



6:15 p.m. - Council Photos

## **CITY COUNCIL AGENDA**

**Tuesday, February 21, 2012**

**7:00 p.m.**

**Coon Rapids City Center  
Council Chambers**

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### **Open Mic/Public Comment**

### **Call to Order**

### **Pledge of Allegiance**

### **Roll Call**

### **Adopt Agenda**

### **Proclamations/Presentations**

1. Cons. Resolution 12-42 Appropriating Funds from the Arts Commission to the Coon Rapids Crime Prevention Association's Sponsorship of a Police Monument
2. Oath of Office for Firefighter Justin McGee

### **Approval of Minutes**

3. February 8, 2012 Work Session  
February 8, 2012 Regular Meeting  
February 14, 2012 Special Meeting

### **Consent Agenda**

4. Cons. Resolution 12-43 Appointing One Member to the Sustainability Commission
5. Approval of Joint Powers Agreements with the City of Anoka, Project 12-6:
  - a. Street Reconstruction on 9th Avenue
  - b. Sanitary Sewer Connection to Coon Rapids System
6. Authorize Application for 2012 DNR Trail Grant, 85th Avenue Trail, East of East River Road, Project 12-20

### **Reports on Previous Open Mic**

7. Jerry Pierce, 12236 Partridge Street NW

### **Bid Openings and Contract Awards**

8. Award Contract Award for Water Treatment Chemicals, DPC Industries, Inc.

**Old Business**

9.
  - a. Remove from Table
  - b. Cons. Adoption of an Ordinance Adding Chapter 8-1500, Prepayment for Gasoline and Diesel Fuel at Retail Fuel Businesses

**New Business**

10. 2012 Street Reconstruction Program, Various Residential Streets, South Central Part of City, Project 12-1:
  - a. Cons. Resolution Accepting Feasibility Report and Ordering Public Hearing
  - b. Cons. Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll
  - c. Cons. Resolution Setting the Assessment Hearing
11. 2012 Street Reconstruction Program, Collector Streets, West Central Part of City, Project 12-2:
  - a. Cons. Resolution Ordering a Public Hearing
  - b. Cons. Resolution Declaring Cost to be Assessed and Ordering Preparation of Assessment Roll
  - c. Cons. Resolution Setting the Assessment Hearing
12. 2012 Street Reconstruction Program, Collector Streets, South Central part of City, Project 12-3:
  - a. Cons. Resolution Ordering a Public Hearing
  - b. Cons. Resolution Declaring Cost to be Assessed and Ordering Preparation of Assessment Roll
  - c. Cons. Resolution Setting the Assessment Hearing
13. Proposed Street Reconstruction, Collector Street, 133rd Avenue, Project 12-4:
  - a. Cons. Resolution Ordering a Public Hearing
  - b. Cons. Resolution Declaring Cost to be Assessed and Ordering Preparation of Assessment Roll
  - c. Cons. Resolution Setting the Assessment Hearing
14. Approve a Joint Powers Agreement with the City of Andover for Street Reconstruction, 133rd Avenue, Project 12-4
15. Cons. Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Replacement of Sanitary Sewer Lift Station No. 1
16. Cons. Resolution 12-41 Providing Re-Appropriation of the 2012 General Fund Contingency
17. Authorize Purchase of Two 2 1/2 Ton Freightliner Plow Trucks and other Snow Plow Equipment

**Other Business**

**Adjourn**



**City Council Regular**

**1.**

**Meeting Date:** 02/21/2012

**Subject:** Arts Commission Presentation

**From:** Kris Linnquist, Deputy Clerk

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**INTRODUCTION**

The Coon Rapids Arts Commission would like to appropriate funds towards the Coon Rapids Crime Prevention Association's sponsorship of the construction of a monument that will recognize the officers and staff of the Coon Rapids Police Department.

The Arts Commission is also pleased to announce the 2012 Summer concert series at the Coon Rapids Dam Regional Park.

**DISCUSSION**

Part of the Arts Commission's purpose is to foster the development of the arts within the community. The Commission was able to do this in September by assisting with the construction of the 9/11 Memorial at Fire Station 1, which was dedicated during a community ceremony on the 10th anniversary of September 11. The Arts Commission would now like to appropriate funds towards the construction of "The Protector" monument that is currently being planned through the Coon Rapids Crime Prevention Association. This monument will be constructed near the entrance to the Police Department and will stand to recognize the officers and staff of the Coon Rapids Police Department.

In addition, the Arts Commission would like to announce their 2012 Thursday Nites LIVE! At The Dam Summer series, which will feature the following nine performers:

June 7	Rockin'Hollywoods <i>50s&amp;60s</i>
June 14	Dan Perry and Ice Cream <i>Variety</i>
June 21	Rockie Lynne <i>Country</i> This performance will be at Sand Creek Park
June 28	Elvis Experience <i>A Tribute to Elvis</i>
July 5	No Concert
July 12	MN Sinfonia <i>Family Pop Concert</i>
July 19	Bill Koncar <i>Accordion Variety</i>
July 26	Island Time Band <i>Island Party Dance</i>
August 2	Galactic Cowboy Orchestra <i>Country/Jazz Mix</i>
August 9	The Hillbilly Mafia <i>Top 40 Country</i>

The Pentair Foundation will be sponsoring the July 12 performance of the Minnesota Sinfonia concert through a grant, and the Shortstop Bar & Grill has graciously agreed to sponsor the remaining eight concerts through the Community Strength Foundation. The Commission is extremely grateful for both these sponsorships.

All performances begin at 7:00 p.m. at the Performance Pavilion at the Coon Rapids Dam Regional Park with the exception of the June 21st Rockie Lynne concert which will be held at Sand Creek Park. The concerts are offered at no charge to the community, and Anoka County has once again agreed to waive the parking fee during these evenings. The Arts Commission would like to recognize the assistance of the Anoka County Parks and Recreation

Department Rangers and other staff in presenting this series.

Boy Scout Troop 524 Church of the Epiphany will sell popcorn, candy, soda, and water during the concerts. The Northstar Lions Club will be selling food items such as hamburgers, hot dogs, and brats.

The Arts Commission appreciates the opportunity to continue presenting this series to the community.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Civic Involvement** section of the 2030 Strategic Vision in the following way: by promoting community events.

**RECOMMENDATION**

Adopt Resolution 12-42 Amending the 2012 Commissions and Events Fund Budget.

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**Attachments**

Resolution 12-42

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**RESOLUTION NO. 12-42**

**RESOLUTION AMENDING THE 2012 COMMISSIONS AND EVENTS FUND  
BUDGET**

**WHEREAS**, Section 1-700 of the City Charter provides for adoption of an annual budget and subsequent amendments; and

**WHEREAS**, Minnesota State Statute 471.941 allows for appropriation for Artistic Activities; and

**WHEREAS**, the Arts Commission would like to appropriate funds in the amount of \$2,400 to the Coon Rapids Crime Prevention Fund for their construction of the “The Protector” memorial.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Coon Rapids, Minnesota that the Other Charges and Services expenditures in the Arts Commission activity of the 2012 Commissions and Events Fund Budget appropriate \$2,400 to the Coon Rapids Crime Prevention Fund.

Adopted by the Coon Rapids City Council this 21<sup>st</sup> day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**2.**

**Meeting Date:** 02/21/2012

**Subject:** OATH OF OFFICE - JUSTIN MCGEE

**Submitted For:** John Piper, Fire Chief

**From:** Cathy Sorensen, City Clerk

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**INTRODUCTION**

Mayor Howe will be issuing the Firefighter's Oath of Office to Justin McGee.

**DISCUSSION**

Chief Piper will be present to introduce the Fire Department's newest career firefighter, Justin McGee.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Public Safety** section of the 2030 Strategic Vision.

**RECOMMENDATION**

Staff requests the Mayor issue the Firefighter's Oath of Office to Firefighter Justin McGee.

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**Attachments**

Oath of Office

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## OATH OF OFFICE

STATE OF MINNESOTA )  
COUNTY OF ANOKA ) ss  
CITY OF COON RAPIDS )

I, Justin McGee, do solemnly swear that I will support the policies and procedures of the Coon Rapids Fire Department. I will faithfully, honorably, and to the best of my ability, protect the safety and lives of my fellow firefighters and citizens whose care has been entrusted to me so help me God.

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Justin McGee

WITNESSED:

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Tim Howe, Mayor

Filed this 21<sup>st</sup> day of February, 2012.



**City Council Regular**

**3.**

**Meeting Date:** 02/21/2012

**SUBJECT:** Approval of Minutes

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**Attachments**

2-8-12 Work Session

2-8-12 Regular Meeting

2-14-12 Special Meeting

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## UNAPPROVED

### COON RAPIDS CITY COUNCIL WORK SESSION OF FEBRUARY 8, 2012

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Wednesday, February 8, 2012, 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, Bruce Sanders

Members Absent: Councilmember Scott Schulte

Staff Present: City Manager Matt Fulton, Assistant City Manager Matt Stemwedel, City Engineer Doug Vierzba, City Clerk Cathy Sorensen

### CALL TO ORDER

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

### 1. PROPOSED UNIVERSITY AVENUE UPGRADE PROJECT

City Engineer Doug Vierzba introduced Andy Witter, Jason Orcutt, and Matthew Parent of Anoka County, who presented information on the proposed University Avenue Upgrade Project. They shared that an open house will be held on Wednesday, February 15 from 4:30-6:30 p.m. at Blaine City Hall. He encouraged the Council and staff to direct questions from the public to Anoka County, adding they have been working hard on public relations and information sharing through their website and other ways to ensure good communication, especially during median closures.

Discussion was held on the potential warrants and locations of noise walls. Anoka County noted readings were conducted last fall to determine a need for noise walls, although they anticipate they will likely be needed.

Councilmember Johnson inquired if they have considered routes for funeral processions along University Avenue. Mr. Orcutt said they have met with all businesses along University Avenue and will continue to meet with them to address specific concerns such as this.

Councilmember Sanders inquired about pedestrian crossings. Mr. Witter said pedestrian crossings will be constructed at the signalized intersections.

Mayor Howe inquired about whether there will be sidewalks or trails included in this project. Mr. Witter said there will be trails created on both sides of the roadway.

City Manager Fulton encouraged the County to consider other weed control options for noise wall accents as they can be hard to maintain. He also inquired about the status of the Main Street project. Mr. Witter said they are on track for an August 2012 completion.

City Manager Fulton asked if the grade design for the Foley project will be completed by spring in order to install signage for The Harvest Grill. He also inquired about the status of their detour signs requested a couple months ago. Mr. Witter said he would follow up and respond.

Mayor Howe inquired about the status of the possibility of park passes being allowed for access to Bunker Hills during the construction period. City Manager Fulton said there have been casual discussions and that he will be following up with the County further. He encouraged the Council to bring up this topic at their upcoming Local Government Officials meeting.

Councilmember Klint asked about the possibility of directional signage at Egret Boulevard to help direct traffic.

## 2.   LAWFUL GAMBLING CONTRIBUTION TO COON RAPIDS COMMUNITY STRENGTH FOUNDATION

City Manager Fulton explained the Council is asked to consider reallocation of monies from the 5% Contribution of Lawful Gambling fund to be given to the Coon Rapids Community Strength Foundation (CRCSF) for community events such as the Fourth of July firework display or any other community event as outlined in the Foundation's bylaws.

In 2009 the City started collecting a 5% contribution from all Lawful Gambling organizations. The ordinance went into effect July 21, 2009, so the City only collected for the 4th quarter of 2009. As of January 20, 2012, the City has a fund balance of \$38,624. Each year the amount will vary due to the contributions. In 2009, the amount was \$6,783.27; 2010 - \$20, 327.53; and as of 1/20/12 for 2011 - \$18,605.20 (still missing one check). In August of 2011, \$7,092 was taken from this fund for the Fireworks display that occurred in July 2011. Ordinance 2018 (July 21, 2009) outlines what the City can do with the contributions as defined in Minnesota statutes.

In the past, the City has helped fund the Fireworks Display through this account along with funds from The Lions, citizen donations, TC Gateway, and other organizations. With the formation of the new Coon Rapids Community Strength Foundation, their mission is to "To promote and enhance the quality of life in the City of Coon Rapids by supporting community celebrations and events." This would be an excellent opportunity to help fund this Foundation. The Council may want to allocate the entire 5% contribution to the Community Strength Foundation or just a portion and retain the balance for using on other projects deemed important to the Council.

Mayor Howe outlined the Foundation's mission and vision, adding this effort will help better promote the concert series, allow for donations to the high school all-night graduation party, and help offset the City budget.

City Manager Fulton noted if approved he would like to request funds from the Foundation for the upcoming Citizens Academy.

Mayor Howe said that once established they could possible reduce the proposed designation to something less. He added the Foundation has also submitted a request to the Coon Rapids Mortgage Assistance Foundation for designation of specific funds that could be used towards the proposed Police Department memorial fund. He said their hope is that this will expand City celebrations, adding annual reports will be shared with the Council.

Council consensus was to direct staff to bring forward for formal consideration their intent to annually contribute 90% of the revenues received from the 5% Charitable Contribution required to be made by local charitable gaming license holders as well as 90% of the annual community grant made by TCGateway to the Community Strength Foundation.

**OTHER BUSINESS**

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There was no other business.

**ADJOURN**

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Mayor Howe adjourned the work session at 6:56 p.m.

Respectfully submitted,

Cathy Sorensen  
City Clerk

## UNAPPROVED

### COON RAPIDS CITY COUNCIL MEETING MINUTES OF FEBRUARY 8, 2012

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#### OPEN MIC/PUBLIC COMMENT

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Jerry Pierce, 12236 Partridge Street, shared continuing concerns over not airing Father Bernard Reiser's funeral services on CTN. He asked who has authority over what is broadcast on CTN. He said airing the funeral services would have been nice for the residents of Epiphany Pines. Mr. Pierce expressed dissatisfaction with the Council for not sharing a eulogy and a moment of silence during the January 17 Council meeting. He said the topic was not discussed prior to the Council meeting because the comments weren't formally added to the agenda but done under Other Business.

#### CALL TO ORDER

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The first regular meeting of the Coon Rapids City Council for the month of February was called to order by Mayor Tim Howe at 7:00 p.m. on Wednesday, February 8, 2012, in the Council Chambers.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

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Mayor Howe led the Council in the Pledge of Allegiance.

#### ROLL CALL

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

Members Absent: Councilmember Scott Schulte

Mayor Howe introduced Cub Scouts from Packs #516, #524 and #406 to the public. The Scouts were present to complete their Communication Patch. It was noted on Sunday, February 26 Troop #406 will be hosting a waffle breakfast at the VFW in Coon Rapids.

#### ADOPT AGENDA

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

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

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JANUARY 10, 2012, EXECUTIVE SESSION  
JANUARY 17, 2012, WORK SESSION  
JANUARY 17, 2012, COUNCIL MEETING  
JANUARY 24, 2012, WORK SESSION

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MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE MINUTES OF THE JANUARY 10, 2012, EXECUTIVE SESSION MEETING. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, FOR APPROVAL OF THE MINUTES OF THE JANUARY 17, 2012, WORK SESSION MEETING. THE MOTION PASSED 5-0-1, COUNCILMEMBER KLINT ABSTAINED.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KOCH, FOR APPROVAL OF THE MINUTES OF THE JANUARY 17, 2012, COUNCIL MEETING. THE MOTION PASSED 5-0-1, COUNCILMEMBER KLINT ABSTAINED.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE MINUTES OF THE JANUARY 24, 2012, WORK SESSION MEETING. THE MOTION PASSED UNANIMOUSLY.

**CONSENT AGENDA/INFORMATIONAL BUSINESS**

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1. CONSIDER RESOLUTION 12-29 APPOINTING ONE MEMBER TO THE ARTS COMMISSION
2. STATEWIDE HEALTH IMPROVEMENT PROGRAM (SHIP) GRANT FUNDING:
  - A. APPROVE THE STATEWIDE HEALTH IMPROVEMENT PROGRAM LETTER OF AGREEMENT
  - B. CONSIDER RESOLUTION 12-35 ACCEPTING SHIP GRANT FUNDS FOR CITY ACTIVE TRANSPORTATION PLANNING
3. LOCAL TRAIL CONNECTION GRANTS FROM THE DEPARTMENT OF NATURAL RESOURCES:
  - A. CONSIDER RESOLUTION 12-33 ACCEPTING THE GRANT FOR THE PEDESTRIAN TUNNEL ON MAIN STREET
  - B. CONSIDER RESOLUTION 12-34 ACCEPTING THE GRANT FOR THE TRAIL ON MAIN STREET NEAR COON CREEK
4. AUTHORIZE FINAL PAYMENT FOR PROJECT 11-6, XEON STREET WATERMAIN LINING
5. AUTHORIZE FINAL PAYMENT FOR PROJECT 08-20, BUNKER HILLS CLUBHOUSE, C-09 LUMBER, TRUSSES, WINDOWS
6. AUTHORIZE FINAL PAYMENT FOR PROJECT 08-20, BUNKER HILLS CLUBHOUSE, C-21 PAINTING AND COATINGS
7. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER,

- 5A STRUCTURAL STEEL/JOISTS/DECK
8. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 3B/4A BUILDING CAST-IN-PLACE CONCRETE/UNIT MASONRY
  9. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 6A CARPENTRY AND SPECIALTIES
  10. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 9D PAINTING
  11. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 23A HVAC AND CONTROL SYSTEMS
  12. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 7B METAL PANELS AND ROOFING
  13. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 22A PLUMBING AND PIPING SYSTEMS
  14. CONSIDER RESOLUTION 12-37 CALLING AN ADDITIONAL REGULAR MEETING

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Mayor Howe commented the City was successful in receiving grants for the pedestrian tunnel on Main Street and the trail on Main Street near Coon Creek. He thanked staff for their efforts in pursuing these grants. City Manager Fulton indicated the trail along 85<sup>th</sup> Avenue would be resubmitted for next year in the hopes the City would receive grant approval.

Mayor Howe requested further information on the Statewide Health Improvement Program (SHIP) Grant Funding. Public Services Director Gatlin spoke on this issue in detail with the Council.

Councilmember Johnson welcomed the newest member to the Arts Commission, Jalai Laiel.

THE MOTION PASSED UNANIMOUSLY.

#### PUBLIC HEARING

15. STREET RECONSTRUCTION ON 9<sup>TH</sup> AVENUE, PROJECT 12-6:
  - A. PUBLIC HEARING AND ASSESSMENT HEARING, 7:00 P.M.
  - B. CONSIDER RESOLUTION ORDERING THE IMPROVEMENT

City Engineer Vierzba presented a memorandum to Council stating the City of Anoka is proposing to reconstruct several streets located south of Coon Rapids Boulevard which will include 9th Avenue in 2012. This street is a border street between the two cities and therefore Coon Rapids is responsible to pay a portion of the cost. The City of Coon Rapids proposes to assess Coon Rapids properties that have access to the street. Council is requested to hold a public hearing and assessment hearing then adopt a resolution ordering the project.

The City of Anoka contacted City staff this past fall regarding this street reconstruction project that is scheduled for 2012. Council ordered preparation of a feasibility report on December 6, 2011. A feasibility report was prepared and accepted by Council on January 17, 2012 and a public hearing was ordered for February 8th. The City of Anoka has held a public hearing for their benefiting properties and will assess a portion of the project cost to Anoka property owners. Coon Rapids will assess at the normal street reconstruction rate of \$1,575 per home, over a 10-year period. There are 14 benefiting properties along 9th Avenue within Coon Rapids. The actual assessment will not be approved by Council until the construction has begun—May or June.

The City of Anoka would contract for the construction and the City of Coon Rapids would pay the City of Anoka for a share of the cost through a joint powers agreement that will be considered by Council in the near future.

Mayor Howe opened the public hearing and assessment hearing at 7:30 p.m.

Brian Henning, 11715 9<sup>th</sup> Avenue NW, stated he lived at the corner of 9<sup>th</sup> Avenue and Oakwood. He requested the Council consider placing a stop sign at this intersection to increase public safety. Mayor Howe stated this request would be passed along to staff for determination.

Mayor Howe closed the public hearing and assessment hearing at 7:31 p.m.

Mayor Howe commented that the City does not assess the full amount of the street reconstruction to the homeowners as some communities do. He indicated a portion of the expense is assessed while the rest is paid from the Street Improvement Fund. He said he was pleased with the street reconstruction process completed by the City.

**MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION 12-6(6) ORDERING THE IMPROVEMENT. THE MOTION PASSED UNANIMOUSLY.**

16. MISCELLANEOUS ASSESSMENTS 2012(1):
    - A. HOLD ASSESSMENT HEARING
    - B. CONSIDER RESOLUTION 12-30A ADOPTING 2012(1) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED ONE YEAR)
    - C. CONSIDER RESOLUTION 12-31A ADOPTING 2012(2) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED THREE YEAR)
    - D. CONSIDER RESOLUTION 12-32 ADOPTING 2012(2) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED FIVE YEAR)
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A memorandum was presented from Finance Director Legg stating after an assessment hearing, the unopposed 2012 Miscellaneous Special Assessments should be adopted.

The amount to be assessed for the 2012(1) Miscellaneous Assessment is \$134,582.86 as of February 1, 2012, reflecting payments and adjustments made since January 3, 2012 when the hearing date was set. An updated amount will be distributed on February 8.

Appealing an assessment involves petitioning before the Board of Adjustment and Appeals (BAA). The City Council still must open a public hearing as required by State Statutes. At that hearing, the City Council should collect written appeals and refer appellants to the BAA expected to meet on March 1, 2012 for their review and recommendation. The BAA will make a recommendation to the City Council at the March 20, 2012 Council meeting. After the public hearing has been closed, the City Council may adopt the assessments which have not been appealed. Re-payment terms are determined by the amount being assessed, categorized by the number of years to be assessed and the corresponding interest rate. Amounts up to \$1,500 will be payable in one year, up to \$5,000 three years and over \$5,000, five years.

Mayor Howe opened and closed the assessment hearing at 7:38 p.m. since no one appeared to address the Council.

City Manager Fulton explained the final amounts in the resolutions will be adjusted to reflect any final appeal letters received.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION 12-30A ADOPTING 2012 (1) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED ONE YEAR); ADOPT RESOLUTION 12-31A ADOPTING 2012 (1) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED THREE YEAR); AND ADOPT RESOLUTION 12-32 ADOPTING 2012 (1) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED FIVE YEAR). THE MOTION PASSED UNANIMOUSLY.

#### OLD BUSINESS

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17.      CONSIDER ADOPTION OF ORDINANCE ESTABLISHING A STOP SIGN ON PARTRIDGE STREET AT QUINN STREET/121<sup>ST</sup> LANE

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Public Services Director Gatlin presented a memorandum to Council stating staff received a request for traffic control at the intersection of Partridge Street at Quinn Street/121<sup>st</sup> Lane. This request was forwarded to the Traffic Review Committee for review. Council introduced an ordinance establishing a stop sign on southbound Partridge Street at Quinn Street/121<sup>st</sup> Lane at their January 17, 2012 meeting.

The Traffic Review Committee met in the field on December 19, 2011 to evaluate the intersection of Partridge Street and Quinn Street/121<sup>st</sup> Lane. It was determined that the curvature of Quinn Street creates limited visibility for vehicles traveling southbound on Partridge Street. Quinn Street/121<sup>st</sup> Lane functions as a through street. As a result, speeding has become a problem on this section of roadway. A stop sign on Partridge will avoid vehicle conflicts with speeding traffic on Quinn

Street/121<sup>st</sup> Lane. Also, school buses began picking up children at this intersection this fall. A stop sign on Partridge will provide a safer intersection for children to cross to board the bus. For these reasons the Traffic Review Committee is recommending installation of a stop sign on Partridge Street. Council is requested to adopt an ordinance establishing a stop sign at this location.

**MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT ORDINANCE ESTABLISHING A STOP SIGN STOPPING SOUTHBOUND TRAFFIC ON PARTRIDGE STREET AT QUINN STREET/121<sup>ST</sup> LANE. THE MOTION PASSED UNANIMOUSLY.**

#### **NEW BUSINESS**

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18.    **CONSIDER RESOLUTION APPROVING PLANS AND SPECS AND ORDER ADVERTISEMENT FOR BIDS, 2012 STREET MAINTENANCE PROGRAM, PROJECT 12-5**
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Public Services Director Gatlin presented a memorandum to Council stating as we have done for the past several years, we are proceeding with a regional street maintenance materials contract. Council is requested to approve plans and specifications and order advertisement for bids for the project.

The City of Coon Rapids serves as lead agency for the North Metro Street Maintenance Program. The group of cities involved includes Andover, Anoka, Brooklyn Center, Circle Pines, Columbia Heights, Coon Rapids, East Bethel, Fridley, Ham Lake, and Mahtomedi. The plans and specifications include street maintenance material items and services as done in the past. Services include sealcoating, traffic markings, street sweeping, and crack sealing.

Plans and specifications have been completed and Council approval is requested at this time. Bids will be received on March 2, 2012 and consideration for awarding the contract on April 3, 2012. The cities then have 60 days to decide whether or not they wish to proceed. The work will begin in early June. We anticipate a completion date for work in all cities on or about September 7, 2012 for sealcoating and crack sealing. Pavement markings and street sweeping will continue beyond September 7 and possibly into the spring of 2013.

We have solicited comments from other cities regarding the plans and specifications and have received their comments. The plans are presented at this time for Council approval so that advertisement for bids can proceed.

Councilmember Sanders noted 10 cities were involved in this project which would assist in a greater economies of scale thereby reducing the overall expense for each city participating.

Mayor Howe commented this has been a highly successful program offering each city involved cost saving measures due to the joint purchasing power. He invited other neighboring communities to investigate the consortium further.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 12-5(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE 2012 STREET MAINTENANCE PROGRAM. THE MOTION PASSED UNANIMOUSLY.

19.    CONSIDER RESOLUTION APPROVING PLANS AND SPECS AND ORDER ADVERTISEMENT FOR BIDS, 2012 SANITARY SEWER RELINING PROGRAM, PROJECT 12-8

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Public Services Director Gatlin presented a memorandum to Council stating the City's consulting engineer, SEH, Inc., has completed plans and specifications for the next phase of the sanitary sewer relining program. Relining will be done in the areas shown on the attached map. Council is requested to approve plans and specifications and order advertisement for bids at this time.

Sections of our sanitary sewer system, generally in older neighborhoods, have shown significant maintenance difficulties due to root intrusion and open joints. Pipe material is generally clay pipe and was installed in the 1960s and 1970s. The project will include work only on the main line sanitary sewer. All segments to be relined have been televised. Where we have noticed apparent service problems with roots, the homeowners have been notified. It has been suggested that the homeowners have their service line cleaned prior to the beginning of the relining project.

In the past Council has discussed the status of sanitary sewer services from the main to the home. A decision was made not to have the City become involved in work on private sanitary sewer service lines. If homeowners have the desire to have their service reconstructed or relined, we will provide a list of reputable contractors who do this type of work.

In addition to preparation of plans and specifications, prior to construction a permit will be required from the Minnesota Pollution Control Agency for the project. SEH, Inc. will complete the permit application and submit it prior to beginning construction.

Bids will be advertised this spring with the bid opening scheduled for March 2, 2012. A summary of bids and a recommendation will be presented to Council at the March 20, 2012 meeting.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 12-8(8) APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR THE SANITARY SEWER RELINING PROJECT.

Councilmember Sanders questioned how the debt for this project would be covered. City Manager Fulton explained the debt service was budgeted through the Sewer Fund.

THE MOTION PASSED UNANIMOUSLY.

20.      APPROVE CONSULTING CONTRACT WITH BRAUER AND ASSOCIATES FOR PARKS, OPEN SPACE, AND TRAIL SYSTEM MASTER PLAN UPDATE, PROJECT 11-31

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Public Services Director Gatlin presented a memorandum to Council stating the Parks and Recreation Commission and staff has completed the selection process for the planning and landscape architecture firm for update of the City’s Parks, Open Space and Trail System Plan. The plan was originally completed in 2001. The 2012 Budget contains an appropriation to update the system plan. On January 30, 2012, a subcommittee of the Parks and Recreation Commission conducted interviews with the three finalist firms. The Parks and Recreation Commission recommends the selection of Brauer & Associates to complete the Parks, Open Space and Trail System Plan Update. Consideration for approval of a contract with Brauer & Associates is appropriate at this time.

The 2012 Park Improvement budget, Fund 794, contains a budget expenditure of \$40,000 to update the City’s Parks, Open Space and Trail System Plan. Staff recommended to Council that this expenditure be made to update the plan and to develop appropriate financing strategies, including a possible referendum and other possible funding sources to successfully address major improvements to the City’s park system. Initially, Statement of Qualifications (SOQ) were sent out to eight firms. Of the eight firms, five responded by submitting SOQs. Staff then reviewed the five SOQs and selected three firms to submit formal proposals. A subcommittee of the Parks and Recreation Commission interviewed three firms on January 30, 2012. The Parks and Recreation Commission recommends the firm of Brauer & Associates be selected to complete the Master Plan Update and a contract be negotiated with Brauer & Associates for professional services to complete the plan.

Brauer & Associates is the firm that prepared the original Parks, Open Space and Trail System Plan in 2001. Brauer & Associates has extensive experience working with the City on that project and similar projects since. They have completed plans for three park improvement projects and also completed an Athletic Field Use Study for the City in 2005. The Parks and Recreation Commission felt that Brauer & Associates was best qualified to complete the update to our plan.

In terms of schedule, if Brauer & Associates is selected by the City Council, they would begin work on the Master Plan Update in mid-February. Brauer & Associates would propose the City consider appointing a task force to work with the consultant as they update the Master Plan. The following is a summary of the various work tasks and schedule for completion as proposed by Brauer & Associates.

<b>Process Description</b>	<b>Schedule</b>
Project Start-Up	February, 2012
Task Force Assembly	Mid February, 2012
Resource and Demographic Assessment	February - April, 2012
Public Outreach and Input	March - September, 2012
Summary of Finding	June, 2012

Draft System Plan	August 1, 2012
Performance & Parity Evaluation Planning, Fiscal Planning	June - September, 2012
Final Master Plan Approve	October 1, 2012

The following is a summary of the professional services fee proposed by each of the firms for the project:

Brauer & Associates	\$54,500
LHB, Inc.	\$65,732
SRF Consulting Group	\$67,920

Each of the firms has proposed that the fee would be a “not to exceed” amount with the City billed monthly for work completed. Project expenses are included in the fee.

The 2012 Budget contains a proposed \$40,000 expenditure for the Master Plan Update. If Brauer is selected, additional funds would have to be appropriated from Fund 794, Park Improvement Fund to cover the cost for completing the plan. Staff recommends that the budget for the consultant fee be increased by \$15,000 from Fund 794 to fund a project budget for the plan of \$55,000.

Councilmember Klint asked if park issues would be discussed at neighborhood meetings this summer. City Manager Fulton indicated three community meetings were scheduled for February and March to further identify community needs and that a Task Force will be created in the future to assist with the park master plan.

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO SELECT BRAUER & ASSOCIATES TO COMPLETE THE PARKS, OPEN SPACE, AND TRAIL SYSTEM MASTER PLAN UPDATE AND THAT APPROPRIATE CITY OFFICIALS BE DIRECTED TO NEGOTIATE AND EXECUTE A CONTRACT WITH BRAUER & ASSOCIATES FOR COMPLETION OF THE PLAN. THE MOTION PASSED UNANIMOUSLY.**

**21. APPROVE THIRD AMENDMENT TO THE LEASE AGREEMENT WITH POTLUCK CATERING D/B/A TOWN AND COUNTRY CATERING**

---

City Manager Fulton presented a memorandum requesting the City Council consider a Third Amendment to the Lease Agreement with Potluck Catering d/b/a Town and Country Catering.

Potluck Catering d/b/a Town and Country Catering has been operating as the Restaurant and Banquet operator at Bunker Hills under the name The Harvest Grill at Bunker Hills. The Main Street reconstruction project has had a severe impact on the financial success of the restaurant which will

continue through 2012. The Restaurant and Event Center are anticipated to be very successful after 2013 when Main Street is reopened.

Extensive discussions have been held with Potluck Catering representatives to consider appropriate 2012 adjustments to the current lease to assist the business get through the construction business interruption. The attached third amendment to the lease is intended to accomplish this. The proposed lease amendment provides for a guaranteed minimum annual rent of \$100,000 in 2012. Net income exceeding the identified monthly amounts will first retire deferred 2011 rent and secondly accrue to the city as additional rent. Provisions are included to monitor and address any unforeseen financial challenges during the year.

The Harvest Grill restaurant and banquet center, as well as the winter operations of the very successful golf simulator room, will continue to be open to the public throughout the winter months and the entire year. In 2013, when Main Street is expected to be completely reopened, the original lease provisions will apply.

**MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO APPROVE THE PROPOSED THIRD AMENDMENT TO THE LEASE AGREEMENT WITH TOWN AND COUNTRY CATERING.**

Councilmember Koch suggested that in the case of default that the signage be allowed to remain as the City had invested a great deal of money in the signs. City Manager Fulton stated this was a negotiated item and any future tenant would likely want their own signage.

Councilmember Johnson agreed with Councilmember Koch's concerns.

Councilmember Klint said she did not object to the language and fully supported the third amendment for The Harvest Grill at Bunker Hills.

Councilmember Sanders stated all documents had to include preparations for a default but he did not feel the Council should further negotiate this area of the agreement.

**THE MOTION PASSED UNANIMOUSLY.**

22.    **READER-BOARD SIGN AT LIONS COON CREEK PARK**
    - A.    **CONSIDER RESOLUTION 12-39 AMENDING THE 2012 PARK IMPROVEMENT FUND BUDGET**
    - B.    **AUTHORIZE PURCHASE OF ELECTRONIC READER-BOARD SIGN FROM SIGNCRAFTERS**
- 

A memorandum was presented from Finance Director Legg stating staff requests authorization to purchase a two-color electronic reader-board sign at Lions Coon Creek Park and adoption of Resolution 12-39 re-appropriating funds to cover this purchase.

On November 1, 2011, Resolution 11-115 was approved accepting a donation of \$17,000 from Coon Rapids Lions Club and the Coon Rapids Lions Foundation for the purpose of purchasing a new reader-board sign at Lions Coon Creek Park. At that time, staff quoted a price of \$20,227 for the sign. However, that price was for a one-color reader-board sign when actually staff anticipated purchasing a two-color sign. The lowest price quotation for a two color sign is from Signcrafters at \$26,237.81 including tax. This capital outlay was not budgeted.

Councilmember Sanders questioned who would control content of the electronic reader sign. Public Services Director Gatlin indicated staff would be posting messages for the sign while offering the Lions an opportunity to post messages as well. He noted the sign has the ability to be updated remotely for an additional cost but at this time will be done onsite.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION 12-39 AMENDING THE 2012 PARK IMPROVEMENT FUND BUDGET. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KLINT, TO AUTHORIZE STAFF TO PURCHASE THE ELECTRONIC TWO-COLOR READER-BOARD SIGN FROM SIGNCRAFTERS IN THE AMOUNT OF \$26,237.81. THE MOTION PASSED UNANIMOUSLY.

23. PURCHASE OF A REPLACEMENT BINDING MACHINE:
- A. CONSIDER RESOLUTION 12-36 AMENDING THE 2012 BUDGET TO RE-APPROPRIATE FUNDS TO PURCHASE
  - B. AUTHORIZE PURCHASE OF THE AKILES COMBMAC-24E COMB BINDING SYSTEM
- 

A memorandum was presented from Finance Director Legg stating staff is requesting authorization to purchase a replacement binding machine and the adoption of Resolution 12-36 for reappropriation of funds to cover this purchase.

Staff is recommending the purchase of an Akiles CombMac-24E Comb Binding System at a cost of \$1,329.58 tax included, to replace the current GBC Binding System. The current machine is heavily used to bind budget books, financial statements and several other documents in various departments throughout the year. This purchase was not anticipated and was not budgeted. However, with the age and high volume of use, the current machine is in need of a repair. Staff feels that it is more cost effective to buy a new machine rather than continue to repair the current machine. A budget amendment is also needed for this capital item purchase.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION 12-36 AMENDING THE 2012 BUDGET TO REAPPROPRIATE \$1,329.58 FROM THE GENERAL SUPPLIES TO THE CAPITAL OUTLAY; AND AUTHORIZATION TO PURCHASE THE AKILES COMBMAC-24E COMB BINDING SYSTEM

AT A COST OF \$1,329.58 TAX INCLUDED. THE MOTION PASSED UNANIMOUSLY.

**OTHER BUSINESS**

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Councilmember Koch commented the DNR wanted the public to know that on February 20 the Mississippi River would be raised six inches per day until it reaches the summer pool level. He said this was being done to assist with eluding invasive species up the river.

Councilmember Koch noted on Saturday, February 4, the City crowned a new Miss Coon Rapids, Samantha Phillippi.

Councilmember Klint asked if the City was monitoring the garbage haulers' pick up schedules, as she noted one hauler in two parts of the City on the same day.

Mayor Howe indicated the City was divided up into five different regions but not necessarily by wards. He suggested a copy of the garbage hauler map be given to Councilmembers for further clarification.

Councilmember Klint questioned if the Tee It Up for the Troops Event would take place this year. Golf Director Anderson indicated he would have further information for the Council in the near future but that the event will be held again this year.

**ADJOURN**

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MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADJOURN THE MEETING AT 8:02 P.M. THE MOTION PASSED UNANIMOUSLY.

\_\_\_\_\_  
Tim Howe, Mayor

ATTEST:

\_\_\_\_\_  
Cathy Sorensen, City Clerk

## UNAPPROVED

### COON RAPIDS SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 14, 2012

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#### CALL TO ORDER

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The special meeting of the Coon Rapids City Council for the month of February was called to order by Mayor Tim Howe at 6:30 p.m. on Tuesday, February 14, 2012, in the Council Chambers.

#### PLEDGE OF ALLEGIANCE TO THE FLAG

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Mayor Howe led the Council in the Pledge of Allegiance.

#### ROLL CALL

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

Members Absent: Councilmember Scott Schulte

#### ADOPT AGENDA

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MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT THE AGENDA AS AMENDED ADDING ITEM 2A, RESOLUTION 12-40 AMENDING THE 2012 GENERAL FUND BUDGET AND AUTHORIZING THE EXPENDITURE OF \$37,350 TO THE COMMUNITY STRENGTH FOUNDATION. THE MOTION PASSED UNANIMOUSLY.

#### PUBLIC HEARING

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1. ECONOMIC DEVELOPMENT ASSISTANCE FOR AMERICAN PRECLINICAL SERVICES, LLC, 8945/8960 EVERGREEN BOULEVARD:
    - A. PUBLIC HEARING, 6:30 P.M.
    - B. CONSIDER RESOLUTION 12-38 AUTHORIZING THE ECONOMIC DEVELOPMENT AUTHORITY TO EXPEND EXCESS TAX INCREMENT IN THE FORM OF A GRANT IN THE AMOUNT OF \$350,000
- 

Community Development Specialist Brown presented a memorandum requesting the Council authorize the Economic Development Authority to expend excess tax increment funds, as authorized by the State of Minnesota's 2010 Jobs Bill, to provide economic development assistance to American Preclinical Services, LLC.

In an effort to provide cities with an economic development stimulus tool, the 2010 Legislature approved a temporary provision to TIF law allowing for the use of cash balances in TIF districts to be used for loans and assistance for any project that creates jobs, including construction jobs.

American Preclinical Services (APS), which currently has approximately 75 employees in Coon Rapids, proposes an expansion project. APS performs preclinical research for companies developing medical devices. APS currently owns its 44,000 square foot facility at 8945 Evergreen Boulevard. The proposed expansion project involves substantially rehabilitating 18,000 square feet of space in a currently vacant building at 8960 Evergreen Boulevard, across the street from the existing facility. APS plans to create at least 40 new jobs within two years of completing the project. In order to facilitate the \$2.6 million construction project, staff proposes a grant in the amount of \$350,000, funded by existing cash balances in TIF districts. This expenditure is allowable under the TIF provisions of the 2010 Jobs Bill, which were extended by the Legislature in 2011.

In August 2011, the City Council considered Resolution 11-51 modifying the budget of TIF district 1-6 to allow for such expenditures. In order to expend these cash balances, the Council must hold a public hearing and consider a spending plan that specifically authorizes an authority, in this case the Economic Development Authority, to make the expenditure. Resolution 12-38 includes the spending plan and the authorization.

Mayor Howe opened the public hearing at 6:33 p.m.

Robert Rimmer, 810 98<sup>th</sup> Avenue NW, stated he did not object to the project but questioned who was renovating the site. Community Development Specialist Brown indicated the request has been made by American Preclinical Services, LLC. This company was currently located at 8945 Evergreen Boulevard. The expansion would move the company into 8960 Evergreen Boulevard as well.

Mayor Howe closed the public hearing at 6:35 p.m.

**MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 12-38, AUTHORIZING THE ECONOMIC DEVELOPMENT AUTHORITY TO EXPEND EXCESS TAX INCREMENTS IN THE FORM OF A GRANT TO AMERICAN PRECLINICAL SERVICES, LLC IN THE AMOUNT OF \$350,000. THE MOTION PASSED UNANIMOUSLY.**

## **NEW BUSINESS**

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### **2. APPROVE DESIGNATION OF REVENUES FROM CHARITABLE GAMBLING AND TCGATEWAY TO THE COMMUNITY STRENGTH FOUNDATION**

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City Manager Fulton presented a memorandum requesting the Council consider allocating a portion of certain charitable gaming and other grant funds toward the new Community Strength Foundation to assist it in accomplishing its mission.

The Community Strength Foundation was established in 2011. Its mission is to: "Promote and enhance the quality of life in the City of Coon Rapids by supporting community celebrations and events." The Foundation's Board of Directors is comprised of community representatives of local service clubs, charitable gaming organizations, City Advisory Commissions, Fire Relief Association, and general community members. It is not a City organization, although the idea and original leadership came from Mayor Howe with certain staff assistance. As a non-profit organization, there are no formal funding sources so they look to receive grants and donations from individuals, organizations, and other appropriate sources. The funds received will be used to accomplish its mission. One of the primary events will be to support the summer Fireworks Celebration at Sand Creek Park.

The City Council met on February 8 to discuss ways to support the financial needs of the Foundation and, in turn, community events and celebrations. The City currently receives approximately \$18,000/year from the 5% contribution made from the local charitable gaming license holders. It also receives a grant from TCGateway in the approximate annual amount of \$10,000. After discussion, the Council thought it would be appropriate to allocate 90% of the revenue received from these two funding sources to the Foundation, retaining the remaining 10% for other projects deemed appropriate by the Council.

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER LARSON, TO ANNUALLY CONTRIBUTE 90% OF THE REVENUES RECEIVED FROM THE 5% CHARITABLE CONTRIBUTION REQUIRED TO BE MADE BY LOCAL CHARITABLE GAMING LICENSE HOLDERS AS WELL AS 90% OF THE ANNUAL COMMUNITY GRANT MADE BY TCGATEWAY TO THE COMMUNITY STRENGTH FOUNDATION. THE MOTION PASSED UNANIMOUSLY.**

**2A. CONS. RESOLUTION 12-40 AMENDING THE 2012 GENERAL FUND BUDGET AND AUTHORIZE THE EXPENDITURE OF \$37,350 TO THE COMMUNITY STRENGTH FOUNDATION**

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City Manager Fulton indicated that with the Council's intent to contribute 90% of charitable gaming revenues to the Community Strength Foundation the 2012 General Fund Budget should be amended and the payment authorized.

The City Council has indicated its intent to disburse \$37,350 from available charitable gambling and allocated interest earnings on it to the Community Strength Foundation. Additionally, it is estimated that an additional \$9,000 will be contributed later in 2012 from the TCGateway grant. Therefore, the 2012 General Fund budget should be revised accordingly.

**MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 12-40, AMENDING THE 2012 GENERAL FUND BUDGET AND AUTHORIZE THE EXPENDITURE OF \$37,350 TO THE COMMUNITY STRENGTH FOUNDATION.**

Councilmember Sanders clarified that the funds allocated were from charitable gambling contributions and not funds from the tax levy. City Manager Fulton stated this was correct and reviewed the source of the charitable gambling funds for the City.

THE MOTION PASSED UNANIMOUSLY.

**OTHER BUSINESS**

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None.

**ADJOURN**

---

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KOCH,  
TO ADJOURN THE MEETING AT 6:40 P.M. THE MOTION PASSED UNANIMOUSLY.

\_\_\_\_\_  
Tim Howe, Mayor

ATTEST:

\_\_\_\_\_  
Cathy Sorensen, City Clerk



**City Council Regular**

**4.**

**Meeting Date:** 02/21/2012  
**Subject:** Sustainability Commission Appointment  
**Submitted For:** Colleen Sinclair, Recycling Coordinator  
**From:** Cathy Sorensen, City Clerk

---

**INTRODUCTION**

The Sustainability Commission recommends the appointment of one new member to the Commission.

**DISCUSSION**

Afton Martens submitted an application for the Sustainability Commission. After discussion with the applicant, the Sustainability Commission recommended Ms. Marten's appointment to the Commission with a term expiring December 31, 2014.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Civic Involvement** section of the 2030 Strategic Vision in the following way by 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 Council adopt Resolution 12-43 appointing Afton Martens to the Sustainability Commission with a term expiring December 31, 2014.

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**Attachments**

Commission Application  
Resolution 12-43

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CITY OF COON RAPIDS

ADVISORY COMMISSION APPLICATION FORM

(Please type or use black ink)

DATE: 6/22/2010 (updated 12/8/11)

NAME: Afton Martens

ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

TELEPHONE: Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

PLEASE RANK IN ORDER THE COMMISSIONS ON WHICH YOU WISH TO SERVE (leave blank any Commissions on which you do not wish to serve):

- \_\_\_\_\_ Arts
- \_\_\_\_\_ Board of Adjustment and Appeals
- 6 Capital Improvement
- \_\_\_\_\_ Charter
- \_\_\_\_\_ Civil Service (Police & Fire)
- \_\_\_\_\_ Historical
- 3 Housing/Community Development
- \_\_\_\_\_ Mortgage Assistance Foundation
- 4 Parks and Recreation
- 2 Planning
- 5 Safety
- 1 Sustainable Community (Green)

A) WORK EXPERIENCE: Currently work with a district council in St. Paul, past experience as a planning intern with the City of Red Wing, sustainability work with the New Jersey Sustainable State Institute, and community revitalization with Catholic Charities.

B) CIVIC, PROFESSIONAL AND COMMUNITY ACTIVITIES: Past member of the American Planning Association, currently work with residents and the City of St. Paul, volunteer at Boldor Oprias in North Minneapolis.

C) WHY DO YOU WANT TO BE ON AN ADVISORY COMMISSION: I want to get involved and serve my community, using the experience and knowledge I have gained in my career and education.

D) WHAT SKILLS, STRENGTHS OR ABILITIES DO YOU BELIEVE YOU WILL ADD TO THE COMMISSION?

Experience in working with the public process and helping to guide others in civic participating, understanding of the responsibilities, constraints, and timelines which municipalities work within.

E) ADDITIONAL COMMENTS: I hope to have the opportunity to serve Coon Rapids in the near future, as a position becomes available.

REFERENCES (Optional)

Name	Address	Phone
G. B. ...		
M. ...		
Dr. ... F.		

Signature

Date 6/22/2010

Please return to:

City Manager's Office  
City of Coon Rapids  
11155 Robinson Drive  
Coon Rapids MN 55433-3761  
Telephone: 763-767-6493

The information provided by you on this application will be used to determine your suitability for appointment to an advisory commission. Participation as an advisory commission member is strictly voluntary and you are not required by law to provide this information, however, should you not furnish this information the City may have difficulty determining your suitability for appointment, contacting you regarding your information, and if selected, with your duties on the advisory commission. Under Minnesota State statutes, only your name is considered public information upon appointment. Any other information on this application is private data and will be accessible only to you, City staff, or as provided for by Minnesota statutes.

**RESOLUTION NO. 12-43**

**RESOLUTION APPROVING THE APPOINTMENT OF ONE MEMBER TO THE  
SUSTAINABILITY COMMISSION**

**WHEREAS**, one vacancy currently exists on the Sustainability Commission; and

**WHEREAS**, one individual has expressed an interest in the Sustainability Commission; and

**WHEREAS**, the Commission recommends appointing Afton Martens to the Sustainability Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Coon Rapids, Minnesota that Afton Martens be appointed to the Sustainability Commission for a current three-year term to expire on December 14, 2014.

Adopted by the Coon Rapids City Council this 21<sup>st</sup> day of February, 2012.

---

Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**5.**

**Meeting Date:** 02/21/2012

**Subject:** Approval of Joint Powers Agreements With City of Anoka--Project 12-6 9th Avenue

**From:** Doug Vierzba, City Engineer

---

**INTRODUCTION**

The City of Anoka will be reconstructing the street on 9th Avenue in 2012. This is a border street between Coon Rapids and Anoka. A joint powers agreement(JPA) is needed to allow for the construction to take place, with Anoka taking the lead, and with each City paying half the cost. The project also includes reconstruction of a part of Anoka's sanitary sewer system and connection of several Anoka homes into the Coon Rapids sewer system. A JPA is needed to provide for this sewer connection. Council is requested to approve the two JPAs at this time (copies of the JPAs are attached).

**DISCUSSION**

Anoka and Coon Rapids have been working on plans to reconstruct this quarter-mile long street in 2012. Each City has held public hearings and assessment hearings on proposed assessments to benefited properties in each City. Coon Rapids held a public hearing/assessment hearing on February 8th and ordered the project.

**JPA for Street Reconstruction**

This street is a border street serving both cities and therefore, each City will share in the cost. A joint powers agreement has been prepared for approval by each City Council. The agreement provides for Anoka handling the plan preparation, bidding process, contract award, and construction inspection. The City of Anoka would invoice the City of Coon Rapids for a share of the cost(@ 50%).

**JPA for Sanitary Sewer Connection**

Anoka would like to connect to the Coon Rapids sanitary sewer system so that a small lift station can be eliminated within Anoka. The Coon Rapids system has adequate depth and capacity to handle this additional flow from 42 existing homes in Anoka. The JPA would allow for the sewer connection and would require Anoka to pay Coon Rapids for the increased flow into Coon Rapids system. This type of interconnection exists between all of our border cities, so it is a fairly common situation.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

Reconstruction of this street will improve the street surface for use by the traveling public and reduce maintenance costs for many years. The sanitary sewer connection will improve Anoka's sewer system by eliminating maintenance associated with a lift station.

**RECOMMENDATION**

It is recommended that Council approve the two Joint Powers Agreements with the City of Anoka –

- a. JPA for street reconstruction on 9th Avenue.
- b. JPA for sanitary sewer connection to Coon Rapids system.

---

**Fiscal Impact**

**BUDGET IMPACT:**

The estimated cost to the City of Coon Rapids is \$104,000 for the street reconstruction on 9th Avenue. The City will assess \$22,050 to recover a portion of the cost. The balance would be paid from the Street Reconstruction fund-Activity 797. The sanitary sewer connection will be paid by the City of Anoka with no cost to Coon Rapids.

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**Attachments**

12-6 Street Reconstruction Map

12-6 JPA with Anoka-9th

12-6 JPA with Anoka--sewer

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**JOINT POWERS AGREEMENT BY AND BETWEEN  
THE CITIES OF ANOKA AND COON RAPIDS  
FOR THE RECONSTRUCTION OF NINTH AVENUE**

THE JOINT POWERS AGREEMENT made and entered into this \_\_\_\_ day of\_\_\_\_\_, 2012 by and between the City of Anoka, a Minnesota municipal corporation, hereinafter referred to as "Anoka," and the City of Coon Rapids, a Minnesota municipal corporation, hereinafter referred to as "Coon Rapids."

WITNESSETH:

WHEREAS, Anoka and Coon Rapids share a common border along the easterly right of way of Ninth Avenue between River Lane / 115<sup>th</sup> Avenue and Oakwood Drive (the "Roadway"); and

WHEREAS, the Roadway, as constructed, is located entirely within Anoka and serves as street access for abutting properties in Coon Rapids; and

WHEREAS, Anoka and Coon Rapids agree that reconstruction of the Roadway during the 2012 construction season is necessary and appropriate and will be of a benefit to both cities; and

WHEREAS, Anoka and Coon Rapids mutually agree that the cost of the reconstruction project should be shared as provided herein.

NOW, THEREFORE, it is hereby stipulated and agreed by and between Anoka and Coon Rapids that, in accordance with the authority granted under Minnesota Statutes Section 471.59, the said cities do mutually enter into a joint powers agreement for the reconstruction of the Roadway defined above, in accordance with the terms, obligations, and conditions set forth below:

1. Coon Rapids and Anoka agree to share responsibility for the cost of engineering for preparation of the feasibility report and for preparation of the plans for the reconstruction project pursuant to paragraph 4 of this agreement. Hakanson Anderson Associates will perform engineering services for the project and obtain bids for the project from qualified bidders, in accordance with law. Anoka will award the contract for the project according to law and subject to prior approval by Coon Rapids.

2. Hakanson Anderson Associates shall provide staking and appropriate inspection during the construction of the project. Coon Rapids and Anoka agree to share all engineering, staking, and inspection cost proportionate to their share of construction costs as stated in paragraph 4 of this agreement.

3. Anoka agrees to make all payments to the contractor when due and appropriate. Coon Rapids will promptly reimburse Anoka for its proportionate share of the project costs in accordance with law at such time or times as Anoka files a written request therefor. No final payment will be made until both cities have accepted the completed project.

4. All costs of the reconstruction project will be shared equally between Anoka and Coon Rapids with the following exceptions:

- a. Cost resulting from necessary work involving driveways will be paid in total by the City in which the driveway work is performed.
- b. Cost of storm drainage work will be apportioned between the two cities on the basis of each city's drainage area using "weighted acre" factors acceptable to both cities.
- c. Engineering, staking, and inspection costs will be shared by the cities proportionately based on the total of all other costs attributed to each city.
- d. Costs of city utility replacement or repair will be paid by the city who owns the utility unless the utility is shared by both cities.
- e. Costs of concrete sidewalk repair shall be paid by the City who owns the sidewalk.

5. Anoka and Coon Rapids will each be responsible for conducting all required public hearings relating to the project and for any and all special assessments levied for the project in their respective cities.

6. Correspondence between the parties will be directed to the Director of Public Services for Anoka and to the City Engineer for Coon Rapids.

7. This agreement will be interpreted in accordance with the laws of the State of Minnesota and the venue for any unresolved disputes will be the 10th Judicial District Court, Anoka County, Minnesota.

8. This Agreement will be binding and effective upon final adoption by the city councils of each city notwithstanding the dates on which this document is actually executed by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized officers.

CITY OF ANOKA

CITY OF COON RAPIDS

\_\_\_\_\_  
Phil Rice, Mayor

\_\_\_\_\_  
Tim Howe, Mayor

\_\_\_\_\_  
Tim Cruikshank, City Manager

\_\_\_\_\_  
Matt Fulton, City Manager

Approved as to Form

\_\_\_\_\_  
Stoney Hiljus, City Attorney

**A JOINT POWERS AGREEMENT BY AND BETWEEN THE CITIES OF  
COON RAPIDS AND ANOKA  
FOR THE CONSTRUCTION AND MAINTENANCE OF CERTAIN PUBLIC  
UTILITIES WITHIN THE  
CITY OF COON RAPIDS AND THE CITY OF ANOKA**

This Agreement made and entered this 5<sup>th</sup> day of March, 2012, by and between the City of Anoka, a municipal corporation herein after referred to as "Anoka" and the City of Coon Rapids, a municipal corporation herein after referred to as " Coon Rapids ".

**WITNESSETH:**

**WHEREAS**, Anoka and Coon Rapids share a common border, and

**WHEREAS**, Anoka has determined to reconstruct that city's infrastructure in an area identified as its "2012 Street Renewal Project". This project area being adjacent to the said common border, and

**WHEREAS**, Evidence indicates that the most efficient and cost-effective sanitary sewage disposal plan is to utilize existing sewer infrastructure within Coon Rapids, and

**WHEREAS**, Coon Rapids has indicated that capacity exists within that infrastructure to accommodate additional sanitary sewer flow, and

**WHEREAS**, Minnesota Statutes Section 471.59 authorizes political subdivisions of the State to enter into joint power agreements for the joint exercise of powers to each.

**NOW, THEREFORE**, it is mutually stipulated and agreed:

- 1 Purpose: Anoka will proceed to construct storm drainage, sanitary sewer, and watermain improvements within its 2012 Street Renewal Project area. In addition, a sanitary sewer connection will be made to the existing Coon Rapids sanitary sewer system located within the City of Coon Rapids on 115<sup>th</sup> Avenue near its intersection with Anoka's Ninth Avenue. The connection point is located approximately 100 feet southeast of this intersection and illustrated in the attached Exhibit A. The sewer connection will add sewage flow from 42 existing properties in Anoka to the Coon Rapids sewage flow. Coon Rapids will pay the Metro Waste Control Commission for this increased sewage flow caused by the additional properties within Anoka.
- 2 Method: The City of Anoka will provide all engineering services and shall cause the construction of the said 2012 Street Renewal Project, including the sanitary sewer connection within Coon Rapids.

3. Improvements: Improvements to be constructed shall be as indicated in the feasibility report for Anoka's 2012 Street Renewal Project.
4. Cost: The cost of this underground utility work shall be paid by the City of Anoka.
5. Sewer Charges: Upon connection to the sewer system constructed under this Agreement, the property owners within Anoka will be billed by the City of Anoka for sewer service in accordance with rates established by the City of Anoka. The City of Anoka will notify the City of Coon Rapids at such time as any new connection is made to the system. The City of Anoka will pay the City of Coon Rapids quarterly for all sewer connections contributing to the City of Coon Rapids' flow at the corresponding rate paid to the Metropolitan Council Wastewater Division. The quarterly flow will be based on the winter quarter consumption as metered by the City of Anoka.
6. Facility Ownership and Maintenance: The City of Anoka shall retain ownership of and shall maintain the sanitary sewer system to the point it connects to the Coon Rapids system at the above location within the City of Coon Rapids.
7. Inspection: The City of Anoka grants the City of Coon Rapids the right to install and periodically monitor the sewage flow in the sewer manhole located at the intersection of Ninth Avenue and Anoka's River Lane, to evaluate any infiltration or inflow that may be introduced into the sewage line.
8. Indemnity Notification: Each party hereto agrees to indemnify, defend and hold harmless the other from any claims, losses, costs, expenses or damages resulting from the acts or omissions of its respective officers, agents, or employees relating to activities conducted under this Agreement.
9. Entire Agreement Requirement of a Writing: It is understood and agreed that the entire agreement of the parties is contained herein and this Agreement supersedes all Agreements and all negotiations between the parties relating to the subject matter thereof as well as any previous Agreement presently in effect between the parties relating to the subject matter thereof. Any alterations, variations, or modifications of the provisions of the Agreement shall be valid only when they have been reduced to writing and duly signed by the parties therein.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement by their duly authorized officers.

CITY OF ANOKA

CITY OF COON RAPIDS

\_\_\_\_\_  
Phil Rice, Mayor

\_\_\_\_\_  
Tim Howe, Mayor

\_\_\_\_\_  
Tim Cruikshank, City Manager

\_\_\_\_\_  
Matt Fulton, City Manager

Approved as to Form

\_\_\_\_\_  
Stoney Hiljus, City Attorney



**City Council Regular**

**6.**

**Meeting Date:** 02/21/2012

**Subject:** 2012 DNR Trail Grant Application--Project 12-20, 85th Avenue Trail, East of East River Road

**From:** Doug Vierzba, City Engineer

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**INTRODUCTION**

Council is requested to direct City staff to apply for a grant from the Department of Natural Resources for a trail along the south side of 85th Avenue from East River Road to the BNSF railroad tracks.

**DISCUSSION**

The City will apply for grant money from the MN Department of Natural Resources for the proposed trail along the south side of 85th Avenue. This trail would connect the recently completed trail along Springbrook Nature Center in Fridley to East River Road. The Anoka County Highway Department and Anoka County Parks Department support the construction of this trail. If grant funds are approved in 2012, the trail could possibly be constructed in 2013. The City could also complete the trail through Kennedy Park and connect the trail system to the Mississippi Regional Trail to the west. The City had applied for grant funds in 2011 but this project was not chosen by the DNR. Two other grants for the City were chosen by the DNR—Main Street ped tunnel and Main Street trail by Coon Creek. Council accepted these grants on February 8th.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

Construction of this trail would provide a safe trail for pedestrians and bikers along a busy County highway.

**RECOMMENDATION**

Council is requested to direct City staff to apply for the grant.

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**Fiscal Impact**

**BUDGET IMPACT:**

The grant would be applied for in 2012 and construction could take place in 2013 if the City's and County's share of cost is budgeted for 2013. The preliminary total cost estimate is \$280,000. The actual cost to the City will be determined based on approved grant funding from the DNR and cost share from Anoka County Highway Department.

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**Attachments**

DNR Grant Map 85th Avenue

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Springbrook  
Nature Center  
Trail

Proposed Trail

City Trail

To Mississippi  
Regional Trail





**City Council Regular**

**7.**

**Meeting Date:** 02/21/2012  
**Subject:** Open Mic Report - Jerry Pierce  
**Submitted For:** Matt Fulton, City Manager  
**From:** Cathy Sorensen, City Clerk

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**INTRODUCTION**

Jerry Pierce, 12236 Partridge Street, appeared at Open Mic on February 8 with continuing concerns over not airing Father Bernard Reiser's funeral services on CTN.

**DISCUSSION**

Mr. Pierce shared concerns at Open Mic pertaining to CTN's coverage of Father Reiser's funeral and allegations of censorship over the CTN News program by the Mayor and City Manager.

CTN was present and taped Father's Reiser's funeral. CTN gave excellent coverage regarding Father Reiser's passing, including over five minutes of coverage on the news. It currently is not technically possible for CTN to broadcast live from Epiphany Church. We can currently only broadcast live in Coon Rapids from City Hall, the high school football field, the high school building, and the School District office. Live options outside the City only include locations serviced by the other access centers.

The CTN News program is developed and determined by CTN staff with no oversight or interference by either Mayor Howe or City Manager. The staff person primarily involved with the news program has 20 years of experience and has an excellent sense of what news stories should be covered. CTN does an excellent job, and has been recognized, nationally, for its reporting and programming skills.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: by providing the community with information to the best of our ability with the resources available.

**RECOMMENDATION**

This is for information only; no action is necessary.

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**City Council Regular**

**8.**

**Meeting Date:** 02/21/2012  
**Subject:** Award Contract for Water Treatment Chemicals  
**Submitted For:** Sharon Legg, Finance Director  
**From:** Stephanie Lincoln, Purchasing Clerk

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**INTRODUCTION**

Staff is requesting approval of a contract for the purchase of water treatment chemicals.

**DISCUSSION**

Bids were received on February 6, 2012, for the purchase of water treatment chemicals. The amounts shown are for estimated needs for a one-year period based on last year's usage. With the consent of both parties, this contract can be renewed for two additional one-year periods.

DPC Industries, Inc	Hawkins, Inc	Shannon Chemical Corp.
\$190,534	\$211,676	\$82,416*

The detailed bid tabulation is attached. \*The bid from Shannon Chemical Corp. includes only two of the requested six items. The lowest bid was received from DPC Industries, Inc, the City's current supplier. There is no state sales tax on water treatment chemicals.

**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**

Award the contract for water treatment chemicals to DPC Industries, Inc. in the amount of \$190,534.

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**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.

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**Attachments**

Water Treatment Chemicals Bid Tab

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Bid Tabulation: Water Treatment Chemicals (Purch 11-17)

Item #	Qty	Product Description	DPC industries, Inc		Hawkins, Inc		Shannon Chemical	
			Amount per Unit	Total Cost	Amount per Unit	Total Cost	Amount per Unit	Total Cost
1	100	1-Ton Cylinders Chlorine	\$ 463.00	\$ 46,300.00	\$ 446.00	\$ 44,600.00	No Bid	\$ -
2	60	150# Cylinders Chlorine	\$ 57.00	\$ 3,420.00	\$ 55.00	\$ 3,300.00	No Bid	\$ -
3	45	1-Ton Cylinders Sulfur Dioxide	\$ 585.00	\$ 26,325.00	\$ 1,030.00	\$ 46,350.00	No Bid	\$ -
4	16,000 gal.	Fluoride H <sub>2</sub> SIF <sub>6</sub> (BULK)	\$ 3.31	\$ 52,960.00	\$ 3.26	\$ 52,160.00	No Bid	\$ -
5	1,450 gal.	100% Polyphosphate	\$ 6.62	\$ 9,599.00	\$ 6.28	\$ 9,106.00	\$ 7.99	\$ 11,585.50
6	9,000 gal.	70-30 Blend Orthoployphospate	\$ 5.77	\$ 51,930.00	\$ 6.24	\$ 56,160.00	\$ 7.87	\$ 70,830.00
Total:				\$ 190,534.00		\$ 211,676.00		\$ 82,415.50
# of Calendar Days to Delivery:				2-3		2-3		7
Bid Bond Submitted?				yes		yes		yes



**City Council Regular**

**9.**

**Meeting Date:** 02/21/2012

**Subject:** Proposed Ordinance Adding Chapter 8-1500, Prepayment for Gasoline and Diesel Fuel

**From:** Brad Wise, Police Chief

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**INTRODUCTION**

On September 6, 2011, the Council introduced an ordinance adding Chapter 8-1500, prepayment for Gasoline and Diesel Fuel at retail fuel business and thereby amending revised City Code - 1982, Title8, Health, Safety and Sanitation.

**DISCUSSION**

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/Gas Drive-Offs" 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 481 in 2011. In addition, approximately 15% of the thefts in 2011 were accomplished by people using stolen license plates. Nearly 500 gas thefts reports represents nearly 20% of all Part 1 Crime reported in the City of Coon Rapids. Officers' responding to this number of gas thefts imposes a significant cost to our citizens, both in terms of time lost for officers to address other critical public safety needs, but also in terms of the negative impact such statistics have on our reputation as a safe place to live and work. The Police Department has reached out to retail fuel establishments since 2009 in an effort to reduce those thefts reported, however, no meaningful solution has been found. While some would suggest that the Police Department simply not respond, it is my position that the crime needs to be addressed, not ignored. Prepayment for fuel is the norm in vast parts of the United States, with retail fuel establishments requiring prepayment of gas in as close as Fridley and Brooklyn Park. Would-be fuel thieves travel to areas where there is no such business practice; like Coon Rapids.

To address this large and growing fuel theft problem, an ordinance was proposed to the Council on September 6, 2011, to consider requiring the prepayment of Gasoline or Diesel Fuel at Retail Fuel establishments. The proposed Ordinance was formally introduced.

On October 11, 2011, the proposed ordinance was heard in a Council work session where the Council directed the Police Department to meet with representatives of retail fuel establishments. On November 10, 2011, staff from the Police Department held a public meeting with these stations as an information sharing session.

On November 29, 2011, a Council work session was held where the Police Department presented to Council information from the November 10th meeting with fuel establishments. The Council directed staff to place the issue on the Council agenda for their meeting December 6, 2011.

At the December 6, 2011, Council meeting Police Chief Wise made a presentation describing the nature of the crime and the impact it has on the City's crime statistics. Councilmember Sanders subsequently requested language be added to the proposed Ordinance to allow for an exception to the prepay requirement. Language added to the Ordinance proposal states, "It is an exception to the application of this Chapter if business owners enter into a civil agreement with customers, pursuant to which customers may activate a fuel pump prior to payment through the use of a card or similar device, issued by the business owner that activates the pump. Such an agreement shall

include identifying information of the customer that may be used by the business owner for seeking compensation in the appropriate civil court should the customer fail to pay for fuel after activating the pump with such a card." After some discussion of the Ordinance the Council voted to table consideration until representatives of Coon Rapids' retail fuel establishments had an opportunity to discuss further alternatives designed to address this theft. A followup Council work session was scheduled for January 24, 2012.

At the January 24, 2012, Council work session, various representatives of retail fuel establishments discussed alternatives to the proposed ordinance. Several individuals spoke regarding the proposed ordinance, outlining reasons both for and against. Discussion included making the proposal voluntary, costs associated with the change, penalizing the station owners instead of the individuals, and decreased sales within stores. Some of the conversation revolved around amending State Statute to expand the use of the Civil Process and delay the reporting of a "no pay/gas drive off" for 30 days. Staff has received information that a Bill will be introduced in the both the Minnesota House and Senate sometime during the week of February 13th amending State Statute as it relates to theft. A copy of that proposal is attached and is named "Drive off Bill."

There are three principle objectives driving this proposed ordinance.

1. To significantly decrease the crime of gas theft and related crimes, such as license plate theft.
2. To reduce the public costs and inefficiencies related to the time required for police officers to respond to gas theft and related issues.
3. To reduce the overall number of reported Larceny incidents, which gas theft is a part, because of the negative perceptions created about how safe Coon Rapids is as a community.

#### **ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Public Safety** section of the 2030 Strategic Vision by allowing the reallocation of limited police resources to other crime prevention and emergency response needs.

#### **RECOMMENDATION**

Staff recommends the Council:

- a. Remove the proposed ordinance from the table, and
- b. Adopt an Ordinance adding Chapter 8-1500, Prepayment for Gasoline and Diesel Fuel at Retail Fuel Businesses and thereby amending revised City Code - 1982, Title 8, Health Safety and Sanitation.

If the City Council decides to not approve this ordinance, staff would recommend that the Council direct staff to return with a proposed approach to formally defer responsibilities relating to gas theft incidents to gas handlers and to formally acknowledge that the Police Department will not be expected to respond to or report gas theft incidents, except under unusual or unique situations.

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#### **Attachments**

2012 Drive off Bill

Ordinance

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1.1 A bill for an act  
 1.2 relating to public safety; specifically including theft of motor fuel in the theft  
 1.3 crime; creating a permissive inference regarding theft of motor fuel; modifying  
 1.4 the drive-off gas civil liability law; amending Minnesota Statutes 2010, sections  
 1.5 171.175; 332.32; 604.15, subdivision 3, by adding a subdivision; 609.52,  
 1.6 subdivisions 1, 2.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2010, section 171.175, is amended to read:

1.9 **171.175 SUSPENSION; THEFT OF ~~GASOLINE~~ MOTOR FUEL OFFENSE.**

1.10 Subdivision 1. **Theft of gasoline motor fuel.** The commissioner of public safety  
 1.11 shall suspend for 30 days the license of any person convicted or juvenile adjudicated  
 1.12 delinquent for theft of gasoline motor fuel under section 609.52, subdivision 2, clause (1).

1.13 Subd. 2. **Definition.** For the purposes of this section, "~~gasoline~~" "motor fuel" has  
 1.14 the meaning given it in section ~~296A.01~~ 604.15, subdivision ~~23~~ 1.

1.15 Sec. 2. Minnesota Statutes 2010, section 332.32, is amended to read:

1.16 **332.32 EXCLUSIONS.**

1.17 (a) The term "collection agency" shall not include persons whose collection  
 1.18 activities are confined to and are directly related to the operation of a business other than  
 1.19 that of a collection agency such as, but not limited to banks when collecting accounts  
 1.20 owed to the banks and when the bank will sustain any loss arising from uncollectible  
 1.21 accounts, abstract companies doing an escrow business, real estate brokers, public officers,  
 1.22 persons acting under order of a court, lawyers, trust companies, insurance companies,  
 1.23 credit unions, savings associations, loan or finance companies unless they are engaged in  
 1.24 asserting, enforcing or prosecuting unsecured claims which have been purchased from

any person, firm, or association when there is recourse to the seller for all or part of the claim if the claim is not collected.

(b) The term "collection agency" shall not include a trade association performing services authorized by section 604.15, subdivision 4a, but the trade association in performing the services may not engage in any conduct that would be prohibited for a collection agency under section 332.37.

Sec. 3. Minnesota Statutes 2010, section 604.15, subdivision 3, is amended to read:

Subd. 3. **Notice of nonpayment.** Notice of nonpayment that includes a citation to this section and a description of the penalties contained in it shall be sent by the retailer to the owner by regular mail, supported by an affidavit of service by mailing, to the address indicated by records on the vehicle under section 86B.401 or 168.346. The notice must include a signed statement by the employee who reported the act describing what the employee observed and the license number of the motor vehicle, ~~if known~~. Failure of the owner to receive a notice is not a defense to liability under this section.

An affidavit of service by mailing must be retained by the retailer.

Sec. 4. Minnesota Statutes 2010, section 604.15, is amended by adding a subdivision to read:

Subd. 4a. **Trade association services.** A trade association may, on behalf of a member retailer, give and receive notices authorized by this section and collect payments for motor fuel and the service charge specified under subdivision 2.

Sec. 5. Minnesota Statutes 2010, section 609.52, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** In this section:

(1) "Property" means all forms of tangible property, whether real or personal, without limitation including documents of value, electricity, gas, water, corpses, domestic animals, dogs, pets, fowl, and heat supplied by pipe or conduit by municipalities or public utility companies and articles, as defined in clause (4), representing trade secrets, which articles shall be deemed for the purposes of Extra Session Laws 1967, chapter 15 to include any trade secret represented by the article.

(2) "Movable property" is property whose physical location can be changed, including without limitation things growing on, affixed to, or found in land.

(3) "Value" means the retail market value at the time of the theft, or if the retail market value cannot be ascertained, the cost of replacement of the property within a reasonable time after the theft, or in the case of a theft or the making of a copy of an article

3.1 representing a trade secret, where the retail market value or replacement cost cannot be  
3.2 ascertained, any reasonable value representing the damage to the owner which the owner  
3.3 has suffered by reason of losing an advantage over those who do not know of or use the  
3.4 trade secret. For a check, draft, or other order for the payment of money, "value" means  
3.5 the amount of money promised or ordered to be paid under the terms of the check, draft, or  
3.6 other order. For a theft committed within the meaning of subdivision 2, clause (5), items  
3.7 (i) and (ii), if the property has been restored to the owner, "value" means the value of the  
3.8 use of the property or the damage which it sustained, whichever is greater, while the owner  
3.9 was deprived of its possession, but not exceeding the value otherwise provided herein. For  
3.10 a theft committed within the meaning of subdivision 2, clause (9), if the property has been  
3.11 restored to the owner, "value" means the rental value of the property, determined at the  
3.12 rental rate contracted by the defendant or, if no rental rate was contracted, the rental rate  
3.13 customarily charged by the owner for use of the property, plus any damage that occurred  
3.14 to the property while the owner was deprived of its possession, but not exceeding the total  
3.15 retail value of the property at the time of rental.

3.16 (4) "Article" means any object, material, device or substance, including any  
3.17 writing, record, recording, drawing, sample specimen, prototype, model, photograph,  
3.18 microorganism, blueprint or map, or any copy of any of the foregoing.

3.19 (5) "Representing" means describing, depicting, containing, constituting, reflecting  
3.20 or recording.

3.21 (6) "Trade secret" means information, including a formula, pattern, compilation,  
3.22 program, device, method, technique, or process, that:

3.23 (i) derives independent economic value, actual or potential, from not being generally  
3.24 known to, and not being readily ascertainable by proper means by, other persons who can  
3.25 obtain economic value from its disclosure or use, and

3.26 (ii) is the subject of efforts that are reasonable under the circumstances to maintain  
3.27 its secrecy.

3.28 (7) "Copy" means any facsimile, replica, photograph or other reproduction of an  
3.29 article, and any note, drawing, or sketch made of or from an article while in the presence  
3.30 of the article.

3.31 (8) "Property of another" includes property in which the actor is co-owner or has  
3.32 a lien, pledge, bailment, or lease or other subordinate interest, property transferred by  
3.33 the actor in circumstances which are known to the actor and which make the transfer  
3.34 fraudulent as defined in section 513.44, property possessed pursuant to a short-term rental  
3.35 contract, and property of a partnership of which the actor is a member, unless the actor and  
3.36 the victim are husband and wife. It does not include property in which the actor asserts in

4.1 good faith a claim as a collection fee or commission out of property or funds recovered, or  
4.2 by virtue of a lien, setoff, or counterclaim.

4.3 (9) "Services" include but are not limited to labor, professional services,  
4.4 transportation services, electronic computer services, the supplying of hotel  
4.5 accommodations, restaurant services, entertainment services, advertising services,  
4.6 telecommunication services, and the supplying of equipment for use including rental of  
4.7 personal property or equipment.

4.8 (10) "Motor vehicle" means a self-propelled device for moving persons or property  
4.9 or pulling implements from one place to another, whether the device is operated on land,  
4.10 rails, water, or in the air.

4.11 (11) "Motor fuel" has the meaning given in section 604.15, subdivision 1.

4.12 (12) "Retailer" has the meaning given in section 604.15, subdivision 1.

4.13 EFFECTIVE DATE. This section is effective August 1, 2012, and applies to crimes  
4.14 committed on or after that date.

4.15 Sec. 6. Minnesota Statutes 2010, section 609.52, subdivision 2, is amended to read:

4.16 Subd. 2. **Acts constituting theft.** Whoever does any of the following commits theft  
4.17 and may be sentenced as provided in subdivision 3:

4.18 (1) intentionally and without claim of right takes, uses, transfers, conceals or retains  
4.19 possession of movable property of another without the other's consent and with intent to  
4.20 deprive the owner permanently of possession of the property including, but not limited to,  
4.21 by driving a motor vehicle from the premises of a motor fuel retailer without having paid  
4.22 for motor fuel dispensed into the vehicle.

4.23 Proof that the driver of a motor vehicle into which motor fuel was dispensed drove  
4.24 the vehicle from the premises of the retailer without having paid for the fuel permits the  
4.25 factfinder to infer that the driver acted intentionally and without claim of right, and that  
4.26 the driver intended to deprive the retailer permanently of possession of the fuel. This  
4.27 paragraph does not apply if: (i) the vehicle or the vehicle's license plate has been reported  
4.28 stolen before the theft of the fuel; or (ii) payment has been made to the retailer within 30  
4.29 days of the receipt of notice of nonpayment under section 604.15; or

4.30 (2) with or without having a legal interest in movable property, intentionally and  
4.31 without consent, takes the property out of the possession of a pledgee or other person  
4.32 having a superior right of possession, with intent thereby to deprive the pledgee or other  
4.33 person permanently of the possession of the property; or

4.34 (3) obtains for the actor or another the possession, custody, or title to property of  
4.35 or performance of services by a third person by intentionally deceiving the third person

5.1 with a false representation which is known to be false, made with intent to defraud, and  
5.2 which does defraud the person to whom it is made. "False representation" includes  
5.3 without limitation:

5.4 (i) the issuance of a check, draft, or order for the payment of money, except a forged  
5.5 check as defined in section 609.631, or the delivery of property knowing that the actor is  
5.6 not entitled to draw upon the drawee therefor or to order the payment or delivery thereof; or

5.7 (ii) a promise made with intent not to perform. Failure to perform is not evidence of  
5.8 intent not to perform unless corroborated by other substantial evidence; or

5.9 (iii) the preparation or filing of a claim for reimbursement, a rate application, or a  
5.10 cost report used to establish a rate or claim for payment for medical care provided to a  
5.11 recipient of medical assistance under chapter 256B, which intentionally and falsely states  
5.12 the costs of or actual services provided by a vendor of medical care; or

5.13 (iv) the preparation or filing of a claim for reimbursement for providing treatment  
5.14 or supplies required to be furnished to an employee under section 176.135 which  
5.15 intentionally and falsely states the costs of or actual treatment or supplies provided; or

5.16 (v) the preparation or filing of a claim for reimbursement for providing treatment or  
5.17 supplies required to be furnished to an employee under section 176.135 for treatment or  
5.18 supplies that the provider knew were medically unnecessary, inappropriate, or excessive;  
5.19 or

5.20 (4) by swindling, whether by artifice, trick, device, or any other means, obtains  
5.21 property or services from another person; or

5.22 (5) intentionally commits any of the acts listed in this subdivision but with intent  
5.23 to exercise temporary control only and:

5.24 (i) the control exercised manifests an indifference to the rights of the owner or the  
5.25 restoration of the property to the owner; or

5.26 (ii) the actor pledges or otherwise attempts to subject the property to an adverse  
5.27 claim; or

5.28 (iii) the actor intends to restore the property only on condition that the owner pay a  
5.29 reward or buy back or make other compensation; or

5.30 (6) finds lost property and, knowing or having reasonable means of ascertaining the  
5.31 true owner, appropriates it to the finder's own use or to that of another not entitled thereto  
5.32 without first having made reasonable effort to find the owner and offer and surrender the  
5.33 property to the owner; or

5.34 (7) intentionally obtains property or services, offered upon the deposit of a sum of  
5.35 money or tokens in a coin or token operated machine or other receptacle, without making  
5.36 the required deposit or otherwise obtaining the consent of the owner; or

6.1 (8) intentionally and without claim of right converts any article representing a trade  
6.2 secret, knowing it to be such, to the actor's own use or that of another person or makes a  
6.3 copy of an article representing a trade secret, knowing it to be such, and intentionally and  
6.4 without claim of right converts the same to the actor's own use or that of another person.  
6.5 It shall be a complete defense to any prosecution under this clause for the defendant to  
6.6 show that information comprising the trade secret was rightfully known or available to the  
6.7 defendant from a source other than the owner of the trade secret; or

6.8 (9) leases or rents personal property under a written instrument and who:

6.9 (i) with intent to place the property beyond the control of the lessor conceals or aids  
6.10 or abets the concealment of the property or any part thereof; or

6.11 (ii) sells, conveys, or encumbers the property or any part thereof without the written  
6.12 consent of the lessor, without informing the person to whom the lessee sells, conveys, or  
6.13 encumbers that the same is subject to such lease or rental contract with intent to deprive  
6.14 the lessor of possession thereof; or

6.15 (iii) does not return the property to the lessor at the end of the lease or rental term,  
6.16 plus agreed-upon extensions, with intent to wrongfully deprive the lessor of possession  
6.17 of the property; or

6.18 (iv) returns the property to the lessor at the end of the lease or rental term, plus  
6.19 agreed-upon extensions, but does not pay the lease or rental charges agreed upon in the  
6.20 written instrument, with intent to wrongfully deprive the lessor of the agreed-upon charges.

6.21 For the purposes of items (iii) and (iv), the value of the property must be at least \$100.

6.22 Evidence that a lessee used a false, fictitious, or not current name, address, or place of  
6.23 employment in obtaining the property or fails or refuses to return the property or pay the  
6.24 rental contract charges to lessor within five days after written demand for the return has  
6.25 been served personally in the manner provided for service of process of a civil action  
6.26 or sent by certified mail to the last known address of the lessee, whichever shall occur  
6.27 later, shall be evidence of intent to violate this clause. Service by certified mail shall be  
6.28 deemed to be complete upon deposit in the United States mail of such demand, postpaid  
6.29 and addressed to the person at the address for the person set forth in the lease or rental  
6.30 agreement, or, in the absence of the address, to the person's last known place of residence;  
6.31 or

6.32 (10) alters, removes, or obliterates numbers or symbols placed on movable property  
6.33 for purpose of identification by the owner or person who has legal custody or right  
6.34 to possession thereof with the intent to prevent identification, if the person who alters,  
6.35 removes, or obliterates the numbers or symbols is not the owner and does not have the  
6.36 permission of the owner to make the alteration, removal, or obliteration; or

7.1 (11) with the intent to prevent the identification of property involved, so as to  
7.2 deprive the rightful owner of possession thereof, alters or removes any permanent serial  
7.3 number, permanent distinguishing number or manufacturer's identification number on  
7.4 personal property or possesses, sells or buys any personal property knowing or having  
7.5 reason to know that the permanent serial number, permanent distinguishing number or  
7.6 manufacturer's identification number has been removed or altered; or

7.7 (12) intentionally deprives another of a lawful charge for cable television service by:

7.8 (i) making or using or attempting to make or use an unauthorized external connection  
7.9 outside the individual dwelling unit whether physical, electrical, acoustical, inductive, or  
7.10 other connection; or by

7.11 (ii) attaching any unauthorized device to any cable, wire, microwave, or other  
7.12 component of a licensed cable communications system as defined in chapter 238. Nothing  
7.13 herein shall be construed to prohibit the electronic video rerecording of program material  
7.14 transmitted on the cable communications system by a subscriber for fair use as defined by  
7.15 Public Law 94-553, section 107; or

7.16 (13) except as provided in clauses (12) and (14), obtains the services of another with  
7.17 the intention of receiving those services without making the agreed or reasonably expected  
7.18 payment of money or other consideration; or

7.19 (14) intentionally deprives another of a lawful charge for telecommunications  
7.20 service by:

7.21 (i) making, using, or attempting to make or use an unauthorized connection whether  
7.22 physical, electrical, by wire, microwave, radio, or other means to a component of a local  
7.23 telecommunication system as provided in chapter 237; or

7.24 (ii) attaching an unauthorized device to a cable, wire, microwave, radio, or other  
7.25 component of a local telecommunication system as provided in chapter 237.

7.26 The existence of an unauthorized connection is prima facie evidence that the  
7.27 occupier of the premises:

7.28 (A) made or was aware of the connection; and

7.29 (B) was aware that the connection was unauthorized;

7.30 (15) with intent to defraud, diverts corporate property other than in accordance with  
7.31 general business purposes or for purposes other than those specified in the corporation's  
7.32 articles of incorporation; or

7.33 (16) with intent to defraud, authorizes or causes a corporation to make a distribution  
7.34 in violation of section 302A.551, or any other state law in conformity with it; or

8.1 (17) takes or drives a motor vehicle without the consent of the owner or an  
8.2 authorized agent of the owner, knowing or having reason to know that the owner or an  
8.3 authorized agent of the owner did not give consent.

8.4 **EFFECTIVE DATE.** This section is effective August 1, 2012, and applies to crimes  
8.5 committed on or after that date.

**ORDINANCE NO.**

**AN ORDINANCE ADDING CHAPTER 8-1500, PREPAYMENT  
FOR GASOLINE AND DIESEL FUEL AT RETAIL FUEL BUSINESSES  
AND THEREBY AMENDING REVISED CITY CODE – 1982,  
TITLE 8, HEALTH, SAFETY AND SANITATION**

**PREAMBLE:**

- A. A significant number of motorists in the City of Coon Rapids are driving into business establishments with gasoline and/or diesel fuel pumps located thereon, filling their vehicles and/or containers with gasoline, and driving off without paying for same; and
- B. For the last several years the City of Coon Rapids Police Department utilized many man hours responding to and investigating thefts as a result of drive offs without paying for gasoline and/or diesel fuel; and
- C. The time spent by the City of Coon Rapids Police Department investigating these thefts detracts from proactive policing opportunities in regard to other community matters and time better spent investigating and /or preventing more serious crimes; and
- D. The frequency of these crimes results in real and significant costs that are borne by the citizens in the City of Coon Rapids; and
- E. These crimes seriously and significantly adversely impact revenues of owners of those business establishments in the City of Coon Rapids involving the sale of gasoline and/or diesel fuel; and
- F. The City of Coon Rapids finds that gasoline and/or diesel fuel thefts are of serious concern, and they can and should be eliminated.

**The City of Coon Rapids does ordain:**

Section 1. Revised City Code – 1982, Title 8 is hereby amended by adding Chapter 8-1500, Prepayment for Gasoline and Diesel Fuel at Retail Fuel Business as follows: (additions double underlined)

CHAPTER 8-1500

PREPAYMENT FOR GASOLINE AND DIESEL FUEL

AT RETAIL FUEL BUSINESSES

8-1501 Purpose. The City Council finds that reports of theft as a result of gasoline/diesel fuel drive offs without paying are on the increase. Council further finds that the man hours spent by the Police Department along with administrative backup associated therewith detracts from proactive policing opportunities in regard to other community matters and more serious crimes. The City Council therefore determines that it is in the best interest of the City and its citizens to provide for the prepayment for gasoline and diesel fuel at retail fuel businesses.

8-1502 Definitions. For the purposes of this Chapter, the following definitions apply:

(1) "Employee" means the person(s), other than the owner or manager/supervisor, employed to perform services on the premises of a retail fuel business and who have no supervisory responsibilities.

(2) "Manager/supervisor" means the person(s) granted authority or responsibility by the owner for the operations of the retail fuel business.

(3) "Owner" means the individual, group, corporation, partnership, joint venture or other group or entity that owns a retail fuel business.

(4) "Payment" means payment by any legal means, including cash, credit card, debit, card, check or otherwise. Presenting a form of payment to be finalized at the conclusion of the transaction shall be considered payment in full.

8-1503 Prohibited Conduct. No retail fuel business owner, manager/supervisor, or employee shall:

(1) Activate any gasoline or diesel fuel pumping device prior to receiving payment in full for the gasoline or diesel fuel; or

(2) Allow or permit any person to dispense gasoline or diesel fuel from a pumping device at a retail fuel business unless the person has first made payment in full.

8-1504 Exception. It is an exception to the application of this Chapter if business owners enter into a civil agreement with customers, pursuant to which customers may activate a fuel pump prior to payment through the use of a card or similar device, issued by the business owner that activates the pump. such an agreement shall include identifying information of the customer that may be used by the business owner for seeking compensation in the appropriate civil court should the customer fail to pay for fuel after activating the pump with such a card.

8-1505 Violation. Any person or business establishment who violates any provision of this Chapter is guilty of a misdemeanor.

Section 2. The effective date of this ordinance shall be June 1, 2012

Introduced this 6th day of September, 2011.

Adopted this \_\_\_\_ day of \_\_\_\_\_.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**10.**

**Meeting Date:** 02/21/2012

**Subject:** 2012 Street Reconstruction Program--Project 12-1 Various Residential Streets, South Central Part of City

**From:** Doug Vierzba, City Engineer

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**INTRODUCTION**

The City Engineering Division has prepared a feasibility report for the proposed reconstruction of several streets within the City as listed below. Council is requested to accept the feasibility report and order a public hearing, declare cost to be assessed and order preparation of proposed assessment roll, and set the assessment hearing date.

**DISCUSSION**

The City is proposing to reconstruct several streets and to assess a portion of the cost to adjacent property owners as part of the 2012 Street Reconstruction Program in accordance with the City's policy approved by Council in 1997. Council ordered preparation of a feasibility report on January 17, 2012. These streets were chosen for reconstruction in 2012 by the City Engineering Division based on their condition rating. The City Engineering Division completed a condition rating of all streets within the City in 2009 to allow for a planned program over the next 5 years. The 5-year plan may be modified as streets are reviewed for the following year's program. It is the intent to always have a 5-year plan available for review. The condition rating program completed in 2009, indicated that there are many miles of City streets that are in need of repair. The City has 181 miles of residential streets to maintain. The City should continue to reconstruct 5-7 miles per year to keep the street system in reasonable condition into the future. Last year the City reconstructed 6.3 miles of residential streets. This year, another 5 miles are proposed for reconstruction.

The project consists of replacement of old street signs, replacement of existing concrete curb and gutter in need of repair, and paving a new surface on streets in the following areas—

1. South Robinson Drive Area located either side of Robinson Drive and north of Egret Boulevard
2. South Egret Boulevard Area located south of Coon Rapids Boulevard near the Coon Rapids Dam Regional Park
3. Tralee Terrace Area located at Redwood Street and 98th Avenue
4. Springbrook Cove Area located south of 85th Avenue and east of East River Road

The area of benefit is described as follows—

--Lots 1-10, Block 1, Creek Meadows(Condo No. 37)

--Tract A & B, RLS No. 186

--Lots 10, 11, Block 1, Lots 10, 11, Block 3, Lots 17-21, 23, 24, Block 5, Creekwood Estates

--Lots 1-3, Block 1, Lots 1-29, Block 2, Lots 3-8,10-23, Block 3, Lots 1-19, Block 4, Lots 1-12, Block 5, Lots 2-5, Block 6, Erin Go Bragh

--Tracts A & B, RLS No. 134

--Lots 1-9, Block 1, Lots 1-3, Block 2, Lots 1-13, 16, 17, Block 3, Lot 1, Block 4, Lots 1-7, Block 5, Lots 1-16, 18-23, Block 6, Dublin Greens

--Lots 1-6, Block 1, Dublin Greens 2nd Addition

--Lots 1-31, Block 1, Lots 1, 9-16, Block 2, Summer Chace

--Lots 1-7, Block 1, Lots 1-8, Block 3, Summer Chace 2nd Addition  
--Lots 3-4, Block 2, Lots 1-8, Block 3, Lots 8-14, Block 4, Shamrock Woods  
--PIN 26-31-24-22-0003  
--PIN 26-31-24-22-0004  
--PIN 26-31-24-22-0020  
--Lot 2, Block 1, River Crest 2nd Addition  
--Lots 1-5, Block 1, Lots 1-11, Block 2, River Crest Addition  
--PIN 26-31-24-23-0003  
--PIN 26-31-24-23-0004  
--PIN 26-31-24-23-0005  
--PIN 26-31-24-23-0006  
--PIN 26-31-24-23-0078  
--PIN 26-31-24-23-0084  
--Lots 10-19, Block 1, Lots 1-3, Block 2, The Hollows  
--Lots 1-14, Block 1, Waters Edge  
--Lots 1-10, Block 1, Tralee Terrace Addition  
--Lots 1-23, Block 2, Tralee Terrace Addition  
--PIN 26-31-24-11-0072  
--PIN 26-31-24-14-0115  
--PIN 26-31-24-14-0159  
--PIN 27-31-24-12-0046  
--PIN 27-31-24-12-0048  
--PIN 27-31-24-12-0050  
--Lots 1-4, Block 1, Lots 1-2, Block 2, Mississippi Oaks Plat 2  
--All of Springbrook Cove

The total estimated cost of the proposed street reconstruction project is \$1,940,000. The project is necessary if the City is to keep the City's street system in good condition. The project is cost effective and is feasible to construct. The City would assess \$777,963.09 to the benefiting properties. The City would pay the balance from various funds-- \$1,076,000 from the Street Reconstruction Fund--Activity 797 and \$86,000 from the Storm Water Utility Fund---Activity 640. The City share of approximately \$1,076,000 would result in an annual tax levy of approximately \$250,000 if bonds are sold and paid over a 5-year period beginning in 2013.

This project will affect 387 single-family lots, 38 duplex units, 37 townhome units, 130 condo units, and 10 apartment buildings. City staff will hold an informational meeting with residents prior to the public hearing scheduled on April 3, 2012. The informational meeting should answer the common questions that residents might have so that dozens of people do not attend the April 3rd Council meeting when the public hearing and assessment hearing will be held. Assessment rates can be approved by Council on April 3rd, prior to construction, because the assessment rates are set by Council and are not dependent on actual construction costs like most development projects. Therefore, there would be no need to hold another public hearing after construction. All residents were notified by letter of this proposed project in December, 2011. Of the 600 property owners notified of the project and proposed assessment, no one has objected to the project. The few phone calls and e-mails received to date have been regarding basic questions such as wondering if their driveway could be repaved by the City contractor and if their sprinkling system would be damaged.

#### **ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

Reconstruction of these streets will improve 5 miles of residential streets within the City and reduce maintenance costs for several years.

**RECOMMENDATION**

It is recommended that Council adopt the following resolutions (super majority vote is needed as this is a non-petitioned project):

- a. Resolution No. 12-1(4) accepting the feasibility report and ordering a public hearing to be held on April 3, 2012.
- b. Resolution No. 12-1(10) declaring cost to be assessed and ordering preparation of proposed assessment roll.
- c. Resolution No. 12-1(11) setting the assessment hearing date for April 3, 2012.

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**Fiscal Impact**

**BUDGET IMPACT:**

The total estimated cost of this project is \$1,940,000. The City will assess nearly \$778,000. The balance of \$1,162,000 will be paid by the City. Of this amount, \$86,000 would be paid from the Storm Water Utility fund and \$1,076,000 from the Street Reconstruction fund.

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**Attachments**

12-1 Map

12-1 title page

12-1 feas

Resolution No. 12-1(4)

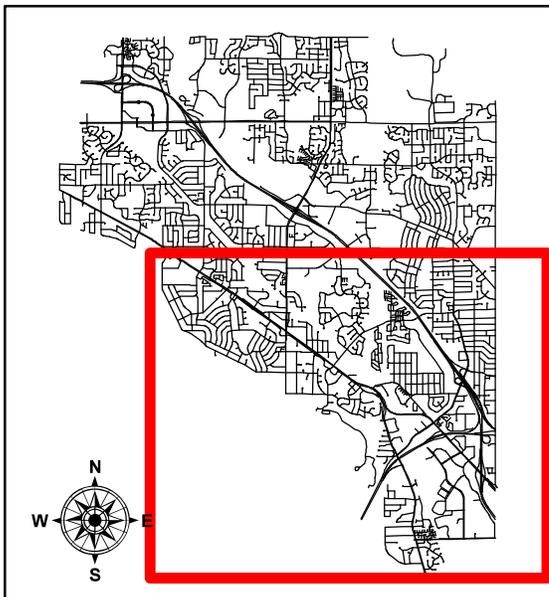
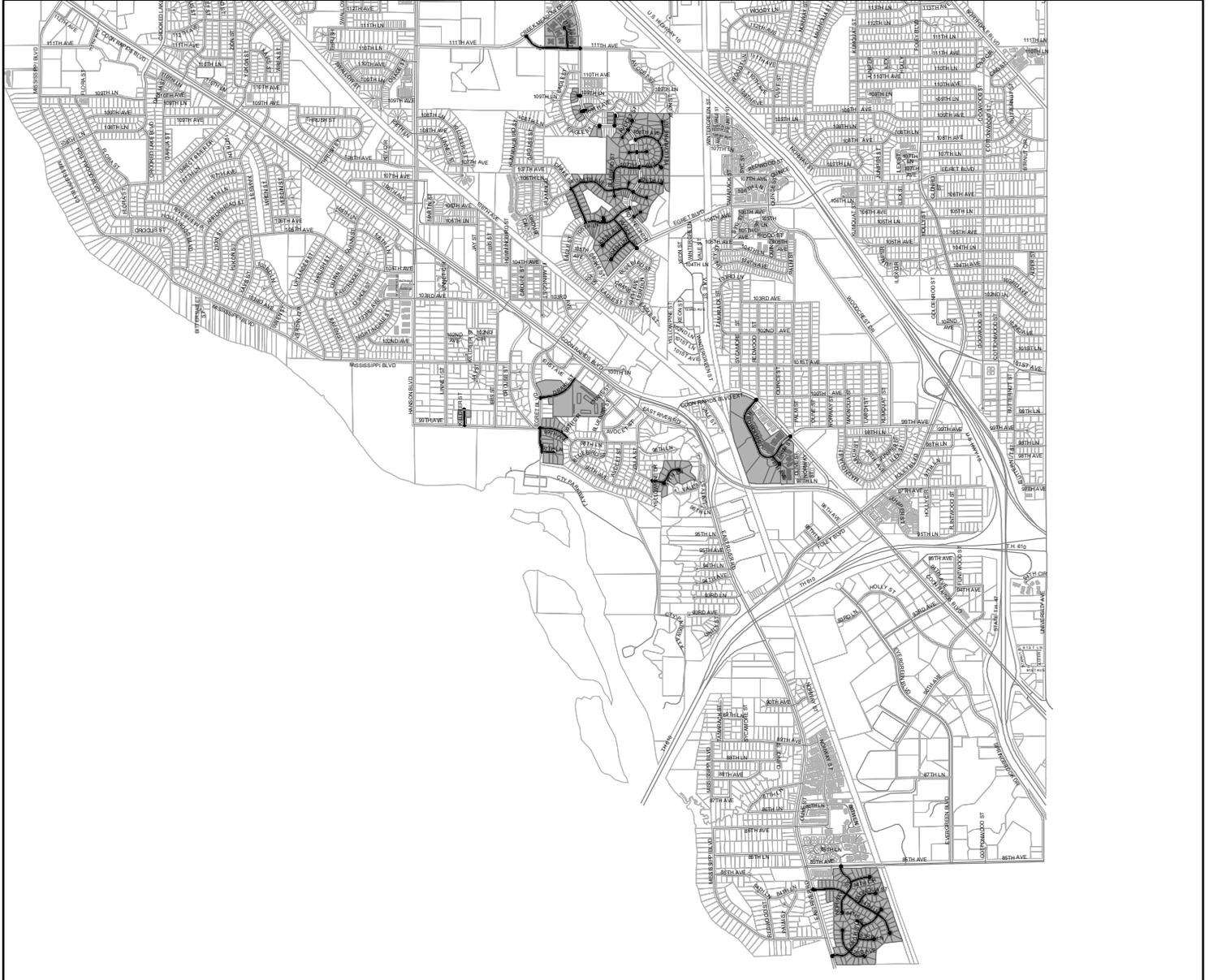
Resolution No. 12-1(10)

Resolution No. 12-1(11)

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# Project 12-1 2012 Street Reconstruction Program

■ 2012 Proposed Reconstruction



Area of Benefit



**COON  
RAPIDS**  
Minnesota

FEASIBILITY REPORT

FOR

CITY PROJECT 12-1

**Street Reconstruction** in South-central Area of the City

Residential Streets—5.0 miles

February 21, 2012

Prepared by City of Coon Rapids Engineering Division

## **PROJECT HISTORY**

This project is for street reconstruction of residential streets proposed for 2012. Council ordered preparation of a feasibility report on January 17, 2012. The policy for assessing a portion of the costs of reconstruction of streets that already have concrete curb and gutter was begun in 1997. Each year the City proposes to reconstruct several streets in need of repair. This project proposes reconstruction of 5 miles of residential streets.

## **PROJECT AREA CHARACTERISTICS**

The residential streets in the areas proposed for reconstruction were originally constructed between 1971 and 1994 so they are 18 to 41 years old. These streets are starting to crack excessively and will become a maintenance problem if they are not repaved soon. The streets in these areas were seal coated several years ago. Seal coating is not practical for areas that have excessive cracking. The project areas are developed as mostly single-family residential and duplex units with some apartments, condos and townhomes.

Areas to be included in the project are as follows—

Robinson Drive Area (2.45 miles) Location—North of Egret Boulevard and south of Creek Meadow Drive

These streets are 29-34 years old. This project affects 216 single-family homes, 76 condo units, and 38 duplex units. Duplex units are assessed based on the average width of the parcel, using the front-foot rate of \$19.69 per foot. Townhomes/condos are assessed based on the total front footage with the assessment divided by the number of units so each unit within the association pays the same amount.

Egret Boulevard/99<sup>th</sup> Avenue Area (1.15 miles) Location—South of Coon Rapids Boulevard and either side of Egret Boulevard, including part of The Hollows plat and Trallee Terrace area on Redwood Street and 98<sup>th</sup> Avenue. These streets are 18-39 years old. This project affects 39 single-family homes, 37 townhomes, 54 condo units, and 10 apartment sites.

Springbrook Cove Area (1.40 mile) Location—South of 85<sup>th</sup> Avenue and east of East River Road  
These streets are 20-41 years old. This project affects 132 single-family homes.

## **PROPOSED IMPROVEMENTS**

Reconstruction will consist of removal and replacement of existing concrete curb that does not drain properly or that is not in good condition. Most of the concrete curb and gutter is in good condition and will remain in place. Some streets in Springbrook Cove, Trallee Terrace, and in the Hollows will require subgrade excavation/correction and a subdrain system to control groundwater. The street surfacing will be reclaimed, excess gravel reclaim material trucked away, and the street repaved with new bituminous surfacing. Manholes, catch basins, and water valve boxes will be repaired or replaced and adjusted as needed before the street is repaved. Old style fire hydrants will be replaced with new hydrants. Boulevard trees were trimmed this winter to clear the street area of low hanging branches. All street name signs and other signs will be replaced with new signs/poles. The new street name signs will have larger lettering with new City logo.

## **MAINTENANCE IMPACT**

The streets proposed for reconstruction are starting to deteriorate and would require increased maintenance if they are not repaved soon. Normal seal coating will no longer do much good due to the excessive cracking that has occurred over the years. It is virtually impossible to maintain a street surface that is badly cracked as exists on these streets.

Once the streets are repaved, there should be no need to crack seal or seal coat for many years. The street surfacing should not need replacing for another 30+ years.

New watermain valve boxes, new storm water inlet castings and structures, and new adjusting rings on sanitary sewer manholes will be installed as part of the project, reducing the need for future maintenance.

## **ESTIMATED COST**

The total estimated cost of the street reconstruction project is \$1,940,000

The City Public Works Department has requested that old style fire hydrants be replaced with new fire hydrants as a part of every reconstruction project. This year's project does not have old style hydrants. Tree trimming costs are approximately \$10,000 and will be paid from Street Reconstruction funds. Storm drain repair costs are estimated to be \$86,000 and would be paid from the Storm Water Utility fund—Activity 640.

## **FINANCE**

The City would finance the project and assess a portion of the cost to the adjacent properties. The City would pay for a portion of the cost from Budget Activity 797- Street Reconstruction and a portion from the Storm Water utility.

Amount to be assessed	\$ 777,963 (40.1%)
City cost	\$1,162,037(59.9%)
Total	\$1,940,000

The City share of approximately \$1,076,000 that is for street work would result in an annual tax levy of approximately \$250,000 if bonds are sold and paid for over a 5-year period beginning in 2013. The City's policy goal is to assess 50% of costs to benefiting properties with the City paying 50%. The City share of cost is higher than 50% this year due to the number of properties that can be assessed vs. the miles of street to be reconstructed.

## **PROJECT TIMETABLE**

February 21, 2012	--Council accepts feasibility report, orders a public hearing, and sets assessment hearing date
March 21, 2012	--Staff holds neighborhood meeting for residents
April 3, 2012	--Council holds the public hearing/assessment hearing and orders the project. Council approves plans and orders ad for bids.
May 15, 2012	--Council adopts the assessment and awards contract for construction
Late-May to early September	--Construction takes place

Note—The assessment is proposed to be adopted by Council on May 15<sup>th</sup> rather than on April 3<sup>rd</sup> when the hearing is held. This approach has been used based on a resident's concern that the City was approving an assessment prior to costs being incurred. Residents have 30 days to pay off the assessment without interest charges from the date the assessment is adopted by Council. This gives residents more time to pay and the City is not receiving assessment funds prior to incurring construction costs.

## **PROPOSED ASSESSMENTS**

Assessment rates were established in 1997 as part of the policy for street reconstruction with the rates to be updated annually with the Construction Cost Index(CCI). The rate was increased an extra 10% in 2008 and 2009 to keep pace with increasing bituminous paving costs. This year's rate is being updated from last year using the CCI. The CCI increased from a year ago so this year's rate is being increased slightly to reflect the increase in CCI. The rates to be used for 2012 are as follows--

Single-family lot	\$1,575 per lot (CCI factor results in increase of \$15 from 2011)
Residential(higher density including duplex units)	\$19.69 per front-foot or average width
Office and Commercial	\$39.38 per front foot or average width(double residential rate per policy)

The rates were originally \$800, \$10, and \$20 respectively in 1997

The assessments for properties would be spread over a 10-year period with 3.1% interest rate beginning in 2013. Properties, such as condos, with smaller amount assessments would be assessed over 3 years with an interest rate of 2%. Property owners would have the option of paying the assessment within 30 days following the Council action on assessments with no interest charges. Payments made after the 30-day period would require payment of interest charges. If paid as part of the property tax statement, the annual cost for a single-family home would be approximately \$200 per year for the 10-year period.

## **MOCK ASSESSMENT ROLL**

The assessment roll is available in the City Engineer's office. (19 pages)

## **PROJECT FEASIBILITY**

The proposed project is necessary if the City is to keep their streets in good condition. The project is cost effective and is technically feasible to construct. Independent appraisers were hired in 1997 and they concluded that the property values would increase more than the amount of the assessment. An independent appraiser was hired four years ago to review the "benefit" to the properties for the proposed work. The appraiser's report indicates that the "benefit" to the properties is in the range of \$2,000 to \$5,000. The proposed rate of \$1,575 does not exceed this "benefit" amount. Therefore, the project is also economically feasible.

## **CONCLUSION AND RECOMMENDATION**

The City is proposing to reconstruct several streets as part of the 2012 Street Reconstruction Program. A length of 5 miles of street is proposed to be repaved. A portion of the cost would be paid by the City and a portion recovered from assessments to adjacent property owners in accordance with the Street Reconstruction Policy approved by Council in 1997. Property owners were notified of the project and of the proposed assessment amount by letter in December, 2011. Informational meetings will be held in March and staff will answer questions that residents may have regarding the project. Council will schedule the public hearing/assessment hearing for April 3<sup>rd</sup>.

It is recommended that Council accept the feasibility report and order a public hearing on the project and on the assessments by adopting the resolutions included with this report.

**RESOLUTION NO. 12-1(4)**

**(4) RESOLUTION ACCEPTING FEASIBILITY REPORT  
AND ORDERING PUBLIC HEARING ON IMPROVEMENT**

**WHEREAS**, pursuant to resolution of the Council adopted on the 17th day of January, 2012, a report has been prepared by the City Engineering Division with reference to the improvement of several residential streets in the south central part of the City by street reconstruction, and this report was received by the Council on the 21st day of February, 2012,

**WHEREAS**, the report provides information regarding whether the proposed project is necessary, cost effective, and feasible,

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

1. The Council will consider such improvement in accordance with the report and the assessment of benefitting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Sections 429.011 to 429.111, at an estimated total cost of the improvement of \$1,940,000.
2. A public hearing shall be held on such proposed improvement on the 3rd day of April, 2012 in the Council Chambers of the City Hall at 7:00 p.m., and the Clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-1(10)**

**(10) RESOLUTION DECLARING COST TO BE ASSESSED  
AND ORDERING PREPARATION OF  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, a contract will be let for the improvement of several residential streets in the south central part of the City by street reconstruction and the contract price for such improvement is estimated to be \$1,764,000 and the expenses incurred or to be incurred in the making of said improvement amount to \$176,000, so that the total cost of the improvement is estimated to be \$1,940,000 and of this cost the City will pay approximately \$1,162,000 as its share of the cost; and

**WHEREAS**, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

**WHEREAS**, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

**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 \$777,963.09.
2. The City Clerk, with the assistance of the City Engineer 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 Engineer shall file a copy of such proposed assessment in his office for public inspection.
3. The Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-1(11)**

**(11) RESOLUTION FOR HEARING ON  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, per a Resolution passed by the Council on the 21st day of February, 2012, the City Clerk was directed to prepare a proposed assessment of the cost of improving several residential streets in the south central part of the City by street reconstruction; and

**WHEREAS**, the Clerk will give a minimum of 14 days written notice to the Council and all benefitted property owners described in the assessment roll 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. A hearing shall be held on the 3rd day of April, 2012, in the City Hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official paper at least 2 weeks prior to the hearing.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**11.**

**Meeting Date:** 02/21/2012

**Subject:** 2012 Street Reconstruction Program--Collector Streets--Project 12-2 West Central Part of City

**From:** Doug Vierzba, City Engineer

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**INTRODUCTION**

The City Engineering Division is recommending street reconstruction on three collector streets in 2012 under this project. A feasibility report has been prepared for the proposed project. Council is requested to order a public hearing and assessment hearing to be held on March 20, 2012.

**DISCUSSION**

There are 2.2 miles of streets proposed for reconstruction under this project as follows—(see map)

1. **119th Avenue** --Blackfoot Street to Jonquil Street
2. **Northdale Boulevard** --west of Crooked Lake Boulevard to 124th Avenue
3. **124th Avenue** --west of Northdale Boulevard, a 600 foot length

Council ordered preparation of a feasibility report on January 17, 2012. The project would propose to replace concrete curb that is in poor condition, install ADA compliant pedestrian curb ramps at all intersections, and repave a new bituminous surface. The City's assessment policy provides for assessment of \$1,575 per home for properties that have direct access to the street. There are only 4 single-family homes to be assessed for this project. There are 15 townhomes and two apartment building sites that are to be assessed based on front-footage at a rate of \$19.69 per foot. There are four commercial sites that access the streets and they are to be assessed based on front-footage at a commercial rate of \$39.38 per foot. These sites include Target Store and Wells Fargo Bank. State Aid funds can be used to pay for the balance of the cost.

The County is planning to install new traffic signals and widen the intersection at Northdale Boulevard and Crooked Lake Boulevard in 2013. Therefore a portion of Northdale Boulevard (adjacent to the American Legion) will not be repaved under the City project in 2012, but will be repaved as part of the County project in 2013. Also, Mercy Hospital is planning to develop the site north of Coon Rapids Boulevard and west of Blackfoot Street next year. Therefore, the reconstruction of Blackfoot Street is not going to be included with this project as originally proposed. Blackfoot Street will most likely be included in the 2013 program if the development proceeds as planned.

The legal description of the area of benefit is-

- Lots 6 and 7, Block 2, Riverdale Commons 2nd Addition
- Lot 2, Block 1, Martha Gabriela Addition
- Lot 1, Block 2, Riverdale 3rd Addition
- PIN 08-31-24-32-0070
- PIN 08-31-24-32-0071
- Lots 1, 2, 21, Block 1, Wedgewood Parc 6th Addition
- Lot 14, Anoka Gardens
- Lots 1-15, Block 1, Courtney's Manor Townhomes

The total estimated cost of the project is \$1,500,000. The project is necessary to improve these streets from their existing poor condition. The project is cost effective with the use of State Aid construction funds and is feasible to construct.

Staff has received one phone call from a homeowner on Northdale Boulevard at 118th Lane. The property owner does not believe he should be assessed for improvements to Northdale Boulevard even though his driveway access is to Northdale Boulevard. However, before Northdale Boulevard was improved 25 years ago, the property owner had access to 118th Lane. The City purchased a portion of his property along Northdale Boulevard to build Northdale Boulevard and forced him to access Northdale Boulevard. It is much more difficult to access Northdale Boulevard due to the busy traffic. The homeowner would like the City to drop this assessment. This is the only home that has direct access to Northdale Boulevard.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails. Repaving these streets will improve the City’s collector street system and reduce maintenance costs.

**RECOMMENDATION**

It is recommended that Council adopt the following resolutions—

- a. Resolution No. 12-2(4) ordering a public hearing for March 20th at 7:00 pm
- b. Resolution No. 12-2(10) declaring cost to be assessed and ordering preparation of assessment roll
- c. Resolution No. 12-2(11) setting the assessment hearing for March 20th at 7:00 pm

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**Fiscal Impact**

**BUDGET IMPACT:**

The City proposes to assess \$107,486.91 to benefiting properties as part of this project. The remaining cost (\$1,392,500) will be paid using the City’s State Aid construction fund. The City receives approximately \$2M annually for these projects. This year the City has received approval of an “advance” of an additional \$2.3M to help pay for all the work proposed for 2012. An advance of future funds will be needed again for next year’s reconstruction program. The advance of funds will taper off over a few years until the fund is back to “normal”, allowing for some reconstruction each year and into the future.

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**Attachments**

- 12-2 Map
  - 12-2 Title Page
  - 12-2 Feas Report
  - Resolution No. 12-2(4)
  - Resolution No. 12-2(10)
  - Resolution No. 12-2(11)
- 
-



FEASIBILITY REPORT

FOR

CITY PROJECT 12-2

**Street Reconstruction**

Collector Streets—2.2 miles

1. 119<sup>th</sup> Avenue—Blackfoot Street to Jonquil Street
2. Northdale Boulevard—West of Crooked Lake Blvd to 124<sup>th</sup> Avenue
3. 124<sup>th</sup> Avenue—Northdale Blvd westerly for 0.1 mile

February 21, 2012

Prepared by City of Coon Rapids Engineering Division

## **PROJECT HISTORY**

Council ordered preparation of a feasibility report on January 17, 2012 based on a recommendation from City staff. This project proposes reconstruction of existing collector streets in the west central part of the City. These streets were originally built between 1978 and 1988 so they are 24 to 34 years old and are in poor condition. It is proposed to reconstruct these 2.2 miles of roadway in 2012.

## **PROJECT AREA CHARACTERISTICS**

**119<sup>th</sup> Avenue** is a City State Aid collector streets that exists between Blackfoot Street and Northdale Boulevard. This street is in very poor condition due to potholes and severe cracking. This street was built at various times but the oldest part is 34 years old. A traffic signal exists at Round Lake Boulevard. Traffic volumes are fairly average for a collector street—3,500 to 5,000 vehicles per day. Concrete sidewalk exists on the south side of the street, the entire length, and part on the north side. The sidewalk is in fairly good condition but some sections may need replacing. The street has few driveway access points—only a few single-family homes, and two apartment buildings. The street is 44 feet wide compared to a normal 30-foot wide residential street. The length of this street is 1.05 miles. Pheasant Ridge Drive intersects 119<sup>th</sup> Avenue. This street was rebuilt in 2011 along with many residential streets south of 119<sup>th</sup> Avenue.

**Northdale Boulevard and 124<sup>th</sup> Avenue** are City State Aid collector streets located west of Crooked lake boulevard and south of Main Street. These streets are in very poor condition and are due to be repaved. These streets are 25 years old. A traffic signal exists at Crooked Lake Boulevard, at the Northstar train station entrance, at 119<sup>th</sup> Avenue, and at 124<sup>th</sup> Avenue/Northdale Boulevard. Traffic volumes are high on these streets with 13,000 vehicles per day on Northdale Boulevard and 6,000 VPD on 124<sup>th</sup> Avenue. Concrete sidewalk exists on both sides of Northdale Boulevard, the entire length. There is no sidewalk on the south side of 124<sup>th</sup> Avenue and a part of the north side. This project would propose to complete the sidewalk on the north side of 124<sup>th</sup> Avenue. Some existing sidewalk may need minor repair work. These streets have few access points—only one home, some townhomes, and commercial sites like Target store and Wells Fargo Bank building. Northdale Boulevard provides access to the parking lot for Northstar commuter rail. The length of these streets is 1.15 miles.

## **ENVIRONMENTAL**

This project will have no effect on the environment. The road width is not changing, only new pavement is proposed.

## **PROPOSED IMPROVEMENTS**

The project consists of replacing existing concrete curb that is in poor condition, reclaiming the existing street surfacing, and then repaving a new bituminous surface to a standard 9-ton design meeting State Aid standards. The length of the street to be repaved is 2.2 miles. State Aid standards require that existing pedestrian curb ramps at all intersections be replaced with ramps that have truncated domes to meet ADA requirements. The first 500 feet of Northdale Boulevard west of Crooked Lake Boulevard will be improved by Anoka County in 2013 as part of a traffic signal/turn-lane improvement. Therefore, this City project will start 500 feet west of Crooked Lake Boulevard. It is proposed to install a new sidewalk along 124<sup>th</sup> Avenue adjacent to the Wells Fargo building to complete the sidewalk on this block.

## **ADJACENT PROPERTY**

There are 25 adjacent properties that are proposed to be assessed for this street improvement per the City's assessment policy for street reconstruction. These properties consist of 4 homes, 15 townhomes, 2 apartment buildings, and 4 commercial sites. All adjacent property owners have been notified of the proposed construction and will be notified again prior to the actual construction taking place. Traffic may be limited to using one-half of the street during construction. The street is wide enough to maintain traffic at all times but a detour route will be signed on Crooked Lake Boulevard and 124<sup>th</sup> Avenue to bypass the construction area. Residents in the neighborhood will be notified and urged to use Crooked Lake Boulevard as much as possible to reduce traffic on Northdale Boulevard. Access will always remain open to residents on streets that have no other access and to the Northstar commuter rail site.

## **EASEMENTS REQUIRED**

An easement is needed from the owner of the Wells Fargo building to allow for construction of the proposed new sidewalk along 124<sup>th</sup> Avenue.

## **MAINTENANCE IMPACT**

Reconstruction of this street will reduce the amount of time spent and cost of maintaining a road surface that is in poor condition.

## **ESTIMATED COSTS**

The estimated cost of this project is \$1,500,000. The City proposes to assess \$107,486.91 . The balance would be paid from State Aid funds.

## **FINANCE**

The City would finance the cost until State Aid funding is received and all assessments have been paid. Assessments will be made over a 10-year period. State Aid funds are available in the City's account because the City applied for an "Advance" of State Aid funds in the amount of \$2.34M. This "Advance" allows the City to use State funds this year to complete more work rather than waiting for new funding next year. There are no interest charges for use of this money. The City will request an "Advance" later this year for next year so that more streets can be repaved in 2013. Over the next few years, the City would request less "advance" funds and get the funding back to normal. The plan is to continue to improve streets each year and into the future, but less funding will be available for the next few years to make up for this year's larger "advance" amount.

## **PROJECT TIMETABLE**

The estimated time schedule for this project is –

February 21, 2012	--Council orders public hearing and assessment hearing
March 20, 2012	--Council holds public hearing and assessment hearing and orders the project
April 3, 2012	--Council approves plans and orders ad for bids
May 15, 2012	--Council awards a contract for construction and assesses benefiting properties

Early-June, 2012 --Construction begins

September, 2012 --Construction completed

### **PROPOSED ASSESSMENTS**

The City's policy for street reconstruction provides for assessment to properties that have direct access to the street. The assessment rate is set at \$1,575 per lot for single family homes. Townhomes are assessed based on street frontage or average width of property at a rate of \$19.69 per foot. The total amount is divided by the number of townhomes so that each townhome in the association pays the same rate per unit. Apartment sites are assessed at a rate of \$19.69 per foot of frontage or average width. Commercial properties are assessed at a rate of \$39.38 per foot (twice the residential rate per policy). Assessments are spread over a 10-year period with interest rate of 3.1%. Assessments would begin in 2013. Property owners would have the option to pay off the assessment within 30 days after Council adopts the assessment to avoid paying any interest charges.

### **PROJECT FEASIBILITY**

The project is necessary to keep the City's streets in reasonable condition. The project is cost effective with use of State Aid funding and assessments. The project is feasible to construct.

### **CONCLUSION AND RECOMMENDATION**

The City is proposing to reconstruct several collector streets in 2012. The City is proposing to assess 25 parcels that have direct access to the street for these street improvements per City policy. These owners were notified of the project and assessment in December, 2011. A public hearing is needed before Council can order the project.

It is recommended that Council order a public hearing and assessment hearing for March 20<sup>th</sup> .

**RESOLUTION NO. 12-2(4)**

**(4) RESOLUTION ACCEPTING FEASIBILITY REPORT  
AND ORDERING PUBLIC HEARING ON IMPROVEMENT**

**WHEREAS**, pursuant to resolution of the Council adopted on the 17th day of January, 2012, a report has been prepared by the City Engineering Division with reference to the improvement of 119th Avenue, Northdale Boulevard, and 124th Avenue by street reconstruction, and this report was received by the Council on the 21st day of February, 2012,

**WHEREAS**, the report provides information regarding whether the proposed project is necessary, cost effective, and feasible,

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

1. The Council will consider such improvement in accordance with the report and the assessment of benefitting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Sections 429.011 to 429.111, at an estimated total cost of the improvement of \$1,500,000.
2. A public hearing shall be held on such proposed improvement on the 20th day of March, 2012 in the Council Chambers of the City Hall at 7:00 p.m., and the Clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-2(10)**

**(10) RESOLUTION DECLARING COST TO BE ASSESSED  
AND ORDERING PREPARATION OF  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, a contract will be let for the improvement of 119<sup>th</sup> Avenue, Northdale Boulevard, and 124<sup>th</sup> Avenue by street reconstruction and the contract price for such improvement is estimated to be \$1,360,000 and the expenses incurred or to be incurred in the making of said improvement amount to \$140,000, so that the total cost of the improvement is estimated to be \$1,500,000 and of this cost the City will pay approximately \$1,392,500 as its share of the cost; and

**WHEREAS**, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

**WHEREAS**, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

**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 \$107,486.91.
2. The City Clerk, with the assistance of the City Engineer 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 Engineer shall file a copy of such proposed assessment in his office for public inspection.
3. The Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-2(11)**

**(11) RESOLUTION FOR HEARING ON  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, per a Resolution passed by the Council on the 21st day of February, 2012, the City Clerk was directed to prepare a proposed assessment of the cost of improving 119<sup>th</sup> Avenue, Northdale Boulevard, and 124<sup>th</sup> Avenue by street reconstruction; and

**WHEREAS**, the Clerk will give a minimum of 14 days written notice to the Council and all benefitted property owners described in the assessment roll 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. A hearing shall be held on the 20th day of March, 2012, in the City Hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official paper at least 2 weeks prior to the hearing.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**12.**

**Meeting Date:** 02/21/2012

**Subject:** 2012 Street Reconstruction Program--Collector Streets--Project 12-3, South Central part of City

**From:** Doug Vierzba, City Engineer

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**INTRODUCTION**

The City Engineering Division is recommending street reconstruction on five collector streets in 2012 under this project. A feasibility report has been prepared for the proposed project. Council is requested to order a public hearing and assessment hearing to be held on March 20, 2012.

**DISCUSSION**

There are 2.0 miles of streets proposed for reconstruction under this project as follows—(see map)

1. Hanson Boulevard –south of Mississippi Boulevard to 99th Avenue
2. 99th Avenue --east of Hanson Boulevard to Egret Boulevard
3. Egret Boulevard –north of 99th Avenue to frontage road
4. 99th Avenue --west of Foley Boulevard to Coon Rapids Boulevard Extension
5. Springbrook Drive –south of Holly Street, (a length of 0.21 mile)

Council ordered preparation of a feasibility report on January 17, 2012. The project would propose to replace concrete curb that is in poor condition, install ADA compliant pedestrian curb ramps at all intersections, and repave a new bituminous surface. The project would include construction of right-turn lanes on 99th Avenue, west of Foley Boulevard, for northbound traffic at the entrance to the shopping center and for Woodcrest Drive. The project would also include construction of sidewalk on both sides of Springbrook Drive if owners agree to dedicate easements for the sidewalk. The City's assessment policy provides for assessment of \$1,575 per home for properties that have direct access to the street. There are 30 single-family homes to be assessed for this project. There are two apartment building sites that are to be assessed based on front-footage at a rate of \$19.69 per foot. There are 7 commercial sites that access the streets and they are to be assessed based on front-footage at a commercial rate of \$39.38 per foot. State Aid funds can be used to pay for the balance of the cost.

The legal description of the area of benefit is-

- Lots 1-4, Block 1, Sand Ridge
- Lot 2, Block 1, Berg's Woodale Park Triangle
- Lots 38-47, 78, 81-83, 85-88, Woodale Park
- PIN 27-31-24-12-0008
- PIN 27-31-24-12-0047
- PIN 27-31-24-12-0049
- Lots 1, 3-5, Block 1, River Crest 2nd Addition
- PIN 26-31-24-22-0004
- Lots 1, 3-4, Block 1, Pinecone Estates
- Outlots A & B, Parkside First Addition
- PIN 36-31-24-12-0024
- PIN 36-31-24-12-0027

--PIN 36-31-24-12-0032  
--PIN 36-31-24-13-0058

The total estimated cost of the project is \$1,300,000. The project is necessary to improve these streets from their existing poor condition. The project is cost effective with the use of State Aid construction funds and is feasible to construct.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails. Repaving these streets will improve the City’s collector street system and reduce maintenance costs. Construction of sidewalks along Springbrook Drive will improve pedestrian safety.

**RECOMMENDATION**

It is recommended that Council adopt the following resolutions—

- a. Resolution No. 12-3(4) ordering a public hearing for March 20th at 7:00 pm
- b. Resolution No. 12-3(10) declaring cost to be assessed and ordering preparation of assessment roll
- c. Resolution No. 12-3(11) setting the assessment hearing for March 20th at 7:00 pm

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**Fiscal Impact**

**BUDGET IMPACT:**

The City proposes to assess \$159,601.14 to benefiting properties as part of this project. The remaining cost(\$1,140,000) will be paid using the City’s State Aid construction fund. The City receives approximately \$2M annually for these projects. This year the City has received approval of an “advance” of an additional \$2.3 M to help pay for all the work proposed for 2012. An advance of future funds will be needed again for next year’s reconstruction program. The advance of funds will taper off over a few years until the fund is back to “normal”, allowing for some reconstruction each year and into the future.

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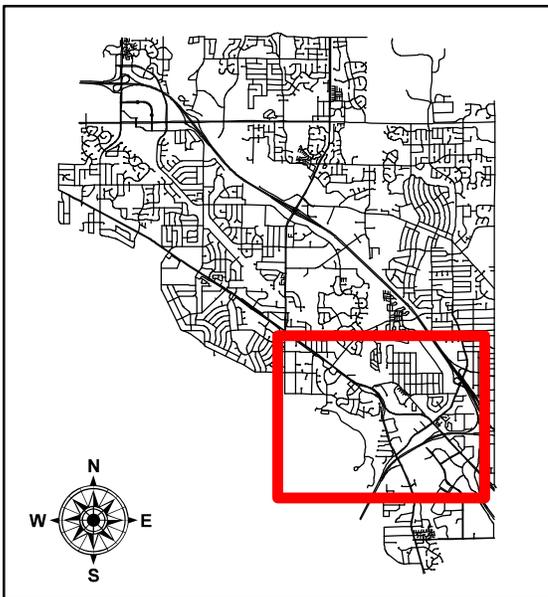
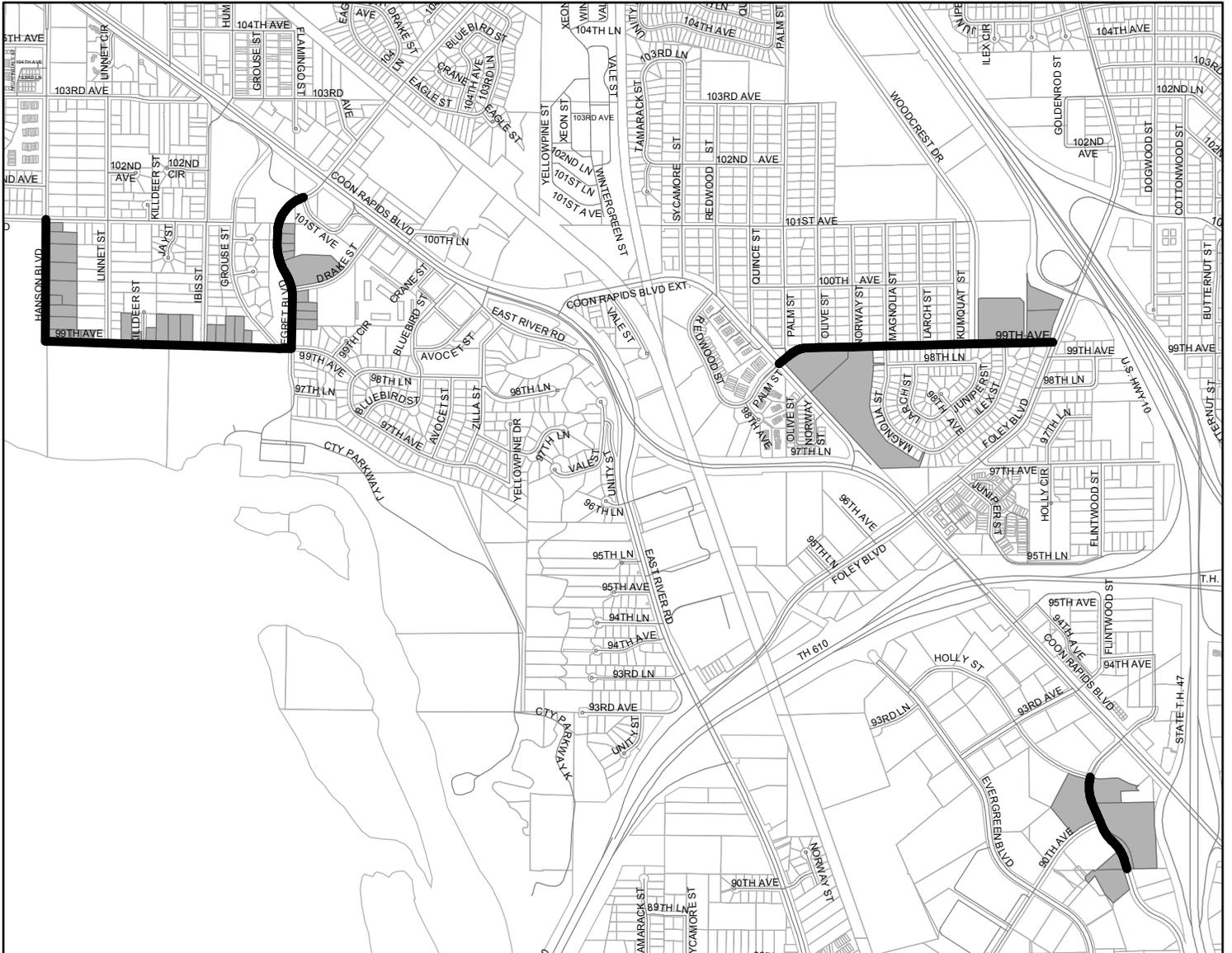
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**Attachments**

- 12-3 Map
  - 12-3 title sheet
  - 12-3 feas
  - Resolution No. 12-3(4)
  - Resolution No. 12-3(10)
  - Resolution No. 12-3(11)
- 
-

# Project 12-3 2012 Street Reconstruction Program

■ 2012 Proposed Reconstruction



■ Area of Benefit



**COON  
RAPIDS**  
Minnesota

FEASIBILITY REPORT

FOR

CITY PROJECT 12-3

**Street Reconstruction**

Collector Streets—2.0 miles

1. Hanson Blvd—Miss. Blvd to 99<sup>th</sup> Avenue
2. 99<sup>th</sup> Avenue—Hanson Blvd to Egret Boulevard
3. Egret Boulevard—99<sup>th</sup> Avenue to Coon Rapids Blvd
4. 99<sup>th</sup> Avenue—Foley Boulevard to Coon Rapids Blvd Extension
5. Springbrook Drive—Holly Street to 0.20 mile south

February 21, 2012

Prepared by City of Coon Rapids Engineering Division

## **PROJECT HISTORY**

Council ordered preparation of a feasibility report on January 17, 2012 based on a recommendation from City staff. This project proposes reconstruction of existing collector streets in the south central part of the City. These streets were originally built between 1974 and 1984 so they are 28 to 38 years old and are in poor condition. It is proposed to reconstruct these 2.0 miles of roadway in 2012.

## **PROJECT AREA CHARACTERISTICS**

**Hanson Boulevard, 99<sup>th</sup> Avenue, and Egret Boulevard** are City State Aid collector streets that exist south of Mississippi Boulevard on the west end and south of Coon Rapids Boulevard on the east end. These streets are in very poor condition due to potholes and severe cracking. These streets were built in 1974 and are 38 years old. Traffic volumes are fairly low for a collector street—1,800 vehicles per day (on Egret Blvd). Concrete sidewalk exists on the east side of Egret Boulevard, providing for ped access to Coon Rapids Dam Regional Park. The sidewalk is in fairly good condition but some sections may need replacing. The County recently repaved the entrance and the parking lot at the Dam so the City work will provide a new paved surface to the regional park in this neighborhood area. These streets have several driveway access points from adjacent properties—30 single-family homes and one apartment building. The street on Hanson Boulevard and 99<sup>th</sup> Avenue is 36 feet wide and the street on Egret Boulevard is 44 feet wide compared to a normal 30-foot wide residential street. The length of these streets is 1.2 miles.

**99<sup>th</sup> Avenue**, west of Foley Boulevard, is a City State Aid collector street. This street is in very poor condition and is due to be repaved. This street was milled and overlaid in 1995, 17 years ago. A traffic signal exists at Foley Boulevard. Traffic volumes are high on the east end with 10,800 vehicles per day. The west end has more normal traffic—3,000 VPD. Concrete sidewalk exists on the south side of the street and on the easterly block on the north side of the street adjacent to the commercial area. Some existing sidewalk may need minor repair work. These streets have few access points—only one apartment site and a few homes on the north side. Commercial sites, west of Foley Boulevard, have access to 99<sup>th</sup> Avenue via a common private drive. The length of 99<sup>th</sup> Avenue is 0.6 miles. Woodcrest Drive is a collector street that intersects 99<sup>th</sup> Avenue on the north side. Woodcrest Drive is proposed for reconstruction, possibly in 2013. Coon Rapids Boulevard Extension is a City collector street that intersects 99<sup>th</sup> Avenue at the west end of 99<sup>th</sup>. This street is in poor condition and the City is planning to resurface this street in 2012 under the "Large Patching" contract—Project 12-13.

**Springbrook Drive**, south of Holly Street, is a City State Aid Collector street. This street is in poor condition and is due to be repaved. The street was first built in 1984 so it is 28 years old. The first block of Springbrook Drive is being left out of this project as the County has plans to upgrade this part of the road in 2013 as part of an intersection improvement at Coon Rapids Boulevard. Traffic volumes are high on this street—12,000 vehicles per day. Sidewalk exists on both sides of the street south of the project area and north of the project area. This street has few access points. There are a few medical offices in this area that have access to the street. There are no homes in this commercial district. The length of street to be improved is 0.2 miles.

## **ENVIRONMENTAL**

This project will have no effect on the environment. The road width is not changing except to widen slightly for a right-turn lane on 99<sup>th</sup> Avenue, west of Foley Boulevard.

## **PROPOSED IMPROVEMENTS**

The project consists of replacing existing concrete curb that is in poor condition, reclaiming the existing street surfacing, and then repaving a new bituminous surface to a standard 9-ton design meeting State Aid standards. The length of the street to be repaved is 2.0 miles. State Aid standards require that existing pedestrian curb ramps at all intersections be replaced with ramps that have truncated domes to meet ADA requirements. New concrete sidewalk is being proposed along both sides of Springbrook Drive to connect existing sidewalks at either end of the project area. On 99<sup>th</sup> Avenue, west of Foley Boulevard, it is proposed to construct right-turn lanes for westbound traffic turning north onto the private commercial access road and also for westbound traffic turning north onto Woodcrest Drive. This north side of the street would be widened 3 feet to provide for the turn lanes.

## **ADJACENT PROPERTY**

There are 40 adjacent properties that are proposed to be assessed for this street improvement per the City's assessment policy for street reconstruction. These properties consist of 30 homes, 2 apartment buildings, one City park, and 7 commercial sites. All adjacent property owners have been notified of the proposed construction and will be notified again prior to the actual construction taking place. Traffic may be limited to using one-half of the street during construction. The streets are wide enough to maintain traffic at all times. Access will always remain open to residents and businesses.

## **EASEMENTS REQUIRED**

Easements are needed from the owners along Springbrook Drive to allow for construction of the proposed new sidewalk.

## **MAINTENANCE IMPACT**

Reconstruction of these streets will reduce the amount of time spent and cost of maintaining the road surface that is in poor condition.

## **ESTIMATED COSTS**

The estimated cost of this project is \$1,300,000. The City proposes to assess \$159,601.14 . The balance would be paid from State Aid funds.

## **FINANCE**

The City would finance the cost until State Aid funding is received and all assessments have been paid. Assessments will be made over a 10-year period. State Aid funds are available in the City's account because the City applied for an "Advance" of State Aid funds in the amount of \$2.34M. This "Advance" allows the City to use State funds this year to complete more work rather than waiting for new funding next year. There are no interest charges for use of this money. The City will request an "Advance" later this year for next year so that more streets can be repaved in 2013. Over the next few years, the City would request less "advance" funds and get the funding back to normal. The plan is to continue to improve streets each year and into the future, but less funding will be available for the next few years to make up for this year's larger "advance" amount.

## **PROJECT TIMETABLE**

The estimated time schedule for this project is –

February 21, 2012	--Council orders public hearing and assessment hearing
March 20, 2012	--Council holds public hearing and assessment hearing and orders the project
April 3, 2012	--Council approves plans and orders ad for bids
May 15, 2012	--Council awards a contract for construction and assesses benefiting properties
Early-June, 2012	--Construction begins
September, 2012	--Construction completed

## **PROPOSED ASSESSMENTS**

The City's policy for street reconstruction provides for assessment to properties that have direct access to the street. The assessment rate is set at \$1,575 per lot for single family homes. Apartment sites are assessed at a rate of \$19.69 per foot of frontage or average width. Commercial properties are assessed at a rate of \$39.38 per foot (twice the residential rate per policy). Assessments are spread over a 10-year period with interest rate of 3.1%. Assessments would begin in 2013. Property owners would have the option to pay off the assessment within 30 days after Council adopts the assessment to avoid paying any interest charges.

## **PROJECT FEASIBILITY**

The project is necessary to keep the City's streets in reasonable condition. The project is cost effective with use of State Aid funding and assessments. The project is feasible to construct.

## **CONCLUSION AND RECOMMENDATION**

The City is proposing to reconstruct several collector streets in 2012. The City is proposing to assess 40 parcels that have direct access to the street for these street improvements per City policy. These owners were notified of the project and assessment in December, 2011. A public hearing is needed before Council can order the project.

It is recommended that Council order a public hearing and assessment hearing for March 20<sup>th</sup>.

**RESOLUTION NO. 12-3(4)**

**(4) RESOLUTION ACCEPTING FEASIBILITY REPORT  
AND ORDERING PUBLIC HEARING ON IMPROVEMENT**

**WHEREAS**, pursuant to resolution of the Council adopted on the 17th day of January, 2012, a report has been prepared by the City Engineering Division with reference to the improvement of Hanson Boulevard, 99th Avenue (2), Egret Boulevard, and Springbrook Drive by street reconstruction, and this report was received by the Council on the 21st day of February, 2012,

**WHEREAS**, the report provides information regarding whether the proposed project is necessary, cost effective, and feasible,

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

1. The Council will consider such improvement in accordance with the report and the assessment of benefitting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Sections 429.011 to 429.111, at an estimated total cost of the improvement of \$1,300,000.
2. A public hearing shall be held on such proposed improvement on the 20th day of March, 2012 in the Council Chambers of the City Hall at 7:00 p.m., and the Clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-3(10)**

**(10) RESOLUTION DECLARING COST TO BE ASSESSED  
AND ORDERING PREPARATION OF  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, a contract will be let for the improvement of Hanson Boulevard, 99<sup>th</sup> Avenue (2), Egret Boulevard, and Springbrook Drive by street reconstruction and the contract price for such improvement is estimated to be \$1,160,000 and the expenses incurred or to be incurred in the making of said improvement are estimated to be \$140,000, so that the total cost of the improvement is estimated to be \$1,300,000 and of this cost the City will pay approximately \$1,140,400 as its share of the cost; and

**WHEREAS**, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

**WHEREAS**, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

**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 \$159,601.14.
2. The City Clerk, with the assistance of the City Engineer 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 Engineer shall file a copy of such proposed assessment in his office for public inspection.
3. The Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

Adopted this 21 day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-3(11)**

**(11) RESOLUTION FOR HEARING ON  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, per a Resolution passed by the Council on the 21st day of February, 2012, the City Clerk was directed to prepare a proposed assessment of the cost of improving Hanson Boulevard, 99<sup>th</sup> Avenue (2), Egret Boulevard, and Springbrook Drive by street reconstruction; and

**WHEREAS**, the Clerk will give a minimum of 14 days written notice to the Council and all benefitted property owners described in the assessment roll 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. A hearing shall be held on the 20th day of March, 2012, in the City Hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official paper at least 2 weeks prior to the hearing.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**13.**

**Meeting Date:** 02/21/2012

**Subject:** Proposed Street Reconstruction-Collector Street--Project 12-4 133rd Avenue

**From:** Doug Vierzba, City Engineer

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**INTRODUCTION**

The City Engineering Division is recommending street reconstruction on this collector street in 2012. This one mile long street is a border street with the City of Andover. The construction project is proposed to be handled by the City of Andover but each City must hold hearings to assess benefiting properties in each City. A feasibility report has been prepared for the proposed project. Council is requested to order a public hearing and assessment hearing to be held on March 20, 2012.

**DISCUSSION**

Council ordered preparation of a feasibility report on January 17, 2012. The project would propose to replace concrete curb that is in poor condition, install ADA compliant pedestrian curb ramps at all intersections, and repave a new bituminous surface. The City's assessment policy provides for assessment of \$1,575 per home for properties that have direct access to the street. There are 3 single-family homes in Coon Rapids to be assessed for this project. There will be a Joint Powers Agreement(JPA) with the City of Andover providing for Andover to bill the City for 50% of the project cost. State Aid funds can be used to pay for the costs not recovered through assessments.

The legal description of the area of benefit is-

--Lots 6 and 9, Block 1, and Lot 7, Block 2, Maxwell Estates 2nd Addition

The total estimated cost to the City of Coon Rapids is \$395,000. The project is necessary to improve this street from its existing poor condition. The project is cost effective with the use of State Aid construction funds and is feasible to construct.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

The City has an efficient and well maintained system of roads, sidewalks, and trails. Repaving this street will improve the City's collector street system and reduce maintenance costs.

**RECOMMENDATION**

It is recommended that Council adopt the following resolutions—

- a. Resolution No. 12-4(4) ordering a public hearing for March 20th at 7:00 pm.
- b. Resolution No. 12-4(10) declaring cost to be assessed and ordering preparation of assessment roll.
- c. Resolution No. 12-4(11) setting the assessment hearing for March 20th at 7:00 pm.

**BUDGET IMPACT:**

The City proposes to assess \$4,725 to benefiting properties as part of this project. The remaining cost(\$390,000) will be paid using the City's State Aid construction fund. The City receives approximately \$2M annually for these projects. This year the City has received approval of an "advance" of an additional \$2.3 M to help pay for all the work proposed for 2012. An advance of future funds will be needed again for next year's reconstruction program. The advance of funds will taper off over a few years until the fund is back to "normal", allowing for some reconstruction each year and into the future

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**Attachments**

12-4 Map

12-4 Title sheet

12-4 feas.

Resolution No. 12-4(4)

Resolution No. 12-4(10)

Resolution No. 12-4(11)

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FEASIBILITY REPORT

FOR

CITY PROJECT 12-4

**Street Reconstruction**

Collector Street—1.0 miles

133<sup>rd</sup> Avenue—Coon Creek Boulevard to Hanson Boulevard

February 21, 2012

Prepared by City of Coon Rapids Engineering Division

## **PROJECT HISTORY**

Council ordered preparation of a feasibility report on January 17, 2012 based on a recommendation from City staff. This street was originally built in phases—in 1987 and 1989, so it is 23-25 years old and is in poor condition. It is proposed to reconstruct this 1.0 mile of roadway in 2012. Since this is a border street with the City of Andover, both cities will share in the cost. The City of Andover will handle the construction contract and will bill the City of Coon Rapids for a share of the cost per a JPA that will be approved by both cities before the project proceeds.

## **PROJECT AREA CHARACTERISTICS**

133<sup>rd</sup> Avenue is a City State Aid collector street that exists between Coon Creek Boulevard and Hanson Boulevard. This street is in very poor condition due to potholes and severe cracking. A traffic signal exists at Coon Creek Boulevard and at Hanson Boulevard. Traffic volumes are fairly average for a collector street—3,500 vehicles per day. Concrete sidewalk exists on the south side of the street. The sidewalk is in fairly good condition but some sections may need replacing. The street has few driveway access points—three single-family homes on Coon Rapids side and only two on Andover's side. The street is 44 feet wide compared to a normal 30-foot wide residential street.

## **ENVIRONMENTAL**

This project will have no effect on the environment. The road width is not changing, only new pavement is proposed.

## **PROPOSED IMPROVEMENTS**

The project consists of replacing existing concrete curb that is in poor condition, reclaiming the existing street surfacing, and then repaving a new bituminous surface to a standard 9-ton design meeting State Aid standards. The length of the street to be repaved is 5300 feet. State Aid standards require that existing pedestrian curb ramps at all intersections be replaced with ramps that have truncated domes to meet ADA requirements.

## **ADJACENT PROPERTY**

There are 3 adjacent properties that are proposed to be assessed for this street improvement per the City's assessment policy for street reconstruction. All adjacent property owners have been notified of the proposed construction and will be notified again prior to the actual construction taking place. Traffic may be limited to using one-half of the street during construction. The street is wide enough to maintain traffic at all times.

## **EASEMENTS REQUIRED**

No easements are needed for this project.

## **MAINTENANCE IMPACT**

Reconstruction of this street will reduce the amount of time spent and cost of maintaining a road surface that is in poor condition.

## **ESTIMATED COSTS**

The estimated cost to Coon Rapids for this project is \$395,000. Assessments would recover \$4,725 of the cost. The balance would be paid from State Aid funds.

## **FINANCE**

The City would finance the cost until State Aid funding is received and all assessments have been paid. State Aid funds are available in the City's account. Assessments will be made over a 10-year period. The City would be paying costs to the City of Andover who will be contracting for the construction and paying the contractor as well as providing engineering services. A JPA is to be approved by both cities outlining each city's responsibilities.

## **PROJECT TIMETABLE**

The estimated time schedule for this project is –

February 21, 2012	--Council orders public hearing and assessment hearing
March 20, 2012	--Council holds public hearing and assessment hearing and orders the project
May 1, 2012	--City of Andover awards contract for construction
May 15, 2012	--Council assesses benefiting properties
Late-May, 2012	--Construction begins
August, 2012	--Construction completed

## **PROPOSED ASSESSMENTS**

The City's policy for street reconstruction provides for assessment to properties that have direct access to the street. There are 3 properties with access to 133<sup>rd</sup> Avenue in Coon Rapids. The assessment rate is set at \$1,575 per lot. This cost would be assessed over a 10-year period with interest rate of 3.1%. Property owners would have the option to pay off the assessment within 30 days after Council adopts the assessment to avoid paying any interest charges.

## **PROJECT FEASIBILITY**

The project is necessary to keep the City's streets in reasonable condition. The project is cost effective with use of State Aid funding and assessments. The project is feasible to construct.

## **CONCLUSION AND RECOMMENDATION**

The Cities of Coon Rapids and Andover are proposing to reconstruct 133<sup>rd</sup> Avenue in 2012. The City of Andover would handle the construction contract with the City of Coon Rapids paying a share of the cost through a JPA to be approved by both cities. The City is proposing to assess 3 parcels that have direct access to the street for these street improvements per City policy. These owners were notified of the project and assessment in December, 2011. A public hearing is needed before Council can order the project.

It is recommended that Council order a public hearing and assessment hearing for March 20<sup>th</sup>.

**RESOLUTION NO. 12-4(4)**

**(4) RESOLUTION ACCEPTING FEASIBILITY REPORT  
AND ORDERING PUBLIC HEARING ON IMPROVEMENT**

**WHEREAS**, pursuant to resolution of the Council adopted on the 17th day of January, 2012, a report has been prepared by the City Engineering Division with reference to the improvement of 133rd Avenue from Coon Creek Boulevard to Hanson Boulevard by street reconstruction, and this report was received by the Council on the 21st day of February, 2012,

**WHEREAS**, the report provides information regarding whether the proposed project is necessary, cost effective, and feasible,

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

1. The Council will consider such improvement in accordance with the report and the assessment of benefitting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Sections 429.011 to 429.111, at an estimated total cost of the improvement of \$395,000 (City share).
2. A public hearing shall be held on such proposed improvement on the 20th day of March, 2012 in the Council Chambers of the City Hall at 7:00 p.m., and the Clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-4(10)**

**(10) RESOLUTION DECLARING COST TO BE ASSESSED  
AND ORDERING PREPARATION OF  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, a contract will be let for the improvement of 133<sup>rd</sup> Avenue from Coon Creek Boulevard to Hanson Boulevard by street reconstruction and the contract price for such improvement is estimated to be \$353,000 and the expenses incurred or to be incurred in the making of said improvement amount to \$42,000, so that the total cost of the improvement is estimated to be \$395,000 and of this cost the City will pay an estimated \$390,275.00 as its share of the cost; and

**WHEREAS**, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

**WHEREAS**, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

**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 \$4,725.00.
2. The City Clerk, with the assistance of the City Engineer 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 Engineer shall file a copy of such proposed assessment in his office for public inspection.
3. The Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk

**RESOLUTION NO. 12-4(11)**

**(11) RESOLUTION FOR HEARING ON  
PROPOSED ASSESSMENT ROLL**

**WHEREAS**, per a Resolution passed by the Council on the 21st day of February, 2012, the City Clerk was directed to prepare a proposed assessment of the cost of improving 133<sup>rd</sup> Avenue from Coon Creek Boulevard to Hanson Boulevard by street reconstruction; and

**WHEREAS**, the Clerk will give a minimum of 14 days written notice to the Council and all benefitted property owners described in the assessment roll 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. A hearing shall be held on the 20th day of March, 2012, in the City Hall at 7:00 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official paper at least 2 weeks prior to the hearing.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**14.**

**Meeting Date:** 02/21/2012

**Subject:** Approval of Joint Powers Agreement With City of Andover for Reconstruction of 133rd Avenue

**From:** Doug Vierzba, City Engineer

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**INTRODUCTION**

The City of Andover will be reconstructing the street on 133rd Avenue in 2012. This is a border street between Coon Rapids and Andover. A joint powers agreement(JPA) is needed to allow for the construction to take place with each City paying half the cost. Council is requested to approve the JPA at this time.

**DISCUSSION**

Andover and Coon Rapids have been working on plans to reconstruct this one mile long street in 2012. Each City is holding public hearings and assessment hearings on proposed assessments to benefited properties in each City. Coon Rapids will be holding a public hearing/assessment hearing on March 20th. This street is a border street serving both cities and therefore, each City will share in the cost. A joint powers agreement has been prepared for approval by each City Council. The agreement provides for Andover handling the plan preparation, bidding process, contract award, and construction inspection. The City of Andover would invoice the City of Coon Rapids for a share of the cost(@ 50%). Each City is responsible for ongoing maintenance of their half of the street.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision in the following way:

Reconstruction of this street will improve the street surface for use by the traveling public and reduce maintenance costs for many years.

**RECOMMENDATION**

It is recommended that Council approve the JPA with the City of Andover for street reconstruction on 133rd Avenue.

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**Fiscal Impact**

**BUDGET IMPACT:**

The estimated cost to the City of Coon Rapids is \$395,000. The City will assess \$4,725 to benefiting properties and the balance would be paid from the City's State Aid Street fund.

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**Attachments**

JPA document

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**A JOINT POWERS AGREEMENT BY AND BETWEEN  
THE CITIES OF ANDOVER AND COON RAPIDS  
FOR THE MAINTENANCE AND SNOWPLOWING OF  
133<sup>RD</sup> AVENUE NW FROM HANSON BOULEVARD NW  
TO CROSSTOWN BOULEVARD NW**

This Agreement made and entered this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the City of Andover, a municipal corporation hereinafter referred to as “Andover”, and the City of Coon Rapids, a municipal corporation hereinafter referred to as “Coon Rapids”.

**WITNESSETH:**

**WHEREAS**, Andover and Coon Rapids share a common border along the southerly corporate limits of Andover and the northerly corporate limits of Coon Rapids; and

**WHEREAS**, the common border from Hanson Boulevard NW to Crosstown Boulevard NW bordering road is known as 133<sup>rd</sup> Avenue NW, which extends approximately 1 mile; and

**WHEREAS**, it is the desire of both Cities to jointly maintain and provide snow removal of 133<sup>rd</sup> Avenue NW to City and Municipal State Aid standards; and

**WHEREAS**, a determination has been made by the City Council of both communities that sharing in the maintenance and snow removal of 133<sup>rd</sup> Avenue is beneficial to both Cities; and

**WHEREAS**, Minnesota Statutes Section 471.59 authorizes political subdivisions of the State to enter into joint powers agreements for the joint exercise of powers to each.

**NOW, THEREFORE**, it is mutually stipulated and agreed:

1. Purpose: The parties are joined together for the purpose of maintaining and snowplowing 133<sup>rd</sup> Avenue NW between Hanson Boulevard NW and Crosstown Boulevard NW.
2. Construction/Maintenance. Construction/maintenance shall be done as follows:

Andover shall be responsible for implementing any required feasibility studies, engineering and design work, bid procedures, selection of contractor and/or award of bid, and supervision of construction, subject to concurrence by the City of Coon Rapids. Following the project design stage, and prior to advertisement for bids, the proposed road project/plan shall be submitted to Coon Rapids, and the project shall not proceed further until Coon Rapids gives written approval of project/plans and/or maintenance procedure.

3. Reimbursement of Construction/Maintenance Costs. Within thirty (30) days of receipt of a partial pay estimate or bill for construction costs, Coon Rapids shall remit payment for one-half thereof to Andover. Construction costs shall include all costs other than right-of-way acquisition costs, including, but not limited to, engineering fees, legal fees, publication costs, and contractors' fees. Right-of-way acquisition costs shall be the separate responsibility of each City for necessary right-of-way acquisition within its respective corporate limits. Construction/maintenance shall be deemed complete when Administration of each City has accepted the construction/maintenance of the project upon recommendation of its City engineer. Andover shall strictly account for all funds expended and received hereunder and shall furnish an accurate, detailed report of the same to Coon Rapids.
4. Special Assessment Procedures in Andover and Coon Rapids. It is acknowledged between the parties that Andover and Coon Rapids may utilize Minnesota Statutes, Chapter 429 to specially assess benefited properties within their respective jurisdictions. To this end, Andover will cooperate in all respects in complying with the terms of Minnesota Statutes, Chapter 429 in the preparation of plans, feasibility studies, and any other required actions. Andover and Coon Rapids shall be responsible for conducting such public hearings and implementing such other procedures as may be necessary in their respective jurisdictions to comply with the terms of Minnesota Statutes, Chapter 429 as they relate to the project, and the Engineer shall attend the public hearings as required by each City. All costs related to specially assessing benefited properties shall be paid in full by the respective cities and included as part of the total amount assessed. Such costs shall not be shared costs of the project.
5. Bonding. To the extent that either Andover or Coon Rapids utilizes any general obligation bonding to wholly or partially fund any portion of the costs of the project, both Andover and Coon Rapids will endeavor to cooperate with each other in any statutory required procedure necessary to implement such bonding. Each City shall pay its separate bonding expenses, which shall not be shared costs of the project.
6. MSA Funding. Both Andover and Coon Rapids will cooperate in all respects in maintaining the eligibility of the project to receive MSA funding from the Minnesota Department of Transportation. Furthermore, design standards for the project shall be as required by the Minnesota State Aid Section of the Minnesota Department of Transportation.
7. Right-of Way Acquisition. Andover and Coon Rapids each shall be separately responsible for acquiring all right-of-way necessary to implement the project within each City's respective corporate limits. Right-of-way acquisition costs shall not be considered a part of the shared costs of the project.

8. Maintenance.
  - A. Contractor's Bond and Guaranty. Andover shall be responsible for enforcing any contractor's bond and guaranty on the project. The costs of any such enforcement shall be paid by Andover, but if any such costs are incurred, one-half of such costs shall be reimbursed to Andover by Coon Rapids.
  - B. On-Going Maintenance. The project shall be maintained in such a manner as to comply with on-going maintenance requirements for MSA roads as established by the Minnesota Department of Transportation. Andover and Coon Rapids shall share equally in the costs of future maintenance, subject to the conditions that the governing body of each shall agree as to the need for specific items of future maintenance.
  - C. Snowplowing. Both Cities shall be responsible for plowing this section of roadway and this will be reviewed on an annual basis.
9. Termination of Agreement. This agreement shall continue during improvement of the road as herein provided and so long thereafter as the road qualifies as a MSA road.
10. Insurance. Each City shall procure and maintain general liability insurance and other appropriate forms of insurance with respect to the responsibilities and obligations under this Agreement.
11. Indemnity Notification. Each party hereto agrees to indemnify, defend and hold harmless the other from any claims, losses, costs, expenses or damages resulting from the acts or omissions of its respective officers, agents, or employees relating to activities conducted under this Agreement.
12. Notice. Any notice required or permitted to be given under this Agreement will be sufficient if in writing and sent by registered or certified mail or hand delivered to each City at the address set forth below or at such other place as either City shall designate in writing by certified or registered mail.

City Clerk  
City of Andover  
1685 Crosstown Boulevard NW  
Andover, MN 55304

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

13. Entire Agreement; Requirement of A Writing. It is understood and agreed that the entire agreement of the parties is contained herein, and this Agreement supersedes all Agreements and all negotiations between the parties relating to the subject matter hereof. Any alterations, variations, or modifications of the provisions of the Agreement shall be valid only when they have been reduced to writing and duly signed by the parties herein.

IN WITNESS WHEREOF, the parties hereto have executed this agreement by their duly authorized officers and have caused their respective seals to be affixed hereto.

**CITY OF ANDOVER**

**CITY OF COON RAPIDS**

By: \_\_\_\_\_  
Michael R. Gamache, Mayor

By: \_\_\_\_\_  
Tim Howe, Mayor

By: \_\_\_\_\_  
James Dickinson, City Administrator

By: \_\_\_\_\_  
Matt Fulton, City Manager

Approved as to Form:

By: \_\_\_\_\_  
Scott Baumgartner, City Attorney

By: \_\_\_\_\_  
Stoney Hiljus, City Attorney



**City Council Regular**

**15.**

**Meeting Date:** 02/21/2012

**Subject:** Approve Plans and Specs and Order Advertisement for Bids - Project 12-7 - Sanitary Sewer Lift Station No. 1 Replacement

**Submitted For:** Steve Gatlin, Public Services Director

**From:** Cher Ridout, Admin Secretary II

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**INTRODUCTION**

Our consulting engineer, SEH, Inc., has completed plans and specifications for the reconstruction of Sanitary Sewer Lift Station No. 1. Council consideration for approval of the plans and specifications and ordering the advertisement for bids is requested at this time.

**DISCUSSION**

As part of our ongoing capital improvement program, Sanitary Sewer Lift Station No. 1 is planned for replacement in 2012. Lift Station No. 1 is located at 923 88<sup>th</sup> Avenue and services the extreme southwest portion of the City west of East River Road. The lift station is at the end of its useful life and needs to be replaced. The work includes replacement of the lift station and minor relocation of some components of the lift station.

Bids will be advertised at the end of February and early March with the bid opening scheduled for March 16, 2012. A summary of bids and a recommendation will be presented to Council at the April 3, 2012 meeting. We expect work to begin in early summer and be completed in the fall of 2012.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the Quality of Life section of the City's long term strategic vision by providing an efficient and well maintained sanitary sewer system.

**RECOMMENDATION**

I recommend the Council adopt Resolution No. 12-7(8) approving plans and specifications and ordering advertisement for bids for replacement of Sanitary Sewer Lift Station No. 1.

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**Fiscal Impact**

**BUDGET IMPACT:**

The total estimated cost of the project is \$400,000. The Sanitary Sewer Utility Fund contains \$643,775 that was budgeted for the project in 2012.

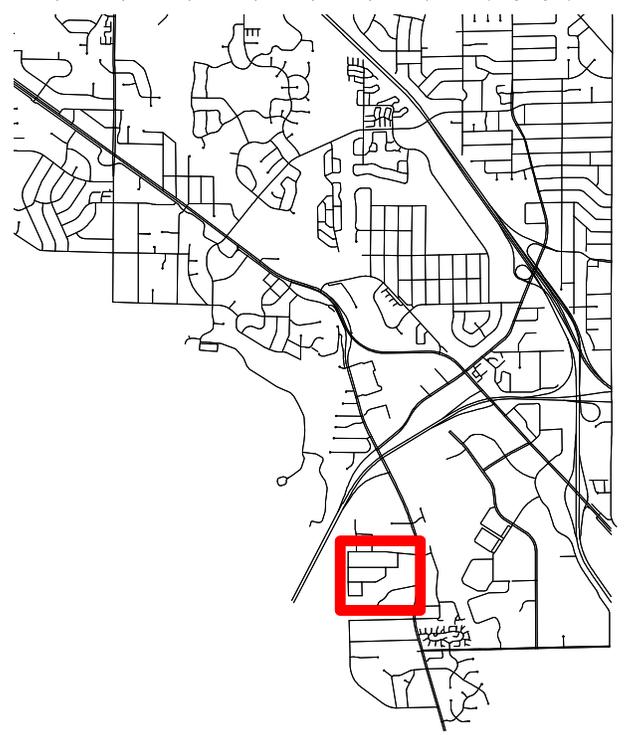
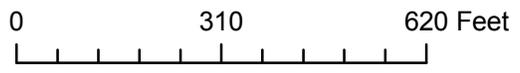
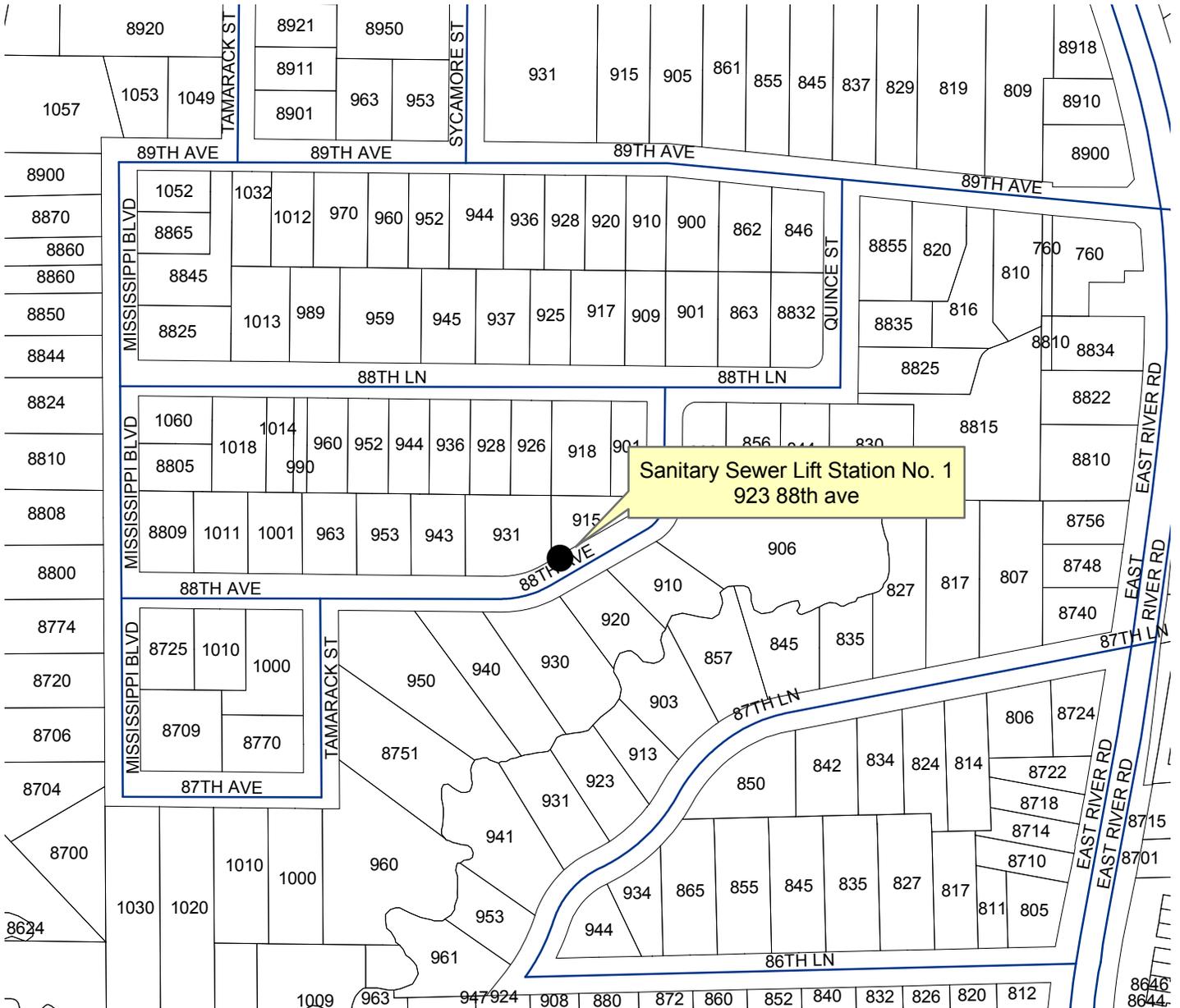
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**Attachments**

12-7 Location Map

Resolution No. 12-7(8)

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**RESOLUTION NO. 12-7(8)**

**(8) RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
AND ORDERING ADVERTISEMENT FOR BIDS**

**WHEREAS**, pursuant to a motion passed by the Council on the 6th day of December, 2011, SEH, Inc. has prepared plans and specifications for the improvement of Sanitary Sewer Lift Station No. 1 located at 923-88<sup>th</sup> Avenue and has presented such plans and specifications to the Council for approval; and

**WHEREAS**, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

**WHEREAS**, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in a trade journal, if applicable, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the Clerk until 10:00 a.m. on the 16th day of March, 2012, at which time they will be publicly opened in the City Hall by the City Clerk and engineer, will then be tabulated, and will be considered by the Council at 7:00 p.m. on the 3rd day of April, 2012, in the Council Chambers, and that no bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for 5% of the amount of such bid.

Adopted this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Catherine M. Sorensen, City Clerk



**City Council Regular**

**16.**

**Meeting Date:** 02/21/2012

**Subject:** Re-appropriation of 2012 General Fund Contingency

**From:** Fran Hanson, Accounting Supervisor

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**INTRODUCTION**

Labor and benefits for 2012 should be allocated to the General Fund activities. All 2012 contracts have now been settled.

**DISCUSSION**

Re-appropriation to the personal services line item is now being requested based on the 2012 labor contracts and approved salary adjustments. Resolution 12-41 re-appropriating the personal services line item to the General Fund activities is attached for Council consideration. The allocation totals \$347,096. The resolution moves funds from the contingency account to individual activities within the General Fund for budgetary purposes.

**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 budget process ensures a strategic direction established and monitored by the City Council.

**RECOMMENDATION**

Staff recommends that Council adopt Resolution No. 12-41 providing re-appropriation of the 2012 General Fund contingency.

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**Attachments**

**Resolution 12-41**

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## RESOLUTION 12-41

### RESOLUTION PROVIDING REAPPROPRIATION OF THE 2012 GENERAL FUND CONTINGENCY

**WHEREAS**, Section 1-700 of the City Charter provides for a contingency appropriation as a part of the budget and the subsequent reappropriation of the contingency appropriation; and

**WHEREAS**, the 2012 adopted General Fund budget included a contingency appropriation; and

**WHEREAS**, all changes to be covered by the contingency are now known.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Coon Rapids hereby authorizes the reappropriation of the 2012 contingency to the General Fund activities as follows:

#### 2012 BUDGET ADJUSTMENTS

Act #	DESCRIPTION	PERSONAL SERVICES
101	LEGISLATIVE CONTROL	714
102	BOARDS AND COMMISSIONS	295
103	LEGAL SERVICES	3,595
104	ELECTIONS & VOTER REGISTRATION	355
121	MAINT OF OFFICIAL RECORDS	336
122	INFORMATION	830
123	MANAGEMENT	2,806
124	LICENSING	161
141	HUMAN RESOURCES	1,036
142	FINANCE & ACCOUNTING	8,346
143	INFORMATION TECHNOLOGY	5,062
144	GENERAL REVENUE COLLECTIONS	917
147	PROPERTY APPRAISAL	4,910
148	PURCHASING	576
149	PAYROLL	733
201	COURT CASE/PREPARATION	6,524
202	INVESTIGATION/NON-TRAFFIC	17,589
203	PREVENTATIVE PATROL/TRAFFIC	102,203
204	ACCIDENT REDUCTION PROJECT	406
205	ANIMAL CONTROL	1,060
206	SCHOOL LIAISON/COMM EDUCATION	10,342
207	DRUG ENFORCEMENT AND EDUCATION	5,166
208	EMERGENCY OPERATION/PLANNING	692
221	FIRE PREVENTION	6,562
222	FIRE TRAINING	7,194
223	FIRE SUPPRESSION	66,423
224	RESCUE AND FIRST AID	13,539
225	FIRE INVESTIGATION	477
251	EMPLOYEE SAFETY	212
320	CIVIC CENTER	384
324	SENIOR CITIZENS SERVICES	2,027

401	PLANNING	4,668
407	NEIGHBORHOOD REINVESTMENT	4,317
421	BUILDING INSPECTION	9,282
500	SNOW REMOVAL	3,722
501	STREET MAINTENANCE	9,063
503	STREET LIGHT/SIGNAL MAINTENANCE	210
506	CENTRAL GARAGE/VEHICLE MAINT	10,208
507	PUBLIC BUILDING MAINTENANCE	2,271
508	GEOGRAPHIC INFORMATION SYSTEM	2,001
509	ENGINEERING MAINT SERVICES	4,113
510	PARKS & GROUNDS MAINTENANCE	19,349
511	SIDEWALK MAINTENANCE	472
514	ADULT SOFTBALL PROGRAM	262
515	INDOOR SKATING	2,038
516	OUTDOOR SKATING	2,627
521	TREE MAINTENANCE	1,021
		<hr/>
		347,096
		<hr/> <hr/>

Adopted by the Coon Rapids City Council this 21st day of February, 2012.

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Tim Howe, Mayor

ATTEST:

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Cathy Sorensen, City Clerk



**City Council Regular**

**17.**

**Meeting Date:** 02/21/2012

**Subject:** Authorize Purchase of Plow Trucks

**Submitted For:** Sharon Legg, Finance Director

**From:** Stephanie Lincoln, Purchasing Clerk

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**INTRODUCTION**

The Fleet Maintenance Supervisor is recommending the purchase of two replacement plow trucks.

**DISCUSSION**

Staff is recommending the purchase of two Freightliner plow trucks (1 single axle M2 106V and 1 tandem axle M2 112V) and other snow plow equipment off of the State Contract at a cost of \$368,894.44 before trade and taxes to replace two Sterling plow trucks (a 2001 and 2002) as part of the normal replacement schedule. The trucks are used by the Public Works department primarily for snow removal purposes but also for the hauling of various materials during water main breaks, street repairs, tree trimming, and street sweeping projects. Staff plans to accept the total trade-in amount of \$63,000 for both Sterling trucks.

The chassis' would be purchased from I-State Truck Center at a cost of \$180,671.44 and sent to Towmaster Truck Equipment to have equipment installed at a cost of \$188,223. These costs are before tax is added.

**ALIGNMENT WITH STRATEGIC VISION**

This item relates to the **Transportation** section of the 2030 Strategic Vision by allowing for the maintenance of street conditions at current levels.

**RECOMMENDATION**

Authorize staff to purchase two 2 1/2 ton Freightliner plow trucks and other snow plow equipment in the net amount of \$326,483.41 which includes sales tax and trade-in options.

---

**Fiscal Impact**

**BUDGET IMPACT:**

The budget includes \$322,578 for this purchase, net of trade-in allowance. The total amount to purchase these plow trucks is \$326,483.41 after trade and tax. The shortage of \$3,905.41 will come from the fund balance.

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**Attachments**

Plow Trucks

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	Budget	Trade	Net Budget	towmaster	Tax (6.875%)	Total Towmaster	I-State	Trade	Net I-State	Tax (6.5%)	Total I-State	Grand Total	Over/Under Budget
<b>Unit 27</b>	\$ 198,217.00	\$ (30,000.00)	\$ 168,217.00	\$ 97,735.00	\$ 6,719.28	\$ 104,454.28	\$ 105,847.23	\$ (34,000.00)	\$ 71,847.23	\$ 4,670.07	\$ 76,517.30	\$ 180,971.58	\$ (12,754.58)
<b>Unit 45</b>	\$ 179,361.00	\$ (25,000.00)	\$ 154,361.00	\$ 90,488.00	\$ 6,221.05	\$ 96,709.05	\$ 74,824.21	\$ (29,000.00)	\$ 45,824.21	\$ 2,978.57	\$ 48,802.78	\$ 145,511.83	\$ 8,849.17
<b>Total</b>	<b>\$ 377,578.00</b>	<b>\$ (55,000.00)</b>	<b>\$ 322,578.00</b>	<b>\$ 188,223.00</b>	<b>\$ 12,940.33</b>	<b>\$ 201,163.33</b>	<b>\$ 180,671.44</b>	<b>\$ (63,000.00)</b>	<b>\$ 117,671.44</b>	<b>\$ 7,648.64</b>	<b>\$ 125,320.08</b>	<b>\$ 326,483.41</b>	<b>\$ (3,905.41)</b>

**\*Total over budget by \$3,905.41**