



Council Work Session - 6:00 p.m.

HRA Meeting - 6:50 p.m.

CITY COUNCIL AGENDA

Tuesday, June 5, 2012

7:00 p.m.

Coon Rapids City Center

Council Chambers

Open Mic/Public Comment

Call to Order

Pledge of Allegiance

Roll Call

Adopt Agenda

Proclamations/Presentations

1. Twin Cities Gateway Visitors Bureau:
 - a. Approve 2012 Member City Marketing Grant Agreement.
 - b. Cons. Resolution 12-72 Accepting the 2012 Member City Marketing Grant

Approval of Minutes of Previous Meeting(s)

April 24, 2012

May 15, 2012

Consent Agenda

1. Authorize Waiver of Carnival License Fee for Gold Star Amusements, Inc. for Epiphany Springfest
2. Approve Pawnbroker License for Cash-N-Pawn International, LTD dba Max It Pawn, 12475 Riverdale Blvd NW Suite G
3. Cons. Resolution No. 12-70 Adopting the Assessment, 12100 Grouse Street NW, #607
4. Approve Joint Powers Agreement with Anoka County for Signal Painting at Three Locations on Main Street, Project 12-25
5. Accept Easement for Public Utility Purposes, Northdale Boulevard and Xeon Street, Coon Rapids - Creek Land, LLC
6. Accept 2011 Annual Financial Statement
7. Cons. Resolution 12-69 to Accept the Donation of 60 M16A1 Rifles from the United States Department of Defense

8. Cons. Resolution 12-71 to Accept the Donation of Funds and Services Used Toward the 2012 Green Expo
9. Cons. Resolution 12-73 Accepting a Donation from the Community Strength Foundation for the 2012 Citizens Academy
10.
 - a. Cons. Resolution 12-75 Canceling the July 3, 2012, City Council Meeting
 - b. Cons. Resolution 12-74 Rescheduling the August 7, 2012, City Council Meeting to August 8, 2012

Public Hearing

Bid Openings and Contract Awards

Old Business

1. Cons. Adoption of an Ordinance Establishing a Moratorium on Construction and Development of Currently Undeveloped Areas Zoned Industrial
2. Cons. Adoption of Ordinance Allowing Officers to Issue State Citations for Ordinance Parking Violations as Part of a Diversion or Other Administrative Citation Program (CAP)

New Business

1. Cons. Resolution Adopting Assessment, 2012 Street Reconstruction on 9th Avenue from 115th Avenue to Oakwood Drive, Project 12-6
2. Police Department Fax Machine:
 - a. Cons. Resolution 12-68 Amending the 2012 Budget to Reappropriate Funds
 - b. Authorize Purchase of Ricoh 4430NF Fax Machine
3. Cons. Introduction of Ordinance to Increase the Maximum Driveway Width in LDR1 and LDR2 Zoning Districts and Establish Definition and Standards for Off Drive Parking, PC 12-8
4. Cons. Introduction of an Ordinance Regulating Overnight Parking and Storage of Trucks, Semi Tractors, and Trailers in Commercial and Office Districts, PC 12-9

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 06/05/2012
Subject: TCGateway Marketing Grant Agreement
Submitted For: Matt Fulton, City Manager
From: Cathy Sorensen, City Clerk

INTRODUCTION

Steve Markuson, Twin Cities Gateway Visitors Bureau, will be in attendance to present the City with the 2012 Member City Marketing Grant.

DISCUSSION

Twin Cities Gateway Visitors Bureau will, once again, be providing community grants to all member cities in 2012. The TCG Board has also increased the funding available for the program. Each member city receives a minimum grant of \$3,000 and additional (incremental funding per member city) is based on the overall percentage of lodging tax receipts generated in 2011 by each respective member city. For 2012, the City of Coon Rapids will be receiving a TCG grant of \$15,384. NOTE: to provide more flexibility for our member cities, as well as to reflect the increase in the grant amounts awarded to each city, the name of the TCG grant program has been changed to Member City Marketing Grant Program (it was previously called the Community Festivals & Events Grant Program). In conjunction with the increased grant awards, the TCG Board also stipulates that more accountability be built into the grant program.

The City may use the grant funds for any purpose as specified and in accordance with the Minnesota State Statute 469.10 governing the local option lodging tax and the established criteria identified by the TCG Board in the attached Agreement. The City may choose to use the grant funding for the promotion of a community festival, or event, or multiple events, or to use it as appropriate to market and promote other facilities / amenities in your community. Per the terms of the Agreement, the City will also be required to document how the grant funding is used by providing copies of expense receipts / invoices.

As directed by Council, 90% of this amount, or \$13,845.60 will be directed to the Community Strength Foundation. The balance of \$1,538.40 will remain in the Contract Grants activity in the General Fund.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Quality of Life** section of the 2030 Strategic Vision in the following way: by utilizing funds to promote community festivals or events or to market and promote other facilities / amenities in the community.

RECOMMENDATION

- a. Approve 2012 Member City Marketing Grant Agreement.
 - b. Adopt Resolution 12-72 accepting the 2012 Member City Marketing Grant in the amount of \$15,384.
-

Attachments

Agreement

Resolution

**Twin Cities Gateway
2012 Member City Marketing Grant Agreement**

THIS AGREEMENT made and entered into this ____ day of _____, by and between the City of Coon Rapids, 11155 Robinson Drive, Coon Rapids, MN 55433, a Minnesota municipal corporation, hereinafter the “City,” and Minnesota Metro North Tourism, a Minnesota non-profit corporation, 10801 Town Square Drive, Blaine, MN 55449, doing business as Twin Cities Gateway Visitors Bureau, hereinafter the “Bureau,” contains the terms and conditions for a 2012 grant to the City in the amount of \$15,384 from the Bureau.

WHEREAS the grant funding provided is based on local option lodging taxes collected by the City and the eight other member cities of the Bureau; and

WHEREAS the use of lodging tax funds is defined by Minnesota State Statute 469.10 which states that gross proceeds from any tax imposed shall be used for the purpose of marketing and promoting the City as a tourist or convention center; and

WHEREAS the Bureau has specified that grant funds must be used for advertising, marketing, and promotional efforts to increase participation, attendance, or visitation to an event, activity, or facility located within the City, and / or to add new activities to enhance existing events; and

WHEREAS the Bureau specifies that advertising, marketing, and promotional efforts for which said grant funding is used must extend beyond the borders, or boundaries of the City; and

WHEREAS it is agreed that prior to December 31, 2012, the City will provide an overview of how the Bureau grant funding was utilized, as well as provide copies of actual receipts or invoices to document the related expenses for the advertising, marketing or promotional efforts; and

WHEREAS the City agrees to expend the grant funding in compliance with MN Statute 469.10 and in accordance with the Bureau criteria as described above; and

[Signatures on following page]

NOW, THEREFORE, by execution of this Agreement as of the day and year first above written, the City and the Bureau agree to and approve of the terms and conditions contained herein.

CITY OF COON RAPIDS

**MINNESOTA METRO NORTH
TOURISM,
dba Twin Cities Gateway Visitors Bureau**

By: _____
Tim Howe, Mayor

By: _____
Steve Markuson, Director

By: _____
Matthew S. Fulton, City Manager

Approved as to form:



David J. Brodie, Acting City Attorney

RESOLUTION NO. 12-72

**A RESOLUTION TO ACCEPT THE GRANT OF MONIES
TO BE USED TOWARD THE COMMUNITY STRENGTH FOUNDATION AND
THE CONTRACT GRANTS ACTIVITY IN THE GENERAL FUND
FROM TWIN CITIES GATEWAY VISITORS BUREAU**

WHEREAS, Twin Cities Gateway Visitors Bureau has awarded a grant of \$15,384 to the City through the 2012 Member City Marketing Grant; and

WHEREAS, Minn. Stat. § 465.03 allows cities to accept grants of real or personal property by resolution adopted by a two-thirds majority of Council; and

WHEREAS, the City Council finds the offered grant to be in the public interest;

NOW THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the grant of \$15,384 is hereby accepted.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to Twin Cities Gateway Visitors Bureau for its generosity.

Adopted by the Coon Rapids City Council this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

Meeting Date: 06/05/2012

SUBJECT: Approval of Minutes of Previous Meeting(s)

Attachments

4-24-12 Minutes

5-15-12 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF APRIL 24, 2012

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, April 24, 2012, at 6:30 p.m. in the Council Chambers at Coon Rapids City Hall.

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

Members Absent: None

Others: City Manager Matt Fulton, Community Development Director Marc Nevinski, City Advisory Commission Members, ULI Representatives Cathy Bennett and Gordon Hughes

1. CALL TO ORDER

Mayor Howe called the work session to order at 6:30 p.m.

2. OPPORTUNITY CITY PROGRAM REVIEW

In August 2011, the City Council authorized participation in the Opportunity City Program offered through the Housing Initiative, a collaboration of the Urban Land Institute and Regional Council of Mayors. Cathy Bennett of the ULI/RCM Housing Initiative presented the draft Coon Rapids Opportunity City Program report and its supporting documents for review and comment.

Ms. Bennett reviewed recommendations and themes, including loss of households, low turnover/aging residents, increased diversity, and connectivity/walkability. Ms. Bennett discussed ways to enhance neighborhood preservation, address aging in place, attract/retain young homeowners, increase connectivity, capitalize on transportation investment, and continue strong partnerships and commitments.

Mayor Howe asked what is different in Coon Rapids versus other cities. Ms. Bennett shared information on the balance of young homeowners in single family/multifamily, adding there are more in multi-family than other cities. She added while there is a better mix the City does not have enough move-up housing available.

Councilmember Koch noted the need to build trust in neighborhood districts.

City Manager Fulton inquired about the low turnover rate and aging in place. Ms. Bennett said while this is not in the data reasons could include lack of affordable options, close to social networks, and current market.

Councilmember Koch said the City contains many ramblers which is a great house style that

offers the ability to age in place.

Councilmember Sanders stated he liked the neighborhood district and asked how they are established.

Councilmember Schulte said seniors age in place for many reasons and that there are other reasons besides housing that attract young families to a community such as a vibrant school district, connecting assets, or a community center.

City Manager Fulton stated the next step will be formal acceptance of this report at a future Council meeting.

3. STRATEGIC PLANNING INFORMATION

The City Council has commenced a comprehensive process for collecting community information in support of its effort in updating the community's long range strategic plan. This includes receiving input from all Municipal Advisory Commissions. This work session item is intended to allow the City Council to review this input with municipal advisory commission members.

The City Council is in the process of updating the community's long range strategic plan. This effort has included several component efforts, including three community meetings, a comprehensive community survey, and discussions with the City's municipal advisory commissions. The City Council will consider all of this information during an upcoming Council/Management Team Retreat in June.

Over the winter months, every municipal advisory commission spent a significant portion of their regular meetings to provide input to the City Manager regarding members' perspectives on important issues to be paying attention to in the community. This focus was divided between what was important within the areas of community responsibility with each respective commission, and also general perspectives as residents of the community. The commission members were also asked to provide input about how to best market the community and how the Council might be able to enhance the volunteer experience of each commission member. The discussions were very informative and engaging.

To further assist with this discussion, a summary of input received during three recent community meetings was shared. Over 100 residents attended these facilitated discussions. The meetings included small group discussions, focused on the long term needs of the community within each of the community's strategic areas.

Staff reviewed the reports with Council. This data, along with input from the summer neighborhood meetings, will be used to create the City's year-end "report card."

4. **OTHER BUSINESS**

There was no other business.

5. **ADJOURN**

Mayor Howe adjourned the work session at 8:30 p.m.

Respectfully submitted,

Cathy Sorensen
City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF MAY 15, 2012

OPEN MIC/PUBLIC COMMENT

No one appeared.

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of May was called to order by Mayor Tim Howe at 7:00 p.m. on Tuesday, May 15, 2012, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Howe led the Council in the Pledge of Allegiance.

ROLL CALL

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

Members Absent: None

ADOPT AGENDA

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SCHULTE, TO ADOPT THE AGENDA AS AMENDED ADDING ITEM 2A. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

1. CROOKED LAKE AREA ASSOCIATION REPORT

Mayor Howe indicated members of the Crooked Lake Area Association were present to address the Council regarding Crooked Lake and the Association.

Steve Sabinski, 13208 Gladiola Street, provided an overview of the enhancements of Crooked Lake, primarily in water quality, and thanked the City for its participation in this effort. He presented the Council with a copy of the Association's newsletter. He explained Crooked Lake had achieved a Star Lake status with the State of Minnesota.

Mayor Howe said he understood the City has been assisting the Association with the water quality and questioned how it was at this time. Mr. Sabinski explained he has lived on the lake since the late 1990s and noted the water quality has vastly improved.

2. 2012 JUNIOR ROYALTY AND MISS COON RAPIDS AMBASSADORS OF GOOD WILL

Mayor Howe read a proclamation recognizing and congratulating the 2012 Junior Royalty as Coon Rapids Ambassadors of Good Will. He thanked each royalty member for representing the City in a positive manner.

Diane Buszta then introduced the 2012 Junior Royalty and Miss Coon Rapids to the Council. She explained the royalty would be participating in 18 parades this summer and would be attending coronations as well. In addition, a princess party would be held with Miss Coon Rapids this weekend. She thanked the City Council and staff for supporting the royalty program.

Mayor Howe read a second proclamation recognizing and congratulating Samantha Philippi the 2012 Miss Coon Rapids as a Coon Rapids Ambassador of Good Will. He said he was proud to have Ms. Philippi representing the City of Coon Rapids and wished her well during her reign.

2A. VOLUNTEER RECOGNITION PROCLAMATION

Mayor Howe read a proclamation declaring the week of April 15, 2012 to be Volunteer Week in the City of Coon Rapids. He thanked all those who volunteer in the City and the appreciated the success these efforts contribute to the overall well-being of the community. The Council offered a special thanks to Kris Niebler for her efforts with senior citizens in the City. Mayor Howe then shared his appreciation for each Committee and Commission member serving the City of Coon Rapids.

Kris Niebler, Senior Services Program Specialist, noted there were volunteers serving senior citizens, working in the hospitals, schools, athletic associations, and working on Snow Flake Days. She thanked each volunteer for benefiting the community.

3. OATHS OF OFFICE TO OFFICERS DAN FREIBERG AND KYLE WEINBERG

Police Chief Wise introduced Officers Dan Freiberg and Kyle Weinberg to the Council and community. He explained Officer Dan Freiberg comes to the City as a paramedic and has an associate's degree in Criminal Justice. Mr. Freiberg has been serving the City as a Community Service Officer and has since been hired full time by the City. He indicated Kyle Weinberg also had a degree in Criminal Justice and has previous experience in law enforcement. Police Chief Wise said he was pleased with the success of both candidates through the training program. He then welcomed

them officially to the City of Coon Rapids Police Department.

Mayor Howe issued the Police Officer's Oath of Office to Officers Dan Freiberg and Kyle Weinberg. Both officers have graduated from the field training and will now begin their service to the citizens of Coon Rapids. He congratulated each of them and welcomed both officers to the City of Coon Rapids. The Council offered Officers Freiberg and Weinberg a round of applause.

4. POLICE EXPLORER POST PRESENTATION

Police Chief Wise indicated the Coon Rapids Police Department sponsors a Police Explorer Post that competed at the 2012 competition in Rochester. He noted the post was very successful this year and their achievements merit sharing with the community.

Law Enforcement Exploring is a program sponsored by local law enforcement agencies to provide career information and to teach life skills such as service learning and leadership to students between the ages of 14 and 20. It provides the structure and resources needed for these young people to make ethical choices and to achieve their full potential as individuals.

The students learn firsthand from officers assigned as post advisors. Their training culminates in competition with the posts from other agencies. The "give back" for communities is that once the young people are trained, they volunteer their time in service to the City. Events the uniformed explorers work at include traffic direction for parades and festivals, and spending time out on Night to Unite. The students also handle small projects around the Police Department like data collection and envelope stuffing.

Police Chief Wise explained the Explorers performed well at the 2012 Rochester competition, and that post captain student-leader, Casey Freund, has earned a scholarship in the amount of \$750 from Minnesota Exploring. He earned this as a result of his years of volunteerism to the community and post. The Council offered the students and Casey Freund a round of applause for their efforts on behalf of the community.

5. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MAY 1, 2012, WORK SESSION
MAY 1, 2012, COUNCIL MEETING

Councilmember Koch noted a correction should be made reflecting his attendance at the May 1 work session.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON,
FOR APPROVAL OF THE MINUTES OF THE MAY 1, 2012, WORK SESSION MEETING AS**

AMENDED. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KOCH, FOR APPROVAL OF THE MINUTES OF THE MAY 1, 2012, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

6. AUTHORIZE FINAL PAYMENT FOR COON RAPIDS ICE CENTER, 8A ALUMINUM ENTRANCES/CURTAIN WALL/GLASS, PROJECT 10-12
 7. AUTHORIZE FINAL PAYMENT, COON RAPIDS ICE CENTER, 21A FIRE PROTECTION SYSTEMS, PROJECT 10-12
 8. AUTHORIZE FINAL PAYMENT, COON RAPIDS ICE CENTER, 31A SITEWORK, PROJECT 10-12
 9. CONSIDER RESOLUTION 12-65 ACCEPTING THE 2012-13 MINNESOTA DEPARTMENT OF COMMERCE AUTO THEFT PREVENTION GRANT AND AUTHORIZE ADMINISTERING OF GRANT FUNDS
 10. AUTHORIZE AGREEMENT FOR ABATEMENT OF HAZARDOUS CONDITIONS, 12100 GROUSE STREET NW, UNIT 607
 11. APPROVE TEMPORARY 3.2% MALT LIQUOR LICENSE FOR EPIPHANY CHURCH FOR 2012 SPRINGFEST
 12. APPROVE TEMPORARY ON-SALE 3.2% MALT LIQUOR LICENSE FOR NORTH STAR LIONS FOR THE 2012 JULY 4TH CELEBRATION
 13. APPROVE TEMPORARY ON-SALE 3.2% MALT LIQUOR LICENSE FOR THE COON RAPIDS AMERICAN LEGION POST 334 FOR JULY 14, 2012
 14. APPROVE TEMPORARY ON-SALE 3.2% MALT LIQUOR LICENSE FOR THE COON RAPIDS AMERICAN LEGION FOR AUGUST 4, 2012
-

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

Councilmember Schulte stated Item 13 should read 3.2% Malt Liquor and not 3.4%.

THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

15. OPEN MIC REPORT – MIKE CARTER – 10410 HUMMINGBIRD STREET NW – RE: CONCERNS WITH TRACKSIDE DOG PARK AND CITY FILLING IN RUNOFF AREA INTO THE MISSISSIPPI RIVER
-

Mayor Howe presented a memorandum from staff to Council stating at the May 1, 2012 Council meeting, Mr. Mike Carter, 10410 Hummingbird Street, appeared at Open Mic. He had a list of

questions relating to the use of Trackside Park as a dog park and expressed concerns.

Mr. Carter provided Council with a two page list of questions relating to the City's use of Trackside Park as a dog park.

1. The City is not operating a commercial business in their neighborhood. Trackside Park is currently used as a dog park. Commercial business would imply some commercial activity which could be retail sales or service. The dog park is a recreational facility - not a commercial business.
2. & 3. Questions 2 and 3 deal with parking. Mr. Carter's concern is about the large number of cars currently parked on-street at certain times because of the dog park use. He is expressing his opinion and frustration regarding the situation. If Trackside Park continues as a dog park in the future, some off-street parking could be considered.
4. Mr. Carter notes that the City posted "No Parking" signs on 104th Avenue because of concerns about adequate street width for parking on both sides. He suggests that some parking restrictions on Hummingbird should be considered. Currently parking is allowed on both sides of Hummingbird. If parking occurs on both sides as a result of the dog park, there could be concerns about maintaining two-way traffic because of the roadway width. Parking restrictions on one side could be considered if the neighborhood desires restricted parking.
5. Mr. Carter notes that if parking restrictions were imposed on Hummingbird, he wonders where guests would park. Parking could be restricted on one side of the street to allow on-street parking for users of the dog park and guests in the neighborhood.
6. Mr. Carter mentions that Hummingbird Street north of 104th Avenue used to have a dead-end sign noting "No Thru Traffic." A similar sign could be reinstalled in the area. Mr. Carter correctly notes that cul-de-sacs streets generally carry considerably less traffic than a normal residential street.
7. Mr. Carter asked how many cars the City would consider to be too many. Staff believes that if parking occurs on both sides of the street, parking restrictions could be considered if it is difficult to maintain two-way traffic or for emergency vehicles to have access.
8. The City has not conducted any counts of the number of dogs using the park each day.
9. The City has not monitored the ph level of the soil in Trackside Dog Park.
10. The City has not spread gypsum in order to neutralize the acidity of the soil. The City does do turf repair each spring prior to the summer season.
11. The City has not tested the ammonia levels in the dog park nor have we tested the stagnant water standing in the ponding area on-site.

12. Mr. Carter provides a lengthy example of a Pennsylvania resident who had an issue with the EPA over filling. He notes that the City of Coon Rapids did some filling in a runoff area that flows to the Mississippi River. He asked whether or not the City plans to continue this activity. All filling, ditch, and pond excavation done by the City is done in accordance with regulations and after proper permitting. Mr. Carter would need to provide the specific location where he witnessed this incident to allow staff to adequately respond to this question.

Mayor Howe commented the City has not been filling in runoff areas improperly and encouraged Mr. Carter to provide specific information to City staff regarding the incident he witnessed.

Councilmember Sanders recommended the dog park issues be further discussed by the Council at a future work session meeting.

Mayor Howe agreed stating the Parks Commission could be brought in to discuss this item as well.

PUBLIC HEARING

16. A. PUBLIC HEARING, 7:00 P.M.
B. CONSIDER RESOLUTION NO. 12-64 ACCEPTING A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE AND AUTHORIZE FISCAL AGENT/GRANT ADMINISTRATOR
-

Police Chief Wise presented a memorandum to Council stating the Coon Rapids Police Department received notice from the U.S. Department of Justice (USDOJ) that we, along with the Anoka County Sheriff's Office, collectively are eligible for a FY2012 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$26,849.00. The grant requires the City of Coon Rapids to enter into an agreement with Anoka County to administer the grant on behalf of both agencies. Also, a public hearing must be held regarding proposed expenditures for this grant.

The USDOJ provides grants to local law enforcement organizations to "address crime in communities by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures." Through the FY2012 JAG the City of Coon Rapids and Anoka County are eligible for a combined \$26,849.00. A requirement of the USDOJ is that a single entity administer the grant on behalf of both eligible agencies. Coon Rapids has been chosen as the administration entity and must enter into an agreement with Anoka County as a Memorandum of Understanding.

The Coon Rapids Police Department and the Anoka County Sheriff's Department agreed the best use of these JAG funds would be for the purchase of law enforcement equipment not otherwise budgeted. The Coon Rapids Police Department wishes to purchase touch screen computers to be placed in squad cars which will be an upgrade from existing equipment. The Anoka County Sheriff's Office proposes to purchase two portable forensic light sources to be used by their Crime Lab.

Mayor Howe opened and closed the public hearing at 7:46 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 12-64 ACCEPTING THE \$26,849.00 GRANT FROM THE USDOJ ON BEHALF OF THE CITY OF COON RAPIDS AND ANOKA COUNTY, WITH THE FUNDS REDISTRIBUTED IN THE MANNER PRESCRIBED BY THE GRANT; TO APPROVE THE AGREEMENT FOR THE ADMINISTRATION OF THE GRANT BETWEEN COON RAPIDS AND ANOKA COUNTY; AND TO AUTHORIZE THE CHIEF OF POLICE, OR DESIGNEE, TO ADMINISTER THE JAG GRANT ON BEHALF OF ANOKA COUNTY. THE MOTION PASSED UNANIMOUSLY.

BID OPENINGS AND CONTRACT AWARDS

- 17. 2012 STREET RECONSTRUCTION RESIDENTIAL STREETS, PROJECT 12-1:
 - A. CONSIDER RESOLUTION NO. 12-1(9) AWARDDING A CONTRACT
 - B. CONSIDER RESOLUTION NO. 12-1(12) ADOPTING THE ASSESSMENT
-

City Engineer Vierzba presented a memorandum to Council stating the City is proposing reconstruction of several residential streets within the City as listed below. Council held a public hearing and ordered the project on April 3rd. Bids for construction were received on April 27th. Council is requested to award a contract and to adopt the assessment on May 15th.

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. 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 hydrants and watermain valves in Tralee Terrace area and in Springbrook Cove, 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

Contract Award

Bids received on April 27th are as follows—

Northwest Asphalt, Inc.	\$2,057,750.50
North Valley, Inc.	\$2,094,338.12
Hardrives, Inc.	\$2,207,877.24
TA Schifsky & Sons, Inc.	\$2,221,180.49
Rum River Contracting	\$2,250,774.66
Engineer's Estimate	\$1,998,150.00

The low bid is 3% higher than the Engineer's estimate. It appears the cost of fuel and bituminous material is higher than expected, resulting in higher bids. The low bidder, Northwest Asphalt, has done a good job on previous City contracts. They had the contract last year on Pheasant Ridge Drive, north of Coon Rapids Boulevard. They also had a contract for the 2009 residential street reconstruction program.

Assessments

Council held the assessment hearing on April 3rd. There were two written objections to the project. One was an objection to the need to reconstruct Bluebird Street, a short cul-de-sac street off Robinson Drive. The other was an objection to the method used to calculate the assessment for a condo building located off a cul-de-sac in the Tralee Terrace area near 98th Avenue and Palm Street. There were no other objections from 600 affected properties. It is proposed to approve the assessments at this time.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 12-1(9) AWARDED A CONTRACT TO NORTHWEST ASPHALT, INC. IN THE AMOUNT OF \$2,057,750.50; AND ADOPT RESOLUTION NO. 12-1(12) ADOPTING THE ASSESSMENT.

Mayor Howe commented the low bidder did come in higher than the engineer's estimate.

Councilmember Schulte indicated the low bid was only 3% higher than the estimate and was due to rising fuel prices.

THE MOTION PASSED UNANIMOUSLY.

18. 2012 STREET RECONSTRUCTION PROGRAM – PROJECT 12-2 COLLECTOR STREETS:
 - A. CONSIDER RESOLUTION AWARDED CONTRACT
 - B. APPROVE AGREEMENT WITH PROJECT OWNER AT 3001-118TH LANE NW
 - C. CONSIDER REVISED RESOLUTION DECLARING COST TO BE ASSESSED
 - D. CONSIDER RESOLUTION ADOPTING THE ASSESSMENT
-

City Engineer Vierzba presented a memorandum to Council stating the City is proposing street reconstruction on three collector streets in 2012 under this project. Council held the public hearing/assessment hearing on March 20th. Bids for construction were received on May 11th. Council is requested to award a contract, approve an agreement regarding assessment to property on Northdale Boulevard at 118th Lane, adopt a revised resolution certifying amount to be assessed, and adopt the assessment to benefiting properties at this time.

The City is proposing to reconstruct several collector streets and to assess a portion of the cost to adjacent property owners in accordance with the City’s policy approved by Council in 1997. The City has 42 miles of collector streets to maintain.

There are 2.2 miles of streets proposed for reconstruction under this project as follows—

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

Contract Award

Council approved plans and ordered ad for bids on April 17th. Bids received on May 11th are as follows—

North Valley, Inc.	\$1,308,236.84
Hardrives, Inc.	\$1,348,345.68
Northwest Asphalt, Inc.	\$1,357,734.75
Rum River Contracting	\$1,372,544.31
Valley Paving, Inc.	\$1,457,526.64
Bituminous Roadways, Inc.	\$1,510,745.02
C.S. McCrossan, Inc.	\$1,537,596.35
Engineer's Estimate	\$1,378,733.00

The low bidder, North Valley, Inc., has done a good job on previous contracts with the City(four contracts for street reconstruction in 2011). The low bid is 5% less than the estimated cost. Construction would be expected to begin by early-June and be completed in September.

Assessments

Council held the assessment hearing on March 20th. No one objected to the project. It is proposed to assess a portion of the costs to benefiting properties. Single-family homes are being assessed \$1,575 per home over 10 years beginning in 2013 at 3.10% interest rate. Apartment properties are assessed at a rate of \$19.69 per foot. Commercial properties are assessed at a rate of \$39.38 per foot. One property owner, Tom Compton, at 3001-118th Lane, asked that he not be assessed for Northdale Boulevard, a busy collector street, on which he has driveway access. At the time of the public

hearing, Council agreed that the assessment to this property could be delayed until the adjacent street, 118th Lane, is repaved in the future, if an agreement could be reached with the owner. The owner has signed the agreement. Therefore, Council is requested to approve the agreement. A revised resolution, declaring cost to be assessed, is to be approved by Council. The revised resolution excludes the assessment to Mr. Compton's property for this project on Northdale Boulevard.

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 12-2(9) AWARDED A CONTRACT TO NORTH VALLEY, INC. IN THE AMOUNT OF \$1,308,236.84; APPROVE THE AGREEMENT WITH THE PROPERTY OWNER AT 3001-118TH LANE; ADOPT REVISED RESOLUTION NO. 12-2(10) DECLARING COST TO BE ASSESSED; AND ADOPT RESOLUTION NO. 12-2(12) ADOPTING THE ASSESSMENT.

Mayor Howe asked if the City allowed property owners to complete an entire driveway through the street improvement project. City Engineer Vierzba stated the residents do have the opportunity to work with the City and contractor to widen or replace a driveway.

THE MOTION PASSED UNANIMOUSLY.

- 19. 2012 STREET RECONSTRUCTION PROGRAM, COLLECTOR STREETS, PROJECT 12-3:
 - A. CONSIDER RESOLUTION AWARDED CONTRACT
 - B. CONSIDER RESOLUTION ADOPTING ASSESSMENT
-

City Engineer Vierzba presented a memorandum to Council stating the City is proposing street reconstruction on five collector streets in 2012 under this project. Council ordered the project on April 3rd. Bids for construction were received on May 11th. Council is requested to award a contract for construction and adopt the assessment to benefiting properties at this time.

The City is proposing to reconstruct several collector streets and to assess a portion of the cost to adjacent property owners in accordance with City policy approved by Council in 1997. The City has 42 miles of collector streets to maintain.

There are 2.0 miles of streets proposed for reconstruction under this project as follows—

- 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)

Contract Award

Council approved plans and ordered ad for bids on April 17th. Bids received on May 11th are as follows—

North Valley, Inc.	\$1,177,788.84
Rum River Contracting	\$1,178,319.35
Northwest Asphalt, Inc.	\$1,186,649.20
Hardrives, Inc.	\$1,238,765.20
Bituminous Roadways	\$1,408,413.75
Engineer's Estimate	\$1,197,470.00

The low bidder, North Valley, Inc, has done a good job on several previous contracts with the City. The low bid is 2% below the estimated cost. Construction is expected to begin by early June and be completed in September.

Assessment

Council held the assessment hearing on March 20, 2012. One person spoke at the hearing regarding traffic/parking on Egret Boulevard. No one objected to the project. Single-family homes would be assessed at a rate of \$1,575 per home. Apartment properties are assessed at a rate of \$19.69 per foot. Commercial properties are assessed at a rate of \$39.38 per foot. Assessments are made over a 10-year period beginning in 2013 at an interest rate of 3.10%. Council is requested to approve the assessment at this time.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT RESOLUTION NO. 12-3(9) AWARDDING A CONTRACT TO NORTH VALLEY, INC. IN THE AMOUNT OF \$1,177,788.84; AND ADOPT RESOLUTION NO. 12-3(12) ADOPTING THE ASSESSMENT.

Councilmember Schulte thanked staff for selecting these roads for improvement. He commented he drove each of these roadways in the last week and that each was in need of repair.

THE MOTION PASSED UNANIMOUSLY.

20. **AUTHORIZE AWARD OF HVAC MAINTENANCE CONTRACT FOR CITY BUILDINGS**

Finance Director Legg presented a memorandum to Council stating proposals were received for the heating, ventilation and air conditioning (HVAC) maintenance contract for City buildings.

Bids were opened on May 4 for HVAC maintenance of City buildings. Specifications included a bid for preventative maintenance of specified equipment plus hourly rates and trip charges for service calls. The cost of repair parts, although outside the bid, was provided. The City's present contract with Yale Mechanical will expire on May 31, 2012.

The bid requested two optional years with the option to cancel after the first year.

Bids were received from the following seven companies. A cost comparison shows what the cost would be over three years assuming the same number of service calls as in the past year. The following shows the cost for one year, exclusive of parts.

Vendor	Preventative Maintenance	Service Calls	Total
McDowall	\$25,920	\$13,328	\$54,908
Corval	\$52,491	\$22,969	\$75,460
NAC	\$46,665	\$23,415	\$76,170
Honeywell	\$50,145	\$26,314	\$76,459
UHL	\$50,095	\$23,638	\$77,213
Yale Mechanical	\$54,832	\$23,973	\$78,805
Johnson Controls	\$56,850	\$21,854	\$83,054

McDowall is the lowest bidder based on estimated service calls required. References were very positive for them as well.

Mayor Howe asked if staff had a reason or understanding as to the vast differences in the bids. City Manager Fulton indicated McDowall was a company working out of St. Cloud, Minnesota and had provided the City with an aggressive bid to try and break into this market in the metro area. He noted staff had contacted several references for McDowall and positive comments were received.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER SANDERS, TO AUTHORIZE AWARD OF THE HVAC MAINTENANCE CONTRACT TO MCDOWALL FOR ONE YEAR WITH THE OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL TWO YEARS.

Councilmember Johnson stated he was originally concerned with the fact McDowall was located in St. Cloud, however, if a vendor were located on the south side of the metro area the response time would be similar. Finance Director Legg indicated staff had a set response time written into the bid and if response times were not meeting this standard, the City would have to reevaluate McDowall.

THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

**21. CONSIDER RESOLUTION ADOPTING ASSESSMENT, STREET RECONSTRUCTION
ON 133RD AVENUE WEST OF HANSON BOULEVARD, PROJECT 12-4**

City Engineer Vierzba presented a memorandum to Council stating the City is working with the City of Andover on 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 assess costs to benefiting properties within their City. Council is requested to adopt the assessments at this time.

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. Council held the assessment hearing on March 20th. There were no objections to the project. Assessments would be made over a 10-year period with an interest rate of 3.1%. Council has approved a Joint Powers Agreement (JPA) with the City of Andover providing for Andover to bill the City for 50% of the project cost. Andover awarded the contract for this project to Rum River Contracting on May 1, 2012.

**MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KOCH,
TO ADOPT RESOLUTION NO. 12-4(12) ADOPTING THE ASSESSMENT. THE MOTION
PASSED UNANIMOUSLY.**

**22. APPROVE SIGN PROJECT FOR BUNKER HILLS GOLF CLUB FOR NEW
MONUMENT SIGN ON MAIN STREET AND FOLEY BOULEVARD AND
APPROPRIATE FUNDS FROM THE CITY'S FACILITIES CONSTRUCTION FUND**

Public Services Director Gatlin presented a memorandum to Council stating as part of the original plan for construction of the new Clubhouse at Bunker Hills, it was planned to replace the existing monument sign on Main Street in the northwest quadrant of the intersection with Foley Boulevard. Now that the Main Street project is underway, consideration for the installation of this sign is appropriate at this time.

The original Bunker Hills Clubhouse reconstruction project contemplated replacing the existing entrance monument sign on Main Street. In 2011, a proposal was developed by the architect and the sign sub-consultant for replacement of the existing sign. The existing sign was to be replaced by a 26' long, 12' high, double faced electronic digital reader board sign set on stone monument pillars. The sign will be shared by Anoka County Parks, Bunker Hills Golf Course, and Harvest Grill.

The sign is planned to be constructed in the fall of 2012 at the time construction of the intersection of Foley Boulevard and Main Street is nearly complete. The goal was to have the sign operational by the winter of 2012/2013.

We previously discussed with Anoka County Parks, the concept of a joint partnership with the County. The County has committed up to \$100,000 for their share of the sign installation. An agreement with Anoka County Parks for cost sharing will have to be negotiated later.

To facilitate this project it is recommended that we retain the same team that we used for the Golf Course Clubhouse. That would be Partners & Sirney to design the sign and support system and Amcon to manage construction. By using a construction manager, we would not have to go through the traditional “design/bid/build” process. This will save 2-3 months on the construction schedule and allow the sign to be completed by late fall. Work on the intersection of Foley Boulevard and Main Street is anticipated to be completed in August. We would start work on the sign at that time and hopefully have the sign installation completed by late November, 2012.

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER JOHNSON, TO APPROVE THE SIGN PROJECT FOR BUNKER HILLS INVOLVING INSTALLATION OF A NEW MONUMENT SIGN ON MAIN STREET AND FOLEY BOULEVARD WITH A DIGITAL READER FEATURE AND APPROPRIATE \$255,000 FROM THE CITY’S FACILITIES CONSTRUCTION FUND TO FUND THIS PROJECT.

Councilmember Sanders questioned if the City’s Facilities Construction Fund had a balance that would cover the sign expense. City Manager Fulton indicated the City received very favorable bids on the garage as it came in \$400,000 under the engineer’s estimate. The fund had a balance to cover the sign expense. Finance Director Legg added that the expense was to be considered a loan and would be repaid.

Councilmember Schulte recommended the City draft an agreement with the County and The Harvest Grill to finalize how the sign would be used by all parties involved.

Mayor Howe questioned if the sign should proceed without the agreement in place.

Councilmember Schulte said he was in favor of proceeding with the sign at this time stating the City would work to complete the documentation prior to the sign being constructed. Public Services Director Gatlin commented the design and construction process for this sign would take some time, this would allow staff the time needed to draft the necessary documents for the sign agreement.

Mayor Howe encouraged staff to work on this item and call a joint meeting if necessary to approve the sign agreement and move this item forward. He then asked who would be programming the display sign. City Manager Fulton commented that the sign programming would be completed by the golf course and be under Mr. Anderson’s control.

Mayor Howe suggested that Council direct staff to expedite the sign agreement. The Council was in favor of this recommendation.

THE MOTION PASSED UNANIMOUSLY.

23. CONSIDER RESOLUTION NO. 12-66 AUTHORIZING BUDGET ALLOCATION FOR DESIGN AND CONSULTING SERVICES FOR THE PRACTICE FACILITY AND CREATION OF A LEARNING CENTER AT BUNKER HILLS GOLF CLUB AND AUTHORIZE AN AGREEMENT FOR PRELIMINARY PLAN

Golf Pro/Manager Anderson presented a memorandum to Council recommending the Council authorize expenditures for design and consulting services with Herfort Nordby Golf Course Architects, LLC relating to the expansion/renovation of the practice facility at Bunker Hills Golf Club as well as the creation of a learning center for professional golf instruction.

Bunker Hills Golf Club has a driving range teeing ground and practice green that were designed and built for an 18-hole golf facility. The high level of activity on these practice areas created by a very busy 36-hole complex presents a substandard product that does not meet with the high standard expected for the facility. Expansion and renovation of the general practice area will provide for more teeing ground and additional practice opportunities. The City of Coon Rapids will benefit from additional driving range revenues as well as a practice facility that matches the quality of the golf course and clubhouse. Staff has met informally with golf course architects who have worked on many similar projects. A very preliminary budget to enhance the driving range and practice green is estimated between \$204,000 and \$262,000. Additional revenue would pay for the improvement easily over 15 years, but more likely ten years. If the City moves forward on the project, it would be built in 2013 using an internal City loan.

Additionally, staff is recommending that the City consider the creation of a Learning Center at Bunker Hills Golf Club. The Learning Center could place Bunker Hills Golf Club at the top of the list for quality instruction in the state of Minnesota. It would benefit the City of Coon Rapids by creating a regional destination for golf instruction and growth of the game programming. Additionally, the City would benefit from expanded revenue relating to instructional activities. Again, working with the same architect, it is estimated that the Learning Center would cost between \$165,000 and \$225,000 to construct. Additional revenue of \$19,000 to \$26,000 would need to be generated to repay an internal loan over ten years, which staff feels is possible with a combination of rent and lesson revenue. Again, the project would not be built until 2013.

Staff is recommending that the City contract for design and consulting services in the amount of \$5,750 with Herfort Nordby, Golf Course Architects, LLC for the preliminary renovation plan, final renovation plan and delivery of construction cost estimates for both of the projects. We are currently in discussion with the MPGA for paying for half of this expense. Because this was not included in the Golf course budget, funds should be allocated for this purpose.

Mayor Howe indicated this was a very promising program. He said he was pleased with the practice facility expansion and proposed learning center. Golf Pro/Manager Anderson stated the additional space would assist with teaching more people the game of golf. In addition, it would provide another community asset to the residents of Coon Rapids. He said he was looking forward to seeing the designs in the preliminary plans.

Mayor Howe questioned if there was adequate space for the proposed learning center. Golf Pro/Manager Anderson indicated the proposed architect had several very exciting concepts to create the learning space.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 12-66 AUTHORIZING A BUDGET ALLOCATION FOR THIS PURCHASE AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH HERFORD NORBY FOR PRELIMINARY PLANS.

Councilmember Johnson stated the golf course would benefit tremendously from the proposed additions.

Councilmember Sanders commented the expenditures for these new features would be quickly offset through additional revenues at the golf course.

THE MOTION PASSED UNANIMOUSLY.

24. CONSIDER RESOLUTION 12-67 ESTABLISHING POLLING LOCATIONS

City Clerk Sorensen presented a memorandum to Council stating as part of the redistricting process, it is necessary to designate polling locations for each precinct. May 16th is the last day to approve polling locations before the primary election.

While many of the same polling locations are being utilized, most are being designated for different precincts. Staff is also proposing the addition of several new locations, such as the Coon Rapids Ice Center, Bunker Hills Golf Course, YMCA, American Legion and VFW. Anoka County Elections will be sending postcards to all registered voters in July informing them of their ward, legislative districts, and polling locations. City staff will also be working to publicize this information as much as possible via the web, CTN, the Coon Rapids Herald, City newsletters, and by other means. Voter registration cards will be available at City Hall for anyone not registered or who have moved since the last election.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 12-67 ESTABLISHING POLLING LOCATIONS.

Councilmember Schulte encouraged residents to read their postcards thoroughly this fall to ensure they choose the correct polling location for this year's elections.

Councilmember Sanders suggested a link be added on the City's website to the Secretary of State's website to assist in providing the proper polling locations for the residents.

THE MOTION PASSED UNANIMOUSLY.

25. CONSIDER INTRODUCTION OF AN ORDINANCE ESTABLISHING A
 MORATORIUM ON CONSTRUCTION AND DEVELOPMENT OF CURRENTLY
 UNDEVELOPED AREAS ZONED INDUSTRIAL

City Manager Fulton presented a memorandum requesting the Council consider introducing an ordinance adopting a six month moratorium on development and construction on currently undeveloped parcels zoned *Industrial*.

Staff and the Planning Commission have been working to restructure and update the City's land use code to ensure that development patterns and land uses align with the overall goals of the community. The City has seen significant investment recently in the industrial areas of the City, much of which has included bioscience and precision manufacturing. Such uses align with the City's economic development strategy of attracting bioscience and high-tech companies to the community. Furthermore, the City has a limited remaining supply of undeveloped, industrially zoned, and appropriately suited land available for new investment and development. Subsequently, it is important for the City to ensure such land is put to uses that maximize achievement of the City's goals. Currently, *Chapter 11-1600 (I) Industrial District* allows a wide variety of industrial land uses, some of which may not align well with the City's economic development strategy and other community goals.

The purpose of the moratorium is to provide an opportunity to further review Chapter 11-1600 and study the impacts of various land uses on the community as well as the alignment with the City's economic development strategy and various other goals. The moratorium would be in effect for up to six months and could be extended for good cause. The moratorium would apply only to the development and construction of currently undeveloped properties zoned *Industrial*.

City Manager Fulton clarified that the City was not seeking an emergency ordinance and was simply introducing the ordinance this evening.

Councilmember Johnson questioned if the ordinance had to come before the Council in two weeks. Assistant City Attorney Johnson commented this was the process he recommended the Council follow. City Manager Fulton indicated staff would like the next six months to review the Industrial Zoning district and had no intention of delaying the item further.

Mayor Howe asked if the moratorium could be lifted prior to six months. Assistant City Attorney Johnson explained the moratorium could be lifted at any time after the City had completed its study. He recommended Paragraph I and Section 5 be removed from the proposed ordinance.

Councilmember Schulte indicated he would support the introduction of the ordinance this evening. However, he understood further discussion was needed on this item.

Councilmember Sanders agreed stating he would not have supported the emergency ordinance but would support the introduction of an ordinance.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO INTRODUCE AN ORDINANCE ESTABLISHING A MORATORIUM ON CONSTRUCTION AND DEVELOPMENT OF CURRENTLY UNDEVELOPED AREAS ZONED INDUSTRIAL, ELIMINATING PARAGRAPH I AND SECTION 5.

Councilmember Johnson questioned if the item could be delayed an additional two weeks as he would be unable to attend the June 5th City Council meeting.

Mayor Howe stated staff has recommended the item be discussed June 5th.

Councilmember Koch questioned if notices would be sent to all industrial property owners to make them aware of the City's proposed moratorium on Industrial development while the City evaluates the future use and development of industrial zoned properties for the next six months. Assistant City Attorney Johnson stated a notice would not be sent until the ordinance was approved and enacted. City Manager Fulton stated notices were sent to impacted properties and would have to be sent again, with the changes made this evening.

Scott Bromley, Bromley Printing, stated he received a letter from the City today. He recommended the Council not place a moratorium on industrial construction or redevelopment given the fragile state of the economy.

Mayor Howe commented this issue would be further discussed in two weeks. He encouraged Mr. Mr. Bromley to attend that meeting and take part in that discussion.

THE MOTION PASSED 6-1, COUNCILMEMBER KOCH OPPOSED.

26. CONSIDER INTRODUCTION OF AN ORDINANCE ALLOWING OFFICERS TO ISSUE STATE CITATIONS FOR ORDINANCE PARKING VIOLATIONS AS PART OF A DIVERSION OR OTHER ADMINISTRATIVE CITATION PROGRAM (CAP)

Assistant City Attorney Johnson presented a memorandum to Council stating Council is asked to introduce a code change that would allow police officers and CSOs to issue state citations for parking code violations.

In the mid-1990s, Council changed City Code to require police officers and community service officers to issue city-payable "citations," instead of state citations, for ordinance parking violations. We made this change to allow violators to pay fines directly to the City rather than having to appear in court. This reduced the flow of cases to the court and gave citizens a more convenient method to pay their tickets. Under the program, officers began to issue hand-written citations on a small envelope which was placed on the vehicle. The officer retained a copy of the citation, which Police Department clerical personnel keyed into a database for further tracking by a software program.

Under the current scheme, if a citizen wants to contest or offer an explanation for the citation (car

stalled, emergency, etc.), the process is a bit cumbersome. The citizen needs to contact a police captain, who can cancel the ticket, or void it and issue a new state citation to allow the citizen to go to court. When citizens fail to respond to these citations, the Legal Department issues a formal complaint for the violation. This has become problematic from an enforcement perspective because of recent changes in the court's procedures to streamline collections and file processing.

Because of these problems, and the fact that software to run the current program is becoming outdated, staff is proposing the City modify the process somewhat. Instead of issuing a handwritten ticket for these cases, officers would issue an electronic state citation with a specified court date, as is done for state law violations. The officer would place this ticket into a special envelope that would invite violators to pay a fine directly to the City via our Citizen Awareness Program (CAP). CAP would monitor these tickets and process payments, which could be mailed to the city, brought in, or eventually paid on line. CAP would also handle certain state law parking citations, such as handicap parking. Currently these citations must go to court.

From the citizens' point of view, very little would change in the process, except it would be streamlined if a citizen wanted to explain or challenge a citation. CAP would handle all those inquiries, including if a citizen wanted to provide, for example, proof of a handicap permit or of sale of a vehicle. A violator wanting to challenge a citation would just need to appear in court on the citation. Unlike with formal complaints, State law citations are subject to a collections process, and a greater percentage of the fine revenue would end up going to the City.

Under the proposed change, if we find CAP is not the best way to manage these citations, we can create another administrative citations process, or just revert to the original program.

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

OTHER BUSINESS

Councilmember Sanders announced the City's Fire and Police Departments are participating in a hockey game against a school in Andover. The game will take place on Sunday, May 20th at the Coon Rapids Ice Center. He encouraged all residents to attend and bring a non-perishable food item.

Councilmember Schulte requested a future work session meeting address Port Campus Square. This would allow the Council to address master planning ideas for this district. The Council was in favor with adding this item to a future work session agenda.

Councilmember Koch stated Epiphany Spring Fest would be held this weekend. He encouraged the public to come out and take part in the wonderful event.

ADJOURN

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADJOURN THE MEETING AT 8:34 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk



City Council Regular

1.

Meeting Date: 06/05/2012

Subject: Waiver of Carnival License Fee for Epiphany Springfest

From: Kris Linnquist, Deputy Clerk

INTRODUCTION

Connie Featherston for Gold Star Amusement, Inc., in cooperation with Epiphany Springfest, had submitted an application for a Carnival License that was held May 18, 19, and 20, 2012 as part of Epiphany Springfest. Council is asked to authorize waiver of the license fee for that event.

DISCUSSION

Michael Lentz, on behalf of Church of the Epiphany, had submitted a request to waive the carnival license fees. The license fee for 15 rides was \$630, calculated at \$290 for the first five rides and \$34 for each additional ride. Previous Councils have waived the fees for non-profit sponsored carnivals citing a benefit to the entire community. City Code allows staff approval of this type of license but a fee adjustment must be addressed by Council.

Attached is the letter submitted by Michael Lentz. This item was originally scheduled for the May 15 Council meeting but was inadvertently missed prior to posting of that agenda. Council is asked to approve waiver of the license fee.

ALIGNMENT WITH STRATEGIC VISION

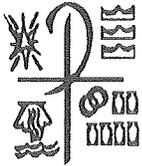
This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: by supporting community celebrations.

RECOMMENDATION

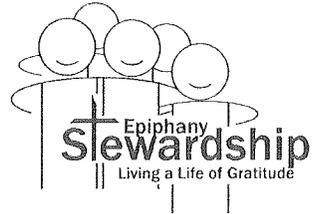
Consider request for waiver of the \$630 Carnival License fee for Gold Star Amusements, Inc. for Epiphany Springfest.

Attachments

Epiphany Letter



The Church of the Epiphany
1900 111th Avenue NW * Coon Rapids MN 55433
763.755.1020 * www.epiphanymn.org



April 18, 2012

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

Dear Council Members,

The Church of the Epiphany Springfest celebration is scheduled for May 18, 19 & 20, 2012. We are asking for the City Council to waive the Carnival ride fee. Springfest is a major fundraiser for Epiphany and supports many of our outreach ministries and programs. We greatly appreciate your consideration of this request and your collaboration with this important event.

Sincerely,

Michael Lentz
Parish Administrator



City Council Regular

2.

Meeting Date: 06/05/2012

Subject: New Ownership of Max It Pawn located at 12475 Riverdale Blvd NW Suite G

From: Kris Linqvist, Deputy Clerk

INTRODUCTION

Cash-N-Pawn International, LTD has submitted an application for a Pawnbroker License for Max It Pawn located at 12475 Riverdale Blvd NW Suite G.

DISCUSSION

Cash-N-Pawn International, LTD acquired the existing Max It Pawn located at 12475 Riverdale Blvd NW Suite G. The name will not change and will continue to operate under the name of Max It Pawn. The local management team and staff has not changed. The acquisition took place on April 13, 2012. The new officers went through the required background checks and the Police Department have found nothing to prevent the licensing of this business. The city has also received the required \$5,000 Surety Bond and proof of Insurance. The fees have been paid.

ALIGNMENT WITH STRATEGIC VISION

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

RECOMMENDATION

Council is requested to approve the Pawnbroker License for Cash-N-Pawn International, LTD dba Max It Pawn located at 12475 Riverdale Blvd NW Suite G.



City Council Regular

3.

Meeting Date: 06/05/2012

Subject: Levy Assessment for Clean Up of 12100 Grouse Street #607

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

An agreement for clean up of hazardous conditions for the property at 12100 Grouse Street NW, #607 was approved by Council on May 15, 2012. The agreement provides for assessment of costs to the property. Council is requested to adopt the resolution approving the assessment.

DISCUSSION

This townhouse was found to have serious animal issues causing hazardous and unlivable conditions. An emergency clean up was required for this townhouse. The owner did not have the money to pay for clean up, so an agreement was prepared whereby the City would pay the contractor for the clean up and then assess the costs, plus a 15% administrative fee to the property over 10 year period. Costs would be assessed over a 10 year period with an interest rate of 3.10%.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Housing/Neighborhoods and Quality of Life** sections of the 2030 Strategic Vision in the following way: ensuring that the City is working to stabilize its neighborhoods and providing safe and livable housing.

RECOMMENDATION

It is recommended that Council adopt Resolution No. 12-70 adopting the assessment.

Attachments

Res. 12-70-Abatement of 12100 Grouse St. #607

RESOLUTION NO. 12-70

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the clean up of 12100 Grouse Street #607; 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 that

1. Such proposed assessment is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall become payable in one annual installment, commencing with the first Monday in January 2013, and shall bear interest at the rate of 3.10% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. The total amount of the ten-year assessment is \$17,306.63.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2012), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14, 2012 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 5th day of June 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

4.

Meeting Date: 06/05/2012

Subject: Approval of Joint Powers Agreement With Anoka County--Project 12-25 Traffic Signal Painting

From: Doug Vierzba, City Engineer

INTRODUCTION

The City has budgeted funds to pay for repainting of traffic signals that are City responsibility. Council is requested to approve a JPA with Anoka County, agreeing to have the County paint the signals as part of their annual contract.

DISCUSSION

There are several traffic signals within the City that are the City's responsibility to paint due to the paint color that was approved by the City in the past. Signals on Main Street by Riverdale were painted brown, a non-standard color. The City has funds to paint three signals in 2012 as follows—

1. Main Street and Round Lake Boulevard
2. Main Street and River Rapids Drive
3. Main Street and Riverdale Boulevard

The County is willing to add these three signals to their annual painting contract but will need Council approval of a joint powers agreement to provide for City payment of costs.

ALIGNMENT WITH STRATEGIC VISION

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

This maintenance project will improve the “looks” of the streetscape and help preserve the signal system into the future.

RECOMMENDATION

It is recommended that Council approve the JPA with Anoka County for painting traffic signal poles.

Fiscal Impact

BUDGET IMPACT:

BUDGET IMPACT:

The 2012 Budget includes \$45,000 under Activity 503 for this work. Costs are estimated to be \$46,710. If actual cost runs over budget, State Aid funds will be used to pay difference.

Attachments

JOINT POWERS AGREEMENT FOR THE SIGNAL PAINTING
AT THREE LOCATIONS IN THE CITY OF COON RAPIDS
(11-09-00)

This Agreement made and entered into this ___ day of _____, 2012, by and between the County of Anoka, State of Minnesota, a political subdivision of the State of Minnesota, 2100 Third Avenue North, Anoka, Minnesota, 55303, hereinafter referred to as "County", and The City of Coon Rapids, 11155 Robinson Drive, Coon Rapids, MN 55433, hereinafter referred to as the "City".

WITNESSETH

WHEREAS, said parties are mutually agreed that the painting of the signals at CSAH 14 (Main Street) and CSAH 9 (Round Lake Blvd, CSAH 14 (Main Street) and River Rapids Drive, and CSAH 14 (Main Street) and Riverdale Drive should be completed; and,

WHEREAS, the parties agree that the County shall cause the painting of the signals as part of the 2012 Anoka County Signal Painting Program; and,

WHEREAS, the Anoka County Highway Department has prepared plans and specifications for Project No. C.P. 11-09-00 which plans and specifications are on file in the office of the County Engineer; and,

WHEREAS, the parties agree that it is in their best interest that the cost of said project be the responsibility of the City; and,

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

NOW, THEREFORE, IT IS MUTUALLY STIPULATED AND AGREED:

I. PURPOSE

The parties have joined together for the purpose of painting the signals at CSAH 14 (Main Street) and CSAH 9 (Round Lake Blvd), CSAH 14 (Main Street) and River Rapids Drive, and CSAH 14 (Main Street) and Riverdale Drive.

II. METHOD

The County shall provide all engineering services and shall cause the construction of Anoka County Project No. CP 11-09-00 in conformance with said plans and specifications. The County has done the calling for all bids and the acceptance of all bid proposals.

III. COSTS

The contract costs of the work, or if the work is not contracted, the cost of all labor, materials, normal engineering costs and equipment rental required to complete the work, shall constitute the actual

"construction costs" and shall be so referred to herein. Participation in the construction cost is as follows:

The City shall pay for one hundred percent (100%) of the signal painting at an estimated cost of \$43,250.00. The City participation in construction engineering will be at a rate of eight percent (8%) of their designated share. The cost to the City for construction engineering is \$3,460. The grand total estimated cost to the City for the project is \$46,710. Upon final completion of the project, the City shall pay to the County, upon written demand by the County, the City's share of the costs.

IV. TERM

This Agreement shall continue until terminated as provided hereinafter.

V. DISBURSEMENT OF FUNDS

All funds disbursed by the County or City pursuant to this Agreement shall be disbursed by each entity pursuant to the method provided by law.

VI. CONTRACTS AND PURCHASES

All contracts let and purchases made pursuant to this Agreement shall be made by the County in conformance to the State laws.

VII. STRICT ACCOUNTABILITY

A strict accounting shall be made of all funds and report of all receipts and disbursements shall be made upon request by either party.

VIII. TERMINATION

This Agreement may be terminated by either party at any time, with or without cause, upon not less than thirty (30) days written notice delivered by mail or in person to the other party. If notice is delivered by mail, it shall be deemed to be received two (2) days after mailing. Such termination shall not be effective with respect to any solicitation of bids or any purchases of services or goods, which occurred prior to such notice of termination. The City shall pay its pro rata share of costs, which the County incurred prior to such notice of termination.

IX. NOTICE

For purposes of delivery of any notices hereunder, the notice shall be effective if delivered to the County Administrator of Anoka County 2100 Third Avenue North, Anoka, Minnesota 55303, on behalf of the County, and The City of Coon Rapids, 11155 Robinson Drive, Coon Rapids, MN 55433, on behalf of the City.

X. INDEMNIFICATION

The City and the County mutually agree to indemnify and hold harmless each other from any claims, losses, costs, expenses or damages resulting from the acts or omissions of the respective officers, agents, or employees relating to activities conducted by either party under this Agreement.

XI. ENTIRE AGREEMENT REQUIREMENT OF A WRITING

It is understood and agreed that the entire agreement of the parties is contained herein and that this Agreement supersedes all oral 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 to the subject matter thereof. Any alterations, variations, or modifications of the provisions of this Agreement shall be valid only when they have been reduced to writing and duly signed by the parties.

IN WITNESS WHEREOF, the parties of this Agreement have hereunto set their hands on the dates written below:

COUNTY OF ANOKA

CITY OF COON RAPIDS

By: _____
Rhonda Sivarajah Chair
County Board of Commissioners

By: _____
Tim Howe
Mayor

Dated: _____

Dated: _____

ATTEST:

By: _____
Jerry Soma
County Administrator

By: _____
Matt Fulton
City Manager

Dated: _____

Dated: _____

RECOMMENDED FOR APPROVAL:

By: _____
Douglas Fischer, P.E.
Anoka County Engineer

By: _____
Steve Gatlin
Director of Public Service

Dated: _____

Dated: _____

APPROVED AS TO FORM AND EXECUTION:

By: _____
Dan Klint
Assistant Anoka County Attorney

Dated: _____



City Council Regular

5.

Meeting Date: 06/05/2012

Subject: Accept Easement - Coon Rapids - Creek Land, LLC

Submitted For: David Brodie, Assistant City Attorney

From: MariBeth Parks, Administrative
Secretary III

INTRODUCTION

Council is asked to accept an easement from Coon Rapids - Creek Land, LLC for public utility purposes over portions of their property located on Northdale Boulevard and Xeon Street.

DISCUSSION

Several years ago when the Mary T Housing site was developed on Northdale Boulevard and Xeon Street, the City failed to obtain the easements necessary to allow for City maintenance of the pipe systems located on the property. It was understood between the parties that the owner would dedicate any easements necessary as part of the development process. Through the digitalization of the City records this oversight was discovered and easements were drafted and presented to the property owner, Coon Rapids - Cedar Land, LLC. The City is in receipt of the signed easement documents at no cost to the City.

ALIGNMENT WITH STRATEGIC VISION

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

by ensuring adequate access to the City's infrastructure for maintenance and repair.

RECOMMENDATION

Council is asked to accept the attached easements for public utility purposes from Coon Rapids – Creek Land, LLC.

Attachments

Easement

Easement

map

EASEMENT AGREEMENT

(05-19)

THIS INDENTURE, made this ____ day of _____, between COON RAPIDS - CREEK LAND, LLC, a Minnesota limited liability company, herein referred to as the Landowner, and the CITY OF COON RAPIDS, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH:

That the said Landowner in consideration of the sum of One Dollar and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the said City, its successors and assigns, forever, a permanent easement for public utility purposes over, under and across the following described property:

Property Description:

That part of the Northwest Quarter of the Northeast Quarter, Section 14, Township 31, Range 24, Anoka County, Minnesota, lying northerly of the plat of DART PARK NORTH 1ST ADDITION and westerly of the northerly extension of the east line of Block 1 of said plat, which is the west right-of-way line of the Burlington Northern Railroad Company.

Easement Description:

A permanent easement for watermain purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Northeast corner of Lot 1, Block 2, Loft Homes Addition; thence South 0 degrees, 00 minutes, 58 seconds West, along the East line of said Lot 1, a distance of 117.18 feet to the point of beginning of the centerline to be described; thence South 88 degrees, 43 minutes, 36 seconds East a distance of 12.76 feet to a point hereinafter referred to as Point A; thence continuing along the last described course a distance of 234.53 feet to a point hereinafter referred to as Point B; thence continuing along the last described course a distance of

10.30 feet; thence South 89 degrees, 58 minutes, 15 seconds East a distance of 30.43 feet to a point hereinafter referred to as Point C; thence continuing along the last described course a distance of 89.90 feet to a point hereinafter referred to as Point D; thence continuing along the last described course a distance of 104.58 feet; thence North 0 degrees, 01 minutes, 45 seconds East a distance of 22.50 feet and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point A; thence North 1 degree, 16 minutes, 24 seconds East a distance of 19.86 and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point B; thence South 0 degree, 59 minutes, 39 seconds East a distance of 161.77; thence North 89 degrees, 00 minutes, 21 seconds East a distance of 31.50 feet and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point C; thence North 0 degree, 01 minutes, 45 seconds East a distance of 22.50 and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point D; thence South 0 degree, 59 minutes, 45 seconds East a distance of 160.05 to a point hereinafter referred to as Point E; thence continuing along the last described course a distance of 22.31 feet; thence South 15 degrees, 03 minutes, 32 seconds East a distance of 39.94 feet to the Northerly right of way line of Northdale Boulevard and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point E; thence South 89 degree, 00 minutes, 15 seconds West a distance of 22.50 and said centerline there terminating.

Together with a permanent easement for sanitary sewer purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Northeast corner of Lot 1, Block 2, Loft Homes Addition; thence North 88 degrees, 12 minutes, 16 seconds West, along the Northerly line of said Lot 1, a distance of 9.57 feet to the point of beginning of the centerline to be described; thence South 0 degrees, 01 minutes, 41 seconds East a distance of 127.27; thence South 88 degrees, 43 minutes, 36 seconds East a distance of

266.95 feet to a point hereinafter referred to as Point F and said centerline there terminating.

Together with a permanent easement for sanitary sewer purposes over, under and across the above described property. Said permanent easement is an 18.00 foot wide strip of land, being 8.00 feet right and 10.00 feet left of the following described line:

Beginning at said Point F; thence South 89 degrees, 58 minutes, 15 seconds East a distance of 130.63 feet to a point hereinafter referred to as Point G and said line there terminating.

Together with a permanent easement for sanitary sewer purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point G; thence South 89 degrees, 58 minutes, 15 seconds East a distance of 100.68 feet and said centerline there terminating.

Together with a permanent easement for sanitary sewer purposes over, under and across the above described property. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point G; thence South 0 degrees, 59 minutes, 45 seconds East a distance of 174.47 feet and said centerline there terminating.

Together with a permanent easement for storm sewer purposes over, under and across the above described property. Said permanent easement is a 15.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Northeast corner of Lot 1, Block 2, Loft Homes Addition; thence South 0 degrees, 00 minutes, 58 seconds West, along the East line of said Lot 1, a distance of 134.54 feet to the point of beginning of the centerline to be described; thence North 89 degrees, 56 minutes, 19 seconds East a distance of 48.54 feet; thence South 16 degrees, 13 minutes, 01 seconds East a distance of 52.69 feet and said centerline there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Southeast corner of Lot 1, Block 2, Loft Homes Addition; thence North 0 degrees, 00 minutes, 58 seconds East, along the East line of said Lot 1, a distance of 34.08 feet to the point of beginning of the centerline to be described; thence South 74 degrees, 31 minutes, 18 seconds East a distance of 26.11 feet and said centerline there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Southeast corner of Lot 1, Block 2, Loft Homes Addition; thence South 86 degrees, 33 minutes, 35 seconds East, along the Northerly right of way line of Northdale Boulevard, a distance of 170.50 feet; thence North 3 degrees, 26 minutes, 25 seconds East a distance of 16.81 feet to the point of beginning of the centerline to be described; thence North 89 degrees, 02

minutes, 52 seconds East a distance of 95.61 feet and said centerline there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 15.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Southeast corner of Lot 1, Block 2, Loft Homes Addition; thence South 86 degrees, 33 minutes, 35 seconds East, along the Northerly right of way line of Northdale Boulevard, a distance of 627.65 feet to the East line of the above described property; thence North 0 degrees, 58 minutes, 37 seconds West, along said East line, a distance of 218.74 feet; thence North 89 degrees, 15 minutes, 58 seconds West a distance of 97.58 feet to the point of beginning of the centerline to be described; thence continuing along the last described course a distance of 126.00 feet to a point hereinafter referred to as Point H and said centerline there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point H; thence North 89 degrees, 58 minutes, 15 seconds West a distance of 59.89 feet to a point hereinafter referred to as Point I and said centerline there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 7.00 foot wide strip of land, being 2.00 feet left and 5.00 feet right of the following described line:

Beginning at said Point I; thence North 89 degrees, 58 minutes, 15 seconds West a distance of 56.51 feet to a point hereinafter referred to as Point J and said line there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point J; thence North 89 degrees, 58 minutes, 15 seconds West a distance of 3.23 feet to a point hereinafter referred to as Point K; thence continuing along the last described course a distance of 69.22 feet and said centerline there terminating.

Together with a permanent easement for storm drain purposes over, under and across the above described property. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point K; thence North 33 degrees, 37 minutes, 08 seconds West a distance of 36.93 feet and said centerline there terminating.

EXEMPT FROM STATE DEED TAX

This easement shall convey to the City, its contractors, agents, officers and employees the right to enter upon said premises at all reasonable times for the purpose of construction, grading, sloping and restoration purposes, and all such purposes ancillary thereto, together with the right

of said City, its contractors, agents, officers and employees to remove trees, brush, undergrowth and other obstructions from the easement area, as well as the right to deposit earthen materials within the easement area.

The City agrees to indemnify and hold the Landowner harmless from damages or claims resulting directly and solely from the use of the easements. This indemnification, however, shall not include and the City shall not be responsible for any and all costs, expenses, damages, demands, obligations, including penalties and reasonable attorney's fees, and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants which may have existed on, or which relate to, the property prior to the date hereof and which were not caused by the City.

Upon the completion of any construction, maintenance, or replacement project, the City will restore any disturbed areas including, but not limited to, the replacement of any damaged sod and plantings

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided in Minnesota Statutes Chapter 466.

And the said Landowner, for itself, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to grant and convey the easement herein to said City.

IN WITNESS WHEREOF, the said Landowner has caused this agreement to be executed as of the day and year first above written.

COON RAPIDS - CREEK LAND, LLC

By: 
Its: JCED

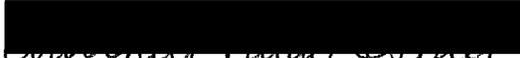
CITY OF COON RAPIDS

By: _____
Tim Howe, Mayor

By: _____
Matthew S. Fulton, City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this 18th day of May, 2012, before me a Notary Public within and for said County, personally appeared Mary M. Tjosvold the Landowner of Coon Rapids - Creek Land, LLC, a Minnesota limited liability company, on behalf of the limited liability company.



Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)



On this ___ day of _____, before me a Notary Public within and for said County, personally appeared Tim Howe and Matthew S. Fulton, the Mayor and City Manager for the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, on behalf of the municipal corporation.

Notary Public

This instrument was drafted by:

David J. Brodie
Coon Rapids Acting City Attorney
11155 Robinson Drive
Coon Rapids, Minnesota 55433
763-767-6495

EASEMENT AGREEMENT

(05-19-2)

THIS INDENTURE, made this ____ day of _____, between COON RAPIDS - CREEK LAND, LLC, a Minnesota limited liability company, herein referred to as the Landowner, and the CITY OF COON RAPIDS, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH:

That the said Landowner in consideration of the sum of One Dollar and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the said City, its successors and assigns, forever, a permanent easement for public utility purposes over, under and across the following described property:

Property Description:

Lot 1, Block 2, Loft Homes Addition, Anoka County, Minnesota.

Easement Description:

A permanent easement for watermain purposes over, under and across said Lot 1. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Northeast corner of said Lot 1; thence South 0 degrees, 00 minutes, 58 seconds West, along the East line of said Lot 1, a distance of 117.18 feet to the point of beginning of the centerline to be described; thence North 88 degrees, 43 minutes, 36 seconds West a distance of 11.93 feet to a point hereinafter referred to as Point A and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across said Lot 1. Said permanent easement is a 17.00 foot wide strip of land, being 7.00 feet right and 10.00 feet left of the following described line:

Beginning at said Point A; thence South 61 degrees, 36 minutes, 25 seconds West a distance of 129.06 feet to a point hereinafter referred to as Point B; thence continuing along the last described course a distance of 5.00 feet to a point hereinafter referred to as Point C and said line there terminating.

Together with a permanent easement for watermain purposes over, under and across said Lot 1. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point C; thence North 62 degrees, 32 minutes, 45 seconds West a distance of 79.46 feet to the Westerly line of said Lot 1 and said centerline there terminating.

Together with a permanent easement for watermain purposes over, under and across said Lot 1. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point B; thence South 28 degrees, 23 minutes, 35 seconds East a distance of 19.01 feet and said centerline there terminating.

Together with a permanent easement for sanitary sewer purposes over, under and across said Lot 1. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Northeast corner of said Lot 1; thence North 88 degrees, 12 minutes, 16 seconds West, along the North line of said Lot 1, a distance of 9.57 feet to the point of beginning of the centerline to be described; thence South 0 degrees, 01 minutes, 41 seconds East a distance of 127.27 feet to a point hereinafter referred to as Point D; thence South 61 degrees, 14 minutes, 20 seconds West a distance of 115.36 feet and said centerline there terminating.

Together with a permanent easement for sanitary sewer purposes over, under and across said Lot 1. Said permanent easement is a 20.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point D; thence South 88 degrees, 43 minutes, 36 seconds East a distance of 9.47 feet to the East line of said Lot 1 and said centerline there terminating.

Together with a permanent easement for storm sewer purposes over, under and across said Lot 1. Said permanent easement is a 15.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Northeast corner of said Lot 1; thence South 0 degrees, 01 minutes, 58 seconds West a distance of 134.54 feet to the point of beginning of the centerline to be described; thence South 89 degrees, 56 minutes, 19 seconds West a distance of 14.46 feet; thence North 0 degrees, 01 minutes, 41 seconds West a distance of 94.88 feet; thence North 51 degrees, 23 minutes, 08 seconds West a distance of 46.31 feet; thence South 49 degrees, 33 minutes, 09 seconds West a distance of 86.26 feet; thence North 52 degrees, 16 minutes, 16 seconds West a distance of 16.84 feet to the Westerly line of said Lot 1 and said centerline there terminating.

Together with a permanent easement for storm sewer purposes over, under and across said Lot 1. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Commencing at the Southeast corner of said Lot 1; thence North 0 degrees, 00 minutes, 58 seconds East a distance of 34.08 feet to the point of beginning of the centerline to be described; thence North 74 degrees, 31 minutes, 18 seconds West a distance of 27.36 feet; thence North 8 degrees, 49 minutes, 53 seconds West a distance of 78.99 feet to a point hereinafter referred to as Point E; thence North 27 degrees, 27 minutes, 38 seconds East a distance of 19.73 feet; thence North 14 degrees, 50 minutes, 20 seconds West a distance of 71.81 feet and said centerline there terminating.

Together with a permanent easement for storm sewer purposes over, under and across said Lot 1. Said permanent easement is a 10.00 foot wide strip of land, the centerline of which is described as follows:

Beginning at said Point E; thence North 45 degrees, 07 minutes, 23 seconds West a distance of 28.94 feet and said centerline there terminating.

EXEMPT FROM STATE DEED TAX

This easement shall convey to the City, its contractors, agents, officers and employees the right to enter upon said premises at all reasonable times for the purpose of construction, grading, sloping and restoration purposes, and all such purposes ancillary thereto, together with the right of said City, its contractors, agents, officers and employees to remove trees, brush, undergrowth and other obstructions from the easement area, as well as the right to deposit earthen materials within the easement area.

The City agrees to indemnify and hold the Landowner harmless from damages or claims resulting directly and solely from the use of the easements. This indemnification, however, shall not include and the City shall not be responsible for any and all costs, expenses, damages, demands, obligations, including penalties and reasonable attorney's fees, and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants which may have existed on, or which relate to, the property prior to the date hereof and which were not caused by the City.

Upon the completion of any construction, maintenance, or replacement project, the City will restore any disturbed areas including, but not limited to, the replacement of any damaged sod and plantings

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided in Minnesota Statutes Chapter 466.

And the said Landowner, for itself, its successors and assigns, does covenant with the City, its successors and assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to grant and convey the easement herein to said City.

IN WITNESS WHEREOF, the said Landowner has caused this agreement to be executed as of the day and year first above written.

COON RAPIDS - CREEK LAND, LLC

By: 
Its: CEO

CITY OF COON RAPIDS

By: _____
Tim Howe, Mayor

By: _____
Matthew S. Fulton, City Manager

[Signatures continue on next page]

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)

On this 18th day of May, 2012, before me a Notary Public within and for said County, personally appeared Mary M. Tjosvold the Landowner of Coon Rapids - Creek Land, LLC, a Minnesota limited liability company, on behalf of the limited liability company.

[Redacted signature]
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF ANOKA)



On this ___ day of ___, before me a Notary Public within and for said County, personally appeared Tim Howe and Matthew S. Fulton, the Mayor and City Manager for the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, on behalf of the municipal corporation.

Notary Public

This instrument was drafted by:

David J. Brodie
Coon Rapids Acting City Attorney
11155 Robinson Drive
Coon Rapids, Minnesota 55433
763-767-6495





City Council Regular

6.

Meeting Date: 06/05/2012

Subject: Accept 2011 Annual Financial Statement

Submitted For: Kevin Vouk, Manager of Accounting/Treasurer

From: Stephanie Lincoln, Purchasing Clerk

INTRODUCTION

City Council should formally accept the 2011 Annual Financial Statement.

DISCUSSION

The City Council held a work session on June 5, 2012 to review the 2011 Annual Financial Statement with the City's external auditors, HLB Tautges Redpath, Ltd., Certified Public Accountants.

ALIGNMENT WITH STRATEGIC VISION

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

The City of Coon Rapids follows a formal strategic direction established and continually monitored by the City Council that is implemented and managed with excellence, operational efficiency, and with a long term view of organizational and environmental sustainability.

RECOMMENDATION

Staff recommends the City Council accept the 2011 Annual Financial Statement.



City Council Regular

7.

Meeting Date: 06/05/2012

Subject: Accept donation of rifles from US Department of Defense

From: Brad Wise, Police Chief

INTRODUCTION

The Police Department applied for and the City received a donation of rifles from the United States Department of Defense (DOD) through a program called Defense Reutilization.

DISCUSSION

The Police Department became aware that the DOD will donate surplus military rifles to U.S. Law Enforcement agencies. Such rifles shoot a .223 round, which is a considerable upgrade in ballistic power from the Department's existing .40 caliber rifles. On making a written request, the DOD shipped 60 M16A1 rifles to the Police Department. While the Department will place approximately 30 into service in marked squads and detective squads, the extra rifles were requested for spare parts. After training staff members as armorers, the Department plans to upgrade these rifles with new collapsible stocks and new, shorter barrels, which will effectively convert the rifles to an A4 configuration. These rifles also came with "Aimpoint" sighting system, which is a top quality aiming mechanism.

The cost for the upgrades on these rifles will be off-set by selling our H&K MP5s. Once the upgrades are complete and they are placed into service later this year, these weapons are expected to meet our rifle needs for a decade or more. The only condition placed on the City for accepting this donation is that the rifles cannot be resold. At the end of their life cycle with Coon Rapids they must either be return to the DOD, donated to another U.S. Law Enforcement agency, or destroyed.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Public Safety** section of the 2030 Strategic Vision by upgrading the rifles used by the Police Department while taking advantage of surplus equipment owned by the US Military.

RECOMMENDATION

Staff recommends adopting Resolution 12-69 to accept the donation of 60 M16A1 rifles with Aimpoint sights from the U.S. Department of Defense, Defense Revitalization Program.

Fiscal Impact

BUDGET IMPACT:

Fiscal impact is the City was required to pay for shipping from a transport company licensed to ship automatic weapons. This cost was \$2700, and was paid for from the police departments 2012 postage budget. It is anticipated that the cost of upgrading and converting these M16A1 rifles to servicable A4's will be \$800/weapon. This cost will be off-set through selling the Department's MP5 rifles. The total number of MP5's we will sell is 24; 20 of which we are selling for \$850, 1 for \$675, and 3 for \$600 (these bid prices are based on condition and caliber). This will Total \$19475. We immediately plan to invest approximately \$800 into 23 M16A1 rifles for a

total expense of \$18,400. Therefore the selling of our existing to provide for new weapons will not have any additional budget impact.

Attachments

Resolution

RESOLUTION NO. 12-69

**A RESOLUTION TO ACCEPT THE DONATION OF M16A1 RIFLES
FROM THE UNITED STATES DEPARTMENT OF DEFENSE**

WHEREAS, the Police Department applied for and received a donation of M16A1 rifles from the United States Department of Defense as part of the Defense Reutilization program; and

WHEREAS, Minn. Stat. § 465.03 allows cities to accept donations of real or personal property by resolution adopted by a two-thirds majority of Council; and

WHEREAS, the City Council finds the offered donation to be in the public interest;

NOW THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the donation of M16A1 rifles from the Defense Reutilization program of the United States Department of Defense is hereby accepted.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to the United States Department of Defense for its generosity.

Adopted by the Coon Rapids City Council this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

8.

Meeting Date: 06/05/2012

Subject: Accept donations for 2012 green expo

From: Colleen Sinclair, Recycling Coordinator

INTRODUCTION

As Council is aware the Sustainability Commission actively seeks donations to assist in planning the Green Expo. Several businesses in Coon Rapids as well as students from our schools provided much needed assistance in accomplishing the goals of the Green Expo. Council is asked to accept these donations.

DISCUSSION

The Sustainability Commission would like to present donations from the following:

- Cenaiko Productions provided the tables, drapes, and backdrops and services including set up and tear down to make this event look professional valued at \$2000.00;
- Coon Rapids Middle and High School Eco Teen Volunteers provided all the volunteers for the event;
- Mike Zandaroski of Mr. Michael Recycles Bicycles spoke on bike safety, maintenance and provided free hands on workshop for families;
- Harvest House, LLC, (Harvest Grill Restaurant) Harvest Grill provided concessions and in addition Marcia Baudino of Harvest House, LLC spoke on backyard gardening to feed your family all year;
- Mike Zandaroski, a CenterPoint Energy employee, donated the bat house that was used for a prize drawing;
- Hamilton Elementary School provided the book carts for the “Book Swap” portion of the Expo; and
- Coon Rapids Recycling Center donated over 300 paper egg cartons for our re-use craft project.

ALIGNMENT WITH STRATEGIC VISION

This item relates to **Civic Involvement** section of the City’s long term strategic vision in the following way:

Coon Rapids as a community has a quality of life in which people of all generations decide to invest themselves and their resources and communicate their community pride by living within a sustainable lifestyle.

RECOMMENDATION

Staff recommends adopting Resolution No. 12-71 accepting donations and extends their gratitude to the above citizens and organizations for their generous donations.

Attachments

Resolution

RESOLUTION NO. 12-71

A RESOLUTION TO ACCEPT THE DONATION OF FUNDS AND SERVICES USED TOWARD THE 2012 GREEN EXPO FROM VARIOUS GROUPS, CORPORATIONS, AND INDIVIDUALS

WHEREAS, the following list of groups, corporations and individuals donated to the City monies and/or services for the 2012 Green Expo:

- Cenaiko Productions provided the tables, drapes, and backdrops and services including set up and tear down to make this event look professional valued at \$2000.00;
- Coon Rapids Middle and High School Eco Teen Volunteers provided all the volunteers for the event;
- Mike Zandaroski of Mr. Michael Recycles Bicycles spoke on bike safety, maintenance and provided free hands on workshop for families;
- Harvest House, LLC, (Harvest Grill Restaurant) Harvest Grill provided concessions and in addition Marcia Baudino of Harvest House, LLC spoke on backyard gardening to feed your family all year;
- Mike Zandaroski, a CenterPoint Energy employee, donated the bat house that was used for a prize drawing;
- Hamilton Elementary School provided the book carts for the “Book Swap” portion of the Expo;
- Coon Rapids Recycling Center donated over 300 paper egg cartons for our re-use craft project; and

WHEREAS, Minn. Stat. § 465.03 allows cities to accept donations of real or personal property by resolution adopted by a two-thirds majority of Council; and

WHEREAS, the City Council finds the donations to be in the public interest;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the donations of monies and services for the 2012 Green Expo are hereby accepted.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to the above listed groups, corporations and individuals for their generosity.

Adopted by the Coon Rapids City Council this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

9.

Meeting Date: 06/05/2012

Subject: Community Strength Foundation Donation

From: Cathy Sorensen, City Clerk

INTRODUCTION

Council is asked to adopt a resolution accepting a donation from the Community Strength Foundation for use in the recent Citizens Academy.

DISCUSSION

Twenty-four citizens participated in the first Citizens Academy held on Monday evenings March through April. The Community Strength Foundation is donating \$1,500 to help offset costs for this Academy, which included class materials, supplies, and commencement ceremony. The City is grateful to the Foundation for their generosity.

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 citizens to become involved in City activities such as the Citizens Academy.

RECOMMENDATION

Adopt Resolution 12-73 accepting the donation of \$1,500 from the Community Strength Foundation for use in the 2012 Citizens Academy.

Attachments

Resolution

RESOLUTION NO. 12-73

**A RESOLUTION TO ACCEPT THE DONATION OF MONIES
TO BE USED TOWARD THE CITIZENS ACADEMY FROM
COMMUNITY STRENGTH FOUNDATION**

WHEREAS, the Community Strength Foundation has offered to donate \$1,500 to the City for the Citizens Academy; and

WHEREAS, Minn. Stat. § 465.03 allows cities to accept donations of real or personal property by resolution adopted by a two-thirds majority of Council; and

WHEREAS, the City Council finds the offered donation to be in the public interest;

NOW THEREFORE BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that the donation of \$1,500 for the Citizens Academy is hereby accepted.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to the Community Strength Foundation for its generosity.

Adopted by the Coon Rapids City Council this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

10.

Meeting Date: 06/05/2012

Subject: Council Meeting Schedule Changes

From: Cathy Sorensen, City Clerk

INTRODUCTION

Council is asked to consider changes to the 2012 Regular City Council meeting calendar.

DISCUSSION

Section 2-401 of the City Code establishes the first and third Tuesday of each month for regular City Council meetings. That section also allows the Council, by resolution, to reschedule or cancel a meeting. After verifying that there are no time-sensitive agenda items, staff is suggesting canceling the July 3 Council meeting. The July 17 Council meeting would remain unchanged.

In addition, Council is being asked to reschedule its August 7 Council meeting to August 8 in order to participate in the Night to Unite celebration. Council has previously determined that it is important for members of the public as well as members of the Council to be available to attend neighborhood meetings for the Night to Unite event held annually on the first Tuesday in August.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: by maintaining an efficient and flexible Council meeting schedule that meets the needs of the public.

RECOMMENDATION

- a. Cons. Resolution 12-75 Canceling the July 3, 2012, City Council Meeting.
- b. Cons. Resolution 12-74 Rescheduling the August 7, 2012, City Council Meeting to August 8, 2012.

Attachments

Resolution

Resolution

RESOLUTION NO. 12-75

**A RESOLUTION CANCELING THE JULY 3, 2012
COUNCIL MEETING**

WHEREAS, revised City Code - 1982 Section 2-401 of the Coon Rapids City Code provides that regular meetings of the City Council are to be held on the first and third Tuesdays of each month at 7:00 PM; and

WHEREAS, that same section of the City Code also provides that the City Council may by resolution cancel the date of a regular Council meeting; and

WHEREAS, the Tuesday July 3, 2012, City Council meeting is currently scheduled on the night before Fourth of July holiday and

WHEREAS, given no time sensitive agenda items are required to be heard at said meeting, it would be of good cause to cancel the July 3, 2012 meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coon Rapids, Minnesota that the City Council meeting scheduled for Tuesday, July 3, 2012, be and hereby is canceled.

Adopted by the Coon Rapids City Council this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Joan A. Anderson, City Clerk

RESOLUTION NO. 12-74

**A RESOLUTION RESCHEDULING THE AUGUST 7, 2012
CITY COUNCIL MEETING TO AUGUST 8, 2012**

WHEREAS, revised City Code - 1982 Section 2-401 of the Coon Rapids City Code provides that regular meetings of the City Council are to be held on the first and third Tuesday of each month at 7:00 PM; and

WHEREAS, that same section of the City Code also provides that the City Council may by resolution change the date of a regular Council meeting; and

WHEREAS, the 2012 Night to Unite is scheduled for Tuesday, August 7, 2012, the first Tuesday in August; and

WHEREAS, the Night to Unite program encourages all citizens to attend neighborhood meetings to meet other residents of their neighborhood; and

WHEREAS, the City finds that holding a City Council meeting on the same evening as Night to Unite imposes a serious and unnecessary conflict for Councilmembers and other citizens of the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota, that the City Council meeting scheduled for Tuesday, August 7, 2012 be and hereby is cancelled and rescheduled for Wednesday, August 8, 2012, at 7:00 PM.

Adopted this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

1.

Meeting Date: 06/05/2012

Subject: Consider Adoption of an Ordinance Establishing a Moratorium on Construction and Development of Currently Undeveloped Areas Zoned Industrial

From: Marc Nevinski, Community Development Director

INTRODUCTION

Council is asked to consider adoption of an ordinance implementing a six month moratorium on development and construction on currently undeveloped parcels zoned *Industrial*. Additionally, the ordinance directs the further study of the City's industrial zoning code and amendments as determined necessary.

DISCUSSION

At the May 15th Council meeting, the Council considered adoption of an emergency ordinance placing a moratorium on the development of undeveloped industrial properties, resulting from the prospect of a large freight terminal expressing interest in a Coon Rapids location. Staff noted that the City's land use code, Title 11, is currently being updated to better align with the City's goals and strategies, that the City has a limited supply of industrially zoned land, and that significant investment has been recently made by targeted businesses in the industrial park.

The purpose of the proposed moratorium is to provide for further review of *Chapter 11-1600 - Industrial* and consider the alignment of allowed land uses with the City's broader goals and strategies. Council expressed concern over the moratorium and opted to introduce the ordinance rather than adopt an emergency ordinance to allow time for further consideration of the matter. Owners of properties potentially impacted by the ordinance received notice of both the May 15th and June 5th meetings.

Several companies in the Evergreen Business Park have expressed concern over the amount of truck traffic a freight terminal would generate and impacts to the roads and traffic. Additionally, freight terminals tend to develop less densely than manufacturing firms. For example, USF Holland has a Floor Area Ratio (FAR) of 0.06. In other words, only 6% of the lot area is covered by a structure. Other large users in the industrial parks have FARs ranging from 25% to 40%. If the USF Holland site were developed with a FAR of 31%, the building would be over 300,000 square feet with an estimated value in excess of \$12M. The current building has a value of \$2.8M.

Finally, the Economic Development Strategy states that, on average, jobs in Coon Rapids have weekly wages 25% lower than the metro average. The City's per capita property value, household income, and per capita income tend to be lower than peer cities in the metro area. Therefore, the strategy calls for targeting high tech and bioscience type firms to enhance wages and wealth in the community. According the Department of Employment and Economic Development, the average weekly wage (Minneapolis-St. Paul MSA - 2011) in manufacturing sector is \$300 more or 23% higher than the average weekly wage in transportation/warehousing sector.

Should the Council decide to establish a moratorium as proposed, staff will prepare modifications to *Chapter 11-1600 – Industrial* that promotes uses in better alignment with the needs and strategies of the City. Such modifications could be effective the end of August 2012 and at which time the moratorium would be lifted. Should

Council elect not to enact a moratorium, direction is requested as to if the aforementioned modifications to *Chapter 11-1600 – Industrial* should be considered outside of the proposed moratorium.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Community Development and Redevelopment** section of the 2030 Strategic Vision by ensuring the proper policies are in place to achieve the City's economic development and investment objectives.

RECOMMENDATION

Staff recommends Council adopt the ordinance establishing a moratorium on construction and development of currently undeveloped areas zoned Industrial.

Attachments

Ordinance

ORDINANCE NO.

**AN ORDINANCE ESTABLISHING A MORATORIUM ON
CONSTRUCTION AND DEVELOPMENT OF CURRENTLY
UNDEVELOPED AREAS ZONED INDUSTRIAL**

PREAMBLE:

A. Minnesota Statute 462.355, subdivision 4, provides that a municipality may adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and general welfare of its residents.

B. Such interim ordinance may regulate, restrict, or prohibit any use, development or subdivision within the municipality or a portion thereof not to exceed one year from the effective date, and may be extended for such additional periods as a municipality may deem appropriate, not exceeding a total additional period of eighteen months.

C. The City of Coon Rapids land use code was adopted to promote public health, safety, morals, and general welfare.

D. The City of Coon Rapids is currently revising its land use code to align with the needs and goals of the community.

E. The City of Coon Rapids has seen significant investment recently in the industrial areas of the City, much of which has included bioscience and precision manufacturing. Such uses align with the city's economic development strategy of attracting bio science and high-tech companies to the community.

F. The City of Coon Rapids has a limited remaining supply of undeveloped industrially zoned and suited land available for new investment and development.

G. Chapter 1600 – Industrial of Revised City Code - 1982 allows a wide variety of land uses, some of which may not align well with the City's economic development strategy.

H. That an interim ordinance for 6 months is necessary to protect the planning process and health, safety and general welfare of the citizens of the City and there is a need to restrict construction, use, development or subdivision of currently undeveloped properties zoned Industrial.

Now, therefore, the City of Coon Rapids does ordain:

Section 1. City of Coon Rapids Staff is directed to continue to study Chapter 1600 – Industrial of Revised City Code - 1982 to determine whether currently permitted land uses align with the City’s economic development strategy and complete any amendments to existing ordinances as necessary.

Section 2. From the effective date of this ordinance a six month moratorium is hereby adopted restricting construction, use, development, or subdivision of currently undeveloped properties zoned Industrial.

Section 3. The moratorium shall be applicable to undeveloped properties zoned Industrial in the City.

Section 4. Any person, corporation or other entity that violates this Ordinance shall be guilty of a misdemeanor and shall be subject to additional legal or equitable remedies available to the City.

Introduced this 15th day of May, 2012.

Adopted this ____ day of _____.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

2.

Meeting Date: 06/05/2012

Subject: Adoption of Ordinance to Allow State Citations for Ordinance Parking Violations

From: Douglas Johnson, Assistant City Attorney

INTRODUCTION

Council is asked to adopt a code change that would allow police officers and CSOs to issue state citations for parking code violations.

DISCUSSION

Council introduced this ordinance on May 15, 2012.

In the mid-1990s, Council changed City Code to require police officers and community service officers to issue city-payable “citations,” instead of state citations, for ordinance parking violations. We made this change to allow violators to pay fines directly to the City rather than having to appear in court. This reduced the flow of cases to the court and gave citizens a more convenient method to pay their tickets. Under the program, officers began to issue hand-written citations on a small envelope which was placed on the vehicle. The officer retained a copy of the citation, which Police Department clerical personnel keyed into a database for further tracking by a software program.

Under the current scheme, if a citizen wants to contest or offer an explanation for the citation (car stalled, emergency, etc.), the process is a bit cumbersome. The citizen needs to contact a police captain, who can cancel the ticket, or void it and issue a new state citation to allow the citizen to go to court. When citizens fail to respond to these citations, the Legal Department issues a formal complaint for the violation. This has become problematic from an enforcement perspective because of recent changes in the court’s procedures to streamline collections and file processing.

Because of these problems, and the fact that software to run the current program is becoming outdated, staff is proposing the City modify the process somewhat. Instead of issuing a handwritten ticket for these cases, officers would issue an electronic state citation with a specified court date, as is done for state law violations. The officer would place this ticket into a special envelope that would invite violators to pay a fine directly to the City via our Citizen Awareness Program (CAP). CAP would monitor these tickets and process payments, which could be mailed to the city, brought in, or eventually paid on line. CAP would also handle certain state law parking citations, such as handicap parking. Currently these citations must go to court.

From the citizens' point of view, very little would change in the process, except it would be streamlined if a citizen wanted to explain or challenge a citation. CAP would handle all those inquiries, including if a citizen wanted to provide, for example, proof of a handicap permit or of sale of a vehicle. A violator wanting to challenge a citation would just need to appear in court on the citation. Unlike with formal complaints, State law citations are subject to a collections process, and a greater percentage of the fine revenue would end up going to the City.

Under the proposed change, if we find CAP is not the best way to manage these citations, we can create another administrative citations process, or just revert to the original program.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Public Safety** section of the 2030 Strategic Vision in the following way: it provides a more efficient way for the City to process and citizens to resolve parking citations.

RECOMMENDATION

Adopt an ordinance allowing state law citations to be issued for parking ordinance violations as part of the CAP program.

Attachments

Parking Ordinance

**AN ORDINANCE ALLOWING OFFICERS TO ISSUE STATE CITATIONS FOR
ORDINANCE PARKING VIOLATIONS AS PART OF A DIVERSION OR OTHER
ADMINISTRATIVE CITATION PROGRAM, THEREBY AMENDING REVISED CITY
CODE – 1982 SECTION 9-126**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 9-126 is hereby amended as follows:

(deletions in brackets, additions double underlined)

9-126 Violations Payable to City. Unless otherwise provided in a diversion or City administrative citation program authorized by the City Attorney, [~~For~~] for violations of this Chapter or Anoka Ramsey Community College parking regulations enforced by the City pursuant to agreement, no citation or complaint shall issue unless the person authorized to issue citations first issues, on a form authorized by the City Attorney, a request to make payment for the violation, within a reasonable amount of time, not to exceed 15 days, directly to the City. The fine schedule for violations shall be as adopted from time to time by resolution. This section does not apply to parking violations under State law, handicap parking violations, nor to parking violations under this section where one or more companion state law violations exist.

Introduced this 15th day of May, 2012.

Adopted this ____ day of _____.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

1.

Meeting Date: 06/05/2012

Subject: 2012 Street Reconstruction on 9th Avenue, Project 12-6, 115th Avenue to Oakwood Drive
--Adopt Assessment

From: Doug Vierzba, City Engineer

INTRODUCTION

The City of Anoka is reconstructing 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 adopt a resolution adopting the assessment at this time.

DISCUSSION

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/assessment hearing was held 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. One property owner submitted a written objection to the City but apparently did not file it in Court. His concerns were related to possible damage to trees and the assessment process.

The City of Anoka has contracted 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 was approved by Council on February 21, 2012. Construction is well underway.

ALIGNMENT WITH STRATEGIC VISION

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

This project will improve the quality of the street system in this area and reduce maintenance costs.

RECOMMENDATION

It is recommended that Council adopt Resolution No. 12-6(12) adopting the assessment.

Fiscal Impact

BUDGET IMPACT:

The cost to the City is estimated to be \$104,000. The City would assess \$22,050 leaving a balance of \$81,950 to be paid from Activity 797—Street Reconstruction fund.

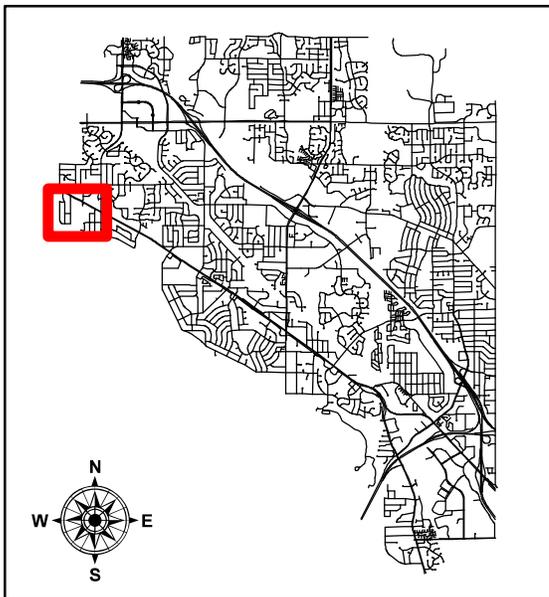
Attachments

12-6 Map

Resolution No. 12-6(12)

Project 12-6 2012 Street Reconstruction Program

■ 2012 Proposed Reconstruction



Area of Benefit



**COON
RAPIDS**
Minnesota

RESOLUTION NO. 12-6(12)

(12) RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of 9th Avenue from 115th Avenue to Oakwood Drive by street reconstruction; 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 proposed assessment is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10* years, beginning the first Monday in January, 2013 and shall bear interest at the rate of 3.10% per annum from the date of the adoption of this assessment Resolution.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Property Records and Taxation Division, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this Resolution; and the owner may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid. Such payment must be made before November 14 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

*\$22,050.00 over 10 years @ 3.10%



City Council Regular

2.

Meeting Date: 06/05/2012
Subject: Purchase of Fax machine
Submitted For: Brad Wise, Police Chief
From: Brad Wise, Police Chief

INTRODUCTION

Staff is requesting adoption of a resolution to reappropriate funds to cover the purchase of a fax machine for the police department.

DISCUSSION

The police department's heavily used Ricoh 4420NF fax machine has broken down after several years of service and is beyond repair. Although we are in the digital age, it is essential for the department to have a reliable, heavy duty fax machine as paper documents are still regularly sent and received in significant quantities on a daily basis.

The department proposes to reallocate \$1,366.68 from the police patrol division's small tools account to the patrol division's capital outlay for the purchase of a Ricoh 4430NF fax machine.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Public Safety** section of the 2030 Strategic Vision by ensuring vital documents are sent and received by the police department in a timely way.

RECOMMENDATION

Staff recommends:

- a. Adoption of Resolution 12-68 amending the 2012 Budget to reappropriate \$1,366.68 from the Police Department's Patrol Division "small tools" account to the Department's capital outlay.
 - b. Authorize the purchase of a Ricoh 4430NF fax machine at a cost of \$1,366.68
-

Fiscal Impact

BUDGET IMPACT:

Purchasing of a new fax machine will have a neutral impact on the 2012 Budget as this is a reallocation of \$1,366.68 from the small tools account to the capital outlay account.

Attachments

Res 12-68

RESOLUTION NO. 12-68

RESOLUTION AMENDING THE 2012 GENERAL FUND BUDGET

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

WHEREAS, Capital Outlay purchases must specifically be identified per the City Code 2-803; and

WHEREAS, the 2012 budget does not include sufficient funds for a replacement fax machine in the Police Department; and

WHEREAS, the cost to complete the purchase of a replacement fax machine in the Police Department is estimated to be \$1,366.68; and

WHEREAS, funds are available in the Police Activity in the General Fund to allocate to this purchase from other charges,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to allocate \$1,366.68 to capital outlay from the Police Activity in the General Fund for the purchase of a replacement fax machine.

Adopted this 5th day of June, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

3.

Meeting Date: 06/05/2012

Subject: PC 12-8 Introduce an Ordinance Amendment to increase the maximum driveway width in LDR1 and LDR2 zoning districts

From: Scott Harlicker, Planner

INTRODUCTION

The City is requesting the introduction of an ordinance amendment to amend the Sections 11-200, 11-605(10) LDR1, and 11-705(10) LDR2 Zoning Districts to increase the maximum driveway width and establish a definition and design standards for off drive parking area.

DISCUSSION

Background

As part of the continuing process of updating Title 11, staff has been reviewing the zoning code and provisions of the property maintenance code with the intention of making sure they are consistent and supportive of each other. Parking trailers and RVs alongside garages has been an ongoing issue in the city for a number of years. The code currently allows parking in front and side yards only on an improved surface. Improved surfaces include asphalt, concrete or pavers. The maximum drive way width (36 feet) often precludes widening the driveway to provide access to these accessory off-drive parking areas. A related question is should these off-drive parking areas be required to be paved.

Proposed Changes

Driveway Width and Off-Drive Parking Area Width

To provide access to the off-drive parking areas staff is proposing that the maximum driveway width be increased to a maximum of 40 feet or 50 percent of the lot width, whichever is less. If the lot is less than 72 feet wide, they would still be allowed a 36 foot wide driveway. The maximum width would be measured between the front of the garage to 20 feet from the front of the garage and would include the off-drive parking area. At 20 feet from the garage the driveway would have a maximum width of 36 feet (what the current code allows). This would allow angled access to the parking area. The maximum driveway width at the street right-of-way would remain unchanged (24 feet).

The maximum width of the off-drive parking area would be 12 feet. and could not extend more than 24 feet from the front of the garage to the rear. It could extend to the property line.

Surface Material

Off-Drive Parking Areas

The current code requires that these side parking areas be finished with an improved surface. Since they typically function as storage space and not an active driveway, staff proposed allowing alternative materials be used as a surface. These materials include pervious pavers, patio blocks or concrete pavers, or porous paving grids. Typically these types of materials can be installed by a homeowner. They are proposed as a compromise between materials

such as concrete and bituminous that require professional installation and a gravel material.

The entire off-drive parking area would have to be finished and extend to the drip line of the vehicle that is parked on it. The finish material would have to be installed per standards on file with the city or per manufacturer's specifications.

Driveways

The current code requires that driveways be finished with an improved surface. Finish surface materials include concrete, bituminous, brick pavers or similar hard surface material approved by the Community Development Director. No changes are proposed for this standard.

New Definition

Off-Drive Parking Area - An off street area connected to a driveway intended for the parking of vehicles.

Planning Commission Meeting

At the Planning Commission meeting held on May 17th two residents spoke at the public hearing. One believed that stone should be added as an approved surface material for off drive parking areas because it would be a less costly alternative than pavers and paving grids. He also stated that there should be a separation distance between the parking area and the side of the garage to allow room for a sidewalk or walkway between what is being parked and the garage. The second resident supported the use of stone as a finish material and discussed the process of applying for driveway permit and the need for a survey.

The Commission discussed the use of a stone or gravel material for the parking area. If stone were to be used, the Engineering Department recommended a 3/4 inch fractured stone. It would allow water to percolate but would not shift like landscaping stone. It also comes washed so there is no dirt or gravel that will prohibit drainage and track off site. The use of stone would require a suitable edging material to control the spread of the stones. The Commission decided to recommend that stone be allowed as a finish material for the part of the parking area located to the rear of the front line of the garage. The Commission voted 4:0 to recommend approval of the proposed ordinance.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Community Development and Redevelopment, Housing/Neighborhoods**, sections of the 2030 Strategic Vision in the following way: It creates consistency between the provisions of the property maintenance code and the zoning code and allows residents to access parking pads on the side of their garage.

RECOMMENDATION

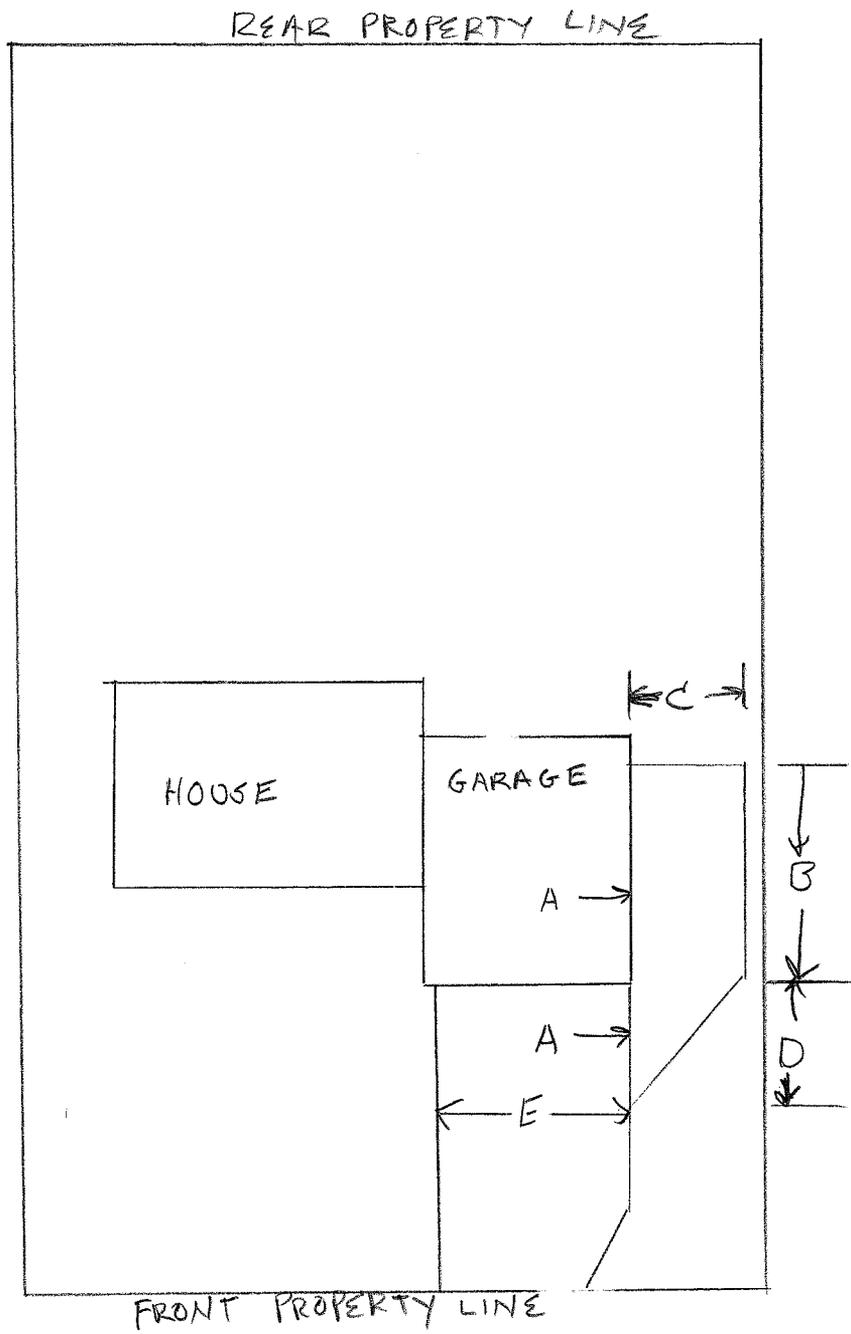
In Planning Case 12-8, the Planning Commission recommends the City Council **introduce** the attached ordinance **approving** the proposed ordinance amendment.

Attachments

driveway diagram

5-17 PC Minutes

Ordinance



2. PLANNING CASE 12-8 – ORDINANCE AMENDMENT TO INCREASE THE MAXIMUM DRIVEWAY WIDTH IN LDR1 AND LDR2 ZONING DISTRICTS – PUBLIC HEARING

It was noted the City is proposing an ordinance amendment to increase the maximum driveway width in the LDR1 and LDR2 zoning districts and establish design standards for off-drive parking areas. The City addressed this issue quite often with code compliance issues. For this reason, Staff was recommending approval of the Ordinance amendment. Planner Harlicker then reviewed the dimensions of the new off-drive parking space and explained the parking area must be a finished surface. He noted that if the Commission wanted to allow stone as a finish material, the Engineering Department recommended a $\frac{3}{4}$ inch washed fractured stone.

Chairman Naeve opened the public hearing at 7:02 p.m.

Jerry Klaveader, 12053 Evergreen Street, indicated he received a notice regarding the off-drive parking. He suggested the parking language be altered to read adjacent parking instead of attached parking. In addition, he recommended the 12 foot width be increased to allow for additional space when backing in vehicles or opening vehicle doors.

Mr. Klaveader requested the Commission allow for stone to be used in off-drive parking areas. He stated this was a much more affordable option versus pavers, asphalt or concrete. He explained that a change to this area of City Code would leave a lot of properties out of compliance.

Richard Pettis, 10700 Xavis Street NW, did not mind the requirement for cement or asphalt. However, he questioned if homeowners could complete the concrete work themselves without the use of a professional. He indicated this would be adequate for off-drive parking. He supported the use of $\frac{3}{4}$ " stone as well if properly contained.

Chairman Naeve indicated residents would be able to install their own concrete if they received the proper City permits and meet City Code requirements.

Mr. Klaveader questioned if a parking pad would require a City permit. Community Development Director Nevinski stated a building permit would be needed to assure that encroachments were not being made through the additional parking space.

Mr. Pettis asked if a survey was required in order to receive a building permit. Community Development Director Nevinski explained that many properties in the City already had surveys on file. Measurements could be made from these surveys or would have to be completed by the homeowner.

Chairman Naeve closed the public hearing at 7:16 p.m.

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER STEVENS, TO APPROVE AN AMENDMENT TO SUBSECTION F(1) TO READ SHALL BE WITHIN FIVE (5) FEET OF THE SIDE OF THE GARAGE AND ATTACHED TO THE DRIVEWAY. THE MOTION PASSED UNANIMOUSLY.

Commissioner Geisler recommended a change to Section 10(E) striking “or parking surfaces”.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE AN AMENDMENT TO SUBSECTION 10(E) STRIKING “OR PARKING SURFACES”. THE MOTION PASSED UNANIMOUSLY.

Chairman Naeve questioned if the maximum allowable parking space width was 40 feet or 48 feet. Planner Harlicker indicated those residents with a 36 foot driveway width would not be allowed to have an additional 12 feet of off-drive parking space. The maximum allowable width would be 40 feet.

Commissioner Stevens clarified that only registered vehicles could be stored on off-drive parking surfaces.

Commissioner Geisler agreed stating this space was not to be used for storage. She then questioned if Subsection I should be tied into the new language stating parking must be located on driveway or off-driveway parking when in the front. Planner Harlicker was in favor of this language amendment.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE AN AMENDMENT TO SUBSECTION I STATING PARKING WITHIN THE FRONT AND SIDE YARDS MUST BE LOCATED ON DRIVEWAY OR OFF-DRIVE PARKING AREA. THE MOTION PASSED UNANIMOUSLY.

Commissioner Stevens recommended Section G be amended to include $\frac{3}{4}$ ” stone.

Commissioner Geisler was torn on this issue. She understood the rock use would have to be edged and weed free. She indicated off-drive parking areas were part of the front of the house and the visual sight lines should be preserved.

Commissioner Stephenson was in favor of the use of $\frac{3}{4}$ ” rock versus further use of pavement.

Commissioner Stevens suggested the dimension and size of gravel would have to be specified within the City Code to assure that the proper rock was used for the off-drive parking areas.

Community Development Director Nevinski commented the Commission could recommend that rock could be used in specific areas for off-drive parking. In addition, a supporting structure would be needed to contain the rock. He stated specifications could be left on file with the City Engineer on how these areas are constructed.

Commissioner Stevens questioned if a building permit would question what material would be used for the off-drive parking area. Community Development Director Nevinski stated the permit could ask for clarification on the building material that would be used.

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER GEISLER, TO APPROVE AN AMENDMENT TO SUBSECTION 10(G) ADDING A SECOND SENTENCE STATING $\frac{3}{4}$ " FRACTURED ROCK, PER SPECIFICATIONS ON FILE WITH THE CITY ENGINEER, MAY BE USED FOR OFF-DRIVE PARKING AREAS, PROVIDED THAT SUCH ROCK MAY ONLY BE USED ON OFF-DRIVE AREAS LOCATED BEHIND THE FRONT OF THE GARAGE. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COMMISSIONER STEPHENSON, SECONDED BY COMMISSIONER STEVENS, TO APPROVE PLANNING CASE 12-8, THE PROPOSED ORDINANCE AMENDMENT TO AMEND SECTIONS 11 605(10) AND 11-705(10) TO INCREASE THE MAXIMUM DRIVEWAY WIDTH AND ESTABLISH A DEFINITION AND DESIGN STANDARDS FOR OFF-DRIVE PARKING AREAS AS AMENDED. THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the June 5, 2012 City Council meeting.

ORDINANCE NO.

**AN ORDINANCE TO INCREASE THE MAXIMUM DRIVEWAY WIDTH
IN THE LDR1 AND LDR2 ZONING DISTRICTS AND ESTABLISH A
DEFINITION AND STANDARDS FOR OFF DRIVE PARKING
AREAS AND THEREBY AMENDING REVISED CITY CODE – 1982
SECTIONS 11-200, 11-605 (10), AND 11-705(10)**

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Section 11-200 is hereby amended as follows by the addition of the following new definition, which is to be inserted alphabetically and the numbering changed accordingly.

Off Drive Parking Area – An off street, improved surface area connected to a driveway intended for the parking of vehicles.

Section 2. Revised City Code – 1982 Section 11-605(10) is hereby amended as follows:
(deletions in brackets, additions double underlined)

11-605 District Standards. The District Standards shall be as follows:

...

(10) Parking and Drives.

(a) The minimum number of required off-street parking spaces [~~shall be~~] is three per dwelling unit. At least two spaces per dwelling unit [~~shall~~] must consist of an enclosed garage.

(b) A driveway [~~shall~~] must have a minimum width within the street right-of-way of 10 feet per dwelling unit, excluding the entrance radii. Within the street right-of-way, the total width of all driveways accessing the same street frontage [~~shall~~] must not exceed 24 feet per dwelling unit, excluding the entrance radii.

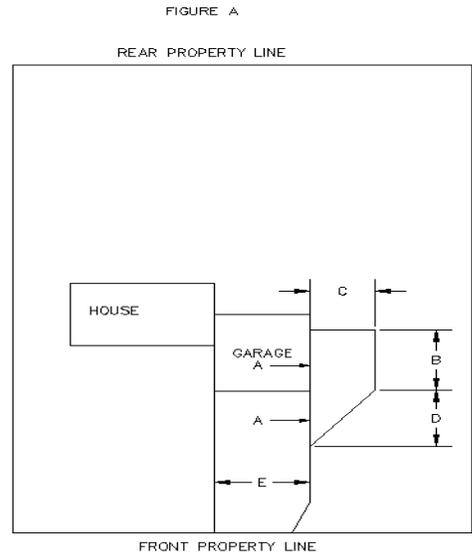
(c) No more than 50 percent of the lot area located between the structure and the front property line may be improved as driveway and parking surfaces, provided, however, that the maximum pavement width, excluding a required turnaround, [~~shall~~] must not exceed 36 feet.

(d) Driveways [~~shall~~] may be permitted to be constructed up to the property line. However, driveways and parking [~~shall~~] must not be located within the sight triangle described in Subsection 11-1825(1).

(e) All driveways [~~and parking areas shall~~] must be improved with concrete, bituminous, brick pavers or similar hard surfaced material as approved by the Chief Building Official, provided, however, that on a lot which has the shoreline of the Mississippi River as the rear lot line, all driveways and parking areas [~~shall~~] must be so improved for the first 100 feet of lot depth. Other materials, including decorative

landscape rock, crushed rock, gravel, sand, bare soil, or similar materials ~~[shall]~~ are be prohibited for use as a driveway ~~[or parking surfaces]~~. Driveways ~~[shall]~~ must be constructed and maintained according to standards on file in the office of the Chief Building Official. ~~[If the roadway is not paved, the driveway need not be paved until such time as the owner is given notice by the Zoning Administrator. Within 30 days after completion of the paving of the roadway, the Zoning Administrator shall notify the owner in writing that the driveway must be paved. The notice shall specify a date for completion of the driveway paving, which date shall be no less than six months nor more than one year from the date of the notice.]~~

- (f) Off-Drive Parking Areas:
 - i. Must be within five feet of the side of the garage and attached to the driveway. (Arrows A in Figure A)
 - ii. Must not extend more than 24 feet from the front of the garage to the rear. (Arrow B in Figure A).
 - iii. May extend to the side property line, provided, it is no wider than 12 feet. (Arrow C in Figure A).
 - iv. Must not extend more than 20 feet from the front of the garage towards the street (Arrow D in Figure A)
 - v. The total width of the driveway (Arrow E in Figure A) and the Off-Drive Parking Area (Arrow C in Figure A) cannot not exceed 40 feet or 50 percent of the lot width.



(g) Off-Drive Parking Areas must be finished with an improved surface material, permeable pavers, patio blocks or concrete pavers, porous paving grids or similar material as approved by the Director. Washed ¾ inch fractured stone may be used as a surface material for that part of the parking area located behind the front line of the garage. The finished area must be a continuous surface, of sufficient width to so as to include the drip line of the vehicle that is parked on it and maintained weed free. The finished material must be installed per standards on file with the City Inspection Department or per manufacture’s specifications.

(h) Driveway access to arterial and collector streets [shall] is be prohibited, unless approved by the City Council. Where a driveway access is permitted to an arterial street or collector street, a driveway turnaround [shall] must be provided in order to eliminate the need for vehicles to back onto the street when exiting.

[(g)](i) Parking [shall be prohibited within the front and side yards except on improved surfaces] within the front and side yards must be on a driveway or parking area provided, however, on a lot which has the shoreline of the Mississippi River as the rear lot line, parking shall be prohibited within the first 100 feet of lot depth except on improved surfaces.

Section 3. Revised City Code – 1982 Section 11-705(10) is hereby amended as follows:

(deletions in brackets, additions double underlined)

11-705 District Standards. The District Standards shall be as follows:

...

(10) Parking and Drives.

(a) The minimum number of required off-street parking spaces for a single family dwelling ~~shall be~~ is three. At least two spaces ~~shall~~ must consist of an enclosed garage.

(b) A driveway ~~shall~~ must have a minimum width within the street right-of-way of 10 feet per dwelling unit, excluding the entrance radii. Within the street right-of-way, the total width of all driveways accessing the same street frontage ~~shall~~ must not exceed 24 feet per dwelling unit, excluding the entrance radii.

(c) No more than 50 percent of the lot area located between the structure and the front property line may be improved as driveway and parking surfaces, provided, however, that the maximum pavement width, excluding a required turnaround, ~~shall~~ must not exceed 36 feet.

(d) Driveways ~~shall~~ may be permitted to be constructed up to the property line. However, driveways and parking ~~shall~~ must not be located within the sight triangle described in Subsection 11-1825(1).

(e) All driveways and parking areas ~~shall~~ must be improved with concrete, bituminous, brick pavers or similar hard surfaced material as approved by the Chief Building Official. Other materials, including decorative landscape rock, crushed rock, gravel, sand, bare soil, or similar materials, ~~shall be~~ are prohibited for use as driveway ~~or parking surfaces~~. Driveways ~~shall~~ must be constructed and maintained according to standards on file in the office of the Chief Building Official. ~~[If the roadway is not paved, the driveway need not be paved until such time as the owner is given notice by the Zoning Administrator. Within 30 days after completion of the paving of the roadway, the Zoning Administrator shall notify the owner in writing that the driveway must be paved. The notice shall specify a date for completion of the driveway paving, which date shall be no less than six months nor more than one year from the date of the notice.]~~

(f) Off-Drive Parking Areas:

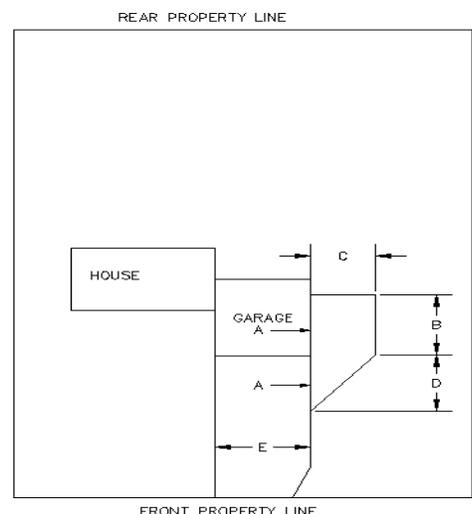
i. Must be within five feet of the side of the garage and attached to the driveway. (Arrows A in Figure A)

ii. Must not extend more than 24 feet from the front of the garage to the rear. (Arrow B in Figure A).

iii. May extend to the side property line, provided, it is no wider than 12 feet. (Arrow C in Figure A).

iv. Must not extend more than 20 feet from the front of the garage towards the street (Arrow D in Figure A)

FIGURE A



v. The total width of the driveway (Arrow E in Figure A) and the Off-Drive Parking Area (Arrow C in Figure A) cannot not exceed 40 feet or 50 percent of the lot width

(g) Off-Drive Parking Areas must be finished with an improved surface material, permeable pavers, patio blocks or concrete pavers, porous paving grids or similar material as approved by the Director. Washed ¾ inch fractured stone may be used as a surface material for that part of the parking area located behind the front line of the garage. The finished area must be a continuous surface, of sufficient width to so as to include the drip line of the vehicle that is parked on it and maintained weed free. The finished material must be installed per standards on file with the city or per manufacture's specifications.

(h) Driveway access to arterial and collector streets [~~shall be~~] is prohibited, unless approved by the City Council. Where a driveway access is permitted to an arterial or collector street, a driveway turnaround [~~shall~~] must be provided in order to eliminate the need for vehicles to back onto the street when exiting.

[~~(g)~~] (i) Parking [~~shall be prohibited within the front and side yards except on improved surfaces~~] within the front and side yards must be on a driveway or off drive parking area.

...

Introduced this 5th day of June, 2012.

Adopted this ____ day of _____.

Tim Howe, Mayor

ATTEST:

Cathy M. Sorensen, City Clerk



City Council Regular

4.

Meeting Date: 06/05/2012

Subject: PC 12-9 Introduce an Ordinance Amendment to limit overnight truck and trailer parking in commercial and office districts

From: Scott Harlicker, Planner

INTRODUCTION

The City is proposing an ordinance amendment to limit overnight parking of trucks over 26,000 pound gross vehicle weight, semi tractors and/or trailers in commercial and office districts.

DISCUSSION

The city has noticed an increase in the number of large trucks, semi-tractors and trailers using shopping center parking lots for long term overnight parking. This practice has negative impacts on the city and the shopping center; the practice is unsightly, impacts on site parking and traffic circulation, is detrimental to surrounding property and public safety concerns.

To address these issues staff is proposing a code change that would prohibit overnight parking of trucks over 26,000 pounds gross vehicle weight , semi-tractors or trailers in areas outside of designated loading bays or loading areas. The amendment would affect the following zoning districts: Office, General Commercial, Community Commercial, Neighborhood Commercial, Riverdale Transit and Regional Shopping.

The proposed ordinance would prohibit parking, in commercial and office parking lots, of large trucks, semi-tractors and trailers between the hours of 9:00p.m. and 6:00a.m. unless they are queued for a loading dock or area or being actively unloaded.

Planning Commission Meeting

At the Planning Commission meeting held on May17th no one spoke at the public hearing. The Commission voted 4:0 to recommend approval of the proposed Ordinance.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Community Development and Redevelopment**, section of the 2030 Strategic Vision in the following way: The proposed ordinance will support the improvement of the commercial and office districts by limiting the adverse impacts of overnight truck and trailer parking.

RECOMMENDATION

In Planning Case 12-9, the Planning Commission recommends the City Council **introduce** the attached ordinance **approving** the proposed ordinance amendment.

Attachments

5-17 PC MInutes

Ordinance

4. CASE 12-9 – CODE CHANGE TO LIMIT OVERNIGHT TRUCK AND TRAILER PARKING IN COMMERCIAL AND OFFICE DISTRICTS – PUBLIC HEARING

It was noted the City is proposing a code change to limit overnight parking of trucks over 26,000 pound gross vehicle weight, semi tractors and/or trailers in commercial and office districts. Staff explained the parking of large vehicles overnight in commercial and office districts has become a code enforcement issue and for that reason, Staff recommended the code change.

Chairman Naeve opened and closed the public hearing at 7:49 p.m., as no one wished to address the Planning Commission.

Chairman Naeve questioned if the property owner or truck owner would receive the citation. Planner Harlicker indicated the property owner would receive the citation.

Commissioner Stephenson explained the City may be able to pursue both parties as they would both be in violation of City Code. He questioned if the local businesses have been contacted regarding the potential change. Community Development Director Nevinski indicated conversations have been held and generally, these uses were not allowed in the parking lots. The City was concerned with the number of trucks allowed and being parked in the local commercial lots. The requested language change would provide clearer direction for the City to enforce the issue.

Commissioner Stevens asked if trucks could be parked in the loading bay area waiting to be unloaded, or was this too a violation. Planner Harlicker indicated this would not be a violation, as the truck was waiting to be unloaded. The area of concern was not the loading area, but rather the commercial parking lots.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE PLANNING CASE 12-9, THE PROPOSED ORDINANCE AMENDMENT TO AMEND SECTION 11-1824 TO LIMIT THE OVERNIGHT PARKING OF TRUCKS, SEMI-TRACTORS AND TRAILERS IN COMMERCIAL AND OFFICE DISTRICTS. THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the June 5, 2012 City Council meeting.

ORDINANCE NO.

AN ORDINANCE REGULATING OVERNIGHT PARKING AND STORAGE OF TRUCKS, SEMI TRACTORS, AND TRAILERS IN COMMERCIAL AND OFFICE DISTRICTS

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 is hereby revised by adding new Section 11-1824 as follows: (deletions in brackets, additions double underlined)

11-1824 Parking and Storage of Trucks, Semi Tractors and Trailers in Commercial and Office Districts

1) Purpose. Parking and storing of trucks with a gross vehicle weight of 26,000 pounds or more, semi tractors, and trailers in areas outside of designated loading bays and loading zones is unsightly, causes public safety concerns, and impacts on site parking and traffic circulation; and is detrimental to surrounding property values.

2) Violation. It is a violation of this Code for trucks with a gross vehicle weight of 26,000 pounds or more, semi tractors, or trailers to be parked, stored, or maintained or permitted to be parked, stored, or maintained in a Commercial District or Office District between the hours of 9:00 p.m. and 6:00 a.m., except as listed below:

a) Trucks, semi tractors or trailers parked at or queued for an approved loading dock or loading area; or

b) Trucks, semi tractors or trailers which are being actively loaded or unloaded.

Introduced this 5th day of June, 2012.

Adopted this ____ day of _____.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk