASSED UNANIMOUSLY.

25. CONSIDER RESOLUTION 11-133 ESTABLISHING 2012 WAGE SCHEDULE AND AMEND THE VACATION ACCRUAL SCHEDULE FOR UNREPRESENTED EMPLOYEES

City Manager Fulton presented a memorandum requesting the City Council adopt a resolution establishing the 2012 wage schedule for unrepresented employees and amending Section 10.4 of the May 2008 Employee Handbook on Personnel Policies and Procedures. This resolution is being presented in compliance with City Code Section 3-301, which requires the annual presentation of a compensation plan to the City Council. **DISCUSSION** Unrepresented employees received a 1% salary adjustment for 2011 to maintain internal equity within the City's personnel classification system as well as with external comparisons.

The City's 2012 Compensation Plan includes the following components:

1. There are 23 pay grades.
2. Each salary range minimum is approximately 75 percent of its range maximum.
3. The wage schedule includes a six percent merit pay range to reward employees who demonstrate excellent work performance.
4. The 2012 wage schedule for unrepresented positions includes a 1% pay adjustment effective January 1, 2012, and 1% pay adjustment effective July 1, 2012.

The number of regular full-time positions approved for 2012 is 227, which is the same as 2011 and commensurate with 2001 staffing levels.

All regular full-time and part-time employees will be compensated at a rate between the minimum and maximum of their salary range. The only exceptions are employees who exceeded the maximum rate when the new pay plan was implemented January 2005.

The vacation accrual schedule was modified in the Public Works 2008-2009 collective bargaining agreement for employees with more than 20 years of service. Since then, the Firefighters, Police and Police Sergeants collective bargaining agreements have been modified to reflect similar vacation accrual schedules. One day of vacation will be added during years 21-25.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT RESOLUTION NO. 11-133 ESTABLISHING 2012 WAGE SCHEDULE FOR UNREPRESENTED EMPLOYEES AND REVISING THE VACATION LEAVE SCHEDULE CONTAINED IN SECTION 10.4 OF THE MAY 2008 EMPLOYEE HANDBOOK ON PERSONNEL POLICIES AND PROCEDURES.

Councilmember Schulte asked how often the City revised the Personnel Handbook. City Manager Fulton indicated the City completed a major revision of the Personnel Handbook 4-5 years ago. He noted the policy is kept current with minor revisions when required. All information was current with the recent labor contracts.

Councilmember Johnson clarified that the Council was taking action on this item based on Fair Equity Standards from the State along with changes needed by the City. City Manager Fulton noted the 2012 budget would include a comprehensive pay equity study as this has not been completed in 10 years.

THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

26. OVERFLOW PARKING AT COON RAPIDS ICE CENTER

Community Development Director Nevinski presented a memorandum to Council stating at the November 15th Council meeting, the Mayor asked how the parking needs were determined for the new Coon Rapids Ice Center. He noted a recent event resulted in considerable overflow parking into the surrounding neighborhoods.

To answer the question, staff reviewed minutes from the June 2010 Planning Commission meeting where the ice arena site plan was considered. The parking ratio discussion included the following: *Parking is located on the south and east side of the building. The main parking area is located on the south side of the building, adjacent to the entrance to the arena. Overflow parking is available in the existing parking lot on the west side of the arena. Parking ratios for ice arenas in other communities ranged from one space for every three seats to one space for every five seats. The proposed parking ratio is one space for every 3.3 seats. The city code parking ratio for similar uses such as theaters, auditoriums, arenas and other places of assembly is 1 space for every three seats.*

Minutes from July 6, 2010 the Council meeting were also reviewed and state:

The Commission discussed the number of parking spaces and the parking ratio. The 233 parking spaces equal a parking ratio of about 3.3 spaces per seat. A survey was conducted of other arenas the range was 3 spaces per seat to up to 5 spaces per seat. It was explained that over flow parking will be available on the west side of the arena in the existing parking lot and the over flow parking will be connected via sidewalk to the main entrance of the arena. Over flow parking will continue to be available when future phases of the community center are completed.

It appears that overflow parking was anticipated, and there was discussion about leaving the existing parking at Big Lots in place. However, during building demolition the condition of the parking lot was determined to be very poor and utilities that needed to be removed were underneath, leaving little existing asphalt to save.

There is only one similar sized event scheduled for the remainder of the season. Staff recommends managing parking for that event either on street or by preparing an area to the west side of the arena. Plans can then be made to install an interim overflow parking area in the summer of 2012, paying attention to cost and storm water runoff.

Mayor Howe thanked staff for reviewing this item further and stated the Council may need to review this issue further.

Councilmember Johnson indicated this past Saturday the Mites team was playing indoors along with the Varsity Girls team and the outdoor rink was being used by the general public. He noted parking spaces were available.

Councilmember Klint questioned if the lighting outside the arena should be on overnight. Public Services Director Gatlin stated several lights were left on overnight to protect against vandalism but that staff will review decreasing some of the lighting while still maintaining sufficient lighting.

Mayor Howe expressed concern with shadowing on the outdoor ice rink created by the overhead lights. He stated this may have to be addressed by the City to assure the site is secure and property lit as well.

ADJOURN

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADJOURN THE MEETING AT 8:18 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF DECEMBER 20, 2011

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, December 20, 2011, at 5:30 p.m. in Conference Room #1 at Coon Rapids City Hall.

Members Present: Mayor Tim Howe, Councilmembers Denise Klint, Paul Johnson, Jerry Koch, Bruce Sanders, and Scott Schulte

Members Absent: Councilmember Melissa Larson

Staff Present: City Manager Matt Fulton, Golf Director Tim Anderson, City Attorney Stoney Hiljus, Public Services Director Steve Gatlin, Community Development Director Marc Nevinski, City Clerk Cathy Sorensen

Others Present: Jason Hines, The Harvest Grill

CALL TO ORDER

Mayor Howe called the work session to order at 5:30 p.m.

DISCUSSION OF FIRST AMENDMENT TO THE HARVEST GRILL LEASE AT BUNKER HILLS GOLF CLUB

City Manager Fulton reviewed the proposed First Amendment to The Harvest Grill Lease. He stated the main motivation for this amendment is in recognition of the significant negative impact of the Main Street Reconstruction project on The Harvest Grill's business operations. Mr. Fulton noted proposed payments will be made from the Facilities Construction Fund and that this proposal will not impact any future projects. He added key elements of the amendment include:

1. The amendment clarifies language in the original lease relating to original equipment purchased by the City and reconfirms responsibility of The Harvest Grill regarding the replacement and upkeep of said equipment.
2. The amendment provides for the City's additional purchase of Harvest Grill equipment, currently being financed through equipment leases in the total amount of \$185,541.12, satisfied by two payments. The immediate payment of \$100,000 will be followed up by an \$85,541.12 payment of the balance at the end of 2012. There will be personal guarantees by Jason and Kim Hines relating to the satisfaction of the lease agreements.
3. The lease amendment identifies the intention of both parties to renegotiate, in good faith, the long term lease for The Harvest Grill operations. While not stated specifically in the lease amendment, it is expected that a collateralized line of credit will be extended to The Harvest

Grill by the City during 2012 with any outstanding balance remaining at the end of 2012 being paid back to the City, with interest, over the balance of the lease term. This will also have a personal guarantee.

4. The amendment provides language that protects the City from any future claims from The Harvest Grill regarding damages that might result from the road closure or reconstruction activity.

Mayor Howe asked if income generated at The Harvest Grill stays there and is not used at Mr. Hines other restaurant locations. Mr. Hines said Jason The Harvest Grill is a big operation, with Potluck Catering as the ownership entity. He said they are currently remodeling their Plymouth location but none of these line of credit funds will be used for other locations other than the Coon Rapids Broadway Pizza, as he used \$100,000 from that location to keep The Harvest Grill going. He explained his coding system for The Harvest Grill, the Plymouth location, and his Office account so he can track how all stores are. He added he is very careful that Bunker expenses are reflected as Bunker only. Mr. Hines said he is committed to Bunker Hills Golf Club and the City.

Councilmember Sanders inquired about the proposed payment structure and where the first payment will be taken from and how will it be used. Mr. Fulton said the funds will come from the Facilities Construction Fund and will be used to meet Mr. Hines' financial commitments at Broadway Pizza. He said this will limit our exposure and defer the second half of the payment. Mr. Fulton said the equipment will be paid off at the end of the first year and that lease payments will continue. He said the proposal outlines a line of credit if needed, adding the City will own the equipment in the end.

Councilmember Sanders asked about the theater group. Mr. Hines said he cannot support a theater group during construction, adding he hasn't booked any new banquets since construction began. He shared an example of a lost booking to Greenhaven Golf Course in Anoka from a customer who could not easily locate how to get to The Harvest Grill.

Mr. Fulton said Mr. Hines has shared his financial statements during this process and has been very willing to work with the City. He added that since the City is not knowledgeable of the restaurant business we will be working with an outside advisor in restaurant operation during this process.

Councilmember Koch inquired about the line of credit and asked if the funds can be used for items such as payroll. Mr. Fulton said Mr. Hines can draw on the line of credit for rent obligation or other expenses.

Mr. Hines said they want to align the cash flow base to pay off their obligations while being aware of cash flow cycles currently at The Harvest Grill. He said they will know more in January.

Councilmember Sanders asked about payments for the line of credit. Mr. Fulton said payments will be refinanced over the lease term at five percent, adding The Harvest Grill's biggest week was \$92,000, which is very good.

Councilmember Koch asked how much Mr. Hines is committed to with regard to leasehold improvements. Mr. Hines said the City will own the leasehold improvements, which were items that were bid before he became involved. He said he will have \$200,000 invested in this project but the \$300,000 of leaseholds improvements that will stay will be the City's. Mr. Hines said it makes sense for the City to own the leasehold improvements in the event of a default situation.

Mayor Howe noted the history of the golf course restaurant operations has been seasonal and asked if Mr. Hines was aware of that fact. Mr. Hines agreed, but noted The Seasons did not have a 400-person banquet facility and state-of-the art golf simulators. He said that in spite of the construction the restaurant has been doing a fairly good business.

Councilmember Klint asked about current marketing efforts, including website, email, online advertising with *The Herald*, and special "bounce-back" coupons. She said it is important to reach the residents of the City to make them aware of the restaurant offerings. Mr. Hines said they have been working on various different marketing techniques, including FaceBook, email blasts, and others. He added they are a member of both the Metro North Chamber of Commerce and the Anoka Area Chamber of Commerce which offers other avenues for advertising.

Councilmember Klint suggested handing out information at the Coon Rapids Ice Center events and others. Mr. Hines said he will likely not be able to distribute information at these types of events but plans on using billboard advertising at the City's ballfields.

Councilmember Johnson said he believed more people visit fast food restaurants today rather than sit-down type restaurants which could be contributing to traffic at The Harvest Grill. He said he believed they were moving in the right direction though to build more clientele, adding he does not want it to become a place that will increase police calls.

Mr. Hines said he believed the economy is beginning to turn around, as his numbers at his Blaine store are just beginning to improve. He said he will be opening a second Harvest Grill location in the near future which will double their marketing budget for Bunker Hills. Mr. Hines noted the new signage will help as well.

Councilmember Schulte cautioned against over-managing The Harvest Grill as their role is to ratify the lease agreement then continue to visit and spread the word about the restaurant. He encouraged Mr. Hines to increase his advertising efforts though as he has not seen much.

Mayor Howe suggested offering some kind of entertainment as well to bring in more customers. Mr. Hines said they will be utilizing the Board Room more now as another way to offer space for customer events.

Councilmember Sanders said he is encouraged by the great working relationship Mr. Hines has with the City, including Tim Anderson. He said restaurants are almost always a loss leader in the beginning but that they are moving in the right direction to increase business.

Councilmember Sanders said the City should continue to work with Mr. Hines as it would be difficult to bring in any other restaurant during this construction.

City Attorney Stoney Hiljus said that while staff has worked hard to secure financial guarantees and protection for the City there is some risk to this action. Councilmember Schulte agreed, but added everyone will continue to work hard to make this work because it is in the best interest of the City to have a successful operation at Bunker Hills.

OTHER BUSINESS

There was no other business.

ADJOURN

Mayor Howe adjourned the work session at 6:42 p.m.

Respectfully submitted,

Cathy Sorensen
City Clerk



City Council Regular

1.

Meeting Date: 01/03/2012
Subject: Designating Council Secretary
Submitted For: Matt Fulton, City Manager
From: Cathy Sorensen, City Clerk

INTRODUCTION

Each year Council enters into an agreement for recording secretarial services for meeting minutes.

DISCUSSION

In 1994, Council entered into an agreement with TimeSaver Off Site Secretarial, Inc. (TOSS) for recording and preparation of meeting minutes. This agreement has been extended annually.

TOSS has submitted the attached Addendum to the Recording Secretary Service Agreement for 2012. The fees reflect a zero percent increase over the 2011 rate.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: The City of Coon Rapids follows a formal strategic direction established and continually monitored by the City Council that is implemented and managed with excellence, operational efficiency, and with a long term view of organizational and environmental sustainability.

RECOMMENDATION

Staff recommends:

- a. Adoption of Resolution 12-1 Designating TimeSaver Off Site Secretarial, Inc. as Council secretary for 2012.
 - b. Approve Addendum to Recording Secretary Service Agreement.
-

Attachments

Resolution 12-1

Addendum

RESOLUTION NO. 12-1

RESOLUTION DESIGNATING COUNCIL SECRETARY

WHEREAS, it is necessary for the Coon Rapids City Council to annually designate a secretary to take minutes at Council meetings and work sessions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the Coon Rapids City Council does hereby designate TimeSaver Off Site Secretarial, Inc. (TOSS) as the recording secretary for the City Council for 2012.

BE IT FURTHER RESOLVED the Mayor and City Manager are authorized to execute the Addendum to Recording Secretary Service Agreement with TOSS for service year 2012.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

**ADDENDUM TO
RECORDING SECRETARY SERVICE AGREEMENT**

Dated: December 31, 2011

By and between TimeSaver Off Site Secretarial, Inc. and the City of Coon Rapids, 11155 Robinson Drive, Coon Rapids, MN 55433-3761.

1. EXTENSION OF RECORDING SECRETARIAL SERVICE AGREEMENT: The term of the existing Recording Secretary Service Agreement dated December 31, 2010 shall be extended under the same terms and conditions to December 31, 2012.
2. TOSS Charges. TOSS shall be paid for its services as recording secretary for each meeting (the highest rate will prevail), as follows:
 - a. Base Rate of One Hundred Twenty-Six and 25/100 dollars (\$126.25) for any meeting up to one (1) hour (billable time) plus Thirty-One and 25/100 dollars (\$31.25) for each thirty (30) minutes following the first one (1) hours; or
 - b. Twenty-seven and 50/100 dollars (\$27.50) per hour for length of meeting, and fifteen (15) minutes prior to Call to Order and fifteen (15) minutes following Adjournment with a one and one-half (1.5) hour minimum; and Twelve and 30/100 dollars (\$12.30) for each page of minutes prepared from shorthand or machine notes of the recording secretary as draft minutes for submission to and the review and comment of the City of Coon Rapids for their preparation of final minutes.
 - e. The City of Coon Rapids shall receive a Twenty and 00/100 dollar (\$20.00) per meeting discount for minutes transcribed via DVD or the webstream broadcast.

At the end of the term of this Addendum or any extension of it, the parties may make a new Agreement or extend or modify the terms of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Addendum to the Recording Secretary Service Agreement as of the day and year indicated.

January __, 2012

CITY OF COON RAPIDS

By _____
Tim Howe
Its _____
Mayor

By _____
Matt Fulton
Its _____
City Manager

November 21, 2011

TIMESAVER OFF SITE SECRETARIAL, INC.

By Carla Wirth
Carla Wirth
Its _____
President & CEO



City Council Regular

2.

Meeting Date: 01/03/2012

Subject: Council Rules of Procedure

Submitted For: Matt Fulton, City Manager

From: Cathy Sorensen, City Clerk

INTRODUCTION

Council is asked to adopt Rules of Procedure.

DISCUSSION

Council annually adopts Rules of Procedure setting forth the order of business for regular meetings, along with certain definitions and explanations. These documents have not been modified from last year's format.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: The City of Coon Rapids follows a formal strategic direction established and continually monitored by the City Council that is implemented and managed with excellence, operational efficiency, and with a long term view of organizational and environmental sustainability.

RECOMMENDATION

Staff recommends:

- a. Adopt Resolution 12-2 Establishing Council Rules of Procedure.
- b. Adopt the Addendum to Resolution 12-2, Definitions and Explanations of City Council Order of Business.

Attachments

Resolution 12-2

Resolution 12-2 Addendum

RESOLUTION NO. 12-2

RESOLUTION ESTABLISHING COUNCIL RULES OF PROCEDURE

BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the business of the Council shall be conducted in the following order:

1. Non-televised Open Mic Segment Beginning at 7:00 p.m.
2. Call to order by the Mayor or, in his/her absence, the Mayor Pro Tem, Immediately Following Conclusion of Open Mic (This and all subsequent actions to be aired on cable television)
3. Pledge of Allegiance to the Flag
4. Appointment of Acting Secretary if necessary
5. Roll Call
6. Adoption of Agenda
7. Proclamations/Recognitions
8. Approval of Minutes of Previous Meetings
9. Consent/Informational Business
10. Reports on Previous Open Mic Requests
12. Public Hearings
12. Bid Openings and Contract Awards
13. Old Business
14. New Business
15. Other Council Business
16. Adjourn

BE IT FURTHER RESOLVED that the City Manager or his designee, shall direct the preparation of the agenda for each meeting. An agenda item may be added with the approval of a majority of the Council.

BE IT FURTHER RESOLVED that meetings shall be adjourned not later than 12:00 p.m. unless waived by a majority vote of the Councilmembers present.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

DEFINITIONS AND EXPLANATIONS OF CITY COUNCIL ORDER OF BUSINESS

Addendum to Resolution 12-2

The items contained in the formally adopted order of business for the Coon Rapids City Council shall have the meanings commonly associated therewith unless otherwise defined or explained herein.

1. **OPEN MIC:** This order of business provides a time prior to the televised, official convening of each regular Council meeting for members of the public to approach the Council and comment, ask questions, present a concern or make a statement specifically relating to City business that is not already on the agenda for that meeting. Each speaker will be limited to five minutes and will be informed by the Mayor when their time is concluded. The Mayor will advise the audience of the time limit when introducing the Open Mic portion of the meeting. The speaker will be asked to come to the podium set up for that purpose, state his or her name and address, and give his or her statement, question or concern. Councilmembers may speak briefly to an Open Mic item for the purposes of asking for clarification, providing additional, pertinent information, or responding to questions raised by the speaker or another Councilmember. The Mayor will explain to the speaker that the statement, question or concern will be referred to the City staff for review and then a report will be sent to the speaker prior to the next regularly scheduled Council meeting. It is recognized that not all issues may be resolved at or prior to the next Council meeting, but the speaker will be informed of the progress on the issue prior to the next meeting. By the following Friday or as soon thereafter as is practical, Staff will provide Council with a draft response to the Open Mic comments. Following Council concurrence with the response, the Open Mic Report will be included as part of the next regular meeting agenda. The speaker will be provided a copy of the report and any subsequent reports until the matter is resolved.

Speakers are prohibited from engaging in personal attacks on Councilmembers, staff, or members of the public. Should this occur, the presiding officer will inform the speaker his/her opportunity to address Council has been relinquished and the person must leave the podium.

2. **ADOPTION OF AGENDA:** This order of business is the appropriate time for the Mayor and Councilmembers to add, delete, or change items on the agenda as proposed by the City Manager. A majority of those present must approve additions, deletions or changes to the proposed agenda. After an agenda has been formally adopted, any change thereto shall require a two-thirds (2/3) vote of all members present.

3. **CONSENT/ INFORMATIONAL ITEMS:** Consent items are those business items which must be acted upon by the City Council, but which are routine and generally do not require any discussion or debate. Informational items do not require formal action and are provided as an update or comment to an item of interest to the Council. The City Manager is authorized to prepare a list of consent items, but any Councilmember or the Mayor may request that a particular consent item be removed from the consent list and placed on the regular agenda. This action should be taken at the time the agenda is formally adopted.

4. PUBLIC HEARINGS: The Mayor will make every effort to ensure that each speaker giving testimony at a public hearing provides new information and does not simply reiterate the testimony of a previous speaker. Persons will be allowed to associate themselves with previously expressed opinions by approaching the podium, stating their name and address, and indicating their concurrence with a particular prior speaker. The Mayor will also make every reasonable effort to control, and where possible prevent, demonstrations which might occur during public hearings whether the demonstrations are preplanned or spontaneous.

5. OTHER COUNCIL BUSINESS: This order of business provides an opportunity for Councilmembers and staff to bring up any issues which were not on the agenda. These issues may include, but are not limited to, such items as questions or concerns of Councilmembers, questions or concerns that have been expressed to Councilmembers by citizens and suggestions by Councilmembers for future workshops which will be scheduled upon an affirmative vote of a majority of the Council.

Items may be placed on or removed from an agenda by any Councilmember in accordance with the following procedures:

A. PLACEMENT OF ITEMS ON AN AGENDA. Any Councilmember may have an item placed on a meeting agenda up until the time the agenda is formally adopted at the Council meeting. Thereafter additions to the agenda will be permitted only upon a two-thirds affirmative vote of all members present in accordance with the adopted rules of procedure.

Items submitted by the Wednesday preceding a regular Council meeting will be included in the original printing of the agenda. Thereafter, items requested by Councilmembers will be included in the recommended additions, deletions and amendments distributed at the Council meeting.

B. REMOVAL OF ITEMS FROM AN AGENDA. Any Councilmember who has placed an item on an agenda will be given the courtesy to remove that item from the agenda at any time prior to the formal adoption of the agenda. Thereafter an item may be removed from the agenda with a two-thirds affirmative vote of all members present in accordance with the adopted rules of procedure.

If an item which was placed on an agenda is deleted at the originator's request prior to the meeting, the City Manager will advise the Council as part of the additional agenda materials provided prior to the meeting. Any such removed item may be placed on the next or any subsequent meeting agenda by the originator of the item or by any other Councilmember.

Any Councilmember who will be absent from a meeting may have any item on that meeting's proposed agenda removed or postponed by notifying the Mayor or the City Manager no later than 3:00 p.m. on the day of the scheduled meeting.

However, if the item has been placed on the agenda by another Councilmember, then it can be removed or postponed only with the concurrence of that Councilmember.

Adopted by the Coon Rapids City Council this 3rd day of January, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

3.

Meeting Date: 01/03/2012

Subject: Designation of Official Newspaper

Submitted For: Matt Fulton, City Manager

From: Cathy Sorensen, City Clerk

INTRODUCTION

Each year Council designates the City's official legal newspaper.

DISCUSSION

The Coon Rapids Herald has submitted a proposal to serve as the City's legal newspaper for 2012. The Herald meets all requirements for this obligation.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: The City of Coon Rapids follows a formal strategic direction established and continually monitored by the City Council that is implemented and managed with excellence, operational efficiency, and with a long term view of organizational and environmental sustainability.

RECOMMENDATION

Staff requests adoption of Resolution 12-3 designating the Coon Rapids Herald as the official newspaper for 2012.

Attachments

Resolution 12-3

Letter

RESOLUTION NO. 12-3

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

WHEREAS, it is necessary for the Coon Rapids City Council to annually designate a newspaper of local general circulation as the official legal newspaper for the City; and

WHEREAS, the Coon Rapids Herald has previously been so designated; and

WHEREAS, the Coon Rapids Herald meets all necessary requirements for designation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the Coon Rapids Herald is hereby designated as the official newspaper for the City of Coon Rapids for the year 2012.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

**ABC Newspaper and
Anoka County Shopper**

Division of ECM Publishers, Inc

ABC NEWSPAPERS
ANOKA COUNTY UNION • BLAINE/SPRING LAKE PARK LIFE • COON RAPIDS HERALD

Shopper
ANOKA COUNTY
From South End, Minn.
Serving People of Anoka County & Beyond

4101 Coon Rapids Blvd., Coon Rapids, MN 55433

P. O. Box 99, Anoka, MN 55303

November 22, 2011

Cathy Sorenson
City Clerk
City of Coon Rapids
11155 Robinson Drive
Coon Rapids, MN 55433

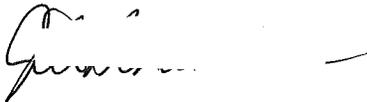
Dear Cathy:

It is with great pleasure that we ask to serve as the official newspaper for the City of Coon Rapids in 2012. As we continue to implement new changes in the newspaper to improve readership, we feel it's important to provide readers with the city's public notices in addition to news stories, features and photographs of local events we cover each week.

We would like to publish your public notices in the Coon Rapids Herald. The legal publication rate for the Coon Rapids Herald as of January 1, 2012, will be \$10.75 per column inch. The rate for electronically submitted legal publications will be \$10.25 per column inch. You may want to note that this rate remains unchanged from prior years. As a newspaper published in the County of Anoka, we meet the requirements to qualify as an official legal newspaper.

We have appreciated your business over the past years and hope that we can be of service to you in 2012 as a locally-owned, weekly community news source. If you have any questions, please feel free to call me at (763) 712-3532 or email me at jill.donahue@ecm-inc.com. Thank you for your consideration.

Sincerely,



Jill Donahue
Business Manager



City Council Regular

4.

Meeting Date: 01/03/2012

Subject: Designating Depositories and Investment Collateral Management Procedures

Submitted For: Kevin Vouk, Manager of Accounting/Treasurer

From: Cathy Sorensen, City Clerk

INTRODUCTION

Chapter 118A of the Minnesota Statutes sets forth the requirements for the deposit of public funds and the management of collateral.

DISCUSSION

State Statutes allow the City Council to authorize the treasurer or chief financial officer to designate depositories for City funds and to manage the collateral for those funds. The attached resolution designates Wells Fargo Bank Minnesota, N.A. as the official depository and authorizes the Manager of Accounting/Treasurer or Finance Director to designate additional depositories for investment purposes, approve wire transfer agreements with the depositories, and manage the collateral as prescribed by State Statute.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: Compliance with State Statutes for the deposit of public funds and the management of collateral is required by the State of Minnesota and contributes toward organizational sustainability.

RECOMMENDATION

Adopt Resolution 12-9 designating depositories and investment collateral management procedures.

Attachments

Resolution 12-9

RESOLUTION NO. 12-9

**RESOLUTION DESIGNATING DEPOSITORIES AND
INVESTMENT COLLATERAL MANAGEMENT PROCEDURES**

WHEREAS, Minnesota Statutes Section 118A sets forth the procedures for the deposit of public funds; and

WHEREAS, these statutes allow the Coon Rapids City Council to authorize the treasurer or chief financial officer to annually designate a bank as the official depository for the City funds and manage the collateral pledged to such funds; and

WHEREAS, Wells Fargo Bank Minnesota, N.A., is now the official depository; and

WHEREAS, Wells Fargo Bank Minnesota, N.A., wire transfers funds to institutions the City purchases investments from.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that City Council does hereby designate Wells Fargo Bank Minnesota, N.A. as the City's official depository for 2012 and authorizes the Manager of Accounting/Treasurer or Finance Director to designate additional depositories for investment purposes and to approve wire transfer agreements with Wells Fargo Bank Minnesota, N.A. and other designated depositories.

BE IT FURTHER RESOLVED that the Manager of Accounting/Treasurer or Finance Director of the City of Coon Rapids is hereby designated as the approved authority for the acceptance and release of all collateral to be held by the City in conjunction with City funds on deposit with authorized institutions.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

5.

Meeting Date: 01/03/2012
Subject: Council Appointments
Submitted For: Matt Fulton, City Manager
From: Cathy Sorensen, City Clerk

INTRODUCTION

Each year Council makes appointments to certain organizations. Council is asked to make the 2012 appointments at this time.

DISCUSSION

Council is asked to appoint members to represent the City on several organizations. The following are the 2011 representatives:

Anoka County Joint Law Enforcement Council	Scott Schulte; Former Chief Tim Snell; Bruce Sanders alternate
Anoka-Hennepin Community Ed. Advisory Council	Denise Klint; Melissa Larson alternate
Metro Cities	Joe Sidoti; Paul Johnson alternate
League of Minnesota Cities	Paul Johnson; Denise Klint alternate
Local Government Information Systems	Matt Fulton; Dave Sack
Minnesota Metro North Tourism (TC Gateway)	Joe Sidoti; Paul Johnson alternate; Andrea Andrajack-InnPlace Hotel; Roshan Bhakta-Holiday Inn Express
Schwan's Super Rink Joint Board	Mayor Howe; Scott Schulte; Bruce Sanders alternate
Northstar Corridor Development Authority	Bruce Sanders; Tim Howe alternate
Coon Rapids Youth First	Mayor Howe; Ryan Gunderson; Sharon Legg alternate
North Metro Crossing Coalition	Bruce Sanders

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Civic Involvement and Excellence in Government** sections of the 2030 Strategic Vision in the following way: by providing opportunities to be engaged and active in the community through civic opportunities such as serving on various organizations and committees and by continually managing with excellence, operational efficiency, and with a long term view of organizational and environmental sustainability.

RECOMMENDATION

- a. Adopt Resolution 12-4 Appointing Chief of Police and One Other Voting Member and Alternate to the Anoka County Joint Law Enforcement Council.
- b. Adopt Resolution 12-5 Appointing a Delegate and Alternate to the Anoka-Hennepin District 11 Community Education Advisory Council.
- c. Adopt Resolution 12-6 Appointing a Delegate and Alternate to Metro Cities.
- d. Adopt Resolution 12-7 Appointing a Delegate and Alternate to the League of Minnesota Cities.
- e. Adopt Resolution 12-8 Appointing a Representative and Alternate to the Local Government Information Systems (LOGIS).
- f. Adopt Resolution 12-10 Appointing a Representative, Alternate, and Two Lodging Representatives to Minnesota Metro North Tourism (Twin Cities Gateway).
- g. Adopt Resolution 12-11 Appointing Two Members and Alternate to the Schwan's Super Rink Joint Board.
- h. Adopt Resolution 12-12 Appointing a Representative and Alternate to the Northstar Corridor Development Authority.
- i. Adopt Resolution 12-19 Appointing Two Representatives and Alternate to Coon Rapids Youth First.
- j. Adopt Resolution 12-22 Appointing a Representative to the North Metro Crossing Coalition.

Attachments

Resolutions for Agency Appointments

RESOLUTION NO. 12-4

**RESOLUTION APPOINTING CHIEF OF POLICE
AND ONE OTHER VOTING MEMBER AND ALTERNATE TO
ANOKA COUNTY JOINT LAW ENFORCEMENT COUNCIL**

WHEREAS, the City of Coon Rapids is a party to the Anoka County Joint Law Enforcement Council, by the signature of the Mayor and City Manager of Coon Rapids on April 15, 1982 as authorized by resolution of the Coon Rapids City Council; and

WHEREAS, the Joint Powers Agreement requires that the parties to such agreement annually appoint their Chief of Police together with one other individual, to sit on and be a voting member of the Anoka County Law Enforcement Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the City Council does hereby appoint Councilmember _____ and Police Chief Brad Wise to membership on the Anoka County Joint Law Enforcement Council for the year 2012, with Councilmember _____ as alternate.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-5

**RESOLUTION APPOINTING A DELEGATE AND ALTERNATE
TO THE ANOKA-HENNEPIN DISTRICT 12
COMMUNITY EDUCATION ADVISORY COUNCIL**

WHEREAS, it is necessary for the Coon Rapids City Council to appoint a delegate and alternate member to represent the City of Coon Rapids to the Anoka-Hennepin District 12 Advisory Council for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____ be designated as Council delegate to the Anoka-Hennepin District 12 Advisory Council and Councilmember _____ be designated as alternate delegate.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-6

**RESOLUTION APPOINTING A DELEGATE AND ALTERNATE
TO METRO CITIES**

WHEREAS, it is necessary for the Coon Rapids City Council to appoint a delegate member and alternate member to represent the City on Metro Cities for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____ be designated as Council delegate and Councilmember _____ be designated as alternate delegate to Metro Cities.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-7

**RESOLUTION APPOINTING A DELEGATE AND ALTERNATE
TO THE LEAGUE OF MINNESOTA CITIES**

WHEREAS, it is necessary for the Coon Rapids City Council to appoint a delegate member and alternate member to represent the City on the League of Minnesota Cities for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____ be designated as Council delegate and Councilmember _____ be designated as alternate delegate to the League of Minnesota Cities.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12 8

**RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE
TO LOCAL GOVERNMENT INFORMATION SYSTEMS (LOGIS)**

WHEREAS, it is necessary for the Coon Rapids City Council to appoint a delegate member and alternate member to represent the City of Coon Rapids on the Local Government Information Systems for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that _____ be designated as delegate to the Local Government Information Systems (LOGIS) and _____ as the alternate.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-10

**RESOLUTION APPOINTING REPRESENTATIVE AND ALTERNATE TO
MINNESOTA METRO NORTH TOURISM
(TWIN CITIES GATEWAY)**

WHEREAS, the City of Coon Rapids is a member of the Minnesota Metro North Tourism; and

WHEREAS, membership includes representation on the Board of Directors; and

WHEREAS, it is necessary to appoint representatives to represent the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____ be appointed to represent the City on Minnesota Metro North Tourism for 2012 and Councilmember _____ be appointed to serve as alternate.

BE IT FURTHER RESOLVED that _____ and _____ be appointed to represent the Coon Rapids lodging community on the Minnesota Metro North Tourism for 2012.

Adopted by the Coon Rapids City Council this 3rd day of January, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-11

**RESOLUTION APPOINTING TWO MEMBERS AND ALTERNATE
TO THE SCHWAN'S SUPER RINK JOINT BOARD**

WHEREAS, the City is a participant in the Schwan's Super Rink facility at the National Sports Center in Blaine; and

WHEREAS, a joint board was established to oversee the operations of the facility on behalf of the participants; and

WHEREAS, it is necessary to appoint representatives to represent the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the City Council appoint Councilmember _____ and Councilmember _____ to the Schwan's Super Rink Joint Board and that Councilmember _____ be appointed to serve as an alternate.

Adopted by the Coon Rapids City Council this 3rd day of January, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-12

**RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE
TO THE NORTHSTAR CORRIDOR DEVELOPMENT AUTHORITY**

WHEREAS, the City entered into a Joint Powers Agreement establishing the Northstar Corridor Development Authority; and

WHEREAS, the Authority meets to analyze the feasibility and environmental impacts of integrated transportation improvements along Highway 12 corridor, including highway improvements, commuter and freight rail and recreational trails; and

WHEREAS, the Agreement requests the appointment of one elected official from each government unit, with a designated alternate; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____be appointed the City's representative on the Northstar Corridor Development Authority and Councilmember _____shall be appointed to serve as alternate.

Adopted by the Coon Rapids City Council this 3rd day of January, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION 12-19

**APPOINTING TWO REPRESENTATIVES AND ALTERNATE
TO COON RAPIDS YOUTH FIRST**

WHEREAS, the City of Coon Rapids should appoint representatives annually to represent Coon Rapids Youth First; and

WHEREAS, the joint powers agreement calls for two directors and one alternate from each of the three entities involved; and

WHEREAS, two directors as well as an alternate director should be appointed to represent the City of Coon Rapids; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____ and _____ are appointed as the two directors and _____ as the alternate director to serve at the pleasure of the governing body.

Adopted by the Coon Rapids City Council this 3rd day of January, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-22

**RESOLUTION APPOINTING A REPRESENTATIVE TO THE
NORTH METRO CROSSING COALITION**

WHEREAS, it is necessary for the Coon Rapids City Council to appoint a delegate to represent the City of Coon Rapids to the North Metro Crossing Coalition for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Councilmember _____ be designated as Council delegate to the North Metro Crossing Coalition for 2012.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

6.

Meeting Date: 01/03/2012

Subject: Board and Commission Appointments

Submitted For: Matt Fulton, City Manager

From: Cathy Sorensen, City Clerk

INTRODUCTION

Council is asked to approve the annual appointments of members to the City's Boards and Commissions.

DISCUSSION

Each year the Council approves annual appointments to the City's Boards and Commissions. The following appointments and Chair and Vice Chair designations for each Commission are as follows:

Arts Commission

- o Three terms expired on this Commission December 31, 2011: Nicole Infinity, Mary Ann Kehn, and John Kocon. The Commission recommends the reappointment of Ms. Kehn and Mr. Kocon with terms to expire December 31, 2014. The Commission also recommends the appointment of Patty Sathre with a term to expire December 31, 2014. In addition, the Commission recommends the reappointment of Mary Ann Kehn as Chair and Charlie Pitts as Vice Chair. After these appointments, five vacancies will exist on this Commission.

Board of Adjustment and Appeals

- o One term expired on this Board on December 31, 2011: Gary Wessling. Mr. Wessling is seeking reappointment with a term to expire December 31, 2014. In addition, the Board recommends Gary Wessling be reappointed as Chair. After these appointments there will be no vacancies on the Board.

Police and Firefighter's Civil Service Commission

- o Bob Thistle's term expired on this Commission on December 31, 2011, and he is seeking reappointment with a term to expire December 31, 2014. Per State Statute, the Commissioner with the expiring term for that year is appointed Chair, who for 2012 will be Al Hofstedt. After this appointment there will be no vacancies on the Board.

Historical Commission

- o Three terms expired on this Commission on December 31, 2011: Tracy Ekberg, James Marsolais, and Betty Wilbur. The Commission recommends the reappointment of Ms. Ekberg and Mr. Marsolais with terms to expire December 31, 2014. In addition, the Board recommends that Bob Powell be appointed Chair and Mr. Marsolais as Vice Chair for 2012. After these appointments there will be three vacancies on this Commission.

Parks and Recreation Commission

- o There are no expiring terms on this Commission for 2011, and although it wasn't formally discussed at their last meeting staff believes the Commission will likely recommend reappointment of Mr. Arntson as Chair. There are no current vacancies on this Commission.

Planning Commission

- o Three terms expired on this Commission on December 31, 2011; Jennifer Geisler, Jonathan Lipinski, and Margaret Murphy. The Council interviewed potential applicants during a work session on December 13 and reached consensus to reappoint Ms. Geisler and Mr. Lipinski, as well as appoint Zachary Stephenson, all with terms expiring December 31, 2014. After these appointments no vacancies will exist on this Commission.

Safety Commission

- o Four terms expired on this Commission on December 31, 2011: Wayne Baumgart, Bob Johnson, Maurice McKee, and Rita Waxon. The Commission recommends the reappointment of all Commissioners with terms to expire December 31, 2014. In addition, at their next meeting the Commission will likely recommend the appointment of Bob Johnson as Chair. After these appointments there will be no vacancies on the Board.

Sustainability Commission

- o Three terms expired on this Commission on December 31, 2011: Chris Backes, Mark Broderick, and Jo Ellen Christiansen. Mr. Backes is seeking reappointment, with a term to expire December 31, 2014. In addition, the Commission recommends the appointment of Stacey Demmer as Chair for 2012. After these appointments there will be two vacancies on the Board.

Recommendations for appointments to the Charter Commission will occur in March.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Civic Involvement** section of the 2030 Strategic Vision in the following way: providing opportunities for residents to be engaged and active in the community through civic opportunities such as serving on City Boards and Commissions.

RECOMMENDATION

Staff recommends that Council adopt the following resolutions:

- a. Adopt Resolution 12-16 Resolution Approving the Reappointment of Two Members, Appointment of One Member, and Appointment of a Chair and Vice Chair for 2012 to the Arts Commission.
- b. Adopt Resolution 12-13 Approving the Reappointment of One Member and Appointment of a Chair for 2012 to the Board of Adjustment and Appeals.
- c. Adopt Resolution 12-14 Approving the Reappointment of One Member and Appointment of a Chair for 2012 to the Police and Firefighter's Civil Service Commission.
- d. Adopt Resolution 12-17 Approving the Reappointment of Two Members and Appointing a Chair and Vice Chair for 2012 to the Historical Commission.
- e. Adopt Resolution 12-15 Approving the Reappointment of Two Members and Appointment of One Member to the Planning Commission.
- f. Adopt Resolution 12-18 Approving the Reappointment of Two Members and Appoint a Chair for 2012 to the Safety Commission.
- g. Adopt Resolution 12-20 Approving the Reappointment of One Member and Appointment of a Chair for 2012 for the Sustainability Commission.

Attachments

Resolutions for Commission Appointments

RESOLUTION NO. 12-16

**RESOLUTION APPROVING THE REAPPOINTMENT OF
TWO MEMBERS, APPOINTMENT OF ONE MEMBER, AND APPOINTMENT OF A
CHAIR AND VICE CHAIR FOR 2012
TO THE ARTS COMMISSION**

WHEREAS, the terms Nicole Infinity, Mary Ann Kehn, and John Kocon expired on December 31, 2011; and

WHEREAS, the Commission recommends the reappointment of the two members with expired terms;

WHEREAS, it is necessary to fill the vacancy which now exists.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Mary Ann Kehn and John Kocon be reappointed to the Arts Commission for three-year terms to expire on December 31, 2014, that Patty Sathre be appointed for a three-year term to expire on December 31, 2014, and that Mary Ann Kehn be appointed as Chair and Charles Pitts be appointed as Vice Chair for 2012.

BE IT FURTHER RESOLVED that five vacancies will exist on this Commission.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-13

**RESOLUTION APPROVING THE REAPPOINTMENT OF
ONE MEMBER AND APPOINTMENT OF A CHAIR FOR 2012 TO THE
BOARD OF ADJUSTMENT AND APPEALS**

WHEREAS, the term of Gary Wessling of the Board of Adjustment and Appeals expired on December 31, 2011; and

WHEREAS, the Commission recommends the reappointment of the member with the expired terms; and

WHEREAS, it is necessary to fill the vacancy which now exists.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Gary Wessling be reappointed for a three-year term to expire on December 31, 2014.

BE IT FURTHER RESOLVED that Gary Wessling be appointed as Chair of the Board of Adjustment and Appeals for the year 2012.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-14

**RESOLUTION APPROVING THE REAPPOINTMENT OF ONE MEMBER
AND APPOINTMENT OF A CHAIR FOR 2012 TO THE
POLICE AND FIREFIGHTER'S CIVIL SERVICE COMMISSION**

WHEREAS, the term of Bob Thistle on the Police and Firefighter's Civil Service Commission expired on December 31, 2011; and

WHEREAS, Bob Thistle is seeking reappointment to the Police and Firefighter's Civil Service Commission; and

WHEREAS, Minnesota State Statutes designates the Civil Service Commission member with the expiring term for that year be appointed Chair.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Bob Thistle be reappointed to serve on the Police and Firefighter's Civil Service Commission with a term to expire December 31, 2014 and that Al Hofstedt be appointed Chair.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-17

**RESOLUTION APPROVING THE REAPPOINTMENT OF TWO MEMBERS
AND APPOINTING A CHAIR AND VICE CHAIR FOR 2012
TO THE HISTORICAL COMMISSION**

WHEREAS, the terms of Tracy Ekberg, James Marsolais, and Betty Wilbur expired on December 31, 2011; and

WHEREAS, the Historical Commission recommends the reappointment of Tracy Ekberg and James Marsolais; and

WHEREAS, the Historical Commission recommends the appointment of Bob Powell as Chair and James Marsolais as Vice Chair for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Tracy Ekberg and James Marsolais be reappointed for three-year terms to expire on December 31, 2014; and

BE IT FURTHER RESOLVED that Bob Powell be appointed as Chair and James Marsolais be appointed as Vice Chair of the Historical Commission for the year 2012.

BE IT FURTHER RESOLVED that three vacancies will exist on this Commission after these appointments.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-15

**RESOLUTION APPROVING THE REAPPOINTMENT OF
TWO MEMBERS AND APPOINTMENT OF ONE MEMBER TO THE
PLANNING COMMISSION**

WHEREAS, the terms of Jennifer Geisler, Jonathan Lipinski, and Margaret Murphy of the Planning Commission expired on December 31, 2011; and

WHEREAS, it is necessary to fill the vacancies at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the Jennifer Geisler and Jonathan Lipinski be reappointed for a three-year term to expire on December 31, 2014, and that Zachary Stephenson be appointed for a three-year term to expire on December 31, 2014.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION 12-18

**RESOLUTION APPROVING THE REAPPOINTMENT OF TWO MEMBERS
AND APPOINT A CHAIR FOR 2012
TO THE SAFETY COMMISSION**

WHEREAS, the terms of Wayne Baumgart, Bob Johnson, Maurice McKee, and Rita Waxon of the Safety Commission expired on December 31, 2011; and

WHEREAS, all are seeking reappointment; and

WHEREAS, the Safety Commission recommends the reappointment of the members with expired terms;

NOW THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that of Wayne Baumgart, Bob Johnson, Maurice McKee, and Rita Waxon be reappointed for three-year terms to expire on December 31, 2014.

BE IT FURTHER RESOLVED that Bob Johnson be appointed as Chair of the Safety Commission for the year 2012.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-20

**RESOLUTION APPROVING THE REAPPOINTMENT OF
ONE MEMBER AND APPOINTMENT OF A CHAIR FOR
2012 SUSTAINABILITY COMMISSION**

WHEREAS, the terms of Chris Backes, Mark Broderick, and Jo Ellen Christiansen of the Sustainability Commission expired on December 31, 2011; and

WHEREAS, all Chris Backes is seeking reappointment; and

WHEREAS, the Sustainability Commission recommends the reappointment of with a term to expire December 31, 2014;

WHEREAS, the Commission will have two vacancies after this reappointment.

NOW THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that Chris Backes be reappointed for a three-year term to expire on December 31, 2014.

BE IT FURTHER RESOLVED that Stacey Demmer be appointed as Chair of the Sustainability Commission for the year 2012.

Adopted this 3rd day of January, 2012, by the Coon Rapids City Council.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

7.

Meeting Date: 01/03/2012

Subject: Authorize Final Payment for Project 11-11, Bituminous Patching - Large Areas

Submitted For: Fran Hanson, Accounting Supervisor

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to Rum River Contracting in the amount of \$11,255.40 for Project 11-11.

DISCUSSION

A summary of Project 11-11 is as follows:

Contract completion date	11/30/11
Substantial completion date	11/18/11
Final completion date	11/18/11

Contract amount	\$125,600.00
Total additions	3,257.06
Final contract amount	128,857.06
Actual project cost	\$153,858.41
Less: previous payments by City	(142,603.01)
Amount due	\$11,255.40
Amount over final contract	\$25,001.35

Total additions to this project of \$3,257.06 was for traffic control required for mill/overlay work. The final contract amount was more than original contract amount due to more work performed than actual bid.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Transportation section of the 2030 Strategic Vision. The City has an efficient and well maintained system of roads, sidewalks, and trails supported by a comprehensive and connected mass transportation system.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of the change order and of final payment to Rum River Contracting in the amount of \$11,255.40 for Project 11-11.



City Council Regular

8.

Meeting Date: 01/03/2012

Subject: Authorize Final Payment for Project 11-2, 121st Ave and Shenandoah Blvd, Street Reconstruction

Submitted For: Fran Hanson, Accounting Supervisor

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to North Valley, Inc. in the amount of \$29,884.37 for Project 11-2.

DISCUSSION

A summary of Project 11-2 is as follows:

Completion date per contract	09/13/11
Substantial completion date	09/08/11
Final completion date	09/12/11

Contract amount	\$328,959.63
Total additions	6,465.82
Total deletions	(11,985.00)
Final contract amount	323,440.45
Actual project cost	\$311,545.80
Less: previous payments by City	(281,661.43)
Amount due	\$29,884.37
Amount under final contract	(\$11,894.65)

The total additions to this project of \$6,465.82 was for time and material cost of reconstructing existing storm drain manholes. Deletions of \$11,985.00 consisted of changing the bituminous mix to recycled mix which saved money. The final contract amount was less than original contract amount due to using recycled mix.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Transportation section of the 2030 Strategic Vision. The City has an efficient and well maintained system of roads, sidewalks, and trails supported by a comprehensive and connected mass transportation system.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of the change orders and of final payment to North Valley, Inc. in the amount of \$29,884.37 for Project 11-2.



City Council Regular

9.

Meeting Date: 01/03/2012

Subject: Authorize Final Payment for Project 11-3 & 11-16, Xeon Street and 121st Ave, Street Reconstruction

Submitted For: Fran Hanson, Accounting Supervisor

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to North Valley, Inc. in the amount of \$62,150.72 for Project 11-3 & 11-16.

DISCUSSION

A summary of Project 11-3 & 11-16 is as follows:

Contract completion date	09/23/11
Substantial completion date	09/08/11
Final completion date	09/15/11

Contract amount	\$814,392.59
Total deductions	(29,543.55)
Final contract amount	784,849.04
Actual project cost	\$787,523.14
Less: previous payments by City	(725,372.42)
Amount due	\$62,150.72
Amount over final contract	\$2,674.10

Total deletions of \$29,543.55 consisted of changing the bituminous mix to recycled mix which saved money. The actual project costs were more than the final contract amount due to more work performed than estimated.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Transportation** section of the 2030 Strategic Vision by having efficient, well maintained system of roads, sidewalks, and trails supported by a comprehensive/connected mass transportation system.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of the change order and of final payment to North Valley, Inc. in the amount of \$62,150.72 for Project 11-3 & 11-16.



City Council Regular

10.

Meeting Date: 01/03/2012

Subject: Authorize Final Payment for Project 11-1A, Street Reconstruction

Submitted For: Fran Hanson, Accounting Supervisor

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to North Valley, Inc. in the amount of \$60,059.75 for Project 11-1A.

DISCUSSION

A summary of Project 11-1A is as follows:

Contract completion date	09/02/11
Substantial completion date	08/12/11
Final completion date	09/08/11

Contract amount	\$1,056,916.50
Total additions	4,183.20
Final contract amount	1,061,099.70
Actual project cost	1,016,657.96
Less: previous payments by City	(956,598.21)
Amount due	\$60,059.75
Amount under final contract	(\$44,441.74)

Total additions to this project of \$4,183.20 were for irrigation repairs and installation of a concrete cross gutter. The actual project costs were less than the final contract amount due to less work performed than actual bid.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Transportation section of the 2030 Strategic Vision. The City has an efficient and well maintained system of roads, sidewalks, and trails supported by a comprehensive and connected mass transportation system.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of the change order and of final payment to North Valley, Inc. in the amount of \$60,059.75 for Project 11-1A.



City Council Regular

11.

Meeting Date: 01/03/2012

Subject: Authorize Final Payment of Project 11-10, Bituminous Patching - Small Areas

Submitted For: Fran Hanson, Accounting Supervisor

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to Rum River Contracting, Inc. in the amount of \$639.72 for Project 11-10.

DISCUSSION

A summary of Project 11-10 is as follows:

Contract completion date	11/30/11
Substantial completion date	11/18/11
Final completion date	11/18/11

Contract amount	\$73,550.00
Total additions/deductions	0.00
Final contract amount	73,550.00
Actual project cost	8,647.77
Less: previous payments by City	8,008.05
Amount due	\$639.72
Amount under final contract	(\$64,902.23)

The actual project costs were less than the final contract amount due to less work performed than actual bid.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Transportation section of the 2030 Strategic Vision. The City has an efficient and well maintained system of roads, sidewalks, and trails supported by a comprehensive and connected mass transportation system.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of final payment to Rum River Contracting, Inc. in the amount of \$639.72 for Project 11-10.



City Council Regular

12.

Meeting Date: 01/03/2012

Subject: Authorize Final Payment for Project 11-9, Emergency Concrete Repairs

Submitted For: Fran Hanson, Accounting Supervisor

From: Dianne Nelson, Advanced Accounting Technician

INTRODUCTION

The City Engineer has recommended final payment to Ron Kassa Construction, Inc. in the amount of \$2,189.88 for Project 11-9.

DISCUSSION

A summary of Project 11-9 is as follows:

Contract completion date	12/01/11
Substantial completion date	11/18/11
Final completion date	11/18/11

Contract amount	\$51,375.00
Total additions/deductions	0.00
Final contract amount	51,375.00
Actual project cost	31,702.30
Less: previous payments by City	29,512.42
Amount due	\$2,189.88
Amount under final contract	(\$19,672.70)

The actual project costs were less than the original contract amount due to less work performed than actual bid.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Transportation section of the 2030 Strategic Vision. The City has an efficient and well maintained system of roads, sidewalks, and trails supported by a comprehensive and connected mass transportation system.

RECOMMENDATION

All of the above dates and amounts are reasonable and accurate according to the project file. No liquidated damages are recommended. Staff recommends approval of the final payment to Ron Kassa Construction, Inc. in the amount of \$2,189.88 for Project 11-9.



City Council Regular

13.

Meeting Date: 01/03/2012

Subject: Class A On-Sale, Sunday Liquor and Tavern License for La Casita at 8955 Springbrook Drive

From: Kris Linqvist, Deputy Clerk

INTRODUCTION

Behrooz Anvary, for AZAR LLC, has submitted an application for a Class A On-Sale and Sunday liquor license for La Casita at 8955 Springbrook Drive

DISCUSSION

AZAR LLC has purchased the former Fuddrucker's building and is in the process of remodeling. The tentative plan is to open La Casita on February 1, 2012.

The license and investigation fees have been paid. The Police Department has conducted a comprehensive background investigation on Behrooz Anvary, Michelle Anvary, and Michael Price and have found nothing to prevent licensing.

Certificate of Insurance evidencing liquor liability and workers' compensation coverage has been received. Approval of the license is conditioned upon a Certificate of Occupancy and the Anoka County Environmental Services issuing a food service license.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Community Development and Redevelopment** section of the 2030 Strategic Vision in the following way: by promoting businesses in the City.

RECOMMENDATION

Council is requested to approve the issuance of a Class A On-Sale and Sunday liquor license to AZAR LLC d.b.a. La Casita, 8955 Springbrook Drive, effective as of February 1, 2012, contingent upon obtaining a Certificate of Occupancy and a County food service license.



City Council Regular

14.

Meeting Date: 01/03/2012
Subject: 2012 Agreement for Residential Recycling Program
Submitted For: Colleen Sinclair, Recycling Coordinator
From: Cathy Sorensen, City Clerk

INTRODUCTION

Anoka County has submitted the 2012 Agreement for Residential Recycling to the City of Coon Rapids for approval.

DISCUSSION

Attached is the agreement between Coon Rapids and Anoka County for funding of the residential solid waste recycling program.

The term of this Agreement is from January 1, 2012 through December 31, 2012. These funds are used to meet the 2012 recycling goal of 5,533 tons set by Anoka County. Coon Rapids is entitled to receive reimbursement for eligible activities up to \$127,660.00. Please note Section 7- if the County does not receive the second SCORE allocation, they may reduce the project maximum amount payable to the Municipality.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Quality of Life** section of the 2030 Strategic Vision in the following way: Our residents will learn that by reducing waste and recycling they can see the positive changes in their environment. They will feel a higher value for their home, community and future by becoming engaged in a program that they have complete control of its success.

RECOMMENDATION

It is recommended that the City Council approve the attached Agreement for Residential Recycling between Anoka County and the City of Coon Rapids.

Fiscal Impact

BUDGET IMPACT:

None. These funds are provided by Anoka County through SCORE funds.

Attachments

Agreement

AGREEMENT FOR RESIDENTIAL RECYCLING PROGRAM

THIS AGREEMENT made and entered into on the 1st day of January, 2012, notwithstanding the date of the signatures of the parties, between the COUNTY OF ANOKA, State of Minnesota, hereinafter referred to as the "COUNTY", and the CITY OF COON RAPIDS, hereinafter referred to as the "MUNICIPALITY".

WITNESSETH:

WHEREAS, Anoka County will receive \$407,827.00 in funding from the Solid Waste Management Coordinating Board and the State of Minnesota pursuant to Minn. Stat. § 115A.557 (hereinafter "SCORE funds") prior to the effective date of this Agreement; and

WHEREAS, Anoka County anticipates receiving an additional \$407,827.00 in SCORE funds in the spring of 2012; and

WHEREAS, the County wishes to assist the Municipality in meeting recycling goals established by the Anoka County Board of Commissioners by providing said SCORE funds to cities and townships in the County for solid waste recycling programs.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions:

1. **PURPOSE.** The purpose of this Agreement is to provide for cooperation between the County and the Municipality to implement solid waste recycling programs in the Municipality.
2. **TERM.** The term of this Agreement is from January 1, 2012 through December 31, 2012, unless earlier terminated as provided herein.
3. **DEFINITIONS.**
 - a. "Problem material" shall have the meaning set forth in Minn. Stat. § 115A.03, subdivision 24a.
 - b. "Multi-unit households" means households within apartment complexes, condominiums, townhomes, mobile homes and senior housing complexes.
 - c. "Opportunity to recycle" means providing recycling and curbside pickup or collection centers for recyclable materials as required by Minn. Stat. § 115A.552.
 - d. "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.
 - e. "Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastics, metals, fluorescent lamps, major appliances and vehicle batteries.
 - f. Refuse derived fuel or other material that is destroyed by incineration is not a recyclable material.
 - g. "Yard waste" shall have the meaning set forth in Minn. Stat. § 115A.03, subdivision 38.

4. **PROGRAM.** The Municipality shall develop and implement a residential solid waste recycling program adequate to meet the Municipality's annual recycling goal of 5533 tons of recyclable materials as established by the County. The Municipality shall ensure that the recyclable materials collected are delivered to processors or end markets for recycling.
- a. The Municipal recycling program shall include the following components:
 - i. Each household (including multi-unit households) in the Municipality shall have the opportunity to recycle at least four broad types of materials, such as paper, glass, plastic, metal and textiles.
 - ii. The recycling program shall be operated in compliance with all applicable federal, state, and local laws, ordinances, rules and regulations.
 - iii. The Municipality shall implement a public information program that contains at least the following components:
 - (1) One promotion is to be mailed to each household focused exclusively on the Municipality's recycling program;
 - (2) One promotion advertising recycling opportunities available for residents is to be included in the Municipality's newsletter or local newspaper; and
 - (3) Two community presentations are to be given on recycling.The public information components listed above must promote the focused recyclable material of the year as specified by the County. The County will provide the Municipality with background material on the focused recyclable material of the year.
 - iv. The Municipality, on an ongoing basis, shall identify new residents and provide detailed information on the recycling opportunities available to these new residents.
 - b. If the Municipality's recycling program did not achieve the Municipality's recycling goals as established by the County for the prior calendar year, the Municipality shall prepare and submit to the County by March 31, 2012, a plan acceptable to County that is designed to achieve the recycling goals set forth in this Agreement.
5. **REPORTING.** The Municipality shall submit the following reports semiannually to the County no later than July 20, 2012 and January 20, 2013:
- a. An accounting of the amount of waste which has been recycled as a result of the Municipality's activities and the efforts of other community programs, redemption centers and drop-off centers. For recycling programs, the Municipality shall certify the number of tons of each recyclable material which has been collected and the number of tons of each recyclable material which has been marketed. For recycling programs run by other persons or entities, the Municipality shall also provide documentation on forms provided by the County showing the tons of materials that were recycled by the Municipality's residents through these other programs. The Municipality shall keep detailed records documenting the disposition of all recyclable materials collected pursuant to this agreement. The Municipality shall also report the number of cubic yards or tons of yard waste collected for composting or landspreading, together with a description of the methodology used for calculations. Any other material removed from the waste stream by the Municipality, i.e. tires and used oil, shall also be reported separately.
 - b. Information regarding any revenue received from sources other than the County for the Municipality's recycling programs.

- c. Copies of all promotional materials that have been prepared by the Municipality during the term of this Agreement to promote its recycling programs.

The Municipality agrees to furnish the County with additional reports in form and at frequencies requested by the County for financial evaluation, program management purposes, and reporting to the State of Minnesota.

6. **BILLING AND PAYMENT PROCEDURE.** The Municipality shall submit itemized invoices semiannually to the County for abatement activities no later than July 20, 2012 and January 20, 2013. Costs not billed by January 20, 2013 will not be eligible for funding. The invoices shall be paid in accordance with standard County procedures, subject to the approval of the Anoka County Board of Commissioners.
7. **ELIGIBILITY FOR FUNDS.** The Municipality is entitled to receive reimbursement for eligible expenses, less revenues or other reimbursement received, for eligible activities up to the project maximum as computed below, which shall not exceed \$127,660.00. The project maximum for eligible expenses shall be computed as follows:
 - a. A base amount of \$10,000.00 for recycling activities only; and
 - b. \$5.00 per household for recycling activities only.

Notwithstanding any provision to the contrary, the County reserves the right to reduce the funding provided hereunder in the event insufficient SCORE funds are available. If the spring SCORE payment of \$407,827.00 is not received or is reduced, the County may reduce the project maximum amount payable to the Municipality. The County will promptly notify the Municipality in the event that the project maximum will be reduced.

8. **RECORDS.** The Municipality shall maintain financial and other records and accounts in accordance with requirements of the County and the State of Minnesota. The Municipality shall maintain strict accountability of all funds and maintain records of all receipts and disbursements. Such records and accounts shall be maintained in a form which will permit the tracing of funds and program income to final expenditure. The Municipality shall maintain records sufficient to reflect that all funds received under this Agreement were expended in accordance with Minn. Stat. § 115A.557, subd. 2, for residential solid waste recycling purposes. The Municipality shall also maintain records of the quantities of materials recycled. All records and accounts shall be retained as provided by law, but in no event for a period of less than five years from the last receipt of payment from the County pursuant to this Agreement.
9. **AUDIT.** Pursuant to Minn. Stat. § 16C.05, the Municipality shall allow the County or other persons or agencies authorized by the County, and the State of Minnesota, including the Legislative Auditor or the State Auditor, access to the records of the Municipality at reasonable hours, including all books, records, documents, and accounting procedures and practices of the Municipality relevant to the subject matter of the Agreement, for purposes of audit. In addition, the County shall have access to the project site(s), if any, at reasonable hours.
10. **GENERAL PROVISIONS.**
 - a. In performing the provisions of this Agreement, both parties agree to comply with all applicable federal, state or local laws, ordinances, rules, regulations or standards

established by any agency or special governmental unit which are now or hereafter promulgated insofar as they relate to performance of the provisions of this Agreement. In addition, the Municipality shall comply with all applicable requirements of the State of Minnesota for the use of SCORE funds provided to the Municipality by the County under this Agreement.

- b. No person shall illegally, on the grounds of race, creed, color, religion, sex, marital status, public assistance status, sexual preference, handicap, age or national origin, be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subjected to unlawful discrimination under any program, service or activity hereunder. The Municipality agrees to take affirmative action so that applicants and employees are treated equally with respect to the following: employment, upgrading, demotion, transfer, recruitment, layoff, termination, selection for training, rates of pay, and other forms of compensation.
 - c. The Municipality shall be responsible for the performance of all subcontracts and shall ensure that the subcontractors perform fully the terms of the subcontract. The Agreement between the Municipality and a subcontractor shall obligate the subcontractor to comply fully with the terms of this Agreement.
 - d. The Municipality agrees that the Municipality's employees and subcontractor's employees who provide services under this agreement and who fall within any job classification established and published by the Minnesota Department of Labor & Industry shall be paid, at a minimum, the prevailing wages rates as certified by said Department.
 - e. It is understood and agreed that the entire Agreement is contained herein and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.
 - f. Any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing, duly signed by the parties.
 - g. Contracts let and purchases made under this Agreement shall be made by the Municipality in conformance with all laws, rules, and regulations applicable to the Municipality.
 - h. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held to be contrary to law, such decision shall not affect the remaining portion of this Agreement.
 - i. Nothing in this Agreement shall be construed as creating the relationship of co-partners, joint venturers, or an association between the County and Municipality, nor shall the Municipality, its employees, agents or representatives be considered employees, agents, or representatives of the County for any purpose.
11. **PUBLICATION.** The Municipality shall acknowledge the financial assistance of the County on all promotional materials, reports and publications relating to the activities funded under this Agreement, by including the following acknowledgement: "Funded by

the Anoka County Board of Commissioners and State SCORE funds (Select Committee on Recycling and the Environment).

- 12. **INDEMNIFICATION.** The County agrees to indemnify, defend, and hold the Municipality harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the County under this Agreement.

The Municipality agrees to indemnify, defend, and hold the County harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the Municipality under this Agreement.

The provisions of this subdivision shall survive the termination or expiration of the term of this Agreement.

- 13. **TERMINATION.** This Agreement may be terminated by mutual written agreement of the parties or by either party, with or without cause, by giving not less than seven (7) days written notice, delivered by mail or in person to the other party, specifying the date of termination. If this Agreement is terminated, assets acquired in whole or in part with funds provided under this Agreement shall be the property of the Municipality so long as said assets are used by the Municipality for the purpose of a landfill abatement program approved by the County.

IN WITNESS WHEREOF, the parties hereunto set their hands as of the dates first written above:

CITY OF COON RAPIDS

COUNTY OF ANOKA

By: _____

By: _____

Name: _____

Rhonda Sivarajah, Chair
Anoka County Board of Commissioners

Title: _____

Date: _____

Date: _____

By: _____

By: _____

Jerry Soma
County Administrator

Municipality's Clerk

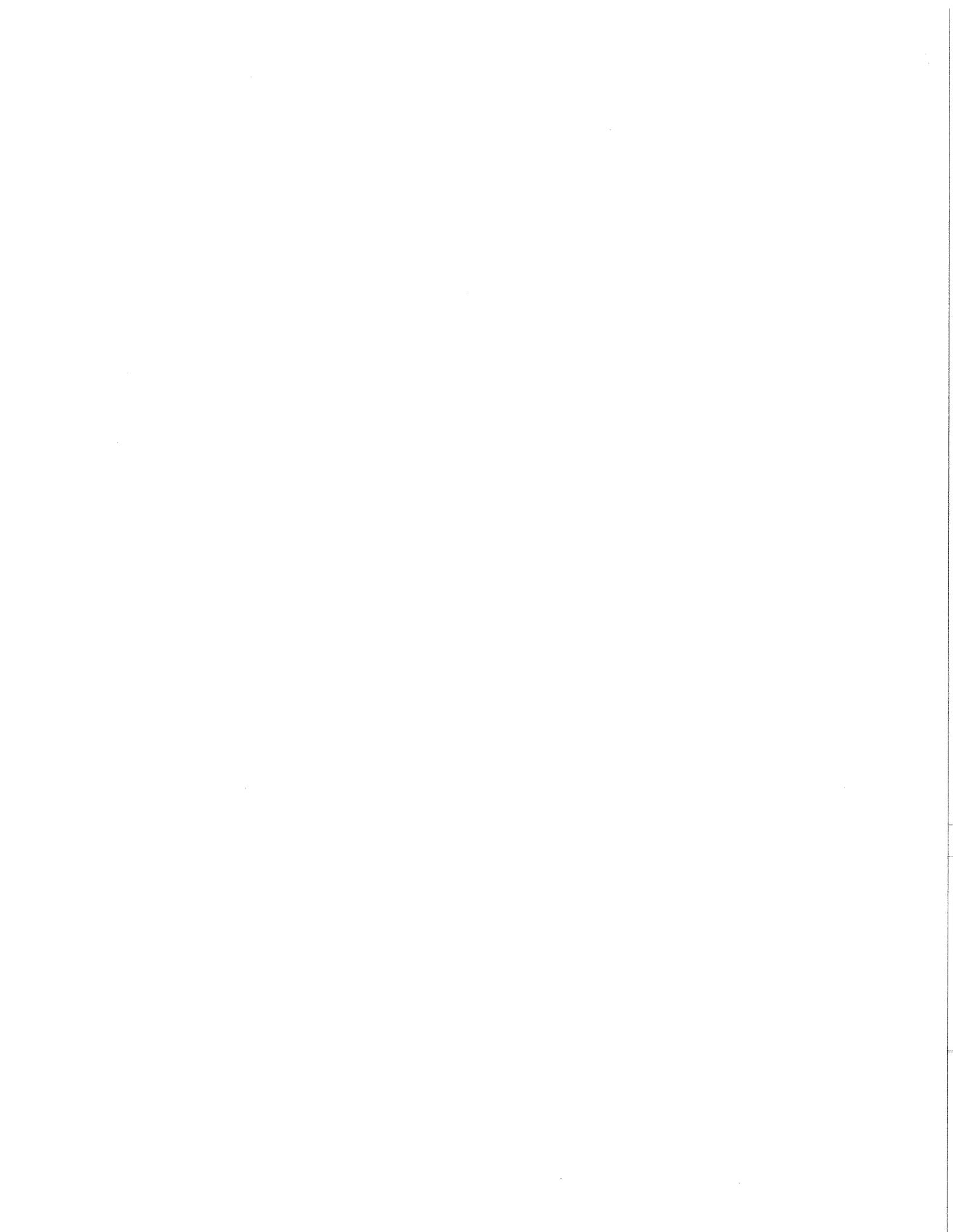
Date: _____

Date: _____

Approved as to form and legality:

Approved as to form and legality:

Assistant County Attorney





City Council Regular

15.

Meeting Date: 01/03/2012

Subject: Open Mic Report - Donna Naeve, 535 - 127th Lane NW, Re: Lack of Directional Detour Signage for Main Street Project

Submitted For: Doug Vierzba, City Engineer

From: Cathy Sorensen, City Clerk

INTRODUCTION

Donna Naeve, 535 127th Lane, appeared at Open Mic regarding the lack of directional detour signage for Main Street reconstruction project.

DISCUSSION

Donna Naeve expressed concern regarding the lack of directional detour signage for Main Street reconstruction project. Staff will contact Anoka County about the possibility of increased detour signage during this project.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way: by providing as much access and direction as possible during construction projects such as this.

RECOMMENDATION

This is for Council information only.



City Council Regular

16.

Meeting Date: 01/03/2012
Subject: Set Hearing date for Misc. 2012(1) Assessments
Submitted For: Sharon Legg, Finance Director
From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

A date for a public hearing should be set to consider miscellaneous assessments to be certified to the County for collection with the 2013 property taxes.

DISCUSSION

The City Council must set a public hearing as required by State Statutes. At that hearing, the City Council may refer appellants to the Board of Adjustment and Appeals. The Board of Adjustment and Appeals will then give their recommendation.

The Board of Adjustment and Appeals is expected to conduct this hearing on March 1 and make a recommendation to the City Council at the March 20 Council meeting. Staff will incorporate the process in the required mailing to the property owner.

These assessments include services provided to taxpayers, in most cases code enforcement violations. The terms of repayment are determined by the amount being assessed. The proposed assessments are categorized by the number of years to be assessed and the interest rate recommended.

ALIGNMENT WITH STRATEGIC VISION

The City's long term strategic vision includes providing neighborhoods that are stable, safe and connected with predominately owner occupied and well maintained life cycle housing.

RECOMMENDATION

Staff recommends adoption of Resolution 12-25 Miscellaneous Assessment declaring the cost to be assessed, ordering preparation of the proposed assessment roll and ordering the public hearing for February 8, 2012 on the proposed assessment roll.

Attachments

Res. 12-25 Set Misc. 2012(1) Hearing

RESOLUTION NO. 12-25

**RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING
PUBLIC HEARING ON PROPOSED ASSESSMENT ROLL FOR
2012(1) MISCELLANEOUS ASSESSMENTS**

WHEREAS, costs to the City for abatement of code violations, securing and monitoring fees for vacant property, mowing of weeds, utility bankruptcy and any other unpaid fees, with total cost incurred for the improvements being \$142415.47 and administrative fees of \$10,050.00 making the total cost of the improvements \$152,465.47.

WHEREAS, the Clerk has notified the Council that such proposed assessment has been completed and filed in the Clerk's Office for public inspection,

NOW, THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota:

1. The cost of such improvement to be specially assessed is hereby declared to be \$152,465.47.
2. The City Clerk with the assistance of the City Assessor shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation as provided by law, and the City Assessor shall file a copy of such proposed assessment for public inspection.
3. A assessment hearing shall be held on the 8th day of February, 2012 in the Council Chambers at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such assessment will be given an opportunity to object to the assessment. A written objection must be filed prior to or at the assessment hearing to preserve the owner's right to appeal the assessment to district court.
4. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper.

Adopted by the Coon Rapids City Council this 3rd day of January, 2012.

Tim Howe, Mayor

Attest:

Catherine M. Sorensen, City Clerk



City Council Regular

17.

Meeting Date: 01/03/2012

Subject: Approve Specifications for Water Treatment Chemicals and Order Advertisement for Bids

Submitted For: Sharon Legg, Finance Director

From: Stephanie Lincoln, Purchasing Clerk

INTRODUCTION

Staff is requesting approval of specifications and the advertisement for bids for the purchase of water treatment chemicals.

DISCUSSION

The contract for water treatment chemicals expired on December 31, 2011. Specifications have been prepared for a new contract and are available for review in the Purchasing Division. Bids will be due on January 27, 2012 and staff anticipates a new contract will be in place by the beginning of February, 2012.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the Public Safety section of the 2030 Strategic Vision by providing clean water to citizens and maintaining compliance with health and environmental standards.

RECOMMENDATION

Approve the specifications for water treatment chemicals and order the advertisement for bids.

Fiscal Impact

BUDGET IMPACT:

The budget includes \$230,000 for general supplies in the Water Department, of which \$183,000 was estimated for water treatment chemicals. Although the exact cost of the chemicals will not be known until the end of the year, future water rate increases will take this expense into consideration.
