



CITY COUNCIL AGENDA

Tuesday, November 20, 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. Cons. Resolution 12-123 Accepting the Donation of Two Scoreboards from the Coon Rapids Athletic Association (CRAA) for Use at Sand Creek Park
2. Approve the FY13 Budget for Twin Cities Gateway
3. Oath of Office for Officer Nikolas Oman

Approval of Minutes of Previous Meetings:

October 16, 2012, Council Meeting

October 23, 2012, Work Session

November 7, 2012, Council Meeting

November 14, 2012, Special Council Meeting

Consent Agenda

4. Levy Appealed Miscellaneous 2012(3) Assessments:
 - a. Cons. Resolution 12-113 Adopting 2012(3) Miscellaneous Special Assessments (Contested One Year)
 - b. Cons. Resolution 12-114 Adopting 2012(3) Miscellaneous Special Assessments (Contested Three Year)

Public Hearing

5. Cons. Revocation of Peddler's License 12-188, Boulder Creek Builders
6. 2013 Fee Revisions:
 - a. Conduct Public Hearing Regarding Fee Increases for 3.2 Malt Liquor Licenses
 - b. Cons. Adoption of Ordinance to Revise Certain License Fees, Service Fees and Related Charges
 - c. Cons. Adoption of Ordinance Adjusting Building Inspection Fees
 - d. Cons. Resolution 12-115 Establishing Certain Fees and Charges
 - e. Cons. Resolution 12-116 Establishing Certain Fees and Charges for Use of CTN Studio Facilities
 - f. Cons. Resolution 12-117 Revising Sewer Availability Charges (SAC)

- g. Cons. Resolution 12-118 Establishing Certain Fees and Charges for Use of City Park Facilities
- h. Cons. Resolution 12-119 Establishing Certain Fees and Charges for Adult Softball Leagues

Old Business

- 7. Cons. Adoption of Ordinance Rezoning Property at Springbrook Drive and 87th Avenue from Community Commercial to Industrial, Shamrock Development, PC 12-25

New Business

- 8. Cons. Resolution Approving Comprehensive Land Use Plan Amendment from Community Commercial to Industrial, Shamrock Development, PC 12-24
- 9. Cons. Resolution 12-111 Calling for Redemption of 2014 through 2017 Bonds of 2002B, G.O. Tax Increment Revenue Bonds
- 10. Cons. Resolution 12-121 Establishing Sewer Rates
- 11. Approve Utility Payment Incentive
- 12. Cons. Resolution 12-120 Amending the 2012 Budget to Allow for the Purchase of GPS Units
- 13. Approve Updated City Center Facilities Policy to Allow for Serving of Intoxicating Liquor at the Civic Center

Other Business

Adjourn



City Council Regular

Meeting Date: 11/20/2012

SUBJECT:

Attachments

October 16 Council

October 23 Work Session

November 7 Council

November 14 Special Meeting

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF OCTOBER 16, 2012

OPEN MIC/PUBLIC COMMENT

Alan Williams, 10744 Yellow Pine Street NW, had concerns regarding the water restoration process response. He said he disagreed with the statement that the process doesn't affect home sales, adding we need to sell more houses and attract people to Coon Rapids. He stated the water should be turned off in the winter but when contractors are working the water needs to be turned back on to ensure businesses thrive.

Jerry Pierce, 12236 Partridge Street NW, said he hadn't received a response regarding his last Open Mic appearance. He said he has contacted Building Official Doug Whitney about footing inspections at Firestone and was not satisfied with his response.

Scott Bromley, 514 Northdale Boulevard, shared concerns regarding the campaign sign removal process. He referred to recent incidents where signs were removed by City staff and asked that staff contact the candidates prior to removal to allow for the opportunity to relocate the signs. Mr. Bromley asked that staff be professional and treat the signs with more respect.

Mayor Howe asked if the signs Mr. Bromley referred to were on private property with permission or on public land. Mr. Bromley referred to campaigns signs recently removed from his property that surrounds the water tower.

Mayor Howe noted campaign sign removal is done even-handedly and while there may be contention signs in question can often be placed incorrectly in the right-of-way.

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of October was called to order by Mayor Tim Howe at 7:00 p.m. on Tuesday, October 16, 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 LARSON, TO ADOPT THE AGENDA AS AMENDED ADDING ITEMS 1A, AND AMENDING ITEMS 10B AND 10C. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

1. NOVEMBER HOMELESSNESS AWARENESS MONTH

Mayor Howe read a proclamation declaring November Homelessness Awareness month. He indicated Karrie Schaaf was present to share information on homelessness in Anoka County and their project for collecting new and gently used shoes and boots for all ages for those in need.

Ms. Schaaf reviewed the number of people identified as homeless in Anoka County, stating there were 230 students identified as homeless in the Coon Rapids school district. She commented this was a growing concern as the number of homeless students had almost doubled since this time last year.

Mayor Howe thanked Ms. Schaaf for her service to the community and for working to meet the needs of the homeless in this area. The Council and staff offered Ms. Schaff a round of applause.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

OCTOBER 2, 2012, COUNCIL MEETING

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, FOR APPROVAL OF THE MINUTES OF THE OCTOBER 2, 2012, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

- 1A. AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO ENTER INTO AN AGREEMENT WITH DAKOTA COUNTY TO PROVIDE E-BRIEFING TO THE POLICE DEPARTMENT
2. ACCEPT EASEMENT FROM CONVENIENCE STORE INVESTMENTS FOR UTILITY PURPOSES OVER PORTIONS OF PROPERTY LOCATED AT 9250 SPRINGBROOK DRIVE NW
3. AUTHORIZE FINAL PAYMENT FOR PROJECT 10-12, COON RAPIDS ICE CENTER, 13B ICE RINK SPECIALTIES
4. CONSIDER RESOLUTION NO. 12-105 REQUESTING ADVANCE MSA FUNDING

- FOR THE 2013 STREET RECONSTRUCTION PROGRAM
5. APPROVE AMENDED LEASE AGREEMENT WITH ANOKA COUNTY FOR USE OF LIONS PARK
 6. BUSINESS RETENTION AND EXPANSION:
 - A. APPROVE THE PROGRAM AGREEMENT WITH THE UNIVERSITY OF MINNESOTA
 - B. CONSIDER RESOLUTION NO. 12-107 ACCEPTING DONATIONS FOR SPONSORSHIP OF BUSINESS RETENTION AND EXPANSION STUDY
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MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER KOCH, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED.

Councilmember Schulte discussed the e-briefing item stating the joint law enforcement council was no longer subscribing to this program and the City would be partnering with Dakota County on this item temporarily.

Mayor Howe requested further information on the business retention and expansion program that would be completed with the University of Minnesota. Community Development Director Nevinski provided the Council with information on the business and retention study that would be completed through this study noting the goal would be to gather information on the City's current business climate. He noted the City has received several generous donations to assist with the expense of the study. He explained the data would be reviewed this winter and would be presented to the Council early next spring. He then discussed the Economic Gardening program that was being started by Anoka County.

THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

7. OPEN MIC REPORT – TERRANCE RUST – 520 115TH AVENUE – READDRESSING ISSUES ABOUT FUEL SHUTOFFS ON CITY VEHICLES AND STREET SWEEPING
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Mayor Howe presented a memorandum from staff to Council stating Mr. Rust appeared at Open Mic at the October 2, 2012 Council meeting. He spoke about staff's response to his earlier appearance regarding three issues. These included:

- Automatic idle shut offs on City trucks
- Installation of GPS units on fleet vehicles
- Street sweeping operations

Staff recently responded to Mr. Rust's previous Open Mic appearance. At the October 2 meeting he asked that we reconsider some of the points he had made earlier. We would respond as follows to his requests:

Installation of Automatic Idle Shut Offs

Mr. Rust suggested that the City explore installation of automatic shut offs on our larger fleet vehicles to save fuel. Most of our heavy duty dump trucks have electronic fuel controls. It is possible to program the units to shut down after a certain period of time at idle. However, most of our operations often require the unit be at or just above idle for extended periods of time and are moving operations. These would include pothole patching, crack filling, traffic control, and street sweeping support. It is not practical to continually shut the engines on and off as the operation progresses forward. The trucks move from location to location and then remain at idle for short periods of time while potholes are patched or sweeper boxes are dumped. When the vehicles are left standing for longer periods of time, they are shut off. Staff investigated the fuel consumption of a diesel truck at idle and found that the consumption is less than one-half gallon per hour at idle. In this case we believe the minimal fuel savings would not offset the decrease in efficiency and possible safety concerns of having to shut the engine off each time it remained at idle for a short period of time.

Installation of GPS Units on Fleet Vehicles

The previous staff memo indicated that GPS units had been installed on street sweepers to demonstrate their effectiveness. The 2013 Budget contains \$20,000 to install additional GPS units on 11 of our heavy duty truck units. Anticipated expenditure will include \$17,000 for the installation of the GPS units and an annual license fee of \$3,000. This will provide GPS tracking devices on all of our "route" type vehicles that sweep streets, plow snow, and haul materials. This will allow management staff to track the route and determine vehicle locations at any given point in time.

Street Sweeping Efficiency

In his statement at Open Mic on October 2, Mr. Rust acknowledged that during heavy periods of sweeping, the method currently employed by the City of having support trucks traveling with the sweeper is the most effective. He suggested that we further examine sweeping operations during less heavy sweeping periods, which would generally be the summer season from June through early September.

Staff would respond to this issue by noting that we have two different sweepers. The larger air sweeper, the TYMCO, has a large enough dump box to allow it to sweep for several hours continuously. The operator leaves the yard in the morning, sweeps for 3 - 3½ hours, returns to the yard at lunch and dumps the box. Following lunch, the operator returns to the sweeping route and sweeps for an additional three hours returning to the yard at the end of day and dumps the box once again. Because of the large capacity of the box and the fact that this sweeper can travel at street speeds, no truck support is necessary for lighter sweeping periods with this unit.

For the other sweeper, the mechanical Elgin sweeper, truck support is provided by the operator as suggested by Mr. Rust. A truck is delivered to the general sweeping location. The operator drives the sweeper to the sweeping location, begins sweeping, and sweeps until the smaller capacity dump box is full. The operator then dumps the box into the truck, leaves the sweeper, drives the truck to the yard and returns to the work site. At the end of the day, the sweeper returns to the yard and the truck is picked up by other staff. The idea of trailering the sweeper to the work site is not practical in that the work site changes daily and is not the same operation as it would be if a contract sweeper hauled a sweeper on a trailer to a sweeping site such as a shopping center parking lot.

8. OPEN MIC REPORT – JERRY PIERCE – 12236 PARTRIDGE STREET – VEHICLE STORAGE FACILITY, FIRESTONE BUILDING AND BUILDING INSPECTIONS

Mayor Howe presented a memorandum from staff to Council stating Mr. Jerry Pierce, 12236 Partridge Street, appeared at Open Mic at the October 2, 2012 Council meeting and again voiced his concerns about the City's new Vehicle Storage Facility, the Firestone building, building inspection practices, and his support for the hovercraft. Staff has previously responded to all of Mr. Pierce's issues.

Mr. Pierce appeared at Open Mic expressing concerns to issues that staff has previously addressed. No additional action is necessary nor will any additional information be provided.

9. OPEN MIC REPORT – ALAN WILLIAMS AND PHIL ROSAR – WATER RESTORATION PROCESS

Mayor Howe presented a memorandum from staff to Council stating Mr. Alan Williams and Mr. Phil Rosar appeared at Open Mic on October 2 and expressed concerns about the City's practice of turning water off to vacant and foreclosed properties. Specifically, Mr. Williams stated that it is difficult to renovate a house without water and that the program has impacted home sales in Coon Rapids. Mr. Rosar stated it is impossible to have water turned on temporarily. They asked for a work session on the matter and stated they were unaware of the September 25th work session where the matter was discussed.

Council met in a work session on September 25th to review the process of restoring water to foreclosed and vacant homes. A copy of the staff memo has been sent to Mr. Williams and Mr. Rosar. Following review of the process, Council expressed its support of the practice. However, because no one from the public attended the work session, Council asked staff to meet with various stakeholders to determine if further efficiencies could be found with the process. Meetings are currently being scheduled and staff will report back to Council at a future work session with the results and recommendations.

A review of the home sales in Coon Rapids over the past year reveals that Coon Rapids is matching both the County and entire metro area trends, suggesting the water restoration practice is not having a

negative impact on home sales in Coon Rapids. The number of sales closed in Coon Rapids is up 12% between August 2011 and August 2012. Median sales prices are up almost 9% over the same period.

Finally, it is possible to temporarily turn on water to a property if it has not passed a water restoration inspection and, to try to accommodate various scenarios, several options exist to do so. First, if a home does not pass a restoration inspection, the inspector leaves instructions with the owner/agent describing how to turn on the water temporarily. There is a fee for the temporary turn on and water is not left on overnight. Over the past two years, temporary turn-ons averaged three per month. Alternatively, an owner/agent could request waiver to have the water left on, provided the City is contact shortly after the house is posted and there are no recent issues with the property or the owner/agent. A third option, as previously presented in a May 1, 2012 open mic response to Mr. Williams, when undertaking a major restoration of a foreclosed home, the owner/agent may request the water be left on following the completion of a restoration inspection and the issuance of permits for any corrections and remodeling work.

Mayor Howe requested staff speak with Mr. Rosar and Mr. Williams to see which specific cases or properties were a concern.

PUBLIC HEARING

10. 2012 MISCELLANEOUS SPECIAL ASSESSMENTS:
 - A. ASSESSMENT HEARING
 - B. CONSIDER RESOLUTION 12-108A ADOPTING 2012(3) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED ONE YEAR)
 - C. CONSIDER RESOLUTION 12-109A ADOPTING 2012(3) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED THREE YEAR)
-

Finance Director Legg presented a memorandum from staff to Council stating after an assessment hearing, the unopposed 2012 Miscellaneous Special Assessments should be adopted with the amounts shown on the amended resolutions, presented to the Council this evening.

The amount to be assessed for the 2012(3) Miscellaneous Assessments is \$150,719.05 as of October 9, 2012. The amount reflects payments and adjustments that have been made since September 18, when the assessment hearing date was set. An updated amount will be distributed on October 16.

The revised process of hearing assessment appeals will include a hearing before the Board of Adjustment and Appeals before City Council adoption. The City Council still must open a public hearing as required by State Statutes. However, at that hearing the City Council should collect written appeals and refer appellants to the Board of Adjustment and Appeals for their review and recommendation. After the public hearing has been closed, the City Council may adopt the assessments, which have not been appealed.

The Board of Adjustment and Appeals is expected to meet on November 1 and will make a recommendation to the City Council at the November 20 Council meeting.

The terms of re-payment of these assessments are determined by the amount being assessed. The proposed assessments are categorized by the number of years to be assessed and the interest rate recommended. Amounts up to \$1,000 will be payable in one year, amounts up to \$5,000 will be three years. Letters have been sent to property owners informing them of these options.

Mayor Howe opened and closed the public hearing at 7:27 p.m. since no one appeared to address the Council.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 12-108A ADOPTING 2012(3) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED ONE YEAR); AND RESOLUTION NO. 12-109A ADOPTING 2012(3) MISCELLANEOUS SPECIAL ASSESSMENTS (UNOPPOSED THREE YEAR). THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

11. CONSIDER ADOPTION OF ORDINANCE AMENDING THE OFFICIAL ZONING MAP, 1ST NATIONAL BANK OF ELK RIVER, 10732 HANSON BOULEVARD, PC 12-18

Planner Harlicker presented a memorandum to Council stating the applicant is requesting the approval of an ordinance rezoning certain property from Moderate Density Residential to Office. The applicant has also submitted a request for a corresponding change to the Comprehensive Land Use Plan from Moderate Density Residential to Office.

The property is located at the corner of Hanson Boulevard and 108th Avenue.

	Existing Use	Comprehensive Plan	Zoning
Subject Property	Vacant building	Moderate Density Residential	MDR
North	Railroad tracks	Moderate Density Residential	MDR
South	Park	Park, Recreation and Preserve	LDR2
East	Railroad tracks and twin home	Moderate Density Residential	MDR
West	Single family residence	Low Density Residential	LDR2

Background

The applicant is requesting a rezoning from *Moderate Density Residential* to *Office*. The site is 56,326 square feet in size. There is a 7,372 square foot building on the site that is currently vacant

and has been vacant for about two years. The prior occupant was a private security firm. The building was constructed in 1968; the most recent work done to the building was in 2001 when the roof was replaced.

The site had been zoned Industrial since 1968. In 2010 the property's land use designation was changed from Industrial to Moderate Density Residential as part of the Comprehensive Plan update. The zoning was also changed from Industrial to Moderate Density Residential following approval of the Comprehensive Plan update. These changes were made because Industrial was not appropriate zoning and Moderate Density Residential was compatible with the single family residences and would serve as a buffer to Hanson Boulevard.

Analysis

When considering a request to rezone property, the Council should evaluate if there was some mistake in the original zoning, or if the character of the neighborhood has changed so that a reasonable use of the property cannot be made under the current zoning classification.

Mistake in the Original Zoning

From 1968 to 2010 the subject property was zoned *Industrial*. Included as part of the Comprehensive Plan update approved in 2010, the property was rezoned to *Moderate Density Residential*. The site was developed with an office building and had been occupied consistently up until two years ago. Typically industrial uses are not compatible with residential uses; therefore, industrial was not an appropriate zoning for this site. However, Office is more compatible with residential uses and could serve as a buffer between the adjacent single neighborhood and Hanson Boulevard. The stated purpose of Office is to buffer residential districts from arterial streets and to provide a district, which is compatible with and may reasonably adjoin residential districts.

Reasonable Use of the Property

The subject property is located in an area that is, mixed residential with single family residences, twin homes and apartments nearby. The applicant believes that it is cost prohibited to redevelop the site with moderate density housing. The cost involved with demolishing the site and redeveloping with townhomes is not economically feasible. Given the site's location, abutting a railroad and an arterial street, and the lack of a demand for townhomes they could not get a reasonable return on their investment. A more reasonable use of the property could be made under Office zoning.

The Council should also give consideration to the evaluation criteria found in Section 11- 307 when considering rezoning requests.

Section 11-307 Criteria	Comments
Effect of public health, safety, order, convenience, and general welfare in the	OK - The proposed zoning will not adversely impact the area. The property is adjacent to the railroad tracks and an

area.	arterial street.
Effect on present and potential surrounding land uses.	OK – The proposed zoning will not adversely impact the surrounding residential land uses.
Conformance with the Comprehensive Land Use Plan.	OK – Assuming the proposed land use amendment is approved, the proposed zone change will be consistent with the City’s Comprehensive Land Use Plan. The proposed land use designation is Office
Conformance with any applicable development district.	OK – There is no applicable district plan in this area.

Below is a list of the uses allowed in the **MDR** District:

Permitted Uses.

- (1) Two-family dwellings existing, or for which permits were approved, as of January 1, 2005 and combined when necessary with other permitted or conditional uses to achieve a density of at least four dwelling units per acre.
- (2) Public uses or utilities, except major buildings, substations, towers, or high voltage transmission lines.
- (3) Townhouses.
- (4) Multiple dwellings of seven or fewer units per acre.
- (5) State licensed community residential facilities or day care facilities serving 16 or fewer persons.

Conditional Uses.

- (1) Cemeteries and their accessory structures.
- (2) Churches, private schools, nursing and boarding care homes, hospitals, sanitariums, rest, and similar institutions.
- (3) Home occupations
- (4) Marinas and related uses.
- (5) Mining as regulated under Chapter 11-2000.
- (6) Public buildings and major utility structures, including the following:
 - (a) Water pump houses shall conform to principal building setbacks.
 - (b) Electric power substations shall conform to the principal building setbacks and have a landscaped yard. Electric power substations shall be screened in accordance with Section 11-1838.
 - (c) Water towers shall conform to principal building setbacks.
 - (d) High voltage transmission lines shall, whenever possible, be located to avoid diagonal divisions of land.
 - (e) Railroad uses may include through railroad tracks, but not switching or storage yards.

- (f) Any principal public building, other than utility structures.
- (7) Recreational facilities such as country clubs, community recreation buildings, golf courses, archery ranges, or trapshooting ranges.
- (8) Architecturally-designed earth-sheltered single-family dwelling units not otherwise meeting all the provisions of this Code.
- (9) State licensed community correctional facilities
- (10) Attached dwelling structures not described as permitted uses, seven dwelling units per acre or less.
- (11) Single-family dwellings when combined with permitted and/or other attached dwellings uses to achieve a density of at least four dwelling units per acre.
- (12) State licensed community residential facilities or day care facilities serving 17 or more persons.

Below is a list of the uses allowed in the **Office** District:

Permitted Uses.

- (1) Medical and dental clinics and medical and dental laboratories.
- (2) Offices.
- (3) Public parks and their incidental structures.
- (4) Public uses or utilities and their accessory structures, except towers of high voltage transmission lines.
- (5) Barber shops and beauty shops.
- (6) Pet grooming shops, provided no animal is kept overnight or outside and no noise is audible outside of the building or bay occupied by the grooming shop.
- (7) Animal hospitals, provided no animal is kept outside and no noise is audible outside of the building or bay occupied by the animal hospital.
- (8) Repair and/or servicing of such items as musical, scientific, and medical instruments, photographic equipment, jewelry, watches, clocks, small household appliances (such as televisions, toasters, sewing machines, or computers), office machines (such as adding machines, typewriters, or dictation equipment), shoes and clothes (including tailoring and dressmaking) and similar uses; provided there is no exterior storage of materials as a result of such business, except for motor vehicles used in the business, and no noise, vibrations, or odor is created which is noticeable outside the building or bay occupied by the business.
- (9) State licensed day care facilities.

Conditional Uses.

- (1) Churches.
- (2) Fast food establishments provided they occupy no more than 25 percent of a building, and have no drive-up facility.
- (3) Financial institutions with or without drive in facilities.
- (4) High voltage transmission lines and poles.
- (5) Mortuaries.

- (6) Nonprofit clubs, lodges, and halls.
- (7) Private schools, hospitals, sanitariums, rest, boarding, and group homes and similar institutions.
- (8) Restaurants.
- (9) Retail stores. Other than those subject to license pursuant to Title 5 of this Code, except as specifically provided under this Title 11.
- (10) State licensed community residential facilities or State licensed community correctional facilities.
- (11) Duplicating, blueprinting, and photostatting services.
- (12) Physical Fitness Centers.
- (13) Secondhand dealers or antique dealers as defined by Revised City Code-1982 Section 5-2602(22) and 5-2602(2).
- (14) City licensed transient merchants, solicitors, and canvassers operating from a fixed location.
- (15) Precious metal dealers as defined by Revised City Code-1982 Section 5-2702(6). 2.

Planning Commission and City Council Meetings

At the Planning Commission meeting held on September 20th, no one spoke at the public hearing. The Commission believed that the rezoning to Office is reasonable, would provide a buffer for the adjacent single family homes and would allow the reuse of the existing building. The Commission voted 7:0 to recommend approval of the rezoning.

The Council introduced the proposed ordinance at the October 2nd meeting. Staff explained that 1st National Bank of Elk River was not proposing to construct at bank at this location, they are the applicant requesting the zone change.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON, TO ADOPT AN ORDINANCE APPROVING THE PROPOSED REZONING BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED ZONE CHANGE WOULD BE CONSISTENT WITH THE COMPREHENSIVE LAND USE PLAN.
2. THE PROPOSED ZONE CHANGE IS COMPATIBLE WITH THE SURROUNDING ZONING DISTRICTS AND LAND USES.
3. THE PROPOSED ZONE CHANGE WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
4. THE TIMES AND CONDITIONS HAVE CHANGE AND THE CHARACTER OF THE NEIGHBORHOOD HAS CHANGED SO THAT A REASONABLE USE OF THE PROPERTY CAN NOT BE MADE UNDER THE CURRENT ZONING.

THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

12. CONSIDER RESOLUTION 12-110, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF COON RAPIDS, 1ST NATIONAL BANK OF ELK RIVER, 10732 HANSON BOULEVARD, PC 12-17
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Planner Harlicker presented a memorandum to Council stating the applicant is requesting approval of a Comprehensive Plan amendment to change the land use designation from Moderate Density Residential to Office.

Background

The applicant is requesting a change to the land use designation from *Moderate Density Residential to Office*. The site is 56,326 square feet in size. There is a 7,372 square foot building on the site that is currently vacant and has been vacant for about two years. The prior occupant was a private security firm. The building was constructed in 1968; the most recent work done to the building was in 2001 when the roof was replaced.

The site had a land use designation of Industrial since 1968. In 2010 the property's land use designation was changed from Industrial to Moderate Density Residential as part of the Comprehensive Plan update. The zoning was also changed from Industrial to Moderate Density Residential following approval of the Comprehensive Plan update. These changes were made because Industrial was not appropriate zoning and Moderate Density Residential was compatible with the single family residences and would serve as a buffer to Hanson Boulevard.

Analysis

The stated intent of the *Office* land use designation is to provide for office and other commercial uses generally compatible with adjacent residential uses. The stated intent of the *Moderate Density Residential* designation is that it includes land that could be developed as attached housing at gross density of 4 to 7 units per acres.

When considering this change in land use request, the following factors should be taken into account:

- The subject property abuts the railroad tracks and an arterial street.
- The site abuts a single family residential district and a single family residence to the west.
- It is across the street from a park.
- Is the proposed land use designation compatible with adjacent uses?

A land use designation of Office would serve as a buffer between Hanson Boulevard and the adjacent single family homes. The proposed change will also serve to meet a goal of the

Comprehensive Plan to maintain a diversified economic base by allowing the reuse of an existing commercial building that has access to an arterial street.

Planning Commission Meeting

At the Planning Commission meeting held on September 20th, no one spoke at the public hearing. The Commission thought that the office land use designation was appropriate and would provide a buffer for the adjacent single family homes. The Commission voted 7:0 to recommend approval of the land use change.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KLINT, TO ADOPT RESOLUTION NO. 12-110, APPROVING THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED LAND USE AMENDMENT WOULD SERVE AS AN BUFFER BETWEEN THE SINGLE FAMILY DISTRICT AND HANSON BOULEVARD.
2. THE PROPOSED AMENDMENT WOULD BE COMPATIBLE WITH THE ADJACENT SINGLE FAMILY DISTRICT AS WELL AS THE ADJACENT RAILROAD TRACKS AND ARTERIAL STREET.
3. THE PROXIMITY TO AN ARTERIAL STREET (HANSON BOULEVARD) PROVIDES GOOD ACCESS TO THE SITE WITHOUT TRAFFIC DRIVING THROUGH THE ADJACENT RESIDENTIAL DISTRICT.
4. THE PROPOSED CHANGE IS CONSISTENT WITH THE COMPREHENSIVE PLAN IN THAT IT HELPS MAINTAIN A DIVERSIFIED ECONOMIC BASE BY ALLOWING THE REUSES OR REDEVELOPMENT OF AN EXISTING COMMERCIAL BUILDING WITH ACCESS TO AN ARTERIAL STREET.

THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER INTRODUCTION OF ORDINANCE REGULATING OVERNIGHT PARKING AND STORAGE OF TRUCKS, SEMI TRACTORS, AND TRAILERS IN COMMERCIAL AND OFFICE DISTRICTS
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Community Development Director Nevinski presented a memorandum requesting the Council introduce an ordinance to regulate the overnight parking and storage of trucks, semi-tractors, and trailers, in the Commercial and Office Districts.

For the past several years, the City has been experiencing an increasing amount of semi-truck parking in the public areas of its commercially zoned retail and business districts. Both Council and citizens have expressed concern over this activity, particularly when multiple trucks are parked

overnight or for days at a time. Such parking creates aesthetic and public safety concerns. Despite trying to work with property owners to address this concern, the problem persists.

Zoning code prohibits parking of semi trucks in undesignated areas. However, it is difficult to enforce this provision of the code for a number of reasons, which include, among others: The non-business hours or days the violations tend to occur makes it impractical for code enforcement staff to address, the sporadic occurrence and vehicular nature of the violations makes enforcing a land use code difficult, and the land use code does not fit well with the ticketing procedures used by police or community service officers. Furthermore, property owners have expressed a concern that they will be cited for an activity over which they have little control. Similarly, it is difficult to cite a property owner and require compliance for a violation, which is self correcting.

For these reasons, staff concluded it is necessary to develop a new ordinance prohibiting the activity and enforced primarily through the traffic and transportation section of the City code. Community Development staff, Police, and the City Attorney's office have developed an ordinance clearly authorizing the ticketing of such vehicles by the police department. The offense is a misdemeanor and would require a court appearance to set a fine amount. The ordinance also allows for the property owner to be prosecuted or cited if they are given notice that a vehicle had been ticketed for parking outside of designated zones and a subsequent violation occurs within one year of notice. In other words, the ordinance directs the citation of the driver or vehicle first, but allows for the property owner to be cited or prosecuted, if necessary. Staff anticipates that such an action would occur only if a property owner failed to take adequate or effective action following notice. If the ordinance is adopted, staff will develop internal policies to guide such decisions to ensure consistent application.

Council may wish to consider several details of the ordinance before introducing or adopting it:

1. The ordinance prohibits the parking of semi-trucks, a vehicle in excess of 26,000 pounds, RVs, or trailers between the hours of 9:00 PM and 6:00 AM.
2. The window for a property owner to be cited is twelve months following the notice of a violation.
3. The ordinance allows for trucks to queue for loading or unloading for up to four hours.

The hope is that Coon Rapids develops the reputation in the trucking industry for prohibiting such parking, and that active enforcement of the ordinance will be rare.

Councilmember Sanders commented a big box store within the City allows the parking of recreational vehicles overnight. He questioned how this would affect that business.

Councilmember Klint explained the overnight parking was a huge issue in her ward. She thanked staff for addressing this concern.

Mayor Howe recommended further concerns with this ordinance be directed to staff prior to the next Council meeting. He questioned when this item would come back to the Council. Community Development Director Nevinski stated the second reading of the ordinance would be held on Wednesday, November 7, 2012.

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

14. **CONSIDER RESOLUTION NO. 12-112 CALLING FOR PUBLIC HEARING ON PROPOSED PLAN MODIFICATIONS, HOUSING AND REDEVELOPMENT PLAN FOR HOUSING AND REDEVELOPMENT PROJECT NO. 1**

Finance Director Legg presented a memorandum requesting the Council to call for a public hearing regarding adoption of proposed modifications of the Housing and Redevelopment Plan for the Housing and Redevelopment Project No. 1.

Earlier this evening, the Economic Development Authority was requested to consider authorizing modification of the Housing and Redevelopment Plan for Housing and Redevelopment Project No. 1. Assuming the Authority has authorized these plan modifications, the City Council is requested to call for a public hearing to consider approving the proposed plan modifications.

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER SANDERS, TO ADOPT RESOLUTION NO. 12-112 CALLING FOR A PUBLIC HEARING ON THE PROPOSED PLAN MODIFICATIONS. THE MOTION PASSED UNANIMOUSLY.

15. **CONSIDER INTRODUCTION OF ORDINANCE LIMITING THE NUMBER OF DOMESTIC ANIMALS THAT MAY BE MAINTAINED AT A DWELLING WITHIN THE CITY**

City Attorney Brodie presented a memorandum requesting the Council introduce an ordinance, which limits the number of domestic animals that can be maintained in a dwelling within the City.

To protect the health, safety and welfare of the residents of the City, staff is recommending that Council enact an ordinance limiting the number of domestic animals that be maintained at a dwelling within the City. City Code 6-0502 (1) defines domestic animals as non-poisonous snakes or snakes not prohibited by this Chapter, birds kept indoors, non-poisonous spiders, turtles, lizards, hamsters, chinchillas, mice, rabbits, gerbils, white rats, guinea pigs, or similar small animals capable of being maintained continuously in cages and indoors. The City's current code does not provide any limitation on the number of domestic animals that a household may possess. Having a large numbers of permitted animals can cause unhealthy and unsanitary conditions in a dwelling and create potential issues for the animals.

The proposed ordinance recommends limiting the number of domestic animals that can be maintained in a dwelling to 12 domestic animals. This number is an addition to the three cats and dogs or a combination of both that can be maintained at a residence and which are regulated under separate ordinances. Staff has researched other cities in the metropolitan area and found that some but not all regulate the number of animals that are allowed to be maintained. Staff believes that the proposed limitation of 12 domestic animals is reasonable in that it protects the health, safety and welfare of both the residences of the City and the domestic animals themselves but still allows residents the opportunity to maintain these permitted animals. For example, a family of four would be able to have 3 turtles, 3 gerbils, 3 mice and 3 snakes or any combination of permitted domestic animals totaling 12 in number in addition to up to 3 dogs and/or cats.

Councilmember Sanders indicated a member of the public has requested being allowed to have chickens on her property and he suggested this be discussed at the upcoming work session. City Attorney Brodie commented that at this time chickens are considered non-domestic and were not allowed through City Code.

Councilmember Koch suggested the ordinance list the allowable snake species as well.

Mayor Howe asked if this ordinance would be discussed in work session prior to Council approval. City Manager Gatlin commented this has not been scheduled but could be done in November or December.

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

OTHER BUSINESS

City Manager Gatlin introduced two new staff members to the Council. He noted Tim Hemmer is the new Public Works Director and Bob Moberg would be serving the community as the City Engineer.

Mayor Howe welcomed both new employees to the City of Coon Rapids.

Councilmember Johnson requested further information on the training exercise conducted by the Fire Department at 9911 Larch Street. City Manager Gatlin commented the City had worked jointly with the City of St. Paul and KARE 11 News on a news piece focused on educating the public on preventing house fires. He said he expected the piece would be aired in November.

Councilmember Johnson discussed the ribbon cutting ceremony for the new parking facility at City Hall, which was held earlier this evening. He explained the parking facility would assist in protecting the equipment installed in the police vehicles. He said he was pleased with the facility and the many benefits it would provide to the City's entire fleet of vehicles.

Councilmember Schulte stated the building came in \$40,000 under budget and was finished one

month early. He commended the builder for coming in under budget and ahead of schedule.

Councilmember Schulte also mentioned the ground breaking ceremony for the North Suburban Eye Care Center earlier that day. He thanked the organization for investing in the City of Coon Rapids, adding he was excited to see redevelopment in this area.

ADJOURN

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER LARSON,
TO ADJOURN THE MEETING AT 7:50 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL WORK SESSION OF OCTOBER 23, 2012

A work session of the Coon Rapids City Council was called to order by Mayor Tim Howe on Tuesday, October 23, 2012, at 6:30 p.m. in Conference Room 1 at Coon Rapids City Hall.

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

Members Absent: None

Others: Park and Recreation Commissioners, Planning Commissioners, City Manager Steve Gatlin, Parks Supervisor Gregg Engle, Recreation Coordinator Ryan Gunderson, Public Works Director Tim Himmer, Planner Scott Harlicker, Representatives from Brauer & Associates

1. CALL TO ORDER

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

2. COON RAPIDS PARKS, OPEN SPACE, AND TRAIL SYSTEM MASTER PLAN UPDATE

City Manager Steve Gatlin stated that Brauer & Associates has completed the draft Parks, Open Space, and Trail System Master Plan Update for the City and that Council is asked to review and provide comment and direction. He stated that Brauer was retained approximately eight months ago to complete an update of the 2001 Park Master Plan.

Items included in the Master Plan Update consist of the following:

- Reasons for the planning study
- Planning and public involvement process
- Results of the public process and community survey
- Physical system recommendations
- Organizational recommendations
- Improvement priorities and cost projections
- Future steps and potential financing strategies

The Coon Rapids Park System is the last major infrastructure component not adequately addressed by a future long term capital improvement plan strategy. Following completion of the 2001 Master Plan, the City implemented a 10 year park capital improvement program. That program resulted in major park redevelopment projects in six parks, significant neighborhood park improvements, and major trail projects. During the time period of 2002-2011, the City expended approximately \$7.0M on major park capital improvement projects. During this time period we spent approximately \$700,000/year on major park and trail improvement projects. A

spreadsheet listing all of these projects was shared. These were funded using a combination of park dedication fees, general fund tax levy and grant funds. Funding is no longer available to continue this annual improvement program.

The Master Plan provides a detailed inventory of the condition of all of our major park and trail facilities. Many of these facilities have safety concerns, handicap accessibility issues, and for the most part, exhibit normal “wear and tear” after 20-30 years of use. Many of the facilities are outdated in terms of current park planning standards and are becoming increasingly expensive to maintain.

The Park Master Plan provides an inventory of existing facilities and recommendations for potential park improvements for each of the City’s 48 parks. In addition to the park system, the Master Plan also analyzes our trail system and provides recommendations regarding needed improvements to complete our trail and pedestrian walkway systems.

The group used the following agenda in their review of the Plan:

Agenda:

1. Reviewed system plan report

Discussion:

1. General Consensus on the following items:
 - a. The report recommendations provide a good framework to work towards with allowing flexibility for long range implementation
 - b. Increase maintenance levels throughout the system is a high priority
 - c. Address safety issues
 - d. Trails / pedestrian connectivity are important
2. The City Council would like to have more in-depth discussions at upcoming work sessions to discuss the following:
 - a. Recreation Supervisor Position
 - b. Establishment of an Athletic Council
 - c. Maintenance budget increases
 - d. Cornerstone Parks
 - i. Priorities & how this idea may benefit the system
 - ii. Is Crooked Lake Park a high priority or would it be better to focus on another park instead? (Riverview was discussed as being high priority also)
 - iii. Pros/Cons of City Center becoming a new park
 1. Very visible location / easily accessible / plenty of parking.
 2. The residents may see development of this new park as unwise, when so many other parks are in neglect. Residents mentioned

more than once that the City should not develop/redevelop, when existing parks declining

3. Location may be well suited for large events

e. Sand Creek redevelopment

- i. Potential impacts to other parks
- ii. General discussion of major elements to be considered (types of fields, skate park, etc.)
- iii. Potential to relocate 4th of July event to another location

f. Neighborhood Parks

- i. Importance of improvements
- ii. How the need for specific amenities within neighborhood parks may change if Cornerstone Parks are implemented
- iii. Increase annual funding to allow for flexibility of smaller scale improvements at various neighborhood parks

3. Suggested report adjustments include the following:

- a. Modify the organizational chart illustrated on page 6.04 of the report to include the City Manager

Indicate the potential reduced need for ball fields at Al Flynn Park (in the event that Sand Creek Park is redeveloped).

After discussion, Council consensus was to include further review of the individual aspects of the Parks, Open Space, and Trail System Master Plan Update at all upcoming work sessions to allow for more detailed review of each area.

3. OTHER BUSINESS

City Manager Gatlin distributed a memo outlining 2013 Board, Commission, and Council appointments for Council information.

4. ADJOURN

Mayor Howe adjourned the work session at 9:15 p.m.

Respectfully submitted,

Cathy Sorensen
City Clerk

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF NOVEMBER 7, 2012

OPEN MIC/PUBLIC COMMENT

No one appeared.

CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of November was called to order by Mayor Tim Howe at 7:00 p.m. on Wednesday, November 7, 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, Jerry Koch, Bruce Sanders and Scott Schulte

Members Absent: Councilmember Paul Johnson

ADOPT AGENDA

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KOCH, TO ADOPT THE AGENDA AMENDING ITEM 7. THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

None.

CONSENT AGENDA/INFORMATIONAL BUSINESS

1. CONSIDER WAIVER OF LICENSE FEE TO OPERATE CHRISTMAS TREE LOT, BOY SCOUT TROOP 212
 2. RECOMMEND CHARTER COMMISSION APPOINTMENT
 3. RECEIVE QUARTERLY FINANCIAL REPORT
-

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

Mayor Howe commented the water use was up this summer due to the dry conditions. He requested staff review this further and report back to the Council at a future meeting.

Councilmember Koch requested National Night Out be changed to Night to Unite within the Financial Report.

THE MOTION PASSED UNANIMOUSLY.

REPORTS ON PREVIOUS OPEN MIC

4. OPEN MIC REPORT – ALAN WILLIAMS – WATER RESTORATION PROCESS

Mayor Howe presented a memorandum from staff to Council stating Mr. Alan Williams appeared at open mic on October 16 and expressed continued concerns about the City's practice of turning water off to vacant and foreclosed properties. He said he disagreed with the statement that the process doesn't affect home sales. He said the water should be turned off in the winter but when contractors are working in needs to be turned back on to ensure businesses thrive.

Council met in a work session on September 25th to review the process of restoring water to foreclosed and vacant homes. Since then staff has or will be meeting with nine realtors and landlords, including Mr. Williams, to gather input on the current process. Staff will continue to evaluate the process and modify as needed based on that feedback.

5. OPEN MIC REPORT – SCOTT BROMLEY – SIGN REMOVAL POLICY

Mayor Howe presented a memorandum from staff to Council stating Scott Bromley appeared at open mic on October 16, 2012 to voice his concern with the City's practice of removing campaign signs.

Every candidate running for office in the State of Minnesota received a copy of the 2012 Campaign Manual, which is created by the MN Secretary of State, when they filed for candidacy. The burden is put on each candidate to know and abide by these rules including Minnesota Statute, section 160.27, which prohibits political campaign signs within the limits of any highway or public right-of-way.

Despite this, there are occasions when signs are found illegally placed. Some are reported by residents and some are identified by City staff. The City has authority to maintain its right-of-way and staff goes out to investigate each complaint. Any signs found in clear violation are removed immediately. Given the size or method of installation, sometimes Public Works crews are called to assist in the removal of illegally placed signs. If a sign's legal placement is not clear, staff consults

the Anoka County GIS map provided on the County website to verify property lines. And occasionally when there is a discrepancy between the GIS map and the City maps, staff will verify the location of the public right-of-way with the Engineering Department directly. If staff is not able to clearly distinguish a violation, they error on the side of caution and will leave the sign where it is. All candidates' signs are treated equally.

The issue was raised whether the City could call each candidate before removing a sign. City staff does not have the resources to call candidates prior to removal of each illegally placed sign, only to then have to go back out to re-inspect and ensure that the sign was removed in a timely manner. Candidates are aware of where the signs should be placed and where signs can be retrieved if they were removed.

Due to the sheer volume of illegally placed signs being removed, the City cannot guarantee that all of them are in the perfect condition. Staff makes its best effort not to damage the signs, but some large ones require to be dismantled for removal and transport. All removed signs are taken to and stored at the City's Public Works facility. Candidates must check in at the front desk at Public Works and be escorted to where the signs are stored in order to get their signs back.

PUBLIC HEARING

6. CURRENCY EXCHANGE LICENSE PUBLIC HEARING AND RENEWAL, PAWN AMERICA MINNESOTA, 15 COON RAPIDS BOULEVARD:

City Clerk Sorensen presented a memorandum to the Council stating the Minnesota Department of Commerce has forwarded for Council consideration the currency exchange license renewal of Pawn America Minnesota, 15 Coon Rapids Boulevard.

Minnesota Statutes Chapter 53A.04 requires the governing body to hold a public hearing and render a decision regarding the license renewal within 60 days, or by November 26, 2012. The notice of public hearing was published in the Coon Rapids Herald on October 26, 2012. The appropriate fees have been paid by Pawn America.

The Minnesota Department of Commerce conducted a state level background review on the appropriate personnel and the Coon Rapids Police Department has conducted a local background check on the business operation. No matters which would impact concurrence with the license were discovered.

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

MOTION BY COUNCILMEMBER SCHULTE, SECONDED BY COUNCILMEMBER KOCH, TO CONCUR WITH THE MINNESOTA DEPARTMENT OF COMMERCE RENEWAL OF THE

2013 CURRENCY EXCHANGE LICENSE FOR PAWN AMERICA MINNESOTA, 15 COON RAPIDS BOULEVARD. THE MOTION PASSED UNANIMOUSLY.

OLD BUSINESS

7. **CONSIDER ORDINANCE REGULATING OVERNIGHT PARKING AND STORAGE OF TRUCKS, SEMI TRACTORS, AND TRAILERS IN COMMERCIAL AND OFFICE DISTRICTS**

Community Development Director Nevinski presented a memorandum requesting the Council adopt an ordinance to regulate the overnight parking and storage of trucks, semi-tractors, and trailers, in the Commercial and Office Districts.

For the past several years, the City has been experiencing an increasing amount of semi-truck parking in the public areas of its commercially zoned retail and business districts. Both Council and citizens have expressed concern over this activity, particularly when multiple trucks are parked overnight or for days at a time. Such parking creates aesthetic and public safety concerns. Despite trying to work with property owners to address this concern, the problem persists.

Zoning code prohibits parking of semi trucks in undesignated areas. However, it is difficult to enforce this provision of the code for a number of reasons, which include, among others: The non-business hours or days the violations tend to occur makes it impractical for code enforcement staff to address, the sporadic occurrence and vehicular nature of the violations makes enforcing a land use code difficult, and the land use code does not fit well with the ticketing procedures used by police or community service officers. Furthermore, property owners have expressed a concern that they will be cited for an activity over which they have little control. Similarly, it is difficult to cite a property owner and require compliance for a violation which is self correcting.

For these reasons, staff concluded it is necessary to develop a new ordinance prohibiting the activity and enforced primarily through the traffic and transportation section of the City code. Community Development staff, Police, and the City Attorney's office have developed an ordinance clearly authorizing the ticketing of such vehicles by the police department. The offense is a misdemeanor and would require a court appearance to set a fine amount. The ordinance also allows for the property owner to be prosecuted or cited if they are given notice that a vehicle had been ticketed for parking outside of designated zones and a subsequent violation occurs within one year of notice. In other words, the ordinance directs the citation of the driver or vehicle first, but allows for the property owner to be cited or prosecuted, if necessary. Staff anticipates that such an action would occur only if a property owner failed to take adequate or effective action following notice. If the ordinance is adopted, staff will develop internal policies to guide such decisions to ensure consistent application.

Council may wish to consider several details of the ordinance before adoption:

1. The ordinance prohibits the parking of semi-trucks, a vehicle in excess of 26,000 pounds, RVs, or trailers between the hours of 9:00 PM and 6:00 AM.
2. The window for a property owner to be cited is twelve months following the notice of a violation.
3. The ordinance allows for trucks to queue for loading or unloading for up to four hours.

When the ordinance was introduced, Council asked how other cities addressed this concern. While staff is aware of similar parking concerns in other communities, it is not aware of any specific methods to address the concern. Council also discussed the appropriateness of prohibiting the overnight parking of RVs; Council will need to decide if this prohibition should be included.

The hope is that Coon Rapids develops the reputation in the trucking industry for prohibiting such parking, and that active enforcement of the ordinance will be rare.

Mayor Howe commented the ordinance as proposed would cite the vehicle operator or owner and then a notice would be given to the property owner. Community Development Director Nevinski explained the property owner would be informed after the first offense and if a second citation was issued, an administrative citation could be given to the property owner. He said the citation was an option.

Mayor Howe asked if affected properties would be notified of this ordinance. Community Development Director Nevinski stated this has already been done by City staff.

Councilmember Sanders requested RVs remain an exception within this ordinance and be allowed to park overnight. He did not object to this use.

Councilmember Koch agreed with this recommendation suggesting RVs be removed from the ordinance. He asked that the fines for the violators be escalated and that Chapter 9-205 be removed.

Councilmember Klint respected the recommendations of the Council; however, she has heard many concerns from residents in her ward and requested the ordinance remain as is.

Councilmember Schulte said he understood Councilmember Sanders concerns. He said he was in favor of allowing RVs to park for one night, if this could be enforced. He said he did not feel the local retail shopping parking lots should become rest stops.

Councilmember Koch questioned if citations have been handed out in the past. Community Development Director Nevinski stated this was the case, as the City did not have a mechanism to patrol this situation.

Councilmember Koch said he was in favor of tagging the trucks. He recommended the City pursue the violating vehicle drivers and that the property owners not be cited. Community Development Director Nevinski stated the code does not require citations be written for property owners, however,

it gives the City the authority. He commented the Council could alter the window of time and number of citations which require a citation.

Councilmember Sanders said he was not in favor of parking lots becoming like campgrounds either. He said he was in favor of property owners being held responsible for managing their property.

Mayor Howe questioned if the Council could make an exception for certain types of vehicles. City Attorney Johnson stated from a land use perspective he did not know how the City could differentiate between these different types of vehicles. He stated an RV could be more of a risk for overnight parking given the fact people were living in the vehicle overnight. Community Development Director Nevinski addressed the differences between vehicles parked in the loading area versus the quasi public area.

Mayor Howe said he was not in favor of differentiating between these vehicles. He recommended the Council approve the ordinance as presented to protect the City and its residents.

Councilmember Sanders commented it was difficult to define a “truck” and understood his proposed RV exception may create enforcement concerns with the ordinance. He stated if this could not be done seamlessly he would support the exclusion.

Councilmember Klint discussed parking concerns behind the Target shopping area. She indicated the proposed ordinance would address these issues.

Councilmember Schulte asked if the Council would be modifying the ordinance or approving as submitted.

Mayor Howe said he supported the ordinance as is.

Councilmember Koch questioned if a minimum standard for property owners should be suggested within this ordinance requiring signs to be posted stating no overnight parking. He wanted to be assured that vehicles were tagged and not the property owners.

Councilmember Klint suggested the item be tabled or postponed to allow for these issues to be further discussed. She noted this would also allow for further comment from the public.

City Attorney Johnson commented if the item were postponed the City would be able to create internal guidelines on how to manage the overnight parking signs and citations.

MOTION BY COUNCILMEMBER KLINT, SECONDED BY COUNCILMEMBER LARSON, POSTPONE THIS ITEM TO THE DECEMBER 18, 2012 MEETING REQUESTING STAFF TO DRAFT SPECIFIC GUIDELINES FOR PROPERTY OWNERS REGARDING OVERNIGHT PARKING. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

8. **CONSIDER INTRODUCTION OF ORDINANCE REZONING PROPERTY FROM COMMUNITY COMMERCIAL TO INDUSTRIAL, SHAMROCK DEVELOPMENT, SPRINGBROOK DRIVE AND 87TH AVENUE, PC 12-25**
-

Planner Harlicker presented a memorandum to Council stating the applicant is requesting the introduction of an ordinance rezoning certain property from Community Commercial to Industrial. The applicant has also submitted a request for a corresponding change to the Comprehensive Land Use Plan from Community Commercial to Industrial. Providing the Council introduces the zoning request, both the Land Use Plan amendment and rezoning are scheduled for the Council's November 20th meeting.

Background

In 1994, at the request of the property owner, the zoning of the subject parcel was changed from Industrial to Community Commercial; there was also a corresponding change to the Comprehensive Land Use Plan designation. In 2009, the City Council adopted the 2030 Comprehensive Land Use Plan, which identified the subject parcel as Office. In December 2010, the City Council considered rezoning the property to Office so that it was consistent with the Comprehensive Land Use Plan. Due to the lack of demand for office space and the changing market, the Council voted to deny the zone change from Community Commercial to Office. Subsequently, in April 2011, the City Council approved an amendment to the Comprehensive Land Use Plan changing the subject property's land use designation from Office to Community Commercial.

The subject area is approximately 5.8 acres and part of a larger 23 acre parcel. The other 17 acres are zoned Industrial.

Analysis

When considering a request to rezone property, the Council should evaluate if there was some mistake in the original zoning, or if the character of the neighborhood has changed so that a reasonable use of the property cannot occur under the current zoning.

Mistake in the Original Zoning

The subject property was zoned Industrial until 1994, when it was changed to Community Commercial. At that time there was a significant amount of undeveloped industrial land in the city, the Springbrook Target had just been completed and the property owner thought there would be a need for additional commercial property along Springbrook Drive. Since that time, four commercial buildings have been constructed in the area, the latest in 2007. No new commercial development has occurred since then. The site is suitable for either commercial or industrial zoning. Staff does not believe that there was a mistake in the original zoning.

Reasonable Use of the Property

The subject property is part of a larger parcel that is currently undeveloped. Rezoning this area to Industrial will unify the zoning on the larger parcel and perhaps make it more desirable for development. Since the subject area was zoned Commercial, most of the Industrial zoned land has been developed. Rezoning the subject property to Industrial will create the largest undeveloped tract of Industrial zoned land in the City.

With the need for additional industrial zoned land in the City, the proximity to Evergreen Industrial Park, and unified land use, the rezoning of this subject property to Industrial can be considered a reasonable and appropriate.

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

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

Planning Commission Meeting

At the October 18th Planning Commission meeting no one spoke at the public hearing. The Commission's discussion included whether or not it is appropriate for industrial development, and the associated traffic, adjacent to Springbrook Drive. The Commission concluded that Industrial zoning was not appropriate for the eastern most portion of the subject property, which fronts on Springbrook Drive. It noted that the adjacent uses and Springbrook Drive itself were commercial in nature, and stated that the portion of the subject property, beginning at Springbrook Drive on the east and extending approximately 500 feet to the west, and bounded by 87th Avenue on the south and the grocery store to the north, should remain Community Commercial. However, the Commission concluded the balance of the subject property could reasonably be rezoned to Industrial.

The Planning Commission, by a vote of 4:0, recommended denial of the proposed rezoning as

presented, but offered the aforementioned alternative. The applicant has since revised their request to reflect that alternative.

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

9. **ORDINANCES REVISING FEES FOR 2013:**
 - A. **CONSIDER INTRODUCTION OF ORDINANCE TO REVISE CERTAIN LICENSE FEES, SERVICE FEES AND RELATED CHARGES**
 - B. **CONSIDER INTRODUCTION OF ORDINANCE ESTABLISHING PERMIT AND INSPECTION FEES FOR THE BUILDING INSPECTIONS DIVISION**
 - C. **SET PUBLIC HEARING FOR NOVEMBER 20, 2012 FOR FEE INCREASE FOR ON-SALE 3.2 MALT LIQUOR**
-

A memo was presented from Finance Director Legg requesting the Council consider introducing ordinances to adjust certain fees and building inspection fees for 2013.

The ordinances include fees which are recommended for 2013. Fees set by resolution will be presented when these ordinances are considered for adoption at the November 20, 2012 City Council meeting.

The fees for 2013 have been adjusted by the 2012 annual adjustment of 1.5% with exceptions noted below. A request for a rate change is made only if the adjustment is enough for the fee to be rounded to the next significant dollar amount. Items to note are as follows:

Ordinance Adjusting Certain Fees (see reference number in ordinance)

1. *Fees set by State Statute.* Certain fees under Section 5-209 (alcoholic beverages) and the gambling investigation fee under Section 5-2008 of the City Code are set by Minnesota Statutes and did not change for 2013.

2. *On-sale liquor license.* The on-sale liquor license was compared to the amount charged by other cities. Based on this review, staff determined that it should remain at the current rate of \$9,350 for 2013.

3. *Property Monitoring Fees.* A property monitoring fee was approved by the City Council in 2006. The 2007 fees were set at \$600 per year for residential property and \$1,000 per year for commercial property to cover related costs. Staff recommends no change for 2013.

4. In certain cases there may be no change in the fee due to rounding. For example, the tobacco license investigation fee which is rounded to the nearest \$5 had a calculated base amount of \$120.60 in 2012 and was rounded to \$120. For 2013, the calculated base increased to \$122.41, which rounded to the nearest \$5 leaves the fee at \$120.

5. Staff recommends that certain other fees not be increased for 2013 if they are adequate to cover current costs, are seldom used and therefore difficult to establish a cost basis, and/or are comparable to rates charged by other cities.

Ordinance Adjusting Building Inspection Fees

Staff is recommending the following changes to the building inspections fee schedule for 2013:

- The tier of \$1,000,001 and up has been eliminated in Table A-2013, so the highest tier is now \$500,001 and up. Structures over \$1,000,000, because of their size, typically require multiple inspection visits for certain components of the construction (e.g., all of the footings may not be ready for inspection at the same time), so inspection costs are increasing while the \$1,000,001 and up tier was charging a lower fee per thousand for the amount beyond \$1,000,000. Elimination of this tier will have the effect of increasing the permit by \$50 for every \$100,000 of valuation over \$1,000,000.
- The inspection of garage door replacements, which is required by the State of Minnesota, has not previously been in the ordinance. This is now included as an item under Building Permit fees.
- A fee has been added for a Loan Property Condition Inspection and Report in the amount of \$250.
- The section on Sewer and Water Permit Fees now indicates that these fees will be calculated according to Table A-2013 with the exception of residential properties which will use flat rates as stated.

Other sections of the inspection fee ordinance will be unchanged for 2013.

Public Hearing for 3.2 Malt Liquor Licenses

State law requires a public hearing for an increase to certain fees for the sale of alcoholic beverages. Fees are proposed to increase by \$5 for on-sale 3.2 malt liquor licenses. Council is asked to set a public hearing regarding this fee increase for November 20, 2012 at 7:00 p.m.

Councilmember Schulte requested further information from staff as to why the City required certified architect plans and also charged a fee for reviewing these plans.

Councilmember Klint said she found much of the fee schedule to be confusing or cumbersome. She suggested the Council streamline the fee schedule and requested clarification from staff. Community Development Director Nevinski explained the City uses a sliding scale for fees which allows for valuations to change based on project costs.

Councilmember Klint asked if the sliding scale fees for 2013 were the same as 2012. Community Development Director Nevinski indicated this was the case.

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

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER SCHULTE, TO SET A PUBLIC HEARING FOR NOVEMBER 20, 2012 AT 7:00 P.M. REGARDING THE FEE INCREASE FOR ON-SALE 3.2 MALT LIQUOR. THE MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS

Mayor Howe congratulated Councilmember Koch and Councilmember Klint on their reelection. He also welcomed Councilmember Steve Wells to the Council At-Large position and Councilmember Ron Manning to Ward Two.

Mayor Howe congratulated Councilmember Schulte for being elected to the County Board.

ADJOURN

MOTION BY COUNCILMEMBER LARSON, SECONDED BY COUNCILMEMBER KOCH, TO ADJOURN THE MEETING AT 8:01 P.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk

UNAPPROVED

COON RAPIDS SPECIAL CITY COUNCIL MEETING MINUTES OF NOVEMBER 14, 2012

A special meeting of the Coon Rapids City Council was called to order by Mayor Pro Tem Schulte at 7:30 a.m. on Wednesday, November 14, 2012, in the Council Chambers.

Members Present: Councilmembers Denise Klint, Jerry Koch, Bruce Sanders, and Scott Schulte

Members Absent: Mayor Tim Howe, Councilmembers Melissa Larson, Paul Johnson

1. CONS. APPROVAL OF CANVASS OF NOVEMBER 14, 2012, GENERAL ELECTION

A memorandum was presented from City Clerk Sorensen with the results from the general election, which reflect the successful candidates as Denise A. Klint for Ward 1; Ron Manning for Ward 2; Jerry Koch for Ward 4; and Steve Wells for Councilmember At-Large.

MOTION BY COUNCILMEMBER KOCH, SECONDED BY COUNCILMEMBER SANDERS, TO APPROVE THE CANVASS OF THE NOVEMBER 6, 2012, GENERAL ELECTION AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

2. OTHER BUSINESS

None.

3. ADJOURN

MOTION BY COUNCILMEMBER SANDERS, SECONDED BY COUNCILMEMBER SCHULTE, TO ADJOURN THE MEETING AT 7:31 A.M. THE MOTION PASSED UNANIMOUSLY.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

1.

Meeting Date: 11/20/2012
Subject: CRAA Scoreboard Presentation
Submitted For: Steve Gatlin, City Manager
From: Cathy Sorensen, City Clerk

INTRODUCTION

Representatives from the Coon Rapids Athletic Association (CRAA) will be in attendance to formally present two new scoreboards for use at Sand Creek Park.

DISCUSSION

Representatives from the Coon Rapids Athletic Association (CRAA) will be in attendance to present funds for two new scoreboards at Sand Creek Park. CRAA purchased the new LED scoreboards that require less maintenance and are more cost efficient to operate. The organization has been setting aside funds for years to make this purchase, which with installation totaled \$14,351.03. Both scoreboards have already been put to use for both football and lacrosse and have performed well.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Civic Involvement** section of the 2030 Strategic Vision in the following way: by expressing appreciation for efforts for the betterment of the community.

RECOMMENDATION

Adopt Resolution 12-123 Accepting the Donation of Two Scoreboards from the Coon Rapids Athletic Association (CRAA) for Use at Sand Creek Park.

Attachments

Resolution 12-123
Scoreboard

RESOLUTION NO. 12-123

**A RESOLUTION TO ACCEPT THE DONATION OF TWO LED SCOREBOARDS
INSTALLED AT SAND CREEK PARK FOR FOOTBALL AND LACROSSE FROM
THE COON RAPIDS ATHLETIC ASSOCIATION**

WHEREAS, Coon Rapids Athletic Association has donated two LED scoreboards to the City;
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 the two LED scoreboards is hereby accepted.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to
Coon Rapids Athletic Association for its generosity.

Adopted by the Coon Rapids City Council this 20th day of November, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



HOME

0

13:32

DAKTRONICS

QTR

GUEST

6

Coon Rapids
Athletic
Association



CRAA



City Council Regular

2.

Meeting Date: 11/20/2012

Subject: TC Gateway FY2013 Budget Presentation

Submitted For: Steve Gatlin, City Manager

From: Cathy Sorensen, City Clerk

INTRODUCTION

Steve Markuson will be present to review the FY13 Budget for Twin Cities Gateway.

DISCUSSION

The FY13 Budget for Twin Cities Gateway budget was passed by the Board of Directors at the Tuesday, September 25, 2012 board meeting. Per the member city agreements, the proposed TCG budget is sent to each member city by October 1. After review, the budget is presented for approval at each cities' Council agenda.

Council will also be asked at a future meeting to appoint a member to the Board of Directors vacated by the former City Manager. Per the member city agreement and the organizational bylaws this seat is to be filled by a City employee/City appointee.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: by keeping the community and Council informed on budget activities.

RECOMMENDATION

Approve the FY13 Budget for Twin Cities Gateway

Attachments

TCG Budget Overview



Date: September 28, 2012
To: Member Cities
From: Steve Markuson
Subject: Twin Cities Gateway FY13 Budget

Attached, for review, is the proposed FY13 Budget for Twin Cities Gateway – the regional convention & visitors' bureau. The budget was approved by the Board of Directors on Tuesday, September 25, 2012. . The proposed FY13 organizational budget will be effective from January 1, 2013 – December 31, 2013.

FY13 Budget Highlights:

- The proposed budget for FY13 is \$750,000, which represents significant growth during the organization's first two full years of operation (for comparison, the FY11 Budget was \$569,921)
- The organization continues to be in a strong financial position with an estimated fund reserve of \$353,879 at the close of fiscal year. Given the continuing economic uncertainty, the Board budgets conservatively and has authorized the set-aside of \$250,000 of the fund reserve for investment in a longer term, higher yield investment account.
- Per Board of Directors direction, 20% of the proposed budget is for operating expenses / administrative and overhead costs and 80% is for marketing & promotional programs.
- The Board authorized the continuation of the Member City Grant program and participating member cities can anticipate / budget comparable grant funding availability from TCG for FY13.
- The Regional Grant program has also been re-funded to provide start-up and marketing assistance for new events or activities that will have impact(s) in more than one member city.
- FY12 year-to-date lodging tax receipts from the nine member cities continue to track / trend favorably upward and are currently running approximately 5% -6% ahead of FY11.

TWIN CITIES GATEWAY

2013 BUDGET

Approved by Board of Directors
September 25, 2012

	2011 Actual	2012 Budget	2013 Budget
FUND RESERVE AT BEGINNING OF YEAR	\$ 255,461	\$ 359,301	\$ 399,679
<u>REVENUES AND OTHER SOURCES</u>			
Lodging Taxes	\$ 673,559	\$ 675,000	\$ 700,000
Grants	-	9,000	4,000
Investment income	202	200	200
Other	-	-	-
	673,761	684,200	704,200
<u>OPERATING EXPENDITURES</u>			
Management contract	86,346	100,000	100,000
Other administrative costs	15,221	35,000	35,000
Blaine (Fiscal Agent)	6,513	7,500	12,000
Organizational insurance	-	2,000	2,000
Organizational memberships	1,465	2,500	2,500
Contractual	-	-	-
<u>MARKETING EXPENDITURES</u>			
Website enhancement/Social media	18,537	25,000	30,000
On-line Marketing	44,550	90,000	150,000
Promotions/collateral materials	27,673	30,000	30,000
Public/media relations	1,105	6,000	6,000
New Venue/Public Facilities promotion	19,947	20,000	-
Member City Grants	38,379	75,000	75,000
Meeting & conference marketing & promotion	48,743	36,200	47,500
Destination Marketing	150,301	100,000	100,000
Sports Marketing	70,000	80,000	85,000
Regional Grant program	41,141	100,000	75,000
TOTAL BUDGET	569,921	709,200	750,000
Revenue over (under) Expenditures	103,840	(25,000)	(45,800)
FUND RESERVE	\$ 359,301	\$ 334,301	\$ 353,879



City Council Regular

3.

Meeting Date: 11/20/2012

Subject: Oath of Office for Officer Nikolas Oman

From: Brad Wise, Police Chief

INTRODUCTION

Mayor Howe will be administering an Oath of Office to Nikolas Oman, a new Police Officer for the City of Coon Rapids.

DISCUSSION

Chief Brad Wise will introduce Officer Nikolas Oman to the Council and community. Officer Oman was hired this summer and now is graduating from his field training program. A person of his choosing will pin on badge number 135, to symbolize his achievement. After the pinning the Mayor will administer the Oath.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Public Safety** section of the 2030 Strategic Vision by recognizing the duty a new police officer has to the community he serves.

RECOMMENDATION

Staff recommends the Mayor issue the Oath to Officer Oman after he has been introduced to the Council and after he has been "pinned" with his permanent badge.

Fiscal Impact

BUDGET IMPACT:

Officer Oman was hired in June, 2012, to replace a retired police officer. His hiring in June brought the police department sworn officer strength to 61. The budgeted strength of the police department is currently 64 officers.

Attachments

Oman Oath of Office



OATH OF OFFICE

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

I, Nikolas Oman, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Minnesota, and discharge faithfully the duties of a Police Officer for the City of Coon Rapids, in the County of Anoka, and the State of Minnesota, to the best of my judgment and ability.

Nikolas Oman

WITNESSED:

Tim Howe, Mayor

Filed this 20th day of November, 2012.



City Council Regular

4.

Meeting Date: 11/20/2012

Subject: Levy Appealed Misc. 2012(3) Assessments

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

The recommendations of the Board of Adjustment and Appeals on contested miscellaneous special assessments are referred to the City Council for adoption.

DISCUSSION

As you know, after the assessment hearing on miscellaneous assessments was held on October 16, 2012, property owners who were objecting to their assessments were referred to the Board of Adjustment and Appeals for review at their meeting on November 1. After the Board of Adjustment and Appeals heard objections on November 1, 2012, the following recommendations have been made (names in bold were in attendance, all others were not present):

Case #	Address/PIN#	Assessment(s)	Board of Adj. Recommendation
12-27V	Mary Kay Smith 356 108th Avenue NW 24-31-24-12-0029	Citation Fee-Mowing/Weed-\$180.00	Affirm Assessment (Paid on 11/7/12)
12-28V	Nhia Yang & Chao Xiong 211 110th Avenue NW 13-31-24-43-0058	Citation Fee-Expired Tabs-\$330.00 Citation Fee-Expired Tabs-\$330.00	Affirm All Assessments-\$660.00
12-29V	Jennifer Gordon 12140 Zea Circle NW 08-31-24-23-0072	Citation Fee-Dumpster Removal-\$330.00 Citation Fee-Dumpster Removal-\$630.00	Affirm All Assessments-\$960.00
12-30V	Tiffany Breske 1078 Flora Street NW 21-31-24-22-0041	Citation Fee-Mowing/Weed-\$180.00	Remove Assessment-\$0
12-31V	Richard Pffner 10960 Foley Blvd. NW 13-31-24-34-0080	Excessive Consumption-\$180.00 Citation Fee-Expired Tabs-\$330.00 Citation Fee-Expired Tabs-\$630.00 Citation Fee-Expired Tabs-\$630.00	Affirm All Assessments-\$1,770.00
12-32V	Matthew Crowder 2079 111th Lane NW 15-31-24-31-0080	Citation Fee-Expired Tabs-\$330.00 Citation Fee-Expired Tabs-\$330.00	Affirm All Assessments (Paid on 11/13/12)
12-33V	Aleksandr & Erika Perzhu 12362 Thrush Street NW 10-31-24-22-0103	Citation Fee-Mowing/Weed-\$330.00	Affirm Assessment-\$330.00
12-34V	Ferid Hasic 422 84th Lane NW 03-30-24-21-0049	Securing Vacant Property-\$256.00	Affirm Assessment-\$256.00
12-35V	Lee Wolfram Sr. 10022 Linnet Street NW 27-31-24-12-0026	Citation Fee-No Rental License-\$1,030.00	Affirm All Assessments-\$1,030.00
12-36V	Jacob & Lindsey McCarty 10360 Tamarack Street NW 23-31-24-42-0049	Citation Fee-Mowing/Weeds-\$330.00	Affirm All Assessments-\$330.00

12-37V	Terry Belanger 11337 Ibis Street NW 15-31-24-14-0061	Citation Fee-No Rental License-\$330.00	Affirm All Assessments-\$330.00
12-38V	Jon Baden 10261 Palm Street NW 24-31-24-33-0051	Citation Fee-Expired Tabs-\$330.00 Citation Fee-Parking Off Pavement-\$330.00 Citation Fee-Removal & Disposal-\$330.00 Citation Fee-Removal & Disposal-\$330.00 Citation Fee-Removal & Disposal-\$330.00 Citation Fee-Parking Off Pavement-\$330.00 Citation Fee-Boat Storage-\$330.00	Reduce Assessments to \$1,320.00
12-39V	Cindy Glaser POA to Eugene Becker 456 113th Lane NW 13-31-24-31-0048	Citation Fee-Mowing/Weed-\$330.00 Citation Fee-Securing Vacant Property-\$330.00 Securing Vacant Property-\$286.00 Citation Fee-Removal & Disposal-\$330.00 Removal & Disposal-\$371.00	Affirm All Assessments-\$1,647.00
12-40V	Lisa Metwaly 341 104th Lane NW 24-31-24-42-0035	Citation Fee-No Rental License-\$330.00	Remove Assessment-\$0
12-41V	Cherie Winchester 2241 Coon Rapids Blvd. 22-31-24-23-0003	Citation Fee-Parking Off Pavement-\$330.00	Affirm Assessment-\$330.00
12-42V	Neil Fleahman 2137 109th Avenue NW 15-31-24-34-0104	Excessive Consumption-\$180.00 Citation Fee-Expired Tabs-\$330.00 Citation Fee-Expired Tabs-\$330.00	Affirm All Assessments-\$840.00
12-43V	Dennis Hill 10861 Kumquat Street NW 24-31-24-21-0102	Citation Fee-Parking Off Pavement-\$330.00 Citation Fee-Parking Off Pavement-\$330.00	Affirm All Assessments-\$660.00

Please refer to previously received Board packets for appeal letters. **The Board agenda for November 1 was sent to Council separately on October 25. If you need information concerning that agenda, please contact Cathy Sorensen.** The attached resolution reflects the dollar amount based on the above appeals. An assessment fee of \$30.00 has been included in the totals in the Resolution.

ALIGNMENT WITH STRATEGIC VISION

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

RECOMMENDATION

The Board of Adjustment and Appeals recommends that the Council adopt Resolutions 12-113 and 12-114 adopting 2012(3) Miscellaneous Special Assessments (contested miscellaneous assessments-one year and three year).

Attachments

Appealed Misc. 2012(3)-1 Year

Appealed Misc. 2012(3)-3 Year

RESOLUTION NO. 12-113

**RESOLUTION ADOPTING 2012 (3) CONTESTED MISCELLANEOUS ASSESSMENTS
(ONE YEAR)**

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 nonpayment of invoices; 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, a copy of which is attached hereto and made a part thereof, 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 benefited 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 2014, and shall bear interest at the rate of 1.20% 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, 2014. The total amount of the one-year assessment is \$4,696.00.

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, 2013), 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, 2013 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 20th day of November 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-114

**RESOLUTION ADOPTING 2012 (3) CONTESTED MISCELLANEOUS ASSESSMENTS
(THREE YEAR)**

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 nonpayment of invoices; 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, a copy of which is attached hereto and made a part thereof, 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 benefited 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 2014, and shall bear interest at the rate of 1.36% 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, 2014. The total amount of the three-year assessment is \$5,767.00.

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, 2013), 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, 2013 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 20th day of November 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

5.

Meeting Date: 11/20/2012

Subject: Revocation of Peddlers License for Boulder Creek Builders

From: Kris Linqvist, Deputy Clerk

INTRODUCTION

Staff is requesting Council action to revoke a peddler's license issued October 16, 2012 to Boulder Creek Builders for door-to-door sales of insulation installation.

DISCUSSION

On October 9, 2012, Jennifer Williams, on behalf of Boulder Creek Builders, submitted the necessary fees and paperwork for a peddler's license. Satisfactory background checks were completed for two representatives, Jennifer Williams and Jesse Dey. They were issued a license valid from October 16 through November 15, 2012.

On October 29, 2012 staff suspended the license and sent the required notice to Boulder Creek Builders. This suspension was based on the attached police report dated October 24, 2012. The report states that two female representatives were in the neighborhood (only one female has applied for a solicitors license) and that they were representing Connexus and Excel Energy.

City Code 5-1518(2) allows revocation of a peddler's license for "any fraud, misrepresentation, or false statement made in connection with the selling of goods, wares, or merchandise."

City Code 5-1508(6) states that any applicant who has violated the licensing chapter will not be eligible for a new license for two years.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: to ensure proper adherence to licensing requirements.

RECOMMENDATION

Staff recommends Council revoke the peddler's license 12-188 issued to Boulder Creek Builders and its two representatives, Jennifer Williams and Jesse Dey.

Attachments

Boulder Creek

INCIDENT INFO

Agency Name: COON RAPIDS POLICE DEPT.	ORI #: MN0020500	JCF: <input type="checkbox"/>	Add'l Pages: <input type="checkbox"/>	 * 1 2 2 3 7 7 0 6 *
Reporting Officer(s): K135 OMAN, NIKOLAS		K121 JACOBSON, ADAM		Total Value Stolen (Property): \$0.00
Date Reported: 10/24/2012 03:30 PM	Assigned: 1530	Arrived: 1530	Cleared: 1541	Total Value Damaged (Property): \$0.00
Earliest Date/Time Occurred:		Latest Date/Time Occurred:		
Location of Offense/Incident: 340 110 AVE NW COON RAPIDS, MN 55448-			Apt.:	Grid: 10M - 10M - RES - E OF FOLEY, S OF NORTHDA...

OFFENSE(S)

MOC Code:	Classification:	Disposition:
09840	COMPLAINTS - ALL OTHER	PENDING
09856	OC - SOLICITATION	PENDING

NARRATIVE

Incident Narrative 1
R/P REQUESTED A PHONE CALL REGARDING SOLICITATION IN THE COON RAPIDS AREA. R/P WORKS FOR CONNEXUS AND WAS TOLD BY A CUSTOMER, _____, THAT REPRESENTATIVES HAD BEEN IN THE AREA SOLICITING "ENERGY AUDITS". R/P STATED NO ONE HAS BEEN SOLICITING FOR CONNEXUS AND RECOMMENDED _____ TO CONTACT POLICE.

_____ STATED TWO WOMEN WERE IN THE NEIGHBORHOOD WITH YELLOW REFLECTIVE VESTS ON. _____ STATED THE WOMAN CLAIMED TO BE WORKING FOR EXCEL AND CONNEXUS ENERGY AND RECOMMENDED AN ENERGY AUDIT ON HIS HOME. AN APPOINTMENT WAS MADE FOR SOMEONE TO INSPECT _____ HOME.

A MAN, "JESSE JAMES" CAME TO _____ HOME AND RECOMMENDED SOME IMPROVEMENTS FOR ENERGY EFFICIENCY. THE MAIN PROBLEM BEING THE INSULATION IN THE ATTIC. _____ SIGNED A CONTRACT TO HAVE THE IMPROVEMENTS MADE. _____ LATER FOUND OUT THE CONTACT WAS _____

NAME CODES: A - Adult Arrested, AC - Arresting Citizen, C - Complainant, D - Driver, F - Family/Parent, G - Guardian, J - Juvenile Arrested, M - Mentioned, MP - Missing Person, I - Other Involved, O - Owner, P - Passenger, PT - Perpetrator, R - Reportee, S - Suspect, V - Victim, W - Witness

NAME(S)

<input checked="" type="checkbox"/> Person <input type="checkbox"/> Business	A/J/U: A	Code: R	Name: B, R, C	Alias:
Address (Street, City, State, Zip): 4		Apt.:	Date of Birth:	Sex: FEMALE Race: WHITE
Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone: Work/Bus. Cell: Call/Pager/Fax:

<input checked="" type="checkbox"/> Person <input type="checkbox"/> Business	A/J/U: A	Code: C	Name: C, M, E	Alias:
Address (Street, City, State, Zip): COON RAPIDS, MN 55448-		Apt.:	Date of Birth:	Sex: MALE Race: WHITE
Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone: Work/Bus. Cell: Call/Pager/Fax:

<input type="checkbox"/> Person <input checked="" type="checkbox"/> Business	A/J/U: M	Code: M	Name: BOULDER CREEK BUILDERS	Alias:
Address (Street, City, State, Zip): 532 NORTHDALE BLVD NW COON RAPIDS, MN 55448-		Apt.:	Date of Birth:	Sex: Race:
Height:	Weight:	Hair Color:	Eye Color:	Home/Bus. Phone: 763-450-0730 Work/Bus. Cell: Call/Pager/Fax:

CASE

Supervisor: RB	Extra Copy To: CITY CLERKS OFFICE	Related Case Number:
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WITH A DIFFERENT BUSINESS, BOULDER CREEK BUILDERS.

HE BELIEVED SOMETHING WAS WRONG AND CONTACTED CONNEXUS AND WAS INFORMED CONNEXUS WAS NOT SOLICITING. HE CONTACTED BOULDER CREEK BUILDERS AND FILED FOR A CANCELLATION OF CONTRACT. HE WAS UPSET THAT BOULDER CREEK BUILDERS USED CONNEXUS'S NAME TO GET A CONTACT.

BOULDER CREEK BUILDERS WERE NOT CONTACTED BY POLICE. FORWARD TO THE CITY CLERKS OFFICE. NO FURTHER ACTION.



City Council Regular

6.

Meeting Date: 11/20/2012

Subject: 2013 Fee Revisions

From: Kevin Vouk, Manager of
Accounting/Treasurer

INTRODUCTION

On November 7th, the attached ordinances adjusting certain fees and building inspection fees were introduced and are now being presented for adoption along with resolutions which include fees not set by ordinance. Rates for the ice arena, golf course and utility funds are set by separate City Council action throughout the year.

DISCUSSION

The fees for 2013 have been adjusted by the 2012 annual adjustment of 1.5% with exceptions noted below. A request for a rate change is made only if the adjustment is enough for the fee to be rounded to the next significant dollar amount. Items to note are as follows:

Ordinance Adjusting Certain Fees (see reference number in ordinance)

1. *Fees set by State Statute.* Certain fees under Section 5-209 (alcoholic beverages) and the gambling investigation fee under Section 5-2008 of the City Code are set by Minnesota Statutes and did not change for 2013.
2. *On-sale liquor license.* The on-sale liquor license was compared to the amount charged by other cities. Based on this review, staff determined that it should remain at the current rate of \$9,350 for 2013.
3. *Property Monitoring Fees.* A property monitoring fee was approved by the City Council in 2006. The 2007 fees were set at \$600 per year for residential property and \$1,000 per year for commercial property to cover related costs. Staff recommends no change for 2013.
4. In certain cases there may be no change in the fee due to rounding. For example, the tobacco license investigation fee which is rounded to the nearest \$5 had a calculated base amount of \$120.60 in 2012 and was rounded to \$120. For 2013, the calculated base increased to \$122.41, which rounded to the nearest \$5 leaves the fee at \$120.
5. Staff recommends that certain other fees not be increased for 2013 if they are adequate to cover current costs, are seldom used and therefore difficult to establish a cost basis, and/or are comparable to rates charged by other cities.

Ordinance Adjusting Building Inspection Fees

At the November 7th meeting, Councilmember Klint and the Mayor asked if the ordinance was increasing fees. Generally, these fees are not increasing. Permit fees are nearly always based on the value (labor plus materials) of a project, which is provided to the City by the applicant. Other than the following four items, building inspection fees will be unchanged for 2013.

- The tier of \$1,000,001 and up has been eliminated in Table A-2013, so the highest tier is now \$500,001 and up. Structures over \$1,000,000, because of their size, typically require multiple inspection visits for certain components of the construction (e.g., all of the footings may not be ready for inspection at the same time), so inspection costs are higher while the \$1,000,001 and up tier was charging a lower fee per thousand for the amount beyond \$1,000,000. Elimination of this tier will have the effect of increasing the permit by \$50 for every \$100,000 of valuation over \$1,000,000.
- The inspection of garage door replacements, which is required by the State of Minnesota, has not previously been in the ordinance. This is now included as an item under Building Permit fees.
- A fee has been added for a Loan Property Condition Inspection and Report in the amount of \$250. An inspection is required for residents that obtain a city housing program loan. Residents have the option of contracting with a private inspector if they choose.
- The section on Sewer and Water Permit Fees now indicates that these fees will be calculated according to Table A-2013 with the exception of residential properties which will use flat rates as stated.

Councilmember Schulte also asked about the need for the review of construction documents (i.e. plan review) which have been prepared by an architect, engineer, or other design professional. The State Building Code requires that construction documents be submitted for review, and that the building official examine construction plans for compliance with the building code and other laws and ordinances (MN Rules 1300.0130). Experience has demonstrated time and again the value of plan review by code experts in catching errors or omissions that would affect building safety or functionality, or result in expensive corrections following installation or construction. Additionally, the plan review process usually includes review of the project by other departments, including Planning, Fire and Engineering.

Resolution 12-115 Establishing Certain Fees and Charges

Items not increased by the annual adjustment are as follows:

Fees set by State Statute. These include the notary fee, returned check charge, day care inspection fee and document charges. The State did not change these fees for 2013.

Water Meters. The City purchases water meters and sells them to contractors for installation in new construction. The rate consists of our cost (including sales tax) and a markup of 33% to cover handling and future replacements since there is no charge for the replacement of water meters. Our cost has not changed since the time these fees were set a year ago, so there is no change to these fees.

Planning and Inspection Letter. This fee for the Community Development Department is being increased from \$50 to \$60 to offset costs actually incurred.

Resolution 12-116 Establishing Certain Fees and Charges for CTN Studios

There were three changes to the CTN fee schedule: the P2 card (32 GB) rate was decreased from \$50/day to \$45/day, the Sennheiser wireless system at \$40/day was replaced with a Lectrosonics wireless system at \$50/day, and the HD truck rate was increased from \$5,200 to \$5,600 per day. All other CTN fees will remain the same for 2013.

Resolution 12-117 Establishing Sewer Availability Charges (SAC)

Metropolitan Council Environmental Services (MCES) has notified the City that the basic SAC charge will be increased \$70 or 3.0%. SAC charges are collected by the City and remitted to MCES for all new or expanding sewer system users. The funds are used by MCES to retire debt incurred to build and expand the metro sewer system. Resolution 12-117 provides for the increase, changing the single family SAC from \$2,440 to \$2,510 which includes \$75 that the City retains to cover monitoring of property usage required by MCES.

Resolution 12-118 Establishing Certain Fees and Charges for Use of City Park Facilities

The categories for determining user charges were changed to agree with the categories used for the Civic Center and Ice Center. This involved moving non-profits from the no-fee category to the regular fee category. This not only makes it consistent with other policies in the City, but also brings it in line with State guidelines which do not allow the City to donate funds or services. As part of the revised categories, non-resident fees were added for Riverwind, Lions Coon Creek Park and picnic shelters.

Other fee changes for park facilities are: the rates for picnic shelters at the Soccer Complex, Crooked Lake and Riverwind were changed from \$30 to \$36 for the first three hours and \$10 to \$12 for each additional hour (the same as shelter #4 at Lions Coon Creek Park); the Sand Creek Concession stand has been changed from \$60 for the first three hours and \$10 for each additional hour to a fixed daily amount of \$150; and the resident fees for soccer, baseball and football/lacrosse were increased from \$75 to \$100 for the two hour rate. All other park facility fees will remain the same for 2013.

Resolution 12-119 Establishing Certain Fees and Charges for Adult Softball Leagues

Increases in registration fees for adult softball leagues ranged from 1% to 4% to cover increased costs of the program.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the City's long-term strategic vision by ensuring that fees cover the cost of providing the related service or the amount allowed under State Statutes.

RECOMMENDATION

- a. Conduct public hearing regarding the fee increase for 3.2 malt liquor licenses.
- b. Adopt an Ordinance to Revise Certain License Fees, Service Fees and Related Charges effective January 1, 2013.
- c. Adopt an Ordinance Adjusting Building Inspection Fees effective January 1, 2013.
- d. Adopt Resolution 12-115 Establishing Certain Fees and Charges effective January 1, 2013.
- e. Adopt Resolution 12-116 Establishing Certain Fees and Charges for Use of CTN Studio Facilities effective January 1, 2013.
- f. Adopt Resolution 12-117 Revising Sewer Availability Charges (SAC) effective January 1, 2013.
- g. Adopt Resolution 12-118 Establishing Certain Fees and Charges for Use of City Park Facilities effective January 1, 2013.
- h. Adopt Resolution 12-119 Establishing Certain Fees and Charges for Adult Softball Leagues effective January 1, 2013.

City fees

CTN fees

Park fees

SAC fees

Softball fees

RESOLUTION NO. 12-115

A RESOLUTION ESTABLISHING CERTAIN FEES AND CHARGES

WHEREAS, the fees and charges for certain City services do not currently reflect City costs; and

WHEREAS, the City Council finds that it is in the best interest of the City for the costs of City services to be borne to the extent practical by the users of those services; and

WHEREAS, the City Council further finds that certain fees and charges for City services should be increased or established to more accurately reflect the City's costs in providing those services.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Coon Rapids that effective January 1, 2013 the following fees and charges, including sales tax and any surcharge imposed by the State of Minnesota or other governmental agency where applicable, shall be (prior year amounts, if different, in parentheses):

1. Sign permits
 - a. New permanent ground or monument sign\$175
 - b. New ground or monument sign on existing support(\$85).....\$90
 - c. New permanent wall sign(\$85).....\$90
 - d. Change or addition to existing permanent ground or wall sign(\$85).....\$90
 - e. Temporary sign for commercial, institutional, or industrial use\$55
 - i. Public units of government with taxing authority and their agencies shall be exempt from the payment of fees for temporary signs.
 - ii. Any questions regarding whether an applicant qualifies for an exemption shall be determined by the City Council upon the request of either the applicant or the staff person responsible for issuing the permit.
 - iii. Exemption from the payment of a temporary sign permit fee does not relieve the unit of government, or its agency, from compliance with all other applicable provisions of the sign code including, but not limited to, obtaining required permits.
2. Commercial wireless Telecommunications Antennas and Tower Permits (cost of consultant services, if applicable, is in addition to permit fees)
 - a. Tower including applicant's antennas located thereon
 - i. Permit issued administratively(\$490).....\$495
 - ii. Permit issued by City Council(\$780).....\$790
 - b. Antennas mounted to one existing tower or other structure
 - i. Permit issued administratively(\$220).....\$225
 - ii. Permit issued by City Council(\$340).....\$345
3. Wetland Application Fee\$105.00 plus 150% of escrow of estimated cost of review

4.	Abatement Administrative Charge.....	(\$67)	.....\$68
5.	Weed Mowing Administrative Charge	(\$67)	.....\$68
6.	Tree Removal Administrative Charge	(\$71)	.....\$72
7.	Assessment/Utility Searches		\$20
	Supplemental Search Detail.....		\$10
8.	Assessment Charge for Unpaid Items Assessed		\$30
9.	Mailing List Charge		
	All utility accounts	\$115 plus \$1.80 per thousand printing	
	Monthly new utility accounts.....	(\$6)	.....\$7
10.	a. Water Service Reconnect Inspection fee (by Inspection Dept.).....	(\$75)	.....\$80
	b. Water Service Turn On/Off for Inspection (per visit).....		\$65
	c. Curb Stop Repair Administrative Charge	(\$71)	.....\$75
	d. Water Meter Reading Charges (Non-radio read meters)	(\$60)	.....\$65
	e. Water Meter Removal and Re-install.....		\$65
	f. Water Meter Testing.....		\$70
11.	Water Meters		
	5/8 inch.....		\$325
	3/4 inch.....		\$400
	1 inch.....		\$515
	1 1/2 inch regular		\$835
	2 inch regular		\$1,120
	1 1/2 inch turbine		\$970
	2 inch turbine		\$1,000
	3 inch turbine		\$1,735
	4 inch turbine		\$2,270
	2 inch compound.....		\$2,570
	3 inch compound.....		\$3,565
	4 inch compound.....		\$4,700
12.	Notary Fee.....		\$1
13.	Returned Check Charge		\$30
14.	Parking Fines		\$25
15.	Police Reports and Accident Reports - no charge if three pages or less		
	.....	\$ .25/page for requests of 4 pages or more	

16.	Letter of Good Standing.....	\$16
17.	Crime Statistic Reports	\$25
18.	Police Services	
	a. Vehicle lock-outs	(\$19).....\$20
	b. Digital audio file (per CD).....	\$25
	c. Digital Camera files (per CD)	\$25
	d. Printed digital photo.....	\$2
	e. Digital Squad Camera files (per CD/DVD)	\$25
	f. Car Seat Training (non-resident)	\$25
	g. Crime Free Multi-Housing Certification training	\$35
19.	Block Party Refundable Barricade Deposit	\$25
20.	Fire Department Services	
	a. Fire Run and Investigative Reports	
	.....\$.25/page for requests of 4 to 100 pages plus photo costs	
	.....Actual costs charged for requests greater than 100 pages	
	b. Recreational Fire Violation.....	\$75
	c. Fire Code Violation (other than recreational fire violations).....	\$40
	d. Open Burning Permit	\$100
	e. Fireworks Peddlers	
	Initial Property Inspection.....	\$120
	Each Additional Re-inspection	\$75
	f. Water Flow Test	\$150
	g. Day Care Inspection	\$50
	h. Lock Boxes	actual cost including sales tax
21.	Rental Licensing	
	a. Annual fee	\$100 per building
	b. Single Family conversion Fee.....	\$500 per building
	c. Background Investigation Fee.....	\$45
	d. Periodic Inspection Fee – Initial Inspection	
	with one follow-up.....	\$50 per building
	plus/\$20 per dwelling unit inspected	
	e. Each additional re-inspection	\$100 per building
22	Planning and Inspection Letter.....	(\$50).....\$60

- 23. Other Document Charges: Annual Financial Reports; Annual Budget; Capital Improvement Program; City Code; City Council Agenda Books, Agendas. Short Minutes or Long Minutes; Planning Commission Agenda Books, Agenda Page or Long Minutes
 -\$.25/page for requests 100 pages or less
 -Actual costs charged for requests greater than 100 pages

- 24. Kennel and Multiple Pet Permits
 - a. Annual permit.....\$40
 - b. Inspection or Re-inspection \$100 per inspection

- 25. Dog License
 - License fee effective until December 31st of the next subsequent even numbered year..\$10
 - License fee if during last half of even numbered year\$5

Adopted by the Coon Rapids City Council this 20th day of November, 2012.

 Tim Howe, Mayor

ATTEST:

 Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-116

**RESOLUTION ESTABLISHING CERTAIN FEES AND CHARGES
FOR USE OF THE CTN STUDIO FACILITIES**

WHEREAS, CTN Studio facilities, staff, and equipment are dedicated for the production of programming for the city of Coon Rapids community channels; and

WHEREAS, only CTN Studio staff are to use or operate equipment due to liability, knowledge of operation, and protection of the facilities; and

WHEREAS, the City may provide production services to the general public, depending on the availability of CTN Studio facilities, staff and equipment; and

WHEREAS, the cost of services provided should be borne by the users of those services.

NOW, THEREFORE, BE IT RESOLVED that the following fee schedule shall be effective January 1, 2013 including sales tax or surcharge imposed by the State of Minnesota or other governmental agency where applicable (prior year amounts, if different, in parentheses):

<u>STUDIO - includes staff assistance</u>	<u>Rates</u>
Studio A rental (3 hour minimum).....	\$130/hr
Studio B rental (3 hour minimum).....	\$55/hr
B truck control room rental (3 hour minimum)	\$135/hr
Voice over room (1 hour minimum).....	\$70/hr

STAFF (3 hour minimum)

Producer	\$75/hr
Director	\$75/hr
Graphics Designer.....	\$55/hr
Production Assistant	\$40/hr

EDIT SUITES (3 hour minimum)

Editing - Apple, Final Cut Pro, Photoshop, Motion, DVD Pro	\$100/hr w/editor
Rendering - Apple, Final Cut Pro, Photoshop, Motion, DVD Pro	\$60/hr no editor

FIELD CAMERA

HD Panasonic P2, HPX 500 w/Fuji 18x lens (x2).....	\$450 per day
HD Panasonic P2 HPX 170 w/13x lens.....	\$200 per day
DVC Pro 25, D700 w/Canon 18x lens.....	\$250 per day
Mini D, DVC 30 w/16x lense	\$100 per day

CAMERA ACCESSORIES

Cammate 18' crane	\$350 per day
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P2 card, 64 GB		\$75 per day
P2 card, 32 GB	(\$50)	\$45 per day
Tripod - Oconner 1030 w/Gitzo sticks.....		\$30 per day
Tripod - Bogan 501 (light duty)		\$10 per day
Lectrosonics UCR/UM100 wireless lavaliere.....	(\$40)	\$50 per day
Portable Tota light kit (2 lights).....		\$35 per day

PRODUCTION TRUCK (4 hour minimum)

Rate for 5 camera remote HD production (A) truck 32'	(\$5,200)	\$5,600 per day
Rate for 3 camera remote SD production (B) truck 18'		\$1,300 per day
Generator use for truck rental		\$350 per day

Crew costs are additional, see above staff rates.

Tapes and other supplies are extra.

COPIES OF CTN PROGRAMS

DVD		\$20 each
Blu-ray		\$25 each

A 25% deposit is required on all projects over \$1,000.

10% discount for public schools and non-profit organizations.

Adopted by the Coon Rapids City Council this 20th day of November, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-118

**A RESOLUTION ESTABLISHING CERTAIN FEES AND CHARGES
FOR USE OF CITY PARK FACILITIES**

WHEREAS, City Code Section 10-425 provides for the issuance of permits for the exclusive use of City park facilities under certain circumstances; and

WHEREAS, City Code Section 10-425 further authorizes the City Council to establish fees and charges for certain exclusive uses of park facilities; and

WHEREAS, the City Council finds that it is in the best interest of the City that the costs of City services be borne to the extent practical by the users of those services.

NOW, THEREFORE, BE IT RESOLVED that for the purpose of establishing fee charges for use of City park buildings, users be divided into three categories:

- Group 1 Coon Rapids civic, public organizations or affiliated athletic associations
- Group 2 Coon Rapids resident or business
- Group 3 Non-Coon Rapids resident or business

BE IT FURTHER RESOLVED, that the established exclusive use permit fees to be charged to each category shall be as follows:

- Group 1 No charge for meetings unless specified in an Affiliation and Facility Agreement
- Group 2 Per fee schedule below
- Group 3 Per fee schedule below

BE IT FURTHER RESOLVED, that exclusive use permit fees for use of City park buildings shall be as follows effective January 1, 2013 including sales tax or surcharge imposed by the State of Minnesota or other governmental agency where applicable:

	Resident	Non-resident	Damage deposit
Riverwind			
Classroom with kitchen privileges, restrooms	\$365/mo	\$415/mo	\$100
Large meeting room - capacity 88			
First 3 hours without food	\$60	\$80	\$100
First 3 hours with food	\$150	\$200	\$100
Each additional hour	\$20	\$25	
Use of kitchen	\$12	\$15	

	Resident	Non-resident	Damage deposit
Lions Coon Creek Park			
Shelters #1 ,#2, #3 (electricity available)			
First 3 hours	\$45	\$60	
Each additional hour	\$15	\$20	
Shelter #4 (by parking lot with no electricity)			
First 3 hours	\$36	\$48	
Each additional hour	\$12	\$15	
Picnic shelters at the Soccer Complex, Crooked Lake or Riverwind			
First 3 hours	\$36	\$48	
Each additional hour	\$12	\$15	
Sand Creek concession stand	\$150/day	\$150/day	\$150

Deposit of \$25 for any facility with a keyed access.

BE IT FURTHER RESOLVED that the fees to be charged for use of Athletic Facilities shall be as follows including sales tax or surcharge imposed by the State of Minnesota other governmental agency where applicable:

ATHLETIC FIELD RENTALS (Two hour minimum required)

<u>Field Type</u>	<u>Two Hour Rate (Per Field)</u>	<u>Weekend Tournament Day Rate (Per Field)</u>
Soccer Fields		
Resident or adult league	\$100	\$200
Non-resident	\$150	\$400
Softball Fields		
Resident	\$30	\$100
Non-resident	\$60	\$200
Baseball Fields		
Resident	\$100	\$200
Non-resident	\$150	\$400
Football and Lacrosse Fields		
Resident	\$100	\$200
Non-resident	\$150	\$400
Ice Rink		
Resident	\$25	N/A
Non-resident	\$50	N/A

EQUIPMENT

- 1. Limer\$15
- 2. Lime\$6 per bag
- 3. Drag\$15
- 4. Batter’s Box\$5
- 5. Hose and Nozzle\$5
- 6. Portable Toilets\$60 per toilet
- 7. Lights\$90 per field or rink
- 9. Dumpster.....\$150 per unit

DEPOSITS

All users must submit a \$500 key, cleanup and damage deposit. Deposit will be returned minus charges upon completion of rental, league, or tournament.

BE IT FURTHER RESOLVED that the cleaning and damage deposit shall be applicable to all user categories.

Adopted by the Coon Rapids City Council this 20th day of November, 2012

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-117

RESOLUTION REVISING SEWER AVAILABILITY CHARGES (SAC)

WHEREAS, City Code Section 13-602 authorized the City Council to adopt by resolution a sewer rate charge which is intended to reimburse the City for the Sewer Availability Charge (SAC) assessed by the Metropolitan Council Environmental Services and additional expenses incurred by the City; and

WHEREAS, the SAC charges will be increased \$70 by the Metropolitan Council effective January 1, 2013 to \$2,435 for single family residential charge; and

WHEREAS, the City adds an additional \$75 to the fee to cover expenses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that pursuant to provisions of City Code Section 13-602 the following sewer availability charges are hereby established effective January 1, 2013.

1. Single family residence, individual townhouse or condominium units and individual duplex units shall each comprise one unit and pay a fee of \$2,510.
2. Multiple family residences and mobile homes shall pay 80% of the SAC charge plus \$75 or a fee of \$2,023 per dwelling unit.
3. Public housing units and housing units subsidized under any Federal program for low and moderate housing shall be counted as 75% of the unit equivalent for that type of housing and shall pay a fee of \$1,900 under Subsection 1 hereof or \$1,536 per dwelling unit if it is a unit under Subsection 2 above.
4. Outdoor spaces that will be exposed to wet weather conditions shall receive a 75% discount. These spaces may include (where there are toilets available): restaurant and bar outdoor seating areas, golf courses and driving ranges, outdoor pools and water parks, park shelters, outdoor tennis courts, drive-in restaurants and theaters, and outdoor public areas such as zoo exhibits.
5. All other users shall be assigned one unit for every 274 gallons per day of flow which it is estimated they will discharge annually, with each such building being assigned a minimum of one unit, with a charge of \$2,510 per unit.

Adopted this 20th day of November, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk

RESOLUTION NO. 12-119

**A RESOLUTION ESTABLISHING CERTAIN FEES AND CHARGES
FOR ADULT SOFTBALL LEAGUES**

WHEREAS, the City owns softball fields where leagues are administered; and

WHEREAS, the City Council finds that it is in the best interest of the City to control its assets;
and

WHEREAS, the City Council further finds that certain fees and charges for City services should
be established to more accurately reflect the City's costs in providing those services.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Coon Rapids,
Minnesota, that effective January 1, 2013 the following fee schedule, including sales tax
or surcharge imposed by the State of Minnesota or other governmental agency where
applicable, shall be (prior year amounts, if different, in parentheses):

- 1. Summer Leagues
 - a. Single Game Leagues..... (\$530)\$550
 - b. Single Game Co-Rec Leagues (\$540)\$550
 - c. Double Header Leagues (\$875)\$895

- 2. Fall Leagues
 - a. Men's and Women's Leagues..... (\$480)\$500
 - b. Co-Rec Leagues..... (\$495)\$500

- 3. Team Conduct and Eligibility Fees (per incident).....\$25

Adopted by the Coon Rapids City Council this 20th day of November, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

7.

Meeting Date: 11/20/2012

Subject: PC 12-25 Shamrock Development Consideration of an Ordinance rezoning property at Springbrook Dr. & 87th Ave. from Community Commercial to Industrial

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting the adoption of an ordinance rezoning certain property from Community Commercial to Industrial. The applicant has also submitted a request for a corresponding change to the Comprehensive Land Use Plan from Community Commercial to Industrial.

DISCUSSION

Background

In 1994, at the request of the property owner, the zoning of the subject parcel was changed from Industrial to Community Commercial; there was also a corresponding change to the Comprehensive Land Use Plan designation. In 2009 the City Council adopted the 2030 Comprehensive Land Use Plan, which identified the subject parcel as Office. In December 2010 the City Council considered rezoning the property to Office so that it was consistent with the Comprehensive Land Use Plan. Due to the lack of demand for office space and the changing market, the Council voted to deny the zone change from Community Commercial to Office. Subsequently, in April 2011, the City Council approved an amendment to the Comprehensive Land Use Plan changing the subject property's land use designation from Office to Community Commercial.

The subject area is approximately 5.8 acres and part of a larger 23 acre parcel. The other 17 acres are zoned Industrial.

Analysis

When considering a request to rezone property, the Council should evaluate if there was some mistake in the original zoning, or if the character of the neighborhood has changed so that a reasonable use of the property can not occur under the current zoning.

Mistake in the Original Zoning

The subject property was zoned Industrial until 1994, when it was changed to Community Commercial. At that time there was a significant amount of undeveloped industrial land in the city, the Springbrook Target had just been completed and the property owner thought there would be a need for additional commercial property along Springbrook Drive. Since that time, four commercial buildings have been constructed in the area, the latest in 2007. No new commercial development has occurred since then. The site is suitable for either commercial or industrial zoning. Staff does not believe that there was a mistake in the original zoning.

Reasonable Use of the Property

The subject property is part of a larger parcel that is currently undeveloped. Rezoning this area to Industrial will

unify the zoning on the larger parcel and perhaps make it more desirable for development. Since the subject area was zoned Commercial, most of the Industrial zoned land has been developed. Rezoning the subject property to Industrial will create the largest undeveloped tract of Industrial zoned land in the the City.

With the need for additional industrial zoned land in the City, the proximity to Evergreen Industrial Park, and unified land use, the rezoning of this subject property to Industrial can be considered a reasonable and appropriate.

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

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

Planning Commission Meeting

At the October 18th Planning Commission meeting no one spoke at the public hearing. The Commission's discussion included whether or not it is appropriate for industrial development, and the associated traffic, adjacent to Springbrook Drive. The Commission concluded that Industrial zoning was not appropriate for the eastern most portion of the subject property, which fronts on Springbrook Drive. It noted that the adjacent uses and Springbrook Drive itself were commercial in nature, and stated that the portion of the subject property, beginning at Springbrook Drive on the east and extending approximately 500 feet to the west, and bounded by 87th Avenue on the south and the grocery store to the north, should remain Community Commercial. However, the Commission concluded the balance of the subject property could reasonably be rezoned to Industrial.

The Planning Commission, by a vote of 4:0, recommended denial of the proposed rezoning as presented, but offered the aforementioned alternative. The applicant has since revised their request to reflect that alternative

City Council Meeting

At the City Council meeting held on November 7th the Council introduced the attached ordinance. The Council did not have any questions or comments regarding the application. The attached ordinance leaves that portion of the site along Springbrook Drive zoned as Community Commercial and rezones the balance of the subject property to Industrial.

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 zone change increases the amount of vacant industrial land thereby creating additional opportunities for industrial development and the corresponding increase in jobs and a strengthened economic base.

RECOMMENDATION

In Planning Case 12-25, the City Council **adopt** the attached ordinance **approving** the proposed rezoning based on the following findings:

1. The proposed zone change would be consistent with the Comprehensive Land Use Plan.
2. The proposed zone change is compatible with the surrounding zoning districts and land uses.
3. The proposed zone change would not have an adverse impact on the area.
4. The times and conditions have change such that industrial would be an appropriate zoning for the property.

Attachments

Zoning Map

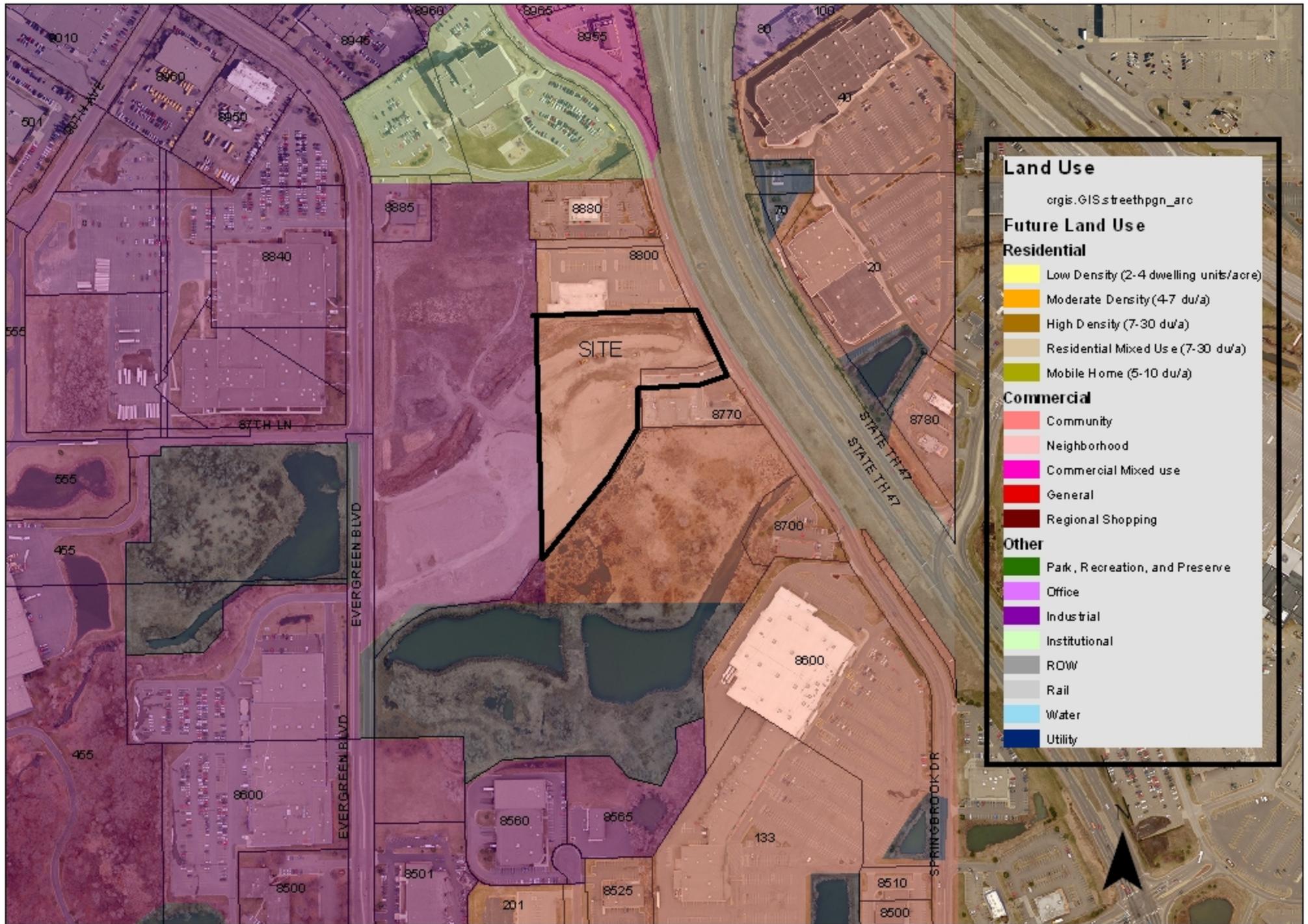
Land Use Map

Proposed Rezoning

Draft 10-18 PC Minutes

Ordinance

Land Use Map



Proposed Rezoning Map



2. **PLANNING CASE 12-24 – SHAMROCK DEVELOPMENT – LAND USE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL TO INDUSTRIAL – PUBLIC HEARING**

It was noted the applicant is requesting approval of an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Community Commercial to Industrial for the property located west of Springbrook Drive and 87th Avenue. The site is approximately 5.8 acres in size. Staff discussed the surrounding uses and recommended approval of the land use plan amendment.

Acting Chair Schwartz opened and closed the public hearing at 6:54 p.m., as no one wished to address the Planning Commission.

Commissioner Geisler commented this site has been discussed in the past. She agreed with the comprehensive plan and would not support the land use plan amendment.

Commissioner Naeve agreed with Commissioner Geisler, stating this was spot rezoning and Industrial did not fit this site. She was concerned with access to and from this property if changed to Industrial. She commented she would support a portion of this site being Industrial (not the land adjacent to Springbrook Drive), but not the entire 5.8 acres.

Acting Chair Schwartz agreed with these comments. He did not support the plan as presented.

Jerry Teeson, 2970 122nd Avenue, representing Shamrock Development, commented the Comprehensive Plan was amended last year and this entire property was to be rezoned to Industrial. He preferred to have the whole parcel Industrial and not just a portion.

Commissioner Geisler recalled the parcel being discussed last year as Office and Community Commercial. She did not recall the Commission proposing Industrial at Springbrook Drive.

Commissioner Naeve agreed with this recollection and that Industrial did not belong along Springbrook Drive.

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER STEVENS, TO DENY PLANNING CASE 12-24, THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDING:

- 1. THE PROXIMITY OF THE PROPERTY TO SPRINGBROOK DRIVE MAKES IT INCOMPATIBLE WITH AN INDUSTRIAL ZONING.**

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 20, 2012 City Council meeting.

3. PLANNING CASE 12-25 – SHAMROCK DEVELOPMENT – REQUEST FOR ZONE CHANGE FROM COMMUNITY COMMERCIAL TO INDUSTRIAL – PUBLIC HEARING

It was noted the applicant is requesting to change the zoning from Community Commercial to Industrial for the property located west of Springbrook Drive at 87th Avenue. Staff recommended approval of the zone change.

Acting Chair Schwartz opened and closed the public hearing at 6:54 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER NAEVE, TO DENY PLANNING CASE 12-25, THE PROPOSED REZONING BASED ON THE FOLLOWING FINDING:

1. THE REZONING TO INDUSTRIAL WOULD NOT BE CONSISTENT WITH THE COMPREHENSIVE PLAN.
2. INDUSTRIAL ZONING WOULD NOT BE APPROPRIATE FOR THIS PROPERTY.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 7, 2012 City Council meeting.

ORDINANCE NO.

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF
THE CITY OF COON RAPIDS SO AS TO PROVIDE CHANGES
IN THE ZONING CLASSIFICATION (PC 12-25)**

The City of Coon Rapids does ordain:

Section 1. The official zoning map of the City of Coon Rapids is hereby amended to change the classification of the following described property from Community Commercial to Industrial:

That part of Tract A, Registered Land Survey No. 246, Anoka County, Minnesota, lying easterly of the following described line:

Beginning at the southwest corner of Tract A, Registered Land Survey No. 226; thence South 0 degrees 02 minutes 26 seconds West along the southerly extension of the westerly line of said Tract A, Registered Land Survey No. 226, a distance of 804.27 feet to the southeasterly line of said Tract A, Registered Land Survey No. 246 and said line there terminating.

EXCEPT that part of Tract A, Registered Land Survey No. 246 lying easterly of the following described line:

Beginning at the northwest corner of Tract F, Registered Land Survey No. 246; thence North 0 degrees 03 minutes 51 seconds East along the northerly extension of the west line of said Tract F, a distance of 189.36 feet to the South line of Tract A, Registered Land Survey No. 226 and said line there terminating.

Introduced the 7th day of November, 2012.

Adopted on the ____ day of _____, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

8.

Meeting Date: 11/20/2012

Subject: PC 12-24 Shamrock Development, Comprehensive Land Use Plan amendment to change the land use designation from Community Commercial to Industrial

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting approval on an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Community Commercial to Industrial.

DISCUSSION

Background

In 1994, at the request of the property owner, the zoning of the subject parcel was changed from Industrial to Community Commercial; there was also a corresponding change to the Comprehensive Land Use Plan designation. In 2009 the City Council adopted the 2030 Comprehensive Land Use Plan, which identified the subject parcel as Office. In December 2010 the City Council considered rezoning the property to Office so that it was consistent with the Comprehensive Land Use Plan. Due to the lack of demand for office space and the changing market, the Council voted to deny the zone change from Community Commercial to Office. Subsequently, in April 2011, the City Council approved an amendment to the Comprehensive Land Use Plan changing the subject property's land use designation from Office to Community Commercial.

The subject area is approximately 5.8 acres and part of a larger 23 acre parcel. The other 17 acres are guided Industrial.

Analysis

The stated intent of the *Community Commercial* land use designation is to provide for moderate intensity shopping centers and peripheral businesses serving wide areas of the City and having minimal detrimental influences on surrounding residential areas. The stated intent of the *Industrial* designation is that it includes primarily light manufacturing, warehousing, services, and related uses.

When considering this change in land use request, the following factors should be taken into account:

- The subject property has limited access to Highway 47
- The site abuts Evergreen Industrial Park.
- The west 17 acres of the parcel has a land use designation of Industrial.

The proposed amendment supports the City's Comprehensive Land Use Plan in that it is consistent with the goal of maintaining a strong economic base and encourages economic development. It will promote efficient land use, increase the City's tax base and increase the amount of industrial land in Evergreen Industrial Park.

A land use designation of Industrial would be an appropriate land use designation for this area. Industrial land uses do not need direct access to a principal arterial. This area would have access to Evergreen Boulevard, which is the main collector street for Evergreen Industrial Park. Changing the land use designation to Industrial would also unify the land use designation of the parcel.

Through site plan review industrial traffic generated by this area could be directed away from Springbrook Drive, which is a commercial street, and on to Evergreen Boulevard, which is an industrial street.

Planning Commission Meeting

At the October 18th Planning Commission meeting no one spoke at the public hearing. The Commission's discussion included whether or not it is appropriate for industrial development, and the associated traffic, adjacent to Springbrook Drive. The Commission concluded that Industrial land use was not appropriate for the eastern most portion of the subject property, which fronts on Springbrook Drive. It noted that the adjacent uses and Springbrook Drive itself were commercial in nature, and stated that the portion of the subject property, beginning at Springbrook Drive on the east and extending approximately 500 feet to the west, and bounded by 87th Avenue on the south and the grocery store to the north, should remain Community Commercial. However, the Commission concluded the balance of the subject property could reasonably be changed to Industrial.

The Planning Commission, by a vote of 4:0, recommended denial of the proposed land use amendment as presented, but offered the aforementioned alternative. The applicant has since revised their request to reflect that alternative. The attached resolution leaves that portion of the site along Springbrook Drive designated as Community Commercial and changes the balance of the subject property to Industrial.

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 Comprehensive Land Use Plan amendment increases the amount of vacant industrial land thereby creating additional opportunities for industrial development and the corresponding increase in jobs and a strengthened economic base.

RECOMMENDATION

In Planning Case 12-24, **adopt** the attached resolution **approving** the proposed Comprehensive Land Use Plan amendment based on the following findings:

1. The area is part of a larger parcel that has a land use designation of Industrial.
2. The proposed amendment would be compatible with the adjacent commercial district.
3. The proximity to a collector street (Evergreen Boulevard) provides good access to the site without traffic driving through the adjacent commercial district.
4. The proposed change is consistent with the Comprehensive Plan in that it will provide land that can be developed in a manner that will strengthen and diversify the City's economic base.

Attachments

Land Use Map

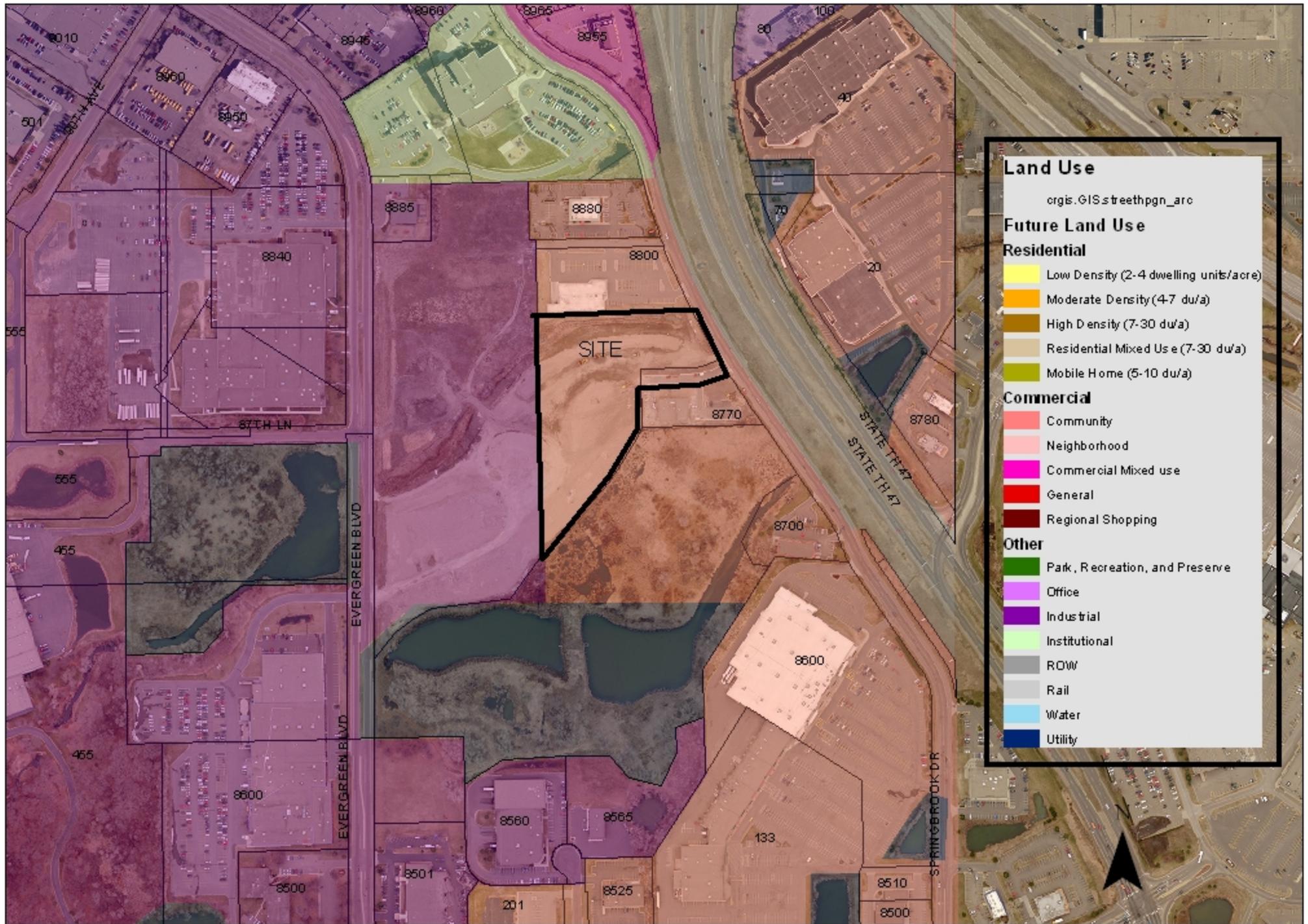
Zoning Map

Proposed Land Use Map

Draft 10-18 PC Minutes

Resolution

Land Use Map



Proposed Land Use Map



2. **PLANNING CASE 12-24 – SHAMROCK DEVELOPMENT – LAND USE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL TO INDUSTRIAL – PUBLIC HEARING**

It was noted the applicant is requesting approval of an amendment to the City's Comprehensive Land Use Plan to change the land use designation from Community Commercial to Industrial for the property located west of Springbrook Drive and 87th Avenue. The site is approximately 5.8 acres in size. Staff discussed the surrounding uses and recommended approval of the land use plan amendment.

Acting Chair Schwartz opened and closed the public hearing at 6:54 p.m., as no one wished to address the Planning Commission.

Commissioner Geisler commented this site has been discussed in the past. She agreed with the comprehensive plan and would not support the land use plan amendment.

Commissioner Naeve agreed with Commissioner Geisler, stating this was spot rezoning and Industrial did not fit this site. She was concerned with access to and from this property if changed to Industrial. She commented she would support a portion of this site being Industrial (not the land adjacent to Springbrook Drive), but not the entire 5.8 acres.

Acting Chair Schwartz agreed with these comments. He did not support the plan as presented.

Jerry Teeson, 2970 122nd Avenue, representing Shamrock Development, commented the Comprehensive Plan was amended last year and this entire property was to be rezoned to Industrial. He preferred to have the whole parcel Industrial and not just a portion.

Commissioner Geisler recalled the parcel being discussed last year as Office and Community Commercial. She did not recall the Commission proposing Industrial at Springbrook Drive.

Commissioner Naeve agreed with this recollection and that Industrial did not belong along Springbrook Drive.

MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER STEVENS, TO DENY PLANNING CASE 12-24, THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDING:

- 1. THE PROXIMITY OF THE PROPERTY TO SPRINGBROOK DRIVE MAKES IT INCOMPATIBLE WITH AN INDUSTRIAL ZONING.**

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 20, 2012 City Council meeting.

3. PLANNING CASE 12-25 – SHAMROCK DEVELOPMENT – REQUEST FOR ZONE CHANGE FROM COMMUNITY COMMERCIAL TO INDUSTRIAL – PUBLIC HEARING

It was noted the applicant is requesting to change the zoning from Community Commercial to Industrial for the property located west of Springbrook Drive at 87th Avenue. Staff recommended approval of the zone change.

Acting Chair Schwartz opened and closed the public hearing at 6:54 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER GEISLER, SECONDED BY COMMISSIONER NAEVE, TO DENY PLANNING CASE 12-25, THE PROPOSED REZONING BASED ON THE FOLLOWING FINDING:

1. THE REZONING TO INDUSTRIAL WOULD NOT BE CONSISTENT WITH THE COMPREHENSIVE PLAN.
2. INDUSTRIAL ZONING WOULD NOT BE APPROPRIATE FOR THIS PROPERTY.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the November 7, 2012 City Council meeting.

RESOLUTION NO. 12-124

**A RESOLUTION AMENDING THE COMPREHENSIVE
PLAN FOR THE CITY OF COON RAPIDS (PC 12-24)**

WHEREAS, the Comprehensive Plan adopted by the City Council for the City of Coon Rapids on March 18, 2008, designated a Community Commercial use for property described as follows:

That part of Tract A, Registered Land Survey No. 246, Anoka County, Minnesota, lying easterly of the following described line:

Beginning at the southwest corner of Tract A, Registered Land Survey No. 226; thence South 0 degrees 02 minutes 26 seconds West along the southerly extension of the westerly line of said Tract A, Registered Land Survey No. 226, a distance of 804.27 feet to the southeasterly line of said Tract A, Registered Land Survey No. 246 and said line there terminating.

EXCEPT that part of Tract A, Registered Land Survey No. 246 lying easterly of the following described line:

Beginning at the northwest corner of Tract F, Registered Land Survey No. 246; thence North 0 degrees 03 minutes 51 seconds East along the northerly extension of the west line of said Tract F, a distance of 189.36 feet to the South line of Tract A, Registered Land Survey No. 226 and said line there terminating.

WHEREAS, after consideration by the Planning Commission of appropriate use for this area, the Commission has recommended that the property previously designated as Community Commercial use be designated as Industrial; and

WHEREAS, the City Council, after due deliberation and consideration of the recommendations of the Planning Commission, concurs with said recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Coon Rapids City Council that the Comprehensive Plan as amended be further amended to provide that the property hereinafter described be designated as Industrial, to-wit:

That part of Tract A, Registered Land Survey No. 246, Anoka County, Minnesota, lying easterly of the following described line:

Beginning at the southwest corner of Tract A, Registered Land Survey No. 226; thence South 0 degrees 02 minutes 26 seconds West along the southerly extension of the westerly line of said Tract A, Registered Land Survey No. 226, a distance of 804.27 feet to the southeasterly line of said Tract A, Registered Land Survey No. 246 and said line there terminating.

EXCEPT that part of Tract A, Registered Land Survey No. 246 lying easterly of the following described line:

Beginning at the northwest corner of Tract F, Registered Land Survey No. 246; thence North 0 degrees 03 minutes 51 seconds East along the northerly extension of the west line of said Tract F, a distance of 189.36 feet to the South line of Tract A, Registered Land Survey No. 226 and said line there terminating.

Adopted by the Coon Rapids City Council this 20th day of November, 2013.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

9.

Meeting Date: 11/20/2012

Subject: Call Bonds

From: Sharon Legg, Finance Director

INTRODUCTION

The G.O. Tax Increment Bonds of 2002B should be called to save interest costs.

DISCUSSION

In February 2012, the City called \$510,000 of the G.O. Tax Increment Bonds leaving an additional \$195,000 that can now be called. These bonds are paying interest rates that are higher than present and near term interest rates.

The tax increment district that pays these bonds will have a deficit balance, but the negative investment yield will be less than the interest paid on the bonds, so staff recommends that these bonds be called on February 1, 2013.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: that approximately \$15,000 will be saved by calling the G.O. Tax Increment bonds on February 1, 2013.

RECOMMENDATION

Steffi recommends adoption of Resolution No. 12-111 Calling for Redemption of 2014 through 2017 Bonds of 2002B, G.O. Tax Increment Revenue Bonds.

Attachments

Notice of Call for Redemption

Resolution

NOTICE OF CALL FOR REDEMPTION

G.O. TAX INCREMENT REVENUE BONDS, SERIES 2002B

CITY OF COON RAPIDS, ANOKA COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that by order of the City Council of the City of Coon Rapids, Anoka County, Minnesota, there have been called for redemption and prepayment on February 1, 2013 those outstanding bonds of the City designated as G.O. Tax Increment Revenue Bonds, Series 2002B, dated November 1, 2002, having stated maturity dates of February 1 in the years 2014 through 2017, both inclusive, and totaling \$195,000 in principal amount. The bonds are being called at a price of par, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment, at the office of the City Finance Director of the City of Coon Rapids, Minnesota, on or before February 1, 2013.

Date: November 20, 2012

BY ORDER OF THE CITY COUNCIL OF THE CITY OF COON RAPIDS

RESOLUTION NO. 12-111

**RESOLUTION CALLING FOR REDEMPTION OF 2014 THROUGH 2017 BONDS OF 2002B,
G.O. TAX INCREMENT REVENUE BONDS**

WHEREAS, the City Council of the City of Coon Rapids, Minnesota (the "City") issued \$1,055,000 G.O.Tax Increment Revenue Bonds, Series 2002B originally dated November 1, 2002; and

WHEREAS, the bonds maturing in the years 2014 through 2017 may be called for redemption and prepayment on February 1, 2013 and on any date thereafter at par and accrued interest, all as provided in the resolution of the City Council authorizing the issuance of said Bonds; and

WHEREAS, cash is available to pay these bonds early; and

WHEREAS, the City Council deems it desirable and in the best interest of the City to call \$195,000 in principal of the bonds on February 1, 2013 in accordance with said resolution authorizing the issuance of said Bonds.

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

1. The G.O.Tax Increment Revenue Bonds, Series 2002B maturing in the years 2014 through 2017 totaling \$195,000 be redeemed and prepaid on February 1, 2013 at a price of par.
2. The Clerk is hereby authorized and directed to mail the notice of call to each and every registered holder of the Bonds to be called for redemption. Said notice shall be in substantially the form attached hereto as Exhibit A.
3. The City Treasurer is hereby authorized and directed to deposit with the bank where the Bonds are payable sufficient funds to pay all principal and interest due on said Bonds at of the call date.

Adopted this 20th day of November 2012.

Tim Howe, Mayor

ATTEST:

Cathy Sorenson, City Clerk



City Council Regular

10.

Meeting Date: 11/20/2012

Subject: Sewer Fee Structure

From: Sharon Legg, Finance Director

INTRODUCTION

Staff recommends that sewer rates be modified to base charges on the winter quarter water consumption.

DISCUSSION

As the City Council is aware, staff has been recommending changes to the sewer rates over the past few years to move away from billing a flat amount per customer to a rate that includes a consumption component. In 2012, the City implemented this change for townhomes, detached townhomes and quads. The only user group remaining with flat rates, are the single family and duplex residential homes, the majority of users. Sewer charges would be based on the winter quarter water use or less, if less is used. The winter quarter should be a more typical reflection of water that goes into the sewer system, when there is not yard sprinkling or car washing.

You may also recall that staff was recommending a base fee plus the consumption based fee. The base fee is still needed to cover fixed costs of the system, the lines and the lift stations. Again, this infrastructure needs to be maintained no matter how much water goes through the system. The amount paid to the Metropolitan Council is based on the prior year's flow into the system, which is about 63 percent of the operating expenses.

The City Council adopted a resolution stating that the winter quarter will consist of the following:

District 1 - mid November through mid February billed March 1

District 2 -mid December through mid March billed April 1

District 3 - mid October through mid January billed February 1

To enable modifications to the utility billing system in advance of the February 1 billing date, staff is recommending the adoption of rates based on winter quarter water consumption to take effect with the February 1 billing.

Attached is a Statement of Revenues, Expenses and Changes in Retained Earning with third quarter 2012 results as well as a 2012 projection and the proposed budget for 2013. The rate structure proposed targets the same amount of revenue that was earned in 2012. However, for some users, it will be an increase and others a decrease.

Presently, the single family and duplex rate is \$61.00 per quarter. Senior citizens receive a discounted rate of either \$42.35 or 32.50, depending on when they first enrolled. There are approximately 15,400 single family/duplex accounts. Staff is recommending that the base rate be established at 21.00 for single family homes and \$16.00 for duplexes. The cost per 1,000 gallons of water used in the winter quarter would be established at the same rate that was adopted earlier this year for all other residential properties, \$2.65 per 1,000 gallons. A minimum fee for single family and duplex properties would be \$41. and \$36. respectively. This equates to the base fee as well as 7,500 of usage. If a single family home uses the average winter quarter amount of water, 15,000 gallons, their sewer bill would remain the same. Those using less than 15,000 would see a decrease and obviously, those with more would pay more. The senior citizens with the low rate may see the biggest increase, which could be about about \$8.50 per quarter. These accounts have been subsidized in the past, but would pay based on usage going forward.

If the recommended rate structure is adopted, approximately 9,208 (63%) of the single family homes will see a rate reduction. Senior citizens presently receiving the \$32.50 senior citizen rate (373 homes) will see an increase of \$8.50 (The minimum of \$41 less the 32.50). The remaining 5,160 single family homes will see an increase, unless they use less water than the past winter's usage. About 590 (79%) of the 745 buildings classified as a duplex or twin home, would see a reduction.

Additionally, staff is recommending that the base rate of \$10 for industrial and institutional properties be increased by \$10. Again, these type of properties require a greater amount of infrastructure to serve the property.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: by amending the sewer rates for residential properties to be based on consumption.

RECOMMENDATION

Staff recommends adoption of Resolution 12-121 Establishing Sewer Rates effective February 1, 2013.

Attachments

Sewer Financial Statement

Resolution 12-121

CITY OF COON RAPIDS, MINNESOTA

SEWER FUND

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN RETAINED EARNINGS
 PERIOD ENDED SEPTEMBER 30, 2012 and [RPKECTOPMS FPR 2012 AND 2013
 (WITH COMPARATIVE TOTALS FOR PERIOD ENDED SEPTEMBER 30, 2011)

	Audited 2011	09/30/11	09/30/12	Projected 2012	Budget 2013
Operating Revenues:					
Sewer charges	\$ 6,040,275	\$ 4,469,089	\$ 4,560,914	6,163,000	6,221,200
Miscellaneous	13,382	12,276	278	1,000	1,000
Total Operating Revenues	6,053,657	4,481,365	4,561,192	6,164,000	6,222,200
Operating Expenses:					
Personal services	523,124	393,785	413,609	550,000	629,896
Other charges and services	535,746	395,041	409,125	555,000	688,215
Supplies	45,694	25,560	25,624	45,800	50,589
Disposal charges	3,956,824	2,967,618	2,719,823	3,626,430	3,857,331
Depreciation	775,237	613,908	615,524	820,700	869,554
Total Operating Expenses	5,836,625	4,395,912	4,183,705	5,597,930	6,095,585
Operating Income	217,032	85,453	377,487	566,070	126,615
Nonoperating Revenues:					
Investment income	249,562	114,497	97,823	110,865	85,009
Income before contributions and transf	466,594	199,950	475,310	676,935	211,624
Capital contributions	167,392			50,000	50,000
Transfers in	82,276				82,276
Change in net assets	716,262	199,950	475,310	726,935	343,900
Net Assets at Beginning of Year	36,649,170	36,649,170	37,365,432	37,365,432	38,092,367
Net Assets at End of Year	\$ 37,365,432	\$ 36,849,120	\$ 37,840,742	38,092,367	38,436,267

RESOLUTION NO. 12-121

RESOLUTION ESTABLISHING SEWER RATES

- WHEREAS,** the City Code 13-604 allows sewer rates to be set by resolution; and
- WHEREAS,** the sewer rates are intended to cover the cost of operating the sewer system; and
- WHEREAS,** sewer rates have been modified over the last few years to incorporate a consumption component; and
- WHEREAS,** a modification in the rate for single family and duplexes to include winter quarter consumption should be included; and.
- WHEREAS,** an increase in the base fee for commercial, restaurants, industrial and institutional of \$10.00 per quarter be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Coon Rapids City Council that the following Fee per quarter be adopted.

Flat fee

- (a) Apartments/unit with sewer only--\$41.50

Base fee plus winter quarter or less consumption at \$2.65/1000

- (b) Single-family properties--\$21.00 Minimum \$41.00
- (c) Duplex properties--\$16.00 Minimum 36.00
- (d) Townhomes/condos individually metered, mobile homes--\$10.50 Minimum 30.37

Base fee plus consumption

- (e) Apartments with one common meter--\$2.65 per 1,000 gallons water + \$7.00 per unit
- (f) Commercial, industrial and institutional per 1,000 gallons \$ 3.05/1,000 + \$45.00
- (g) Industrial and institutional per 1,000 gallons \$ 3.05/1,000 + \$55.00
- (f) Restaurants per 1,000 gallons \$3.05/1,000 + \$ 70.00

BE IT FURTHER RESOLVED, that these rates will become effective starting with the Billing sent out February 1, 2013.

Adopted by the Coon Rapids City Council this 20th day of November, 2012.

Tim Howe, Mayor

ATTEST:

Catherine M. Sorensen, City Clerk



City Council Regular

11.

Meeting Date: 11/20/2012

Subject: Utility Payment Incentive

From: Sharon Legg, Finance Director

INTRODUCTION

The City presently offers a number of methods in which to pay utility bills. Staff recommends offering an incentive for customers to pay using an automatic withdrawal from checking accounts, the most efficient and cost effective form of collection.

DISCUSSION

Utility billing customers can now pay their quarterly bill by one of three ways, cash/check, credit card or with an automatic withdrawal from their checking account on the due date of the bill. The automatic withdrawal from their checking account is very efficient for the City to process...essentially it is an upload into the utility billing system. The City has offered it for a number of years and would like to further increase its use by offering a one-time discount of \$3 for users who sign up for it.

Checks that are received in the mail require handling, including opening, balancing and data entering as well as bank charges. Credit cards, although efficient, are very costly. The credit card company charges between 1.5 to 2 percent of the amount paid. The City paid about \$10,000 in credit card fees in 2012 for utility billing customers. There are about 3,500 customers using the automated withdrawal from the checking account.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: by creating efficiency in the billing collection process.

RECOMMENDATION

Staff recommends approving the proposed Utility Payment Incentive by offering a one time \$3 discount to utility billing customers to sign up for automatic withdrawal from checking accounts.



City Council Regular

12.

Meeting Date: 11/20/2012

Subject: GPS Unit Budget Amendment

From: Sharon Legg, Finance Director

INTRODUCTION

The proposed 2013 Budget includes funds to purchase GPS units for plow trucks. Staff is recommending that these be purchased in 2012.

DISCUSSION

The 2013 Budget includes \$16,969 in the Storm Water Drainage fund for automated data collection units to collect data from all the plow trucks including salt application. You may remember, staff has consistently been trying to reduce the amount of salt used on streets in the past by installing scales and reading devices. These new devices, along with the software, will allow accurate tracking of how much and where material is spread. Preventing wasted salt not only will reduce costs, but also the negative impact on the environment.

Due to the fact that these devices are in the Proposed 2013 Budget, staff is requesting approval to purchase and install on trucks for the upcoming winter. The estimated cost of the equipment is \$11,000.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Transportation and Excellence in Government** sections of the 2030 Strategic Vision in the following way: by allowing monitoring to improve efficiency in the snow removal operation.

RECOMMENDATION

Staff recommends adoption of Resolution 12-120 Amending the 2012 Budget to Allow for the Purchase of GPS Units.

Attachments

Resolution 12-120

RESOLUTION NO. 12-120

RESOLUTION AUTHORIZING BUDGET AMENDMENT FOR GPS UNITS

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

WHEREAS, the proposed 2013 Budget includes funds for the purchase of \$15,969 for the cost of GPS units to be installed on plow trucks; and

WHEREAS, the City would like to purchase these units yet in 2012 to be installed for the upcoming winter season; and

WHEREAS, the 2012 Storm Drainage Fund has enough cash to make this purchase in 2012; and

WHEREAS, the sooner these units are installed, the sooner there will be off-setting savings in the cost of salt used for snow removal; and

WHEREAS, the 2012 budget should be amended to increase the amount of the GPS units in the Storm Drainage fund capital outlay in the amount of \$11,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota to authorize a 2012 budget amendment authorizing an increase in the Storm Drainage Fund capital outlay account in the amount of \$11,000.

Adopted this 20th day of November 2012.

Tim Howe, Mayor

ATTEST:

Cathy Sorensen, City Clerk



City Council Regular

13.

Meeting Date: 11/20/2012

Subject: Civic Center Policy

From: Sharon Legg, Finance Director

INTRODUCTION

Staff is recommending the adoption of the updated Policy for Use of City Center Facilities.

DISCUSSION

As you know, the Civic Center is used for a number of events during the year including weddings, banquets, parties, athletic group functions, etc. In an effort to increase the use of the building, staff is recommending that licensed caterers be authorized to serve intoxicating liquors including hard liquor in addition to beer and wine. Staff does receive a number of requests for events where hard liquor would be served. Reviewing other city policies, there are a number of cities that do allow intoxicating beverages without issues.

Minnesota Statute 340A.405 does allow caterers that hold on-sale intoxicating liquor licenses to serve alcohol. The holder of a caterer's permit may sell intoxicating liquor as an incidental part of a food service that serves prepared meals at a place other than the premises for which the holder's on-sale intoxicating liquor license is issued.

The City already requires that a police officer be present when serving beer and wine. Thus that procedure will not change with the addition of hard liquor. Staff would send out a request for proposals to caterers licensed to serve alcohol and select up to three vendors to work in the facility. In some cases, a food caterer has the liquor license allowing the food and beverage vendor to be the same, but sometimes they are separate vendors.

Staff is not recommending an increase in rental fees.

ALIGNMENT WITH STRATEGIC VISION

This item relates to the **Excellence in Government** section of the 2030 Strategic Vision in the following way: allows for additional users of the Civic end of the building.

RECOMMENDATION

Staff recommends that the Policy for Use of City Center Facilities allow hard liquor to be served at the Civic Center.
